

SHUTE, MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: 415 552-7272 F: 415 552-5816
www.smwlaw.com



May 26, 2010

David Bryant
Project Planner
Tulare County Resource Management Agency
Government Plaza
5961 South Mooney Boulevard
Visalia, CA 93277

**Re: Tulare County Revised Draft General Plan 2030 Update and
Recirculated Draft Environmental Impact Report For Tulare
County General Plan**

Dear Mr. Bryant:

On behalf of the Tulare County Council of Cities,¹ the law firm of Shute, Mihaly & Weinberger LLP submits the following comments on the Tulare County Revised Draft General Plan 2030 Update (“General Plan” or “Project”) and the Recirculated Draft Environmental Impact Report prepared for the General Plan (“RDEIR”). Based on our review of these documents, we conclude that, in their current form, both the General Plan and RDEIR violate state laws critical to sound land use planning.

Despite the passage of two years and multiple meetings between representatives of Tulare County and the Cities, the proposed General Plan and accompanying RDEIR show little—if any—improvement over the versions circulated by the County in 2008. While this most recent version of the General Plan, like its predecessor, claims to promote city-centered growth, it does not. If one attempts to piece together the land uses allowed in the General Plan, including those from the more than 80

¹ The Council of Cities consists of the cities of Dinuba, Exeter, Farmersville, Porterville, Tulare, Visalia, and Woodlake (collectively referred to herein as “the Cities”).

individual plans that are incorporated into the General Plan, the image that emerges of the County's vision for growth is far from "city-centered." To the contrary, the General Plan allows urban development throughout much of the County, in "hamlets" and "planned communities," as well as in unspecified "corridor plans" and "new towns."

The widespread urbanization contemplated by the General Plan threatens to consume tens if not hundreds of thousands of acres of agricultural lands, the very lands that are necessary for the County's most important industry: farming. The haphazard development resulting from the proposed Plan will also have admittedly significant impacts on the County's air and water quality, water supply, transportation and circulation, among other resources. Rather than propose measures or policies to reduce these growth-related impacts, however, the County appears resigned to their inevitability, deeming twenty-three of the General Plan's impacts significant and unavoidable. In doing so, the County is missing a critical opportunity for responsible planning and growth that achieves the goals of AB 32 and SB 375 and avoids long-term environmental damage.

But perhaps most disappointing to the Council of Cities is the Plan's complete failure to meet one of its key objectives – to "[e]nhance planning coordination and cooperation with the agencies and organizations with land management responsibilities in and adjacent to Tulare County." General Plan at A-2 (Principle 6: Planning Coordination and Cooperation). Representatives of the Cities met repeatedly with County representatives over the past two years to discuss policy changes that could further this goal. Yet, the proposed General Plan does not reflect the Cities' suggested changes. Instead, it simply states that the County "may" work with the Cities when approving development within the Cities' planning boundaries.

Given the County's incoherent land use plans for the Cities' planning boundaries and the County's poor track record permitting urban development, this policy provides the Cities little comfort. True city-centered growth means growth within city limits that is coordinated with annexation. The County's General Plan merely gives lip service to city-centered growth: it fails to include the policies and framework necessary to ensure such growth occurs when the Cities are ready to annex so development is consistent with Cities' land use plans and standards for development.

Adoption of the General Plan and certification of the RDEIR, however, would not just constitute bad planning, it would violate state law. Our review of the General Plan and RDEIR reveals serious violations of the California Planning and Zoning Law (Government Code section 65000 *et seq.*), California Environmental Quality Act ("CEQA") (Public Resources Code section 21000 *et seq.*) and CEQA Guidelines

(California Code of Regulations, title 14 section 15000 *et seq.*), and the Regional Welfare Doctrine. For example, contrary to the requirements of the Planning and Zoning Law, the General Plan's Land Use Element is missing key information about what development can go where and at what densities. The policies and land use designations it does contain frequently conflict. In fact, the Land Use Element is so convoluted and difficult to navigate that it cannot serve as an effective guide to future growth in the County.

The RDEIR proves equally inadequate. Reflecting the incomprehensible nature of the Land Use Element, the Project Description fails to describe the types and intensity of uses that could be developed within each of the proposed planning areas in the County. Instead, each discussion of the Project's environmental impacts relies on a different Project description; none, however, analyzes the impacts of the growth allowed under the General Plan.

While the RDEIR's impacts analyses identify numerous significant impacts associated with the General Plan's projected growth, the RDEIR fails to identify effective mitigation measures or alternatives that could reduce these impacts, even though changes to the General Plan's policies could feasibly accomplish this goal. In addition, the RDEIR's discussion of the Project's agricultural, land use, transportation, air quality, climate change, water supply, public services, biological resources, and cumulative impacts all fail to provide the type and detail of analysis that CEQA requires.

Finally, approval of the proposed General Plan would be an unlawful exercise of the County's police power, as it does not adequately take into consideration the welfare of the region. The County must revise and recirculate the General Plan and RDEIR once again.

I. The General Plan Violates California Planning and Zoning Law.

A general plan is an essential aspect of the governance of any county, a "constitution for all future development." *Leshar Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540. A general plan shows County residents, landowners, and decisionmakers what type of development is appropriate where, and what areas must be preserved for open space, agricultural, and other non-urban uses. It also contains policies that guide growth by facilitating or encouraging development in some areas and restricting it in others. Moreover, a general plan provides a format for thinking globally about the impacts and needs of development (such as infrastructure and water supply), and for planning ahead to meet those needs.

The County's proposed General Plan, however, serves none of these purposes. Rather than putting forth a comprehensive, effective general plan, the proposed General Plan simply assumes that unfettered urbanization is inevitable. Instead of providing clear guidance to the public and decisionmakers about what can be developed where, the proposed General Plan requires its readers to wade through nearly a hundred separate plans to piece together a picture of the County's vision for development over the next twenty years. Moreover, its purported goal of achieving city-centered growth is fundamentally inconsistent with its policies, which allow urban uses throughout the County. In short, the proposed General Plan is entirely inadequate.

A. The General Plan Does Not Contain a Valid Land Use Element.

At the heart of any general plan is the land use element—the most fundamental of the mandatory elements of a general plan. *See* Gov. Code § 65302(a); Governor's Office of Planning and Research ("OPR"), "General Plan Guidelines" (2003) at 49 (land use element "plays a central role in correlating all land use issues into a set of coherent development policies"). The land use element must "designate[] the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, . . . agriculture, . . . and other categories of public and private uses of land." Gov. Code § 65302(a). A plan's depiction of its policies "should be detailed enough to identify possible uses at any particular time." 67 Ops. Cal. Atty. Gen. 75 (Mar. 7, 1984). State law, moreover, requires that a general plan contain "a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals." Gov. Code § 65302.

The proposed General Plan fails to comply with these requirements for at least two reasons. First, the Land Use Element is so convoluted and confusing that it simply cannot serve as the blueprint for growth that it is intended to be. Second, even if one could piece together the myriad individual plans comprising the "Land Use Element," the General Plan is missing critical land use designations, population densities and building intensities for various areas of the County.

1. The Land Use Element Is Incomprehensible.

Pursuant to state law, an adequate general plan must be "reasonably consistent and integrated on its face." *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692,744. Its organization must be logical, and its standards and policies for future development must be stated with reasonable clarity. *Id.* Put simply, a general plan cannot serve as the "constitution for all future developments" if no-one can tell what development it allows where. *See Concerned Citizens of Calaveras County v.*

Board of Supervisor (1985) 166 Cal. App. 3d 90, 97 (general plan must “state with reasonable clarity what its plan is”); *Kings County*, 221 Cal. App. 3d at 744 (“A general plan which does not set forth the required elements in an understandable manner cannot be deemed to be in substantial compliance” with the Planning and Zoning Law).

Unfortunately, the proposed General Plan Land Use Element is so convoluted that it cannot serve as an adequate guide for development within the County. While this iteration of the Land Use Element, unlike its 2008 predecessor, contains a “Land Use Diagram,” (General Plan, Figure 2-2), that diagram does not contain land use designations for every area of the County. Instead, it contains designations for a handful of areas and then refers the reader to more than eighty—eighty!—additional plans to figure out the designations for the rest of the County. These additional plans include:

- 3 “Area Plans”
 - Rural Valley Lands Plan
 - Foothill Growth Management Plan
 - Mountain Framework Plan
- 10 “Sub-Area Plans”
 - Great Western Divide North Half Plan
 - Juvenile Detention Facility—Sequoia Field Land Use and Public Buildings Elements
 - Kennedy Meadows Plan
 - King Rivers Plan
 - Sequoia Field Land Use and Public Buildings Elements
 - Great Western Divide South Half Plan
 - Posey Plan
 - Redwood Mountain Plan
 - South Sierra Plan
 - Upper Balch Park Plan
- 10 “County Adopted City General Plans” (“CACGPs”)
 - Dinuba
 - Exeter
 - Farmersville
 - Lindsay
 - Porterville
 - Tulare
 - Visalia
 - Woodlake
 - Delano

- Kingsburg
- 20 “Community Plans”
 - Cutler/Orosi Community Plan
 - Earlimart Community Plan
 - Goshen Community Plan
 - Ivanhoe Community Plan
 - Pixley Community Plan
 - Poplar/Cotton Center Community Plan
 - Richgrove Community Plan
 - Springville Community Plan
 - Strathmore Community Plan
 - Terra Bella/Ducor Community Plan
 - Three Rivers Community Plan
 - Traver Community Plan
 - Alpaugh
 - East Orosi
 - Lemon Cove
 - London
 - Plainview
 - Sultana
 - Tipton
 - Woodville
- 16 “Mountain Service Center Plans”
 - Balance Rock
 - Balch Park
 - Blue Ridge
 - California Hot Springs/Pine Flat
 - Fairview
 - Hartland
 - Johnsondale
 - McClenney Tract
 - Panorama Heights
 - Posey/Idlewild
 - Poso Park
 - Silver City
 - Sugarloaf Mountain Park
 - Sugarloaf Park
 - Sugarloaf Village
 - Wilsonia

- 11 “Hamlet Plans”
 - Allensworth
 - Delft Colony
 - East Tulare Villa
 - Lindcove
 - Monson
 - Seville
 - Teviston
 - Tonyville
 - Waukena
 - West Goshen
 - Yettern
- Undetermined number of “Corridor Plans”

See General Plan at I-1-2 through I-1-7.

Making matters worse, many of these “plans” consist of multiple documents reflecting various changes to the County’s land use policies over the years. For example, the CACGP for Visalia is made up of 17 separate documents, each of which contains a piecemeal amendment to some prior version of the County’s land use plan for the area within Visalia’s UDB. It is impossible to tell from this hodge-podge of documents whether there are land use designations for all of the parcels within this planning area, much less what is permitted on any given parcel. It is not even clear whether the “original” land use plan—to which all these amendments ostensibly apply—is part of the Visalia CACGP.

In addition, a significant percentage of the plans referenced in the Land Use Diagram have yet to be developed or adopted. Specifically, the County must still prepare five of the “Sub-Area Plans,” two of the “CACGPs,” eight of the “Community Plans,” and all eleven of the “Hamlet Plans.” See General Plan Goals and Policies Report at I-1-5 through I-1-7. In the meantime, the County has simply designated these areas for “mixed use”—less of a planning designation than a plan-free designation. The Corridor Plans are even more problematic: not only have they not been developed, their boundaries have not even been established. Thus, the areas covered by the Corridor Plans are like a development wildcard, allowing the County to approve commercial, industrial and mixed use development along transportation routes throughout the County. See General Plan at II-2-1; General Plan, Policy C-1.6 (Regional Growth Corridor Opportunity Areas – Interim Policy at Area Policies II-2-2). And because the General

Plan places no time limit on when Corridor Plans must be adopted, the development allowed under the interim policy could occur indefinitely.

In *Camp v. Board of Supervisors of Mendocino County*, the court criticized a general plan that consisted of “a sheaf of uncoordinated documents stuffed into an unlabelled carton.” 123 Cal. App. 3d at 349, fn. 8. As the *Camp* court noted, a general plan that is thrown together in this way “make[s] resort to it for planning information an awkward exercise” and “generate[s] doubt concerning the integrity of the plan.” *Id.* The County’s proposed General Plan is little more than a virtual box of documents, scanned and posted on the County’s website.² As such, it is inadequate under state Planning and Zoning Law.

2. The Land Use Element Lacks Land Use Designations and Building Intensities for Various Areas Throughout the County.

Even if these 80 individual plans could be cobbled together to form a coherent whole, the Land Use Element would still be inadequate because it fails to provide land use designations and building intensities for all areas of the County. As discussed above, the Land Use Element must “designate[] the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, . . . agriculture, . . . and other categories of public and private uses of land.” Gov. Code § 65302(a). Moreover, the Land use element must contain information regarding the standards for population density and building intensity for the various districts and other territory covered by the plan. *Id.*; see also *Twain Harte Homeowners Association v. Tuolumne County* (1982) 138 Cal. App. 3d 664, 699. These standards establish the holding capacity of the area and serve as a blueprint for all future development in the plan area. See *Koster v. County of San Joaquin* (0996) 47 Cal. App. 4th 29, 41-42.

² While the County did make these documents available online, the website itself was extremely cumbersome to navigate. Many of the documents (large PDFs of old documents) took several minutes each just to open. Attempts to expand one folder (for example, the folder containing the CACGP for Visalia) often resulted in the collapse of its parent folder (“Part II County Adopted City Plans 4 of 5”). As a result, the County made the already onerous process of piecing together these multitudinous plans even more difficult and frustrating.

Given the fractured nature of the adopted CACGPs, it is not clear that the County has adopted land use designations for all of the areas within these planning boundaries. Even where the Land Use Element identifies designated land uses, many planning areas still lack the required building intensity standards. For example, the Pixley Community Plan does not identify land use intensity standards for the following land use designations: Residential Reserve; Commercial; Commercial Reserve; Industrial; Industrial Reserve; Planned Industrial; and Public/Quasi-Public. *See* Pixley Community Plan (GPA 92-06), December 9, 1997 at 4-22, 4-23. Similarly, the Foothill Growth Management Plan (“FGMP”), which covers the County’s foothills generally above the 600 foot elevation contour, contains a “Foothill Mixed Use” land use designation. *See* General Plan II-3-1. The General Plan provides no intensity standards for this land use designation; instead it directs the reader to the FGMP itself. *See* General Plan Table 4.1, footnote 7. Yet the FGMP does not actually identify building intensity standards for non-residential uses (i.e., commercial, industrial, public uses).

In other areas of the County, the proposed Land Use Element simply abdicates the responsibility for planning altogether, slapping a generic “mixed use” designation on entire communities. For example, in the eight unincorporated communities that have no adopted Community Plans, the County provides virtually no guidance or direction for growth. Until such time as a community plan is adopted for those communities without existing plans, the County’s proposed General Plan establishes a “Mixed Use” land use designation, pursuant to policy PF 2.6: Land Use Consistency. General Plan Goals and Policies Report at I-2-4 and RDEIR at 2-26. Inasmuch as the “Mixed Use” designation would allow a wide range of residential densities (1-30 units per acre), as well as commercial uses and public facilities, the County is essentially establishing a free-for-all for land owners in the communities of Alpaugh, East Oroshi, Lemon Cove, London, Plainview, Tipton and Woodville. *Id.* “Mixed use” is also the land use designation for large swaths of land within the Foothill Growth Management Plan. *See* General Plan, Figure 2-2.

The Land Use Element fares no better in its approach to Corridor Plans. “Corridors” occur adjacent to the transportation routes in the County. *See* General Plan at II-2-1. The County proposes to allow commercial, industrial and mixed use development along transportation routes *prior* to the adoption of the Corridor Plans. *See* General Plan, Policy C-1.6 (Regional Growth Corridor Opportunity Areas – Interim Policy at Area Policies II-2-2). Thus again, the General Plan fails to provide the necessary guidance as to the location, type and intensity of mixed use development that would be allowed along these corridors. Specifically, while the General Plan shows the locations of the roadways themselves (Part II, Figure 2-1), the document does not identify

where along the roadways development would occur. In addition, because the General Plan contains no building intensity standards for these Corridor Plan locations, it would appear that any type of project at any particular intensity could be developed along every major roadway (including scenic roadways) throughout the County.

In sum, the County's piecemeal approach to updating its Land Use Element is a dismal failure. Rather than setting forth a well integrated, compatible set of plans that would provide land use direction for unincorporated County lands, the profusion of plans comprising the County's proposed Land Use Element fails to provide the legally required land use designations and direction needed for decisionmakers, public entities, property owners and County residents to know what type and intensity of development can go where.

B. The Circulation Element Is Legally Inadequate, and the Land Use and Circulation Elements Are Not Correlated With One Another.

Government Code § 65302(b)(1) requires that a circulation element consist of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. The draft General Plan's Circulation Element does not comply with State Planning and Zoning Law for two reasons: (1) it does not set forth the location of proposed major thoroughfares and (2) it is not correlated with the Land Use Element.

The proposed General Plan's Circulation Element contains one map that merely shows the County's existing road system. *See* Figure 13-1: Tulare County Road System. The Element does not describe either graphically or in text any proposed major thoroughfares or any planned roadway improvements. While the RDEIR does identify various roadway projects that may be implemented by 2030, as discussed below in section II.B.3, it is entirely unclear which, if any, of the proposed roadway improvements are part of the Circulation Element. The General Plan Update thus does not meet the requirements of the Planning and Zoning Law.

As discussed above, state law requires that a general plan's circulation element be "correlated"—that is, "closely, systematically, and reciprocally related"—to the land use element of the plan. Gov. Code § 65302 (b); *Concerned Citizens of Calaveras County v. Board of Supervisors* (1985) 166 Cal. App. 3d 90, 99-100. In practical terms, the correlation requirement "is designed to insure that the circulation element will describe, discuss and set forth 'standards' and 'proposals' respecting any

change in demands on the various roadways or transportation facilities of a county as a result of changes in uses of land contemplated by the plan.” *Id.* at 100.

As the RDEIR recognizes, “transportation and circulation needs are closely tied to the location and distribution of land uses.” RDEIR at 3.2-21. Here, the County has not completed the required planning work to properly correlate the Land Use Element with the Circulation Element. If the County does not know where specifically growth will occur or the intensity of this growth, how could it possibly know how many roads and intersections it will need to accommodate this development? The RDEIR already acknowledges that the proposed General Plan will result in unacceptable levels of service along several roadways. It is thus abundantly clear that the Circulation Element does not accommodate the level of growth contemplated in the Land Use Element. Finally, inasmuch as the Circulation Element makes no mention of planned roadway improvements, the document lacks any evidentiary basis that it has taken the County’s growth projections into account.

C. The General Plan Is Internally Inconsistent.

A fundamental tenet of state Planning and Zoning Law is that a general plan must be internally or “horizontally” consistent: that is, its elements must “comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.” Gov. Code § 65300.5; *Sierra Club v. Kern County Board of Supervisors* (1981) 126 Cal. App. 3d 698, 704. General plan consistency is “the linchpin of California’s land use and development laws; it is the principle which infused the concept of planned growth with the force of law.” *deBottari v. Norco City Council* (1985) 171 Cal. App. 3d 1204, 1213. Because the County’s proposed General Plan is internally inconsistent, it violates state Planning and Zoning Law.

The most fundamental internal inconsistency in the General Plan arises from the conflict between its “city-centered growth” policies and the policies that encourage sprawl. The General Plan calls for supporting “smart growth” and “healthy communities” by discouraging sprawl and incorporating other policies for sustainability. *See, e.g.*, General Plan Policy LU1.1 at I-4-22; General Plan Goals and Policies Report at A-2. Principle 4 also states that rural residential sprawl should be avoided. *Id.* Yet, the Plan encourages decentralized development throughout the County’s unincorporated lands and will allow sprawl into rural and agricultural areas. *See e.g.*, General Plan Policy P.F-1.2 (Goals and Policies Report I-2-7). In fact, the General Plan’s Guiding Principles specifically call for growth in unincorporated communities. *See* General Plan at A-2 (Principle 1: Opportunities).

The Rural Valley Lands Plan (“RVLP”) is another source of internal inconsistency. The RVLP is touted throughout the General Plan and RDEIR as a means of protecting agricultural resources within the County consistent with the County’s stated goal of preserving “productive and potentially-productive agricultural lands.” General Plan at I-3-4 (Goal AG-1); *see also id.* at I-3-5 (Policy AG-1.8). In reality, however, the RVLP is designed to facilitate the conversion of agricultural lands to non-agricultural uses. According to the “Policy Analysis” provided in the General Plan, the RVLP “does away with the need to amend the General Plan each time a proposed zone change comes before the Planning Commission and Board of Supervisors.” General Plan at II-1-2. Thus, pursuant to the RVLP, the County can re-zone agricultural land within the RVLP area for “urban/suburban types of uses” if the County determines that such uses are more suitable. *Id.* A plan that facilitates the rezoning of agricultural land to allow for urban/suburban uses does nothing to further the goal of preserving agricultural land.

To be sure, under the RVLP, the County cannot conclude that land is more suitable for non-agricultural uses if it scores 17 or more points under the RVLP Development Criteria or if it is part of an agricultural preserve. However, the point of the Plan is to take lands out of agricultural use, not to put them in or preserve them. Had the County been true to its goal of preservation, it could have simply applied a land use designation throughout the RVLP area that prohibited (or strictly limited) non-agricultural uses, instead of providing a tool for leapfrog development and sprawl.³

More specific examples of inconsistent policies abound in the proposed General Plan, including the following:

- Contrary to the General Plan’s Guiding Principles that call for maintaining rural separation between cities, communities, and hamlets, the General Plan land use map (Figure 4-1) shows the cities of Visalia, Tulare, and

³ Moreover, the RVLP creates a kind of planning conundrum. By allowing changes in a parcel’s zoning from agricultural to urban/suburban use without a contemporaneous change in the general plan land use designation, the RVLP appears to authorize a vertical inconsistency between the County’s general plan and zoning ordinance. Under state law, such inconsistency is prohibited. Gov. Code § 65860(a). If, on the other hand, no change in the general plan is required to accommodate a change in zoning because the current land use designation throughout the RVLP area allows both agricultural and urban/suburban uses anywhere, then the RVLP isn’t really a plan at all—it is an area in which anything goes.

Farmersville becoming one large urban area with no rural separator. *See* Figure 2.4-1, inconsistent with Guiding Principles Agriculture Principle 2 (Maintain Separators) and Land Use Principle 4 (Rural Separators), p. B-1 to B-2.

- Policy RVLP-1.1 “limits” urban development within the RVLP area to “UDBs, *UABs*, HDBs, and other adopted land use plans which may include urban corridors, planned communities, and the Kings River Plans” (emphasis added). PF-1.2. on the other hand, states that the County shall ensure urban development takes place only in certain areas, excluding *UABs*.
- Policy AG-1.12 provides that the County “shall discourage the creation of ranchettes in areas designated Valley Agriculture and Foothill Agriculture.” General Plan at I-3-6. However, the Land Use Element allows one dwelling unit per ten acres, with minimum lot sizes of 10-80 acres, on land designated “Valley Agricultural.” General Plan at Table 4.1. A ten-acre parcel with a residence is the epitome of a ranchette.
- The RVLP Criteria and Evaluation Matrix (General Plan at II-1-8) states that an agricultural parcel that is five acres (gross) or larger in size receives four points toward its total score under the RVLP scoring system. The reason for this score is “to prevent further division of large agricultural parcels into smaller parcels, thus limiting their value for agricultural purposes.” *Id.* However, AG-1.5 and Agriculture Implementation Measure 4 require the County to serve “Non-renewal” notices for Williamson Act contracts on parcels smaller than 10 acres (if Prime Farmland) or 40 acres (if Non-Prime Farmland). General Plan at I-3-5, I-3-9-10.

Because these and other policies relating to growth, infrastructure, and the provision of services within the County are inconsistent, the General Plan is legally inadequate.

Finally, as will be discussed in more detail below, the policies allowing and even encouraging unfettered growth outside of the UDBs will have significant environmental impacts. The RDEIR recognizes this fact, finding nearly two dozen significant and unavoidable environmental impacts caused by this Plan. *See* RDEIR at ES-12 through ES-26. For example:

- Buildout of the General Plan will also be inconsistent with its Air and Water Quality goals. Section AQ-1 directs the County to improve air

quality and requires development to be located, designed, and constructed in a manner that will minimize cumulative air quality impacts, and new projects should aim to reduce air emissions. *See* AQ-1.3. Additionally, Section AQ-2 directs the County to mitigate air quality impacts associated with the Project. *See* AQ 2.2. Yet, the RDEIR predicts that the Project will result in a cumulatively considerable net increase of criteria air pollutants that result in a violation of air quality standards and could conflict with or obstruct the implementation of an applicable air quality plan. *See* RDEIR at ES-13.

- Additionally, Section TC-1 directs the County to promote an efficient roadway and highway system for the movement of people and goods, which enhances the physical, economic, and social environment while being safe, environmentally friendly, and cost-effective. Section TC-1.1 requires the County to establish and maintain a public road network to accommodate projected growth in traffic volume. However, the Project is expected to result in a substantial increase in vehicular traffic and the impact from this increase is categorized as “significant and unavoidable.” *See* RDEIR at ES-12. Yet again, the environmental impacts of the Project are at odds with the Plan’s internal goals.

For this reason, as well, the General Plan is internally inconsistent.

II. The RDEIR Is Legally Inadequate.

An EIR is “the heart of CEQA.” *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal. 3d 376, 392 (“*Laurel Heights I*”). “The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.” CEQA § 21061. The EIR “is an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return. The EIR is also intended ‘to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.’ Because the EIR must be certified or rejected by public officials, it is a document of accountability.” *Laurel Heights I*, 47 Cal. 3d at 392 (citations omitted).

Unfortunately, the RDEIR for the proposed General Plan fails entirely to live up to this mandate. Like its predecessor, the RDEIR lacks a comprehensible description of the Project and fails altogether to describe the wide variety of types and intensity of uses that could be developed within each of the County's planning areas. In the absence of a comprehensive and detailed description of land uses, the RDEIR is incapable of providing a meaningful analysis of the General Plan's environmental impacts. Thus, rather than seriously grapple with the issue of how unfettered growth would affect the County's lands, the RDEIR routinely defers impact analysis and looks to vague and unenforceable General Plan policies as a panacea for each and every environmental impact. The County once again has chosen to play a game of "hide the ball," leaving the public and decisionmakers with a profoundly distorted view of the General Plan Project and its consequences.

A. The RDEIR's Description of the Project Violates CEQA.

In order for an EIR to adequately evaluate the environmental ramifications of a project, it must first provide a comprehensive description of the project itself. "An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 730 (quoting *County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 193). As a result, courts have found that even if an EIR is adequate in all other respects, the use of a "truncated project concept" violates CEQA and mandates the conclusion that the lead agency did not proceed in the manner required by law. *San Joaquin Raptor*, 27 Cal. App. 4th at 729-30.

Furthermore, "[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." *Id.* at 730 (citation omitted). Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable. Here, the RDEIR for the proposed General Plan does not come close to meeting these clearly established legal standards.

The RDEIR does little to improve upon the inadequate Project Description of the original DEIR. It provides a description of the General Plan that is effectively no description at all. Because the proposed General Plan fails to provide the necessary guidance for land use development, the RDEIR's Project Description lacks the required information regarding the specific location, type and intensity of development that will exist in the County in 2030. The RDEIR includes demographic predictions about the County's future population but fails to provide a comprehensive and a comprehensible description of what would actually be developed on *all* of the County's land.

1. The Project Description Lacks Sufficient Information to Determine How It Would Achieve Plan Objectives.

The Project Description provides no information about how growth would occur under the General Plan. The RDEIR asserts that under the General Plan, 75% of new population growth is expected to occur within the UDBs of incorporated cities, while the remaining 25% is expected to occur in the unincorporated areas outside of these UDBs. RDEIR at 2-9, 2-24. However, there is no description anywhere in the RDEIR of how the proposed policies will achieve this ratio, nor any mathematical calculation of the potential for growth in these two areas based on their land use designations. The Policy Alternatives Newsletter cited in the RDEIR does not provide an explanation, either. *See id.* In fact, that document states that the three land use alternatives presented “are still conceptual in nature.” Policy Alternatives Newsletter at 11. In other words, the Newsletter describes three possible patterns of development for decisionmakers to use in determining the ideal end result of development in the County. Yet, it does not propose specific land use designations or policies that could create that end result.

Even assuming the General Plan does somehow distribute land uses to ensure 75% of future growth does occur within Cities’ UDBs, the RDEIR Project Description fails to allocate projected population growth among and within the Cities’ UDBs. It also does not apportion growth that would ultimately be located within the sub-areas, community plan areas, hamlets and corridors. This failure is ultimately attributable to the General Plan itself—the Project Description cannot explain the Plan’s land use program, because the Plan lacks these critical details.

In addition, the RDEIR states that the General Plan was designed specifically to achieve and promote consistency with the planning documents of other key land use agencies, most importantly the Cities. RDEIR at 3.1-22. The RDEIR, however, never explains how the General Plan would achieve, or even promote such consistency. It does not identify the relevant planning policies, nor does it lay out any design principles that would promote consistency. In fact, several General Plan policies would have the opposite effect, as discussed further below. Thus, because the RDEIR (and the proposed General Plan) lack fundamental details, it is not possible to evaluate whether the General Plan would achieve its vision and accomplish its goals for the County.

2. The RDEIR Fails to Adequately Describe Those Components of the General Plan That Do Exist.

A fundamental failure in the proposed General Plan – and consequently the RDEIR’s Projection Description – is that the County has not actually undertaken the planning for large portions of the County’s lands. Specifically, plans do not exist for the following planning areas: Allensworth Hamlet Plan (“HP”); Alpaugh Community Plan (“CP”); Balance Rock Mountain Service Center (“MSC”); Balch Park MSC; Blue Ridge MSC; California Hot Springs/Pine Flat MSC; Camp Nelson MSC; Coffee Camp MSC; Delft Colony HP; East Orosi CP; East Tulare Villa HP; Johnsondale MSC; Fairview MSC; Hart MSC; Lemon Cove CP; Lindcove HP; London CP; McClenney Tract MSC; Mineral King MSC; Monson HP; Panorama Park MSC.; Pine Flat MSC; Plainview CP; Ponderosa MSC; Posey/Idlewild MSC; Poso Park MSC; Seville HP; Silver City MSC; Sugarloaf Mountain Park MSC; Sugarloaf Park MSC; Sugarloaf Village MSC; Teviston HP; Tipton CP; Tonyville HP; Waukena HP; West Goshen HP; Wishon MSC; Wilsonia MSC; Woodville CP; Yetttem HP. *See* General Plan I-1-4 through I-1-7.

Until plans are adopted in these locations, the County proposes to designate most of these lands as “mixed use.” *See* General Plan at I-4-12. A mixed use designation allows just about anything: retail, office, single and multi-family residential, hotel, recreation, limited industrial, public facilities, and “other compatible uses.” *See* General Plan at I-4-20. In addition, the mixed use designation allows a wide variety of land use intensities and densities. For example, between one and thirty houses could be developed on any one acre of land. *See* General Plan Table 4.1. To complicate matters further, the General Plan lacks any information about the size (i.e., the acreage) of these planning areas. Thus, although the General Plan would allow rampant retail, office, single and multi-family residential, hotel, recreation, limited industrial, public facilities, and “other compatible uses” throughout the County, the RDEIR Project Description fails to actually identify the amount of this development that would occur within each of these planning areas.

The RDEIR’s Project Description fares no better with regard to those areas of the County that have adopted plans. Even here, the document fails to describe what level of development these myriad plans would allow over the next twenty years so that the RDEIR can then analyze the environmental effects from this growth. The RDEIR’s failure to provide a legally adequate Project Description is not surprising given the legal inadequacies of the General Plan itself. As discussed above, there are so many plans and they are in such varying states of disarray that the General Plan is simply incomprehensible and does not come close to serving as a blueprint for growth.

Any reasonably complete description of the Project would identify and describe the wide variety of types and intensity of uses that could be developed within each of these planning areas, assuming the maximum acreage and the full buildout that would be allowed under the mixed use designations. That is, the document must identify the *full* level of residential, commercial, and industrial uses approved by the General Plan. Defining and analyzing the whole of the project being approved is a long-standing requirement under CEQA. The courts have consistently held that an EIR must examine a project's *potential* to impact the environment, even if the development may not ultimately materialize. *Bozung v. Local Agency Formation Com.* (1975) 13 Cal. 3d 263, 279, 282. Because general plans, such as the proposed County General Plan, serve as the crucial "first step" toward approval of any particular development project, the RDEIR must evaluate the amount of development actually allowed by the Plan. *City of Carmel-By-the-Sea v. Bd. of Supervisors of Monterey County* (1986) 183 Cal. App. 3d 229, 244; *City of Redlands v. County of San Bernardino* (2002) 96 Cal. App. 4th 398, 409.

In order to accomplish this task, the RDEIR should have included a tabular presentation of the following data for each of the County's planning areas (those with and without adopted plans): (a) existing and projected population and employment figures; and (b) existing and projected acreage, dwelling units and floor area of residential, commercial, industrial, and public land uses. This description must show or describe *where* the new uses will occur and *where* the proposed new uses would represent changes from existing uses. This rudimentary information forms the basis of sound land use planning. From a CEQA perspective, this information is crucial to a thorough understanding of the Project itself and for conducting an evaluation of the General Plan's environmental impacts.

It is certainly possible for the RDEIR's Project Description to provide the necessary land use detail. Attached to this letter are the Project Description sections from EIRs for the Butte County 2030 General Plan, the 2007 Monterey County General Plan Update and the Yolo County 2030 Countywide General Plan. The Butte County EIR Project Description makes clear, for example, that it is not sufficient to simply identify how much development could occur in the County; it must also identify where this development could potentially be located. *See* Butte County General Plan EIR at 3-41, 3-43 (Allocation of Development Quantity to Specific Areas) and Table 3-5: Projected 2030 Projected Buildout and Assumptions by Geographic Area, attached as Exhibit 1. The Monterey County General Plan EIR also provides a comprehensive description of existing and proposed land use by planning area and community area for each land use (e.g., residential, commercial and industrial) throughout the County. *See* Monterey County General Plan EIR at 3-14 through 3-22, attached as Exhibit 2.

The Yolo County General Plan does a particularly effective job of presenting its land use maps. While the Yolo County General Plan EIR contains several different land use maps for the County's planning areas— as does the Tulare County General Plan – the noticeable difference with regard to the Yolo County EIR's presentation is that each map clearly delineates land use designations within each of the County's planning areas. *See* Yolo County EIR Figures III-2a to III-2g, attached as Exhibit 3. Finally, the Butte County, Monterey County, and Yolo County General Plan EIRs all identify and describe the full level of development that would accompany buildout of the respective General Plans. *See* Butte County EIR at 3-39 (Exhibit 1), Monterey County EIR at 3-10 (Exhibit 2), and Yolo County EIR at 81(Exhibit 3).

The legal failings of the RDEIR's Project Description, and the resulting analysis, stem directly from the legal inadequacy of the General Plan itself. The General Plan and RDEIR must provide this fundamental land use information so that the RDEIR can accurately evaluate the environmental ramifications of the General Plan. The RDEIR preparers should carefully examine and follow the protocols established within the Project Descriptions of the Butte, Monterey and Yolo County EIRs in order to prepare a legally adequate Project Description for the Tulare County General Plan EIR.

3. The RDEIR Relies on a Shifting Project Description and Uses Different Project Descriptions for Different Impact Analyses.

The failure of the RDEIR to provide a stable Project Description becomes crystal clear in the document's ill-fated attempt to analyze the Plan's environmental effects. Indeed, within each impact analysis, the RDEIR authors appear to be analyzing different projects. CEQA prohibits such shifting of the project description in a way that minimizes a project's actual impacts on the environment. *See City of Santee v. County of San Diego* (1989) 214 Cal. App. 3d 1438, 1450 . Moreover, such inconsistent and conflicting signals about the nature and scope of the Plan render the Project Description "fundamentally inadequate and misleading." *Communities for a Better Env't. v. City of Richmond*, 2010 WL 1645906 at *8.

The RDEIR, here, uses different project descriptions for different impact analyses. For example, with respect to the transportation, air quality and climate change analyses, the RDEIR provides vague and seemingly generic land use information, stating that the proposed Project *would result in additional Countywide residential and non-residential land use developments*, with many [sic] of the resulting population growth contributing additional vehicle uses on local and regional streets and highways within all of the County's individual planning areas." RDEIR at 3.2-26 (emphasis added). Rather than rely on detailed land use information from the proposed General Plan itself, the

RDEIR's impact analyses rely on a Tulare County Association of Governments regional travel model that "contains many socioeconomic data attributes including information related to number of households and number of employees per traffic analysis zone." *Id.* at 3.2-21.

Had these analyses relied on specific data from the General Plan itself, we would expect to find, for example, the amount of projected vehicle miles traveled that would occur with implementation of the General Plan, as well as a distribution of the vehicle trips based on the location and type of future proposed land uses. Yet, the RDEIR does not appear to contain this information and thus there is no indication that the transportation, air quality or climate change analyses actually analyze the impacts of the General Plan or of some other scenario.

The RDEIR approaches the Project Description in an entirely different manner with respect to the General Plan's impact on public services. Here, the document assumes an estimated growth rate of 2% across the board for all of the unincorporated areas not identified as "communities" in analyzing public service impacts, such as wastewater impacts. RDEIR at 3.9-50. An "assumed growth rate" for unincorporated communities would indicate that the wastewater demand was not based on the General Plan at all. Thus, the RDEIR does not consider the location and type of proposed land uses proposed by the General Plan, but instead relies on population figures to analyze public service impacts.

For its consideration of the General Plan's impacts on biological resources, the RDEIR takes yet a different approach in defining the project for purposes of analyzing its biological impacts. The document never actually evaluates how growth expected under the proposed Plan would impact sensitive plant and wildlife communities. Instead, it assesses whether the proposed General Plan, or current State and federal regulations, includes adequate provisions to ensure continued protection of the County's biological resources. RDEIR at 3.11-30. The RDEIR preparers confirm that they have not actually conducted a detailed evaluation of the Project when the document states that "[g]iven the nature of the impacts, it is anticipated that implementation of the project would result in similar impacts within all geographic planning areas of the County. However, impacts to individual habitats and species could vary depending on the specific geographic planning area affected." *Id.* at 3.11-31. Once again, it is not surprising that in the absence of an actual description of the Project, the EIR preparers were not able to conduct the necessary impact analyses with a consistent legally adequate project description.

A fourth approach is taken in the RDEIR's analysis of the Project's impacts on agricultural resources and water supply. There, the RDEIR purports to rely on the number of acres that will be converted from agricultural to urban uses under the Plan. *See* RDEIR at 3.9-7 through -12; *id.* at 3.10-11 through -13. Even in these sections, however, the RDEIR stumbles for want of a clear statement of what development will be allowed where under the General Plan: as discussed elsewhere in this letter, the RDEIR significantly underestimates the amount of agricultural land that could be converted under the Plan.

Until such time as the RDEIR includes a legally adequate stable Project Description it will be incapable of analyzing the General Plan's environmental impacts. The RDEIR must be revised to provide a complete and stable Project Description.

B. The RDEIR's Analyses of the General Plan's Environmental Impacts Are Inadequate.

The RDEIR's impact sections for the most part simply name potential impacts of the project and, in most cases, identify them significant and unavoidable. The RDEIR rarely quantifies the impacts, nor even describes their nature and extent. Its analyses read more like a set of general discussions of these types of impacts in a generic county anywhere in California, rather than analyses of how *this* General Plan will effect *this* County. The RDEIR's impact analyses are universally flawed in this manner, because none of them considers the project actually put forth by the proposed General Plan.

The "programmatic" nature of this RDEIR is no excuse for its lack of detailed analysis. Indeed, the RDEIR grossly misconstrues both the meaning and requirements of a "program" EIR by referring to it as a document that "assesses and documents the broad environmental impacts of the program with the understanding that a more detailed site-specific analysis may be required to assess future projects implemented under the program." RDEIR at 1-6. This approach is flawed, at the outset, because CEQA requires that a program EIR provide the in-depth analysis of a large project, looking at effects "as specifically and comprehensively as possible." CEQA Guidelines § 15168(a), (c)(5). Because it looks at the big picture, a program EIR must provide "more exhaustive consideration" of effects and alternatives than can be accommodated by an EIR for an individual action, and must consider "cumulative impacts that might be slighted by a case-by-case analysis." CEQA Guidelines § 15168(b)(1)-(2).

Further, it is only at this early stage that the County can design wide-ranging measures to mitigate County-wide environmental impacts. *See* CEQA Guidelines § 15168(b)(4) (programmatic EIR “[a]llows the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility. . . .”). A “program” or “first tier” EIR is expressly not a device to be used for deferring the analysis of significant environmental impacts. *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal. App. 4th 182, 199. It is instead an opportunity to analyze impacts common to a series of smaller projects, in order to avoid repetitious analyses.

Thus, it is particularly important that the RDEIR for the General Plan analyze now, rather than when individual specific projects are proposed at a later time, the overall impacts for the complete level of development it is authorizing. A General Plan, as the “constitution for all future development,” dictates the location and type of future development in the County. An EIR for a general plan must take into account all of “the future development permitted by the [general plan].” *City of Redlands v. County of San Bernardino* (2002) 96 Cal. App. 4th 398, 409 (citation omitted); *see also City of Carmel-by-the-Sea v. Bd. of Supervisors* (1986) 183 Cal. App. 3d 229, 245. Although legally flawed, Tulare County’s Plan provides sufficient information for analysis of the environmental impacts associated with the buildout allowed under its Land Use Element.

The RDEIR’s analysis must necessarily begin with an identification of the acreage within each and every plan area, including the amount of developed land and land intended for development by the proposed General Plan. The analysis must then assess the location and intensity of the land uses allowed under the General Plan itself as well as under each of the other plans that the County says comprise the General Plan. The analysis must then estimate the amount of development that could be built on those County lands that do not have adopted plans (e.g., community plans and sub-area plans). These plan areas allow an undefined level of mixed use development until such time as the County adopts future plans.

In addition, the analysis of the General Plan’s environmental impacts must assume that the maximum allowable residential densities and non-residential building intensities will apply in all unincorporated land and that the allowable density will be fully built out. Where land use designations allow a range of uses and intensities, the environmental impact analysis must assume the highest intensity. Thus, for example, inasmuch as the Valley Agricultural land use designation allows a 10-80 minimum parcel size, given the lack of specific information or direction, the RDEIR must assume that lands with this designation would be built out with a 10- acre minimum parcel size. Likewise, the RDEIR must assume that lands with a “mixed use” land use designation

(e.g., in all community plan locations without an adopted community plan, hamlets, etc.) would be built out with 30 dwelling units per acre. See Table 4.1.

In addition to considering maximum buildout, another indispensable component of a complete assessment of project impacts is an accurate depiction of existing environmental conditions. Investigating and reporting existing conditions are “crucial function[s] of the EIR.” *Save Our Peninsula Comm. v. Monterey County* (2001) 87 Cal. App. 4th 99, 122 (“*SOPC*”). “[W]ithout such a description, analysis of impacts, mitigation measures and project alternatives becomes impossible.” *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal. App. 4th 931, 953. Decisionmakers must be able to weigh the project’s effects against “real conditions on the ground.” *City of Carmel-by-the-Sea*, 183 Cal. App. 3d at 246. “Because the chief purpose of the EIR is to provide detailed information regarding the significant environmental effects of the proposed project on the physical conditions which exist within the area, it follows that the existing conditions must be determined.” *SOPC*, 87 Cal. App. 4th at 120 (internal quotation marks omitted). Therefore, the RDEIR must present the existing acreage and dwelling units or floor area of existing uses and uses proposed on the County’s unincorporated lands. The document must also show or describe *where* the new uses proposed would represent changes from existing uses.

The RDEIR, here, fails to provide the legally required analysis of the unfettered growth that the General Plan allows and promotes. Thus, in addition to preparing a legally valid General Plan that comprehensively plans for all unincorporated County land, the County must revise the RDEIR to accurately disclose the impacts of the maximum density allowed by the General Plan it does propose to adopt. Below, this letter details the specific legal inadequacies of the RDEIR’s various impact sections.

- 1. The RDEIR’s Analysis of and Mitigation for the General Plan’s Agricultural Impacts Is Inadequate.**
 - (a) The RDEIR Fails to Describe the Current Distribution and Designation of Agricultural Land.**

The RDEIR’s description of the current state of agricultural land in the County is lacking crucial information. Every analysis of a project’s environmental effects must begin with the description of the environmental conditions before the project – the baseline. See *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal. App. 4th 99, 122. In considering impacts to agricultural lands, the crucial issues are how much agricultural land is under threat of development, and where the threatened land is located. To that end, the RDEIR contains two important

maps (Figures 3.10-1 and 3.10-2) showing the location of Important Farmlands and "Williamson Act Classifications" throughout the County. However, this information is virtually useless without a description or depiction of how these lands relate to the land use designations proposed by the General Plan. In other words, what the RDEIR is missing is a discussion of which agricultural lands could be developed under the General Plan. Thus, what is needed is a map showing where important farmlands are located in relation to the proposed urban boundaries of incorporated cities, unincorporated communities, and hamlets, along with some description of the types of development allowed there.

In lieu of this information, the RDEIR assumes that all land within the "Rural Valley Lands Plan unincorporated community areas" would be built out. RDEIR at 3.10-13. Table 3-10.9 defines these areas as the areas within the Cities' urban area boundaries, the hamlet development boundaries, and the urban development boundaries of 22 unincorporated communities. All told, development of these areas would result in the conversion of nearly 60,000 acres of important farmland. However, these figures do not include the vast potential for development outside these boundaries created by the General Plan. Most of the RVLP area appears to be designated "Valley Agricultural," which allows 1 dwelling unit per 10 acres. General Plan at Table 4.1. Thus, ranchette development outside the urban development boundaries of cities and communities is another source of potentially significant impacts on agricultural land. Moreover, "Planned Community Areas" are also allowed under the RVLP. General Plan at Table 4.1. Because the General Plan does not specify where these planned communities could or could not be developed, the RDEIR must assume they could be developed anywhere within the RVLP area.

Figures 3.10-1 and 3.10-2 are also inadequate because they show only actual uses, not the existing land use designations. That is, the RDEIR does not show how land uses could potentially change under the current General Plan, without the proposed update; such analysis is required under CEQA Guidelines section 15125(e). It is impossible to evaluate how the Project will change the current General Plan without a clear picture of the Plan as it stands today.

In sum, the RDEIR must be revised to provide a clear, complete picture of current and proposed uses for agricultural lands within the County, or it will remain inadequate.

(b) The RDEIR Underestimates the Amount of Agricultural Land Threatened with Development Under the General Plan.

The RDEIR acknowledges that “future growth resulting from implementation of the proposed project would result in both the direct and indirect conversion” of more than 59,000 acres of important farmland. RDEIR at 3.10-11. While this impact is rightly designated “significant,” it is a vast understatement of the important farmland jeopardized by this proposed General Plan.

The RDEIR’s calculation of important farmland likely to be converted by the Project assumes only “full build-out of the Rural Valley Lands Plan unincorporated community areas” and “growth within the unincorporated community areas of the Foothill Growth Management Plan Area.” RDEIR at 3.10-13. More specifically, this calculation includes only land within the UDBs incorporated cities and unincorporated communities, the UABs of incorporated cities, and Hamlet Development Boundaries. *Id.* at 3.10-13.

However, the General Plan allows far more farmland to be converted than exists within the UDBs, UABs, and HDBs. According to the Land Use Element, “Planned Communities” appear to be allowed *anywhere* in the RVLP area. General Plan at 4-8 (Table 4.1). These Planned Communities are essentially new communities developed according to one Master Plan in places where no community currently exists. General Plan at I-4-20 to 21. They may include residential, commercial, administrative, and industrial uses, with a maximum density of 30 dwelling units per acre. *Id.* Moreover, pursuant to the Corridors Framework Plan, mixed-use development is allowed along many of the County’s transportation corridors, which crisscross agricultural lands. General Plan at II-2-1.

According to the RDEIR, a majority of the County’s important farmlands are located in the RVLP area, outside of the urban and hamlet development boundaries. RDEIR at 3.10-11. Although there is no quantification of the number of acres of important farmland within the RVLP area, the County contains over 700,000 acres of important farmland and, according to Figure 3.10.1, nearly all of it appears to be within the RVLP area. Because Planned Communities could be developed anywhere within the RVLP area, full buildout under the General Plan could convert hundreds of thousands—not tens of thousands—of acres of important farmland to urban uses. The RDEIR thus significantly understated the Project’s potential impacts on agricultural resources.

(c) The Proposed General Plan Will Result in Early Termination of Active Williamson Act Contracts.

The RDEIR concludes that the proposed General Plan will not have a significant impact on agricultural resources because it will not result in early termination of active Williamson Act contracts. RDEIR at 3.10-17. However, this conclusion is directly contradicted by policies and implementation measures in the General Plan by which the County expressly states its intent to pursue and encourage the early termination of Williamson Act contracts. For example, AG-1.4 states that the County “shall support non-renewal or cancellation” of contracts within UDBs and HDBs. General Plan at I-3-4. Contrary to the representation in the RDEIR, this policy does not serve to limit the County’s support of contract non-renewal or cancellation, but rather states an affirmative policy of support for non-renewal and cancellation within UDBs and HDBs. See RDEIR at 3.10-17 (representing that AG-1.4 “only supports Williamson Act non-renewal or cancellation . . . for lands within CACUDB and HDB areas”).

Implementation Measure 3 goes even further, requiring the County to maintain a database of contracted agricultural preserves within UDBs of unincorporated communities and to review this database at regular intervals to determine “whether any unincorporated community in the County is unduly constrained or confined by land contracted under Williamson Act.” General Plan at I-3-9. If development of an unincorporated community is so constrained, Implementation Measure 3 *requires* the County “encourage the land owner to file a notice of non-renewal so that the contract on the property could be terminated nine years from that date.” *Id.*

Policy AG-1.4 and Implementation Measure 3 set a clear course for the County with respect to Williamson Act contracts: eliminate them if they will impede the sprawling growth planned around cities, unincorporated communities, and hamlets.⁴ According to the RDEIR, there are over 60,000 acres of contracted lands within the County’s “unincorporated community areas.” RDEIR at 3.10-16.⁵ Moreover, a

⁴ AG-1.8 further defines this course, stating that “the County shall not approve applications for Williamson Act contracts on lands within a UDB or HDB unless it can be shown that the restriction of land to agricultural use will not “detrimentally affect the growth of the community.” General Plan at I-3-5.

⁵ It is not clear whether this figure includes contracted lands within the UDBs of the eight incorporated cities. If not, even more contracted land is at risk from these policies.

comparison of the “Land Use Diagram” (Figure 2-2- of the General Plan) and the map of “Williamson Act Land” (Figure 3.10-2 of the General Plan) suggests that some of the proposed development boundaries surrounding unincorporated areas may overlap with Farm Security Zones.

By encouraging non-renewal of the contracts covering these lands, the General Plan will not only result in their early termination, but will also result in the conversion of agricultural land to urban uses, as the reason for non-renewal or cancellation is generally to make way for urban development. In addition, the conversion of some contracted lands to urban uses will increase development pressure on neighboring parcels, increasing the likelihood that even more agricultural lands will be converted. *See* Exhibit 4. These impacts are significant and must be analyzed as such in a revised and recirculated EIR.

The General Plan also sets forth policies and implementation measures requiring the County to seek the early termination of Williamson Act contracts for parcels smaller than 10 acres (if the land is Prime Farmland) or 40 acres (if the land is Non-prime Farmland). Specifically, AG-1.5 provides that “[t]he County may work to remove parcels that are less than 10 acres in Prime Farmland and less than 40 Acres in Non-Prime Farmland from Williamson Act Contracts.” *Id.* at I-3-5. Implementation Measure 4 then *requires* the County to serve notices of non-renewal on contracts for parcels that are smaller than 10 acres of Prime Farmland or 40 acres of Non-prime Farmland. General Plan at I-3-10.⁶

These policies will result in the early termination of Williamson Act contracts on smaller parcels throughout the county; indeed, that is their very purpose. None of the planning documents provided to the public indicates how many acres of farmland will be converted on account of these policies. Moreover, these parcels need not be located within the UDBs of any city or unincorporated area. Thus, their cancellation could result in the conversion of agricultural lands to urban uses anywhere in the County. The RDEIR must be revised and recirculated to indicate how many acres of

⁶ The General Plan incorrectly states that such parcels “do not meet the minimum parcel sizes set forth under § 51222 of the California Government Code.” *Id.* The Government Code contains no such “minimum parcels size” required to qualify for a Williamson Act Contract. Rather, the cited statute provides that parcels bigger than 10/40 acres of Prime/Non-prime Farmland are presumed to be big enough to support commercial agriculture. Gov. Code § 51222.

Williamson Act contracted lands will be affected by these policies, and to analyze the potentially significant impacts of converting this additional acreage from farmland to urban use.

(d) The RDEIR Fails to Provide Sufficient Mitigation for the General Plan's Agricultural Impacts.

The RDEIR concludes that the Project's significant impacts on agricultural resources are unavoidable, leaving unmitigated the conversion of tens of thousands of acres of important farmland contemplated by the General Plan. In doing so, the RDEIR overlooks numerous feasible mitigation measures.

The simplest measure of all, of course, is to revise the proposed policies and implementation measures that will cause this massive conversion. One obvious candidate for revision is RVL1P-1.1. As proposed, that policy "limits" non-agricultural development to "UDBs, UABs, HDBs, and other adopted land use plans which may include urban corridors, planned communities, and the Kings River Plans." However, as discussed above, planned communities are permitted anywhere in the RVL1P area. Urban corridors, likewise, could be designated along many transportation corridors in the County. General Plan at II-2-1 (Corridors Framework Plan). Moreover, by the County's own definition, UABs should not be developed until communities have expanded to the edge of their UDBs. General Plan at I-2-49. Thus, at the very least, the County could remove "urban corridors," "planned communities," and "UABs" from the list of areas where non-agricultural development may occur as a means of reducing conversion of agricultural land.

Another candidate for revision is PF-1.2. That policy directs urban development to the UDBs of incorporated cities, unincorporated communities, planned community areas, HDBs, and "other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan." General Plan at I-2-7. Like RVL1P-1.1, PF-1.2 could be revised to significantly limit where urban development can take place within the County, and thereby reduce the General Plan's potentially significant agricultural impact.

In addition, the County could include an Agricultural Conservation Easement Program as part of the General Plan, rather than adopting policies that simply require the County to consider one at some unspecified time in the future. RDEIR at 3.10-15; General Plan at I-3-5. The Department of Conservation has suggested this approach in commenting on Solano County's General Plan. See Exhibit 4 (Letter from Dept. of Conservation to Solano County). Such a program would require applicants

seeking to convert agricultural land to urban uses to “purchase conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land.” *Id.* at 3. The policies included in the current draft of the General Plan, on the other hand, are not mandatory and thus are unenforceable.

The policies and implementation measures supporting or requiring early termination of Williamson Act contracts could also be eliminated. *See* AG-1.4, AG-1.5, AG-1.8; Implementation Measures 3, 4.

Revisions to AG-1.13 could also reduce the General Plan’s impacts on agricultural resources. Policy AG-1.13 provides that the County “shall allow agriculturally-related uses” such as processing facilities in areas designated Valley or Foothill Agriculture. However, as the RDEIR points out, one significant cause of lost farmland in the County is the expansion of precisely these types of facilities. RDEIR at 3.10-13 (noting that the expansion of new dairy/livestock operations has contributed and will continue to contribute to the conversion of important farmland). Thus, the County could prevent further conversions of important farmland by changing AG-1.13 to limit these facilities to other types of land (e.g., grazing land).

2. The RDEIR Inadequately Analyzes and Mitigates the General Plan’s Land Use Impacts.

(a) The RDEIR Fails to Adequately Analyze the General Plan’s Potential Conflicts with the Cities’ Plans.

The RDEIR boldly asserts that “[t]he proposed project was designed specifically to achieve and promote consistency with the planning documents of other key neighboring land use agencies or other agencies that may have jurisdiction over future projects anticipated under buildout of the General Plan Update.” RDEIR at 3.1-22. The document then concludes that the Project’s potential to conflict with adopted local land use plans would be a less than significant impact. *Id.* The RDEIR, however, provides *no analysis* to support this conclusion. Had the RDEIR actually conducted the analysis of the Project’s consistency with other plans, and particularly the Cities’ general plans, it would have determined that (1) the Project was certainly not designed to promote consistency with these plans; and (2) the Project’s incompatibility and inconsistency with the Cities’ general plans constitute a significant impact.

As discussed above, the proposed General Plan includes eight “County Adopted City General Plans” (“CAGP”), which are intended to govern development in

the areas surrounding the County's eight incorporated cities. General Plan at I-1-4. Contrary to what their name implies, these plans are not the Cities' own general plans, which typically include land use designations for the areas within the Cities' UDBs and UABs. Instead, the CACGPs are plans developed by the County. *See* Tulare County General Plan, Part III. Moreover, many of the CACGPs date back decades, while many of the Cities' general plans have been updated recently to reflect current conditions. Thus, contrary to the RDEIR's assertion, the proposed General Plan could not have been designed to promote consistency with the Cities' general plans.

Nor are the CACGPs consistent with the Cities' general plans. A preliminary review of the Cities' general plans reveals critical discrepancies between the Cities' and the County's planning efforts. At the most fundamental level, the CACGP and the Cities' general plans contain different planning boundaries. The UDBs and UABs established in the CACGPs do not reflect the Cities' UDB and UABs. Specifically, the CACGP's boundaries for the Cities of Dinuba, Exeter, Porterville, Tulare, and Visalia vary from these Cities' planning boundaries. *See* City General Plan Documents, attached as Exhibit 5. Because the future growth within the County will occur within these unincorporated areas near cities (*see* General Plan Policy P.F-1.2 at I-2-7 and RDEIR at 2-9), it is vitally important that there be no debate as to the exact physical delineation of these planning areas. Moreover, because the Cities' UDB boundaries reflect the planning area in which the Cities are able to effectively and efficiently plan for the provision of infrastructure and services, it is critical that the County's planning boundaries match the Cities' designated boundaries (both UDB and UAB).

In addition to the discrepancies in planning boundaries, the CACGPs and the Cities' general plans often have different land use designations for the same property. For example, land use designations adopted by the cities within the planning boundaries of Visalia, Farmersville and Dinuba appear to differ significantly from those proposed by the County General Plan:

(i) **Visalia**

The County relies on an outdated 1992 County adopted General Plan Land Use Map for Visalia's CACGP rather than Visalia's current Land Use and Circulation Element Map, which was most recently updated in 2010. *See* Exhibit 6. Not surprisingly, the land use designations on the two maps are inconsistent. *Id.* For example, the land just east of Road 100 and north of Avenue 272 was designated "Agriculture" in the 1992 map but is designated "Urban Reserve" in the 2010 Map, indicating that the land will be developed in urban uses when the City's population

reaches 165,000. Similarly, land just north of Avenue 272 and south of Avenue 276 was designated "Agriculture" in the 1992 map but is currently designated "Urban Reserve" in the 2010 Map. *Id.*

(ii) **Farmersville**

The County relies on a 1976 land use map for its Farmersville CACGP. *See Exhibit 6.* The land use designations in this 1976 map are inconsistent with the land use designations identified in the City's 2002 General Plan. For example, the area just south of Avenue 288 and west of Farmersville Boulevard (to the West of North Ventura Avenue according to Google Map) is designated "Agriculture" in the 1976 Land Use Plan but designated "Medium Density Residential" in the current 2002 Land Use Plan. Land north of Walnut and west of 168 was designated "Agriculture" in 1976 but is now designated "Medium Density Residential."

(iii) **Dinuba**

The County relies on a 1964 land use map for its Dinuba CACGP rather than the City's 2008 current land use map. *See Exhibit 6.* Again, it comes as no surprise that the land uses shown in these two documents do not match. The area to the south of El Monte Way and west of Alta Avenue is shown as the limit of designated residential uses on the 1964 map, and all lands to the west are designated "Agriculture" except for a narrow strip along Alta Avenue. *Id.* The City's 2008 map shows the same area in the middle of the city with land use designations of "Professional Office," "Residential," "Neighborhood Commercial," "Public-Semi Public" and "Urban Reserve" extending westward to Road 56. *Id.* The same situation exists for the area south of El Monte Way and east of Crawford Avenue, which was largely designated as agricultural land in 1964 and is now designated as "Residential," "Neighborhood Commercial," "Public-Semi Public," and "Urban Reserve" eastward to Road 96. *Id.*

The inconsistencies between the Cities' and County adopted General Plans extend beyond the variations in planning boundaries and land use designations. The proposed General Plan is also blatantly inconsistent with the provisions in the Cities' General Plans that require annexation prior to development. *See e.g.,* City of Visalia Policy 6.2.5 (Annexation to the City is the appropriate method for urbanization within the Visalia Urban Area Boundary) and Policy 6.2.6 (Annexation of land outside of the current Urban Development Boundary may be permitted only if: (a) the proposal is required for orderly and efficient land use planning with Visalia's planning area, and (b) the land is designated consistent with the City's Land Use Element Map), attached as Exhibit 5-F; *see also* City of Porterville Implementation Policy LU 1-3 (calling for the

UDB to be amended in order to guide growth through annexation and development, and the efficient extension of public services to new areas), attached as Exhibit 5-D. Yet, because the proposed County General Plan actually encourages County approved development within the Cities' planning boundaries and does not ensure this development occurs only upon annexation to the Cities, the General Plan would result in extensive environmental impacts. These impacts are discussed below.

Thus, even if the County were to adopt land use designations that were consistent with the Cities' General Plans' land use designations, this would not begin to resolve the significant land use impacts created by the proposed General Plan. The only approach capable of sufficiently mitigating the proposed General Plan's land use impacts is to include the policies and framework necessary to ensure that development occurs only when the Cities are ready to annex so that development is consistent with Cities' land use plans and standards for development.

(b) The RDEIR Fails to Analyze the Land Use Implications Associated with the General Plan's Weakening of the "Annexation Referral Policy" and Lack of Cooperation with Cities.

Currently, the Tulare County General Plan establishes a policy requiring referral of proposals for development projects within city UDBs to affected cities for potential annexation and development. The purpose of this policy is to attempt to ensure that growth adjacent to city boundaries is orderly, and is timed and designed so that there are adequate City services available for these new developments. While the prior referral policy did not always achieve its intended results, the answer is not to abandon the policy, but rather to strengthen the policy to improve coordination and cooperation between the County and Cities.

The County's new approach – as reflected in policies PF-1.2, PF-4.13 and PF-4.24 of the proposed General Plan – essentially abandons the existing referral policy. While the County "may work with a city" when considering development proposals within the city's UDB, such coordination is not mandatory. See PF-4.18 through 4.27. In fact, pursuant to PF-4.13, the County could approve a project within a city's UDB even when the city does not consent to annexation of the project site. A city's refusal to annex a project site most likely indicates the city's judgment that the proposed use does not fit with its land use blueprint and will not promote contiguous compact growth that is consistent with city development standards and compatible with future planned infrastructure. In other instances, it is simply not possible for a city to annex the project site. For example, if unincorporated land lies between the development site and a city's

municipal boundary, and the owner of the intervening property is unwilling to annex, the city would be unable to annex the property.

Policy PF-4.13, however, allows the County to approve the proposed development anyway. As discussed below, this second-guessing is clearly a formula for land use impacts. With no effective annexation referral policy, the County will be free to approve any project it finds appealing within the Cities' UDBs. However, county planning programs typically focus on agricultural land uses and do not have experience with the issues and design techniques associated with urban development. As a result, urban developments permitted by counties are often poorly designed with inadequate improvements and infrastructure. *See* Michelle Anderson, *Cities Inside Out: Race, Poverty, and Exclusion at the Urban Fringe*, 55 UCLA L. Rev. 1095, 1106–08, 1144–52 (2008), attached as Exhibit 7.

Tulare County is no different. In the past, County forays into this type of development have been disastrous. For example, the County recently approved the development of a church on land just outside Visalia's municipal boundary. After extensive negotiations between the County and the developer, the County approved the Calgary Worship Center without requiring strict adherence to the Visalia's development standards. Conversation with Mike Olmos, Visalia City Community Development Director/Assistant City Manager, May 12, 2010 (Olmos, 2010). The County allowed the development to proceed without requiring sufficient street improvements, sidewalks, streetlights, and landscaping. Critically, the County did not even require connection to a municipal wastewater system, and consequently the church must service its wastewater needs with a septic tank. *Id.* Had the developer been held to City standards, the church property would have been developed with each of the aforementioned improvements. In addition, the church would not have been approved with a septic system; instead it would have been required to connect to municipal or another public wastewater system provider. The problems caused by these mismatched standards will inevitably become the City's, once its boundaries expand, as planned, toward the UDB.

As the attached photograph of the Calgary Worship Center shows, County-approved development is the antithesis of sound land use planning principles. Indeed, it offers a textbook example of the type of conflict that can arise when the County allows premature urban conversion of agricultural lands. *See* Exhibit 8. This development is not city-centered or even immediately contiguous to urban development in the City. Instead, it leaps over agricultural land and thus sits as a small island in a sea of farmland. Thus, not only did the County allow the development of valuable fields, but by encroaching into active farming operations, the church itself, or church patrons, will likely complain about pesticide sprays, dust, odors, noise and other normal aspects of farm operation.

The County's decision to allow an urban use in the midst of active farmland results in a classic farm-urban edge conflict. While Visalia's General Plan ultimately contemplates urban development in this location, the development would have occurred as part of an orderly, well-timed and well-designed expansion of municipal boundaries.

The Matheny Tract is another example. In the late 1940s, the County approved the Matheny Tract, located just south of the City of Tulare city limits. Over the years, this community has grown to a 900-resident enclave. Unfortunately, according to Tulare Vice Mayor Phil Vandegrift "little to no building standards were followed, leading to serious lack of infrastructure." *See* Matheny Tract articles, attached as Exhibit 9. Consequently, the Matheny Tract has been struggling with substandard infrastructure and the community is forced to live with a contaminated water supply. According to Vandegrift, "[w]ater, sewer, street, curb and gutter improvements, with an estimated \$8 million price tag, must be completed to bring up the enclave's infrastructure to city standards." *Id.* For the last three years, City staff has been working with this community to help secure a state grant to upgrade the community's water system and possibly tie into the City of Tulare's water system.

Ignoring the fundamental planning principal that incompatible land uses should be separated from one another, the County also recently approved the expansion of an existing "recycling center" directly adjacent to the City of Tulare. Two residential subdivisions are located within 120 feet of the recycling center and the City proposes to develop a school very close by. *See* City of Tulare SA Recycling Appeal at 7, attached as Exhibit 10. The expanded recycling center would include, as part of its operations, the wrecking and crushing of car bodies, even though such uses are not generally allowed under the County's own zoning standards. *See id.* at 1, 3. Approval of an expanded automobile wrecking and crushing operation adjacent to a residential neighborhood and a school will likely result in significant impacts to nearby residents including excessive noise, increased traffic, visual blight, and potential health risk due to exposure to hazardous substances.

It is noteworthy that the County clearly recognizes the harm that can accompany County-approved development within cities' planning boundaries inasmuch as it calls for limiting development within a CACUDB if a city enters into a "revenue sharing agreement" with the County. *See* General Plan Implementation Measure 27 at I-2-77. As this measure demonstrates, the County intends to base its land use decisions not on sound urban planning principles or environmental protection, but instead on financial compensation. Moreover, such a policy causes all sorts of uncertainty. Indeed, it is impossible to determine the amount of development that would occur within the Cities' UDBs, if the County intends to alter its development plans based on city-by-city "revenue

agreements.” This further implicates the RDEIR’s faulty Project Description and the ability of the EIR preparers to evaluate the General Plan’s environmental impacts.

(i) **Premature leapfrog development.**

The examples of County-approved developments within Cities’ UDBs and UABs discussed above also provide real-world examples of the potential environmental impacts such uncoordinated planning can have. The first set of impacts are those related to leapfrog development. Leapfrog development is development separated from continuous urban development by vacant, low density, or rural land. This type of development is even worse than sprawl in that it skips over land available and suitable for development and instead consumes large tracts of land. Development leaps to outlying and isolated areas because the cheapest land tends to be the furthest from urbanized city centers.

The reactionary and haphazard nature typical of County-approved development on lands within the Cities’ UDBs results in precisely this type of leapfrog development. A landowner or a developer applies for an entitlement such as a subdivision on these comparatively distant lands because the land is less expensive and therefore more fiscally beneficial for development. In addition, the County’s development standards are considerably less stringent than those required by the Cities, and development impact fees, if any exist at all, are nominal in comparison to the Cities’ fees. The fiscal benefits of development on unincorporated lands, coupled with the proximity to the Cities’ comparatively ample public services and amenities, make development on the County’s lands very attractive. More often than not, the County grants the approval, which typically results in comparatively low density development without adequate public services. (Olmos, 2010).

Indeed, development proposals occurring in counties tend not to achieve the densities or land use patterns contemplated by cities’ general plans. This is largely because adequate infrastructure such as sewer and water is often unavailable to meet the needs of more urban (i.e., higher) densities. City-centered development within city limits, on the other hand, occurs in accordance with a municipality’s general plan, which tends to promote a contiguous, compact, higher density development to ensure an orderly and efficient transition from rural to urban land uses. The County’s Cities have specific General Plan’s policies and goals calling for growth to occur in a concentric pattern, contiguous to existing developed areas. For example:

- City of Porterville Policy 4.1 LU-G-2: Maintain a well-defined, compact urban form with Downtown as the “heart of the City;” Policy LU-I-5:

Require contiguous development within the UDB unless it can be demonstrated that development of property which is contiguous to urban development is unavailable (*see* Exhibit 5-D);

- City of Exeter Annexation Policy 90-01 and 10-year annexation line. This policy and annexation line place restrictive controls on residential growth in Exeter. The objective of these two growth control measures is to promote residential infill development and a development pattern that is generally contiguous to existing development and concentric to Exeter's downtown (*see* Exhibit 5-B);
- City of Dinuba Planning Principle stating that new development should take place in a concentric pattern, contiguous to existing developed areas; Objective A: Provide for an orderly and efficient transition from rural to urban land uses; and, Objective B: Minimize urban sprawl and leap-frog development (*see* Exhibit 5-A).

Cities seek to avoid leap frog development because it is an extremely inefficient method for providing infrastructure, because it paves over productive farmland, and because it adversely affects a city's cohesiveness, character and ambiance.

Perhaps most disturbing, the County's proposed General Plan would allow regional commercial development, industrial development, office parks and highway commercial development along "corridors" located inside city UDBs and UABs. Again, because the General Plan allows approval of these types of uses prior to the preparation and adoption of Corridor Plans, the County will face pressure to approve development before a coherent plan for development is in place. As a result, developments will occur haphazardly throughout the County's lands. The RDEIR fails to recognize that development under the General Plan could result in these sprawling, leap frog development patterns and therefore fails to analyze the environmental effects from this type and amount of development.

(ii) **Interference with the Cities' ability to provide adequate infrastructure and public services and associated environmental impacts.**

As the examples above demonstrate, when the County permits urban development within the Cities' UDBs and UABs, the resulting development typically lacks adequate infrastructure and services. The reason for these inadequacies is that the County's development improvement standards and facility financing and maintenance

mechanisms are less stringent than the Cities' standards and mechanisms. (Olmos, 2010). The County might not mandate right-of-way improvements, such as roadways and catch basins scaled to future development levels, where the city would impose such requirements. Or the County might allow the use of individual septic systems in an area where the city is concerned about groundwater quality and planned to extend sanitary sewer lines.

Without adequate infrastructure, improvements, and services (e.g., storm drains, streetlights, sidewalks, or drinking water), developments permitted by the County can result in serious environmental, health and safety impacts. One recent study documents the type of impacts that can occur when basic infrastructure and services are lacking:

[t]hese disparities can be dangerous, such as the illnesses caused from unsafe drinking water, the heightened likelihood of mosquitoes carrying West Nile virus as a result of standing water arising from inadequate storm drains, and the higher rates of traffic accidents on poorly maintained roads. Or, they can chip away more slowly at the prospects for building a strong community, when there is illegal dumping, poor sanitation service, few or no recreation facilities for youth, and dilapidated schools.

See Unincorporated Communities in the San Joaquin Valley: New Responses to Poverty, Inequity, and a System of Unresponsive Governance, attached as Exhibit 11.

Providing a safe and adequate public drinking water supply is already a major problem in Tulare County. Shallow domestic wells are contaminated with nitrates, a byproduct of fertilizer, dairy farms, and leaky septic tanks. *See Nitrates in Our Drinking Water, Part 1 – The Present Threat, The California Report (May 14, 2010), attached as Exhibit 12.* In addition, communities that are not served by public water providers must rely on wells for their drinking water. These same communities that suffer from poor water quality also tend to lie beyond the boundaries of public sewer systems, and thus rely on individual septic systems. However, these septic systems only compound the water quality problems in the area, as they can result in elevated nitrate levels in ground and surface water bodies.

County-initiated development within cities' planning boundaries can adversely impact cities over the long term. Because County-approved development does not meet the Cities' strict development standards, it makes it difficult to assimilate these communities into the Cities, as the Cities' boundaries expand. The financial burden of extending infrastructure in and around these poorly designed unincorporated

neighborhoods can be overwhelming, and is placed squarely on the shoulders of the neighboring cities, not the County. At the same time, some of the communities with the greatest environmental, health and safety problems – and that would benefit the most from the utilities and services provided by cities – are the most resistant to annexation efforts. Annexing *established* communities, as opposed to proposed developments, is often fraught with complications as residents often oppose annexation efforts. While residents may be frustrated with the County's level of service, they nonetheless have become accustomed to living in the County. In some instances, residents simply feel an allegiance to the County rather than the City, or they may prefer the County's more lenient approaches toward code enforcement, or the County's lower tax rates.

The RDEIR analyzes none of these potentially significant impacts associated with uncoordinated growth along municipal boundaries. As a result, the RDEIR violates CEQA.

(iii) **Land use conflicts.**

In the absence of coordination with the Cities and policies that ensure development occurs together with annexation, County-approved development within the Cities' UDBs will inevitably result in land use conflicts. The General Plan's policies for development within UDBs frequently conflict with the Cities' own policies for development there and within the Cities' UABs. As the examples identified above show, if the County proceeds in approving development under its CACGPs alone, these conflicting policies will likely lead to conflicting land uses down the road along with conflicts with Cities' development and improvement standards and public facility plans. In the absence of General Plan policies that ensure development is city-centered and coordinated with annexation, the General Plan will result in land-use conflicts and the associated environmental impacts (e.g., exposure to offensive odors, dust and other air pollutants, excessive noise levels and traffic congestion). The RDEIR must be revised to analyze these potentially significant impacts.

(iv) **Increased use of the Cities' services and facilities**

The General Plan provisions allowing the County to permit development adjacent to city boundaries will also likely result in increased demand on the adjacent city's public services, such as parks and libraries. Appendix G to the CEQA Guidelines provides that a project will have a potentially significant environmental impact if it would "increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated." Counties typically provide far fewer acres of parkland per resident than

cities. Thus, residents from County developments within the UDBs will likely turn to City parks, increasing their use.

While the County operates parks within or adjacent to some Tulare County cities, the County does not provide parks in or around the cities of Dinuba, Woodlake, Exeter, Farmersville or Porterville. *See* Map of Tulare County Parks and Recreation, attached as Exhibit 13. County residents, however, do not pay the municipal taxes or impact fees to support these services and amenities. This comes at a time when cities' budgets are already substantially reduced given the bleak fiscal climate. Consequently, cities that are struggling to even maintain their current level of operation for city residents find that they cannot accommodate the increase in demand caused by County residents.

County-approved development within the Cities' UDBs and UABs will also increase the demand on Cities' police and fire protection services, possibly necessitating the construction of new facilities to maintain acceptable response times. This impact is considered a potentially significant impact under CEQA Guidelines, Appendix G. Although Tulare County and the Cities may have automatic and mutual aid agreements, which require the provision of police, sheriff and fire service between the Cities and the County, in practice, the Cities' police and fire service bear the brunt of these agreements inasmuch as city staff responds to calls from County residents. (Olmos, 2010). Rarely, if ever does the County provide sheriff and fire service to the Cities' residents. *Id.* Authorizing County development adjacent to cities will only increase this burden on the Cities, and may require the Cities to develop new police and fire facilities to ensure the public safety. The RDEIR must consider this potential significant impact.

(c) The RDEIR Fails to Consider Effective Mitigation for the General Plan's Land Use Conflicts.

The RDEIR is clearly incorrect when it concludes that the General Plan would not conflict with adopted land use plans. Significant environmental impacts will result not only from the conflicts with the Cities' general plan designations, but also because the County general plan will result in uncoordinated growth that is inconsistent with city standards. The only way to avoid such conflicts is to revise the General Plan policies to ensure that the County's growth is city-centered and occurs along with annexation of the property. Without this alteration, the General Plan will remain in conflict with city land use plans and result in significant environmental impacts, impacts the RDEIR must acknowledge, analyze and mitigate.

3. The RDEIR's Analysis of and Mitigation for the General Plan's Transportation Impacts Is Inadequate.

**(a) The RDEIR Contains No Evidence that Its
Transportation Model Actually Reflects Buildout
Conditions Under the General Plan.**

The General Plan's failure to specifically describe the location, type and intensity of development that would occur on all of the County's lands in 2030 results in significant flaws in the RDEIR's purported evaluation of transportation impacts. Rather than use a land use-based approach to transportation impact analysis, the RDEIR relies on a regional travel demand forecast model created by the Tulare County Association of Governments ("TCAG") that uses population and employment projections to generate traffic data. RDEIR at 3.2-21.

Unfortunately, the RDEIR contains no detail about the modeling assumptions other than vague statements such as the following: the TCAG model "contains many socioeconomic data attributes including information related to number of households and number of employees per traffic analysis zone" (*Id.*) and "[i]mplementation of the proposed project *would result in additional Countywide residential and non-residential land use developments*, with many [sic] of the resulting population growth contributing additional vehicle uses on local and regional streets and highways within all of the County's individual planning areas" (at 3.2-26 (emphasis added)).

Given these vague and generic statements and the lack of any descriptive land use information or trip generation estimates, it is not possible to determine if the traffic model uses the same population and employment assumptions as the draft General Plan itself or if and how it considers the General Plan's land use designations. In other words, there is no evidence that the transportation model is actually analyzing the impacts of the General Plan rather than some other scenario.

Moreover, even if the model's population and employment assumptions are consistent with the General Plan's, such statistics alone do not provide sufficient information to determine how the County's roadway network would operate under the proposed General Plan. Specificity regarding the Plan's land use component (i.e., the location and distribution of land uses) is critical to evaluating transportation impacts. As the RDEIR states, "transportation and circulation needs are closely tied to the location and distribution of land uses." RDEIR at 3.2-21.

The County's failure to actually analyze the transportation impacts from the General Plan was a critical flaw in the original 2008 DEIR and remains a flaw in the RDEIR. This is essentially a matter of common sense—to understand transportation

impacts, one must know where people live and work and how they will travel between the two. Thus, the RDEIR should have used the General Plan's land use designations as the basis for evaluating its transportation impacts. But because the General Plan does not include a comprehensible land use plan, the RDEIR could not do so.

In general, transportation impact analyses for development projects—including general plans—follow a fairly routine formula: First, land use locations, densities and intensities must be assigned. This is the key missing step in the present General Plan and RDEIR. As described above, in many instances, the proposed General Plan is essentially a free-for-all since the County assigns a mixed use land use designation to all of the County planning areas that do not have adopted plans. Yet the County has not even disclosed the acreages of the planning areas. Without this fundamental information, it is not possible to even guess at the holding capacity of the County's myriad planning areas. As discussed above, the RDEIR must provide this information and also assume full buildout at the maximum density available in each part of the County. This will provide the needed data about the location of population and employment. Then, trip generation and trip distribution data should be attributed to each land use; these data will then be combined with background transportation data (e.g., existing roadway and intersection traffic volumes, level of service and public transit service statistics); and, based on these components, the RDEIR can estimate the General Plan's impact on the transportation system.

To make matters worse, the RDEIR concludes that deterioration in the County's traffic level of service standards is largely unavoidable "mostly due to city growth not directly controlled by this plan." RDEIR at 3.2-21. Yet, because the RDEIR provides no detail about the County's growth projections—let alone any documentation relating to growth within each of the County's cities—it is simply not reasonable to cast blame on the Cities for any role they may play in traffic congestion on roadways within the County.

In sum, the failure of the original DEIR to analyze the transportation impacts of the General Plan was an egregious flaw that warranted supplemental analysis and recirculation of the environmental document. We are perplexed that after two years, the revised traffic analysis suffers from the exact same defect. The County must again revise its traffic analysis and recirculate the environmental document for public review.

(b) The RDEIR Relies on an Inappropriate Baseline for Evaluating the Project's Transportation Effects.

The RDEIR fails to evaluate the General Plan's transportation impacts against an accurate baseline. CEQA case law holds that existing conditions at the time an agency prepares environmental review, rather than some hypothetical future scenario, establish the "baseline" for determining the significance of impacts. *See* CEQA Guidelines § 15125(a); *see also* *Communities for a Better Env't. v. S. Coast Air Quality Mgmt. Dist.* (2010) 48 Cal. 4th 310; *Save Our Peninsula Cmte. v. Monterey County Board of Supervisors* (2001) 87 Cal. App. 4th 99, 125; *Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal. App. 3d 350, 354.

Here, the RDEIR attempts to predict 2030 traffic conditions by using a future roadway system, but it is unclear whether the assumed 2030 roadway improvements are part of the Project or mitigation for the Project. As the RDEIR states, "[a] series of model runs were conducted to evaluate the effectiveness of the circulation plan. As a result of this analysis, it was determined that the following roadways (with several outside the immediate jurisdiction of the County) would require future improvements (mitigation in the form of widening, additional lanes, etc.)." RDEIR at 3.2-24. This language is so vague that there is no way for a reader to determine which roadway improvements were actually a part of the traffic modeling and whether they are in the General Plan's Circulation Element as part of the Project or considered as mitigation for the Project.

What exactly is the General Plan's circulation plan and which specific roadway projects are included in this plan? Inasmuch as the RDEIR suggests that the list of roadway improvements is mitigation for the General Plan's impacts, are these improvements a part of the circulation plan or not? Moreover, an improvement that is assumed in the initial analysis of traffic conditions cannot then be counted as a mitigation measure to reduce traffic congestion. In addition, it is entirely unclear whether these roadway projects would be operational by 2030 given the federal, state and local budget crises. *See* General Plan Background Report 5-26 through 5-36, which painstakingly describes the "bleak" transportation funding picture facing Tulare County. To complicate matters further, the RDEIR states:

[M]ost of the roadway infrastructure improvements identified are on facilities under the jurisdiction of entities outside the County (such as Caltrans or the City of Visalia, etc.). Therefore, implementation of the proposed improvements would be subject to approval by other agencies, as well as to funding programs that are not fully developed at this time. Timely

construction of the proposed improvements would require substantial coordination and cooperation between the county and other agencies.

RDEIR at 3.2-31. Again, are these roadway infrastructure improvements part of the General Plan's Circulation Element? And given the fact that certain of the improvements are outside the County's jurisdiction (the RDEIR never actually tells us which improvements are within and which are outside the County's jurisdiction), the County has even less certainty and assurance that the roadway improvements would be undertaken by 2030. All of these outstanding questions also implicate the failure of the RDEIR to adequately describe the proposed Project.

If the RDEIR's traffic analysis does, in fact, assume the existence of roadway projects that may not be built within the General Plan's 2030 horizon, then the General Plan is likely to result in transportation impacts far more severe than the RDEIR discloses. In order to understand exactly how the County's roadways and freeways would operate upon implementation of the General Plan, the revised RDEIR must conduct two separate analyses. First, the RDEIR should evaluate the traffic that would be generated by General Plan buildout against existing conditions (i.e., the 2010 roadway network). Second, the RDEIR should evaluate the traffic that would be generated by General Plan buildout against a 2030 roadway system. Yet, as regards this latter analysis, only those transportation improvement projects that are programmed and that have a high likelihood of funding, and consequently a high likelihood for full implementation by 2030, should be included in the transportation model in order to provide a realistic evaluation of future traffic impacts.

Finally, this revised traffic analysis must distinguish the traffic that would be generated by the County's growth from that which would be generated by other jurisdictions. As discussed above, the RDEIR suggests that the deterioration in the County's traffic level of service standards is largely unavoidable mostly due to city growth not directly controlled by this Plan. RDEIR at 3.2-21. This statement all but confirms that the County has not yet performed the necessary analyses to determine the amount of trips that would be generated by the proposed General Plan and the effect these trips would have on the operation of roadways in the County. Again, the purpose of an EIR is to analyze the impacts of the project at hand.

(c) The RDEIR Fails to Analyze the Project's Impact on Freeway Interchanges.

The RDEIR fails to include *any* analysis of the General Plan's impact on freeway interchanges claiming that such an analysis is "too specific for a general plan."

RDEIR at 3.2-25. This omission is particularly troublesome especially because—as the County itself recognizes—“no single design feature has a greater impact on the urban corridor than the interchange.” *See* General Plan Background Report at 5-16. Certain interchanges such as those along State Route 99 “are antiquated, have capacity problems, and subsequently safety hazards associated with them.” *Id.* at 5-17. While the General Plan identifies several interchange improvement projects and lists target dates for when these projects may be constructed (Background Report at 5-18 and Table 5-4), this information is not sufficient for purposes of CEQA review.

Contrary to the RDEIR’s bold assertion that it is not required to conduct an analysis of freeway interchange impacts, it is precisely the purpose of this RDEIR to analyze the environmental consequences of General Plan buildout. If traffic from the General Plan would affect interchanges—and of course it will—then the RDEIR must analyze these impacts. As discussed above, the RDEIR must clearly document and justify transportation planning assumptions. Only those interchange improvement projects that are programmed and that have a high likelihood of funding, and consequently a high likelihood for full implementation by 2030, should be included in the analysis.

(d) The RDEIR Underestimates Traffic Impacts by Failing to Analyze Traffic Impacts During Peak Periods and by Ignoring Traffic Impacts on Intersections.

The RDEIR understates the General Plan’s traffic impacts because it uses an inappropriate methodology to evaluate traffic conditions. Specifically, the RDEIR’s level of service (“LOS”) analysis was conducted only for average daily traffic (“ADT”), rather than peak hour or peak period traffic. LOS is typically measured during the weekday a.m. or p.m. peak period or peak hour; that is, the heaviest travel time of any given day. This is the most accurate measure of traffic conditions because congestion generally occurs during morning and evening commute periods, not during the middle of the day. *See* General Plan at I-13-1. Averaging traffic volumes over an entire day could smooth out very high peak volumes. This would then give the impression that the roadway suffered no traffic problems, when in fact there was significant congestion and vehicular delay during commute times.

The RDEIR’s approach of calculating LOS based on ADT understates the true effects of development under the General Plan. CEQA requires that the analysis of periodic impacts, like traffic or noise, account for the peak periods of impact, rather than submerging them in an average. *See Berkeley Keep Jets Over the Bay Committee v.*

Board of Port Comrs. (2001) 91 Cal. App. 4th 1344, 1355 (requiring the analysis of single-event noise levels) (“*Berkeley Jets*”).

The flaws in the traffic analysis methodology extend beyond its failure to evaluate peak hour or peak period traffic congestion. The RDEIR’s LOS analysis was conducted for roadway segments rather than intersections. While it may be helpful to understand how roadway segments operate, the critical measure of a roadway’s capacity is the capacity of its intersections. Intersections, and not roadway segments, are the choke points in a roadway network. While a roadway segment may operate at LOS D, intersections along that same roadway may operate at LOS E or F.

As the General Plan itself recognizes, “[o]perational analyses typically focus on intersections rather than road segments since the capacity of the intersections is usually more critical than the capacity of the roadway.” General Plan at I-13-1. Inasmuch as the Plan prescribes LOS standards for both roadway segments and intersections in Policy TC-1.16, it is therefore difficult to fathom why the RDEIR ignores this crucial category of impact. “An EIR must identify and evaluate *all* significant environmental effects of a project.” *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal. App. 3d 421, 428 (emphasis added) (citation omitted). The RDEIR, by failing to consider intersection impacts, has failed to live up to this charge. Had the RDEIR analyzed peak period intersection LOS, the Project’s traffic impacts would certainly be more severe than the RDEIR discloses. See RDEIR at 3.2-24, 25 and Table 3.2-7.

(e) The RDEIR Fails to Analyze and Mitigate the Project’s Impact on Transit Service.

The proposed General Plan encourages development on the outskirts of the County’s cities. Although this increase in development would result in an increase in transit demand within the Cities, the RDEIR fails to analyze or mitigate these impacts. Instead, the document casually asserts that “as new population growth occurs and transit demand increases, additional transit services will be developed to ensure that adequate supply exists. Largely market driven, transit service will expand as needed and will be self mitigating.” RDEIR at 3.2-26. Because the RDEIR fails to provide even the most rudimentary analysis of the Project’s impact on increased transit demand within the Cities, it fails to meet CEQA’s clear requirements.

The RDEIR also fails to recognize the General Plan’s sprawling low density land use patterns would severely hamper the region’s efforts to sustain and expand transit service within the County. One of the challenges of justifying

development of urban transit systems (bus, rapid bus, and light rail) both from a practical and financial standpoint, is that there must be urban densities to support the systems. Those densities should occur within City UDBs within the Cities. In other words, properties must develop at sufficiently high densities within the City UDBs to ensure the feasibility of transit. TCAG has completed a light rail study for a transit system between the Cities of Tulare and Visalia confirming that in the absence of such high density land uses, there is simply no potential for a viable transit system. (Olmos, 2010). The revised EIR must analyze these transit-related impacts and identify feasible mitigation measures.

(f) The RDEIR Fails Altogether to Analyze the General Plan's Impact on Pavement Conditions.

Road condition is an important factor in the overall capacity and operational characteristics of the County's roadway system. *See* RDEIR at 3.2-7 and General Plan Background Report at 5-21 and 5-39 through 5-43. The General Plan explains that due to a significant reduction of available funding for road maintenance over the past two decades, the County has not been able to adequately maintain its roadway system. *Id.* at 5-39. The County's roads are deteriorating at an accelerated rate and many roads have large potholes, alligator cracking and deteriorating asphalt. *Id.* Much of this deterioration is attributed to the steady increase of truck and commodity growth in the County. *Id.* While 30 years ago there were 150,000 trucks with 4,000,000 in tonnage; now there are 550,000 trucks with 14,000,000 in tonnage. *Id.* at 5-41. The issue of roadway deterioration is critical for the agricultural industry that uses these roads for farm-to-market trips and also significantly contributes to road deterioration. *Id.* at 5-39.

With as much detail as the General Plan presents with regard to this critical transportation issue, one would expect the RDEIR to have provided a thorough analysis of the General Plan's effect on pavement deterioration. Yet, this is not the case. Although the RDEIR's environmental setting section acknowledges the importance of road conditions, and particularly deteriorating roads that are narrow or do not have adequate shoulders (at 3.2-7), the document fails to provide *any* evaluation as to how this condition affects roadway capacity. More importantly, the RDEIR fails to evaluate the effect that the increase in automobile and truck travel that would result from implementation of the General Plan would have on roadway conditions within the County. The RDEIR must be revised to analyze and mitigate this significant impact.

(g) The RDEIR Fails to Include Feasible Mitigation Measures for the General Plan's Transportation Impacts.

The RDEIR comes to the conclusion that no mitigation measures, other than the proposed General Plan's policies, are available to reduce the transportation impacts that would result from implementation of the General Plan. RDEIR at 3.2-31. The RDEIR's approach to mitigation fails in three substantive ways: (1) the General Plan policies would not effectively reduce Project impacts; (2) other feasible mitigation exists that would further reduce Project impacts; and (3) the RDEIR fails to actually analyze the effect the policies would have on roadways. Thus the public and decisionmakers are left in the dark as to which roadways will operate under unacceptable conditions in 2030.

(i) The General Plan Policies Would Not Effectively Reduce Project Impacts.

The RDEIR determines that the General Plan would result in significant traffic impacts. RDEIR at 3.2-26. CEQA therefore, requires the identification of mitigation measures to avoid or minimize those impacts. See CEQA Guidelines 15126.4(a). The RDEIR relies on certain General Plan policies and implementation measures as mitigation to minimize the impacts but concludes that these measures could not, in fact, reduce them to a less than significant level. RDEIR at 3.2-32. Yet, these measures fail to reduce traffic impacts because, among other reasons, they are too vague and are otherwise unenforceable.

CEQA requires that "mitigation measures proposed in an EIR must be "fully enforceable" through permit conditions, agreements, or other legally binding instruments." CEQA § 21081.6(b); CEQA Guidelines § 15126.4(a)(3). Uncertain, vague, and speculative mitigation measures have been held inadequate because they lack a commitment to enforcement. See, e.g., *Anderson First Coalition v. City of Anderson* (2005) 130 Cal. App. 4th 1173, 1188-89 (holding traffic mitigation fee measure inadequate under CEQA due to vagueness in program for implementing required improvements). The policies identified as traffic mitigation do not meet these standards.

For example, the measures call for the County to maintain a public road network (TC-1.1), continue to work with other agencies to assess transportation needs (TC-1.3), work to enhance funding (TC-1.4), and give priority to roadway maintenance to maintain integrity of roadways (TC-1.5). The first two of these policies are utterly vague and do nothing to actually reduce the traffic congestion impacts identified in the RDEIR. The second two might improve congestion problems, if the County actually takes the proposed action, but the policies are in no way binding or enforceable, and thus may not

be relied upon as effective mitigation. The purpose of mitigation is to reduce the severity of an environmental impact; the cited General Plan policies do little more than state the County's interest in reducing traffic impacts. Setting goals is important, but it is no substitute for actually imposing effective mitigation measures.

The County cannot use the RDEIR's failure to incorporate adequate, enforceable, feasible mitigation measures into General Plan policies to justify the RDEIR's conclusions that the Project's impacts are unavoidable; to the contrary, if the RDEIR had proposed and analyzed adequate mitigation measures—as required under CEQA—some of those impacts might have been avoided. In order to do this job, the General Plan policies must be revised to make them mandatory and legally binding.

Moreover, to the extent the RDEIR claims that the General Plan policies and implementation measures would minimize the Project's significant effects on the 13 roadway segments that would operate at deficient service levels in 2030 (RDEIR at 3.2-31), the document must provide some evidentiary support for this conclusion. The RDEIR lacks any quantitative traffic operations analysis with respect to implementation of the proposed policies, implementation measures or the other roadway projects that may be implemented to reduce impacts. Thus the public and decisionmakers have no idea what effect, if any, this "mitigation" will have on service levels. In essence, then, the RDEIR fails to provide a single meaningful action to mitigate the significant impacts associated with the proposed General Plan. Instead, each of the 13 significantly impacted segments (which are disingenuously grouped together as a single impact) are left "significant and unavoidable." This approach ignores the fact that measures could certainly be implemented, or the General Plan itself could be redesigned, to resolve some of the impacts. The bottom line, however, is that the public and decisionmakers are left in the dark as to exactly what effect the General Plan would have on the area's roads.

This deficiency is particularly egregious in terms of the Project's extensive impacts on the Cities' transportation systems. Because the proposed General Plan encourages substantial growth throughout the County and within the Cities' planning boundaries, the increased traffic from this development would place vast demands on the Cities' transportation networks. Yet, the RDEIR's superficial approach to impact analysis fails entirely to present mitigation that would ensure the Cities are sufficiently protected from this onslaught of traffic.

(ii) Feasible Mitigation Exists and Should Be Adopted.

CEQA requires that an EIR identify, and the decisionmaker adopt, all feasible mitigation measures that would reduce or avoid a project's significant impacts.

CEQA § 21002; CEQA Guidelines § 15091(a)(3). The agency must comply with this requirement even if the mitigation would not reduce the impact to a less than significant level, as long as the measure would have some mitigating effect. The best way to mitigate the General Plan's traffic impacts would be to reduce both the total number of vehicle trips and the average trip length. The most efficient way to reduce vehicle trips and trip length is to control sprawling growth patterns.

Decentralized development, such as that proposed in the General Plan, separates homes from other land uses, requiring automotive transportation for most or all trips. In addition, low density, scattered development lacks the economies of scale necessary to make public transit effective and economical. Residents of cities, on the other hand, often have substantially reduced vehicle dependency. Municipal development often has higher density, mixed use communities. People tend to be closer to jobs and shopping, sometimes within walking or bicycling distance. Transit service also tends to be higher frequency and more reliable in cities in comparison to lower density unincorporated communities. If people choose to use a car in cities, trips are short. The U.S. Environmental Protection Agency ("EPA") modeled the transportation and environmental impacts of locating the same development on two sites—one infill, and one suburban edge/greenfield—and compared the results. The modeling predicted that the infill site would outperform the greenfield site in six important dimensions:

- Average trip distance: generally shorter with the infill site.
- Per capita vehicle miles traveled: generally fewer with the infill site.
- Travel time: generally shorter with the infill site.
- Public infrastructure and household travel costs: lower with the infill site.
- Environmental impacts, including emissions: smaller with the infill site.
- Multi-modal orientation and access to community amenities and transportation choices: greater at the infill site.

See "The Transportation and Environmental Impacts of Infill Versus Greenfield Development: A Comparative Case Study Analysis," Hagler Bailley Services (prepared for U.S.EPA), October 1999, excerpts attached as Exhibit 14. The EPA study concluded that city-based development can produce non-trivial transportation, environmental, and public infrastructure cost benefits. *Id.*

Consequently, in addition to revisions to the General Plan's policies that would control sprawling growth patterns, the County should evaluate measures to ensure that it is taking all available means to ensure that County inhabitants travel less. To this end, the revised RDEIR should include a list of alternative transportation strategies.

Specifically, the RDEIR must evaluate project and community design standards and techniques that achieve the following objectives:

- Reducing commute distances and commute times;
- Reducing automobile use, especially single-occupant vehicle automobile trips; and
- Encouraging and supporting the use of transit.

Moreover, as explained above, traffic impacts are intimately tied to land use patterns. Once the traffic analysis in the RDEIR has been revised to analyze the land use types and locations called for in the General Plan, that analysis can be used to re-examine the General Plan's land use policies. For example, if, as seems likely, it turns out that the RDEIR projects that significant amounts of traffic will come from commutes between residences in unincorporated areas to jobs in cities, then the General Plan could be revised to mitigate this traffic by shifting residential growth inside municipal boundaries and closer to jobs.

4. The RDEIR Fails to Adequately Analyze and Mitigate the General Plan's Air Qualities Impacts.

(a) The RDEIR's Analysis of the General Plan's Impacts From Stationary and Area Sources Is Deficient.

The southern San Joaquin Valley, including Tulare County, suffers from some of the nation's worst air quality. By its own admission, implementation of the General Plan would cause a substantial increase in air pollution. RDEIR at 3.3-18. The RDEIR, however, fails to actually analyze the health effects that would occur as a result of exposure to these pollutants.

While the RDEIR's air quality analysis contains extensive flaws, we summarize just a few of the most egregious deficiencies below. We suggest that the County follow closely the San Joaquin Valley Air Pollution Control District's ("SJVAPCD") Guide for Assessing and Mitigation Air Quality Impacts ("GAMAQI"). This Guide, produced by the agency with the most extensive expertise in Valley air issues, sets the standard for effective, useful analysis of the emissions produced by projects and plans in this region.

The RDEIR's analysis of air quality impacts is crippled by the same flaws that afflict the rest of this document: because the General Plan does not provide a comprehensible description of the distribution of proposed land uses throughout the County, the RDEIR does not analyze the environmental consequences of such land uses.

The air quality analysis, like the traffic analysis discussed above, relies on the TCAG traffic model. Because of the RDEIR's failure to explain the model's assumptions, it is impossible to determine whether the model accurately reflects the General Plan. The RDEIR includes vague and uninformative statements that all but confirm that the air quality analysis is not based on the actual land use assumptions of the proposed General Plan. (See e.g., RDEIR at 3.3-24: "[t]his analysis assumes that growth in population, vehicle use and other source categories will occur at historically robust rates."). An analysis of the General Plan's environmental impacts should necessarily be based on the emissions generated by stationary and mobile sources from projected development levels, not historical growth rates. Moreover, from the limited information included in the RDEIR, it is evident that the estimate of air emissions omits or underestimates several sources of pollutants.

While the initial 2008 DEIR stated that development under the General Plan would introduce a variety of new stationary and area sources of emissions to the County, including facilities that use natural gas, landscape maintenance equipment, and woodburning stoves, as well as a variety of industrial and commercial processes (DEIR at 4-50), the RDEIR does not include woodburning stoves or landscape maintenance equipment in its emission inventory. See RDEIR at 3.4-20, 21. The failure to include these sources consequently results in an underestimation of the Project's air quality impacts. See *Id.*, Table 3.3-5. Unless and until the RDEIR is revised to account for the whole of the General Plan's increase in emissions, it will remain inadequate.

The RDEIR's conclusions regarding projected vehicular emissions levels are undermined by its reliance on the TCAG model and on an assumed reduction in per-car tailpipe emissions, sufficient to overcome the increased driving due to population growth. RDEIR at Table 3.3-5, footnote b. Although vehicles are getting cleaner, the RDEIR's conclusion that overall vehicular emissions will decrease between 2007 and 2030 is wholly insupportable in the absence of evidence regarding land use patterns. Studies show that growth in driving is likely to cancel out improved vehicle fuel economy:

If sprawling development continues to fuel growth in driving, the projected 48 percent increase in the total miles driven between 2005 and 2030 will overwhelm expected gains from vehicle efficiency and low-carbon fuels. Even if the most stringent fuel-efficiency proposals under consideration are enacted, [] "vehicle emissions still would be 34 percent above 1990 levels in 2030 – entirely off-track from reductions of 60-80 percent below 1990 levels by 2050 required for climate protection."

See "Growing Cooler: Evidence on Urban Development Change," Executive Summary, attached as Exhibit 15.

If future growth occurs in a pattern that encourages more driving than the TCAG model assumes, then the RDEIR's conclusions are entirely wrong. Without information about the correlation between the transportation model and the development patterns under the General Plan, one cannot assess whether the reduction in vehicular emissions will indeed compensate for the increased in vehicle miles travelled. Thus the RDEIR is not supported by the substantial evidence that CEQA requires.

The RDEIR's analysis of those emissions sources that it does identify is also flawed. First, it lacks support for its quantification of the increase in emissions from dairy and feedstock facilities. The RDEIR explains that dairy and feedstock emissions were estimated in the Tulare County Draft Phase I Animal Confinement Facilities Plan Supplemental EIR ("ACF EIR"), which assumed buildout by the year 2020. RDEIR at 3.3-17 and Table 3.3-5. The planning horizon for the Tulare County General Plan, however, extends to 2030. The RDEIR does not disclose its methodology for determining the dairy-related emission estimates for the ten years between 2020 and 2030, and thus lacks substantial evidence in support of its determinations.

In addition, the ACF EIR cannot support the RDEIR's conclusion, even for the time up to 2020. First, it is inappropriate to rely upon this type of incorporation by reference as substitute for an important analysis of a key environmental impact. "Incorporation by reference is most appropriate for including long, descriptive, or technical materials that . . . do not contribute directly to the analysis of the problem at hand." CEQA Guidelines § 15150(f). Clearly the analysis of emissions from dairy and other livestock facilities "contributes directly" to the analysis of the General Plan's air quality impacts, and therefore should have been included directly in the text of the RDEIR, not merely incorporated by reference. Moreover, even if the RDEIR could legitimately rely upon an outside document for its analysis and conclusions, it would need to include a thorough description of the ACF EIR's scope and methodology. See *Emmington v. Solano County* (1987) 195 Cal. App. 3d 491, 502-03 (outside reports do not support environmental document where they are not adequately summarized and analyzed).

CEQA also requires that an agency relying on an EIR prepared for a different project or program must comply with specific procedures, including notifying the public about where a copy of the previous EIR can be obtained. CEQA § 21094(e); CEQA Guidelines §§ 15152 & 15153. The RDEIR contains no such information about

the ACF EIR. As a result, the County cannot rely on that EIR in analyzing the Project's impacts.

In order to provide the public and decisionmakers with the information required by CEQA, the RDEIR must identify 2030 ROG, NO_x and CO emissions with and without the General Plan. In other words, the RDEIR must provide the absolute increase in all stationary and mobile source emissions from 2010 to 2030.⁷ Decisionmakers must understand the full range of transportation and air quality assumptions if they are truly to understand the General Plan's impact on the region's air quality.

(b) The RDEIR Fails to Adequately Analyze Impacts Relating to the Project's Effect on the Regional Air Quality Plan.

Rather than analyze how the General Plan's increase in air emissions would affect the SJVAPCD air quality plan, the RDEIR generally asserts that the General Plan was designed specifically to achieve and promote consistency with the planning documents of neighboring jurisdictions and other agencies that have jurisdiction over the project. RDEIR at 3.3-23. The RDEIR then relies upon a series of General Plan policies to conclude that impacts relating to the General Plan's consistency with the regional air quality plan would be less than significant. *Id.* at 3.3-23, 24. CEQA requires more than this cavalier approach to impact analysis.

To give just one example, ROG emissions from dairy and feedlot operations alone would be 2,570 tons per year, while the SJVAPCD standard is 10 tons. RDEIR at Table 3.3-5. Under the General Plan, emissions from just this one category of source would exceed the applicable standard by more than 250 times. Rather than seriously grapple with the effect the Project would have on the region's air quality plan, the RDEIR simply asserts that "the amount of growth predicted . . . could make it more difficult to attain [] the standards" and "the potential that a significant impact could

⁷ Moreover, because the RDEIR identifies only year 2030 emissions, it does not accurately assess impacts in the middle of the General Plan's buildout period (i.e., 2015 or 2020). The SJVAPCD recommends an interim year analysis: "[i]f a project has over a five year projected build-out, analyses should be done for the final build-out year (using the nearest default year in URBEMIS) and one intermediate year (using the URBEMIS default year nearest to the midpoint of projected build-out of the project)." SJVAPCD GAMAQI at 40. Consequently, the RDEIR should be revised to provide an interim year analysis.

occur remains a possibility.” *Id.* at 3.3-24, 25. These obvious, generic statements do not come close to meeting CEQA’s requirements for a detailed impact analysis. A legally adequate EIR “must contain sufficient detail to help ensure the integrity of the process of decision making by precluding stubborn problems or serious criticism from being swept under the rug.” *Kings County Farm Bureau*, 221 Cal. App. 3d at 733; CEQA Guidelines § 15151.

The RDEIR must thoroughly disclose the implications on the region’s air quality plan. Would implementation of the General Plan push compliance with the air quality standards back by one year, five years, or ten years? What would be the health implications for the region’s residents? Simply concluding that the General Plan may conflict with the air quality plan does not allow decisionmakers to evaluate whether implementation of the proposed Project is worth a potentially extensive delay in achieving attainment of health-based air quality standards. The revised EIR must explain the actual and specific implications associated with the region’s failure to attain the state and federal standards for each of the pollutants for which the region is in non-attainment of the standards.

(c) The RDEIR Fails to Analyze Impacts Relating to PM_{2.5} Emissions.

The federal Clean Air Act requires all states to attain the 1997 standards for the particulate pollutant known as PM_{2.5} as expeditiously as practicable beginning in 2010, but no later than April 5, 2015. *See* SJVAPCD Proposed PM_{2.5} Plan. Buildout of the County’s General Plan would result in 759 tons per year of PM_{2.5}.⁸ The RDEIR, however, fails to determine either whether the Project’s substantial increase in PM_{2.5} emissions would be a significant contribution to the region’s already significant PM_{2.5} problem, or whether it would conflict with or obstruct implementation of the SJVAPCD

⁸ The original 2008 DEIR determined that the General Plan would result in an additional 2,264 tons per year of PM_{2.5}. The RDEIR does not explain why its PM_{2.5} emission estimates have been reduced so substantially in comparison to the previous environmental document. The RDEIR must provide an explanation for this reduction, especially because the County has a high number of dairies and feedlots which emit high levels of ammonia. Ammonia is a precursor to PM_{2.5} (RDEIR at 3.3-26). There is no indication that the County intends to substantially reduce the number of dairies/feedlots in 2030. Consequently, it is counter-intuitive that PM_{2.5} emissions would have dropped so substantially since the last version of the EIR.

plan. The revised EIR must undertake this analysis and identify mitigation measures capable of eliminating or reducing this impact. The SJVAPCD has prepared a comprehensive and exhaustive list of strict regulatory and incentive-based measures to reduce PM_{2.5} and precursor emissions throughout the Valley. *Id.* at ES-2. In addition to including these measures as mitigation, the revised EIR should consider measures to reduce particulate emissions from mobile sources, which are beyond the District's direct jurisdiction. *Id.* at ES-3.

(d) The RDEIR Fails to Analyze Adequately the Project's Potential to Expose Sensitive Receptors to Substantial Pollutant Concentrations.

The RDEIR makes no attempt to quantify the increase in toxic air contaminants ("TAC") from buildout of the General Plan; instead it defers this analysis, suggesting that these emissions can be controlled at the local and regional level through permitting. RDEIR at 3.3-21. CEQA does not allow an EIR to defer analysis and mitigation to a future time. *Sundstrom v. Mendocino County* (1988) 202 Cal. App. 3d 296. A project's impacts must be analyzed, disclosed, and mitigated at the "earliest feasible stage in the planning process." *Id.* at 307; *see also* CEQA Guidelines § 15126.4(a)(1)(B) ("Formulation of mitigation measures should not be deferred until some future time."); *Communities for a Better Env't. v. City of Richmond*, 2010 WL 1645906 at *14; *Gentry v. City of Murieta* (1995) 36 Cal. App. 4th 1359, 1396. Consequently, the RDEIR must evaluate the increase in TAC emissions that would result from implementation of the General Plan.

The RDEIR also fails to evaluate the health risk to sensitive receptors resulting from exposure to TAC emissions. Although the RDEIR acknowledges that sensitive land uses near local roadways, for example, could be exposed to air pollutant emissions (RDEIR at 3.3-25), the document stops short of actually analyzing this very serious potential public health impact. This failure, of course, is due largely to the General Plan's lack of a comprehensible land use plan. The lack of specific information regarding the distribution of different land uses hampers the RDEIR's ability to discern where sensitive receptors and TAC-generators might come together. The RDEIR should have identified locations at particularly high risk from TAC exposure (e.g., areas along major roadways, rail activity areas, areas near dairy and feedlot operations) and, in mitigation, required any necessary modifications to the County's proposed land use plan, such as the creation of sufficient buffer areas and contingency plans.

The RDEIR's failure to provide this analysis is particularly disturbing since the California Air Resources Board ("CARB") provides guidance pertaining to TACs and

land use development. As the RDEIR acknowledges, CARB's Air Quality and Land Use Handbook ("CARB Handbook") is intended to provide guidance to agencies when considering the potential risks to sensitive receptors (e.g., schools, homes, daycare centers, medical facilities) from TAC exposures. *See* RDEIR at 3.3-26. Land uses that result in such exposures, particularly exposure to combustion-related diesel particulate matter ("DPM"), are rarely required to acquire air quality permits. Therefore, lead agencies, such as the County, must take action to prevent or minimize health risk exposure, and cannot rely on future permitting, as the RDEIR has attempted to do.

Indeed, the CARB Handbook explains that the *primary purpose of General Plans*, and the source of government authority to engage in planning, is to protect public health, safety and welfare. CARB Handbook at 41 (emphasis added). CARB highlights the potential health impacts associated with proximity to TAC sources, and offers guidance and setback distances for a number of land use types commonly associated with TAC emissions. CARB guidance states that "[b]ecause living or going to school too close to such air pollution sources may increase both cancer and non-cancer health risks, we are recommending that proximity be considered in the siting of new sensitive land uses." *Id.* at ES-1. The Guidance further states "what we know today indicates that keeping new homes and other sensitive land uses from siting too close to such facilities would provide additional health protection." *Id.*

Clearly, sound planning principles, along with CEQA's bar on deferred analysis, dictate that the appropriate context for addressing and eliminating these land use conflicts is during a comprehensive update of the General Plan, not at the project-specific level. The General Plan RDEIR should have used this CARB guidance—both to evaluate the potential health risk associated with implementation of the General Plan and to determine feasible alternative land use patterns if health risks would be elevated as a result of the proximity of sensitive receptors to toxic sources.

(e) The RDEIR Fails to Adequately Analyze the Potential for Development Under the General Plan to Create Objectionable Odors.

Dairies and feedlots have the potential to generate odors and to impact nearby sensitive receptors. Despite this fact, the RDEIR devotes exactly three sentences to this important issue. Moreover, this cursory discussion omits any actual analysis of how sources of odorous emissions caused by implementation of the General Plan would impact sensitive receptors. Again, the RDEIR defers this important analysis and concludes, absent any evidence, that impacts relating to odorous emissions would be less than significant. RDEIR at 3.3-28. The RDEIR can hardly conclude that no sensitive

receptors will be affected by dairy or feedlot odors if there is no plan to ensure that such receptors will not be located near the odor sources.

The purpose of the General Plan is to guide the growth and development of the County. Locating adequate sites for dairy and feedlot development will become more difficult upon buildout of the County. Sensitive land uses must be protected from these incompatible uses. Had the County prepared its General Plan in a manner that outlined present land uses and provided a comprehensible description of the distribution of proposed land uses, the RDEIR would then be able to evaluate these potential impacts. Under the General Plan as currently proposed, with its lack both of a legally adequate land use plan and of effective policies to avoid odor-related land use conflicts, the RDEIR must assume that the County is built out to the maximum density allowable. It must then estimate how many sensitive receptors are likely to be located within an affected area of odor-producing facilities. This calculation will allow the determination of the severity of the impact, which is likely to be significant.

(f) The RDEIR Fails to Identify Feasible Mitigation Measures for the General Plan's Significant Air Quality Impacts.

The RDEIR fails entirely to identify adequate mitigation for the General Plan's significant air quality impacts. For example, as regards the potential for the General Plan to expose sensitive receptors to sources that generate TACs and offensive odors, the RDEIR looks to policies AQ-3.1 to AQ-3.6, claiming that these policies will "address a variety of nuisance issues." *Id.* at 3.3-28. Yet, these policies have no relationship to the specific impact. For example, the policies call for: (1) placing employee services near employment centers; (2) adding landscaping to projects and roadway medians; and (3) promoting energy conservation. *See* General Plan at I-9-9. The RDEIR fares no better when it relies on land use policies LU-1.1, LU-1.4 and LU-1.8. *Id.* These policies, which call for "smart growth" and infill development, will have little, if any effect, on impacts resulting from siting polluting industries near sensitive receptors. *Id.* Clearly, the RDEIR authors must dig deeper to develop measures to mitigate these serious air quality impacts.

As for the General Plan's increase in mobile sources of emissions, the RDEIR relies on mitigation measures that are vague and otherwise unenforceable. AQ-1.1, AQ-1.7, and AQ-2.1 call for nothing more than cooperation and support with other agencies, while AQ-2.3 calls for the County to simply study transportation methods, and AQ-2.4 calls for the County to "encourage . . . participation" in programs. (*See* General Plan at I-9-7, I-9-8). These policies would fail to bring about *any* measurable reduction

in General Plan-related vehicular emissions. On the other hand, the mitigation measures identified above in connection with transportation impacts would, if implemented, result in a substantial reduction in pollutant emissions. CEQA therefore requires this RDEIR to identify such measures before the General Plan may be approved.

(g) The RDEIR Fails to Analyze or Mitigate the Project's Cumulative Air Quality Impacts.

The RDEIR lacks an analysis of the General Plan's cumulative air quality impacts. Instead, it looks to the project-specific analysis of impacts and concludes the Project would contribute considerably to a significant and unavoidable air quality impact. RDEIR at 5-8. Yet, as the RDEIR explains, the project-specific analysis did not evaluate air quality from the entire air basin, or even the entire County:

This assessment includes emissions attributable to all unincorporated lands within Tulare County. It does not include emissions associated with incorporated cities within Tulare County. Therefore, unincorporated Tulare County is considered to be the organizational boundary for the assessment.

See RDEIR at 3.3-16.

The revised RDEIR must include an analysis of the General Plan's cumulative air quality impacts. This analysis must necessarily consider emissions from the entire air basin. Once this analysis is undertaken, the County will be in a position to evaluate feasible mitigation measures capable of offsetting the project's contribution to these cumulative air quality impacts.

5. The RDEIR Fails to Adequately Analyze and Mitigate the General Plan's Climate Change Impacts.

(a) The RDEIR Fails to Present an Accurate Representation of Climate Change Impacts Caused by the General Plan.

Like its predecessor, the RDEIR provides insufficient detail regarding methodology and assumptions to determine whether the greenhouse gas ("GHG") analysis actually evaluates the Project's impacts. Here too, the RDEIR relies on TCAG vehicle miles traveled ("VMT") data to arrive at on-road mobile source GHG emissions. RDEIR at 3.4-25. Yet, the document never (1) identifies the actual VMT numbers from TCAG or the draft General Plan or (2) explains the relationship between the proposed General Plan, including the type and location of proposed land uses, and the TCAG data

to allow the public and decisionmakers to determine whether the RDEIR's emissions estimates reflect the proposed Project.

In order to accurately prepare a GHG emissions inventory representative of the proposed Project, the RDEIR should calculate the number of vehicular trips and the overall VMT attributable to development under the General Plan. Yet, the first step to identifying VMT is to identify the location and extent of existing and proposed land uses (residential, commercial, industrial, mixed use, agricultural and open space, and public) for all land within the County. Until this fundamental first step is undertaken, it is simply not possible to calculate changes in VMT and consequently mobile sources of GHG emissions.

While the RDEIR does now include emissions from electricity, natural gas and solid waste, the RDEIR's electricity sector emission estimates provide no information regarding methodology and assumptions as to how the RDEIR authors calculated the emission estimates. Which specific sources were considered in the calculation of electricity GHG emissions? Were GHG emissions from construction activities and operations taken into account? If so, how were the emission estimates arrived at in the absence of detailed land use data?

Construction activities, such as site grading and asphalt paving, and the associated use of utility engines and heavy-duty construction vehicles of individual projects related to the General Plan would produce combustion emissions from various sources. During construction of the Project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels emits GHGs. GHG estimates must be based on residential, commercial and industrial growth and must be calculated assuming some buildout projection (i.e., 1/20th of the total development occurs in each year with equal construction phasing in each year). Here, the RDEIR provides none of this information.

Other critical information missing from the RDEIR relating to its electricity-related GHG emissions projections includes the following: (1) the amount of commercial and industrial square footage within the General Plan area; (2) the number of employees in 2030; (3) the number of single-family and multi-family residences allowed by the General Plan in 2030; and (4) the amount of water-related energy use assumptions (conveyance, water treatment, water distribution, and wastewater treatment).

The RDEIR appears to ignore agricultural activities as a source of GHG emissions. According to the Yolo County General Plan EIR, agricultural activities

account for the largest source of GHG emissions under existing conditions and account for 40 percent of the total inventory in that County. *See* Yolo County General Plan EIR, April 2009, at 358, excerpts attached as Exhibit 3. The Yolo County General Plan EIR states:

Agricultural activities contribute to emissions of greenhouse gases through a variety of processes, including direct emissions from the field (e.g., manure and soil management) in the form of nitrous oxide and methane, and carbon emissions from agricultural equipment and water-pumping systems. The estimates of greenhouse gas emissions related to agricultural activities are based on emissions from equipment exhaust, including harvesting equipment, emissions from fertilizer application and water use. Rice is produced in the northeast part of the county and in portions of the Yolo Bypass Wildlife Area; methane is produced during flooded rice cultivation by the anaerobic (lacking oxygen) decomposition of organic matter in the soil. *Id.*

While the RDEIR accounts for emissions from dairy/feedlots, there is no indication that these emission estimates take into account all other agricultural operations. The revised EIR must provide the necessary details regarding all sources of GHG emissions.

(b) The General Plan and RDEIR Must Recognize that Uncontrolled, Sprawling Growth Undermines State Greenhouse Gas Reduction Goals.

The RDEIR determines that the substantial increase in GHG emissions that would accompany implementation of the General Plan could conflict with the State's ability to meet the AB 32 goals. RDEIR at 3.4-32. The document correctly identifies this impact as significant. *Id.* Yet the RDEIR is entirely wrong when it concludes that this impact is unavoidable. Tulare County has the ability to create and adopt a General Plan that advances the goals of AB 32 (and SB 375), and this General Plan creates the opportunity to advance a sustainable land use and transportation planning agenda.

As discussed above in the transportation section of the letter, the General Plan and RDEIR must recognize that uncontrolled, sprawling growth undermines the State's GHG reduction goals. Decentralized, low density land use development results in excessive reliance on the private automobile. Thus GHG emissions will continue to rise despite technological advances, because the increase in driving is projected to overwhelm planned improvements in vehicle efficiency.

Findings from the study entitled “Growing Cooler: The Evidence on Urban Development and Climate Change,” show that “much of the rise in vehicle emissions can be curbed simply by growing in a way that will make it easier for Americans to drive less”—specifically, through compact development that can reduce driving by 20 to 40 percent. *See* Exhibit 15 [Growing Cooler]. Indeed, recognizing the unsustainable growth in driving, the American Association of State Highway and Transportation Officials, representing state departments of transportation, is urging that the growth of vehicle miles traveled *be cut in half*. *Id.* (emphasis added.) Slowing the growth of vehicle miles traveled, especially when many regions including Tulare County are facing substantial increases in population, is a daunting task. However, much of the rise in vehicle emissions can be curbed simply by managing land use in a way that makes it easier for people to drive less. *Id.* The Legislature and the people of California have decided that this state must move toward sustainable growth. Tulare County’s insistence on working against this goal is unjustifiable.

(c) The RDEIR’s Approach to Climate Change Mitigation Is Utterly Deficient.

The County takes a step in the right direction by preparing a Climate Action Plan (“CAP”) as an implementation measure to reduce the substantial increase in GHG emissions that would accompany implementation of the General Plan. Yet the CAP appears to include identical policies as the General Plan’s air quality chapter of the Environment Element. Unfortunately, many of these General Plan policies are voluntary, flexible, and unenforceable in nature and consequently will be ineffective in mitigating the General Plan’s GHG impacts. CEQA requires more. “The purpose of an environmental impact report is . . . to list ways in which the significant effects of such a project might be minimized . . .” CEQA § 21061. The Supreme Court has described mitigation as part of the “core” of an EIR. *Citizens of Goleta Valley v. Bd. of Supervisors of Santa Barbara County* (1990), 52 Cal. 3d 553, 564. It is important to note that the RDEIR’s obligation to identify mitigation is not diminished just because no available mitigation reduces the impact all the way to a less-than-significant level. Any measure that will reduce the severity of the impact is still useful, and still must be identified and analyzed. CEQA Guidelines § 15126.4(a)(1); *cf. Santiago County Water Dist. v. Orange County* (1981) 118 Cal. App. 3d 818, 831.

Many of the policies and programs listed as mitigation in the RDEIR include terms like “shall strive to,” “as feasible,” “shall cooperate with,” “shall work to comprehensively study,” “shall encourage” and “shall monitor and support.” As such, the RDEIR and the CAP provide inadequate commitment to substantive, enforceable climate change mitigation and protection, and fail to provide mechanisms to ensure that

climate change mitigation will evolve, as appropriate, while enduring across the twenty year project lifespan. Generally, policies that call for “encouraging,” and “supporting” should be modified to actually require the implementation of the policies’ programs. For example, where AQ-2.3 calls for the County to work with TCAG to comprehensively study methods of transportation, which may contribute to a reduction in air pollution in Tulare County, this measure should be changed to “implement and impose an enforceable requirement on developers to contribute toward enhanced transit service” or “adopt a transit mode share goal.” *See* CAP at 72

In essence, we can find no evidence that the County is seriously committed to offsetting the substantial increase in GHG emissions that would result from implementation of the General Plan. Additional actions to reduce GHG emissions have been demonstrated to be feasible as evidenced by their adoption by other jurisdictions in California. Tulare County should consider adopting all feasible mitigation measures using the powers the County has to enact ordinances and control development characteristics to reduce GHG emissions.

6. The RDEIR Inadequately Analyzes and Mitigates the General Plan’s Water Supply Impacts.

As the General Plan admits, Tulare County faces serious limitations with regard to ground water supply. For the Tulare Lake Basin alone, “the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the State, and 56 percent of the Statewide total overdraft.” General Plan at I-11-3. Throughout Tulare County, but especially in the smaller communities and hamlets, the quantity and quality of water supplies cannot be taken for granted. Nonetheless, that is precisely the tack taken by the RDEIR, which assumes, or perhaps hopes, that water supply can keep up with demand.

Most troubling is the RDEIR’s conclusion that there may be insufficient groundwater supplies to satisfy demands from the future growth allowed under the General Plan. This impact is discussed in two places in the RDEIR: as part of the Hydrology, Water Quality and Drainage analysis (Impact 3.6-2) and as part of the Public Services analysis (Impact 3.9-1). Under CEQA, an EIR must clearly identify the proposed water supply for the entire project under review, and must then analyze the reliability of that supply. *See, e.g., Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 431-32; *Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal. App. 4th 715, 722-24; *Napa Citizens for Honest Government v. Napa County Board of Commissioners* (2001) 91 Cal. App. 4th 342, 373-74. If it is uncertain whether the proposed supply can

provide the needed water, the EIR must also identify an alternative source. *Vineyard Area Citizens*, 40 Cal. 4th at 432. The EIR must finally analyze and disclose the potential environmental impacts of tapping these sources. *Id.*

The RDEIR fails to comply with these requirements in several ways. First, the RDEIR lacks the required analysis to determine the location and significance of the Project's impacts on groundwater supplies. The first step in this analysis must be to quantify how much groundwater each community or region will need at full buildout under the proposed General Plan and compare that to the projected, available groundwater supply serving each community or region. Unfortunately, this analysis is missing from the RDEIR. Instead, the RDEIR merely lists the various domestic water service providers throughout the County and states "qualitatively" whether each of these providers will be able to serve the "projected general plan population growth." RDEIR at 3.9-17. In a revised and recirculated EIR, the County must conduct a quantitative analysis of this impact, estimating how much capacity each water service provider has and comparing that to the projected demand for that provider's water at full buildout based on the distribution of land uses under the General Plan.

The purpose of such quantitative analysis is clear: if it demonstrates that there will be insufficient water supplies in any given community or region, the County must identify the steps required to increase capacity or obtain new water sources and consider the environmental impacts of obtaining this supply, including the impacts of constructing any required infrastructure. *Vineyard Area Citizens*, 40 Cal. 4th at 432. Another purpose served by this analysis would be to guide the development of alternatives and mitigation measures. If this analysis reveals that domestic water service providers simply cannot provide sufficient water to satisfy the demands from proposed development in a particular community, the County should—indeed, must—consider adopting policies that limit growth there. The absence of this analysis deprives the public and decisionmakers of sufficient information to draw their own conclusions about the wisdom of this General Plan and its environmental costs. *See Citizens of Goleta Valley*, 52 Cal. 3d at 568; CEQA § 21080(e)(1)-(2).

Even without this analysis, however, the RDEIR acknowledges that at least several domestic water service providers will be unable to serve the additional population and development allowed in accordance with the proposed General Plan. Under CEQA, this determination triggers the RDEIR's obligation to identify and analyze the impacts associated with alternate sources. *See Vineyard Area Citizens*, 40 Cal. 4th at 432. The RDEIR, however, does no such thing, and therefore is legally inadequate.

The proposed General Plan's water supply policies only paper over the RDEIR's failings. Requiring demonstrated water only on a project-by-project basis, as do Policies WR-3.3 and PFS-2.2, is likely to lead to a haphazard scramble for supplies, as well as the potential over-commitment of limited resources. The County needs to identify and quantify available supplies now, in order to guide growth to those areas with sufficient supplies to support it. The currently proposed policies should certainly remain in the General Plan, although they ought to be strengthened to make clear that the County will not approve any project that does not demonstrate a sufficient water supply over the long term. But these policies are no substitute for the extensive water-supply analysis that CEQA requires of this RDEIR.

The RDEIR also overlooks the potentially significant public health impact caused by allowing so much development in an area where the groundwater supplies are frequently contaminated with nitrates. *See* Exhibit 12. Nitrates have been linked to "blue baby syndrome" and other health risks. *Id.* The source of these appears to be fertilizer and byproducts from septic systems. *Id.* Individual wells are especially likely to contain elevated levels of nitrates, but municipal water supplies are at risk as well. *Id.* A revised EIR must contain an analysis of the significant environmental impacts associated with locating new development in areas where groundwater supplies are contaminated.

Moreover, the RDEIR concludes these impacts are "significant and unavoidable," while overlooking concrete measures that could reduce them. For example, the RDEIR cites to Visalia's program to mitigate the impacts of development on groundwater resources. RDEIR at 3.6-45. This program imposes fees on water users and those seeking to convert land from agricultural use to urban use. *Id.* These fees, in turn, are used develop "groundwater management programs, purchase surface water for recharge, and purchase water rights for delivery into areas impacting the groundwater reservoir underneath the City." *Id.* The County could adopt a similar program as part of this General Plan Update to mitigate the Project's water supply impacts.

In its discussion of cumulative water supply impacts, the RDEIR relies on state water planning statutes, SB 610 and SB 221, to prevent such impacts. This reliance is misplaced and unsupported. The existence of these statutes does nothing to relieve the EIR of its obligation to explain the County's water supply plans and to analyze the environmental impacts of these plans. In fact, SB 610 requires that the County prepare that analysis now. *See* Water Code §§ 10910(b) & 10912(a)(7). The County's failure to do so violates state water law requirements.

Moreover, for future development projects, it is not clear that state water laws will do the job that the RDEIR claims. The water supply statutes' requirements

apply only to developments over a certain size—generally, 500 residential units. *See* Gov. Code § 66473.7(a)(1). The RDEIR asserts that “[m]ost new development throughout the County” would meet the statutory thresholds, but it offers no evidence. RDEIR at 5-10. There is nothing in the RDEIR to indicate that development would follow this pattern, and, in the absence of an adequate land use plan, there is no reason to believe that development will proceed through such large projects, rather than through the haphazard growth of smaller subdivisions. Knowing that the County is relying solely on state mandates, and not performing its own water supply inquiries, developers are likely to size their projects in order to evade review under SB 610 and SB 221. The County may well see a sudden increase in the number of 499-unit subdivision applications. In short, in the absence of substantial evidence, the County cannot rely on the mere assumption that state laws will prevent any cumulative water supply impacts.⁹

Water supply planning is serious business in Tulare County. When the members of the Council of Cities come to the Local Agency Formation Commission with annexation and development proposals, Commissioners consistently—and appropriately—ask tough questions about water supply, ensuring that the cities do not take on projects without knowing, well ahead of time, that water is available. CEQA, and good public policy, demand that the County ask itself the same hard questions.

7. The RDEIR Inadequately Analyzes and Mitigates the General Plan’s Impacts Related to Public Services.

The RDEIR fails to adequately consider the ability of the County to provide adequate public services and utilities to support buildout of the General Plan. The purpose of analyzing public services is to determine whether a project will lead to additional demand that could, in turn require construction or other activities that might have environmental impacts. The RDEIR goes through the motions of performing this analysis, but in the end produces only generic descriptions of potential impacts, with no specific information about what might actually happen under the General Plan.

⁹ The RDEIR also asserts that the General Plan includes “several policies” applicable to all projects that will address this impact by clarifying how the County will “work with local service providers to address the phasing of future development and the availability of an adequate water supply.” RDEIR at 5-10. However, the RDEIR does not indicate which policies these are or how they will reduce the project’s cumulative impacts on water supply.

The RDEIR's discussions of schools, fire protection, police services, sanitary sewer, landfill, and water treatment all follow the same pattern. Like the initial DEIR, the RDEIR largely acknowledges that new facilities will likely be needed, and then reels off a brief list of the types of impacts that might occur and declares the impacts to be unavoidable. In effect, the RDEIR simply states that there could be impacts and moves on. It does not explain by how much demand will exceed supply or when in the life of the General Plan new facilities might be needed, nor does it give any indication of *where* new construction might take place. This analysis is insufficient; the RDEIR must include more detail about the specific impacts connected with each type of facility before it will be adequate under CEQA. *See Whitman v. Bd. of Supervisors of Ventura County* (1979) 88 Cal. App. 3d 397, 412 (“The use of phrases such as ‘increased traffic’ and ‘minor increase in air emissions,’ without further definition and explanation, provides neither the responsible agency nor the public with the type of information called for under CEQA.”).

The RDEIR's treatment of the General Plan's impact on wastewater facilities is particularly deficient. As with other sections of the RDEIR, the RDEIR does not correlate the County's planned growth and distribution of land uses with its projected wastewater demand in 2030, so there is no indication that the wastewater systems analysis is, in fact, based on buildout of the General Plan. Indeed, the RDEIR states that for the unincorporated areas not identified as “communities” within the General Plan, an assumed growth estimate of 2% across the board is applied for capacity analysis purposes. RDEIR at 3.9-50. An “assumed growth rate” for all of the “unincorporated areas not identified as ‘communities’” would indicate that wastewater demand is not based on the General Plan at all.

Moreover, the RDEIR contains a table identifying year 2030 wastewater treatment capacity needs but omits any information as to the methodology and assumptions for determining the capacity estimates. *See* Table 3.9-22: Year 2030 Wastewater Treatment Capacity Needs. The footnotes for this table—which should provide the necessary detail—are cryptic and uninformative. *See id.* Footnote 1 states “existing number of connections are estimated based upon *available information*;” Footnote 2 states “Year 2030 ESDs (Projected Need) is estimated based upon *preferred General Plan Alternative, with necessary adjustments for analysis purposes*.” *Id.* (emphasis added). None of this information appears to take into account the increase in wastewater from the General Plan's actual land uses (i.e., increases in residential, commercial, industrial development). Without some indication that the RDEIR's identification of wastewater demand reflects 2030 conditions, it is not possible to

determine by how much demand will exceed supply or when in the life of the General Plan new facilities might be needed.

In addition, the RDEIR's discussion of wastewater facilities and service providers contains only the most cursory information relating to the provision of this important public service. According to Table 3.9-22, numerous wastewater treatment providers would have deficient capacity in 2030. *See* RDEIR at 3.9-51.¹⁰ The document correctly identifies this impact as significant, concluding that the General Plan would result in wastewater treatment demand in excess of planned capacity that cannot be met by new or expanded facilities. RDEIR at 3.9-50. Yet rather than grapple with the serious issue of how wastewater service would be provided to accommodate the County's planned growth, the document largely punts the issue suggesting that the provision of adequate wastewater system capacity in Tulare County is largely outside the control of the County. *Id.* The RDEIR further suggests that these wastewater treatment providers "must ... expand as needed to accommodate projected growth within each service area." *Id.* But the document provides no explanation as to why these agencies *must* provide wastewater service to meet County demand. Nor does the document identify how, exactly, this increase in service would occur. It is the purpose of this RDEIR to provide this necessary analysis.

The RDEIR errs further when it suggests, absent evidence or analysis, that the eight incorporated cities within the County would likely have the capacity to accommodate projected growth due to "advanced planning and capital improvement financing capabilities." RDEIR at 3.9-51 and 52. Again it is the purpose of this RDEIR to actually evaluate the feasibility of other jurisdictions or wastewater service agencies to provide wastewater service. Such an analysis must be supported by substantial evidence. *Laurel Heights I*, 47 Cal. 3d at 409. Moreover, it is especially ironic that the EIR preparers tout the importance of the cities' advanced planning capabilities when it is precisely the purpose of this General Plan—and its EIR—to *plan* for the County's future wastewater needs.

The RDEIR's failure to provide specific information about the General Plan's approach to land use development results in significant omissions in analysis. Several cities in the County have recognized the problems that can accompany County-

¹⁰ Again, it is not clear what information the RDEIR preparers relied upon to determine these capacity deficiencies or whether the projections relate in any way to the draft General Plan's proposed land uses.

initiated urban development within cities' UDBs and UABs. Because these developments are typically not dense enough or are too geographically remote from urban wastewater systems, the developments must be served by septic systems or on-site package sewage treatments plants. Failure of septic systems and insufficient maintenance can result in water quality degradation and other environmental harm. Moreover, adjacent cities often find themselves in the position of having to extend wastewater service – at great cost – to these insufficiently planned developments.

In addition, the RDEIR fails altogether to analyze whether the proposed General Plan would exceed the wastewater treatment requirements of the Central Valley Regional Water Quality Control Board. *See* RDEIR Significance Criteria at 3.9-33. This analysis is particularly important inasmuch as it is compliance with wastewater requirements that ensures wastewater treatment service does not cause degradation of groundwater quality. The RDEIR's failure to conduct this analysis is particularly egregious inasmuch as it may not be possible to permit sufficient wastewater treatment capacity to meet the County's wastewater demand. This General Plan update process is exactly the moment for the County to evaluate and resolve public utility constraints and evaluate their environmental impacts. Planning for these types of infrastructure challenges is one of the purposes of the General Plan. The County, however, has opted again not to undertake any planning, but instead to put it off until demand begins to catch up with supply and the need becomes acute. The County must take a more forward-looking approach to planning for public utilities.

Finally, as with the RDEIR's approach to mitigation for the General Plan's other environmental impacts, the document fails to provide effective mitigation to reduce the Project's "significant and unavoidable" impacts relating to wastewater facilities. Here too, the RDEIR looks to measures that call for the County to encourage urban development to be located in existing UDBs and HDBs where infrastructure is available or may be established in conjunction with development. *See* PF-1.4 at 2-7 (emphasis added). This policy is too vague and flexible to ensure that adequate infrastructure is in place prior to urban development. Moreover, this policy could actually result in the exact impacts it was intended to prevent. As discussed in the land use section of this letter, there are numerous examples of County-initiated development within a city's UDB that have resulted in extensive infrastructure impacts.

8. The RDEIR Fails to Adequately Analyze and Mitigate the General Plan's Impacts on Biological Resources.

Tulare County has a multitude of sensitive and critical habitats and an astonishing array of special-status species that have the potential to occur in Tulare

County. RDEIR at 3.11-6 through 3.11-20. The California Natural Diversity Database and the California Native Plant Society for Tulare County lists 182 listed species. *Id.* at 3.11-20. Given these extraordinary biological resources, one would expect the RDEIR to provide a comprehensive analysis of the effect that implementation of the General Plan would have on the County's plant and wildlife communities.

Yet, the RDEIR never actually evaluates how growth expected under the General Plan would impact sensitive habitats, or plant and wildlife communities. Instead, the document takes the novel approach of assessing whether the proposed General Plan includes adequate provisions to ensure protection of the resources. *Id.* at 3.11-30. While this exercise is certainly necessary, it does not release the County from its obligation of actually analyzing how growth from the General Plan would affect resources. CEQA requires that an EIR be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines § 15151. The document must provide a sufficient degree of analysis to inform the public about the proposed project's adverse environmental impacts and to allow decisionmakers to make intelligent judgments. *Id.* Consistent with this requirement, the information regarding the project's impacts must be "painstakingly ferreted out." *Environmental Planning and Information Council of Western El Dorado County v. County of El Dorado*, 131 Cal. App. 3d 350, 357 (1982) (finding an EIR for a general plan amendment inadequate where the document did not make clear the effect on the physical environment).

To analyze impacts to biological resources, the RDEIR must include not just lists of species and habitats, but maps showing their locations (and migration corridors) in the County and textual explanations of the species' needs and their status—a discussion, that is, of how rare they are locally and overall, and how development under the General Plan might threaten them. Having established the baseline, the RDEIR would then need to compare the locations of habitat and species to the locations of development, and to propose concrete, enforceable mitigation measures to protect any threatened resources. Of course, this analysis must look to the maximum densities allowed under the proposed General Plan in order to determine where development will effect biological resources.

Until it follows these steps, or undertakes some similar procedure to determine the potential impacts of development under the General Plan, this RDEIR's analysis will remain thoroughly inadequate. Furthermore, until this analysis is undertaken, it is not possible to identify or evaluate feasible mitigation measures capable of minimizing the Project's significant impacts on biological resources.

9. The RDEIR Inadequately Analyzes the General Plan's Cumulative Impacts.

Under the CEQA Guidelines, “a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts” CEQA Guidelines § 15130(a)(1). Because “[c]umulative impacts can result from individually minor but collectively significant projects” (CEQA Guidelines § 15355(b)), an impact that appears less than significant (or mitigable to such a level) when only the project is scrutinized may turn out to contribute to a significant cumulative impact. In that case, the EIR must determine whether the project’s contribution is “cumulatively considerable,” that is, whether its “incremental effects . . . are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” CEQA Guidelines § 15065(a)(3); *see also Kings County Farm Bureau*, 221 Cal. App. 3d at 729. This mandate assumes even greater importance for a program-level EIR such as this one. *See* CEQA Guidelines § 15168(b)(4) (programmatic EIR allows agency to “consider broad policy alternatives and program-wide mitigation measures” at an early stage when the agency has greater flexibility to deal with cumulative impacts.)

To analyze the General Plan’s potentially significant cumulative impacts, the RDEIR purports to consider “a summary of projects contained in an adopted general plan or related planning document or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.” RDEIR at 5-4 (citing CEQA Guidelines § 15130(b)). However, the only relevant “summary of projects” included in the RDEIR is Table 5-2, which simply lists the “planning timeframe,” “buildout population,” and “significant environmental impacts” of general plans adopted by the eight incorporated cities within the County and the neighboring counties of Fresno, Kern, and Kings.¹¹ *Id.* at 5-5. It does not include “a summary of projects” contained in these adopted plans, or any indication of whether these documents “described or evaluated regional conditions contributing to the cumulative impact,” as required by the CEQA Guidelines § 15130(b).

¹¹ The RDEIR does not even include this minimal information about the cities of Woodlake and Exeter. RDEIR at 5-5. Contrary to the assertion in the RDEIR concerning the unavailability of the plans, these general plans are available and are attached to this comment letter.

In fact, after listing these general plans, the RDEIR goes on to analyze the Project's cumulative impacts without once referring back to the general plans¹²

Instead, the cumulative impacts section of the RDEIR largely repackages, in abbreviated form, the project-specific impact analysis. In doing so, the RDEIR misses the point of cumulative impacts analysis entirely. For example, the RDEIR concludes that the Project would not contribute considerably to cumulative Fire Protection and Emergency Medical Services impacts because the RDEIR's project-specific analysis "took into consideration the potential growth within the area that would be provided emergency services by the County and no significant impact was identified." *See* RDEIR at 5-9; *see also* RDEIR at 5-9 to 5-10 (applying similar logic to Law Enforcement Services and Schools). However, the project-specific analysis did not analyze whether the buildout allowed under the County General Plan, together with development in the Cities and neighboring counties, would cause significant cumulative impacts on these services.

The very purpose of cumulative impact analysis is to determine whether impacts that appear insignificant in isolation add up to significant damage the environment. Thus, the fact that individual projects have only less than significant impacts is no answer to the question whether they, taken together, have a cumulative impact. *See Kings County Farm Bureau*, 221 Cal. App. 3d at 720. The RDEIR must take a hard look at the impacts of the General Plan together with the impacts of development in the Cities and neighboring counties, and after undertaking that analysis, must determine whether the General Plan's contribution to such impacts are cumulatively considerable.

The RDEIR not only violates CEQA by failing to provide a legally adequate analysis of cumulative impacts, it violates CEQA by failing to propose feasible mitigation to reduce those impacts. The RDEIR acknowledges that the General Plan could contribute considerably to numerous significant cumulative impacts (e.g., aesthetics, traffic, air quality, climate change, noise, solid waste, water supply and delivery, flooding, agricultural resources, biological resources). Nonetheless, it identifies

¹² The RDEIR also lists four proposed developments within the unincorporated County—Goshen, Yokohl Ranch, Rancho Sierra and Earlimart—and states that these projects "are taken into consideration for the cumulative impacts discussion and analysis." RDEIR at 5-5 to 5-6. However, the RDEIR does not mention these developments in the subsequent analysis of the Project's cumulative impacts.

no additional mitigation measures that could reduce these significant impacts, as required by CEQA. *See* CEQA Guidelines § 15130(b)(5). As in its project-specific analysis, the RDEIR assumes unfettered urbanization is inevitable. In doing so, the RDEIR overlooks the County's vast potential for guiding the foreseeable development and mitigating its impacts through strong General Plan policies and meaningful land use designations. The resulting RDEIR, which jumps straight to the conclusion that the General Plan's impacts will be significant *and* unavoidable, is inadequate.

C. The RDEIR Fails to Adequately Mitigate the Impacts that Will Occur as a Result of the General Plan.

CEQA requires that an EIR identify, and the decisionmakers adopt, all feasible mitigation measures that would reduce or avoid a project's significant impacts. CEQA § 21002; CEQA Guidelines § 15091(a)(3). The agency must comply with this requirement even if the mitigation would not reduce the impact to a less than significant level, as long as the measure would have some mitigating effect. As discussed in the environmental impact sections of this letter, CEQA requires that "mitigation measures proposed in an EIR must be "fully enforceable" through permit conditions, agreements, or other legally binding instruments." CEQA § 21081.6(b); CEQA Guidelines § 15126.4(a)(3). Uncertain, vague, and speculative mitigation measures have been held inadequate because they lack a commitment to enforcement. *See, e.g., Anderson First Coalition*, 130 Cal. App. 4th at 1188-89 (holding traffic mitigation fee measure inadequate under CEQA due to vagueness in program for implementing required improvements). Here, the RDEIR is utterly deficient because it: (a) fails to identify all feasible mitigation for impacts the EIR identifies as significant and unavoidable; and (b) contains measures that are unenforceable, uncertain and vague. In addition, the General Plan policies that the RDEIR documents rely on are discretionary and ineffective.

1. The RDEIR Fails to Identify and Analyze All Feasible Measures for Impacts that the RDEIR Finds Significant and Unavoidable.

The RDEIR finds that the implementation of the General Plan would result in nearly two dozen significant and unavoidable environmental impacts. *See* RDEIR at ES-12 through ES-26. Contrary to the RDEIR's conclusions, these impacts—including the loss of agricultural land, adverse effects on water supply and quality, wastewater treatment, solid waste, biological resources, flood hazards, traffic, air quality, climate change, noise, cultural and visual resources, and growth-inducing impacts—are certainly avoidable. Yet, the County abdicates its responsibility under CEQA to consider and approve specific mitigation measures that could reduce these impacts.

The County cannot approve a project with significant environmental impacts if there are feasible mitigation measures that would substantially *lessen* those effects (even if they are not completely avoided or reduced to a less than significant level). CEQA § 21002. Moreover, the RDEIR may not avoid disclosure and analysis of the significant environmental impacts of a project by merely concluding that those impacts are unavoidable. CEQA does not permit a lead agency to “travel the legally impermissible easy road to CEQA compliance” by “simply labeling [an] effect ‘significant’ without accompanying analysis.” *Berkeley Jets*, 91 Cal. App. 4th at 1371.

The numerous significant environmental impacts brought about by the proposed General Plan are not inevitable as the RDEIR would imply; to the contrary, if the RDEIR had proposed and analyzed adequate mitigating measures—as required under CEQA—some of those impacts could certainly be avoided. This letter identifies numerous feasible mitigation measures that would certainly help to offset the General Plan’s significant environmental impacts. The revised EIR must evaluate the feasibility of these measures and the County must adopt those measures that are determined to be feasible.

2. The RDEIR Contains Inadequate Mitigation Measures that Are Unenforceable, Uncertain, and Vague and Thus Do Not Ensure Impacts Will Be Reduced to Insignificant Levels.

The RDEIR finds in numerous instances that Project impacts would be mitigated to less than significant levels through the implementation of mitigating policies and implementation measures. *See e.g.*, Impact 3.4-2: wasteful, inefficient energy consumption at 3.4-29; Impact 3.5-1: construction noise impacts at 3.5-23; and Impact 3.9-7: school services or facilities at 3.9-64. In each of these instances, the RDEIR fails to put forth measures to mitigate the impacts that are specific and enforceable.

For example, with regard to the Project’s significant impact on energy resources, the RDEIR identifies policy ERM-4.8 calling for the County to encourage renovations and new development to incorporate energy efficiency (*Id.* at 3.4-30). Yet, as this policy makes clear, the County is not actually committing itself to take any specific action to reduce energy consumption.

The RDEIR does no better in its attempt to mitigate the General Plan impacts on school facilities since the measure simply states that “the County may require new projects to mitigate impacts on school facilities... .” *See* PFS Implementation Measure #3 at 3.9-66. This empty shell of a measure provides no assurance that the County would even try to mitigate impacts to school facilities, let alone provide a specific

proposal for accomplishing this task. The RDEIR nonetheless touts this insubstantial measure in concluding that the General Plan's impact on school facilities would be less than significant. *Id.* at 3.9-67.

Finally, as regards the Project's significant construction-related noise impacts, Policy HS-8.18 calls for the County to seek to limit construction noise to the hours of 7 a.m. to 7 p.m. (at 3.5-24) as if elevated construction noise levels during these daytime hours would not be bothersome or annoying. In the absence of specific information about the decibel level of construction operations, and the location of potentially affected noise-sensitive land uses, the RDEIR cannot simply conclude, as it currently does, that construction-related noise impacts would be mitigated to a less than significant level. Because the RDEIR provides no basis to judge the effectiveness of this measure, it is a "mere expression[] of hope" that the County will be able to devise a way around the problem of elevated construction noise levels. *Lincoln Place Tenants Assn. v. City of Los Angeles* (2005) 130 Cal. App. 4th 1491, at 1508. CEQA requires more than that to mitigate significant impacts. *Id.*

Because the RDEIR relies on vague, flexible and non-enforceable mitigation measures, it lacks the evidentiary basis to conclude that Project impacts would be reduced to less than significant levels.

3. The Policies the RDEIR Relies on to Reduce the Project's Impacts to Less Than Significant Levels Are Discretionary and Ineffective.

The RDEIR relies on myriad policies and implementation measures to conclude that environmental impacts from the General Plan would be less than significant and therefore have no need for mitigation. Again and again, the RDEIR fails to actually analyze the Project's potentially significant environmental impacts, instead it merely looks to the implementation of General Plan policies before boldly concluding that impacts would not be significant (*see e.g.*, Impact 3.1-2: conflicts with applicable adopted land use plans at 3.1-22; Impact 3.2-4: substantial increase in public transit usage at 3.2-35; Impact 3.3-1: exposure of sensitive receptors to construction-related air emissions at 3.3-18; Impact 3.3-5: expose a substantial number of people to objectionable odors at 3.3-27; Impact 3.4-1: result in wasteful or inefficient energy consumption due to population growth at 3.4-26; and Impact 3.6-4: create additional stormwater runoff that would exceed capacity of existing drainage systems at 3.6-50). Yet, here too the RDEIR relies on General Plan policies that are vague, speculative and unenforceable and therefore would not effectively reduce the Project's significant environmental impacts.

Moreover, the RDEIR makes no effort whatsoever to evaluate the effectiveness of the General Plan policies and thus lacks the evidentiary basis to conclude that the specific environmental impact would be less than significant. In addition to the examples already discussed in this letter (*see e.g.*, odor impact analyses), the RDEIR's approach to policies relating to the Project's potential to result in wasteful, inefficient, or unnecessary energy consumption is particularly disingenuous. In this instance, the RDEIR uses flexible and non-enforceable language such as "the County shall ensure whenever possible" (TC-1.6); "the County shall strive to meet" (TC-1.18); "the County will continue to work with" (TC-4.2); and "the County shall consider" (TC 5.2). Thus, while the RDEIR would appear to include a long list of policies intended to reduce impacts, a careful review demonstrates that very few, if any, of the policies would provide a meaningful reduction in impacts. In the absence of such policies, the RDEIR has no evidentiary basis to conclude that Project impacts would be less than significant. The RDEIR must be revised to include mandatory and legally binding General Plan policies.

D. The DEIR's Analysis of Alternatives to the Proposed General Plan Update Is Inadequate.

As discussed above, this General Plan will determine the shape of growth in Tulare County for decades to come. Determining which policies become a part of the Plan is likely to be one of the most important decisions the current Board of Supervisors will make. It is thus crucially important that the Board and the public have all of the available information before them.

This RDEIR, of course, is the main vehicle for that information. And at the "core of an EIR" lies the analysis of alternatives. *Citizens of Goleta Valley*, 52 Cal. 3d at 564. "Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully informed as to the environmental consequences of action by their public officials." *Laurel Heights I*, 47 Cal. 3d at 404. An EIR therefore must analyze a reasonable range of alternatives to the proposed project. *Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal. App. 3d 433, 443-45. A reasonable alternative is one that would feasibly attain most of the project's basic objectives while avoiding or substantially lessening the project's significant impacts. *See* CEQA § 21100(b)(4); CEQA Guidelines § 15126.6(a).

Although the RDEIR presents some worthy alternatives, it does not live up to these standards. Its analysis of these alternatives—like almost all of its impact analyses—lacks any real discussion of their environmental effects and is therefore inadequate. Moreover, the RDEIR gives short shrift to the City-Centered Alternative, both understating its environmental benefits and incorrectly claiming that it will not meet the project objectives.

1. The City-Centered Alternative Is Environmentally Superior.

The RDEIR presents both a City-Centered Alternative, in which growth is directed to areas inside the UDBs of the County's eight incorporated cities, and a Confined-Growth Alternative, which allows more growth in unincorporated communities and hamlets, but limits UDB modifications so that the total area inside a given UDB does not grow. The RDEIR determines that the Confined-Growth Alternative is environmentally superior, but it can only arrive at this conclusion by underestimating the benefits of the City-Centered Alternative.

The RDEIR does not explain why it finds the Confined Growth Alternative superior to the City-Centered Alternative. While the RDEIR notes that the Confined Growth Alternative would “convert less open space and prime agricultural farmland than the proposed project,” and “has the potential to result in fewer impacts to scenic resources” (RDEIR at 4-36), the City-Centered Alternative boasts these benefits, as well. RDEIR at 4-20. In fact, the only apparent benefit of the Confined Growth Alternative is its strong policies limiting the expansion of urban development boundaries of hamlets and planned communities. But, under a City-Centered Alternative that coordinated development with annexation, there would be little call to modify the UDBs of these communities at all, because growth would be directed to the Cities rather than to these areas. Under the City-Centered Alternative, the Cities, rather than unincorporated areas, would absorb population growth. Thus, the City-Centered Alternative would be just as effective at reducing the Project's impacts as the Confined Growth Alternative.

Indeed, the City-Centered Alternative provides an additional environmental benefit missing from the Confined Growth Alternative: as the RDEIR states, the City-Centered Alternative would reduce the total vehicle miles traveled in the County. RDEIR at 4-20 and -21. This is mainly common sense—if housing is concentrated in denser areas, closer to jobs and services, people will drive less both because they will be closer to these jobs and services and because good transit systems are easier to develop and maintain under such circumstances. What does not make sense, however, is the RDEIR's failure to follow through on this logic. If the alternative would reduce vehicle miles, then it would, by definition, reduce emissions from vehicles, including greenhouse gases. The

RDEIR, however, claims that the alternative would have similar air quality and global warming impacts as the project as proposed. *Id.* This conclusion is illogical and unsupportable. The City-Centered Alternative could reduce these impacts substantially.

The COC would support and encourage an even stronger City-Centered Alternative—one that directs 90% or more of future growth to the Cities and coordinates development with annexation. Such an alternative could even incorporate the strong policies of the Confined Growth Alternative, limiting UDB modification in areas that will not be incorporated by the Cities. This strengthened City-Centered Alternative would further reduce the significant environmental impacts caused by the County's anticipated growth and achieve the goal of encouraging coordination with the Cities.

Such an alternative is also feasible. As the County itself recognized in its Policy Alternatives Newsletter (July 2005), there is more than enough room in the Cities' UDBs and UABs to accommodate the growth projected by the County. *See* Exhibit 16 at 26. Moreover, since that report was issued, the Cities of Porterville, Tulare, Dinuba and Woodlake have adopted general plan updates expanding the capacity for development in their planning areas, and Visalia is currently updating its general plan, which will similarly increase its ability to accommodate growth within its planning boundaries. Nor would this truly City-Centered alternative impair the County's ability to meet its affordable housing needs. As recognized by the County in its 2010 Housing Element, there are sufficient sites in the existing unincorporated communities under the current general plan land use designations and zoning to accommodate all of the County's Regional Housing Needs for the 2007-2014 cycle. *See* 2010 Housing Element at 162-164.¹³

The RDEIR might have reached a different conclusion about the environmentally superior alternative if it had performed a more complete analysis of all the alternatives, as required by CEQA. A valid alternatives section must include meaningful analysis—including quantitative analysis, where possible—comparing the proposed Project's environmental effects with those of particular alternatives capable of reducing the Project's significant unmitigable impacts. *See* CEQA Guidelines § 15126.6(b); *Laurel Heights I*, 47 Cal. 3d at 401-04; *Kings County Farm Bureau*, 221 Cal. App. 3d at 732 (“[I]f there is evidence of one or more potentially significant impacts,

¹³ According to Table 7-D, there are sites within the 22 existing communities that could accommodate 9,524 new units, including 4,117 low income, 4,392 moderate income, and 1,015 above moderate income units. 2010 Housing Element at 163.

the report must contain a *meaningful* analysis of alternatives . . . which would avoid or lessen such impacts.”) (emphasis added). The RDEIR contains no such analysis, generally devoting just one paragraph to its discussion of each of the impact categories. See generally RDEIR at Chapter 4.

2. The DEIR Provides No Valid Reason for Rejecting the City-Centered Alternative.

Under CEQA, an agency may not approve a proposed project if a feasible alternative exists that would meet the project's objectives and would diminish or avoid its significant environmental impacts. CEQA § 21002; *Kings County Farm Bureau*, 221 Cal. App. 3d at 731. The City-Centered Alternative would clearly reduce the General Plan's impacts, and there is no suggestion in the RDEIR that it is infeasible. The RDEIR provides only two reasons why this alternative should not be selected: it would not, the DEIR claims, meet the project objectives of allowing unincorporated communities to grow, nor would it promote “reinvestment” in unincorporated communities and hamlets. DEIR at 7-4. Neither of these claims can support the rejection of the City-Centered Growth Alternative. The first is an excessively narrow objective, and therefore not a sufficient reason to reject the alternative, while the second is factually unsupported.

An EIR cannot provide a meaningful comparison between the project and various alternative courses of action unless the project's objectives are defined broadly enough to make such alternatives at least potentially possible. See *Kings County Farm Bureau*, 221 Cal. App. 3d at 735-37; *City of Santee v. County of San Diego* (1989) 214 Cal. App. 3d 1438, 1455. Here, growth in the unincorporated communities is a part of the proposed Project. Capping such growth an objective of the General Plan is tantamount to saying that the objective of the Project is to implement the Project. Narrowing the Project's goals in this way tilts the analysis of alternatives unavoidably—and illegitimately—toward the General Plan as proposed. Rather than providing the required reasoned, objective analysis, the RDEIR has become “nothing more than [a] *post hoc* rationalization[.]” for a decision already made. *Laurel Heights I*, 47 Cal. 3d at 394.

The Council of Cities wishes to be very clear about its position on this issue: Tulare County's unincorporated communities and hamlets absolutely need and deserve the County's support and investment. These areas have tremendous infrastructure needs, and the Council of Cities is in favor of taking all appropriate countywide action to resolve these problems. The communities and hamlets are not to be abandoned or left to fend for themselves. Concentrating growth outside the cities, however, is not a solution to the County's infrastructure problems, nor should it be an essential goal of this General Plan. As the DEIR recognizes, confining growth to the

cities and coordinating that growth with annexation would produce growth that avoided many of the environmental impacts associated with the proposed General Plan. This alternative therefore should not be taken off the table merely because it offers a growth pattern different from the proposed Plan.

Moreover, a City-Centered Alternative could be crafted to meet the Project goals of investing in existing rural communities and hamlets. In fact, the RDEIR never states how the proposed Project itself would meet these goals. Simply allowing more people to live in these communities is certainly not the solution: there is no evidence that doing so will make it any more economically feasible to provide them with the municipal water and sewer services they need. *See Exhibit 7 (Michelle Anderson, Cities Inside Out: Race, Poverty, and Exclusion at the Urban Fringe, 55 UCLA L. Rev. 1095, 1106–1109 (2008) (describing the extreme lack of municipal services in unincorporated communities)); Exhibit 11 (Victor Rubin et al., Unincorporated Communities in the San Joaquin Valley: New Responses to Poverty, Inequity, and a System of Unresponsive Government 10 (2007) (noting that the population sizes in unincorporated communities can vary widely)); Exhibit 12 (California Report, Nitrates in Our Drinking Water, Part 3 – Cleaning up the Past (May 18, 2010) (reporting that the Inland Empire Utilities Agency spent over \$300 million to construct a water treatment facility for removing nitrates from groundwater)).* Nor does the proposed Project include any commitments to do so.

A City-Centered Alternative could provide reinvestment for the unincorporated communities and hamlets. Reinvestment is ultimately a question of revenue. City-centered growth would not only provide the County with more revenue than uncontrolled, sprawling growth, it is also likely to cost less in services, leaving more flexibility to support the unincorporated areas. More city-centered growth may concentrate economic activity within municipal boundaries and also allow the regional economy to “draw on usable excess operating capacity in already developed areas as well as efficiencies of service delivery.” National Research Council, “Costs of Sprawl Revisited” (1998) at 55-57 (attached as Exhibit 6 to COC’s April 11, 2008 Comment Letter.). For example, one landmark study of urban growth plans in New Jersey concluded that the plan gave municipalities an annual increase in revenues of some \$112 million, or 2% of operating budgets, mostly by concentrating population and jobs in already developed areas and by creating or expanding centers in newly developing areas. *Id.* at 55.

Real-world experience in Visalia bears this out. A table illustrating the tax revenues from various development scenarios at the North Plaza Drive Industrial Park is attached to the City of Visalia’s March 1, 2010 Staff Report. *See Exhibit 16 at 17.* Comparing the first two columns shows the large increase in County revenue brought

simply by annexing the land into the City. Even though the County's share of the tax allocation is slightly reduced, the assessed value of the land increases so much that the County is much better off. Concentrating growth within city limits will improve County revenues without increasing burdens on County services, and thus will allow the County to increase the services it provides to existing communities in the unincorporated areas.

In addition to improving revenues, city-centered growth can reduce the cost of providing services. Substantial savings are to be had from compact growth across the county in areas such as land conversion, water and sewer infrastructure, road construction, real estate development, and public services costs, with a net benefit to public finances of roughly \$4 billion annually by 2025. *See Carruthers and Úlfarsson, Does "Smart Growth" Matter for Public Finances?*, U.S. Department of Housing and Urban Development Working Paper # REP 06-02 (attached as Exhibit 8 to COC's April 11, 2008 Comment Letter). These researchers found that,

if the nation's land use patterns had somehow evolved differently, and development everywhere was 25% more dense, public services would cost, in net, \$3.63 billion less annually; if it were that much less expansive, public services would cost \$6.56 billion less annually. The second scenario suggests that, if development everywhere was 50% more dense, public services would cost \$7.25 billion less annually; if it were that much less expansive, public services would cost \$13.12 billion less annually.

Id. § 4.2 at 16. By way of illustration, a hypothetical county of 88,000 residents with per capita expenditures of \$3,200 could expect to save up to \$4.3 million annually if it were 50% more dense. "In sum, the results for these two variables show that, other things being equal, the kind of low-density, spatially extensive development patterns that characterize sprawl cost more to support than the high-density, compact development patterns that the smart growth movement advocates." *Id.* § 4.1 at 15.

In short, the sprawling growth patterns allowed under the General Plan would bring the County less revenue, and would cost more to serve, than the City-Centered Alternative. The RDEIR offers no evidence in support of its opposite conclusion, let alone the substantial evidence that CEQA requires. It is clear that the RDEIR is simply incorrect when it determines that the City-Centered Alternative would not meet the objective of providing reinvestment for the unincorporated communities. In fact, the City-Centered Alternative is likely to produce more reinvestment for the crucial tasks of providing all of Tulare County's residents with the quality of life they deserve.

E. The RDEIR Must Be Revised and Recirculated.

CEQA requires recirculation of an EIR when significant new information is added to the document after notice and opportunity for public review was provided. CEQA § 21092.1; CEQA Guidelines § 15088.5. *Laurel Heights Improvements Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1130 .

As this letter explains, the General Plan RDEIR clearly requires extensive new information and analysis. This analysis will likely result in the identification of new, substantial environmental impacts or substantial increases in the severity of significant environmental impacts. Consequently, the County must revise and recirculate the EIR for public review and comment.

III. Approval of the Project Would Violate the Regional Welfare Doctrine.

Under the California Constitution, a public agency must adequately consider and address the welfare of the entire region—not just the area within its own jurisdictional boundaries—when exercising its police power. *See Northwood Homes, Inc. v. Town of Moraga* (1989) 216 Cal. App. 3d 1197, 1201 (citing *Associated Home Builders of the Greater Eastbay, Inc. v. City of Livermore* (1976) 18 Cal. 3d 582); *Lee v. City of Monterey Park* (1985) 173 Cal. App. 3d 798, 803-804 ; *Arnel Development Company v. City of Costa Mesa* (1981) 126 Cal. App. 3d 330, 336 . If the County were to approve the proposed General Plan, it would turn a blind eye to the General Plan's significant regional consequences, in violation of this constitutional mandate.

The sprawling nature of the proposed Plan's vision for growth in the County will have at least two significant impacts on the welfare of the broader region. First, the proposed Plan would convert tens if not hundreds of thousands of acres of important farmland. According to the RDEIR, agricultural products are one of Tulare County's most important resources, accounting for approximately \$5 billion dollars in gross production value. RDEIR at 3.10-2; *see also* 2008 Tulare County Annual Crop and Livestock Report (reporting that Tulare County's gross production value for agricultural commodities in 2008 was \$5,018,022,800) (attached as Exhibit 17). Moreover, the permanent conversion of so much farmland in a County that provides a substantial percentage of the agricultural products consumed across the state and nation could have a regional impact on food supplies and costs.

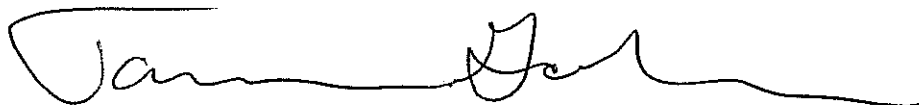
Second, the proposed General Plan disregards the cooperative, regional approach to climate change called for in Senate Bill 375 and Assembly Bill 32. Both bills require state and local governments to work together to reduce the State's

greenhouse gas emissions. After all, if the State is to meet its goals of reducing greenhouse gas emissions, any increase in emissions created by the proposed Plan must be offset (and then some) by reductions in other jurisdictions. The proposed General Plan, however, would admittedly result in increased emissions by allowing sprawling development, which increases vehicle miles traveled. This antiquated approach to planning puts the desires of the County—i.e., revenue from urban development in unincorporated areas—ahead of the regional and indeed global impacts caused by these increased emissions. Moreover, it places the burden of reducing the State's emissions on other jurisdictions, including the Cities.

Third, as discussed above, the General Plan will adversely impact the welfare of the incorporated Cities that lie within the County by allowing the County to approve development within the Cities' UDBs and UABs without first coordinating with the Cities themselves. The General Plan creates a system under which the County "may" cooperate with the Cities—who will, eventually, be saddled with the expense of serving the development that results from County's experiment in urban planning—and "may" engage in responsible planning, but is not required to do so. Indeed, the General Plan expressly contemplates that the County will consider the welfare of the Cities only if those Cities agree to provide the County with adequate payment in return. *See* General Plan at I-2-77 (Implementation Measure 27). While this approach clearly pays close attention to the welfare of the County's coffers, it does not adequately consider the welfare of the region, as required by law.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Tamara S. Galanter
Laurel L. Impett, AICP
Winter King

cc (via electronic mail):

Supervisor Phil Cox
Supervisor Steve Worthley
Supervisor Mike Ennis
Supervisor Allen Ishida

Supervisor Pete Vander Poel
Jean Rousseau, Tulare County Administrative Officer
Jake Raper, Tulare County Resource Management Agency Director
Council of Cities

Exhibits (attached separately)

Exhibit List

Exhibit 1: Butte County General Plan 2030 Draft EIR (Chapter 3: Project Description)

Exhibit 2: Monterey County 2007 General Plan DEIR (Chapter 3: Project Description)

Exhibit 3: County of Yolo 2030 Countywide General Plan (Land Use Element) & County of Yolo 2030 Countywide General Plan EIR (excerpts)

Exhibit 4: Department of Conservation Letters

Exhibit 5: City General Plan Documents

Exhibit 6: Comparative Land Use Maps: Visalia, Farmersville and Dinuba

Exhibit 7: "Cities, Inside Out: Race, Poverty and Exclusion," M. Anderson, UCLA Law Review, June, 2008

Exhibit 8: Calgary Worship Center

Exhibit 9: Methany Tract Articles

Exhibit 10: City of Tulare SA Recycling Appeal

Exhibit 11: "Unincorporated Communities in the San Joaquin Valley: New Responses to Poverty, Inequity, and a System of Unresponsive Governance," V. Rubin, et al., Nov. 27, 2007

Exhibit 12: Nitrates Articles

Exhibit 13: Map of Tulare County Parks and Recreation

David Bryant, Project Planner
May 26, 2010
Page 84

Exhibit 14: "The Transportation and Environmental Impacts of Infill Versus Greenfield Development: A Comparative Case Study Analysis," Hagler Bailley Services (prepared for U.S.EPA), October 1999, excerpts

Exhibit 15: "Growing Cooler: Evidence on Urban Development Change," R. Ewing, et al., April, 2009

Exhibit 16: City of Visalia Agenda Item Transmittal, March 1, 2010

Exhibit 17: 2008 Tulare County Annual Crop and Livestock Report (April 2009)

\\Smw01\vol1_data\VISALIA\GP\2010 GP and RDEIR\Comment Letter\COC Comment Letter v2.doc

**EXHIBITS TO MAY 26, 2010 LETTER
FROM COUNCIL OF CITIES
REGARDING
TULARE COUNTY REVISED DRAFT
GENERAL PLAN 2030 UPDATE
AND
RE-CIRCULATED DRAFT
ENVIRONMENTAL IMPACT REPORT
FOR TULARE COUNTY GENERAL PLAN**

EXHIBITS 1-5(d)

Exhibit List

- Exhibit 1: Butte County General Plan 2030 Draft EIR (Chapter 3: Project Description)
- Exhibit 2: Monterey County 2007 General Plan DEIR (Chapter 3: Project Description)
- Exhibit 3: County of Yolo 2030 Countywide General Plan (Land Use Element) & County of Yolo 2030 Countywide General Plan EIR (excerpts)
- Exhibit 4: Department of Conservation letters
- Exhibit 5: City General Plan Documents
- Exhibit 6: Comparative Land Use Maps: Visalia, Farmersville and Dinuba
- Exhibit 7: "Cities, Inside Out: Race, Poverty and Exclusion," M. Anderson, UCLA Law Review, June, 2008
- Exhibit 8: Calgary Worship Center
- Exhibit 9: Methany Tract Articles
- Exhibit 10: City of Tulare SA Recycling Appeal
- Exhibit 11: "Unincorporated Communities in the San Joaquin Valley: New Responses to Poverty, Inequity, and a System of Unresponsive Governance," V. Rubin, et al., Nov. 27, 2007
- Exhibit 12: Nitrates Articles
- Exhibit 13: Map of Tulare County Parks and Recreation
- Exhibit 14: "The Transportation and Environmental Impacts of Infill Versus Greenfield Development: A Comparative Case Study Analysis," Hagler Bailley Services (prepared for U.S.EPA), October 1999, excerpts
- Exhibit 15: "Growing Cooler: Evidence on Urban Development Change," R. Ewing, et al., April, 2009
- Exhibit 16: City of Visalia Agenda Item Transmittal, March 1, 2010
- Exhibit 17: 2008 Tulare County Annual Crop and Livestock Report (April 2009)

EXHIBIT 1

BUTTE COUNTY GENERAL PLAN 2030 DRAFT EIR

Chapter 3: Project Description

3 PROJECT DESCRIPTION

This Environmental Impact Report (EIR) provides an assessment of the Public Review Draft Butte County General Plan 2030, published on September 2, 2009, as modified by the Butte County Board of Supervisors on January 19 and 21, 2010, as well as the associated override of the Airport Land Use Compatibility Plan (ALUCP). These documents would supersede the current Butte County General Plan, which contains elements adopted variously between 1971 and 1995. General Plan 2030 is intended to provide the control and regulation necessary to ensure that growth in Butte County occurs in an orderly fashion.

Butte County is also currently updating its Zoning Ordinance to make it consistent with General Plan 2030, and anticipates release of a Public Review Draft Zoning Ordinance in spring/summer 2010. Since the Zoning Ordinance will strictly implement General Plan 2030, it is expected that the Initial Study for the Zoning Ordinance will rely significantly on this EIR.

Butte County General Plan 2030 includes an update of the Housing Element, which was last fully updated in 2004. On August 25, 2009, a Negative Declaration and the updated Housing Element were adopted by the Butte County Board of Supervisors. The August 2009 Housing Element was based on the existing General Plan land use map. The County has proposed revisions to the Housing Element in order to bring it into conformance with General Plan 2030 and the requirements of State law. The Housing Element analyzed by this EIR is based on the proposed land use map that is included in General Plan 2030.

General Plan 2030 contains the following Elements:

- ◆ Land Use
- ◆ Housing
- ◆ Economic Development
- ◆ Agriculture
- ◆ Water Resources
- ◆ Circulation
- ◆ Conservation and Open Space

- ◆ Health and Safety
- ◆ Public Facilities and Services

The goals, policies and actions in General Plan 2030 would guide development and conservation in Butte County through 2030. Because General Plan 2030 includes residential densities that are not consistent with the Airport Land Use Compatibility Zones in the ALUCP, adoption of this document requires an override of the ALCUP.

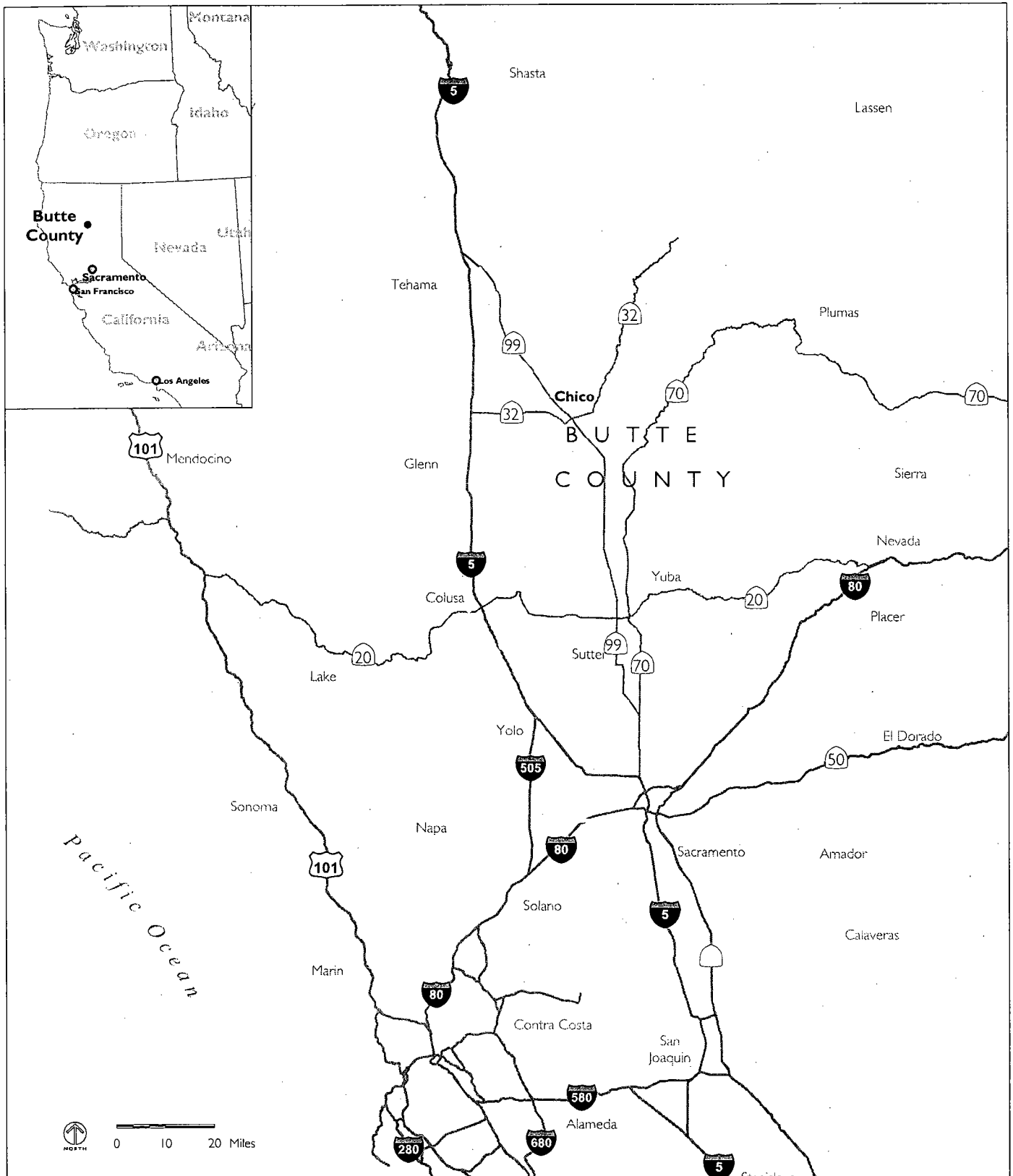
In compliance with the California Environmental Quality Act (CEQA), this EIR describes the potential environmental impacts associated with the adoption and implementation of General Plan 2030 and the ALUCP override. Section 15125 of the CEQA Guidelines establishes that the physical environmental conditions at the time of the issuance of the notice of preparation constitute the baseline conditions by which it is determined whether an impact is significant. The notice of preparation for the Butte County General Plan 2030 EIR was published on September 15, 2008 (State Clearinghouse #2008092062). The Butte County Department of Development Services is the Lead Agency for the environmental review of the proposed project.

A. Location and Setting

Butte County lies in north central California at the northeastern end of the Sacramento Valley, approximately 150 miles northeast of San Francisco and 70 miles north of Sacramento. Highways 70 and 99, which extend in a north-south direction through Butte County, are the principal transportation corridors connecting the county to the region. Highways 32 and 162 provide sub-regional connections to areas to the east, northeast, and west of the county and to Interstate 5. Butte County's regional location is shown in Figure 3-1.

From the northeastern end of the Sacramento Valley, Butte County extends into the foothills at the confluence of the southern Cascade and the northern Sierra Nevada mountain ranges. The total land area of Butte County is

BUTTE COUNTY GENERAL PLAN 2030
 DRAFT EIR
 PROJECT DESCRIPTION



Source: DC&E GIS, 2009.

FIGURE 3-1
REGIONAL LOCATION

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION

approximately 1,680 square miles,¹ and can be divided into three general topographical areas: the western 45 percent of the county is a valley area, about 25 percent of the county is foothills to the east of the valley, and the eastern 30 percent of the county is mountainous. The US Forest Service is a major landowner within Butte County's mountain region, holding a total of over 135,000 acres² in the Plumas and Lassen National Forests.

Most of Butte County's urbanized areas are located in the Sacramento River valley near prime agricultural lands and major transportation corridors. The urban areas within the county include the five incorporated municipalities of Chico, Oroville, Paradise, Gridley and Biggs, as well as numerous small unincorporated communities. As of January 2009, the total population of the county was approximately 220,700 residents.³ The majority of these residents, approximately 136,800 people, live in incorporated municipalities within the county. The balance of these residents, approximately 83,900 people, live in the county's unincorporated areas.⁴ The incorporated municipalities generally consist of single-family residential communities; the unincorporated communities are typically less dense.

Butte County was part of the original partition of California into 27 counties. The county was incorporated in 1850 and named after the Sutter Buttes, which State legislators thought were located within the boundaries of Butte County. By 1850, the county's population was over 3,500 people. When the boom of the Gold Rush slowed, the county's population leveled as the

¹ Butte County Geographic Information Systems, November 21, 2006.

² U.S. Department of the Interior, *Entitlement Land Acreage*, http://www.blm.gov/ca/pdfs/caso_pdfs/PILT_2006_Schedule3.pdf, accessed February 26, 2009.

³ State of California, Department of Finance, May 2009, E-5 Population Estimates for Cities, Counties and the State, 2001 to 2009, with 2000 Benchmark. Sacramento, California.

⁴ State of California, Department of Finance, May 2009, E-5 Population Estimates for Cities, Counties and the State, 2001 to 2009, with 2000 Benchmark. Sacramento, California.

county's economic emphasis shifted back towards agriculture. Since the 1950's, Butte County's population has been steadily increasing.

Today, people are attracted to Butte County by its rural setting and natural beauty, by the productivity of its agricultural sector, and by the county's recreational opportunities. Before the economic downturn that began in late 2006, Butte County experienced significant pressures for growth. From 2000 to 2006, the population of Butte County grew a total of 6.9 percent. Similarly, during that same timeframe Butte County saw a 9.6 percent increase in households,⁵ with a particularly heavy concentration of new home construction in the foothill region. Over the next 20 years, Butte County is likely to see continued growth, including residential and employment expansion. General Plan 2030 would direct that growth to specific locations within the unincorporated area.

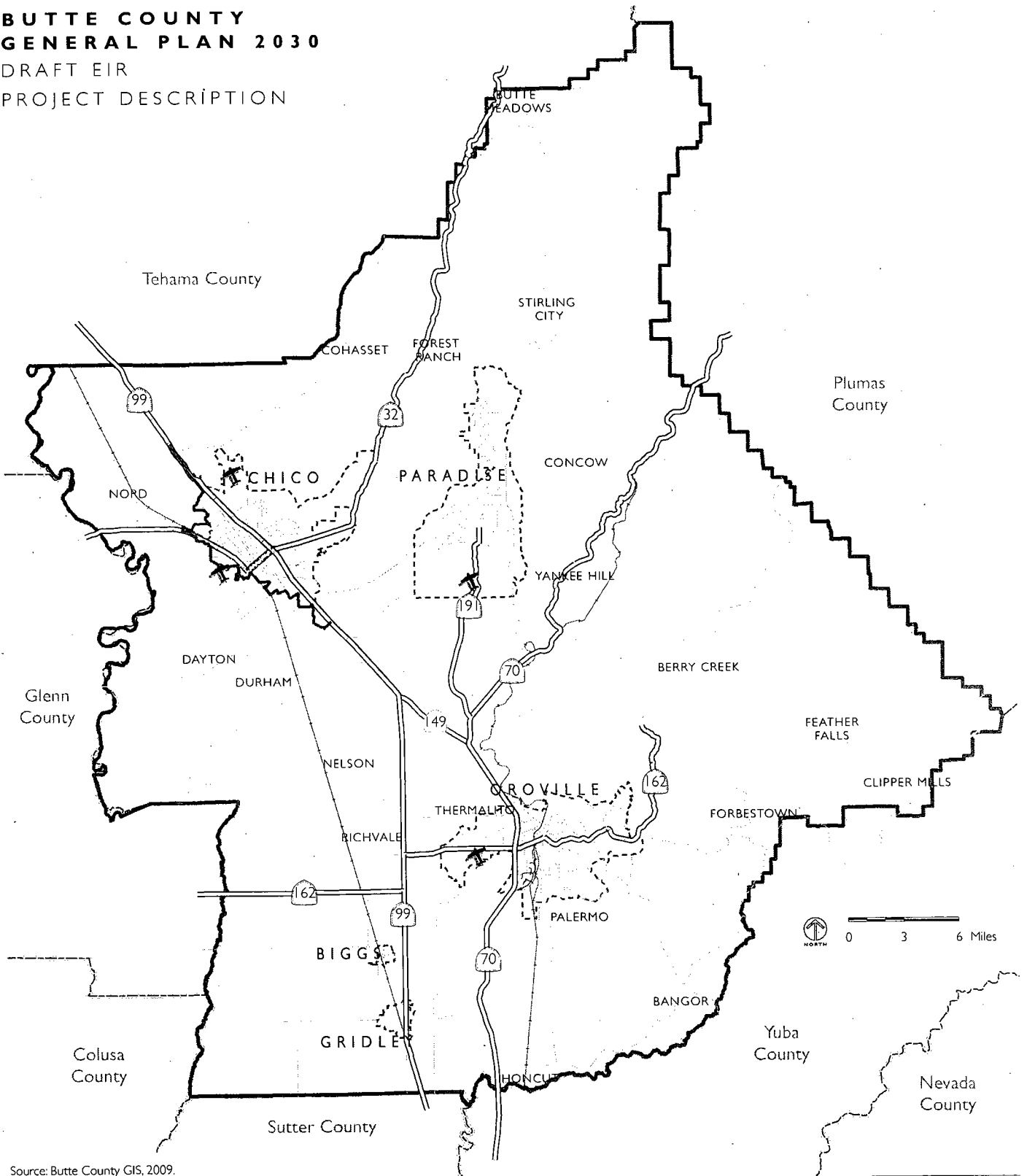
B. Project Area

General Plan 2030 defines the project area as Butte County. Land inside the city or town limits of incorporated municipalities is not under Butte County's jurisdiction. Therefore, this EIR focuses on the analysis of potential impacts on lands only within unincorporated Butte County, including land inside each municipality's Sphere of Influence (SOI), but not inside municipality limits. This area is referred to as "Butte County" and the "Planning Area" in this document and is shown in Figure 3-2.

The boundaries of Butte County's five incorporated municipalities and their SOI's are described below:

⁵ Butte County, August 2007, Setting & Trends Report, page 2-3. The greater increase in households than in population reflects a trend of second home or vacation home construction in the county.

**BUTTE COUNTY
GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION**



Source: Butte County GIS, 2009.

- Airports
- Sphere of Influence
- Highways
- City/Town Limits
- Railroad
- Butte County Boundary
- Major Roads
- Other County Boundary

**FIGURE 3-2
PLANNING AREA**

a. The City of Chico

The City of Chico spans approximately 29 square miles⁶ in the northwest part of Butte County, at the intersection of Highways 99 and 32. The city branches out in the north to include the Chico Municipal Airport and in the northeast to include Bidwell Park.

The currently adopted SOI for the City of Chico totals approximately 34 square miles⁷ and largely conforms to city limits. Chico's SOI also includes a portion of the North Chico Specific Plan Area to the north of the city, and unincorporated Butte County land along Highway 99 in the north and along Highway 32 to the east.

b. The City of Oroville

Located in southern Butte County at the intersection of Highways 70 and 162, the City of Oroville spans 13 square miles⁸ and covers an irregular shape that includes the Oroville Municipal Airport. The adjacent unincorporated communities of Thermalito and South Oroville are under County jurisdiction.

Oroville's SOI is a 50-square-mile area,⁹ which includes the Oroville Wildlife Refuge and Thermalito in its western portion, South Oroville and Kelly Ridge in its eastern and northeastern portions, and the Las Plumas area and a part of Palermo in its southern portion. State Water Project lakes and after-bays are located to the west, north and northeast of the Oroville SOI.

c. The Town of Paradise

The Town of Paradise sits in the foothills of the Sierra Nevada mountain range in north central Butte County. The town area is approximately 18

⁶ City of Chico, October 2006, Final Municipal Service Review, page 2-2.

⁷ City of Chico, October 2006, Final Municipal Service Review, page 2-2.

⁸ City of Oroville, March 2008, Oroville 2030 General Plan EIR, page 3-1.

⁹ City of Oroville, March 2008, Oroville 2030 General Plan EIR, page 3-5.

square miles,¹⁰ located at the northern terminus of Highway 191. The adjacent unincorporated community of Magalia is under County jurisdiction.

The Town of Paradise SOI is approximately 46 square miles,¹¹ with the majority of the SOI extending to the north, south and east of the town. Paradise's SOI includes the unincorporated communities of Magalia and Paradise Pines to the north and the Paradise Skypark Airport to the south.

d. The City of Gridley

The City of Gridley is located in the southwest corner of Butte County. Highway 99 runs in a north-south direction through the eastern portion of the city and the Union Pacific Railroad extends through the center of the city. The city is approximately 2 square miles in area.¹²

Gridley's SOI is approximately 3 square miles¹³ and extends primarily to north of the city, bounded by Pryde Avenue.

e. The City of Biggs

The City of Biggs is located in the southwest portion of Butte County, about 5 miles north of Gridley. The city has a square shape and an area of approximately 0.5 square miles.¹⁴ The Biggs city limits include the City's wastewater treatment plant, which is located on a detached parcel west of West Biggs-Gridley Road.

Biggs' SOI extends primarily to the north and east of the city. The total area of the Biggs SOI is less than 1 square mile.¹⁵

¹⁰ Town of Paradise, August 2007, Final Municipal Service Review, page 1-5.

¹¹ Butte County GIS, 2009.

¹² City of Gridley, February 2008, Final Municipal Service Review, page 17.

¹³ Butte County GIS, 2009.

¹⁴ City of Biggs, November 2008, Final Municipal Service Review, page 1-10.

¹⁵ Butte County GIS, 2009.

C. Objectives and Process

This section describes the objectives and processes for the Butte County General Plan 2030.

1. Objectives of the Proposed Project

General Plan 2030 provides the basis for the County's land use and development policy, and represents basic community values, ideals and aspirations to govern a shared environment through 2030. The State of California requires that General Plans contain the following:

- ◆ Land Use
- ◆ Circulation
- ◆ Housing
- ◆ Conservation
- ◆ Open Space
- ◆ Noise
- ◆ Safety

At the discretion of each jurisdiction, the General Plan may combine these elements and may add optional elements relevant to features of a community.

The California Government Code also requires that a General Plan be comprehensive, internally consistent and plan for the long term. Although required to address the issues specified by State law, the General Plan may be ultimately organized in a way that best suits the individual community. The General Plan should be clearly written, easy to administer and available to all those concerned with the community's development.

The overall objectives of General Plan 2030 are enumerated in the General Plan 2030 Guiding Principles. These objectives are to:

- ◆ Partner with municipalities, special districts and unincorporated communities on important regional planning issues.
- ◆ Coordinate all modes of transportation with the transportation planning agencies.

- ◆ Address areas of urban development for anticipated growth during the next 20 years to meet the housing needs of Butte County residents.
- ◆ Protect the county airports in coordination with the 2000 Airport Land Use Compatibility Plan.
- ◆ Address the protection, enhancement, utilization and management of natural resources and the environment.
- ◆ Promote the public's health, safety and welfare.
- ◆ Play a critical role in establishing a positive environment for economic development.
- ◆ Address agriculture as an important aspect of Butte County's economy that will be protected, maintained, promoted and enhanced.
- ◆ Identify appropriate locations and the type of growth that will occur in rural areas while protecting the integrated benefits of agricultural resources, natural resources, and the environment.
- ◆ Address the need for new parks and recreation opportunities. Cultural resources that are significant to Butte County's history will be identified and protected.
- ◆ Address, identify and promote ways to maintain or enhance economic opportunity, viability and community well-being while protecting and restoring the natural environment.
- ◆ Address where and how the full array of public services and/or facilities will be provided to the varied and diverse geography of the county.
- ◆ Address the protection and management of water resources.

In addition to the objectives outlined in the General Plan 2030 Guiding Principles, the proposed project aims to accommodate anticipated population growth and to allow all Butte County residents to maintain economic use and value of their property.¹⁶

¹⁶ This objective was identified by County staff and the consultant team subsequent to the adoption of the Guiding Principles. This objective is intended to proac-

2. General Plan 2030 Process

The process to update the existing Butte County General Plan began in September 2006 and is scheduled to be completed with the adoption of the General Plan and ALUCP override by the Board of Supervisors, in 2010. General Plan 2030 was developed with extensive community input and reflects the community's vision for Butte County.

Each major task in the General Plan 2030 process included a "Meeting Series." Each series was made up of the following meetings:

- ◆ A Public Workshop where community members met to learn about the progress of General Plan 2030 and discuss and provide input on issues.
- ◆ One or more Citizens Advisory Committee (CAC) meetings at which CAC members deliberated on the issues at hand and reviewed input from the Public Workshop.
- ◆ One or more Planning Commission Study Sessions at which Commissioners reviewed the outcomes of the Public Workshop and CAC meetings and made recommendations to the Board of Supervisors.
- ◆ One or more Board of Supervisors Study Sessions at which the Supervisors reviewed the outcomes of all the previous meetings and provided final direction to County staff and consultants.

Meeting Series were held on the following topics:

- ◆ Meeting Series #1: Issues Identification
- ◆ Meeting Series #2/3: Alternatives Finalization
- ◆ Meeting Series #4: Alternatives Evaluation & Selection
- ◆ Meeting Series #5: Goals & Policies Development
- ◆ Meeting Series #6: Housing Element
- ◆ Meeting Series #7: Public Review Draft General Plan

tively address future housing allocations under State Housing Element law and to reflect public input provided throughout the General Plan 2030 process.

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION

In addition, Meeting Series #8 on the Public Review Draft Zoning Ordinance will be held after publication of this Draft EIR.

The CAC consists of 34 Butte County citizens that were selected by the Board of Supervisors to oversee the Butte County General Plan 2030 process. The CAC represented the diverse community in Butte County throughout the update process, acting as a “sounding board” for ideas from community members, County staff and consultants. The CAC also reviewed working drafts of documents and made recommendations to the Planning Commission and Board of Supervisors. To develop the Butte County General Plan 2030, there were a total of 27 CAC meetings, all of which were open to the public. The CAC will also hold an additional meeting after publication of this Draft EIR during Meeting Series #8, as discussed above.

As part of the Meetings Series schedule, the County held a number of public workshops and community meetings. A total of 19 additional public meetings and workshops were held at various locations across Butte County in the form of area-wide workshops and community meetings. Seven of the public meetings were area-wide workshops held in the following parts of the county where urban growth is expected to take place:

- ◆ Central Buttes Area
- ◆ Durham/Dayton/Nelson Area
- ◆ Gridley-Biggs Area
- ◆ Lake Oroville Area
- ◆ Paradise Area
- ◆ Chico Area
- ◆ Oroville Area

Twelve community meetings took place in the unincorporated communities of Butte County, including:

- ◆ Cherokee
- ◆ Cohasset
- ◆ Concow/Yankee Hill/Jarbo Gap
- ◆ Feather Falls/Forbestown/Clipper Mills

- ◆ Forest Ranch
- ◆ Nord
- ◆ Palermo/Honcut
- ◆ Berry Creek/Brush Creek
- ◆ Richvale
- ◆ Stirling City
- ◆ Bangor/Rackerby
- ◆ Butte Meadows/Jonesville

At the area-wide workshops and community meetings, participants discussed the area's assets, issues and existing conditions. The input received was incorporated into the General Plan 2030 process in the form of land use and policy alternatives.

For all public workshops, the Butte County Department of Development Services conducted extensive outreach, using a wide variety of tools and methods to inform and encourage the community to participate in the process. Additionally, outreach material included information on alternative methods for participation, including email, phone calls, standard mail and an online forum available on the Butte County General Plan 2030 website. The following is a list of methods and tools used to inform the public of upcoming meetings:

- ◆ **County Website.** The Department of Development Services maintains a website (www.buttegeneralplan.net) devoted to informing the public about, and encouraging participation in, the Butte County General Plan 2030 process. This website also includes a video archive of meetings related to the Butte County General Plan 2030.
- ◆ **Local Newspapers.** Public notices, press releases and public service announcements were sent to the following press outlets ten days prior to public meetings: Chico Enterprise Record, Chico News & Review, Paradise Post, Oroville Mercury News and the Gridley Herald.
- ◆ **Local Television Stations.** Many local television stations reserve airtime for upcoming community events and public service announcements.

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION

Prior to each of the seven area-wide workshops, press releases were sent to the following television stations for broadcasting: KHSL, KNVN, and KRRCR.

- ◆ **Local Radio Stations.** Interviews regarding the Butte County General Plan 2030 were held with KPAY.
- ◆ **Community Websites.** Many communities in unincorporated Butte County host their own community websites. These websites often include local news and upcoming events. When available, local websites were used to announce upcoming meetings.
- ◆ **Postcards.** Over 25,000 postcards were sent throughout the county to inform the public of upcoming workshops and community meetings.
- ◆ **Posters.** 8.5-inch x 11-inch posters were sent to City Halls, Butte County libraries, local post offices and community centers for posting on kiosks and bulletin boards. Additional supplies of postcards were also provided at these locations.
- ◆ **Roadside Signs.** 18-inch x 24-inch roadside signs announcing community meetings and area-wide workshops were posted at key roadway intersections. Signs were typically posted two weeks in advance.
- ◆ **Email and Direct Mail.** Prior to public meetings, emails were sent to the buttegeneralplan.net listserv that includes over 600 email addresses. This list is comprised of stakeholders, various community groups and individuals who signed up on the General Plan 2030 website. In addition, the County mailed meeting announcements directly to participants from past meetings.
- ◆ **Butte County General Plan 2030 T-Shirts.** T-shirts with a decal of the General Plan 2030 project schedule were provided to staff, CAC members and members of the public to help generate discussion and awareness of the update process. T-shirts were also used as prizes for participants at public meetings.
- ◆ **Butte County Department of Development Services.** An area devoted to General Plan 2030 has been established in the Development Services

Department lobby with outreach materials and information. Here, members of the public may read about the process and are provided with a free copy of the *Existing Conditions Briefing Book*, which summarizes the setting and trends in Butte County.

- ◆ **Butte County Libraries.** General Plan 2030 information and documents were provided at all branch libraries in the Butte County Library system.
- ◆ **Butte County Fair.** General Plan 2030 information was provided at a booth at the annual Butte County Fair.
- ◆ **Newsletters.** After the land use alternatives were developed, Butte County released a newsletter summarizing the General Plan 2030 process to date, as well as the next steps and upcoming meeting series. In addition, Butte County released a second newsletter following the Goals and Policies development phase to provide an update on the overall process, as well as to advertise upcoming meetings.
- ◆ **Presentations and Updates.** Butte County staff provided updates on the General Plan 2030 processes to the Butte County User's Group, a group of contractors, builders, engineers, surveyors and residents interested in development and permitting processes in the county, as well as to the Planning Commission and Board of Supervisors. In addition, Butte County staff presented information about General Plan 2030 to a wide range of organizations and groups.

As required by State law, the Public Review Draft General Plan 2030 has been available for public comment, and this EIR will be circulated for a review period at least 45 days in length. In addition, the summary of changes to the Public Review Draft General Plan 2030 from the Butte County Board of Supervisors meetings on January 19 and 21, 2010 is being circulated for review with this EIR. During this time, the public will be allowed to submit additional comments on General Plan 2030 and this EIR. All of the comments received will be taken into consideration at the public hearings held before the Planning Commission and Board of Supervisors prior to certification of this EIR and adoption of General Plan 2030 and the ALUCP override. In considering General Plan 2030 and the ALUCP override, the Planning

Commission and Board of Supervisors will review the comments received and this accompanying EIR.

D. Major Components of General Plan 2030

The following provides a summary of the major components of General Plan 2030.

1. General Plan 2030 Contents and Organization

General Plan 2030 includes an introduction and nine separate elements that establish goals, policies and actions. The elements cover the topics required by California State Government Code Section 65302. In addition, General Plan 2030 includes chapters that list the General Plan 2030 Guiding Principles, describe Butte County, provide a glossary, and list preparers of the General Plan, as well as appendices that list each of the General Plan 2030 goals and provide noise contour maps. A brief explanation of the topics included in General Plan 2030 is provided below.

- ◆ **Land Use Element.** The State-required Land Use Element designates all lands within unincorporated Butte County for specific uses such as housing, retail, industrial, and agricultural uses. The Land Use Element also provides development regulations for each land use designation and overall land use policies for the County.
- ◆ **Housing Element.** The State-required Housing Element demonstrates how the County will meet its existing and projected housing needs, including its share of the regional housing need. This Element addresses specific sites with development capacity to meet the projected housing need, reviews the results of the previous Housing Element, describes the public participation process for the Housing Element Update, assesses housing needs, and inventories resources and constraints.
- ◆ **Economic Development Element.** This Element addresses Butte County's local economy, job creation, and fiscal health.

- ◆ **Agriculture Element.** This Element includes goals, policies, and actions intended to conserve agricultural land, promote agricultural uses, and maintain the natural resources necessary to foster agricultural growth.
- ◆ **Water Resources Element.** This Element includes goals, policies, and actions intended to protect and conserve Butte County's water sources, stormwater management, water service providers, water storage facilities, the supply and demand of water in Butte County, and the County's management efforts for water resources.
- ◆ **Circulation Element.** State law requires that a Circulation Element specify the general location and extent of existing and proposed major streets and other transportation facilities. The Element is correlated with the Land Use Element to provide adequate pedestrian, bicycle, motor vehicle, transit, air transportation, and emergency access to serve both new and existing land uses. The Element also addresses transit-oriented development; cooperation with other agencies, such as the California Department of Transportation; and the environmental effects of transportation, such as air quality and greenhouse gas (GHG) emissions. The circulation of infrastructure related to energy, water, wastewater, and stormwater are discussed in the Water Resources, Conservation and Open Space, and Public Facilities and Services Elements.
- ◆ **Conservation and Open Space Element.** This Element combines two elements required under State law: the Open Space Element and the Conservation Element. It addresses the six types of open space identified by State law: open space for the preservation of natural resources, open space used for the managed production of resources, open space for outdoor recreation and scenic resources, open space for public health and safety, open space in support of the mission of military installations, and open space for the protection of Native American sacred sites. This Element also addresses GHGs, energy, air quality, biological resources, timber resources, mineral and soil resources, cultural resources, and scenic resources.
- ◆ **Health and Safety Element.** This Element combines two elements required under State law: the Noise Element and the Safety Element. It

provides information about risks in Butte County due to natural and human-made hazards, and contains goals, policies, and actions designed to protect the community and its property from hazards and noise. The Health and Safety Element addresses noise problems, quantifies current and projected noise levels from a variety of sources, and establishes noise compatibility guidelines for different land uses. It also addresses risks associated with flooding and dam or levee inundation; seismic and other geologic hazards; fire hazards; and hazardous materials. This Element also addresses emergency response, disaster preparedness, and community health.

- ◆ **Public Facilities and Services Element.** This Element provides a policy framework related to the current state of public services and facilities within the county, including general government services, fire protection and emergency medical services, sheriff services, public education, libraries, parks and recreation, solid waste and waste diversion, and wastewater.

2. General Plan 2030 Goals, Policies and Actions

Each element of General Plan 2030 contains background information and a series of goals, policies, and actions. The goals, policies, and actions provide guidance to the County on how to direct change and manage its resources over the next 20 years. The following provides a description of each and explains the relationship between each:

- ◆ A **goal** is a description of the general desired result that the County seeks to create through the implementation of General Plan 2030.
- ◆ A **policy** is a specific statement that guides decision-making as the County works to achieve a goal. Such policies, once adopted, represent statements of County regulation. A policy is on-going and requires no further implementation. The General Plan's policies set out the standards that will be used by County staff, the Planning Commission and Board of Supervisors in its review of land development projects and in decision-making about County actions.

- ◆ An action is an implementation measure, procedure, or technique intended to help to achieve a specified goal. The County must take additional steps to implement each action in the General Plan. An action is something that can and will be completed.

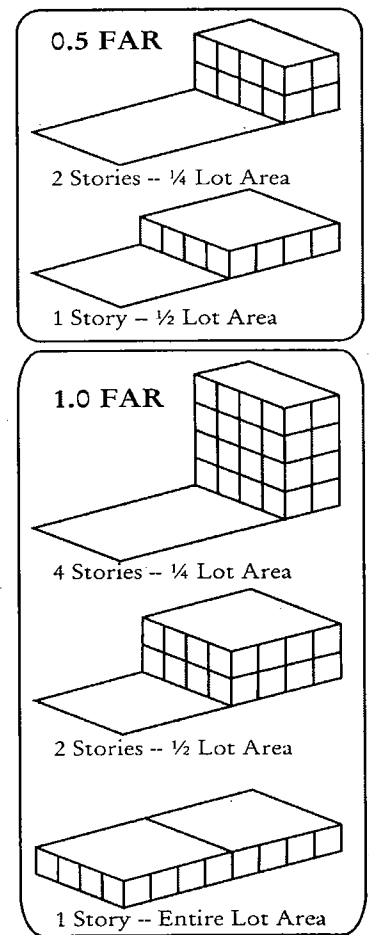
3. General Plan 2030 Land Use Designations

This section describes the proposed land use designations and land use map of General Plan 2030. The General Plan 2030 land use map is shown in Figure 3-3. The Deer Herd Migration Area Overlay is shown separately in Figure 3-4.

General Plan 2030 defines various land use designations by their allowable uses and maximum densities and intensities. The land use designations described in General Plan 2030 establish the types and intensity or density of uses allowed on each parcel; these densities and intensities are listed in Table 3-1. Table 3-2 provides the acreage for each land use designation.

In General Plan 2030, standards of building density for residential uses are stated as the allowable range of dwelling units per gross acre. This means that the number of allowable units on a parcel can be calculated by multiplying the number of acres by the allowable density. Second dwelling units are not included in the density calculations.

Standards of building intensity for non-residential uses are stated as maximum floor-area ratios (FAR) based on gross acreage. As illustrated in the margin of this page, FAR is a ratio of the gross building square footage permitted on a lot to the gross square footage of the lot. For example, on a site with 10,000 square feet of land area, a FAR of 1.0 will allow 10,000 gross square feet of building floor area to be built. On the same site, a FAR of 2.0 would allow 20,000 square feet of floor area (e.g. a two-story building with 100 percent of lot coverage, or a four-story building with 50 percent lot coverage), and a FAR of 0.4 would allow 4,000 square feet of floor area.



Examples of floor area ratio (FAR) and building coverage.

The following sections describe the proposed land use designations for General Plan 2030.

a. Agriculture

This designation allows the cultivation, harvest, storage, processing, sale, and distribution of all plant crops, especially annual food crops, as well as roadside stands for the sale of agricultural products grown or processed on the property. The Agriculture designation also allows livestock grazing, animal husbandry, intense animal uses, and animal matter processing. Alternative energy facilities are allowed in the Agriculture designation, subject to permit requirements. Residential uses in the Agriculture land use designation are limited to one single-family dwelling and a second dwelling unit per legal parcel. Farm labor housing is also permitted. The minimum parcel size ranges from 20 to 320 acres, although existing parcels smaller than the minimum may remain as legal nonconforming parcels.

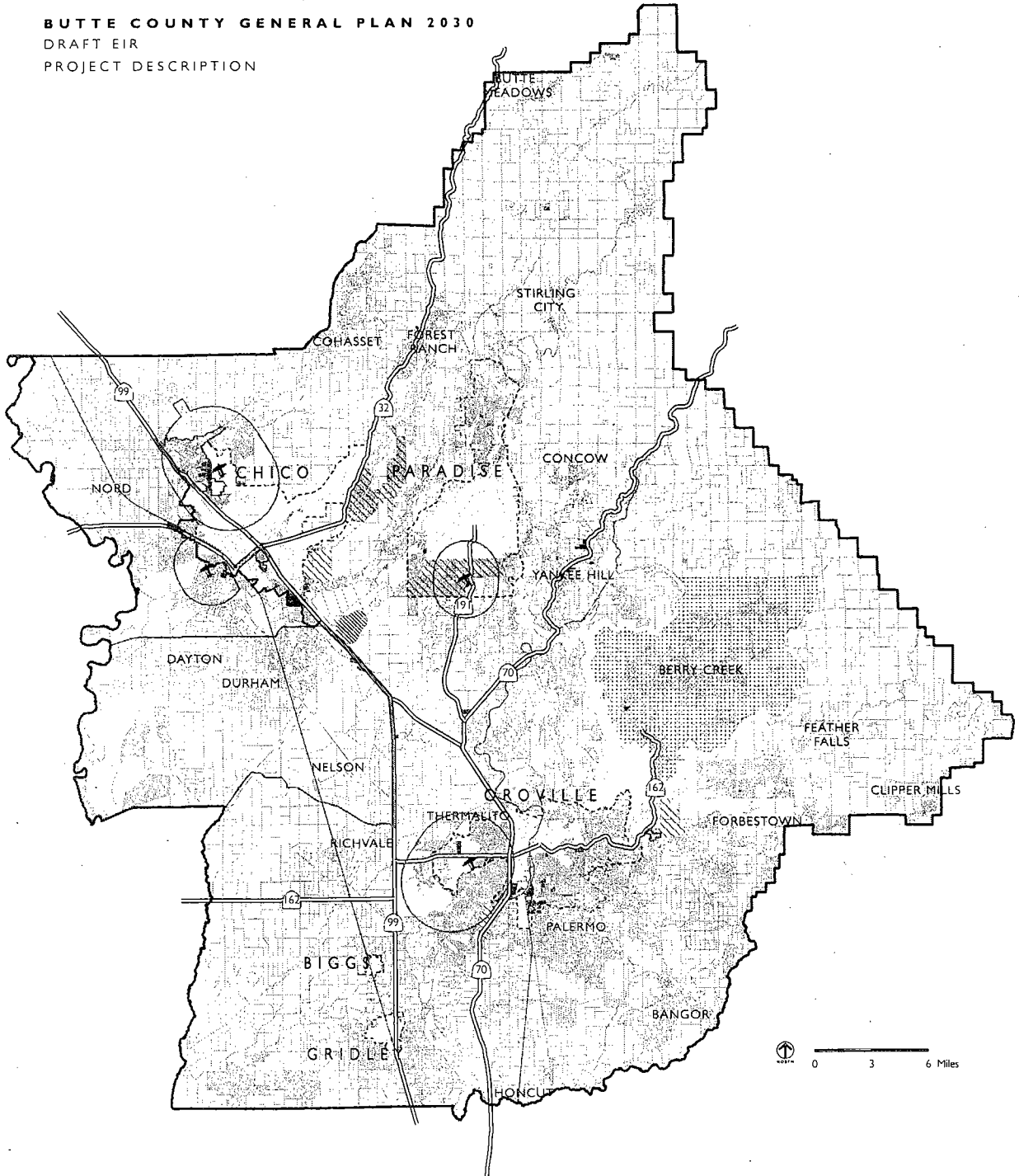
b. Agriculture Services

This designation allows all agricultural uses described above, as well as agriculture-related services that are complementary to existing agricultural uses, including industrial uses such as processing facilities, commercial uses such as agricultural equipment sales, and technologies that use agricultural byproducts. Alternative energy facilities are allowed in the Agriculture Services designation, subject to permit requirements. No residential uses are allowed, except for caretakers' residences. This designation allows for a maximum FAR of 0.8.

c. Timber Mountain

This designation allows forest management and the harvesting and processing of forest products. Lands zoned Timber Preserve are located in this designation. Alternative energy facilities are allowed in the Timber Mountain designation, subject to permit requirements. Residential uses are limited to one single-family dwelling per legal parcel. The minimum parcel size is 160 acres, although existing parcels smaller than that minimum may remain as legal nonconforming parcels.

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION



Source: Butte County GIS, 2009.

Agriculture/Timber/Conservation Designations

- Agriculture (20-ac to 320-ac minimum)
- Agriculture Services (0.8 maximum FAR)
- Timber Mountain (160-ac minimum)
- Resource Conservation (40-ac minimum)

Residential Designations

- Foothill Residential (1 to 40 ac/du)
- Rural Residential (up to 1 du/5ac)
- Very Low Density Residential (1 du/5 ac to 1 du/ac)
- Low Density Residential (1 to 3 du/ac)
- Medium Density Residential (3 to 6 du/ac)
- Medium High Density Residential (6 to 14 du/ac)
- High Density Residential (14 to 20 du/ac)

Commercial/Industrial Designations

- Mixed Use (4 to 20 du/ac and 0.5 maximum FAR)
- Retail and Office (0.4 maximum FAR)
- Recreation Commercial (0.4 maximum FAR)
- Sports and Entertainment (0.4 maximum FAR)
- Industrial (0.4 maximum FAR)
- Research and Business Park (0.5 maximum FAR)

Other Designations

- Public
- Planned Unit Development

Overlays

- Existing Area, Neighborhood or Specific Plan
- Berry Creek Area Plan
- Specific Plans to be Developed
- Unique Agriculture Overlay
- Retail Overlay
- Solid Waste Management Facility Overlay
- Airport Overlay

Airports

- Airports
- Greenline
- Railroad
- Highways
- Major Roads
- Sphere of Influence
- City/Town Limits
- County Boundary

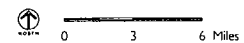
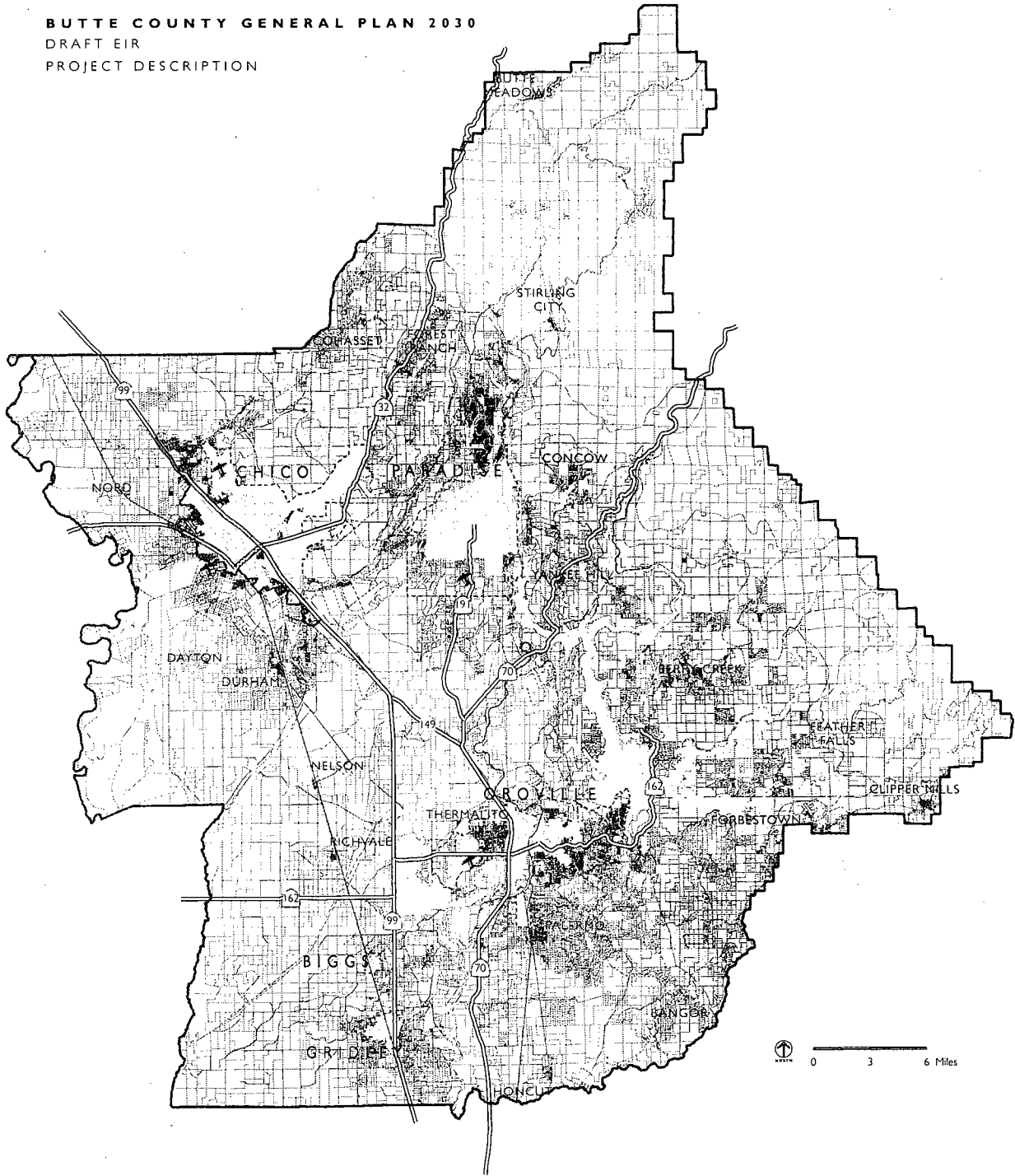


FIGURE 3-3
GENERAL PLAN 2030 LAND USE MAP

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION



Source: Butte County GIS, 2009.

- | | |
|--------------------------------|---------------------|
| Critical Winter Migration Area | Railroad |
| Winter Migration Area | Major Roads |
| Airports | Parcels |
| Greenline | Sphere of Influence |
| Highways | City/Town Limits |
| | County Boundary |

FIGURE 3-4
DEER HERD MIGRATION AREA OVERLAY

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION

TABLE 3-1 **DENSITY AND INTENSITY ALLOWED BY GENERAL PLAN 2030
LAND USE DESIGNATIONS**

Land Use Designation	Allowable Range of Residential Density	Allowable Maximum Floor Area Ratio
Agriculture	1 unit per 20 to 320 acres	
Agriculture Services		0.8
Timber Mountain	1 unit per 160 acres	
Resource Conservation	1 unit per 40 acres	
Foothill Residential	1 unit per 1 to 40 acres	
Rural Residential	1 unit per 5 acres or more	
Very Low Density	1 unit per 5 acres to 1 unit per acre	
Low Density	1 to 3 units per acre	
Medium Density	3 to 6 units per acre	
Medium High Density	6 to 14 units per acre	
High Density	14 to 20 units per acre	
Very High Density	20 to 30 units per acre	
Mixed Use	4 to 20 units per acre	0.5
Retail and Office		0.4
Recreation Commercial		0.4
Sports and Entertainment		0.4
Industrial		0.4
Research and Business Park		0.5

Note: The Public and Planned Unit Development designations do not include density or intensity standards.

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION

TABLE 3-2 **GENERAL PLAN 2030 LAND USE DESIGNATION ACREAGES**

Land Use Designation	Acres
Agriculture	483,355
Agriculture Services	465
Timber Mountain	351,720
Resource Conservation	34,750
Foothill Residential	50,165
Rural Residential	36,165
Very Low Density Residential	12,320
Low Density Residential	2,410
Medium Density Residential	6,130
Medium High Density Residential	520
High Density Residential	75
Mixed Use	1,045
Retail and Office	1,530
Recreation Commercial	750
Sports and Entertainment	105
Industrial	1,985
Research and Business Park	100
Public	31,240
Planned Unit Development	505
Undesignated rights-of-way	15,575
Total	1,030,910

Source: DC&E GIS, 2009.

d. Resource Conservation

This designation allows natural, wilderness, and study areas, as well as limited recreational and commercial recreational uses that do not substantially detract from the area's value for habitat, open space, or research. Residential uses are limited to one single-family dwelling per legal parcel, except in the North Chico Specific Plan area, where residential uses in the Resource Conservation designation are prohibited. Existing parcels smaller than the minimum may remain as legal nonconforming parcels. The minimum parcel size is 40 acres.

e. Foothill Residential

This designation allows single-family dwellings at rural densities of 1 to 40 acres per dwelling unit, depending on the zoning. Existing parcels smaller than the minimum may remain as legal nonconforming parcels.

f. Rural Residential

This designation allows single-family dwellings at rural densities of 1 dwelling unit per 5 acres or more (up to 0.2 units per acre). Existing parcels smaller than the minimum may remain as legal nonconforming parcels.

g. Very Low Density Residential

This designation allows single-family dwellings at densities from 1 dwelling unit per 5 acres to 1 dwelling unit per acre (0.2 to 1 units per acre). Existing parcels smaller than the minimum may remain as legal nonconforming parcels.

h. Low Density Residential

This designation allows single-family dwellings at densities of 1 to 3 dwelling units per acre. Existing parcels smaller than the minimum may remain as legal nonconforming parcels.

i. Medium Density Residential

This designation allows detached and attached single-family dwellings at densities of 3 to 6 dwelling units per acre. Existing parcels smaller than the minimum may remain as legal nonconforming parcels.

j. Medium High Density Residential

This designation allows a mixture of urban residential uses, including detached and attached single-family homes, duplexes, townhomes, condominiums, multiple-dwelling structures, mobile home parks, group quarters, and care homes, at densities of 6 to 14 dwelling units per acre. Existing parcels smaller than the minimum may remain as legal nonconforming parcels.

k. High Density Residential

This designation allows higher-density urban residential uses, including townhomes, condominiums, multiple-dwelling structures, mobile home parks, group quarters, and care homes, at densities of 14 to 20 dwelling units per acre. Existing parcels smaller than the minimum may remain as legal nonconforming parcels.

l. Very High Density Residential

This designation allows high-density urban residential uses, including townhomes, condominiums, multiple-dwelling structures, mobile home parks, group quarters, and care homes, at densities of 20 to 30 dwelling units per acre. This designation is not applied to any parcels in the county in the General Plan 2030 land use map, but may be applied through General Plan Amendments in the future. Existing parcels smaller than the minimum may remain as legal nonconforming parcels.

m. Mixed Use

This designation allows mixed but compatible uses in close proximity to each other, including residential, retail, service, lodging and office uses. Townhomes, garden apartments, apartments, live/work units, and condominiums are the types of residences that would typically be found in this designation. Mixed use buildings with two or more uses in the same structure are encour-

aged in this designation, but single use residential, retail, or office buildings are also allowed. Since this designation allows for both residential and commercial uses, it allows a wider residential density range and a higher FAR than other designations and is applied to areas along major roads with adequate infrastructure and amenities to support higher densities. This designation allows 4 to 20 dwelling units per acre and a maximum FAR of 0.5.

n. Retail and Office

This designation allows structures and activities providing a full range of merchandise and services to the general public, as well as professional/office uses. Residential uses are allowed when it can be shown that such uses will be operated in conjunction with a commercial use. This designation allows for a maximum FAR of 0.4.

o. Recreation Commercial

This designation allows recreation and tourism-related uses. Examples of uses that are considered appropriate under this designation include, but are not limited to, golf courses, eating and drinking establishments, food and beverage sales, wedding facilities, gasoline service stations, public buildings, hotels and motels, offices, owner-occupied residences, RV parks, resorts, and vacation cabins. Many uses under this designation are subject to a conditional use permit to ensure compatibility with surrounding uses. However, uses that do not typically conflict with other uses, such as a passive recreation park, are permitted as of right. This designation allows for a maximum FAR of 0.4.

p. Sports and Entertainment

This designation allows sports and entertainment uses as primary uses, including sports facilities, golf courses, theaters, and amphitheaters, as well as a range of related commercial uses that are compatible with the primary uses. The related uses may include localized retail, commercial retail, and service establishments. This designation allows for a maximum FAR of 0.4.

q. Industrial

This designation allows the processing, manufacturing, assembly, packaging, storage, and distribution of goods and commodities. It also allows for warehouses, storage, logistics centers, trucking terminals, and railroad facilities. Alternative energy facilities are allowed in the Industrial designation, subject to permit requirements. In addition, this designation allows hazardous waste management facilities where it can be demonstrated that potential environmental impacts can be mitigated. Industrial uses are allowed by right where applicants can demonstrate that adequate existing services are already available. This designation allows for a maximum FAR of 0.4.

r. Research and Business Park

This designation allows office, research, and technology-related uses, and is intended to promote green industry. The allowed uses are narrowly defined so as to ensure compatibility between uses. Following is a partial, representative listing of the primary permitted uses:

- ◆ High and advanced technology; research and development; laboratories, including university-based research; and facilities used for testing and analysis of products or uses.
- ◆ Business and professional corporate headquarters, regional offices and data processing facilities.
- ◆ Educational facilities associated with energy, design, construction, agriculture, manufacturing, or utility technologies.
- ◆ Clean energy generation, production or distribution facilities.
- ◆ Agricultural finished product manufacturing facilities.
- ◆ Cultural, recreational, agricultural and environmental tourism facilities and centers.

Industrial uses are limited to those manufacturers who are engaged in the production of low volume, high value products and particularly advanced technology products. Businesses requiring outdoor production and storage are prohibited. This designation allows for a maximum FAR of 0.5.

s. Public

This designation allows large facilities owned and operated by government agencies, including schools, colleges, airports, dams and reservoirs, disposal sites, recreation facilities, conservation areas, fire stations, and other government buildings and property. Alternative energy facilities are allowed in the Public designation, subject to permit requirements. It also allows quasi-public uses such as churches, hospitals, private schools, day cares, cemeteries, and educational and institutional uses.

t. Planned Unit Development

This designation identifies future developments that will be considered under a Planned Unit Development application. The intent of this designation is to encourage and maximize opportunities for more integrated, flexible and superior design than is available through the application of conventional regulation.

4. General Plan 2030 Overlays

This section describes the proposed overlays of General Plan 2030. An overlay is applied over an underlying land use designation. Overlays provide more specific regulations than the underlying designation, or they identify the area for a future planning effort, such as an Area Plan or Specific Plan. These overlays are described below and in Table 3-3.

a. Existing Area, Neighborhood or Specific Plan Overlay

An Area Plan, Neighborhood Plan or Specific Plan has already been developed and adopted for the following areas:

- ◆ North Chico
- ◆ Chapman-Mulberry
- ◆ Durham-Dayton-Nelson
- ◆ Stringtown Mountain

TABLE 3-3 GENERAL PLAN 2030 OVERLAYS

Overlay	Acres
Specific Plan Overlay (Existing Specific Plans)	92,292
Berry Creek Area Plan Overlay	50,153
Specific Plan Overlay (Specific Plans to be Developed)	12,754
Unique Agriculture Overlay	4,384
Retail Overlay	50
Solid Waste Management Facility Overlay	1,216
Airport Overlay	61,244
Deer Herd Migration Area Overlay	326,140
Total	548,233

Source: DC&E GIS, 2009.

The General Plan 2030 land use designations within these areas are generally consistent¹⁷ with the applicable Area, Neighborhood, or Specific Plan. There are separate development standards that apply in these areas, which are identified in the applicable Area, Neighborhood or Specific Plan.

b. Berry Creek Area Plan Overlay

This overlay designation calls for the development of an Area Plan for the Berry Creek area by the Berry Creek community. The Plan will include rural residential, retail, public, and agricultural uses. Section D.5.f of this chapter provides additional information about the Berry Creek Area Plan. Until

¹⁷ In some cases, the applicable Area, Neighborhood, or Specific Plan includes slightly different land use designation categories than the updated land use designations in General Plan 2030. As discussed in Section E of this chapter, conforming amendments to Area and Specific Plans are included as part of this Project Description.

an Area Plan is adopted, any development within this area is subject to the underlying land use designations.

c. Specific Plans to be Developed Overlay

This overlay applies to areas that are expected to be developed under a Specific Plan. Each Specific Plan will be intended to implement the vision identified in the General Plan. Section D.5.g provides additional information about future Specific Plans. Until a Specific Plan is adopted, any development within this area is subject to the underlying land use designations.

d. Unique Agriculture Overlay

This overlay designation allows agricultural support and specialty agriculture uses either by right or under discretionary permit, regardless of whether such uses are allowed in the underlying designation, as a means to protect and promote small-scale agriculture. Allowed uses include wineries, roadside stands, farm-based tourism, bed and breakfasts, and ancillary restaurants and/or stores, as well as the uses allowed by the underlying designation.

e. Retail Overlay

This overlay allows retail, service or office uses in addition to the uses allowed in the underlying designation.

f. Solid Waste Management Facility Overlay

This overlay allows uses that are accessory and/or related to solid waste and/or septage disposal, as well as uses that are compatible with landfill operations. Compatible uses are uses that do not involve on-going occupation by people; uses that are not bothered by the visual, noise, odor, and traffic issues associated with the landfill; and uses with their own visual, noise, odor, and traffic issues that are not desired elsewhere. Examples of such uses include recycling centers, compost facilities, and other uses that may intercept landfill waste, and some types of recreational facilities.

g. Airport Overlay

This overlay pertains to areas that are within Airport Land Use Compatibility Zones and are subject to additional restrictions under the ALUCP.

h. Deer Herd Migration Area Overlay

This overlay includes Winter and Critical Winter deer herd migration areas. The Winter Deer Herd Migration Area Overlay requires a minimum lot size of 20 acres, and the Critical Winter Deer Herd Migration Area Overlay requires a minimum lot size of 40 acres. Development may be clustered at smaller lot sizes than these minimums in order to protect the deer herd areas, provided that the non-development areas are protected under permanent conservation easements.

5. Major Changes from the Existing General Plan

General Plan 2030 proposes a number of changes to the land use designations from the existing Butte County General Plan land use map. This section describes the major changes. This section is provided for informational purposes. This EIR does not evaluate the changes in General Plan 2030 relative to the existing General Plan, but rather evaluates the impacts of General Plan 2030 relative to existing conditions, as required by CEQA Guidelines Section 15126.2.

a. Parcel-Based Designations

General Plan 2030 designations would be parcel-based. The existing General Plan designations are not parcel-based, which results in some parcels having different General Plan designations applied to different parts of the parcel. Almost all parcels would have a single designation under General Plan 2030.

b. Minimum Parcel Sizes in Agricultural and Timber Lands

The minimum parcel sizes for agricultural and timber land use designations would increase. The existing General Plan calls for the following minimum lot sizes: 5 acres in Orchard and Field Crops; 40 acres in Grazing and Open Land; and 40 acres in Timber Mountain. General Plan 2030 proposes to combine the agricultural land use designations into one Agriculture designation with a 20- to 320-acre minimum parcel size. General Plan 2030 also pro-

poses to increase the minimum parcel size to 160 acres in the Timber Mountain land use designation.

c. Agricultural Residential

The existing Agricultural Residential (AR) designation would be eliminated. This designation allowed agricultural uses as well as a wide range of residential densities from 1- to 40-acre lots. Lands with the AR designation have been changed to agricultural, timber or residential designations under General Plan 2030.

d. Berry Creek Area Plan

Through the Berry Creek Area Plan Overlay, General Plan 2030 identifies Berry Creek as an area for which an Area Plan will be developed by the Berry Creek community. The intent of the Area Plan would be to maintain the rural character of this community while improving opportunities to locate jobs and services in Berry Creek. The underlying General Plan land use designations would remain in effect until and unless the Area Plan is adopted, at which point the land use designations in that Plan would replace the designations in the General Plan. The intended development potential of the future Berry Creek Area Plan as identified in the Land Use Element of General Plan 2030 is included in the total development evaluated by this EIR.

e. Specific Plans

There are seven areas in the county that would be intended for development under a Specific Plan. A "Specific Plan" is defined in the California Government Code (Section 65450 et seq) as a legal tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A Specific Plan includes detailed regulations, conditions, programs, and/or proposed legislation that are needed to implement General Plan designations and policies on a particular site. The seven Specific Plan areas in General Plan 2030 include:

- ◆ Upper Stilson Canyon
- ◆ Doe Mill/Honey Run
- ◆ Paradise Urban Reserve

- ◆ Southeast Paradise
- ◆ South Ophir
- ◆ Rio D'Oro
- ◆ Stringtown Mountain

These areas have underlying designations that would remain in effect until and unless the Specific Plan is adopted, at which point the land use designations in that Plan would replace the designations in the General Plan. Each Specific Plan will require a separate Specific Plan EIR at the time the Plan is adopted.

f. Planned Unit Developments

There are two land areas that would be intended for development as part of a Planned Unit Development, the Tuscan Ridge and Paradise Summit areas. This EIR analyzes these areas according to their intended development potential under the Planned Unit Development, as identified in the Land Use Element of General Plan 2030. Each project developed as a Planned Unit Development will require a separate CEQA document at the time the project is approved.

g. Oroville 2030 General Plan

The land use designations in some areas around Oroville would be changed to reflect the land use designations included in the City of Oroville's 2030 General Plan. In addition, the planned residential densities in Thermalito would be reduced relative to the existing General Plan.

h. Foothill and Mountain Communities

The land use designations in several foothill and mountain communities, including Magalia and Bangor, would be changed to reduce the allowed development intensity.

E. Conforming Amendments to Existing Area and Specific Plans

In order to maintain consistency between General Plan 2030 and existing Area and Specific Plans, the following actions would be required at the same

time that General Plan 2030 and the ALUCP override are adopted. Thus, they are considered part of the proposed project evaluated by this EIR:

- ◆ The Durham-Dayton-Nelson Area Plan would be amended to conform to the General Plan land use designations included in the proposed General Plan 2030. For example, the existing Durham-Dayton-Nelson Area Plan includes Low Density Residential and Medium Density Residential designations, which allow densities of up to 6 and 13 dwelling units per acre, respectively. In order to be consistent with the set of land use designations included in General Plan 2030, the Area Plan would be modified to replace those designations with Medium Density Residential and Medium High Density Residential designations, which allow densities of 3 to 6 dwelling units per acre and 6 to 14 dwelling units per acre, respectively.
- ◆ The North Chico Specific Plan would be amended by ordinance to note that it conforms to the General Plan land use designations included in the proposed General Plan 2030. In addition, second units would be allowed in the North Chico Specific Plan area in the residential designations, consistent with General Plan 2030 land use designations applied countywide.
- ◆ The Stringtown Mountain Specific Plan would be amended to conform to the General Plan land use designations included in the proposed General Plan 2030. For example, the existing Stringtown Mountain Specific Plan includes Detached and Attached Single Family Residential designations, which allow densities ranging from 1 to 5 dwelling units per acre. In order to be consistent with the set of land use designations included in General Plan 2030, the Specific Plan would be modified to replace those designations with Medium Density Residential, which allows a density of 3 to 6 dwelling units per acre.
- ◆ The Chapman/Mulberry Neighborhood Plan would be amended to conform to the General Plan land use designations included in the proposed General Plan 2030. For example, the existing Chapman/Mulberry Neighborhood Plan includes a Low Density Residential designation, which allows a density of up to 6 dwelling units per acre. In order to be consistent with the set of land use designations included in General Plan

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION

2030, the Neighborhood Plan would be modified to replace that designation with Medium Density Residential, which allows a density of 3 to 6 dwelling units per acre.

In addition, General Plan 2030 would correct some inconsistencies between existing land uses, zoning and the General Plan within Area Plan and Specific Plan areas. For example, parcels that are currently used and/or zoned for a public or recreation commercial use but that have an existing General Plan designation for agriculture would be changed to reflect the existing land use/zoning.

The existing Paradise Urban Reserve Area Land Use Plan would be carried forward unchanged in General Plan 2030 through the Paradise Urban Reserve Specific Plan Overlay.

This EIR incorporates by reference or otherwise relies upon CEQA documents prepared as part of existing Area and Specific Plans that are carried forward. In addition, this EIR considers the development potential of the Area and Specific Plans discussed in this section, taking into consideration both existing development and the future development potential within these areas allowed under General Plan 2030.

Other Area Plans would be eliminated under the proposed General Plan 2030. Since no action is required regarding these Area Plans, this EIR does not evaluate them.

- ◆ The urban reserve policies under the Chico Area Land Use Plan apply to an area that has been annexed to the City of Chico, and would thus be eliminated. The Chico Area Greenline would remain as part of the General Plan 2030 Land Use Element.
- ◆ The Gridley-Biggs Area Land Use Plan policies would no longer be consistent with the General Plan land use map, and would therefore be eliminated under General Plan 2030.

- ◆ The policies under the Oroville Area Land Use Plan would no longer be consistent with the General Plan land use map, and would therefore be eliminated.
- ◆ The Concow and Palermo/Honcut Area Plans were incorporated into the existing General Plan land use map. These Area Plans did not include separate policies. Their land use designations were updated as part of the General Plan 2030 process.

F. General Plan Projected 2030 Buildout

Butte County has the capacity to accommodate development within the General Plan projected 2030 buildout and beyond. This EIR evaluates the projected development that will occur under the General Plan through the year 2030, or “projected 2030 buildout,” consistent with CEQA requirements that an EIR evaluate the “reasonably foreseeable” direct and indirect impacts of a proposed project.

The maximum theoretical buildout of General Plan 2030, which is discussed further in Section G, below, would be the development of every parcel with the maximum amount of development allowed under General Plan 2030. The maximum theoretical buildout would result in 97 percent more units in the unincorporated County in 2030 than is projected by the Butte County Association of Governments (BCAG). BCAG forecasted this growth based on the past 15 years of building permit data and information on future development trends. Therefore, it is extremely unlikely that the maximum theoretical buildout would occur by the year 2030, which is the horizon year for the General Plan.

Moreover, by or before 2030, it is probable that Butte County will have adopted an update to General Plan 2030, in keeping with past decisions in the California courts, which dictate that local jurisdictions should update General

Maximum Theoretical

Buildout: The subdivision and development of every parcel with the maximum amount of development allowed under General Plan 2030.

Projected 2030 Buildout:

Projected new development that will occur under the General Plan through the year 2030.

Total 2030 Buildout:

The total amount of development that will be located in the unincorporated county in 2030, considering both existing development and the addition of expected new development allowed under General Plan 2030.

Plans regularly.¹⁸ Therefore, development after 2030 is expected to take place under a revised General Plan, rather than under General Plan 2030. Consistent with CEQA statutes, this Draft EIR considers the “reasonably foreseeable” effects of adopting General Plan 2030, which would result from development allowed between the adoption of the documents and their horizon year of 2030. For the purposes of this EIR, this is termed the “projected 2030 buildout.” The projected 2030 buildout is based on an estimate of the amount of maximum theoretical buildout that would occur by 2030.

Based on the methodology described in this section and as shown in Table 3-4, the projected 2030 buildout of the unincorporated county includes the following:

- ◆ 13,700 new dwelling units
- ◆ 33,800 new residents
- ◆ 1.8 million square feet of new retail/office space
- ◆ 1.1 million square feet of new industrial space

All of the analyses in this EIR are based on a consistent interpretation of the General Plan 2030 land use map and policies and the type and amount of growth that General Plan 2030 would allow. However, the various analyses in this EIR require two different types of data inputs: some analyses require spatial inputs only and some require both quantitative and spatial inputs. In each case, the required analysis is determined by the standard of significance used for the impact discussion.

Analyses that require a quantitative estimate of growth include the traffic generation, air pollution emissions, green house gas emissions, noise generation, population growth, impacts on public services and utilities, and recreation. Impacts in these areas are generated by an increase in the number of people living and working in Butte County, which generates consequent increases in traffic, noise, emissions and use of services.

¹⁸ Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 572, 276 Cal.Rptr. 410, 801 P.2d 1161.

TABLE 3-4 **PROJECTED 2030 BUILDOUT AND TOTAL 2030 BUILDOUT, UNINCORPORATED BUTTE COUNTY**

	Existing Development (2009)	Projected 2030 Development (2030 Minus Existing)	Total Projected 2030 Buildout
Dwelling Units	37,000 ^a	13,700	50,700
Retail/office space (square feet)	700,000	1.8 million	2.5 million
Industrial space (square feet)	380,000	1.1 million	1.5 million
Residents	83,900 ^a	33,800	117,700

^a Department of Finance, 2009.

Source: DC&E, 2009.

Therefore, a reliable analysis depends on a reasonable, quantitative estimate of new population and employment. For these analyses, the projected buildout in 2030 was considered “reasonably foreseeable” and was used in the analysis.

- ◆ Analyses that are based on spatial location only include aesthetics, agriculture, exposure to localized air pollution and noise, biological resources, cultural resources, geology, hazards and safety, hydrology and water quality, and land use. These analyses must consider whether General Plan 2030 would allow *any* development in a geographic area, such as a fire hazard severity zone or critical deer herd habitat, which could trigger potential impacts. For these analyses, the question is not *how much* development General Plan 2030 would allow, but *where* that development could potentially be located. Therefore, all potential development allowed by General Plan 2030 was evaluated to assess impacts in these topics.

This section provides a detailed synopsis of the process used to estimate projected 2030 buildout. By way of introduction, it is important to understand several overall points about the estimation process and its meaning:

- ◆ As described below, the projected 2030 buildout was estimated based on the best available information. Since this projection covers a relatively long timeframe of 20 years, it is likely that there will be deviations from the development projections. However, deviations from the projected 2030 buildout are not in themselves a basis for finding inadequacy of General Plan 2030 or this EIR, since these projections represent Butte County's best estimate of "reasonably foreseeable" development under the General Plan.
- ◆ The projected 2030 buildout estimate is used as a basis for the environmental assessment, but it does not restrict or specify the actual physical location of future development that will be permitted under General Plan 2030. Even if an area is not identified as having quantifiable new development by 2030 in this EIR, it can still accommodate new development in keeping with the General Plan's policies. Conversely, geographic areas or potential development projects for which development is assumed in this EIR are not in any way "pre-cleared" for development or privileged for special consideration by County staff or the Board of Supervisors; development in those areas still requires normal review under regular County policies that are spelled out in General Plan 2030, the Butte County Zoning Ordinance, and other County regulations.

1. Projected 2030 Buildout Quantity

The first step in calculating projected 2030 buildout was to estimate the total quantity of development that is likely to occur in Butte County through 2030. The basis for this estimate was the growth projections for the unincorporated county and the county's five municipalities prepared by BCAG in 2006. BCAG's projections show a total of 10,568 new units through 2030. BCAG also projected that there would be 34,825 new jobs in all of Butte County by 2030. Assuming that 5 percent of this employment growth would occur within the unincorporated county, and assuming a standard rate of square feet of building space per employee, approximately 450,000 square feet

of retail and office uses and 450,000 square feet of industrial uses is projected for unincorporated Butte County by 2030.

Today, most observers agree that BCAG's projections might have been somewhat low, and a low assumption regarding buildout might lead to an underestimate of potential environmental impacts. In order to be more conservative with regard to environmental impacts, this EIR assumes that residential development through 2030 will be approximately 30 percent greater than that predicted by BCAG. Increasing the BCAG projection by 30 percent results in a projection of 13,700 new dwelling units. In addition, this EIR assumes that non-residential development will be significantly greater than the BCAG projection, which was based on the land use patterns in the existing General Plan. Because the land use map in General Plan 2030 represents a more aggressive approach to generating employment uses in Butte County than the existing General Plan, this EIR assumes that there could be 1.8 million square feet of new retail/office space and 1.1 million square feet of new industrial space through 2030.

As a further step, the projected new residential units needed to be converted into projected new residents. This was done by using the State Department of Finance projection of 2.47 persons per household in Butte County, which results in an estimate of 33,800 new residents through 2030.

2. Allocation of Development Quantity to Specific Areas

Once the total likely development in the county through 2030 was estimated, this development had to be assigned to specific places in Butte County. To make these assignments, three specific types of development were considered: anticipated development projects, 2030 development areas, and remaining land use designations. Each of these types of development is explained in this section, which is summarized in Table 3-5. Development locations are mapped in Figure 3-5.

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION

TABLE 3-5 PROJECTED 2030 BUILDOUT AND ASSUMPTIONS BY GEOGRAPHIC AREA

Geographic Area	Projected 2030 Buildout	Assumed Level of Growth	Reason for Assumption
Anticipated Development Projects			
Rio D'Oro Specific Plan	248,000 sf commercial 2,700 units	100% of development capacity included in the Specific Plan application.	Development application has been submitted.
Las Plumas Study Area	248,000 sf commercial; 87,000 sf industrial	100% of development projected by MEA, plus capacity of Mixed Use sites identified in Housing Element sites inventory	MEA is underway; sites identified for Housing Element sites inventory.
Tuscan Ridge PUD	165 units	100% of the preliminary development estimate	Preliminary interest from developer; relatively low amount of development proposed.
Paradise Summit PUD	335 units	100% of development capacity allowed by General Plan 2030	Development application has been proposed. Relatively low amount of development proposed.
Berry Creek Area Plan	35,000 sf commercial 30 units	10% of development capacity allowed by General Plan 2030	Located far from services and infrastructure; significant land constraints; low development pressure.
Upper Stilson Canyon Specific Plan	75 units	25% of development capacity allowed by General Plan 2030	Infrastructure constraints; significant land constraints.
Doe Mill/Honey Run Specific Plan	261,000 sf commercial 750 units	50% of the preliminary development estimate	Preliminary interest from developer, but relatively high amount of development proposed and some land constraints.
Southeast Paradise Specific Plan	17,000 sf commercial 200 units	25% of development anticipated by Town	Infrastructure constraints; significant land constraints.
Stringtown Mountain Specific Plan	675 units	25% of development capacity allowed by General Plan 2030	Infrastructure constraints; significant land constraints.
Garden Drive Research and Business Park	650,000 sf office	50% of preliminary development estimate	Preliminary interest from developer, but relatively high amount of development proposed.
Paradise Urban Reserve Specific Plan	0 units	No development under Specific Plan	Town of Paradise is focusing on the Southeast Paradise Specific Plan as its next growth area, and it is not anticipated that the Paradise Urban Reserve Specific Plan will be developed by 2030.

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION

TABLE 3-5 PROJECTED 2030 BUILDOUT AND ASSUMPTIONS BY GEOGRAPHIC AREA (CONTINUED)

Geographic Area	Projected 2030 Buildout	Assumed Level of Growth	Reason for Assumption
2030 Development Areas			
Study Area 2, North Chico Specific Plan (except for HDR site, as discussed in Section A.2.c)	1,040 units; 78,000 sf commercial; 357,000 sf industrial	60% of the residential and 10% of the non-residential development potential	Close to existing urbanized area with development pressure.
Study Area 4, Forest Ranch	50 units	10% of the residential development potential	Rural unincorporated community.
Study Area 5, Magalia	175 units; 134,000 sf commercial	60% of the residential and 10% of the non-residential development potential	Close to existing urbanized area; limited development potential under General Plan 2030.
Study Area 7, Concow	125 units	10% of the residential development potential	Rural unincorporated community.
Study Area 17, Durham	25 units	10% of the residential development potential	Rural unincorporated community.
Study Area 18, Durham Dayton/ Highway 99	23,000 sf industrial	5% of the non-residential development potential	Developer interest; highway access.
Study Area 21, Thermalito	440 units; 5,000 sf commercial	40% of the residential and 5% of the non-residential development potential	Close to existing urbanized area.
Study Area 23, Eastern Oroville	1,710 units	20% of the residential development potential	Close to existing urbanized area, but low development pressure.
Study Area 25, Thermalito Afterbay Area	40 units	60% of the residential development potential	Close to existing urbanized area; City of Oroville has designated as a development area.
Study Area 28, Southern Oroville	150 units	20% of the residential development potential	Close to existing urbanized area, but low development pressure.
Study Area 29, Palermo	50 units	20% of the residential development potential	Semi-rural unincorporated community.
Study Area 30, Bangor	25 units	10% of the residential development potential	Rural unincorporated community.
Study Areas 31 and 33, Biggs Area	255 units; 40,000 sf commercial; 68,000 sf industrial	40% of the residential and 5% of the non-residential development potential	Close to existing urbanized area.
Study Area 34, North of Gridley	15 units	40% of the residential development potential	Close to existing urbanized area.

TABLE 3-5 PROJECTED 2030 BUILDOUT AND ASSUMPTIONS BY GEOGRAPHIC AREA (CONTINUED)

Geographic Area	Projected 2030 Buildout	Assumed Level of Growth	Reason for Assumption
Chico Area (including Study Area 2, Bell Muir)	335 units; 41,000 sf commercial; 421,000 sf industrial	60% of the residential and 10% of the non-residential development potential	Close to existing urbanized area with development pressure.
Cohasset	95 units	10% of the residential development potential	Rural unincorporated community.
Honcut	5 units	10% of the residential development potential	Rural unincorporated community.
Yankee Hill	150 units	10% of the residential development potential	Rural unincorporated community.
Oroville SOI ^a	170,000 sf industrial	10% of the non-residential development potential	Reflects the potential for industrial growth projected by the Oroville 2030 General Plan EIR.
Remaining Land Use Designations			
High Density Residential	400 units	100% of the development potential on vacant HDR parcels	Sites included in Housing Element sites inventory.
Agriculture	1,040 units	52 homes per year ^b	Projected continuation of permit history over past 10 years.
Timber Mountain	20 units	1 home per year ^c	Projected continuation of permit history over past 10 years.
Deer Herd Migration Area Overlay	420 units	21 permits per year ^d	Projected continuation of permit history over past 10 years.

Note: sf = square feet.

^a This includes parcels designated for Industrial within the Oroville SOI, but not within a study area.

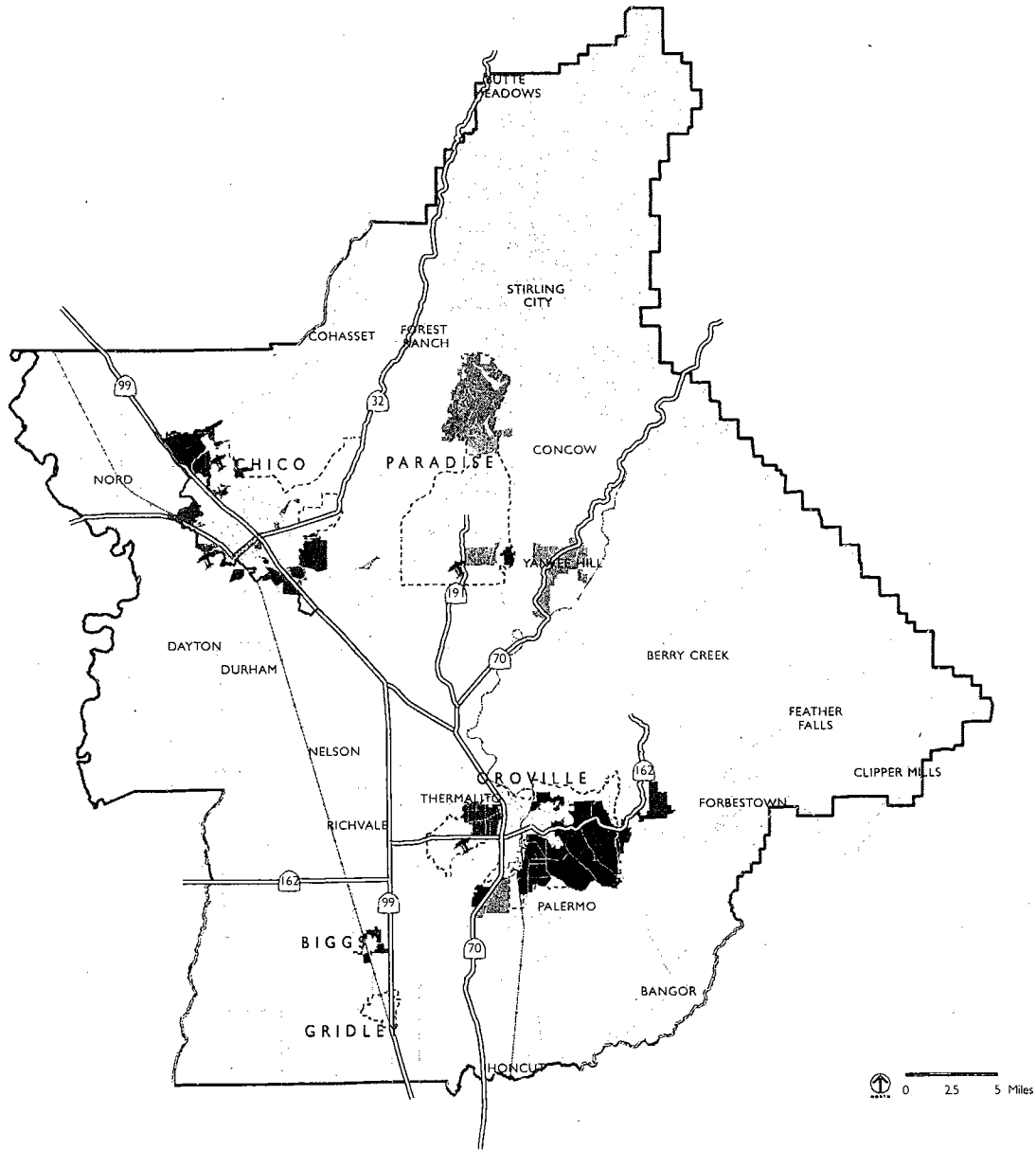
^b The Agriculture permit history has been adjusted for the geographic area of Agriculture under General Plan 2030 compared to the existing General Plan. The geographic area assumed for Agriculture excludes the Deer Herd Migration Area Overlay because the Overlay is a more restrictive land use designation and will dictate the allowed development intensity.

^c The Timber Mountain permit history has been adjusted for the geographic area of Timber Mountain under General Plan 2030 compared to the existing General Plan. The geographic area assumed for Timber Mountain excludes the Timber Preserve areas, which do not allow residential uses, and the National Forest areas.

^d The Deer Herd Migration Area Overlay permit history has been adjusted for the geographic area of the Overlay under General Plan 2030 compared to the existing General Plan. The geographic area assumed for the Overlay excludes Timber Mountain areas because Timber Mountain is a more restrictive land use designation and will dictate the allowed development intensity.

Source: DC&E GIS, 2009.

BUTTE COUNTY GENERAL PLAN 2030
DRAFT EIR
PROJECT DESCRIPTION



Source: DCR&E GIS, 2009. Note: Represents only residential growth. Non-residential development is not represented.

Number of Dwelling Units Estimated for Purposes of 2030 Horizon Buildout

- 0 - 30
- 31 - 100
- 101 - 250
- 251 - 750
- 751 - 2700

- Deer Herd Migration Area Overlay (425 units)
- Agriculture (1,050 units)
- Timber Mountain (30 units)
- Areas Designated for Non-Residential Use (0 units)

- Airports
- Greenline
- Highways
- Railroad
- Major Roads
- Sphere of Influence
- City/Town Limits
- County Boundary

FIGURE 3-5
PROJECTED 2030 RESIDENTIAL BUILDOUT

a. Anticipated Development Projects

First, anticipated development projects likely to develop during the General Plan 2030 planning horizon were identified. As explained below, these projects include those that are already underway or in planning stages, and are hence likely to fully develop by 2030, as well as other known projects that are likely to begin development by 2030.

i. *Specific Plans and Planned Unit Developments Underway*

The following developer-initiated projects are already fully planned or in planning, and hence are considered as likely to fully develop within the General Plan 2030 planning horizon. They were included in the projected 2030 buildout estimate at 100 percent of their capacities.

- ◆ **Rio D'Oro Specific Plan.** A draft of this Specific Plan has been submitted to the County for review. The Land Use Element in General Plan 2030 would limit development of this Specific Plan to not more than 2,700 dwelling units and 30 acres of retail and office uses at a maximum FAR of 0.4. The Specific Plan application includes 2,700 dwelling units and 248,000 square feet of retail and office uses.
- ◆ **Las Plumas Study Area, including the South Ophir Specific Plan.** There is a Master Environmental Assessment (MEA) currently underway for the Las Plumas Study Area; this MEA assumes that approximately 1,750 dwelling units, 248,000 square feet of commercial uses, and 87,000 square feet of industrial uses will be developed in the Las Plumas MEA area by 2030. Buildout estimates in this EIR match the estimates used in the Las Plumas MEA, except that approximately 310 additional residential units are included for some parcels with the Mixed Use designation since these Mixed Use sites are identified as housing opportunity sites in the Housing Element.
- ◆ **Tuscan Ridge Planned Unit Development (PUD).** Landowners for this project have been in contact with County staff to discuss preliminary application submittals. Preliminary estimates for this PUD include the development of 165 dwelling units.

- ◆ **Paradise Summit PUD.** This PUD application has been filed with the County. The Paradise Summit PUD designation in the Land Use Element of General Plan 2030 would limit development of this PUD to not more than 335 dwelling units.

ii. Other Specific Plans, Area Plans and Proposed Projects

Other anticipated development projects are likely to begin developing before 2030, but are not expected to fully build out by 2030. The assumed level of growth for each of these projects by 2030 is based on market trends, development history, and County staff's knowledge of the projects and development areas, and is documented in Table 3-5. This section summarizes the full capacities of these projects. The assumed level of growth shown in Table 3-5 is a percentage of the full capacities presented below.

- ◆ **Berry Creek Area Plan.** The vision for this area in the Land Use Element of General Plan 2030 would limit development to not more than 300 new dwelling units and 20 acres of retail and office uses at a maximum FAR of 0.4.
- ◆ **Upper Stilson Canyon Specific Plan.** The vision for this area in the Land Use Element of General Plan 2030 would limit development to not more than 300 new dwelling units.
- ◆ **Doe Mill/Honey Run Specific Plan.** The vision for this area in the Land Use Element of General Plan 2030 would allow mixed residential development and some commercial uses. Preliminary information indicates that approximately 1,500 new dwelling units could be constructed and 30 acres could be used for retail or office uses at a maximum FAR of 0.4.
- ◆ **Southeast Paradise Specific Plan.** This Specific Plan is being prepared by the Town of Paradise, and it extends into unincorporated Butte County. The Town anticipates that approximately 800 new dwelling units and 5 acres of new retail uses will be allowed.

- ◆ **Stringtown Mountain Specific Plan.** The vision for this area in the Land Use Element of General Plan 2030 would limit development to not more than 2,700 new dwelling units.
- ◆ **Garden Drive Research and Business Park.** A developer has expressed interest in developing this approximately 100-acre area for research and business park uses at a maximum FAR of 0.5.
- ◆ **Paradise Urban Reserve Specific Plan.** The Town of Paradise envisions this area to be a future growth area. General Plan 2030 would maintain the existing Paradise Urban Reserve policies until a future Specific Plan is developed by the Town of Paradise.

b. 2030 Development Areas

In addition to the anticipated development projects discussed in Section F.2.a, this EIR also identifies other areas where additional development is likely to occur over the next 20 years. These “2030 development areas” include study areas that were evaluated during the land use alternatives process and established unincorporated communities where urbanization has already occurred and is expected to continue in the future. The study areas that are included in the 2030 development areas are depicted in Figure IN-2 of General Plan 2030, and described further in Chapter 5, Alternatives.

- ◆ **Alternatives Study Areas.** Many of these 2030 development areas are the same study areas that were evaluated as part of the land use alternatives phase during preparation of General Plan 2030. During the creation of land use alternatives in Meeting Series #2/3, members of the public, the CAC, Planning Commission and Board of Supervisors provided input on the boundaries of the study areas evaluated for each land use alternative. Many of these study areas were identified because they are areas where growth and development is likely to occur or where some participants wanted to consider a change in the existing General Plan land use designation. The study areas that include potential for development based on the General Plan 2030 land use map are considered 2030 development areas. Note that some of the alternatives study areas are accounted for under Section F.2.a, Anticipated Development Projects, and

are excluded from this category of 2030 development areas. In addition, the Bell Muir study area was incorporated into the larger Chico area, which is discussed as an Established Unincorporated Community, below.

- ◆ **Established Unincorporated Communities.** There are a number of unincorporated communities that were not designated as study areas that are identified as 2030 development areas. Although development pressure in most of these communities is relatively low, they are the types of already-urbanized locations to which General Plan 2030 directs future growth. Established unincorporated communities that include potential for development based on the General Plan 2030 land use map are considered 2030 development areas. The established unincorporated communities that are not General Plan study areas but which are considered for development are included in Table 3-5 under the heading considered “2030 Development Areas.”

c. Remaining Land Use Designations

For areas that are outside of the identified anticipated development projects and 2030 development areas, this EIR projects future development based on individual land use designations. The relevant land use designations are High Density Residential, Agriculture, Timber Mountain, and the Deer Herd Overlay.

- ◆ **High Density Residential-Designated Land.** Most land designated High Density Residential (HDR) will be targeted for development to meet the Regional Housing Needs Allocation (RHNA) requirements for the Housing Element Update. The only exception is an approximately 15-acre vacant parcel located in the Las Plumas Study Area. As noted in Section F.2.a.i, there is an MEA currently underway for the Las Plumas Study Area. Because this MEA does not account for full development of the HDR parcel, and because buildout estimates in this EIR, with the exception of the Las Plumas Study Area Mixed Use sites, match the estimates used in the Las Plumas MEA, this 15-acre parcel is not included in the RHNA inventory. In order to meet the RHNA requirements, the remaining HDR-designated lands would need to develop at the maximum allowed 20 dwelling units per acre. There are a total of 75 acres desig-

nated HDR under General Plan 2030, 20 acres of which are vacant, aside from the Las Plumas HDR parcel discussed above. This EIR assumes that 100 percent of the development potential on HDR-designated sites will develop by 2030, resulting in an expectation of approximately 400 new units.

- ◆ **Agriculture-, Timber Mountain- and Deer-Herd Overlay-Designated Land.** Projected 2030 buildout in agricultural, timber and deer herd migration areas outside of development areas or specific potential development projects was estimated based on building permit data for the past ten years. This EIR assumes that the same trend in the number of permits for new single-family homes on agricultural, timber and deer herd migration area parcels will continue through 2030, which results in a total of 74 units per year or approximately 1,480 units through 2030.

There are scattered lands with other designations that allow development outside of the anticipated development projects, 2030 development areas, and these “remaining land use designations.” However, this EIR does not anticipate that there will be significant levels of development in these areas.

3. Assumptions Applied Countywide

In assigning development to specific areas, the following assumptions were used:

- ◆ Parcels that are already fully developed were removed from consideration, since these parcels have already reached buildout. “Fully developed” parcels were considered to be parcels with an improvement-to-land (I/L) ratio of 0.4:1 or greater.¹⁹

¹⁹ The I/L ratio is the relationship of a property’s improvement value to its land value. For example, a lot worth \$100,000 that is improved with a building worth \$40,000 would have an I/L ratio of 0.4:1. When a property has a low I/L ratio, it is considered to be “underutilized.” Since a landowner may realize increased value from additional development on an underutilized site, these sites are often considered for more intensive development.

- ◆ Existing development on underutilized parcels that are expected to redevelop was estimated using the County Assessor's land use data. Existing residential units and commercial or industrial square footage was subtracted from the total development potential in order to estimate the *net* new development.
- ◆ In areas with a Mixed Use land use designation under General Plan 2030, the following mix of uses was assumed:
 - 75 percent of the area would be developed with only residential uses at a density of 20 du/ac.
 - 15 percent of the area would be developed with a mix of both residential and retail/office, with a residential density of 20 du/ac and a 0.5 FAR for retail/office.
 - 10 percent of the area would be developed with retail/office uses at a 0.5 FAR.
- ◆ In areas with an Agricultural Services land use designation under General Plan 2030, the following mix of uses was assumed:
 - 60 percent of the area would be developed with industrial uses at a 0.5 FAR.
 - 40 percent of the area would be developed with commercial uses at a 0.5 FAR.

The projected 2030 buildout factored in assumptions about the actual density and intensity at which development is likely to occur, since developers often build a variety of product types, some of which could be at a lower density than the maximum allowed. This EIR assumes that only a portion of the maximum allowed density will be built, as shown in Table 3-6. As indicated in the table, it is typically more likely that a low-density project will be built at the maximum allowed density and less likely that a high-density project will be built at the maximum allowed density, due to the logistics of constructing more intense development and patterns of past development in Butte County.

TABLE 3-6 **MAXIMUM ALLOWED DENSITIES AND INTENSITIES**

Designation	Maximum Allowed Density	“Actual” Density Factor Applied	Assumed Actual Density
Resource Conservation	1 du/40 ac	80%	.02 du/ac
Rural Residential	1 du/5 ac	80%	0.16 du/ac
Very Low Density Residential	1 du/ac	80%	0.8 du/ac
Low Density Residential	3 du/ac	80%	2.4 du/ac
Medium Density Residential	6 du/ac	60%	3.6 du/ac
Medium High Density Residential	14 du/ac	60%	8.4 du/ac
High Density Residential	20 du/ac	100%	20 du/ac
Foothill Area Residential	1 du/ac	80%	0.8 du/ac
Retail/Office	0.4 FAR	75%	0.3 FAR
Mixed Use	20 du/ac and 0.5 FAR	75%	15 du/ac and .38 FAR
Recreation Commercial	0.4 FAR	75%	0.3 FAR
Research and Business Park	0.5 FAR	60%	0.3 FAR
Industrial	0.4 FAR	75%	0.3 FAR
Agriculture Services	0.5 FAR	75%	0.38 FAR

Note: du/ac = dwelling units per acre.

G. Maximum Theoretical Buildout

The projected 2030 buildout is a realistic estimate of the amount, type and location of development and conservation that is likely to occur under General Plan 2030. Therefore, as discussed in Section F, the analysis in this EIR

assumes this projected 2030 buildout is the most “reasonably foreseeable” outcome of General Plan 2030.

The projected 2030 buildout is less than the maximum theoretical buildout that would be possible under General Plan 2030. Maximum theoretical buildout means the development of every parcel with the maximum amount of development allowed under General Plan 2030. The maximum theoretical buildout of the unincorporated county includes the following:

- ◆ 61,100 new dwelling units
- ◆ 150,900 new residents
- ◆ 19.1 million square feet of new retail/office space
- ◆ 19.4 million square feet of new industrial space

It is extremely unlikely that the maximum theoretical buildout allowed under General Plan 2030 would ever occur, even over hundreds of years, because not every parcel that is allowed to develop will develop, and not every parcel that develops will be built out to the maximum allowed under General Plan 2030. Moreover, it is anticipated that Butte County will adopt an updated General Plan by or before 2030. Although there is no specific statutory schedule for General Plan updates, the California Supreme Court has noted that “local agencies must periodically review and revise their general plans as circumstances warrant.”²⁰

H. Airport Land Use Compatibility Plan Override

The Butte County Airport Land Use Commission (ALUC) is charged with promoting land use compatibility around the county’s airports in order to minimize public exposure to excessive noise and safety hazards. This is primarily accomplished through the preparation and periodic update of an ALUCP, the most recent of which was adopted in 2000. The ALUCP encompasses the four principal airports in the county: Chico Municipal Air-

²⁰ Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 572, 276 Cal.Rptr. 410, 801 P.2d 1161.

port, Oroville Municipal Airport, Paradise Skypark Airport and the Ranchoero Airport. Public Utilities Code Section 21676 requires that the Butte County General Plan be in conformance with the ALUCP, unless the Board of Supervisors makes specific findings to overrule the ALUCP or portions of it.

General Plan 2030 includes land use designations that are not consistent with the Airport Land Use Compatibility Zones included in the ALUCP. In general, General Plan 2030 would allow more residential units to be built than would be allowed by the ALUCP within the Airport Land Use Compatibility zones. General Plan 2030 would not allow a different type of use or increased heights above what is allowed under the ALUCP. The specific inconsistencies between the land use designations in General Plan 2030 and the Airport Land Use Compatibility Zones in the ALUCP are as follows:

- ◆ **Chico Municipal Airport:** The VLDR land use designation, which allows from 1 dwelling unit per 5 acres to 1 dwelling unit per acre, is inconsistent with the B1 Compatibility Zone. The VLDR land use designation would be inconsistent with B2, C and C1 Compatibility Zones unless the zoning requires a 5-acre minimum. The VLDR land use designation is inconsistent with C2 Compatibility Zone.
- ◆ **Oroville Municipal Airport:** The Rural Residential land use designation, which allows up to 1 dwelling unit per 5 acres, would be considered inconsistent with the B1 Compatibility Zone, unless the zoning requires a 10-acre minimum.
- ◆ **Ranchoero Airport:** The VLDR, LDR and MDR land use designations are inconsistent with the B1 and B2 Compatibility Zones. There are two parcels in the C Compatibility Zone which are designated as VLDR. This designation would be inconsistent.
- ◆ **Paradise Skypark Airport:** The Rural Residential land use designation, which allows up to 1 dwelling unit per 5 acres, would be considered inconsistent with the B1 Compatibility Zone, unless the zoning requires a 10-acre minimum. In addition, the VLDR land use designation is incon-

sistent with the C Compatibility Zone, unless the zoning requires a 5-acre minimum.

Therefore, in order to adopt General Plan 2030, the Board of Supervisors must also override the ALUCP. Implementation of the ALUCP override would have potential land use impacts, which are discussed in Chapter 4.9, Land Use.

I. Intended Uses of the General Plan

As mentioned at the beginning of this chapter, this programmatic EIR is intended to review potential environmental impacts associated with the adoption and implementation of the Butte County General Plan 2030 and ALUCP override, and determine corresponding mitigation measures, as necessary. Subsequent projects will be reviewed by the County for consistency with General Plan 2030, the ALUCP override and this EIR, and adequate project-level environmental review will be conducted as required by CEQA. Projects successive to this EIR could include the following:

- ◆ Approval and funding of major projects and capital improvements.
- ◆ Issuance of permits and other approvals necessary for implementation of the Butte County General Plan 2030.
- ◆ Future Specific Plan, Planned Unit Development, and Area Plan approvals.
- ◆ Property rezoning consistent with General Plan 2030.
- ◆ Development Plan approvals, such as tentative maps, variances, conditional use permits and other land use permits.
- ◆ Permit issuances and other approvals necessary for public and private development projects.
- ◆ Development Agreement process and approvals.

EXHIBIT 2

MONTEREY COUNTY 2007 GENERAL PLAN DEIR

Chapter 3: Project Description

3.1 Introduction to the 2007 Monterey County General Plan Update

The General Plan is the blueprint for land use in Monterey County through 2030 (see attached CD for the complete 2007 General Plan). Full buildout is projected to occur in 2092. Monterey County is located on California's central coast and is bounded by the Pacific Ocean to the west, Santa Cruz County to the north, San Benito, Fresno, and Kings Counties to the east, and San Luis Obispo County to the south. (See Exhibit 1.1.) The 2007 General Plan provides a framework for future land use patterns in the unincorporated areas of the County in the form of goals and policies that are designed to facilitate planned, orderly growth.

California Planning Law requires all counties and cities in the State to prepare and maintain a general plan for the long-term growth, development, and management of the community. The general plan acts as a "constitution" for development, and is the County's lead legal document in relation to growth, development, and resource management issues. Development regulations (e.g., zoning and subdivision standards), community plans, and specific plans are required by law to be consistent with the General Plan. Every general plan must contain the following seven mandatory elements:

- **Land Use** designates the general distribution, density, and intensity of residential, commercial, industrial, agricultural, open space, and other categories of public and private land uses.
- **Circulation** is correlated with the land use element and identifies the general locations and extent of existing and proposed major thoroughfares, transportation routes, and infrastructure.
- **Housing** policies provide a detailed program to ensure adequate housing opportunities for all economic segments of the community, including provisions for the County to accept its "fair share" of regional housing needs of low- and moderate-income households.
- **Open Space** establishes policies for use of open space in the preservation of natural resources, outdoor recreation, public health and safety, support of the missions of military installations, and protection of Native American sacred lands.

- **Conservation** establishes policies for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. This includes flood management and water conservation.
- **Safety** establishes policies encompassing public health and safety in relation to such environmental hazards as earthquakes and associated seismically induced hazards, flooding, wildland fire, and soil erosion.
- **Noise** establishes policies to identify and appraise noise problems in the community. This element includes implementation measures and possible solutions that address existing and foreseeable noise problems.

A city or county may organize its general plan as it sees fit, including combining and renaming the mandatory elements. It may also—as Monterey County has done—adopt optional elements that apply to its circumstances, but are not otherwise required by California Planning Law.

The 2007 General Plan covers all unincorporated portions of the County. Lands within unincorporated areas that are owned by the federal government (e.g., Camp Roberts [northern part], Fort Hunter Liggett Military Reservation, Los Padres National Forest, Pinnacles National Monument, etc.) and lands owned by State government (e.g., Andrew Molera State Park, Salinas Valley State Prison, California State University Monterey Bay, California Department of Transportation properties, etc.) are not subject to County jurisdiction. However, state lands in the coastal zone are subject to the County's Local Coastal Program (LCP) provisions.

The 2007 General Plan describes anticipated future growth over the long term, based on a planning horizon of 2030, and is the subject of this EIR. Buildout under the 2007 General Plan is not anticipated to occur until approximately the year 2092. The 2007 General Plan is meant to express the community's goals with respect to the human-made and natural environments and to set forth the policies and implementation measures needed to achieve those goals for the welfare of those who live, work, and do business in Monterey County.

3.1.1 History of the Monterey County General Plan

Planning activities in Monterey County date back to the 1930s, with the creation of the County Planning Commission. In the 1950s, the Planning Department was established. The first comprehensive General Plan was adopted in 1968, and later updated in 1982. The original 1968 plan contained nine elements: land use, circulation, population, conservation, open space, economics, public facilities, historical resources, and ocean resources. Between 1968 and the mid-1970s, additional elements were added to the 1968 General Plan in accordance with new requirements in State General Plan law. The 1982 update reorganized the

General Plan, combining its elements into four components: Natural Resources, Environmental Constraints, Human Resources, and County Development.

Since 1982, various amendments have been made to the General Plan. Amendments have included Area Plans, Master Plans, Land Use Plans, element updates, and changes to the General Plan land use map.

3.1.2 General Plan Update

Community roundtable meetings in November and December 1999 initiated a new general plan update process with a draft General Plan Update released in January of 2002 (GPU1). A Notice of Preparation (NOP) for preparing an EIR on GPU1 was issued on June 8, 2001. Hearings on the first draft were conducted throughout 2002 and a revised draft was completed in February of 2003 (GPU2). The Board of Supervisors held a series of public hearings between May and October 2003, and gave direction to staff on changes. The Public Review Draft of the 21st Century Monterey County General Plan, dated January 2004 (GPU3), represented a significant update to the 1982 General Plan, Area Plans, and Coastal Land Use Plans. GPU3 had been prepared to provide a framework for managing growth over the next 20 years. Multiple hearings on GPU3 were held between March and May 2004.

In March 2004, the Board of Supervisors rejected the draft GPU3 (dated January 2004), and EIR (dated February 2004), and directed staff to prepare a General Plan Update that would largely maintain the land use designations of the 1982 General Plan, but incorporate some of the policies with respect to focusing growth in community areas and rural centers that had been a key feature of three prior draft updates. On January 3, 2007, the Monterey County Board of Supervisors certified an EIR on the 2006 General Plan and adopted General Plan 2006 (GPU4). Subsequently, due to opposition to GPU 4, the Board placed a referendum measure on the June 2007 ballot asking the voters whether they wanted to rescind the resolutions adopting the General Plan. There were two additional, competing measures on the June ballot asking the voters whether they wanted to adopt the General Plan, or adopt a community general plan initiative. Voters were split on what road to take. The results of the June 2007 election showed that the majority of voters did not want to repeal the Board-approved GPU4, but also did not want to adopt either the GPU4 or the competing Community General Plan initiative.

In the aftermath of the uncertainty resulting from the election, the Board of Supervisors directed staff to develop amendments to GPU4. The Board requested that the Planning Commission appoint a subcommittee to develop proposals for changes that would take into account some of the diverse opinions in the community. The Commission took the matter into consideration and provided specific recommendations to the Board of Supervisors.

Based on the Planning Commission recommendations and as a result of several public hearings before the Board of Supervisors, the Board of Supervisors has

given direction for changes to GPU4, resulting in a fifth version of the General Plan update (“2007 General Plan” also known as “GPU5”). This environmental review pertains to the 2007 General Plan.

3.2 General Plan Objectives and Organization

The primary goal of the 2007 General Plan is to provide residents of the County with a blueprint for public and private development, and act as the foundation upon which County leaders will make decisions related to growth and land use. This 2007 General Plan expresses Monterey County’s goals with respect to human-made and natural environments and sets forth the policies and implementation measures to achieve them. These goals and policies are set forth by topic throughout this document.

3.2.1 Project Objectives

Per Section 15124 of the CEQA Guidelines, an EIR must provide a statement of objectives sought by the 2007 General Plan. This statement of objectives is intended to guide the environmental impact analysis and be used as the basis of evaluating alternatives to the 2007 General Plan (Section 5, Alternatives to the 2007 General Plan).

Monterey County’s process of updating its General Plan has been ongoing for nearly a decade. The 2007 General Plan update is the fifth proposed general plan update version. The 2007 General Plan update has been developed to reconcile, to the extent practical, the community’s differing points of view of what should be addressed in the General Plan and how it should be addressed. As provided in California Planning Law (Government Code Section 65100 et seq.), the 2007 General Plan will establish the County’s long-term goals and policies for development (including transportation and housing concerns), conservation of resources, and safety. The complexity of the general plan, with its interacting goals and policies, requires that it meet all of the following objectives in order to be effective.

- Provide direction for growth that supports continued viability of agricultural production and preserves as much of the County’s scenic and environmental resources as possible.
- Provide decision makers, County staff, and the public with an updated General Plan that reflects the existing physical conditions and constraints in the County and provides a range of comprehensive policies to guide future development based upon those conditions and constraints.
- Modify existing land use designations to patterns that accommodate the most recent population growth, housing, and employment projections in an orderly manner that minimizes environmental impacts as feasible while meeting the

County's obligations under California Planning Law to provide housing for all income levels.

- Direct new development to Community Areas and Rural Centers to facilitate the efficient provision of infrastructure and services while reducing the impacts of population growth, additional housing, and employment opportunities on agriculture, water supplies, and environmental resources.
- Establish policies that will conserve limited water supplies for current and projected future uses, including urban, rural, and agricultural uses.
- Establish new comprehensive policies and modify existing policies in the 1982 General Plan that reflect the latest legal, statutory, scientific, and technical changes and advances.
- Consider advice, concerns, and suggestions regarding future growth and development from all segments of the County population and, to the extent feasible, address these issues through new or modified goals, policies, or land use concepts.
- Support the continued viability of the agricultural industry by allowing routine and ongoing agricultural uses to proceed subject to standard regulations.
- Establish the Agricultural Winery Corridor Plan (AWCP) to facilitate the development of wineries along a corridor in the central and southern Salinas Valley to achieve a balance between the wine-grape production and wine processing capacity within the County.

3.2.2 Plan Organization

Monterey County has adopted all of the state-mandated general plan elements, as well as several optional elements. Since the County has a certified Housing Element for the 2003–2007 planning cycle, this element will not be updated until the next housing planning cycle. The 2007 General Plan is consistent with the policies in the current Housing Element. The other elements contained in the 2007 General Plan are listed below. Specific goals and policies contained in each element are analyzed in the applicable topical section in this EIR.

- **Land Use.** This element describes policies for the appropriate type and intensity of land use within unincorporated Monterey County including lands for housing, business, agriculture, industry, public facilities, open space, recreation, and other uses. The primary focus is to encourage city-centered growth within the 12 cities in Monterey County. However, given forecasted population growth for Monterey County (Table 3-1), as well as the desire to retain prime agricultural lands, scenic hillsides, and provide affordable housing in close proximity to employment centers, the 2007 General Plan identifies 12 locations within the unincorporated area of the County where population centers have been established and can accommodate additional growth. Five Community Areas are identified as areas where, with a more detailed plan for that area (Community Plan), additional growth would occur.

In addition, a second tier called Rural Centers identifies seven smaller population areas that, if provided with adequate facilities after adoption of a Capital Improvement and Financing Plan, would accommodate growth if Community Areas would not fulfill the need. The element also identifies three AHOs where landowners would be encouraged to build affordable housing at high density. Other provisions of the land use element include encouragement of clustering and the use of transfer of development rights to conserve land, and establishment of a “pass-fail” Development Evaluation System to judge the suitability of a given site for development projects of 5 units or more.

- **Circulation.** The element describes polices to support a multi-modal transportation system, including intensive improvements to the existing roadway and highway system, and to facilitate mobility of people and goods throughout unincorporated Monterey County. The element also supports regional cooperation on meeting transportation and transit needs, including a regional traffic impact fee. The circulation element would establish a Level of Service (LOS) standard of D for most county roads. A Capital Improvement and Financing Plan is to be adopted in order to achieve that LOS standard county-wide by 2027. Discretionary development projects would be required to meet the LOS D standard concurrently with development.
- **Conservation and Open Space.** This element combines two of the mandatory elements, describing polices to protect open space and other environmental resources. These portions of the 2007 General Plan aim at preserving lands needed for the managed production of resources (e.g., agricultural lands), protection of public health and safety (e.g., floodplains), outdoor recreation (e.g., parks), and protection of environmental resources (e.g., sensitive natural habitat areas). Additional policies provide for management of key environmental resources such as scenic vistas, wildlife habitats, water resources, historic resources, and air quality. Air quality policies include a commitment to develop and adopt a Greenhouse Gas Reduction Plan to reduce emissions of greenhouse gases to 1990 levels by 2020. The plan would be developed within 24 months of adoption of this general plan. This element also establishes a general prohibition on developing slopes in excess of 30%, and requires that the county establish permitting processes for development on slopes between 25–30% and for agriculture that would convert previously uncultivated lands on slopes exceeding 25%. A ministerial permit process would be established for agriculture that would convert previously uncultivated lands on slopes from 15–24 % and 10–15%.
- **Safety.** This element combines the mandatory Safety and Noise Elements. Its policies encompass public health and safety in relation to such environmental hazards as earthquakes and associated seismically induced hazards, flooding, wildland fire, and soil erosion. Noise policies identify noise-related hazards and include standards to achieve and maintain noise-compatible land use relationships. Among its features, the element calls for development of a “Geologic Constraints and Hazards Database” to allow the county to keep track of seismic, slope, and erosion hazards. Seismic and

geotechnical reports would be required before development could be approved in areas of known hazards. A number of policies address the issue of wildland fire protection, including provisions for adequate fire-fighting water supply, emergency access, project design, and fuel modification zones.

- **Public Services** (optional element). This element sets out standards for public service and utility systems through a set of “Adequate Public Facilities and Services” requirements, including water, wastewater, solid waste, schools, emergency response, road LOS, parks and schools, and storm water drainage. A “Hydrologic Resources Constraints and Hazards Database” would be developed and maintained by the County to make information about these resources easily available. Key policies require concurrency between new development and the installation of infrastructure to serve the development; link development to a long-term sustainable water supply; encourage water supply inventories, protection of groundwater supplies, and water supply planning through a variety of initiatives including a “Capital Implementation and Financing Plan;” work to identify and reduce groundwater overdraft; improve wastewater disposal, including “Onsite Wastewater Management Plans” for areas with high concentrations of development that are currently using septic tanks; enhance the park system; and protect cultural resources.
- **Agricultural** (optional element). This element’s policies identify the ways in which agricultural uses are addressed and include measures designed to protect agriculture operations to help strengthen the agricultural industry. This includes policies encouraging the establishment of well-defined buffer areas between agriculture and incompatible uses; creation of a program, in consultation with the cities, requiring projects that would convert important farmland to mitigate the loss of that acreage, with highest mitigation for the areas of the highest agricultural value; and allowances for “Routine and Ongoing Agricultural Activities,” exempting them from some general plan policies while protecting the environment. The element also establishes an AWCP with policies for enhancing the agriculture and wine industries within three planning areas along Central/Arroyo Seco/River Road, Metz Road, and Jolon Road. The AWCP is discussed in greater detail later in this chapter.
- **Economic Development** (optional element). This element addresses commerce-related matters, such as job creation, workforce training, and business development. It establishes policies that are designed to create jobs and business opportunities to help maintain the existing workforce and improve the business climate in Monterey County.
- **Area and Master Plans** provide more specific, supplemental policies to the 2007 General Plan that addresses unique conditions within a planning area that are not applicable to other areas of the County. Key area and master plan policies in the 2007 General Plan include limiting new development within the Greater Salinas, North County, and Toro Area Plans to a single family residence and accessory building on each lot of record; and limiting residential subdivision in the Carmel Valley Master Plan to creation of 266 new lots with preference to projects including at least 50% affordable housing units.

3.3 Monterey County Growth under the 2007 General Plan

3.3.1 Analysis Assumptions and Methodology

This EIR will analyze impacts at the 2030 planning horizon and at full buildout in the year 2092. The adopted 1982 General Plan land use map serves as the basis for the following projections. Once adopted, the 2007 General Plan will serve as the basis for population growth projections in unincorporated Monterey County. Given the historic county growth rate and the limitations set out in the 2007 General Plan policies, it would be highly unlikely and next to impossible for every parcel in the County to develop to its maximum potential within the 2030 planning horizon. Therefore, a second analysis is provided of longer-term, full buildout as well.

3.3.1.1 2030 Planning Horizon

The year 2030 is used as the “planning horizon,” reflecting the planning period of the 2007 General Plan. Consistent with the recommendations of the State General Plan Guidelines¹, Monterey County has chosen a general plan horizon of approximately 20 years. The first analysis will examine impacts between 2006 and 2030.

Growth assumptions contained in this 2007 General Plan for the 2030 planning horizon are derived from population growth forecasts prepared by AMBAG, which is the designated Metropolitan Planning Agency for Monterey, Santa Cruz, and San Benito counties. AMBAG projects growth for the cities and the unincorporated area within each county for purposes of transportation planning and the allocation of regional housing needs. AMBAG’s 2004 projections for population growth in Monterey County through 2030 are summarized in Table 3-1. The projections for 2006 have been adjusted to correct for traffic analysis zones (TAZs) that will be annexed into the cities.

AMBAG’s projections considered growth trends and the availability of water, among other things, and allocated its growth projections accordingly. Thus, the Monterey Peninsula, which has significant water constraints, is projected to accommodate much lower levels of growth than the Salinas Valley, which is not as constrained in terms of water supply. Between 2000 and 2030, AMBAG projects that Monterey County (including the incorporated cities) will grow to a population of approximately 602,731. This translates to an average annual growth rate of about 1.36%. As shown on Table 3-1, AMBAG anticipates that the unincorporated area of the county will lose population between 2005 and 2010 due to city annexations of county territory.

¹ Office of Planning and Research, 2003 General Plan Guidelines at pp. 13–14.

This EIR considers AMBAG's growth projections in relation to physical constraints such as potable water supply available (Section 4.11, Public Services and Utilities) and roadway capacity (Section 4.6, Transportation). In order for a future development proposal to be found consistent with the 2007 General Plan, it would need to demonstrate that adequate resources and facilities are available or can be provided. Where projects are found to be consistent with the development density established by the 2007 General Plan and within the scope of the EIR certified for that Plan, additional environmental review will not be necessary unless there are significant effects peculiar to the project, including offsite and cumulative effects, that were not analyzed as significant effects in a previous EIR. (14 Cal. Code Reg. §15183(a)-(d).) An additional requirement for this exemption is that all previously identified feasible mitigation for previously identified significant effects must be implemented or required by the agencies with authority to impose the identified mitigation. Where there are new or more severe impacts peculiar to the project, the impacts must be considered potentially significant and a separate mitigated negative declaration or EIR will be prepared.

Table 3-1. AMBAG Growth Projections

Year	Monterey County Population	Change From Previous (%)	Unincorporated County Population	Change From Previous (%)
2000	401,312	-	100,252	-
2005	432,600	7.8	110,083	9.8
2010	464,847	7.5	105,485	-4.2
2015	495,961	6.7	114,776	8.8
2020	527,069	6.3	124,067	8.1
2025	564,903	7.2	129,721	4.6
2030	602,731	6.7	135,375	4.4

Source: Association of Monterey Bay Area Governments 2004.

The California Department of Finance also produces population projections for counties. DOF projections for population growth in Monterey County through 2030 are summarized in Table 3-2. DOF anticipates that the County will grow to a total population (including cities) of 529,145 by 2030 (County Department of Finance 2007d). This is 73,586 fewer persons than projected by AMBAG in its 2004 Growth Projections. To be conservative in the evaluation of impacts from implementing the 2007 General Plan, the higher AMBAG projections are being used as the basis for the 2030 growth assumptions used in this EIR's analyses.

Table 3-2. Department of Finance Population Growth Projections

Year	Monterey County Population	Change From Previous (%)	Annual Average (%)
2005	421,211	-	-
2010	433,283	7	0.7
2020	476,642	10	1.0
2030	529,145	11	1.1

Source: State of California Department of Finance 2007d.

3.3.1.2 Full Buildout

In order to provide a longer-term view, this EIR will also examine impacts that may occur at “full buildout” of the County; that is, changes from 2006 to 2092. Full buildout is the state in which all existing, undeveloped residential lots of record (total = 4,629) have been built on up to the maximum density allowed by zoning. This includes existing lots of record. At Monterey County’s 2006 through 2030 projected rate of growth (about 417 building permits for residents per year), full buildout is projected to occur in 2092. Impact analyses for 2092 will be qualitative, not quantitative, for the most part because of the uncertainty over what life might be like over 84 years into the future. Residential growth rate was chosen as the indicator of full buildout because it is relatively constant and is easier to extrapolate than other factors. Commercial and industrial parcels were assumed to be fully developed at the same time that housing buildout is reached.

The reader should understand that there is no officially sanctioned population estimate for 2092. The DOF’s most recent long-range population projection goes no farther than 2050. In this July 2007 Report 06 P-1, the DOF projects that by 2050 the total population of Monterey County and its cities will be 646,878 (California Department of Finance 2007). This represents an increase in population of approximately 9.9% per decade for the period from 2000–2050. Assuming that this rate continues further into the future, the total county population in 2092 would be 943,763.

This EIR uses a different method to estimate 2092 population based on using the projected housing unit growth and a fixed persons/housing unit ratio from the AMBAG 2004 projections for 2030. This results in a 2092 population estimate for the County of 937,322 (and 207,424 for the unincorporated County). Interestingly, this amount is roughly consistent with a projection based on the DOF estimated 2050 population.

3.3.2 Existing Land Use and Projected Growth

The AMBAG forecasts that Monterey County (including its cities) will add approximately 201,419 residents between 2000 and 2030 (Association of Monterey Bay Area Governments 2004). The population of the unincorporated County (not including the cities) is projected to account for about 40,381 of these new residents. Table 3-3 summarizes the projected increases in population and the historic and projected split of population between cities and the Monterey County. As shown in the table, the percentage of total county residents living in the cities is steadily increasing relative to the number living in unincorporated areas. In 1980, approximately 71% of the total residents lived in cities and 29% in the unincorporated area. By 2006, the ratio of city residents to unincorporated county residents had increased to 76/24. By 2030, the ratio is projected to be 78/22.

Table 3-3. Overview of Monterey County Population Growth (including percentage of population)

Area	1980 Population	Estimated 2006 Population(1)	Projected 2030 Population	Projected Buildout Population
Cities	205,947 (71%)	332,699 (76%)	467,356 (78%)	729,898 (78%)
Unincorporated	84,497 (29%)	106,279 (24%)	135,375 (22%)	207,424 (22%)
Total County	290,444 (100%)	438,979 (100%)	602,731 (100%)	932,322 (100%)

(1): 2006 Population for cities and unincorporated adjusted to include areas of future annexations within the City total and to exclude such areas from the unincorporated areas; this allow for accurate estimation of changes in population by jurisdiction for 2030.

Source: Association of Monterey Bay Area Governments 2004. Buildout population prepared by Monterey County as part of the EIR (unincorporated county based on 2007 GP; city growth based on static percentage split continued to assumed buildout year of 2092).

Between 1980 and 2006, Monterey County and its cities added more than 148,500 residents, representing a population increase of about 51%. Monterey County's total population in 2030 is projected to be 602,731, an increase of 37% over its estimated 2006 population. As illustrated in Table 3-4, as the overall population increased by 51%, the population within the cities grew by about 62% and the population within the unincorporated county by 26%. The County's overall population is projected to increase by 37% by 2030. As that occurs, the population of the cities is expected to increase by 40%, while the population within the unincorporated County grows by 27%.

This table illustrates a trend for the population to shift toward cities between 1980 and 2005, and this trend is consistent with the 1982 General Plan policies for city-centered growth. Growth projections from AMBAG through 2030 reflect a continuation of this trend.

Table 3-4. Percentage Increase in Monterey County Population between 1980–2005 and 2005–2030

Area	1980–2006	2006–2030
Cities	62%	40%
Unincorporated	26%	27%
Total County	51%	37%

The 2006 population estimate was based on AMBAG 2004 estimate, corrected for annexation of Traffic Analysis Zones (TAZs).

Source: Association of Monterey Bay Area Governments 2004.

The following tables summarize existing land uses and the land use changes projected to occur over the 2030 planning horizon and eventual buildout of the county in 2092. Table 3-5 reflects the Monterey County estimates for population and housing and employment projected in the 2030 planning horizon and buildout in the year 2092. Table 3-6 reflects the approximate extent of existing land uses, by planning area. Table 3-7 reflects existing land use by community area and rural center. Table 3-8 reflects new growth anticipated within the planning areas, community areas, and rural centers. Table 3-9 reflects the type of new growth anticipated.

Table 3-5. Monterey County 2030 and Buildout-Estimated Population and Housing

Inland	2000 ^a	2005 ^a	2006 Adjusted ^b	AMBAG 2030 ^a	GP Buildout ^c	2006– 2030	2006 to Buildout	2030 to Buildout
Housing Units								
Unincorporated County	37,047	40,006	38,655	48,670	74,573	10,015	35,918	25,903
Incorporated Cities ^d	92,531	98,374	101,520	138,331	216,040	36,811	114,520	77,709
Total	129,578	138,380	140,175	187,001	290,613	46,826	150,438	103,612
Population								
Unincorporated County ^e	100,252	110,083	106,279	135,375	207,424	29,096	101,145	72,049
Incorporated Cities ^f	301,060	322,517	332,699	467,356	729,898	134,657	397,199	262,542
Total	401,312	432,600	438,979	602,731	937,322	163,752	498,344	334,591
Employment								
Unincorporated County ^g	68,915	73,389	70,384	97,113	148,798	26,729	78,414	55,333
Incorporated Cities ^f	153,526	165,583	172,100	238,268	372,118	66,168	200,018	130,202
Total	222,441	238,972	242,484	335,381	520,916	92,897	278,432	185,535

Sources:

^a Association of Monterey Bay Area Governments 2004.

^b Scaled on 00–05 and adjusted to place TAZs for future annexations in City totals..

^c Buildout amount for unincorporated County determined based on 2007 GP. Buildout year determined by applying unit rate of growth (417/year) in unincorporated County after 2030. Buildout year calculated as 2092.

^d Cities—AMBAG 2004 projection used for 2030; For buildout used 3 times County units based on AMBAG 2008 estimated City (75%)/County (25%) split.

^e Unincorporated County—Population based on AMBAG 2030 estimate of 2.78 persons/unit for 2030 and buildout population estimates.

^f Cities—Used AMBAG 2030 estimated 3.38 persons/unit for 2030 and buildout population estimates.

^g County—Used AMBAG 2030 estimated 0.72 persons/job for 2030 and buildout employee estimates.

Table 3-6. Existing Land Use by Planning Area in Monterey County (2006—Based on Parcel Data)

	Total Area (Acres)	Residential Acres	Commercial Acres	Industrial Acres	Agricultural Acres	Resource Conservation	Public/ Quasi-Public	Other
PLANNING AREA								
Cachagua	135,269	4,119	171	40	58,518	1,719	58,891	11,811
Carmel Valley	27,798	7,048	928	10	797	3,226	2,613	13,176
Central Salinas Valley	533,580	5,115	1,001	2,821	429,538	2,660	80,605	11,840
Fort Ord	0	-	-	-	0	-	-	-
Greater Monterey Peninsula	79,125	4,225	2,334	40	-	20,754	34,175	17,597
Greater Salinas	92,220	2,184	274	1,407	82,749	657	1,033	3,916
North County	30,731	9,709	200	251	16,043	168	798	3,562
South County	815,645	11,230	71	103	571,211	628	205,296	27,106
Toro	48,302	6,937	114	108	26,945	2,150	5,051	6,997
Inland Subtotals	1,762,670	50,567	5,093	4,780	1,185,801	31,962	388,462	96,005
Coastal/Non-Coastal Areas	109,311	1	84	-	17	78	108,070	1,061
Total Inland County	1,871,981	50,568	5,177	4,780	1,185,818	32,040	496,532	97,066
Coastal Areas	197,343							
Cities	41,055							
Total County	2,110,379							

Table 3-7. Existing Land Use by Community Area and Rural Center in Monterey County (2006—Based on Parcel Data)

	Total Area (Acres)	Residential Acres	Commercial Acres	Industrial Acres	Agricultural Acres	Resource Conservation	Public/ Quasi-Public	Other
COMMUNITY AREA								
Boronda	342	131	13	28	89	—	21	60
Castroville	868	177	35	150	330	—	34	142
Chualar	315	22	4	5	215	—	12	57
Fort Ord	18,730	4	—	—	1	—	18,724	1
Pajaro	218	42	34	42	18	—	15	67
Total	20,472	375	86	225	653	0	18,806	327
RURAL CENTER								
San Lucas	128	22	1	7	55	—	7	37
Bradley	51	21	1	—	16	—	4	9
Lockwood	353	64	1	—	141	—	8	139
Pine Canyon	774	267	5	—	24	—	12	466
Pleyto	295	147	53	—	—	—	—	96
River Road	2,866	641	9	—	110	—	29	2,077
San Ardo	73	25	4	1	4	—	11	29
Total	4,411	1,165	72	1	294	0	64	2,815

Table 3-8. New Growth by Planning Area, Community Area and Rural Center, 2006–2030 and 2092 Buildout

Inland Areas	Total Area (Acres)	Vacant Residential Lots	Potential New Buildout Units	Potential New 2030 Units	New Buildout Commercial (Acres)	New Commercial by 2030 (Acres)	New Buildout Industrial (Acres)	New Industrial by 2030 (Acres)	Notes
CACHAGUA									
Cachagua	136,580	263	132	18	22	5	0	0	
Subtotal	136,580	263	132	18	22	5	0	0	
CARMEL VALLEY									
Carmel Valley	26,736	492	758	101	239	52	0	0	0 Not including housing overlay area. Policy CV-1.6 allows 266 new subdivided lots.
Carmel Mid-Valley AHO	40	0	390	149	0	0	0	0	0 Assume approximately 13 acres of land likely for development with max 30 du/ac density.
Subtotal	26,736	492	1,148	251	239	52	0	0	
CENTRAL SALINAS VALLEY									
Central Salinas Valley	545,022	357	456	61	323	70	140	21	21 Not including cities, community areas, rural centers.
Chualar CA	350	20	1,500	574	4	2	27	65	65 Boundary TBD. Estimates based on expanding existing town by 350 acres (200 acres residential, 50 acres commercial, 25 acres industrial).
Pine Canyon RC	766	35	1,704	652	5	2	0	0	
San Lucas RC	155	71	169	65	2	1	32	77	
Subtotal	545,022	483	3,829	1,352	334	75	199	163	

Inland Areas	Total Area (Acres)	Vacant Residential Lots	Potential New Buildout Units	Potential New 2030 Units	New Buildout Commercial (Acres)	New Commercial by 2030 (Acres)	New Buildout Industrial (Acres)	New Industrial by 2030 (Acres)	Notes
FORT ORD									
Fort Ord	19,138	0	8,610	3,295	226	88	0	0	
Subtotal	19,138	0	8,610	3,295	226	88	0	0	
GREATER MONTEREY PENINSULA									
Greater Monterey Peninsula	57,056	642	3,995	534	62	13	0	0	6 Acreage for entire area. 2030/Buildout numbers do not including cities or housing overlay area.
Hwy 68/Airport AHO	130	1	2,550	976	0	0	0	0	0 Assume approximately 85 acres of land likely for development with max 30 du/ac density.
Subtotal	57,056	643	6,545	1,510	62	13	0	0	
GREATER SALINAS									
Greater Salinas	105,242	406	1,395	187	160	35	1,528	226	6 Acreage for planning area. 2030/Buildout numbers do not including cities and community areas. Includes Butterfly Village.
Boronda CA	353	116	726	278	69	27	96	231	
Subtotal	105,242	522	2,121	464	229	62	1,624	457	6 Policy GS-1.13 limits development in area north of Salinas.
NORTH COUNTY									
North County	30,910	577	3,260	436	238	50	40	6	6 Acreage for planning Area. 2030/Buildout numbers do not including community areas.
Pajaro CA	256	64	676	259	38	15	122	293	
Castroville CA	1,058	234	1,632	625	0	0	344	827	

Inland Areas	Total Area (Acres)	Vacant Residential Lots	Potential New Buildout Units	Potential New 2030 Units	New Buildout Commercial (Acres)	New Commercial by 2030 (Acres)	New Buildout Industrial (Acres)	New Industrial by 2030 (Acres)	Notes
Subtotal	30,910	875	5,568	1,319	266	65	506	1,126	Policy NC-1.5 limits development in all North County.
SOUTH COUNTY									
South County	820,628	746	939	126	77	17	8,713	1,290	Acreage for planning area. 2030/Buildout numbers do not include rural centers.
Bradley RC	65	30	800	306	3	1	0	0	
Lockwood RC	353	10	221	85	131	51	0	0	
Pleyto RC	441	16	160	61	152	59	0	0	
San Ardo RC	119	47	480	184	13	5	26	62	
Subtotal	820,628	849	2,600	761	376	133	8,739	1,352	
TORO									
Toro	47,263	251	4,046	541	41	9	90	13	Acreage for planning area. 2030/buildout numbers do not include rural center or housing overlay area.
River Road RC	630	251	389	149	0	0	0	0	
Hwy 68/Reservation AHO	31	0	930	356	0	0	0	0	Assume all 31 acres of land likely for development with max 30 du/ac density.
Subtotal	47,263	502	5,365	1,046	41	9	90	13	Policy T-1.7 limits development in Highway 68 corridor.
TOTAL INLAND AREAS	1,788,575	4,629	35,918	10,015	1,795	500	11,158	3,111	Not including cities

Table 3-9. New Growth by Type, 2006–2030 and Buildout

Inland Area	Total Area (Acres)	Vacant Residential Lots	Potential Buildout Units	Potential 2030 Units	New Buildout Commercial (Acres)	New Commercial by 2030	New Buildout Industrial (Acres)	New Industrial by 2030	Notes
COMMUNITY AREAS									
Chualar CA	350	20	1,500	574	4	2	27	65	Boundary TBD. Estimates based on expanding existing town by 350 acres (200 acres residential, 50 acres commercial, 25 acres industrial).
Fort Ord CA	19,138	0	8,610	3,295	226	88	0	0	Fort Ord Reuse Plan = Master Plan = CA
Boronda CA	353	116	726	278	69	27	96	231	
Pajaro CA	256	64	676	259	38	15	122	293	
Castroville CA	1,058	234	1,632	625	0	0	344	827	
Subtotal	21,155	434	13,144	5,030	337	131	589	1,416	
RURAL CENTERS									
Pine Canyon RC	766	35	1,704	652	5	2	0	0	
San Lucas RC	155	71	169	65	2	1	32	77	
Bradley RC	65	30	800	306	3	1	0	0	
Lockwood RC	353	10	221	85	131	51	0	0	
Pleyto RC	441	16	160	61	152	59	26	62	
San Ardo RC	119	47	480	184	13	5	6	1	
River Road RC	630	251	389	149	0	0	0	0	
Subtotal	2,529	460	3,923	1,501	306	119	58	139	

Inland Area	Total Area (Acres)	Vacant Residential Lots	Potential Buildout Units	Potential 2030 Units	New Buildout Commercial (Acres)	New Commercial by 2030	New Buildout Industrial (Acres)	New Industrial by 2030	Notes
AHOS									
Carmel Mid-Valley AHO	40	0	390	149	0	0	0	0	0 Assume approximately 13 acres of land likely for development with max 30 du/ac density.
Hwy 68/Airport AHO	130	1	2,550	976	0	0	0	0	0 Assume approximately 85 acres of land likely for development with max 30 du/ac density.
Hwy 68/Reservation AHO	31	0	930	356	0	0	0	0	0 Assume all 31 acres of land likely for development with max 30 du/ac density.
Subtotal	201	1	3,870	1,481	3	1	0	0	
Total of CA, RA, AHOs	23,885	895	20,937	8,012	643	250	647	1,556	
UNINCORPORATED OUTSIDE OF CA, RA, AHOS									
Cachagua	136,580	263	132	18	22	5	0	0	
Carmel Valley	26,736	492	758	101	239	52	0	0	
Central Salinas Valley	545,022	357	456	61	323	70	140	21	
Greater Monterey Peninsula	57,056	642	3,995	534	62	13	0	0	
Greater Salinas	105,242	406	1,395	187	160	35	1,528	226	
North County	30,910	577	3,260	436	228	50	40	6	
South County	820,628	746	939	126	77	17	8,713	1,290	
Toro	47,263	251	4,046	541	41	9	9	13	

Inland Area	Total Area (Acres)	Vacant Residential Lots	Potential Buildout Units	Potential 2030 Units	New Buildout Commercial (Acres)	New Commercial by 2030	New Buildout Industrial (Acres)	New Industrial by 2030	Notes
Subtotal	1,769,437	3,734	14,981	2,003	1,152	250	10,511	1,556	
INLAND AREA TOTAL	1,793,322	4,629	35,918	10,015	1,795	500	11,158	3,111	
2030 new growth assumed in CA/RC/AHO			80%	8,012	50%	250	50%	1,556	
2030 new growth assumed not in CA/RC/AHO			20%	2,003	50%	250	50%	1,556	
Percent of new growth by 2030			28%	10,015	28%	500	28%	3,111	

3.4 General Plan Characteristics

This EIR addresses the environmental effects associated with implementation of the 2007 General Plan. The 2007 General Plan's policies provide a balanced pattern of growth that accommodates the demand for housing, employment opportunities, and public facilities and services while minimizing the adverse impacts of increased urban development. The 2007 General Plan contains general goals and policies to guide future growth in the unincorporated areas and ensure that new and existing development is served with adequate public services and facilities.

3.4.1 Summary of General Plan Components

As depicted on Exhibit 3.1, Monterey County is divided into eight inland and four coastal planning areas designed to reflect geographical areas where there are common physical conditions.

Table 3-10 provides a summary of the planning areas within the Coastal and Inland areas of the County.

Table 3-10. Summary of General Plan Components

Plan	Acreage
North County Area Plan	30,910
Greater Salinas Area Plan	105,242
Central Salinas Valley Area Plan	545,022
Greater Monterey Peninsula Area Plan (Including Carmel Valley)	83,792
Toro Area Plan	47,263
Cachagua Area Plan	136,580
South County Area Plan	820,628
Coastal/Non-Coastal Areas*	109,311
Inland Subtotal	1,878,748
North County Land Use Plan	145,837
Del Monte Land Use Plan	8,473
Carmel Land Use Plan	4,172
Big Sur Coastal Land Use Plan	38,861
Coastal Subtotal	197,343
County Total	2,076,091

* The term "Coastal/Non-Coastal Areas" refers to lands within the Los Padres National Forest.
Source: Monterey County.

Planning activities that occur in the inland, unincorporated portions of the County are solely under the jurisdiction of the County of Monterey. Planning activities within the unincorporated Coastal Zone are under the jurisdiction of the County of Monterey, subject to its certified LCP, with appeal to the California Coastal Commission in certain circumstances. The 2007 General Plan Update does not apply to coastal areas.

3.4.2 Land Use Groups

The land use designations of the 2007 General Plan fall within six land use categories. These land use categories are summarized in Table 3-11. Exhibits 3.2, 3.2a, 3.2b, and 3.2c illustrate the generalized land uses proposed by the 2007 General Plan.

Table 3-11. Land Use Categories

Category	Types of Uses
Residential	Includes Rural, Low-, Medium-, and High-Density Residential.
Commercial	Includes General Commercial, Light Commercial, Heavy Commercial, Neighborhood Commercial, Planned Commercial, and Visitor Accommodations/Professional Office Space.
Industrial	Includes Agricultural Industrial, Light Industrial, and Mineral Extraction.
Agricultural	Includes Farmland, Permanent Grazing, and Rural Grazing.
Resource Conservation	Includes Resource Conservation, Open Space, Rivers, and Water Bodies.
Public/Quasi-Public	Includes Federal, State, and locally owned lands such as National Forests, State Parks, and Regional Parks, and publicly or privately owned uses such as schools, public works facilities, and hospitals that serve the public at large.

Source: Monterey County General Plan Land Use Element 2007.

3.4.3 Overlays

In addition to the land use groups, the 2007 General Plan also includes overlays. These overlays include Master Plan, Community Plan, Agricultural Winery Corridor Plan, Special Treatment Area, and Urban Reserve. A brief description of each overlay designation is provided below. Exhibit 3.3 illustrates the Community Areas, Rural Centers, Affordable Housing Overlay Districts, and Agricultural Winery Corridor.

- **Community Area:** This overlay identifies the boundaries of existing unincorporated communities and preferred locations for additional development to support a mix of land use types at an urban level. Policies of the 2007 General Plan identify the Community Areas as the primary locations for future development within the unincorporated area, concurrent

with infrastructure improvements. While the 2007 General Plan includes general policies for development within the Community Areas, a specific development plan will eventually be adopted for each area that establishes distinctive development policies. Specific Plans for East Garrison (part of Fort Ord Community Area) and Castroville, adopted October 4, 2005, and in 2007, respectively, would serve as Community Plans for those areas upon adoption of the 2007 General Plan. More information about Community Plans follows.

- **Rural Center:** A Rural Center overlay identifies the boundaries of an existing concentration of development that has the potential to develop into a future Community Area. The Rural Centers are existing locations that are already developed with higher-intensity land uses than are typical for rural areas. The 2007 General Plan policies identify the Rural Centers as secondary points for future development within the County, concurrent with infrastructure improvements. More information about Rural Centers follows.
- **Special Treatment/Study Area:** The Special Treatment overlay is intended to provide specific direction for future development in an area based on site-specific considerations or constraints. Study Areas are designated for areas where the County desires to look further at the constraints of an area to determine if a Special Treatment Area should be established and to what extent. More information about Special Treatment Areas follows.
- **Urban Reserve:** The Urban Reserve overlay identifies unincorporated islands that are within incorporated cities.
- **Master Plan:** Master Plans are used to identify unique policies for delineated geographic areas within the County. This applies to the Carmel Valley and Fort Ord Master Plan areas.
- **Agricultural Winery Corridor Plan:** The AWCP overlay identifies lands along three travel corridors within which wineries and related business and tourist-serving facilities would be encouraged to locate. More information about the AWCP follows.
- **Affordable Housing Overlay Districts:** The AHO identifies areas that are suitable for the development of affordable and workforce housing projects. A property owner within an AHO may voluntarily propose an affordable housing project rather than a use otherwise allowed by the underlying land use designation. Three AHOs have been identified in the 2007 General Plan: Mid-Carmel Valley; Highway 68/Monterey Peninsula Airport; and Reservation Road/Highway 68. In addition, Community Areas prior to adoption of a Community Plan and Rural Centers prior to the adoption of an Infrastructure and Financing Study are designated as AHOs.

3.4.4 Countywide Land Use

Land use in unincorporated Monterey County is primarily agricultural, with large areas of public and quasi-public lands. Urban land uses represent approximately 3% of the total unincorporated area. Table 3-12 summarizes the existing land

cover in unincorporated Monterey County as of 2006, as well as the land use groups of the 2007 General Plans.

Table 3-12. Countywide General Plan Land Use Designations

Land Use	Acres	Percent of Total
Residential	47,887	3%
Commercial	1,606	0%
Industrial	8,049	0%
Agricultural	1,176,386	63%
Resource Conservation	390,984	21%
Public/Quasi-Public	212,882	11%
Other	15,531	1%
Total	1,853,326	100%

Note: These totals do not match the parcel data described above for existing land uses due to differences in how the parcel data categorizes use and how the acreage is determined.

Table 3-13 summarizes the existing population, dwelling units, and employment within the entire General Plan planning area (as of 2006), as well as the development potential for the 2007 General Plan.

Table 3-13. General Plan Planning Area Population, Housing, and Employment

Land Use	2006 Estimate	2007 General Plan Land (2030)
Population	106,279 persons	135,375 persons
Housing	38,665 dwelling units	48,670 dwelling units
Employment	70,384 jobs	97,113 jobs

Note: 2006 estimate based on the 2004 AMBAG estimate, with growth extrapolated an additional year and adjusted for future annexations. This does not include areas within the incorporated cities.

As of January 2006, there were 4,629 undeveloped residential parcels in the inland portion of unincorporated Monterey County, including many large agricultural land holdings. Given the limitations on development in the North County, Greater Salinas, and Toro Area Plans and the cap on new units in the Carmel Valley Master Plan, the County estimates that up to 10,015 new residential units would be built within the unincorporated area between 2006 and the end of the 2030 planning horizon. Up to 35,918 residential units would be built in the unincorporated areas by 2092 (full buildout) if sufficient water supply and other services are available.

3.4.5 Area Plans

The 2007 General Plan contains eight Area Plans for the inland portion of the County, which are described below in further detail and depicted in Exhibit 3.1. Each Area Plan contains supplemental policies that guide, or conversely, limit growth within its boundaries. The Greater Monterey Peninsula Area Plan contains the Carmel Valley Master Plan within its boundaries.

The following discussion provides a description of each Area Plan. The Coastal/Non-Coastal area noted in Table 3-10 has no Area Plan and is the only portion of the County that does not have an Area Plan with supplemental policies.

The existing land uses for each area were presented in Tables 3-6 and 3-7 above. The estimated new growth in each area under the proposed 2007 General Plan is shown in Tables 3-8 and 3-9 above.

3.4.5.1 North County Area Plan

Description

The North County Area Plan comprises approximately 49 square miles. The northern and eastern boundaries are the Santa Cruz and San Benito County lines, respectively (Exhibit 3.4). The northern County line follows the Pajaro River. Monterey Bay borders the area to the west. The Salinas River and the communities of Castroville and Prunedale are located adjacent to the southern boundary of this area. Unincorporated communities in this Area Plan include Aromas, Castroville, Pajaro, and Prunedale. The Greater Salinas Area Plan and the Greater Monterey Peninsula Area Plan border the North County Area Plan to the south.

Significant geographic features in this area include: the Gabilan Mountain Range, to the east, which reaches a peak elevation of 3,171 feet; steep ravines and slopes, which exceed 75% in places; the Pajaro Valley, and the Pajaro and Salinas Rivers.

Cities

None.

Community Areas

Pajaro and Castroville.

Rural Centers

None.

Special Treatment Areas

None.

Land Use

The 2007 General Plan provides that development on properties with residential land use designations located within the North County Area Plan will be limited to the first single family dwelling on a legal lot of record. This restriction does not apply to development within the adopted Community Areas.

3.4.5.2 Greater Salinas Area Plan

Description

The Greater Salinas Area Plan comprises approximately 143 square miles. This Area Plan is bordered by the Greater Monterey Peninsula Area Plan (west); the inland portion of the North County Area Plan (north); San Benito County (east); and the Central Salinas Valley and Toro Area Plans (south); (Exhibit 3.5). The City of Salinas (population 148,350) occupies approximately 18 square miles of this Area Plan and is the largest city in Monterey County. Unincorporated communities include Boronda, the historic community of Spreckels, and the migrant farming community of San Jerardo.

Significant geographic features in this area include Fremont Peak, located to the east and at an elevation of approximately 3,171 feet above mean sea level, and Mount Toro to the west and at an elevation of approximately 3,560 feet. The Salinas River traverses this area plan southeast to northwest.

Cities

Salinas.

Community Areas

Boronda.

Rural Centers

None.

Special Treatment Areas

Butterfly Village

Approximately 671 acres located north of San Juan Grade Road and east of Harrison Road. It authorizes a planned development including:

- Public park including trails.
- Public parking lot for public facilities.
- Open space to preserve sensitive habitat areas.
- Community health and wellness center that offers a variety of health, fitness and nutrition uses.
- Public facilities, including fire/sheriff substation, library, maintenance yard, wastewater treatment facility, and a school site.
- Neighborhood Commercial, including mixed use development, to help provide a jobs-housing balance within the project.
- Up to 1,147 residential units for various income levels with at least 32% at affordable/workforce levels including but not limited to senior living facilities.

Spence/Potter/Encinal Road

This Special Treatment Area (STA) is intended to permit on-site, soil-dependent agricultural operations such as greenhouses. Subdivisions would be limited to 10 acres minimum parcel size, with residential uses allowed only on parcels of 40 acres or more. Residential development rights created by subdivision are to be dedicated to the County or a qualified non-profit conservation organization.

Highway 68/Foster Road Area

This site is intended to be used as a visitor farm. It would be subject to restrictions on the sale of produce at the on-site produce stand.

Natividad/Rogge Road

This STA is intended to permit on-site, soil-dependent agricultural operations such as greenhouses. Subdivisions would be restricted.

Jefferson

Residential development will be permitted at the maximum equivalent density of 2.5 acres per unit on 40 acres in order to contribute to meeting the affordable housing goals on the peninsula. Development would be required to meet minimum setback requirements and provide adequate buffers from the Marina landfill, meet all requirements of the Marina Airport Comprehensive Land Use

Plan, and a minimum of 50% of the units developed on this site shall meet Affordable/Workforce Housing criteria.

Land Use

The 2007 General Plan provides that development on properties with residential land use designations located within the Greater Salinas Area Plan north of the City of Salinas generally between Williams Road and Highway 101 will be limited to the first single family home on a legal lot of record. This restriction does not apply to development within the adopted Community Area.

3.4.5.3 Central Salinas Valley Area Plan

Description

The Central Salinas Valley Area Plan comprises approximately 840 square miles. This Area Plan includes the incorporated cities of Gonzales (population 8,455), Soledad (population 28,075), Greenfield (population 15,335), and King City (population 11,333) (Exhibit 3.6). Smaller communities in the unincorporated area include Chualar, Arroyo Seco, Pine Canyon (King City), and San Lucas. The Central Salinas Valley Area Plan contains roughly all land between Chualar in the north to San Lucas in the south. The San Benito County line forms the eastern boundary, while the Hunter Liggett Military Reservation and Los Padres National Forest border the Area Plan to the west. The Salinas River bisects this geographic area, and the Arroyo Seco River joins the Salinas River about midway through this Area Plan. Adjacent Area Plans consist of the Cachagua and Toro Area Plans (west); the Greater Salinas Area Plan (north); the South County Area Plan (west and south).

The most prominent feature in this area is the floor of the Salinas Valley, which is 4 miles wide in King City and expands to 9 miles in width in Greenfield. Junipero Serra Peak's elevation is 5,862 feet and it is the highest point in this Area Plan.

Cities

Gonzales, Greenfield, King City, Soledad.

Community Areas

Chualar.

Rural Centers

Pine Canyon (King City), San Lucas.

Special Treatment Areas

Spence/Potter/Encinal Road

See the discussion under the Greater Salinas Area Plan.

Paraiso Hot Springs

Recreation and visitor serving land uses for the Paraiso Hot Springs Special Treatment Area may be permitted in accordance with a general development plan and other discretionary approvals such as subdivision maps, use permits and design approvals. The Special Treatment Area may include such uses as a lodge, individual cottages, a visitor center, recreational vehicle accommodations, restaurant, shops, stables, tennis courts, aquaculture, mineral water bottling, hiking trails, vineyards, and orchards. The general development plan will address fire safety, access, sewage treatment, water quality, water quantity, drainage, and soil stability issues.

Old Mission Union School

The Old Mission Union School STA would conditionally allow winery-related facilities including a food service, gift shop, and a reception hall. The facilities will be subject to the review and requirements of the Monterey County Public Works Department, Director of Environmental Health, Flood Control and Water Conservation District, and Director of Planning.

Lohr

The Lohr property is designated as an STA to enable two adjoining 20-acre parcels to be reconfigured into a 39-acre parcel and a one (1) acre parcel to enhance the agricultural capabilities of the land. The Lohr property will be rezoned to prohibit further subdivision. Deed restrictions will also be implemented to prohibit further subdivision in the special treatment area.

Millers Lodge

This STA is adopted to recognize historical day use, camping, recreation, and residential uses that have been present on the parcel since the 1940s. Special Treatment will allow the owners to apply for a use permit and general development plan. This policy shall not permit expansion or intensification of the Miller's Lodge property beyond what is currently developed (adoption of the 2007 General Plan), nor allow any new uses not already occurring on the site.

3.4.5.4 Greater Monterey Peninsula Area Plan

Description

The Greater Monterey Peninsula Area Plan comprises approximately 115 square miles. The Greater Monterey Peninsula Area Plan is bordered by the North County and Greater Salinas Area Plans to the north, the Toro and Cachagua Area Plans on the east, and the Del Monte Forest, Carmel, and Big Sur Coast Land Use Plan areas to the west and south (Exhibit 3.7). The former Fort Ord military reservation and a portion of the Los Padres National Forest are located in this Area Plan. Approximately 17% of the Area Plan is within the cities of Carmel-by-the-Sea (population 4,038), Del Rey Oaks (population 1,622), Marina (population 18,824), Monterey (population 30,161), Pacific Grove (population 15,305), Sand City (population 300), and Seaside (population 34,454). The remaining 73,480 acres are located in the unincorporated portion of the County. Distinct geographic areas in the unincorporated area include the former Fort Ord, Laguna Seca, Bay Ridge, Hidden Hills, Aguajito, the Monterey Peninsula Country Club (non-coastal area of Pebble Beach), lower and mid-Carmel Valley, and Carmel Valley Village.

The topography in this Area Plan varies, ranging from level land at the mouth of Carmel Valley to extremely steep slopes, which form the south wall of upper Carmel Valley. The highest point in this Area Plan is Mt. Carmel, with an elevation of 4,417 feet and located in the southern portion of this area.

Cities

Carmel-by-the-Sea, Del Rey Oaks, Marina, Monterey, Pacific Grove, Sand City, and Seaside.

Community Areas

Fort Ord (within Fort Ord Master Plan).

Rural Centers

None.

Special Treatment Areas

Rancho San Carlos

Residential development is permitted on the portions of the Santa Lucia Preserve (formerly Rancho San Carlos) within the Greater Monterey Peninsula Planning Area, and will follow densities and policies as specified in Board of Supervisor

Resolution No. 93-115, "Comprehensive Planned Use" Overlay for Rancho San Carlos and the Comprehensive Development Plan for the Santa Lucia Preserve."

White Rock Club

Development will be subject to the policies of the Rural Grazing land use designation. The existing recreational facilities, consisting of 100 cabin sites and one gatehouse, can be maintained and remodeled. No additional cabin sites will be allowed, nor will more than eight of the 100 cabin sites be occupied year round for the maintenance and operations.

San Clemente Ranch

The existing recreational facilities, consisting of 101 cabin sites, 5 permanent residents, tennis courts, swimming pool and fishing ponds are allowed uses. No additional cabin sites shall be allowed. Reconstruction, remodeling or rebuilding of approved cabins or development of new cabins on approved cabin sites will be allowed, with appropriate Planning and Building Inspection Department and Health Department permits.

Jefferson

See the discussion under the Greater Salinas Area Plan.

3.4.5.5 Carmel Valley Master Plan

The Carmel Valley Master Plan area is within the Greater Monterey Peninsula Area Plan. The Master Plan area is approximately 41 square miles, extends west from Highway 1 to Carmel Valley Village in the east, and includes the valley floor as well as the upland areas that face the valley (Exhibit 3.8).

At the time of this writing, a request to incorporate the proposed Town of Carmel Valley is pending before the Monterey County Local Agency Formation Commission. The proposed boundaries of the Town are co-terminus with the boundaries of the Carmel Valley Master Plan, with the inclusion of the Sleepy Hollow subdivision, which is currently in the Cachagua Area Plan discussed below. Incorporation of the town would be contingent upon approval of the community's voters. Should a simple majority of the electorate approve the incorporation proposal, the new Town would assume authority over land use decisions within its boundaries.

Cities

None.

Community Areas

None.

Rural Centers

None.

Special Treatment Areas

Carmel Valley Ranch

This encompasses the Amended Carmel Valley Ranch Specific Plan, dated November 3, 1976. However, attainment of densities authorized by the Specific Plan is dependent upon conditions existing at the time each future increment of development is sought and is further dependent upon conformity with the Specific Plan Amended Conditions of Approval as well as the goals and policies of this General Plan, whichever is most restrictive. Any amendment of the Specific Plan must be consistent with the policies and provisions of this General Plan.

Condon/Chugach Property

In recognition of the unique circumstances of the property, including the past gift conveyances of several hundred acres to Garland Park, the Condon/Chugach property will be allowed to be subdivided into four parcels consistent with the 2004 Subdivision Ordinance.

Rancho San Carlos

See the discussion under the Greater Monterey Peninsula Area Plan.

Rancho Canada Village

This area consists of about 40 acres located generally between Val Verde Drive and the Rancho Canada Golf Course clubhouse, from the Carmel River to Carmel Valley Road, excluding portions of properties in floodplain. Residential development may be allowed with a density of up to 10 units/acre and will provide a minimum of 50% Affordable/Workforce Housing. Prior to beginning new residential development (excluding the first unit on an existing lot of record), projects must address environmental resource constraints (e.g., water, traffic, flooding).

Land Use

Under the 2007 General Plan, new residential subdivision in Carmel Valley will be limited to creation of 266 new lots with preference to projects including at least 50% affordable housing units. The County will develop a tracking system and present an annual report before the Planning Commission to enable them to enforce this limit.

3.4.5.6 Fort Ord Community Area

The Fort Ord Master Plan area (Exhibit 3.9) encompasses the former Fort Ord military installation near the City of Marina and the City of Seaside. The Fort Ord Reuse Authority has previously prepared a reuse plan for the former base which also serves as the Fort Ord Master Plan.

Cities

None.

Community Areas

Fort Ord.

Rural Centers

None.

East Garrison Specific Plan

The East Garrison Specific Plan, which was adopted by the Monterey County Board of Supervisors in October 2005, would serve as the Community Plan to establish policies and guidelines for future growth in a portion of the Fort Ord Community Area. This plan includes 1,470 dwelling units, 75,000 square feet of commercial uses, and 49 acres of parks, open space, and natural areas. The land uses contemplated in East Garrison are summarized in Table 3-14.

Table 3-14. East Garrison Specific Plan Land Uses

Land Use	Acreage	Notes
Residential	98.3	A maximum of 1,470 dwelling units is allowed.
Town Center	7.9	Includes 75,000 square feet of commercial uses.
Public Use/Cultural	10.1	Contains 11,000 square feet of public use and 100,000 square feet of art/cultural/educational uses.
Parks and Open Space	49.5	Contains 12.7 acres of improved parks, 23.9 acres of open space, and 12.9 acres of natural areas.
Roadways	78.6	Includes streets, lanes, and Reservation Road.
Total	244.4	

Source: County of Monterey, East Garrison Specific Plan, adopted October 4, 2005.

3.4.5.7 Toro Area Plan

The Toro Area Plan (Exhibit 3.10) comprises approximately 74 square miles and is located in the north-central area of Monterey County. Toro includes the communities of Toro Park, Las Palmas, River Road (Indian Springs Ranch, Berry Drive, Heritage Ranch, etc.), Pine Canyon (Salinas), and San Benancio/Corral de Tierra. The Fort Ord Master Plan abuts the planning area on the northwest side and the Salinas River forms the northeast boundary with the Greater Salinas Area Plan. A ridgeline defines the south and southwest boundary adjacent to the Greater Monterey Peninsula Area Plan, Carmel Valley Master Plan, and Cachagua Area Plan. Mt. Toro is the highest peak in this geographic area with an elevation of 3,560 feet. Adopted in 1983, the Toro Area Plan is the oldest of all the area/land use plans. There are no incorporated cities located in this Area Plan.

Most of the Toro area is dominated by the mountains and rolling hills of the Sierra de Salinas Range. Relatively flat areas are located along the Salinas River and El Toro Creek. Topography in this area includes steep ravines with slopes exceeding 75%, tapering to hillsides and ridgelines with slopes greater than 30%, as well as canyon floors and the flat floodplains adjacent to the Salinas River.

Cities

None.

Community Areas

None.

Rural Centers

River Road-Las Palmas.

Special Treatment Area

Greco

Use of the property for the removal of sand and gravel ceased in the year 2000, use of the property for a contractor's yard, shop, and residence may continue pursuant to County permit, as approved August 29, 2001, or as that permit may be amended or extended.

Land Use

The 2007 General Plan provides that development on properties with residential land use designations located within the Toro Area Plan along the Highway 68 corridor will be limited to the first single family home on a legal lot of record. The County will conduct a comprehensive review of infrastructure constraints regarding circulation, wastewater, and water supply. This restriction does not apply to development within the adopted Rural Center.

3.4.5.8 Cachagua Area Plan

Description

The Cachagua Area Plan comprises approximately 212 square miles and is located in the center of Monterey County (Exhibit 3.11). This area plan includes the communities of Prince's Camp, Jensen's Camp, Jamesburg, and Tassajara. Tassajara consists primarily of the historically designated Zen Center. The Big Sur Coast Land Use Plan and Greater Monterey Peninsula planning areas border the site to the west. The northern boundary of the Cachagua Area Plan is adjacent to the Carmel Valley Master Plan and the Toro Area Plan. The southern boundary is the Arroyo Seco River and adjacent to the Coastal/Non-Coastal Zone area. To the east is the Central Salinas Valley Area Plan. The eastern boundary is essentially parallel to the community of Chualar, south to the City of Greenfield. Public land ownership comprises almost half of the land in Cachagua, which primarily consists of the Los Padres National Forest. Chews Ridge is the highest point in this Area Plan with an elevation of 5,045 feet. The San Clemente and Los Padres Reservoirs are also located in this Area Plan.

Prominent geographic features in Cachagua include the Carmel River, which runs year-round, and the Arroyo Seco River. A significant amount of this Area Plan comprises very steep slopes, which limit the type of land use and development in this area. Numerous canyons, valleys, and streams are scattered throughout Cachagua.

Cities

None.

Community Areas

None.

Rural Centers

None.

Special Treatment Area

Syndicate Camp

The existing recreational facilities consist of 24 cabin sites. Of the 24 sites, 13 were vacant as of June 1, 1994. No additional cabin sites will be allowed. The construction, remodeling or rebuilding of approved cabins or development of cabins on approved cabin sites will be allowed. Permanent residency is allowed.

3.4.5.9 South County Area Plan

Description

The South County Area Plan comprises approximately 1,281 square miles. This Area Plan includes the communities of Bradley, Jolon, Lockwood, Parkfield, and San Ardo (Exhibit 3.12). The northern boundary of the South County Area Plan is adjacent to the Central Salinas Area Plan and generally follows Highway 198, San Lucas and Jolon Roads, as well as the boundaries of the Hunter Liggett Military Reservation and Los Padres National Forest. The eastern boundary follows the San Benito, Fresno, and Kings County lines. To the west is the Big Sur Coast Land Use Plan defined by Fort Hunter Liggett and Los Padres National Forest. The ridgeline of the Santa Lucia Mountain Range also defines the western limit of the South Coast area. The San Luis Obispo County line borders this area to the south.

Prominent geographic features in this area include portions of the Diablo and Santa Lucia Mountain Ranges and the benchlands of the upper Salinas Valley. Rivers in South County are the Salinas, San Antonio, and the Nacimiento. The San Antonio Reservoir is also located in this Area Plan. Numerous canyons, valleys, and creeks are scattered throughout South County.

Cities

None.

Community Areas

None.

Rural Centers

Bradley, Lockwood, Pleyto, and San Ardo.

3.4.5.10 Coastal/Non-Coastal Zone Areas

Description

“Coastal/Non-Coastal Zone” is the term used to identify two portions of the rugged Los Padres National Forest totaling 170 square miles. These lands are not subject to any of the County Coastal Land Use Plans and are under federal jurisdiction. The area includes the Ventana and Silver Creek Wilderness areas. The Coastal/Non-Coastal areas are bounded by the Big Sur Coast Land Use Plan (west); the Cachagua Area Plan (north); the South County Area Plan (east and south); and the San Luis Obispo County line (south). These areas are not within any designated planning area boundaries of the 2007 General Plan. Because Federal authority supersedes State or local authority, land use activities within the Los Padres National Forest are not required to follow local policy or regulation.

This area is characterized as rugged forested terrain. No communities exist in the Coastal/Non-Coastal areas. Major geographical features include the Santa Lucia Mountains and the Los Padres National Forest (including the Ventana Wilderness area).

Cities

None.

Community Areas

None.

Rural Centers

None.

Land Use

In addition to cattle grazing, various commercial recreational uses currently exist within the National Forest under permit from the U.S. Forest Service. Future development and expansion of existing uses will be regulated by the Forest

Service under the adopted Los Padres Forest Management Plan. Because much of this land is remote, rugged, and ecologically sensitive, the Forest Service limits substantial new development (U.S. Department of Agriculture 2005).

3.4.6 Agricultural Winery Corridor Plan

The AWCP is intended to facilitate the development of wineries along a corridor in the central and southern Salinas Valley. The corridor consists of three road segments (Central/Arroyo Seco/River Road, Metz Road, and Jolon Road) that overlap with portions of the Central Salinas Valley, Toro, and South County Area Plans (depicted on Exhibit 3.13). The AWCP is a component of the 2007 General Plan.

The objectives of the AWCP are as follows:

- Achieve a balance between the wine grape production and wine processing capacity within Monterey County;
- Enhance the wine industry's marketing of Monterey County appellation that includes connection between Monterey County's agricultural and tourism industries; and
- Encourage planned growth of the wine industry in Monterey County.

To accomplish these objectives, the AWCP would establish a permit process for development of as many as 50 wineries and 10 off-site tasting rooms along the corridor. Of these 50 wineries, as many as 40 would be "artisan" wineries (i.e., 58,000 square feet of surface area with 35,000 square feet of building coverage) and as many as 10 would be full-scale wineries (i.e., 2 million cases annually; 410,000 square feet of surface area; 300,000 square feet of building coverage). Wineries may include on-site tasting rooms. In addition, the AWCP allows development of an additional 10 offsite tasting rooms that would be associated either with wineries within the corridor or other wineries not located within the corridor. Each winery would be allowed a single-family residence, a guesthouse, and as many as three employee housing units.

A total of three new restaurants would be allowed, with no more than one per road segment. As many as five new delicatessens would be allowed on the same site as a winery, with no more than three delicatessens along the River Road segment and no more than one on each of the other segments. As many as eight new inns would be permitted, with five on the River Road segment, one on the Metz Road segment, and two on the Jolon Road segment. A "business cluster" providing a location for wine-industry-related businesses would be allowed near an urban area. Visitor centers providing information about the Corridor would be allowed within the vicinity of Highway 101/Arroyo Seco and near Highway 68.

Table 3-15 summarizes the winery development potential for the AWCP by segment:

Table 3-15. Agricultural Winery Corridor Development Potential

Development Type	River Road Segment	Metz Road Segment	Jolon Road Segment	Total
Artisan Winery	24	4	12	40
Full-Scale Winery	5	2	3	10
Winery Tasting Rooms	5	2	3	10
Restaurant	1	1	1	3
Delicatessen (at winery)	3	1	1	5
Inns	5	1	2	8

Source: Monterey County Planning and Building Inspection Department, Agricultural Winery Corridor Plan, March 6, 2007.

In conjunction with adoption of the AWCP, the County will amend the zoning map to include a Zoning District Overlay designation for properties located within the AWCP boundaries. Once rezoned, projects deemed consistent within the criteria and conditions of the AWCP and Zoning District Overlay would require no additional zoning review. Permits would be required prior to development as illustrated in Table 3-16. Activities allowed by right or subject to a ministerial permit would be exempt from environmental review under the California Environmental Quality Act (CEQA). However, zoning regulations, as well as County and Uniform Building Code requirements would apply. More intensive uses or uses not otherwise consistent with the AWCP provisions would require the issuance of some type of discretionary permit. Discretionary permits would be subject to later CEQA review. Where the proposals are consistent with the AWCP and zoning, the later CEQA review may be limited to site-specific issues pursuant to Public Resources Code Section 21083.3 and 14 California Code of Regulations Section 15183.

Wineries and related facilities located outside of the corridor would be subject to discretionary permits, depending upon the zoning of the specific site. Those projects would be subject to full CEQA review.

Table 3-16. Agricultural Winery Corridor Permitting Requirements

Activity	Allowable by Right	Ministerial Permit	Administrative Permit
Artisan winery		X	
Full-Scale winery (including tasting facility and catering kitchen)			X
Tasting room (including catering kitchen)		X	
Winery-related food service facility		X	
Winery event (as many as 150 attendees)	X		
Private winery event	X		
Winery event (151 to 500 attendees)		X	
Restaurant			X
Delicatessen (at winery)			X
Inn			X
Ag- or winery-related visitor serving use		X	
Business Cluster			X
Winery residence, guest house, or employee residences		X	

3.4.7 Local Coastal Planning

The California Coastal Act was approved by the voters in 1972 to preserve public access to California's coastline. Based on the parameters of this Act, the State legislature established regulations and a Coastal Commission to implement these regulations. The Coastal Act gave the Coastal Commission land use authority until a local jurisdiction prepares a LCP to govern land use along the coast. A LCP consists of a Land Use Plan which provides coastal development policy and a Coastal Implementation Plan which provides coastal regulation and zoning.

Development within the coastal zone is subject to a coastal development permit issued by a local government pursuant to a certified LCP. Coastal zone boundaries are determined by geographic, hydrographic, and biological features that influence California's coastline. Any change to the LCP requires certification by the Coastal Commission. Although certification of the LCP by the Coastal Commission transfers land use control to the local authority, the Coastal Commission retains appeal authority for many types of projects. In addition, the Coastal Commission may retain certain areas of original jurisdiction where they serve to review all land use issues.

Monterey County's LCP was completed in 1987. It consists of four plans for the County's designated coastal areas: the North County Land Use Plan, the Del Monte Forest Land Use Plan, the Carmel Land Use Plan, and the Big Sur Coast

Land Use Plan. The Community Plan for Moss Landing within the North County Coastal Land Use Plan is not the same as the Community Plans described in the 2007 General Plan, but is instead a component of the Coastal Land Use Plan.

The 2007 General Plan does not propose any changes to the LCP. Accordingly, these plans and land use patterns will not be analyzed in this EIR, except where impacts from 2007 General Plan buildout would affect these areas (e.g., cumulative air quality emissions). Any changes or updates made to these plans once the 2007 General Plan is adopted would require environmental review independent of this EIR.

3.4.8 Community Areas

As part of the 2007 General Plan process, areas have been identified within the unincorporated County that can accommodate future growth. These five areas, designated as Community Areas, are listed below. Aerial views and the boundary of each Community Area are shown on Exhibit 3.14 through Exhibit 3.18.

- Boronda,
- Castroville,
- Chualar,
- Ford Ord, and
- Pajaro.

Each Community Area (except Chualar) will have a specific boundary that can only be changed by a General Plan amendment. The precise boundary of the Chualar Community Area has yet to be formally established; however, it may not exceed 350 acres over the life of this plan. This EIR evaluates potential buildout impacts based on the size restriction and limitations of surrounding lands under Williamson Act contracts. Establishing a formal boundary and/or Community Plan will require a subsequent planning and environmental review process.

The 2007 General Plan and Area Plan goals and policies are designed to accommodate growth in Community Areas while ensuring that new development provides adequate public facilities and services to future residents. Community Plans have been completed or are underway for some areas:

- East Garrison portion of the Fort Ord Community Area—Specific Plan adopted and EIR certified.
- Castroville Community Area—Community Plan approved on April 10, 2007 and EIR certified. Separately from the 2007 General Plan, the Castroville Community Plan adopted by the County in April 2007 is currently before the Coastal Commission for ratification and related amendment of the County's LCP. As of July 2008, the Commission had not set a date to hear this Plan.

- Pajaro Community Area—There is an adopted Redevelopment Plan, but development of a Community Plan will require future community involvement and Board Approval.
- Boronda Community Area—A Draft Community Plan will require future Board action.

Community Plans will further guide growth in each Community Area in accordance with 2007 General Plan and Area Plan policies. The boundaries of the Community Areas, as well as land use designations, may change during the Community Plan process, but would be subject to future general plan amendments. As such, each Community Plan will be required to undergo its own separate environmental review.

The initial phase of Community Area growth would be concentrated in these five areas. Contemplated growth in Boronda, Castroville, Fort Ord, and Pajaro would be facilitated by redevelopment activities. Subsequent phases of development in Fort Ord are likely to occur at a later date than development of the other Community Areas. The initial phase of planning for the future Community Area of Chualar will not occur until after adoption of the 2007 General Plan.

Table 3-7 summarizes the existing land uses within each Community Area and Table 3-8 summarizes the additional development that would occur in each Community Area under the 2007 General Plan.

3.4.9 Rural Centers

Rural Centers are existing rural and semi-rural communities where planning for future growth would occur. The 2007 General Plan states that development of Rural Centers is a secondary planning priority after the development of the Community Plans for the Community Areas.

The seven Rural Centers are listed below. An aerial view and the boundary of each Rural Center are shown on Exhibit 3.19 through Exhibit 3.25.

- Bradley,
- River Road,
- Lockwood,
- San Ardo,
- Pine Canyon (King City),
- Pleyto, and
- San Lucas

Rural Centers are intended to support low- to medium-density residential uses with a mix of small-scale retail and commercial service uses primarily serving

local residents. The 2007 General Plan allows for Rural Center growth at a density of 1 to 6 units per acre, so long as adequate potable water and wastewater facilities are provided concurrently with development. Densities from 10–15 units per acre would be allowed if development is processed as part of an Affordable/Workforce Housing incentive program.

The 2007 General Plan stipulates that a Capital Improvement and Financing Study must be prepared prior to any new development in a Rural Center. Exceptions would be made for residential development in accordance with the Development Evaluation System (a pass-fail system of evaluating developments of five or more lots or units or development of an equivalent intensity) and small-scale, neighborhood-serving commercial uses.

Table 3-7 summarizes the existing land uses within each Rural Center and Table 3-8 summarizes the maximum development that would occur in each Rural Center under the 2007 General Plan.

3.4.10 Special Treatment Areas

The 2007 General Plan establishes STAs at designated locations in the County to promote specific types of development that are compatible with site constraints and surrounding land uses. The 17 STAs are listed below, with the associated Area Plan in parenthesis. Twelve of the STAs were designated in the 1982 General Plan; several of these have already been developed consistent with the General Plan designation. The land use maps (listed in parenthesis and next to each STA below) identify the outlines of STAs. The STAs have been discussed under the pertinent Area Plans above.

- Highway 68/Foster Road (Greater Salinas);
- Natividad/Rogge Road (Greater Salinas);
- Butterfly Village (Greater Salinas);
- Spence/Potter/Encinal Roads (Greater Salinas/Central Salinas Valley);
- Paraiso Hot Springs (Central Salinas Valley);
- Old Mission Union School (Central Salinas Valley);
- Lohr Property (Central Salinas Valley);
- Miller's Lodge (Central Salinas Valley);
- White Rock Club (Greater Monterey Peninsula);
- San Clemente Ranch (Greater Monterey Peninsula);
- Jefferson (Greater Monterey Peninsula);
- Carmel Valley Ranch (Greater Monterey Peninsula; Carmel Valley Master Plan);

- Rancho San Carlos (Greater Monterey Peninsula, Carmel Valley Master Plan);
- Rancho Canada Village (Carmel Valley Master Plan);
- Condon/Cugach Property (Greater Monterey Peninsula; Carmel Valley Master Plan);
- Greco (Toro); and
- Syndicate Camp (Cachagua).

In addition, the 2007 General Plan would establish three Study Areas that would be analyzed to determine if they could support a STA designation. These three Study Areas are listed below with the associated Area Plan in parenthesis:

- Spence/Potter Road (Central Salinas Valley, Greater Salinas);
- Espinosa Road (Greater Salinas); and
- Gardiner/Tennis Club (Carmel Valley Master Plan).

3.4.11 Affordable Housing Overlays

In order to encourage the production of affordable housing, the County would designate the following three areas as AHO districts. Within an AHO district, the minimum residential density would be 6 units per acre, up to a maximum of 30 units per acre. An average density of 10 units per acre or higher would be required within each AHO. The maximum lot size for detached single-family affordable units would be 5,000 square feet. Landowners would have the option of this higher density of development, if their projects meet the affordability criteria listed below. In addition, the AHO provisions would apply to Community Areas prior to the adoption of a Community Plan and Rural Centers prior to the adoption of an Infrastructure and Financing Study.

- Mid-Carmel Valley (Exhibit 3.26). Approximately 13 acres located east and west of existing mid-valley development, excluding portions of properties located within the floodplain.
- Highway 68/Monterey Peninsula Airport (Exhibit 3.26). Approximately 85 acres located east of Highway 68, excluding areas with native Monterey pine forest.
- Reservation Road/Highway 68 (Exhibit 3.26). A 31-acre parcel located on the south side of Reservation Road shall be developed with a mix of neighborhood commercial uses and residential units that serve a range of income levels.

An AHO has a number of qualifying criteria that would have to be met by the developer in order to build at AHO densities.

- Development within an AHO would be approved on a project-by-project basis and achieve the following levels of affordability (plus or minus 1%):

10% very low income; 15% low income; 15% moderate income; 20% Workforce I; and 40% Workforce II.

- Individual projects may increase the percentage of Very Low, Low and Moderate income categories by reducing the percentage of Workforce I or Workforce II income levels. Up to 25% of the Work Force II housing may be market-rate if necessary to achieve the higher levels of affordability of the development or to accommodate at least 15% farmworker housing. This exception shall be based on one or more of the following criteria: the specific project characteristics and location relative to housing needs in the local area; and special economic factors, such as land cost or infrastructure upgrades, affecting the cost of development within the local area.
- CEQA analysis for the project does not disclose any significant unavoidable adverse impacts for which findings of overriding considerations cannot be made.
- Mixed Use development that combines residential with commercial uses would be encouraged to tie in with surrounding commercial and residential land uses. A mix of housing types shall be provided on sites in excess of 5 acres, i.e., at least two product types, such as for rent apartments, for rent townhomes, ownership townhomes, ownership single family homes. On sites of less than 5 acres, a single housing type may be allowed. The mix of housing types and designs shall be sensitive to neighboring uses.

To encourage voluntary participation in the AHO process, the County would provide incentives for qualifying projects such as:

- Density bonuses;
- Streamlined permitting process, including assigning experienced staff to such projects, hiring outside contract planners, plan checkers and building inspectors (at the cost of the developer);
- Waiver or deferral of planning and building permit fees (but not fees for the purpose of financing infrastructure);
- Priority allocation of resource capacity such as water and sewer over other projects not yet approved;
- Development standards and grant funding assistance.

Where applicable, the County would also use redevelopment powers to assist AHO development.

3.4.12 Routine and Ongoing Agriculture

In order to retain viable agricultural production in the face of increasing regulation and competition, Monterey County's 2007 General Plan proposes activities that are may be considered "routine and ongoing" (Policy AG-3.3 of the Agriculture Element). The County will, after consultation with the

Agricultural Commissioner and with appropriate review by the Agricultural Advisory Committee, establish by ordinance a list of “Routine and Ongoing Agricultural Activities” that will be allowed without discretionary permits. These may include, but are not limited to:

- Pasture and rangeland management;
- Conversion of agricultural land to other agricultural uses;
- Preparation of product for market, and delivery of product to market;
- Planting, harvesting, cultivation, tillage, selection, rotation, irrigation, fallowing, and all soil preparation activities;
- Raising of livestock, poultry, fur-bearing animals, dairying, or fish;
- Maintenance of sediment basins, stock ponds, irrigation and tail water return systems, stream bank and grade stabilization, water retention and pumping facilities, erosion control and surface drainage activities;
- Maintenance of farm access roads, trails, and parking facilities;
- Fencing, corrals, animal handling facilities;
- Greenhouses, sheds, storage and outbuildings; and
- Emergency activities that protect the health and safety of the general public.

“Routine and Ongoing Agricultural Activities” are exempt from the following General Plan policies to the extent specified by those policies, except for activities that would create significant soil erosion impacts or violate adopted water quality standards:

- *C-5.3*—develop guidelines to assure that development and land use in the Scenic Highway Corridors are compatible with the surrounding area.
- *C-5.4*—apply land use controls to protect the Scenic Highway Corridor and to encourage sensitive selection of sites and open space preservation within such areas.
- *OS-1.9*—encourage development that protects and enhances the County’s scenic qualities.
- *OS-1.12*—establish viewshed requirements along scenic routes. This would apply to large-scale agricultural processing facilities or facilities governed by the AWCP that would otherwise qualify as routine and ongoing.
- *OS-3.5*—regulate development on steep slopes. This would apply to routine and ongoing conversion of previously uncultivated lands.
- *OS-3.6*—develop slope density requirements and standards for clustering development.
- *OS-5.4*—avoid impacts to State and federally listed plant and animal species and designated critical habitat for federally listed species.

- *OS-6.3*—require new development proposed within moderate or high sensitivity zones, or within 150 feet of a known recorded archaeological and/or cultural site to complete a Phase I survey.
- *OS-7.3*—require a paleontological field inspection prior to approval of development proposed within high and moderate sensitivity zones and known fossil-bearing formations.
- *OS-8.3*—impose requirements for the protection of burial sites. Routine and ongoing activities would be subject to these requirements only to the extent that State law requires.
- *OS-10.8*—protect the public from naturally occurring asbestos by requiring mitigation measures to control dust and emissions during construction, grading, quarrying, or surface mining operations. This policy would apply to routine and ongoing agricultural activities only to the extent required by State and federal law.
- *S-2.3*—require all new development, including filling, grading, and construction, within designated 100-year floodplain areas to conform to the guidelines of FEMA and the National Flood Insurance Program and ordinances established by the County Board of Supervisors. With the exception of the construction of structures, routine and ongoing agricultural activities would be exempt from this policy.

EXHIBIT 3

**COUNTY OF YOLO 2030
COUNTYWIDE GENERAL PLAN
(Land Use Element)**

&

**COUNTY OF YOLO 2030
COUNTYWIDE GENERAL PLAN EIR
(excerpts)**

3 LAND USE AND COMMUNITY CHARACTER ELEMENT

This element seeks to preserve and foster the rural character of the County. The County has challenged itself to determine how small its communities can remain and yet still be sustainable in terms of infrastructure, balanced in terms of housing and jobs, and healthy in terms of quality of life and community services. Each existing rural town was examined in this manner and a modest amount of growth has been proposed for some areas. This element also establishes goals for regional collaboration and equity, green building standards, sustainable community design and net community benefits from new growth. Growth boundaries have been established for every community and each of the four cities.

A. Introduction

1. Context

From a land use perspective, this General Plan continues the County's strong focus on protecting our agricultural and open space resources, commodities and identity; resisting urbanization; and directing growth into the existing incorporated cities and towns. For the past 50 years, these policies have been tremendously successful. Over 93 percent of the County remains in farmland and open space, despite intense development pressures from both the Sacramento and Bay Area metropolitan areas. Although Yolo County is 39th in size among the 58 California counties, as of 2006 it ranked 23rd in total crop value. In particular, the County continues to be among the State leaders in tomato, hay, honeydew, and organic crop production, and has a rapidly growing wine grape industry. The management of growth has been equally successful. The cities and towns in the County house 93 percent of the population, but account for less than 6 percent of the total area. As a result, Yolo County has retained and strengthened its identity as a place of small and modest urban areas, vast open lands and innovative government.

As Yolo County looks ahead to the next 20 years, these issues will become even more important to ensure sustainable communities, a reliable food supply and a healthy environment. However, this vision needs to expand to address new challenges. First, the small unincorporated towns require significant new investment in basic infrastructure and amenities to serve existing populations and revitalize existing commercial areas. Second, the local economy needs to diversify beyond its reliance on agriculture, to provide a more stable job market and increase government revenue streams. Third, the County and local special districts need to improve the cost-effectiveness of service delivery. Fourth, Yolo County needs to adopt development standards and designs that account for and help to reduce future climate change. Consequently, this General Plan embraces the following strategies:

1. Modest managed growth within specified existing unincorporated communities, where accompanied by improvements to existing infrastructure and services, as well as by suitable new infrastructure and services.
2. Opportunities for revenue-producing and job-producing agricultural, industrial and commercial growth in limited locations and along key transportation corridors.
3. Thresholds that allow for effective and efficient provision of services, consistent with rural values and expectations.
4. New emphasis on community and neighborhood design requirements that reflect "smart growth" principles and complement the character of existing developed areas.

2. Contents

This element addresses land use issues throughout Yolo County including:

1. Range and balance of land uses (Goal LU-1)
2. Agricultural preservation¹ (Goal LU-2)
3. Growth management (Goal LU-3)
4. Delta land use and resource management (Goal LU-4)
5. Equitable land use decisions (Goal LU-5)
6. Intra-County coordination (Goal LU-6)
7. Regional coordination (Goal LU-7)

This element addresses community character issues throughout Yolo County including:

1. Preservation of rural character (Goal CC-1)
2. Community planning (Goal CC-2)
3. Planned growth (Goal CC-3)
4. Project design (Goal CC-4)

This element contains the following sections: Introduction, Regulatory Framework, Policy Framework and Implementation Program. Within the Policy Framework and Implementation Program sections, policies and actions related to climate change are denoted with the symbol "🌍".

3. Background Information

The 1983 General Plan included 75 separate land use designations for the unincorporated county. Table LU-1 (1983 Yolo County General Plan Land Use Designations and Acreages) is provided at the end of this Element and identifies acreages assigned to each of these designations in the prior General Plan and groups them by category.

Table LU-2 (1983 Yolo County General Plan Land Use Designations by Community Area) provides a breakdown of planned land uses under the prior General Plan, grouped by land use type and community area.

¹ Also addressed in greater detail in the Agriculture and Economic Development Element.

TABLE LU-2 1983 YOLO COUNTY GENERAL PLAN LAND USE DESIGNATIONS BY COMMUNITY AREA

	Residential ^a	Jobs and Services ^b	Agriculture and Open Space	Totals
Community Areas				
Capay Valley ^c	70.5	1,010.7	102,730.0	103,811.2
Clarksburg	101.4	141.3	34,703.3	34,946.1
Dunnigan	408.0	280.1	3,179.5	3,867.6
Esparto	355.9	226.4	2,900.3	3,482.6
Knights Landing	104.4	240.0	3.1	347.6
Madison	26.9	23.7	30.3	80.9
Monument Hills	1,258.6	85.3	252.0	1,595.9
Yolo	76.8	34.1	2.0	112.9
Zamora	14.3	2.5	6.5	23.3
<i>Subtotals</i>	<i>2,416.8</i>	<i>2,044.1</i>	<i>143,807.0</i>	<i>148,268.0</i>
Other Areas				
Davis Area ^e	615.2	479.4	4,353.1	5,447.7
Outlying ^d	123.0	490.0	1,521.7	2,134.7
West Sac Area	0	0	0	0
Winters ^f	33.6	33.1	0	66.7
Woodland Area ^g	48.2	513.9	508.5	1,070.6
<i>Subtotals</i>	<i>820.0</i>	<i>1,516.4</i>	<i>6,383.3</i>	<i>8,719.7</i>
Remaining Unincorporated	0	8,160.2	456,077.1	464,237.3
Acreage Totals	3,236.8	11,720.7	606,267.4^h	621,224.0ⁱ

Notes: Units are in acres.

^a Residential = Residential Rural, Residential Low, Residential Medium and Residential High.

^b Jobs and Services = Commercial General, Commercial Local, Industrial, Public and Quasi-Public, Mixed, Parks and Recreation and Other.

^c Includes land uses in the towns of Capay, Guinda, Rumsey and Tribal lands.

^d Cache Creek Open Space, County Airport and Elkhorn.

^e Covell/Pole Line Road, Binning Farms, North Davis Meadows, Patwin Road, Jury Industrial, UC Davis, Royal Oaks MHP, Willow Bank, El Macero and Chiles Road.

^f El Rio Villa and Putah Creek Recreational Vehicle Park.

^g Spreckels, North Woodland, Willow Oak and East Woodland.

^h As allowed under the existing General Plan and based on past trends. General Plan buildout is assumed to include approximately 1,610 farm dwellings and approximately 520 acres of agricultural industrial or agricultural commercial development on Agricultural land.

ⁱ Minor differences in total due to rounding.

Source: 1983 Yolo County General Plan.

Table LU-3 (Summary of General Plan Land Use Designations and Acreages Countywide) provides countywide background information showing the current General Plan land use buildout for each of the four cities, with the 1983 General Plan land use buildout for the County unincorporated area.

TABLE LU-3 SUMMARY OF GENERAL PLAN LAND USE DESIGNATIONS AND ACREAGES
 COUNTYWIDE

Land Use Categories	Incorporated Area (Current)						Unincorp. Area		
	Davis	W. Sac	Winters	Woodland	Incorp. Subtotal	%	(1983)	Acreage Total	%
Open Space	299	2,185	104	754	3,342	10.3	2,722	6,064	1.0
Agriculture	0	0	0	0	0	0.0	603,544	603,544	92.3
Recreation	402	322	45	252	1,021	3.2	1,121	2,142	0.3
Residential	3,940	4,316	770	4,169	13,195	40.8	3,237	16,432	2.5
Commercial	493	633	122	727	1,975	6.1	406	2,381	0.4
Industrial	433	2,656	75	2,281	5,445	16.8	1,195	6,640	1.0
Public	548	730	370	1,329	2,977	9.4	694	3,671	0.6
Mixed Use	11	889	50	0	950	2.9	145	1,095	0.2
Other	229	2,992	93	106	3,420	10.6	8,160	11,580	1.8
Subtotals	6,355	14,723	1,629	9,618	32,325	100%	621,224	653,549	100%

Notes: Units are in acres.

Source: City Planning Directors and 1983 Yolo County General Plan.

B. Regulatory Framework

1. State General Plan Requirements

State law (Section 65302a of the Government Code) mandates that the land use element contain the following key topics:

- Proposed general distribution, location and extent of land uses.
- Population density and building intensity by land use.
- Areas subject to flooding, including annual review of those areas.
- A designated land use category for timberland production.
- A consideration of the impact of new growth on land adjacent to military facilities and underlying military airspace.

State law (Section 65302.4 of the Government Code) also allows land use elements to address urban form and design including:

- Differentiating between neighborhoods, districts and corridors.
- Providing for a mixture of land uses and housing types within neighborhoods, districts and corridors.
- Providing specific measures for regulating relationships between buildings and between buildings and outdoor public areas including streets.

State law provides that the County can address these items in any format and is required to address them only to the extent that they are relevant in the County. Section 65301a of the Government Code indicates that the General Plan may be adopted in any format deemed appropriate or convenient by the Board of Supervisors, including the combining of elements. Section 65301c goes on to clarify that the County is required to address each of these items only to the extent that the subject of the element exists in the planning area.

In light of this, Yolo County has addressed all of the above items within this element, with the following exceptions:

- **Flooding**: Areas subject to flooding from a major (100 or 200-year) event and the requirement for annual review are addressed in the Health and Safety Element. Localized flood issues and storm drainage are addressed in the Public Facilities and Services Element.
- **Timber Harvesting**: A land use category for timberland production is not provided as the County has no timberland production areas.
- **Military Facilities**: The impact of new growth on military readiness activities is not addressed as the only military facility in the County, the McClellan/Davis Telecommunication Site, has been declared surplus by the Army and is now closed. Discussion regarding this facility and plans to convert it to a County open space facility are addressed in the Conservation and Open Space Element
- **Land Use Planning Boundaries**: All lands within the Yolo County boundary are within the Yolo County General Plan Area. However, the County does not have jurisdiction over the following, even though they are within the County boundary: federal lands, State lands, University of California land, tribal trust land, incorporated cities, and, in many cases, lands owned by special districts such as school districts.

2. Land Use Designations

The land use designations listed below are utilized in this General Plan. Table LU-4 (Land Use Designations) is provided at the end of this Element and identifies the allowed uses, densities and intensities for each proposed new land use designation.

- Open Space (OS)
- Agriculture (AG)
- Parks and Recreation (PR)
- Residential Rural (RR)
- Residential Low (RL)
- Residential Medium (RM)
- Residential High (RH)
- Commercial General (CG)
- Commercial Local (CL)
- Industrial (IN)
- Public and Quasi-Public (PQ)
- Specific Plan (SP)
- Specific Plan Overlay (SPO)
- Delta Protection Overlay (DPO)

- Natural Heritage Overlay (NHO)
- Agricultural District Overlay (ADO)
- Mineral Resource Overlay (MRO)
- Tribal Trust Overlay (TTO)

These base land uses consolidate and replace land use designations used in the 1983 General Plan and in many cases consolidate and replace designations used in various area plans. Table LU-1 identifies how the prior 1983 land use designations correspond to the new proposed land use designations. The 1983 combining designations are replaced with the overlay designations defined in this table.

3. Land Use Maps and Tables

Figure LU-1A is the Land Use Diagram for Yolo County. Figures LU-1B through LU-1G show each community in the County and are found at the end of the Element. This figure depicts the assignment of land use designations to all land within the County. Interpretive guidance and administrative procedures to assist with utilization of this figure are provided in Chapter 1.0 (Introduction and Administration) of this General Plan. Table LU-5 (2030 Yolo County General Plan Land Use Designations and Acreages) provides acreages assigned to each land use designation in this General Plan.

4. Spheres of Influence

This General Plan includes lands that are in unincorporated Yolo County but fall within the "spheres of influence" (SOIs) of the four incorporated cities. Every city in California has an SOI, although in some cases it is coterminous with the city's corporate boundaries. SOIs are adopted by the Local Agency Formation Commission (LAFCO) in each County. County LAFCOs were created by the State in 1963 to coordinate logical changes in local governmental boundaries in order to promote efficient provision of services, prevent urban sprawl and preserve agriculture and open space. Each LAFCO is responsible for adopting a sphere of influence for each city and special district in its County to represent "the probable physical boundaries and service area," as required by California Government Code Section 56076.²

Many cities choose to designate land uses within their SOI areas on their General Plan Land Use Designation Map in order to express desired municipal land uses for those areas. The General Plans for West Sacramento, Davis, Woodland and Winters include land use designations for lands outside of their city limits, but inside their respective SOIs. Because these lands are legally under the County's jurisdiction, they are also included in the Yolo County General Plan and given land use designations in this General Plan. The designation in the County General Plan of lands within the SOI may differ from the designations shown in the City General Plan. Until SOI areas are annexed into a city's boundaries, the controlling land use designations for purposes of development are those of the County.

² State of California General Plan Guidelines, Governor's Office of Planning and Research, 2003, page 10.

TABLE LU-5 2030 YOLO COUNTY GENERAL PLAN LAND USE DESIGNATIONS AND ACREAGES

Land Use Designation	Acreage
Open Space	52,969 21,585
Agriculture	544,723 575,474
Parks and Recreation	866 577
Residential Rural	1,602 4,665
Residential Low	1,280 4,506
Residential Medium	179 446
Residential High	27 29
Commercial General	532 504
Commercial Local	119 428
Industrial	1,049 4,028
Public and Quasi-Public	7,001 7,594
Specific Plan	3,285 3,297
<i>Subtotal</i>	<u>612,632 643,500</u>
Incorporated Cities	32,325
Rights-of-Way	8,592 7,724
County Total	653,549
Specific Plan Areas	
Dunnigan Specific Plan	2,312
Elkhorn Specific Plan	<u>348 352</u>
Knights Landing Specific Plan	<u>212 222</u>
Madison Specific Plan	413 414
<i>Specific Plan Area Total</i>	<u>3,285 3,297</u>
Overlays	
Tribal Trust Overlay	<u>483 257</u>
Mineral Resource Overlay	18,452
Clarksburg Agricultural Overlay	<u>35,171 35,344</u>
Delta Protection Overlay	73,053
Madison <u>Specific Community-Plan</u> Overlay	<u>81 400</u>
Knights Landing <u>Specific Community-Plan</u> Overlay	<u>208 473</u>
Dunnigan <u>Specific Community-Plan</u> Overlay	<u>778 844</u>

Figure LU-1A General Plan Land Use Map

Figure to be revised to reflect updated mapping.

5. Growth Boundaries

This General Plan includes identified growth boundaries for all community and other outlying areas of the unincorporated County. These growth boundaries are shown in Figure LU-2A and defined as a boundary around the outer perimeter of each area of non-agriculturally designated land within the County. Figures LU-2B through LU-2G show each community in the County and are found at the end of the Element. For the incorporated cities, the SOI boundaries are identified as the SOI for that City.

6. Relationship to the Yolo County Zoning Code

Title 8 (Land Development and Zoning) of the Yolo County Code contains the primary land development regulations of the County, including the Zoning Code. These regulations implement the General Plan and must be consistent. Inconsistencies between the two documents must be resolved in favor of the General Plan. The Zoning Code will be revised to bring it into conformance with this General Plan.

The Zoning Code, in particular, contains further refinements of the land use designations established in the General Plan, in the form of land use zones. Table LU-6 provides a matrix that correlates the land use zones of the existing Zoning Code with the land use designations of this General Plan update.

7. Land Use and Resources Management Plan for the Primary Zone of the Delta

The Land Use and Resources Management Plan for the Primary Zone of the Delta (LURMP) was developed in response to the Delta Protection Act of 1992, by the State Delta Protection Commission. The plan was adopted by the State in 1995 for the purpose of providing direction to local jurisdictions in the Delta region on land use decisions. The Plan addresses the environment, utilities and infrastructure, land use, agriculture, water, recreation and access, levees and boater safety. The General Plans for all jurisdictions within the Delta primary zone, including portions of Yolo County, are required to be consistent with this plan. The LURMP was adopted by the County as a General Plan amendment on March 18, 1997 by Resolution No. 97-34. The State is currently engaged in a process to update this plan. Upon completion, the County will be required to review this General Plan for consistency and make amendments as necessary.

TABLE LU-6 ZONING/GENERAL PLAN CONSISTENCY

General Plan Land Use Designation	General Plan Symbol	Zone Designation	Zone Symbol
Residential Land Use Designations			
Residential Rural	RR	Residential Rural Agricultural	RRA
		Mobile Home Combining	-MHF
Residential Low	RL	Residential Suburban	RS
		Residential One-Family	R1
		Mobile Home Combining	-MHF
Residential Medium	RM	Residential One-Family or Duplex	R2
		Mobile Home Combining	-MHF
		Multiple Family Residential	R-3
Residential High	RH	Apartment Professional	R4
		Mobile Home Combining	-MHF
Commercial Land Use Designations			
Commercial Local	CL	Neighborhood Commercial	C-1
		Community Commercial	C-2
		Waterfront	WF
Commercial General	CG	General Commercial	C-3
		Highway Services Commercial	C-H
		Recreational Vehicle Park Combining	-RVP
Industrial Land Use Designations			
Industrial	IN	Limited Industrial	M-L
		Light Industrial	M-1
		Heavy Industrial	M-2
Other Land Use Designations			
Agriculture	AG	Agricultural Preserve	A-P
		Agricultural Exclusive	A-E
		Agricultural General	A-1
		Agricultural Industry	AGI
		Watershed Combining	-W
		Mobile Home Combining	-MHF
		Special Sand and Gravel Combining	-SG
Open Space	OS	Open Space	OS
		Public Open Space	POS
		Watershed Combining	-W
Parks and Recreation	PR	Parks and Recreation	PR
		Public Open Space	POS
Public/Quasi-Public	PQ	Airport	AV
		Special Height Combining	-H
Specific Plan	SP	Agricultural Preserve	A-P
		Agricultural Exclusive	A-E
		Agricultural General	A-1
		Agricultural Industry	AGI
		Watershed Combining	-W
		Mobile Home Combining	-MHF
		Special Sand and Gravel Combining	-SG
Planned Development No. 45	PD-45		

TABLE LU-6 ZONING/GENERAL PLAN CONSISTENCY (CONTINUED)

General Plan Land Use Designation	General Plan Symbol	Zone Designation	Zone Symbol
Overlay Land Use Designations			
Natural Heritage Overlay	NHO	Agricultural Preserve	A-P
		Agricultural Exclusive	A-E
		Agricultural General	A-1
		Agricultural Industry	AGI
		Open Space	OS
		Public Open Space	POS
		Watershed Combining	-W
		Mobile Home Combining	-MHF
Agricultural District Overlay	ADO	Agricultural Preserve	A-P
		Agricultural Exclusive	A-E
		Agricultural General	A-1
		Agricultural Industry	AGI
		Watershed Combining	-W
		Mobile Home Combining	-MHF
		Special Sand and Gravel Combining	-SG
Delta Protection Overlay	DPO	Various	Various
Mineral Resource Overlay	MRO	Sand and Gravel Reserve Combining	-SGR
Specific Plan Overlay	SPO	Various	Various
Tribal Trust Overlay	TTO	Various	Various

Note: The following zone overlays may be combined with any residential, commercial, industrial, or agriculture land use designation:

- B Special Building Site Combining
- R Special Review Combining
- PD Planned Development Combining

Figure LU-2A Growth Boundaries

Figure to be revised to reflect updated mapping and to add the City growth boundaries.

C. Policy Framework

1. Land Use Policies

GOAL LU-1	<u>Range and Balance of Land Uses.</u> Maintain an appropriate range and balance of land uses to maintain the variety of activities necessary for a diverse, healthy and sustainable society.
------------------	--

Policy LU-1.1 Assign the following range of land use designations throughout the County, as presented in detail in Table LU-4 (Land Use Designations):

Open Space (OS) includes public open space lands, ~~and major natural water bodies,~~ and agricultural buffer areas, and habitat. The primary land use is characterized by “passive” and/or very low-intensity management, as distinguished from AG or PR land use designations, which involve more intense management of the land.

Agriculture (AG) includes the full range of cultivated agriculture, such as row crops, orchards, vineyards, dryland farming, livestock grazing, forest products, horticulture, floriculture, apiaries, confined animal facilities and equestrian facilities. It also includes agricultural industrial uses (e.g. agricultural research, processing and storage; supply; service; crop dusting; agricultural chemical and equipment sales; surface mining; etc.) as well as agricultural commercial uses (e.g. roadside stands, “Yolo Stores,” wineries, farm-based tourism (e.g. u-pick, dude ranches, lodging), horseshows, rodeos, crop-based seasonal events, ancillary restaurants and/or stores) serving rural areas. Agriculture also includes farmworker housing, surface mining, and incidental habitat.

Parks and Recreation (PR) includes developed (or “active”) park facilities, such as regional, community and neighborhood parks; tot lots, sports fields and public pools.

Residential Rural (RR) includes large lot rural homes with primarily detached single-family units, although attached and/or detached second units or duplexes are allowed. Density range: 1du/5ac to <1 du/ac.

Residential Low (RL) includes traditional neighborhoods with primarily detached single-family units, although attached and/or detached second units or duplexes are allowed. Density range: 1 du/ac to <10 du/ac.

Residential Medium (RM) includes dense neighborhoods with primarily attached single family and multi-family units, although detached single-family units are allowed. Density range: 10 du/ac to <20 du/ac.

Residential High (RH) includes apartments, condominiums, townhouses and other attached multi-family units. Density range: >20 du/ac/du.

Commercial General (CG) includes regional and highway-serving retail, offices, service retail and agricultural commercial uses. Research and development, including biotechnology, is allowed where offices and service support uses are the primary use (accounting for more than 50 percent of the total square footage). There is no limit on the amount of ground floor square footage. Upper floor and accessory attached residential uses are allowed.

Commercial Local (CL) includes a range of goods and services to meet the everyday needs of residents within a community, such as retail, offices, service uses and agricultural commercial uses. There is a limit of 40,000 square feet allowed on the ground floor for any one user. Upper floor and ancillary attached residential uses are allowed.

Industrial (IN) includes the full range of light to heavy industrial/manufacturing, including agricultural industrial uses (e.g. storage facilities, contractor's yards, corporation yards, dismantling, etc.). Research and development, including biotechnology, is allowed where manufacturing is the primary use (accounting for more than 50 percent of the total square footage).

Public and Quasi-Public (PQ) includes public/governmental offices, places of worship, schools, libraries and other community and/or civic uses. ~~It also includes public~~ It also includes public airports, including related visitor services, and infrastructure including wastewater treatment facilities, municipal wells, and landfills, and storm water detention basins.

Specific Plan (SP) allows uses in the AG designation to continue temporarily until such time as the Specific Plan has been adopted, or the land use designation is otherwise amended. Ultimate land uses

must be consistent with the adopted Specific Plan. Capital intensive agricultural uses are discouraged in lands designated Specific Plan so as not to preclude later planned uses.

Natural Heritage Overlay (NHO) applies to focused conservation areas identified in the Yolo Natural Heritage Program. Allowed land uses are limited to those consistent with the adopted Yolo Natural Heritage Program.

Agricultural District Overlay (ADO) applies to designated agricultural districts. Land uses consistent with the base designation and the district specifications are allowed.

Delta Protection Overlay (DPO) applies to the State designated "primary zone" of the Sacramento-San Joaquin Delta, as defined in the Delta Protection Act. Land uses consistent with the base designation and the Delta Protection Commission's Land Use and Resource Management Plan are allowed.

Mineral Resource Overlay (MRO) applies to State designated mineral resource zones (MRZ-2) containing critical geological deposits needed for economic use, as well as existing mining operations.

Specific Plan Overlay (SPO) applies to existing developed areas adjacent to identified Specific Plan designated land. Land uses consistent with the existing land use designation are allowed until a Specific Plan has been adopted, at which point the Specific Plan takes precedence.

Tribal Trust Overlay (TTO) applies to tribal trust lands held by the federal government for recognized tribal governments.

Policy LU-1.2 Figure LU-1, as it may be amended from time to time, is the Land Use Diagram for Yolo County.

Policy LU-1.3 The residential density ranges identified in Policy LU-1.1 are increased over the ranges in the prior (1983) General Plan and therefore allow for an increased yield of units on vacant or underutilized land throughout the County. In the communities of Dunnigan (+608 units), Esparto (-69 units), Knights Landing (+420 units), and Madison (+108 units) this has been determined to be an acceptable outcome. In all other instances where this could occur, it is the intent of the County to hold the number of units to no more than would have originally been allowed.

GOAL LU-2 **Agricultural Preservation.** Preserve farm land and expand opportunities for related business and infrastructure to ensure a strong local agricultural economy. (See the Agriculture and Economic Development Element for a more comprehensive treatment of this issue.)

- Policy LU-2.1 ~~Planned urban growth that occurs at the inside edge of a growth boundary where it will permanently adjoin agricultural land must provide a minimum 300-foot buffer. Ensure that development will not have a significant adverse effect on the economic viability or constrain the lawful practices of adjoining or nearby agricultural operations, except for land within the Sphere of Influence (SOI) around a city of within the growth boundary of an unincorporated community. New urban (non-agricultural) development shall be setback a minimum of 300 feet from adjoining agricultural land.~~ The buffer area shall be designated Open Space. Agricultural buffers are not required for planned urban growth elsewhere within a growth boundary because the agricultural-urban interface will be temporary until full buildout occurs. ☹
- Policy LU-2.2 Allow additional agricultural commercial and agricultural industrial land uses in any designated agricultural area, where appropriate, depending on site characteristics and project specifics. Agricultural commercial and/or agricultural industrial development is anticipated as shown in Table LU-7 (Anticipated Agricultural Commercial and/or Agricultural Industrial Growth) and in Figure LU-X (New Targeted Future Agricultural Commercial and Agricultural Industrial Sites).
- Policy LU-2.3 Manage agricultural parcels of less than 20 acres, including antiquated subdivisions where appropriate, to create compatibility with surrounding agricultural uses to the greatest extent possible, including: 1) discourage residential development; 2) encourage lot mergers to achieve larger parcel sizes; 3) encourage clustering of units either within parcels or near existing homes on adjoining parcels to preserve farmland and natural resources; 4) encourage transfers of development rights to areas where additional farm dwellings are desired (e.g. organic farms that are labor intensive); 5) encourage deed restrictions, site design and development themes that support the agricultural use of the land; and 6) aggressively limit the impact of residential development where it does occur. ☹
- Policy LU-2.4 Prohibit the division of land in an agricultural area if the division is for non-agricultural purposes and/or if the result of the division will be parcels that are infeasible for farming.-

Figure LU-X, New Targeted Future Agricultural Commercial and Agricultural Industrial Sites

New figure to be added to show locations for Clarksburg 403 acres Ag Commercial (3 alternative sites) of 103 acres; I-505/128 96 acres Ag Commercial or Ag Industrial of 96 acres; Madison 44 acres Ag Industrial (within Specific Plan area) of 44 acres; and Zamora 46 acres Ag Commercial of 16 acres.

Figure to also show I-505/SR-128 site labeled as "special study area" per Action CC-A15.

TABLE LU-7 ANTICIPATED AGRICULTURAL COMMERCIAL AND/OR AGRICULTURAL INDUSTRIAL GROWTH

Town	Existing Developed Acres ^a	Assumed Future Under 83 GP (Acres)	New Targeted Future Sites (Acres)	Other New Added Future (Acres)	Total
Clarksburg	0	0	103.0	0	103.0
Madison	0	0	44.0	0	44.0
Zamora	0	0	16.0	0	16.0
I-505/SR 128	0	0	96.0	0	96.0
Unincorporated County	324.0	520.0		75.0	919.0
Total	324.0	520.0	259.0	75.0	1,178.0

Notes: In acres.

^a Very gross estimate based on data from Assessor's Office for agricultural preserves as modified by Planning staff to account for other facilities outside of agricultural preserves. This number is presumed to be significantly underestimated.

Policy LU-2.5 Vigorously conserve, and preserve, and enhance the productivity of the agricultural lands in areas outside of adopted community growth boundaries and outside of city SOIs. 🌱

GOAL LU-3 Growth Management. Manage growth to preserve and enhance Yolo County's agriculture, environment, rural setting and small town character.

Policy LU-3.1 Direct all of the County's residential growth to designated areas within the cities and within the growth boundaries of existing unincorporated communities, as depicted on the Land Use Diagram in Figure LU-1,

with the exception of individual farm dwellings (houses allowed on agricultural land), other allowed units (e.g. second units, ancillary dwellings, houses allowed in mixed-use commercial areas, etc.) and housing allowed on existing residentially designated land. ☹

Policy LU-3.2 With the exception of allowed ancillary residential units (e.g. second units, houses allowed in mixed-use commercial areas, etc.), residential growth within the growth boundaries is allowed as follows, subject to all required County approvals. (See Table LU-8, Allowed Residential Growth.)

Policy LU-3.3 Allow commercial and industrial growth (not including agricultural commercial or agricultural industrial) as shown in Table LU-9 (Allowed Commercial and Industrial Growth), subject to all required County approvals. Within the areas designated for commercial and industrial land uses, where appropriate, the County shall target the following:

- A. Biotechnology facilities development, including development of "high tech" research and development campuses, as well as regional office, business park and light manufacturing nodes.
- B. Research and development space to serve private businesses that result from UC Davis research activities.
- C. Highway-oriented and regional commercial development, particularly along Interstate 5 and Interstate 505 and specialized retail to serve regional populations.

Policy LU-3.4 Refer applications for General Plan Amendments which would, in the judgment of the Planning and Public Works Director, represent a substantive departure from the direction of the General Plan as adopted, to the Board of Supervisors for consideration prior to acceptance for filing. The Board of Supervisors shall be asked to determine whether: (a) the application shall be processed, or (b) the application shall be immediately scheduled for denial.

Policy LU-3.5 Locate and design services and infrastructure to only serve existing and planned land uses. Actions that will induce growth beyond planned levels are prohibited. ☹

Policy LU-3.6 Avoid or minimize conflicts and/or incompatibilities between land uses.

COUNTY OF YOLO
2030 COUNTYWIDE GENERAL PLAN
LAND USE AND COMMUNITY CHARACTER ELEMENT

TABLE LU-8 ALLOWED RESIDENTIAL GROWTH (IN UNITS)

Town	Existing Units ^a	Buildout Under 1983 GP ^b	New Added Units ^c	Total Allowed Units ^d
Capay	576	53	0	629
Clarksburg	177	22	0	199
Dunnigan	340	173	8,108 ^{5,000 to} 7,500	8,621 ^{8,013}
Esparto	905	985	521 ⁵⁷⁵	2,411 ^{2,465}
Knights Landing	380	993	420 ⁰	1,793 ^{1,373}
Madison	137	83	1,413 ^{1,305}	1,633 ^{1,525}
Monument Hills	583	25	0	608
Yolo	155	56	0	211
Zamora	14	14	0	28
Remaining Unincorporated	3,996 ^e	1,610 ^f	0	5,606
Total	7,263^g	4,014	10,462^{9,380}^h	21,739^{20,657}

^a Yolo County Planning and Public Works Department estimates of existing "on-the-ground" units based on County address data for 2007.

^b Based on vacant residentially designated land at allowed yields.

^c Communities/locations where additional residential growth (beyond that allowed under the 1983 General Plan) is allowed under the 2030 this General Plan.

^d Sum of existing on-the-ground units + buildout allowed under 1983 General Plan + added new units under this General Plan update.

^e Difference between DOF unit total and numbers for each community.

^f This does not represent potential "full" buildout but rather a projection of the number of future farm dwellings through 2030 based on past trends. Assumes an average of 70 farm dwellings annually over 23 years.

^g California Department of Finance, 2007.

^h Total includes all 7,500 units added in Dunnigan Specific Plan area.

ⁱ Includes acreage from Specific Plan development capacities.

COUNTY OF YOLO
 2030. COUNTYWIDE GENERAL PLAN
 LAND USE AND COMMUNITY CHARACTER ELEMENT

TABLE LU-9 ALLOWED COMMERCIAL AND INDUSTRIAL GROWTH (IN ACRES)

Town	Existing Developed Acres ^a	Remaining Under 1983 GP ^b	New Added Acres ^c	Total Designated Acres ^{e,g,d}
Capay Valley	4.0	12.5	115.1 ^g	131.6 ^h 146.5
Clarksburg	134.0	3.0	-4.8 ^g	132.2 ^h 137.0
Dunnigan	26.2	250.0	540.5 ^g 430.0	816.7 ^h 706.2
Esparto	6.0	123.3	-69.8 ^g -65.0 ^{fe}	59.5 ^h 64.3
Knights Landing	11.0	103.4	-52.3 ^g	62.1 ^h 114.4
Madison	19.0	4.7	133.9 ^g 146	157.6 ^h 139.7
Monument Hills	6.0 ^g	16.0 ^g	2.7 ^g 3.0	24.7 ^g 25.0
Yolo	26.0	8.1	11.8 ^g 13.0	45.9 ^h 47.4
Zamora	1.0	0.9	12.9 ^g	14.8 ^h 1.9
Elkhorn Property	1.8	0	303.2 ^g 320.2	305.0 ^h 322.0
County Airport	66.0 ^e	236.0 ^e	0	302.0 ^e
I-505/CR14 or 12A	0	0	15.1 ^g 15.0	15.1 ^h 15.0
Spreckels Property	87.0	4.0	69.3 ^g 69.0	160.3 ^h 160.0
Covell/Pole Line	0	383.7	0	383.7
Remaining Unincorporated	43.3 ^f	294.4	-1.6 ^g	336.1 ^h 337.7
Total	431.3	1,440.0	1,076.0 901.2	2,947.3 2,772.5

^a Yolo County Planning and Public Works Department estimates of existing "on-the-ground" commercial and industrial land uses. Breakdown by community based on County address data for 2007.

^b Vacant commercially designated or industrially designated land.

^e Sum of existing developed industrial and commercial acres + vacant industrial and commercial acreage under the 1983 General Plan + added new acreage under this General Plan update. See exception for airport property in footnote d below.

^c Communities/locations where additional commercial or industrial residential growth (beyond that allowed under the 1983 General Plan) has been allowed under the 2030 this General Plan update. Does not include agricultural commercial and/or agricultural industrial acreage (see Table LU-7).

^d Sum of existing developed industrial and commercial acres + vacant industrial and commercial acreage under the 1983 General Plan + added new acreage under this General Plan update. See exception for airport property in footnote "e" and "g" below.

^{eg} The County airport is designated "airport" under the 1983 General Plan which is a PQ designation under the 2030 General Plan. However, the non-runway portions of this facility function similar to an industrial or commercial land use. Therefore the non-runway acreage (302.0 of 488.2 acres) has been included here.

^{fe} Primarily 7975-acre industrial site south of SR-16 converted to other mixed uses CG (10 acres) and RM/RH (65 acres).

^g The Watts-Woodland airport in Monument Hills is designated "airport" under the 1983 General Plan which is a PQ designation under the 2030 General Plan. However, the non-runway portions of this facility function similar to an industrial or commercial land use. Therefore the non-runway acreage (22.0 of 85.3 acres) has been included here.

^h Includes acreage from Specific Plan development capacities.

- Policy LU-3.7 Maintain the compatibility of surrounding land uses and development, so as not to impede the existing and planned operation of public airports, landfills and related facilities and community sewage treatment facilities.
- Policy LU-3.8 Prohibit the designation of new urban development in places with ~~some or all~~ one or more of the following characteristics: (b)
- Areas without adequate emergency services and utility capacity and where there are no capital improvement plans to pay for and construct new facilities that can accommodate the proposed development.
 - Areas where there are significant hazards and where there are no plans to adequately mitigate the risk (e.g. floodplains, high fire hazard areas, unstable soils, known seismic faults, etc.).
 - Areas where there are significant natural resources (e.g. groundwater recharge, wildlife habitat, mineral or timber resources, scenic areas, etc.).
 - Areas not contiguous to existing urban development.
- Policy LU-3.9 The intent of allowing residences in the agricultural areas is to provide dwellings for those directly involved in on-site farming activity, including farm employees, the landowners and their immediate families. All such dwellings shall be encouraged to locate on lands least suited~~unsuited~~ for agricultural use and/or in “clustered” configurations to minimize the conversion of agricultural lands to any other uses.
- Policy LU-3.10 ~~Avoid~~Prohibit the creation of a ring of rural residential development around existing growth boundaries. (b)
- Policy LU-3.11. Conservations easements located within community growth boundaries will not be accepted for mitigation purposes.

GOAL LU-4	<u>Delta Land Use and Resource Management.</u> Within the Delta Primary Zone, ensure the compatibility of land uses and decision-making with applicable properly adopted policies of the Land Use and Resource Management Plan of the Delta Protection Commission.
------------------	--

- Policy LU-4.1 Recognize the unique land use constraints and interests of the Delta area.
- Policy LU-4.2 Continue active involvement with State and regional efforts to establish policy, ~~and regulation~~ and management for the Delta, to promote the

economic and social sustainability of the town of Clarksburg, the viability of the Agricultural District, the habitat needs of the Yolo Natural Heritage Program and the water resources needed for the success of each of these efforts.

GOAL LU-5	<u>Equitable Land Use Decisions.</u> Ensure inclusion, fair treatment and equitable outcomes in local land use decisions and regulations.
------------------	--

- Policy LU-5.1 Balance land use decisions and land use burdens countywide so that there is not a disproportionate impact to any one group of residents because of age, culture, ethnicity, gender, race, socio-economic status, or other arbitrary factor.
- Policy LU-5.2 Allow for meaningful participation in the planning process by affected and interested groups or individuals.
- Policy LU-5.3 Employ strategies to overcome linguistic, institutional, cultural, economic and historic barriers to effective public participation in the planning process.
- Policy LU-5.4 Use existing community-based organizations, where available, to involve the public in the planning process.
- Policy LU-5.5 Ensure that public facilities, services and amenities are distributed equitably and in locations that enhance the quality of life for the broadest number of county residents.
- Policy LU-5.6 Assist existing communities to obtain the services, support and infrastructure needed to thrive and be successful.
- Policy LU-5.7 Support the Community Advisory Committees to ensure direct, local input on land use issues and on project applications.

GOAL LU-6	<u>Intra-County Coordination.</u> Ensure inclusion, fair treatment and equitable outcomes for the County in land use planning matters involving other local government entities.
------------------	---

- Policy LU-6.1 Continue to develop strong working relationships and effective inter-governmental review procedures with the Rumsey Band of Wintun Indians regarding their landholdings and interests, including the Cache Creek Casino Resort, to achieve the best possible outcomes consistent with the General Plan.

- Policy LU-6.2 Coordinate with the University of California at Davis regarding the Long Range Development Plan (LRDP), campus facilities, off-campus agricultural and open space property and joint venture development with the private sector to achieve the best possible outcomes consistent with the General Plan.
- Policy LU-6.3 Coordinate with community college districts and tribal colleges within Yolo County regarding their long-term development plans for campus facilities and property, to achieve the best possible outcomes consistent with the General Plan.
- Policy LU-6.4 Negotiate with each of the cities to achieve mutually beneficial outcomes related to, among other things: planning within spheres of influence; development impact fees for funding of regional parks and open space, regional roadways, ~~and~~ government services that benefit the entire County (including incorporated areas), ~~and~~ “replacement” funding for revenues foregone to protect agriculture and rural character, water resources, and flood protection.
- Policy LU-6.5 Encourage schools and other special districts to locate new schools and other appropriate service facilities within the growth boundaries of the unincorporated communities. 🌐
- Policy LU-6.6 Encourage independent special districts to locate offices and other facilities (where appropriate) within the downtown areas of the communities being served. 🌐
- Policy LU-6.7 Revenue sharing agreements, redevelopment pass-through agreements and development impact fees shall provide for sufficient revenues to cover County revenue losses and costs.
- Policy LU-6.8 Negotiate annexation agreements with each city to ensure revenue neutrality and account for and fully reimburse the County for maintenance and operation of all relevant programs and services.
- Policy LU-6.9 Require that development agreements, tribal agreements, memoranda of understanding and other similar arrangements add community value by securing “net” public benefits over and above CEQA mitigation requirements and conditions of approval.
- Policy LU-6.10 Coordinate with other jurisdictions ~~the cities~~ to create projects that result in mutually beneficial revenue generating land uses that result in fiscal benefits to the County and to its partner~~the cities~~.
- Policy LU-6.11 Coordinate with the City of Davis to explore mutual opportunities regarding the following projects:

- a) Special needs housing, including housing for seniors in the area north of Covell Boulevard and west of State Route 113.
- b) Land uses that complement UC Davis, the University Retirement Community, Sutter-Davis Hospital and other nearby social services in the area north of Covell Boulevard and west of State Route 113.
- c) Alternatives for the Binning Estates project, including the clustering of residential units and increased densities. 🌐
- d) Extension of water and sewer infrastructure to the Binning Farms community.
- e) Life science, biotechnology and related research uses along the Interstate 80 corridor.
- f) Commercial and mixed uses at Covell Boulevard/Pole Line Road and coordinated planning with the Hunt Wesson site.

GOAL LU-7 **Regional Coordination. Ensure inclusion, fair treatment and equitable outcomes for the County and its residents in regional land use planning efforts.**

- Policy LU-7.1 Seek recognition, reimbursement and reward for foregone revenues and opportunities associated with the active preservation of agriculture, open space and important natural resources.
- Policy LU-7.2 Support and participate in countywide, regional and other multi-agency planning efforts related to housing, tourism, air quality, open space, green infrastructure, recreation, agriculture, habitat conservation, energy, emergency preparedness and flood protection. 🌐
- Policy LU-7.3 Coordinate with other stakeholder agencies and entities to continue local and regional planning efforts to preserve agriculture, open space and natural resources while meeting housing needs, basic infrastructure and service levels, County economic development goals and County fiscal objectives.
- Policy LU-7.4 Work with SACOG and its other member jurisdictions to develop a mutually-acceptable plan for open space conservation, habitat protection and mitigation banking, to ensure that Yolo County is appropriately compensated when its land is used to achieve region-wide environmental benefits.

- Policy LU-7.5 Support efforts to adopt a regional tax measure that would fund agricultural and open space acquisition, protection and maintenance.
- Policy LU-7.6 Coordinate with Napa, Lake, Colusa, Sutter, Sacramento and Solano Counties to mitigate the impacts of development in these jurisdictions on Yolo County.
- Policy LU-7.7 Pursue full funding of in-lieu tax payments for all state-owned public lands.

2. Community Character Policies

GOAL CC-1	<u>Preservation of Rural Character.</u> Ensure that the rural character of the County is protected and enhanced, including the unique and distinct character of the unincorporated communities.
------------------	--

- Policy CC-1.1 Encourage private landowners of both residential and commercial properties to maintain their property in a way that contributes to the attractive appearance of Yolo County, while recognizing that many of the land uses in the County, including agriculture and light industry, require a variety of on-site structures, equipment, machinery and vehicles in order to operate effectively.
- Policy CC-1.2 Preserve and enhance the rural landscape as an important scenic feature of the County. ~~The discretionary review of development proposals shall evaluate and address impacts on scenic landscapes and views.~~
- Policy CC-1.3 Protect the rural night sky as an important scenic feature to the greatest feasible extent where lighting is needed. 🌍
- Policy CC-1.4 Identify and preserve, where possible, landmarks and icons which contribute to the identity and character of the rural areas.
- Policy CC-1.5 Significant site features, such as trees, water courses, rock outcroppings, historic structures and scenic views shall be used to guide site planning and design in new development. Where possible, these features shall become focal points of the development.
- Policy CC-1.6 New freestanding off-site advertising along rural roads shall be limited ~~are prohibited unless necessary for directional purposes.~~ Existing non-conforming advertising shall be eliminated whenever possible.

- Policy CC-1.7 Reinforce the growth boundaries for each community through appropriate mechanisms including greenbelts, buffers, conservation easements and other community separators. 🌍
- Policy CC-1.8 Screen visually obtrusive activities and facilities such as infrastructure and utility facilities, storage yards, outdoor parking and display areas, along highways, freeways, roads and trails.
- Policy CC-1.9 In communities, place both new and existing line utilities and telecommunications infrastructure underground where feasible. Where underground utilities are not feasible, minimize the aesthetic impact.
- Policy CC-1.10 Protect existing ridgelines and hillsides from visually incompatible development.
- Policy CC-1.11 Require the development of open space corridors, bicycle paths and trails integrating waterways, scenic areas and County parks where appropriate, in collaboration with affected land owners as a part of project approval ~~where appropriate~~. The intent is to connect each community and city and other special places and corridors, throughout the County. 🌍
- Policy CC-1.12 Preserve and enhance the scenic quality of the County's rural roadway system. Prohibit projects and activities that would obscure, detract from, or negatively affect the quality of views from designated scenic roadways or scenic highways.
- Policy CC-1.13 The following routes are designated as local scenic roadways, as shown in Figure LU-3 (Scenic Highways):
- State Route 16 (Colusa County line to Capay)
 - State Route 128 (Winters to Napa County line)
 - County Roads 116 and 116B (Knights Landing to eastern terminus of County Road 16)
 - County Roads 16 and 117 and Old River Road (County Road 107 to West Sacramento)
 - South River Road (West Sacramento City Limits to Sacramento County line)
- Policy CC-1.14 ~~The County may~~ Designate other scenic roadways or routes where appropriate using the following criteria: the roadway or route traverses a scenic corridor, water feature, open space area or other interesting or unique areas, both urban and rural and may include bikeways, hiking and riding trails and pedestrian ways.

Policy CC-1.15 The following features shall be protected and preserved along designated scenic roadways and routes, except where there are health and safety concerns:

- Trees and other natural or unique vegetation
- Landforms and natural or unique features
- Views and vistas
- Historic structures (where feasible), including buildings, bridges and signs

Figure LU-3 Scenic Highways

Policy CC-1.16 The following features shall be stringently regulated along designated scenic roadways and routes with the intent of preserving and protecting the scenic qualities of the roadway or route:

- Signage
- Architectural design of adjoining structures
- Construction, repair and maintenance operations
- Landscaping
- Litter control
- Water quality
- Power poles, towers, above-ground wire lines, wind power and solar power devices and antennae

Policy CC-1.17 Existing trees and vegetation and natural landforms along scenic roadways and routes shall be retained to the greatest feasible extent. Landscaping shall be required to enhance scenic qualities and/or screen unsightly views and shall emphasize the use of native plants and habitat restoration to the extent possible. Removal of trees, particularly those with scenic and/or historic value, shall be generally prohibited along the roadway or route.

Policy CC-1.18 Electric towers, solar power facilities, wind power facilities, communication and electromagnetic frequency transmission facilities and/or above ground lines shall be avoided along scenic roadways and routes, to the maximum feasible extent.

Policy CC-1.19 Unscreened outdoor storage of industrial and commercial parts and materials, salvage or junk, dismantled vehicles, used or new vehicle sales or, building materials for sale and similar materials, uses and things along designated scenic roadways and routes shall be prohibited.

GOAL CC-2 **Community Planning. Protect, enhance and redevelop existing communities.**

- Policy CC-2.1 Require planned growth to pay the full cost of new development, as well as, to the greatest feasible extent, benefit residents in each existing community through efforts that, among other things, result in basic urban services and community sustainability.
- Policy CC-2.2 Ensure that the appropriate base level of rural services and infrastructure for existing development in each community is required in connection with new development.
- Policy CC-2.3 Include open space corridors and trails throughout each community to provide off-street bicycle and pedestrian access, as well as connections to intra-county corridors and trails. ♻️
- Policy CC-2.4 Emphasize the unincorporated communities as retail, service and employment centers for local residents, as well as residents of surrounding rural (agricultural) areas. Where appropriate, include economic development in the unincorporated communities that serves intra-county and regional tourism. ♻️
- Policy CC-2.5 Plan future land uses within communities so that more dense/intense uses are located within the downtown area and/or at neighborhood centers, transitioning to less dense/intense uses at the growth boundary edge. There is no intent to create or allow a ring of “transitional” rural residential development outside the growth boundaries. ♻️
- Policy CC-2.6 Encourage infill development and the appropriate redevelopment of vacant and underutilized properties within existing unincorporated communities and prioritize infill projects over development on land at the planned community edge. ♻️
- Policy CC-2.7 Provide for higher density housing and mixed-use development in the downtown areas of the unincorporated communities to support commercial uses, create more pedestrian travel, extend activity into the evening, increase the variety of housing opportunities to include affordable and special needs housing, enhance safety, reduce traffic and support regular, frequent fixed-route transit service. ♻️
- Policy CC-2.8 Encourage a range of commercial, civic and cultural uses in the downtown areas of the unincorporated communities to encourage pedestrian travel, extend activity into the evening hours and create activities that involve all ages and groups. This shall include a diversity of retail uses within downtown areas, including retail shops

that serve daily household needs, essential services and tourism, such as a bank or post office, lodging, restaurants and entertainment. 🌐

Policy CC-2.9 Locate County offices and other civic facilities in the downtown area of the unincorporated communities, whenever possible ~~appropriate~~. 🌐

Policy CC-2.10 Strive to achieve a minimum jobs/housing balance of 1.2 jobs for every dwelling unit on average within each unincorporated community. 🌐

Policy CC-2.11 Strive to achieve a match between the prices of dwelling units and the salaries of the jobs provided within each unincorporated community. 🌐

Policy CC-2.12 Strive to create an average yield community-wide of 16 jobs per acre for industrial, commercial and other job-generating land uses. 🌐

Policy CC-2.13 Require 5 acres of neighborhood parks for every 1,000 people within each unincorporated community, proximate to residential neighborhoods.

Policy CC-2.14 Encourage local hiring and buying practices within local communities and within the County as a whole, including County operations, where legally and economically feasible. 🌐

Policy CC-2.15 Develop all services, parks, buffers and infrastructure within identified community growth boundaries. Mitigation lands for the loss of agricultural land and wildlife habitat are the only component of community development that are allowed to be located outside of the growth boundaries. 🌐

Policy CC-2.16 Require the following sustainable design standards as appropriate for projects located within the growth boundaries of the unincorporated communities: 🌐

- A. Imaginative and comprehensive planning that seeks to make best use of existing community features and fully integrate new development.
- B. Compact, ~~walkable~~ and cohesive communities that promote walking, bicycling and public transit.
- C. Well defined neighborhoods served by parks, schools, greenbelts and trails.
- D. The fiscal impacts of development projects shall be revenue neutral or positive in terms of impacts to the County General

- Fund. Appropriate exceptions for socially beneficial projects such as affordable housing, parks, etc. may be allowed.
- E. Distinct neighborhood focal points such as a park and/or school and/or small neighborhood-serving retail site.
 - F. Narrow streets lined with evenly-spaced trees of the same or alternating species forming a shade canopy.
 - G. Vertical curbs and sidewalks separated from the street by landscaping.
 - H. Street lighting and trail lighting, as appropriate, at a scale appropriate for pedestrians and bicycles.
 - I. Maximum block lengths of 600 feet.
 - J. Schools within walking distance of a majority of the homes served.
 - K. A wide range of housing types, densities, sizes and affordability.
 - L. Where housing is not near the downtown area, allow small neighborhood commercial nodes that provide retail and small office opportunities for neighborhood residents with the goal of accommodating routine daily needs within walking distance of most residents.
 - M. Incorporate a grid street network that provides safe and efficient travel for all modes throughout the community with multiple connections to exterior routes.
 - N. Orient the grid pattern of new streets to align north/south and east/west, to give a sense of place and direction in new community areas, as well as to maximize solar access.
 - O. Downtown streets shall have parking on both sides.
 - P. Downtown areas shall have one or more civic nodes such as a central park, town square, fountain plaza, etc.
 - Q. Homes that do not back onto roads, parks, schools, greenbelts, trails, or water bodies. Instead, homes that front on these features shall access by way of single-loaded streets or other designs to improve public aesthetics and neighborhood security.
 - R. Development regulations and design standards shall emphasize healthy community design and safe neighborhoods.
 - S. Avoid noise walls to the greatest possible extent.
 - T. Entry features shall be provided at all main community entrances and exits and shall announce the community by name.

- U. Except for parking provided onsite for individual residential lots, parking shall be located to the rear of the facility being served and screened from public view. Parking shall be landscaped to achieve a minimum of 50 percent shading.
- V. Development and incorporation of community art and activities.
- W. Encourage specific land uses and designs that support community diversity.
- X. Protect and preserve to the greatest feasible extent creeks, riparian areas and other biological values within or adjoining an area.
- Y. Incorporate low-water use appliances, drought tolerant landscaping and other water efficient features.
- Z. Provide convenient and secure bicycle parking in downtown areas.
- AA. _____ To the greatest possible extent, avoid cul-de-sacs that create barriers for pedestrian and bicycle access to adjacent areas.
- BB. — Include recharging stations, preferred parking, and other incentives for alternative energy vehicles.
- CC. Limit the amount of turf in yards for new residential developments to a maximum of 25 percent of the yard area.
- DD. Require the installation of low output sprinklers, such as drip, soaker hoses, and microspray in new residential development whenever possible.
- EE. Use recycling systems for chillers and cooling towers.
- FF. Demonstrate adherence to LEED Neighborhood Design Standards or the equivalent, for new development, including Specific Plans.
- GG. Demonstrate consistency with the County's Greenhouse Gas Emissions Reduction/Climate Action Plan(s), upon adoption.

GOAL CC-3	<u>Planned Development.</u> Ensure that new growth addresses the challenges and opportunities unique to each community.
------------------	--

Policy CC-3.1 Require that a Specific Plan be prepared for the entire area within the growth boundary for the communities of Dunnigan, Knights Landing and Madison, to replace each of the existing Area General Plans, as shown in Figure LU-4. The growth allowed in Elkhorn shall also require a Specific Plan. See Table LU-X for a summary of allowed growth within the four Specific Plan areas. Update the Area General

Plans for Capay Valley, Clarksburg, Esparto and Monument Hills in the form of new or updated Area Community Plans or Specific Plans. Prepare an area community plan for Yolo/Zamora.

Table LU-X, Summary of Specific Plan Development Capacities (in acres)

<u>Commercial General</u>	<u>518 acres</u>	
<u>Commercial Local</u>	<u>40 acres</u>	
<u>Industrial</u>	<u>366 acres</u>	
<u>Subtotal Job Producing</u>	<u>924 acres</u>	
<u>Agriculture (Commercial)</u>	<u>44 acres</u>	
<u>Residential Rural</u>	<u>371 acres</u>	<u>74 to 370 units</u>
<u>Residential Low</u>	<u>716 acres</u>	<u>716 to 7,157 units</u>
<u>Residential Medium</u>	<u>189 acres</u>	<u>1,890 to 3,779 units</u>
<u>Residential High</u>	<u>56 acres</u>	<u>1,120 to over 2,240 units</u>
<u>Subtotal Residential</u>	<u>1,332 acres</u>	<u>9635 units (maximum by policy)</u>
<u>Parks and Recreation</u>	<u>157 acres</u>	
<u>Open Space</u>	<u>376 acres</u>	
<u>Public and Quasi-Public</u>	<u>452 acres</u>	
<u>Total Specific Plan Area</u>	<u>3,285 acres</u>	

- Policy CC-3.2 Ensure the consistency of Specific Plans with the County General Plan. Project specific goals and policies for new development will be established in the Specific Plan, as well as design standards that address the character of the existing community.
- Policy CC-3.3 Ensure that jobs are created concurrent with housing. Include requirements to ensure a reasonable ongoing balance between housing and jobs and/or other mechanisms to constrain housing to stay balanced with job creation through buildout of the area. Each phase of housing shall be required to be accompanied by balanced job-generating development. Strive to match overall wages to home prices. 🌍
- Policy CC-3.4 Encourage developers to show significant net benefit to the community, after accounting for all mandated capital and operational costs, including but not limited to the items listed in Table LU-10 (Community Planning Guidelines) to provide minimum quality of life services and sustainability standards.

Policy CC-3.5 In addition to Table LU-10, achieve the following within the Dunnigan Specific Plan growth boundary:

- A. Ensure the creation of a centrally located downtown area through the community planning process. 🌐
- B. Locate housing away from Interstate 5 and connect new residential neighborhoods to the Hardwood Subdivision. Smaller lots and higher densities shall be located on the valley floor, while larger lots and lower densities shall be located in the poorer hill soils. Schools should be centrally located. 🌐
- C. Concentrate commercial and industrial uses between Interstate 5 and County Road 99W.
- D. Continue to concentrate new commercial trucking uses at the County Road 8 and Interstate 5 interchange.
- E. Plan future land uses to direct the majority of new trips onto the County Road 6/Interstate 5 interchange, instead of the County Road 8/Interstate 5 interchange. This works to buffer the interchange of Interstates 5 and 505, keeps dense and intense land uses close to the existing downtown and makes the most efficient use of transportation infrastructure funds, since the County Road 6 interchange will require improvements regardless of the mix of land uses planned for Dunnigan.
- F. Avoid biological impacts to sensitive species and habitats, to the greatest feasible extent and fully mitigated where they occur, particularly inside designated critical habitat for the California tiger salamander.
- G. Preserve the Tehama-Colusa Canal as Dunnigan's western boundary and as an important source of future water. Plan for development outside of the federal-designated critical habitat for the California tiger salamander, located to the northwest. Maintain Bird Creek as Dunnigan's southern boundary and as an important riparian habitat and open space area. Maintain the County Road 99W (railroad tracks) as the eastern boundary, with the exception of Old Town.
- H. Develop an internal road system that directs local trips to local roadways, rather than the freeways, to the greatest practical extent. 🌐
- I. Reserve locations for future rail stations to promote rail connectivity to other cities. 🌐

COUNTY OF YOLO
 2030 COUNTYWIDE GENERAL PLAN
 LAND USE AND COMMUNITY CHARACTER ELEMENT

TABLE LU-10 COMMUNITY PLANNING GUIDELINES

	Dunnigan	Knights Landing	Madison
General Plan land use designation	Specific Plan	Specific Plan	Specific Plan
Proposed range of new residential development	Buildout of 173 planned units + up to 7,500 new units	Buildout of 993 planned units	Buildout of 83 planned units + up to 1,305 new units
Proposed new commercial/industrial development	Buildout of 250 planned acres + 430 new acres	Buildout of 100 planned acres	Buildout of 1 planned acre + 163 new acres
"Specific Plan" acreage	2,312 2,284 new acres	212 145 infill acres	413 398 new acres
Target average residential density	8 units/acre	8 units/acre	8 units/acre
Target average jobs density	16 jobs/acre	16 jobs/acre	16 jobs/acre
Minimum "quality of life" services	5 ac. park/1,000 pop.	5 ac. park/1,000 pop.	5 ac. park/1,000 pop.
	New library	Expand/replace library	Library, grocery store, and basic medical exist nearby in Esparto
	Grocery stores	Grocery store	
	Basic medical	Basic medical	
	K-12 schools	Retain elementary school	New elementary school
	Professional fire department	Professional fire department	Professional fire department
	Sheriff's services	Sheriff's services	Sheriff's services
Minimum "sustainability" standards for infrastructure	Municipal water system serving entire town	Upgraded water system for commercial fire flow to entire town	Upgraded water system serving entire town
	Tertiary sewer system serving entire town	Upgraded sewer system (tertiary treatment) for entire town	Upgraded sewer system (tertiary treatment) for entire town
	Municipal storm drainage system serving entire town	Municipal storm drainage system serving entire town	Municipal storm drainage system serving entire town
	Provide minimum 200-year flood protection for affected areas of town	Provide minimum 100-year flood protection for entire town	Provide minimum 100-year flood protection for entire town

J. J. _____ Establish a total greenhouse gas emissions objective for all new development in Dunnigan, along with the specific, enforceable actions necessary to achieve the objective.

Figure LU-4 Specific Plans

Figure to be revised to show only the four Specific Plan areas: Dunnigan, Knights Landing, Madison, and Elkhorn.

Policy CC-3.6 The following development capacities shall guide development of the Dunnigan Specific Plan (these numbers are illustrative):

- 2,312 ~~2,284~~ total acres
- 450 ~~430~~ acres of job producing commercial and industrial land uses
 - 212 ~~192~~ acres CG (4,961 ~~4,493~~ new jobs assumed)
 - 30 acres CL (690 new jobs assumed)
 - 208 acres IN (2,167 new jobs assumed)
- 1,136 acres of residential uses in various densities allowing for 5,000 to 7,500 new units
 - 371 acres RR (range of 74 to 370 units [typical 148])
 - 593 acres RL (range of 593 to 5,929 units [typical 4,151])
 - 133 acres RM (range of 1,330 to 2,659 units [typical 1,995])
 - 39 acres RH (range of 780 to 1,560 or more units [typical 975]) (120 new jobs assumed)
 - Potential range 2,777 to 10,518 or more units [typical 7269]; General Plan established minimum 5,000 units and maximum 7,500 units by policy.
- 344 ~~336~~ acres of parks and open space uses
 - 115 acres PR
 - 229 ~~224~~ acres OS
- 382 acres PQ (433 new jobs assumed)

Policy CC-3.7 In addition to Table LU-10, achieve the following within the Knights Landing Specific Plan growth boundary:

- A. Ensure that the downtown area remains the community's primary commercial center. 🌐
- B. Develop specific and detailed analysis regarding how existing planned residential and commercial growth would impact key issues, including: 1) the loss of ~~prime~~-farmland; 2) levee stability

and flood protection; and 3) traffic impacts to State Highway 113 and local roads.

- C. 100-year flood protection for all development within the growth boundary.
- D. Emphasize the use of waterfront land for public access and amenities, as well as tourism and entertainment-related commercial activities. These areas shall be highlighted in the Specific Plan with separate development design standards and economic development investment.

Policy CC-3.8 The following development capacities shall guide development of the Knights Landing Specific Plan (these numbers are illustrative)(see Figure LU-5, Knights Landing Conceptual Sketch):

- 212,445 total acres
- 38 acres of job producing commercial and industrial land uses
 - 10 acres CL (assumes 230,874 existing jobs, no new jobs)
 - 28 acres IN (assumes 292 existing jobs, no new jobs)
- 71,48 acres of residential uses in various densities allowing for 393,543 to 800 new units
 - 43,43 acres RL (range of 43,43 to 429,429 units [typical 301,94])
 - 21,47 acres RM (range of 210,470 to 419,339 units [typical 315,255])
 - 7,48 acres RH (range of 140,360 to 280,720 or more units [typical 175,450] (no new jobs assumed)
 - Potential range 393,543 to 1,062,4,488 or more units [typical 791,796]; General Plan established minimum 393,543 units [per designations] and maximum 800 units by policy
- 103,59 acres of parks and open space uses
 - 22 acres PR
 - 81,37 acres OS

Figure LU-5 Knights Landing Conceptual Sketch
Figure to be replaced with corrected sketch.

Policy CC-3.9 In addition to Table LU-10, achieve the following within the Madison Specific Plan growth boundary:

- A. Policies to ensure the creation of a downtown area will be required. 🌐
- B. The sewer ponds shall be moved and improved.
- C. Workforce housing shall be the focus of the residential development. 🌐
- D. Storm drainage impacts affecting the entire growth area shall be resolved. To address some of the existing needs in the community, infrastructure (drainage, sewer and water) service and facilities could benefit from a cooperative arrangement between the Madison and Esparto County Service Districts. Additional infrastructure improvements are to be gained through development agreements with recommended highway commercial development.
- F. Existing conditions in this community are not acceptable. New development shall not proceed until, at minimum, the items in Table LU-10 have been addressed (or are reasonably expected to be addressed by the time such development is completed).

Policy CC-3.10 The following development capacities shall guide development of the Madison Specific Plan (these numbers are illustrative)(see Figure LU-6, (Madison New Growth Conceptual Sketch)):

- 413,398 total acres
- 131,446 acres CG (assumes 3,065 2,714 new jobs)
- 44 acres AG identified for agricultural industrial land uses (no new jobs assumed)
- 125 acres of residential uses in various densities allowing for up to 1,335 new units
 - 80 acres RL (range of 80 to 799 units [typical 560])
 - 35 acres RM (range of 350 to 699 units [typical 525])
 - 10 acres RH (range of 200 to 400 or more [typical 250]) (no new jobs assumed)
 - Potential range of 630 to 1,898 or more units [typical 1,335]; General Plan established minimum 630 units [per designations] and maximum 1,335 units by policy.
- 63 acres of parks and open space uses
 - 20 acres PR
 - 43 acres OS
- 50 acres PQ (20 new jobs assumed)

Figure LU-6 Madison New Growth Conceptual Sketch
Figure to be replaced with corrected sketch.

Policy CC-3.11. Achieve the following within the Elkhorn Specific Plan growth boundaries:

- A. The goal for this location is a regional conference center and hotel facility, with appropriate general commercial development and industrial research and development uses, capitalizing on the existing natural amenities and riverfront.
- B. The Specific Plan shall emphasize aesthetic standards that recognize the importance of this site as the “visual gateway” to Yolo County along Interstate 5.
- C. The property shall be required to buildout from north to south. New construction and/or development shall be consistent with this General Plan, including but not limited to: satisfaction of levels of service for public services and facilities, protection of biological resources, protection against unreasonable geotechnical risk and/or exposure to hazards, exposure to noise, fiscally beneficial to the general fund, net public benefit, sustainable design, architectural excellence, jobs/housing balance and match, flood protection, water supply, sewer/septic service and protection of significant visual and/or aesthetic features.

Policy CC-3.12 The following development capacities shall guide development of the Elkhorn Specific Plan (these numbers are illustrative)(see Figure LU-7, Elkhorn Specific Plan Conceptual Sketch):

- 348 365 total acres
- 305 322 acres of job producing commercial and industrial land uses
 - 175 192 acres CG (4,095 4,493 new jobs assumed)
 - 130 acres IN (1,354 new jobs assumed)
- 23 acres OS uses
- 20 acres PQ (no new jobs assumed)

Figure LU-7 Elkhorn Specific Plan Conceptual Sketch

- Policy CC-3.13 The following development capacities shall guide development of new Esparto mixed-use residential area (79 75 acres) southeast of town, south of State Route 16 and east of County Road 86A:
- 10 acres CG (assumes 781 existing industrial jobs are replaced with 160 new commercial jobs)
 - 2 acres CL (assumes 46 existing commercial jobs)
 - 36 35 acres of residential uses in various densities allowing for approximately 590 575 new units:
 - 31 30 acres RM (range of 310 300 to 619 599 units [typical 465 450])
 - 5 acres RH (100 to 200 or more units [typical 125]; no new jobs assumed)
 - Potential range 310 400 to 819 799 or more units [typical 590 575]
 - 31 35 acres OS (300-foot agricultural buffer on east and south)
- Policy CC-3.14 There are two alternative identified sites for location of a future winery-related agricultural industrial facility in Clarksburg. Only one site is intended for the described development. The project is intended to complement the Old Sugar Mill and to assist in establishing a successful critical mass of grape processing facilities to support emerging wineries.
- Policy CC-3.15 There are two alternative identified sites for location of highway commercial or agricultural commercial uses at Interstate 505 and County Road 14 or Interstate 505 and County Road 12A. Only one is intended for the described development.
- Policy CC-3.16 Encourage the development of life sciences, biotechnology and related research uses in appropriate commercial and industrial areas located along highway corridors throughout the county.
- Policy CC-3.17 Establish benefit assessment districts, where appropriate, to fund community infrastructure and services.
- Policy CC-3.18 Coordinate with Community Service Districts (CSDs) to ensure that new development will have access to quality infrastructure and services.

GOAL CC-4	<u>Project Design.</u> Require project design that incorporates “smart growth” planning principles and “green” building standards that reflect the County’s commitment to sustainable development (see also Goal CO-7).
------------------	--

Policy CC-4.1 Reduce dependence upon fossil fuels, extracted underground metals, minerals and other non-renewable resources by: 🌍

- Requiring projects to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.
- Encouraging projects to use regenerative energy heating and cooling source alternatives to fossil fuels.
- Encouraging projects to select building materials that require less energy-intensive production methods and long-distance transport, in compliance with Leadership in Energy and Environmental Design (LEED) or equivalent standards.

Policy CC-4.2 Reduce dependence upon chemicals and unnatural substances through encouraging: 🌍

- Use of chemical-free and toxic-free building materials.
- Landscape design standards that minimize the use of pesticides and herbicides.

Policy CC-4.3 Reduce activities that encroach upon nature, through: 🌍

- Reuse of existing buildings and sites for development.
- Compact and clustered residential development, including reduced minimum lot sizes.
- Reduction or elimination of impervious paving materials.
- Development patterns that respect natural systems such as watersheds and wildlife corridors.

Policy CC-4.4 Encourage all new construction to be zero-net energy by combining building energy efficiency design features with on-site clean distributed generation so as to result in no net purchases from the electricity or gas grid. 🌍

~~Policy CC-4.5 Encourage new construction to install solar panels, water reuse systems and/or other systems to capture energy sources that would otherwise be wasted. 🌍~~

~~Policy CC-4.6~~ Policy CC-4.5 Encourage individual and community-based wind and solar energy systems (micro-grids). 🌍

~~Policy CC-4.7~~ Policy CC-4.6 Encourage all new residences to exceed Title 24 energy standards by at least 15 percent, and encourage all new commercial buildings to exceed Title 24 by at least 20 percent. 🌍

~~Policy CC-4.8~~ Policy CC-4.7 Require energy efficient design for all buildings. 🌍

~~Policy CC-4.9~~ Policy CC-4.8 Require measures to minimize “heat islands” by requiring light-colored and reflective roofing materials and paint; “green” roofs; light colored roads and parking lots; extensive numbers of shade trees in parking lots; and shade trees and/or overhangs on the south and west sides of new or renovated buildings. 🌍

~~Policy CC-4.10~~ Policy CC-4.9 Encourage construction and other heavy equipment vehicles (e.g. mining, agriculture, etc.) to use retrofit emission control devices. 🌍

~~Policy CC-4.14~~ Policy CC-4.10 Require project design to demonstrate adherence to sustainable and neo-traditional design as described in the Ahwahnee Principles and as provided in the SACOG Blueprint, including any amendments or successor documents thereto. 🌍

~~Policy CC-4.12~~ Policy CC-4.11 Require site specific information appropriate to each application to enable informed decision-making, including but not limited to the following: biological resources assessment, noise analysis, traffic and circulation assessment, air quality calculations (including greenhouse gases), cultural resources assessment, geotechnical study, Phase One environmental site assessment, title report, storm drainage analysis, flood risk analysis, water supply assessment, sewer/septic capacity and service analysis and fiscal impact analysis.

~~Policy CC-4.13~~ Policy CC-4.12 Require “green” design, construction and operation including: 🌍

- A. Site planning sensitive to the natural environment.
- B. Efficiency in resource use (including energy, water, raw materials and land).
- C. Building reuse and adaptive reuse.
- D. Selection of materials and products based on their life-cycle environmental impacts.
- E. Use of materials and products with recycled content.
- F. Use of materials provided from within the region.
- G. Recycling of construction and demolition waste.
- H. Reduction in the use of toxic and harmful substances in the manufacturing of materials and during construction.
- I. Use of passive and active solar strategies and efficient heating and cooling technologies.

- K. Reduction in water use for buildings and landscaping.
- L. Light pollution reduction to protect "dark skies."
- M. Improvements to interior and exterior environments leading to increased health, comfort and productivity.
- N. Facility maintenance and operational practices that reduce or eliminate harmful effects on people and the natural environment during occupancy.
- O. Water reuse systems
- P. Other systems to capture energy sources that would otherwise be wasted.

Policy CC-4.14Policy CC-4.13 Strongly encourage LEED certification for all public, private and existing buildings and LEED-Neighborhood Design (ND) for other applicable projects, particularly within the Specific Plan areas. 🌍

Policy CC-4.15Policy CC-4.14 Enhance public safety through implementation of Crime Prevention Through Environmental Design (CPTED) strategies. These include designing the placement of activities and physical features, such as buildings, entrances and exits, corridors, fences, pavement, signs, lighting and landscaping, in such a way as to clearly define public and private space, maximize visibility, control access and circulation and foster positive social interaction.

Policy CC-4.16Policy CC-4.15 Reflect a human scale in architecture that is sensitive, compatible and distinctive to both the site and the community.

Policy CC-4.17Policy CC-4.16 Encourage "visitability" accommodations in new residential development.

Policy CC-4.18Policy CC-4.17 Avoid the repetition of residential facades/designs within subdivisions and abrupt changes in facades between adjoining developments.

Policy CC-4.19Policy CC-4.18 Front exterior living spaces of a usable size (e.g. front porches, large front-facing windows, balconies, etc.) are highly desirable.

Policy CC-4.20Policy CC-4.19 Within community areas, houses shall front on the street.

Policy CC-4.21Policy CC-4.20 Discourage garage-forward and/or garage-dominated residential design.

~~Policy CC-4.22~~ Policy CC-4.21 Discourage gated and/or walled communities. 🌐

~~Policy CC-4.23~~ Policy CC-4.22 Encourage and promote multi-story and mixed-use buildings within the downtown areas of the unincorporated communities. 🌐

~~Policy CC-4.24~~ Policy CC-4.23 Except for approved plazas, seating areas and entry nooks, buildings in downtown areas shall have zero front setbacks and on-site parking shall be to the rear of the lot. 🌐

~~Policy CC-4.25~~ Policy CC-4.24 Usable public open spaces shall be included in new private commercial development, such as plazas, interior courtyards connected by pathways and outdoor seating areas.

~~Policy CC-4.26~~ Policy CC-4.25 Incorporate art into the public open spaces of both public and private developments.

~~Policy CC-4.27~~ Policy CC-4.26 Locate and design civic buildings as significant structures that help anchor and provide focus to the downtown area, with a character that fosters community identity and pride.

~~Policy CC-4.28~~ Policy CC-4.27 Downtown architecture shall have a pedestrian scale, with varied and articulated facades. Entries must be oriented to the sidewalk. Front facades shall include numerous windows and covered arcades. 🌐

~~Policy CC-4.29~~ Policy CC-4.28 Design highway service commercial uses at identified rural interchanges to preserve surrounding agriculture, rural character, scenic quality and the natural environment.

~~Policy CC-4.30~~ Policy CC-4.29 Provide appropriate buffers or barriers between incompatible residential and non-residential uses. The last-built use shall be responsible for design and construction (and/or other related costs) of the buffer/barrier.

~~Policy CC-4.31~~ Policy CC-4.30 Non-residential corner lots in the downtown and other "gateway" settings shall receive special design treatment which may include enhanced landscaping, entry features that establish community identity, fountains, plazas, enhanced pedestrian furniture (bench and arbor) or similar features. Corner residential lots are encouraged to have duplex or other multi-family units with entries on each street face.

~~Policy CC-4.32~~ Policy CC-4.31 Encourage clustering of allowed residential units to protect resources and/or improve efficiency of services. 🌐

~~Policy CC-4.33~~ Policy CC-4.32 Emphasize the use of regionally native drought-tolerant plants for landscaping where appropriate. 🌱

~~Policy CC-4.34~~ Policy CC-4.33 Encourage mixed uses on vacant and underutilized land designated for development, particularly ancillary residential units and childcare facilities. 🌱

~~Policy CC-4.35~~ Policy CC-4.34 Encourage mixed use development in commercial areas in order to create ancillary residential opportunities, particularly in the upper floors of multi-story buildings. 🌱

~~Policy CC-4.36~~ Policy CC-4.35 Encourage the location of ancillary employee services (including childcare, restaurants, banking facilities and convenience markets) at employment centers, for the purpose of reducing midday vehicle trips. 🌱

~~Policy CC-4.37~~ Policy CC-4.36 Encourage the use of private roads within new development.


~~Policy CC-4.38~~ Policy CC-4.37 Where an agricultural industrial project or an agricultural commercial project is allowed adjoining an existing residential neighborhood, an appropriate buffer shall be provided. Any project intended for the site at Interstate 505 and State Route 128 shall include a buffer for the adjoining existing El Rio Villa project and shall proceed only if it will result in a net fiscal benefit to the County.

Policy CC-4.38 Each community shall have a "town center" where the public has access to meeting and event space (e.g., school, library, fire department, community center, social organization, etc.).

D. Implementation Program

Action CC-A1 Update the County Zoning Code to reflect appropriate zoning consistent with each land use designation and to establish appropriate new zone categories and regulations to implement the goals, policies and actions of this General Plan. The update shall include Consider development of a form-based zoning code. (Policy LU-1.1, Policy LU-2.3, Policy LU-2.5, Policy LU-3.1, Policy LU-3.2, Policy LU-3.3, Policy LU-3.9, Policy CC-2.7, Policy CC-2.16)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2011

- Action CC-A2 Continue to implement the County Development Agreement ordinance which requires net gains from new development. (Policy LU-6.7, Policy LU-6.8, Policy LU-6.9, Policy LU-6.10, Policy CC-2.1, Policy CC-2.2)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2010
- Action CC-A3 Complete a market study to determine how the County can capitalize on specific locations where revenue-generating uses might best fit and how the County can better position itself relative to competing jurisdictions. (Policy LU-3.3, Policy LU-4.2, Policy LU-6.4, Policy LU-6.10, Policy LU-6.11, Policy LU-7.3)
Responsibility: County Administrator's Office
Timeframe: 2010/2011
- Action CC-A4 Engage in regular discussions and collaboration with each of the cities regarding policies, projects and opportunities of mutual interest. (Policy LU-3.8, Policy LU-6.4, Policy LU-6.8, Policy LU-6.10, Policy LU-6.11)
Responsibility: County Administrator's Office
Timeframe: Ongoing
- Action LU-A5 Annually review revenue sharing agreements, redevelopment pass-through agreements, annexation agreements, development agreements, tribal agreements and other existing agreements to ensure that they accurately respond to changing County circumstances. (Policy LU-3.8, Policy LU-6.4, Policy LU-6.7, Policy LU-6.8, Policy LU-6.9, Policy LU-6.10, Policy LU-6.11)
Responsibility: County Administrator's Office
Timeframe: Annually
- Action CC-A6 Seek executed cooperative agreements with adjoining jurisdictions on issues of mutual importance. (Policy LU-7.1, Policy LU-7.2, Policy LU-7.3, Policy LU-7.4, Policy LU-7.5, Policy LU-7.6)
Responsibility: County Administrator's Office
Timeframe: 2009/2010
- Action CC-A7 Establish formal buffers between cities. ~~—Create a plan Direct conservation easements~~ to buffer areas between unincorporated communities within which conservation easements could be directed to reinforce community separation and keep each town distinct and unique. (Policy CC-1.7, Policy CC-2.5, Policy CC-2.6)
Responsibility: Planning and Public Works Department
Timeframe: Ongoing

- Action CC-A8 Develop Specific Plan guidelines including requirements for contents, minimum standards and development regulations. (Policy CC-2.16, Policy CC-3.1, Policy CC-3.2, Policy CC-3.5, Policy CC-3.11)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2010
- Action CC-A9 Prepare and implement design guidelines and minimum design requirements (standards) that ensure sustainable and attractive growth. (Policies CC-2.16, and CC-4.1 through CC-4.36)
Responsibility: Planning and Public Works Department
Timeframe: 2010/2011
- Action CC-A10 Prepare a Public Art Ordinance that requires a minimum percentage of the construction budget for development projects (both public and private) over a certain size threshold to be used for public art works. (Policy CC-2.16(v), Policy CC-4.26)
Responsibility: Planning and Public Works Department
Timeframe: 2011/2012
- Action CC-A11 Adopt a "Green Building Program" to promote green building standards. ~~Encourage~~Require energy efficient appliances and equipment in all new development. (Policy CC-4.13, Policy CC-4.14) 
Responsibility: Planning and Public Works Department
Timeframe: 2011/2012
- Action CC-A12 Seek voter approval of an intra-county and/or regional fee or tax for the preservation of agricultural, habitat, or open space land in Yolo County. (Policy LU-6.4, Policy LU-7.1, Policy LU-7.3, Policy LU-7.4, Policy LU-7.5, Policy LU-7.6)
Responsibility: County Administrator's Office, Parks and Resources Department
Timeframe: 2010/2011
- Action CC-A13 Recommend one of the alternative Clarksburg sites to be zoned Agricultural-Industrial. (Policy CC-3.14)
Responsibility: Planning and Public Works Department, County Administrator's Office
Timeframe: 2009/2010
- Action CC-A14 Based on an economic analysis, recommend one of the alternative Interstate 505 sites (County Road 14 or County Road 12A) to be zoned Highway Commercial. (Policy CC-3.15)
Responsibility: County Administrator's Office, Planning and Public Works Department

Timeframe: 2009/2010

Action CC-A15 Collaborate with the City of Winters to explore revenue producing uses and opportunities for the "special study area" (see Figure LU-X) identified for agricultural industrial and/or agricultural commercial uses at Interstate 505 and State Route 128. (Policy LU-2.2)
Responsibility: County Administrator's Office, Planning and Public Works Department
Timeframe: 2010/2011

~~Action CC-A16 Undertake a collaborative effort with farming and agricultural interests to receive input regarding farm dwelling site development criteria and other ideas for addressing rural residential conflicts, including cluster zoning, noticing for the County's Right to Farm Ordinance and the "rural oath." (Policy LU-2.1)
Responsibility: Planning and Public Works Department, Agriculture Department
Timeframe: 2010/2011~~

Action CC-A16 Establish a countywide system of consistent "comment" areas for each of the existing Community Advisory Committees, to eliminate overlap and to ensure that all discretionary projects are assigned to an Advisory Committee. (Policy LU-5.7)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2010

Action CC-A17 Prepare the Dunnigan Specific Plan which will supersede the 1996 Dunnigan General Plan. (Policy CC-3.1, Policy CC-3.5, Policy CC-3.6)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2015

Action CC-A18 Prepare Knights Landing Specific Plan, which will supersede the 1999 Knights Landing General Plan. (Policy CC-3.1, Policy CC-3.9)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2015

Action CC-A19 Prepare Madison Specific Plan, which will supersede the 1974 Madison General Plan. (Policy CC-3.1, Policy CC-3.9, Policy CC-3.10)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2015

Action CC-A20 Prepare the Elkhorn Specific Plan. (Policy CC-3.1, Policy CC-3.11, Policy CC-3.12)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2015

- Action CC-A21 Prepare the Yolo-Zamora Community Plan. (Policy LU-3.1)
Responsibility: Planning and Public Works Department
Timeframe: 2015/2016
- Action CC-A22 Update other long range plans to ensure consistency with General Plan. Develop a priority order, work plan, schedule and budget for each. (Policy CC-3.1, Policy CC-3.2, Policy CC-3.4)
Responsibility: Planning and Public Works Department
Timeframe: 2016/2017
- Action CC-A23 Establish intra-county impact fees for funding of regional parks and open space, regional roadways and other government services that benefit all County residents. (Policy LU-6.4, Policy LU-7.2, Policy LU-7.4)
Responsibility: County Administrator's Office
Timeframe: 2011/2012
- Action CC-A24 Evaluate parking standards to minimize land devoted to parking. (Policy CC-4.3, Policy CC-4.13) Ⓢ
Responsibility: Planning and Public Works Department
Timeframe: 2010/2011
- Action CC-A25 Coordinate with Caltrans regarding alternative uses for the Interstate 505 rest stop near Dunnigan, should that facility be relocated or closed. (Policy LU-7.3, Policy CC-3.5)
Responsibility: Planning and Public Works Department
Timeframe: ongoing
- Action CC-A26 Update the County Zoning Code to prohibit the location of new homes on or near the top of ridgelines, where they would adversely affect nearby views. (Policy CC-1.10)
Responsibility: Planning and Public Works Department
Timeframe: 2010/2011
- Action CC-A27 Create financial incentives programs to encourage the remodel of older homes to reduce energy use and incorporate "green" building materials. (Policy CC-4.1, Policy CC-4.3, Policy CC-4.13)
Responsibility: County Administrator's Office, Planning and Public Works Department
Timeframe: 2011/2012
- ~~Action CC-A28 Control farm dwelling site development to avoid cumulative constraints on agricultural operations by establishing specific criteria for approval. Proposed homes that comply with the criteria would be issued Building~~

~~Permits, while those that are not consistent with the criteria would require approval of a Use Permit. Criteria may apply to both the primary and the ancillary home and would include but not be limited to the following:~~

- ~~■ Size of the home(s).~~
- ~~■ Location of the home(s) within the property.~~
- ~~■ A stewardship plan demonstrating how the property would be farmed.~~
- ~~■ Placement of the remainder of the property, outside of any primary and ancillary home site(s), in a permanent agricultural conservation easement.~~
- ~~■ Home sites less than 20 acres require a Use Permit. (Policy LU-2.3) ☹~~

~~Responsibility: Planning and Public Works Department, Agriculture Department~~

~~Timeframe: 2010/2014~~

Action CC-A28 Orient the grid pattern of new streets to align north/south and east/west, to give a sense of place and direction in new community areas, as well as to maximize solar access. (Policy CC-4.13)

Responsibility: Planning and Public Works Department

Timeframe: Ongoing

Action CC-A29 Develop and enforce bike parking standards and design criteria for all land uses identified in zoning code, including number of spaces, location and type of facilities. (Policy CC-2.16) ☹

Responsibility: Planning and Public Works Department

Timeframe: 2009/2010

Action CC-A30 Amend the County Code to remove the Williamson Act as a separate ~~the basis for the Agricultural- Preserve Zone zoning requirement from the Williamson Act.~~ (Policy LU-2.5)

Responsibility: Planning and Public Works Department

Timeframe: 2009/2010

Action CC-A31 Amend the County Code to incorporate "smart growth" planning principles and design guidelines that emphasize compact, walkable neighborhoods, open space, alternative transportation, public safety, sustainable design, and sensitivity to natural resources. (Policy CC-4.3, Policy CC-4.11, Policy CC-4.15) ☹

Responsibility: Planning and Public Works Department

Timeframe: 2010/2011

- Action CC-A32 Allow for rolled curbs in Rural Residential designated areas. (Policy CC-2.16)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2010
- Action CC-A33 Reduce permitting requirements and costs for projects that incorporate green design features and construction. (Policy CC-4.12) (f)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2010
- Action CC-A34 The discretionary review of development proposals shall evaluate and address impacts on the rural scenic landscapes and views. (Policies CC-1.1 through CC-1.19)
Responsibility: Planning and Public Works Department
Timeframe: 2009/2010
- Action CC-A35 Identify and provide incentives for infill over peripheral development. (Policy CC-2.6) (f)
Responsibility: Planning and Public Works Department
Timeframe: 2010/2011
- Action CC-A37 Pursue designation of the state of State Route 16 as a scenic highway. (Policy CC-1.14)
Responsibility: Planning and Public Works Department
Timeframe: 2012/2013

TABLE LU-1 1983 YOLO COUNTY GENERAL PLAN LAND USE DESIGNATIONS AND ACREAGES

Row #	1983 General Plan (GP) ^a Land Use Designations ^b	Acreage ^f
OPEN SPACE (OS)		
1	Open Space (OS) ^c (83 GP)	2,653.6
2	Public Open Spaces (PO) (83 GP)	0
3	Public Open Spaces (POS) (83 GP; Capay Valley)	2.6
4	Public Open Space (PO1) (83 GP)	0
5	Public Open Space (PO2) (83 GP)	7.2
6	Agricultural Buffer/Setbacks from Major Roads (Esparto)	0
7	Agricultural/Urban Buffer (Knights Landing)	0
8	Major Waterways (Knights Landing) ^c	58.9
9	Riverbed and Riparian (Capay)	0
10	Chaparral and Woodland (Capay)	0
	<i>Subtotal</i>	<i>2,722.3</i>
AGRICULTURE (AG)		
11	Agricultural (AG) ^c (83 GP)	503,130.2
12	Agricultural Exclusive (AE) (83 GP)	0
13	A-1 (Capay Valley)	0
14	A-P (Capay Valley)	0
15	Agricultural Intensive (AG-IN) (Capay Valley)	11,209.3
16	Agricultural General Foothills (AG-G-F) (Capay Valley)	9,746.7
17	Agricultural-Related Industrial (Dunnigan)	0
18	Agricultural/Residential, Low Density (Woodland)	239.2
19	Agricultural/Residential, Medium Density (Woodland)	94.6
20	Watershed (Capay Valley)	79,081.8
21	Residential, Low Density (10 ac min) (RL10) (83 GP; Clarksburg)	42.4
	<i>Subtotal</i>	<i>603,544.2</i>
PARKS and RECREATION (PR)		
22	Recreation (R) (Dunnigan)	679.0
23	Parks and Recreation (PR) (83 GP; Capay Valley; Clarksburg)	442.4
24	Parks/Schools/Agricultural Buffer (Esparto)	0
	<i>Subtotal</i>	<i>1,121.4</i>
RESIDENTIAL		
Residential Rural (RR)		
25	Rural Residential Agricultural (RRA) (83 GP)	0
26	Rural Residential (Woodland)	1,178.8
27	Residential, Very Low Density (VLR) (1du/net ac) (Dunnigan)	332.0
28	Very Low Density Residential (1-3 du/gross ac) (Esparto)	34.4
29	Residential, Very Low Density (83 GP – Plainfield)	123.0
	<i>Subtotal</i>	<i>1,668.2</i>
Residential Low (RL)		
30	Suburban Residential (RS) (83 GP)	139.0
31	Residential, Low Density (Dunnigan) (RL) (83 GP)	0
32	Residential Low Density (R-L) (1-3 du/ac) (Capay Valley; Clarksburg)	70.5
33	Residential Low Density—Public Open Space (RL-PO1) (Clarksburg)	0
34	Residential, Low Density (1-4 du/ac) (Dunnigan) (RL2) (83 GP)	0
35	Residential, Low Density (1-5 du/ac) (Dunnigan) (RL1) (83 GP)	0
36	Low Density Residential (RL-1) (Clarksburg)	19.7
37	Residential Low Density (RL) (< 6 du/net ac) (83 GP)	598.0
38	Residential Low Density (RL) (6 du/net ac average) (Knights Landing)	88.6
39	Residential Low Density (RL) (4-10 du/net ac) (Esparto)	426.5

COUNTY OF YOLO
 2030 COUNTYWIDE GENERAL PLAN
 LAND USE AND COMMUNITY CHARACTER ELEMENT

TABLE LU-1 1983 YOLO COUNTY GENERAL PLAN LAND USE DESIGNATIONS AND ACREAGES
 (CONTINUED)

Row #	1983 General Plan (GP) ^a Land Use Designations ^b	Acreage ^f
	<i>Subtotal</i>	1,342.3
Residential Medium (RM)		
40	Residential, Medium Density (RM) (10 to 19 du/net ac) (83 GP)	92.0
41	Residential Medium (RM) (Clarksburg)	19.6
42	Residential Medium Density (RM) (12du/net ac) (Dunnigan; Knights Landing)	84.2
43	Residential Medium Density (5-8 du/ac) (Esparto) (RM1) (83 GP)	0
44	Residential Medium Density (5-10 du/ac) (Esparto) (RM1) (83 GP)	0
45	Mobile Home Park (MHP) (8 du/net ac) (83 GP)	0
	<i>Subtotal</i>	195.8
Residential High (RH)		
46	Residential, High Density (RH) (20+ du/net ac) (83 GP)	30.6
47	Residential, High Density Historic (RHH) (83 GP)	0
	<i>Subtotal</i>	30.6
Residential Subtotal		3,236.9
COMMERCIAL		
Commercial General (CG)		
48	Highway Service Commercial (HSC) (83 GP)	115.0
49	Truck-Related Highway Commercial (Dunnigan)	148.1
	<i>Subtotal</i>	263.1
Commercial Local (CL)		
50	Commercial (C) (83 GP; Capay; Madison)	62.7
51	Commercial, Low Density (LC) (83 GP; Dunnigan)	22.6
52	Neighborhood Commercial (NC) (83 GP; Knights Landing; Woodland)	8.2
53	Local Commercial (Dunnigan; Esparto)	0
54	Community Commercial (Knights Landing)	0
55	General Commercial (GC) (83 GP; Esparto)	14.5
56	Central Business District (CBD) (83 GP)	0
57	Downtown Mixed Use (Esparto)	34.6
58	Commercial Multi-Family Planned Development (C-RH/PD) (83 GP)	0
	<i>Subtotal</i>	142.6
Commercial Subtotal		405.7
INDUSTRIAL (IN)		
59	Industrial (I) (83 GP)	709.1 ^e
60	Light Industrial (Li) (83 GP)	9.9
61	Industrial Limited (Davis)	383.7
62	Industrial, Planned Development, Type 1 (I-PD-1) (83 GP)	0
63	Industrial, Planned Development, Type 2 (I-PD-2) (83 GP)	0
64	Industrial/Residential (Woodland)	23.8
65	Master Plan (MP) (Clarksburg)	16.5
66	Employment Reserve (Knights Landing)	51.6
	<i>Subtotal</i>	1,194.6
PUBLIC and QUASI-PUBLIC (PQ)		
67	Public and Quasi-Public (PQP) (83 GP)	101.6
68	Public (Esparto)	0
69	Public Semi Public (Capay Valley)	0
70	Public Facility (Knights Landing)	33.7
71	School (S) (Capay Valley)	0
72	Airport (Monument Hills)	558.4
	<i>Subtotal</i>	693.7

TABLE LU-1 1983 YOLO COUNTY GENERAL PLAN LAND USE DESIGNATIONS AND ACREAGES
(CONTINUED)

Row #	1983 General Plan (GP) ^a Land Use Designations ^b	Acreage ^f
SPECIFIC PLAN (SP)		
73	Mixed Use (MU) (83 GP)	0
74	Multiple Use (Knights Landing)	145.0 ^d
75	Specific Plan (SP) (Clarksburg)	0
	<i>Subtotal</i>	<i>145.0</i>
OTHER		
76	Roadways, Railroads, Highways	8,160.2
	<i>Subtotal</i>	<i>8,160.2</i>
UNINCORPORATED TOTAL		
77	GRAND TOTAL	621,224.0

Notes: The 1983 General Plan established the following "combining" designations, however, there is no acreage assigned to these overlay categories: Flood Plain (FP) (Capay Valley), Planned Development (PD) (83 GP), Water Related Uses (W) (83 GP), Recreational Vehicle Park (RVP) (83 GP), Other (x/x, Phased, xx/xx, x+x, etc) (83 GP), Waterfront Commercial/Recreation (Knights Landing).

^a Text in parentheses indicates 1903 General Plan area or Community General Plan.

^b Land use categories from 1983 General Plan (page 25c and d) and adopted community and area General Plans (text and diagrams), as amended.

^c Sacramento River, Cache Creek, Putah Creek and Yolo Bypass acreage fall within these designations.

^d This acreage is consistent with application information provided by the landowner. The County GIS parcelized database shows the acreage total as 147.0.

^e This acreage includes 105.4 acres for the Clarksburg Old Sugar Mill site which is consistent with application information provided by the landowner for the Old Sugar Mill Specific Plan. The County GIS parcelized database shows the acreage total as 103.7. The previous "Specific Plan" designation (see category 76) was voided by final action of the State Delta Protection Commission on May 22, 2008.

^f Rows 1 through 75 (with the exceptions noted above) are consistent with the County GIS parcelized database. Row 76 equates to the difference between the parcelized total acreage and the non-parcelized total acreage for the unincorporated area. Row 77 exceeds the GIS non-parcelized total for the unincorporated area by 9 acres. This is because the West Sacramento non-parcelized total acreage in the County GIS system exceeds the City's own database total by 11 acres and the Winters non-parcelized total acreage in the County GIS system was 2 acres lower than the City's own database total for a net difference of +9 acres. The data was adjusted to match the City data.

COUNTY OF YOLO
2030 COUNTYWIDE GENERAL PLAN
LAND USE AND COMMUNITY CHARACTER ELEMENT

Figure LU-1B through 1G General Plan Land Use Map
Figures to be revised to reflect updated mapping.

COUNTY OF YOLO
 2030 COUNTYWIDE GENERAL PLAN
 LAND USE AND COMMUNITY CHARACTER ELEMENT

TABLE LU-4 LAND USE DESIGNATIONS

Land Use Designation (XX)	Allowed Uses	Residential Density	Persons Per Acre ^a	FAR ^b Maximum	Maximum Impervious Surface
Open Space (OS)	Public open space lands, major <u>natural</u> water bodies, and agricultural buffer areas, and <u>habitat</u> . Characterized by "passive" and/or very low management uses as the primary land use, as distinguished from AG or PR land use designations which involve more intense management of the land.	One caretaker unit.	<0.1	0.001	>0.01%
Agriculture (AG)	Full range of cultivated agriculture, such as row crops, orchards, vineyards, dryland farming, livestock grazing, forest products, confined animal facilities, and equestrian facilities. Agricultural industrial – agricultural research, processing and storage; crop dusting. Agricultural commercial – roadside stands, "Yolo Stores", wineries, farm-based tourism (e.g. u-pick, dude ranch, <u>lodging</u>), horse shows, rodeos, crop-based seasonal events; agricultural chemical and equipment sales. Pre-existing isolated restaurants and/or stores (e.g. old stage stops and cross-roads) serving rural areas. <u>Farmworker housing</u> . Surface mining. Incidental habitat.	Two farm dwellings per legal parcel.	<0.1	0.1 ^c	20% ^c
Parks and Recreation (PR)	Developed ("active park") facilities. Regional, community and neighborhood parks, tot lots, sports fields and public pools.	Regional community parks and campgrounds are allowed one caretaker unit. No allowed residential uses for community or neighborhood parks and similar facilities.	<0.05	0.025	10%
Residential Rural (RR)	Large lot rural living. Detached single-family units. Attached and/or detached second unit or duplex allowed.	1 du/5ac to < 1 du/ac. Assume 1du/2.5ac typical yield.	Range: 0.6 to 2.5 Typical: 0.9	See zoning	See zoning.
Residential Low (RL)	Traditional neighborhood living. Detached single-family units. Attached and/or detached second unit or duplex allowed.	1 du/ac to <10 du/ac. Assume 7du/ac typical yield.	Range: 2.8 to 27.7 Typical: 19.6	See zoning	See zoning
Residential Medium (RM)	Dense urban living. Detached and attached single family and multi-family units.	10 du/ac to <20 du/ac. Assume 15 du/ac typical yield.	Range: 28 to 55.7 Typical: 42.0	See zoning	See zoning
Residential High (RH)	Apartments and condominiums. Attached multi-family units.	≥ 20 du/ac. Assume 25 du/ac typical yield.	>56 Typical: 70.0	See zoning	See zoning

COUNTY OF YOLO
 2030 COUNTYWIDE GENERAL PLAN
 LAND USE AND COMMUNITY CHARACTER ELEMENT

TABLE LU-4 LAND USE DESIGNATIONS (CONTINUED)

Land Use Designation (XX)	Allowed Uses	Residential Density	Persons Per Acre ^a	FAR ^b Maximum	Maximum Impervious Surface
Commercial General (CG)	Regional- and highway-serving retail, office and service. Regional- and highway-serving agricultural commercial allowed. No limit on floor plate (ground floor square footage). Research and Development and biotechnology with offices and service support as primary use (more than 50 percent of total square footage). Upper floor and accessory residential uses allowed.	Upper floor residential and ancillary attached residential at any density.	Range: 0 to 44.8 Avg. 22.4	0.5 for commercial 1.0 for mixed use with residential	85%
Commercial Local (CL)	Local-serving retail, office and service uses. Local-serving agricultural commercial allowed. Range of goods and services to meet everyday needs of residents within a community. Restricted to small floor plate users (less than 40,000 square feet ground floor). Upper floor and ancillary residential uses allowed.	Upper floor residential and ancillary attached residential at any density.	Range: 0 to 44.8 Avg. 22.4	1.0 for commercial 2.0 for mixed use with residential	90%
Industrial (IN)	Full range of light to heavy industrial/ manufacturing uses. Agricultural industrial allowed. Research and Development and biotechnology with manufacturing as primary use (more than 50 percent of total square footage). Storage facilities, contractor's yards, corporation yards, dismantling, etc.	One caretaker unit per operation:	<0.5	0.5	90%
Public and Quasi-Public (PQ)	Public/governmental offices, places of worship, schools, libraries and other civic uses. Public airports (including related visitor services). <u>Infrastructure including wastewater treatment facilities, municipal wells, landfills and storm water detention basins.</u>	None.	0	0.5	80%
Specific Plan (SP)	Interim land uses (until SP is in place) limited to those uses allowed in the AG designation. Ultimate land uses must be consistent with adopted SP. This designation limits development to AG uses until such time as a SP is processed and approved by the County, or the land use designation is otherwise amended. Land designated SP is discouraged from more capital intensive agricultural uses in favor of later planned uses.	Interim -- two farm dwellings per legal parcel. Ultimate -- as specified in the Specific Plan.	<0.1	Per the Specific Plan, using designations above as maximums.	Per the Specific Plan, using designations above as maximums.
Natural Heritage Overlay (NHO)	Applies to focused conservation areas identified in the Yolo Natural Heritage Program.	As allowed under the base designation and adopted Yolo Natural Heritage Program.	--	--	--
Agricultural District Overlay (ADO)	Applies to designated agricultural districts. Land uses consistent with the base designation and the district specifications are allowed.	As defined for each district.	--	--	--

COUNTY OF YOLO
 2030 COUNTYWIDE GENERAL PLAN
 LAND USE AND COMMUNITY CHARACTER ELEMENT

TABLE LU-4 LAND USE DESIGNATIONS (CONTINUED)

Land Use Designation (XX)	Allowed Uses	Residential Density	Persons Per Acre ^a	FAR ^b Maximum	Maximum Impervious Surface
Delta Protection Overlay (DPO)	Applies to the State designated "primary zone" of the Sacramento-San Joaquin Delta, as defined in the Delta Protection Act. Land uses consistent with the base designation and the Delta Protection Commission's Land Use and Resource Management Plan are allowed.	As allowed under the base designation and applicable Delta Land Use and Resource Management Plan.	--	--	--
Mineral Resource Overlay (MRO)	Applies to State designated mineral resources (MRZ-2) and existing mining operations.	As allowed under the base designation.	--	--	--
Specific Plan Overlay (SPO)	Applies to existing developed areas adjacent to identified SP designated land. Land uses consistent with the base designation are allowed until a SP is in place at which point the SP will direct the land uses. This overlay designation preserves the base (underlying) land use designation until such time as the SP is adopted.	As allowed under the base designation.	--	--	--
Tribal Trust Overlay (TTO) ^d	Applies to tribal trust lands held by the federal government in favor of recognized tribal governments.	As defined by the sovereign government and/or appropriate applicable documents or agreements. The County does not have jurisdiction over these lands absent an applicable agreement with the federal government and/or sovereign entity.	--	--	--

Note: Densities are net of major water bodies, freeways and arterials.

^a Persons per household is calculated assuming 2.8 persons per household.

^b Floor area ratio.

^c For Agricultural Industrial see IN. For Agricultural Commercial see CG.

^d The County exercises no development or zoning control over properties designated as tribal trust lands in the General Plan. These properties are under the jurisdiction and control of the Rumsey Band of Wintun Indians of California. The Tribal Trust Overlay designation applies to properties within the County that are held in trust by federal agencies for the benefit of an Indian tribe. These lands can have important economic and environmental relationships to both the County and area residents. However, properties with this designation may not be subject to County planning, zoning and building regulations. Cooperative efforts between the County and local tribal governments are important to ensuring that areawide issues are appropriately addressed to the benefit of all local residents.

Figure LU-2B through 2G *Growth Boundaries*

Figures to be revised to reflect updated mapping and to add the City growth boundaries.

III. PROJECT DESCRIPTION

A. INTRODUCTION

This chapter describes the Draft 2030 Countywide General Plan for Yolo County (Draft General Plan), which is being evaluated in this program EIR. The adoption and implementation of this update to the current General Plan (1983 General Plan) is considered the “proposed project.” As stipulated by *CEQA Guidelines* Section 15124, the project description that follows provides details about the Draft General Plan to the extent needed for adequate evaluation of environmental impacts. This chapter provides an overview of the project’s regional location and general setting, project background, project objectives, a detailed description of the Draft General Plan, a brief discussion of the anticipated adoption and implementation of the Plan, and an explanation of the intended uses of this Program EIR.

B. REGIONAL LOCATION AND GENERAL SETTING

Yolo County occupies 653,549 acres (1,021 square miles) in the California Central Valley along the Sacramento River Delta. As shown in Figure III-1, the County is located immediately west of Sacramento, the State Capital, and northeast of the Bay Area counties of Solano and Napa. Lake and Colusa counties lie to the north of Yolo County, and Sutter and Sacramento counties lie to the east.

The County is generally flat with three mountainous areas that are: the Blue Ridge Mountains, which generally form the County’s western boundary; the Capay Hills, which run north-south parallel to the Blue Ridge; and the Dunnigan Hills, located just west of U.S. Interstate-5 (I-5). Water bodies in the County generally flow east to the Sacramento River, which forms the eastern boundary of the County. Putah Creek forms the majority of the County’s southern boundary. Other water courses include Cache Creek, the Colusa Basin Drainage Canal and Willow Slough. The Yolo Bypass is a 41-mile long area of agricultural lands bounded by levees; created to be part of the Sacramento River system it provides flood protection for the City of Sacramento.

Yolo County is generally rural with over 96 percent of the County area designated for agricultural and open space uses. As of 2008, the County’s total population was estimated to be approximately 199,066 people, of which approximately 22 percent (23,265 people) live in the unincorporated communities and agricultural areas. The County as a whole contains an estimated 73,113 housing units and 109,855 jobs,¹ of which approximately 10 percent of dwelling units (7,263 units) and approximately 17 percent of jobs (20,818 jobs²) are located in the unincorporated County area.

¹ Design, Community & Environment, 2006. Yolo County General Plan, Market and Fiscal Considerations for the General Plan, Table 2. September 8. Land Use Database for 2030 General Plan Analysis provided by Tschudin Consulting Group, February 2009.

² Land Use Database for 2030 General Plan Analysis by Traffic Analysis Zone (TAZ) allocated to community areas by Department of Planning and Public Works, January 24, 2009.

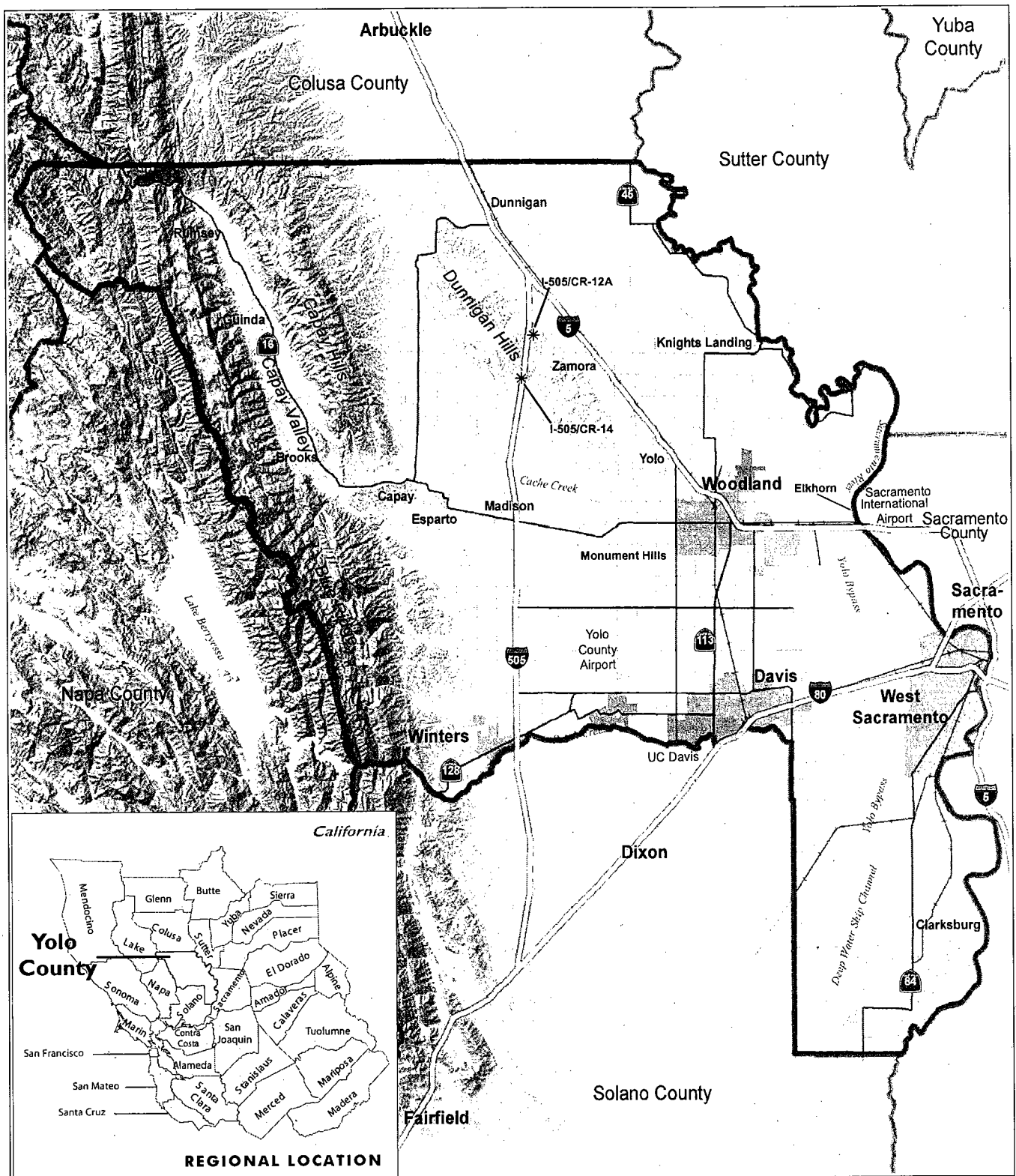
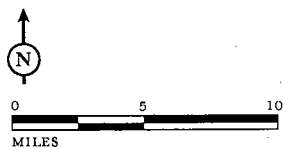


FIGURE III-1

LSA



Yolo County 2030 Countywide
General Plan EIR
County and Regional Location Map

SOURCE: YOLO COUNTY GIS, 2007; DESIGN COMMUNITY & ENVIRONMENT, 2008.

I:\CYK0701 yolo county\figures\EIR\Fig_III.1.ai (12/24/08)

The four incorporated cities located in the County are: Davis, West Sacramento, Winters and Woodland. In addition to the incorporated cities, land owned by State and federal agencies, tribal trust land held on behalf of the Rumsey Band of Wintun Indians, and the UC Davis campus all have independent land use decision-making authority and are not under the jurisdiction of County's General Plan. Land that lies within the primary zone of the Sacramento-San Joaquin Delta falls under the authority of the Delta Protection Agency Land Use and Resource Management Plan.

For purposes of land use planning and regulation, the unincorporated County is divided into geographic areas referred to as community areas. All planned "urban" land uses, which include all land use designations except agriculture and open space, are located in these community areas. Within this EIR, community areas are categorized as either towns or other places as listed below.

The unincorporated County is comprised of 11 towns, which are: Capay, Guinda, Rumsey,³ Clarksburg, Dunnigan, Esparto, Knights Landing, Madison, Monument Hills, Yolo, and Zamora. The County is comprised of 24 other places, which are: Tribal (Casino), Cache Creek Open Space, County Airport, Elkhorn, Davis Migrant Center, DQ University, I-505/CR14 or 12A, Covell/Pole Line, Binning Farms, North Davis Meadows, Patwin Road, UC Davis, Jury Industrial, Royal Oak Mobile Home Park, Willow Bank, El Macero, Chiles Road, County Landfill, El Rio Villa, Putah Creek Recreational Vehicle Park, Spreckels, North Woodland, Willow Oak, and East Woodland.

Three U.S. Interstate routes, I-5, I-80, and I-505, pass through the County. I-5 generally runs north-south through the northern half of the County and provides access to the County from the Stockton and Sacramento areas. I-80 is a principal east-west route in Yolo County and provides access from the San Francisco Bay Area and Sacramento County. I-505 is a north-south freeway that connects I-80 near the City of Vacaville with I-5 in the northern part of Yolo County.

Five main State Routes (SR) provide regional connectors through the County. SR 113 connects I-80 and I-5, as well as the cities of Davis and Woodland, and provides access to Knights Landing farther north. SR 16 provides east-west access through the central portion of the County from Woodland to Capay and provides north-south access through the Capay Valley. SR 128 provides access from Winters to Lake Berryessa in Napa County. SR 45 connects Knights Landing to Colusa County along the Sacramento River. SR 84 connects the southern portion of the County and Clarksburg with West Sacramento and I-80.

Three railroad lines also provide access to the County: the Union Pacific Railroad is located along I-80 and connects Davis and West Sacramento with the Bay Area and Sacramento; the California Northern Railroad line generally parallels SR 113 and I-5, connecting the Union Pacific to the northern Sacramento Valley; and the Sierra Northern Railroad or Sacramento River Train line is an entertainment passenger line that runs from Woodland to West Sacramento.

Other means of access to the County include the Sacramento International Airport, local County airports, and the Sacramento Deep Water Ship Channel, which provides access to the inland Port of West Sacramento from the San Francisco Bay via the Sacramento River.

³ The towns of Capay, Guinda, and Rumsey, and the community area referred to as "Tribal/Casino" are often collectively referred to as part of the Capay Valley.

C. PROJECT BACKGROUND

This section provides an overview of California law pertaining to general plans and describes the planning process for the Draft General Plan.

1. California State Law Regarding General Plans

California Government Code Section 65300 requires that the general plan be comprehensive, internally consistent and long-term. The general plan must provide for the physical development of the County and guide all land use and public improvement decisions. All general plans must include seven topics in addition to specific issues specified in State law. These topics include land use, transportation, housing, open space, conservation, noise, and safety. General plans may also include optional elements in response to specific community issues, values, needs, or local conditions. Although required to address the issues specified in State law, the general plan may be organized in a way that best suits the jurisdiction. State law requires that the housing element of the general plan be certified by the California Department of Housing and Community Development.

The Draft General Plan meets all State requirements by providing goals, objectives, and policies aimed at achieving the County's vision for its long-term physical form and development within the following mandatory elements:

- Land Use and Community Character;
- Circulation;
- Public Facilities and Services;
- Conservation and Open Space;
- Health and Safety; and
- Housing.

The remaining element, the Agriculture and Economic Development Element, is an optional element which addresses local issues. Once adopted, the Draft General Plan will serve as a basis for future decision-making by municipal officials, including County staff, the Planning Commission, and the Board of Supervisors and will supersede the previous General Plan, adopted in 1983. The Draft General Plan contains actions requiring the update of other County planning and implementation documents and programs so that they will be consistent with the Draft General Plan.

2. Draft General Plan Update Process

The Draft General Plan is a comprehensive update of the County's General Plan, which was first adopted in 1958 and was subsequently partially updated in 1970 and comprehensively updated in 1983. Since 1983, the County has updated and revised various plans including: the Monument Hills Area Plan in 1985; the Knights Landing General Plan and County Airport Master Plan in 1999; the Dunnigan General Plan in 2001; the Agriculture Element, Open Space and Recreation Element, the Cache Creek Area Plan, and the Clarksburg General Plan in 2002; the Housing Element in 2003; and the Esparto General Plan in 2007.

In the spring of 2003, the Board of Supervisors initiated the current General Plan update process to reflect the changed conditions in the County and new policy direction. The County has since held numerous workshops and hearings with stakeholders throughout the County. As part of the General Plan update process, the County participated in regional modeling efforts and growth projections undertaken by the Sacramento Area Council of Governments (SACOG). The County also convened an Economic Development Panel that issued findings to help focus the economic goals and objectives of the County. The following six background studies were published during the update process: the General Plan Update Background Report;⁴ Market and Fiscal Considerations;⁵ Alternatives Overview and Analysis;⁶ Alternatives Evaluation;⁷ Agricultural Preservation Techniques Report;⁸ and County Infrastructure Conditions.⁹

The Board of Supervisors adopted an initial principles and vision statement, based on the 1983 General Plan and public input, to guide the General Plan update. Six different land use alternatives were developed based on the principles and vision statement. The Board of Supervisors ultimately crafted the Preferred Land Use Alternative from these alternatives. The Draft General Plan incorporates the Preferred Land Use Alternative and provides complementary draft goals and policies reflective of direction from the Board of Supervisors provided in the General Plan vision and mission statements.

The first Public Review Draft of the 2030 Countywide General Plan was published on September 10, 2008. The Board of Supervisors and Planning Commission held a joint public workshop to review the Plan on September 16, 2008. Subsequently, 29 additional community meetings and workshops were held. On November 3, 4, and 6, 2008 the Planning Commission held workshops on the Draft General Plan polices and considered public comments on the polices. Based on these meetings and the comments received, the Planning Commission recommended modification of certain policies. The Revised Public Review Draft General Plan, published on January 20, 2009, contained nearly all of the Planning Commission recommendations, as well as other changes recommended by staff. Additionally, the staff proposed revisions to the land use map in order to more accurately reflect existing land uses based on the new proposed land use designations. On January 20 and 21, 2009, the Board of Supervisors held workshops on the Revised Draft General Plan and ultimately accepted that document, with specified changes, as the "preferred project" for purposes of environmental review. The most substantive changes to the land use map involved accurately designating existing agriculture, open space, parks, and public and quasi-public uses to ensure that the land use designation reflected the actual uses or facilities that already exist. These land use designation corrections and changes were incorporated into the revised General Plan Land Use Map. A summary

⁴ Jones and Stokes, 2005. Background Report for the Yolo County General Plan Update. January.

⁵ Design, Community & Environment, 2006. Yolo County General Plan, Market and Fiscal Considerations for the General Plan. September 8

⁶ Design, Community & Environment, 2006. Yolo County General Plan, Alternatives Overview and Analysis. September 8.

⁷ Design, Community & Environment, 2006. Yolo County General Plan, Alternatives Evaluation. December 6.

⁸ Design, Community & Environment, 2006. Yolo County General Plan, Agricultural Preservation Techniques Report. December 4.

⁹ Design, Community & Environment, 2006. Yolo County General Plan, County Infrastructure Conditions. December 6.

of these changes is provided in Appendix B. This EIR analyzes the environmental impacts of the revised Draft General Plan including the changes directed by the Board of Supervisors on January 21, 2009.

D. PROJECT OBJECTIVES

The overarching principles of the Draft General Plan are defined in Chapter 2 (Vision and Principles), and summarized below:

- Successful agriculture
- Protected open space and natural areas
- Distinct communities
- Safe and healthy communities
- Varied transportation alternatives
- Enhanced information and communication technology
- Strong and sustainable economy
- Abundant and clean water supply
- Reduction of greenhouse gases and adaptation to climate change.

E. DRAFT GENERAL PLAN

This section describes the contents of the Draft General Plan including the proposed land use changes, and the resulting potential growth that may occur within the County until the horizon year for the Plan of 2030.

1. Framework

As noted above, the Draft General Plan contains the following six elements:

- Land Use and Community Character;
- Circulation;
- Public Facilities and Services;
- Agriculture and Economic Development;
- Conservation and Open Space;
- Health and Safety; and
- Housing.

Each element has a policy framework consisting of goals, policies, and an implementation program, which contains various actions that carry out the goals and policies of the element.

a. Introduction and Administration. The Introduction and Administration chapter provides introductory and administrative information about the Draft General Plan. It provides a demographic overview of the County, including the four cities and the unincorporated communities. This chapter defines what areas of the County are subject to the General Plan and clarifies that the cities, State and federal agencies, the Rumsey Band of Wintun Indians, and UC Davis have independent land use

decision-making authority and are not bound by the General Plan. This chapter identifies the prior organization of the 1983 General Plan and how that document, including all its component parts, will be superseded by the new General Plan.

The Introduction and Administration chapter provides several tools for the administration of the General Plan and includes a new formal process for making and tracking interpretations of the General Plan. This chapter also describes the Implementation Plan, which assigns responsibility and timeframes to actions in the General Plan. The annual report, required by State law, tracks the progress of General Plan implementation. Procedures for administering the General Plan through the horizon year 2030 are also provided in this chapter. The policies and actions in this element address General Plan Administration.

b. Vision and Principles. The Draft General Plan is based on the Vision Statement for the County adopted by the Board of Supervisors. The County's vision is to remain an area of active and productive farmland and open space with both traditional and innovative agricultural practices continuing to flourish in the countryside, while accommodating the recreational and tourism needs of residents and visitors. Communities will be kept separated and individual through the use of green space, while remaining connected by a network of roadways, riparian hiking trails, bike paths, and transit. While more families will call the cities and towns home, they will live in compact neighborhoods that are friendly to pedestrians and bicyclists and are located within easy access to stores and work. Some limited new growth will be allowed and infill and more dense development within older developed areas will be encouraged, bringing improved infrastructure (e.g. roads, sewer, water, drainage) to rural small communities where service does not presently exist or is inadequate. Yolo County will continue to be a statewide leader in developing innovative solutions that provide comprehensive and balanced land use management.

The Draft General Plan contains the following nine principles to support the achievement of the County's vision: successful agriculture; strategic open space and natural areas; distinct communities; safe and healthy communities; varied transportation alternatives; enhanced information and communication technology; strong and sustainable economy; abundant and clean water supply; and reduction of greenhouse gases and adaptation to climate change.

c. Land Use and Community Character Element. The Land Use and Community Character Element addresses the State requirements for land use elements. This element establishes policies and actions for the use and development of unincorporated lands within the County and provides direction for the character and location of future development. The Land Use Map, shown in Figure III-2, designates all lands within the County for a specific use and shows the general distribution of planned land uses throughout the County based upon the policies of the Draft General Plan. Detailed land use designations for the areas of the County are shown in Figures III-2a to III-2g.

The Draft General Plan provides the following 12 categories of land use designations: Open Space (OS); Agriculture (AG); Parks and Recreation (PR); Residential Rural (RR); Residential Low (RL); Residential Medium (RM); Residential High (RH); Commercial General (CG); Commercial Local (CL); Industrial (IN); Public and Quasi-Public (PQ); and Specific Plan (SP). The Plan also provides six land use overlays: Specific Plan Overlay (SPO); Delta Protection Overlay (DPO); Natural Heritage Overlay (NHO); Agricultural District Overlay (ADO); Mineral Resource Overlay (MRO); and Tribal Trust Overlay (TTO). Definitions for the land use designations are shown in Table III-1.

Table III-1: Land Use Definitions, Densities, and Floor Area Ratios

Land Use Designation	Allowed Uses	Residential Density	Floor Area Ratio Maximum
Open Space (OS)	Public open space lands, major natural water bodies, agricultural buffer areas, and habitat. Characterized by "passive" and/or very low management uses as the primary land use, as distinguished from AG or PR land use designations which involve more intense management of the land.	One caretaker unit.	0.001
Agriculture (AG)	Full range of cultivated agriculture, such as row crops, orchards, vineyards, dryland farming, livestock grazing, forest products, confined animal facilities, and equestrian facilities. Agricultural industrial – agricultural research, processing and storage; crop dusting. Agricultural commercial – roadside stands, "Yolo Stores", wineries, farm-based tourism (e.g. u-pick, dude ranch, lodging), horse shows, rodeos, crop-based seasonal events; agricultural chemical and equipment sales. Pre-existing isolated restaurants and/or stores (e.g. old stage stops and cross-roads) serving rural areas. Farmworker housing. Surface mining. Incidental habitat.	Two farm dwellings per legal parcel.	0.1 ^a
Parks and Recreation (PR)	Developed ("active park") facilities. Regional, community and neighborhood parks, tot lots, sports fields and public pools. Agricultural buffer areas.	Regional community parks and campgrounds are allowed one caretaker unit. No allowed residential uses for community or neighborhood parks and similar facilities.	0.025
Residential Rural (RR)	Large lot rural living. Detached single-family units. Attached and/or detached second unit or duplex allowed.	1 du/5ac to < 1 du/ac. Assume 1du/2.5ac typical yield.	Regulated by Zoning
Residential Low (RL)	Traditional neighborhood living. Detached single-family units. Attached and/or detached second unit or duplex allowed.	1 du/ac to <10 du/ac. Assume 7du/ac typical yield.	Regulated by Zoning
Residential Medium (RM)	Dense urban living. Detached and attached single family and multi-family units.	10 du/ac to <20 du/ac. Assume 15 du/ac typical yield.	Regulated by Zoning
Residential High (RH)	Apartments and condominiums. Attached multi-family units.	≥ 20 du/ac. Assume 25 du/ac typical yield.	Regulated by Zoning
Commercial General (CG)	Regional- and highway-serving retail, office and service. Regional- and highway-serving agricultural commercial allowed. No limit on floor plate (ground floor square footage). Research and Development with offices and service support as primary use (more than 50 percent of total square footage). Upper floor and accessory residential uses allowed.	Upper floor residential and ancillary attached residential at any density.	0.5 for commercial 1.0 for mixed use with residential

Table III-1 *Continued*

Land Use Designation	Allowed Uses	Residential Density	Floor Area Ratio Maximum
Commercial Local (CL)	Local-serving retail, office and service uses. Local-serving agricultural commercial allowed. Range of goods and services to meet everyday needs of residents within a community. Restricted to small floor plate users (less than 40,000 square feet ground floor). Upper floor and ancillary residential uses allowed.	Upper floor residential and ancillary attached residential at any density.	1.0 for commercial 2.0 for mixed use with residential
Industrial (IN)	Full range of light to heavy industrial/ manufacturing uses. Agricultural industrial allowed. Research and Development and biotechnology with manufacturing as primary use (more than 50 percent of total square footage). Storage facilities, contractor's yards, corporation yards, dismantling, etc.	One caretaker unit per operation.	0.5
Public and Quasi-Public (PQ)	Public/governmental offices, places of worship, schools, libraries and other civic uses. Public airports (including related visitor services). Infrastructure including wastewater treatment facilities, municipal wells, landfills and storm water detention basins. Agricultural buffer areas.	None.	0.5
Specific Plan (SP)	Interim land uses (until SP is in place) limited to those uses allowed in the AG designation. Ultimate land uses must be consistent with adopted SP. This designation limits development to AG uses until such time as a SP is processed and approved by the County, or the land use designation is otherwise amended. Land designated SP is discouraged from more capital intensive agricultural uses in favor of later planned uses.	Interim -- two farm dwellings per legal parcel. Ultimate -- as specified in the Specific Plan.	Per the Specific Plan, using designations above as maximums.
Natural Heritage Overlay (NHO)	Applies to focused conservation areas identified in the Yolo Natural Heritage Program.	As allowed under the base designation and adopted Yolo Natural Heritage Program.	--
Agricultural District Overlay (ADO)	Applies to designated agricultural districts. Land uses consistent with the base designation and the district specifications are allowed.	As defined for each district.	--
Delta Protection Overlay (DPO)	Applies to the State designated "primary zone" of the Sacramento-San Joaquin Delta, as defined in the Delta Protection Act. Land uses consistent with the base designation and the Delta Protection Commission's Land Use and Resource Management Plan are allowed.	As allowed under the base designation and applicable Delta Land Use and Resource Management Plan.	--
Mineral Resource Overlay (MRO)	Applies to State designated mineral resources (MRZ-2) and existing mining operations.	As allowed under the base designation.	--
Specific Plan Overlay (SPO)	Applies to existing developed areas adjacent to identified SP designated land. Land uses consistent with the base designation are allowed until a SP is in place at which point the SP will direct the land uses. This overlay designation preserves the base (underlying) land use designation until such time as the SP is adopted.	As allowed under the base designation.	--

Table III-1 *Continued*

Land Use Designation	Allowed Uses	Residential Density	Floor Area Ratio Maximum
Tribal Trust Overlay (TTO)	Applies to tribal trust lands held by the federal government in favor of recognized tribal governments.	As defined by the sovereign government and/or appropriate applicable documents or agreements.	--

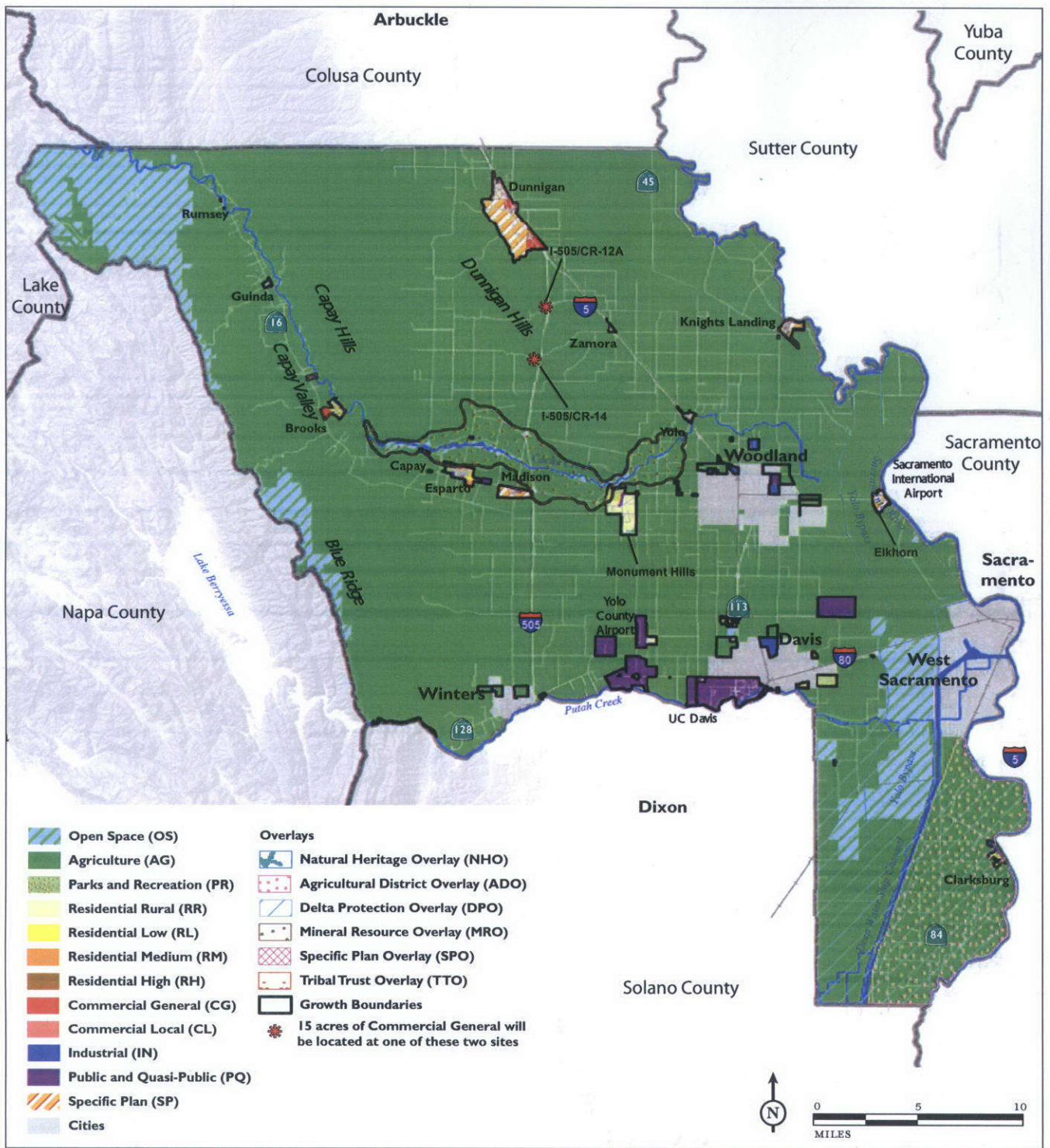
^a See Industrial for Agricultural Industrial FAR and Commercial General for Agricultural Commercial FAR.
Source: Yolo County Planning and Public Works Department, 2009. Revised Public Review Draft 2030 Countywide General Plan. January 20. Modifications made by Board of Supervisors January 21, 2009.

As shown in Table III-2, the Draft General Plan designates the majority of the County, approximately 544,723 acres (87.7 percent of unincorporated lands), for agricultural use. Open space is the second largest designation, with approximately 52,969 acres (8.5 percent of unincorporated lands), followed by 7,001 acres (1.1 percent) of public and quasi-public uses. The remaining 17,531 acres (approximately 2.8 percent) are designated for parks and recreation, residential, commercial, industrial, specific plan, and other uses. A more detailed description of the proposed land uses is provided later in this Chapter (see subsection 2, Existing and Allowed Development within the Unincorporated County) and more detailed land use tables are provided in Appendix B.

Table III-2: Summary of Draft General Plan Land Uses Comparison (1983 to 2030)

Land Use Designations	1983 Acreage	2030 Acreage	1983 to 2030 Change in Acreage
Open Space	2,722	52,969	+50,247
Agriculture	603,544	544,723	-58,821
Parks and Recreation	1,121	866	-255
Residential			
Residential Rural (1du/5ac to <1du/ac)	1,668	1,602	-66
Residential Low (1du/ac to <10du/ac)	1,342	1,280	-62
Residential Med (10du/ac to < 20du/ac)	196	179	-17
Residential High (>20 du/ac)	31	27	-4
Residential Subtotal	3,237	3,088	-149
Commercial			
Commercial General	263	532	+269
Commercial Local	143	119	-24
Commercial Subtotal	406	651	+245
Industrial	1,195	1,049	-146
Public and Quasi-Public	694	7,001	+6,307
Specific Plan	145	3,285	+3,140
Other (roadways, railroads, highways)	8,160	8,592	+432
Unincorporated County Total	621,224	621,224	0

Source: Yolo County Planning and Public Works Department, 2009; Tschudin Consulting Group, February 2009.



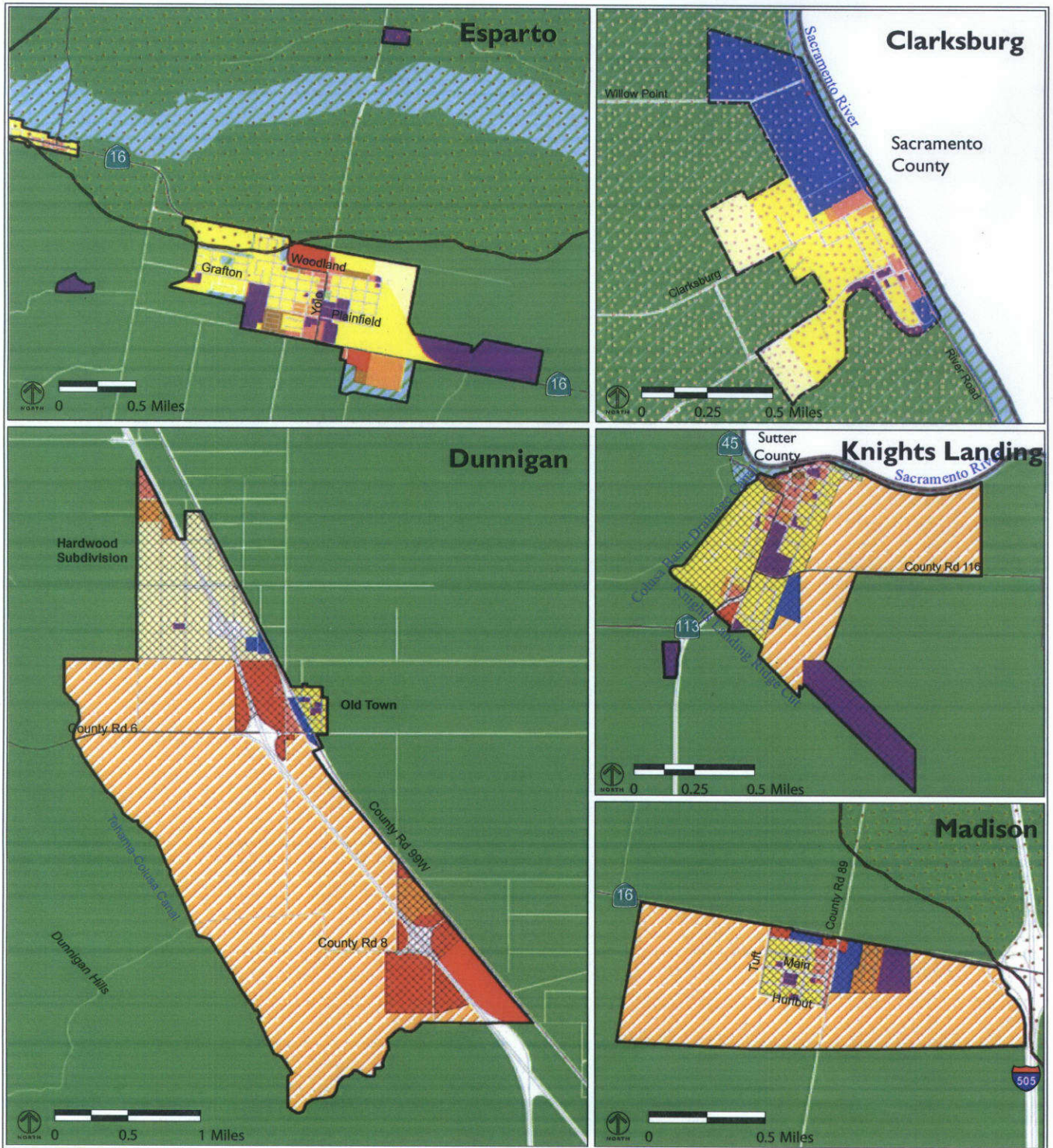
LSA

FIGURE III-2

*Yolo County 2030 Countywide
General Plan EIR
General Plan Land Uses and
Community Area Locations*

SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\EIR\Fig_III2.ai (4/21/09)



LSA

- | | | | |
|--|---------------------------|--|--------------------------------|
| | Open Space (OS) | | Commercial Local (CL) |
| | Agriculture (AG) | | Industrial (IN) |
| | Parks and Recreation (PR) | | Public and Quasi-Public (PQ) |
| | Residential Rural (RR) | | Specific Plan (SP) |
| | Residential Low (RL) | | Specific Plan Overlay (SPO) |
| | Residential Medium (RM) | | Mineral Resource Overlay (MRO) |
| | Residential High (RH) | | Growth Boundaries |
| | Residential High (RH) | | |
| | Commercial General (CG) | | |

FIGURE III-2a

Yolo County 2030 Countywide
General Plan EIR
General Plan Land Use Map

SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\EIR\Fig_III2a.ai (4/1/09)

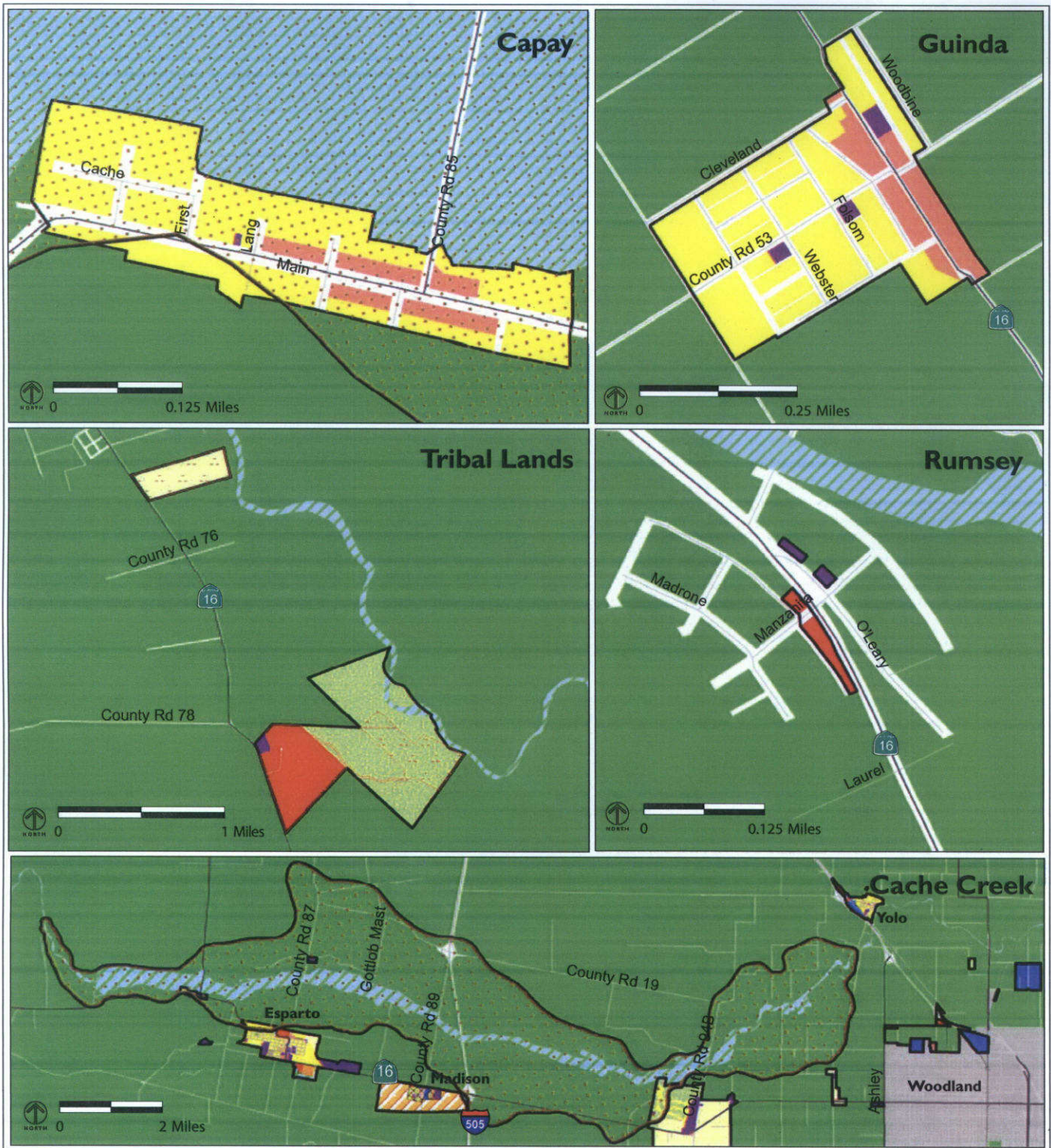


FIGURE III-2b

LSA



- | | |
|---------------------------|--------------------------------|
| Open Space (OS) | Industrial (IN) |
| Agriculture (AG) | Public and Quasi-Public (PQ) |
| Parks and Recreation (PR) | Specific Plan (SP) |
| Residential Rural (RR) | Cities |
| Residential Low (RL) | Specific Plan Overlay (SPO) |
| Residential Medium (RM) | Tribal Trust Overlay (TTO) |
| Residential High (RH) | Mineral Resource Overlay (MRO) |
| Commercial General (CG) | Growth Boundaries |
| Commercial Local (CL) | |

Yolo County 2030 Countywide
General Plan EIR
General Plan Land Use Map

SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\EIR\Fig_III2b.ai (4/1/09)

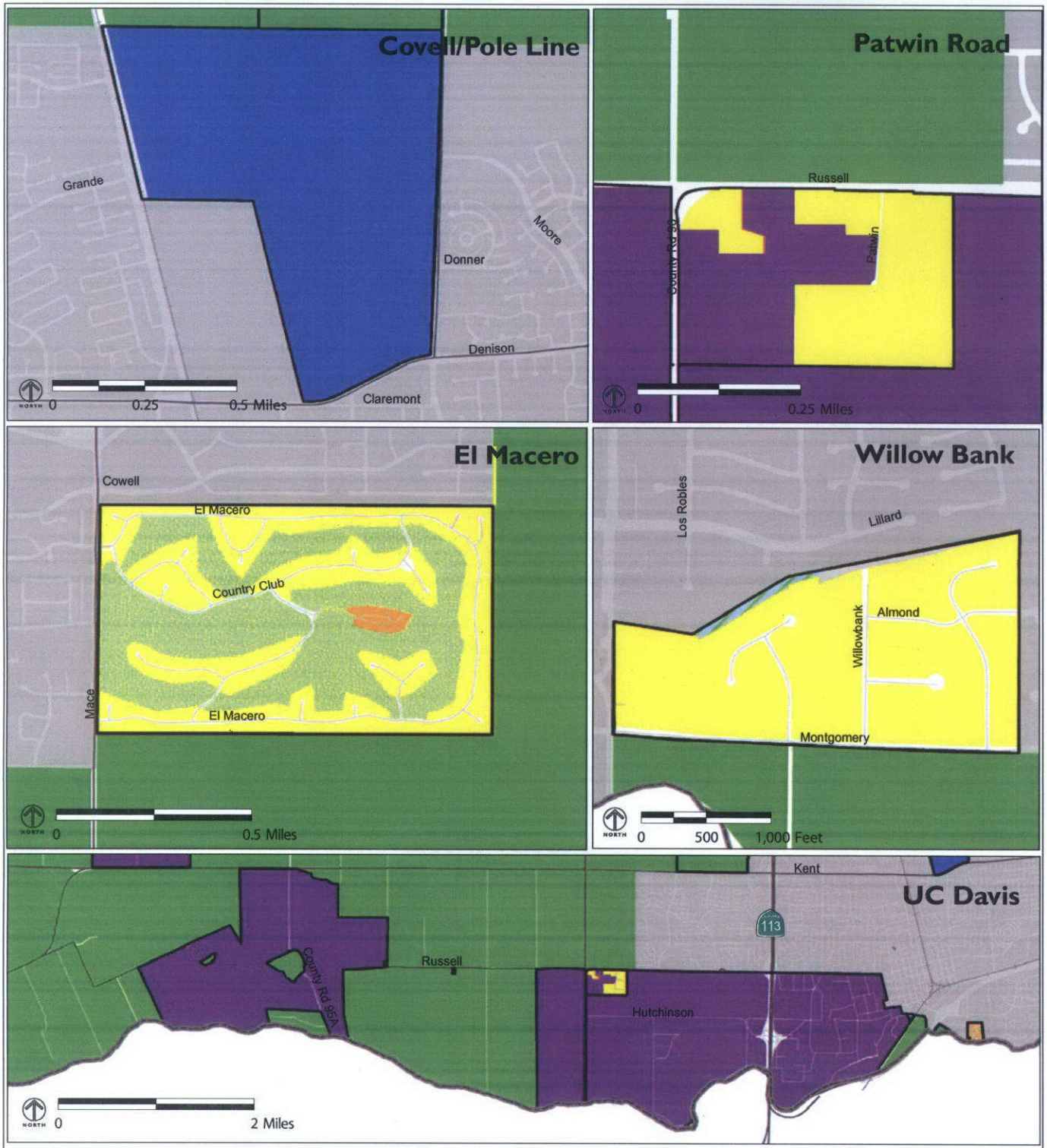


FIGURE III-2c

LSA

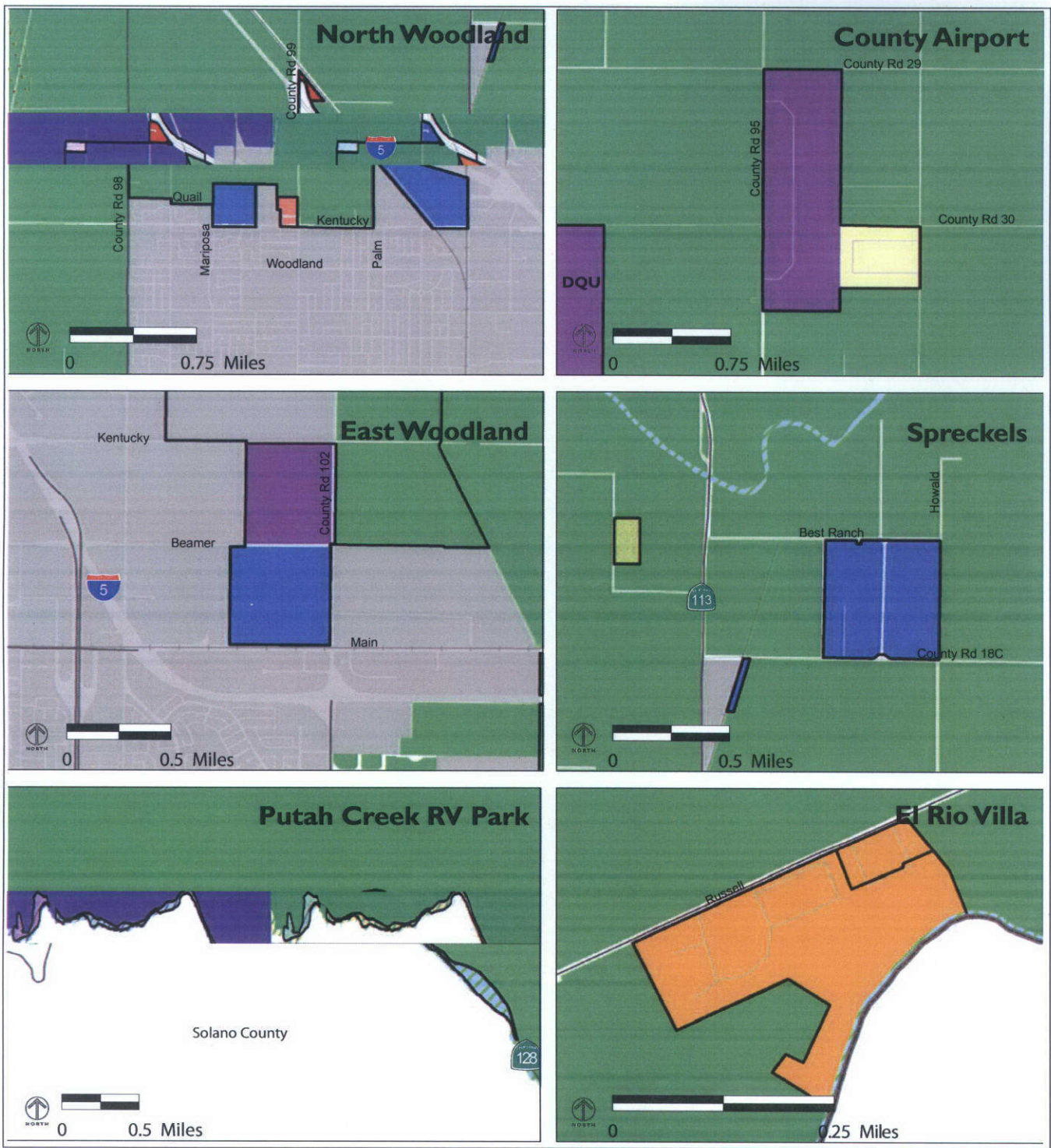


- | | |
|---------------------------|------------------------------|
| Open Space (OS) | Residential Medium (RM) |
| Agriculture (AG) | Industrial (IN) |
| Parks and Recreation (PR) | Public and Quasi-Public (PQ) |
| Residential Rural (RR) | Cities |
| Residential Low (RL) | Growth Boundaries |

Yolo County 2030 Countywide
General Plan EIR
General Plan Land Use Map

SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\GP\Fig_III2c.ai (4/1/09)



LSA

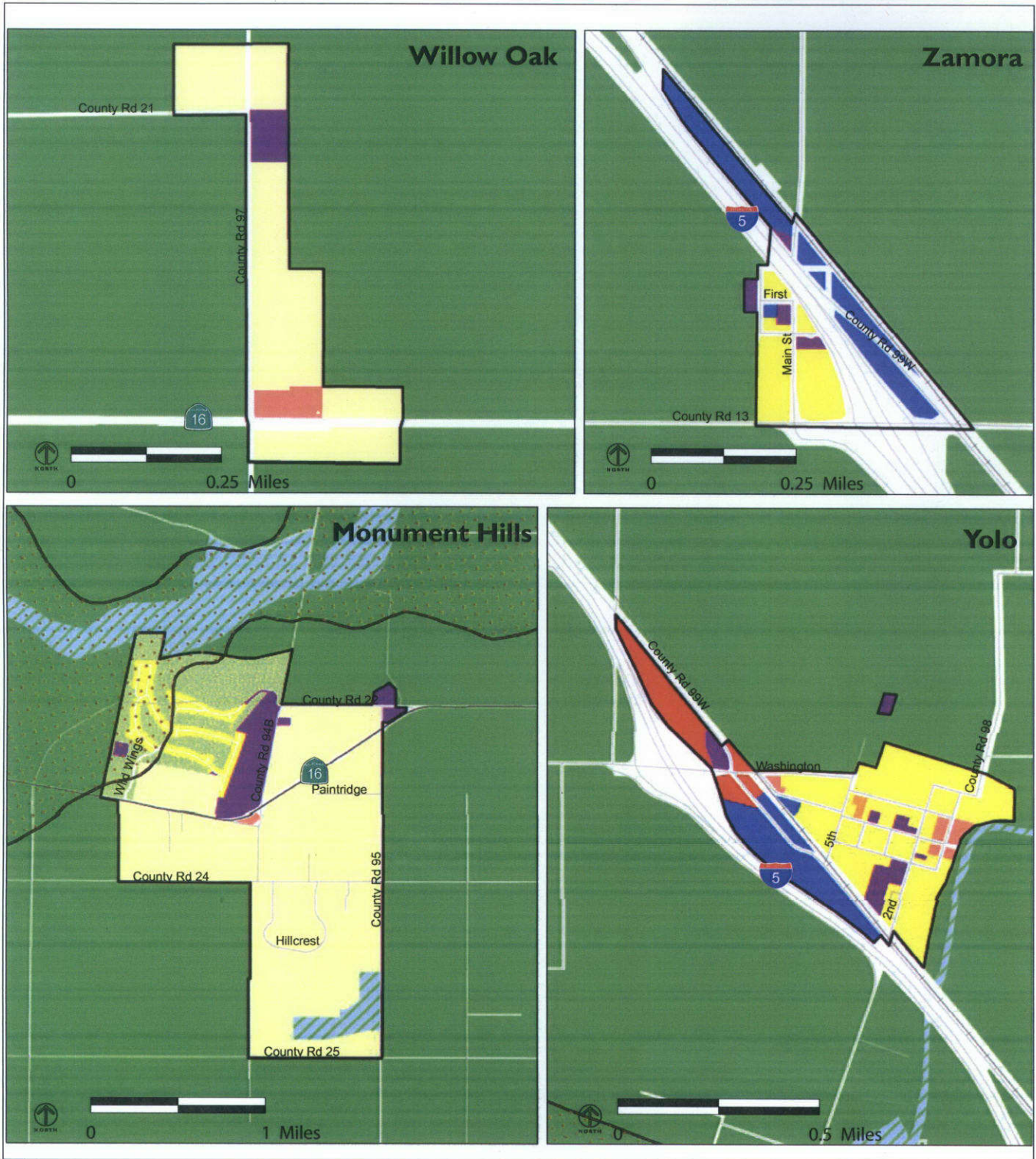
FIGURE III-2d



Yolo County 2030 Countywide
General Plan EIR
General Plan Land Use Map

SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\GP\Fig_III2d.ai (4/1/09)



LSA

FIGURE III-2e



SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\GP\Fig_III2e.ai (4/1/09)

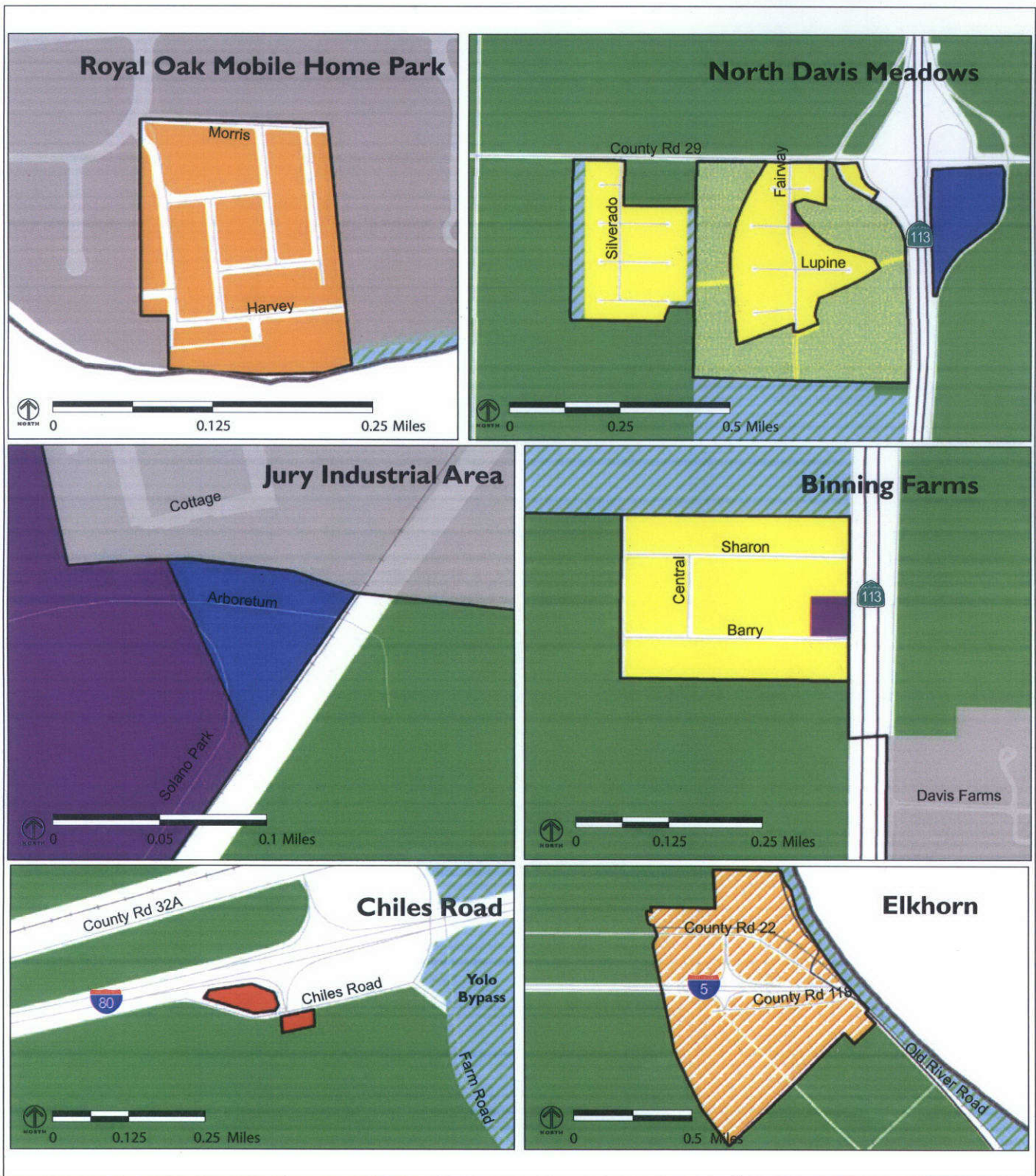


FIGURE III-2f

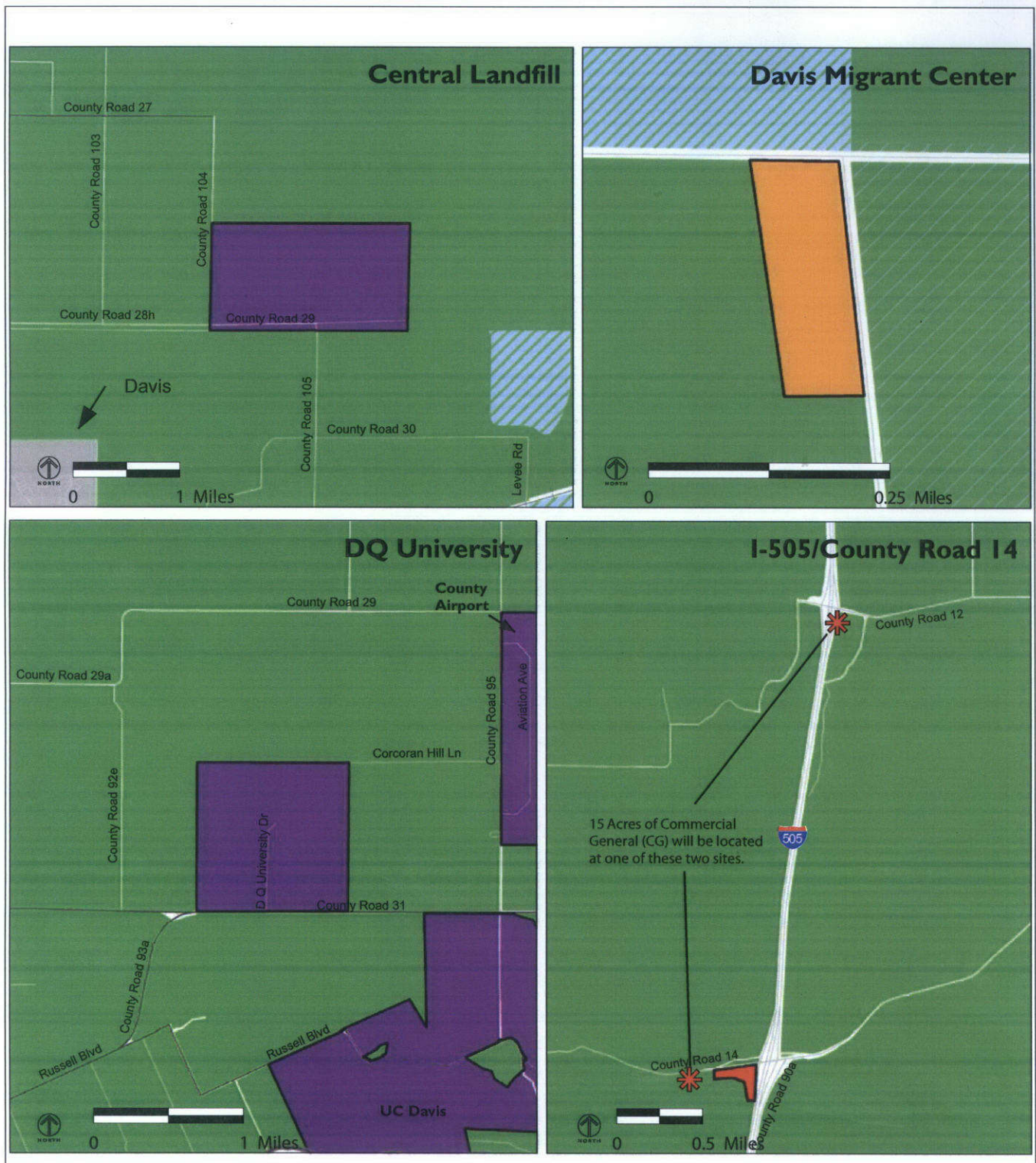
LSA



Yolo County 2030 Countywide
General Plan EIR
General Plan Land Use Map

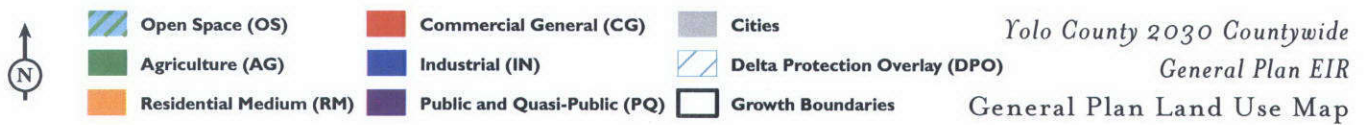
SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\GP\Fig_III2f.ai (4/1/09)



LSA

FIGURE III-2g



SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\GP\Fig_III2g.ai (4/1/09)

The Draft General Plan requires Specific Plans to be prepared for the community areas of Dunnigan, Elkhorn, Knights Landing, and Madison per General Plan Policy CC-3.1. As shown in Table III-3, the total acreage within the County to be addressed by Specific Plans totals 3,285 acres. The Draft General Plan provides target acreages of land uses within the Specific Plan areas. If realized, these target acreages could result in the following total acreages of land use by 2030 in the unincorporated County: residential acres could increase by 1,332 acres for a total of 4,420 acres; commercial acres could increase by 558 acres for a total of 1,209 acres; and industrial acres could increase by 366 acres for a total of 1,415 acres. Uses proposed within the Specific Plan areas are described further in subsection 2, Existing and Allowed Development and Table III-6 below, and in Section IV.A, Land Use and Housing.

Table III-3: Extent of Specific Plan Areas

Specific Plan Area	Acreage
Dunnigan	2,312
Elkhorn	348
Knights Landing	212
Madison	413
Total County	3,285

Source: Yolo County Planning and Public Works Department, 2009. Revised Public Review Draft 2030 Countywide General Plan. January 20. Tschudin Consulting Group, 2009.

Table III-4: Land Use Overlay Areas

Overlay	Acreage
Tribal Trust Overlay	483
Mineral Resource Overlay	18,452
Clarksburg Agricultural Overlay	35,171
Delta Protection Overlay	73,053
Madison Specific Plan Overlay	81
Knights Landing Specific Plan Overlay	208
Dunnigan Specific Plan Overlay	778
Total County	128,226

Source: Yolo County 2030 Countywide General Plan, 2009. Revised Public Review Draft 2030 Countywide General Plan. January 20. Tschudin Consulting Group, 2009.

The Draft General Plan designates land use overlays for approximately 128,226 acres of County lands (see Table III-4). These overlays and the types of uses allowed within them are described in Table III-1.

The Draft General Plan designates growth boundaries for each community area of the unincorporated County, as shown in Figure III-2. The growth boundary is the outer perimeter of non-agriculturally designated land. Urban development is prohibited outside of the growth boundaries. Lands outside of the growth boundary are designated primarily for agricultural and some open space. For the incorporated cities, the Sphere of Influence (SOI) established by the Local Agency Formation Commission (LAFCO) is identified as the growth boundary.

d. Circulation Element. The Circulation Element addresses most of the State requirements for circulation elements (public utilities and facilities are addressed in the Public Facilities and Services Element). This element provides the framework for County decisions related to the transportation system, which consists of various transportation modes, including roads, transit, bike, pedestrian, rail, aviation and ports. The Circulation Element also provides for coordination with the incorporated cities within the County, the Yolo County Transportation District (YCTD), the Sacramento Area Council of Governments (SACOG) and State and federal agencies that fund and manage the County's transportation facilities.

This element reflects the urban and rural diversity in the unincorporated areas of Yolo County and establishes standards that guide development of the transportation system. The Draft General Plan proposes a new Level of Service (LOS) policy that differentiates between the rural and urban areas and also includes: traffic calming design standards; designation of primary routes for farm-to-market

trips, other industrial and commercial trucking, and intra- and inter-county travel; and emergency evacuation routes. This element also contains the official General Plan Circulation Map, shown in Figure III-3.

The following future roadway network improvements also are described in this element:

- County Road 6: Widen to a four-lane arterial between County Road 99W and the Tehama Colusa Canal;
- County Road 21A: Upgrade to a major two-lane county road standard between County Road 85B and State Route 16;
- County Road 85B: Upgrade to a major two-lane county road standard between State Route 16 and County Road 21A;
- County Road 99W: Widen to a four-lane arterial between County Road 2 and County Road 8;
- Interstate 5: Widen to provide freeway auxiliary lanes in both directions between County Road 6 and Interstate 505; and
- State Route 16: Widen to a four-lane arterial between County Road 21A and Interstate 505.

Additionally, the following roadways are identified as needing improvements for portions of the identified segments including but not limited to, intersection control and lane configuration improvements, passing lanes, and/or wider travel lanes and shoulders:

- County Road 89 between State Route 16 and County Road 29A;
- County Road 102 between County Road 13 and Woodland city limit;
- County Road 102 between Woodland city limit and Davis city limit;
- State Route 16 between County Road 78 and County Road 85B; and
- State Route 16 between Interstate 505 and County Road 98.

The Circulation Element provides a policy framework of goals, policies and actions for the following topics: comprehensive and coordinated transportation systems; mode and user equity; service thresholds; environmental impacts; system integration; accessible transit; truck and rail operations; the Port of Sacramento; air transport; and transportation within the Delta.

e. Public Facilities and Services Element. The Public Facilities and Services Element contains information pertaining to the general distribution and location of solid and liquid waste disposal facilities and the location and extent of existing and proposed public utilities and facilities, as required by State law (Government Code Section 65302a and 65302b). This element addresses the changing public services and infrastructure needs of the County and provides for their extension to support existing and planned new development. The Public Facilities and Services Element seeks to establish County service standards that improve existing conditions but are lower by design than in more urban areas. The goals and policies in this element emphasize financial responsibility for facilities and maintenance of facilities at the community level. Multiple-use facilities are envisioned to efficiently serve a variety of needs and centralized satellite government centers are recommended to serve outlying areas. This element also includes new sections on child care and communication technology that were not addressed in the 1983 General Plan.

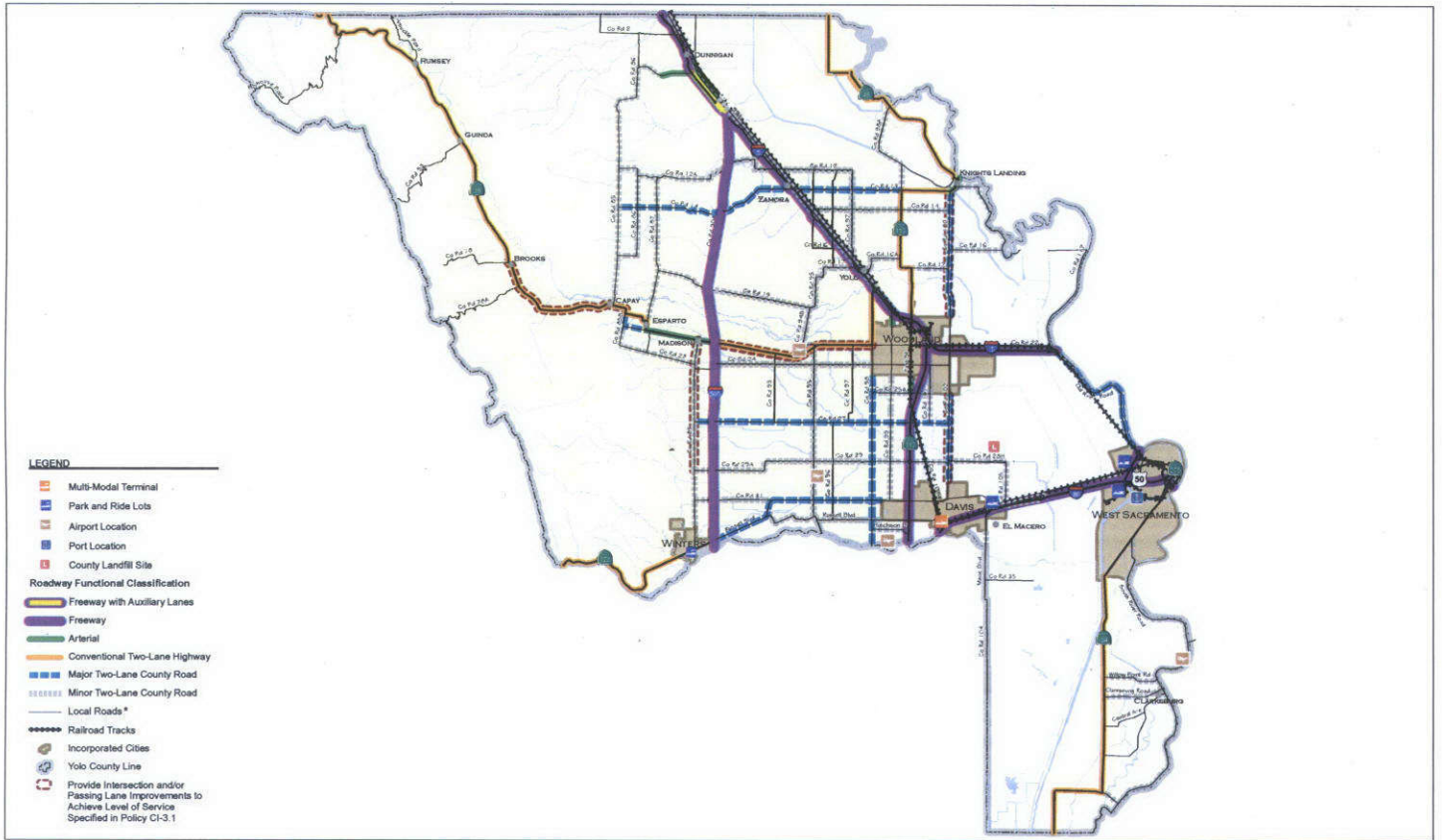


FIGURE III-3

LSA



NOT TO SCALE

Yolo County 2030 Countywide
General Plan EIR
General Plan Circulation Diagram

SOURCE: FEHR & PEERS, 2008.

I:\CYK0701 yolo county\figures\EIR\Fig_III.3.ai (4/2/09)

This element contains the following sections:

- The **Sewer and Septic Systems** section describes the wastewater systems that serve the County and provides policies to support the provision of efficient and sustainable solutions for wastewater collection, treatment and disposal.
- The County's limited **Stormwater and Drainage** facilities are described and policies and actions are provided to support the goal of providing efficient and sustainable stormwater management that reduces local flooding.
- The **Community Parks** are described and a service threshold of 5 acres of community parkland per 1,000 people in each unincorporated community is proposed.
- Existing **Law Enforcement** services, which consist of the County Sheriff-Coroner, are described. Policies support enhanced safety and crime prevention and establish two service goals: an average response time of 12 minutes for 90 percent of priority law enforcement calls in the rural areas and minimum officer ratios of 3.9 sworn officers per 1,000 people.
- **Fire and Emergency Medical Services** are described and policies and actions to support enhanced protection of life and property are provided. Policies encourage an average response time for emergency calls of 9 minutes at least 90 percent of the time in the unincorporated communities and 15 minutes at least 80 percent of the time in rural areas, with the exception of remote areas (requiring a travel distance of more than 8 miles). Policies encourage fire districts to maintain an overall fire insurance (ISO) public protection classification (PPC) rating of Rural 7 or better for fire protection service within the unincorporated communities.
- **Schools** serving the County are described and policies and actions to support the development of school facilities and programs that serve the evolving needs of current and future residents are provided.
- **Library Services** in the County are described and policies and actions supporting library services that meet the changing informational and social needs of each community, including the establishment of new public library services in communities with a population of 5,000 or more.
- The County's **Childcare** services are described including the Childcare Planning Council and the County's First 5 Yolo Children and Families Commission. Policies and actions address the goal of the provision of quality childcare to meet family needs.
- The **Solid Waste and Recycling** section describes landfill facilities and the County's Integrated Waste Management Plan. Policies and actions support the goal to provide safe, cost-efficient and environmentally responsible solid waste management.
- The **Sources of Energy** for the County are described including the natural gas fields, generators, solar energy producers and waste-to-energy facilities. Policies and actions are provided to support the goal of providing opportunities for the development of energy alternatives.
- The **Utilities and Communication Technology** section addresses power generation and transmission, as well as information systems such as telephone and wireless communications for the County. Policies and actions are provided to support the goal of a flexible network of utility services to sustain community livability and economic growth.

- The **General Government Services** section describes other services that the County provides including administrative services and health and child support services. Policies and actions support the goal to provide quality, cost-effective public facilities and services.

f. Agriculture and Economic Development Element. The Agricultural and Economic Development Element is an optional element that addresses the requirements of Government Code Section 65560.b.2 related to agriculture and rangeland. The County has adopted this element because of the economic importance of agriculture as the primary industry in the County.

This element envisions supporting agriculture through value-added food processing, tourism, direct marketing, local food programs, and biotechnology. In addition, local food preference, direct-marketing opportunities, and increased tourism are envisioned to play an important role in redefining the future of agriculture. This element also supports the diversification of the local economy and contains policies to encourage coordination with other local and regional agencies to improve the business climate and increase the retention, expansion, and recruitment of new companies.

Draft General Plan policies support the County's agricultural uses and the continued prohibition of farmland division for non-agricultural purposes. Mitigation through the use of agricultural conservation easements and/or land dedication is required for the removal of farmland from agricultural uses. The Draft General Plan establishes a new Agricultural District program to promote value-added agricultural endeavors in certain key emerging areas and supports a program to transfer farm dwelling rights to other farmers for agriculturally-related purposes.

Draft General Plan policies and actions support the preservation of agriculture, protection of natural resources to ensure continued agricultural operations, promotion of a healthy farm economy, education to raise awareness of the importance of agriculture in the County, promotion of local foods and products, and continued promotion of agriculture in the Delta Primary Zone. Economic development policies and actions support diversification of the local economy to provide sustainable growth, creation of a welcoming business climate, community revitalization, particularly in downtown areas, expansion of tourism and recreation and support for local industries to adopt sustainable practices.

g. Conservation and Open Space Element. The Conservation and Open Space Element satisfies the State requirement for both the conservation element and open space element. This element focuses on the management of the County's multiple natural and cultural resources, with an emphasis on its water resources. The goals and policies also support a connected and accessible open space system of communities separated by green spaces and linked by a network of trails. This element anticipates full integration of the Yolo Natural Heritage Program for multi-species protection and establishes criteria to allow for the mitigation of development outside of Yolo County. New policies for the protection of tribal and local historic resources are provided. Future expansion of mineral resource extraction programs via the Cache Creek Area Plan and development of the future Cache Creek Parkway are addressed.

This element contains a section on climate change that identifies local actions to reduce greenhouse gases and promote alternative energy sources. Additionally, throughout the Draft General Plan, there are approximately 341 policies and actions that address climate change.

The Conservation and Open Space Element contains the following sections:

- The **Natural Open Space** section provides policies and actions to support the provision of diverse, connected and accessible networks of open space, to enhance natural resources and their appropriate use. A target threshold of 20 acres per 1,000 persons, including both unincorporated and incorporated populations is established for resource parks (regional and open space parks).
 - **Biological Resources**, including endangered species and their habitats, are described. This section also reviews the applicable conservation plans including the Natural Communities Conservation Plan/Habitat Conservation Plan and the Yolo County Oak Woodland Conservation and Enhancement Plan. Policies and actions are provided to support the goal of enhanced biodiversity through the protection of sensitive species.
 - The **Mineral Resources** section describes mined aggregate and natural gas, which are the primary mineral resources for the County, and the regulations that govern the extraction of these resources. Policies and actions support the goal of mineral and natural gas resource protection to allow for their continued use.
 - **Cultural Resources** in the County are described and policies and actions to support the goal of preserving and protecting such resources are provided.
 - The **Water Resources** section describes major water sources in the County and water planning and regulation. Policies and actions are provided to support the goal of an abundant, safe, and sustainable water supply to meet the needs of existing and future County residents.
 - **Air Quality** information pertaining to the County area is provided and applicable State and federal regulations are described. The framework of policies and actions supports the goal of improved air quality to reduce health impacts associated with emissions.
 - The **Energy Conservation** section describes applicable regulations and provides policies and actions to support the goal of energy efficiency and conservation.
 - **Climate Change** and applicable State legislation is described as well as County actions to reduce greenhouse gas emissions. Policies and actions are provided to limit greenhouse gas emissions and aid the County in planning how to adapt to impacts resulting from climate change.
 - The **Delta Region** section describes regulatory efforts for the delta area of the County, including the State's Land Use and Resource Management Plan, the Governor's Delta Vision Blue Ribbon Task Force, the Bay Delta Conservation Plan, the Central Valley Regional Water Quality Control Board and the Lower Bypass Planning Forum. Policies and actions are provided to support the goal of County participation and representation of County interests in State and regional planning efforts for the Delta.
- h. Health and Safety Element.** The Health and Safety Element addresses the requirements of safety and noise elements (Government Code Section 65302g and 65302f) and is divided into three sections addressing Safety, Noise and Health Care. Related to safety, this element provides information about the potential risks in Yolo County associated with natural and human-made hazards and contains goals, policies, and actions that seek to reduce their potential impacts and minimize their negative effects.

The following topics are addressed in this element:

- The **Geologic and Seismic Hazards** section addresses seismic activity and unstable geologic conditions including faults, groundshaking, liquefaction, landslides and land subsidence. Policies and actions support the goal of protecting the public and reducing damage to property from earthquakes and geologic hazards.
- The **Flood Hazards** section addresses flood protection and levee stability for communities at risk of flooding, including Clarksburg, Knights Landing, and Madison, and incorporates recent legislation for these hazards. Policies and actions support the goal of protecting the public and reducing damage to property from flood hazards.
- **Wildland Fires** and the regulation of development in fire hazard severity zones are described and recent regulations related to fire protection are addressed. Policies and actions support the goal of protecting the public and reducing damage to property from wildfire hazards.
- The **Hazardous Materials** section describes underground storage tanks, brownfields and other hazards in the County and policies and actions seek to protect the community and environment from hazardous materials and waste.
- **Airport Operations** for the four airports in the County and the adjacent Sacramento International Airport are described and policies and goals are provided to support the protection of the community from airport risks and to protect the airport operations from encroachment of incompatible land uses.
- **Emergency Preparedness** efforts and responsibilities in the County are described, including the Yolo County Office of Emergency Services (OES). Policies and actions are provided to support the goal of timely and effective emergency responses.
- The **Noise** section addresses noise compatibility and noise controls, specifically with respect to transportation, agricultural and industrial uses, which are among the significant noise sources in the County. State and local regulations are described, including the County's noise compatibility guidelines. Policies and actions support the goal of protecting people from the harmful effects of excessive noise.
- The **Health Care** section of the Health and Safety Element describes existing County services and includes policies addressing the link between community design and individual health, as well as policies in support of accessible health care, especially for vulnerable populations.

i. **Housing Element.** The Housing Element addresses the requirements of Government Code Sections 65580 to 65589.8. Housing Elements are required generally to be updated every five years¹⁰ and to include specific components such as analysis of the existing housing stock, analysis of existing and projected housing needs, and quantification of the number of housing units that will be developed, preserved, and improved through the policies and actions.

The Housing Element establishes the County's housing development policies and is intended to support the development of an adequate housing supply to meet the needs of existing and future residents. This element addresses the statewide housing goal of "attaining decent housing and a

¹⁰ Modifications to this update cycle will be going into effect under Senate Bill 375 passed in 2008.

suitable living environment for every California family,” as well as Yolo County’s commitment to facilitate housing opportunities for all of the County’s residents. Implementation of the element’s action program is intended to support a variety and mix of diverse housing types through June 2013. The Draft General Plan shows that Yolo County can accommodate approximately 2,840 additional dwelling units for all income groups, which exceeds the 1,402 dwelling units identified as Yolo County’s 2008-2013 Regional Housing Needs Analysis (RHNA) allocation.

The primary housing issue identified in the Draft General Plan is the provision of affordable housing for low- and moderate-income households. This element continues the policies of the County’s 2004 Inclusionary Housing Ordinance, which requires 20 percent of the residential units be made affordable to low- and moderate-income families. Other issues identified include improving and conserving the existing supply of housing, providing adequate infrastructure necessary to support new development, ensuring that new development is well integrated into existing communities, and responding to the needs of “special needs” populations, such as farmworkers and persons with disabilities.

2. Existing and Allowed Development within the Unincorporated County

This section describes the potential growth that may occur through 2030, the planning horizon for the Plan, assuming that all land uses build out by that time. The reader should note that this is a conservative assumption based on a review of market condition trends and prior assessments of absorption prepared for the County.¹¹ As shown in Table III-5, approximately 23,265 people, 7,263 homes, and 20,818 jobs are currently within unincorporated Yolo County. Under the existing 1983 General Plan land use designations, an additional 11,240 people, 4,014 homes, and 13,127 jobs would be allowed.¹² The Draft General Plan would allow for additional growth of approximately 30,195 people, up to 10,784 homes, and 19,209 jobs. At build-out of the Draft General Plan, assumed to occur by 2030 for the purposes of this EIR, the unincorporated County could have a population of approximately 64,700 persons, approximately 22,061 residential units, and approximately 53,154 jobs.

a. Planned Growth. Allowed land uses under the Draft General Plan generally includes and adds to the remaining planned growth that is allowed under the 1983 General Plan. Because CEQA requires an assessment of the impacts associated with the proposed project (in this case the Draft General Plan) compared to existing (or on-the-ground) conditions, the analysis of the environmental impacts of build-out of the proposed Draft General Plan would therefore (by definition) include impacts associated with build-out of the 1983 General Plan.

Chapter V, Alternatives, of this EIR examines the comparative impacts associated with build-out of land uses planned under the 1983 General Plan verses build-out of land uses proposed under the Draft General Plan. The potential for significant impacts to occur associated with proposed changes in policy between the 1983 General Plan and the Draft General Plan are examined for each environmental topic evaluated in Chapter IV of this EIR.

¹¹ Design, Community & Environment, 2006. Yolo County General Plan, Market and Fiscal Considerations for the General Plan. September 8.

¹² County of Yolo, Planning and Public Works Department, 2009. Staff Report to the Board of Supervisors. January 20.

Table III-5: Unincorporated County: Summary of Existing and Allowed Development

Growth Indicator	Existing Conditions	Remaining Under 1983 General Plan	Additional Growth Draft General Plan	Total Build-out Draft General Plan ^d
Population ^a	23,265	11,240	30,195	64,700
Residential Units ^b	7,263	4,014	10,784	22,061
Jobs ^c	20,818	13,127	19,209	53,154

^a Population: Existing conditions based on California Department of Finance estimates for 2008; growth remaining under 1983 General Plan and additional growth under the Draft General Plan based on 2.8 persons per residential unit.

^b Residential Units: Existing conditions based on County address data for 2007; growth remaining under 1983 General Plan based on vacant residential land at allowed densities; and additional growth under the Draft General Plan based on new residential land at allowed and targeted densities.

^c Jobs: Based on Market and Fiscal Considerations for the General Plan, Design, Community & Environment, 2006; the Land Use Database for 2030 General Plan Analysis by Traffic Analysis Zone (TAZ) allocated to community areas by Department of Planning and Public Works, January 24, 2009; and Land Use Database for 2030 General Plan Analysis provided by Tschudin Consulting Group, February 2009.

^d Total Build-out Draft General Plan (2030): sum of Existing Conditions, Remaining Under 1983 General Plan, and Additional Growth (Draft General Plan).

Source: County of Yolo, Planning and Public Works Department, 2009. Revised Public Review Draft 2030 Countywide General Plan. January 20. Tschudin Consulting Group, 2009.

Table III-2 provides a summary and comparison of the acreages within each land use category under the 1983 General Plan and the Draft General Plan and identifies the changes in acreage for each land use designation. Detailed tables are provided in Appendix B that identify acreages for each land use designation within each community area for both the 1983 General Plan and the Draft General Plan (see Table 1 and Table 2, respectively).

As shown on Table III-2, lands designated for agricultural uses in the Draft General Plan appear to have decreased by 58,821 acres compared to the 1983 General Plan land use designations; however, the majority of this change resulted from mapping and database corrections in the form of more accurate classification of existing open space lands (which increased under the Draft General Plan by approximately 50,247 acres) and existing public and quasi-public uses (which increased by approximately 6,307 acres).

Lands designated as Specific Plan in the Draft General Plan total 3,285 acres, and these Specific Plan areas will include residential, commercial, industrial, open space, and other uses when the individual specific plans have been prepared.

Land designated for residential uses in the Draft General Plan decreased by 149 acres to 3,088 acres when compared to the 1983 General Plan. Likewise land designated for industrial uses decreased by 146 acres to 1,049 acres. However, the overall acreage for both residential and industrial land uses will ultimately increase when Specific Plans are adopted for the 3,285 acres designated as Specific Plan. Similarly, commercial acreages, which increased by 245 acres to 651 acres under the Draft General Plan, would increase further when commercial uses within Specific Plan areas are included in the total.

b. Specific Plan Areas. The Draft General Plan designates land within Dunnigan, Elkhorn, Knights Landing, and Madison as Specific Plan. Prior to development within land designated for such uses, a Specific Plan must be prepared pursuant to Section 65450 et.seq. of the Government Code. As shown in Table III-6, Dunnigan has the largest amount of land designated as Specific Plan (2,312 acres) and the area would include a mix of residential, commercial, industrial, and other uses. Knights Landing (212 acres) and Madison (413 acres) also would have a mix of land use types including residential and commercial uses within their Specific Plan areas. Through the Draft General Plan policies, the County has endeavored to “balance” the land uses in these three communities in an effort to achieve a community-wide jobs/housing balance, match, and phasing and to ensure the provision of other services and parkland consistent with service thresholds identified in the Draft General Plan (see Section IV.A, Land Use and Housing for additional discussion of the jobs/housing ratio and balance).

Table III-6: Specific Plan Build-out Land Uses (Acres)

Land Use	Specific Plan Area				Total Acres by Land Use Type
	Dunnigan	Elkhorn	Knights Landing	Madison	
Commercial Local	30	0	10	0	40
Commercial General	212	175	0	131	518
Industrial	208	130	28	0	366
Commercial/Industrial Subtotal	450	305	38	131	924
Residential Rural	371	0	0	0	371
Residential Low	593	0	43	80	716
Residential Medium	133	0	21	35	189
Residential High	39	0	7	10	56
Residential Subtotal	1,136	0	71	125	1,332
Parks and Recreation	115	0	22	20	157
Public and Quasi-Public	382 ^a	20 ^b	0	50 ^c	452
Open Space	229	23	81	43	376
Agricultural Industrial	0	0	0	44	44
Total Specific Plan Area	2,312	348	212	413	3,285

Note: The information in this table reflects build-out of vacant acreage within the area designated as Specific Plan and would be in addition to existing units and jobs. This data does not include build-out of other vacant land within the community area that falls outside of the designated Specific Plan areas.

^a Build-out land use estimates include: high school (40 acres), two middle schools (25 acres each), four elementary schools (10 acres each), civic use (5 acres), sewer plant (247 acres).

^b Build-out land use estimates include: sewer plant (20 acres).

^c Build-out land use estimates include: elementary school (10 acres) and "replacement" sewer plant (40 acres).

Source: County of Yolo, Planning and Public Works Department, 2009. Revised Public Review Draft 2030 Countywide General Plan. January 20. Tschudin Consulting Group, 2009.

Elkhorn (348 acres) is designated for commercial and industrial uses but not for residential uses. The Elkhorn area is viewed by the County as having the following factors that provide unique opportunities for economic development: frontage on the Sacramento River, access via an interchange to I-5, proximity to the Sacramento International Airport and three cities. While these factors make this site desirable for economic development, the County had not heretofore considered residential to be feasible at the site.

c. Residential Development. The Draft General Plan identifies approximately 4,420 acres for residential development, as shown in Table III-7. Approximately 1,332 of these acres (30 percent) are planned (or targeted) for residential uses within a Specific Plan area (Dunnigan, Knights Landing, and Madison), and the remaining 3,088 acres designated for residential uses throughout the unincorporated County. As shown in Table III-7, approximately 2,661 acres of residentially designated land has been developed and an estimated 624 acres remain vacant or underutilized under the 1983 General Plan. The Draft General Plan would decrease the amount of land specifically *designated* for residential uses by 149 acres, but with the amount of planned residential development within the land designated as Specific Plan, there would be an overall increase in residential acreage of 1,134 acres at build-out (1,297 new added acres under the Draft General Plan – 162.6 acres changed under the Draft General Plan).

The areas with the largest increase in planned residential acreages (totaling 1,758.6 acres), including acres planned but not yet developed under the 1983 General Plan, are as follows:

- Dunnigan (1,256.9 acres)
- Esparto (216.1 acres)
- Madison (135.5 acres)
- Knights Landing (114.4 acres)
- Capay Valley (86.1 acres)
- Clarksburg (76.3 acres)
- All other areas (-126.7 acres)

As shown in Table III-8, under the Draft General Plan a total of approximately 22,061 residential units could be developed in the County, which represents an increase of 14,798 units above the number of residential units in 2007 (7,263 units). Of these additional residential units, 4,014 units are allowed to be constructed under the 1983 General Plan designations. Draft General Plan land use designations would allow an additional 10,784 units beyond those additional units already allowed by the 1983 General Plan. The areas with the largest increase in planned residential units (totaling 14,798 units), including units planned but not yet developed under the 1983 General Plan, are as follows:

- Dunnigan (8,281 units)
- Farm Dwellings (1,890 units)
- Esparto (1,506 units)
- Madison (1,496 units)
- Knights Landing (1,413 units)
- All other areas (212 units)

Table III-7: Allowed Residential Growth (Acres)

Community Areas	Existing Developed Acres ^a	Remaining Under 1983 General Plan ^b	New Added Under Draft General Plan ^c	Other Changed Under Draft General Plan ^d	Total Build-out Under Draft General Plan (2030) ^e
Towns					
Capay Valley	47.6	22.9	0	63.2	133.7
Clarksburg	55.6	45.8	0	30.5	131.9
Dunnigan	283.7	124.3	1,136	-3.4	1,540.6 ^f
Esparto	165.0	190.9	36	-10.8	381.1
Knights Landing	59.8 ^g	92.6	0	21.8	174.2 ^f
Madison	24.5	2.4	125	8.1	160.0 ^f
Monument Hills	1,180.6	78.0	0	-99.9	1,158.7
Yolo	55.4	21.4	0	-6.3	70.5
Zamora	5.5	8.8	0	-1.4	12.9
Other Areas					
Elkhorn	0	0	0	0	0
County Airport	113.9	9.1	0	0	123.0
I-505/CR14 or 12A	0	0	0	0	0
Davis Area	596.4	18.8	0	-186.8	428.4
Winters Area	33.6	0	0	-1.2	32.4
Woodland Area	38.9	9.3	0	10.0	58.2
Remaining Unincorporated	0	0	0	13.6	13.6 ^h
Total	2,660.5	624.3	1,297	-162.6	4,419.2^f

^a Yolo County Planning and Public Works Department estimates of developed acres based on County address data for 2007.

^b Yolo County Planning and Public Works Department based on vacant land designated for residential use.

^c Communities/locations where additional residential growth (beyond that allowed under the 1983 General Plan) was specifically added by the Board of Supervisors under the Draft General Plan.

^d Other modifications to residential acreage made by Yolo County Planning and Public Works Department to correct the 1983 database and mapping.

^e Sum of other columns.

^f Includes acreage from Specific Plan land use assumptions.

^g Includes 48 residential acres as part of the 145 acres in Knights Landing that are designated Mixed Use in the 1983 General Plan.

^h Davis Migrant Center.

Source: County of Yolo, Planning and Public Works Department, 2009. Staff Report to the Board of Supervisors. January 20. Tschudin Consulting Group, 2009.

Table III-8: Allowed Residential Growth (Units)

Community Areas	Existing Developed Units ^a	Remaining Under 1983 General Plan ^b	Additional Growth Under Draft General Plan ^c	Total Build-out Draft General Plan (2030) ^d
Towns				
Capay Valley	576	53	0	629
Clarksburg	177	22	0	199
Dunnigan	340	173	8,108	8,621 ^e
Esparto	905	985	521	2,411
Knights Landing	380	993	420	1,793 ^e
Madison	137	83	1,413	1,633 ^e
Monument Hills	583	25	0	608
Yolo	155	56	0	211
Zamora	14	14	0	28
Other Areas				
Elkhorn	4	0	0	4
County Airport	0	0	0	0
I-505/CR14 or 12A	0	0	0	0
Davis Area	882	35	7	924
Winters Area	125	0	0	125
Woodland Area	55	0	0	55
Remaining Unincorporated	2,930 ^f	1,575 ^g	315	4,820
Total	7,263^h	4,014	10,784ⁱ	22,061

^a Yolo County Planning and Public Works Department estimates of existing "on-the-ground" units based on County address data for 2007.

^b Yolo County Planning and Public Works Department based on vacant residentially designated land at allowed densities.

^c Communities/locations where additional residential growth (beyond that allowed under the 1983 General Plan) is allowed under the 2030 General Plan.

^d Sum of other columns.

^e Includes acreage from Specific Plan development capacities.

^f Difference between California Department of Finance unit total and County estimated numbers for each community area.

^g This number does not represent potential "full" build-out but rather a projection of the number of future farm dwellings to be constructed through 2030 based on past trends. Assumes an average of 70 farm dwellings annually over 23 years.

^h California Department of Finance, 2007.

ⁱ Total includes all 7,500 units in Dunnigan Specific Plan area and includes additional units that would be allowed per residential density range increases: Dunnigan (608 units); Knights Landing (420 units); Madison (108 units); and Esparto (loss of 69 units). Also includes 322 farm dwellings associated with 20 percent density bonus in Agricultural Transfer of Development Rights Program.

Source: County of Yolo, Planning and Public Works Department, 2009. Revised Public Review Draft 2030 Countywide General Plan. January 20. Tschudin Consulting Group, 2009.

d. **Commercial and Industrial Development.** Job growth in the County would result from development of commercial, industrial, agricultural commercial, and agricultural industrial uses. In total and as shown on Table III-9, the Draft General Plan designates approximately 2,947 acres for commercial or industrial uses resulting in approximately 53,154 jobs as shown in Table III-10. The Draft General Plan also plans for approximately 1,178 acres for agricultural commercial/agricultural industrial uses as shown in Table III-11 and described below.

Table III-9: Allowed Commercial and Industrial Growth (Acres)

Community Areas	Existing Developed Acres ^a	Remaining Under 1983 General Plan ^b	New Added Under Draft General Plan ^c	Other Changed Under Draft General Plan ^d	Total Build-out Draft General Plan (2030) ^{e,f,g}
Towns					
Capay Valley	4.0	12.5	0	115.1	131.6
Clarksburg	134.0	3.0	0	-4.8	132.2
Dunnigan	26.2	250.0	450.0	90.5	816.7 ^h
Esparto	6.0	123.3	-67.0	-2.8	59.5
Knights Landing	11.0	103.4		-52.3	62.1 ^h
Madison	19.0	4.7	131.0	2.9	157.6 ^h
Monument Hills	6.0 ^g	16.0 ^g	2.7	0	24.7 ^g
Yolo	26.0	8.1	13.0	-1.2	45.9
Zamora	1.0	0.9	12.9		14.8
Other Areas					
Elkhorn	1.8	0	305.0	-1.8	305.0 ^h
County Airport	66.0 ^f	236.0 ^f		0	302.0 ^f
I-505/CR14 or 12A	0	0	15.1 ^j	0	15.1
Davis Area	4.0	385.5		19.3	408.8
Winters Area	0	0	0		
Woodland Area	126.3	387.6	69.0	-111.6	471.3
Remaining Unincorporated	0	0	0	0	0
Total	431.3	1,531.0	918.8	66.2	2,947.3

Note: Table does not include agricultural commercial or agricultural industrial acreage.

^a Yolo County Planning and Public Works Department estimates of existing "on-the-ground" commercial and industrial land uses based on County address data for 2007.

^b Vacant commercially designated or industrially designated land.

^c Communities/locations where additional commercial or industrial growth (beyond that allowed under the 1983 General Plan) was specifically added by the Board of Supervisors under the Draft General Plan.

^d Other modifications made to correct the 1983 database and mapping (primarily changes related to residential uses).

^e Sum of other columns.

^f The County Airport is designated "airport" under the 1983 General Plan which is a PQ designation under the 2030 General Plan. However, the non-runway portions of this facility function similar to an industrial or commercial land use. Therefore the non-runway acreage (302.0 acres) has been included here.

^g The Watts-Woodland Airport in Monument Hills is designated "airport" under the 1983 General Plan which is a PQ designation under the 2030 General Plan. However, the non-runway portions of this facility function similar to an industrial or commercial land use. Therefore the non-runway acreage (22.0 acres) has been included here.

^h Includes acreage from Specific Plan land use assumptions and development capacities.

ⁱ Primarily 79-acre industrial site south of SR-16 converted to other mixed uses.

^j To be designated as commercial general or agricultural commercial.

Source: County of Yolo, Planning and Public Works Department, 2009. Revised Public Review Draft 2030 Countywide General Plan. January 20. Tschudin Consulting Group, 2009.

Table III-10: Existing and Build-out Job Growth (Jobs)

Community Areas	Existing Jobs ^a	Additional Growth Under 1983 General Plan ^b	Additional Growth Under Draft General Plan ^c	Total Build-out Draft General Plan (2030) ^d
Towns				
Capay Valley	2,440	857	0	3,297
Clarksburg	207	1,098	40	1,345
Dunnigan ^b	133	157	8,371	8,661
Esparto	278	258	0	536
Knights Landing ^b	106	416	0	522
Madison ^b	61	6	3,085	3,152
Monument Hills	260	0	70	330
Yolo	83	13	304	400
Zamora	20	0	279	299
Other Areas				
Elkhorn	285	243	5,449	5,977
County Airport	41	0	0	41
I-505/CR14 or 12A	0	0	351	351
Davis Area	14,531	5,876	0	20,407
Winters Area	10	0	0	10
Woodland Area	1,671	2,864	712	5,247
Remaining Unincorporated	667	1,339	548	2,554
Total	20,818	13,127	19,209	53,154

Note: Represents "reasonably expected" job generation (not maximum possible) consistent with SACOG forecasts.

^a Based on SACOG 2005 Land Use Forecast by TAZ, allocated to community areas.

^b Based on SACOG 2005 Land Use Forecast by TAZ as adjusted by County staff and allocated to community areas based on Draft General Plan land use designations.

^c 2030 Draft General Plan added jobs estimated using traffic analysis assumptions (Fehr & Peers Associates) for job generation by land use type and acreage.

^d Sum of other columns.

Source: Fehr and Peers Associates: County Land Use Data Base for 2030 General Plan Analysis by TAZ; County of Yolo, Planning and Public Works Department, 2009; Tschudin Consulting Group, February 16, 2009.

Table III-11: Anticipated Agricultural Commercial & Agricultural Industrial Growth (Acres)

Community Areas	Existing Developed Acres ^a	Remaining Under 1983 General Plan ^b	New Targeted Future Sites Under Draft General Plan	Additional Growth Under Draft General Plan ^c	Total Build-out Draft General Plan (2030) ^d
Towns					
Clarksburg	0	0	103.0 ^e	0	103.0
Madison	0	0	44.0	0	44.0
Zamora	0	0	16.0	0	16.0
Other Areas					
I-505/SR 128	0	0	96.0 ^f	0	96.0
Remaining Unincorporated	324.0	520.0	0	75.0	919.0
Total	324.0	520.0	259.0	75.0	1,178.0

^a Very gross estimate based on data from Assessor's Office for agricultural preserves as modified by County Planning staff to account for other facilities outside of agricultural preserves. This number is presumed by County staff to be significantly underestimated.

^b Assumed future development remaining under the 1983 General Plan.

^c Communities/locations where additional agricultural commercial and/or agricultural industrial growth (beyond that allowed under the 1983 General Plan) is allowed under this General Plan.

^d Sum of existing developed acres, build-out of remaining 1983 General Plan acres, and additional new acres under this General Plan update.

^e Three alternative sites are under consideration for development of 103 acres of agricultural industrial in Clarksburg.

^f Special Study Area: uses to be agricultural commercial or agricultural industrial identified by County Planning staff.

Source: County of Yolo, Planning and Public Works Department, 2009. Revised Public Review Draft 2030 Countywide General Plan. January 20. Tschudin Consulting Group, 2009.

Per Policy CC-3.15, there are two alternative sites that have been identified in the Draft General Plan for the location of highway commercial or agricultural commercial uses at either I-505 and County Road 14 or at I-505 and County Road 12A. Only one site is intended to be developed. The two sites are described below.

- The I-505/County Road 14 site is located at the southwest corner of the I-505/County Road 14 interchange, approximately 4 miles west of the Town of Zamora and 5 miles south of the Town of Dunnigan.
- The I-505/ County Road 12A site is located at the southeast corner of the I-505/ County Road 12A interchange, approximately 3 miles south of the Town of Dunnigan and 3 miles northwest of the Town of Zamora.

(1) Commercial and Industrial Uses. As shown in Table III-9, approximately 2,947 acres would be designated for commercial and industrial uses under the Draft General Plan, which represents an increase of approximately 2,516 acres above the estimated number of developed acres in 2007 (431 acres). Of this increase in commercial and industrial acreage, approximately 1,531 acres are currently designated for such uses under the existing 1983 General Plan. The Draft General Plan designates approximately 985 additional acres (918.8 new added acres + 66.2 other acres) for commercial and industrial growth. The areas with the largest increase of new planned commercial and industrial acreage (totaling 2,516 acres), including acres planned but not yet developed under the 1983 General Plan, are as follows:

- Dunnigan (790.5 acres)
- Davis Area (404.8 acres)
- Woodland Area (345 acres)
- Elkhorn (303.2 acres)
- County Airport (236 acres)
- Madison (138.6 acres)
- Capay Valley (127.6 acres)
- All other areas (170.3 acres)

As shown in Table III-10, approximately 53,154 jobs are projected once the planned commercial and industrial development is built-out under the Draft General Plan land use designations (CL, CG and IN), which does not include agricultural commercial and agricultural industrial development. This number represents an increase of 32,336 jobs over the 20,818 existing jobs as of 2007 (per Table III-10). Of these jobs, 13,127 jobs are expected to result from build-out of the 1983 General Plan and build-out of the Draft General Plan land use designations would add another 19,209 jobs. The areas with the largest projected increase in new jobs (totaling 32,732 jobs), including jobs planned but not yet developed under the 1983 General Plan, are as follows:

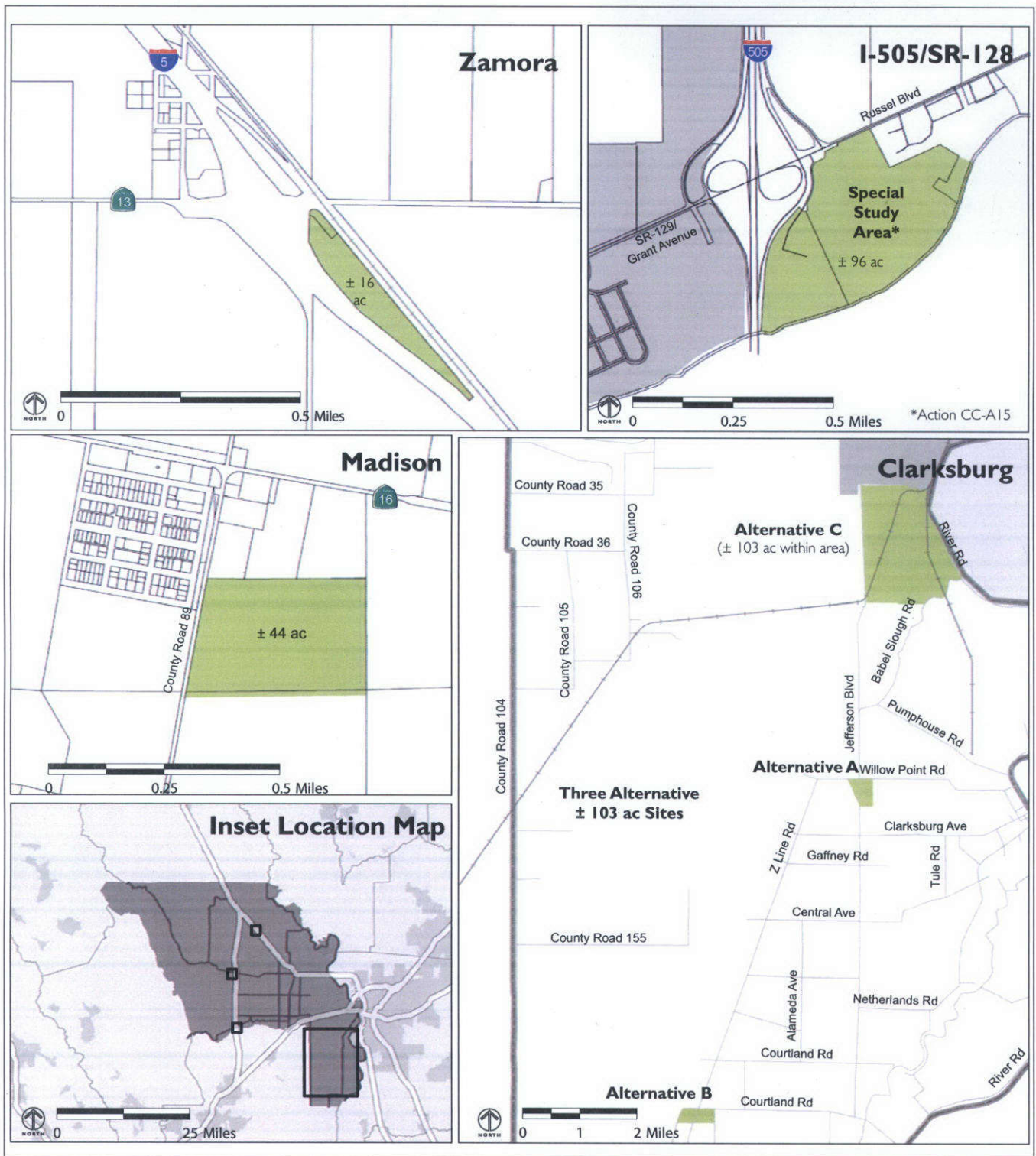
- Dunnigan (8,528 jobs)
- Davis Area (5,876 jobs)
- Elkhorn (5,692 jobs)
- Madison (3,091 jobs)

- Spreckels (1,786 jobs)
- East Woodland (1,160 jobs)
- Clarksburg (1,138 jobs)
- Capay Valley (857 jobs)
- North Woodland (630 jobs)
- Knights Landing (416 jobs)
- I505/CR14 or 12A (351 jobs)
- Yolo (317 jobs)
- Zamora (279 jobs)
- Esparto (258 jobs)
- All other areas (2,353 jobs)

(2) Agricultural Commercial and/or Agricultural Industrial Uses. For the purposes of the analysis of the Draft General Plan in this EIR, at build-out the County estimates that approximately 1,178 total acres could be developed as agricultural commercial and/or agricultural industrial uses under the Draft General Plan which allows such uses by-right anywhere within the agricultural land use designation within the unincorporated County. As shown in Table III-11, of those acres, approximately 324 acres are already developed with existing agricultural commercial and/or agricultural commercial uses, and approximately 520 additional acres are expected to develop under the 1983 General Plan. The Draft General Plan specifically targets and expects that an additional 334 acres for agricultural commercial and/or agricultural industrial uses would be developed. The largest targeted community areas for these uses are Clarksburg (which would include 103 acres at one of three alternative sites as described more fully below), and the I-505/SR 128 area where 96 acres are targeted for these uses. Smaller sites are targeted in Madison and Zamora. An additional 75 acres are also assumed to be developed within other areas of the County, as these uses are allowed by-right anywhere in the agricultural land use designation within the unincorporated County.

As noted previously, three alternative sites have been identified in Clarksburg for development of a future winery-related agricultural industrial facility (per Policy CC-3.14). Only one site is intended for the described development. The future project is intended to complement and assist in establishing a successful critical mass of grape processing facilities to support emerging wineries. The three sites are described below and shown in Figure III-4:

- **Site A** is approximately 107 acres and is located south of Willow Point Road, on both the east and west sides of State Route 84 (Jefferson Boulevard), approximately 3 miles west of the town of Clarksburg and 5 miles south of the City of West Sacramento. This site is located in the Primary Zone of the Land Use and Resource Management Plan (LURMP) and future land uses are subject to the jurisdiction of the Delta Planning Commission.
- **Site B** is approximately 103 acres and located south of County Road 158 and west of SR 84 (Ryer Avenue), immediately adjoining the Port of West Sacramento Deep Ship Channel, approximately 2 miles north of the Sacramento County line and 8 miles southwest of the town of Clarksburg. This site is located in the Primary Zone of the LURMP and future land uses are subject to the jurisdiction of the Delta Planning Commission.



LSA

FIGURE III-4



Agricultural Sites

Yolo County 2030 Countywide
General Plan EIR
Targeted Future Agricultural Commercial
and Agricultural Industrial Sites

SOURCE: YOLO COUNTY GIS, 2009.

I:\CYK0701 yolo county\figures\EIR\Fig_III4.ai (4/2/09)

- **Site C** includes an area totaling approximately 1,783 acres bounded on the north by the City of West Sacramento, on the east by South River Road, on the south by Babel Slough and an unnamed water feature, and on the west by SR 84 (Jefferson Boulevard). However, only approximately 103 acres are assumed for a future facility. The area is approximately 4 miles northwest of the town of Clarksburg. The specific area shown as vacant is located east of SR 84, immediately south and adjoining the City of West Sacramento. This site is located in the Secondary Zone of the LURMP.

3. Draft General Plan Area of Potential Effect

As noted elsewhere in this EIR, CEQA requires the environmental analysis of a project to assess the potential for impacts related to implementation of the proposed project (the Draft General Plan) compared to existing conditions. As described in this chapter and shown in the tables above, implementation of the Draft General Plan includes build-out of the 1983 General Plan. Therefore, the potential area of effect evaluated in this EIR is the area of growth allowed (but not built) under the 1983 General Plan plus additional growth identified in the Draft General Plan. Table 3 in Appendix B was prepared by County Planning and Public Works Department staff and summarizes the potential area of effect for the acres designated for development (i.e., residential, commercial, industrial, agricultural commercial/industrial, and other developed acres) and identifies the potential residential units and jobs that would result from implementation of the Draft General Plan.

Using the information contained in Table 3 in Appendix B, under the Draft General Plan approximately 4,738 acres can and are expected to develop into future urban uses (i.e., anything not designated as agriculture or open space) within the defined community area growth boundaries, including land designated as Specific Plan. Development of these urban uses would accommodate approximately 14,798 new dwelling units, an added population of approximately 41,435 people, and 32,336 new jobs. This urban growth would result in an unincorporated County population at build-out of the Draft General Plan of 64,700 persons. By 2030, the County as a whole, including cities, would have a population of 322,586 persons (257,886 persons within the cities¹³ and 64,700 persons within the unincorporated County).

Outside of the growth boundaries (or the urban areas), build-out of the Draft General Plan is anticipated to result in the following acres of potential impact (totaling 10,018 acres):

- Growth in support of and related to agriculture that would include agricultural industrial activities (agricultural processing), agricultural commercial activities (agricultural-tourism), and an estimated 1,932 new farm dwellings, which would collectively impact approximately 5,684 acres over the next 20 years.¹⁴

¹³ Total projected population for the four cities for 2025 from SACOG Projections adopted by Board of Directors December 16, 2004, factored up by 9.6 percent by County staff (using an average increase for last four 5-year increments) to estimate 2030 projections.

¹⁴ For farm dwellings, County staff assumed 1,610 units under build-out of the 1983 General Plan plus another 322 assumed units added under the 2030 General Plan for a total of 1,932 new units. To conservatively identify the number of acres to be developed with new farm dwellings by 2030, County staff assumed a 2.5-acre home site for every farm dwelling or farm dwelling complex, therefore 1,932 units x 2.5 acres = 4,830 acres. For agricultural industrial and agricultural commercial activities, approximately 854 acres are estimated to be impacted, per Table III-11.

- Growth of open space and supporting uses, which could result from future open space acquisitions, and may remove approximately 4,103 acres from agricultural production.¹⁵
- Roadway widening and improvements to allow additional capacity identified in the Draft General Plan Circulation Element could impact approximately 69 acres.¹⁶
- Future trails between towns and other places could impact approximately 162 acres.¹⁷

In summary, the area of potential effect includes approximately 14,756 acres (4,738 acres of urban uses and 10,018 acres of other uses).

F. ANTICIPATED ADOPTION AND IMPLEMENTATION

The County must undertake a series of actions to complete the General Plan update process including submittal of the Housing Element to the State Department of Housing and Community Development (HCD), certification of the EIR, adoption of the Draft General Plan, and ongoing implementation actions.

1. Housing Element

Prior to approval of the Draft General Plan, the County will submit the draft Housing Element to HCD for review. The HCD will determine if the draft Housing Element substantially complies with the State requirements for housing elements. If HCD determines that the draft element does not comply, the County must either revise the element or adopt written findings explaining how the element complies with applicable requirements. Once the Draft General Plan is adopted, the County will submit the adopted Housing Element to HCD for certification of compliance.

2. Certification of the EIR.

State law requires that the Board of Supervisors make several types of CEQA “findings” at the time of adoption of the General Plan. Findings describe the conclusions of the Board of Supervisors regarding particular issues, including specific evidence in support of those conclusions. The required findings for adoption of the General Plan are as follows:

- Certification of the EIR (CEQA Guidelines Section 15090) – These findings support the adequacy of the EIR for decision-making purposes.

¹⁵ County staff estimate of an additional 4,103 acres to be removed from agricultural use for open space uses assumed 6,452 acres of open space would be required to satisfy the Draft General Plan level of service standard (20 acres/1,000 population regional and open space parks established by Policy CO-1.10); 1,973 acres currently exist in the County’s resource park inventory, and 376 acres are designated for open space within the Specific Plan areas (for either agricultural buffer, habitat buffer, and/or buffer from known waterways). Total County population 322,586 persons ÷ 1,000 x 20 acres = 6,452 acres open space.

¹⁶ Identified roadway widenings and improvements include 68.7 acres (see Draft General Plan page CI-8). County staff assumed additional right-of-way as follows: 25 feet on CR6; 20 feet on CR 99W; 25 feet on CR21A and 85B; 20 feet on SR16 (CR21A to I505); 10 feet on CR89, CR 102, and on SR16 (CR 75 to CR85B and I-505 to CR98).

¹⁷ To determine the number of acres associated with future trails between towns and other places, County staff assumed a 25-foot wide trail running from Rumsey to Woodland, from Woodland to Davis, from the end of the Class I bike trail along Road 31 to Winters, and from Clarksburg to West Sacramento (approximately 53.5 miles x 25 feet).

- Findings Regarding Significant Impacts and Project Alternatives (CEQA Guidelines Section 15091) – These findings explain how the Board of Supervisors chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible. A discussion of the feasibility of project alternatives is also required by this section (see also Section 15126.6f).
- Project Approval (CEQA Guidelines Section 15092) – These findings support the Board of Supervisors’ action to adopt a specified final General Plan.
- Statement of Overriding Considerations (CEQA Guidelines Section 15093) – These findings document the Board of Supervisors’ decision to adopt a specific final General Plan, despite the fact that unavoidable impacts may result, due to other overriding benefits of the plan.

3. Adoption of the General Plan

This EIR identifies mitigation measures for the Draft General Plan in the form of modified land uses and/or new or modified goals, policies, and actions. Upon adoption of the Draft General Plan, the County Board of Supervisors must adopt, modify and adopt, or reject as infeasible, the identified mitigation measures. For any project adopted with mitigation measures, Section 15097 of the CEQA Guidelines and Public Resources Code Section 21081.6 require adoption of a mitigation monitoring and reporting program (MMRP) to ensure compliance with mitigations during the period of implementation. Since the final General Plan will incorporate those feasible, adopted mitigation measures into the Plan (as new policies or actions as described in Chapter IV of this EIR), the MMRP for the General Plan will be implemented and enforced through application of the General Plan policies related to land use and planning decisions, and through implementation of the General Plan actions. Reporting will occur through the annual General Plan report required by Government Code Section 65400a2 and Draft General Plan Policy IN-4. Following the adoption of the General Plan, a Notice of Determination is required to be filed with the County Clerk.

4. Implementation Actions

Implementation of the General Plan would require adoption of changes to the Zoning Ordinance and modifications to other County plans and regulations to ensure consistency with the General Plan. The County departments would implement the actions provided in the General Plan and may pursue funding opportunities to aid implementation. As required by State law, County staff will prepare and file an annual report on the implementation of the General Plan. Future County actions may include approval of private development projects and funding of capital improvements that are consistent with the General Plan.

5. Subsequent Project Review

As stated in Chapter I. Introduction, this document is a Program EIR for the General Plan update and may function as a project-level EIR for later specific projects based on the outcome of subsequent project and/or site review and analysis. The effects of General Plan land uses and implementation actions are analyzed in this document as specifically and comprehensively as possible in order to limit or preclude the need, consistent with State law, for further CEQA compliance.

Subsequent projects approved or undertaken pursuant to a program EIR may still require additional environmental review. This will be determined by the County on a project-by-project basis based on

the details and specifics of the project and/or site, and appropriate subsequent analysis. With the exception of the identified Specific Plan areas, other planned growth in the General Plan update is expected to move forward under negative declarations, exemptions, and/or reliance on this EIR. The Specific Plan areas will have extensive technical and site analysis, and are anticipated to likely trigger subsequent EIRs, although negative declarations will be prepared if appropriate. Other planned development (as described in more detail in Chapter III, Project Description) may be allowed by right, or may rely on this EIR and subsequent site-level technical studies only. This will include the following: a) growth allowed in other community areas; b) farm dwellings, agricultural commercial development, and agricultural industrial development; c) future open space acquisitions and minor accompanying improvements (e.g. staging areas, parking lots, interpretive areas, etc); d) roadway widenings and improvements consistent with the General Plan Circulation Element; and e) trails, including those that fall outside of community areas, such as between towns.

The County will consider future discretionary projects and make determinations as to their consistency with the General Plan and other regulations and whether they may properly rely on this EIR, and/or whether any subsequent site-level technical studies and resource inventories should be required. The County and other agencies will use information presented in this Program EIR to evaluate future land use and/or development proposals and to focus subsequent CEQA review on project-related impacts (if any) that were not specifically addressed in this EIR.

G. INTENDED USES OF THE EIR

In compliance with the California Environmental Quality Act (CEQA), this report describes the environmental consequences of the Draft General Plan. This EIR is designed to fully inform County decision-makers, in addition to other responsible agencies, persons, and the general public of the potential environmental effects of the proposed project and identified alternatives.

Yolo County is the Lead Agency for environmental review of this EIR. A Notice of Preparation (NOP) was submitted to appropriate agencies to identify any issues of concern prior to preparation of the EIR. The NOP was circulated on October 8, 2008 to public agencies and persons considered likely to be interested in the project and its potential impacts. A public notice was also published in a newspaper of general circulation. In addition, the County held a Scoping Meeting on October 29, 2008. The NOP was available for public review on the County's website.¹⁸ A copy of the NOP and all written comments are provided in Appendix A of this EIR.

¹⁸ Website: www.yolocounty.org/.

Yolo County is also responsible for submitting the EIR for review to appropriate public agencies and for submitting the document to the State Clearinghouse. Table III-12 presents a list of agencies that are expected to use this EIR in their decision-making, as well as the associated permits and approvals that may be required during implementation of the General Plan.

Table III-12: Agencies Responsible for Plan-Related Approvals and Regulatory Review

Lead Agency ^a	Permit/Approval
Yolo County	<ul style="list-style-type: none"> EIR certification. Draft General Plan review and adoption.
Responsible Agencies^b	
Department of Housing and Community Development (HCD)	<ul style="list-style-type: none"> Certification of Housing Element.
Yolo County Local Agency Formation Commission (LAFCO)	<ul style="list-style-type: none"> Approval of the formation, reorganization, incorporation or consolidation of special districts that provide services to the County.
California Department of Transportation (Caltrans)	<ul style="list-style-type: none"> Approval of plans and improvements to Interstates and State Routes.
California Regional Water Quality Control Board (RWQCB)	<ul style="list-style-type: none"> National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharge. Section 401 Water Quality Certification under the Clean Water Act.
Delta Protection Commission	<ul style="list-style-type: none"> Review of General Plan consistency with the Land Use Resource Management Plan
Other Agencies	
California Department of Toxic Substances Control (DTSC)	<ul style="list-style-type: none"> Approval and oversight of hazardous material remediation.
Yolo/Solano Air Quality Management District	<ul style="list-style-type: none"> Review of air quality pollution emissions.
California Department of Fish & Game (CDFG)	<ul style="list-style-type: none"> State Endangered Species Act requirements, protection measures for other special-status species, and stream permits.
U.S. Fish and Wildlife Service (USFWS)	<ul style="list-style-type: none"> Biological opinion and incidental take permits, if required, for species listed as Threatened and Endangered under the federal Endangered Species Act.

^a The "Lead Agency" is the public agency that has the principal responsibility for carrying out or approving the project (CEQA Guidelines Section 15367).

^b "Responsible Agencies" are all public agencies other than the Lead Agency that have discretionary approval power over the project (CEQA Guidelines Section 15381).

Source: LSA Associates Inc., 2009.

F. GLOBAL CLIMATE CHANGE

Increasing public awareness and general scientific consensus that global climate change is occurring have placed a new focus on the California Environmental Quality Act (CEQA) as a potential means to address a project's greenhouse gas (GHG) emissions. CEQA requires that lead agencies consider the reasonably foreseeable adverse environmental effects of projects considered for approval. Global climate change can be considered an "effect on the environment" and an individual project or plan's incremental contribution to global climate change can have a cumulatively significant impact.

Cumulative impacts are the collective impacts of one or more past, present, or future projects, that when combined, result in adverse changes to the environment. Climate change is a global environmental problem in which: (a) any given development project contributes only a small portion of any net increase in GHGs and (b) global growth is continuing to contribute large amounts of GHGs across the world. No individual project would result in a measurable impact on global climate change, or an environmental impact resulting from global climate change. Therefore, this section addresses climate change primarily as a cumulative impact.

This section begins by providing general background information on climate change and meteorology. It then discusses the regulatory framework for global climate change, provides data on the existing global climate setting, and evaluates potential global greenhouse gas emissions associated with the proposed project. Modeled project emissions are estimated based on the land uses proposed as part of the Draft General Plan, vehicle data, and project trip generation, among other variables. This section also discusses and evaluates the potential impacts of climate change on Yolo County. The information and analysis provided in this report rely primarily on the Climate Action Team 2006 Final Report, Intergovernmental Panel on Climate Change (IPCC) Assessment Reports, various California Air Resources Board (CARB) staff reports, and other related global climate change documents that provide background information on the impacts of greenhouse gas emissions.

1. Setting

The following discussion provides an overview of the geographical and climate setting of Yolo County; and global climate change, its causes, and its potential effects; emission sources and inventories. The regulatory framework relating to global climate change is also summarized.

a. Geographic and Climate Setting. Yolo County is located in the Sacramento Valley Air Basin (SVAB). The SVAB is bounded by the North Coast Ranges on the west and Northern Sierra Nevada Mountains on the east. The intervening terrain is relatively flat. Hot dry summers and mild rainy winters characterize the Mediterranean climate of the SVAB. During the year, the temperature may range from 20 to 115 degrees Fahrenheit with summer highs usually in the 90s and winter lows occasionally below freezing. Average annual rainfall is about 20 inches, with about 75 percent of the rain occurring during the rainy season generally from November through March. The prevailing winds are moderate in strength and vary from moist clean breezes from the south to dry land flows from the north. In general, the prevailing wind in the Sacramento Valley is from the southwest due to marine breezes flowing through the Carquinez Strait. The Carquinez Strait is the major corridor for air moving into the Sacramento Valley from the west. Incoming airflow strength varies daily with a pronounced diurnal cycle. Influx strength is weakest in the morning and increases in the afternoon and evening hours (Delta breeze).

b. Global Climate Change Background. A description of global climate change and its sources are provided below.

Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. Global surface temperatures have risen by $0.74^{\circ}\text{C} \pm 0.18^{\circ}\text{C}$ over the last 100 years (1906 to 2005). The rate of warming over the last 50 years is almost double that over the last 100 years.¹ The prevailing scientific opinion on climate change is that most of the warming observed over the last 50 years is attributable to human activities. The increased amounts of carbon dioxide (CO_2) and other GHGs are the primary causes of the human-induced component of warming. GHGs are released by the burning of fossil fuels, land clearing, agriculture, and other activities, and lead to an increase in the greenhouse effect.²

(1) Greenhouse Gases. GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are:³

- Carbon dioxide (CO_2)
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur Hexafluoride (SF_6)

Over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global warming. While manmade GHGs include naturally-occurring GHGs such as CO_2 , methane, and N_2O , some gases, like HFCs, PFCs, and SF_6 are completely new to the atmosphere.

Certain other gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its

¹ Intergovernmental Panel on Climate Change (IPCC), 2007. *Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the IPCC.*

² The temperature on Earth is regulated by a system commonly known as the "greenhouse effect." Just as the glass in a greenhouse lets heat from sunlight in and reduces the amount of heat that escapes, greenhouse gases like carbon dioxide, methane, and nitrous oxide in the atmosphere keep the Earth at a relatively even temperature. Without the greenhouse effect, the Earth would be a frozen globe; thus, although an excess of greenhouse gas results in global warming, the *naturally occurring* greenhouse effect is necessary to keep our planet at a comfortable temperature.

³ The greenhouse gases listed are consistent with the definition in Assembly Bill (AB) 32 (Government Code 38505), as discussed later in this section.

atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. For the purposes of this EIR, the term “GHGs” will refer collectively to the gases listed above only.

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each greenhouse gas to trap heat in the atmosphere relative to another gas. The global warming potential is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time that the gas remains in the atmosphere (“atmospheric lifetime”). The GWP of each gas is measured relative to carbon dioxide, the most abundant GHG. The definition of GWP for a particular greenhouse gas is the ratio of heat trapped by one unit mass of the greenhouse gas to the ratio of heat trapped by one unit mass of CO₂ over a specified time period. GHG emissions are typically measured in terms of pounds or tons of “CO₂ equivalents” (CO₂eq). Table IV.F-1 shows the GWPs for each type of GHG. For example, sulfur hexafluoride is 22,800 times more potent at contributing to global warming than carbon dioxide. The following discussion summarizes the characteristics of the six primary GHGs.

Table IV.F-1: Global Warming Potential of Greenhouse Gases

Gas	Atmospheric Lifetime (Years)	Global Warming Potential (100-year Time Horizon)
Carbon Dioxide	50-200	1
Methane	12	25
Nitrous Oxide	114	298
HFC-23	270	14,800
HFC-134a	14	1,430
HFC-152a	1.4	124
PFC: Tetrafluoromethane (CF ₄)	50,000	7,390
PFC: Hexafluoromethane (C ₂ F ₆)	10,000	12,200
Sulfur Hexafluoride (SF ₆)	3,200	22,800

Source: IPCC, 2007. *Climate Change 2007: The Physical Science Basis*. Contribution of Working Group I to the Fourth Assessment Report of the IPCC.

Carbon Dioxide (CO₂). In the atmosphere, carbon generally exists in its oxidized form, as CO₂. Natural sources of CO₂ include the respiration (breathing) of humans, animals and plants, volcanic outgassing, decomposition of organic matter and evaporation from the oceans. Human-caused sources of CO₂ include the combustion of fossil fuels and wood, waste incineration, mineral production, and deforestation. The Earth maintains a natural carbon balance and when concentrations of CO₂ are upset, the system gradually returns to its natural state through the natural processes. Natural changes to the carbon cycle work slowly, especially compared to the rapid rate at which humans are adding CO₂ to the atmosphere. Natural removal processes, such as photosynthesis by land- and ocean-dwelling plant species, cannot keep pace with this extra input of man-made CO₂, and consequently, the gas is building up in the atmosphere. The concentration of CO₂ in the atmosphere has risen about 30 percent since the late 1800s.⁴

In 2002, CO₂ emissions from fossil fuel combustion accounted for approximately 98 percent of man-made CO₂ emissions and approximately 84 percent of California's overall GHG emissions (CO₂eq). The transportation sector accounted for California's largest portion of CO₂ emissions, with gasoline

⁴ California Environmental Protection Agency. 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature*. March.

consumption making up the greatest portion of these emissions. Electricity generation was California's second largest category of GHG emissions.

Methane (CH₄). Methane is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Anthropogenic sources include rice cultivation, livestock, landfills and waste treatment, biomass burning, and fossil fuel combustion (burning of coal, oil, natural gas, etc.). Decomposition occurring in landfills accounts for the majority of human-generated CH₄ emissions in California, followed by enteric fermentation (emissions from the digestive processes of livestock).⁵ Agricultural processes such as manure management and rice cultivation are also significant sources of manmade CH₄ in California. Methane accounted for approximately 6 percent of gross climate change emissions (CO₂eq) in California in 2002.⁶

It is estimated that over 60 percent of global methane emissions are related to human-related activities.⁷ As with CO₂, the major removal process of atmospheric methane – a chemical breakdown in the atmosphere – cannot keep pace with source emissions, and methane concentrations in the atmosphere are increasing.

Nitrous Oxide (N₂O). Nitrous oxide is produced naturally by a wide variety of biological sources, particularly microbial action in soils and water. Tropical soils and oceans account for the majority of natural source emissions. Nitrous oxide is a product of the reaction that occurs between nitrogen and oxygen during fuel combustion. Both mobile and stationary combustion emit N₂O, and the quantity emitted varies according to the type of fuel, technology, and pollution control device used, as well as maintenance and operating practices. Agricultural soil management (e.g., use of fertilizers, production of nitrogen-fixing crops, etc.) and fossil fuel combustion are the primary sources of human-generated N₂O emissions in California. Nitrous oxide emissions accounted for nearly 7 percent of man-made GHG emissions (CO₂eq) in California in 2002.

Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), and Sulfur Hexafluoride (SF₆). HFCs are primarily used as substitutes for ozone-depleting substances regulated under the Montreal Protocol.⁸ PFCs and SF₆ are emitted from various industrial processes, including aluminum smelting, semiconductor manufacturing, electric power transmission and distribution, and magnesium casting. There is no aluminum or magnesium production in California; however, the rapid growth in the semiconductor industry, which is active in California, leads to greater use of PFCs. HFCs, PFCs, and SF₆ accounted for about 3.5 percent of man-made GHG emissions (CO₂eq) in California in 2002.⁹

⁵ California Air Resources Board, Greenhouse Gas Inventory Data - 1990 to 2004. <http://www.arb.ca.gov/cc/inventory/data/data.htm>. Accessed November 2008.

⁶ Ibid.

⁷ IPCC, 2007. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the IPCC.

⁸ The Montreal Protocol is an international treaty that was approved on January 1, 1989, and was designated to protect the ozone layer by phasing out the production of several groups of halogenated hydrocarbons believed to be responsible for ozone depletion.

⁹ California Environmental Protection Agency. 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature*. March.

(2) **Temperature Increase.** The latest projections, based on state-of-the art climate models, indicate that temperatures in California are expected to rise 3 to 10.5°F by the end of the century.¹⁰ Because GHGs persist for a long time in the atmosphere (see Table IV.F-1), accumulate over time, and are generally well-mixed, their impact on the atmosphere cannot be tied to a specific point of emission.

Climate change refers to any significant change in measures of climate (such as temperature, precipitation, or wind) lasting for an extended period (decades or longer). Climate change may result from:

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun
- Natural processes within the climate system (e.g., changes in ocean circulation and reduction in sunlight from the addition of GHGs and other gases to the atmosphere from volcanic eruptions)
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., from deforestation, reforestation, urbanization, and desertification)

The primary effect of global climate change has been a rise in the average global tropospheric¹¹ temperature of 0.2°C per decade, determined from meteorological measurements worldwide between 1990 and 2005. Climate change modeling shows that further warming could occur, which would induce additional changes in the global climate system during the current century. Changes to the global climate system, ecosystems, and the environment of California could include, but are not limited to:

- The loss of sea ice and mountain snow pack, resulting in higher sea levels and higher sea surface evaporation rates with a corresponding increase in tropospheric water vapor due to the atmosphere's ability to hold more water vapor at higher temperatures;
- Rise in global average sea level primarily due to thermal expansion and melting of glaciers and ice caps in the Greenland and Antarctic ice sheets;
- Changes in weather that include widespread changes in precipitation, ocean salinity, and wind patterns, and more energetic aspects of extreme weather, including droughts, heavy precipitation, heat waves, extreme cold, and the intensity of tropical cyclones;
- Decline of the Sierra Nevada snowpack, which accounts for a significant amount of the surface water storage in California, by 70 percent to as much as 90 percent over the next 100 years;
- Increase in the number of days conducive to ozone formation by 25 to 85 percent (depending on the future temperature scenario) in high ozone areas of Los Angeles and the San Joaquin Valley by the end of the 21st century; and
- High potential for erosion of California's coastlines and seawater intrusion into the Delta and levee systems due to the rise in sea level.

A more detailed description of these and other climate change impacts is provided below.

¹⁰ California Climate Change Center, 2006. *Our Changing Climate. Assessing the Risks to California*. July.

¹¹ The troposphere is the zone of the atmosphere characterized by water vapor, weather, winds, and decreasing temperature with increasing altitude.

(3) Precipitation and Water Supply. Global average precipitation is expected to increase overall during the 21st century as the result of climate change, but will vary in different parts of the world. However, global climate models are generally not well suited for predicting regional changes in precipitation because of the scale of regionally important factors, such as the effects of mountain ranges, that affect precipitation.¹²

Most of California's precipitation falls in the northern part of the State during the winter. A vast network of man-made reservoirs and aqueducts capture and transport water throughout the State from northern California rivers, as the greatest demand for water comes from users in the southern part of the State during the spring and summer.¹³ The current distribution system relies on Sierra Nevada mountain snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

Some models predict drier conditions and decreased water flows, while others predict wetter conditions in various parts of the world. If heat-trapping emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent.

Decreasing snowmelt and spring stream flows coupled with increasing demand for water resulting from both a growing population and hotter climate could lead to increasing water shortages. By the end of the century, late spring stream flow could decline by up to 30 percent. Agricultural areas that rely on surface water could lose as much as 25 percent of the water supply they need.¹⁴ Groundwater comprises approximately 34 percent¹⁵ (311,000 acre-feet) of the total water supply in the County in non-drought years.¹⁶ Most domestic water users in unincorporated Yolo County rely on groundwater for potable water, while nearly all of the surface water is used for agricultural purposes.

The extent to which various meteorological conditions will impact groundwater supply is unknown. Warmer temperatures could increase the period when water is on the ground by reducing soil freeze. However, warmer temperatures could also lead to higher evaporation or shorter rainfall seasons, shortening the recharge season. Warmer winters could increase the amount of runoff available for groundwater recharge. However, the additional runoff could occur at a time when some basins, particularly in Northern California, are being recharged at their maximum capacity.

Where precipitation is projected to increase in California, the increases are focused in Northern California. However, various California climate models provide mixed results regarding changes in total annual precipitation in the State through the end of this century; therefore, no conclusion on an increase or decrease can be made. Considerable uncertainties about the precise effects of climate

¹² IPCC, 2007. *Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the IPCC.*

¹³ California Climate Change Center, 2006. *Our Changing Climate. Assessing the Risks to California.* July.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ In drought years, the County relies more heavily on groundwater, which supplies 44 percent of demand in drought years. Water Resources Association of Yolo County, 2007. op cit.

change on California hydrology and water resources will remain until there is more precise and consistent information about how precipitation patterns, timing, and intensity will change.¹⁷

(4) Sea Level Rise. Rising sea level is one of the major areas of concern related to global climate change. Two of the primary causes for a sea level rise are the thermal expansion of ocean waters (water expanding as it heats up) and the addition of water to ocean basins by the melting of land-based ice. From 1961 to 2003, global average sea level rose at an average rate of 0.07 inches per year, and at an accelerated average rate of about 0.12 inches per year during the last decade of this period (1993 to 2003).¹⁸ Over the past 100 years, sea levels along California's coasts and estuaries have risen about seven inches.¹⁹

Sea levels could rise an additional 22 to 35 inches by the end of the century as global climate change continues, while experts predict even higher rises.²⁰ Although these projections are on a global scale, the rate of sea level rise along California's coast is relatively consistent with the worldwide average rate observed over the past century. Therefore, it is reasonable to assume that projected changes in worldwide sea level rise will continue to be experienced along California's coast.²¹

Sea level rise of this magnitude would increasingly threaten California's coastal regions with more intense coastal storms, accelerated coastal erosion, threats to vital levees, and disruption of inland water systems, wetlands and natural habitats. Rising sea levels and more intense storm surges could increase the risk for coastal flooding. The frequency of high sea level extremes may be further increased if storms become more frequent or severe as a result of climate change. The increasing duration of high storm-forced sea levels increases the likelihood that they will occur during high tides. The location (more than 50 miles from the mouth of the Golden Gate) and elevation (lowest elevation in the County is approximately 5 feet above sea level) of the County precludes significant impact due to coastal hazards, such as extreme high tides. However, rising sea levels may worsen flooding in Yolo County and expand the County's floodplains. It is also possible that sea level rise could reduce the effectiveness of levees within the County (reducing the levee height by raising the base level of the adjacent water body).

(5) Water Quality. Water quality depends on a wide range of variables such as water temperature, flow, runoff rates and timing, waste discharge loads, and the ability of watersheds to assimilate wastes and pollutants. Climate change could alter water quality in a variety of ways, including higher winter flows that reduce pollutant concentrations (through dilution) or increase erosion of land surfaces and stream channels, leading to higher sediment, chemical, and nutrient loads in rivers. Water temperature increases and decreased water flows can result in increasing concentrations of pollutants and salinity. Increases in water temperature alone can likely lead to adverse changes in water quality, even in the absence of changes in precipitation.

¹⁷ California, State of. Department of Water Resources, 2006. *Progress on Incorporating Climate Change into Management of California's Water Resources*. July.

¹⁸ California, State of. California Energy Commission's Public Interest Energy Research Program, 2008. *The Future is Now: An Update on Climate Change Science, Impacts, and Response Options for California*. September.

¹⁹ Ibid.

²⁰ California Climate Change Center, 2006. *Our Changing Climate. Assessing the Risks to California*. July.

²¹ California, State of. Department of Water Resources, 2006. *Progress on Incorporating Climate Change into Management of California's Water Resources*. July.

However, land and resource use changes can have impacts on water quality comparable to or even greater than those from global climate change. The net effect on water quality for rivers, lakes, and groundwater in the future is dependent not just on climate conditions, but also on a wide range of other human actions and management decisions.

(6) Agriculture. California has one of the largest and most diverse agriculture industries in the nation, producing more than 300 commodities, including half the country's fruits and vegetables. Numerous studies indicate that climate change may have a significant effect on agriculture in California. The degree to which climate change will affect agriculture depends on a variety of factors. Potential effects include reductions in water supply and water supply reliability, increased evapotranspiration, changes in growing season, and altered crop choices.²² Productivity and profitability may be negatively or positively affected by changes to the growing season and altered crop choices depending on choices made by farmers.

Plant growth tends to increase with rising temperatures. However, faster growth can also result in less-than-optimal development for many crops, so rising temperatures are likely to worsen the quantity and quality of yield for a number of California's agricultural products.²³ Crops that are likely to be hard hit include wine grapes and fruit and nut trees. Yolo County's fruit and nut orchards covered approximately 20,960 acres in 2007, and grew a wide variety of crops including almonds, apples, apricots, blackberries, blueberries, cherries, chestnuts, citrus fruit, figs, kiwis, nectarines, olives, peaches, pears, pecans, persimmons, pistachios, pomegranates, prunes, strawberries, table grapes, and walnuts. Vineyards (wine grapes) are the largest single agricultural use in the fruit and nut category, both in terms of harvested acreage (11,898 acres in 2007) and total commodity value (\$46,513,316 in 2007).²⁴

Although the individual effects (e.g., temperature increase) of climate change on specific crops are becoming better understood, trying to quantify interactions among these environmental factors is difficult. Rising temperatures will likely aggravate ozone pollution and make plants more susceptible to disease and pests. To prepare and adapt to the effects of global climate change, major efforts will be needed to determine appropriate crop locations and develop new agricultural technologies. With adequate research and advance preparation, some of the consequences of global climate change can be reduced.

(7) Increasing Wildfires. Fire is an important process to maintaining ecosystems, as it promotes vegetation and wildlife diversity, releases nutrients into the soil, and eliminates heavy accumulation of underbrush that can fuel catastrophic fires. Fire can also have severe consequences and damage community assets, such as homes, businesses, and agricultural crops, worsen air quality, and increase health and safety risk for people living in and near natural landscapes. Wildfire risk is determined by a combination of factors including precipitation, winds, temperature, and landscape and vegetation conditions. However, if temperatures continue to rise, the risk of large wildfires in California could increase by as much as 55 percent.²⁵ A hotter, drier climate could promote up to 90

²² Ibid.

²³ California Climate Change Center, 2006. *Our Changing Climate. Assessing the Risks to California*. July.

²⁴ See Section IV.B. Agricultural Resources for additional information.

²⁵ Ibid.

percent more northern California fires by the end of the century by drying out and increasing the flammability of forest vegetation. In many regions, wildfire activity will depend critically on future precipitation patterns.

c. Emissions Sources and Inventories. An emissions inventory that identifies and quantifies the primary human-generated sources and sinks of GHGs is a well-recognized and useful tool for addressing climate change. This section summarizes the latest information on global, United States, California, and local GHG emission inventories.

(1) Global Emissions. Worldwide emissions of GHGs in 2004 were 27 billion metric tons of CO₂eq per year.²⁶ Global estimates are based on country inventories developed as part of programs of the United Nations Framework Convention on Climate Change (UNFCCC).

(2) U.S. Emissions. In 2004, the United States emitted about 7.3 billion metric tons of CO₂eq or about 25 tons/year/person. Of the four major sectors nationwide – residential, commercial, industrial and transportation – transportation accounts for the highest amount of GHG emissions (approximately 35 to 40 percent); these emissions are entirely generated from direct fossil fuel combustion. Between 1990 and 2006, total U.S. GHG emissions rose approximately 14.7 percent.²⁷

(3) State of California Emissions. According to CARB emission inventory estimates, California emitted approximately 480 million metric tons²⁸ of CO₂eq emissions in 2004.²⁹ This large number is due primarily to the sheer size of California compared to other States. By contrast, California has the fourth lowest per-capita carbon dioxide emission rate from fossil fuel combustion in the country, due to the success of its energy efficiency and renewable energy programs and commitments that have lowered the State's GHG emissions rate of growth by more than half of what it would have been otherwise.³⁰

The California EPA Climate Action Team stated in its March 2006 report that the composition of gross climate change pollutant emissions in California in 2002 (expressed in terms of CO₂eq) was as follows:

- Carbon dioxide (CO₂) accounted for 83.3 percent;
- Methane (CH₄) accounted for 6.4 percent;
- Nitrous oxide (N₂O) accounted for 6.8 percent; and

²⁶ Combined total of Annex I and Non-Annex I Country CO₂eq emissions. United Nations Framework Convention on Climate Change (UNFCCC), 2007. *Greenhouse Gas Inventory Data*. Information available at http://unfccc.int/ghg_data/ghg_data_unfccc/time_series_annex_i/items/3814.php and http://maindb.unfccc.int/library/view_pdf.pl?url=http://unfccc.int/resource/docs/2005/sbi/eng/18a02.pdf.

²⁷ U.S. Environmental Protection Agency (EPA). 2008. *The U.S. Greenhouse Gas Emissions and Sinks: Fast Facts*. http://www.epa.gov/climatechange/emissions/downloads/2008_GHG_Fast_Facts.pdf.

²⁸ A metric ton is equivalent to approximately 1.1 tons.

²⁹ California Air Resources Board, *Greenhouse Gas Inventory Data - 1990 to 2004*. <http://www.arb.ca.gov/cc/inventory/data/data.htm>. Accessed November 2008.

³⁰ California Energy Commission (CEC), 2007. *Inventory of California Greenhouse Gas Emissions and Sinks: 1990 to 2004 - Final Staff Report*, publication # CEC-600-2006-013-SF, Sacramento, CA, December 22, 2006; and January 23, 2007 update to that report.

- Fluorinated gases (HFCs, PFC, and SF₆) accounted for 3.5 percent.³¹

The CARB estimates that transportation is the source of approximately 38 percent of the State's GHG emissions in 2004, followed by electricity generation (both in-State and out-of-State) at 23 percent, and industrial sources at 20 percent. The remaining sources of GHG emissions are residential and commercial activities at 9 percent, agriculture at 6 percent, high global warming potential gases accounting for 3 percent, and recycling and waste at 1 percent.³²

CARB is responsible for developing the California Greenhouse Gas Emission Inventory. This inventory estimates the amount of GHGs emitted to and removed from the atmosphere by human activities within the State of California and supports the AB 32 Climate Change Program. CARB's current GHG emission inventory covers the years 1990-2004 and is based on fuel use, equipment activity, industrial processes, and other relevant data (e.g., housing, landfill activity, agricultural lands, etc.). The emission inventory estimates are based on the actual amount of all fuels combusted in the State, which accounts for over 85 percent of the GHG emissions within California.

CARB staff has projected 2020 unregulated GHG emissions, which represent the emissions that would be expected to occur in the absence of any GHG reduction actions. CARB staff estimates the State-wide 2020 unregulated GHG emissions will be 596 million metric tons (MMT) of CO₂eq. GHG emissions in 2020 from the transportation and electricity sectors as a whole are expected to increase, but remain at approximately 38 percent and 23 percent of total CO₂eq emissions, respectively. The industrial sector consists of large stationary sources of GHG emissions and the percentage of the total 2020 emissions is projected to be 17 percent of total CO₂eq emissions. The remaining sources of GHG emissions in 202 are high global warming potential gases at 8 percent, residential and commercial activities at 8 percent, agriculture at 5 percent, and recycling and waste at 1 percent.³³

(4) Yolo County Emissions. In July 2007, the County joined the California Climate Action Registry (CCAR). The CCAR serves as a voluntary greenhouse gas (GHG) registry to protect and promote early actions to reduce GHG emissions by organizations, including the Yolo County government. California Registry members voluntarily measure, verify, and publicly report their GHG emissions, are leaders in their respective industry sectors, and are actively participating in solving the challenge of climate change. Yolo County has conducted an inventory for municipal government operations, and for the 2006 baseline year, the County government reported approximately 8,200 metric tons of CO₂eq emissions for municipal government operations only. While there is currently no GHG emissions inventory for Yolo County community-wide activities (i.e., those emissions related to all land uses that occur within the Yolo County geographic boundary), the Draft General Plan includes Action CO-A115 to develop a Greenhouse Gas (GHG) Emissions Reduction Plan, including conducting a baseline inventory emissions of community-wide (not only municipal government operations) for 1990. The timeframe for completion of the Emissions Reduction Plan is 2009/2011.

³¹ California Environmental Protection Agency, 2006. Climate Action Team Report to Governor Schwarzenegger and the Legislature. March.

³² California Air Resources Board (CARB), 2008. <http://www.climatechange.ca.gov/inventory/index.html>. September.

³³ California Air Resources Board (CARB), 2008. <http://www.climatechange.ca.gov/inventory/index.html>. September.

Some of the incorporated areas of Yolo County have developed emissions inventories for community and/or municipal operations related to their individual city emissions within the County. The City of Davis has conducted an emissions inventory to quantify existing emissions from municipal operations and community-wide actions using software from ICLEI – Local Governments for Sustainability (formerly the International Council for Local Environmental Initiatives). ICLEI works with local governments to help them reduce their greenhouse gas emissions and therefore their impact on global climate change. In 2005, community-wide GHG emissions in the City of Davis totaled over 300,000 metric tons of CO₂eq. The majority of emissions (approximately 53 percent) in the city were related to transportation. The City of West Sacramento joined ICLEI in 2007 and developed emissions estimates for municipal operations in 2008. The baseline emissions for West Sacramento were approximately 19,000 metric tons of CO₂eq with the majority of emissions related to water and sewer operations. Winters and Woodland do not have emissions inventories available at the time of the writing of this report.

UC Davis also participates in CCAR and completed an emissions inventory for campus operations for the year 2007. Total direct (mobile sources, combustion, etc.) and indirect (electricity) emissions were approximately 242,640 tons of CO₂eq per year. Over 50 percent of the emissions are related to stationary source combustion, followed by electricity generation at approximately 39 percent of the total emissions. The Rumsey Band of Winton Indians is the other major entity in the region. No inventory of tribal emissions is known to be available.

d. Regulatory Framework. The regulatory framework and other governmental activities addressing GHG emissions and global climate change are discussed in this section.

(1) Federal Regulations. There are no adopted federal regulations for GHG emissions. In February 2002, the United States government announced a comprehensive strategy to reduce the GHG intensity³⁴ of the American economy by 18 percent over the 10-year period from 2002 to 2012. This strategy has three basic components: (1) slowing the growth of emissions, (2) strengthening science, technology and institutions, and (3) enhancing international cooperation.³⁵

To meet this goal, the federal multiagency Climate Change Science Program (CCSP) was established to investigate natural and human-induced changes in the Earth's global environmental system; to monitor, understand, and predict global change; and to provide a sound scientific basis for national and international decision-making. The federal government established the multi-agency Climate Change Technology Program (CCTP) to accelerate the development and deployment of key technologies which offer great promise to reduce GHG emissions. The CCTP works closely with CCSP to make further progress in understanding and addressing global climate change. The United States Environmental Protection Agency's (U.S. EPA's) primary role in CCSP is evaluating the potential consequences of climate variability and the effects on air quality, water quality, ecosystems, and human health in the United States.

³⁴ GHG intensity measures the ratio of GHG emissions to economic output.

³⁵ Environmental Protection Agency. 2008. Climate Change: Basic Information. www.epa.gov/climatechange/basicinfo.html.

Recent court cases may change the voluntary approach to address global climate change and greenhouse gas emissions. On April 2, 2007, the United States Supreme Court ruled that the U.S. EPA has the authority to regulate CO₂ emissions under the federal Clean Air Act (CAA).

Over a decade ago, most countries joined an international treaty, the United Nations Framework Convention on Climate Change (UNFCCC), to begin to consider what can be done to reduce global warming and to cope with the physical and socioeconomic effects of climate change. More recently, a number of nations have ratified an amendment to the treaty: the Kyoto Protocol, which has a more powerful effect on its signatories. Because the Kyoto Protocol will affect virtually all major sectors of the economy, it is considered to be the most far-reaching agreement on the environment and sustainable development ever adopted. Most of the world's countries eventually agreed to the Protocol, but some nations (including the United States) chose not to ratify it.

As of July 2008, 182 countries have ratified the Kyoto Protocol. Participating nations are separated into Annex 1 countries (i.e., industrialized nations) and Non-Annex 1 countries (i.e., developing nations) that have different requirements for GHG reductions. The goal of the Protocol is to achieve overall emissions reduction targets for six GHGs by 2012. The six GHGs regulated under the Protocol are CO₂, CH₄, N₂O, sulfur hexafluoride, hydrofluorocarbons, and perfluorocarbons. Each nation must reduce GHG emissions by a certain percentage below 1990 levels (e.g., 8 percent reduction for the European Union, 6 percent reduction for Japan). The average reduction target for nations participating in the Kyoto Protocol is approximately 5 percent below 1990 levels.

(2) State Regulations. In 1967, the California Legislature passed the Mulford-Carrell Act, which combined two Department of Health bureaus, the Bureau of Air Sanitation and the Motor Vehicle Pollution Control Board, to establish the CARB. Since its formation, the CARB has worked with the public, the business sector, and local governments to find solutions to California's air pollution problems.

In a response to the transportation sector's significant contribution to California's CO₂ emissions, Assembly Bill 1493 (AB 1493, Pavley) was enacted on July 22, 2002. AB 1493 requires CARB to set GHG emission standards for passenger vehicles and light duty trucks (and other vehicles whose primary use is noncommercial personal transportation in the State) manufactured in 2009 and all subsequent model years. In setting these standards, the CARB considered cost effectiveness, technological feasibility, and economic impacts. CARB adopted the standards in September 2004. When fully phased-in, the near-term (2009 to 2012) standards would result in a reduction in GHG emissions of approximately 22 percent compared to the emissions from the 2002 fleet, while the mid-term (2013 to 2016) standards would result in a reduction of approximately 30 percent. To set its own GHG emissions limits on motor vehicles, California must receive a waiver from the U.S. EPA. However, in December 2007, the U.S. EPA denied the request from California for the waiver. In January 2008, the California Attorney General filed a petition for review of the U.S. EPA's decision in the Ninth Circuit Court of Appeals; however, no decision on that petition has been published as of January 2009. On January 26, 2009, the President issued an Executive Memorandum directing the U.S. EPA to reassess its decision to deny the waiver and to initiate any appropriate action.³⁶

³⁶ Obama, President Barack. 2009. Memorandum for the Administrator of the Environmental Protection Agency. State of California Request for Waiver Under 42 U.S.C. 7543(b), the Clean Air Act. January 26.

In June 2005, Governor Schwarzenegger established California's GHG emissions reduction targets in Executive Order S-3-05. The Executive Order established the following goals for the State of California: GHG emissions should be reduced to 2000 levels by 2010; GHG emissions should be reduced to 1990 levels by 2020; and GHG emissions should be reduced to 80 percent below 1990 levels by 2050.

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "Global Warming Solutions Act," passed by the California State legislature on August 31, 2006. This effort aims at reducing GHG emissions to 1990 levels by 2020. The CARB has established the level of GHG emissions in 1990 at 427 million metric tons (MMT) of CO₂eq. The emissions target of 427 MMT requires the reduction of 169 MMT from the State's projected business-as-usual 2020 emissions of 596 MMT. AB 32 requires CARB to prepare a Scoping Plan that outlines the main State strategies for meeting the 2020 deadline and to reduce GHGs that contribute to global climate change. The Scoping Plan was approved by CARB on December 11, 2008, and includes measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures.³⁷ Emission reductions that are projected to result from the recommended measures in the Scoping Plan are expected to total 174 MMT of CO₂eq, which would allow California to attain the emissions goal of 427 MMT of CO₂eq by 2020. The Scoping Plan includes a range of GHG reduction actions that may include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system. The Scoping Plan, even after Board approval, remains a recommendation. The measures in the Scoping Plan will not be binding until after they are adopted through the normal rulemaking process. The CARB rulemaking process includes preparation and release of each of the draft measures, public input through workshops and a public comment period, followed by a CARB Board hearing and rule adoption.

In addition to reducing GHG emissions to 1990 levels by 2020, AB 32 directed CARB and the newly created Climate Action Team (CAT)³⁸ to identify a list of "discrete early action GHG reduction measures" that can be adopted and made enforceable by January 1, 2010. On January 18, 2007, Governor Schwarzenegger signed Executive Order S-1-07, further solidifying California's dedication to reducing GHGs by setting a new Low Carbon Fuel Standard. The Executive Order sets a target to reduce the carbon intensity of California transportation fuels by at least 10 percent by 2020 and directs CARB to consider the Low Carbon Fuel Standard as a discrete early action measure.

In June 2007 CARB approved a list of 37 early action measures, including three discrete early action measures (Low Carbon Fuel Standard, Restrictions on High Global Warming Potential Refrigerants, and Landfill Methane Capture).³⁹ Discrete early action measures are measures that are required to be adopted as regulations and made effective no later than January 1, 2010, the date established by Health and Safety Code (HSC) Section 38560.5. The CARB adopted additional early action measures in October 2007 that tripled the number of discrete early action measures. These measures relate to truck efficiency, port electrification, reduction of perfluorocarbons from the semiconductor industry,

³⁷ California Air Resources Board. 2008. *Climate Change Proposed Scoping Plan: a framework for change*. October.

³⁸ CAT is a consortium of representatives from State agencies who have been charged with coordinating and implementing GHG emission reduction programs that fall outside of CARB's jurisdiction.

³⁹ California Air Resources Board. 2007. *Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California Recommended for Board Consideration*. October.

reduction of propellants in consumer products, proper tire inflation, and sulfur hexafluoride (SF₆) reductions from the non-electricity sector. The combination of early action measures is estimated to reduce State-wide GHG emissions by nearly 16 MMT.⁴⁰

To assist public agencies in the mitigation of GHG emissions or analyzing the effects of GHGs under CEQA, including the effects associated with transportation and energy consumption, Senate Bill 97 (Chapter 185, 2007) requires the Governor's Office of Planning and Research (OPR) to develop CEQA guidelines on how to minimize and mitigate a project's GHG emissions. OPR is required to prepare, develop, and transmit these guidelines on or before July 1, 2009 and the Resources Agency is required to certify and adopt them by January 1, 2010. Preliminary guidance released by OPR in June 2008 suggests that global climate change analyses in CEQA documents should be conducted for all projects that release GHGs, and that mitigation measures to reduce emissions should be incorporated into projects, to the extent feasible. On January 8, 2009, OPR released preliminary draft CEQA guideline amendments, which may be refined through a public process currently underway at the time this document was drafted. The preliminary amendments encourage lead agencies to consider many factors in performing a CEQA analysis, but preserve the discretion granted by CEQA to lead agencies in making their own determinations.

SB 375, signed into law on October 1, 2008, is intended to enhance CARB's ability to reach AB 32 goals by directing CARB to develop regional GHG emissions reduction targets to be achieved within the automobile and light truck sectors for 2020 and 2035. CARB will work with California's 18 metropolitan planning organizations (MPOs) to align their regional transportation, housing, and land use plans and prepare a "Sustainable Communities Strategy" (SCS) to reduce the number of vehicle miles traveled in their respective regions and demonstrate the region's ability to attain its greenhouse gas reduction targets.

Additionally, SB 375 provides incentives for creating attractive, walkable, and sustainable communities and revitalizing existing communities. The bill exempts home builders from certain CEQA requirements if they build projects consistent with the new sustainable community strategies. It will also encourage the development of more alternative transportation options, to promote healthy lifestyles and reduce traffic congestion.

(3) Yolo-Solano Air Quality Management District. The Handbook for Assessing and Mitigating Air Quality Impacts of the Yolo-Solano Air Quality Management District (YSAQMD) contains recommendations for evaluation of greenhouse gas emissions.⁴¹ Residents of the District will be affected by many of these climate change effects, particularly given the importance to both Yolo and Solano Counties of their agricultural economy, economic dependence on tourism, recreational fishing, and recreational boating. Yolo and Solano Counties may also experience economic and public health damages related to changes in vegetation and crop patterns, lower summer reservoirs, and increased potential for flooding and air pollution that hotter temperatures can produce. While there are no specific thresholds associated with greenhouse gases, the Handbook still recommends including at least a qualitative discussion of greenhouse gases in air quality analyses for

⁴⁰ California Air Resources Board. 2007. "CARB approves tripling of early action measures required under AB 32". News Release 07-46. <http://www.arb.ca.gov/newsrel/nr102507.htm>. October 25.

⁴¹ Yolo-Solano Air Quality Management District, 2007. *Handbook for Assessing and Mitigating Air Quality Impacts*. July 11.

sizable projects. In order to pro-actively address this issue, Lead Agencies should consider preparing such an analysis for larger projects as part of their full analysis.

According to YSAQMD, the Lead Agency can require mitigation measures through alterations of its building codes or permit requirements; e.g., it might require solar heating capabilities for all new development, or require that carbon sequestration credits be purchased for developments exceeding a certain size. The Lead Agency could take direct action to offset its own carbon emissions, or those of its residents, by providing for increased public transportation service, increased support of alternative fuels and technologies, or other measures to reduce the impacts of CO₂.

(4) Yolo County. On September 11, 2007, the Yolo County Board of Supervisors adopted a resolution declaring that Yolo County was participating in the Cool Counties Climate Stabilization. This resolution commits Yolo County to working with regional jurisdictions and entities to strive to achieve a fair-share reduction in regional greenhouse gas emissions of 80 percent by the year 2050. The resolution makes Yolo County one of only 13 counties in the country making this commitment and indicates that Yolo County will take the following actions:

- Create an inventory of county government GHG emissions and implement policies, programs and operations to achieve significant, measurable and sustainable reduction of those operational GHG emissions to help contribute to the regional reduction targets;
- Work closely with local, State, and federal governments and other leaders to reduce County geographical GHG emissions to 80 percent below current levels by 2050, by developing a GHG emissions inventory and regional plan that establishes short-, mid-, and long-term GHG reduction targets, with recommended goals to stop increasing emissions by 2010, and to achieve a 10 percent reduction every five years thereafter through to 2050⁴²;
- Urge Congress and the Administration to enact a multi-sector national program of requirements, market-based limits, and incentives for reducing GHG emissions to 80 percent below current levels by 2050. Urge Congress and the Administration to strengthen standards by enacting legislation such as a Corporate Average Fuel Economy (“CAFE”) standard that achieves at least 35 miles per gallon (mpg) within 10 years for cars and light trucks.

Yolo County has also adopted Leadership in Energy and Environmental Design standards (LEED) for new county government buildings. The LEED standards set benchmarks for achievement of more efficient levels of energy, resource, and water use in new construction.

SACOG is the agency responsible for regional transportation planning in Yolo County. As mentioned earlier, SB 375 directs SACOG and each of the state’s 18 MPOs to prepare a “Sustainable Communities Strategy” that contains a growth strategy to meet GHG emission reduction targets. When developing the next Metropolitan Transportation Plan (MTP), SACOG will be responsible for including an SCS that will attempt to meet the GHG targets set by CARB. If the SCS cannot achieve the GHG target set by CARB, SACOG will need to prepare an Alternative Planning Strategy (APS) showing how the GHG emissions target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

⁴² This is addressed through proposed Action CO-A123 in the Draft General Plan.

2. Draft 2030 Countywide General Plan for Yolo County

The following is a list of relevant Draft General Plan goals, policies and actions related to global climate change. The following list includes only policies explicitly included in the Climate Change section of the Draft General Plan. Appendix D contains a complete list of over 300 policies that are part of the Draft General Plan that would have a beneficial effect on greenhouse gas emissions.

Conservation and Open Space Element

- Policy CO-8.1: Assess current greenhouse gas emission levels and adopt strategies based on scientific analysis to reduce global climate change impacts.
- Policy CO-8.2: Use the development review process to achieve measurable reductions in greenhouse gas emissions.
- Policy CO-8.3: Prepare appropriate strategies to adapt to climate change based on sound scientific understanding of the potential impacts.
- Policy CO-8.4: Encourage all businesses to take the following actions, where feasible: replace high mileage fleet vehicles with hybrid and/or alternative fuel vehicles; increase the energy efficiency of facilities; transition toward the use of renewable energy instead of non-renewable energy sources; adopt purchasing practices that promote emissions reductions and reusable materials; and increase recycling.
- Policy CO-8.5: Promote GHG emission reductions by supporting carbon efficient farming methods (e.g. methane capture systems, no-till farming, crop rotation, cover cropping); installation of renewable energy technologies; protection of grasslands, open space, oak woodlands, riparian forest and farmlands from conversion to other uses; and development of energy-efficient structures.
- Policy CO-8.6: Undertake an integrated and comprehensive approach to planning for climate change by collaborating with international, national, State, regional, and local organizations and entities.
- Policy CO-8.7: Integrate climate change planning and program implementation into County decision making.
- Policy CO-8.8: Increase public awareness about climate change and encourage county residents and businesses to become involved in activities and lifestyle changes that will aid in reduction of greenhouse gas emissions.
- Policy CO-8.9: Work with local, regional, State, and Federal jurisdictions, as well as private and non-profit organizations, to develop a regional greenhouse gas emissions inventory and emissions reduction plan.
- Action CO-A115: Develop a Greenhouse Gas (GHG) Emissions Reduction Plan and/or Climate Action Plan (CAP) for the County, to control and reduce net GHG emissions, and to address economic and social adaptation to the effects of climate change. Development of this plan(s) shall include the following steps: 1) conduct a baseline analysis (GHG emissions inventory) for 1990; 2) adopt an emissions reduction target; 3) develop strategies and actions for reducing emissions including direct offsets and fees to purchase offsets; 4) develop strategies and actions for adaptation to climate change; 5) implement strategies and actions; and 6) monitor emissions and verify results a minimum of every five years starting in 2010. Encourage collaboration with the cities to include the incorporated areas in the plan(s). Require County operations and actions, as well as land use approvals to be consistent with this plan(s). Utilize the 1982 Energy Plan as a starting point for this effort. (Policy CO-8.1) Timeframe: 2009/2011.
- Action CO-A116: Monitor State progress in the development of GHG quantification protocol and guidance for local governments that allows for statewide uniform measurement and estimation of expected jurisdiction-wide GHG emissions. (Policy CO-8.1)
- Action CO-A117: Require the implementation of cost-effective and innovative GHG emission reduction technologies in building components and design. (Policy CO-8.2, Policy CO-8.4)

- Action CO-A118: Adopt urban forestry practices that encourage forestation as a means of storing carbon dioxide, with the goal of doubling the tree canopy in unincorporated communities by 2030. Use appropriate protocols to assess owner eligibility to sell carbon credits. (Policy CO-8.1). Timeframe: 2012/2013.
- Action CO-A119: Require new development to incorporate designs and/or programs to reduce travel demand and vehicle emissions. (Policy CO-8.2, Policy CO-8.4)
- Action CO-A120: Require that new development incorporate alternative modes of transportation, including transit, bicycling and walking, in order to reduce vehicle emissions. (Policy CO-8.2, Policy CO-8.4)
- Action CO-A121: Consider the provision of local housing for County employees to reduce commute travel time. (Policy CO-8.2)
- Action CO-A122: In conjunction with, or immediately following, preparation of the Greenhouse Gas Emissions Reduction/Climate Action Plan(s) for the County, require countywide departmental analysis of how predicted effects of climate change will affect responsibilities and resources of each department. Develop strategies and actions to addresses outcomes. (Policy CO-8.3, Policy CO-8.7). Timeframe: 2011/2012.
- Action CO-A123: Encourage incorporation of the County's Greenhouse Gas Emissions Plan/Climate Action Plan into a regional climate action plan. The regional plan should strive to achieve its fair-share contribution towards a minimum 80 percent reduction in regional greenhouse gas emissions by 2050. (Policy CO-8.9). Timeframe: 2011/2012.

3. Impacts and Mitigation Measures

This section evaluates significant impacts to global climate change that could result from implementation of the proposed Draft General Plan. Mitigation measures are identified as appropriate.

a. Significance Criteria. The recommended approach for GHG analysis included in OPR's June 2008 release is to (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/or mitigation measures to reduce the impact below significance.⁴³ Neither the CEQA statute nor Guidelines prescribe thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the lead agency.

The June 2008 OPR guidance provides some additional direction regarding planning documents as follows: "CEQA can be a more effective tool for greenhouse gas emissions analysis and mitigation if it is supported and supplemented by sound development policies and practices that will reduce greenhouse gas emissions on a broad planning scale and that can provide the basis for a programmatic approach to project-specific CEQA analysis and mitigation. ... For local government lead agencies, adoption of general plan policies and certification of general plan EIRs that analyze broad jurisdiction-wide impacts of greenhouse gas emissions can be part of an effective strategy for addressing cumulative impacts and for streamlining later project-specific CEQA reviews."

Pursuant to SB 97, OPR is in the process of developing guidelines for analysis of the effects of greenhouse gas emissions. As part of this process, OPR has asked CARB technical staff to recommend Statewide interim thresholds of significance for greenhouse gases. CARB released a

⁴³ California, State of, 2008. Governor's Office of Planning and Research. *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*. June 19.

preliminary draft staff proposal in October 2008 that included initial suggestions for significance criteria related to industrial, commercial and residential projects. The CARB anticipates adopting the proposal in March 2009 to allow coordination with OPR's efforts on global climate change.

In April 2009, proposed CEQA Guideline amendments released by OPR included the following direction regarding determination of significant impacts from GHG emissions (Section 15064.4):

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

- (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; or
- (2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency may consider the following when assessing the significance of impacts from greenhouse gas emissions on the environment:

- (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
- (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

CEQA Guidelines Section 15064(b) provides that the "determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further, states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

Some policy makers and regulators suggest that a zero emissions threshold would be appropriate when evaluating GHGs and their potential effect on climate change. Such a rule appears inconsistent with the State's approach to mitigation of climate change impacts. AB 32 does not prohibit all new GHG emissions; rather, it requires a reduction in State-wide emissions to a given level. Thus, AB 32 recognizes that GHG emissions will continue to occur; increases will result from certain activities, but reductions must occur elsewhere.

While individual projects in Yolo County are unlikely to measurably affect global climate change, each of these projects incrementally contribute toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects. This EIR analyzes whether the Draft General Plan's emissions should be considered cumulatively significant.

At this time, as a matter of policy and for the purposes of environmental analysis of the proposed General Plan, Yolo County is treating GHG emissions associated with new growth as a significant impact. Accordingly, for purposes of this analysis, the Draft General Plan would result in significant adverse impacts on global climate change if it would:

- Result in significant adverse physical impacts as a result of increases in greenhouse gases (GHGs);
- Result in significant adverse physical impacts from the effects of global climate change on existing and future planned land uses in the County;
- Substantially conflict with applicable plans, policies and regulations of other agencies adopted for the purpose of avoiding or mitigating an environmental effect, and;
- Result in new policies that would result in significant adverse physical impacts as compared to the 1983 General Plan policies.

b. Impacts Analysis. The following section provides an evaluation and analysis for the potential impacts of the Draft General Plan for each of the criteria of significance listed above.

(1) Increase in GHG Emissions. Emissions estimates for the proposed Draft General Plan are discussed below. GHG emissions estimates are provided herein for informational purposes only, as there is not yet an established quantified GHG emissions threshold. Bearing in mind that CEQA does not require "perfection" but instead "adequacy, completeness, and a good faith effort at full disclosure," the analysis below is based on methodologies and information available to the County at the time this EIR was prepared. Estimation of GHG emissions in the future does not account for all changes in technology that may reduce such emissions; therefore, the estimates are based on past performance and represent a scenario that is believed to be worse than that which is likely to be encountered (after energy-efficient technologies have been implemented). While information is presented below to assist the public and the County's decision makers in understanding the Draft General Plan's potential contribution to global climate change impacts, the information available to the County is not sufficiently detailed to allow a direct comparison between particular Plan characteristics and particular climate change impacts, nor between any particular proposed mitigation measure and any resulting reduction in climate change impacts.

Development associated with the Draft General Plan would generate GHG emissions, with the majority of energy consumption (and associated generation of GHG emissions) occurring during the project's operation (as opposed to its construction). For urban development, typically more than 80 percent of the total energy consumption takes place during the use of buildings and other facilities, and less than 20 percent is consumed during construction.⁴⁴

⁴⁴ United Nations Environment Programme (UNEP), 2007. *Buildings and Climate Change: Status, Challenges and Opportunities*, Paris, France.

GHG emissions associated with the project would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related vehicular trips and stationary source emissions, such as natural gas used for heating. Recognizing that the field of global climate change analysis is rapidly evolving, the approaches advocated most recently indicate that lead agencies should calculate, or estimate, emissions from vehicular traffic, energy consumption, water conveyance and treatment, waste generation, construction activities, and any other significant source of emissions within the Draft General Plan area. Approximately 88 percent of unincorporated Yolo County is designated for agricultural uses, and as such, GHG emissions associated with agricultural activities are also included in this section.

GHG emissions generated by the Draft General Plan would predominantly consist of CO₂. In comparison to criteria air pollutants, such as ozone and PM₁₀, CO₂ emissions persist in the atmosphere for a substantially longer period of time. While emissions of other GHGs, such as CH₄, are important with respect to global climate change, emission levels of other GHGs are less dependent on the land use and circulation patterns associated with the proposed land use development project than are levels of CO₂. The potential effects related to growth occurring at build-out of the Draft General Plan were compared to environmental baseline conditions (i.e., existing conditions) to determine global climate change impacts.

Greenhouse Gas Emissions and Methodology. The GHG emissions methodology presented below includes construction emissions in terms of CO₂, and annual CO₂eq GHG emissions from increased energy consumption, water usage, solid waste disposal, as well as estimated GHG emissions from vehicular traffic that would result from implementation of the Draft General Plan. Overall, the following activities associated with the Draft General Plan could directly or indirectly contribute to the generation of GHG emissions:

Construction Activities. Construction activities, such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew, of individual projects related to the Draft General Plan will produce combustion emissions from various sources. During construction of the project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO₂, CH₄, and N₂O. Furthermore, CH₄ is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

Using the URBEMIS 2007 model, it is estimated that the average daily CO₂ emissions associated with construction equipment exhaust for the proposed project would be approximately 6,865 metric tons for each year within the timeframe of the Draft General Plan. The estimates are based on residential, commercial and industrial growth and assumes an even distribution of General Plan development over 20 years (i.e., 1/20th of the total development occurs in each year with equal construction phasing in each year). Commercial and industrial square footage was estimated using the additional acreage and maximum floor-area ratio (FAR) for each land use type. Model output sheets are included in Appendix D.

The project would be required to implement the construction exhaust control measures listed in Mitigation Measure AIR-1 of Section IV.D, Air Quality. This measure would reduce GHG emissions during the construction period.

Motor Vehicle Use. Transportation associated with the Draft General Plan would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips. Mobile sources (vehicle trips and associated miles traveled) would be the largest emission source of GHGs associated with the proposed project. Transportation is also the largest source of GHG emissions in California and represents approximately 38 percent of annual CO₂ emissions generated in the State. For land use development projects, vehicle miles traveled (VMT) and vehicle trips are the most direct indicators of GHG emissions associated with the Draft General Plan. CO₂ and CH₄ emissions were estimated using VMT data developed by Fehr & Peers and EMFAC 2007; estimates of N₂O were based on EPA emission factors.

Energy Use. Buildings represent 39 percent of U.S. primary energy use and 70 percent of electricity consumption.⁴⁵ The Draft General Plan would increase the demand for electricity and natural gas due to the increased commercial and industrial square footage, number of employees and number of single- and multi-family residences allowed under the Plan. Natural gas use results in the emissions of two GHGs: CH₄ (the major component of natural gas) and CO₂ from the combustion of natural gas. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy intensive. Preliminary estimates indicate that the total energy used to pump and treat this water exceeds 6.5 percent of the total electricity used in the State per year.⁴⁶

Greenhouse gas emissions related to electricity consumption were calculated based on data provided by the Energy Information Administration. Propane is also used for home and water heating in areas of the County without access to natural gas. However, propane is largely an unregulated fuel and the State does not collect data on sales or usage.⁴⁷ Propane is supplied to the County by various propane suppliers, including Viking Propane, Suburban Propane, Amerigas, Sheldon Gas, Allied Propane, and Capitol City Propane. For many of the propane suppliers, data regarding amount of propane sold to users in Yolo County is not readily available. Viking Propane estimates that they sold 930,000 gallons of propane in 2008, and Suburban Propane estimates they sold approximately 700,000 gallons of propane in 2008. These rough estimates indicate that more than 1,630,000 gallons of propane were sold to residential, commercial, industrial, agricultural, and recreational users in the County.

Water Use. Water-related energy use consumes 19 percent of California's electricity every year.⁴⁸ Energy use and related GHG emissions are based on water supply and conveyance, water treatment, water distribution, and wastewater treatment. Water use estimates were based on usage

⁴⁵ United States Department of Energy. 2003. *Buildings Energy Data Book*.

⁴⁶ California Energy Commission (CEC), 2004. *Water Energy Use in California* (online information sheet) Sacramento, CA, August 24. Website: energy.ca.gov/pier/iaw/industry/water.html. Accessed July 24, 2007.

⁴⁷ California Energy Commission, 2009. Energy Almanac. Propane or Liquefied Petroleum Gas (LPG). <http://www.energyalmanac.ca.gov/propane/index.html>.

⁴⁸ California, State of, 2005. California Energy Commission. California's Water-Energy Relationship. November.

factors provided by the other studies in the Bay Area and the Pacific Institute.⁴⁹ Water use related to agricultural use is included in the estimates for agricultural GHG emissions, while the remaining municipal water use emissions are included under electricity production.

Solid Waste Disposal. Solid waste generated by the project could contribute to GHG emissions in a variety of ways. Average waste generation rates from a variety of sources are available from the California Integrated Waste Management Board.⁵⁰ Landfilling and other methods of disposal use energy for transporting and managing the waste and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH₄ from the anaerobic decomposition of organic materials. CH₄ is 25 times more potent a GHG than CO₂. However, landfill CH₄ can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere. To determine the net GHG emissions from landfilling, the CO₂eq emissions from CH₄ generation, carbon storage (treated as negative emissions), and transportation CO₂ emissions were considered. Approximately 88 percent of solid waste generated within Yolo County is disposed of at landfills within Yolo County and is taken to the Yolo County Central Landfill or the Esparto Convenience Center.⁵¹ The Yolo County Central Landfill is demonstrating an innovative landfill management strategy called "enhanced or controlled" landfilling to manage solid waste. Controlled landfilling accelerates the decomposition process of the waste and can provide reliable energy generation, as well as significant environmental benefits. The Yolo County Integrated Waste Management (IWM) Division is working with the state on a pilot program for an anaerobic "green waste" digester, which will also generate methane. Yolo County captures methane gas from the waste digestion at the landfill and uses it to generate approximately 2.5 megawatts of electricity.⁵² The gas collection system routes the gas to the plant where it is then burned in internal combustion engines or a flare. Greenhouse gas emissions are reduced by recovering landfill gas and offsetting fossil fuel use.

Agricultural Activities. Agriculture accounts for 88 percent of the unincorporated County land area and therefore agricultural activities and operations may be a significant contributor to greenhouse gas emissions. Agricultural activities contribute to emissions of greenhouse gases through a variety of processes, including direct emissions from the field (e.g., manure and soil management) in the form of nitrous oxide and methane, and carbon emissions from agricultural equipment and water-pumping systems. The estimates of greenhouse gas emissions related to agricultural activities are based on emissions from equipment exhaust, including harvesting equipment, emissions from fertilizer application and water use. Rice is produced in the northeast part of the county and in portions of the Yolo Bypass Wildlife Area; methane is produced during flooded rice cultivation by the anaerobic (lacking oxygen) decomposition of organic matter in the soil.⁵³

⁴⁹ Pacific Institute, 2003. *Waste Not, Want Not: The Potential for Urban Water Conservation in California*. November.

⁵⁰ California Integrated Waste Management Board, 2009. *Estimated Solid Waste Generation Rates*. <http://www.ciwmb.ca.gov/wastechar/wastegenrates/>.

⁵¹ California Integrated Waste Management Board, 2009. *Yolo County: Waste Outflows to Landfills in 2004*. Available at <http://www.ciwmb.ca.gov/LGCentral/Summaries/57/2004/Outflow.htm>.

⁵² Yolo, County of, 2009. *Climate Change*. Available at <http://www.yolocounty.org/Index.aspx?page=878#County%20Landfill>

⁵³ U.S. Environmental Protection Agency, 2006. *Methane Sources and Emissions*. October 19. <http://www.epa.gov/methane/sources.html>

Since above-ground vegetation in most agricultural systems is annual crops or does not accumulate large standing stocks (e.g., grazed pastures), soil carbon stock changes are the primary focus for agricultural land. Over the past decade, agricultural soils in the United States have acted as a small net sink of approximately 12 million metric tons of carbon per year, mainly due to improved soil management practices.⁵⁴ Concerns over rapidly increasing atmospheric CO₂ levels have prompted interest in soil carbon sequestration. However, the ability of conservation tillage systems to sequester carbon is still being debated.⁵⁵ Agricultural sinks are difficult to account and measure due to spatial variability, variation over time, the slow rate at which carbon might be sequestered and issues of how permanently carbon can be stored.

Natural Areas. Vegetation is important to global climate change, as it absorbs CO₂ from the atmosphere as part of the growing process. Forests and woodlands build up a carbon store in their trees, shrubs and soil, creating carbon "sinks". When cleared, much of the stored carbon is rapidly converted back into CO₂ and released to the atmosphere. Development of urbanized land allowed by the Draft General Plan would result in the changes to natural areas and agricultural lands that could change natural emissions sources and sinks.

While human-related CH₄ emissions are estimated to be 60 percent of the global total methane emissions, natural sources, such as wetlands, freshwater bodies, non-wetland soils, and wildfires, are also significant contributors. Wetlands have evolved as dynamic ecosystems, constantly changing due to the physical and chemical processes associated with floods, drought, and fire. Globally, wetlands cover only a small portion of the world's land surface, yet they are significant carbon stores.⁵⁶ Since wetlands, in particular peatlands, are significant carbon stores, conservation of wetlands needs to be considered in the development of climate change mitigation strategies.⁵⁷ Conversion and degradation of wetlands releases carbon and methane into the atmosphere in large quantities.

The California Department of Fish and Game (CDFG) manages approximately 16,770 total acres within the Yolo Bypass Wildlife Area. The Vic Fazio Yolo Bypass Wildlife Area is a public and private restoration project managed by the CDFG in consultation with the Yolo Basin Foundation. Managed wetlands in the Yolo Bypass Wildlife Area are now enclosed by levees and berms, and flooded with water from irrigation systems.⁵⁸ The Yolo Bypass provides flood conveyance for the high flows from several northern California waterways to the Sacramento-San Joaquin River Delta. Whereas natural wetland hydrology was very dynamic, flooding cycles for wetlands can be made predictable through strategic and innovative management. Permanent wetlands are flooded year round; seasonal wetlands are drained April 1st and flooded September 1st of each year.⁵⁹ The management of productive wetland habitat requires not only water management, but also periodic soil

⁵⁴ Pew Center on Global Climate Change, 2006. *Agriculture's Role in Greenhouse Gas Mitigation*. September.

⁵⁵ Dolliver, Holly A.S., 2008. *Effect of Tillage and Nutrient Sources on Soil Organic Carbon Fluxes and Storage*. Paper 70-3 at 2008 Joint Meeting of The Geological Society of America, Soil Science Society of America, American Society of Agronomy, Crop Science Society of America, Gulf Coast Association of Geological Societies with the Gulf Coast Section of SEPM. October.

⁵⁶ Bergkamp, Ger and Brett Orlando, 1999. *Wetlands and Climate Change*. October.

⁵⁷ Ibid.

⁵⁸ California, State of. Department of Fish and Game, 2007. *Yolo Bypass Wildlife Area - Land Management Plan*.

⁵⁹ Ibid.

and vegetation disturbances. In addition to seasonal and permanent wetlands, the Yolo Bypass Wildlife Area includes annual grasslands, riparian scrub and woodlands, vernal pools, and row crop-seasonal wetlands. The primary row crop is rice, but other crops, including grains, are also produced across the northern and central portions of the Yolo Bypass Wildlife Area.⁶⁰

There are approximately 14,855 acres of wetlands in Yolo County. Significant areas of seasonal wetland and marsh communities are found in the Yolo Basin, including the Yolo Bypass Wildlife Area, private lands in the southern panhandle, the Conaway Ranch north of Interstate 80, and the City of Davis Wetlands. Additional wetland habitats are found at the recently restored Roosevelt Ranch Preserve east of Zamora and in several other isolated locations throughout the central and eastern portions of the County. The Bay Delta Conservation Plan has a number of policies and actions that will affect the amount of wetlands in the region, including restoration of freshwater tidal wetlands in the Cache Slough complex and tidal marsh habitat in the west Delta.

This flooding of land will increase CO₂ storage as organic matter, but it may also increase CH₄ emissions, depending on how close the water table is to the soil surface.⁶¹ While few estimates are available, carbon storage rates will initially be rapid after inundation with water, then slow over time. The CO₂ sink that is created by establishing a wetland may be offset by increased methane emissions because inundation will cause some of the decomposed carbon to be released as methane. The actual amount of emitted methane will depend on the degree of inundation and on whether other oxidants are present. Given the uncertainties that exist about carbon storage rates and methane emission changes related to regional wetlands, GHG emissions were not estimated for these natural sources, but would nevertheless be a factor in overall GHG emissions along with other sources.

Greenhouse Gas Emissions. Using the methodologies described above, in this section GHG emissions estimates are provided for the existing conditions and the buildout of the Draft General Plan.

Existing Conditions. Under CEQA, the significance determination must focus on changes to the existing physical environment.⁶² The analysis must consider the existing physical environment and measure the impacts of its project against the current conditions. Table IV.F-2 provides an estimate of current GHG emissions within unincorporated Yolo County.

Agricultural activities, including fertilizer application, off-road equipment, and irrigation activities, account for the largest source of GHG emissions under existing conditions and account for 40 percent of the total inventory. Estimates are based on enteric fermentation and manure management of livestock, nitrogen fertilizer application, rice harvesting, water and off-road equipment usage. There are additional emissions that could occur from soil management or burning of agricultural biomass, but information related to these activities is not readily available or easily quantified. Estimates do not assume any carbon sequestration that would occur from plants and trees on agricultural lands. Carbon storage would reduce the overall agricultural emissions, but there are questions about how permanent carbon storage would be in agricultural crop (i.e., harvesting of annual crops could release stored carbon).

⁶⁰ Ibid.

⁶¹ Intergovernmental Panel on Climate Change (IPCC), 2001. *Special Reports on Climate Change. Fact Sheet 4.18. Restoration of Former Wetlands.*

⁶² See, e.g., Pub. Res. Code, § 21060.5; 14 Cal.Code Regs. §§ 15002 (g); 15125 (e), 15126.2 (a), 15360.

Table IV.F-2: Yolo County - Existing Greenhouse Gas Emissions

Emission Source	Emissions (Metric Tons Per Year)				Percent of Total
	CO ₂	CH ₄	N ₂ O	CO ₂ eq	
Agriculture	--	--	--	879,977	47.8%
Vehicles	119,184	13.24	13	123,390	6.7%
Electricity Production	500,000	6	3	501,030	27.2%
Natural Gas Combustion	320,000	6	6	320,000	17.4%
Propane	--	--	--	9,444	0.5%
Solid Waste	--	--	--	2,400	0.1%
Wastewater	--	--	--	11	0.0%
Other Area Sources	6,231	--	--	6,231	0.3%
Total Annual Emissions	945,420	25	22	1,842,480	100.0%

Note: Numbers in table may not appear to add up correctly due to rounding.

-- Estimates not available for this pollutant and/or category.

Source: LSA Associates, Inc., February 2009.

Energy use, including electricity and natural gas, is a significant source of emissions (22 percent) and was calculated with data available through the California Energy Commission.⁶³ In 2007, Yolo County used approximately 1.744 million kWh of electricity and 59.84 million therms of natural gas countywide (cities and unincorporated area).⁶⁴ As mentioned above, water use results in the use of electricity; Yolo County uses approximately 915,000 acre-feet of water annually for agricultural and municipal purposes.⁶⁵ Based on DWR data, the unincorporated County uses approximately 790,000 acre-feet of water annually for agricultural uses.

Motor vehicle emissions are based on trip generation estimates and vehicle miles traveled (VMT). Vehicle-related emissions are approximately 7 percent of the unincorporated county-wide emissions and represent the second largest GHG emissions source; consistent with statewide estimates of transportation-related emissions. Vehicle emissions are based on estimates in the unincorporated portion of the county only. The rural and agricultural nature of the unincorporated area in Yolo County explains why transportation-related emissions are so much lower than the state percentage (38 percent) of total emissions.

Draft General Plan. The Draft General Plan would generate up to 300,910 metric tons of CO₂eq per year of new emissions over existing conditions, as shown in Table IV.F-3. Agricultural activities, including fertilizer application, off-road equipment, and irrigation activities, account for the largest source of GHG emissions under existing conditions and in the future with the Draft General Plan. Energy use, including electricity and natural gas, is the second most significant source of emissions and was estimated based on per capita usage rates.

⁶³ California Energy Commission, 2009. *Electricity Consumption by County*.
<http://www.ecdms.energy.ca.gov/elecbycounty.asp>. *Natural Gas Consumption by County*.
<http://ecdms.energy.ca.gov/gasbycounty.asp>.

⁶⁴ Ibid.

⁶⁵ Water Resources Association of Yolo County, 2007. *Integrated Regional Water Management Plan*. April.

Table IV.F-3: Yolo County – 2030 Draft General Plan Greenhouse Gas Emissions

Emission Source	Emissions (Metric Tons Per Year)				Percent of Total	Net Change
	CO ₂	CH ₄	N ₂ O	CO ₂ eq		
Construction	--	--	--	6,865	0.3%	6,865
Agriculture	--	--	--	885,432	41.3%	5,456
Vehicles	248,299	6.6	33	258,300	12.1%	134,910
Electricity Production	580,000	6.4	3.5	581,200	27.1%	80,170
Natural Gas Combustion	380,000	7.3	7	380,000	17.7%	60,000
Propane	--	--	--	9,444	0.4%	0
Solid Waste	--	--	--	3,200	0.1%	800
Wastewater	--	--	--	24	0.0%	13
Other Area Sources	18,928	--	--	18,928	0.9%	12,696
Total Annual Emissions	1,227,200	20	44	2,143,390	100.0%	300,910

Note: Numbers in table may not appear to add up correctly due to rounding.

-- Estimates not available for this pollutant and/or category.

Source: LSA Associates, Inc., February 2009.

It is interesting to note that agriculture in the County comprises 88 percent of the unincorporated land but is projected to generate only 41 percent of the total future (2030) GHGs, whereas at build-out urban and other land uses will occupy 12 percent of the land and generate 59 percent of the GHGs. On a per acre basis agriculture in Yolo County is projected to generate 1.6 CO₂eq per acre⁶⁶, and all other uses are projected to generate 16.4 CO₂eq per acre⁶⁷.

Emissions from agricultural and other off-road equipment are controlled by the federal and state government. While they do not mandate implementation, Policy CO-8.5 and Actions AG-A4 and G-A10 in the Draft General Plan could reduce GHG emissions related to agricultural production by supporting carbon efficient farming methods and other climate change strategies. Environmental problems from agricultural activities can be related to inefficient use of resources. For example, more efficient nitrogen fertilizer use can reduce emissions and impacts on global climate change.

The Draft General Plan includes a number of goals, policies, and actions that address energy efficiency, including measures to encourage energy conservation, efficiency, and green design in new construction and existing buildings CC-4.4, CC-4.7, CC-4.8, CC-4.11, CC-4.13, CC-4.14, CO-7.3, CO-7.4, CO-7.6, CO-7.9, and CO-7.10, use of alternative energy sources (CC-4.5, CC-4.6, and CO-7.3), and reduction of energy consumption: CC-2.3; CC-2.5; CC-2.6; CC-2.7; CC-2.16; CC-4.1; CC-4.4; CC-4.5; CC-4.6; CC-4.7; CC-4.8; CC-4.9; CC-4.10; CC-4.11; CC-4.12; CC-4.13; CC-14; CI-1.3; CI-2.1; CI-2.2; CI-2.3; CI-5.1; CI-5.5; CI-5.6; CI-5.8; CI-5.9; CI-5.12; CI-5.15; CI-6.4; CI-6.5; CI-6.6; CI-6.11; ED-5.1; PF-9.4; PF-10.1; PF-10.2; PF-10.3; CO-5.2; CO-7.1; CO-7.2; CO-7.3; CO-7.4; CO-7.5; CO-7.6; CO-7.7; CO-7.8; CO-7.9; and CO-7.10.

In order to reduce emissions from area sources, the Draft General Plan includes Action CO-A108, which would prohibit wood-burning fireplaces in new residential developments. At present, there is a

⁶⁶ Agriculture: 885,432 CO₂eq ÷ 544,723 acres = 1.6

⁶⁷ All other land uses: 2,143,390 CO₂eq – 885,432 CO₂eq = 1,257,961; 621,224 acres – 544,723 acres = 76,501 acres; 1,257,958 CO₂eq ÷ 76,501 acres = 16.44

federal ban on CFCs; therefore, it is assumed the project would not generate emissions of CFCs. The project may emit a small amount of HFC emissions from leakage and service of refrigeration and air conditioning equipment and from disposal at the end of the life of the equipment. However, the details regarding refrigerants to be used within the County are unknown at this time.

Motor vehicle emissions increase in 2030 over existing conditions. The greenhouse gas emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of Yolo County. Future emissions could be reduced beyond the levels presented in Table IV.F-3 taking into account AB 1493 standards (commonly called Pavley I) for GHG emissions and implementation of other vehicle exhaust controls proposed in the AB 32 Scoping Plan. There could be a reduction of 14 percent in the CO₂ emissions related light-duty vehicles (based on total statewide reductions of 31.7 million metric tons of the approximate 227 tons from the transportation sector) from Pavley II. In addition, the Scoping Plan includes the implementation of a Low Carbon Fuel Standard that will reduce GHG emissions from passenger vehicles by 10 percent.

The Yolo County Transportation District (YCTD) operates YOLOBUS, which serves the residents of Yolo County and provides regional, intercity, and local fixed-route services throughout the County. The Yolo Transportation Management Association (TMA) sponsors carpools and vanpools that operate within Yolo County and to/from surrounding areas. Yolo County has four park-and-ride facilities to provide a place for commuters in single-occupant vehicles to transfer to public transit or carpools.

Emissions from project-related vehicles would be reduced by implementation of the Draft General Plan goals, policies, and actions. Policy CC-3.3 will help to reduce some long distance travel. In addition, the Draft General Plan specifies basic local services in each planned development area to support the anticipated population, which would also reduce longer distance travel and encourage non-automotive travel. The Draft General Plan includes the following policies and actions designed to reduce vehicle miles traveled and vehicle-related greenhouse gas emissions: CI-1.3, CI-2.2, CI-2.3, CI-3.1, CI-3.6, CI-3.8, CI-4.1, CI-4.2, CI-4.3, CI-4.4, CI-5.1, CI-5.2, CI-5.4, CI-5.5, CI-5.6, CI-5.8, CI-5.9, CI-5.11, CI-5.12, CI-5.13, CI-5.14, CI-5.15, CI-5.16, CI-6.1, CI-6.2, CI-6.3, CI-6.4, CI-6.5, CI-6.6, CI-6.7, CI-6.8, CI-6.9, CI-6.10, CI-6.11, CI-6.12, CO-6.3, and CO-A101.

The VMT for the unincorporated area of Yolo County is estimated to be 83 miles generated per household per weekday under 2005 conditions. The unincorporated areas of Yolo County are rural and have limited services and employment for residents in each town and community. Given these conditions in the unincorporated areas, residents need to travel to the cities for work, shopping, recreation, and other services or activities. Assuming Yolo County continues to develop in a manner similar to current patterns, it is estimated that the weekday VMT generated per household in unincorporated Yolo County would continue to be 83 miles under business-as-usual conditions.

To minimize the regional emissions associated with the effects of the new traffic growth in the Draft General Plan, a new policy has been recommended to require a maximum threshold of 44 VMT generated per household per weekday in Dunnigan and strive to achieve this threshold in the other Specific Plan areas. Section IV.C, Transportation and Circulation contains an analysis and discussion of the measures identified to reduce VMT. The specific plan areas are designed to have a land use pattern and transportation system representative of a mature and sustainable community similar to that of Davis. The Draft General Plan provides policies to ensure that in these communities, residents

will have multiple choices for travel, such as transit, bicycling, and walking, which is important to note since the VMT threshold is not intended to reduce personal mobility, but instead increase travel choices through both land use and transportation actions. Implementation of Mitigation Measure CI-1 that recommends a new policy to establish a maximum VMT threshold in Dunnigan and a maximum VMT goal in the other specific plan areas would also reduce the consumption of energy and greenhouse gas emissions leading to global climate change.

The Draft 2030 General Plan includes policies that are intended to create sustainable towns and communities with a balance, match, and phasing of jobs and housing similar to other mature communities in the County. By creating full-service communities with the appropriate balance of jobs and housing designed around sustainable principles, the Draft General Plan will help reduce VMT and greenhouse gas emissions, not just for new growth but for existing development as well. Implementation of Policy CC-3.3 as revised by Mitigation Measure LU-4 would ensure that jobs are created concurrent with housing during the phases of development through a monitoring program would also reduce the estimated VMT. Instead of the estimated VMT of 83 miles generated per household per day for the unincorporated County under a business-as-usual scenario by Year 2035, planned for growth under the Draft General Plan is expected to result in communities that can achieve much lower levels of VMT.

Impact GCC-1: Build-out of the Draft General Plan would result in greenhouse gas emissions that would have a significant physical adverse impact and cumulatively contribute to global climate change. (S)

Mitigation Measure GCC-1a: Implement Mitigation Measures LU-4c and CI-1a and CI-1b.

While implementation of the policies and actions included in the Draft General Plan would reduce the severity of the impact on global climate change, no additional mitigation measures are available to reduce this impact to a less-than-significant level. This impact is considered significant and unavoidable. (SU)

(2) Impacts to the Proposed Project from Global Climate Change. Local temperatures could increase in time as a result of global climate change, with or without development as envisioned by the Draft General Plan. This increase in temperature could lead to other climate effects including, but not limited to, increased flooding due to increased precipitation and runoff, drought conditions, a reduction in the Sierra snowpack, and a reduction in agricultural productivity.

The California Legislature has declared the Sacramento-San Joaquin Delta, consisting of approximately 738,000 acres, as a natural resource of statewide, national, and international significance. The Delta Protection Act was signed into law in 1992 and directs the Delta Protection Commission to prepare a comprehensive resource management plan for land uses within the Primary Zone of the Delta. The Primary Zone of the Delta includes approximately 500,000 acres of waterways, levees and farmed lands extending over portions of Solano, Yolo, Sacramento, San Joaquin and Contra Costa counties.⁶⁸

⁶⁸ Delta Protection Commission, 2002. *Land Use and Resource Management Plan for the Primary Zone of the Delta*. May. Available at <http://www.delta.ca.gov>.

The goals of the Delta Plan as set out in the Act are to “protect, maintain, and where possible, enhance and restore the overall quality of the Delta environment, including but not limited to agriculture, wildlife habitat, and recreational activities; assure orderly, balanced conservation and development of Delta land resources and improve flood protection by structural and nonstructural means to ensure an increased level of public health and safety.”

The location of the Delta along the southern border of Yolo County could expose some areas within the County to coastal hazards arising from global climate change, such as sea level rise. While estimates vary, sea level is expected to rise an additional 22 to 35 inches by the 2100.⁶⁹ As with other topics related to global climate change, the actual physical impact of sea level rise has many uncertainties. A report by the Pacific Institute and the Stockholm Environment Institute showed that the area of Draft General Plan in Yolo County would not be affected by a 1-meter (approximately 39 inch) rise in sea level.⁷⁰ Additional mapping resources related to sea level rise were reviewed, and the conclusions were not consistent. As shown in Figure IV.F-1, the USGS projected sea level rise by 2100 would impact areas in the southeastern portion of Yolo County.

Implementation of Draft General Plan Action HS-A17 would require the County to “coordinate with local, State and federal agencies to define existing and potential flood problem areas, including the possible impacts associated with global climate change, and to maintain and improve levees and other flood control features.” With implementation of this Action, potential impacts related sea level rise may be partially addressed, but complete mitigation cannot be assured. As discussed in Section IV.K Hydrology and Water Quality, sea level rise is not enough to compromise existing levees; however it may lead to additional backwater flooding in the event of storm-induced flooding in the southern portion of the county. New development under the Draft General Plan would allow new construction in flood zones, including within the 100-year flood hazard boundary, and would increase the number of people and structures subject to flood risks. Without work to improve existing levees, construction standards will be required in order to mitigate the risk of flood hazards for new development in Yolo County’s floodplain.

Water supplies are also at risk from rising sea levels. Saltwater intrusion would threaten the quality of estuaries, wetlands, and fresh water supplies in the Delta. There are currently no reliable estimates of the possible impacts of saltwater intrusion into freshwater areas of California. Continued global warming will increase pressure on California’s water resources. The 2007 Integrated Regional Water Management Plan (IRWMP) serves as an update to the County’s 1992 water management plan, addressing major topics such as water supply, water quality, flood management, enhancement of aquatic and riparian habitat, and improvement of the County’s recreational opportunities.

Hydrology throughout Yolo County is dependent on the interaction between the snowpack, runoff, and management of reservoirs. Detailed estimates of changes in runoff as a result of climate change have been produced for California using regional hydrologic models.⁷¹ Runoff is directly affected by

⁶⁹ California Climate Change Center, 2006. *Our Changing Climate. Assessing the Risks to California*. CEC-500-2006-077. July.

⁷⁰ Gleick, P.H. and E.P. Maurer. *Assessing the Costs of Adapting to Sea-Level Rise: A Case Study of San Francisco Bay*. Originally Published on April 18, 1990. Reformatted on February 17, 2004. Sea level rise map available at http://www.pacinst.org/reports/sea_level_rise/Fig8-13_lg.pdf.

⁷¹ California, State of. Department of Water Resources, 2006. *Progress on Incorporating Climate Change into Management of California’s Water Resources*. July

changes in precipitation and snowpack. Studies indicate that increased temperatures could result in a greater portion of peak streamflows occurring earlier in the spring with decreases in late spring and early summer.⁷² Data over the past 100 years indicate that annual runoff amounts have not changed for Sacramento Valley rivers; however, runoff volume for late spring and early summer has declined by approximately 9 percent.⁷³ While overall precipitation volumes and runoff amount showed no change, more runoff occurred as a result of rain during the winter months, and less runoff from melting of the snowpack occurred during the spring and early summer. At the current time, the extent of climate change impacts is uncertain, and more extensive monitoring is necessary for greater understanding of changes in hydrologic patterns. These changes could have implications for water supply, flood management, and ecosystem health. Coping with the consequences of global warming could require major changes in water management. Policy CO-5.28 encourages implementation and regular update on the IRWMP. As more strategies and information emerge regarding water management in light of global warming, this will ensure that they are captured in the update of the IRWMP.

Expected changes in temperature and precipitation due to climate change could alter wetland hydrology, plant species composition, and biomass accumulation. Small changes in the balance between precipitation and evapotranspiration can alter groundwater level by a few centimeters, which can significantly reduce the size of wetlands and shift wetland types. Some management measures can be applied to specific locations to increase the resilience of the local ecosystem or to partially compensate for negative impacts. Development setbacks for wetlands, using water-control structures to enhance ecosystem function, and protection and allocation of water needed for ecosystem health are potential management measures.

Levees along the Sacramento River, Yolo Bypass, and Cache Creek are currently being evaluated to determine whether they meet either the 100-year or 200-year flood standard. Several policies and actions of the Draft General Plan, including LU-3.8, HS-2.5, CO-2.29, HS-A4, HS-A7, HS-A10, HS-A13 would minimize direct flood-related impacts associated with new development. By 2012, the California Department of Water Resources will develop a Central Valley Flood Protection Plan that includes actions to improve integrated flood management and considers the expected impacts of climate change.⁷⁴

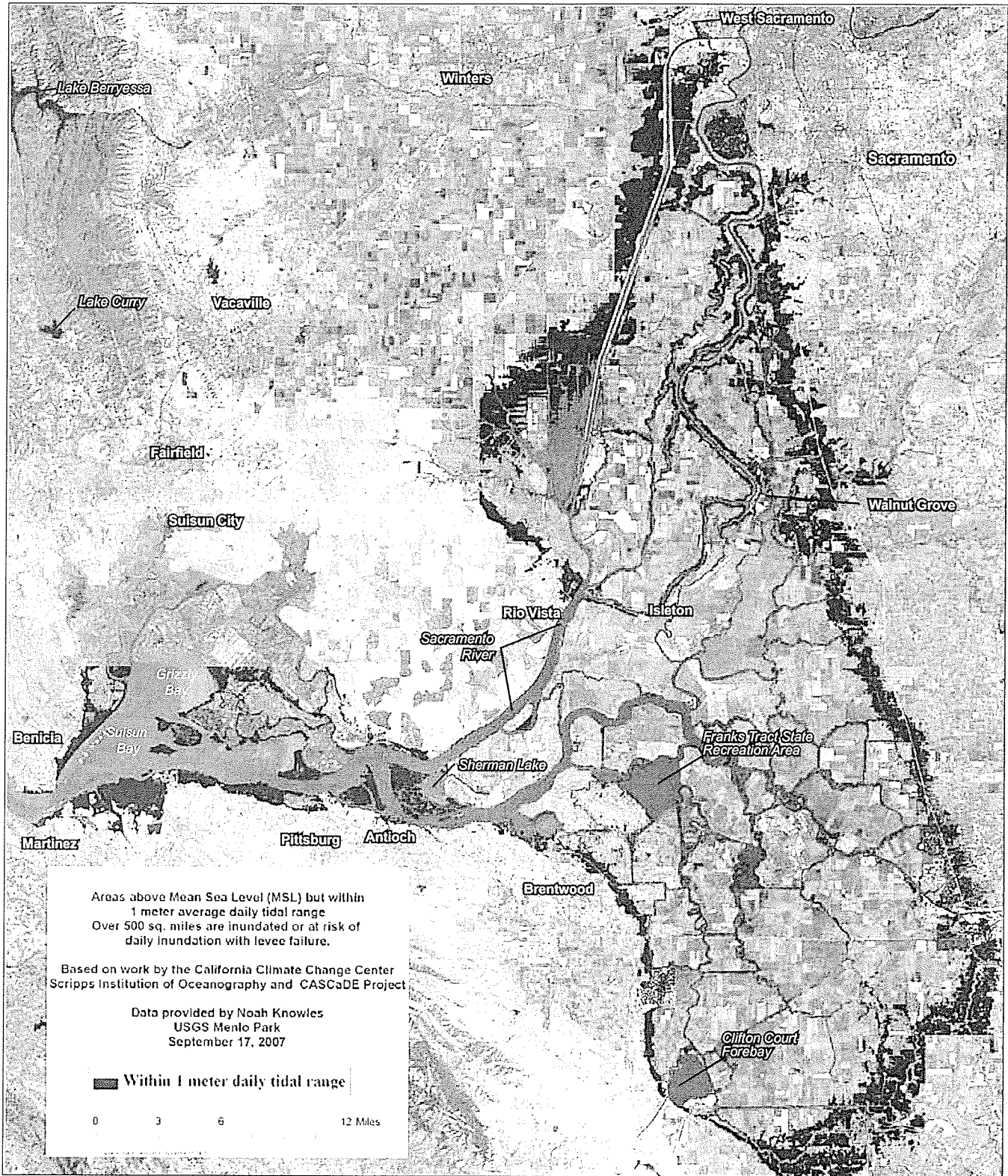
Climate change will also affect water demand. Warmer temperatures, combined with changes in rainfall and runoff patterns will worsen frequency and intensity of droughts. The majority of domestic water supply in the County is obtained from groundwater resources. While groundwater is used as the domestic water supply in unincorporated Yolo County, nearly all of the surface water is used for agricultural irrigation. Farmers rely on surface water for approximately 60 percent of their supply in a normal year, but rely more heavily on groundwater during drought years.⁷⁵ Regions that rely upon surface water (rivers, streams, and lakes) could be particularly affected as runoff becomes more variable and more demand is placed on groundwater. See Section IV.H, Utilities and Energy for a discussion of water capacity and demand associated with build-out of the Draft General Plan.

⁷² US Global Change Research Program. 2001. *Climate Change Impacts on the United States: The Potential Consequences of Climate Variability and Change*.

⁷³ California, State of. Department of Water Resources, 2006. *Progress on Incorporating Climate Change into Management of California's Water Resources*. July

⁷⁴ California, State of. Department of Water Resources, 2008. *Managing an Uncertain Future. Climate Change Adaptation Strategies for California's Water*. October.

⁷⁵ Water Resources Association of Yolo County, 2007. *Integrated Regional Water Management Plan*. April.



LSA

FIGURE IV.F-1



Yolo County 2030 Countywide
 General Plan EIR
 USGS Projected 2100 Sea Level Rise

California's water supply system is capable of adapting to significant changes in climate and population, though it may occur with a significant cost. Adoption of new technology, coordinated operation of reservoirs, improved weather, runoff and flow forecasting, and intergovernmental cooperation can help California and Yolo County adapt to global climate change and continue to supply water.

The long-term performance and management of California's water system and impacts of climate change can also significantly alter agricultural production in Yolo County. The County has approximately 544,723 acres of agricultural land. Under the driest climate warming scenarios, agricultural users could be vulnerable to climate change, including increased water demand due to higher temperatures, extended growing seasons, and increased evapotranspiration. Under the wetter scenarios, flooding and timing of runoff can also create significant impacts. Global climate change could create production losses for some of the most important crops in Yolo County including tomatoes, hay (alfalfa), grapes (wine), rice, seed crops, almonds, organic production, walnuts, cattle and calves, and wheat. This EIR assumes a loss of over 9,072 acres of agricultural land as a result of conversion to non-agricultural uses, including urban and roadway uses, open space, and trails. Additional changes in crop type and location may be required to adapt to global climate change. UC Davis is currently completing an analysis of agricultural adaptation to climate change in the Central Valley with a specific focus on Yolo County.⁷⁶ The report, when completed, will address mitigation and adaptation issues for crop production, water resources, agricultural economics, land use change, and biodiversity. Initial information indicates that some of the primary warm-season horticultural crops (e.g., tomatoes) will be less viable in Yolo County by 2050. Higher temperatures will likely decrease yields of walnuts and table grapes. These impacts may prompt a shift to hot-season crops, such as melon and sweet potato, and other crops that are less sensitive to higher temperatures, such as almonds. Elevated CO₂ levels may have a very slight benefit on grain growth, but wheat, barley, corn, and rice will be vulnerable to heat waves during their reproductive phase, resulting in lower yields.

The Draft General Plan includes the policies listed in Appendix D to minimize the impact of global climate change. However, the impacts of global climate change (water supply, effects of flooding, etc.) will be statewide in scope and cannot be fully mitigated by policies and actions included in the Draft General Plan.

Impact GCC-2: While uncertainty exists in the degree to which the effects of climate change will occur, it is likely that significant adverse physical impacts from the effects of global climate change will occur on existing and future planned land uses in the County by 2030. (S)

Mitigation Measure GCC-2: None Available.

While implementation of the policies and actions included in the Draft General Plan would reduce the severity of the impacts on the County related to global climate change, no additional feasible mitigation measures are available to reduce this impact to a less-than-significant level. This impact is considered significant and unavoidable.

⁷⁶ Jackson et al., Agricultural Sustainability Institute. UC Davis, 2008. *Potential for Adaptation to Climate Change in an Agricultural Landscape in the Central Valley of California*. December.

(3) Conflict with Plans and Policies of Other Agencies. The California Environmental Protection Agency Climate Action Team (CAT) and the CARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 *Report to Governor Schwarzenegger and the Legislature*, CARB's 2007 *Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California*, and CARB's *Climate Change Proposed Scoping Plan: a Framework for Change*.

The reports identify strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05 and AB 32. Table IV.F-4 summarizes those strategies that may be applicable to the Draft General Plan and assesses how the Draft General Plan or other County efforts comply with those strategies.

The Draft General Plan would implement appropriate GHG reduction strategies and would not conflict with or impede implementation of reduction goals identified in AB 32, the Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the State.

(4) Result in Adverse Impacts from Draft General Plan Policies Compared to 1983 General Plan Policies. The 1983 General Plan does not contain any policies or programs that explicitly address greenhouse gas emissions or global climate change. Based on a review of the 1983 General Plan policies in the Agriculture, Open Space and Recreation, and Housing elements, it is determined that the new policies that would have a beneficial effect on global climate change are considerably more rigorous than those in effect under the 1983 General Plan. In general, the goals, policies and actions in the Draft General Plan would provide more stringent environmental protection and greater accountability in the regulation of activities that cause greenhouse gas emissions than the policies of the 1983 General Plan. Implementation of the policies in the Draft General Plan in place of the 1983 General Plan would result in a beneficial impact related to global climate change as compared to the 1983 General Plan.

Table IV.F-4: Draft General Plan Compliance with GHG Emission Reduction Strategies

Scoping Plan Strategy	Draft General Plan Compliance
<i>Energy Efficiency Measures</i>	
<p>Energy Efficiency Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned utilities).</p> <p>Renewables Portfolio Standard Achieve a 33 percent renewable energy mix statewide.</p> <p>Green Building Strategy Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.</p> <p>Million Solar Roofs Program Install 3,000 MW of solar-electric capacity under California's existing solar programs.</p>	<p>Compliant. The Draft General Plan includes a number of goals, policies, and actions that address energy efficiency, including measures to encourage energy conservation, efficiency, and green design in new construction and existing buildings CC-4.4, CC-4.7, CC-4.8, CC-4.11, CC-4.13, CC-4.14, CO-7.3, CO-7.4, CO-7.6, CO-7.9, and CO-7.10, use of alternative energy sources (CC-4.5, CC-4.6, and CO-7.3), and reduction of energy consumption: CC-2.3; CC-2.5; CC-2.6; CC-2.7; CC-2.16; CC-4.1; CC-4.4; CC-4.5; CC-4.6; CC-4.7; CC-4.8; CC-4.9; CC-4.10; CC-4.11; CC-4.12; CC-4.13; CC-14; CI-1.3; CI-2.1; CI-2.2; CI-2.3; CI-5.1; CI-5.5; CI-5.6; CI-5.8; CI-5.9; CI-5.12; CI-5.15; CI-6.4; CI-6.5; CI-6.6; CI-6.11; ED-5.1; PF-9.4; PF-10.1; PF-10.2; PF-10.3; CO-5.2; CO-7.1; CO-7.2; CO-7.3; CO-7.4; CO-7.5; CO-7.6; CO-7.7; CO-7.8; CO-7.9; and CO-7.10.</p> <p>Solar power is utilized throughout the County. Since 2006, there have been more than 100 permits for residential solar installation.</p>
<i>Water Conservation and Efficiency Measures</i>	
<p>Water Use Efficiency Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.</p>	<p>Compliant. Policies in the Draft General Plan would reduce impacts associated with increased water demand by requiring new development to demonstrate adequate long-term water supplies (Policy CO-5.16), to use higher water efficiency (Policy CO-5.18), to use reclaimed wastewater, where feasible, to augment water supplies and to conserve potable water for domestic purposes (Policy CO-5.15), and to strive for water-neutral development (Policy CO-5.19). In addition, implementation of the Draft General Plan policies listed above would reduce impacts associated with the increased demand for water by encouraging a reduction of water use through water conservation techniques, educational programs, and conservation pricing strategies (Policies CO-5.5, CO-5.4, and CO-5.20), developing new reliable future sources of supply (Policies CO-5.2 and CO-5.11), using reclaimed wastewater to augment water supplies (Policy CO-5.15), striving to maintain the County's groundwater resources on a sustainable yield basis (Policy CO-5.3), and by developing plans for responding to droughts (Policy CO-5.10).</p>
<i>Industrial Sources</i>	
<p>Industrial Emissions Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce greenhouse gas emissions and provide other pollution reduction co-benefits. Reduce greenhouse gas emissions from fugitive emissions from oil and gas extraction and gas transmission. Adopt and implement regulations to control fugitive methane emissions and reduce flaring at refineries.</p>	<p>Compliant. The Draft General Plan includes a policy to use the development review process to achieve measurable reductions in greenhouse gas emissions (Policy CO-8.2).</p> <p>In addition, Yolo County will work with YSAQMD and CARB to encourage assessment of greenhouse gas emissions for any new or expanded industrial sources within the approval authority of CARB, YSAQMD, and the Yolo County government.</p>

Table IV.F-4 *Continued*

Scoping Plan Strategy	Draft General Plan Compliance
<i>Open Space and Agriculture</i>	
<p>Sustainable Forests Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation.</p>	<p>Compliant. The Draft General Plan includes policies and actions designed to preserve forest resources, including promotion of the use of oak woodlands conservation banks (CO-2.13), ensuring no net loss of oak woodlands, alkali sinks, rare soils, vernal pools or geological substrates that support rare endemic species (CO-2.14), promote GHG emission reductions by supporting carbon efficient farming methods (e.g. methane capture systems, no-till farming, crop rotation, cover cropping); installation of renewable energy technologies; protection of grasslands, open space, oak woodlands, riparian forest and farmlands from conversion to other uses; and development of energy-efficient structures (CO-8.5), and adopt urban forestry practices that encourage forestation as a means of storing carbon dioxide, with the goal of doubling the tree canopy in unincorporated communities by 2030. Use appropriate protocols to assess owner eligibility to sell carbon credits (Action CO-A118).</p>
<p>Agriculture In the near-term, encourage investment in manure digesters and at the five-year Scoping Plan update determine if the program should be made mandatory by 2020. There may be significant potential for additional voluntary reductions in the agricultural sector through strategies, such as increases in fuel efficiency of on-farm equipment, water use efficiency, and biomass utilization for fuels and power production. Increasing carbon sequestration, including on working rangelands, hardwood and riparian woodland reforestation, also hold potential as a greenhouse gas strategies.</p>	<p>Compliant. The Draft General Plan includes policies that will help to reduce overall GHG emissions related to agricultural production, including development of a local and/or regional conservation bank to provide credits associated with crops and/or land uses that sequester carbon or (Action AG-A4), working with the UC Cooperative Extension to develop technical assistance programs that may include: monitoring of changes in natural cycles; discouraging methane producing practices where feasible alternatives exist; encouraging methane recovery; and promoting farming practices that capture and store more carbon in the soil. (Action AG-A10, Policy AG-2.7, Policy AG-2.16), and reducing development restrictions for new and/or expanded agricultural processing, on-site agricultural sales, and bioenergy production (Action AG-A13).</p>
<i>Solid Waste Reduction Measures</i>	
<p>Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero-waste policies that would require manufacturers to design products to be fully recyclable may be necessary.</p>	<p>Compliant. Preliminary data available from the California Integrated Waste Management Board (CIWMB) indicates the unincorporated areas of Yolo County have met the 50 percent diversion rate since 2001. The most recent year of available data (2006) indicates that Yolo County has achieved a 74 percent diversion rate. In addition to achieving the diversion rate, the County recovers methane gas from the Central Landfill to generate electricity, thereby reducing overall GHG emissions</p>

Table IV.F-4 *Continued*

Scoping Plan Strategy	Draft General Plan Compliance
<i>Transportation and Motor Vehicle Measures</i>	
<p>Vehicle Climate Change Standards. AB 1493 (Pavley) required the State to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.</p> <p>Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are properly inflated can both reduce GHG emissions and improve fuel efficiency.</p> <p>Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization of and increased engine efficiency of vehicles.</p> <p>Low Carbon Fuel Standard. CARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California's transportation fuels by at least 10% by 2020.</p>	<p>Compliant. The Draft General Plan does not involve the manufacture, sale, or purchase of vehicles. However, vehicles operating within the County would comply with any vehicle and fuel standards that the CARB adopts.</p>
<p>Goods Movement Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.</p>	<p>Compliant. Yolo County is committed to improving efficiency of goods movement, particularly related to agricultural resources. The Agriculture Department in Yolo County has initiated an agricultural marketing program to reduce "food miles," and associated GHG emissions. The Draft General Plan includes the policies to achieve this goal, including supporting the development of local suppliers for agricultural goods and services, including small-scale and/or mobile processing facilities and distribution centers for locally produced foods. (AG-3.7), encouraging neighborhood grocery stores, farmers markets, community gardens and food assistance programs to increase their use of locally grown/prepared goods (AG-5.4), and promoting Yolo County businesses by encouraging residents and government agencies to obtain their goods and services locally (ED-5.5).</p>

Table IV.F-4 *Continued*

Scoping Plan Strategy	Draft General Plan Compliance
<p>Regional Transportation-Related Greenhouse Gas Targets. Develop regional greenhouse gas emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle greenhouse gas emissions reduction targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces greenhouse gases associated with vehicle travel.</p>	<p>Compliant. Yolo County currently coordinates planning efforts with SACOG and other regional agencies. CARB has not yet established regional transportation emission reduction targets per SB 375. The Draft General Plan includes policies and actions designed to reduce vehicle miles traveled, encourage and provide alternative modes of transportation, design complete streets, and reduce regional emissions (CI-1.3, CI-2.2, CI-2.3, CI-2.4, CI-3.1, CI-3.6, CI-3.8, CI-4.1, CI-4.2, CI-4.3, CI-5, CI-5.1, CI-5.2, CI-5.4, CI-5.5, CI-5.6, CI-5.8, CI-5.9, CI-5.11, CI-5.12, CI-5.13, CI-5.14, CI-5.15, CI-5.16, CI-6, CI-6.1, CI-6.2, CI-6.3, CI-6.4, CI-6.5, CI-6.6, CI-6.7, CI-6.8, CI-6.9, CI-6.10, CI-6.11, CI-6.12, CO-6.3, CO-6.4, CO-6.5, CO-A101). In addition, Mitigation Measures CI-1, CI-2, CI-3, and CI-4 are proposed to limit VMT growth in the specific plan areas of Yolo County.</p>
<i>Other</i>	
<p>Local Government Local governments are essential partners in achieving California's goals to reduce greenhouse gas emissions. Local governments have broad influence and authority over activities that contribute to significant direct and indirect greenhouse gas emissions through planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations. Many of the CARB proposed measures to reduce greenhouse gas emissions rely on local government actions.</p>	<p>Compliant. Yolo County has adopted a strong commitment to the reduction of greenhouse gas (GHG) emissions. The County was an early advocate of responsible growth with its long-time commitment to agricultural preservation and its adoption in 1982 of a countywide Energy Plan. The Yolo County government has taken a number of actions to take an active role in global climate change, including participation in CCAR, adopting a Cool Counties resolution, and including a commitment in the Draft General Plan to develop a Greenhouse Gas (GHG) Emissions Reduction Plan and/or climate action plan for the County (Action CO-A105). The County's policy commitment to the goals of protecting agricultural land and directing the majority of future growth to the existing cities discourages sprawl and encourages density, infill, compact community design, and development along transportation corridors, plus allows for local food production and recreational opportunities.</p>
<p>Measures to Reduce High Global Warming Potential (GWP) Gases. CARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. CARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak.</p>	<p>Compliant. New products used, sold, or serviced in the County (after implementation of the reduction of GWP gases) would comply with future CARB rules and regulations.</p>

Source: LSA Associates, Inc., 2009.

EXHIBIT 4

EXHIBIT 4

**DEPARTMENT OF
CONSERVATION LETTERS**



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

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

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

May 25, 2006

Theresa Szymanis, AICP, Chief Planner
Tulare County Resource Management Agency
5691 South Mooney Boulevard
Visalia, CA 93277

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)
for the Tulare County General Plan Update **SCH# 2006041162**

Dear Ms. Szymanis:

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above NOP and offers the following recommendations for the DEIR with respect to the project's potential impacts on agricultural land.

The proposed project involves a comprehensive General Plan Update (GPU) for the Tulare County planning area. The NOP notes that one key value statement for the GPU is that the County will protect its agricultural economy while diversifying employment opportunities. The NOP also notes that some agricultural land conversion may be necessary to accommodate future population growth, however, some of the land loss may be offset by preservation of the most agriculturally productive and valuable areas. Therefore, the Division recommends that, at a minimum, the following items be specifically addressed to document and treat project impacts on agricultural land and land use.

Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. In addition to existing county mapping resources, the GPU should also utilize information from the Division's Tulare County Important Farmland Map, which defines farmland according to soil attributes and land use. In addition, we recommend including the following information to characterize the agricultural land resource setting of the planning area.

- Current and past agricultural use of areas within the county. Include data on the types of crops grown, and crop yields and farmgate sales values.

Theresa Szymanis
May 25, 2006
Page 2

- To help describe the full agricultural resource value of the soils on the site, we recommend the use of economic multipliers to assess the total contribution of the county's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

Project Impacts on Agricultural Land

- Type, amount, and location of farmland conversion resulting directly and indirectly (growth-inducement) from project implementation.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. This would include impacts from the proposed project as well as impacts from past, current and probable future projects.

Future site-specific project impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Code of Regulations Section 15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website noted later in this letter.

Williamson Act Lands

A project is deemed to be of statewide, regional or area-wide significance if it will result in cancellation of a Williamson Act contract for a parcel of 100 or more acres [California Code of Regulations Section 15206(b)(3)]. Since lands under Williamson Act contract and in agricultural preserves exist within the county, the Division recommends that the following information be provided in the DEIR:

- A map detailing the location of agricultural preserves and contracted land within each preserve. The DEIR should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
- A general discussion of Williamson Act contracts that may be terminated in order to accommodate the project. The DEIR should discuss the impacts that termination of Williamson Act contracts would have on nearby properties also under contract; i.e., growth-inducing impacts (in the sense that the removal of contract protection not only lifts a barrier to development, but results in higher property taxes, and thus, an incentive to shift to a more intensive land use, such as urban development.)

As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for

"extraordinary," unforeseen situations (See *Sierra Club v. City of Hayward* (1981) 28 Cal.3d 840, 852-855). The County must approve a request for contract cancellation, and base that approval on specific findings that are supported by substantial evidence (Government Code Section 51282). If Williamson Act contract cancellations will be proposed, we recommend that a discussion of the findings be included in the DEIR. Finally, the notice of the hearing to approve the tentative cancellation, and a copy of the landowner's petition, must be mailed to the Director of the Department of Conservation ten (10) working days prior to the hearing. (The notice should be mailed to Bridgett Luther, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)

- An agricultural preserve is a zone authorized by the Williamson Act, and established by the local government, to designate land qualified to be placed under the Act's 10-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Therefore, the uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code Section 51230). The DEIR should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the GPU.

Mitigation Measures and Alternatives

The DEIR should discuss any feasible alternatives to the project that would lessen or avoid farmland conversion impacts. Similarly, while the direct conversion of agricultural land is often deemed to be an unavoidable impact as also noted in the NOP, mitigation measures must be considered.

The Division recommends that the County consider the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. Selection of lands to be encumbered by easements should also include criteria for strategic protection of the most valuable, productive and threatened agricultural lands.

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to individual projects, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements. For example, the California Farmland Conservancy Program is authorized to accept donations of funds if the Department of Conservation is the designated beneficiary and it agrees to use the funds for purposes of the program in a county specified by the donor. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands not be limited to areas near the development.

Theresa Szymanis
May 25, 2006
Page 4

Information about conservation easements is available on the Division's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

<http://www.conservation.ca.gov/DLRP>

Of course, the use of conservation easements is only one form of mitigation that should be considered. The following mitigation measures could also be considered:

- Increasing home density or clustering residential units to allow a greater portion of the development site to remain in agricultural production.
- Protecting nearby farmland from premature conversion through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code Section 51296) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).
- Establishing buffers such as setbacks, berms, greenbelts, and open space areas to separate farmland from incompatible urban uses.
- Investing in the commercial viability of the remaining agricultural land in the project area through a mitigation bank which invests in agricultural infrastructure, water supplies and marketing.

The Department believes that the most effective approach to farmland conservation and impact mitigation is one that is integrated with general plan policies. For example, the measures suggested above could be most effectively applied as part of a comprehensive agricultural land conservation element in the County's general plan. Mitigation policies could then be applied systematically toward larger goals of sustaining an agricultural land resource base and economy. Within the context of a general plan mitigation strategy, other measures could be considered, such as the use of transfer of development credits, mitigation banking, and economic incentives for continuing agricultural uses.

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or phone (916) 324-0850.

Sincerely,



Dennis J. O'Bryant
Acting Assistant Director

cc: Tulare County RCD
3530 West Orchard Court
Visalia, CA 93277



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

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

PHONE 916 / 324-0860 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

January 31, 2008

VIA FACSIMILE (707) 784-2894

Jim Louie, Senior Planner
Solano County Resource Management
675 Texas Street Suite 5500
Fairfield, CA 94533

Subject: Solano County 2008 General Plan Update Notice of Preparation

Dear Mr. Louie:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation (NOP) for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The purpose of the Solano County (County) 2008 General Plan Update (update) is to provide a comprehensive update of the County's General Plan (plan). The primary objective of the updated plan is to provide policy guidelines for future development and conservation in the unincorporated portions of the County and to adapt the document to pertinent issues that have emerged since the preparation of the previous elements. The County contains a significant amount of agricultural lands and, more specifically, agricultural lands enrolled in Williamson Act contracts. Therefore, the Division recommends that the Draft EIR (DEIR) address the following items to provide a comprehensive discussion of potential impacts of the project on agricultural land and activities.

Agricultural Setting of the Project

- Location and extent of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and other types of farmland in and adjacent to the project area.
- Current and past agricultural use of the project area. Please include data on the types of crops grown, and crop yields and farm gate sales values.

*The Department of Conservation's mission is to protect Californians and their environment by:
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;
Conserving California's farmland; and Saving energy and resources through recycling.*

Mr. Jim Louie
January 31, 2008
Page 2 of 5

To help describe the full agricultural resource value of the soils on the site, the Department recommends the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. Two sources of economic multipliers can be found at the University of California Cooperative Extension Service and the United States Department of Agriculture (USDA).

Project Impacts on Agricultural Land

- Type, amount, and location of farmland conversion resulting directly and indirectly from project implementation and growth inducement, respectively.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely projects in the future.

Under California Code of Regulations Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website at:

http://www.consrv.ca.gov/DLRP/gh_les.htm

Mitigation Measures

The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. Implementation of the County's plan may result in the loss of valuable agricultural land within the County. As such, the Department recommends the use of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, the Department recommends that this ratio of conservation easements to lost agricultural land be increased. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an

Mr. Jim Louie
January 31, 2008
Page 3 of 5

established rationale similar to that of wildlife habitat mitigation. Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence the search for replacement lands should be conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Other forms of mitigation may be appropriate for this project, including:

- Protecting farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).
- Directing a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc.

The Department also has available a listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below. General information about agricultural conservation easements, the Williamson Act, and provisions noted above is available on the Department's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

<http://www.conservation.ca.gov/dlrp/index.htm>

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Williamson Act Lands

Under California Code of Regulations Section 15206(b)(3), a project is deemed to be of statewide, regional or area-wide significance if it will result in cancellation of a Williamson Act contract for a parcel of 100 or more acres. Since lands under Williamson Act contracts and/or in agricultural preserves exist in the project area, the Department recommends that the following information be provided in the DEIR:

Mr. Jim Louie
January 31, 2008
Page 4 of 5

- A map detailing the location of agricultural preserves and contracted land within each preserve. The DEIR should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
- A discussion of Williamson Act contracts that may be terminated in order to implement the project. The DEIR should discuss the probable impacts on nearby properties resulting from the termination of adjacent Williamson Act contracts. For example, a termination of a Williamson Act contract may have a growth-inducing impact. In other words, a termination may not only lift a barrier to development, but also result in higher property taxes, and thus, an incentive to shift to a more intensive land use, such as urban development.
- As a general rule, land can only be withdrawn from a Williamson Act contract through the nine-year non-renewal process. Immediate termination via cancellation is reserved for "extraordinary circumstances" (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Under Government Code Section 51282, the city or county must approve a request for cancellation and base that approval on specific findings that are supported by substantial evidence. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the DEIR. Finally, a notice of the hearing to approve the tentative cancellation and a copy of the landowner's petition must be mailed to the Director of the Department ten working days prior to the hearing. (The notice should be mailed to Bridgett Luther, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street, MS 18-01, Sacramento, CA 95814-3528).
- Under Government Code Section 51243, if a city annexes land under a Williamson Act contract, the city must succeed to all rights, duties, and powers of the county under the contract. However, under Section 51243.5, a city may exercise its option not to succeed to the contract if certain conditions are met. LAFCO must notify the Department within 10 days of a city's proposal to annex land under a contract (Government Code Section 56753.5). Additionally, LAFCO must not approve a change to a sphere of influence or annexation of contracted land to a city unless certain conditions are met (see Government Code Sections 51296.3, 56426, 56426.5, 56749 and 56856.5).
- If portions of the planning area are under Williamson Act contracts (and will continue to be under contract after project implementation) the DEIR should discuss the proposed uses for those lands. Uses of contracted land must meet compatibility standards identified in Government Code Sections 51238 - 51238.3. Otherwise, contract termination (see paragraph above) must occur prior to the initiation of the land use.

Mr. Jim Louie
January 31, 2008
Page 5 of 5

- An agricultural preserve is a zone authorized by the Williamson Act and established by the local government to designate qualified land to be placed under the Williamson Act's 10-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Under Government Code Section 51230, "An agricultural preserve may contain land other than agricultural land, but the use of any land within the preserve and not under contract shall within two years of the effective date of any contract on land within the preserve be restricted by zoning, including appropriate minimum parcel sizes that are at a minimum consistent with this chapter, in such a way as not to be incompatible with the agricultural use of the land." Therefore, the DEIR should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the project.

Thank you for giving us the opportunity to comment on this NOP. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Elliott Lum, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0869.

Sincerely,



Dennis J. O'Bryant
Program Manager

cc: State Clearinghouse

EXHIBIT 5

CITY GENERAL PLAN DOCUMENTS

A: CITY OF DINUBA

B: CITY OF EXETER

C: CITY OF FARMERSVILLE

D: CITY OF PORTERVILLE

Comparison of the “County-Adopted City General Plans”

With the Adopted General Plans for Dinuba, Exeter, Farmersville, Porterville, Tulare, Visalia, and Woodlake¹

CITY	PLANNING BOUNDARIES	LAND USE DESIGNATIONS	CITY DOCUMENTS
Dinuba	<p>Differences between County-Adopted City General Plan Maps (Draft County General Plan Figures 2.4-1 through 2.4-10) and City-Adopted General Plan Land Use Maps.</p> <p>The UAB and UDB do not accurately include two recent annexations, one on the north side of the City and one on the east side of the City.</p>	<p>Differences between County-Adopted City General Plans (available at: http://generalplan.co.tulare.ca.us/gpPlans.asp) and City-Adopted General Plans.</p> <p>Although the County received the City of Dinuba’s 2008 General Plan, and participated in the General Plan update process, the CACGP for Dinuba does not reflect the City’s 2008 General Plan Update. One of the documents included within the CACGP shows the General Plan adopted circa 1972. Another CACGP document titled “Dinuba Urban Boundaries” generally reflects the UAB and UDB adopted with the City’s 1997 General Plan.</p>	<ol style="list-style-type: none"> 1. 2008 Dinuba General Plan map 2. 2008 Dinuba UAB map 3. Dinuba: North Dinuba Annexation 4. Dinuba: Noroian Annexation 5. 2008 Dinuba General Plan Policies Statement
Exeter	<p>Two major annexations are not included in the Exeter city limits.</p> <ol style="list-style-type: none"> 1. A 2006 annexation included 40 acres of land at the northeast corner of Elberta and Vine. The PUD approved on this parcel of land will yield approximately 181 residential units and a 2.5 acre park. 2. A 2007 annexation involved 68.75 acres located west of Belmont and south of Visalia Road and required expansion of the city’s UDB. This annexation will eventually result in approximately 242 residential units and a 3.5 acre park. 	<p>Exeter’s General Plan, including its land use, circulation, open space, conservation and recreation elements, was updated in 2000. The City also approved a specific plan in 2004. Neither the General Plan Update or the Specific Plan, which have 20-year planning periods, are reflected in the County’s list of documents.</p>	<ol style="list-style-type: none"> 1. 2000-2020 Exeter General Plan: Land Use Element

¹ Source: Planning staff from the Cities of Dinuba, Exeter, Farmersville, Porterville, Tulare, Visalia and Woodlake.

CITY	PLANNING BOUNDARIES	LAND USE DESIGNATIONS	CITY DOCUMENTS
Farmersville	<p>Differences between County-Adopted City General Plan Maps (Draft County General Plan Figures 2.4-1 through 2.4-10) and City-Adopted General Plan Land Use Maps.</p> <p>No significant differences in planning boundaries.</p>	<p>Differences between County-Adopted City General Plans (available at: http://generalplan.co.tulare.ca.us/gpPlans.asp) and City-Adopted General Plans.</p> <p>The CACGP for Farmersville contains a 1976 land use plan that is very out of date in terms of policies and maps (boundaries).</p>	<p>1. 2002 Farmersville General Plan: Land Use Element</p>
Porterville	<p>There are significant differences between the County referenced boundaries and the City's boundaries. For example, the County's map identifies a 40- acre site at the northwest quadrant of SR 65 and Scranton Avenue that is in the City. The County's UDB seems to indicate that only half of the site is in the County adopted City UDB.</p>	<p>The information contained in the CACGP for Porterville is extremely outdated. The City completed a comprehensive update to the General Plan in April 2008. Nothing shown in the County's reference is valid today.</p>	<p>1. 2005 Porterville UDB 2. 2005 Porterville UAB 3. 2030 Porterville General Plan</p>
Tulare	<p>These annexations (and accompanying resolutions) were not included on the County's website:</p> <ol style="list-style-type: none"> 1. Resolution 09-96, relocated the urban development boundary for the City of Tulare. Annexation of this property is pending. 2. Notice of Completion for LAFCO 1392-T-162 annexing 30.6 acres along Mooney Blvd. (Figure 2.4-7 needs to update city limits line). 3. Notice of Completion for LAFCO 1441-T-312 annexing 37.38 acres at the southwest corner of Hillman St. and Cartmill Ave. (Figure 2.4-7 needs to update city limits line). 4. Notice of Completion 1440-T-311 annexing 83.66 acres between Avenue 200 and Hosfield Rd. adjacent to the Tulare Airport. (Figure 2.4-7 needs to update city limits line). 	<p>The CACGP for Tulare does not acknowledge the City of Tulare's 1993 update of the General Plan's land use and circulation elements. In addition, the CACGP references GPA 86-12: Tule River Development Corridor, but this reference appears to be out of place.</p>	<p>1. 1993 City of Tulare General Plan Land Use Map 2. 1993 City of Tulare General Plan Land Use Element 3. City Council of Tulare Resolution No. 08-11 Approving General Plan Amendment No. 2007-03 4. City Council of Tulare Resolution No. 09-96 Approving General Plan Amendment No. 2006-05 5. Notice of Completion for LAFCO 1392-t-162 annexing 30.6 acres along Mooney Blvd.</p>

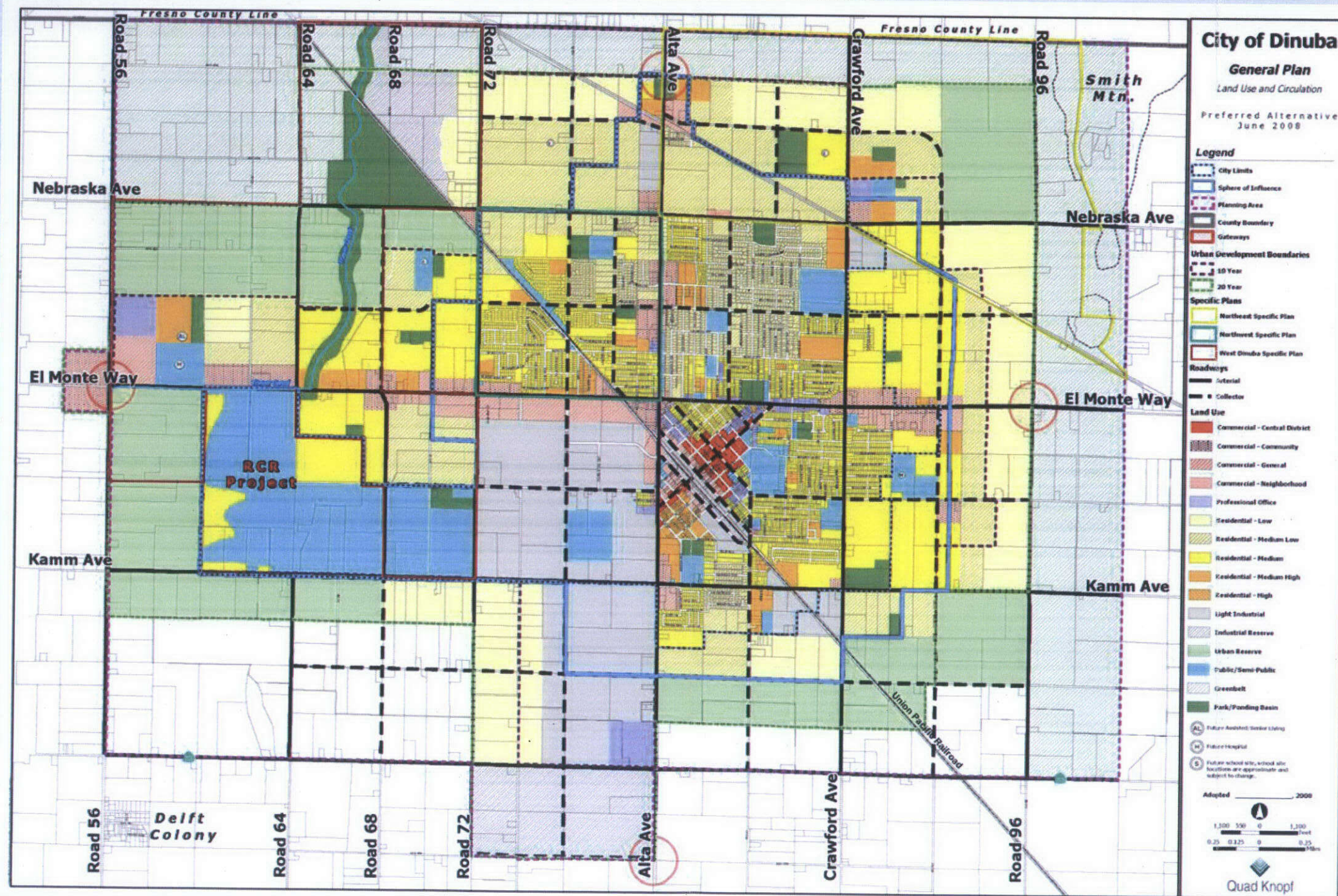
CITY	PLANNING BOUNDARIES	LAND USE DESIGNATIONS	CITY DOCUMENTS
Tulare <i>cont'd</i>	<p>Differences between County-Adopted City General Plan Maps (Draft County General Plan Figures 2.4-1 through 2.4-10) and City-Adopted General Plan Land Use Maps.</p> <p>5. Notice of Completion 1444-T-313 annexing 965 acres between Commercial Ave. and the Elk Bayou adjacent to Turner Ave. (Figure 2.4-7 needs to be updated to show this area within city limits and in the UDB and Resolution 08-111 amending the UDB).</p> <p>6. Notice of Completion 1393-T-163 annexing 28.74 acres at the northeast and northwest corners of West Prosperity Ave and north West St. (Figure 2.4-7 needs to be updated to reflect new city limit line).</p> <p>7. Notice of Completion 1391-T-161 annexing 80.7 acres at the northwest corner of Tulare Ave. and Morrison St. (Figure 2.4-7 needs to be updated to reflect new city limit line).</p>	<p>Differences between County-Adopted City General Plans (available at: http://generalplan.co.tulare.ca.us/gpPlans.asp) and City-Adopted General Plans.</p>	<p>6. Notice of Completion for LAFCO 1441-t-312 annexing 37.38 acres at the southwest corner of Hillman St. and Cartmill Ave.</p> <p>7. Notice of Completion 1440-T-311 annexing 83.66 acres between Avenue 200 and Hosfield Rd. adjacent to the Tulare Airport.</p> <p>8. Notice of Completion 1444-T-313 annexing 965 acres between Commercial Ave. and the Elk Bayou adjacent to Turner Ave.</p> <p>9. Notice of Completion 1393-T-163 annexing 28.74 acres at the northeast and northwest corners of West Prosperity Ave and north West St.</p> <p>10. Notice of Completion 1391-T-161 annexing 80.7 acres at the northwest corner of Tulare Ave. and Morrison St.</p> <p>11. 1980 Tulare County Area General Plan Land Use Map</p>

CITY	PLANNING BOUNDARIES	LAND USE DESIGNATIONS	CITY DOCUMENTS
Visalia	<p>Differences between County-Adopted City General Plan Maps (Draft County General Plan Figures 2.4-1 through 2.4-10) and City-Adopted General Plan Land Use Maps.</p> <p>The County's planning boundaries pertaining to Visalia as shown Figure 2.4-8 in the County General Plan are inaccurate as follows:</p> <ol style="list-style-type: none"> 1. The City Limits boundary does not reflect four recent annexations. These areas are referenced 'a' through 'd' on the document titled "Map with Changes": <ol style="list-style-type: none"> a. Tulare Avenue County Island (dashed area inside of green highlight), annexed 1/1/08 per LAFCO Resolution 07-004; b. Goshen Avenue County Island (dashed area inside of green highlight), annexed 1/1/08 per LAFCO Resolution 07-005; c. VUSD property (property shown in green highlight), annexed 2/18/10 per LAFCO Resolution. d. Vargas property (property shown in green highlight), annexed 2/6/08 per LAFCO Resolution 07-043; 2. The City's "129,000 Population" UDB is the UDB shown on the County's map. The CACGP should have identified Visalia's "165,000 Population" UDB since that is the City's ultimate UDB, whereas the 129,000 UDB is a tiered 	<p>Differences between County-Adopted City General Plans (available at: http://generalplan.co.tulare.ca.us/gpPlans.asp) and City-Adopted General Plans.</p> <p>The documents on the County's website (Part III) represent General Plans and General Plan Amendments adopted by the County of Tulare for the "Visalia Area." These documents do not identify any General Plans or General Plan Amendments adopted by the City of Visalia.</p>	<ol style="list-style-type: none"> 1. Visalia General Plan/Land Use and Circulation Element map (3-15-10) 2. "Map with Changes" (2-10) 3. Visalia Urban Development Boundary and Urban Area Boundary Map 4. Land Use Element to the Visalia General Plan, September 1991, Revised June 1996

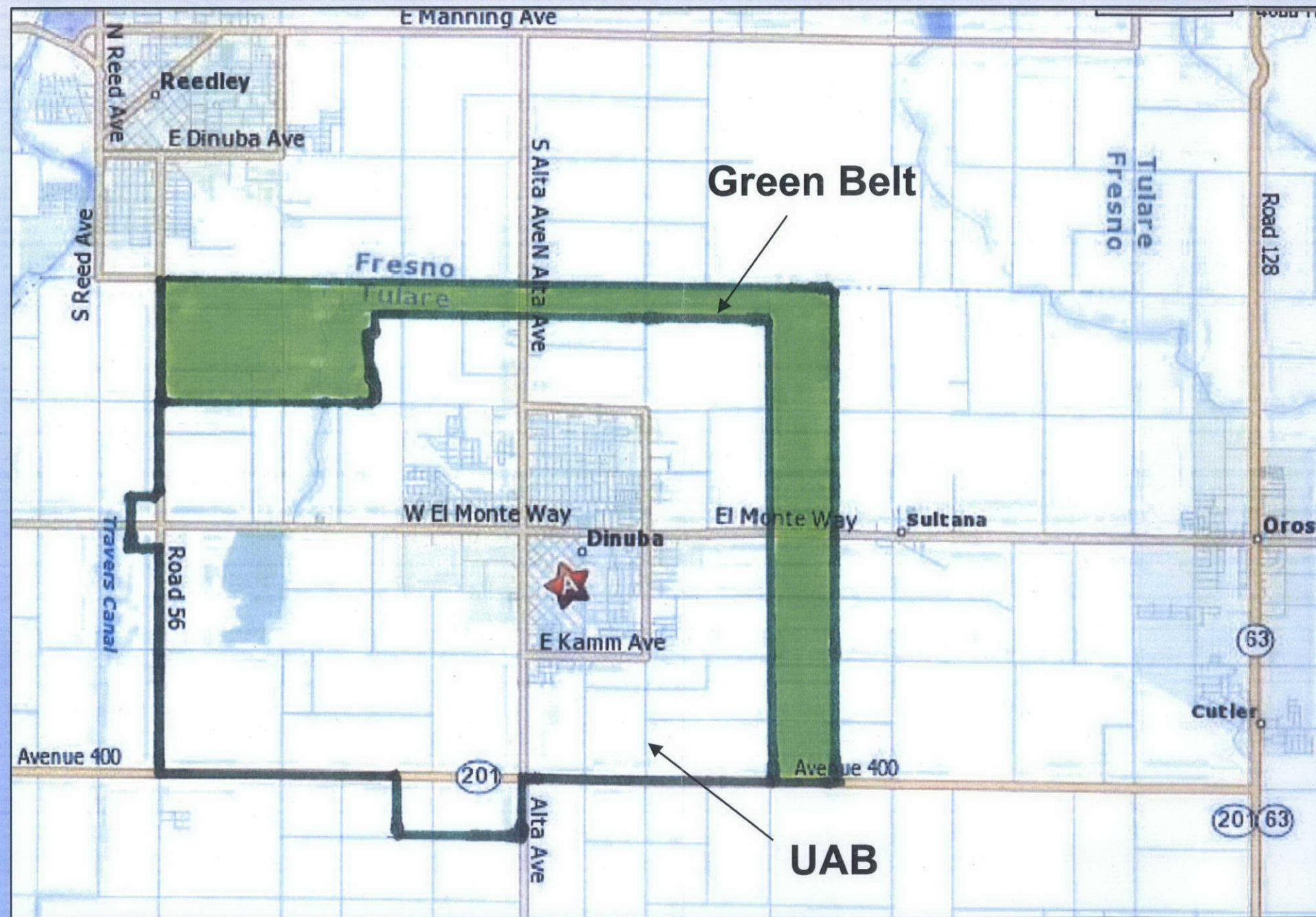
CITY	PLANNING BOUNDARIES	LAND USE DESIGNATIONS	CITY DOCUMENTS
Visalia <i>cont'd</i>	<p>Differences between County-Adopted City General Plan Maps (Draft County General Plan Figures 2.4-1 through 2.4-10) and City-Adopted General Plan Land Use Maps.</p> <p>boundary. The CACGP should also re-label "UDB" with "2020 UDB" so that it more clearly delineates what is shown on the map.</p> <p>3. The portion of the UDB in the southwest vicinity of the City is not shown accurately. The correct location is identified in the area referenced 'e' on the attached map.</p> <p>4. The UAB boundary shown in Figure 2.4-8 varies from the UAB line identified in the City of Visalia General Plan Land Use Element.</p>	<p>Differences between County-Adopted City General Plans (available at: http://generalplan.co.tulare.ca.us/gpPlans.asp) and City-Adopted General Plans.</p>	
Woodlake	<p>No significant differences in planning boundaries.</p>	<p>The CACGP for Woodlake does not reflect the City of Woodlake's 2008 update of its General Plan land use, circulation, open space, conservation and recreation elements. The City's General Plan Update has a 20-year planning period.</p>	<p>1. 2000-2020 Woodlake General Plan: Land Use Element</p>

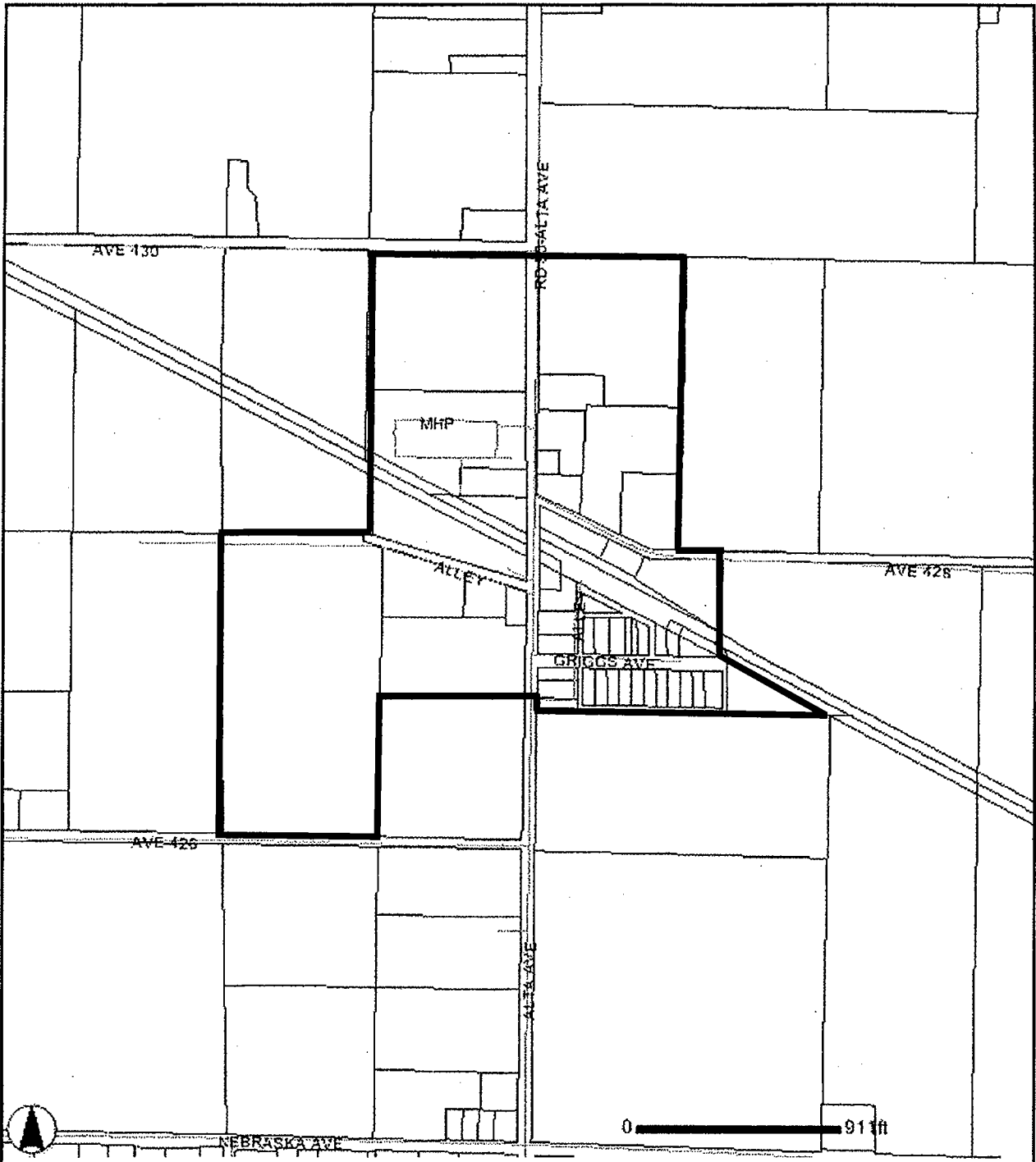
A: CITY OF DINUBA



2008 City of Dinuba General Plan



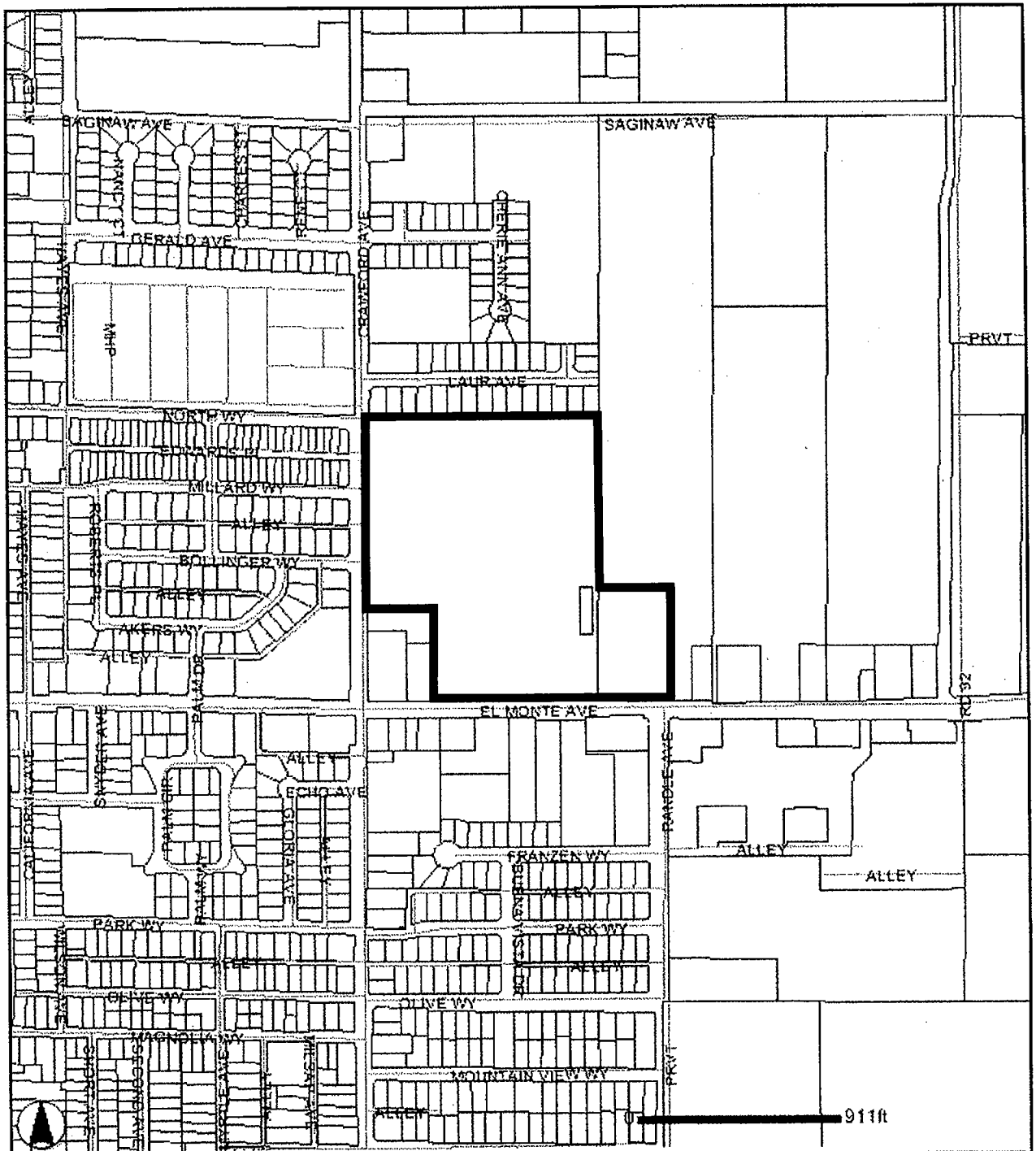
Greenbelt Concept








 Streets
 Assessor
 Parcels

City of Dinuba
 North Dinuba Annexation
 Project Site



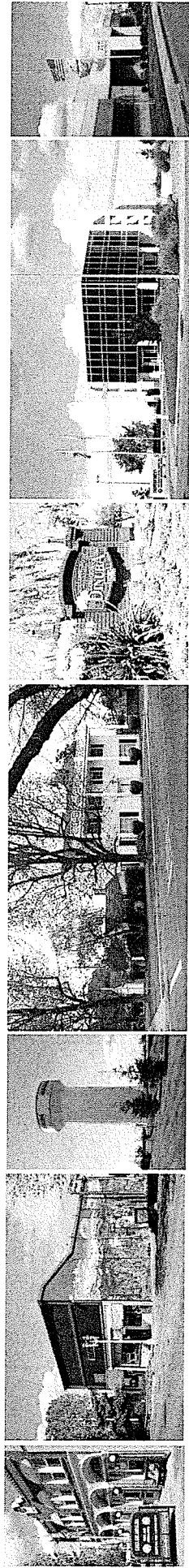
-  Streets
-  Assessor
-  Parcels

City of Dinuba

Noroian Annexation

Project Site

CITY OF DINUBA GENERAL PLAN POLICIES STATEMENT



DINUBA
Together, A Better Community

Adopted September 23, 2008



CITY OF DINUBA GENERAL PLAN POLICIES STATEMENT

CITY COUNCIL

TERRY MCKITTRICK, MAYOR
MARK WALLACE, VICE MAYOR
MIKE SMITH
THOMAS PAYAN
EMILIO MORALES

GENERAL PLAN ADVISORY COMMITTEE

BEV KEEL-WORRELL
BOB EATON
CHRIS KAPHEIM
DORIS HEBERT
JERRY SESSIONS
MARILE COLINDRES-ESTRADA
MARY VILLAREAL
MIKE FRANZEN

PAUL ROGERS
STEVE WORTHLEY
TERRY MCKITTRICK
TOM PAYAN
JOSE GOMEZ
JUDY GEORGE
MARK WALLACE
RALPH HINES

PLANNING COMMISSION

MICHAEL FRANZEN, CHAIRPERSON
JOSE GOMEZ
PAUL HURST
JACK MULLEN
J.D. SALDIVAR

Adopted September 23, 2008

Submitted to
City of Dinuba
405 E. El Monte Way
Dinuba, CA 93618
559-591-5906

Prepared by:

 **Quad Knopf**
P. O. Box 3699
Visalia, CA 93278
559-733-0440

in association with



 Quad Knopf

TABLE OF CONTENTS

	PAGE		PAGE
INTRODUCTION.....	1-1	5.5 COMMERCIAL.....	5-5
ORGANIZATION OF THE GENERAL PLAN.....	1-1	5.6 THE DOWNTOWN.....	5-7
CONTEXT.....	1-2	5.7 NEIGHBORHOOD ENTRIES.....	5-8
INTENT OF THE PLAN.....	1-2	5.8 LANDSCAPING AND FENCING.....	5-9
ADMINISTERING THE GENERAL PLAN PROGRAM.....	1-2	CHAPTER 6.0 NOISE ELEMENT.....	6-1
GENERAL PLAN REQUIREMENTS.....	1-3	CHAPTER 7.0 PUBLIC SERVICES AND FACILITIES ELEMENT.....	7-1
CHAPTER 1.0 LAND USE ELEMENT.....	1-1	7.1 WASTEWATER TREATMENT PLANT.....	7-1
1.1 COMMUNITY IDENTITY.....	1-1	SANITARY SEWER, STORM DRAINAGE.....	7-2
1.2 RESIDENTIAL LAND USE.....	1-4	HEALTH CARE FACILITIES.....	7-2
1.3 COMMERCIAL LAND USE.....	1-6	7.3 LOCAL GOVERNMENT FACILITIES AND SERVICES.....	7-2
1.4 GENERAL PLAN, ZONING CONSISTENCY AND PLAN ADMINISTRATION.....	1-6	CHAPTER 8.0 SAFETY ELEMENT.....	8-1
1.5 PUBLIC AND INSTITUTIONAL LAND USE.....	1-7	8.1 STRUCTURAL SAFETY, TREATMENT PLANT, SANITARY SEWER AND STORM DRAINAGE.....	8-1
CHAPTER 2.0 CIRCULATION ELEMENT.....	2-1	8.2 EDUCATION AND DISASTER PREPAREDNESS.....	8-2
2.1 ROADWAY CLASSIFICATION, STANDARDS.....	2-1	8.3 ENVIRONMENT.....	8-3
2.2 STREET IMPROVEMENTS.....	2-6	8.4 MANAGEMENT AND FUNDING.....	8-3
2.3 MAINTENANCE/CONSTRUCTION.....	2-6	8.5 PUBLIC SAFETY STANDARD.....	8-4
2.4 TRAFFIC SAFETY.....	2-7	8.6 FLOODING.....	8-4
2.5 ALTERNATIVE TRANSPORTATION MODES.....	2-7	CHAPTER 9.0 HOUSING ELEMENT.....	9-1
2.6 BICYCLE FACILITIES.....	2-7	TABLES	
2.7 PEDESTRIAN FACILITIES.....	2-8	1-1 PLAN CONSISTENCY TABLE.....	1-6
2.8 RAIL SERVICE.....	2-8	2-1 PERMITTED TRAFFIC CALMING MEASURES.....	2-4
2.9 SAFETY STANDARDS.....	2-8	3-1 PARKS & GREENWAYS CLASSIFICATIONS.....	3-3
2.10 PARKING.....	2-9	FIGURES	
2.11 TRANSPORTATION SYSTEM AND CONGESTION MANAGEMENT.....	2-9	2-1 OVERALL CONCEPTUAL CIRCULATION PLAN.....	2-2
2.12 MAINTENANCE AND INTEGRATION.....	2-9	2-2 TRADITIONAL NEIGHBORHOOD DEVELOPMENT MODEL.....	2-2
2.13 TRUCK ROUTES AND TRUCK PARKING.....	2-9	2-3 STREET STANDARDS.....	2-3
CHAPTER 3.0 OPEN SPACE, CONSERVATION AND RECREATION ELEMENT.....	3-1	2-4 BICYCLE & PEDESTRIAN PATHS.....	2-10
3.1 AGRICULTURE.....	3-1	2-5 TRUCK ROUTES.....	2-11
3.2 NATURAL RESOURCES.....	3-2	3-1 NEIGHBORHOOD PARKS.....	3-3
3.3 RECREATION.....	3-2	6-1 TYPICAL SOUND LEVELS.....	6-1
3.4 AIR QUALITY.....	3-4	6-2 COMMUNITY NOISE EXPOSURE.....	6-2
CHAPTER 4.0 URBAN BOUNDARY ELEMENT.....	4-1	6-3 NOISE REDUCTION.....	6-2
4.1 URBAN BOUNDARIES.....	4-1	MAP POCKET	
4.2 GROWTH POLICIES.....	4-1	LAND USE AND CIRCULATION MAP	
4.3 GROWTH MANAGEMENT COORDINATION.....	4-2		
CHAPTER 5.0 URBAN DESIGN ELEMENT.....	5-1		
5.1 DESIGN GUIDELINES AND DEVELOPMENT REVIEW.....	5-2		
5.2 NEIGHBORHOOD LAND USE PLANNING.....	5-2		
5.3 SINGLE FAMILY RESIDENTIAL.....	5-3		
5.4 MULTIFAMILY RESIDENTIAL.....	5-4		

INTRODUCTION

California state law requires each city and county to adopt a General Plan "for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning" (Government Code §65300). The California Supreme Court has called the General Plan the "constitution for future development." Dinuba's General Plan expresses the community's development goals and embodies public policy relative to the distribution of future land uses, both public and private. State law specifies that each General Plan address seven issue areas ("elements"): land use, circulation, open space, conservation, housing, safety and noise. Additional elements may be added as a local option.

The Dinuba General Plan provides comprehensive planning for the future. It encompasses what the City is now, what it intends to be, and provides the overall framework of how to achieve this future condition. Estimates are made about future population, household types, and employment, so that plans for land use, circulation and public facilities can be made to meet future needs. The General Plan represents an agreement on the fundamental values and a vision that is shared by the residents and the business community of Dinuba and the surrounding area of interest. Its purpose is to provide decision makers and City staff with direction for confronting present issues, as an aid in coordinating planning issues with other governmental agencies, and for navigating the future.

The Land Use Element provides the central policy context on which to base all land use decision making in Dinuba. It is through the implementation of the goals, objectives, and policies, that the future land use pattern of Dinuba will continue to be shaped.

The Housing Element looks at the current and future need for housing units, the capacity in the City for additional units, the types of households that will need some form of assistance or special housing, and ways to perpetuate existing housing. Dinuba's Housing Element was adopted in late 2004 and is in compliance with the Department of Housing and Community Development.

Transportation routes, design standards for streets and neighborhoods, and current and future traffic levels on City streets are among the issues covered in the Circulation Element of the General Plan.

Conservation issues include strategies for an orderly transition from agriculture to urban uses, groundwater recharge, conservation of ground water

resources, and commitment to conservation of agricultural lands and the City's greenbelt.

- Open space and recreation issues include discussion of parks and recreation resources, targeted growth of these facilities, the creation of a city-wide bike/pedestrian path system and targeting open space to function in a multi-use capacity.
- Existing and future noise from traffic, rail and other activities are issues discussed in the Noise Element.
- The Safety Element of the General Plan analyzes conditions in the City and surrounding area that may be hazardous to those who live and work there, such as flood inundation, fire and hazardous materials.

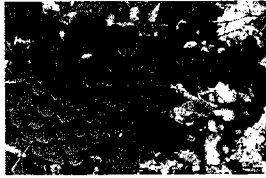
Each of these issue areas have goals, objectives, and policies designed to provide a safe and pleasant environment in the future. Dinuba's General Plan contains not only the seven mandatory elements required by state law, but also several optional elements. These include: Public Services and Facilities, Urban Design, and Urban Boundary. Each General Plan chapter covers an aspect of the City's growth and development. Components of each section are interrelated and therefore must be consistent with each other. Taken together, they provide the guidance for all aspects of planning for the future.

Having adopted the General Plan, the City assumes the responsibility to implement it, to report on its continuous status, and to communicate with citizens and other agencies regarding the Plan's policies.

ORGANIZATION OF THE GENERAL PLAN

This General Plan is an update, expansion and reorganization of the 1997 General Plan. Significant changes to the 1997 General Plan have occurred, including expanding the boundaries of the Sphere of Influence (SOI) and Urban Development Boundaries (UDB), an updated circulation system; and a new Planning Area beyond the SOI. The Planning Area encompasses the City limits and SOI, and unincorporated territory bearing a relation to the City's planning.

The Dinuba General Plan consists of three separate documents – a General Plan Background Report, the General Plan Policies Statement, and the Environmental Impact Report (EIR) and technical appendices. The General Plan Policies document contains nine (9) chapters. The focus of each element consists of goals, objectives and policies associated with the major issue areas. Some of the elements contain related background information required by State law. The EIR presents three alternatives and documents how the proposed plan will impact the environment as compared to the alternative plans. The technical



The seven mandatory elements of any General Plan are:

- Land Use
- Circulation
- Housing
- Conservation
- Open Space
- Noise
- Safety

A goal is a general direction-setter. An objective is a specified end, condition, or state that is an intermediate step toward attaining a goal. A policy is a specific statement that guides decision-making.

appendices contain technical reports and background information (i.e., noise, traffic, etc.) which provide a more detailed analysis.

CONTEXT

The Dinuba General Plan Planning Area is located within northern Tulare County, approximately 15 miles north of Visalia and 25 miles southeast of Fresno. The Dinuba General Plan covers an approximately 22 square mile Planning Area which encompasses the City of Dinuba and unincorporated Tulare County, inclusive of the City's SOI. All lands outside of the City's boundary are regulated by the Tulare County General Plan and zoning designations. However, State law, however, requires that cities plan for areas outside of their immediate jurisdiction, if the areas have a direct relationship to planning needs. The SOI also establishes the area in which annexations may be permitted.

The Dinuba Planning Area consists of three distinct geographical areas: The City, which represents the incorporated City within the City limit boundaries; the SOI, which is slightly larger than the City's previous SOI; and the Planning Area, which includes unincorporated Tulare County lands outside of the City's SOI.

INTENT OF THE PLAN

This General Plan was developed through a cooperative effort involving the City Council and Planning Commission, City staff and their consultants, a General Plan Advisory Committee (GPAC), and interested citizens who participated in multiple "visioning workshops." The General Plan Update process disclosed a number of important issues that have been instrumental in shaping the Plan. Some of these issues are as follows:

- Continuation and expansion of the City's greenbelt;
- More walkable, neighborhood oriented subdivisions;
- Dinuba needs to maintain its "small town" atmosphere;
- More mix of uses needed in the downtown;
- More recreational opportunities needed;
- More upscale/above moderate housing needed;
- Creation of a City-wide bike/pedestrian path system;
- More aesthetic streetscape needed along El Monte and Alta;
- More variety in housing (recessed/detached garages, smaller setbacks, mix of housing);
- Contiguous growth in all directions, but primarily to the west;
- New industrial to be an expansion of existing industrial area; and
- New hospital, fire station and high school needed on west side of town

The Planning Commission and City Council adopted Planning Principles on October 26, 2005 which helped to guide the development of the General Plan and asked that a General Plan Advisory Committee review the policies appro-

appropriate to implement these principles and to develop a land use plan. The Planning Principles are as follows:

- Dinuba's friendly, small town atmosphere should be preserved by ensuring diverse, appropriate scale retail services; citizen participation in decision making; adequacy of public services; and quality of public schools;
- New residential development should be more walkable, have an inviting neighborhood look and feel, and include some of the following: narrow, tree-lined streets; an alternative to sound walls; recessed/detached garages; include ample open space/parkland; and a mix of housing types;
- The major gateways into Dinuba should be aesthetic and inviting to both travelers and residents. This shall be accomplished with appropriate signage and landscaping at appropriate locations;
- New development should take place in a concentric pattern, contiguous to existing developed areas;
- The City's Sphere of Influence and growth policies should ensure that the community is physically distinct from others and contains an agricultural buffer area;
- Traffic conflicts should be resolved, including connectivity between neighborhoods, critical intersections and access to industrial areas. Growth should be allocated with accessibility constraints in mind;
- Local and minor collector streets should be used to provide connectivity between neighborhoods while limiting cross-town trips through neighborhoods. Collector and arterial roads should be designed to provide efficient, safe connectivity between neighborhoods, services and facilities;
- Opportunities to provide more public spaces for recreation and social events should be capitalized on;
- The role of the downtown area as a focal point of the community should be preserved. Sites for more retail, entertainment, restaurants and specialty stores should be identified; and
- The commercial opportunities afforded by Alta Avenue and El Monte Way should be capitalized on.

ADMINISTERING THE GENERAL PLAN PROGRAM

Once adopted, the General Plan does not remain static. State law provides direction on how cities can maintain the plan as a contemporary policy guide. Government Code §65400 [b] directs the Community Development Department to report annually to the City Council on the status of the Plan and progress in its implementation.

Over time it may be necessary to re-evaluate the goals, objectives and policies and modify them due to changes in the environment, regional considerations, and the economy. Up to four general plan amendments per year for each mandatory element are permitted by State law. It is required that any decision on a general plan amendment be supported by findings of fact.

GENERAL PLAN REQUIREMENTS

While they allow considerable flexibility, state planning laws do establish some requirements for the issues that general plans must address. The California Government Code establishes both the content of general plans and rules for their adoption and subsequent amendment. Together, state law and judicial decisions establish three overall guidelines for general plans.

- **The General Plan must be comprehensive.** This requirement has two aspects. First, the General Plan must be geographically comprehensive. That is, it must apply throughout the entire incorporated area and it should include other areas that the City determines are relevant to its planning. Second, the General Plan must address the full range of issues that affects the City's physical development.
- **The General Plan must be internally consistent.** This requirement means that the General Plan must fully integrate its separate parts and relate them to each other without conflict. The internal consistency requirement has five dimensions: equal status among elements, consistency between elements, consistency within elements, area plan consistency and text and diagram consistency.
- **The General Plan must be long-range.** Since the General Plan affects the welfare of current and future generations, state law requires that the plan take a long-term perspective (§65300). The General Plan projects conditions and needs into the future as a basis for determining objectives. It also establishes long-term policies for day-to-day decision-making based upon those objectives.

1.0 LAND USE ELEMENT

INTRODUCTION

The Land Use Element is a guide to future land use within Dinuba and affects many of the issues addressed in the other General Plan Elements. The Land Use Element identifies the type and location of future land uses within the City. The specific land uses and their location within the community in turn affect the remaining General Plan Elements. For example, the location and type of land uses outlined in the Land Use Element affect the circulation system that is identified in the Circulation Element, and the land uses identified in the Land Use Element also reflect the community's goals for its future form and character, as outlined in the Urban Design Element. In addition to land uses, the Land Use Element also addresses how growth will occur, with special attention given to public services and facilities and economic development.

PURPOSE OF THE LAND USE ELEMENT

As a city, state law requires that Dinuba prepare and adopt a General Plan as a tool to manage growth and development. The Land Use Element is one of the seven mandatory Elements of the General Plan.

The purpose of the Land Use Element is to describe present and planned land uses and their relationship to the community's long-range goals for the future. The Land Use Element identifies the proposed general distribution, location, and extent of land uses such as residential, commercial, industrial, and public/quasi public. The Element consists of text and a map (reference map pocket) that outline the future land uses within the City and how these uses are integrated with the other General Plan Elements and policies. The Land Use Map is a particularly important feature of the Element since it shows the location and types of development planned for the community. The general location of or density of development planned for the community. The general location of future growth is also defined in the Element.

The Land Use Element of the Dinuba General Plan represents the City's desire for long-range changes and enhancements of land uses. Finally, the goals, objectives and policies contained in this Element establish the framework for future land use planning and decision making in Dinuba.

SCOPE AND CONTENT OF THE LAND USE ELEMENT

The Land Use Element complies with the requirements of the General Plan Land Use Element mandated in Government Code §65302(a). The Element is comprised of five sections: the Introduction; Purpose of the Land Use Element; Scope and Content of the Land Use Element; Goals, Objectives, and Policies and Standards; and Land Use Map. In the Goals, Objectives, and Policies section, major land use issues are identified and related goals and poli-

cies are established to address these issues. The goals, which are overall statements of community desires, are comprised of broad statements of purpose and direction. Policies serve as guides for reviewing development proposals, planning facilities to accommodate anticipated growth, and accomplishing community economic development strategies. To achieve the goals, objectives and policies, a logical, organized land use pattern is established with standards for future community development. The Land Use Map graphically identifies the planned land uses within Dinuba.

GOAL 1:

Preserve and enhance Dinuba's unique character and achieve an optimal balance of residential, commercial, industrial, public and open space land uses.

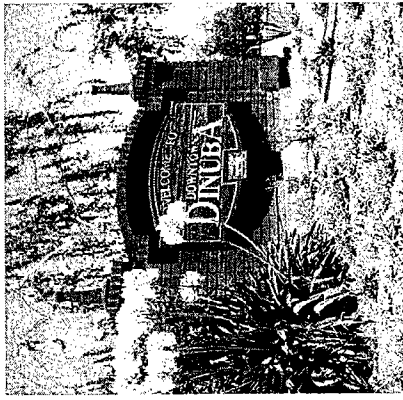
1.1 COMMUNITY IDENTITY

OBJECTIVES

- A. Strive to keep Dinuba separate and distinct from nearby communities.
- B. Maintain and enhance Dinuba's physical diversity, visual qualities and small-town characteristics.
- C. Maintain the downtown core area (Tulare Street from "H" Street to "M" Street) as the City's geographic and social center.

POLICIES AND STANDARDS

- 1.1 Develop design review standards for structures, landscaping and related development to facilitate compatibility with surrounding uses and the overall character of the community.
- 1.2 Gateways to Dinuba and the downtown core area shall be designated and identified by well-designed, landscaped entrances to enhance access corridors. Land uses in the vicinity of Gateways should be of high quality design which reflects favorably on the image of the community.



LAND USE ELEMENT



1.3 Emphasize pedestrian amenities in the downtown area including landscaped open space areas or plazas, street furniture, lighting and signage.

1.4 Develop a City-wide street tree and landscape master plan to delineate neighborhoods, master and specific plan areas.

1.5 Develop scenic entryways (gateways) and roadway corridors into the City through special setback and landscape standards, entry signage, open space and park development, and/or land use designations. These corridors shall also have enhanced landscape standards. Gateways and entryways to be considered should include:

Gateways:

North:	South:
Alta Avenue/Avenue 430	Alta Avenue/Avenue 400 Alignment
East:	West:
El Monte Way/Road 96	El Monte Way/Road 54 Alignment

1.6 The City shall coordinate with Tulare County, Fresno County and the City of Reedley to develop a Specific Plan for the area south of the Fresno County line. The purpose of this Specific Plan is to identify and implement policies which will maintain a significant buffer zone between Dinuba and the City of Reedley, while allowing the affected property owners to realize a return on their investment. This will be accomplished through the purchase of agricultural or open space easements, in addition to Land Use and Zoning regulations.

1.2 RESIDENTIAL LAND USE

OBJECTIVE

Designate and allow for the development of a wide range of residential housing types in the City to meet the needs of all of the City's citizens.

POLICIES AND STANDARDS

1.7 Establish the following residential density designations:

- a. Low Density Residential (0 - 2 dwelling units/gross acre). The low density residential designation is intended for estate residential development characterized by larger single family residential lots one-half acre in size or larger. The average density for this designation is 1-2 dwelling units per acre. All low density residential development shall be served by City sewer and water services. This land use shall be used on the Community's permanent edges such as roadways, waterways, or other physical feature types of standards where a full range of urban services

may not be available and to areas where lower densities are required to conform with public safety or environmental constraints. Densities in excess of 1.5 dwelling units per acre shall have full urban improvements, shall not have farm animals, and shall require a Conditional Use Permit.

- b. Medium-Low Density Residential (2.1 - 4.5 units/gross acre). The medium-low density residential land use category provides for a land use pattern characterized by single family residential development with lot sizes larger than those within medium density. The usual development pattern found in such areas is a typical subdivision development with lot sizes generally between 8,500-12,500 square feet. This land use is most appropriately used when "Estate Residential" developments are desired and where the overall density of an area should be limited because of public facility or safety constraints.

- c. Medium Density Residential (4.6 - 7.5 units/gross acre). The medium density residential category provides for a land use pattern of predominantly single family development as permitted in the R-1 district. This designation also provides for innovative designs which utilize clustering, duplexes or half-plexes on corner lots, zero lot line, or planned development features. Lot sizes generally range from 4,500 - 7,000 square feet. Developments in excess of 7.0 units per acre should be encouraged for infill parcels, in specific plan or master plan areas, and where it will address unmet housing needs.

- d. Medium-High Density Residential (7.6 - 15.0 units/gross acre). This land use category provides for a land use pattern characterized predominantly by small scale multiple family residential developments. The typical residential pattern includes duplexes and larger scale, high-amenity apartments. Areas designated medium-high density residential are to be integrated throughout the community adjacent to transportation, community services and commercial developments. To avoid inappropriate concentration of these facilities, such developments shall be limited to 25 contiguous units when integrated into a single family neighborhood and to 50 contiguous units when developed as a free standing development. New development shall conform to the Urban Design Element of the General Plan.

- e. High Density Residential (15.1 - 24.0 units/gross acre). The high density residential land use category provides for the highest residential densities permitted in the City. It is intended that this category utilize innovative site planning, provide on-site recreational amenities, and be located near major community facilities, business centers, and streets of at least collector capacity. Projects in excess of 25 units or with a density in excess of 24 units per gross acre shall require a Conditional Use Permit. High density residential developments shall use high

Infill development is development that occurs on vacant or under utilized land within areas that are already largely developed.

way up the masonry wall. This will limit the view of the wall from the street and still provide privacy to residents.

1.13 The General Plan map has identified areas where the majority of new growth will occur. Prior to approval of any development applications within these areas, the following actions must take place:

- a. The City will Master Plan each new square mile growth area, which will guide future development. The Master Plan shall, at minimum, identify land uses and densities, road layout, public facilities requirements and possible school locations. The Master Plan shall also contain design guidelines for all land use types within the Plan area.
- b. Following the adoption of the Master Plan, new development proposals shall submit a Specific Plan application. The Specific Plan shall conform to the requirements of the Master Plan, as well as the City's General Plan goals and policies. Projects less than 10 acres in size may request a waiver from the City Council, providing the Council can make the finding that the project is in substantial conformance with the Master Plan.

1.14 Multifamily residential developments with more than 25 units shall have direct access to a collector or arterial street, and where feasible, be located near commercial and community services.

1.15 Development standards for the interface between multifamily residential and single family residential shall be as follows:

- a. Outdoor recreational areas, game courts, pools, and solid waste collection areas on multifamily properties shall be oriented away from adjacent properties planned for single family residential.
- b. Multifamily parking areas, garages, other structures, and access drives shall be separated from adjacent properties planned for single family residential with a 10-foot landscaped setback containing deciduous and evergreen trees.
- c. Exterior area lighting for multifamily residential parking, carports, garages, access drives, and other recreation areas, shall be shielded to prevent line of sight visibility of the light source from abutting property planned for single family residential.
- d. Multifamily buildings greater than 15 feet in height shall be prohibited within 25 feet of abutting property planned for single family residential. An additional 10 feet of setback shall be required for each additional story.

quality architectural design features, intensified landscaping, adequate open space, adequate parking, and adequate on-site recreational facilities. Such developments should be limited in size to no more than 50 units on one site to reduce the impact of such facilities on any one neighborhood in the community.

1.8 Each residential category indicates a range of density deemed reasonable and desirable for areas within the City. The maximum density indicated defines the number of units per gross acre within a given area. Residential development must provide at least the minimum number of units per gross acre indicated in the General Plan. This requirement is intended to encourage the location of certain residential product types and densities consistent with adjacent land uses, access, public services, and environmental concerns.

1.9 The City shall use the planned unit development and density bonus ordinances to provide density increases in accordance with State Law.

1.10 Manufactured and modular housing developments shall be permitted subject to design regulations and existing ordinances.

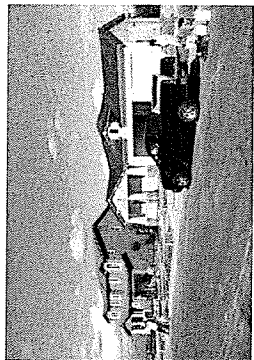
1.11 Second floor housing may be permitted by Conditional Use Permit in the Central Commercial designation as part of a mixed-use concept. Housing uses shall be discouraged on the ground floor of commercially designated properties.

OBJECTIVES

- A. Promote stable high quality residential neighborhoods.
- B. Encourage new residential neighborhoods that have the desirable characteristics of traditional small town neighborhoods.

POLICIES AND STANDARDS

1.12 New residential development abutting an arterial or collector will be encouraged to use a berm/swale with landscaping instead of a masonry wall between the landscaping strip, sidewalk and maintenance district setback. A masonry wall may be used behind the berm/swale or the berm/swale may go half-



Qued Knopf

Manufactured homes are residential structures that are constructed entirely in the factory, and that since June 15, 1976, have been regulated by the Federal Manufactured Home Construction and Safety Standards Act of 1974 under the administration of HUD.

1.16 Where new residential development is proposed that adjoins existing commercial or industrial development, the residential developer shall be required to provide an architectural transition. This transition may include such provisions as building setbacks, landscaping and masonry wall requirements to benefit future residents.

1.17 In order to encourage infill development, flexible design standards should be developed which meet the intent of the General Plan.

1.18 Multifamily developments shall use intense landscaping. Block walls adjacent to the public right of way shall be discouraged unless they are found to be necessary for public health and safety.

1.19 Neighborhoods should be designed, with emphasis placed on high-quality construction and innovative architecture, to provide a "sense of place" and preserve the City's small-town character while offering a choice of residential densities and costs that meets the varying needs of residents.

1.20 New single family houses, duplexes and townhouses will be encouraged to include front porches in their design.

1.21 Garages for new single family houses, duplexes and townhouses should be subordinate in visual importance to the house itself, especially the entry. This should be achieved by encouraging the location of garages toward the back of properties, encouraging detached garages, requiring garages to be set back from the front edge of the house and encouraging the orientation of garage doors 90 degrees from the street.

1.22 Neighborhoods should be physically connected to one another via a series of Minor Collector roadways and pedestrian paths, and all residents should be within a short walk or drive of retail and other services. New development shall coordinate with the irrigation districts regarding the usage of district facility corridors as walking/bicycle paths available for public use.

1.23 Planting strips will be encouraged on all residential streets with sidewalks a sufficient width to allow for street trees between the curb and the sidewalk.

1.24 Commercial uses may be located either in the center or at the periphery of neighborhoods, and should be integrated with residential uses and designed to be as accessible and appealing to pedestrians as possible, in order to encourage walking and biking.

1.3 COMMERCIAL LAND USE

OBJECTIVE

- A. Ensure the provision of adequate commercial shopping opportunities and office space locations to meet anticipated needs.
- B. Enhance the viability of the downtown and preserve its role as the heart of the community.

POLICIES AND STANDARDS

- 1.25 Establish the following commercial land use designations:
- a. Neighborhood Commercial. The neighborhood commercial land use designation provides for a 1-5 acre cluster of commercial establishments serving the everyday convenience goods and personal service needs of a defined neighborhood. The service radius of a neighborhood commercial use is generally 1/2 mile.
 - b. Community Commercial. The community commercial land use designation provides for a 10-acre or larger cluster of commercial establishments serving needs similar to the neighborhood commercial centers, but also includes grocery, drug, general merchandise, variety, and specialty stores. The community commercial center generally serves a market area of 1-2 miles. Such facilities should be located in each residential quadrant of the community to minimize cross-town traffic.
 - c. Central Commercial. This designation provides the City with a mixed use activity center oriented towards the downtown area.
 - d. General Commercial. This designation provides for commercial areas with a wide range of retail and service activities along major traffic corridors, such as El Monte and Alta.
 - e. Office Commercial. This designation provides for office development which includes medical, dental, law, or other professional offices. Commercial uses contemplated as part of this category include business support services and support restaurant and medical services. High density residential uses are also allowed in the office commercial designation subject to a Conditional Use Permit.
- 1.26 Neighborhood and Community Commercial sites should be located at or near the intersection of collector and/or arterial streets with a minimum of overlap with other existing or planned Neighborhood or Community

Commercial uses. Only one neighborhood commercial development may be permitted at any one intersection. Such developments should also be directly accessible from adjacent residential developments to encourage walking and biking.

1.27 Community Commercial uses should be located along major traffic ways in consolidated centers that utilize common access and parking for commercial uses, discourage the introduction of strip commercial uses, and require adequate pedestrian links to residential areas.

1.28 The Central Commercial designation should be used in the downtown area in order to attract and accommodate growth which includes commercial, financial, office, entertainment, governmental and limited residential uses.

a. Rehabilitation of existing structures to accommodate residential and office facilities in the upper floors in the Central Commercial district should be encouraged.

b. Live/work units, in which the unit is both a place to live and a place of business, are allowed in the Central Commercial designation as long as the place of residence is in a separate room from the place of business.

1.29 The General Commercial designation should be applied along arterial streets to provide commercial support for nearby Community and Central Commercial uses as well as industrial areas. General Commercial includes freestanding uses which do not fit well in unified centers as well as service and highway commercial uses.

1.30 Commercial Office land use unified designations which allow construction of new office unified centers, the redevelopment of existing areas to office use, and the conversion of older homes to offices along major streets. Where homes are converted to offices, the area should be a logical extension of existing or planned office/commercial uses, and the lot should be of adequate size to accommodate parking in the rear of the structure or outside of the front yard landscape setback. An office conversion zone should be developed to establish standards for conversion of existing residential structures. Office uses should be located in and adjacent to the downtown and near the hospital and other major medical facilities. Small scale office use should be permitted in the Community, Neighborhood and General Commercial districts. Access shall be improved to support proposed development. Development shall be compatible with adjoining residential neighborhoods.

1.31 Commercial and office site planning shall be compatible with the surrounding neighborhood, signage, and landscaping.

1.32 The City will encourage the eventual phasing out of existing industrial uses, and detached single family homes and other uses surrounding the downtown that generally are not compatible with or supportive of a downtown commercial core area and their replacement with appropriate commercial, mixed use and high quality higher density residential uses.



1.33 The City will encourage the development of mixed use developments along Tulare Avenue, with residential and commercial uses in the same building.

1.34 New commercial development 5 acres or larger shall provide a minimum of 1% of the gross acreage to public space. Such space shall be developed as park/open space, art/sculpture, fountains, or other such amenities. All public spaces shall contain seating.

OBJECTIVE

Provide for the compatible integration of residential and commercial/office uses.

POLICIES AND STANDARDS

1.35 Development standards for the interface between commercial or office uses and residential uses shall be as follows:

a. A landscaped setback of at least ten feet wide containing deciduous and evergreen trees shall be planted and maintained along the property line between commercial and office uses and residential properties that have a common property line.

b. A masonry wall six feet in height, shall be erected along the property line where commercial and office uses have a common property line with residentially designated properties.

c. A masonry wall three and one-half feet in height, shall be erected along the setback line ten feet from the parallel with local streets abutting planned residential uses.

d. All commercial loading and storage areas shall be screened from view of adjoining residential property by a combination of landscape planting and a masonry wall. Loading areas shall be enclosed and be located so that there are no noise impacts to adjacent residential properties. All storage shall be within an enclosed structure.

e. Roof-mounted and detached mechanical equipment shall be acoustically baffled to prevent noise from the equipment from exceeding 55 dB(A) measured at the nearest residential property line.

1.36 In order to encourage the integration of neighborhood and community commercial uses into neighborhoods, designs should de-emphasize the usage of walls as buffers where they create barriers to pedestrian access. Continuous block walls shall be discouraged, and offsets and openings shall be encouraged. Other types of uses, such as open space, may be utilized as buffers.

1.4 GENERAL PLAN, ZONING CONSISTENCY AND PLAN ADMINISTRATION

OBJECTIVE

Establish a well-balanced mix of residential, commercial, industrial, and open space/public land uses which will create and maintain a high quality environment and a fiscally sound community.

POLICIES AND STANDARDS

- 1.37 Land use density and intensity standards are shown in Table 1-1.
- 1.38 Zoning shall be consistent with the General Plan. A zone district shall be deemed consistent with a land use designation when such zone district is specified as consistent in the Plan Consistency Table. In no case, however, shall the overall maximum density of the plan designation be exceeded.
- a. Residential density on part of a site may exceed the maximum if the entire project site density conforms with the Plan Consistency Table. Mixed residential uses and density incentives should be provided to most fully utilize properties. Such projects shall be at least two acres in size and will require a Conditional Use Permit.
- 1.39 When a General Plan Map amendment is required, the amendment and consistent rezoning application shall be processed concurrently. The City may require a Precise Plan Zone if it determines that such zone is necessary to protect adjacent land uses from impacts of the proposed use.

Table 1-1
Plan Consistency Table

Plan Designation	Existing Consistent Zone District	Consistent Density (in dwelling units per gross acre)	Intensity Person/Acre
Residential			
Low Density	A-N, R-A	0.00-2.00	8
Medium-Low Density	R-1	2.10-4.50	15
Medium Density	R-1, RM-3	4.60-7.50	35
Medium-High Density	RM-2, RM-3	7.60-15.00	60
High Density	RM-2, RM-1.5, C-2	15.10-24.00	100
Commercial			
Neighborhood	C-1		
Community	C-2		
Central	C-2, RM-1.5, RM-2		
General	C-3, C-H		
Office	P-0, RM-3, P		
Industrial			
Light	M-1, M-1-X		
Heavy	M-2		
Open/Public			
Agriculture	A-N		
Parks & Open Space	R-1		
Public Buildings & Grounds	R-1		
Urban Reserve	A-N		

- 1.40 The City will update the Zoning Ordinance as appropriate to implement the General Plan.
- 1.41 Development standards shall be implemented for Alta and El Monte to improve the practical function and aesthetic quality.
- 1.42 The Conditional Use Permit process shall be used where site conditions or project location will affect land use compatibility. Findings required for approval shall include:
- That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by the applicable zone district.
 - That the site for the proposed use is served by streets and highways adequate to carry the quantity and kind of traffic generated by the proposed use.

c. That public facilities are currently, or will be, adequate to serve the proposed use.

d. That the proposed development is consistent with the General Plan.

1.43 The Urban Reserve classification denotes lands not anticipated for development within the 20-year time frame of the General Plan but which would be expected to ultimately urbanize. Lands within the Urban Reserve designation may be annexed for purposes of planning long-term urban service extensions. They may not be developed, however, without first amending the General Plan and after a need is demonstrated for development in these areas, and that urban services can be provided without adversely affecting the development feasibility of lands currently planned and zoned. The greenbelt shall be maintained on the northerly and easterly edges of the community.

1.44 The City should undertake a review of the General Plan's demographic, financial, land use demand and supply, and infrastructure assumptions no less frequently than once every five years to provide an opportunity for necessary mid-term modifications to the General Plan. This review should include public participation.

1.45 Prior to annexation, specific plans and master plans should be utilized, where appropriate, to implement the General Plan.

1.46 Financing mechanisms for the development and maintenance of private and public improvements should be established to ensure that necessary infrastructure and public facilities are provided and that adequate provision is made for their ongoing maintenance and operation.

1.5 PUBLIC AND INSTITUTIONAL LAND USE

OBJECTIVE

Provide sites for adequate public facilities to serve projected growth.

POLICIES AND STANDARDS

1.47 Update the water, wastewater and storm drainage master plans, and any other specific or master plans related to infrastructure development on a periodic basis.



Quaid Knopf

1.48 Annually monitor the need for law enforcement, fire and other emergency services personnel as the City grows.

1.49 Continue to plan and provide efficient public safety and leisure/cultural facilities and services for the community.

1.50 In considering development proposals which have the potential to affect school capacity, the City shall refer such proposals to the School District for review and comment to ensure that adequate school facilities are implemented to serve the proposed developments. Developers should mitigate impacts to schools in accordance with School District plans.

OBJECTIVES

A. The City shall coordinate the location of school sites in the community with the school district in an effort to assist the School District in providing school facilities at the optimum locations and in a timely manner.

B. Provide transportation and recreation opportunities near schools.

C. Promote schools as focal points for neighborhood areas and as planning elements for new growth areas.

POLICIES AND STANDARDS

1.51 Coordinate school location and site design with the School District according to the following guidelines to ensure that adequate facilities are available.

Elementary Schools

Description: Facilities for 500 to 750 students in grades K through 6.

Location: Interior residential areas at a collector/local intersection. Additional street frontage is desired for transition area to adjacent residences. Abuts neighborhood park with adjacent development backing or siding onto school. Maximize pedestrian and bicycle access and on/off circulation.

Service Area: 1/2-mile radius to serve a population of 5,000 to 8,000.

Site Area: 15 to 20 acres.

Facilities: Approximately 20 classrooms, administration building, library, multi-purpose building (lunches, recreation, and community meetings), multi-purpose recreation/open space with hard-court play areas and equipment, off-street parking, bus loading/unloading area, and bicycle storage

programmed streets, sewerage, storm drainage systems and other necessary infrastructure.

area. Security fencing separates buildings from play areas. Public use of play areas is encouraged.

Middle Schools

Description: Facilities for 700 to 1,000 students in grades 7 and 8.

Location: Residential areas with central location for surrounding elementary schools at collector/collector or collector/local intersections. Additional local street frontage desired for transition to adjacent residential areas. Maximize pedestrian and bicycle access and on/off-site circulation.

Service Area: 25 to 30 acres.

Facilities: Approximately 30 classrooms and labs; administrative center, library/media center; multi-use buildings, (cafeteria, band, chorus, shops, labs); athletic facilities for football, baseball, track; off-street parking; bus loading/unloading area; and bicycle storage area. Security fencing separates buildings from athletic fields. Public use of athletic fields is encouraged.

High Schools

Description: Facilities for 1,000 to 1,400 students in grades 9 through 12.

Location: Arterial-collector intersection with additional frontage on two other streets. Prefer same collector as area middle school.

Service Area: 50 to 60 acres.

Facilities: Approximately 40 classrooms and labs; library/media center; administration building; gym; cafeteria; standard outdoor athletic facilities; off-street parking, bus loading/unloading; bicycle storage area. Security fencing separates buildings from athletic fields/facilities. Public use of athletic areas is encouraged.

1.52 Discourage and restrict commercial development that conflicts with school facilities.

1.53 Restrict development of High Density Residential complexes abutting school sites.

1.54 The School District shall coordinate its school location, facility construction and phasing with the City's development guidelines contained in the General Plan and the City's Capital Improvement Program to ensure that school facilities are located in areas where there are planned and

2.0 CIRCULATION ELEMENT INTRODUCTION

In the City of Dinuba, regional vehicular transportation is provided primarily by El Monte Way and Alta Avenue. El Monte Way runs in an east-west direction and Alta Avenue runs in a north-south direction. Regional rail is available through the Union Pacific railroad. Dinuba is served by a City transit system and Dial-a-Ride system.

PURPOSE OF THE CIRCULATION ELEMENT

The Circulation Element guides the continued development and improvement of the circulation system to support existing and planned development, while the Land Use Element identifies the City's planned development pattern. The development of additional land in the future will increase the demand for local and regional roadway improvements and construction. The Circulation element establishes acceptable roadway service levels and identifies improvements required to maintain the service levels. The use of other modes of transportation such as transit, walking, and bicycling is promoted to reduce the demand for transportation system improvements and to improve air quality. The pedestrian and bicycling systems will also be used to connect the various activities centers identified in the Land Use Element and promote a pedestrian/bicycle friendly community.

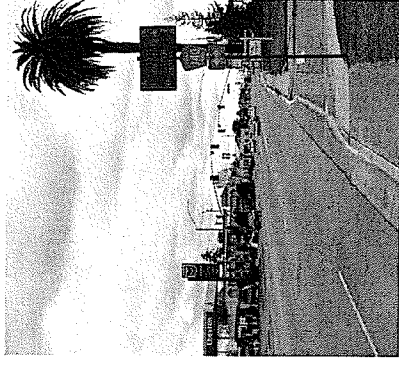
The purpose of the Circulation Element is to provide a safe, efficient, and adequate circulation system for the City. State planning law requires: "...a circulation element consisting of the general location for proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the land use element plan." To meet this purpose, the Circulation Element addresses the circulation improvements needed to provide adequate capacity for future land uses. The Element establishes a hierarchy of transportation routes with typical development standards described for each roadway category. Reference the map pocket for the General Plan Circulation Map.

SCOPE AND CONTENT OF THE CIRCULATION ELEMENT

The state General Plan Guidelines recommend that the circulation policies and plans should:

- Coordinate the transportation and circulation system with planned land uses;
- Promote the safe and efficient transport of goods and the safe and effective movement of all segments of the population;

- Make efficient use of existing transportation facilities; and
- Protect environmental quality and promote the wise and equitable use of economic and natural resources.



The Guidelines indicate that the Circulation Element should address all facets of circulation including streets and highways, transportation corridors, public transit, railroads, bicycle and pedestrian facilities, and commercial, general, and military airports. The Dinuba Circulation Element fulfills state requirements with a plan to provide effective circulation facilities supporting desired community development. Along with circulation, public utilities must be addressed in the General Plan. Instead of addressing utilities within the Circulation Element, the Dinuba General Plan contains a Public Services and Facilities Element that discusses the provision of utilities and public services/facilities.

This element contains goals, objectives, and policies and standards to improve overall circulation in Dinuba. For vehicular transportation, a hierarchical roadway network is established with designated roadway types and design standards. The roadway type is linked to anticipated traffic levels, and acceptable levels of service are established to determine when capacity improvements are necessary. Because local circulation is linked with the regional system, the element also focuses on participation in regional programs to alleviate traffic congestion and construct capacity improvements. Alternative transportation modes are also emphasized in this element to reduce dependency on the automobile and thereby improve environmental quality.

GOAL

It is the overall goal of the City to design and maintain a fully integrated local network that provides for safe and convenient circulation using a variety of transportation modes.

2.1 ROADWAY CLASSIFICATION, STANDARDS

OBJECTIVES

- A. Develop a circulation network of local roads, collectors, arterials that will meet projected traffic needs.

B. Maintain a roadway level of service (LOS) of C or better on Local, Minor Collector, Collector and Arterial streets.

POLICIES AND STANDARDS

2.1 All street and roadway improvements shall be in conformance with the Circulation Plan contained in the General Plan Map (reference map pocket).

2.2 The Circulation Plan shall act as a guide in determining the function of major streets. The City's functional street classification system shall include major arterials, arterials, collectors, minor collectors and local streets.

2.3 Designate streets according to the following functional classifications:

a. Arterials serve as the principal network for cross-town traffic flow. They connect areas of major traffic generation within the urban areas and connect with important county roads and state highways. They also provide for the distribution and collection of through-traffic to and from collector and local streets serving residential, commercial, and industrial areas.

b. Collectors provide for traffic movement between arterial and local streets, traffic movement within and between neighborhoods and major activity centers, and limited direct access to abutting properties.

c. Minor collectors provide for pedestrian and vehicle movements between neighborhoods.

d. Local streets provide for direct access to abutting properties and for very localized traffic movements within residential, commercial and industrial areas.

2.4 Apply consistent standards for new street development, based on traffic carrying capacity and classification.

2.5 The design of arterials, collectors, minor collectors, and local streets shall comply with the Standard Drawings and Specifications Manual of the City of Dinuba, as amended.

2.6 The right-of-way widths and construction widths of all classes of streets from local to arterial shall be updated as necessary to reflect the street classifications in the Circulation Element.

2.7 The overall circulation plan for future neighborhoods shall be in conformance with Figures 2-1 and 2-2 and include off-set minor collectors, traffic calming features as needed, a neighborhood park within 1/4 mile walking distance per neighborhood, and a commercial/office/transit node.

Figure 2-1
Overall Conceptual Circulation Plan
(Illustrative only, refer to policies for precise requirements)

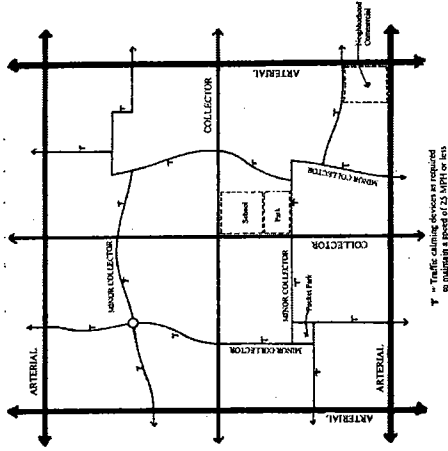
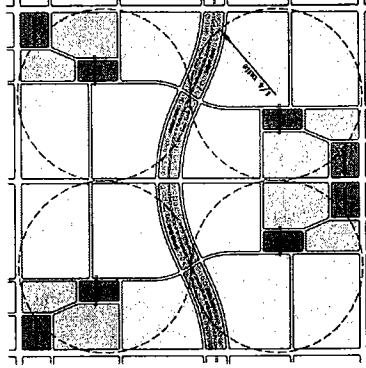


Figure 2-2
Traditional Neighborhood Development Model



ARTERIALS

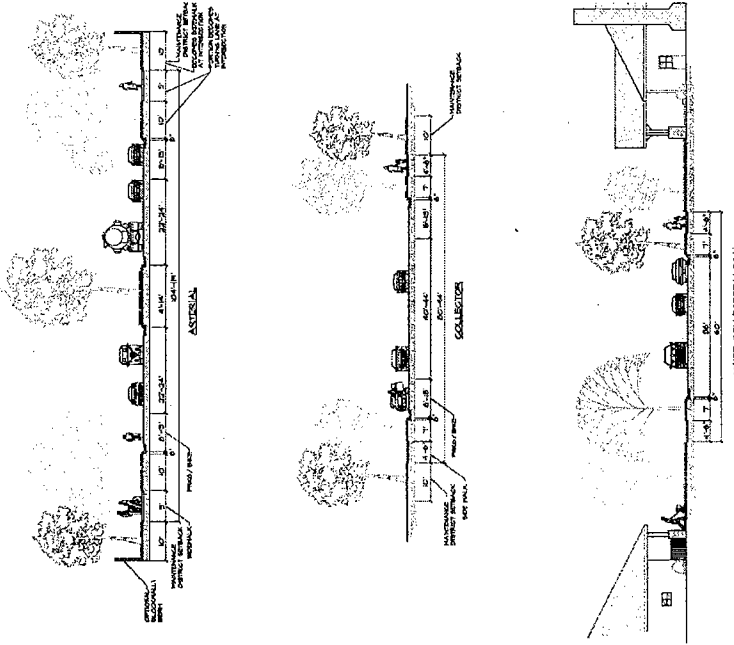
2.8 Alta and El Monte shall be developed with a minimum right-of-way of between 104'-119', to include four travel lanes, parking and/or bicycle lanes, and a two-way left center turn lane or landscaped median. Where widening these two arterials is neither feasible or practical, the right of way shall

Level of Service (LOS) is a scale that measures the amount of traffic that a roadway or intersection can accommodate, based on such factors as maneuverability, driver dissatisfaction, and delay.

remain 96 feet. Other arterials (Kamm, Crawford, Nebraska, Road 72, Road 64 and Road 96) shall be developed with a minimum right-of-way of 104 feet, to include four travel lanes, parking, and a two-way left center turn lane or landscaped median. Reference Figure 2-3.

- 2.9 The primary purpose of arterials is to carry traffic. Parking should be prohibited on new arterials and discouraged along existing arterials as deemed appropriate by the City Council and as traffic safety conditions warrant.
- 2.10 Arterials shall be built in areas where traffic demand warrants the development of this facility to meet the adopted level of service standard.
- 2.11 Arterial streets shall be built at a typical separation of one (1) mile. Major arterials shall be provided at two mile intervals.

Figure 2-3
Street Standards



Quadr Knopf

COLLECTORS

- 2.12 Collectors are to be designed with an 80-94 foot right-of-way width which allows four individual travel lanes of traffic, or two lanes with a two-way left turn center lane. Minor collectors may be developed with a 58-foot right-of-way to include two travel lanes, a two-way left turn center lane, and parking. (Reference Figure 2-3).
- 2.13 Collector streets shall be at approximately one-mile intervals centered between arterial streets and shall be planned to intersect with other streets so as to maximize traffic safety and discourage fast flowing-traffic through residential areas. Where possible, major arterials, minor arterials, and collectors shall form 4 leg, right angle intersections; jog, offset and skewed intersections of streets in near proximity shall be avoided where possible.
- 2.14 Minor collectors shall serve residential neighborhoods and provide for circulation between adjacent neighborhoods, but shall not be used to carry through traffic or high traffic volumes. Actual design and improvement to ultimate standards shall be achieved through development of small facilities by developers as areas adjoining the designated circulation system are developed, with allowance for bicycle lanes, where planned.

OTHER STREET STANDARDS

- 2.15 Local residential street right-of-way shall be a minimum of 60 (36' minimum curb to curb) feet which allows two travel lanes, parking, a parkway strip (7' wide), and sidewalk (4.5' wide).
- 2.16 Arterial, collector and local street standards shall be developed which provide adequate capacity for their appropriate function, and these shall be incorporated into the City's Standard Drawings and Specifications Manual. Half streets shall not be permitted.
- 2.17 Local streets shall not carry an unreasonable level of through traffic. If it is determined that a local street is carrying an unacceptable level of through traffic, the City may use appropriate means to reduce traffic through creation of one way traffic flow, installation of traffic calming devices, and/or any other means deemed to be acceptable under the Vehicle Code of the State of California. Traffic calming features in conformance with Table 2-1 are encouraged.
- 2.18 The General Plan Circulation Plan shows the street system consisting of arterials and collectors. Designated arterials and collectors are as follows:



ARTERIAL STREET STANDARDS

- a. Driveway access to major activity centers should be located no closer than 200 feet to the adjacent intersection of a collector or arterial street. (Measurement shall be from the curb return to the nearest edge of the driveway). If driveways must be provided near intersections for facilities (such as service stations) these driveways shall not be serviced by median breaks and shall be located no less than 50 feet from the intersection (measurement shall be from the curb return to the nearest edge of the driveway). If more than one driveway is required to serve a property, the driveways shall be separated by 50 feet (The 50 feet is to be measured edge to edge, not centerline to centerline).
- b. The distance between driveways along commercially developed arterials should not be less than 400 feet (measurement shall be from centerline to centerline). Where this spacing is not practical, the development shall provide acceptable traffic mitigation measures in addition to those already required.
- c. Where practical and desirable, driveways should be located on adjacent collector streets rather than on arterial streets.
- d. Driveway consolidation shall be encouraged through joint access agreements along arterials where standards a. through e. are exceeded.
- e. Full median breaks, where there is no adopted design, should provide access to collector streets and to major activity centers and should not be less than 200 feet from an adjacent intersection of an arterial or collector street, and not less than 1,000 feet between full median breaks on major arterials.
- f. Arterial streets shall include landscaping in accordance with Figure 2-3.

COLLECTOR STREET STANDARDS

- a. Driveway access to major activity centers should be located no closer than 150 feet to the adjacent intersection of a collector or arterial street (measurement shall be from the curb return to the nearest edge of the driveway). If driveways must be provided near intersections for facilities (such as service stations) these driveways shall not be serviced by median breaks and shall be located no less than 50 feet from the intersection (measurement shall be from the curb return to the edge of the driveway). If more than one is requested to serve a property, the driveways shall be separated by 50 feet, measured edge to edge, not centerline to centerline.

**Table 2-1
Permitted Traffic Calming Measures**

Measure	Functional Classifications				Subdivision Streets		
	Intersecting Freeway/Expressway	Arterial	Collector	Local Roads	Collector Streets	Local Streets	Other Restrictions
Volume Control Measures							
Full Closure	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Not Recommended	5,000 ypd 5-15% non-peak local traffic	
Diagonal Diversion	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Not Recommended	2,500 ypd 25% non-peak local traffic	
Median Turnovers	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Not Recommended	2,500 ypd 25% non-peak local traffic	
Vertical Speed Control Measures							
Speed Humps	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 5,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Speed Tables	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 5,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Speed Bumpers	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 5,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Horizontal Speed Control Measures							
Mini-traffic Circle	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 5,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Roundabouts	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 5,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Lane Shifts	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 5,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Chicanes	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 5,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Realigned Intersections	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 5,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Narrowings							
Bulbs	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 1,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Two-Lane Chokers	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 1,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Center Islands	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Daily volumes < 1,000 ypd Posted speed < 35 mph	Not on primary emergency routes	
Combined Measures	Not Recommended	Not Recommended	Only on an exception basis	Only on an exception basis	Subject to minimum of component measures	Not on primary emergency routes	

Note: Subject to Approval by City Engineer

Arterials

- Alta Avenue
- Crawford Avenue
- El Monte Way
- Kamm Avenue
- Nebraska Avenue
- Road 72
- Road 96
- Road 64
- Avenue 400
- Road 56
- Road 68 (between El Monte and Kamm)

Collectors

- Alice Avenue/Monte Vista Drive
- College Avenue/Road 84
- Euclid Avenue
- "K" Street
- Lincoln Avenue
- "M" Street
- Uruapan Drive
- Road 92
- Saginaw Avenue
- Sierra Way
- Tulare Street
- Road 68
- Avenue 404
- Road 76
- Avenue 428

2.19 Median breaks and driveway standards for arterial, collector and local streets directly affect the performance of these roadways, and the following minimum standards have been developed to facilitate the proper operation of these roadways:

b. The distance between driveways and intersecting local streets should not be less than 300 feet. (Measurement shall be from the curb return to the nearest edge of the driveway). Where this spacing is not practical, the development shall provide acceptable traffic mitigation measures in addition to those already required.

c. Driveways to residential property along collectors should be consolidated whenever possible.

d. Concrete medians shall be provided on collectors where left turn control is needed and by painted medians on two way left turn pockets where appropriate. Where concrete medians are provided, median breaks should be spaced not less than 300 feet apart.

e. Collectors shall include landscaping in conformance with Figure 2-3.

2.20 The street network should provide a quick and efficient route for emergency vehicles, including police, fire and other vehicles, when responding to calls for service. The length of single entry access routes shall be restricted.

2.21 Standards for new street development can be altered or refined through the specific plan or planned unit development process where it can be demonstrated that projected traffic flows can be accommodated.

2.22 New street development in areas of urban expansion should not be limited to a linear "grid system". Varied street layouts may be permitted where they are in conformance with the Circulation Plan. Private streets and/or gated communities may be considered under the Planned Development process.

2.23 City policy is to continue to provide a high level of service to the community. Therefore, the City designates Service Level "C" (ADT) as defined in the Highway Capacity Manual (published by the Transportation Research Board of the National Research Council) as the minimum desirable service level at which arterial and collector streets should operate. All new facilities in these categories shall be designed to operate at this level or better for a period of at least 20 years following their construction. Level of Service "D" (peak hours) shall be deemed acceptable for those road segments and intersections which have been identified as already operating at that level.

2.24 Traffic studies should be required, when necessary, to determine mitigation measures necessary to mitigate traffic impacts.

2.25 Intersection improvements should be made to the existing major street system selectively through traffic engineering solutions rather than major

structural improvements. This could include signalization, intersection channelization, use of directional signs, and diversion of traffic onto underutilized streets, or through sequential traffic signal timing.

2.26 City circulation system street alignments shall be coordinated with Tulare County circulation system street alignments.

2.27 In order to promote safe and efficient traffic flow throughout the City, traffic signals shall be spaced no closer than 1/4 mile on arterials except in unusual circumstances. The intersections of arterial and collector streets and the access driveways to major traffic generators shall be located so as to maintain this minimum spacing.

2.28 Tulare County should incorporate Dinuba's Circulation Element into its County-wide General Plan.

2.29 Promote the improvement of El Monte Way (Avenue 416) as the primary transportation access to the City from Highway 99. To this end, the City will cooperate with Tulare County, Fresno County, and CalTrans to prepare plan lines and secure funding for right-of-way, additional lanes, signalization, and streetscape improvements.

2.30 The ultimate development of El Monte Way (Avenue 416) should include four travel lanes from Highway 99 through the City to Road 100.

2.31 Encourage CalTrans to improve directional signage to Dinuba from major Highway 99 exits.

2.32 The circulation system shall be designed and developed to minimize excessive noise impacts on sensitive land uses and traffic congestion which would increase the rate of vehicle emissions. Development shall mitigate noise and emission impacts.

2.33 Right-of-Way essential to the circulation system should be dedicated and/or developed to the appropriate extent and width when a zone change to a greater density, division of property or development occurs. The City shall have the County of Tulare apply the same requirements within the urban development boundary.

2.34 All land development proposals shall be reviewed to assure consistency with this Circulation Element.

2.35 Due to limited additional traffic carrying capacity of El Monte to east and west bound traffic, development should be encouraged which utilizes Nebraska and Kamm Avenues.

CIRCULATION ELEMENT



2.2 STREET IMPROVEMENTS

OBJECTIVE

Protect rights-of-way for future street development by clearly defining the location of future rights-of-way and establishing street dedication requirements. Such methods should minimize adverse impacts on adjacent properties and avoid imposition of street improvement requirements significantly in advance of need.

POLICIES AND STANDARDS

- 2.36 Adopt the official plan line process, as provided for in State Law, as the City's method of protecting rights-of-way for future street improvements.
- 2.37 Establish official plan lines for all arterial and collector streets included in the Circulation Element of the General Plan.
- 2.38 Official plan lines for El Monte Way, between Alta and Tulare, and for Alta Avenue, between El Monte and Vassar, should include potential abandonment or realignment of City streets which now intersect those streets at approximately a 45° angle.
- 2.39 Delay or transfer street improvement requirements resulting from the granting of an entitlement for properties located on future arterial or collector streets where the official plan line indicates delay of ultimate street improvements is appropriate.
- 2.40 Streets abutting new development shall be developed to handle bi-directional traffic and at least one parking lane. Arterial half streets may be permitted when additional lanes are not necessary to support development. Half collector and local streets shall not be permitted.

2.3 MAINTENANCE/CONSTRUCTION

OBJECTIVE

Efficiently manage the construction and maintenance of the street and highway system.

POLICIES AND STANDARDS

- 2.41 Develop a 5-year Capital Improvement Plan to identify and provide adequate sources of funding for both maintenance and improvement of the street and highway system.

- 2.42 Develop a traffic monitoring system to assist in establishing a priority system for expending street and highway funds.

2.4 TRAFFIC SAFETY

OBJECTIVE

Maximize the use of site planning techniques to improve traffic safety.

POLICIES AND STANDARDS

- 2.43 Limit vehicular access from residential developments along arterials by requiring development to back-on to such streets (with ornamental fencing, landscaping and waiver of access).
- 2.44 Allow direct access to collector streets with 2,000-4,000 average daily traffic counts from residential areas except where physical circumstances do not allow other design solutions, or where opportunities exist to consolidate points of access for businesses and/or residences.
- 2.45 Require the use of street-type driveway approaches on collector and arterial streets for any development containing 20 or more parking spaces.
- 2.46 Promote and develop design standards for local streets to reduce right-of-way width and paving, and to utilize parkway strips.
- 2.47 Provide left hand-turn lanes where necessary for access from arterials into high traffic commercial or multifamily developments.
- 2.48 Project designs shall reflect options for reducing through traffic on local streets.
- 2.49 Promote design standards which allow for safe and efficient transport, delivery, loading and unloading of goods from service vehicles within commercial and industrial areas.
- 2.50 Develop street patterns for interior streets within new subdivisions to integrate neighborhoods and provide for continuous access routes. The City should discourage residential developments which have self contained street circulation standards.
- 2.51 Where major new activity centers are proposed along arterial and collector streets, designs shall be encouraged which minimize construction along the property line or along the adopted set back line, whichever is appropriate.



term safety and comfortably. The City shall determine such need based on site plan review procedure and other planning implementation methods.

- 2.60 Major arterials, arterials, and collectors will be designed to allow transit vehicles to pull out of traffic. This policy may be implemented with either a continuous parking lane with bus stops, or with special bus pull out lanes.
- 2.61 Transit centers/stops shall be established to encourage the interface between commercial centers, alternate transportation modes, high density residential uses and the transit system.
- 2.62 Encourage transit alternatives to meet the basic transportation needs of the young, the elderly, the handicapped, and individuals without access to an automobile.
- 2.63 Maintain opportunities for a transit center within the City where alternative transit modes would connect.
- 2.64 Encourage and provide for ride sharing, park and ride, and other similar commuter energy savings programs.

2.6 BICYCLE FACILITIES

OBJECTIVE

Encourage the use of bicycles as a viable means of transportation.

POLICIES AND STANDARDS

- 2.65 The City will develop, through various funding mechanisms and sources, a city-wide bicycle/pedestrian path system. The bicycle/pedestrian path system will utilize existing or future railroad right-of-way and water courses such as Traver Creek. The path, which would be between 8 and 12 feet wide and off the roadway, could also include landscaping, lighting, mileage markers and directional signage and benches. Reference Figure 2-4 for the proposed bicycle/pedestrian city-wide path system.
- 2.66 The City of Dinuba will work with the City of Reedley to connect the city-wide bicycle/pedestrian trail system with a similar path system in Reedley.
- 2.67 Provide bikeway signage for Regional Bike Routes.

2.52 Developers shall mitigate traffic impacts associated with their projects to minimize the impacts to major arterials, arterials, and collector streets.

2.53 The City shall promote an active policy of consolidating driveways, access points and curb cuts along existing major arterials, or arterials when development or change in intensity of development or land use occurs or when traffic operation or safety warrants.

2.54 Residential subdivisions shall be designed to encourage access from collector streets or minor collectors and discourage the use of local streets to bypass congested arterials.

2.55 Where arterial and collector streets are required, residential development shall be oriented away (side on or rear on) from such streets, and properly buffered so that the traffic carrying capacity on the street will be preserved and the residential environment protected from the adverse characteristics of the street.

2.56 Due to the traffic congestion which results from numerous points of ingress and egress along commercial streets, future commercial developments or modifications to existing developments shall be designed with limited points of ingress and egress onto a major street. Ingress and egress to shopping centers should be carefully designed in order to promote traffic safety. Left hand movements into and out of commercial areas should be minimized and existing points of ingress and egress shall be consolidated whenever possible.

2.5 ALTERNATIVE TRANSPORTATION MODES

OBJECTIVE

Promote the use of alternative modes of transportation.

TRANSIT

POLICIES AND STANDARDS

- 2.57 Coordinate transit services with surrounding cities, the County of Tulare, Tulare County Association of Governments (TCAG), and the Transportation Planning Agency.
- 2.58 Cooperate with the TCAG in providing transit service and planning to meet the social and economic needs of all segments of the community.
- 2.59 Provide reasonable accommodations for comfort and convenience for riders at major transit destinations so people can utilize the transit system.

2.68 Support the installation of bicycle parking racks at public and private places of assembly such as parks, schools, office buildings, churches, and retail commercial developments.

2.69 Promote bicycle safety education programs in elementary schools through the police and recreation departments.

2.7 PEDESTRIAN FACILITIES

OBJECTIVE

Provide a safe walking environment for pedestrians.

POLICIES AND STANDARDS

2.70 Sidewalks, paths, and appropriate crosswalks should be located to facilitate access to all schools and other areas with significant pedestrian traffic. Whenever feasible, pedestrian paths should be developed to allow for unobstructed pedestrian flow from within a neighborhood.

2.71 Sidewalks shall be required in all areas of the community to accommodate pedestrian traffic, especially along routes with high pedestrian traffic such as schools, parks, and the Downtown area. Installation of these improvements shall be encouraged to the extent feasible in existing neighborhoods where they do not currently exist.

2.72 Where security walls or fences are proposed for residential developments along major arterials, arterials, or collector streets, pedestrian access will be provided between the major arterial, arterial, or collector, and the development to allow access to transit vehicles, commercial facilities, educational facilities, and recreation areas. Pedestrian access to arterial streets is encouraged. Such access should be located every 300 to 400 feet.

2.73 Street lighting shall be provided for all public streets.

2.74 Pedestrian signals should be provided at all traffic signal locations.

2.75 Adequate sidewalk and park strip maintenance should be assured. Owners of abutting property shall be responsible for maintenance of sidewalks and park strips. City shall work to assist property owners, where possible.

2.8 RAIL SERVICE

OBJECTIVE

Assure the continuation of railroad freight service to the City Dinuba.

POLICIES AND STANDARDS

2.76 To preserve the viability of the Union Pacific rail corridor, uses or activities shall not be permitted to encroach so as to reduce the efficiency of the rail system.

2.9 SAFETY STANDARDS

OBJECTIVE

Upgrade and maintain existing transportation corridors to meet urban safety standards.

POLICIES AND STANDARDS

2.77 Encourage the development of improved signalization and intersection design.

2.78 Utilize traffic control devices such as center medians and/or left turn pockets where appropriate and feasible.

2.79 Adequate street lighting and traffic control devices should be provided throughout the City to ensure safe and efficient mobility.

2.80 Signals should be timed and coordinated, where possible, to increase intersection performance, reduce truck traffic impacts and provide for efficient cross town traffic circulation.

2.10 PARKING

OBJECTIVE

Promote a parking program that meets the needs of each land use type.

POLICIES AND STANDARDS

2.81 Adequate off-street parking shall be required of all commercial and industrial



land uses to accommodate parking demand. Off-street parking shall also be required (and be used) of residential land uses to accommodate tenants.

- 2.82 Parking standards shall be evaluated for new downtown developments to ensure that parking requirements are satisfied within walking distance of such development.
- 2.83 Parking standards shall be evaluated to assess the potential for offering reduced parking requirements to developments that incorporate measures proven to reduce vehicular trips. Shared parking should be encouraged wherever possible.

2.11 TRANSPORTATION SYSTEM AND CONGESTION MANAGEMENT

OBJECTIVE

Encourage the development of strategies for maximizing the efficiency of the existing street system.

Promote a variety of public transit connections with other nearby cities and locations.

POLICIES AND STANDARDS

- 2.84 The City shall encourage the use of energy efficient and non polluting fuels and modes of transportation.
- 2.85 Transportation System Management and Transportation Demand Management strategy should be used to mitigate traffic and parking congestion. Public transit, traffic management, ridesharing and parking management are to be used to the greatest extent practicable to implement transportation management strategies.
- 2.86 Promote the long term shifting of peak hour commute trips from the single occupant automobile to ridesharing, buses, pedestrian, and bicycle.
- 2.87 Large developments shall be encouraged to incorporate transit passenger facilities, bicycle racks, lockers, shower facilities, as well as on site services (eating, mail, banking, etc.) as ways to reduce vehicle trips.
- 2.88 Investigate modifying the contract with Dinuba Transit to initiate regular bus service to Reedley and Selma.
- 2.89 Plan for obtaining the right to construct a bicycle/pedestrian path along the Southern Pacific Railway line, should it be abandoned.

2.12 MAINTENANCE AND INTEGRATION

OBJECTIVE

Develop adequate maintenance programs for the community's transportation networks.

POLICIES AND STANDARDS

- 2.90 The community's transportation infrastructure, including streets, street lights, sewer, water, storm drains, and facilities shall be adequately maintained. The City shall maintain their facilities and encourage other utilities to adequately maintain their facilities.
- 2.91 The maintenance of the investment in the existing and future infrastructure is a high priority for the community.
- 2.92 The City shall maintain a high level of inter governmental coordination and citizen participation in the circulation and transportation planning process and work with other agencies to assure that regional transportation plans are consistent with the City's General Plan.

2.13 TRUCK ROUTES AND TRUCK PARKING

OBJECTIVE

Provide safe and efficient truck routes into and within the community.

POLICIES AND STANDARDS

- 2.93 Truck traffic shall be permitted on the designated arterials and collector streets only; as identified in the Circulation Element Truck Route Map (reference Figure 2-5).
- 2.94 Truck parking
 - a. Shall be discouraged on arterial/collector streets outside of the industrial park.
 - b. Shall be prohibited in residential areas for vehicles in excess of 10,000 gross vehicle weight (GVW), or higher than 8 feet.
- 2.95 The City shall encourage development of a truck terminal and parking facilities within the industrial park.



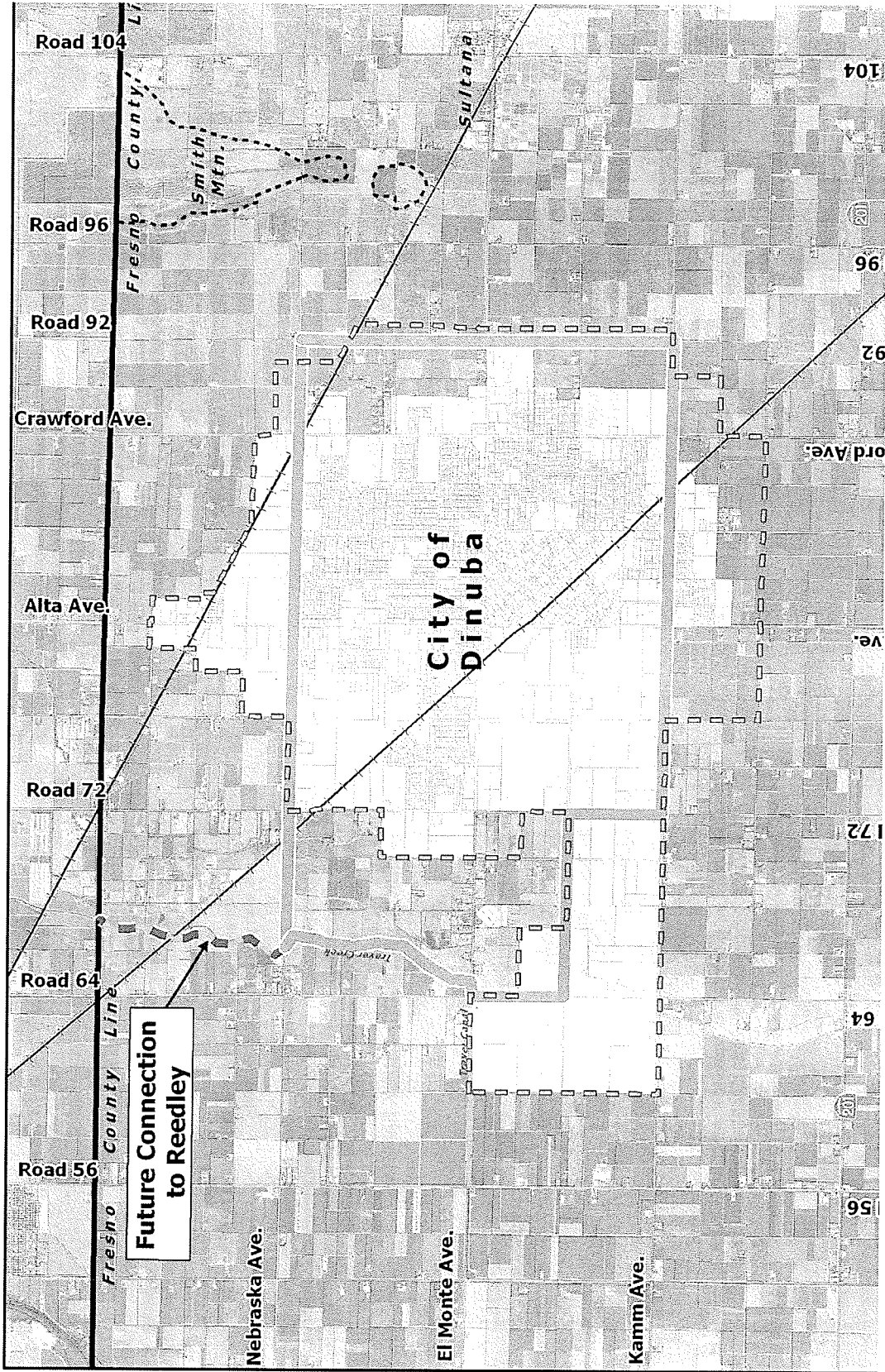
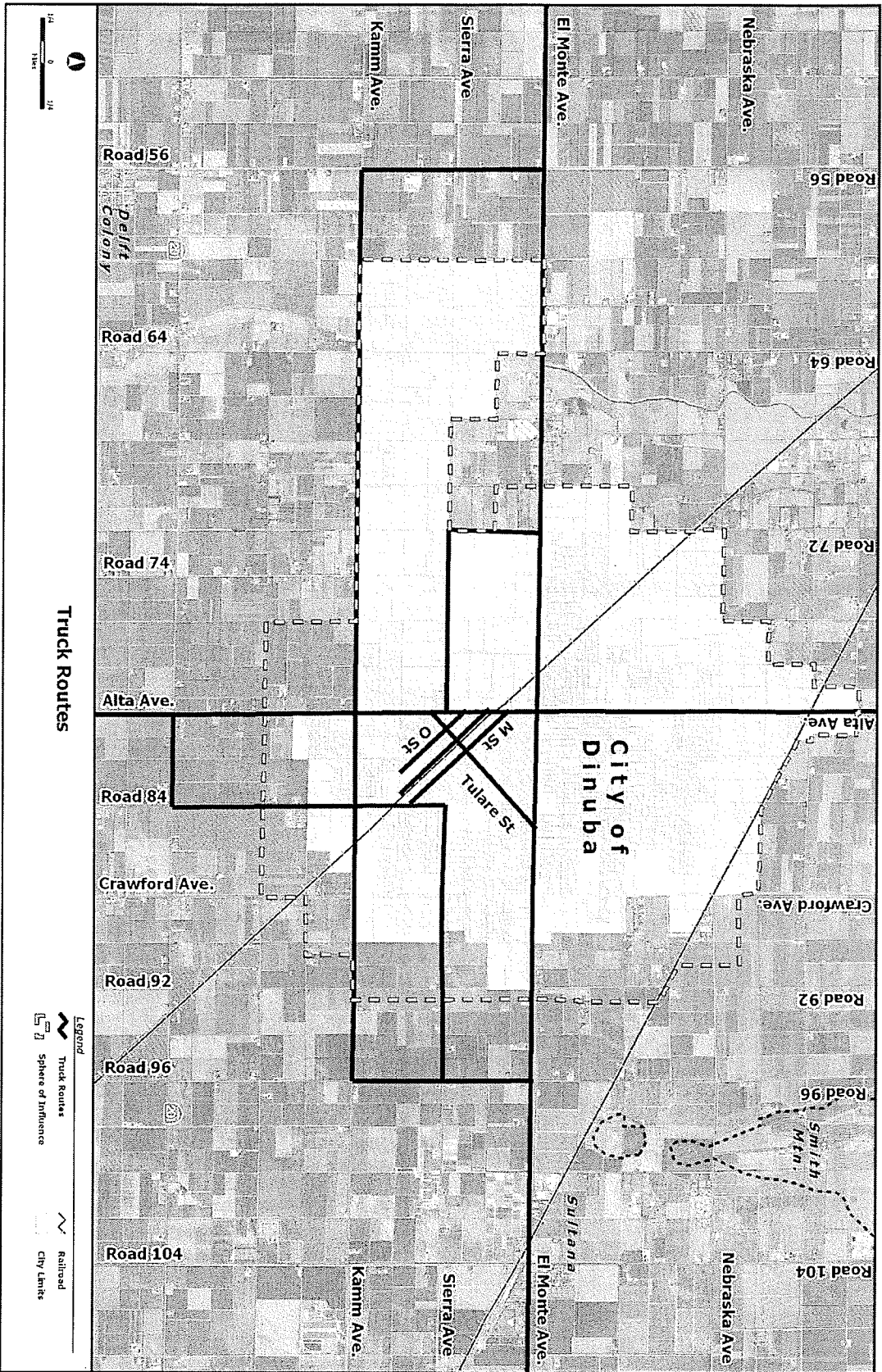


Figure 2-4

Quart Knopf

Figure 2-5



3.0 OPEN SPACE, CONSERVATION AND RECREATION ELEMENT

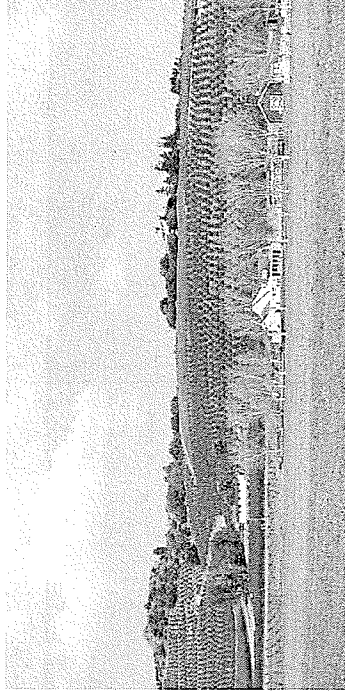
INTRODUCTION

Some of the most valuable assets of Dinuba include its agricultural land, parks, historical and architectural resources. The Open Space, Conservation and Recreation Element focuses on the protection and enhancement of open space, natural and recreational resources to ensure a high quality living environment in Dinuba.

PURPOSE OF THE OPEN SPACE, CONSERVATION AND RECREATION ELEMENT

The Open Space, Conservation and Recreation Element meets the state requirements for Conservation and Open Space Elements as defined in Sections 65302(d) and 65307(e) of the Government Code. According to these requirements, the Conservation Element must contain goals and policies to protect and maintain natural resources such as water, soils, wildlife, and minerals, and prevent wasteful resource exploitation, degradation, and destruction. The Open Space Element must contain goals and policies to manage open space areas, including undeveloped lands and outdoor recreation areas. Specifically, the Open Space Element must address several open space categories such as those used for the preservation of natural resources and managed production of resources, as well as open space maintained for public health and safety reasons. This last category of open space is addressed in the Safety Element. Because the subjects required to be addressed under the Conservation Element and Open Space Element overlap substantially, the two elements, and the Recreation Element have been combined for this Plan.

Tools	Duration		Long Term
	Short to Medium Term	Medium Term	
Agricultural Districts			X
Differential Assessment	X		X
Right-to-Farm Law			X
Agricultural Zoning		X	X
Urban Growth Boundary			X
Donation of Development Rights			X
Purchase of Development Rights			X
Transfer of Development Rights			X



resource management issues are identified and corresponding policies are established. The objectives, which are overall statements of the City desires, are comprised of broad statements of purpose and direction. The policies serve as guidelines for planning and maintaining recreational facilities, enhancing the natural amenities of Dinuba and minimizing the environmental effects of planned development.

3.1 AGRICULTURE

OBJECTIVES

- A. To preserve prime farmland, farmland of statewide importance and farmland of local importance within the Dinuba Planning Area to support continued agricultural production.
- B. To provide a greenbelt around the City's perimeter to maintain the physical separation between the City of Dinuba and nearby communities, and to maintain the scenic beauty surrounding the City. The City should also establish hard edge growth phasing boundaries such as roadways, railroad right of ways, irrigation ditches, etc. to protect agriculture.

POLICIES AND STANDARDS

- 3.1 Assure the continuation of agricultural production as an important economic activity by establishing areas primarily north and east of the City to be designated and maintained as part of the City's greenbelt.
- 3.2 New residential development shall be substantially contiguous to existing development. Development should not occur unless at least 35% of a parcel is contiguous to existing urban development. This measure is intended to help reduce the unnecessary removal of finite natural resources.

SCOPE AND CONTENT OF THE OPEN SPACE, CONSERVATION AND RECREATION ELEMENT

The Open Space, Conservation and Recreation Element includes community policies to protect environmental, open space and recreational resources. Resources addressed in this element include: water resources; agricultural resources; cultural resources; ecological and biological resources; mineral resources; and parks and recreational facilities. Because everyday activities in Dinuba affect air quality outside City boundaries and regional activities affect air quality within Dinuba, regional air quality issues are also addressed in this element.

The Open Space, Conservation and Recreation Element is comprised of four sections: the Introduction; Purpose of the Open Space, Conservation and Recreation Element; Scope and Content of the Open Space, Conservation and Recreation Element; and the Objectives, Policies and Standards. In the Objectives, Policies and Standards section, community open space needs and

sources, such as prime soil, to reduce the cost of community services provided to residents, and to eliminate leap-frog development.

3.3 Extension of urban improvements and services, including water and sewer lines and storm drain facilities, into agricultural areas shall be managed as a means to direct the location and timing of new urban development.

3.4 The City will give preference to new development projects that are proposed for non-prime agricultural soils.

3.5 To protect human health from potential impacts due to agricultural spraying, dust, and traffic congestion, the City will encourage lower density developments adjacent to land planned for long-term agricultural uses.

3.6 Maintain a 20-acre minimum parcel size for agriculturally designated parcels to encourage viable agricultural operation and to prevent parcelization into rural residential or ranchette developments.

3.7 Increase residential densities through integration of small-scale or corner lot duplexes into areas designated for single family development, thereby reducing the need for conversion of prime agriculture land.

3.8 The City shall work with Fresno County, the City of Reedley and Tulare County to devise a Specific Plan for the greenbelt area along the northern edge of Dinuba. The intent of this Specific Plan is to accomplish the following:

- a. To maintain an area of extremely low density development along the Fresno County line. This area should be located on both sides of the Fresno County line, where feasible. Density should not exceed one dwelling unit per 10 acres. Uses should be restricted to agriculture, and agricultural-service industries.
- b. The Specific Plan should identify potential regional public recreation facilities, such as a park and bicycle/pedestrian trail system. This system should be connected to a similar system within the City.
- c. In order to protect the landowners within the buffer area, a funding mechanism should be developed and implemented which would allow the City to purchase development rights, open space easements, or properties, so as to protect the area in perpetuity.

3.2 NATURAL RESOURCES

OBJECTIVES

- A. To protect natural resources including groundwater, soils, and air quality, to

meet the needs of present and future generations.

- B. Ensure that environmental hazards including potential flooding and impacts from agricultural practices are adequately addressed in the development process within the City and the Dinuba Urban Development Boundary.

POLICIES AND STANDARDS

- 3.9 To protect human health, the City groundwater resources will be monitored on a regular basis to test for bacteriological and toxic chemical components.
- 3.10 Protect areas of natural groundwater recharge from land uses and disposal methods which would degrade groundwater quality. Promote activities which combine stormwater control, and water recharges.
- 3.11 The City will expand programs that enhance groundwater recharge in order to maintain the groundwater supply, including the installation of detention/retention ponds in new growth areas.
- 3.12 No development shall be approved in the City unless the development is, or can be served by the City sewer system.
- 3.13 Water conservation methods shall be continued.
- 3.14 Promote biological diversity and the use of plant species compatible with the bio-region.
- 3.15 Removed trees shall be replaced with tree species specified on the City's Tree Master Plan.

3.3 RECREATION

OBJECTIVE

To provide recreational opportunities including local parks for all populations for the existing community, and projected population in future growth areas.



Water Conservation Methods
Numerous methods have been developed to implement water conservation.

Residential Indoor Methods

- Residential indoor methods can include the following:
 - Purchasing energy- and water-efficient appliances
 - Installing airtight shutoffs and timers on equipment that uses water
 - Installing leak detectors and timers on equipment that uses water
 - Installing low-flow water faucets and showerheads
 - Installing submetering of multifamily residents
 - Setting water rates that encourage conservation

Commercial and industrial indoor conservation methods include the following:

- Making cooling or heating system improvements
- Replacing water-cooled equipment with air-cooled units
- Using recycled process water
- Conducting leak detection and repair
- Reclaiming rainwater for toilet use
- Installing waterless urinals (where permitted)
- Installing domestic metering where none exists

Outdoor Methods

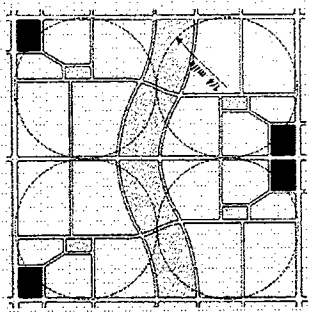
- Enacting a landscape planting ordinance that restricts allowable plantings of trees, shrubs, and grass
- Using native plants that may require less water
- Allowing the application of only as much water as the landscape needs
- Installing a rainwater harvesting system to capture rainwater runoff from roofs
- Using a hose nozzle, and not using a hose as a broom

Source: AIA, Planning and Urban Design Standards, 2006

POLICIES AND STANDARDS

- 3.16 Where feasible, irrigation district facilities, such as ditch easements, should be used for pedestrian/bicycle paths.
- 3.17 Provide adequate parks facilities distributed throughout the City to provide organized and informal recreation opportunities and open space for City residents. Table 3-1, to be used as a reference only, classifies various parks and greenways, provides a general description and includes size and service area criteria.
- In accordance with Section 2.6 "Bicycle Facilities" in the Circulation Element, the City will develop a city-wide bicycle/pedestrian path system which will utilize existing or future railroad right-of-way and water courses such as Traver Creek. The path, which would be between 8 and 12 feet wide, could also include landscaping, lighting, mileage markers and directional signage and benches. Reference Figure 2-2 in the Circulation Element for the proposed bicycle/pedestrian City-wide path system.
- 3.18 Provide recreation programs that meet the needs of children, adults and senior citizens in the City.
- 3.19 Provide an appropriate ratio of passive and active uses in each park type. Ensure that all parks provide the potential for passive, restful relaxation. A major portion of some parks shall be for passive activity while a portion of other parks may be for active recreation.
- 3.20 Improvements to existing parks shall be primarily in the form of upgrading the quality of existing facilities and improvements to accommodate new residents. This shall be achieved by either remodel or redevelopment. Facilities shall be constructed which are durable and require low maintenance, wherever possible.
- 3.21 Other improvements to existing parks shall be for the purpose of reducing maintenance cost, water use, improving safety and aesthetics.
- 3.22 In the Parks and Recreation Master Plan, there should be a balance between revitalization of existing facilities, parkland acquisition and development of new parks.
- 3.23 The standard park acreage for residents is 5.0 acres per 1000 people. This acreage may include School District property which is made available through cooperative agreements, park-ponds (to the extent that they are accessible and usable recreational areas), neighborhood parks, pocket parks, community parks and community recreational facilities. Priority should be given to development of property already owned by the City for park programs.

Figure 3-1



Future neighborhood parks should be centrally located within each 172 square mile of the City. These parks should be the focal point of neighborhoods.

Table 3-1 Parks and Greenways Classifications		
Classification	General Description	Size and Service Area Criteria
Neighborhood Park	Neighborhood parks are the basic units of the park system and serve a recreational and social purpose. Focus is on informal recreation.	Typically 5 acres or more; 6 to 10 acres preferred with 3 acres the desired minimum size. Service area is one-fourth to one-half mile uninterrupted by major roads and other physical barriers.
Community Park	Serves a broader purpose than neighborhood parks. Focus is on meeting community-based recreational needs, as well as preserving unique landscapes and open spaces.	Varies, depending on function. A minimum of 20 acres is preferred, with 40 or more acres optimal. Service area can be communitywide or several neighborhoods in given area of the community.
Large Urban Park	Large urban parks are generally associated with larger urban centers with large populations. Focus is on meeting wide-ranging community needs and preserving unique and sometimes extensive landscapes and open spaces.	Varies depending on circumstances. A typical minimum size is 50 acres (20.2 hectares), with hundreds of acres not uncommon, such as Central Park in New York City.
Youth Athletic Complex/Facility	Candidates programmed youth athletic fields and associated facilities to fewer strategically located sites throughout the community. Also can provide some neighborhood use functions.	Varies, with 20 acres or more desirable, but not absolute. Optimal size is 40 to 80 acres (16.3 to 32.4 hectares).
Community Athletic Complex/Facility	Consolidates programmed adult and youth athletic fields and associated facilities to a limited number of sites. Tournament-level facilities are appropriate.	Varies, with 20 acres (8.1 hectares) or more desirable, but not absolute. Optimal size is 40 to 80 acres (16.2 to 32.4 hectares).
Greenway	Lands set aside for preserving natural resources, remnant landscapes, and open space, and providing visual aesthetics/buffering. Also provides passive-use opportunities. Ecological resource stewardship and wildlife protection are high priorities. Suitable for ecologically sensitive trail corridors.	Varies, depending on opportunity and general character of natural systems within the community.
Parkway	Linear park like transportation corridors between public park components, institutions, and sometimes business districts. Can be maintained green space or natural in character.	Varies.
Special Use	Covers a broad range of parks and recreation facilities oriented toward single-purpose uses, such as a nature center, historic sites, plazas, urban squares, aquatic centers, carnegrounds, and golf courses.	Varies, depending on need.
Park-School	School sites that are used in concert with, or in lieu of, other types of parks to meet community park and recreation needs. School sites often provide the majority of indoor recreational facilities within a community.	Varies, depending on specific site opportunities.
Private Park/Recreation Facility	Parks and recreation facilities that are privately owned, yet contribute to the public park and recreation system.	Varies.
Regional Parks and Park Reserves	Larger-scale, regionally based parks and open spaces that focus on natural resource preservation and stewardship.	Typically a minimum of 500 acres (202.3 hectares) and up to several thousand acres or several hundred hectares. Service area is regional, which generally encompasses several cities.

Source: APA, Planning and Urban Design Standards, 2006

3.24 The City shall encourage future neighborhood parks (3-5 acres in size) to be centrally located within each section of land (reference Figure 3-1).

3.25 Where possible, parks should be developed in conjunction with school property to create a larger combined open space and recreation facility for the community and to reduce the costs for parks and recreation facilities.

3.26 Where possible, parks should be developed in conjunction with existing and future drainage basins to create a larger combined open space along with additional space for active and passive recreation. Existing park ponds should be adapted for park use where possible. Safety concerns must be addressed and adequate space at or above street level should be provided.

3.27 Park facilities should be provided in each quadrant of the City and should be within a ¼ mile walking distance of most residents.

3.28 Neighborhood park facilities may be contained within community parks.

3.29 Provide active recreation facilities in several locations in the City to accommodate community needs.

3.30 Community facilities of a specialized nature may be developed to service the particular interest of the community.

3.31 Not all community facilities should occur at each community park; they should be based on need, and should occur at various City parks.

3.32 The active community sports facilities should be lighted for extended hours of use when it does not conflict with adjacent land uses.

3.33 The majority of City parks should have some active recreational facilities. These facilities may be a single ballfield, a pair of tennis courts, a group of horseshoe pits or a group picnic area. At the maximum level, these facilities may include a complex of ballfields, a sports center, or a swimming pool.

3.34 Parks shall be protected from intrusion by other uses. Areas designated for park sites shall be preserved through zoning or the specific plan process. Alternative sites to those shown on the Land Use map may be permitted through a General Plan Amendment.

3.35 The City will review the Parks and Recreation Master Plan at least every five years to consider changing priorities and schedules for acquisition and development to implement the General Plan.

3.36 The City will coordinate with public schools, private industry and commercial developers to attain maximum use and minimum duplication in the cost of park and recreation facilities.

3.37 Where a county-wide recreation need is demonstrated in an area adjacent to the City, cooperative park development programs shall be encouraged on a cost-sharing basis. Joint power agreements between Dinuba and County agencies may be developed to implement such parks with financial aid management obligations in proportion to each agency's responsibilities.

3.38 If a subdivision, site plan, general amendment or rezoning is proposed on land which is designated for potential park use, prior to entitlements, permits or other approvals, the City Council shall determine the feasibility of accelerating public acquisition of the property, or redesignate alternative areas.

3.39 When a site designated for a park is part of a subdivision map, the City may require the subdivider to dedicate the park area and prepare plans for its phased development. Development of the park proposal shall be consistent with this element and the Parks and Recreation Master Plan.

3.40 Aggressively seek State, Federal, and local grants to improve City recreation services and facilities.

3.41 Maintenance costs should be within the City's financial ability. Where necessary, the City may require the developer to establish financing mechanisms.

3.42 Support the establishment of public non-profit corporations with the purpose of promoting and supporting City park and recreation services and facilities for the general public.

3.43 Continue to promote the use of volunteers and community groups for the provision of recreation programs, services, operation and maintenance and development of parks.

3.44 Develop a method of financing park and recreation facilities throughout the City using a variety of revenue and human resources.

3.4 AIR QUALITY

GOAL

To protect the health and welfare of Dinuba residents by promoting development that is compatible with air quality standards.

OBJECTIVES

- A. Develop consistent and accurate procedures for evaluating the air quality impacts of new projects.
- B. As part of the development review process, develop mitigation measures to minimize stationary and area source emissions.
- C. Develop transportation systems that minimize vehicle delay and air pollution.
- D. Develop consistent and accurate procedures for mitigating transportation emissions from new and existing projects.
- E. Encourage alternative modes of transportation including pedestrian, bicycle, and transit usage.
- F. Conserve energy and reduce air emissions by encouraging energy efficient building designs and transportation systems.

POLICIES AND STANDARDS

- 3.45 Coordinate with other local and regional jurisdictions, including the SJVAPCD and the California Air Resources Board (ARB), in the development of regional and county clean air plans and incorporate the relevant provisions of those plans into City planning and project review procedures. Also cooperate with the SJVAPCD and ARB in:
 - Enforcing the provisions of the California and Federal Clean Air Acts, state and regional policies, and established standards for air quality.
 - Economy clean fuel for city vehicle fleets, when feasible.
 - Developing consistent procedures for evaluating project-specific and cumulative air quality impacts of projects.
- 3.46 Require area and stationary source projects that generate significant amounts of air pollutants to incorporate air quality mitigation in their design, including:
 - The use of best available and economically feasible control technology for stationary industrial sources;
 - The use of EPA Phase II certified wood burning heater or pellet stoves in new residential units;

- The use of new and replacement fuel storage tanks at refueling stations that are clean fuel compatible, if technically and economically feasible; and
 - The promotion of energy efficient designs, including provisions for solar access, building siting to maximize natural heating and cooling, and landscaping to aid passive cooling and to protect from winter winds.
- 3.47 Develop strategies to minimize the number and length of vehicle trips, which may include:
- Promoting commercial/industrial project proponent sponsorship of van pools or club buses;
 - Encouraging commercial/industrial project day care and employee services at the employment site;
 - Encouraging the provision of transit, especially for employment-intensive uses of 200 or more employees; and
 - Providing expansion and improvement of public transportation services and facilities.
- 3.48 Encourage transportation alternatives to motor vehicles by developing infrastructure amenable to such alternatives by doing the following:
- Consider right-of-way requirements for bike usage in the planning of new arterial and collector streets and in street improvement projects;
 - Require that new development be designed to promote pedestrian and bicycle access and circulation; and
 - Provide safe and secure bicycle parking facilities at major activity centers, such as public facilities, employment sites, and shopping and office centers.
- 3.49 Encourage land use development to be located and designed to conserve air quality and minimize direct and indirect emissions of air contaminants by doing the following:
- Locate air pollution point sources, such as manufacturing and extracting facilities in areas designated for industrial development and separated from residential areas and sensitive receptors (e.g., homes, schools, and hospitals);

- Establish buffer zones (e.g., setbacks, landscaping) within residential and other sensitive receptor uses to separate those uses from highways, arterials, hazardous material locations and other sources of air pollution or odor;
- Consider the jobs/housing/balance relationship (i.e., the proximity of industrial and commercial uses to major residential areas) when making land use decisions;
- Provide for mixed-use development through land use and zoning to reduce the length and frequency of vehicle trips;
- Accommodate a portion of the projected population and economic growth of the City in areas having the potential for revitalization;
- Locate public facilities (libraries, parks, schools, community centers, etc.) with consideration of transit and other transportation opportunities;
- Encourage small neighborhood-serving commercial uses within or adjacent to residential neighborhoods when such areas are aesthetically compatible with adjacent areas; do not create conflicts with neighborhoods schools; minimize traffic, noise, and lighting impacts; encourage and accommodate pedestrian and bicycle access; and, are occupied by commercial uses that have a neighborhood-scale market area rather than a community-wide market area; and
- Encourage a development pattern that is contiguous with existing developed areas of the City.

4.0 URBAN BOUNDARY ELEMENT

INTRODUCTION

Since it was originally incorporated in 1906 as a general law city, Dinuba has grown to an estimated 2007 population of approximately 20,002 persons. The General Plan includes an assumption of 3% population growth per year, to approximately 34,000 persons by the year 2026. The City's growth has been located within the present City boundary and not concentrated in one particular area. Future growth is primarily planned for the west and southern areas of town with a squaring off of the City limits to the north and east.

PURPOSE OF THE URBAN BOUNDARY ELEMENT

The purpose of the Urban Boundary Element is to define the limits for extending City services and infrastructure so as to accommodate new development anticipated within the time frame of this General Plan. The element includes a 20-year Urban Development Boundary which is the City's ultimate physical boundary and service area for the next 20 years (2006-2026); a 10-year Urban Development Boundary which is the urbanizable area within which a full range of urban services will need to be extended to accommodate urban development; and a greenbelt to maintain separation between the Culler-Orosi area, Reedley and Fresno County. Reference the Land Use map for the 10-and 20-year UDB's.

SCOPE AND CONTENT OF THE URBAN BOUNDARY ELEMENT

The Urban Boundary Element is not a state-mandated element. It is, however, an important element because it limits leap-frog development and provides for an orderly transition from rural to urban land uses. The element comprises four sections: the Introduction; Purpose of the Urban Boundary Element; Scope and Content of the Urban Boundary Element; and Objectives, Policies and Standards. The Policies and Standards section establishes guidelines for new development over the next 20 years.

4.1 URBAN BOUNDARIES

OBJECTIVES

- A. Provide for an orderly and efficient transition from rural to urban land uses.
- B. Minimize urban sprawl and leap-frog development.
- C. Designate growth areas that can likely be served by foreseeable infrastructure improvements.

POLICIES AND STANDARDS

- 4.1 First priority shall be given to development of vacant, underdeveloped, and/or redevelopable land where urban services are or can be made available. Parcels should be substantially contiguous to existing development.
- 4.2 Identify and use natural and man-made edges such as local roadways and waterways, as urban development limits for growth phasing lines.
- 4.3 Utilize low density residential land uses as a buffer and transition between long-term agricultural uses and urban development.
- 4.4 Prohibit the premature conversion of agricultural lands where agricultural preserves are present.
- 4.5 Encourage the use of parks and open space to enhance gateways to the City.

4.2 GROWTH POLICIES

OBJECTIVE

Implement growth policies which will guide the timing, type, and location of growth, preserve resource lands, protect natural features and open space, and encourage techniques which encourage energy conservation.

POLICIES AND STANDARDS

- 4.6 Establish 10- and 20-year Urban Development Boundaries which include the City's ultimate physical boundary and service area for the next 20 years (2006-2026) plus an urban reserve and greenbelt area comprising an additional 30 percent.
- 4.7 Establish an Urban Development Boundary as the urbanizable area within which a full-range of urban services will need to be extended to accommodate urban development. This boundary shall be established based on the following factors:
 - a. Adequate residential, commercial and industrial capacity for the planning period.
 - b. Inclusion of a 30 percent vacancy factor ("flexibility factor") for residential and commercial development.
 - c. Provision of adequate industrial land.
 - d. Adequacy of infrastructure including existing and planned capacity of sewerage system, treatment plant, water system, schools, roadways, and other urban services and facilities.

e. Community growth priorities.

4.8 Maintain separation between Dinuba and the Cutler-Orosi Area, Reedley and Fresno County through the continuation and expansion of the City's greenbelt.

4.3 GROWTH MANAGEMENT COORDINATION

OBJECTIVE

Coordinate growth management planning and implementation with the County.

POLICIES AND STANDARDS

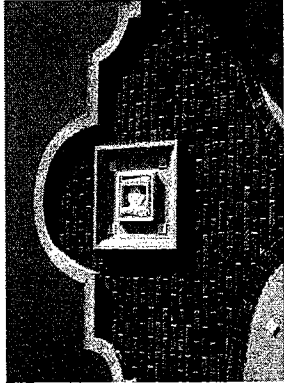
4.9 Encourage Tulare County to strictly limit the establishment of new or expanded developments in the Urban Development Boundary.

4.10 Establish a Planning Area Boundary around the City consistent with Tulare County LAFCo's Guidelines. This area should represent a potential 50-year growth boundary with a greenbelt area. This area should include any "areas or communities of interest" that may affect the City.

5.0 URBAN DESIGN ELEMENT

INTRODUCTION

The Urban Design Element is a guide to the future character of Dinuba as reflected in the use and appearance of new development and redevelopment. The guiding principles of the Urban Design Element encourage a more efficient, compact form of development in order to conserve land resources and create a more traditional neighborhood environment conducive to pedestrian activity. Older communities developed prior to World War II typically reflected particular design characteristics that have come to be known as "traditional neighborhood development." Such designs include orienting household gathering spaces (porches, entryways) toward the front of the home; streets and sidewalks that accommodate pedestrians; neighborhood-oriented commercial development; and other designs that emphasize a unique sense of place.



Neighborhoods are the fundamental building blocks for community design in developing and improving residential areas. Schools, churches, and hospitals fit within the neighborhood and should be designed to blend seamlessly with other neighborhood components. Open space should also be thought of in the context of the neighborhood unit. Parks, drainage, and landscape should all be included in neighborhood specific plans. Furthermore, traffic, circulation, street design, bicycle networks and pedestrian routes to schools and other amenities should be thought of as components of the neighborhood.

The guiding principles of the Urban Design Element are:

- Compact Development. Providing access to what we need without having to use an automobile requires that destinations be in closer proximity. Development that concentrates services in village centers including homes, services, offices and public buildings contribute to more efficient growth patterns.
- Mixed-Use Neighborhoods. Mixed-use means locating a variety of different land uses — housing, schools, small shops, offices and neighborhood services — within walking distance of one another (or within the same structure in the downtown).

- Pedestrian-Friendly Design. People will walk, bicycle or take public transit to many activities, but only if it is pleasant, convenient and safe.

- Provide a Comfortable and Interesting Environment. Design attractive storefronts with windows and openings on the first floor, and provide amenities such as covered walkways, public plazas, benches, appropriate lighting and inviting places to eat and drink.

- Create Streets for People as Well as Cars. Streets and paths, arranged in a manner that provide pedestrians and bicyclists short, direct routes to their destinations, should connect all parts of a community.

PURPOSE OF THE URBAN DESIGN ELEMENT

The Urban Design Element is intended to guide the development of the community consistent with the General Plan's vision of new development that contains a variety of housing, parks, schools and neighborhood scale commercial uses. The element creates a sense of community with an emphasis on quality of life and livability while meeting the City of Dinuba's expectations for high quality development.

The element establishes concepts, guidelines and standards for the Dinuba Planning Area to ensure consistency in the quality and character of development. The element contains goals and policies that are general in nature and may be interpreted with flexibility in their application to specific projects. It is hoped that these goals and policies will encourage the highest level of design quality while at the same time, provide the flexibility necessary to encourage creativity on the part of the project designer.

SCOPE AND CONTENT OF THE URBAN DESIGN ELEMENT

The Urban Design Element contains goals, objectives, and policies to guide the scale and quality of development in Dinuba. Where appropriate, illustrations are provided as preferred examples of development guidelines. It is the intent of the Urban Design Element that the project developer or designer establish the architectural theme and style of each neighborhood or project with careful review and regulation by the City.

Major policy areas of the Urban Design Element are:

- Design Guidelines and Development Review
- Neighborhood Land Use Planning
- Single Family Residential
- Multifamily Residential
- Commercial
- The Downtown

- Neighborhood Entries
- Landscaping and Fencing

GOAL

It is the overall goal of the City to provide for the highest quality of development through the implementation of urban design policies and standards while allowing the private sector the design freedom to respond to market demand for size, character, theme and other variables of community design.

5.1 DESIGN GUIDELINES AND DEVELOPMENT REVIEW

OBJECTIVE

Develop design guidelines and a development review process wherein the City and the private sector work together to achieve the General Plan vision of overall community design.

POLICIES AND STANDARDS

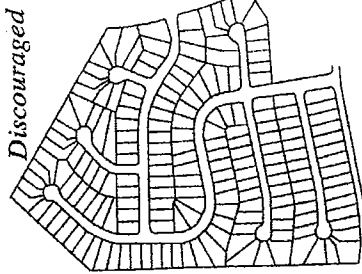
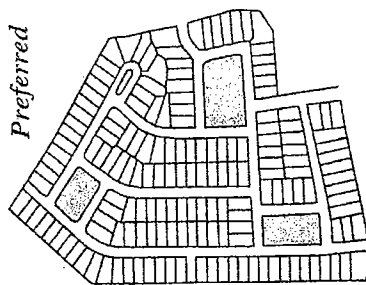
5.1 Develop design review standards for structures, landscaping, and related development to facilitate compatibility with surrounding uses and the overall character of the community (Land Use Element policy No. 1.1).

5.2 The City shall establish a design review process to include the following:

- The applicant shall consult with the City of Dinuba staff early in the process, before any design work is initiated, to verify the requirements of the appropriate General Plan policy and design requirements.
- Upon completion of a preliminary site plan and/or architectural plans and elevations based upon General Plan policy and design requirements, the application may be submitted to the development department.
- City staff will determine whether plans comply with the guidelines.

5.3 The developer shall submit architectural elevations, floor plans, and preliminary landscaping plans for all development types with exception of a building permit for an individual residential parcel. For single family subdivisions, multifamily projects, and commercial shopping centers, the developer shall submit standards outlining the architectural style, treatments, and materials consistent with the theme for the project demonstrating compliance with General Plan policies and standards.

5.2 NEIGHBORHOOD LAND USE PLANNING



This illustration contrasts a subdivision with good connectivity (top) and a subdivision with poor connectivity (bottom). The top subdivision offers multiple route choices while the lower subdivision requires circuitous trips to reach many of the parcels. The top subdivision also integrates park and open space in accessible, visible locations.

OBJECTIVE

Create livable neighborhoods incorporating a sense of place and connectivity to other neighborhoods and the remainder of the City.

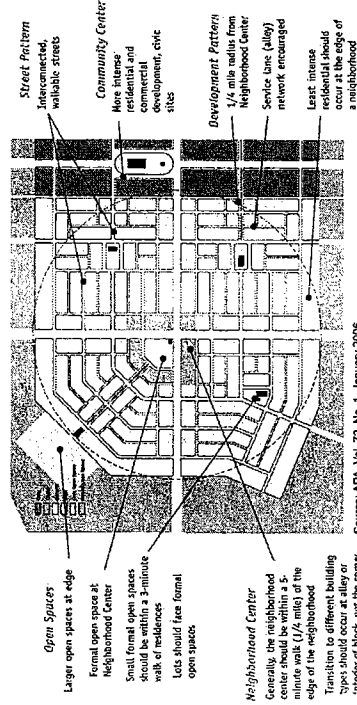
POLICIES AND STANDARDS

5.4 New residential development should be designed in easy walking and bicycling distance to neighborhood commercial areas and community facilities such as schools (a distance equal to approximately 1/4 mile). This guideline may require placement of new neighborhood-serving commercial centers within new subdivisions.

5.5 New residential subdivisions should be laid out in grid or modified grid pattern to create direct routes to surrounding developments and land uses. Major streets should be oriented when possible to capture views of the nearby Sierra Nevada. New subdivisions should limit long loop roads and cul-de-sacs, unless they are necessary to access parks or open space areas.

5.6 New residential subdivisions should provide strategically-placed parks that are visible and accessible from the front entries of the maximum number of homes. Parks should be used to define the form and shape of the residential subdivision rather than be "left over" parcels of land not available for development. The standard for neighborhood parks is a 3-5 acre park site in each neighborhood within a 1/4 mile walking distance of all residents.

A diagram from the neighborhood guidebook describes the basic components—quality, amenities, and characteristics—of a neighborhood.



Source: APN, Vol. 72, No. 1, January 2006

5.7 New residential subdivisions should provide an interconnected street system that allows for a hierarchy of transportation modes, including auto, pedestrian and bicycles with direct connections to neighborhood commercial centers, open space and recreation, other parts of the neighborhood, and adjacent districts and circulation routes. The emphasis should be on direct access and avoiding circuitous access from neighborhood to neighborhood.

5.8 In designing new streets, consideration should be given to traffic calming mechanisms, such as bulb-outs at intersections, strategically placed roundabouts or traffic circles, pedestrian refuges, and textured cross walks, among others (reference Table 2-1 in the Circulation Element for a list of traffic calming features).

5.9 Setbacks from the public street should be minimized to bring structures close to the street to encourage neighborhood interaction.

5.10 Street orientation must be considered for optimum energy efficiency, with respect to solar access. As many homes as possible should be oriented so that large areas of the roof and walls receive solar radiation from the south.

5.11 Utility services should be located underground.

5.3 SINGLE FAMILY RESIDENTIAL

OBJECTIVE

Create single family neighborhoods incorporating layout and architectural styles that facilitate traditional neighborhood development techniques.



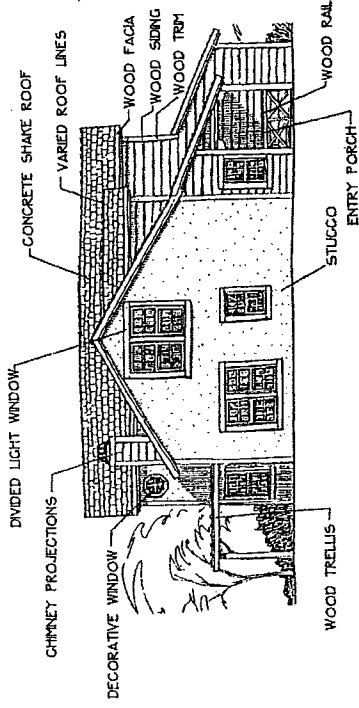
POLICIES AND STANDARDS

5.12 For single family dwellings, styles that reflect the architectural traditions and history of Dinuba and the San Joaquin Valley are preferred.

5.13 Good architectural design encourages neighborhood interaction and the ability to have "eyes on the street". Streets with long expanses of blank garage doors should be avoided. Techniques to encourage good streetscapes include:

- a. Locate the front doors of homes so that they are visible from the street.

SIDE ELEVATION



b. All dwellings should feature a useable front porch that dominates the facade of the unit. The City will consider allowing reduced front yard setbacks for units that feature a front porch.

c. Garages should be set back behind the front plane of the dwelling or should be set back and detached entirely.

d. Dwellings on corner lots should be designed with two "frontages". Ideally, one street frontage will feature the front door, while the other street frontage features the garage and driveway.

5.14 Random setbacks of buildings and landscaping should be incorporated in all structural design and unit siting.

5.15 Residential development should include a mix of one and two-story dwelling units wherever possible.

5.16 The height and bulk of buildings should be appropriate to the size, shape and topography of the site and in harmony with its setting.

5.17 Buildings should be designed to an approximate human scale and should not appear to be monumental or monotonous. The use of the following design elements will help in creating buildings properly scaled to people:

- a. Breaking up building masses into smaller, staggered masses
- b. Breaking up long wall surfaces and roof lines into discontinuous surfaces

b. Wood and dimensioned lumber

c. Board on board

d. Stone, rock, or brick

e. Wood or wood replica shingles

f. Slate -Metal or wood window dividers

g. Wood railings

h. Precast concrete or split-faced block (commercial)

5.21 Small-lot residential products, including condominiums, are encouraged in order to provide a variety of housing types, styles, and affordability. Small-lot single family alternatives include detached and attached units, zero lot line product, and "alley loaded" units adjacent to local or collector streets.

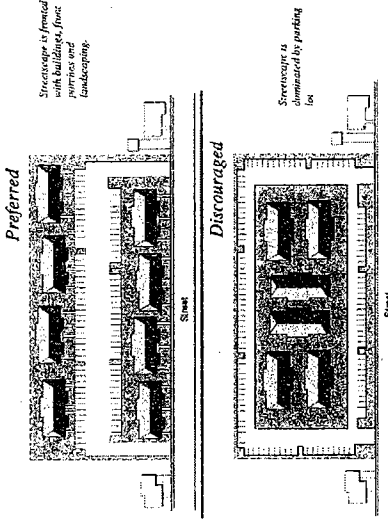
5.4 MULTIFAMILY RESIDENTIAL

OBJECTIVE

Provide for multifamily housing that, regardless of size or number of units, are designed to integrate into the surrounding neighborhood.

POLICIES AND STANDARDS

5.22 Design techniques for multifamily projects include:



c. Randomly textured materials on roofs and walls

d. Extended roof overhangs

5.18 Architectural styles and treatments should exhibit the following characteristics:

a. Creates a complementary relationship with adjacent projects

b. Creates architecturally distinct structures through use of various components

c. Develops a compatible relationship between projects and buildings, and open space or recreation areas

d. Avoids visual repetition, including discouraging "franchise architecture".

e. Maintains continuity within a project through use of similar architectural elements

5.19 The architectural styles and treatments selected for projects should utilize or incorporate some combination of the following features:

a. Articulated facades

b. Low plate lines

c. Large overhangs

d. Varied roof planes

e. Recessed entries

f. Greenhouses and skylights

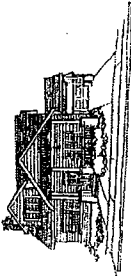
g. Balconies and broad porches

h. Wainscoting

i. Extensive windows

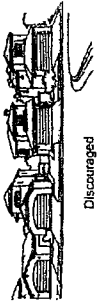
5.20 Materials used in the construction of residential and commercial structures should be selected from the following listing.

a. Stucco and plaster



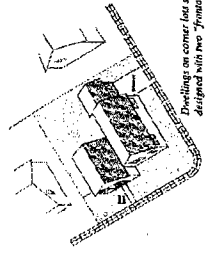
Encouraged

This graphic shows the placement of a dwelling with a large, visible front porch. Doors and windows prominently face the street. The garage is set back well behind the front plane of the dwelling.



Discouraged

Streets with long exposures of blank garage doors are to be avoided.



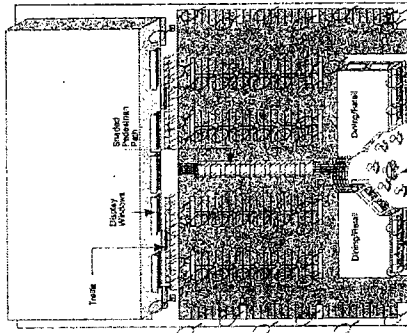
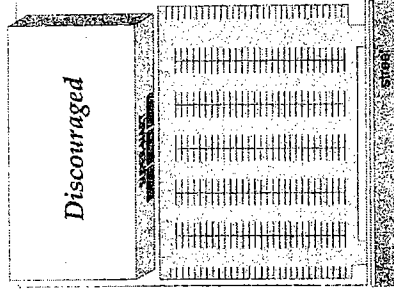
Dwellings on corner lots should be designed so that the blank door facing one street and garage facing the other.

5.31 Courtyard spaces that provide shading and opportunities for outdoor seating are encouraged for all neighborhood commercial centers.

5.32 Long expanses of blank, featureless walls should be avoided. Long building facades should be broken up with offsets, cornices, towers, cupolas or other design elements.

5.33 Relatively large scale shopping centers and "big box" type developments have unique development requirements. On project sites larger than 15 acres, the following policies shall apply in addition to other policies within the General Plan:

- a. Where practical, locate pad buildings closer to major streets to provide a strong visual and pedestrian relationship to the street and locate some parking and service functions behind the building(s).
- b. Provide a raised landscaped median at major entrances to separate ingress and egress lanes. Incorporate prominent entry features, vertical landscape forms and/or seasonal color at both vehicular and pedestrian project entrances.
- c. Locate drive-through lanes away from adjoining residential uses. Locate speakers and menu boards so that noise is



Preferred

Additional buildings are placed at the street edge to visually screen an otherwise expansive parking lot. An outdoor plaza leads to a pedestrian arbor through the parking lot to the main building.

not directed toward residential uses and incorporate a screen wall and landscaping to mitigate noise. Utilize architectural features, screen walls, landscaping and canopies to integrate drive-throughs into the overall building design.

- d. In large multi-building projects, organize the site layout to provide functional pedestrian spaces, plazas and amenities between or in front of buildings.
- e. Design sites to minimize pedestrian and vehicular conflicts. Where pedestrian paths cross vehicular drives, provide paving materials, textures or colors to emphasize the conflict point. Use an outer drive aisle to move traffic away from the aisle or aisles in front of store areas.
- f. Provide convenient bicycle parking in locations that do not interfere with pedestrian circulation. Disperse bicycle parking facilities throughout larger sites and locate them in convenient and visible areas.
- g. Allow for outdoor dining and/or other amenities to enliven plazas and open space areas. Outdoor dining and pedestrian amenities should be separated or screened from residential areas and from traffic.
- h. Minimize driveway cuts on major streets by providing cross-access easements and shared access driveways between adjacent commercial projects.
- i. In large multi-building projects, vary the size, massing and height of the buildings in relation to each other.
- j. The use of bright color schemes should be justified by the overall design, and may not be appropriate in many contexts.
- k. Buildings should have clearly defined customer entrance(s) incorporating elements such as canopies, overhangs, arches, entrance framed by outdoor pedestrian features or enhanced landscaping, or architectural details such as tile work and moldings to frame the entryway.

5.34 For commercial shopping centers, the following general principles should be followed:

- a. Avoid large expanses of parking lot. Parking areas should be screened with smaller buildings set forward toward the street
- b. Establish pedestrian plazas and walkways.

approved by the City in accordance with the existing Sign Ordinance.

5.43 All parking lot and driveway lighting should provide uniform illumination. Accent illumination is recommended at key points such as entrances, exits, loading zones, and drives.

5.44 Lighting should be shielded and situated so as to not cause glare or excessive light spillage on neighboring sites.

5.6 THE DOWNTOWN

OBJECTIVE

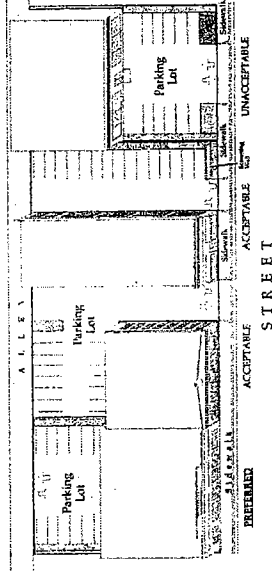
New development in the downtown should reinforce the area's strong pedestrian-oriented shopping environment.



POLICIES AND STANDARDS

5.45 New buildings should be located along the front property line, at the back of the sidewalk. On-site parking should be located to the rear or to the side of buildings.

Relationship of Buildings to the Street



5.46 Useable open spaces such as courtyards and plazas with outdoor seating, landscaping, water features, etc. are encouraged. Pedestrian corridor access (paseos) should be provided to link rear parking lots to the street.

c. Use trellises and shade trees along walkways and in parking lots.

d. Efforts should be made to establish pedestrian connections with adjacent commercial areas and surrounding residential neighborhoods.

e. To the maximum extent feasible, situate buildings against the street with parking to the rear.

f. To the extent practical, buildings should feature large display windows and entrances along the street sidewalk.

5.35 As many pedestrian amenities should be included in the parking lot and building exterior as possible, including:

- a. Shade trees and landscaping.
- b. Parking lot pathways, shaded with trellises.
- c. Store front pedestrian areas with seating fountains and statuary.
- d. Effective pedestrian connections with adjoining properties.

5.36 Architectural styles that reflect the traditions and history of Dinuba and the San Joaquin Valley are preferred over "modern" contemporary and franchise design styles that are repeated in every other community.

5.37 Buildings should be articulated in a fashion similar to the pedestrian-oriented buildings found in downtown Dinuba. Use of insets, overhangs or arcades (roofed passageways), cupolas or clock towers, trellises and other design elements are encouraged. Building facades should avoid blank walls greater than 30 feet in length at street level.

5.38 Buildings should feature large show-windows along sidewalks and along street frontages.

5.39 Signs should be integrated into the design of the building and complement the overall architectural style.

5.40 Stark color contrasts in signs should be avoided. Sign colors should be muted - use of significant quantities of primary colors should be avoided.

5.41 Where free-standing signs are proposed, monument signs are preferred over pole signs.

5.42 The identification and directional signs including the location, materials, colors, copy and the method of signing, size, and construction shall be

5.47 The following urban design elements are considered most desirable for new downtown development or redevelopment:

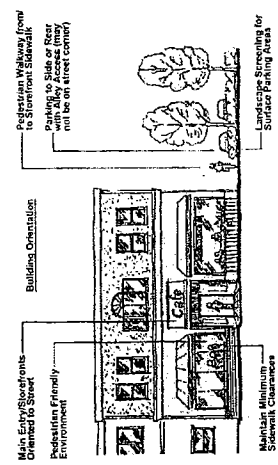
- a. Significant wall articulation (e.g. insets, canopies, trellises or other ornamentation).
- b. A variety of surface textures, provided that they are appropriate to the particular architectural style of the building.
- c. Large display windows at street level for the display of merchandise and to allow shoppers to see inside the store.
- d. Overhangs and arcades.
- e. Regular window placement.
- f. Pedestrian-scale signs that compliment the style and character of the individual building.

5.48 The scale of a large building should be "broken up" or reduced by creating a horizontal emphasis of the building. This can be accomplished through the proper use of window patterns, roof overhangs, the use of trim moldings, awnings, eaves, or other ornamentation, or by using a combination of complimentary colors and through the use of landscaping.

5.49 Blank solid walls of buildings visible from public view, including bland areas above cantilevered canopies should be avoided. If such walls are necessary for interior or structural reasons, the structure wall shall be treated with some form of articulation such as larger awnings, cornice bands, wainscoting or the like.

5.50 The facades of adjacent structures should be considered in the design of new buildings to avoid clashes in architectural style and materials.

5.51 Canopies and awnings are desirable elements in the downtown and are encouraged to shelter the openings of each building from sun and rain. New canopies and awnings should be



5.52 Awnings, trellises and other accessory structures that do not restrict pedestrian or vehicular movement may project into the front right-of-way.

5.53 Maintain existing historically significant buildings when possible. Any physical changes shall be done in a manner that is consistent with the original architectural style.

5.54 Mechanical equipment (e.g. air conditioning units) should be screened from view from the public right of way through the use of parapets, cornices or other treatments. Mechanical equipment should not be mounted on street arcades or other visible locations.

5.55 Every building should be designed with a precise concept for signage. Provisions for the placement of signs, the scale of signage in relation to the building, and sign readability should be considered in developing the sign concept. All signage should be compatible with the building and site design relative to color, materials, and placement.

5.56 Pedestrian-oriented "projecting" signs are encouraged. This type of sign should be at least eight feet above the sidewalk. Projecting signs should be used in lieu of a flush-mounted wall sign.

5.57 Street furnishings such as benches, fountains and public art should be incorporated at appropriate locations throughout the downtown.

5.7 NEIGHBORHOOD ENTRIES
OBJECTIVE

Distinctive community character shall be defined through the use of entry points into neighborhoods. Monumentation at major intersections and overall wall treatment creates definition and provides a sense of belonging and direction.

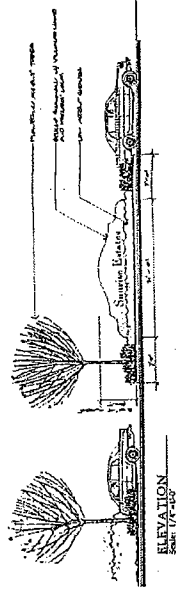
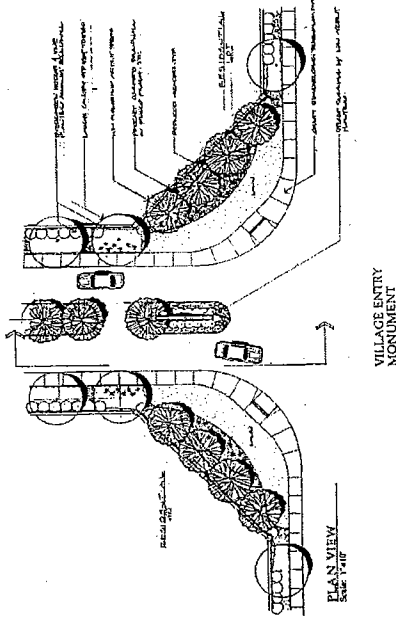
POLICIES AND STANDARDS

5.58 Neighborhood entry monumentation occurs at one or two corners of the entry point to residential neighborhoods. These entries provide a reference point for both the resident as well as the visitor, and the design allows for flexibility and interpretation based on the individual developer's needs. The criteria include:

- a. Landscape / Hardscape from edge of sidewalk to back of property line

b. Freestanding project monument sign

c. Grove of small, accent narrowing trees offset to side



d. Accent shrubs and ground cover from sidewalk to neighborhood wall

e. Turf area with boulders and landscape mounds extending out from landscaped area and parallel to sidewalk

5.59 All walls adjoining roadway landscaping shall be located entirely within the landscaping parcel (outside of street right-of-way), allowing for common maintenance by a landscaping and lighting district. Such walls shall be termed "community walls" and exclude residential rear yard and side yards not adjoining a public street or common area, and single family front yard enclosure fencing.

5.8 LANDSCAPING AND FENCING

OBJECTIVE

Public and private development shall create a cohesive, complimentary landscape design.

POLICIES AND STANDARDS

5.60 Landscaping should be designed to establish project identity and to accentuate community values.

5.61 Develop a city-wide street tree and landscape master plan to delineate neighborhoods, master and specific plan areas (Land Use Element policy No. 1.4).

5.62 New residential development abutting an arterial or collector will be encouraged to use a berm/swale with landscaping instead of a masonry wall between the landscaping strip, sidewalk and maintenance district setback. A masonry wall may be used behind the berm/swale or the berm/swale may go half-way up the masonry wall. This will limit the view of the wall from the street and still provide privacy to residents (Land Use Element policy No. 1.12).

5.63 Multifamily developments should have a highly landscaped appearance, ideally incorporating an appropriate combination of turf, shrubs and shade trees.

5.64 Single family residential development shall include front yard landscaping installed by the developer.

5.65 Each residential lot shall receive a minimum of one street tree, fifteen (15) gallon planter, planted in the parkway or right-of-way. Corner lots shall receive a minimum of two trees, fifteen (15) gallon container, planted in the parkway or right-of-way. Tree variety shall be chosen from the Street Tree Master Plan.

5.66 Existing mature trees should be incorporated into new development when feasible.

5.67 Utility services and enclosures shall be screened from view from streets and adjacent properties with landscape materials consistent with the neighborhood palette.

5.68 Whenever possible, plant material should be designed to shade the western exposure of residential structures.

5.69 Commercial landscaping should incorporate a combination of shrubs, turf, trees and flowers. Where increased maintenance allows, additional elements such as benches, fountains and statuary should be included. Landscaping should be designed to accentuate positive design elements

and screen negative views. Landscaping should be designed to ensure safety and visibility.

5.70 All areas of commercial sites not occupied by structures or paving shall be landscaped with ground cover or plant materials.

5.71 Vines and climbing plants integrated upon buildings, trellises and perimeter garden walls are strongly encouraged. Some plants that are encouraged include bougainvillea, grape ivy, and wisteria vines. Care should be taken that vines that might damage masonry walls are not used.

5.72 Parking lots shall feature landscaping to promote an attractive visual environment and reduce summer heat buildup. The following techniques are recommended:

a. Landscaping or mounding shall be provided in the area between a parking lot and the street right of way. Alternately, a low screening wall with climbing vegetation shall be provided. For each four spaces, one shade tree shall be provided. Shade trees shall be provided to obtain shading of 50% shading of the parking lot within fifteen years.

b. Landscaping should be situated so that it does not interfere with vehicle sightlines, nor with the front end of parked vehicles.

c. Landscape planters should be provided along masonry walls and along building walls. Climbing vines should be established to screen masonry walls and prevent graffiti.

5.73 Informal groupings of street trees spaced at an average of thirty feet (30') on center are required along commercial frontages.

5.74 Evergreen background and/or deciduous, accent grove trees should be integrated around commercial sites to provide visual windows into the commercial project should be created by massing grove trees.

5.75 Fencing should be considered an integral part of the architectural character of a project.

5.76 Where chain link fencing is used, the fence should be finished in gloss vinyl black or green - as opposed to unfinished galvanized metal.

5.77 Walls and fences shall be constructed of materials, colors, and textures similar and harmonious with the architecture. Walls and fences may be offset occasionally to avoid visual monotony. Variety in materials, design and height is encouraged.

5.78 Wood fencing is permitted within individual neighborhoods provided the fencing is not readily visible from arterials and collectors, except as located behind the front yard.

5.79 No fence or wall shall exceed six feet in height except as may be required in limited instances for noise attenuation or privacy. Any fences or wall in the front setback area shall not exceed four feet in height from grade.

5.80 All fences and walls shall be designed and constructed as part of the overall architectural and site design. All materials shall be durable and finished in textures and colors complimentary of the overall architectural design. Permitted materials: Stone veneer, stucco (including architectural block), masonry, brick, slump block, block and wrought iron combination, and wood. Prohibited materials: Barbed wire, wire, electrically charged fences, plain exposed concrete block, plastic materials, corrugated metal.

6.0 NOISE ELEMENT INTRODUCTION

Noise levels within the city of Dinuba affect the quality of life of people living and working in the City. The most significant noise levels within the community are associated with the railroad and roadways. High noise levels associated with these and other activities can create stress and irritation. The Noise Element addresses the physiological, psychological and economic effects of noise by providing effective strategies to reduce excessive noise and limit community exposure to loud noise sources.

PURPOSE OF THE NOISE ELEMENT

Government Code § 65302 (F) states that a City's General Plan must include "A noise element which shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

1. Highways and freeways.
2. Primary arterials and major local streets.
3. Passenger and freight on-line railroad operations and ground rapid transit systems.
4. Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.
5. Local industrial plants, including, but not limited to, railroad classification yards.
6. Other ground stationary noise sources identified by local agencies as contributing to the community noise environment."

SCOPE AND CONTENT OF THE NOISE ELEMENT

The State of California recognizes the relationship between noise and noise-sensitive uses and has adopted State Guidelines for Noise Elements. This Noise Element satisfies the requirements of State planning law and is a mandated component of the General Plan. Government Code § 65302 (f) establishes the required components of the Noise Element. The Element also complies with California Health and Safety Code Section 56050.1 guidelines for Noise Elements.

Future noise conditions from short- and long-term growth are quantified and identified as noise exposure contours. This noise information serves as the basis for developing guidelines for identifying compatible land uses; identifying the proper distribution of land uses on the General Plan Land Use Map; and establishing proper development standards.

The Noise Element comprises four sections: the Introduction; Purpose of the Noise Element; Scope and Content of the Noise Element; and the Goals, Objectives and Policies. In the Goals, Objectives, and Policies section, major issues pertaining to noise sources are identified and related policies are established. The objectives are statements of the City's desires and comprise broad statements of purpose and direction. The policies and standards serve as guides for reducing or avoiding adverse noise impacts on the population.

Figure 6-1 shows the decibel levels associated with different common sounds, and illustrates typical sound levels, Figure 6-2 provides noise level criteria for a variety of land uses, and Figure 6-3 illustrates the reduction in sound from a solid barrier.

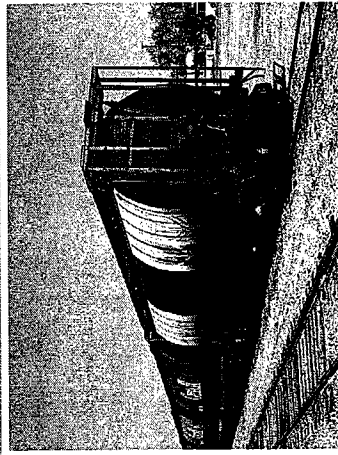
Sound generally dissipates at a rate of 3 to 6 dBA per doubling of distance from a source within 200 to 300 feet of that source. Its decay rate beyond that is highly variable depending on the atmospheric (mainly temperature variations, wind currents, and humidity) and terrain conditions between the source and listener. However, sound levels generally decrease with increasing distance from a source. For additional information consult the General Plan Background Report.

GOALS

1. Minimize the exposure of Dinuba residents to excessive noise.
2. Reduce noise levels from traffic and railroad operations.

OBJECTIVES

- A. Dinuba shall remain committed to preserving the community's noise environment.



NOISE ELEMENT

Figure 6-1
Typical Sound Levels
Associated with
Sound Pressure Level
in Decibels

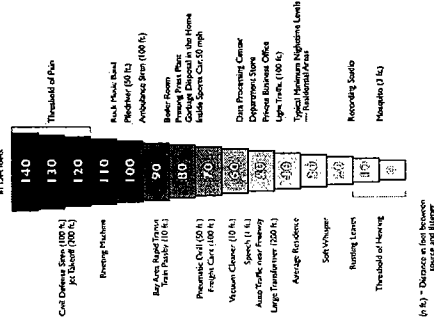
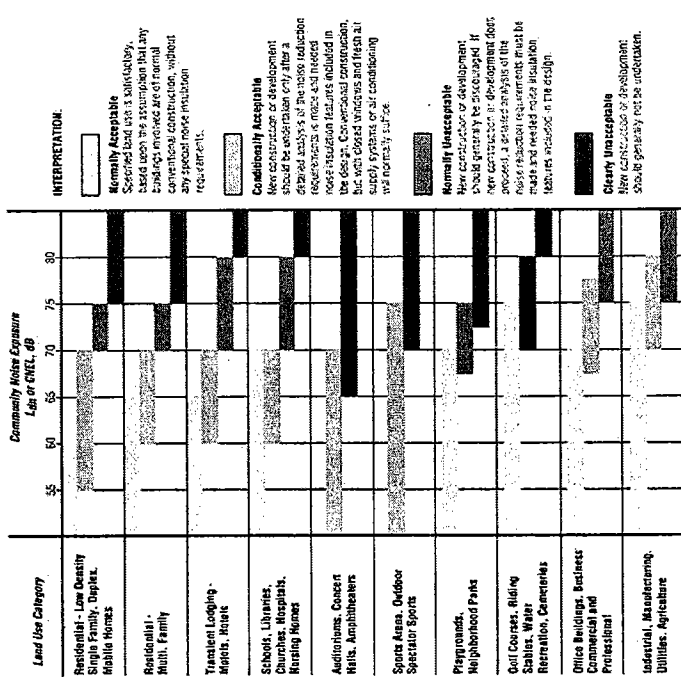


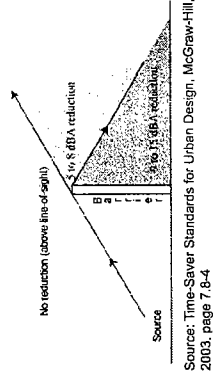
Figure 6-2



Source: State of California, General Plan Guidelines 2003, page 250

- B. To preserve the tranquility of residential areas by preventing noise producing uses from encroaching upon existing or planned noise-sensitive uses.
- C. To emphasize the reduction of noise impacts through careful site planning and project design, giving second preference to the use of noise barriers and/or structural features to buildings containing noise-sensitive land uses.
- D. To educate the citizens of the City concerning the effects of exposure to excessive noise and the methods available for minimizing such exposure.

Figure 6-3



Source: Time-Saver Standards for Urban Design, McGraw-Hill, 2003, page 7-8-4

POLICIES AND STANDARDS

6.1 It shall be deemed unlawful for any devices, appliances, equipment or vehicles on public or private property abutting noise sensitive land uses to operate between the weekday hours of 7:00 p.m. and 6:00 a.m. and between the weekend hours of 7:00 p.m. and 9:00 a.m.

6.2 The City of Dinuba will update its Noise Ordinance (Title 8, Health and Safety, Chapter 8-36) to the following standards with regards to interior and exterior noise standards:

Exterior Noise Standards - Fixed		Residential Interior Noise Standards	
Noise Level Standards, dBA	Number of minutes in any one-hour time period	Noise Level Standards, dBA	Number of minutes in any one-hour time period
Daytime 6 a.m. to 7 p.m.	30	Evening and Nighttime 7 p.m. to 6 a.m.	5
50	45	Daytime 6 a.m. to 7 p.m.	1
55	50	Evening and Nighttime 7 p.m. to 6 a.m.	0
60	55	Daytime 6 a.m. to 7 p.m.	55
65	60	Evening and Nighttime 7 p.m. to 6 a.m.	40
70	65	Daytime 6 a.m. to 7 p.m.	45
		Evening and Nighttime 7 p.m. to 6 a.m.	45

6.3 The City will utilize the noise/land use compatibility standards in Figure 6-2 as a guide for future planning and development decisions.

6.4 Areas within Dinuba shall be recognized as noise impacted if exposed to existing or projected future noise levels at the exterior of buildings exceeds 65 dB L_{dn} (or CNEL).

6.5 Noise sensitive land uses shall be discouraged in noise impacted areas unless effective mitigation measures are incorporated into the specific design of such projects to reduce exterior noise levels to 65 dB L_{dn} (or CNEL) or less and 45 dB L_{dn} (or CNEL) or less within interior living spaces.

6.6 Industrial, commercial or other noise generating land uses (including roads, highways, railroads, and airports) should be discouraged if resulting noise levels will exceed 65 dB L_{dn} (or CNEL) at the boundary areas of planned or zoned noise sensitive land uses.

6.7 The City shall enforce applicable State Noise Insulation Standards (California Administrative Code, Title 24) and Uniform Building Code (UBC) noise requirements.

6.8 New equipment and vehicles purchased by the City should comply with noise level performance standards consistent with the best available noise reduction technology.

6.9 The preferred method of noise control used is thoughtful site design. Secondly, noise control should be achieved through the use of artificial noise barriers. Site and building design guidelines may include:

- a. Noise sensitive land uses should not front onto the primary noise source. Where this is not possible, the narrow portion of the building should face the primary noise source, and the interior layout should locate the most sensitive areas away from the noise source by placing garages, storage facilities, carports or other such areas nearest the noise source.
- b. Site design should permit noise to pass around or through a development. This can be achieved by placing the narrow or convex portion of the structure toward the primary noise source.
- c. Commercial and industrial structures should be designed so that any noise generated from the interior of the building is focused away from noise sensitive land uses.
- d. Two story residential construction should be avoided, where possible, immediately adjacent to arterials or collectors unless an adequate combination of noise attenuation procedures are used.
- e. When possible, residential cul de sacs should be perpendicular to adjacent arterials or collectors.
- f. Loading and unloading activities for commercial uses should be conducted in an enclosed loading dock, preferably with a positive seal between the loading dock and trucks.

6.10 The City shall review all relevant development plans, programs and proposals to ensure their conformance with the policy framework outlined in this Noise Element.

- 6.11 Prior to the approval of a proposed development in a noise impacted area, or the development of an industrial, commercial or other noise generating land use in or near an area containing existing or planned noise sensitive land uses, an acoustical analysis may be required if all of the following findings are made:
 - a. The existing or projected future noise exposure at the exterior of buildings which will contain noise sensitive uses or within proposed outdoor activity areas (patios, decks, backyards, pool areas, recreation areas, etc.) exceeds 65 dB L_{dn} (or CNEL).
 - b. Interior residential noise levels resulting from offsite noise are estimated to exceed 45 dBA.

6.12 The City will seek to reduce impacts from ground borne vibrations associated with rail operations by requiring that habitable buildings are sited at least 100-feet from the center-line of the tracks, whenever feasible.

6.13 Encourage the Union Pacific railroad to maintain existing track in good condition and minimize train horn soundings to the extent allowed by law.

6.14 Require development of habitable buildings within 100-feet from the centerline of the railroad tracks to provide a study demonstrating that ground borne vibration issues associated with rail operations have been adequately addressed (i.e., through building siting or construction techniques).

When noise studies are necessary they should:

- a. Be the responsibility of the applicant.
- b. Be prepared by an individual or firm with demonstrable experience in the fields of environmental noise assessment and architectural acoustics.
- c. Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions.
- d. Include estimated noise levels in terms of dB L_{dn} (or CNEL) for existing and projected future (10-30 year hence) conditions, with a comparison made to the adopted policies of the Noise Element.
- e. Include recommendations for appropriate mitigation measures to achieve compliance with the adopted policies and standards of the Noise Element.
- f. Include estimates of noise exposure after the prescribed mitigation measures have been implemented. If compliance with the adopted standards and policies of the Noise Element will not be achieved, a rationale for acceptance of the project must be provided.
- g. The acoustical analysis should be prepared as early in the project review or permitting process as possible so that noise mitigation measures may be an integral part of the project design rather than an afterthought.

7.0 PUBLIC SERVICES AND FACILITIES ELEMENT

INTRODUCTION

The Public Services and Facilities Element addresses the community need for public services and facilities. The City is currently well served with infrastructure, and with master plans in place to guide capital spending to make improvements as necessary. Future development of the remaining vacant land within the City will require expansion of public services and facilities to meet the increase in demand for service. Planning for this future increase in demand will ensure that the needs of future residents for public services and infrastructure are met, while avoiding adverse impacts to the existing community.

PURPOSE OF THE PUBLIC SERVICES AND FACILITIES ELEMENT

The purpose of the Public Services & Facilities Element is to ensure that sufficient levels of public services are provided as Dinuba develops. Working in conjunction with the Land Use Element, the Public Services & Facilities Element plans for the needed expansion and funding of public services and infrastructure to coincide with new development.

SCOPE AND CONTENT OF THE PUBLIC SERVICES AND FACILITIES ELEMENT

The Public Services & Facilities Element is not a state-mandated element, however, the issues addressed within this Element closely relate to the Land Use Element. The Element is comprised of four sections: the Introduction; Purpose of the Public Services & Facilities Element; Scope and Content of the Public Services & Facilities Element; and the Objectives, Policies and Standards. In the Objectives, Policies and Standards section, major issues related to the provision of public services and facilities are identified and related policies and standards are established to address these issues. The objectives, which are overall statements of the community's desires, are comprised of broad statements of purpose and direction. The policies and standards serve as guides for infrastructure and facility improvements to provide sufficient levels of service.

7.1 WASTEWATER TREATMENT PLANT, SANITARY SEWER, STORM DRAINAGE

OBJECTIVE

Coordinate facilities and services planning to implement land use goals and objectives through the development of facilities and services.

POLICIES AND STANDARDS

7.1 Continue to coordinate community irrigation ditch issues with Alta Irrigation District, private ditch companies, private land owners, and public agencies. Require that irrigation ditches be piped prior to development on adjacent property.

7.2 Developers shall prepare an infrastructure and public services assessment as part of the annexation application to determine infrastructure needs, feasibility, timing, and financing. It is the policy of the City that new growth shall pay its own way.

7.3 Prepare and implement City-wide infrastructure master plans which implement adopted land use goals, objectives and policies and federal and State regulations. These master plans shall be implemented through various funding mechanisms including assessment district, property owner's associations user fees, development impact fees, mitigation payments, reimbursement agreements and/or other mechanisms which provide for equitable distribution of development and maintenance costs.

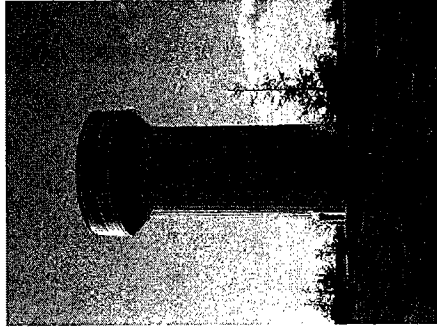
7.4 Require the development and extension of infrastructure to proposed developments according to adopted elements and master plans. The City shall use reimbursement agreements or other financing techniques to reimburse developers for an oversizing cost which may be required. Projects, which are not contiguous to existing urban development, shall be required to assess the cumulative impact of all non-contiguous development.

7.5 Coordinate urban growth management planning with public and private utilities.

7.6 Design runoff drainage structures to decrease erosion.

7.7 Urban development in floodway areas shall be in accordance with regulations of the Federal Emergency Management Agency.

7.8 All existing developments shall eventually convert to City sewer and water systems. Require all new residential development within the City limits to hook up to City sewer.



A retention basin is used to contain storm water or rain runoff. A retention basin provides an area to hold water from a small surrounding drainage area that would otherwise flow into other areas. The water remains in the local area that it was deposited in. This is opposed to a detention basin that holds water for a limited period of time from a larger basin area to prevent flooding and releases all the water contained in a short period of time.

7.9 Development fee credit may be given but shall not exceed the amount of fees.

7.10 Developers shall construct all tributary facilities necessary to connect to major facilities, whether or not the major facilities have yet been constructed.

7.11 Temporary drainage facilities may be constructed by the developer if the major facilities are not available, subject to City determination and approval. The developer will also be required to pay all applicable drainage fees in addition to constructing temporary facilities at his/her own cost.

7.12 Temporary drainage facilities (ponding basins) shall be dedicated to the City, with a reversionary clause which specifies that if the basin is abandoned within ten years, the property would revert to the original owner, subject to redevelopment of the site satisfactory to the City.

7.13 Upon the collection of adequate funds, the City will install major facilities in accordance with the master plan at the locations deemed most essential by the City, with due regard for community needs and areas from which fees were collected. To make the best use of funds, growth shall be encouraged in areas where it is possible to develop facilities incrementally.

7.14 To encourage groundwater recharge, ponding basins shall be designed as retention basins. However, pumping facilities shall be included in such facilities to handle peak flows and to provide for disposal of storm water into irrigation ditches when necessary. Stormwater inflow into Alta Irrigation District's canals and pipelines shall be subject to existing or future agreements by and between the City of Dinuba and Alta Irrigation District specifying maximum inflow, maximum service area boundary and any other limitation thereto.

7.15 In order to address sewerage constraints on the easterly side of the community, new developments shall demonstrate that adequate sewerage capacity exists prior to development or that mitigation measures will ensure that sewerage capacity will be created as part of the project. Mitigation measures may include installation of necessary facilities or other methods acceptable to the City.

7.16 New municipal water wells should be planned which include pump, storage, pressure filtration and treatment equipment. These new wells should be located so that they will not conflict with planned residential neighborhoods. New wells should have design, screening, landscaping and architectural improvements which make them compatible with adjacent land uses.

7.17 The City shall require industrial sewage pretreatment to conserve biological treatment capacity at the wastewater treatment plant. Water conservation measures should also be encouraged for industrial, commercial and residential uses to preserve hydraulic capacity at the treatment plant and to reduce impacts to the sewerage system.

7.18 The City should require the connection of existing and new businesses, residents and industries to the City's water and sewer system. The City shall establish equitable fees which enable it to recover the costs of such connection and improvement of any private or independent systems to City Standards.

7.2 HEALTH CARE FACILITIES

OBJECTIVE

Facilitate a continued high level of health care services in the community.

POLICY

7.19 The City of Dinuba will pursue the development of a new hospital or medical center (specialty clinics, assisted care, etc.) west of town off El Monte Avenue and Road 60 alignment. The new facility could be regional in nature and also support neighboring communities.

7.3 LOCAL GOVERNMENT FACILITIES AND SERVICES

OBJECTIVE

Provide high quality government facilities and services to the general public. The location of government facilities and services shall be directed to the Central Business District of the community to the greatest extent possible.

POLICIES AND STANDARDS

7.20 Maintain innovative solid waste service and programs.

7.21 Provide facilities according to the Public Safety Master Plan.

7.22 Ensure that the City's Capital Investment Plan is adequate to meet future growth and development needs in conformity with the goals, policies and objectives of the General Plan.

7.23 In conjunction with community parks, develop balanced services for each City quadrant with appropriate programs and services.

8.0 SAFETY ELEMENT

INTRODUCTION

The quality of life in Dinuba is directly impacted by the sense of security of its residents and businesses. In order to provide a safe and enjoyable environment for residents, it is important to address the issues of crime, violence and other human caused hazards, and to prepare a response to uncontrollable natural hazards. The Safety Element establishes objectives and policies and standards to ensure that there is an adequate, coordinated, and expedient response to public safety concerns.

PURPOSE OF THE SAFETY ELEMENT

The purpose of the Safety Element is to identify and address those features or characteristics existing in or near Dinuba that represent a potential hazard to the community's citizens, sites, structures, public facilities, and infrastructure. The Safety Element establishes policies to minimize the danger to residents, workers, and visitors, while identifying actions needed to manage crisis situations such as earthquakes, fires, and floods. The Element also focuses on preventing criminal activity and violence before they occur. Additionally, the Safety Element contains specific policies to regulate existing and proposed development in hazard-prone areas.

SCOPE AND CONTENT OF THE SAFETY ELEMENT

The Safety Element satisfies the requirements of state planning law and is a mandated component of the General Plan. Government Code §65302 (g) sets forth a list of hazards that the Element must cover, if they pertain to conditions in the City. These hazards are:

- Seismically induced conditions including ground shaking, surface rupture, ground failure, tsunami, and seiche;
- Slope instability leading to mudslides and landslides;
- Subsidence and other geologic hazards;
- Flooding;
- Wildland and urban fires; and
- Evacuation routes.

The Safety Element contains four sections: the Introduction; Purpose of the Safety Element; Scope and Content of the Safety Element; and Objectives, Policies and Standards. In the Objectives, Policies and Standards section,

major issues pertaining to hazardous conditions and safety are identified, and related policies established. The policies serve as guidelines for reducing the risks associated with humans, including criminal activity and natural hazards. The policies also serve to direct and maximize community emergency preparedness.

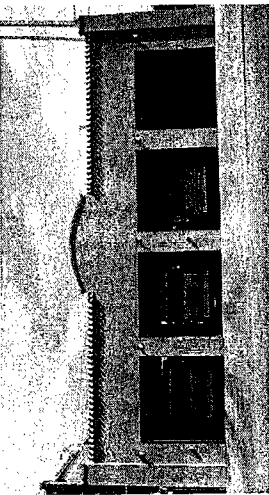
8.1 STRUCTURAL SAFETY, TREATMENT PLANT, SANITARY SEWER, AND STORM DRAINAGE OBJECTIVE

The following objectives and policies are excerpted from the Safety Element of the Tulare County General Plan. The objectives and policies have been adopted by the City of Dinuba and are incorporated in this General Plan Update. Additional policies and standards have been added where applicable.

A. Maintain the economic well being of structures and prevent structural damage.

POLICIES AND STANDARDS

- 8.1 The City of Dinuba will maintain an on-going active program designed to eliminate unfit, unhealthy, dangerous, structurally unsafe and fire hazardous housing units which are in such condition as to be reasonably beyond repair or rehabilitation. All departments or agencies having knowledge of such units or the vacancy of such units should notify the appropriate or concerned agencies.
- 8.2 The City of Dinuba will continue the program to have unsafe structures repaired or removed.
- 8.3 The City of Dinuba will give preference to those families that are displaced by code enforcement activities in the allocation of housing units that are produced by publicly assisted housing programs.
- 8.4 Encourage and assist families living in unsafe structures to find safer living units. It is policy to give priority, when possible, to locate those families in public housing programs.



SAFETY ELEMENT



"Acceptable Risk" is defined as the level of risk that is deemed tolerable given expected consequences and benefits. Different levels of acceptable risk may be assigned to various hazards according to the nature of the proposed danger.
Acceptable levels of risk may range from "near zero" for nuclear plants and natural gas transmission lines to "moderate" for farm structures and low-intensity warehouses.

8.5 The policies regarding unsafe and unsanitary structures as contained herein shall apply even more importantly to structures that are used by the public, such as restaurants and theaters, and what is termed in this report "Critical Facilities".

8.6 The City of Dinuba, through the land use planning process and Development Department programs, shall require structures such as nursing homes, housing for the elderly, and other housing for the mentally and physically infirm to locate within reasonable distance (less than one mile) from fire stations and other emergency service providers.

8.7 Develop better standards for numbering buildings on private driveways so as to assist emergency service personnel in locating structures in case of an emergency.

8.8 Encourage the installation of a system of heat and/or smoke detection devices and encourage a sprinkler system and other fire suppression equipment including fire hoses and water storage tanks or fire hydrants for all structures that exceed 5,000 square feet in floor area for the following facilities:

- a. Critical facilities (public buildings).
- b. Permanent industrial facilities employing ten or more people on a year-round basis.
- c. Housing for the elderly, children and mentally infirm.
- d. Nursing homes and hospitals.
- e. Structures where large amounts of chemicals or fuels are known to be stored and are considered to be significantly dangerous by the Fire Chief.
- f. Any structure as required by the Fire Chief or other legislation.

8.9 The City of Dinuba will require a system of heat and/or smoke detection devices for the following facilities:

- a. Existing homes upon resale, and apartments every two years.
- b. New homes to be constructed.
- c. Structures with high value storage capacity.
- d. Mobile homes.
- e. Existing offices and other buildings.

8.10 Encourage fire alarm systems, as referred to in this Element, to be tied directly and automatically to the Tulare County Fire alarm receiving center. This would apply to private companies that wish to have better protection as well as public buildings and other structures where the Fire Chief and/or the Building Official deem it necessary to have such protection.

8.2 EDUCATION AND DISASTER PREPAREDNESS OBJECTIVE

Participate in regional education and disaster preparedness programs.

POLICIES AND STANDARDS

8.11 Encourage fire and law enforcement departments to periodically conduct joint training exercises with the goal of developing the best possible coordinated action in fire suppression and crowd control.

8.12 The City of Dinuba shall maintain inventories of available resources to be used during disasters.

8.13 Continue to upgrade preparedness strategies and techniques at all levels of government in order to be prepared when natural or man-made disasters occur.

8.14 Work to reduce the possibilities of fire, flood and seismic disasters so that the objectives of the Insurance Services Office can be adequately met.

8.15 The City of Dinuba shall continue to coordinate a public education program in order to foster public awareness of fire hazards with the intention of reducing injury and loss of life, damage to property and degradation of the natural environment, particularly in conjunction with the public school system and "critical facility" personnel.

8.16 Carry out regular education programs through the public and private schools, the libraries, police and fire departments, news media, civic organizations, and through various related City departments.



8.17 Education programs conducted by the City of Dinuba shall seek to reach all age groups, socio-economic classes, and both urban and rural residents. Education programs should be offered in both Spanish and English languages as appropriate.

8.3 ENVIRONMENT

OBJECTIVE

Promote safety standards which maintain the physical environment.

POLICIES AND STANDARDS

8.18 The City of Dinuba has incorporated and will utilize the Multihazard Functional Plan (MFP) that adheres to all County, State and Federal guidelines. Incorporated within this Plan are guidelines for responding to emergencies related to:

- Major Earthquake
- Imminent/Actual Flooding
- Imminent/Actual Dam Failure
- Hazardous Material Incident
- War Emergencies
- Major Petroleum Shortages

Along with these guidelines, the City's administrative staff, department heads and City Council members have been trained in the MFP and the use of the Emergency Operation Center (EOC), which is located at the City Police Department's training room. These same personnel have also been trained in the basic use of the Incident Command System (ICS) as well as the Standardized Emergency Management System (SEMS).

8.19 Continue to locate and construct fuel breaks and greenbelts in appropriate locations on the periphery of the City in concurrence with other agencies.

8.20 The City of Dinuba shall require weed abatement programs in order to promote fire safety.

8.21 Assist in solving the incendiary problem by improving present law enforcement and investigation equipment; adapting equipment available in other fields; and purchasing new equipment where needed.

8.4 MANAGEMENT AND FUNDING

OBJECTIVES

A. Maintain statistical information for safety issues.

B. Establish responsibility and authority of agencies for emergency procedures.

C. Provide cost-benefit analysis for participating agencies/jurisdictions.

POLICIES AND STANDARDS

8.22 The City will continue to collect and keep fire data in a form that combines the following:

- a. Number of fires by activity and area.
- b. Number of users in the activity.
- c. Number of fires by ignition index in State responsibility areas.

8.23 Damages and costs per fire should be computed and compiled by burn index and activity.

8.24 It is recommended that the City Fire Chief maintain statistical information in a form that can be geographically indexed for cost-benefit analysis by the City Council.

8.25 As part of the planning process, consideration shall be given to potential fire hazard. The Fire Chief may make recommendations regarding risk of hazard associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies.

8.26 The City of Dinuba will continue to implement the subdivision and zoning ordinances.

8.27 The City of Dinuba, in conjunction with the Tulare County Association of Governments, will participate in technical assistance programs.

8.28 The City of Dinuba will encourage the enlistment of the aid of courts, prosecuting attorneys, and the general public to make present laws more effective in dealing with the problems of illegal use of fire and fire causing practices.

8.29 The City of Dinuba will have a technically qualified communications officer to address the problem of communications within the County.

8.30 During major disasters, the primary coordinating official on behalf of the City shall be the City Manager.



8.5 PUBLIC SAFETY STANDARD

OBJECTIVE

Adopt and implement safety standards for varying hazards.

POLICIES AND STANDARDS

8.31 A 30 foot brush clearance zone around homes should be extended to greater distances where homes are situated on or near slopes (i.e. Smith Mountain). A formula should be adopted which relates percent of slope to width of brush clearance required and the formula should be included within the Zoning Ordinance.

8.32 Environmental Impact Reports shall be required on all projects in areas of extreme hazard as defined herein (a project is defined within the California Environmental Quality act).

8.33 Water supply systems shall be related to the size and configuration of land developments. Standards as set forth in the current subdivision ordinance shall be maintained and improved as necessary.

8.34 Development proposals shall take into consideration required fire standards, particularly in regard to critical facilities.

8.35 The City of Dinuba will enforce Chapter 70 of the Uniform Building Code as it relates to grading.

8.36 The City's Fire services response goal shall be five minutes from "tone-out" to arrival on scene.

8.37 Enforce policies and objectives of the 1974 Housing and Community Development Act, and all subsequent amendments, in order to insure safe and decent housing for low and moderate income families.

8.38 It is the policy of the City to maintain adequate street width and connectivity in the circulation system to enable prompt response and emergency access. Street widths shall conform to the State fire code which requires 20-foot of clear travel way on public roads or fire lanes. Development shall also conform with the following connectivity guidelines:

- a. Access to arterials, collectors or minor collectors should be provided at least every 500 feet.
- b. Provide at least 250 street intersections per square mile to ensure a grid network of connectivity. Pedestrian cul-de-sac connections to public streets shall be counted as intersections if accessible by emergency vehicles.

The floodplain is the relatively level land area on either side of the banks of a stream subject to flooding. The 80-year floodplain is the area subject to flooding based on a storm event that is expected to occur every 80 years on average, based on historical data.

8.39 Neighborhood and local streets shall be designed for speeds of 25 miles per hour.

8.40 Traffic calming devices such as bulbouts, chokers, mid-block bulbs, traffic circles and textured sidewalks shall be encouraged, to keep speeds below 20 miles per hour.

8.6 FLOODING

OBJECTIVE

Protect the lives and property of residents from the hazards of flooding.

POLICIES AND STANDARDS

8.41 Consistent with Federal standards, the City shall implement FEMA regulations and design guidelines to address 80-year flood events, and require adequate storm drainage facilities (either retention or detention basins) to prevent flooding within the community.

8.42 All flood-proofing shall be done in a manner that will not cause floodwaters to be diverted onto adjacent property, increase flood hazards to property located elsewhere, or otherwise adversely affect other property.

Flood-proofing measures such as, but not limited to, the following may be required:

- a. Anchorage to resist flotation and lateral movement.
- b. Use of special water resistant paints, membranes, or mortars to reduce seepage of water through walls.
- c. Addition of weight to structures to resist flotation.
- d. Construction of water and waste systems to prevent the entrance of floodwaters.
- e. Construction to resist rupture or collapse caused by water pressure or floating debris.
- f. Location of all electrical equipment, circuits, and installed electrical appliances in a manner that will assure they are not subject to inundation by a 80-year flood.
- g. Flood-proofing shall be required for structural storage facilities containing chemicals, explosives, buoyant materials, flammable liquids, or other toxic materials which could be hazardous to public health, safe-

ty, and welfare. These shall be located in a manner which will assure that the facilities are (1) situated at elevations above the height associated with the 80-year flood protection elevation, or (2) adequately floodproofed to prevent flotation or storage containers or damage to storage containers which could result in the escape of toxic materials into floodwaters.

8.43 In flood-hazard areas, all public utilities and facilities, such as road, sewage disposal, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage to the facilities. This work shall be done in a manner that will not adversely affect other property.

8.44 In flood-hazard areas, natural watercourses should be identified, and their flow capacities shall be preserved. This does not prohibit relocation. All grading, including relocation and agricultural grading, which can substantially affect natural drainage channels shall require a grading plan and City permit. The Director of Public Works shall review and approve the grading plan before work may be initiated.

8.45 Open space uses should be encouraged in all flood-hazard areas. Land Conservation Contracts and Open Space and Scenic Easements should be made available to property owners within 80-year flood areas.

8.46 The City should initiate a public awareness program to inform affected property owners of flood hazards on lands that can expect potential flooding.

8.47 The City's Zoning Ordinance shall be amended to reflect the mandatory policies expressed herein.

9.0 HOUSING ELEMENT

GOALS, POLICIES, AND OBJECTIVES

Note: The City of Dinuba's Housing Element was recently adopted in 2004 and is in compliance with HCD. It has been reformatted only for the General Plan Update.

Housing goals, policies, and objectives serve as general policy guidelines for Dinuba. Consistent with state and national housing objectives, these goals, policies, and objectives reflect a commitment to provide a decent home and suitable living environment for every individual and family.

Goal 1:

Develop through public and private channels sufficient new housing to ensure the availability of affordable housing for all households in Dinuba.

POLICIES

1. Advocate and support proposed federal and state actions which will create a positive, stable climate for housing production.
2. Wherever appropriate, facilitate the use of federal or state programs which can assist in development of new housing consistent with identified City-wide housing needs and adopted local plans and programs.
3. Support efforts which serve to coordinate and improve the ability of the housing delivery system to effectively respond to local housing needs.
4. Accommodate and encourage development of a full range of housing types within the City.
5. Maintain a sufficient inventory of developable land to accommodate timely development of needed new housing supplies.
6. Encourage and participate in efforts designed to achieve economies and efficiencies which will facilitate the production of quality, affordable housing.
7. Promote balanced, orderly growth to minimize unnecessary developmental costs adding to the cost of housing.

OBJECTIVES

- A. Facilitate the construction of non-market-rate dwellings by 2008 which is the City of Dinuba's Regional Share.

- B. Facilitate the construction of market-rate dwellings by 2008 which is the City of Dinuba's Regional Share.

Goal 2:

Manage housing and community development in a manner which will promote the long-term integrity and value of each new housing unit and the environment in which it is located.

POLICIES

1. Provide that new housing be constructed in accordance with design standards that will ensure the safety and integrity of each housing unit.
2. Encourage application of community design standards.
3. Manage new residential development within the context of a planning framework designed to minimize adverse impacts on the area's natural resource base and overall living environment.
4. Manage neighborhood environmental factors such as traffic flow, school locations, parks, and open spaces and other public uses to stabilize and upgrade neighborhoods and dwellings.
5. Promote the use of "smart growth" techniques, including reduced front setbacks, narrow streets, limited on-street parking, and rear alley garages.

OBJECTIVES

- A. Maintain community design and improvement standards that will provide for the development of safe, attractive, and functional housing developments and residential environments.
- B. Maintain and update public service master plans, including water, sewer, and drainage.
- C. Adopt a Smart Growth Ordinance.

Goal 3:

Provide for a choice of housing locations for all residents.

POLICIES

1. Review and update the Dinuba General Plan on a regular basis to ensure that growth trends are accommodated.
2. Encourage the development of various types of housing opportunities in all residential areas.

3. Promote the use of the City's density bonus procedures, which encourage the provision of affordable housing.

OBJECTIVE

Maintain at least a 10-year supply of residentially-zoned land within the City Limits, ensuring that any future proposed development can be accommodated.

Goal 4:

Maintain and improve the quality of the existing neighborhoods and housing stock.

POLICIES

1. Monitor housing stock quality to maintain a current inventory of all standard housing units.
2. Provide for removal of all unsafe, substandard dwellings which cannot be economically repaired.
3. Encourage development of sound new housing on vacant land within existing neighborhoods which have the necessary service infrastructure.
4. Support and encourage all public and private efforts to rehabilitate and improve the existing housing stock.
5. Promote public awareness of the need for housing and neighborhood conservation.
6. Manage public housing projects to ensure proper maintenance of the area's public housing inventory.
7. Support actions which foster and maintain high levels of owner-occupancy, particularly in those neighborhoods in which housing quality is declining.
8. Promote development of public policies and regulations which provide incentives for proper maintenance of owner-occupied and rental housing.
9. Manage development of land within and adjacent to existing neighborhoods to avoid potentially adverse impacts on the living environment.
10. Encourage proper maintenance of essential public services and facilities in residential developments.

11. Encourage available public and private housing rehabilitation assistance programs where such action is needed to ensure preservation of the living environment.

12. Facilitate maximum utilization of federal and state programs which can assist lower income homeowners to properly maintain their dwelling units.

OBJECTIVES

- A. Rehabilitate an annual average of ten dwellings for very low and low income households, through 2008.
- B. Conserve existing dwellings for very low and low-income households through 2008.
- C. Encourage the participation of Self-Help Enterprises, the Central Valley Coalition for Affordable Housing, and other non-profit developers to assist in the rehabilitation and conservation of housing within Dinuba.

Goal 5:

Promote equal access to safe and decent housing for all income groups.

POLICIES

1. Encourage enforcement of fair housing laws throughout the City.
2. Support programs which increase employment and economic opportunities.
3. Encourage development of a range of housing for all income levels in proximity to existing and planned employment centers.
4. Encourage full utilization of federal and state assistance programs which can enable those persons with unmet housing needs to obtain decent housing at process they can afford.
5. Support the development of housing plans and programs, including new government subsidized housing, which maximizes housing choice for minorities and lower-income households commensurate with need.
6. Wherever possible, implement adopted land development and resource management policies without imposing regulations which have the effect of excluding housing for lower income groups.
7. Develop record keeping methods to track the City's accomplishments in meeting its non-market-rate housing need allocation.



OBJECTIVES

- A. Facilitate the provision of homeowner and rental assistance to very-low and low-income households.
- B. Research and apply for housing assistance from applicable federal and state housing programs.

Goal 6:

Promote energy conservation in all residential neighborhoods.

POLICIES

- 1. Advocate and support proposed federal and state actions to promote energy conservation.
- 2. Promote public awareness of the need for energy conservation.
- 3. Promote development of public policies and regulations that achieve a high level of energy conservation in all new and rehabilitated housing units.
- 4. Encourage maximum utilization of federal, state, and utility company programs that assist homeowners in providing energy conservation measures.

OBJECTIVE

Maintain local ordinances to promote energy conservation.

POLICIES

- 1. Encourage enforcement of fair housing laws throughout the City.
- 2. Support programs which increase employment and economic opportunities.
- 3. Encourage development of a range of housing for all income levels in proximity to existing and planned employment centers.
- 4. Encourage full utilization of federal and state assistance programs which can enable those persons with unmet housing needs to obtain decent housing at process they can afford.
- 5. Support the development of housing plans and programs, including new government subsidized housing, which maximizes housing choice for minorities and lower-income households commensurate with need.

6. Wherever possible, implement adopted land development and resource management policies without imposing regulations which have the effect of excluding housing for lower income groups.

7. Develop record keeping methods to track the City's accomplishments in meeting its non-market-rate housing need allocation.

OBJECTIVES

- A. Facilitate the provision of homeowner and rental assistance to very-low and low-income households.
- B. Research and apply for housing assistance from applicable federal and state housing programs.

B: CITY OF EXETER

EXETER GENERAL PLAN

LAND USE ELEMENT

2000-2020

Exeter General Plan / Draft Environmental Impact Report

Table of Contents

Executive Summary

Part 1: General Plan

Chapter	<u>Page</u>
1. INTRODUCTION	1-1
2. LAND USE ELEMENT	
Introduction	2-1
Land Use and Population	2-2
Population and Land Use Projections	2-10
Land Use Designations and Population Densities	2-26
Planning Issues and Land Use Goals	2-32
Land Use Policies and Actions (Implementation Measures)	2-45
3. CIRCULATION ELEMENT	
Introduction	3-1
Existing Conditions	3-2
Evaluation of Existing Circulation System	3-6
Traffic Projections and Evaluations	3-9
Circulation Issues and Goals	3-12
Circulation Policies and Actions (Implementation Measures)	3-22

Exeter General Plan / Draft Environmental Impact Report

Exhibits

<u>Exhibit</u>	<u>Title</u>	<u>Page</u>
No. 1	Regional Location	after 1-1
No. 2	Planning Boundaries	after 1-5
No. 3	Original Townsite	after 2-2
No. 4	Land Use	after 2-5
No. 5	Land Use Element Map	after 2-81
No. 6	Circulation Element Map	after 3-33

Tables

<u>Table</u>	<u>Title</u>	<u>Page</u>
No. 2-1	Existing Land Use	2-5
No. 2-2	Subdivision Status	2-8
No. 2-3	Population Projections	2-10
No. 2-4	Land Demand Projections	2-25
No. 2-5	Land Use Designation / Zoning Matrix	2-80
No. 3-1	Level of Service Interpretation	3-7
No. 3-2	Daily Capacities for Roadways	3-7
No. 3-3	Existing Traffic Volumes	3-8
No. 3-4	Projected Traffic Volumes, 2020	3-10

Figures

<u>Figure</u>	<u>Title</u>	<u>Page</u>
No. 2-1	Lot Trends in Exeter	2-7
No. 2-2	Population Growth	2-9
No. 3-1	Roadway Cross-Section Designs	3-32

Exeter General Plan / Draft Environmental Impact Report

Part 2: Draft Environmental Impact Report

<u>Section</u>	<u>Page</u>
Introduction	1
Project Description	2
Environmental Setting	12
Environmental Impact Analysis	16
Risk of Upset	16
Resources	25
Physical	29
Human Impacts	45
Unavoidable Adverse Environmental Effects	94
Alternatives to the Proposed Action	
No Project	94
Alternative General Plan	95
Long-Term Implications of the Proposed Project	
Short-Term Use of the Environment versus its Long-Term	
Productivity	95
Irreversible Environmental Changes	96
Growth-Inducing Impacts	96
Cumulative Impacts	97
Effects Found not to be Significant	97
Organizations and Persons Consulted	98

Appendices

<u>Appendix</u>	<u>Title</u>
A	Housing Element, Goals, Policies, Objectives
B	Open Space, Parks, and Recreation Element, Policies and Actions
C	Downtown Specific Plan, Policies and Actions

Exeter General Plan / Draft
Environmental Impact Report

Part 1: General Plan

Exeter General Plan 2000 to 2020

Introduction

Exeter

Exeter is located in Tulare County at the southern end of the San Joaquin Valley. It is bisected by State Route 65 (Kaweah Avenue), which runs north and south, and it is situated one and one-half miles south of State Route 198, a major east/west route that connects the coast range with the Sierra.

Exeter is seven miles east of Visalia, the county seat of Tulare County, two and one-half miles east of Farmersville and eight miles northwest of Lindsay (see Exhibit 1).

The General Plan

Government Code Section 65300 requires that every planning agency (city and county) prepare, and the legislative body is required to adopt, a comprehensive, long-term general plan for the physical development of the city, and any land outside the city boundaries which in the city's opinion bears relation to its planning. The general plan shall consist of a statement of development policies and shall include diagrams and text setting forth objectives, principles, standards and plan proposals for each of the general plan's mandatory elements, which include land use, circulation, housing, open space, conservation, safety and noise.

Exeter's first general plan was prepared by the County of Tulare in 1964. It was updated by the County in 1976 when Exeter had a population of approximately 5,000. which provided planning services to the city, updated the general plan in 1976. The County also prepared the Urban Boundaries Element for the city of Exeter, adopted in 1974. This document established growth lines around the city and delineated policies pertaining to annexation and land use issues.

This general plan will serve to update two of Exeter's general plan elements - land use and circulation - both of which are almost 25 years old! Exeter has already updated its Housing Element (1992) and Open Space and Conservation Elements (1991). The Safety Element (1975) and Noise Element (1976) are adequate in regards to policy direction and do not need updating at this time.

Exeter's vision and expectations for its future are best expressed through its General Plan. The general plan is frequently referred to as the "blueprint" for a city's future

Exeter General Plan 2000 to 2020

development patterns and roadway alignments. Specifically, Exeter residents have expressed their vision and expectations for the future through the general plan's goals, policies and implementation actions (programs, actions, procedures or standards). In addition, the land use and circulation maps included in the General Plan provide a visual display of how land uses and roadways will be arranged in Exeter.

The goals, policies and implementation actions of the General Plan resulted from ideas that surfaced in General Plan Committee meetings, Council/Commission study sessions and public hearings.

The primary objective of the General Plan is to facilitate a well-planned community where the public's health, safety and welfare are protected. It can also:

- guide the Planning Commission and City Council on land use, circulation, and capital improvement decisions;
- inform the public where certain types of development will occur in the community;
- educate the public on how Exeter's resources will be managed; and
- provide the private sector with a document upon which it can base investment decisions.

Legal Background

Planners and decision-makers have drawn a parallel between the General Plan and the U.S. Constitution. Decisions regarding land use, circulation, housing and capital improvements must be consistent with General Plan just like the nation's laws must be consistent with the Constitution. In *City of Santa Ana v. City of Garden Grove*, 100 Cal. App. 3d521, 532 (1979), the Court of Appeal, in explaining California's general plan legislation in 1971, stated the following:

"... transformed the general plan from just an interesting study to the basic land use charter governing the direction of future land use in the local jurisdiction. . . As a result, general plans now embody fundamental land use decisions that guide the future growth and development of cities."

City decisions that are not consistent with the General Plan place that jurisdiction in a legally tenuous position and subject to legal challenge. In *Friends of "B" Street et.al. V.*

Exeter General Plan 2000 to 2020

City of Hayward, et.al., 106 Cal. App. 3d 988 (1980), the court concluded that construction of public improvements (e.g. street projects, sewer lines, etc.) must be consistent with the General Plan. Further, the court stated that the General Plan essentially is the constitution for all future development within the city.

An internally inconsistent general plan, lacks one or more of the mandatory elements or certain types of required information. This inconsistency can potentially prevent a city from issuing land use approvals on building permits, zone changes, tentative subdivision maps, etc., if the Court finds that any one of the aforementioned conditions exist (Sierra Club v. Kern County, 126 cal. app. 3d 698, 704 (1981); Resource Defense Fund v, County of Santa Cruz, 133 Cal. App. 3d 800, 802 (1982); Camp v. Mendocino, 123 Cal. App. 3d 334 (1981). For example, the Exeter Housing Element may include a policy that states that the city provide adequate sites for a range of housing types, including multi-family uses. The Land Use Element would have to be consistent with the Housing Element by insuring that multi-family uses were provided for in the planning area.

The Exeter Planning Area

The planning area for the General Plan is delineated by Exeter's Urban Area Boundary (UAB) line (adopted by the City Council in 1990 and Local Agency Formation Commission in 1999). Within the UAB, there are other planning boundaries, including the Urban Development Boundary (UDB), the 10-Year Annexation line (adopted by the City Council 1995) and the city limit line. Definitions for these planning lines are provided below:

The UAB line is defined by the county's Urban Boundary Element as:

" ... the areas where land uses are presumed to have an impact on the adjacent incorporated city, and within which the cities' concerns are to be given serious consideration as part of the land use review process. The urban area is considered to be the next logical area in which urban development may occur and the area within which Urban Development Boundaries may ultimately be expanded."

The UDB line, which is coterminous with Tulare County's Local Agency Formation Commission Sphere of Influence, is defined by the County as:

"... a 20-year planning boundary within which urban development is expected to occur over the plan period."

Exeter General Plan 2000 to 2020

The 10-Year Annexation line was forged by a city policy that refers to annexation of land for residential development.

A 10-year planning boundary within which annexations for residential development will be considered so long as said annexation is consistent with the city's annexation policy, adopted in 1994.

This 1994 policy statement reads as follows:

The City of Exeter may initiate, entertain, encourage or support the annexation of land to the City, for urban uses, which meet the following goals, thru the implementation of a recorded development agreement:

a. Assist in meeting the goals, objectives and policies of the Conservation, Open space, Parks and Recreation Element.

b. Assist in meeting the economic development of the community.

c. Assist in meeting the housing needs and market demand as outlined in the General Plan.

d. Assist in promoting orderly and managed growth of the city so that the annual growth does not exceed the city's ability to provide necessary services and infrastructure, and to remain within the 10-year Annexation Line.

e. Assist in providing specific benefit to the community as determined by the City Administrator and City Council.

The UAB and UDB lines were adopted by the city in 1990 and by the county in 1999. The UAB line contains 7.0 square miles or 4,480 acres, the UDB line, 3.4 square miles or 2,180 acres and the city limits line, 2.06 square miles or 1,320 acres (see Exhibit 2).

The planning area contains the city of Exeter, portions of a rural subdivision called the West Exeter area, the Exeter Public Cemetery, scattered rural residential and industrial developments and agricultural lands. The dominant agricultural crop is citrus and the dominant industrial uses are packing houses and cold-storage buildings.

Document Organization

The Exeter General Plan will be presented as a single document that contains two parts. Part 1 will contain the general plan, land use and circulation elements and Part 2 the environmental impact report (EIR).

Exeter General Plan 2000 to 2020

Public Participation

In 1999, the Exeter City Council formed a committee of interested residents to assist in the preparation of the general plan. The committee has worked with planning staff in the formulation of the plan, specifically the goals and policies, and has provided valuable expertise in the areas of schools, economic development, public safety and circulation. Education in the field of planning was provided by planning staff and included lectures, planning videos and a one day bus tour of six cities in northern California.

Relationship to other Plans

State planning law requires that a city's general plan be consistent with other city planning documents. In Exeter, these other planning documents include the Exeter Downtown Specific Plan, Exeter Redevelopment Plan, the zoning ordinance and various infrastructure master plans. The term "consistency" in planning terms means that the general plan and the other plans have similar community goals and policies, that they advocate similar land use patterns, and they are consistent in their guidance of direction and rate of growth.

Exeter General Plan 2000 to 2020

Land Use Element

Introduction

The Land Use Element is the most prominent of the seven mandatory elements of the General Plan. It, more so than the other elements, has the most significant impact on existing and future Exeter residents. It is the element that determines the general location of residential, commercial, industrial, public and open space uses and it discloses building intensities and population densities for the planning area. In planning circles, the land use and circulation elements of the General Plan have been termed the "blueprints" for the development of a city. The goals, policies, and implementation measures of the elements are considered to be the "instructions" for the blueprints.

The Exeter Land Use Element contains seven sections:

- 1) land use and population;
- 2) population and land use projections;
- 3) land use designations and population densities;
- 4) planning issues and land use goals;
- 5) land use policies and actions (implementation measures);
- 6) land use designation/ zoning district matrix; and a
- 7) land use map.

Land Use and Population

Early Land Use Patterns

Exeter General Plan 2000 to 2020

The original Exeter township was formed by the Southern Pacific (SP) Railroad through its subsidiary, Pacific Improvement Company (see Exhibit 3). The townsite was established after the Pacific Improvement Company bought land from John Firebaugh in 1888, a local landowner. Exeter received its name from an early promoter of the improvement company, D.W. Parkhurst. He named the city Exeter after his home city of Exeter, England.

The original townsite encompassed 240 acres. The SP Railroad traversed the townsite in a northwest to southeast direction. The railroad and adjoining right-of-way occupied approximately 40 acres. The railroad depot was situated between Pine and Maple Streets on the east side of the railroad tracks.

As was the case in many early railroad-sponsored towns, Exeter's first streets were laid out parallel with and perpendicular to the railroad tracks. The streets had right-of-way widths of 80 feet and each block formed by these streets had a 20-foot wide alley that bisected the block. The early blocks were rectangular in shape, 320 by 400 feet. They were composed of lots that measured 25 feet by 150 feet. (see Exhibit 3).

In 1911, when Exeter incorporated, the city had already shifted the orientation of its newer streets to north/south and east/west alignments. This reorientation created numerous triangular-shaped blocks where the two street patterns joined. Today, many of these blocks are used either as park or church sites.

An early land use survey, November 4, 1904, indicated the following uses were operating in town - three hotels, two livery stables, two churches, two restaurants, four blacksmith shops, two saloons, two railroads, two packing houses, six retail stores, a harness shop, a bank, an elegant barber shop and one "wide-awake" newspaper. Crops being grown around Exeter included Emperor grapes, citrus and dry-land wheat and barley.

Exeter's land use patterns and appearance were forged by three seemingly unrelated forces - railroads, agriculture and building materials. Exeter's past, present and future land use patterns will be dictated by railroads. Exeter's first railroad, Southern Pacific, traversed the city in a northwest/southeast alignment. This manmade feature essentially divided the city in half. In 1905, the Visalia Electric Railroad began operation. This railroad connected Exeter to Visalia to the west and Lemon Cove to the northeast. This railroad, which runs from the SP Railroad to the east towards the foothills, has limited development in the northeast quadrant of town. The Sante Fe Railroad was constructed in 1914. The Sante Fe line formed the eastern border of urbanized Exeter. Except for the development of agriculturally-related industries (packing houses, cold

Exeter General Plan 2000 to 2020

storage) along the track, development has not occurred east of this railroad.

Oranges drive the economy in Exeter. First planted in 1896 by George Frost, the citrus industry today (oranges, lemons, grapefruit, tangerines) dominates the visual and economic landscape. Citrus is the dominate crop around Exeter and in fact lines both sides of State Route 65 from State Highway 198 to the city limits. In terms of the economy, as goes the citrus industry so goes the Exeter economy. Sectors of the economy that are strongly dependent on the citrus industry include, trucking, packing, cold storage, spraying, irrigating, processing, and marketing.

Bricks and granite were building materials that were mined in the Exeter area. The Exeter brick yard produced brick that was used widely on buildings throughout Exeter and the Rocky Point Granite Quarry provided material for most of the curbs in downtown Exeter and many of its buildings. Today, the brick yard, which is located north of Exeter, is used as a storm drainage retention basin.

Existing Land Use Patterns

Exeter is a compact community occupying approximately two square miles of land and containing a population of 9,168 (Jan. 1, 2000). The urban growth has extended in all directions from the original 1888 townsite. Exeter's downtown and its older residential neighborhoods are contained within a triangular area that is formed by the SP Railroad on the west, the Visalia Electric Railroad on the north and State Route 65 (Kaweah Avenue) on the east. The city's industrial districts, which are dominated by agriculturally-related uses such as packing houses and cold-storage facilities, are located along the Southern Pacific Railroad, the A.T. & S.F. Railroad, and Industrial Drive, located immediately south of the original townsite.

Single family residential development has occurred in all quadrants of the city, with most of this type of development occurring on the west side of town since 1990. Development of multiple family residential development has been limited. Scattered corner lots in the original townsite have been developed with duplexes and triplexes and a cul-de-sac street in the southeast quadrant of town was developed with 11 duplex units. The most recent multiple family developments included a 45-unit complex at the northeast corner of Visalia Road and Jacobs Place and an 18-unit complex at the northeast corner of F Street and Palm Avenue. These units provided housing opportunities for low- to moderate-income families in the community.

Commercial development is centered in the downtown and to a lesser extent, along Visalia Road and Kaweah Avenue (State Route 65). Recent developments include fast-food franchises on Visalia Road, an office complex on north Kaweah Avenue, a Best

Exeter General Plan 2000 to 2020

Western Hotel on south Kaweah Avenue, and numerous remodels of retail space in the downtown.

Schools and parks are scattered throughout the community, locating in neighborhoods that are experiencing a demand for these types of public facilities. An elementary school was constructed on Sequoia Drive in the northeast quadrant of the city and the school district recently purchased a future elementary school site in the southwest quadrant.

Table 1 provides a breakdown by acreage of the land uses within the city limits as of January 1, 2000. Exhibit No. 4 illustrates the arrangement of land uses within the city as of this date.

**Table No. 1
Existing Land Use**

Land Use Category	City Limits
Residential	
single family residential	460.68 ac.
two-family residential	5.11
multi-family residential	12.67
mobile home/trailer parks	23.50
Commercial	
central commercial	17.21
general commercial	23.19
office commercial	4.80

Exeter General Plan 2000 to 2020

service commercial	14.80
Industrial	63.53
Public	
Exeter City Hall/Fire Department	.87
Exeter Police building	.31
Exeter Recreation building	.50
Exeter Memorial District	5.41
Exeter Memorial Hospital	4.34
Exeter Waste Water Treatment Plant	30.00
Churches	8.50
Open Space	
parks	37.00
golf course	20.66
brick yard	7.15
Schools	43.08
Vacant and Agriculture Land	215.90
<u>Rights-of-way (streets and railroads)</u>	<u>321.00</u>
TOTAL	1320 acres

Residential Development Trends

In 1990, the Exeter City Council approved Annexation Policy 90-01. This action established an acreage threshold upon which future annexations would be reviewed. The policy stated:

"The City of Exeter will not initiate, entertain, encourage or support the annexation of land to the City until such time the amount of undeveloped land, zoned for single-family residential uses, falls below 23 acres, 92 single family lots."

On February 14, 1995, the Exeter City Council strengthened the city's annexation policy by amending its Urban Area Boundary Element with the addition of a 10-year annexation line. The amount of land contained within the 10-year annexation line was based on an annual population growth rate of 3.5 percent, a residential density of 5

Exeter General Plan 2000 to 2020

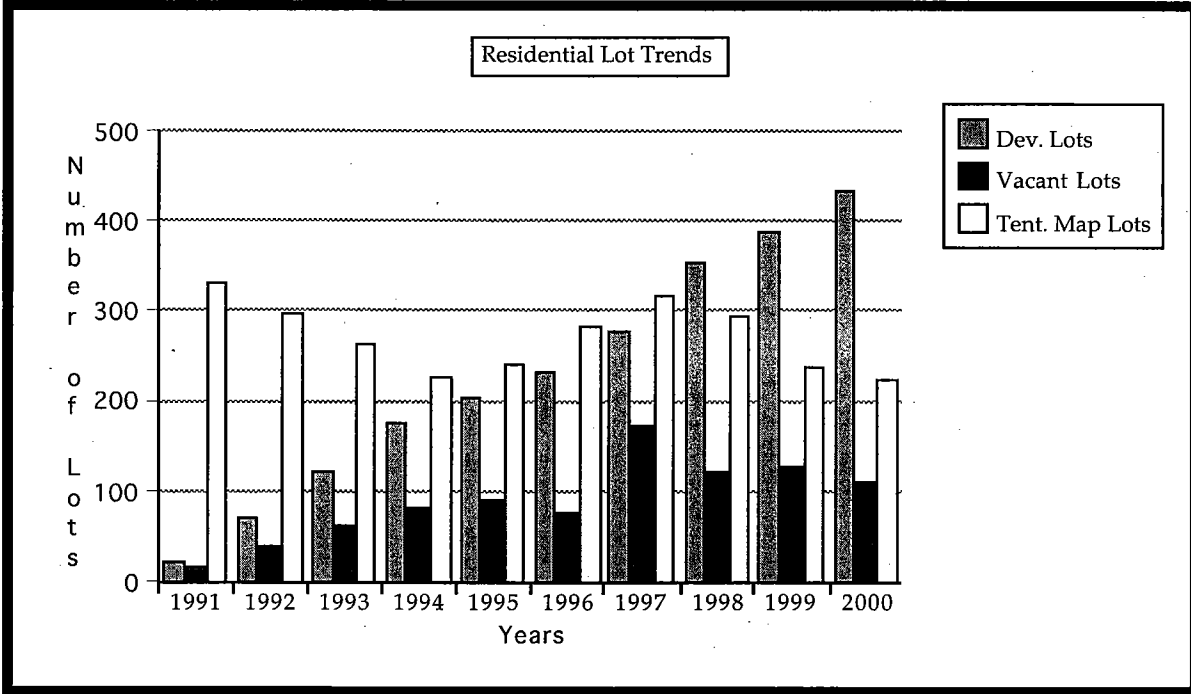
units per acre, and a dwelling unit population of 2.87 persons per unit. The total amount of land inside the 10-year annexation line was 303 acres. This line accommodates residential development in all four quadrants of the city - 139 acres in the northwest, 66 acres in the southwest, 39 acres in the southeast and 59 acres in the northeast.

The 10-year annexation line and Annexation Policy 90-01 have placed restrictive controls on residential growth in Exeter. The objective of these two growth control measures is to promote residential infill development. Since 1995, these growth control measures have encouraged residential infill and a development pattern that is generally contiguous to existing development and concentric to Exeter's downtown.

Residential infill has been the most obvious result of these two growth measures. Figure No. 1 details the trends in lot development since the adoption of these two growth control measures. Obviously, the number of lots that has been developed (in-filled) has increased from 21 in 1991 to 434 in 2000. The number of vacant lots (available for a residential dwelling units) have increased and decreased depending upon market activity. The number of lots available at any one time for home construction has been sufficient enough to insure that the cost of lots remain affordable.

Figure No. 1 Lot Trends in Exeter

Exeter General Plan 2000 to 2020



This "infill" process has been beneficial for the city in that it better utilizes existing city infrastructure; it maintains a tight service area for police, fire and solid waste services; and it encourages residential development near existing parks and schools.

Table No. 2 shows the status of residential subdivisions that have been processed since 1990. Some, like Awbrey Estates, have been built-out while others, such as the Bitterlan Subdivision, are still in the tentative map stage.

**Table No. 2
Subdivision Status**

<u>Subdivision Tract</u>	<u>Developed Lots</u>	<u>Vacant lots</u>	<u>Tent. Map Lots</u>
--------------------------	-----------------------	--------------------	-----------------------

Exeter General Plan 2000 to 2020

Country View	23	19	
Camden Place	39	0	
Pheasant Run	54	0	
Quince Park Estates	64	0	
Woodland Estates	59	32	13
Cosart IV	21	3	31
Johnson Land Manor	20	0	
Awbrey Estates	10	0	
Bitterlan Subdivision	0	0	105
Atkinson Subd	23	27	0
Wild Rose Estates	79	0	
<u>Hamar Subd.</u>	<u>42</u>	<u>30</u>	<u>75</u>
TOTAL	434 lots	111 lots	224 lots

Collins & Schoettler, January 1, 2001

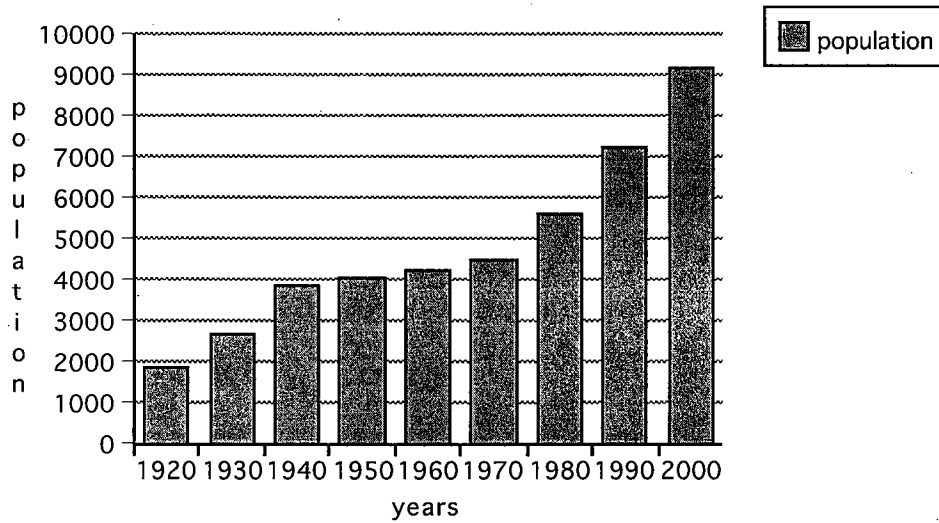
Since 1990, Exeter has been averaging 45 new single family and 7 multiple family residential units per year. This residential development activity has fostered a population growth rate that has been slow - averaging about 1.9 percent annually. At this pace, Exeter's pool of single family residential lots will last about 9.5 years.

Population

Except for the "dust bowl" decades, from 1920 to 1940, where the average annual growth rate was about 4.5 percent, Exeter's population growth from decade to decade has been slow. In fact, from 1940 to 1970, the community grew by only 592 persons, about 20 persons per year. It wasn't until the 1970s that Exeter began to grow at any appreciable rate, exceeding 2 percent per year. During the 1990s, Exeter has grown at an average annual rate of 1.88 percent per year. A graphic look at Exeter's population changes since 1920 is provided in Figure No. 2.

Figure No. 2 Population Growth

Exeter General Plan 2000 to 2020



Population and Land Use Projections

Population Projections

In order to determine the amount of land needed for urban development in Exeter

Exeter General Plan 2000 to 2020

over the next 20 years, 2000 to 2020, population projections are required. Two population projection scenarios (low and high) are provided in the Plan. These population figures are projections from the base year of 2000, provided by the U.S. Census Bureau. The Plan's "low" population projection is based on Exeter's average annual growth rate from 1990 to 2000 (1.88 percent) based on State Department of Finance; its "high" population projection is based on Exeter's average annual growth rate from 1980 to 1990 (2.88 percent) based on the U.S. Census Bureau.

**Table No. 2
Population Projections**

	2000	2010	2020
Low Population Projection (1.88 %)	9,168	11,044	13,306
High Population Projection (2.88 %)	9,168	12,178	16,177

Source: U.S. Census Bureau; State Department of Finance; Collins & Schoettler, 2000

Land Use Projections

Projections for different types of urban development for the years 2010 and 2020 are based on the population projections above and other types of demographic data, including persons per dwelling unit, acres of parkland per 1000 persons, residential densities, size of school sites, etc. Land demand projections are furnished in 10-year increments in order to be consistent with the city's current planning boundary lines - 10-year annexation line and urban development boundary line (20-year growth line).

Residential Land Demand

Residential land demand projections (low and high) for the years 2010 and 2020 are calculated below. Residential uses include single and multi-family dwellings and mobile homes, including trailers. Criteria for the location and demand for this type of land use are as follows:

- The number of persons per residential dwelling unit will be 2.89 persons (State Department of Finance, 1998).

Exeter General Plan 2000 to 2020

- Seventy-five percent of the new residential dwelling units will be single family units, 18 percent multi-family units, and 6.75 percent mobile home units (State Department of Finance, 1998).
- Single family developments will have a gross density of 4.5 units per acre; multi-family development, 15 units per acre; and mobile homes, 9 units per acre. (Collins & Schoettler, 1998 Land Use Survey).
- The residential land demand projections for 2010 and 2020 will be increased by 25 percent (flex-factor) so as to insure that the local residential real estate market does not become overly restricted thereby artificially forcing up residential land prices.

Residential Land Demand, Low Population Estimate, 2010

11,044 (2010 estimated population) - 9,168 (2000 population) = 1,876 persons
 1,876 persons / 2.89 persons per residential unit = 649 residential units

649 residential units x 75 percent single family units =	487 units
649 residential units x 18 percent multi-family units =	117 units
649 residential units x 6.75 percent mobile home units =	44 units

487 single family residential units / 4.5 units per acre =	108 acres
117 multi-family residential units / 15 units per acre =	8 acres
44 mobile home units / 8 units per acre =	<u>5.5 acres</u>
subtotal	121.5 acres

121.5 acres x 1.25 (flex-factor) 152 acres

Residential Land Demand, Low Population Estimate, 2020

13,306 (2020 estimated population) - 9,168 (2000 population) = 4,138 persons
 4,138 persons / 2.89 persons per residential unit = 1,432 units

1,432 residential units x 75 percent single family units =	1,074 units
1,432 residential units x 18 percent multi-family units =	258 units
1,432 residential units x 6.75 percent mobile home units =	97 units

1,074 single family residential units / 4.5 units per acre =	239 acres
258 multi-family residential units / 15 units per acre =	17 acres
97 mobile home units / 8 units per acre =	<u>12 acres</u>

Exeter General Plan 2000 to 2020

subtotal	268 acres
268 acres x 1.25 (flex-factor)	335 acres

Residential Land Demand, High Population Estimate, 2010

12,178 (2010 estimated population) - 9,168 (2000 population) = 3,010 persons
 3,010 persons / 2.89 persons per residential unit = 1042 residential units

1042 residential units x 75 percent single family units =	781 units
1042 residential units x 18 percent multi-family units =	188 units
1042 residential units x 6.75 percent mobile home units =	70 units

781 single family residential units / 4.5 units per acre =	174 acres
188 multi-family residential units / 15 units per acre =	13 acres
<u>70 mobile home units / 8 units per acre =</u>	<u>9 acres</u>

subtotal	196 acres
-----------------	------------------

196 acres x 1.25 (flex-factor)	245 acres
--------------------------------	-----------

Residential Land Demand, High Population Estimate, 2020

16,177 (2020 estimated population) - 9,168 (2000 population) = 7,009 persons
 7,009 persons / 2.89 persons per residential unit = 2,425 residential units

2,425 residential units x 75 percent single family units =	1,819 units
2,425 residential units x 18 percent multi-family units =	437 units
2,425 residential units x 6.75 percent mobile home units =	164 units

1,819 single family residential units / 4.5 units per acre =	404 acres
437 multi-family residential units / 15 units per acre =	29 acres
<u>164 mobile home units / 8 units per acre =</u>	<u>21 acres</u>

subtotal	454 acres
-----------------	------------------

454 acres x 1.25 (flex-factor)	568 acres
--------------------------------	-----------

Exeter General Plan 2000 to 2020

These residential land demand projections indicate that Exeter will need between 152 and 245 acres of land for residential development by 2010 and between 335 and 568 acres by 2020. As previously mentioned, these acreage projections are based on specific variables, including population growth rates, residential density, persons per dwelling unit, land demand flex-factor, and residential composition. A modification of any one variable can cause the above land projections to decrease or increase. For example, if Exeter were to require single family residential development to meet a density of five units per acre rather than the proposed 4.5 units per acre, the demand for residential land for the year 2020 would be lower, ranging from 305 to 517 acres rather than the proposed 335 to 568 acres.

Exeter General Plan 2000 to 2020

Office/Retail Commercial Land Demand

Projections (low and high) for office/retail commercial land for the years 2010 and 2020 are calculated below. Office/retail commercial uses will generally include professional and administrative uses and businesses that retail goods. Criteria for the location and demand for these types of land uses are as follows:

- Retail commercial/office uses will generally be restricted to lands along Visalia Road and Kaweah Avenue and in the downtown.
- Retail commercial /office uses will continue to be intermixed.
- A significant portion of the office demand in Exeter will be met by conversions of residential structures into offices.
- Retail commercial/office uses will replace service commercial and residential uses in Exeter's Downtown as land values increase.
- Existing retail commercial/office buildings are not operating at capacity. They have the ability to serve a significant number of additional clients and/or shoppers.
- New retail commercial/office uses will generally be housed in one-story buildings although multi-story buildings no higher than three stories would be encouraged in the downtown.
- There were 45 acres of retail commercial/office uses in Exeter as of 1-1-2000.

Retail/Office Land Demand, Low Population Estimate, 2010

9,168 (2000 population)/45 acres of retail/office (2000) = 1 acre retail/office per 204 persons

11,044 (2010 estimated population)/1 acre of retail/office per 204 persons = 54 acres retail/office needed

54 acres retail/office needed - 45 acres of existing retail/office = 9 acres retail/office needed by 2010

Retail/Office Land Demand, High Population Estimate, 2010

Exeter General Plan 2000 to 2020

9,168 (2000 population)/45 acres of retail/office (2000) = 1 acre retail/office per 204 persons

12,178 (2010 estimated population)/1 acre of retail/office per 204 persons = 60 acres retail/office needed

60 acres retail/office needed - 45 acres of existing retail/office = 15 acres retail/office needed by 2010

Retail/Office Land Demand, Low Population Estimate, 2020

9,168 (2000 population)/45 acres of retail/office (2000) = 1 acre retail/office per 204 persons

13,306 (2020 estimated population)/1 acre of retail/office per 204 persons = 65 acres retail/office needed

65 acres retail/office needed - 45 acres of existing retail/office = 20 acres retail/office needed by 2020

Retail/Office Land Demand, High Population Estimate, 2020

9,168 (2000 population)/45 acres of retail/office (2000) = 1 acre retail/office per 204 persons

16,177 (2020 estimated population)/1 acre of retail/office per 204 persons = 79 acres retail/office needed

79 acres retail/office needed - 45 acres of existing retail/office = 34 acres retail/office needed by 2020

Service Commercial Land Demand

Projections (low and high) for service commercial land for the years 2010 and 2020 are calculated below. Service commercial uses generally involve repair, maintenance and overhaul of equipment and vehicles, light manufacturing operations, storage and

Exeter General Plan 2000 to 2020

warehousing, and service uses, like rug cleaning, auto painting, tire and muffler shops, etc. Criteria for the location and demand for these types of land uses are as follows:

- The service commercial sector (commercial services like automobile repair, warehousing, and light manufacturing) of the economy will grow faster than the retail/office and industrial sectors.
- Service commercial uses do not require the high visibility that office/retail commercial uses require.
- Existing service commercial uses are not operating at capacity and can serve additional clients.
- Service commercial uses will generally be restricted to lands along Industrial Drive, First Street, Second Street, Third Street, and on selected parcels west of the Southern Pacific Railroad south of Pine Street.
- There were 15 acres of service commercial uses in Exeter as of 1-1- 2000.

Service Commercial Land Demand, Low Population Estimate, 2010

9,168 (2000 population)/15 acres of service commercial (2000) = 1 acre service commercial per 611 persons

11,044 (2010 estimated population)/1 acre of service commercial per 611 persons = 18 acres service commercial needed

18 acres service commercial needed - 15 acres of existing service commercial = 3 acres service commercial needed by 2010

Service Commercial Land Demand, High Population Estimate, 2010

9,168 (2000 population)/15 acres of service commercial (2000) = 1 acre service commercial per 611 persons

12,178 (2010 estimated population)/1 acre of service commercial per 611 persons = 20 acres service commercial needed

20 acres service commercial needed - 15 acres of existing service commercial = 5 acres

Exeter General Plan 2000 to 2020

service commercial needed by 2010

Service Commercial Land Demand, Low Population Estimate, 2020

9,168 (2000 population)/15 acres of service commercial (2000) = 1 acre service commercial per 611 persons

13,306 (2020 estimated population)/1 acre of service commercial per 611 persons = 22 acres service commercial needed

22 acres service commercial needed - 15 acres of existing service commercial = 7 acres service commercial needed by 2020

Service Commercial Land Demand, High Population Estimate, 2020

9,168 (2000 population)/15 acres of service commercial (2000) = 1 acre service commercial per 611 persons

16,177 (2020 estimated population)/1 acre of service commercial per 611 persons = 26 acres service commercial needed

26 acres service commercial needed - 15 acres of existing retail/office = 11 acres service commercial needed by 2020

General Industrial Land Demand

Projections (low and high) for general industrial land for the years 2010 and 2020 are calculated below. Industrial uses generally involves manufacturing, food processing and storage, transportation operations, and warehousing. Criteria for the location and demand for these types of land uses are as follows:

- Industrial uses will generally be restricted to lands on both sides of the Southern Pacific and Sante Fe Railroads, along Industrial Drive, and along the west side of Kaweah Avenue south of Firebaugh Avenue.
- The general industrial sector will include the following typical industrial uses:

Exeter General Plan 2000 to 2020

packing houses, manufacturing plants, cold storage facilities, food processing plants, and metal fabrication operations.

- General industrial uses do not require high visibility, however, they do require effective roadway and railroad access.
- Existing general industrial uses are not operating at capacity. They have the ability to expand production internally
- A significant amount of vacant, industrially zoned land, can be accommodated along the Southern Pacific Railroad.
- There were 64 acres of general industrial uses in Exeter as of 1-1- 2000.

General industrial land demand, low population estimate, 2010

9,168 (2000 population)/64 acres of general industrial (2000) = 1 acre general industrial per 143 persons

11,044 (2010 estimated population)/1 acre of general industrial per 143 persons = 77 acres general industrial needed

77 acres general commercial needed - 64 acres of existing general industrial = 13 acres general industrial needed by 2010

General industrial land demand, high population estimate, 2010

9,168 (2000 population)/64 acres of general industrial (2000) = 1 acre general industrial per 143 persons

12,178 (2010 estimated population)/1 acre of general industrial per 143 persons = 85 acres general industrial needed

85 acres general commercial needed - 64 acres of existing general industrial = 21 acres general industrial needed by 2010

General industrial land demand, low population estimate, 2020

9,168 (2000 population)/64 acres of general industrial (2000) = 1 acre general industrial per 143 persons

Exeter General Plan 2000 to 2020

13,306 (2020 estimated population)/1 acre of general industrial per 143 persons = 93 acres general industrial needed

93 acres general commercial needed - 64 acres of existing general industrial = 29 acres general industrial needed by 2020

General industrial land demand, high population estimate, 2020

9,168 (2000 population)/64 acres of general industrial (2000) = 1 acre general industrial per 135 persons

16,177 (2020 estimated population)/1 acre of general industrial per 143 persons = 113 acres general industrial needed

113 acres general commercial needed - 64 acres of existing general industrial = 49 acres general industrial needed by 2020

Park Land Demand

Park land demand projections (low and high) for the years 2010 and 2020 are calculated below. Parks uses include open space, sport and recreation facilities, and water features. Criteria for the location and demand for this type of land use are as follows:

- The City of Exeter has set a standard through its *Conservation, Open Space, Parks and Recreation Element* of 5 acres of parkland for every 1000 persons in Exeter.
- The open space associated with school grounds and golf courses, and single use storm drainage ponds will not be counted as park land.
- The City of Exeter currently has 37 acres of passive and active parkland. This figure does not include "future" designated park sites.
- The City of Exeter's current parkland ratio is 4.04 acres of parkland for every 1000 persons

Exeter General Plan 2000 to 2020

Park land demand, low population projection, 2010

Five acres of parkland per 1000 persons or 1 acre of parkland per 200 persons

10,376 (2010 estimated population)/1 acre of parkland per 200 persons = 52 acres of parkland

52 acres of parkland needed - 37 acres of existing parkland = 15 acres of parkland needed by 2010

Park land demand, high population projection, 2010

Five acres of parkland per 1000 persons or 1 acre of parkland per 200 persons

12,178 (2010 estimated population)/1 acre of parkland per 200 persons = 61 acres of parkland

61 acres of parkland needed - 37 acres of existing parkland = 24 acres of parkland needed by 2010

Park land demand, low population projection, 2020

Five acres of parkland per 1000 persons or 1 acre of parkland per 200 persons

13,306 (2020 estimated population)/1 acre of parkland per 200 persons = 67 acres of parkland

67 acres of parkland needed - 37 acres of existing parkland = 30 acres of parkland needed by 2020

Park land demand, high population projection, 2020

Five acres of parkland per 1000 persons or 1 acre of parkland per 200 persons

16,177 (2020 estimated population)/1 acre of parkland per 200 persons = 81 acres of parkland

81 acres of parkland needed - 37 acres of existing parkland = 44 acres of parkland

Exeter General Plan 2000 to 2020

needed by 2020

School Land Demand

School land demand projections for the years 2010 and 2020 are calculated below. The high population projection for 2010 and 2020 was used because it is in the best interest of the school districts and the students they serve to identify, purchase and construct schools before the existing schools are impacted with too many students. Using the higher population projection will achieve this objective. Criteria for the location and demand for this type of land use are as follows:

- The Exeter Union School and Exeter High School Districts have set acreage figures for the following types of schools: elementary school, 10 to 20 acres; middle school, 15 to 25 acres; and high school, 40 acres or more.
- The Exeter Union School and Exeter High School Districts have set enrollment figures for the following types of schools: elementary school, 600 to 700 students; middle school, 750 to 900 students; and high school, 1000 to 2000 students.
- Elementary school sites should be located within walking distance of the neighborhoods they are to serve; all sections of Exeter should be effectively served by elementary schools.
- Middle school sites should be located within walking distance of the neighborhoods they are to serve; all sections of Exeter should be effectively served.

Exeter General Plan 2000 to 2020

- For the 2000/01 school year, Exeter's school districts documented the following enrollments: Lincoln Elementary (K-2), 579 students; Rocky Hill Elementary (3-5), 652 students; Wilson Middle School (6-8), 669 students; Exeter High School (9-12), 974 students; Kaweah High School, 61 students; and Exeter High School independent study, 26 students.
- The Exeter Union School District purchased in 1997 a 22.5 acre parcel of land for a future elementary or middle school site. The property is located on the west side of Belmont Road and south of Visalia Road.
- For the 2000/01 school year, Exeter Schools had the following student enrollments. Elementary enrollment (K-6), 1454 students; middle school enrollment (7-8), 446 students; and high school enrollment (9-12), 974 students.
- The percentage of school enrollment to the Exeter 2000 population is expressed as follows: K-6 grades - 1454 students/9,168 population or 15.9 percent; 7-8 grades - 446 students/9,168 population or 4.9 percent; and 9-12 grades - 974 students/9,168 population or 10.6 percent.

School land demand, high population projection, 2010

K-6

12,178 (2010 population, high estimate) x .159 = 1936 students / 650 students per school site = 3 elementary school sites needed by 2010

3 sites - 2 current sites (Lincoln and Rocky Hill) = 1 site needed by 2010

7-8

12,178 (2010 population, high estimate) x .049 = 597 students / 825 students per school site = .72 middle school sites needed by 2010

.72 sites - 1 current site (Wilson) = 0 sites needed by 2010

9-12

12,178 (2010 population, high estimate) x .106 = 1291 students / 1500 students per school site = 1.03 high school sites needed by 2010

Exeter General Plan 2000 to 2020

.86 sites - 1 current site (Exeter H.S.) = 0 sites needed by 2010

School land demand, high population projection, 2020

K-6

16,177 (2020 population, high estimate) x .159 = 2572 students / 650 students per school site = 4 elementary school sites needed by 2020

4 sites - 2 current sites (Lincoln and Rocky Hill) = 2 elementary sites needed by 2020

7-8

16,177 (2020 population, high estimate) x .049 = 793 students / 825 students per school site = .92 middle school sites needed by 2020

.96 sites - 1 current site (Wilson) = 0 sites needed by 2020

9-12

16,177 (2020 population, high estimate) x .106 = 1714 students / 1500 students per school site = 1.18 high school sites needed by 2020

1.14 sites - 1 current site (Exeter H.S.) = 1 high school site needed by 2020 (or expand existing high school campus to accommodate 1714 students)

Exeter General Plan 2000 to 2020

Total Land Demand Projections

Table No. 3 provides the land demand projections for the Land Use Element for the years 2010 and 2020. The actual acreage figures for each land use category depicted on the land use map generally fall within the ranges detailed below. Other planning considerations, such as access, land use compatibility, infrastructure availability and aesthetics, also influence the amount of acreage depicted on the land use map for each land use category.

**Table No. 3
Land Demand Projections**

<u>Land Use Category</u>	<u>2010</u>		<u>2020</u>	
	<u>Low</u>	<u>High</u>	<u>Low</u>	<u>High</u>
Residential	152 acres	245 acres	335 acres	568 acres
	9	15	20	34
Service Commercial	3	5	7	11
General Industrial	13	21	29	49
Park Land	15	24	30	44
School Land				
K-6		10-20 acres		10-20 acres
7-8				
<u>9-12</u>				<u>40 acres</u>
Total	192 acres	320-330 ac.	421 acres	716-726 ac.
Total without flex-factor*	162 acres	271-281 ac.	354 acres	632-642 ac.

* **Note:** These land demand acreage figures are potentially the actual amount of land that will be urbanized over the 20-year planning period. It will be these acreage figures that are discussed and analyzed in the general plan environmental impact report.

Exeter General Plan 2000 to 2020

Land Use Designations and Population Densities

The land use designations delineated on the Exeter land use map are described below. For residential land use designations, maximum population densities are provided. A generalized location criteria for each land use designation is also provided below.

Residential

Very Low Density - a maximum of two dwelling units per gross acre, or six persons per acre. Development in this category may not be required to install sidewalks, curbs/gutters or street lights, or connect to the city's waste water collection system. It will be required to connect to the city's water system.

This designation shall be reserved for those lands that are on the fringe of the community, have already been divided into lot sizes that are one-half acre or larger, or are required to "buffer" an industrial, agricultural or public use.

Low Density - a maximum of 5 dwelling units per gross acre, or 14 persons per acre. Development in this category shall be required to install sidewalks, curbs, gutters, sidewalks and street lights, and connect to the city's sewer, storm drain and water systems.

This designation shall be reserved for those lands that are appropriate for single family, and in some cases, multi-family dwelling units. Uses that are typically associated with single family neighborhoods, such as churches, day-care centers, community centers, parks, and schools, shall also be encouraged. These lands shall generally be located in areas of the community that are free from conflicting land uses, such as service commercial and industrial uses.

Medium Density - a maximum of 15 dwelling units per gross acre, or 42 persons per acre. Development in this category shall be required to install all the same improvements that are required in the low density residential designation. Medium density development could encompass a mix of single family and multi-family uses, including duplex, tri-plex, four-plex units and mobile home parks. These lands shall generally be located in areas of the community that are free from conflicting land uses, such as service commercial and industrial uses, and are situated near the center of Exeter.

Each quadrant of the community will contain land that is designated for this type of residential development. This action will insure that each quadrant of the community has a mix of housing types. Further, under certain conditions, the neighborhood commercial designation can be combined with this designation.

Exeter General Plan 2000 to 2020

High Density - a maximum of 29 dwelling units per gross acre, or 84 persons per acre. Development in this category could encompass apartment complexes, senior citizen projects and condominiums. These lands shall generally be located in areas of the community that are free from conflicting land uses, are located near the center of Exeter, and are generally situated on corner lots, where major streets intersect.

Office

An office designation shall be reserved for those areas of Exeter that are located along Kaweah Avenue and within the original Exeter Townsite. Some of the parcels within these two areas contain single family dwellings. By designating these units for office uses, it would be the intent of the General Plan to encourage "adaptive reuse" of the structures. Converting these homes to an office use lends character to the neighborhood and may serve to protect some of the structures from being demolished or continued deterioration.

When this designation is applied to lands that contain single family dwellings, these units should be adjacent to commercial uses, should have alley access, and should be in a neighborhood that is in transition.

Commercial

Exeter's current General Plan only provides for one commercial category. It is the intent of this General Plan to increase this number to four commercial categories - neighborhood, general, central, and service.

Neighborhood commercial designations shall be located within or adjacent to a residential neighborhood located on the fringe of the community. This designation shall provide local residents with nearby commercial and office uses that would be used on a frequent basis. The neighborhood commercial center should be designed for pedestrian access, the building(s) should have an architectural theme, the site should be landscaped and signs should be strictly regulated.

General commercial designations shall be reserved for properties generally located on Visalia Road and Kaweah Avenue. This designation shall provide for shopping centers, highway commercial uses, retail uses, and offices. Development within this designation will have the following distinguishing features - the building sites will be required to be landscaped, parking shall be constructed off-street, signs shall be regulated and new uses or extensive expansion of existing uses shall undergo site plan review. Lands designated general commercial may be required to comply with design standards of

Exeter General Plan 2000 to 2020

the design district in which the property is located.

Service commercial designations shall be reserved for properties generally located on the west side of the original Exeter Townsite, west of the Southern Pacific Railroad, and under certain conditions, within Exeter's industrial parks. This designation shall provide for uses that include a mix of light industrial and heavy commercial uses. Development with this designation will have the following distinguishing features - the buildings will have front yard landscaping, parking shall be off-street, all visible equipment and storage areas shall be fenced and screened from public view, lighting shall not be allowed to illuminate surrounding properties, signs will be regulated and new uses or extensive expansion of existing uses shall undergo site plan review.

Central commercial designations shall be reserved for those areas in Exeter that are located in the original townsite, which encompasses the downtown district. Development with this designation will have the following distinguishing features - the buildings will generally be built to back of sidewalk, parking shall be off-street and shall be generally located at the rear of the building, signs shall be regulated and shall be pedestrian-oriented, the architectural design of the building will be compatible with a downtown environment, and new uses shall undergo site plan review.

Industry

Lands designated for industrial development will generally be located along both sides of the Southern Pacific and Sante Fe railroads, Industrial Drive and 1st, 2nd and 3rd Streets. This designation will provide for uses that are involved in manufacturing, processing, warehousing, and certain service commercial uses.

Development with this designation will have the following distinguishing features - the subject site will be landscaped, parking lots will be constructed off-street and will be landscaped, storage areas shall be fenced and screened, signs shall be regulated and new uses shall undergo site plan review.

Public Facilities

This designation is reserved for facilities that are frequented by the public, including schools, the post office, city hall, and county offices.

Development with this designation will have the following distinguishing features - the subject site will be landscaped, parking lots will be constructed off-street and will be landscaped, signs shall be regulated and new uses shall undergo site plan review. Schools will receive special attention in regards to pedestrian, bike and bus circulation.

Exeter General Plan 2000 to 2020

Open Space

This designation is applied to lands that will remain generally free of buildings. Uses that would receive this designation would include parks, playing fields, and golf courses.

Urban Reserve (Agriculture)

This designation is applied to lands that are being, or have the capacity to be, actively farmed but are within the planning area and proposed to be eventually developed. Further, this designation could also be applied to lands that contain agriculturally-related uses, such as packing houses, cold storage operations or agriculturally-related businesses. The purpose of this designation is to protect agriculture from urban encroachment, maintain land in agriculture until the time is appropriate for conversion to urban uses, and to insure that conflicts do not arise between agriculture and urban uses.

Exeter General Plan 2000 to 2020

Planning Issues and Land Use Goals

Land use goals express a city's values and its vision for the future. They can refer to image and appearance, economic viability, health and safety, preservation of resources or fiscal soundness. Some of the goals listed below are the product of previously approved general plan elements or specific plans. Other goals were fashioned by Exeter's general plan committee, planning commission and city council.

Growth Management

The planning (management) of Exeter's growth - direction, rate, density and arrangement of land uses is an important aspect of the general plan. A city that is well-planned is more attractive to potential residents, developers, businesses and investors than one that is poorly planned - land use conflicts, urban sprawl, a non-viable downtown, poor circulation patterns and blighted sections of town.

Discouraging urban sprawl for example is an important growth management objective in Exeter. Exeter has realized that a community that is compact and avoids sprawl has more efficient, cost effective infrastructure and service delivery systems than a community that lacks these characteristics.

- Maintain Exeter as a small, agriculturally-oriented city surrounded by farmland.
- Maintain the city's 1990 Annexation Policy that promotes residential infill and discourages urban sprawl.
- Promote Smart Growth planning principals in order to discourage urban sprawl and the premature urbanization of agricultural land.

Community Image

Image is an important community asset. It can influence how people feel about a community. A community that is clean, well-maintained, visually appealing and properly planned will (1) attract outside investment, (2) encourage people to maintain their property, (3) cause real estate values to appreciate and (4) stimulate city revenues - tax increment, sales tax and transient occupancy taxes.

- An attractive, clean and well-maintained community.
- A community that is free of land use conflicts.

Exeter General Plan 2000 to 2020

- A city that portrays a “sense of community”.
- A friendly community that encourages public involvement.
- A community that portrays an image that is progressive and energetic.

Economic Development

The economic base of a city can be divided into two categories: 1) basic industries which produce and sell goods that bring new income from outside the area; and 2) service industries which produce and sell goods that simply circulate existing income in the area. The stimulation of either type of industry has a positive impact on Exeter’s economy, which in turn, affects employment, housing starts, the city’s fiscal affairs and family income levels.

- Increase tourism.
- Market agriculture as a tourist attraction.
- Encourage organizations to use Exeter as a destination for meetings, conferences, and seminars.
- Attract technologies to the Exeter area that are related to the citrus industry, including plant breeding, nurseries, integrated pest management, and agricultural chemical companies.
- Assist existing industries to expand their operations and increase employment.
- Increase the number of businesses operating in Exeter in order to generate more sales, property, business and transient occupancy taxes.

Employment

For those persons in the labor force, having a job is a fundamental need. The income generated from a job allows a person or family to pay for food, shelter, transportation, education, health care and recreation. To a great degree, a person’s or family’s quality-of-life is based on their job. A city’s vitality and viability is also influenced by people having a job. A high unemployment rate (lack of jobs) can have an adverse impact on a city’s revenues, its crime rate and the existence of blight, whereas, a low unemployment rate can have the opposite affect.

Exeter General Plan 2000 to 2020

- Diversify employment base
- Attract industries that are complementary to existing workforce
- Encourage stable, year-around employment

Housing (from Exeter Housing Element, adopted 1991)

Providing safe and decent housing for its citizens is a fundamental objective of all cities. Housing need is a complex issue, consisting of at least three major components: housing affordability, housing quality and housing quantity. In addition, certain segments of the population have unique needs, including the elderly, the handicapped, female heads of household, large families, and farm workers. See Appendix A for the Element's policies and implementing actions.

- To develop through public and private channels, sufficient new housing to insure the availability of affordable housing for all households in Exeter.
- To manage housing and community development in a manner that will promote the long-term integrity and value of each new housing unit and the environment in which it is located.
- To provide a choice of housing locations for all residents.
- To maintain and improve the quality of the existing housing stock and the neighborhoods in which it is located.
- To promote equal access to safe and decent housing for all economic groups.
- To promote energy conservation activities in all residential neighborhoods.

Fiscal Conditions

Revenue from local taxes is the life-blood of a city's financial condition. Without a steady, diversified and reliable revenue stream, a city will have a difficult time paying for its services and infrastructure. Decisions on land use matters can influence the fiscal condition of a city. For example, a viable downtown can increase a city's sales and bed tax while a blighted downtown can have a depressing effect.

Exeter General Plan 2000 to 2020

- Encourage a strong sales tax base.
- Encourage a strong transient occupancy tax base.
- Insure that development impact fees pay for public improvements required by the general plan and infrastructure master plans.
- Promote public-private and public-public partnerships towards the construction of projects that are of significant community value.
- Enhance tax increment revenues by encouraging development to occur in the redevelopment district.

Infrastructure

A well designed, maintained and managed infrastructure system is necessary for the proper and efficient operation of a city. Local city councils quickly understand the importance of the infrastructure system if citizens complain about poor water quality or pressure, the waste water treatment plant emitting odors, or the streets flooding every time it rains.

From an economic development perspective, businesses wishing to locate in a city are concerned about the same issues. For example, if the business is an industry that generates large volumes of effluent, it will be concerned about the capacity of the treatment plant and its ability of treat certain types of effluent. Failure of a city to provide assurances that the industry can be accommodated by the city's infrastructure system will most likely cause that business to seek another city.

- Adequately finance infrastructure systems.
- Periodically update infrastructure master plans, including sewer, water and storm drainage plans.
- Insure infrastructure master plans and the general plan are in concert with each other.
- Maintain, rebuild and upgrade infrastructure systems.

Resources

There are two types of resources - natural and man-made. Natural resource is defined as "any form of matter or energy obtained from the environment that meets human

Exeter General Plan 2000 to 2020

needs." It would include air, water, land and native plants and animals. The wise use and management of these resources can influence a community's quality-of-life. With population growth and its secondary impacts, including air and water pollution, and urbanization of agricultural land, planning (resource management) is one of the primary tools used to insure a community's quality-of-life standard.

Man-made resources are those that include the built-environment (historic homes, neighborhoods, and public places, like parks, squares, and commons) and cultural resources (public art, historic sites and prehistoric sites). Through planning, these resources can be preserved for the public's long-term enjoyment and education. This preservation effort also creates a city that is more interesting and visually appealing.

Natural Resources

- Conserve natural resources, including native trees, agricultural land, and water.
- Preserve air quality.
- Promote ground water recharge.
- Promote energy and water conservation

Man-Made Resources

- Preserve historic neighborhoods
- Discourage uses that are architecturally incompatible with existing structures in historic neighborhoods
- Encourage adaptive reuse of historic structures that are zoned for non-residential uses

Open Space, Parks and Recreation (from the Open Space, Parks and Recreation Element, adopted 1991)

Open space, parks and recreation add to the quality-of-life in a community. Open space delineates the edge of a community and affords the public views of orange groves, fields and/or the Sierras. People that live in a city that is surrounded by open space benefit psychologically because they can visually or physically take advantage of an open space feature.

Exeter General Plan 2000 to 2020

A park is an outdoor open space feature that can accommodate an assortment of recreation and leisure activities. A park can include playgrounds, community recreation facilities, playing fields and community centers. Paralleling a city's park system is its recreation program. A city's recreation department is responsible for programming various activities, services and events in its park system. To have an effective recreation program, a city must also have a good park system.

- Conserve, restore and enhance significant natural, cultural and historic resources.
- Create and preserve open space in the Exeter area to meet the needs of the community now and in the future.
- Develop a high quality public park and recreation system that is convenient, accessible and affordable to all segments of the City.
- Implement the Conservation, Open Space and Recreation Element through a combination of public and private funds, regulatory processes, and innovative strategies.
- Preserve the existing scenic qualities of the community by adopting standards regulating entryways, view preservation and landscaping.

Agriculture

Agriculture is the primary industry in the Exeter area. This basic industry employs about 10 percent of Exeter's labor force. When other agriculturally-related sectors of the economy are factored in the agricultural labor force increases to 20 percent. Agriculture is a relatively stable industry when compared to other sectors of the economy, like manufacturing, tourism and transportation industries. For this reason, agriculture should be encouraged and protected in the Exeter area. Further, land use policies that minimize the impacts between urban and agricultural uses should be promoted.

- Preserve agricultural land outside the planning area of the General Plan.
- Discourage land uses outside the planning area of the General Plan that conflict with existing agricultural operations.
- Preserve land in agriculture that is outside the 10-year planning area

Exeter General Plan 2000 to 2020

of the General Plan until development is appropriate.

- Insure that Exeter's agriculturally-related businesses are encourage to continue to operate and/or expand where appropriate.

Residential Neighborhoods

The "neighborhood" is the fundamental building block of a city. The health and quality-of-life of a community is best measured at the neighborhood level. If a city's neighborhoods are noisy, contain excessive traffic, are unkempt, and include incompatible land uses, then the city as a whole is most likely spiraling towards a state of blight. In terms of community priorities, preservation of the neighborhood ranks as an important land use goal.

The ideal neighborhood should be inviting, quiet, cool in the summer, children-friendly, pedestrian-oriented and architecturally interesting. It should appreciate in value over time and it should provide for a wide range of housing types, styles and prices.

The multi-family neighborhood is a necessary part of a city's housing stock. It provides housing opportunities for persons or families who do not wish to own a single family dwelling or who can not afford to own one. Improperly located, designed or maintained, the multi-family neighborhood can have an adverse impact on surrounding neighborhoods and the community as a whole. To protect the health, safety and welfare of persons living adjacent to and within the multi-family neighborhood, the location, design and long-term maintenance of this type of housing must be well thought out.

- Revitalize blighted neighborhoods
- Protect existing neighborhoods from incompatible land uses
- Promote neighborhoods that are quiet, visually pleasing, and cool
- Promote attractive, well-maintained and designed residential neighborhoods

Historic Townsite (from Downtown Specific Plan, adopted 1994)

Exeter's original townsite, created in the late 1880s, is bounded by Kaweah Street on the east, Willow Street on the north, Filbert Street of the west and Firebaugh Avenue on the south. Exeter's downtown and its older adjacent neighborhoods, and the Visalia Electric and the Southern Pacific Railroad rights-of-way are contained within the Exeter

Exeter General Plan 2000 to 2020

townsite.

The image and character of a community's historic townsite is of great importance because this area represents the "heart" of the community. It is where community events are held, the period architecture is assembled, the downtown is located and where citizens carry with them fond, early childhood memories.

The planning area of the Exeter Downtown Specific Plan covers most of the original Exeter townsite. The goals contained within that Plan apply to the downtown and the larger Exeter townsite.

- Maintain the Downtown as the government, civic and retail/office center for the City.
- Provide a mix of compatible land uses contributing to the historic nature and economic viability of the Downtown area and to all the other goals for the Downtown Specific Plan.
- Promote multi-family and senior citizen housing in the Downtown area compatible with single family housing for diversity, security and to extend "life of the streets" into evening hours.
- Identify and promote Downtown as the entertainment, cultural and community activity center of Exeter.
- Emphasize the historic nature of the Downtown with appropriate community events.
- Promote an environment in the Downtown that is culturally, socially and generationally diverse.
- Protect and enhance the integrity of the historical residential neighborhoods adjacent to the Downtown.
- Protect and enhance significant and/or historical Downtown buildings.
- Create a safe and comfortable environment in the Downtown where pedestrians, bicyclists, vehicular traffic and parking work in harmony.
- Improve accessibility and circulation downtown.
- Identify the location of the Downtown for the traveling public.
- Assure that adequate parking is available Downtown.
- Provide sufficient, accessible parking for automobiles and bicycles.

Exeter General Plan 2000 to 2020

- Ensure parking areas are convenient, attractive and safe.
- Balance the parking downtown so there are sufficient spaces to efficiently meet shoppers' and tenants' needs for future land requirements for new building construction.
- Provide and maintain infrastructure to meet the needs of Downtown growth.
- Enhance Exeter's quality of life by providing a Downtown which is inviting, friendly, clean, safe and aesthetically pleasing.

Commercial Development

The Exeter General Plan provides for five types of commercial development - central (downtown), office, general, service and neighborhood. Each of these types of commercial uses is required if the community wishes to provide services and shopping opportunities for its citizens. Further, if a city is going to maintain its sales tax base, it is imperative that it not only retain its own shoppers but that it also attract shoppers from surrounding cities and outlying rural areas.

For each type of commercial development to be successful, it must be properly located, it must have adequate access and it should be designed so that it will attract patrons. For example, a parcel of land that is designated for general commercial uses should front onto a major roadway (with high traffic volumes), it should be designed so that it is attractive and visible from the roadway and it should incorporate ample off-street parking.

Office commercial is almost as important to the economic well-being of a community as other types of commercial or industrial uses. Offices support both small and large businesses, which on average, have a higher wage scale than most of the agricultural economy and some of the manufacturing/warehousing economy.

In Exeter there are two primary areas where offices can be accommodated - in the historical townsite and along Kaweah Avenue. In the historical townsite, a developer could construct a new office complex or an existing, older home could be renovated. This same type of opportunity is also available on Kaweah Avenue in that there are some older homes along this roadway that could be converted to offices as well as vacant land that could accommodate new construction.

- Insure that different types of commercial development are provided

Exeter General Plan 2000 to 2020

for in Exeter.

- Promote commercial development that is aesthetically pleasing.
- Promote the conversion of residential dwellings in the downtown into office and/or retail uses.
- Reduce sales-tax leakage.
- Encourage commercial development to be pedestrian-oriented.

Industrial Development

Industrial uses are generally the economic foundation of a city. It is a source of employment and it provides a flow of revenue into the city from outside sources - other businesses buying raw materials or finished goods from the local industry.

Industries are typically poor land use neighbors because they can generate large volumes of truck traffic, they can produce noise and odors, and they can be unsightly. For these reasons, it is important that they be properly located in the community - away from land uses that are sensitive to these conditions, such as schools, residential development and parks.

- Promote and encourage agriculturally-related industries.
- Diversify the City's industrial base.
- Promote agriculturally-related tourism.
- Attract small, light industries.
- Attract technologies that are related to agriculture, including irrigation, plant science, and pest management.
- Attract industries that require rail transportation or are associated with the rail industry.

Schools

One of the most frequently asked questions by families contemplating a move to a city is "How are the schools?" The education of one's children is very important to most parents. A school system that can't deliver a "good" education will adversely impact a city. Families and businesses contemplating a move to a city with a poor school system may opt for another city. In fact, if a city has a good school system, this attribute will sometimes be used as a marketing tool by the Chamber of Commerce, home builders

Exeter General Plan 2000 to 2020

and economic development professionals to attract persons and businesses to the community.

- Promote community-based schools.
- Schools that are easily accessible and free from land use and circulation conflicts
- Schools that have adequate land for future expansion.
- Encourage the schools to forge partnerships with other public entities.
- Work with educational institutions to fashion a training program that teaches skills that mirror local industrial sectors, including equipment repair, irrigation technology, food processing, nurseries, and agricultural technology.
- Encourage college courses to be taught in the Exeter area.

Public Safety and Emergency Medical Services and Health Care

These types of services are crucial to the public's health, safety and welfare. Public safety, which includes police and fire, insures that the public and their property are protected from criminal elements, exposure to hazardous materials, and fire. Emergency medical services responds to calls for emergency medical assistance and potentially, transport of the victim to a local health care facility. Health care facilities, which include hospitals, medical clinics and other types of medical-related uses, provide to the public physical and psychological care and treatment.

Public Safety and Emergency Medical Services

- A safe community that is free of crime and fire hazards
- A community-oriented public safety program
- Adequately financed public safety departments
- A cooperative working relationship between city public safety departments and other agency public safety departments

Exeter General Plan 2000 to 2020

- An efficient medical emergency delivery system

Health Care

- Promote the continued operation and future expansion of health facilities within the community.
- The City and Kaweah Delta District Hospital should work together on projects that are of mutual benefit.

Public Facilities

Construction of public facilities, city halls, police and fire stations, recreation centers, etc., can benefit a city by providing new employment, new investment in a blighted section of town, and/or it can improve the city's image. For example, a public facility like a new city hall, built in or near the downtown, brings additional people to that area of the community, it may encourage new development on surrounding properties and it can promote a sense of community pride.

- The city should forge partnerships with other public entities in the financing and construction of public facilities.
- Public facilities should make a aesthetic statement in terms of appearance and architectural style.
- Where possible, public facilities should have multi-purpose uses.

Exeter General Plan 2000 to 2020

Land Use Policies and Actions (Implementation Measures)

Policies and actions serve as the instructions for the land use element blueprint. Without these instructions, implementation of the element could not occur. For each land use-related topic, this section of the element will provide a list of policies and actions that will facilitate implementation of the land use goals, delineated in the previous chapter.

Growth Management

- **Maintain Exeter as a small, agriculturally-oriented city surrounded by farmland.**
 1. Insure that Exeter is surrounded by agricultural land that is zoned for large parcel agriculture (e.g. AE-20).
 - a. The City shall notify the County of Tulare that all land that surrounds Exeter that is not zoned to the Rural Residential or Industrial zone districts should be zoned to the AE-20 zone.
 - b. The City shall continue to protest the continued division of land around Exeter into non-viable agricultural parcels.
 - c. The City shall consider a development impact fee that will be used to purchase agricultural conservation easements on lands that surround Exeter.
 - d. *The City shall make an application to the Tulare County Local Agency Formation Commission to amend its urban development boundary line so that it is consistent with the General Plan planning boundary line.*
- **Maintain the city's 1990 Annexation Policy that promotes residential infill and discourages urban sprawl.**
 1. The City council shall review the 1990 Annexation Policy annually.
 - a. Annually, planning staff shall submit a report to the City Council detailing the residential development activity that has occurred within the City during the previous year. This report will provide information on the number of residential dwelling constructed, the number of lots available for construction and

Exeter General Plan 2000 to 2020

the amount of acreage available for residential development.

b. Planning staff shall maintain a city map that details the location of residential development activity on an annual basis.

- **Promote Smart Growth planning principals in order to discourage urban sprawl and the premature urbanization of agricultural land.**

1. The City shall amend its Zoning Ordinance to add a Smart Development Combining District.

a. The Smart Development Combining District shall incorporate planning principals that promote higher residential densities, reduced yard standards, narrower streets, and architecturally unique dwelling designs.

b. A brochure for the development community shall be prepared that illustrates the design features of the Smart Development Combining District.

c. The City shall consider the application of the Smart Development Combining District to the 40-acre parcel of land located on the northeast corner of Glaze Avenue and Belmont Road and the 40-acre parcel located at the northeast corner of Elberta Road and Vine Avenue.

2. The City shall promote mixed-use development where appropriate.

a. The City shall amend its Zoning Ordinance to provide for a Mixed-Use Zone District.

b. The City should identify sites in the downtown core where mixed-use development would be appropriate.

3. The City shall amend its Zoning Ordinance to permit residential development in the downtown.

a. The City shall amend the Central Commercial Zoning District to permit housing development in the downtown with a conditional use permit.

b. Housing units should be permitted in the upper stories of downtown buildings with a site plan review permit.

Exeter General Plan 2000 to 2020

Community Image

- **An attractive, clean and well-maintained community.**
1. The City shall fashion and install a community sign at each of the city's designated entryways.
 - a. The Festival of Arts Commission shall fashion an entry-sign theme to be installed at the north and south end of Kaweah Avenue, the west end of Visalia Road, and at the intersection of Firebaugh Avenue and Spruce Road.
 - b. The Commission should seek donations from the private sector to pay for each sign. The name of the donor could be displayed on the entry-sign.
 2. The City shall insure that street sweeping, trash pickup, and the maintenance of public grounds and buildings are completed on a weekly basis.
 3. A downtown maintenance district should be formed to pay for the cost of maintaining improvements in the downtown, such as landscaping, street furniture, parking lots and lighting.
 4. The City should actively enforce the State Housing Code, which provides a procedure for abating or rehabilitating unsafe, dilapidated residential structures.
 - a. The Tulare County Building Department shall report to the City Council on an annual basis their progress on rehabilitating or removing unsafe residential structures.
 - b. The Planning Department shall maintain a city map that identifies the location of unsafe residential dwellings.
 - c. The Exeter Redevelopment Agency shall explore the use of state or federal funds to promote infill residential development while concurrently facilitating the removal of unsafe residential structures.
 5. The City should facilitate a landscaping program in parks, medians and within the downtown that promotes shading, color, and interesting form.
 - a. The City shall establish a development impact fee that pays for the construction and landscaping of street medians.

Exeter General Plan 2000 to 2020

b. The City shall apply for an urban forestry grant to pay for the planting of trees in the downtown.

6. The City shall continue to actively enforce the city's vehicle abatement program and illegal parking on residential property.

7. The City shall continue to actively enforce the city's sign ordinance.

a. The City shall amend its Zoning Ordinance to update the portion of the document that regulates signs.

8. The City shall develop a public notice form that could be sent to persons who are violating the Exeter Municipal Code as it relates to zoning violations, public nuisances or non-compliance under an approved site plan or conditional use permit.

- **A community that is free of land use conflicts**

1. Legal, non-conforming land uses should not be allowed to be enlarged physically or operationally.

2. The city shall actively enforce existing zoning and building regulations that preclude or eliminate uses of land or buildings that present conflicts for adjacent properties.

3. The city shall insure that commercial uses do not operate in residential neighborhoods unless the operator of the commercial use has secured a home occupation permit from the city.

4. The city should fashion an urban growth strategy that minimizes the impact on urban uses on adjacent agricultural operations.

a. The Land Use map shall use roadways, ditches, railroads, and other physical features to separate urban uses from existing agricultural operations.

b. The City shall implement a development impact fee that pays for the purchase of agricultural easements within Exeter's urban area boundary line.

- **A city that portrays a "sense of community".**

1. The city should continue to promote public events and celebrations in its downtown and in public places, like parks, schools and buildings, that bring citizens together.

Exeter General Plan 2000 to 2020

- a. Promote a Farmers Market in the downtown, closing a street for the event.
 - b. Promote an Arts/Crafts Fair in the downtown, closing the street for the event.
 - c. The City should contact the Urban Tree Foundation to seek their assistance in the development of a tree planting program in the downtown.
2. The City should begin a street sign program that replaces existing signs with new signs that are color coordinated and have larger letters with a different font.
- a. The Exeter Public Works Department should bring to the City Council examples of different types of street signs for review and selection.
 - b. The Public Works Department should consider painting street sign poles a different color, like black, dark green or gray.
- **A friendly community that encourages public involvement.**
1. The City should form additional citizen advisory committees that report to the city council on a myriad of topics, including beautification, historic preservation and recreation.
 - a. The to-be-formed beautification committee should work with the Urban Tree Foundation to develop a city-wide tree planting program. The city should apply for a tree grant to fund this program
 2. The City should convene an annual study session with Exeter Schools to discuss planning matters that are of mutual interest.
 - a. The City Manager will coordinate with the Exeter Schools to set a date for a joint meeting between the two agencies.
 - b. The City Manager will meet with the Exeter Schools Superintendent to prepare an agenda for the joint meeting.
 3. The City Council and Planning Commission should hold biannual study sessions to discuss planning-related matters.
 - a. The City Manager and City Planner will set a date and formulate an agenda for these joint meetings.

Exeter General Plan 2000 to 2020

- **A community that portrays an image that is progressive and energetic.**

1. The City should work with other public entities and service organizations to jointly work on projects that benefit Exeter as a whole.

- a. The City Planner should make presentations to various community organizations to solicit their help in financing, constructing and/or maintaining public art or beautification improvements, such as roundabouts, mini-parks, statues, fountains, specimen trees or murals.

2. The City shall continue to work with the Chamber of Commerce to promote community events, including the Fall Festival, the Fourth of July Fireworks Show, the Christmas Parade and the Annual Christmas Open House in the downtown.

3. The City shall continue to work with the Festival of Arts Commission on the funding, location and painting of murals in the downtown.

4. The work of the Commission should be broadened to include other types of public art improvements such as fountains, statues, gardens, specimen trees, etc.

Economic Development

- **Increase tourism.**

1. The city should continue to work with the Festival of Arts Commission in the effort to provide public art within the city.

2. The Exeter Memorial Building should be marketed for various annual events, like the Rock and Minerals Show and Christmas Boutique.

- a. The Exeter Chamber of Commerce should identify two additional events that could be held annually at the Exeter Memorial Building that would attract persons to Exeter. The events could be related to the citrus or cattle industries, irrigation technology and/or the packing house/cold storage sector.

3. Advertise in magazines and travel journals about the City of Exeter and its agricultural tours and murals.

- a. The Exeter Chamber of Commerce should place advertisements in

Exeter General Plan 2000 to 2020

international magazines to attract persons from other counties who may be interested in touring the local citrus industry or downtown murals.

4. Construct a web page for the City of Exeter.

a. The City Council should budget general funds for the construction of a web page for the City of Exeter.

b. Exeter's web site should provide a photographic essay of the city's murals, its local agricultural industry and other images of the community. The site should also provide socio-economic information on the city.

5. Market Exeter, using signs, brochures, logos and press releases, as the "citrus" capital of the world.

- **Market agriculture as a tourist attraction.**

1. The Exeter Chamber of Commerce should form an agricultural committee that would be responsible for tours, dissemination of agriculturally-related news releases and information regarding agricultural industries in the Exeter area.

2. The Exeter Chamber of Commerce, the City and the agricultural committee should investigate the idea of creating a citrus museum.

a. This group should develop a time-line, a financing plan, and a schematic plan for the museum.

b. The City should seek state grants for the construction of the citrus museum.

3. The agricultural committee should investigate the potential of establishing a citrus farm that contains representatives of different species of citrus. This farm should be able to accommodate tourists.

a. The Committee should identify various properties that could accommodate a citrus farm.

b. The Committee should seek sources of funding for the citrus farm.

c. The U.C. Extension Service and the Exeter High School Agricultural Department should be involved in the development of the citrus farm.

Exeter General Plan 2000 to 2020

4. A Certified Farmers Market should be established in Mixer's Park and along E Street once a week.

- **Encourage organizations to use Exeter as a destination for meetings, conferences, and seminars.**

1. Opportunities for holding meetings and seminars in Exeter should be detailed on the City's web site.

2. The Exeter Chamber of Commerce should conduct an annual survey of its members to identify leads for upcoming meetings and conferences that could be held in Exeter.

3. The Exeter Chamber of Commerce should incorporate into its promotional literature descriptions of the facilities that are available for meetings and conferences.

- a. This information should be contained on the Chamber's web page and brochure material.

- b. The Chamber should develop a local mailing list of businesses that may wish to take advantage of facilities in Exeter for their meetings or conferences.

4. The City should explore opportunities to incorporate meeting space in buildings it owns or shares ownership.

- a. The Dobson Field Recreation Building should provide space for meetings and conferences.

- b. Should the City move city hall to the Exeter Court Building, the adjacent building, which is the old police station, should be considered for renovation into a council chamber/public meeting space.

- c. Should the Exeter Fire Department take over city hall, a meeting room should be incorporated into the larger station house.

- **Attract technologies to the Exeter area that are related to the citrus industry, including plant breeding, nurseries, integrated pest management, and agricultural chemical companies.**

1. The Exeter Chamber of Commerce should work with the agricultural committee to develop a mailing list containing the types of companies named above.

Exeter General Plan 2000 to 2020

a. The Chamber working with the EDC (Economic Development Corporation) should develop an information packet detailing the benefits of locating the above types of businesses in Exeter.

- **Assist existing industries to expand their operations and increase employment.**

1. The Chamber of Commerce should contact on an annual basis existing industries to determine if they have plans for expansion and if there are tasks that the city and chamber could assist them with.

2. The Exeter Redevelopment Agency should develop an Existing Company Expansion Program where funds would be provided by the Agency to a company if they hired additional employees.

a. The Redevelopment Agency could use redevelopment or CDBG funds to finance the Existing Company Expansion Program.

- **Increase the number of businesses operating in Exeter in order to generate more sales, property, business and transient occupancy taxes.**

1. Promote the development of second-story spaces in the downtown area.

a. Modify Exeter's downtown facade program to provide funds for the development of second-story businesses in the downtown,

2. Encourage properties in the downtown that are being underutilized to move to more appropriate places in the community.

a. The Exeter Redevelopment Agency should financially assist, where possible, businesses in the downtown to relocate to more suitable sites in Exeter.

3. Encourage the development of the railroad corridor along F Street to retail and office uses, and certain service commercial uses.

a. The Exeter Redevelopment Agency should provide facade renovation funding to businesses who wish to develop in this area.

b. The City of Exeter will seek a state grant to finance improvements along this railroad corridor.

Exeter General Plan 2000 to 2020

Employment

- **Diversify employment base**

1. Designate an area within the Exeter planning area for an "industrial business park".

- a. Amend the Exeter Zoning Ordinance to provide regulations and development standards for an industrial business park district.

- b. Identify on the Exeter Land Use map a site for an industrial business park.

2. New industrial development shall be located along Exeter's industrialized railroad corridors or within its industrial park, west of Kaweah Avenue and south of Firebaugh Road.

- a. Adoption of the Land Use Map will implement this policy.

- b. The City should discourage any industrial development that is within its planning area and outside its designated industrial areas.

- **Attract industries that are complementary to the existing work force, that do not adversely affect air quality, the city's waste water treatment plant or the city's water system and do not have a negative impact on the health and safety of the neighborhood or on the community as a whole.**

1. Seek industries that compliment the local work force, such as agricultural equipment repair and manufacturing, nurseries, warehouses and packing houses, and trucking and farm management.

2. The City Engineer will review each industry that wishes to locate in Exeter to insure that the project will not have an adverse impact on Exeter's sewer or water systems. Should the City Engineer make such a findings, the city will require a mitigated negative declaration or an environmental impact report to be prepared on the proposed industry.

- a. The City Engineer will require industries that generate high strength industrial effluent to mitigate this impact by either pre-treating the effluent or by paying an appropriate wastewater impact fee to defray the city's cost of treating the effluent.

Exeter General Plan 2000 to 2020

3. New industrial uses will be processed through Exeter's site plan review process to insure that they do not conflict with surrounding land uses or adversely impact the health and safety of the community.

a. The recommendations of the city's site plan review committee will be reviewed by the Exeter Planning Commission. The Commission will apply conditions to the industrial project that will insure that surrounding land uses and the community will not be adversely impacted.

Fiscal Conditions

- Encourage a strong sales tax base.

1. The City should attempt to reverse the leakage of sales tax dollars to surrounding communities by:

a. continuing to improve on the image of the downtown and the number of businesses;

b. working to attract new retail establishments to the Visalia Road corridor and

c. providing efficient access from Spruce Road (future State Route 65) into Exeter and insure that attractive and functional signage is provided along this future expressway.

2. The City should seek to attract moderate-sized retail stores (regional commercial stores) that sell the kinds of goods presently not found in Exeter, including appliances, furniture, electronics, and home improvement supplies.

a. The Exeter Zoning Ordinance should be amended to add a commercial zone district that is devoted to regional commercial uses.

b. This Regional Commercial zone district should contain development standards that promotes a well-designed commercial center.

c. The Exeter Land Use Map should identify where in the community these uses are permitted.

3. The City should attempt to attract a second car dealership to the community.

Exeter General Plan 2000 to 2020

a. The Exeter Zoning Map identifies property that is classified Highway Commercial, a zone district that permits new and used auto sales.

4. A sales tax audit should be prepared for the city of Exeter.

a. The City should contract with a consulting firm that provides this service.

5. *The City shall expand its urban area boundary line to include land on both sides of the Spruce Road/ Rocky Hill Drive and Spruce Road/Firebaugh Avenue intersections.*

a. *The City will contact the Tulare County Local Agency Formation Commission to request an amendment of its alignment of the urban area boundary line.*

- **Encourage a strong transient occupancy tax base.**

1. The City of Exeter should review its transient occupancy tax every three years to determine if the tax should be adjusted.

2. The Chamber of Commerce should market Exeter's facilities for conferences, seminars and meetings.

a. A brochure that describes Exeter's meeting facilities should be prepared and sent to local companies. To pay for this brochure local restaurants and hotels should participate financially.

b. Exeter's web site should describe Exeter's meeting facilities, including size, seating capacity, and location.

- **Insure that development impact fees pay for public improvements required by the general plan and infrastructure master plans.**

1. A new fee schedule shall be developed for Exeter's development impact fees.

a. The City Engineer shall review Exeter's sewer, water and storm drainage impact fees and forward a recommendation to the City Council regarding any modification.

b. The City Planner shall review Exeter's park impact fees and forward a recommendation to the City Council regarding any modification.

c. The City Planner shall identify any new impact fees that would be

Exeter General Plan 2000 to 2020

appropriate for financing public improvements delineated by the General Plan.

2. The cost of the General Plan shall be collected through building permit fees.
 - a. The fee schedule for building permits in Exeter shall be amended to include a fee for the cost of preparing and maintaining the General Plan
 3. The fees for Exeter's planning, subdivision and zoning applications should be reviewed and amended every two years.
 - a. These fees should be developed consistent with AB 1600.
- **Promote public-private and public-public partnerships towards the construction of projects that are of significant community value.**
1. The City should form a group composed of public entities interested in the development of Dobson Field.
 - a. The City should contact Exeter Schools, Kaweah Delta District Hospital, the County of Tulare, and other public entities to determine the interest in improving Dobson Field.
 - b. The City should identify non-profit organizations that would be interested in participating in the development of Dobson Field.
 - c. The City should seek private donors that may be interested in financially participating in the development of Dobson Field.
 2. The City should identify other public entities that would be interested in participating in the development of a city hall complex.
 - a. The City should investigate the rehabilitation of the county courts building and adjacent recreation building into a city hall complex.
 - b. The City should retain a local architectural firm to evaluate the two buildings for various types of public uses.
 3. The City should work with the Exeter Chamber of Commerce to further improve their office so that persons or large parties can be accommodated at the Chamber building.

Exeter General Plan 2000 to 2020

- Enhance tax increment revenues by encouraging development to occur in the redevelopment district.

1. The City should seek state and federal grants to promote infill development in the redevelopment district.

a. The City could consider the reduction of development impact fees in the redevelopment district in order to encourage infill development.

b. The City could consider encouraging higher residential densities in the redevelopment district in order to encourage infill development.

c. The City should apply for state grants that can be used to encourage infill residential development.

2. The Redevelopment Agency should fashion a financial assistance program that promotes development within the District and that such a program would have the Agency participating financially based on the number of new jobs being created.

a. Financial assistance by the Agency shall be based on job creation and/or assessed value.

3. The Redevelopment Agency should, on behalf of existing companies or companies interested in locating in Exeter, apply for state or federal grants that assist the company with off-site improvements, purchase of land or equipment or training of employees.

a. The Agency should identify state or federal grants that are available for the above listed costs.

b. The Agency should send a letter to existing companies in Exeter asking about their long-term needs in terms of expanding their operation.

c. The Agency should provide to the Exeter Chamber of Commerce information regarding state and federal grants that can be used to pay for the above listed costs.

Infrastructure

- Adequately finance infrastructure systems.

Exeter General Plan 2000 to 2020

1. The City shall install water, sewer and storm drainage improvements that correct existing infrastructure deficiencies.

a. Exeter's water, sewer and storm drainage master plans shall be reviewed in order to insure that they can properly and efficiently serve future development provided for by the Land Use Element.

b. The City's water, sewer and storm drainage development impact fees shall be reviewed on an annual basis. This review should focus on the relationship between the amount of fees being collected for each of the accounts and the future capital needs of each system based on development trends in Exeter.

c. The modification of the City's development impact fees should be processed consistent with AB 1600.

2. The City should continue to seek state and federal grants for the upgrading and expansion of its infrastructure systems.

• **Insure infrastructure master plans and the general plan are in concert with each other.**

1. The Land Use Element shall identify where development will occur in Exeter over the next 20 years. The Element will be fashioned so that it is generally in concert with existing master plans.

• **Maintain, rebuild and upgrade infrastructure systems.**

1. The City shall update its 5-Year Capital Improvement Program to insure that its infrastructure system can accommodate the urban growth provided for by the Land Use Element.

2. The Redevelopment Agency shall prepare a 5-Year Capital Improvement Program to assist in the maintenance, rebuilding and upgrading of Exeter's infrastructure system.

3. The City should work with the private sector to participate in the upgrading of the infrastructure system when it is developing in the City.

a. From time to time, the City may wish to work with a developer to upgrade a part of the infrastructure or street system that is not part of the project being

Exeter General Plan 2000 to 2020

developed.

Resources

The land use goals listed below, which are contained in two categories - natural resources and man-made resources, are currently being implemented by Exeter's Open Space, Parks and Recreation Element, adopted 1991. Rather than craft new policies and actions for the Land Use Element, the City has determined that those in the adopted Open Space, Parks and Recreation Element will adequately implement the stated goals (see Appendix B).

Natural Resources

- **Conserve natural resources, including native trees, agricultural land, and water.**
- **Preserve air quality.**
- **Promote ground water recharge.**
- **Promote energy and water conservation**

Man-Made Resources

- **Preserve historic neighborhoods**
- **Discourage uses that are architecturally incompatible with existing structures in historic neighborhoods**
- **Encourage adaptive reuse of historic structures that are zoned for non-residential uses**

Agriculture

Exeter General Plan 2000 to 2020

- **Preserve agricultural land outside the planning area of the General Plan.**
1. Encourage Tulare County to apply large-lot agricultural zoning (20-acre minimum) to land within Exeter's Sphere of Influence.
 - a. Implement an agricultural easement program wherein a portion of the city's development impact fee would pay for such an easement.
 - b. Apply for state and federal funds to assist in the city's agricultural easement program.
 - c. Apply to non-profit organizations for funds to assist in the city's agricultural easement program.
 - d. Develop the city's agricultural easement program by working with the Tulare County Farm Bureau and American Farmland Trust.
 2. The City shall oppose any county development within its Sphere of Influence, including agriculturally-related industries and small-lot agricultural parcels.
 - a. When the City receives such a request from the County of Tulare, the planning department will send a letter indicating that they do not support the approval of the proposed land use.
 3. The City shall encourage the county to place lands around Exeter, outside its urban area boundary line, into an agricultural preserve.
 - a. The City shall send a letter to the County indicating that they support the formation of agricultural preserves outside the City's sphere of influence.
 4. *The City shall request of the Tulare County Local Agency Formation Commission that Exeter's urban development boundary line alignment be amended to encompass land along both sides of Spruce Road from List Avenue to Palm Drive.*
- **Discourage land uses outside the planning area of the General Plan that conflict with existing agricultural operations.**
 - **Preserve land in agriculture that is outside the 10-year annexation line of the General Plan until development is appropriate.**
1. Encourage the county to apply large-lot agricultural zoning to land within Exeter's

Exeter General Plan 2000 to 2020

Urban Development Boundary line.

a. Send a letter to the Tulare County Resources Management Agency requesting that all land within this portion of the planning area be zoned to the AE-20 (exclusive agriculture, 20 acre minimum) zone district.

2. Apply an agricultural designation to land within the planning area that is not slated for urban development within the next 20 years.

a. Adoption of the Land Use Element and Land Use Map will implement this policy.

• **Insure that Exeter's agriculturally-related businesses are encouraged to continue to operate and/or expand where appropriate.**

1. Adoption of the Land Use Element and Land Use Map will implement this policy.

2. On an annual basis, the city should survey its industries to collect suggestions on how the city might assist them in expanding their existing operations.

a. The planning department working with the Exeter Chamber of Commerce will jointly prepare and send a letter to local industries.

Residential Neighborhoods

• **Revitalize blighted neighborhoods.**

1. Remove substandard homes from residential neighborhoods.

a. The City shall contract with the Tulare County Building Department to abate or rehabilitate residential dwellings through the process described in the State Housing Code.

b. The Redevelopment Agency should explore the purchase of substandard housing in order to clear the property for new, low to moderate income housing.

2. Rehabilitate homes that have deteriorated.

a. The City should contract with Self-Help Enterprises to rehabilitate homes

Exeter General Plan 2000 to 2020

that have deteriorated.

3. Upgrade public improvements in blighted neighborhoods, including sidewalks, alleys, street trees, roadways, parkways and street lights.
 - a. Establish an annual objective for repairing or replacing broken curbs, gutters and sidewalks.
 - b. Replant vacant parkways with street trees.
 - c. Identify alleys that can be abandoned and initiate the process consistent with the Streets and Highways Code.
 - d. Upgrade alleys with pavement, where possible.
4. Encourage residential infill development in neighborhoods that are blighted.
 - a. Consider the reduction of development impact fees on residential infill projects.
 - b. Consider increasing the allowable underlying density on land that will support a residential infill project.
5. Continue to enforce the city's property maintenance ordinance.
 - **Protect existing neighborhoods from incompatible land uses.**
 1. Insure that the city's zoning ordinance regulations do not permit uses that will be incompatible with residential neighborhoods.
 2. The planning and building department will work together to insure that building and zoning code violations are corrected and/or eliminated.
 - a. The city on a monthly basis will send out correction letters to persons who are in violation of planning or building code regulations.
 3. The city will annually seek state and federal grant funds that can assist in the elimination of blight in residential neighborhoods.
 - a. The City should work with Self-Help Enterprises and the Tulare County Housing Authority to develop a residential in fill program that will replace

Exeter General Plan 2000 to 2020

dilapidated housing with new housing, using state or federal funds.

4. The Exeter Redevelopment Agency will use its tax increment funds and low to moderate housing income funds to eliminate conditions of blight in residential neighborhoods.

- **Promote neighborhoods that are quiet, visually pleasing, and cool.**

1. The City should discourage land uses that are incompatible with residential neighborhoods.

a. Adoption of the Land Use Element and Land Use Map will implement this policy.

- **Promote attractive, well-maintained and designed residential neighborhoods.**

1. The City should develop a Smart Development Overlay Zone which promotes:

- a. Tree-lined streets.
- b. Neighborhood parks.
- c. Dwellings that are architecturally interesting.
- d. Common areas that are maintained by Landscaping and Lighting Districts.
- e. Narrow streets.

2. Encourage residential developments and adjacent land uses to be pedestrian-oriented.

- a. All residential developments with walls should provide openings for pedestrian and bike traffic.
- b. Land uses adjacent to residential developments should provide for pedestrian access between the two types of developments.
- c. Permit home occupations where appropriate.

3. The City should consider promoting mixed uses in the Smart Development Overlay Zone.

Exeter General Plan 2000 to 2020

Historic Townsite (from Downtown Specific Plan, adopted 1994)

The land use goals pertaining to Exeter's historic townsite are listed below. These land use goals were adopted when the City approved the Downtown Specific Plan in 1994. Rather than craft new policies and actions for the Land Use Element, the City has determined that those in the adopted Downtown Specific Plan will implement the listed goals (see Appendix C).

- **Maintain the Downtown as the government, civic and retail/office center for the City.**
- **Provide a mix of compatible land uses contributing to the historic nature and economic viability of the Downtown area and to all the other goals for the Downtown Specific Plan.**
- **Promote multi-family and senior citizen housing in the Downtown area compatible with single family housing for diversity, security and to extend "life of the streets" into evening hours.**
- **Identify and promote Downtown as the entertainment, cultural and community activity center of Exeter.**
- **Emphasize the historic nature of the Downtown with appropriate community events.**
- **Promote an environment in the Downtown that is culturally, socially and generationally diverse.**
- **Protect and enhance the integrity of the historical residential neighborhoods adjacent to the Downtown.**
- **Protect and enhance significant and/or historical Downtown buildings.**
- **Create a safe and comfortable environment in the Downtown where pedestrians, bicyclists, vehicular traffic and parking work in harmony.**
- **Improve accessibility and circulation downtown.**
- **Identify the location of the Downtown for the traveling public.**
- **Assure that adequate parking is available Downtown.**

Exeter General Plan 2000 to 2020

- **Provide sufficient, accessible parking for automobiles and bicycles.**
- **Ensure parking areas are convenient, attractive and safe.**
- **Balance the parking downtown so there are sufficient spaces to efficiently meet shoppers' and tenants' needs for future land requirements for new building construction.**
- **Provide and maintain infrastructure to meet the needs of Downtown growth.**
- **Enhance Exeter's quality of life by providing a Downtown which is inviting, friendly, clean, safe and aesthetically pleasing.**

Exeter General Plan 2000 to 2020

Commercial Development

- **Insure that different types of commercial development are provided for in Exeter.**
 1. Allow up to two acres of neighborhood commercial development in Smart Development projects, 40 acres or more.
 - a. The Smart Development Combining District should provide for neighborhood commercial development.
 - b. The Smart Development Combining District should provide for design and development standards for neighborhood commercial projects.
 2. Allow service commercial uses to be located in Exeter's industrial parks.
 - a. Amend Exeter's Zoning Ordinance to provide for service commercial uses in Exeter's industrial zone district.
 3. Permit certain types of retail uses on properties that are zoned for office.
 - a. Amend Exeter's Zoning Ordinance to provide for certain retail commercial uses in Exeter's office zone district.
- **Promote commercial development that is aesthetically pleasing.**
 1. All commercial developments shall be processed through the city's site plan review process.
 - a. Require each commercial development to be built consistent with an architectural theme.
 - b. All commercial parking lots shall be landscaped and shall be provided with pedestrian-oriented circulation patterns.
 2. The City should modify its development standards for its commercial zone districts to upgrade improvements such as parking, landscaping, pedestrian features, setbacks and signage.
 - a. Amend the Exeter Zoning Ordinance to add the upgraded development standards to each commercial zone district.

Exeter General Plan 2000 to 2020

- **Promote the conversion of residential dwellings in the downtown into office and/or retail uses.**

1. Insure that Exeter's Zoning Ordinance permits residential dwelling units in the downtown to be converted to office or retail uses.

- a. All conversions will be processed through the city's site plan review process.

- b. The Exeter Redevelopment Agency will continue to offer financial assistance to businesses locating in the downtown and to existing establishments that are undergoing facade renovation.

- **Reduce sales-tax leakage.**

1. Encourage another automobile dealership to locate in Exeter.

- a. Insure that commercial and industrial zones along Visalia Road and Kaweah Avenue allow for new and used auto dealerships, subject to a conditional use permit.

- b. Work with the existing Ford dealership in regards to adding another line of cars.

- c. Identify other types of dealerships (boats, trailers, farm equipment) that could be located along Kaweah Avenue south of Filbert Avenue.

2. Continue to promote shopping in Exeter's downtown.

- a. Continue to identify other uses that could be located in the downtown that would be compatible with existing downtown uses, like antique stores, gift shops, restaurants, and banks.

- b. Continue to work with building owners in the renovation of their building facades in order to make the storefronts more attractive.

- c. Continue to identify, design and construct downtown streetscape improvements that make the downtown a more desirable place to visit and shop, including paseos, alleys, and streets.

3. Promote the development of commercially designated land on both sides of Visalia

Exeter General Plan 2000 to 2020

Road with commercial uses that enhance the city's sales tax position.

a. Insure that the commercial zoning applied to lands along Visalia Road allows uses that are compatible with each other, like shopping centers, offices and fast food operations. This zoning should not include commercial uses like auto repair, corporation yards and light industrial uses.

b. Promote commercial infill along Visalia Road by improving its appearance and accessibility.

c. Construct a tree-lined median from Elberta Road to Filbert Street.

- **Encourage commercial development to be pedestrian-oriented.**

1. Through design, require new commercial development to be accessible by the walking public.

a. During Exeter's site plan review process the city will insure that the design of the commercial development will be pedestrian-oriented.

b. Continue to encourage downtown stores to open their stores from the rear.

Industrial Development

- **Promote and encourage agriculturally-related industries.**

1. The Land Use Map will designate sufficient acreage for the development of industries that are agriculturally-related.

a. Adoption of the Land Use Map will implement this policy.

b. The Land Use Map has provided a new land use designation entitled Planned Industrial. This designation can accommodate offices that are agriculturally-related.

c. Develop the east side of Third Street as an industrial facility that could cater to citrus industry for transportation, packing and cold storage uses.

2. Annually, the Exeter Chamber of Commerce will survey existing agriculturally-related businesses in the community to gather leads on other similar businesses that might wish to locate in Exeter.

Exeter General Plan 2000 to 2020

- a. Planning staff will assist the Chamber in the preparation of this survey form.
- b. Planning staff will assist the Chamber in the preparation of a mailing list.

- **Diversify the City's industrial base.**

1. The designation of Planned Industrial on the Land Use Map may serve to attract companies to the City that are currently not found in Exeter.

- a. Adoption of the Land Use Map will implement this policy.
- b. The City shall amend its Zoning Ordinance to add the Planned Industrial to the Ordinance.

c. The Planned Industrial district shall be written so that certain types of service commercial and office uses are permitted. In addition, this zone shall contain development standards that promote a development product that is of high quality, visually pleasing and enhances the image of the district the community.

2. Utilize redevelopment funds to financially assist new companies to locate in Exeter.

- a. Financial assistance should be based on the number of jobs being created by the new company and/or by the hourly wages paid by the company.

- **Promote agriculturally-related tourism.**

1. The City working with the agricultural community should develop tours of various sectors of the agricultural economy, including farms, packing houses, cold storage plants and other related businesses.

- a. The City, working with the Chamber of Commerce, should form a citizen advisory committee composed of persons knowledgeable about the local agricultural economy.

- b. The Chamber of Commerce should maintain a list of docents who can conduct tours of local farms and agriculturally-related plants (e.g. packing houses and cold storage plants).

Exeter General Plan 2000 to 2020

2. The City should develop a citrus museum.

a. The City, working with the Chamber of Commerce, should form a citizen advisory committee composed of local historians, citrus industry leaders and persons interested in the museum to investigate the likelihood of establishing such a museum.

3. The City should develop a tourist-based citrus farm that has examples of all the different varieties of citrus species.

a. The City shall contact the U. C. Extension Service, U. C. Riverside and representatives of the local citrus industry to gather information on how such a farm could be created.

- **Attract small, light industries.**

1. The Exeter Zoning Ordinance will be amended to allow to small, light industrial uses in the City's Service Commercial District.

2. The City shall review other zone districts in the Exeter Zoning Ordinance to determine if there are opportunities to allow these types of uses in non-industrial zones on a small scale.

3. The City shall promote the development of light industrial uses along segments of the Tulare Valley and Southern Pacific Railroad corridors.

a. The City will develop design standards for these corridors.

b. The City will insure that these corridors are served with adequate infrastructure.

c. The Exeter Redevelopment Agency will financially assist the development of light industrial uses along these corridors based on job creation and/or wages paid.

4. The Planned Industrial district will provide sites for light industrial uses.

a. The City will develop design standards for the Planned Industrial district, including a list of permitted and conditional uses.

Exeter General Plan 2000 to 2020

5. The Exeter Redevelopment Agency will continue to work on attracting light industrial users to the industrial parks using financial incentives based on jobs created.

- **Attract technologies that are related to agriculture, including irrigation, plant science, and pest management.**

1. The City working with the Chamber of Commerce will prepare an annual questionnaire that can be sent to local agricultural industries asking them about their type of business, do they know of like industries that would like to relocate to Exeter and are there incentives that the city could offer to assist in the expansion of their existing business.

- **Attract industries that require rail transportation or are associated with the rail industry.**

1. The City and Chamber of Commerce should work closely with the San Joaquin Valley Railroad to identify industries that would require rail transportation and would be interested in relocating to Exeter.

2. The City should work closely with the San Joaquin Valley Railroad to determine if there are opportunities for this company to expand their presence in the city or provide other types of railroad-related services.

- a. Additional rail spurs should be developed in Exeter's industrial parks to insure that efficient and effective railroad services can be provided. These spurs should have access to roadways that are truck-friendly.

Schools

- **Promote community-based schools.**

1. The City, Exeter Schools and the community should all be involved in the design and location of schools.

- a. To the greatest extent possible, schools should be multi-purpose in nature.
- b. Schools should be used by the community in during non-school hours.
- c. Schools should be designed to accommodate some of the community's recreational needs, like playing fields, hard courts and running tracks.

Exeter General Plan 2000 to 2020

- **Schools that are easily accessible and free from land use and circulation conflicts.**
 1. Schools should be located in areas of the community where they are easily accessible for school-aged students.
 - a. Schools should be designed so that they can be accessed from adjacent residential developments.
 - b. Schools should be designed so that students can be easily dropped off by their parents.
 - c. Bus drop-off zones should be separate from where parents drop off their children.
 2. The location of schools should not be on roadways that attract other types of traffic (e.g. commuter, industrial or commercial traffic).
 - a. Schools should not front onto major collector or arterial roadways.
 - b. Sidewalks should be installed on all streets around a school site.
 - c. Schools should be connected to bike path systems.
 - d. The Exeter Union High School District should investigate the closing off of Rocky Hill Drive to through traffic during school hours.
 3. To the best extent possible, schools should be centrally located.
 - a. Existing, centrally located schools should buy adjacent property for future expansion.
 - b. The Exeter Union High School District should investigate the purchase of lands adjacent to its high school campus for future expansion.
- **Schools that have adequate land for future expansion.**
 1. When schools are purchasing land for future expansion, additional land should be purchased in case other types of school facilities are required.
- **Encourage the schools to forge partnerships with other public entities.**

Exeter General Plan 2000 to 2020

1. The City and Exeter Schools should work on projects jointly, including the Dobson Field Recreation Building, a joint corporation yard and the Dobson Field Recreation Complex.

2. Exeter Schools should forge a working relationship with College of Sequoias as it pertains to agricultural, technical and mechanical training courses.

- **Work with educational institutions to fashion a training program that teaches skills that mirror local industrial sectors, including equipment repair, irrigation technology, food processing, nurseries, and agricultural technology.**

1. The Exeter High School District should develop training and vocational programs for students that wish to be employed in the above sectors.

a. The School District should develop programs in cooperation with Proteus Inc., C-Set, and the Tulare County Private Industry Council.

b. The School District should develop vocational programs for the citrus industry, using the Agricultural Committee has a guiding influence.

- **Encourage college courses to be taught in the Exeter area.**

1. The Exeter High School District should provide classroom space for College of Sequoias classes.

2. The High School District should make its facilities available to other institutions that wish to provide instruction, training, or certification.

Public Safety and Emergency Medical Services and Health Care

Public Safety and Emergency Medical Services

- **A safe community that is free of crime and fire hazards**

1. Through the City's Site Plan Review process, new developments should be designed so that that crime and fire safety are considered in the design.

a. Insure that all new uses have water available to the site and that proper water pressure is also available.

Exeter General Plan 2000 to 2020

- b. Buildings larger than 5,000 square feet in size should be equipped with sprinklers.
 - c. Insure that all new uses are properly equipped with on-site lighting to promote safety.
 2. The City will continue to upgrade its water system to insure that adequate water pressure is maintained throughout the system.
 - a. The City should amend its development impact fee schedule to provide funds for replacement of old, steel water lines.
 - b. The City should amend its development impact fee schedule to provide funds for the construction of new water wells.
 3. Developments should be designed so that two points of access are provided.
 - a. The Site Plan Review Committee will insure that new developments provide proper access for public safety vehicles.
 - **A community-oriented public safety program.**
 - **Adequately financed public safety departments**
1. The City should apply for state and federal grants that can provide money to supplement the city's police department revenue.
2. The Police Department should implement innovative programs that promote an efficient delivery system, such as:
 - a. Volunteer Program
 - b. Take-Home Car Program
 - c. K-9 Unit Program
3. The Fire Department should implement innovative programs that promote an efficient delivery system, such as:
 - a. Volunteer Program

Exeter General Plan 2000 to 2020

- b. Aggressive Fire Prevention Program
- c. Promoting sprinklers to be installed in new commercial and industrial developments

- **A cooperative working relationship between city public safety departments and other agency public safety departments.**

1. The City shall continue to be financially supportive, from time to time, of the Tulare County Fire Department, which has a station located in Exeter.
2. The City should work with the Tulare County Fire Department to insure that persons in the Exeter area are well served in regards to response time by fire personnel.

Health Care

- **An efficient medical emergency delivery system**

1. The City should work with the Exeter Ambulance District to insure that persons in the Exeter area are well served in regards to response time by ambulances.

- **Promote the continued operation and future expansion of health facilities within the community.**

1. The City should work with Kaweah Delta District Hospital and other entities that provide medical care to provide medical services to the community, especially for low-income families.
2. The City should encourage the District Hospital to provide outreach programs to Exeter and other smaller cities.
2. The City should seek to attract a medical clinic to the community that caters to persons without medical insurance.

- **The City and Kaweah Delta District Hospital should work together on projects that are of mutual benefit.**

1. The City and Kaweah Delta District Hospital should jointly work on the Dobson Field Recreation Building.

Public Facilities

Exeter General Plan 2000 to 2020

- **The city should forge partnerships with other public entities in the financing and construction of public facilities.**

1. A Corporation Yard that could be jointly used by the City of Exeter and Exeter Schools should be investigated.

- a. Joint use buildings could be constructed at the city's industrially zoned site on the south side of Firebaugh Avenue.

2. Exeter Schools should identify building projects where the city could financially become involved. These projects could include:

- a. multi-purpose room
 - b. gymnasium
 - c. theater

- **Public facilities should be located in the core of the community, when possible.**

1. The City should consider moving city hall to the site where the county court building and old police station are located.

2. The Tulare County Fire Department should consider occupying existing city hall if the city elects to move to the county court building and old police station property.

- **Public facilities should make a aesthetic statement in terms of appearance and architectural style.**

1. The old police station should be remodeled and restored as a council chambers and public meeting room. The restoration should be sensitive to the architectural character of the building.

2. The county court building should be remodeled and restored as city offices. The restoration should attempt to blend with the restoration of the old police station.

- **Where possible, public facilities should have multi-purpose uses.**

1. The restoration of public buildings should always provide for public meeting rooms.

- a. Public meeting rooms should be equipped with modern audio-visual equipment and the room should also be wired for modern

Exeter General Plan 2000 to 2020

telecommunications.

2. The City should investigate utilizing one a room in one of its buildings as a teleconferencing center.

Exeter Zoning Districts

Land Use Category	RA	R-1-6	R-1-7.5	R-1-10	RM-3	RM-1.5	PO	T	CN	CC	CS	CH	ML	RSC	UR
Residential															
Very Low Density															
Low Density															
Medium Density															
High Density															
Professional Office															
Commercial															
Neighborhood Commercial															
Service Commercial															
Highway Commercial															
Central Commercial															
Industrial															
Planned Industrial															
Public Facilities															
Open Space															
Urban Reserve															
Agriculture															

Exeter General Plan
2000 to 2020

Land Use Designation/Zoning District Matrix

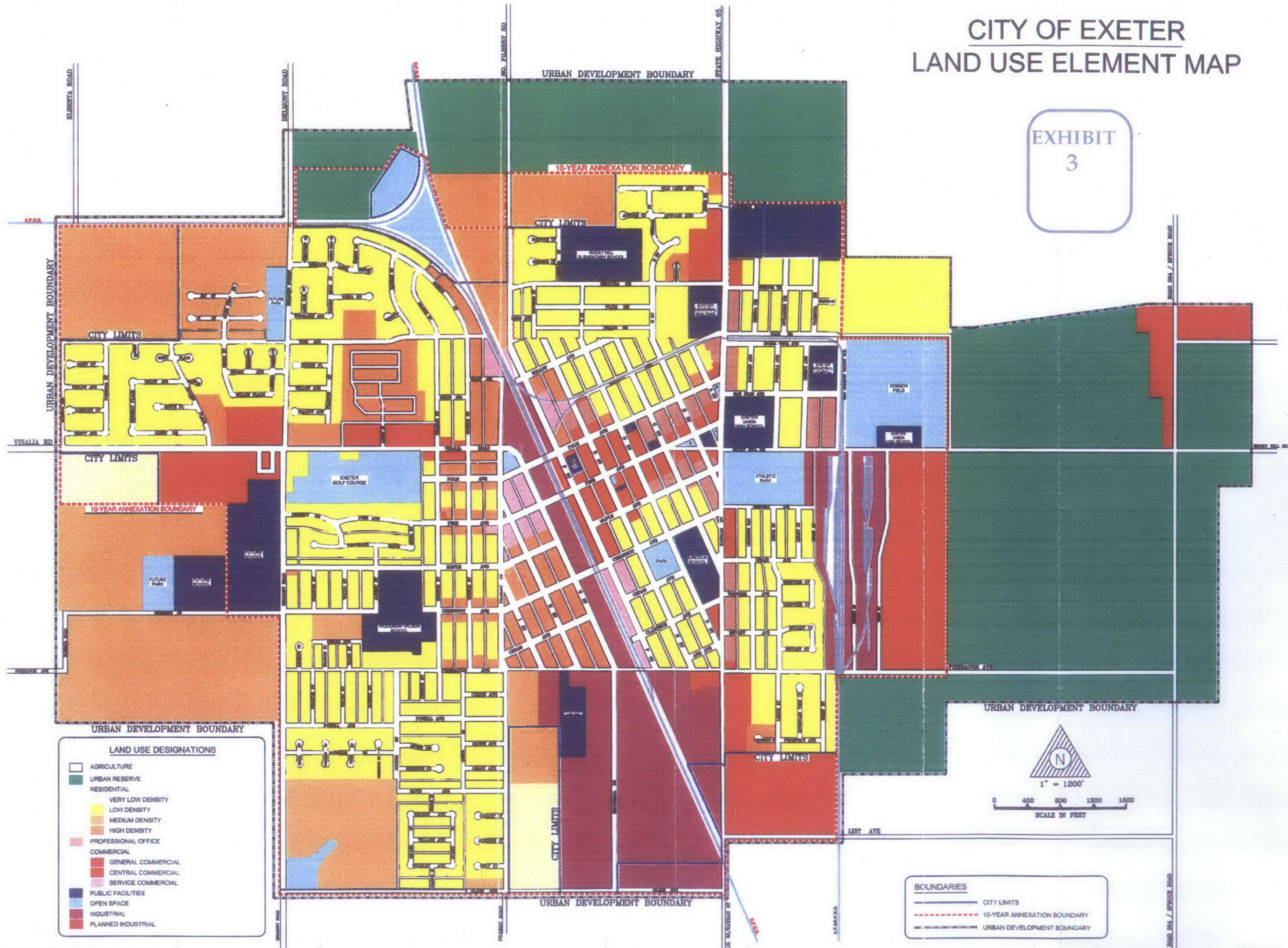
Exeter General Plan 2000 to 2020

Land Use Map

The Exeter land use map (Exhibit No. 5) delineates the ultimate uses of land in and around Exeter. It is to be read in conjunction with the land use descriptions and special regulations detailed in the land use element text. The land use map shows areas intended for urban development during the term of the General Plan.

CITY OF EXETER LAND USE ELEMENT MAP

EXHIBIT
3



LAND USE DESIGNATIONS

[White box]	AGRICULTURE
[Green box]	URBAN RESERVE
[Yellow box]	RESIDENTIAL
[Light yellow box]	VERY LOW DENSITY
[Light orange box]	LOW DENSITY
[Orange box]	MEDIUM DENSITY
[Dark orange box]	HIGH DENSITY
[Red box]	PROFESSIONAL OFFICE
[Dark red box]	COMMERCIAL
[Light red box]	GENERAL COMMERCIAL
[Dark red box]	CENTRAL COMMERCIAL
[Pink box]	SERVICE COMMERCIAL
[Blue box]	PUBLIC FACILITIES
[Light blue box]	OPEN SPACE
[Dark red box]	INDUSTRIAL
[Red box]	PLANNED INDUSTRIAL

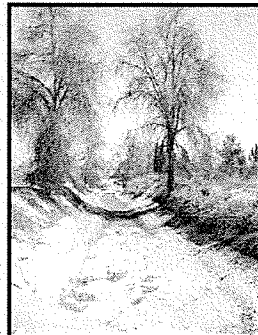
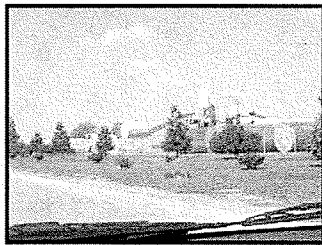
BOUNDARIES

[Solid line]	CITY LIMITS
[Dashed line]	10-YEAR ANNEXATION BOUNDARY
[Dotted line]	URBAN DEVELOPMENT BOUNDARY

C: CITY OF FARMERSVILLE

Farmersville General Plan Update

- Land Use Element
- Circulation Element
- Open Space, Conservation,
Parks and Recreation Element



Prepared by

COLLINS & SCHOETTLER
PLANNING CONSULTANTS

Farmersville General Plan

Part I

Land Use Element Circulation Element Conservation/Open Space, Parks and Recreation Element

*Adopted by the Farmersville City Council
Resolution 2002-64, on November 6, 2002*

*Approved by the Farmersville Planning Commission
Resolution 2002-03 on September 10, 2002*

Prepared by



COLLINS & SCHOETTLER
PLANNING CONSULTANTS
1002 W. Main Street • Visalia, CA • 93291
(559) 734-8737 • (fax) 734-8767
email: mail@weplancities.com

weplancities.com

PART I:
**LAND USE, CIRCULATION,
OPEN SPACE/CONSERVATION ELEMENTS**

TABLE OF CONTENTS

Chapter 1 • Introduction	1-1
Farmersville	1-1
The General Plan	1-1
The Farmersville Planning Area	1-3
Planning Period.....	1-4
General Plan Objectives	1-4
What is the Legal Background for the General Plan?	1-5
All Actions of a City Must be Consistent with the General Plan	1-5
How is this Document Organized?	1-7
Chapter 2 • Land Use Element	2-1
Introduction	2-1
Existing Land Use Patterns and Population Trends	2-1
Population	2-2
Population and Land Use Projections	2-3
How Much Land Will Farmersville Need to Accommodat Expected Growth?	2-4
Residential Land Demand	2-5
Commercial Land Demand	2-6
Industrial Land Demand	2-6
Park Land Demand	2-7
School Land Demand	2-7
Conclusions	2-8
Land Use Designations and Population Densities	2-9
Residential	2-9
Commercial	2-10
Mixed Use	2-11
Industrial.....	2-12

Public Facilities	2-12
Open Space	2-12
Urban Reserve	2-13
Land Use Goals, Objectives and Action Plans	2-14
Community Image	2-15
Growth Management	2-22
Residential Neighborhoods	2-25
Commercial Development	2-30
Downtown Farmersville	2-34
Industrial Development	2-38
Public Facilities	2-40
Schools	2-42
Agricultural Lands	2-45
Infrastructure	2-46
Economic Development	2-48
Public Safety	2-58
Public Participation	2-62
Special Issues	2-64
Amendments to the Zoning Ordinance	2-69
Zoning Matrix	2-71
Land Use Map	2-70
Appendix A: A Smart Growth Primer	A-1
Appendix B: Farmersville Visual Preference Survey	B-1
Chapter 3: Circulation Element	3-1
Introduction	3-1
Existing Conditions	3-2
Evaluation of Existing Circulation System	3-5
Traffic Projections and Evaluations	3-7
Goals, Objectives and Action Plans	3-9
Traffic	3-10
Arterials	3-11
Collectors	3-13
Local Streets and Alleys	3-15
Intersections	3-18
Green Streets Program	3-20
Street Connectivity	3-22

Truck Traffic	3-23
Parking	3-24
Transit.....	3-26
Bike Paths and Pedestrian Pathways	3-27
School Routes.....	3-29
Circulation Map.....	3-30
Chapter 4: Conservation, Open Space, Parks and Recreation Element	4-1
Introduction	4-1
The Element	4-2
Existing Conditions	4-3
Air Quality	4-3
Water Resources	4-3
Agricultural Resources.....	4-4
Mineral Resources	4-5
Soil Resources.....	4-5
Biotic Resources	4-6
Park and Recreation Resources	4-7
Sports Programs	4-7
Regional Parks Facilities	4-8
Future Needs	4-9
Parkland.....	4-10
Accessibility	4-11
Goals, Objectives and Action Plan.....	4-12
Designation of Park Facilities	4-13
Park Location and Design	4-15
Acquisition and Funding	4-17
Urban Boundaries and Farmland Protection	4-20
Air and Water Quality	4-22
Energy Conservation	4-25
Biotic Resources.....	4-26
Historic/Cultural Resources	4-28

List of Tables

2-1 • Existing Land Use Acreages.....	2-2
2-2 • Land Use/Zoning Matrix	2-71
3-1 • Level of Service	3-5
3-2 • Daily Capacities for Roadways Operating at LOS “E”	3-5
3-3 • Existing Traffic Volumes and Level of Service.....	3-8
3-4 • Year 2025 Projected Traffic Volumes	3-8
4-1 • Sensitive Species Potentially Occurring in the Farmersville Area	4-6
4-2 • Existing Parks.....	4-7

4-3 • Parkland Demand Projections 4-10

List of Charts

2-1 • Population Growth 2-3
2-2 • Population Projections 2-4

List of Maps

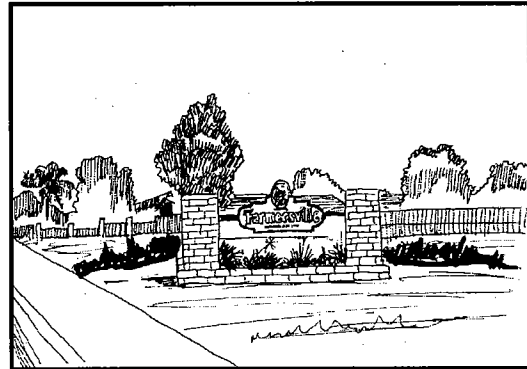
1-1 • Regional Location after page 1-1
1-2 • Farmersville Planning Boundaries after page 1-3
2-1 • Central Commercial Area 2-31
2-2 • Downtown Farmersville Specific Planning Area 2-36
2-3 • Highway 198 Business Corridor Specific Planning Area 2-39
2-4 • Highway 198 Business Corridor Specific Planning Area 2-51
2-5 • Linnell Farm Labor Center 2-64
2-6 • Cameron Creek Colony 2-65
2-7 • Land Use Map after page 2-72
3-1 • Farmersville Street System 3-3
3-2 • Proposed Traffic Signals 3-18
3-3 • Circulation Map after page 3-30
4-1 • Ag Preserves after page 4-5
4-2 • Existing Parks 4-7
4-3 • Park Service Areas 4-11
4-4 • Proposed Park Sites after page 4-13

CHAPTER 1: INTRODUCTION

Farmersville

Farmersville is located in Tulare County in the central-southern portion of the San Joaquin Valley. It is located on the south side of State Route 198, a major east/west highway that serves central California. The City is bisected by Farmersville Boulevard, a north/south roadway, and Visalia Road, a major Tulare County east/west roadway.

Farmersville is five miles east of Visalia, the county seat of Tulare County, and two and one-half miles west of Exeter and ten miles northwest of Lindsay (see Map 1-1).



The General Plan

In an effort to insure that land and resources within the State of California are properly managed and developed and that the health, safety and welfare of its citizens are protected, each California city and county is required to prepare a long-term, comprehensive planning that details how the city will physically develop. This document - the General Plan - contains seven mandated elements - land use, circulation, housing, open space, conservation, safety and noise.

Farmersville's first general plan was prepared by the County of Tulare in 1964. Subsequently, the County, which provided planning services to the city, updated the general plan in 1986. The County also prepared and adopted the Urban Boundaries Element for the city of Farmersville in 1974. This document established 20-year and ultimate growth lines around the city.

This document will serve to update four of Farmersville's general plan elements:

- Land use
- Circulation
- Open Space
- Conservation

F.Y.I.

The California State Legislature first required California cities and counties to prepare a general plan in 1927

Farmersville's first general plan was prepared by the County of Tulare in 1964

For purposes of clarity the Open Space and Conservation elements will be combined into one chapter - the Open Space/Conservation/Parks Element. In that sense, Farmersville will have three updated elements of the General Plan

Farmersville has already updated its Housing Element in 1992. The Safety Element (1975) and Noise Element (1976) are adequate in regards to policy direction and do not need updating at this time.

Farmersville's vision and expectations for its future are best expressed through its General Plan. The General Plan may be viewed as a community "blueprint" for the future. Specifically, Farmersville's residents have expressed their vision and expectations for the future in the goals, policies and action programs contained in the General Plan. In addition, the land use and circulation maps included in the General Plan provide a visual display of how land uses and roadways will be arranged in Farmersville.

The principals and ideas reflected in the goals, policies, action programs and land use and circulation maps resulted from community surveys and workshops, study sessions and public hearings.

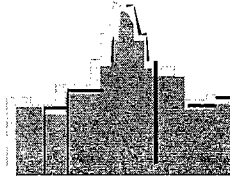
The primary goal of the General Plan is to facilitate a well-planned community. Farmersville's success in fulfilling this goal will depend on how well the City adheres to the General Plan. In this regard, the General Plan can:

- guide the Planning Commission and City Council on land use, circulation, and capital improvement decisions;
- inform the public where certain types of development will occur in the community;
- educate the public on how Farmersville's resources will be managed; and
- provide the private sector with a document upon which it can base investment decisions.

Farmersville's vision and expectations for its future are best expressed through its General Plan.

This document updates four elements of Farmersville's General Plan:

Land



The land use element details how future land uses will be arranged and what form they will take.

Circulation



The circulation element shows where future roadways will travel and what kinds of traffic roadways will likely carry. Other modes of transportation, like bicycles, walking and transit are also considered.

Open Space & Conservation



The open space/parks and conservation element plans for recreational needs and also sets forth policies to conserve resources, such as agricultural land and air quality.

The Farmersville Planning Area

The Farmersville planning area is located within Farmersville’s Urban Area Boundary (UAB) line. Within the UAB line there are other planning lines, including the Urban Development Boundary (UDB) line and the city limit line. The UAB line is defined by the county’s Urban Boundaries Element as:

“ ... the areas where land uses are presumed to have an impact on the adjacent incorporated city, and within which the cities’ concerns are to be given serious consideration as part of the land use review process. The urban area is considered to be the next logical area in which urban development may occur and the area within which Urban Development Boundaries may ultimately be expanded.”

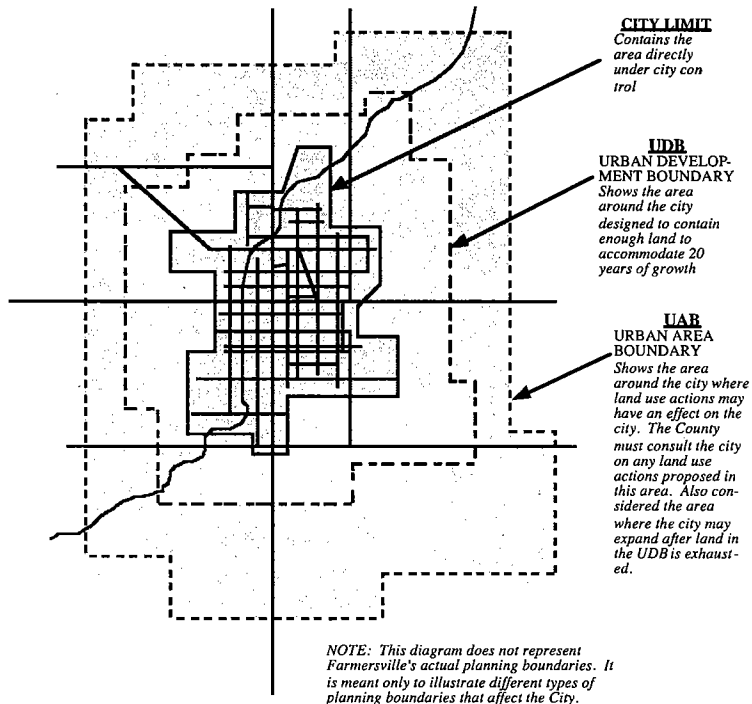
The UDB line is defined as:

“... a 20-year planning boundary within which urban development is expected to occur over the plan period.”

The UAB and UDB lines were adopted by the city in 1999 and by the county in 2000. The UAB line contains 4.8 square miles (3,075 acres); the UDB line, 2.9 square miles (1,846 acres); and the city limits line, 1.8 square miles (1,155 acres). (Map 1-2).

The planning area contains the urbanized portion of Farmersville, the Tulare County subdivision known as Cameron Creek Colony, Linnell Camp - a Tulare County Housing Authority community, rural residential development, scattered industrial developments and agricultural lands. The dominant agricultural crop is walnut orchards.

A definition of planning boundaries in Tulare County



Planning Period

The Farmersville General Plan update will be a 23-year plan, 2002 - 2025. Every five years, it should be reviewed and updated to insure that it is reflective of changes in community attitudes and market forces.

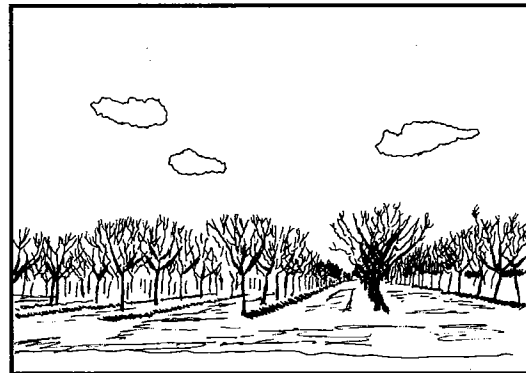
State planning law permits the mandatory elements of the General Plan to be amended as often as four times per year. This provision in State law allows the city to "fine-tune" its General Plan; however, since the General Plan is a "public" document, any amendment should have the broad support of the public.

The General Plan update is intended to guide Farmersville's planning for a twenty-three year period, from the year 2002 to 2025.

General Plan Objectives

The objectives of the Farmersville General Plan are to:

- project Farmersville's future growth and make provisions for this growth through the General Plan;
- create a unique and attractive city by investing in projects that will enhance Farmersville's appearance and marketability;
- provide a safe and pleasant environment and enhance property values throughout the community by avoiding and eliminating land use conflicts;
- promote increased sales tax revenue in Farmersville by providing sufficient land for a wide range of commercial uses.
- Protect and preserve natural resources, such as farmland, air and water quality and native vegetation, while facilitating growth of the community.
- provide for a greater variety of housing choices and shopping opportunities;
- ensure that there are adequate public facilities to serve Farmersville in the future;
- ensure that Farmersville's infrastructure system can effectively serve the land use framework;



Farmersville's economy is supported by agriculture. The need to grow while preserving agricultural land presents a challenge for the future.

- enhance the character of Farmersville by creating an improved and revitalized downtown area;
- promote economic development and enhanced employment opportunities in Farmersville by designating sufficient land for industrial uses, retail stores, and office parks;
- recognize the changing conditions and trends in the planning area and market place and make appropriate amendments to the General Plan;
- recognize past land use approval actions and adopted land use policies;



Promote economic development and enhanced employment opportunities in Farmersville

What is the legal background for the General Plan?

Planners and decision-makers have likened the General Plan to the U.S. Constitution in that decisions regarding land use, circulation, housing and capital improvements must be consistent with the goals, objectives and policies of this document. In *City of Santa Ana v. City of Garden Grove*, 100 Cal. App. 3d 521, 532 (1979), the court of appeal, in explaining California's general plan legislation in 1971, stated it has:

" . . . transformed the general plan from just an "interesting study" to the basic land use charter governing the direction of future land use in the local jurisdiction As a result, general plans now embody fundamental land use decisions that guide the future growth and development of cities."

The General Plan has been called the equivalent of the U.S. Constitution for cities.

All Actions of a City Must be Consistent with the General Plan

City decisions that are not consistent with the General Plan place that community in a legally tenuous position and subject to legal challenge. In *Friends of "B" Street . et. al. v. City of Hayward, et. al.*, 106 Cal. App. 3d 988 (1980), the court concluded that construction of public improvements (e.g. street projects, sewer lines, etc.) must be consistent with the General Plan. Further, the court stated that the General Plan essentially is the constitution for all future development within the city.

A General Plan, which is internally inconsistent, lacks one or more of the mandatory elements, or is lacking required information, can potentially prevent a city from issuing land use approvals, including building permits, zone changes, and subdivisions, if the Court finds that any one of the aforementioned conditions exist (Sierra Club v. Kern County, 126 Cal. App. 3d 698, 704 (1981); Resource Defense Fund v. County of Santa Cruz, 133 Cal. App. 3d 800, 803 (1982); Camp v. Mendocino, 123 Cal. App. 3d 334 (1981)).

For example, the Farmersville Housing Element may include a policy that states that the city provide adequate sites for a range of housing types, including multi-family residential uses. The Land Use Element would have to be consistent with this policy by designating sufficient land area for this type of development.

Another example of inter-element consistency involves the use of population projections, which is the basis for future land needs for housing units and other types of land uses. The Land Use and Housing Elements should use the same population projections in their needs analysis to avoid inter-element inconsistencies.

The courts have enacted a building moratorium in cities that have violated their general plans, or that have not updated their plans.

How is this document organized?

The Farmersville General Plan and accompanying environmental impact report are combined into one document. Part 1 contains four of the seven state-mandated elements of the General Plan. These elements are: land use, circulation, and two elements that have been combined, the open space/conservation element. Each element is generally formatted as follows:

PART 1: GENERAL PLAN ELEMENTS

- I. Introduction
- II. Existing Conditions
- III. Projections
- IV. Goals
- V. The Plan
 - A. Issue
 - B. Policy
 - C. Action Program

Part 2 contains existing conditions (background information) on the City of Farmersville. It is support information for the three general plan elements found in Part 1 and serves as the existing conditions section of the environmental impact report (EIR) contained in Part 3. It is formatted as follows:

Part 2: Existing Conditions

- I. Human Environment
 - A. Population
 - B. Socio-economic Conditions
 - C. Housing Characteristics
 - D. Services
 - E. Land Use
 - F. Infrastructure
- II. Physical Environment
 - A. Climate
 - B. Topography

Farmersville’s General Plan update is organized into three main parts:

- 1. General Plan elements**
Consisting of four elements:
 - Land Use
 - Circulation
 - Open Space
 - Conservation
- 2. Existing Conditions**
A discussion of existing conditions in the planning area
- 3. Environmental Impact Report**
An analysis of environmental effects that will result from the General Plan

- C. Soils
- D. Geology

III. Resources

- A. Scenic
- B. Agricultural
- C. Cultural
- D. Biotic
- E. Air Quality
- F. Water Quality

IV. Risk of Upset

- A. Flooding
- B. Noise
- C. Seismic

Part 3 of this document contains the Environmental Impact Report (EIR) prepared for the Farmersville General Plan. This part of the document discusses the environmental impacts associated with the implementation of the General Plan. In addition, it lists mitigation measures and discusses plan alternatives that can reduce the General Plan's impact on the environment. The EIR is organized as follows:

Part 3: Environmental Impact Report

- I. Executive Summary
- II. Introduction
- III. Project Description
- IV. Environmental Setting (see Part 2)
- V. Environmental Impact Analysis
- VI. Unavoidable Adverse Environmental Impacts
- VII. Alternatives to the Proposed Actions
- VIII. Growth-Inducing Impacts
- IX. Long-Term Implications of the Proposed Project
- X. Cumulative Impacts
- XI. Effects Found Not to be Significant
- XII. Persons and Agencies Consulted

Preparation of the General Plan also requires Farmersville to undertake an Environmental Impact Report. This is because the growth that is accommodated by the General Plan will have significant impacts on the environment.

CHAPTER 2: LAND USE ELEMENT**Introduction**

The Land Use Element is the most prominent of the seven mandatory elements of the General Plan. It, more so than the other elements, has the most significant impact on existing and future Farmersville residents. It is the element that determines the general location of residential, commercial, industrial, public and open space uses and it discloses building intensities and population densities for the planning area.

In planning circles, the land use and circulation elements of the General Plan have been termed the “blueprints” for the development of a city. The goals, policies, and implementation measures of the elements are considered to be the “instructions” for the blueprints.

The Farmersville Land Use Element contains seven sections:

- 1) existing land use patterns and population trends;
- 2) population and land use projections;
- 3) land use designations and population densities;
- 4) planning issues and land use goals;
- 5) land use policies and actions (implementation measures);
- 6) land use designation/zoning district matrix; and a
- 7) land use map.

Existing Land Use Patterns and Population Trends

Farmersville’s urban area is generally centered along Farmersville Boulevard, the city’s major north/south roadway. The city’s downtown commercial area is situated along Farmersville Boulevard generally between Visalia Road and Front Street. Additional commercial areas are located on Visalia Road, east and west of Farmersville Boulevard and on Farmersville Blvd., north of Front Street and south of Visalia Road.

Residential neighborhoods are situated in all quadrants of the community. The oldest neighborhoods are located around the intersection of Farmersville Blvd. and Visalia

Road. Newer residential development is occurring in the northwest portion of the community, north and south of Walnut Avenue. The community has a very limited amount of industrial development. A nut/fruit drying facility is located in the center of the urban area, on the east side of Farmersville Boulevard, north of the railroad. There is a cement mixing operation in the city’s only industrial park on Terry Avenue, on the west side of Farmersville Boulevard.

Prominent public uses in Farmersville include the five campuses operated by Farmersville Unified School District. These include Farmersville High School on Walnut Avenue, west of Farmersville Boulevard, Farmersville Junior High School on Virginia Avenue and Ash Street, Hester Elementary School on Ash Street and Rose Avenue, and Snowden Elementary School and the continuation high school on Farmersville Boulevard, south of Visalia Road. Major city-owned facilities include six neighborhood parks, the Farmersville Civic Center on Visalia Road and Virginia Avenue, Public Works yard on Farmersville Boulevard, south of Tulare Street, two city-operated child-care centers and the city’s wastewater treatment plant, located southwest of the urban area.

As of the year 2002, Farmersville’s city limits contained 1,205 acres, approximately 1.9 square miles. The Urban Development Boundary contains 1,726 acres and the Urban Area Boundary contains approximately 2,952 acres. Table 2-1 shows the makeup of land uses within the city limits, UDB and UAB.

Table 2-1
 Existing Land Use Acreages

	City Limits	Urban Development Boundary	Urban Area Boundary	Total
Single Family Residential	416	76	35	527
Multi-Family Residential	21.8	0.9	63.7	86
General Commercial	27.5	2.3	0	30
Service Commercial	16.1	0.4	1.4	18
Industrial	32.4	0	41.8	74
Agricultural	193.5	357	924	1,474
Parks	14.4	0	0	14
Public/Quasi-Public	62.5	31	35.9	129
Schools	76.9	0	5.2	82
Waterways	7.4	0	16.4	24
Vacant	185.8	13.8	14.9	215
Right-of-Way	151	150	283	
Total	1,205	631	1,421	
Total acreage in Planning Boundary	1,205	1,686	2,957	

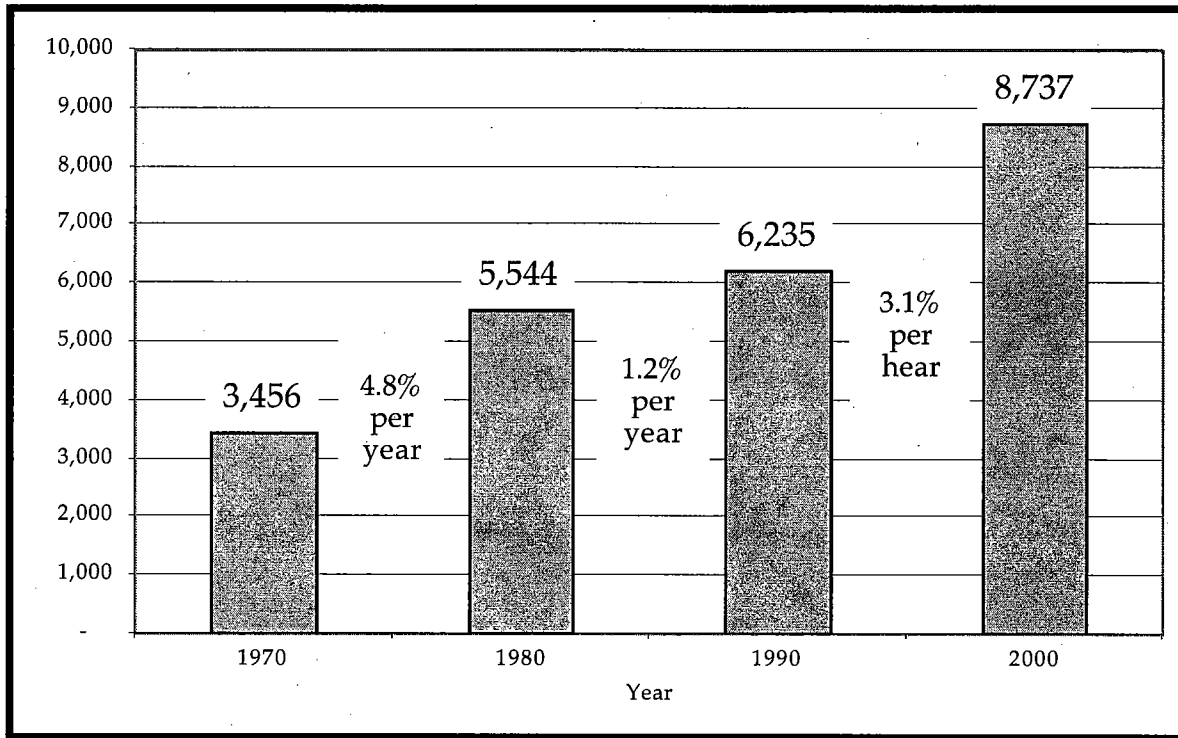
Since 1990, Farmersville has been averaging 35 new single family and 7 multiple family residential units per year.

Population

From 1990 to 2000, Farmersville’s population growth during this time period has been about 3.4% per year. This ranks highest of Tulare County’s eight incorporated cities. Exeter experienced a rate of 2.3% per year, Visalia, 1.9%, Lindsay, 2.1% and Woodlake 1.6%. Farmersville’s population growth of 3.4% per year averages out to about 250 persons per year.

Chart 2-1 display’s Farmersville’s historic growth since 1970.

Chart 2-1
Population Growth
1970 - 2000



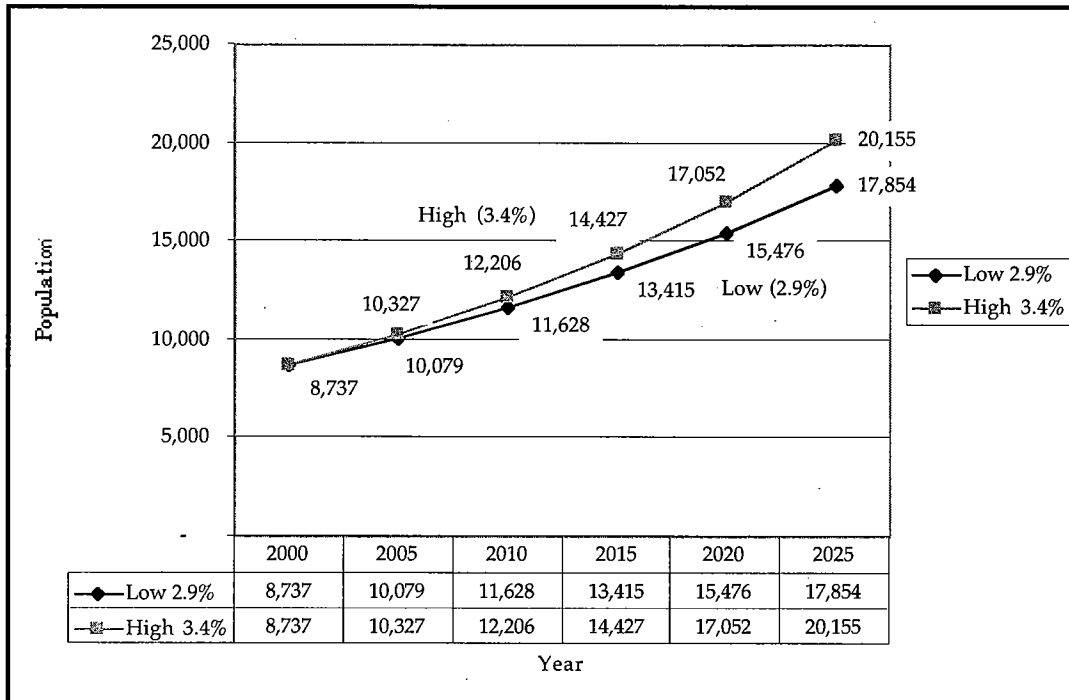
Population and Land Use Projections

Population Projections

In order to determine the amount of land needed for urban development in Farmersville over the next 23 years, 2002 to 2025, population projections are required. Two population projection scenarios (low and high) are provided in the Plan.

These population figures are projections from the base year of 2000, provided by the U.S. Census Bureau. The Plan's "low" population projection is based on Farmersville's average annual growth rate from 1980 to 2000 (2.9 percent); its "high" population projection is based on the average annual growth rate from 1990 to 2000 (3.4 percent).

Chart 2-2
Population Projections



Source: U.S. Census Bureau; State Department of Finance; Collins & Schoettler, 2000

How Much Land Will Farmersville Need to Accommodate Expected Growth?

This section provides projections of land that will be needed to accommodate expected growth of Farmersville through the year 2025. These land use projections are based on the previously discussed population projections and land use statistics.

Additional data factored into the land use projections include persons per dwelling unit, acres of parkland per 1,000 persons, residential densities, size of school sites, etc.

RESIDENTIAL LAND DEMAND, 2025

Residential land demand assumptions

- The number of persons per residential unit will be 3.66 persons (California Department of Finance, 2000).
- Future dwelling types will fall into the following categories:
 - 84% will be single family dwellings,
 - 12% will be multiple family units,
 - 4% will be mobile homes (Source: 2000 Department of Finance).
- Single family dwellings will occur on 7,000 square foot (average) parcels
- Multiple family development will be allowed at an average density of one unit per 2,500 square feet.
- Mobile homes will typically be developed in mobile home parks on 3,000 square foot individual parcels.
- The residential land demands for single family housing development will be increased by a factor of 25 percent to account for land consumed by street rights-of-way, and will be increased by 15 percent for multiple family and mobile home developments.
- Farmersville has about 80 acres of existing vacant land zoned R-1 and 3.95 acres of existing vacant land zoned R-M.

Residential Land Demand, 2025

Population Growth:

17,854 (2025 projected population) - 7,701 (2000 population) =

10,153 persons

Housing Units Needed:

10,153 persons / 3.66 persons per residential unit =

2,774 residential units

Expected Housing Types:

2,774 residential units x 84 percent single family units =
2,330 units

2,774 residential units x 12 percent multi-family units =
333 units

2,774 residential units x 4 percent mobile home units =
111 units

Single Family Residential:

2,330 x 7,000 square feet x 1.25 (right-of-way factor) =
468 acres - 80 existing vacant R-1 acres =

388 acres needed

Multiple Family Residential:

333 units x 2,500 square feet x 1.15 (right-of-way factor) =
22 acres - 4 existing vacant R-M acres =

18 acres needed

Mobile Homes:

111 mobile home units x 3,000 square feet x 1.15 (right-of-way factor) =

9 acres

Total Residential Acreage Needed: 415 acres

The residential land use projections indicate that 415 acres will be needed to accommodate residential growth through the year 2025.

COMMERCIAL LAND DEMAND, 2025

Commercial land demand assumptions

- Retail commercial/office uses will continue to be intermixed
- The bulk of new commercial/office developments will be one-story buildings.
- Farmersville has 44 acres of existing commercial development.
- Farmersville has 22 acres of existing vacant land zoned C-G (“General Commercial), and 12 acres of existing vacant land zoned C-S (Service Commercial).
- Compared to other Tulare County cities, Farmersville is presently grossly “underserved” by commercial development.

Commercial/office land demand, 2025

Existing Commercial “Need”:

7,701 (2000 population)/44 acres of existing commercial/office development =

1 acre commercial/office per 175 persons

Future Commercial Need

1 acre commercial/office space per 175 persons / 10,153 (additional 2025 population) =

58 acres needed through the year 2025.

58 acres - 34 acres of vacant/undeveloped land zoned “Commercial” =

24 acres of commercial/office land needed through 2025.

Farmersville has a need for 24 acres of additional commercial development through the year 2025. If the city’s commercial development level was on a par with other Tulare County cities, this total could be significantly higher.

INDUSTRIAL LAND DEMAND, 2025

Industrial land demand assumptions

- Industrial uses do not require the high visibility that retail commercial/office uses require.
- Farmersville has approximately 32 acres of industrial land (2000)
- Farmersville has 82 vacant acres zoned for industrial uses.
- Compared to other Tulare County cities, Farmersville is grossly “underserved” by industrial development.
- Some of Farmersville’s vacant industrial land is located within a flood plain and is therefore difficult to market and develop.

Industrial land demand, 2025

Existing Industrial “Need”:

7,701 (2000 population)/32 acres of existing industrial lands (2000) =

1 acre industrial use per 240 persons.

Future Industrial Need:

1 acre of industrial per 240 persons / 10,153 (additional 2020 population) =

42 acres industrial land needed.

42 acres industrial lands needed - 82 acres existing industrial uses =

-65 acres needed for industrial uses.

No additional land needed for industrial uses by 2020. However, Farmersville is very “under-developed” in the category of industrial uses. Therefore, the projected need is expected to be under-estimated.

PARK LAND DEMAND, 2025

Parkland demand assumptions

- The City of Farmersville has a standard of developing three acres of parkland for every 1,000 persons. The current (2000) population of 8,737 should be served by 23.1 acres of park land. The existing total of developed park land in 2000 is 13 acres. Therefore, Farmersville is presently deficient on park acreage by 10 acres.
- Open space on school sites will not be counted as parkland.

Parkland Demand, 2025

Three acres of parkland per 1,000 persons x 10,153 (additional 2025 population) =

30.5 additional acres of parkland needed through the year 2025.

Farmersville presently is short ten acres on parkland. Therefore, 30.5 + 10 = 40.5 acres.

40.5 acres of parkland needed by 2025

SCHOOL LAND DEMAND, 2025

School land demand assumptions

- This study assumes a general standard for elementary schools that provides for an enrollment of 600 to 700 students and a school site ranging from 10 to 12 acres. The standard for middle schools shall provide an enrollment of 750 to 900 students and a school site ranging from 18 to 20 acres. The standard for high schools shall provide an enrollment of 1,500 to 2,000 students and a school site of 40 acres or more.

School land demand, 2025

The school district has indicated a need for an additional elementary campus in the next several years.

There are currently 52 acres of land reserved for future school development, south of the existing high school. It is assumed that this land will accommodate Farmersville's school needs through the year 2025.

CONCLUSIONS

The above analysis shows that Farmersville will need the following amount of land through the year 2025.

- Residential:** 415 acres
- Commercial:** 24 acres (there are presently 33 acres commercially-zoned undeveloped land)
- Industrial:** 17 acres (there are presently 82 acres of agricultural and vacant land)
- Parks:** 41 acres
- Schools:** 12 acres (52 vacant acres of land designated for schools exist)
- Total:** 456 acres - existing vacant/ag zoned land (commercial, industrial, schools) = 190 acres - existing zoned land (commercial, industrial, schools) = 289 acres needed

The projections above indicate that a total of approximately 456 acres of "undeveloped" land will be needed to accommodate expected urban growth in Farmersville through the year 2025. Because there is already sufficient "undeveloped" land in the commercial, industrial and schools categories, the actual land demand is about 290 acres.

In order to ensure that the real estate market does not become overly restricted (artificially forcing up land prices), the land demand figure (290 acres) shall be increased by 40 percent as follows:

$$290 \times 40\% = 116 \text{ acres. } 290 + 116 = 406 \text{ acres.}$$

Farmersville's current city limits (not including the wastewater treatment plant) contain 1,181 acres. Adding 406 acres results in a total area of 1,587 acres. The existing city Urban Development Boundary contains 1,726 acres.

Therefore, this analysis indicates that there is more than enough land within the Urban Development Boundary

needed to accommodate growth to the year 2025. As noted previously, however, city officials consider Farmersville to be grossly under-developed with commercial and industrial development, as compared

other Tulare County cities. As such, the land demand projections should be tempered by this realization.

Land Use Designations and Population Densities

The following land use categories are established to implement the policies of the Farmersville General Plan.

These land use categories pertain to six typical land use activities:

- Residential;
- Commercial;
- Industrial;
- Public;
- Open space and
- Agricultural/Urban Reserve.

These categories are further refined into more specific designations below. For example, the plan establishes three residential categories - these are based on the density of development, such as single family, multi-family residential, and so forth.

For residential land use designations, maximum population densities are provided, as required by State law.

Residential

Low Density - a maximum of 5 dwelling units per gross acre, or 14 persons per acre. Development in this category shall be required to install curbs, gutters, sidewalks and street lights, and connect to the city's sewer, storm drain and water systems.



This designation shall be reserved for those lands that are appropriate for single family residential developments. Uses that are typically associated with single family neighborhoods, such as churches, day-care centers, community centers, parks, and schools, shall also be permitted, subject to appropriate permits. These lands shall generally be located in areas of the community that are free from conflicting land uses, such as industrial and service commercial uses.

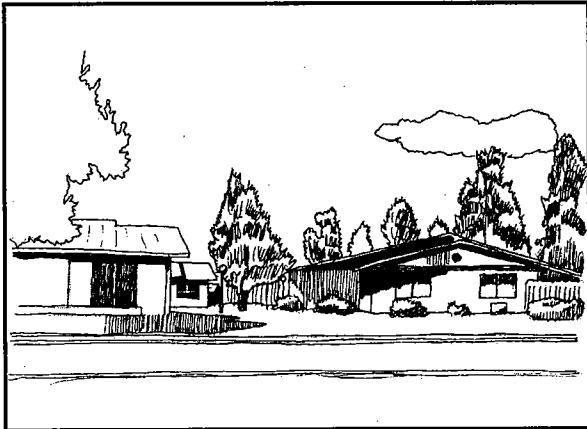
Medium Density - a maximum of 15 dwelling units per gross acre, or 42 persons per acre. Development in this category shall be required to install all the same improvements that are required in the low density residential designation.



Medium density development could encompass a mix of single family and multi-family uses, including duplex, tri-plex, four-plex units and mobile home parks.

These lands shall generally be located in areas of the community that are free from conflicting land uses, such as industrial and service commercial uses.

Medium-High Density - a maximum of 29 dwelling units per gross acre, or 84 persons per acre. Development in this category could encompass apartment complexes, senior citizen projects and condominiums.



These lands shall generally be located in areas of the community that are free from conflicting land uses, are located near the center of Farmersville, and are generally situated on major street corner lots, or along major streets.

Commercial

Farmersville’s current General Plan only provides for one commercial category. It is the intent of this General Plan to increase this number to four commercial categories:

- General Commercial;
- Central Commercial; and
- Service Commercial
- Highway Commercial

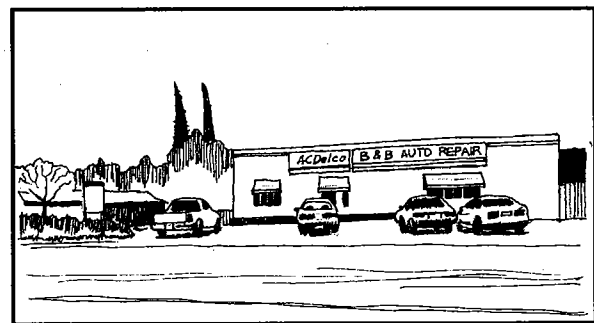
General commercial designations shall be reserved for properties generally located on Farmersville Blvd. and Visalia Road, outside the downtown area (which is designated Central Commercial).

This designation shall provide for shopping centers, retail uses, and offices.



Development within this designation will have the following distinguishing features - new development will be required to be landscaped, parking shall be constructed off-street, signs shall be regulated and new uses or extensive expansion of existing uses shall require site plan review or a conditional use permit, as determined by the Farmersville Zoning Ordinance.

Service commercial is a new designation that provides for uses that include a mix of light industrial and “heavy” commercial uses. In particular, uses such as auto repair should be directed into this category.



Development with this designation will have the following distinguishing features - new development will have landscaping, parking shall be off-street, all visible equipment and storage areas shall be fenced and screened from public view, signs will be regulated and new uses or extensive expansion of existing uses shall require site plan review or a conditional use permit, as determined by the Farmersville Zoning Ordinance.

Central commercial designations shall be reserved for those properties located in the central commercial area, generally fronting along Farmersville Boulevard and Visalia Road, in the vicinity of the intersection of those two streets.



It is the goal of the General Plan to foster a downtown atmosphere of stores fronting directly on the street with display windows catering to pedestrian shopping. Parking facilities should be located to the rear or to the side of buildings.

Development with this designation will have the following distinguishing features - the buildings will generally be built to back of sidewalk, parking shall be generally located at the rear or side of the building, signs shall be regulated and shall be pedestrian-oriented, the architectural design of the building will be compatible with a downtown environment, and new uses or extensive expansion of existing uses shall require site plan review or a conditional use permit, as determined by the Farmersville Zoning Ordinance.

In order to permit design flexibility and prevent the creation of large parking lots in the downtown area (thereby eroding the pedestrian character of this area) the City should consider allowing reduced parking requirements for uses in the Central Commercial area. It is suggested that the Zoning Ordinance's parking requirements be reduced by 25% for commercial and public uses in the Central Commercial area.

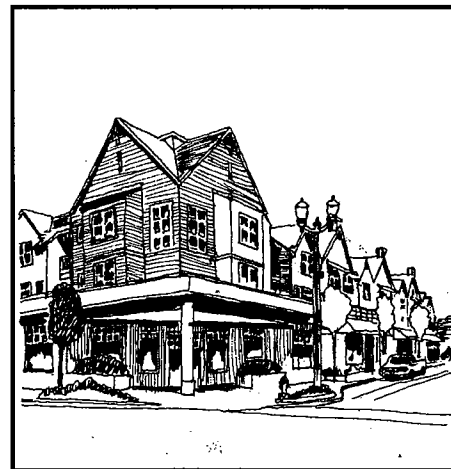
Highway Commercial

The Highway Commercial designation is intended to provide for commercial uses that cater to the travelling public along State Route 198. Highway-oriented uses should include service stations, convenience stores, restaurants and lodging establishments.

Development within this designation be required to be landscaped, parking shall be constructed off-street, signs shall be regulated and new uses or extensive expansion of existing uses shall require site plan review or a conditional use permit, as determined by the Farmersville Zoning Ordinance.

Mixed Use Overlay

This designation is intended to encourage flexibility in new development by allowing for the combination of residential, office and commercial uses on one site. The designation recognizes that before the advent of modern zoning, most cities allowed combinations of these types of uses. For instance, many communities had multi-story buildings (particularly in their downtowns) that featured



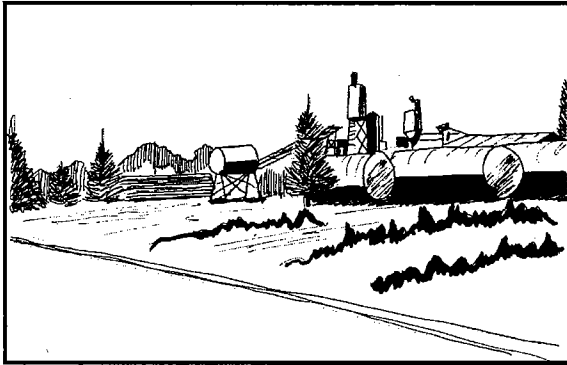
retail commercial or offices on the ground floor, and living units on upper floors. This arrangement potentially allows one to live and work in close proximity, without the need for an automobile. It also sets up a dynamic urban atmosphere where various land

uses inter-relate with one another in a unique way not possible in a typical "suburban" setting.

Projects approved with this designation shall require Conditional Use Permit approval and will be developed in accordance with a new "Mixed Use" zoning designation. This concept is further addressed in the policy section of the Land Use Element.

Industry

This designation will provide for uses that are involved in manufacturing, processing, warehousing, and certain service commercial uses.



Development with this designation will have the following distinguishing features - the subject site will be landscaped, parking lots will be constructed off-street and will be landscaped, storage areas shall be fenced and screened, signs shall be regulated and new uses or extensive expansion of existing uses shall require site plan review or a conditional use permit, as determined by the Farmersville Zoning Ordinance.

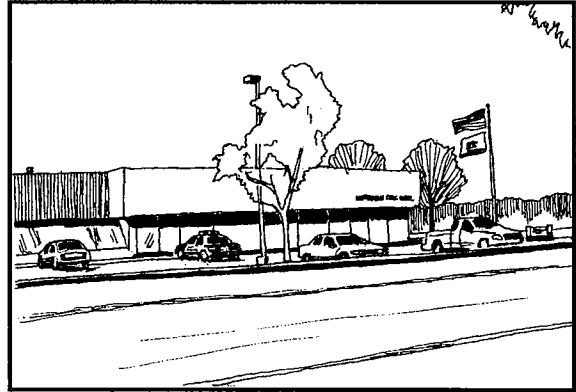
Public Facilities

This designation is reserved for facilities that are operated by public agencies, including schools, the post office, City Hall, other City-operated facilities and county offices.

New development with this designation will have the following distinguishing features - the subject site will be

landscaped, parking lots will be constructed off-street and will be landscaped, signs shall be regulated and new uses shall undergo site plan review. Schools should

receive special attention in regards to pedestrian, bike and bus circulation.



Open Space

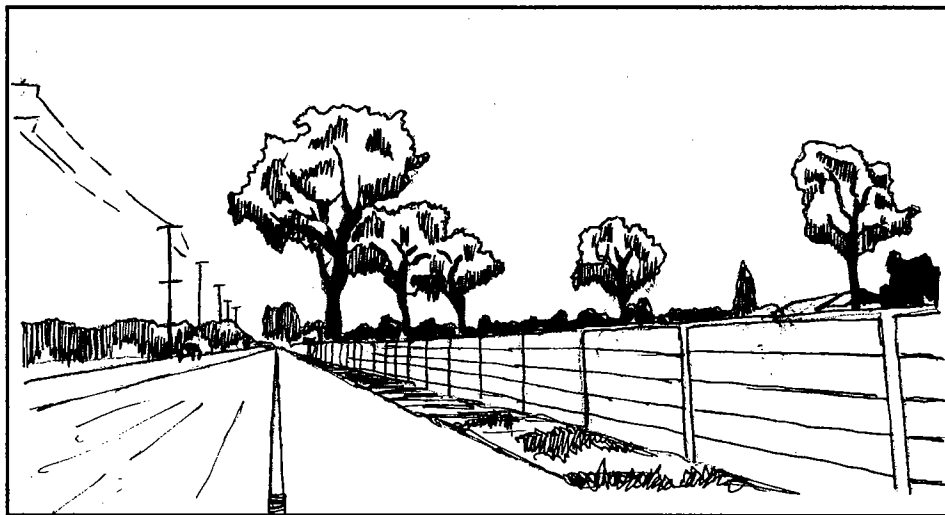
This designation is applied to lands that will remain generally free of buildings. Uses that would receive this designation would include parks, playing fields, and golf courses.



Urban Reserve (Agriculture)

This designation is applied to lands that are being, or have the capacity to be, actively farmed but are within the planning area and proposed to be eventually developed.

Further, this designation could also be applied to lands that contain agriculturally-related uses, such as packing houses, cold storage operations or agriculturally-related businesses. The purpose of this designation is to protect agriculture from urban encroachment, maintain land in agriculture until the time is appropriate for conversion to urban uses, and to ensure that conflicts do not arise between agriculture and urban uses.



LAND USE GOALS, OBJECTIVES AND ACTION PLANS

This section of the Land Use Element establishes goals, objectives and actions, to guide Farmersville's growth through the year 2025.

Land use goals express general community values. They are the community's vision for its future. They can refer to image and appearance, economic viability, health and safety, preservation of resources or fiscal soundness, among other issues. Goals are refined into objectives and action plans. These represent concrete actions the city will take to ensure that goals are realized. Goals, objectives and action plans are organized under topical issues, including:

- Community Image
- Growth Management
- Agricultural Land
- Residential Neighborhoods
- Commercial Development
- Industrial Development
- Downtown
- Public Facilities
- Schools
- Economic Development
- Infrastructure
- Public Safety
- Public Participation
- Special Issues
 - Cameron Creek Colony
 - Linnel Farm Labor Center
 - State Highway 198
- Appendix A: Smart Growth Primer

Land use goals express general community values. They are the community's vision for its future.

ISSUE ONE: Community Image

Image is an important community asset in that it can influence how people feel about their city. If a community has a positive image, a strong sense of community and pride can result.

A community that is clean, well-maintained, visually appealing and properly planned will:

- Attract outside investment;
- Encourage people to maintain their property;
- Cause real estate values to appreciate; and
- Stimulate city revenues - tax increment, sales tax and transient occupancy (lodging) taxes.

Goals, Objectives, Action Plans

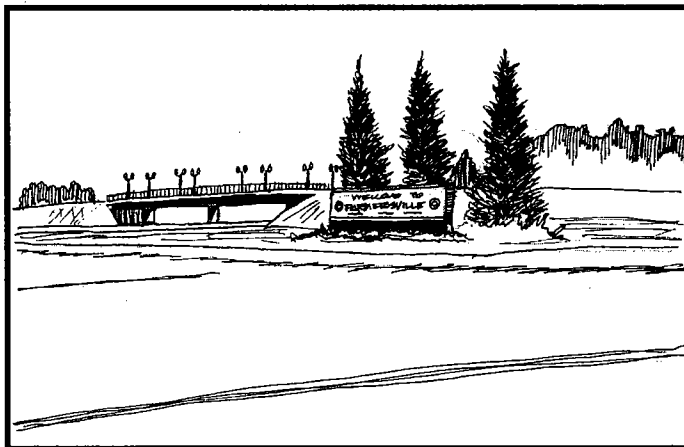
Public Improvements

I. Foster an attractive, clean and well-maintained community.

1. The City should design and install "Welcome to Farmersville" community identification signs at the Highway 198/Farmersville Boulevard interchange.

- a. The City should hold a design contest for the design of the sign. Various funding sources should be identified, including sponsorships, donations, memorials, etc. The City must coordinate with Caltrans on the design and installation of such signs.

2. The City should explore the creation of a downtown maintenance district to pay for the cost of maintaining improvements in the downtown, such as landscaping, street furniture, parking lots and lighting.



"Welcome to Farmersville" sign and landscaping at Hwy. 198 interchange

3. The City should facilitate a landscaping program in appropriate locations, such as parks, future street medians and within the downtown that promotes shading, color, and aesthetically pleasing forms.
 - a. The City should seek funding to pay for landscape improvements. In addition to grant monies, the city should explore establishing a development impact fee that pays for the construction and landscaping of street medians and landscape planters.
 - b. The City should apply for an urban forestry grant to pay for the planting of trees within sidewalks along major streets, including Farmersville Boulevard, Visalia Road and Walnut Avenue.

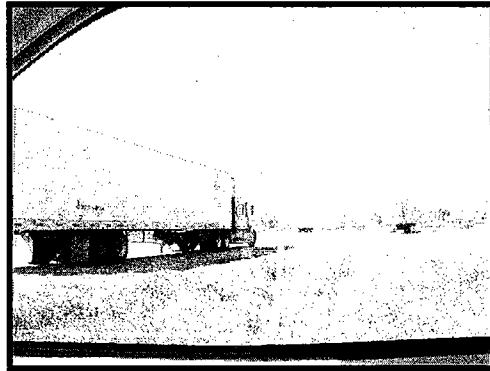
Code Enforcement/Property Maintenance

1. The City shall ensure that street sweeping, trash pickup, and the maintenance of public grounds and buildings are completed on a regular basis.
 - a. Ensure these tasks are adequately funded and staffed. Consider adding a development impact fee to fund these activities.
2. The City shall actively enforce the State Housing Code, which provides a procedure for abating or rehabilitating unsafe, dilapidated residential structures.
 - a. The Building Inspector shall report to the City Council on an annual basis progress on rehabilitating or removing unsafe residential structures.
 - b. The Planning Department shall maintain a city map that identifies the location of unsafe residential dwellings.
 - c. The Farmersville Redevelopment Agency should explore the use of state or federal funds to promote infill residential development while concurrently facilitating the rehabilitation of substandard dwellings

The need for property maintenance and code enforcement was frequently mentioned by the General Plan

and the removal of unsafe residential structures.

3. The City shall continue to actively enforce the city's vehicle abatement program and illegal parking on residential property.
 - a. The City should create a property maintenance brochure that addresses the most common questions about property maintenance and code enforcement issues. This brochure should be mailed to all property owners periodically. The brochure could be sent along with other regular mailings, such as utility bills.
 4. A truck-parking facility could be located at the to-be-expanded public works yard and/or within industrially-zoned areas. The facility should be fenced for security. The City could charge a small fee to recoup the cost of operating the facility.
 5. Farmersville shall continue to actively enforce the city's sign ordinance.
 - a. The City shall review its Zoning Ordinance and if necessary, update its sign regulations.
 - b. The City shall prepare a brochure that clearly explains the sign ordinance.
 - c. The City should send the sign brochure to all businesses along with yearly business license renewals, as a reminder of the city's sign ordinance standards.
 6. The City shall develop a standard public notice form that could be sent to persons who are violating the Farmersville Municipal Code as it relates to zoning violations, public nuisances or non-compliance under an approved site plan or conditional use permit.
- I. The City should establish community "clean up" days where residents are encouraged to spruce up their property and dispose of unwanted trash.



The City shall explore creating a space for the overnight parking of "big rig" trucks by residents who are employed in trucking.

This event should be held several times per year, as funds allow.

- a. Partner with local organizations like the Boy Scouts, C-SET, and other youth organizations to assist residents in clean-ups.
- b. Coordinate with Farmersville’s solid waste contractor to supply refuse bins for the clean up.

Community Character and Identity

II. Create development that conveys a “sense of place” with architecture that reflects local history and traditions:

- 1. The City shall prepare and adopt a set of design guidelines that specifies “good” design strategies and architectural themes that reflect Farmersville’s “sense of place”

III. Create a community that is free of land use conflicts.

- 1. Legal, non-conforming land uses should not be allowed to be enlarged physically or operationally (unless the expansion does not increase the degree of non-conformity).
- 2. The city shall actively enforce existing zoning and building regulations that preclude or eliminate uses of land or buildings that present conflicts for adjacent properties.
- 3. The city shall ensure that commercial uses do not operate in residential neighborhoods unless the operator of the commercial use has obtained a home occupation permit from the city.
- 4. The city should develop an urban growth strategy that minimizes the impact on urban uses on adjacent agricultural operations (see Growth Management, page 2-21).
 - a. The Land Use map shall use roadways, ditches, railroads, creeks and other physical

 **BACKGROUND**

Non-conforming uses are those that do not comply with zoning standards for the zone in which they are located. A frequent example is where a house located in a commercial zone. Because houses are not allowed in commercial zones, they are considered to be “non-conforming”.

The presence of numerous non-conforming uses creates problems for the planning process. Residents of the dwelling may complain about noise or traffic generated by commercial uses. Non-conforming uses can hamper the city’s ability to attract new development into the intended zone. Allowing a non-conforming use to expand only “entrenches” the use at its location, making future conversion of the site to another use even more difficult.



features to separate urban uses from existing agricultural operations.

- b. The City shall explore implementing a development impact fee that pays for the purchase of agricultural easements outside Farmersville urban area boundary line. Such easements would be used to form a greenbelt around the community (see Growth Management, Page 2-21).

Community Pride and Public Involvement

IV. Create a city that portrays a “sense of community”.

- 1. The city should continue to promote public events and celebrations that bring citizens together, in its downtown and in other public places, like parks, schools and public buildings.
 - a. Promote a Farmers Market in the downtown area, possibly closing a street for the event.
 - b. Promote an Arts/Crafts Fair in the downtown.
 - c. The City should contact the Urban Tree Foundation to seek their assistance in the development of a tree planting program in the downtown and on major streets, such as Farmersville Boulevard and Visalia Road.
- 2. The City should explore creating a “Museum of the Farm Worker”. Such a museum would include exhibits and information documenting the history of farmworkers in Central California. This facility should be centrally located within the community, such as on the land adjacent to the railroad, west of Farmersville Boulevard. The facility should function as a multi-use site, with festivals, meetings and other events. Finally, the building should also make a positive architectural statement that is related to Central California’s farming heritage.



BACKGROUND

The idea of establishing a Museum of the Farmworker was raised by participants during General Plan Committee meetings, as a way to key into Farmersville’s identity.

• • • • •

- a. The City, and Chamber of Commerce should establish a committee to pursue this goal.
 3. The City shall continue to work with the Chamber of Commerce to promote community events, such as the Memorial Day Parade, and Christmas Tree Lighting Ceremony.
- V. Foster a friendly community that encourages public involvement.**
1. The City should form additional citizen advisory committees that report to the City Council on various topics, including beautification, recreation, circulation, etc.
 - a. The to-be-formed beautification committee should work with the Urban Tree Foundation to develop a city-wide tree planting program. The city should apply for tree grants to fund this program .
 2. The City should convene an annual study session with Farmersville Unified School District (F.U.S.D.) to discuss planning matters that are of mutual interest.
 - a. The City Manager will coordinate with the F.U.S.D. to set a date for a joint meeting between the two agencies. The City Manager will meet with the Farmersville Schools Superintendent to prepare an agenda for the joint meeting.
 3. The City Council and Planning Commission should hold biannual study sessions to discuss planning-related matters.
 - a. The City Manager and City Planner will set a date and formulate an agenda for these joint meetings.

The City should convene an annual study session with Farmersville Unified School District to discuss planning matters that are of mutual interest.

VI. Create a community that portrays an image that is progressive and energetic.

1. The City should work with other public entities and service organizations to jointly work on projects that benefit Farmersville as a whole.
 - a. The City Manager and City Council should make presentations to various community organizations to solicit their help in financing, constructing and/or maintaining public art or beautification improvements, such as statues, fountains, mini-parks, specimen trees, murals or roundabouts,

ISSUE TWO: Growth Management

The management of Farmersville’s growth - direction, rate, density and arrangement of land uses, can be beneficial from a fiscal, environmental and social perspective.

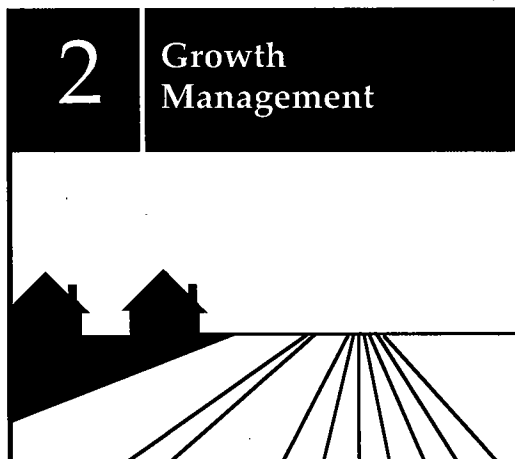
A community that is well-planned will be more attractive to potential residents, developers, companies and investors than one that is poorly planned, has numerous land use conflicts, urban sprawl, a non-viable downtown, poor circulation patterns and disenfranchised sections of town. Furthermore, a community that is compact and is not sprawling has more efficient, cost effective infrastructure and service delivery systems than a community without these attributes.

Goals, Objectives, Action Plans

Protecting Farmersville’s Boundaries

I. Maintain Farmersville as an agriculturally-oriented city surrounded by farmland.

1. To the extent possible, ensure that Farmersville is surrounded by agricultural land that is zoned for large parcel agriculture (e.g. AE-20 [20 acre minimum parcel size, or larger]).
 - a. The City shall notify the County of Tulare that all land that surrounds Farmersville that is not zoned Rural Residential, Commercial or Industrial, should be zoned to the AE-20 (or larger acreage) zone. Further the City shall discourage proposals for parcelization to sizes smaller than 20 acres.
 - b. Tulare County shall continue to refer applicants for urban development (subdivisions, commercial or industrial development) on lands within the Farmersville Urban Development Boundary (UDB) and Urban Area Boundary (UAB) to the City for comment and review. All development occurring within these areas must be consistent with the Farmersville General Plan.



BACKGROUND

When agricultural lands around a city are split into small parcels (such as 1/2- 2- and 5-acre “ranchettes”, it erodes the viability of the land for farming. Rural residential development is also difficult to deal with when it is in the path of urban development. Rural residential residents frequently resist city efforts to grow in their direction. For these reasons, it is most advantageous for lands immediately around the city to remain in large agricultural parcels.



II. Keep Farmersville from physically merging with the cities of Visalia and Exeter.

1. The City shall meet with officials from Visalia and Exeter to explore the concept of forming a greenbelt to keep the cities from growing together
2. The City should consider a development impact fee that will be used to purchase agricultural conservation easements on lands that surround Farmersville. Such a fee could also be used to leverage additional outside grant funds.
 - a. The City should work with a farmland conservation organization such as American Farmland Trust, to establish an easement program.

New Development

III. Promote Smart Growth planning principals in order to discourage urban sprawl and the premature urbanization of agricultural land, and to create more livable neighborhoods. This issue is addressed in more detail in Appendix A: "A Smart Growth Primer".

1. The City shall amend its Zoning Ordinance to add a Smart Development District.
 - a. The Smart Development District shall incorporate planning principals that promote moderate increases in residential densities, narrower streets, better connectivity in and between neighborhoods and site and architectural design that emphasizes a humanized environment, as opposed to an automobile-oriented environment.
 - b. Smart Growth design techniques should be incorporated into Farmersville's residential and commercial zone district standards, as appropriate (see Appendix A: "A Smart Growth Primer").
2. New urban development should occur in an orderly manner with initial development



BACKGROUND

The need to keep Farmersville from growing together with Visalia in particular, and to a lesser extent Exeter, was voiced frequently during General Plan Committee meetings. The idea of a greenbelt to provide a buffer between the cities was supported by participants.



BACKGROUND

The concept of Smart Growth was explored extensively by the General Plan Committee. Appendix A contains additional information on this topic. Some of these concepts have already been embraced by area developers.



See Appendix A: "A Smart Growth Primer"

occurring on available undeveloped properties which are closer to the existing built-up area.

- a. The City should promote in-fill development and development of lands immediately adjacent to existing urbanized areas, before allowing development of outlying lands.
 - b. The General Plan maps designates lands further away from existing development with a "Reserve" status. Development of these lands should be delayed until land closer to the city is developed.
3. The City should promote mixed-use development where appropriate.
- a. The City shall amend its Zoning Ordinance to provide for a Mixed-Use Zone District.
 - b. The City should identify sites in the downtown core where mixed-use development would be appropriate.
4. The City shall amend its Zoning Ordinance to permit residential development in the downtown.
- a. The City shall amend the Zoning Ordinance to permit housing development in the downtown with a conditional use permit.
 - b. Housing units should be permitted in the upper stories of downtown buildings with a Conditional Use Permit.



BACKGROUND

Up until the mid 1940s mixed use buildings were common in American cities. Typically, shops occupied the ground floor, and residential units were situated above. The concept of separate use zones came about as a response to deplorable conditions in eastern industrial cities where people lived next to smoke-belching factories

Single use zoning has set up patterns of urban sprawl where residents must drive to make any meaningful connections in their community. This has been taken to extremes in suburban areas of California, like Orange County. Successful mixed use development can address this situation by providing living and working places in close proximity to one another.



ISSUE THREE: Residential Neighborhoods

The “neighborhood” is the fundamental building block of a community. The health and quality of life of a community is best measured at the neighborhood level. If a city’s neighborhoods are noisy, contain excessive traffic, unkempt, include incompatible land uses or are depreciating in value, then the community as a whole is most likely spiraling towards a condition of blight. In terms of community priorities, preservation of the neighborhood ranks as one of its most important goals.

The ideal neighborhood should be inviting, quiet, cool in the summer, children-friendly, pedestrian oriented, architecturally interesting and it should maintain its value over time. The neighborhood should also provide for a wide range of housing types, styles and prices.

Multi-family development (also known as apartments) is necessary in all communities. It provides housing opportunities for persons or families who do not wish to own a single family dwelling or who can not afford to rent or own one.

Improperly located, designed or maintained, multi-family development can have an adverse impact on the neighborhood and the community as a whole. To protect the health, safety and welfare of persons living adjacent to multi-family development as well as persons living in these types of units, the location, design and long-term maintenance of this type of housing must be carefully considered.

Goals, Objectives, Action Plans**Neighborhood Maintenance and Revitalization****I. Take actions to keep existing neighborhoods strong and healthy.**

1. Remove substandard homes from residential neighborhoods.
 - a. The City shall abate or rehabilitate substandard residential dwellings through the process established in the State Housing Code.



- b. The Redevelopment Agency should consider the purchase of substandard housing in order to clear the property for new, low to moderate income housing.
 - 2. Rehabilitate homes that have deteriorated.
 - a. The City should continue to apply for Community Development Block Grant (CDBG) funds to rehabilitate homes that have deteriorated.
 - 3. Upgrade public improvements in blighted neighborhoods, including sidewalks, alleys, street trees, roadways, parkways and street lights.
 - a. Establish an annual objective for repairing or replacing broken curbs, gutters and sidewalks.
 - b. Replant vacant parkways with street trees.
 - c. Identify alleys that can be abandoned and initiate the process consistent with the Streets and Highways Code.
 - d. Upgrade alleys with pavement, where possible.
 - 4. Encourage residential infill development in neighborhoods that are blighted.
 - a. Consider the reduction of development impact fees on residential infill projects.
 - b. Consider increasing the allowable underlying density on land that will support a residential infill project. Increased density can help make projects "pencil-out".
 - 5. Continue to enforce the city's property maintenance ordinance.
- II. The planning and building department will work together to ensure that building and zoning code violations are corrected and/or eliminated.

During the past ten years, Farmersville has rehabilitated an average of 8 homes per year, working with Self-Help Enterprises.

- b. The city on a monthly basis will send out correction letters to persons who are in violation of planning or building code regulations.
- 6. The city will annually seek state and federal grant funds that can assist in the elimination of blight in residential neighborhoods.
 - a. The City should contract with a grant writer to obtain funding.
- 7. The Farmersville Redevelopment Agency will use its tax increment funds and low to moderate housing income funds to eliminate conditions of blight in residential neighborhoods.

New Development

II. Promote neighborhoods that are quiet, visually pleasing, and cool.

- 1. The City should discourage land uses that are incompatible with residential neighborhoods.
 - a. Adoption of the Land Use Element and Land Use Map will implement this policy.

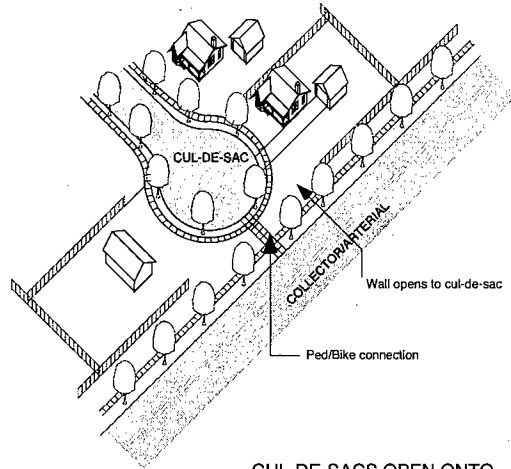
III. Promote attractive, well-maintained and designed residential neighborhoods.

- 1. The City should develop a Smart Development Overlay Zone which promotes:
 - Narrow, tree-lined residential streets.
 - Neighborhood parks.
 - Dwellings that are architecturally reflective of historic and traditional styles used in Farmersville and the San Joaquin Valley.
 - Common areas that are maintained by Landscaping and Lighting Districts.
- a. Appendix A: "A Smart Growth Primer", includes recommendations for the creation of a Smart Growth development code.



Promote neighborhoods that are quiet, visually pleasing, and cool.

- 2. Encourage residential developments and adjacent land uses to be pedestrian-oriented.
 - a. All residential developments with walls should provide openings for pedestrian and bike traffic.
 - b. Land uses adjacent to residential developments should provide for pedestrian access between the two types of developments.
 - c. Permit home occupations where appropriate.
- 3. The City should consider promoting mixed uses in the Smart Development Overlay Zone. Examples might include a neighborhood commercial building with multi-family units next to, or above the commercial use.



CUL-DE-SACS OPEN ONTO ADJOINING STREET

IV. Protect existing neighborhoods from incompatible land uses.

- 1. Through the Site Plan Review and Conditional Use Permit process, ensure that the city’s zoning ordinance regulations do not permit uses that will be incompatible with residential neighborhoods.

All residential developments with walls should provide openings for pedestrian and bike traffic.

Multi-Family Development

I. Multi-Family development shall be well-designed, well-maintained and properly sited.

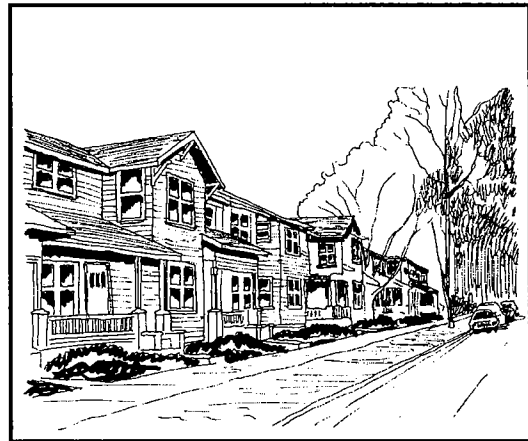
- 1. The City shall prepare design guidelines that provide examples of good multi-family residential design.
 - a. The Planning Director will work with the Planning Commission to create and adopt design guidelines (see Preliminary Guidelines, below)
- 2. Multi-family development shall be limited to a maximum of 40 units on any given site.
 - a. The Zoning Ordinance shall be amended to incorporate this standard.

➤ *The General Plan Committee viewed numerous slide photos of different types of multi-family design. The Committee agreed that good design is possible and must be required.*

The best designs were those that emulate the appearance of single family homes. Prominent design features include front doors and windows opening onto a useable front porch with railings. Parking should be situated to the rear of the building. The graphic on the following page was used to illustrate “good” multi-family residential design.

3. Multi-family developments shall be required to enter into a maintenance agreement with the City, prior to occupancy. The maintenance agreement shall be reviewed and approved by the Planning Commission.
 - a. The Zoning Ordinance shall be amended to incorporate this standard.
4. The City shall explore requiring a maintenance bond be posted for new multi-family residential development.
 - a. The Community Development Director and City Attorney shall research this issue and present their findings and recommendations to the City Council.
5. All multi-family residential development shall require a Conditional Use Permit.
 - a. The Zoning Ordinance shall be amended to reflect this policy.
6. Duplex and triplex buildings may be integrated into single family residential subdivisions, on corner lots, through a Conditional Use Permit.
 - a. The Zoning Ordinance shall be amended to incorporate this standard.
7. The City shall review the Zoning Ordinance's development standards for multi-family residential development, and amend the ordinance where deemed necessary.
 - a. The Community Development Director shall review the Zoning Ordinance with the Planning Commission, who shall forward their recommendations to the City Council.
8. A traffic study shall be required for all multi-family residential projects of twenty units or greater.
 - a. The Zoning Ordinance shall be amended to reflect this requirement.

The website "Affordable Housing Design Advisor" provides profiles of award-winning affordable housing projects throughout the nation, that exhibit outstanding design characteristics. Go to <http://www.designadvisor.org/> for more information. Prospective affordable housing developers should be referred to this website prior to submitting plans.



Farmersville's vision for multi-family residential housing. Units face onto the street with porches, front doors and windows. This type of design improves neighborhood security by placing more "eyes" onto the street. Parking is located to the rear.

ISSUE FOUR: Commercial Development

The term “Commercial” Development generally refers to several types of land uses that feature businesses providing goods and services. These types of uses include:

Retail commercial - businesses whose primary activity is selling goods to the public.

Office - businesses whose primary activity is financial, insurance, real estate, information processing etc.

Service - businesses that provide a variety of physical services, such as auto repair, appliance repair, etc. These types of uses approach light industrial activities in nature and are typically encouraged to locate away from retail and office commercial activities.

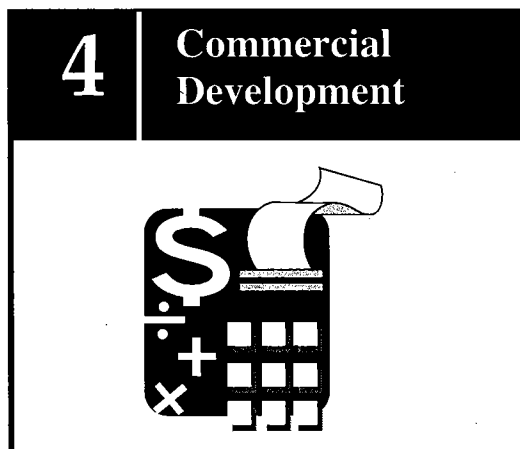
Office development is almost as important to the economic well-being of a community as industrial development. Offices support both small and large businesses, which on average, have a higher wage scale than most of the agricultural economy and some of the manufacturing/warehousing economy.

The Farmersville General Plan provides for four types of commercial land use designations:

- **Central (downtown),**
- **General**
- **Service, and**
- **Highway**

Each of these types of commercial uses is necessary if the community wishes to provide services and shopping opportunities for its citizens. Further, if a city is going to maintain its sales tax base, it is imperative that it not only retain its own shoppers but that it also attract shoppers from surrounding cities and outlying rural areas.

For each type of commercial development to be successful, it must be properly located, it must have adequate access and it should be designed so that it will attract patrons. For example, a parcel of land that is designated for general commercial uses should front onto a major roadway (with high traffic volumes), it should be designed so that it is attractive and visible from the



See also Issue 11: Economic Development

roadway and it should incorporate ample off-street parking.

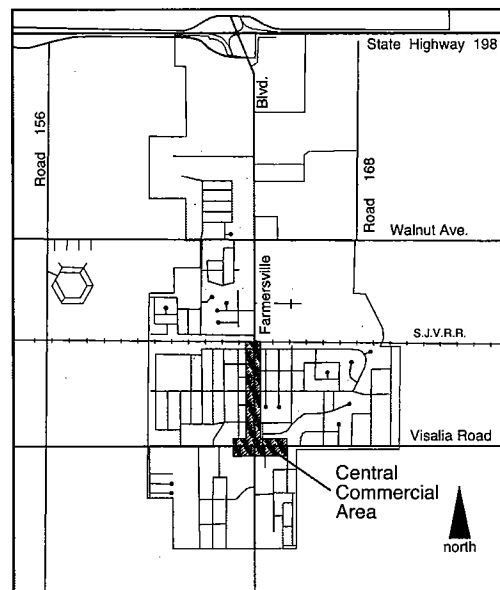
Commercial developers also have a responsibility to the community to create projects that are pleasing in appearance, are well-maintained, and which are not disruptive to surrounding properties. Indeed, it is these types of uses that will form the community's image.

Goals, Objectives, Action Plans:

I. Ensure that different types of commercial development are provided for in Farmersville.

1. The General Plan Land Use map designates sufficient land to accommodate projected commercial development through the planning period.
2. Continue to monitor commercial land demand and accommodate requests to redesignate land for commercial development as demand warrants, subject to the following guidelines:
 - a. The site has direct access to a major street, such as Farmersville Boulevard, Visalia Road, Walnut Avenue or the Highway 198 frontage roads.
 - b. Development of the site for commercial use would not negatively impact adjacent residential uses.
2. Allow service commercial uses to be located in Farmersville's industrial areas.
 - a. Amend Farmersville's Zoning Ordinance to provide for service commercial uses in Farmersville's industrial zone district.
3. Establish a "Central Commercial" zone, for lands in the downtown area (see Map 2-1).
 - a. The Zoning Ordinance should be amended to create a Central Commercial Zone. The zone should facilitate the development of a pedestrian-oriented shopping atmosphere. Buildings should be built to the back of the

**Map 2-1
 Central Commercial Area**

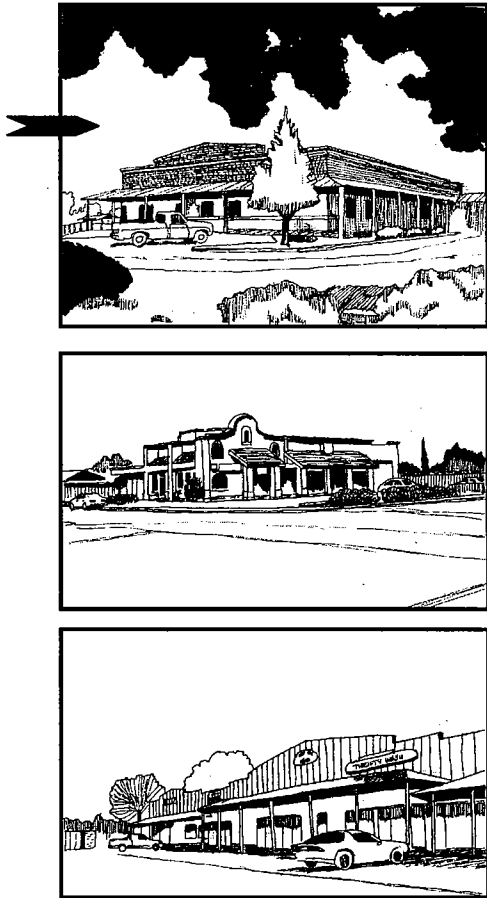


sidewalk with parking located to the rear or side of structures. Shops should feature large storefront windows and pedestrian-scaled signs. Buildings should employ historic-theme architecture that reflects design traditions of Farmersville and the San Joaquin Valley. The Design Guidelines that will be established for the Redevelopment Agency's facade-rehab program can address this issue.

II. Promote commercial development that is aesthetically attractive.

1. All commercial developments shall be processed through the city's site plan review process (or Conditional Use Permit process, where required by the Zoning Ordinance).
 - a. Require each commercial development to be built consistent with an architectural theme that reflects Farmersville's identity and the identity of the San Joaquin Valley.
 - b. The City should establish a set of design guidelines that show graphic examples of good design.
 - c. The Planning Department should work with the Planning Commission to develop and adopt the design guidelines. Guidelines should be advisory in nature.
 - d. All commercial parking lots shall be landscaped and shall be provided with pedestrian-oriented circulation features. The design guidelines will provide graphic examples of these types of features.
3. Promote the development of shopping centers and complementary commercial uses that enhance the city's sales tax position.
 - a. Designate adequate land for larger-scale commercial development along the northern portion of Farmersville Boulevard, and the western portion of Visalia Road.

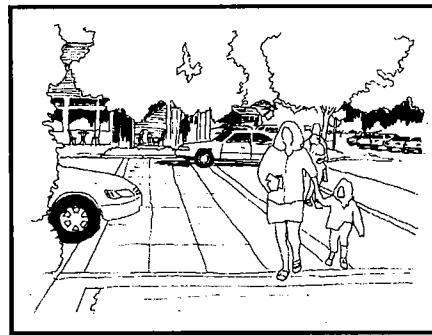
General Plan Committee members agreed that some of Farmersville's commercial buildings set a positive tone and help to create a sense of place that is uniquely Farmersville.



- b. Ensure that the commercial zoning applied to lands along north Farmersville Boulevard and west Visalia Road allows uses that are compatible with each other, such as shopping centers, offices and fast food operations. This zoning should not include service commercial uses like auto repair (unless conducted as a subordinate part of a larger-scale retail commercial business).

III. Encourage commercial development to be pedestrian-oriented.

- 1. Through design, require new commercial development to be accessible by the walking public.
 - a. During Farmersville’s site plan review process the city will insure that the design of the commercial development will be pedestrian-oriented. The previously-mentioned design guidelines will provide examples of good pedestrian-oriented design.
 - b. Encourage downtown stores to provide additional entrances to their stores from the rear.



With careful attention to details, even “suburban” shopping centers can be designed to encourage pedestrian activity.

IV. Pursue a program of economic development to create new businesses, jobs and increase Farmersville’s tax revenues.

- 1. Strategies for economic development are addressed under Issue Eleven: Economic Development, on Page 2-48.

ISSUE FIVE: Downtown Farmersville

One of the main goals of any community's plan is to preserve and strengthen the downtown. Just as a person depends on their heart for survival, a good city has a downtown that pumps life and vigor into the community.

Farmersville's downtown is not as well-defined as the downtowns of most other Tulare County cities. Where most cities' downtowns feature at least several blocks of commercial use in a fairly compact area, Farmersville's commercial uses are situated in strip-fashion along Farmersville Boulevard and Visalia Road. In addition, Farmersville's downtown generally lacks the historic buildings found in most communities.

Despite these circumstances, there is potential for Farmersville to strengthen the image of its downtown and fortify it as the heart of the community. Indeed, this goal was voiced perhaps more than any other during the General Plan Committee workshops.

Downtown Farmersville Goals:

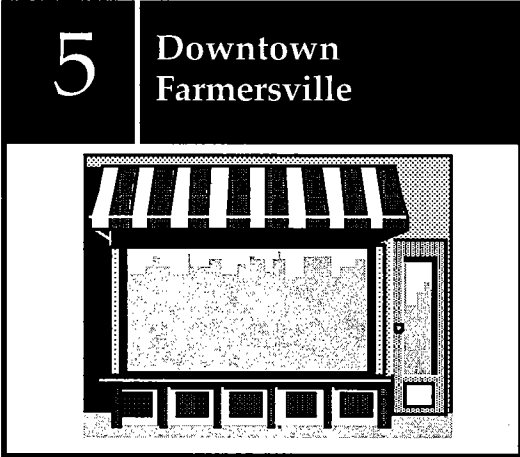
Character and Quality of Environment

I. Enhance Farmersville's quality of life by providing a Downtown which is inviting, friendly, clean, safe and aesthetically pleasing.

1. The Redevelopment Agency shall establish a facade improvement program whereby low- or no-interest loans are made to businesses to improve their exterior appearance. Such programs exist in Exeter and Woodlake.
 - a. The Executive Director and City Planner will work together to formulate a facade rehab program.

II. Maintain the Downtown as the government, civic and retail/office center for the City.

1. The City should try to locate future government facilities in the downtown area. Future school district and county facilities should also be encouraged downtown.



See also Issue 11: Economic Development

2. The City should implement the recommendations of the “Farmersville Boulevard Revitalization Study”, prepared by Urban Futures, Inc. in 2001. This study features a number of recommendations, listed to the right.
3. The City should prepare a Downtown Farmersville Specific Plan which outlines land use, circulation and aesthetic strategies to improve the downtown area. The City Manager will work to identify funding sources for preparation of the plan.

III. Identify and promote Downtown as the entertainment, cultural and community activity center of Farmersville.

1. The City should encourage downtown merchants to form an association or perhaps a property-based improvement district.

Housing

I. Promote multi-family and senior citizen housing in the Downtown area, to facilitate diversity, security and to extend “life of the streets” into evening hours.

1. The City should promote the downtown area as a location for future multi-family development
 - a. The Land Use Map identifies the downtown as a mixed use area, which permits the combination of residential and commercial land uses

II. Protect and enhance the integrity of the residential neighborhoods adjacent to the Downtown.

1. In the establishment of new uses, ensure that adequate screening and buffering are provided to protect adjacent neighboring uses. At the same time, work to establish good pedestrian connections between the downtown and adjacent neighborhoods.
 - a. The Site Plan Review process will focus on techniques to buffer adjacent neighborhoods

Farmersville Boulevard Revitalization Study Recommendations

- Coordinate with State of California Department of Trade and Commerce to market the downtown (and community as a whole)
- Host community events to bring people to the downtown.
- Establish a community outreach program.
- Create a business retention program.
- Create development information handouts.
- Establish a retail development program that involves financial participation by the City.
- Establish a building improvement loan program.
- Undertake a comprehensive planning effort for the downtown area.
- Work with property owners to understand their market.
- Install infrastructure improvements.
- Install signage and landscape improvements.
- Work with realtors to represent the downtown area.
- Establish design guidelines.

Source: Farmersville Boulevard Revitalization Study, 2001

from the undesirable effects of adjacent commercial development.

Circulation

I. Create a safe and comfortable environment in the Downtown where pedestrians, bicyclists, vehicular traffic and parking work in harmony.

1. The to-be-prepared Downtown Specific Plan will propose circulation improvements in the downtown area.

II. Identify the location of the Downtown for the traveling public.

1. The City should prepare unique and attractive directional signs that point the way to downtown.

Parking

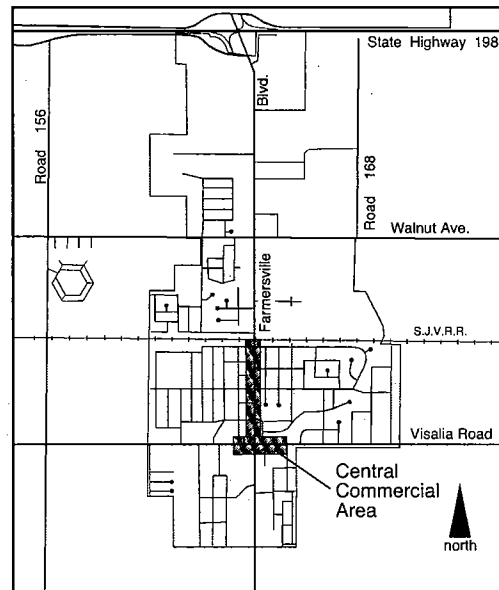
I Provide sufficient, accessible parking for automobiles and bicycles.

1. The proposed Downtown Specific Plan shall analyze existing parking conditions and make recommendations to increase the supply of parking both on and off street, in the downtown area.
2. The City should encourage the use of shared parking agreements in the downtown area, in order to reduce the amount of land consumed for surface parking.
 - a. Survey other cities that utilize shared parking agreements to determine the best method for doing this.

II. Ensure parking areas are convenient, attractive and safe. At the same time, minimize the negative visual impacts of parking lots through careful placement, landscaping and screening techniques.

III. Balance the parking downtown so there are sufficient spaces to efficiently meet shoppers' and tenants' needs for future land requirements for new building construction.

**Map 2-2
 Downtown Farmersville Specific
 Planning Area**



IV. Provide and maintain infrastructure to meet the needs of Downtown growth.

1. The City shall continue to monitor infrastructure needs and make repairs and upgrades as necessary. The proposed Downtown Specific Plan should identify any deficiencies in the infrastructure system and propose remedies.

ISSUE SIX: Industrial Development

Industrial development generally provides the economic foundation for a city in that it is a source of employment and it provides a flow of revenue into the city from outside sources - other businesses buying raw materials or finished goods from the local industry.

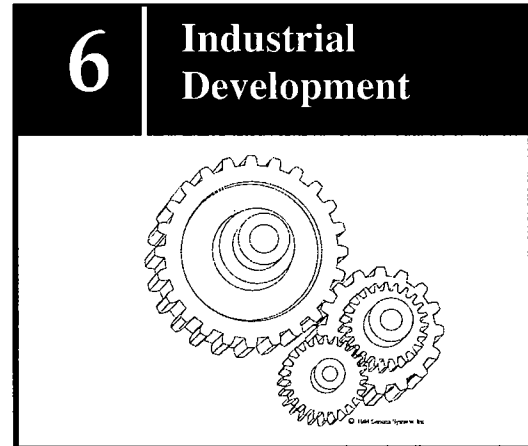
Industries are typically poor land use neighbors because they can generate large volumes of truck traffic, they can produce noise and odors, they may pose public health hazards and they can be unsightly. For these reasons, it is important that they be properly located in the community - away from land uses that are sensitive, such as schools, residential development and parks.

Goals, Objectives, Action Plans**I. Designate sufficient land to accommodate industrial development in Farmersville.**

1. The Land Use map designates land to accommodate industrial development in Farmersville through the year 2025. When warranted, the City shall require the establishment of buffers, incorporating landscaping, walls or other effective measures.

II. Ensure that new industrial development does not conflict with existing or planned adjacent or nearby uses.

1. The City shall review zoning standards to ensure that adequate measures are in place to achieve this goal.
 - a. When warranted, the City shall require the establishment of buffers, incorporating landscaping, walls or other effective measures.
2. The City Engineer will review each industry that wishes to locate in Farmersville to ensure that the project will not have an adverse impact on Farmersville's sewer or water systems.
 - a. The City Engineer will require industries that generate high strength industrial



See also Issue 11: Economic Development

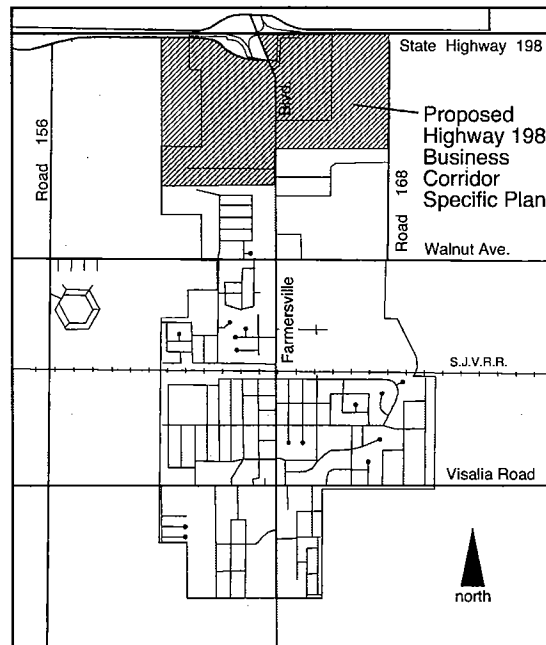
effluent to mitigate this impact by either pre-treating the effluent or by paying an appropriate wastewater impact fee to defray the city's cost of treating the effluent.

3. New industrial uses will be processed through Farmersville's site plan review process, or Conditional Use Permit process (as applicable) to ensure that they do not conflict with surrounding land uses or adversely impact the health and safety of the community.
 - a. The Farmersville Planning Commission will apply conditions to industrial projects that will insure that surrounding land uses and the community will not be adversely impacted.

III. Pursue a program of economic development to create new industries, jobs and increase Farmersville's tax revenues.

1. Prepare a "Highway 198 Business Corridor Specific Plan for the area in north Farmersville shown on the map to the right. The Specific Plan should detail street alignments, utilities, parcelling, development standards and funding mechanisms. While emphasis should be on encouraging industrial development, complementary commercial uses should also be permitted.
1. Strategies for industrial economic development are addressed under Issue Eleven: Economic Development, on Page 2-48.

Map 2-3
Highway 198 Business Corridor
Specific Planning Area



ISSUE SEVEN: Public Facilities**I. The city should pursue expansion of public facilities, as needed.**

1. Plan for expansion of the Public Works yard by acquiring adjacent properties and seeking funding for the expansion.
 - a. The Land Use map identifies expansion of the Public Works yard.
2. Consider future relocation of the Civic Center to a more centralized location in the city's downtown area.
 - a. Explore the possibility of building a new civic center in the downtown area. One possible site is the land adjacent to the railroad track, west of Farmersville Boulevard. This site could function as a multi-use facility and include the proposed Museum of the Farmworker. Given its location, an historic railroad architectural theme would be appropriate for this structure.
2. The City should work with the school district to identify building projects where the city and district could work together. These projects could include:
 - multi-purpose room
 - gymnasium
 - theater

II. Public facilities should be located in the core of the community, when possible.

1. As previously mentioned, the City should consider relocating City Hall to the site adjacent to the railroad, west of Farmersville Boulevard.
2. Other public facilities should be directed to locate in the downtown area. Existing downtown public facilities (such as the post office) should be encouraged to remain in the downtown.



See also Issue 8: Schools

- III. If a public agency identifies the need to relocate, the city shall work with the agency to keep the facility in the downtown area.

III. Public facilities should make an aesthetic statement in terms of appearance and architectural style.

1. When new public buildings and facilities are developed, the City should take an opportunity to set the tone it expects for the community, in terms of quality design.

IV. Where possible, public facilities should have multi-purpose uses.

1. Construction (or) restoration of public buildings should provide for public meeting rooms.
 - a. Public meeting rooms should be equipped with modern audio-visual equipment and the room should also be wired for modern telecommunications.

ISSUE EIGHT: Schools

Schools are the cornerstone of any community. A good school system can provide the foundation for citizens to prosper. Equally important is a good relationship between the city and local school district. Schools are major land use features in the community. The City and school district must work together to plan for future expansion of the school system and ensure the system can respond to demands of future growth.

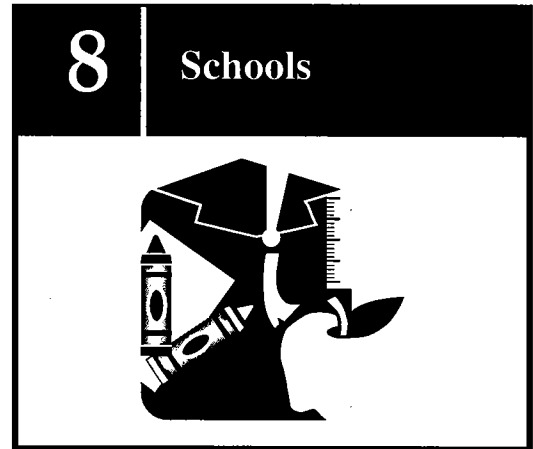
Goals, Objectives, Action Plans

I. Promote community-based schools.

1. The City, Farmersville Unified School District and the community should all be involved in the design and location of schools.
 - a. To the greatest extent possible, schools should be multi-purpose in nature.
 - b. Schools (as appropriate) should be available for use by the community during non-school hours.
 - c. Schools should be designed to accommodate some of the community's recreational needs, like playing fields, hard courts and running tracks.

II. Work to develop schools that are easily accessible and free from land use and circulation conflicts.

1. Schools should be located in areas of the community where they are easily accessible for school-aged students.
 - a. Schools should be designed so that they can be easily accessed from adjacent residential developments.
 - b. Schools should be designed so that students can be easily dropped off by their parents.
 - c. Bus drop-off zones should be separate from where parents drop off their children.



The General Plan Committee watched a presentation about the town of Gaylord, Michigan which involved the entire community to build a multi-purpose educational center open to all residents.

2. The location of schools should not be on roadways that attract other types of significant traffic (e.g. commuter, industrial or commercial traffic).
 - a. Elementary and middle schools should not front onto major collector or arterial roadways.
 - b. Sidewalks should be installed on all streets around a school site.
 - c. Schools should be connected to bike path systems.
3. To the best extent possible, schools should be centrally located in the neighborhoods they are expected to serve.
 - a. Existing, centrally located schools should consider acquiring adjacent property for future expansion.
 - b. The Land Use Map identifies the area south of Farmersville High School for future school development.

III. Encourage schools to establish partnerships with other public entities.

1. Farmersville Unified School District should forge a working relationship with College of Sequoias as it pertains to agricultural, technical and mechanical training courses. In addition, the City could employ summer interns in a variety of positions.

IV. Work with educational institutions to fashion a training program that teaches skills that mirror local industrial sectors, including equipment repair, irrigation technology, food processing, nurseries, and agricultural technology.

1. Farmersville Unified School District should develop training and vocational programs for students that wish to be employed in the above sectors.

IV. The School District should develop programs in cooperation with organizations such as Proteus Inc., C-Set, and the Tulare County Private Industry Council.

V. Encourage college courses to be taught in the Farmersville area.

1. Farmersville Unified School District should provide classroom space for College of Sequoias classes.
2. The School District should make its facilities available to other institutions that wish to provide instruction, training, or certification.

VI. Work to resolve school district boundary conflicts between Farmersville Unified School District and Visalia Unified School District. Farmersville U.S.D.'s boundaries should include at least the City's Urban Area Boundary.

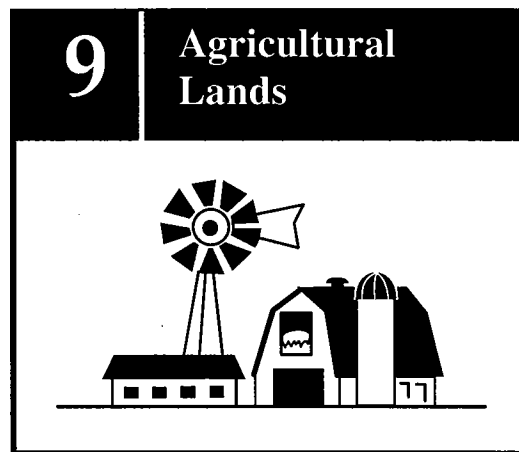
1. The two school districts should meet regularly to resolve boundary issues. A date should be set for completion of this goal. The City may wish to participate in this activity.

ISSUE NINE: Agricultural Lands

Agriculture is the primary industry in the Farmersville area. This basic industry employs almost 30 percent of the city's labor force. Agriculture is a relatively stable industry when compared to other industrial sectors, like manufacturing, tourism, and the transportation industries. For this reason, agriculture should be encouraged in the Farmersville area. Further, land use policies that minimize the impacts between urban and agricultural uses should be promoted.

Goals, Objectives, Action Plans**I. Farmersville will ensure that its primary economic base (agriculture) is protected.**

1. New subdivisions shall be located no more than 1/8 mile of existing or approved urban development.
 - a. The Planning Commission and City Council shall make a finding in approving General Plan Amendments and Zone Changes, to ensure the foregoing statement is true.
2. Encourage Tulare County to maintain large-lot agricultural zoning (20 acre minimum) to land within Farmersville's Urban Area Boundary.
 - a. The City of Farmersville shall oppose any county development within its Urban Area Boundary that creates parcels of land smaller than 20 acres.
3. Moderately increase overall residential densities so that Farmersville utilizes land more efficiently.
 - a. The Smart Development zone will offer moderate increases in residential density as an incentive for developers to utilize this zone district.
3. Urban uses, to the best extent possible, should be separated from agricultural uses by streets, railroads, canals or similar man-made or natural barriers.
 - a. Adoption of the Land Use Element and Land Use Map will implement this policy.



See also Issue 2: Growth Management

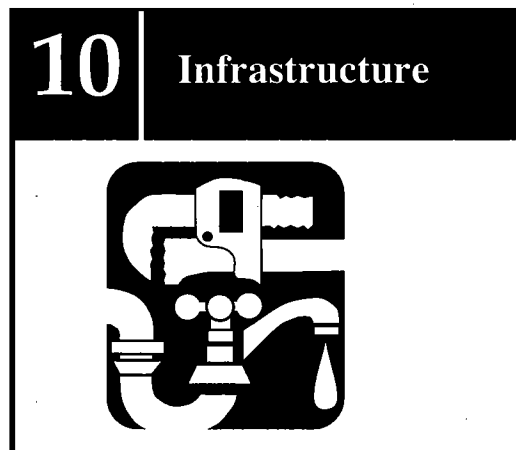
ISSUE TEN: Infrastructure

Infrastructure generally refers to a city's utilities - water, sewer, storm drainage, gas and electric, phone and cable television services. In Farmersville, the city operates water, sewer and storm drainage systems. The other utilities are operated by private firms.

The operation and maintenance of infrastructure is of paramount importance to cities. Without these services, human health and well-being would be in jeopardy. Good infrastructure can also serve as an economic development tool. For instance, many industries require water supply, and wastewater disposal capacity. Farmersville must strive to maintain its existing infrastructure while planning for expansions to accommodate future growth and development.

I. Adequately finance infrastructure systems.

1. New development shall be required to install water, sewer and storm drainage improvements to serve their needs.
 - a. The City Engineer shall evaluate development projects and identify infrastructure needs, in the form of conditions of approval.
2. Farmersville's water, sewer and storm drainage master plans shall be reviewed in order to ensure that they can properly and efficiently serve future development provided for by the Land Use Element.
 - a. The City's water, sewer and storm drainage development impact fees shall be reviewed on an annual basis. This review should focus on the relationship between the amount of fees being collected for each of the accounts and the future capital needs of each system based on development trends in Farmersville.
 - b. The modification of the City's development impact fees should be consistent with Assembly Bill 1600, which requires a clear relationship between fees and their purpose.



See also Issue 11: Economic Development

2. The City should continue to seek state and federal grants for the upgrading and expansion of its infrastructure systems.

II. Ensure infrastructure master plans and the general plan are consistent with one another.

1. The Land Use Element shall identify where development will occur in Farmersville through the year 2025. The Element will be fashioned so that it is generally in concert with existing master plans.

III. Maintain, rebuild and upgrade infrastructure systems.

1. The City shall update its 5-Year Capital Improvement Program to ensure that its infrastructure system can accommodate the urban growth prescribed by the Land Use Element.
2. The Redevelopment Agency should prepare a 5-Year Capital Improvement Program to assist in the maintenance, rebuilding and upgrading of Farmersville's infrastructure system, within the Redevelopment Project Area.
3. The City should work with the private sector to participate in the upgrading of the infrastructure system when it is developing in the City.
 - a. From time to time, the City may wish to work with a developer to upgrade a part of the infrastructure or street system that is not part of the project being developed.

ISSUE ELEVEN: Economic Development

Economic development is an increasingly important issue for many cities. New and well-paying jobs must be available for residents if a community is to prosper. In addition, new development can generate revenues needed to fund local government and services. Farmersville must continue to pursue economic development to better the lives of its residents and to ensure that necessary services will be available to the community

Goals, Objectives, Action Plans**Land Resources****I. Ensure that adequate land exists for future commercial and industrial development**

1. The General Plan's Land Use Map designates sufficient land to accommodate commercial and industrial land demand through the planning period.
2. The City Planner shall maintain a map that shows readily-developable lands designated for commercial and industrial development.
3. Continue to monitor local market needs and amend the land use map (as appropriate) to accommodate commercial and industrial development.

General Issues/Marketing**I. Foster a better business climate by developing communication among the business community, City Council and City administration.**

1. Schedule an annual meeting between the Chamber of Commerce and City Council, to discuss business and development issues.
2. Continue to participate in efforts to market Farmersville to outside developers through the Tulare County Economic Development Commission.



See also

Issue 4: Commercial Development

Issue 5: Downtown

Issue 6: Industrial Development

- a. The City Manager shall be responsible to maintain a relationship with the EDC.

II. Increase the number of businesses operating in Farmersville, in order to generate more sales, property, business and transient occupancy taxes.

1. Conduct an economic study to target development of new businesses in Farmersville.
2. The Farmersville Redevelopment Agency should financially assist, where possible, businesses wishing to locate in the Redevelopment project area. Targeted businesses should offer the “most bang for the buck” in terms of jobs created and potential tax revenues.
3. Invite a university team to conduct a project study aimed at improving Farmersville’s commercial and industrial climate.
4. Seek to have Farmersville designated as an Enterprise Zone. This type of zone provides tax incentives to businesses that locate in the community.
5. Agressively pursue grants to provide the installation of infrastructure to serve new commercial and industrial development.
6. Investigate and promote the use of the railroad as a resource for industry in Farmersville.
7. Develop a web site for the City of Farmersville. The web site could be used to market the city, as well as provide essential information for residents.
 - a. The City Council should budget general funds for the development of a web site for the City of Farmersville. The City could also consider utilizing high school students to design and maintain the website.
 - b. The site should also provide socio-economic information on the city, information on city services, and a photo essay of the community.



The City of Lindsay was designated as an Enterprise Zone in 1996



As of 2001, six of Tulare County’s eight cities have a city website.

8. Consider hiring an economic development specialist/grant writer, to pursue industry leads and grant funds. The City may wish to consider sharing this position with other neighboring communities, in order to reduce expenses.

III. Encourage organizations to use Farmersville as a destination for meetings, conferences, and seminars.

1. The Farmersville Chamber of Commerce should conduct an annual survey of its members to identify leads for upcoming meetings and conferences that could be held in Farmersville.
2. Opportunities for holding meetings and seminars in Farmersville should be detailed on the City's web site.
3. The City should explore opportunities to incorporate meeting space in buildings it owns. For example, meeting space could be developed at City Hall.

Business Retention/Expansion

I. Assist existing industries to expand their operations and increase employment.

1. The City and/or Chamber of Commerce should (on an annual basis) contact existing industries to determine if they have plans for expansion and if there are tasks that the city and chamber could assist them with.
2. The Farmersville Redevelopment Agency should develop an Existing Company Expansion Program where funds would be provided by the Agency to a company if they hired additional employees.
 - a. The Redevelopment Agency could use redevelopment or CDBG funds to finance an existing company expansion program.

- V. The Redevelopment Agency should develop an outreach/marketing program to publicize the expansion plan.

Employment

I. Diversify Farmersville’s employment base

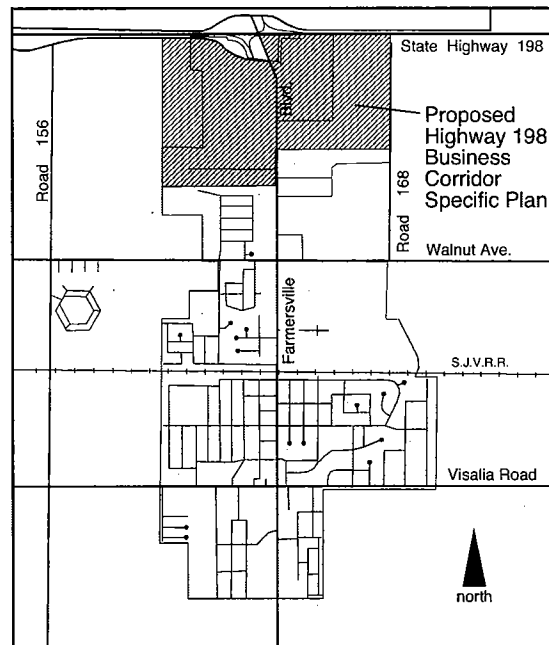
1. Prepare an Industrial Area Specific Plan for Farmersville’s northern area (see Industrial Economic Development Goals).
2. Work with local community college districts to provide technical training programs for employers and employees.
 - a. Encourage college courses to be taught in the Farmersville area.
 - b. Farmersville Unified School District, or the City could provide classroom space for college courses.
 - c. The City and school district could make meeting facilities available to other institutions that wish to provide instruction, training or certification.

Industrial

I. Attract industries that are complementary to the existing work force, that do not adversely affect air quality, the city’s waste water treatment plant or the city’s water system and do not have a negative impact on the health and safety of the neighborhood or on the community as a whole.

1. Prepare a “Highway 198 Business Corridor” Specific Plan for the area in northern Farmersville designated on Map 2-4, to the right. The Specific Plan should identify future roadway alignments, land parcellization, major utility trunk lines and specify property development standards. Once completed, the Specific Plan should be used to obtain grant monies to help develop the area.
 - a. The City Council should appropriate money and establish a time goal for completion of the Industrial Area Specific Plan.

**Map 2-4
 Highway 198 Business
 Corridor Area Specific Plan
 Planning Area**



2. Seek industries that compliment the local work force, such as agricultural equipment repair and manufacturing, nurseries, warehouses and packing houses, and trucking and farm management.

II. Diversify the City's industrial base.

1. Work with the Chamber of Commerce and Tulare EDC to attract new industries to the City.
2. Utilize redevelopment funds to financially assist new companies to locate in Farmersville.
 - a. Financial assistance should be based on the number of jobs being created by the new company and/or by the hourly wages paid by the company.

III. Explore the possibility of expanding the local rail line to serve Farmersville's future industrial area.

1. The City and Chamber of Commerce should work closely with the San Joaquin Valley Railroad to identify opportunities and constraints to constructing rail sidings or spur lines to serve industrial uses in Farmersville.

Fiscal Conditions

I. Facilitate a strong sales tax base.

1. The City should attempt to reverse the leakage of sales tax dollars to surrounding communities by:
 - working to attract new retail establishments to the community.
 - retaining existing businesses.
 - maintaining high standards that create an attractive business climate which is inviting to prospective new businesses.
2. The City should seek to attract moderate-sized retail stores that sell the kinds of goods presently not found in Farmersville, including appliances,

furniture, electronics, and home improvement supplies.

- a. The Land Use map shall identify adequate land reserves for future retail commercial development.
3. A sales tax audit should be prepared for the city of Farmersville.
 - a. The City should contract with a consulting firm that provides this service.
 4. Encourage an automobile dealership to locate in Farmersville.
 - a. The City and Chamber of Commerce should work to attract an automobile dealership to lands fronting State Highway 198.
 - b. Identify other types of high sales-tax generating dealerships (boats, trailers, farm equipment) that could be located in Farmersville.

Downtown

I. Promote shopping in Farmersville's downtown.

See also Issue 5: Downtown

1. Continue to identify other uses that could be located in the downtown that would be compatible with existing downtown uses, like antique stores, gift shops, restaurants, and banks.
2. Continue to work with building owners in the renovation of their building facades in order to make the storefronts more attractive.
 - a. The Redevelopment Agency should establish a facade rehab program that offers financial assistance to building owners willing to upgrade the exterior of the buildings, in the downtown area.
 - b. Develop guidelines to implement the facade rehab program.

3. Identify, design and construct downtown streetscape improvements that make the downtown a more desirable place to visit and shop, including antique lighting, landscaping planters, street trees, benches paseos, signage and accent paving.
 - a. Prepare a Downtown Farmersville Specific Plan to implement the foregoing objectives.

II. Promote the conversion of residential dwellings in the downtown area into office and/or retail uses.

1. Amend the zoning ordinance to allow residential dwelling units in the downtown to be converted to office or retail uses. Also encourage the establishment of “live-work” units where residents live and work in the same building.
 - a. All conversions will be processed through the city’s site plan review process.
2. Promote “mixed use” development in the downtown area.
 - a. The Land Use map identifies the downtown area for mixed use development.
 - b. The Redevelopment Agency should assist developers interested in a mixed use project.

Mixed Use Development



Typical mixed use: Retail commercial and offices on the ground floor, apartments above.

Redevelopment

I. Enhance tax increment revenues by encouraging development to occur in the redevelopment district.

1. The City could consider the reduction of development impact fees in the redevelopment district in order to encourage infill development.
2. The City could consider encouraging higher residential densities in the redevelopment district in order to facilitate infill development.
3. The Redevelopment Agency should fashion a financial assistance program that promotes development within the District and that such a

program would have the Agency participating financially based on the number of new jobs and tax revenues being created.

4. The Redevelopment Agency should, on behalf of existing companies or companies interested in locating in Farmersville, apply for state or federal grants that assist the company with off-site improvements, purchase of land or equipment or training of employees.
 - a. The Agency should identify state or federal grants that are available for the above listed costs.
 - b. The Agency should send a letter to existing companies in Farmersville asking about their long-term needs in terms of expanding their operation.
 - c. The Agency should provide to the Farmersville Chamber of Commerce information regarding state and federal grants that can be used to pay for the above listed costs.

Infrastructure/Public Services

I. Ensure that development impact fees pay for public improvements required by the general plan and infrastructure master plans.

See also Issue 10: Infrastructure

1. Review Farmersville's development impact fees to ensure that new uses pay their fair share of the costs of providing infrastructure and services, while remaining competitive with other communities.
 - a. A new fee schedule shall be developed for Farmersville's development impact fees.
 - b. The City Engineer shall review Farmersville's sewer, water and storm drainage impact fees and forward a recommendation to the City Council regarding any modification.

- c. The City Planner shall review Farmersville's park impact fees and forward a recommendation to the City Council regarding any modification.
 - d. The City Planner shall identify any new impact fees that would be appropriate for financing other public improvements delineated by the General Plan.
3. The fees for Farmersville's planning, subdivision and zoning applications should be reviewed and amended every two years, as necessary.
- a. These fees should be developed consistent with Assembly Bill 1600, which requires a clear demonstration between the need for fees and their use.

Agriculture

I. Promote and encourage agriculturally-related industries.

See also Issue 9: Agricultural Lands

- 1. The City should prepare an Industrial Area Specific Plan to establish the planning framework necessary to attract agriculturally-related industries. The Plan would apply to areas in the northern portion of Farmersville designated "Industrial" on the General Plan's Land Use Map.
 - 2. Annually, the Farmersville Chamber of Commerce should survey existing agriculturally-related businesses in the area to gather leads on other similar businesses that might wish to locate in Farmersville.
 - a. Planning staff will assist the Chamber in the preparation of this survey form and in the preparation of a mailing list.
- II. Attract technologies to the Farmersville area that are related to the field crop and citrus industry, including plant breeding, nurseries, integrated pest management, and agricultural chemical companies.**

1. The Chamber working with the Tulare Economic Development Corporation (EDC) should develop and continuously update an information packet detailing the benefits of locating the above types of businesses in Farmersville.

III. Promote agriculturally-related tourism.

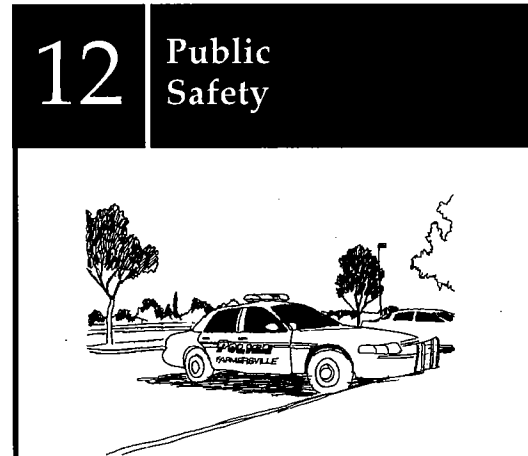
1. The City, working with the agricultural community should develop tours of various sectors of the agricultural economy, including farms, packing houses, cold storage plants and other related businesses.
 - a. The City, working with the Chamber of Commerce, should form a citizen advisory committee composed of persons knowledgeable about the local agricultural economy.
2. The Farmersville Chamber of Commerce and the City should investigate the idea of creating a "Museum of the Farmworker".
 - a. The City, working with the Chamber of Commerce, should form a citizen advisory committee composed of local historians, farmworkers, industry leaders and persons interested in the museum to investigate the likelihood of establishing such a museum.
 - b. This group should develop a time-line, a financing plan, and a schematic plan for the museum.
 - c. The City should seek state grants, donations and foundation funding for the construction of the museum.
2. A Certified Farmers Market should be established in the downtown area once a week.
 - a. The City should work with the local Chamber of Commerce to make a farmers market a reality.
 - b. Consult with other communities who are currently holding farmers markets.

ISSUE TWELVE: Public Safety

These types of services are crucial to the public's health, safety and welfare. Public safety, which includes police and fire, ensures that the public and their possessions are protected from criminal elements and exposure to fire and hazardous materials; emergency medical services respond to calls for emergency medical response and potentially, the need to transport the victim to a local health care facility; and health care facilities, which include hospitals, medical clinics and other types of medical-related uses, provide to the public physical and psychological care and treatment.

Goals, Objectives, Action Plans:**I. Promote a safe community that is free of crime and fire hazards**

1. Through the City's Site Plan Review process, new developments should be designed so that that crime and fire safety are considered in the design.
 - a. Ensure that all new uses have water available to the site and that proper water pressure is also available.
 - b. Buildings larger than 5,000 square feet in size should be equipped with sprinklers.
 - c. Ensure that all new uses are properly equipped with on-site lighting to promote safety and security. At the same time, ensure that outdoor lighting does not become a nuisance by unnecessarily illuminating adjacent properties. Involve officials from the Police and Fire Department to ensure that safety concerns are addressed in the site design process.
2. The City shall establish a Site Plan Review committee to provide early review of development projects. This goal will ensure that communication between various departments/agencies and project applicants is maximized in the development process. The



committee should be comprised of individuals representing agencies that may serve or otherwise be affected by a project, including:

- City Planner
- City Manager (as needed)
- City Engineer
- Public Works
- Fire Department
- Police Department
- Local utility companies:
- Southern California Edison
- The Gas Company
- Cable TV
- Irrigation District (as needed)
- Farmersville Unified School District (as needed)

The project applicant/agent should also attend the committee meeting.

The City Planner shall establish a procedure for the site plan review committee that should include the following:

- Set a regular daytime meeting date/time (twice a month is recommended)
 - Copies of site plans are mailed to agency representatives two weeks before the meeting.
 - Agency representatives should review plans and submit comments to the City Planner at least three days prior to Site Plan Review Committee meeting.
 - At the meeting, agency representatives can explain their comments and/or ask questions of the applicant, regarding the project.
 - After the meeting, agency representatives should formalize their comments into conditions of approval for the project.
3. The City will continue to upgrade its water system to ensure that adequate water pressure is maintained throughout the system.

**Site Plan Review Committee
 Proposed Process**
*Maximizing Understanding in the
 Planning Process*

- I. Applicant submits site plan to City Planner.
- II. City Planner distributes copies of site plan to Committee members.
- III. Committee members review plans and submit comments, questions, draft conditions to City Planner at least three days before Committee meeting.
- IV. Committee meeting: Site Plan Review Committee meets with applicant and goes over the project.
- V. After meeting, committee members formalize conditions of approval and submit them to City Planner.
- VI. City Planner prepares staff report and resolution on project, incorporating conditions of approval received from committee members.
- VII. Public hearing (or staff action) on project.

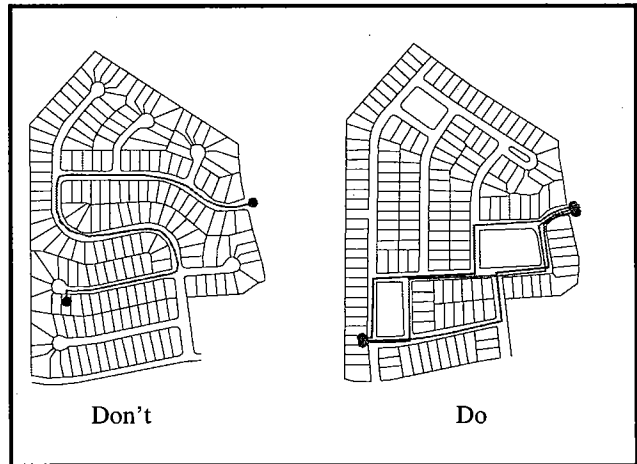
- a. The City should amend its development impact fee schedule to provide funds for replacement of old water lines.
- b. The City should amend its development impact fee schedule to provide funds for future water facilities.
4. Developments should be designed so that access is maximized.
 - a. The Site Plan Review process will ensure that new developments provide proper access for public safety vehicles.

II. Ensure that public safety departments are adequately financed.

1. The City should apply for state and federal grants that can provide money to supplement the city's police department revenue.
2. The Police Department should implement innovative programs that promote an efficient delivery system, such as:
 - A volunteer program
 - Take-home car program
 - K-9 Unit Program
3. The Fire Department should implement innovative programs that promote an efficient delivery system, such as:
 - a. A volunteer program
 - b. Promoting sprinklers to be installed in new commercial and industrial developments

111. Promote a cooperative working relationship between city public safety departments and other agency public safety departments.

2. The City should maintain a strong working relationship with the Tulare County Fire



Developments should be designed to maximize access. This increases the effectiveness of crews in responding to emergencies.

Department to ensure that a strong system of mutual aid support continues.

Health Care

IV. Establish an efficient medical emergency delivery system

1. The City should work and maintain communication with with the Exeter Ambulance District to insure that persons in Farmersville are well served in regards to response time by ambulances.

V. Promote the continued operation and future expansion of health facilities within the community.

1. The City should work with Kaweah Delta District Hospital (K.D.D.H.) and other entities that provide medical care to provide medical services to the community, especially for low-income families.
2. The City should encourage the K.D.D.H. to provide outreach programs to Farmersville.
3. The City should seek to attract a medical clinic to the community that caters to persons without medical insurance.

ISSUE THIRTEEN: Public Participation

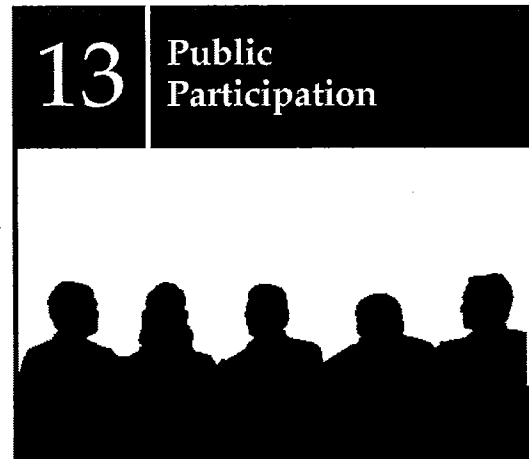
For planning to be successful, citizens must be involved in plan-making. A plan created without public input will more than likely fail, as residents of the community, over time, may not support the plan's goals and principles.

The City took an important step in public involvement by creating a citizen's General Plan committee to work on this General Plan. The Committee met over a period of one year to educate themselves on planning issues, and then formulate goals, objectives and action plans.

The City should continue to strive to involve citizens in the planning process. A number of strategies to do this are available.

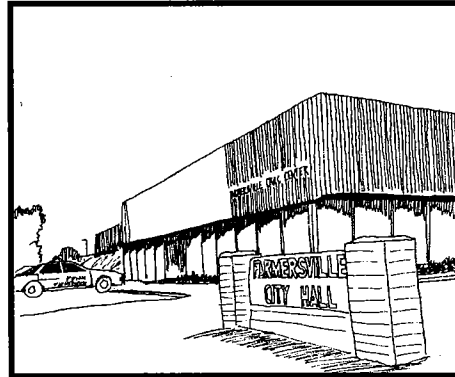
I. Work to educate and involve Farmersville's citizens in the city planning and development process.

1. Convert the General Plan's goals, objectives and action plans into display boards that will be permanently mounted in the City Council Chambers.
2. Maintain planning maps in the City Council Chambers and in the public lobby at City Hall. Maps should include the General Plan, Zoning, existing land uses, vacant lands, flood zones and agricultural preserves.
3. Establish a web site for the City. The website should include details on the city's planning goals and procedures.
4. Develop a set of brochures to explain zoning and development standards in a user-friendly fashion.
5. Re-design planning application forms to make them more user-friendly.
6. Send staff, Planning Commissioners and City Council members to planning workshops and seminars.
 - a. The City shall ensure that funds are available to implement the foregoing



objectives. For printed materials, the city should consider creating Spanish language versions.

7. Establish a beautification awards program where property owners in Farmersville are recognized for their efforts to maintain and beautify their property or businesses. Awards could be given on an annual basis for residential, commercial, industrial and public/institutional land uses.
 - a. The City should work with the Chamber of Commerce to form a citizen's beautification committee, which will undertake an awards program.
8. Review the General Plan every five years. State planning guidelines recommend that cities review their general plans on a five year basis. This gives the community an opportunity to determine how well the plan is functioning and whether amendments may be necessary.
 - a. The Planning Director shall schedule a Planning Commission review of the General Plan, on a five year basis.
9. Require public notices be posted at development sites, announcing public hearings on the matter.
 - a. The Planning Director will require applicants to post public hearing notices at their site.



ISSUE FOURTEEN: Special Issues

The General Plan Committee addressed several planning issues that are unique to Farmersville. These issues include:

- Linnel Farm Labor Center
- Cameron Creek Colony
- Lands along Highway 198

The Committee decided that these issues warrant special attention for the community’s long-term planning goals.

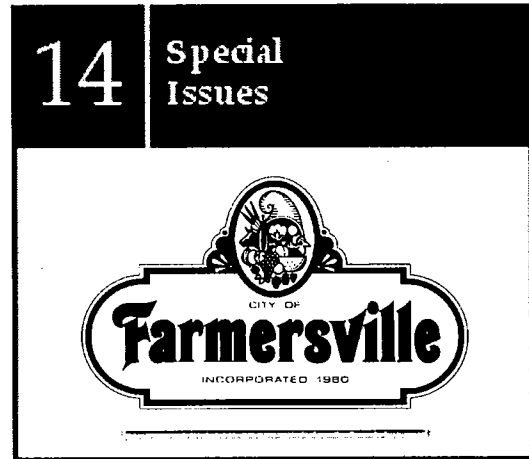
Linnel Farm Labor Center

Linnel Farm Labor Center is a farm labor housing development operated by the Tulare County Housing Authority, on land west of Farmersville. Linnel is situated on approximately 72 acres located on the east side of Road 156 and the south side of Walnut Avenue (Avenue 288). The site was originally developed in the 1950s and includes 191 dwelling units, a community center, day care, recreational areas and manager’s facility. Residency is limited to qualified low-income households.

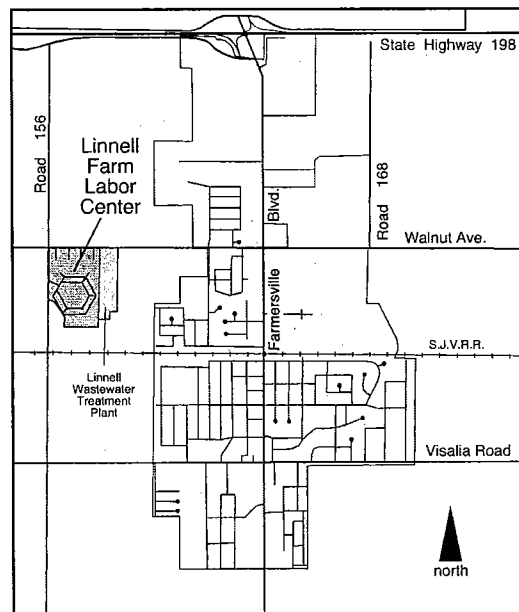
Over the years, Farmersville has been growing towards Linnel. Recent city development is now about one-quarter mile east of Linnel. Linnel has its own wastewater treatment plant, situated on fourteen acres on the east side of the site. Farmersville is down-wind from Linnel and on occasion, odors from the plant are noticeable in the community. The presence of Linnel (and in particular its wastewater treatment plant) may negatively affect Farmersville’s future growth in this area. In light of these concerns, the General Plan Committee formulated several strategies.

I. Establish a long-term framework to allow Farmersville’s continued growth in the vicinity of Linnel Farm Labor Center.

1. Open a dialogue between the City and Tulare County Housing Authority (TCHA) to discuss issues of mutual interest relating to Linnel Farm Labor Center.



**Map 2-5
 Linnel Farm Labor Center**



2. Encourage TCHA to continue to upgrade and improve the appearance of Linnel, through landscaping and routine maintenance.
3. Explore the possibility of closing Linnel's wastewater treatment plant. Identify funding to extend lines from Farmersville's sewer system to serve Linnel, and expand Farmersville's wastewater treatment plant.
 - a. The City Manager shall contact officials of TCHA to set a meeting between the TCHA board of directors and the Farmersville City Council to discuss these issues.

Cameron Creek Colony

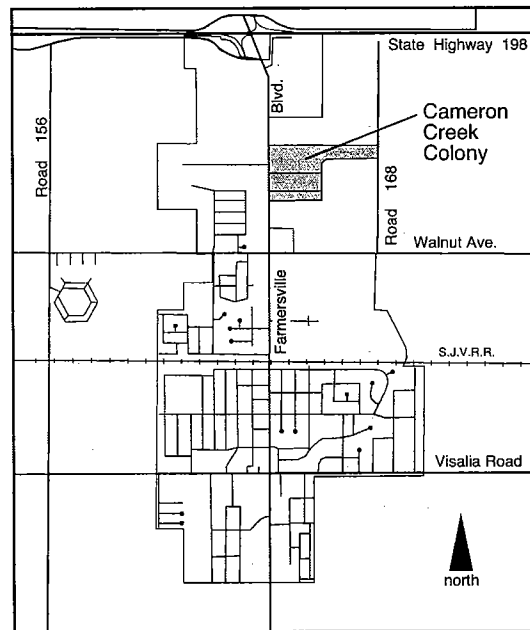
Cameron Creek Colony is a rural residential subdivision situated northeast of Farmersville, on the east side of Farmersville Boulevard, midway between Walnut Avenue and State Highway 198. Road 168 forms the eastern boundary of Cameron Creek Colony. This subdivision was developed many years ago under minimal County requirements.

Many of the dwellings are poorly maintained and appear to be substandard in terms of building and zoning codes. All of the dwellings are hooked to individual on-site septic systems and water wells. Roads are poorly maintained and were constructed without curbs, gutters, sidewalks or street lights. There are no storm drainage facilities. Some residents maintain farm animals on their property.

In 2000, Farmersville's Urban Development Boundary was expanded to include Cameron Creek Colony. This means that although presently under the jurisdiction of Tulare County, the community is ultimately in Farmersville's future growth area.

As Farmersville continues to grow toward Cameron Creek, it is expected that the City will eventually be required to annex the area. This brings a number of concerns to City and County administration, as well as residents of the area. It is likely that Cameron Creek would not be able to pay for public services that it requires, such as police and fire protection, code enforcement, recreation and planning and building

Map 2-6
Cameron Creek Colony



services. In addition, as previously mentioned, much of the subdivision does not appear to meet current city (or County) development standards. As Farmersville continues to grow towards Cameron Creek Colony, the City and County must coordinate on future planning for this area.

Goals, Objectives, Action Plans

I. Open a dialogue between the City and Tulare County officials about the future of the Cameron Creek Colony development. Interested individuals in Cameron Creek Colony should also be involved in this effort.

1. At some point, the City should annex Cameron Creek Colony.
 - a. Work with Tulare County to establish a redevelopment district to generate funding to bring public and private development up to code in Cameron Creek, including streets, utilities and dwellings.
 - b. The City and County should negotiate a special tax-sharing agreement that places the city in a better position to assume public services requirements for Cameron Creek.
 - c. Encourage Tulare County to contract with Self-Help Enterprises to conduct a housing rehabilitation program for willing property owners.
2. Establish land use regulations that reflect the existing rural residential lifestyle in Cameron Creek Colony.
 - a. The Land Use Map identifies most of Cameron Creek as "Rural Residential".
 - b. The City should establish a "Rural Residential" zone to apply to Cameron Creek Colony. The zone should mirror standards contained in the County's existing zoning for the area. This zone should not be utilized in other portions of the planning area.

State Highway 198

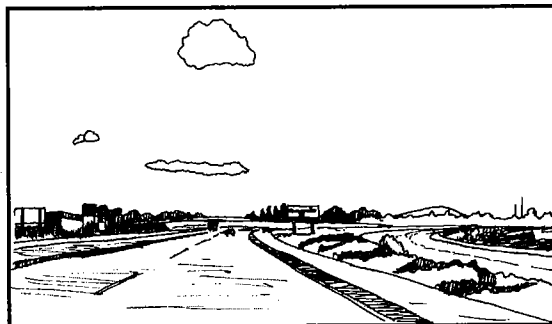
Highway 198 is Farmersville's "front door" to the world. Daily, thousands of vehicles pass by Farmersville on the highway. A number of these vehicles carry international visitors bound for the scenic wonders of Sequoia National Park.

As the city's front door, the City should try to create as attractive an image as possible. This goal is not only for aesthetic reasons but is also economic. Travelers do not want to stop at a location they perceive as unattractive or unsafe.

Likewise, business owners will not choose to locate their firms in a community that does not appeal to them. Establishing an attractive highway presence can help Farmersville bolster its economic development. The City can also take the opportunity to attract retail commercial businesses (such as an automobile dealership) that prefer a high visibility location along the highway. The sales tax benefits for the City could be significant.

Goals, Objectives, Action Plans**I. The City shall take actions to establish an attractive development pattern along lands fronting State Highway 198.**

1. The Land Use Map designates a combination of Highway Commercial and Industrial land uses along the highway.
2. Require attractive landscape and building designs that will reflect positively on Farmersville.
 - a. Establish a special "Highway 198" overlay zone that incorporates special building, landscaping, screening and signage requirements.
3. Erect "Welcome to Farmersville" signs at the interchange of Highway 198 and Farmersville Boulevard.
 - a. The City, Chamber of Commerce and to-be-formed Beautification Committee should

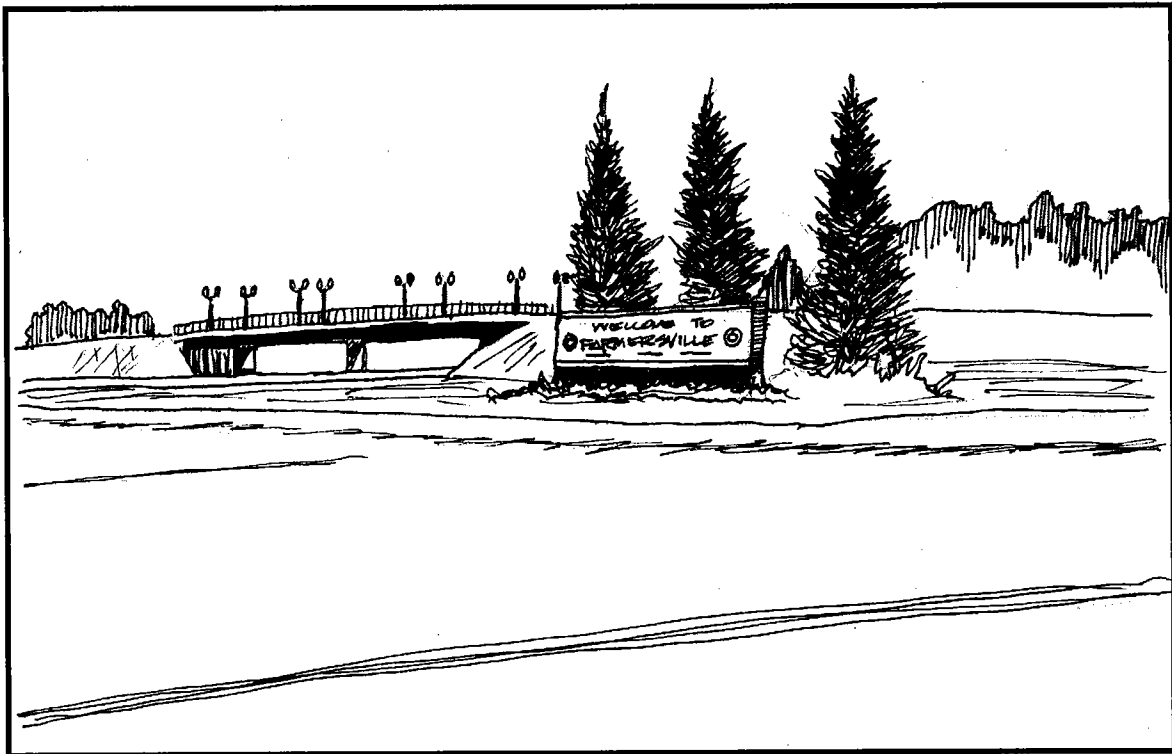


View looking east on Highway 198

Highway 198 is Farmersville's "front door" to the world. First impressions can "make or break" a community's chances of attracting new development and revenue. . .

work together to design, raise funds and establish community identification signs.

4. Work with Caltrans to establish landscaping within the freeway right-of-way.
5. Work with Caltrans to transform the Farmersville Boulevard overpass bridge into an attractive design element. Antique light poles, black wrought-iron railing and banners could be considered.
 - a. The City Manager should open a line of contact with Caltrans to pursue completion of these objectives.



View of Highway 198/Farmersville Boulevard interchange shows “Welcome to Farmersville” sign, landscaping, and decorative light fixtures on the bridge.

Amendments to the Zoning Ordinance

The General Plan includes several recommendations to amend the Farmersville Zoning Ordinance. The Ordinance is one of the city's foremost tools for implementing and enforcing the recommendations of the Plan.

The primary recommendations are for the creation of several new zoning districts. These recommendations are as follows:

Rural Residential Zone (R-R)

The Plan recommends creation of this zone to apply to properties within the Cameron Creek Colony area. Presently, Farmersville does not have a Rural Residential district. The R-R zone would be applied to Cameron Creek upon its future annexation to the City. Most cities in Tulare County have a Rural Residential zone. Typical features include large lot sizes and the provision for the keeping of farm animals. Farmersville should survey other cities' zone district and choose from the best features of each to create its Rural Residential Zone.

Smart Development Zone (S-D)

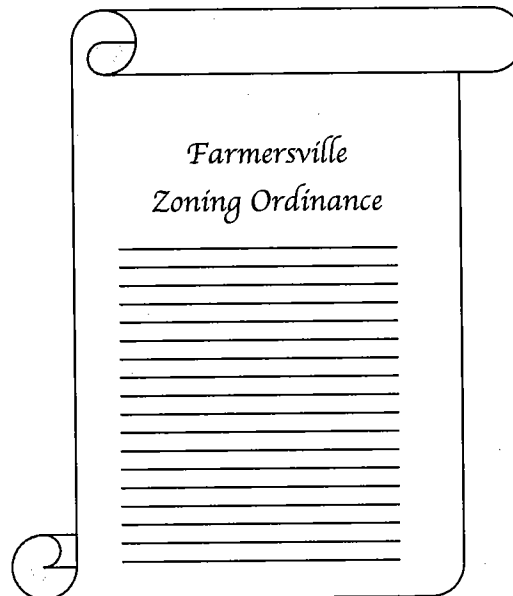
One of the General Plan's primary recommendations is for Farmersville to create a zone to implement "Smart Growth" design techniques. The recommendations for this type of zone are detailed further in Appendix A.

Central Commercial Zone (C-C)

The General Plan recommends the city create a special commercial zone to apply to the downtown area. This zone is intended to help create a downtown environment where pedestrian-oriented shops front the sidewalk, and on-site parking is located to the rear or side of stores.

Highway Commercial Overlay (H-C)

This zone is intended to promote appropriate retail and service commercial uses that cater to the travelling public, in locations along or near State Route 198. Appropriate uses generally would include service stations, restaurants, lodging establishments, convenience stores and other complementary uses. This zone is to be applied along



Highway 198 and is intended to be an "overlay" zone. This means that the zone will be applied as an overlay to the existing zoning designation. The Highway Commercial zone will apply special standards to ensure that development along the highway occurs in an attractive manner, with attractively designed buildings, signs, landscaping, and screening, where desired.

Mixed-Use

As its name implies, the Mixed Use Zone is intended to facilitate the combination of various land uses on a single site or within a single building. An example would be a building that contains retail commercial businesses on the ground floor, and residential units on the upper floor. The mixed use zone should be targeted to appropriate areas of the community, such as the downtown. A mixed use designation could make parcels in the downtown more marketable as the possibilities for development are expanded.

Residential Multi-Family

It is recommended that the R-M zone be reconfigured so that it is consistent with other communities in Tulare County. Two density standards should be established:

RM- 2.5: One unit per 2,500 square feet of land area

RM-4.0: One unit per 4,000 square feet of land area

Zoning Matrix

State planning law requires that the zoning on every parcel be consistent with the General Plan land use designation for that parcel. For instance, a parcel designated “Residential” in the General Plan must be zoned for residential land uses.

Table 2-2 below is a matrix that shows which land use designations are consistent with which zone districts. Land use designations are listed in the left column of the matrix while zone districts run across the top. Shaded boxes show consistency between a land use category and a zone district. For example, a parcel designated “Medium Density Residential” would be consistent with the R-1 zone. Boxes that are unshaded denote inconsistency. Per state law, zoning must always be consistent with its General Plan land use designation.

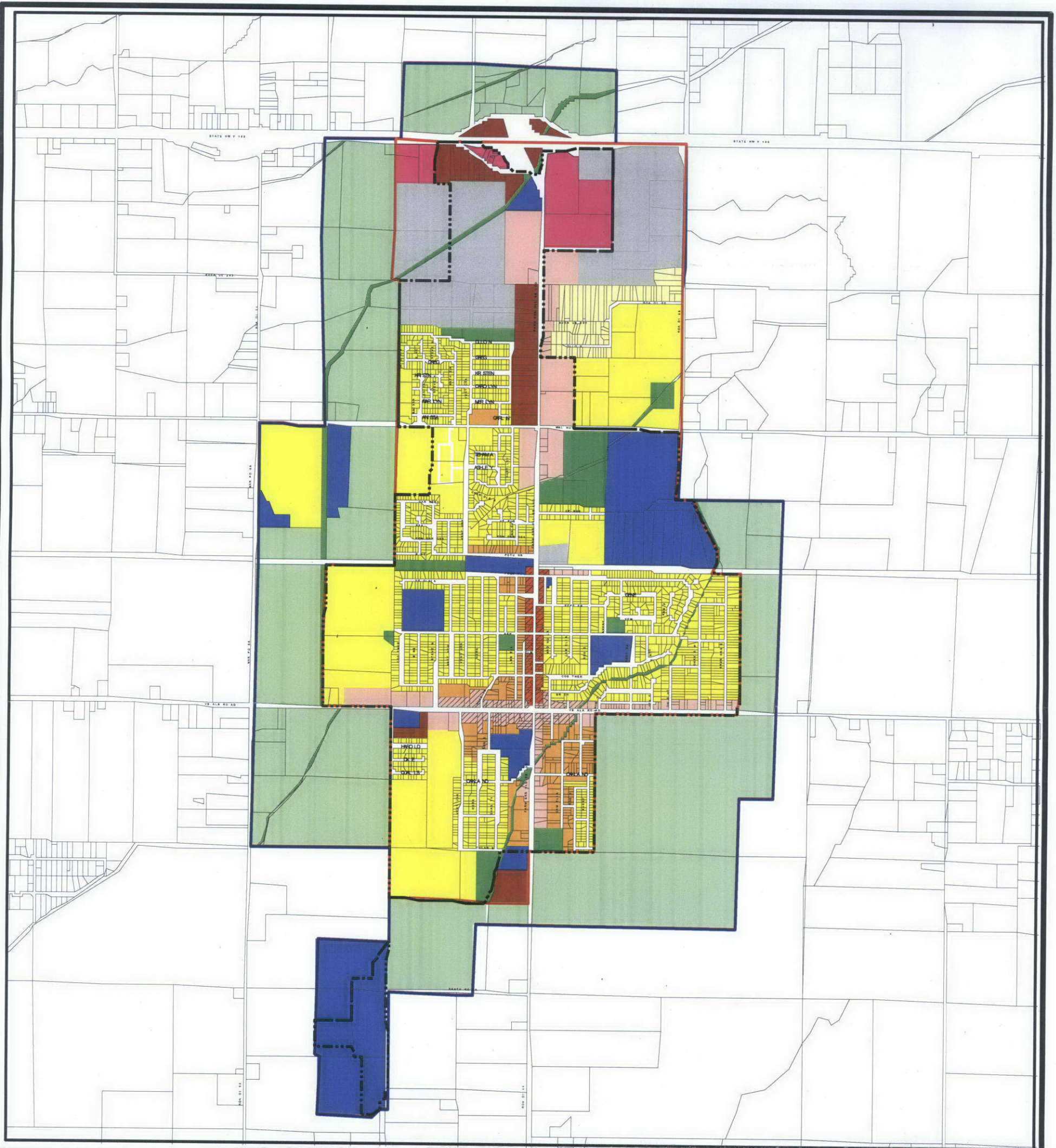
Table 2-2
Land Use/Zoning Consistency Matrix

Land Use Categories	Zone Districts														
	RR*	R-1	RM-4.0*	R-M-2.5*	P-D	S-D*	C-G	C-C*	C-S	HC*	M-U*	I	FP	OS	UR
Residential															
Low Density															
Medium Density															
Medium-High Density															
Commercial															
General Commercial															
Central Commercial															
Service Commercial															
Highway Commercial															
Mixed Use															
Industrial															
Public Facilities															
Open Space															
Urban Reserve															

Note: Zone districts with an asterisk indicate a new district (proposed by the General Plan) or significant revisions to an existing district.




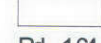
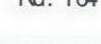
Land Use Map








Map 2-7 shows the Farmersville General Plan Land Use Map. The map delineates the ultimate use of land in and around Farmersville. It is to be read in conjunction with the land use descriptions, goals, policies and action plans detailed in the text of the Land Use Element. The Land Use map shows areas intended for Farmersville's development through the year 2025.



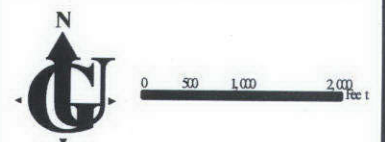
General Plan Land Use Designations

Legend

-  City Limits
-  Urban Development Boundary
-  Urban Area Boundary
-  Parcels
-  Rd. 164 Streets

-  Low Density Residential
-  Medium Density Residential
-  Medium-High Density Residential
-  General Commercial
-  Central Commercial
-  Highway Commercial
-  Service Commercial

-  Industrial
-  Public Facilities
-  Open Space
-  Agriculture/Urban Reserve
-  Mixed Use Overlay
-  Right-Of-Way

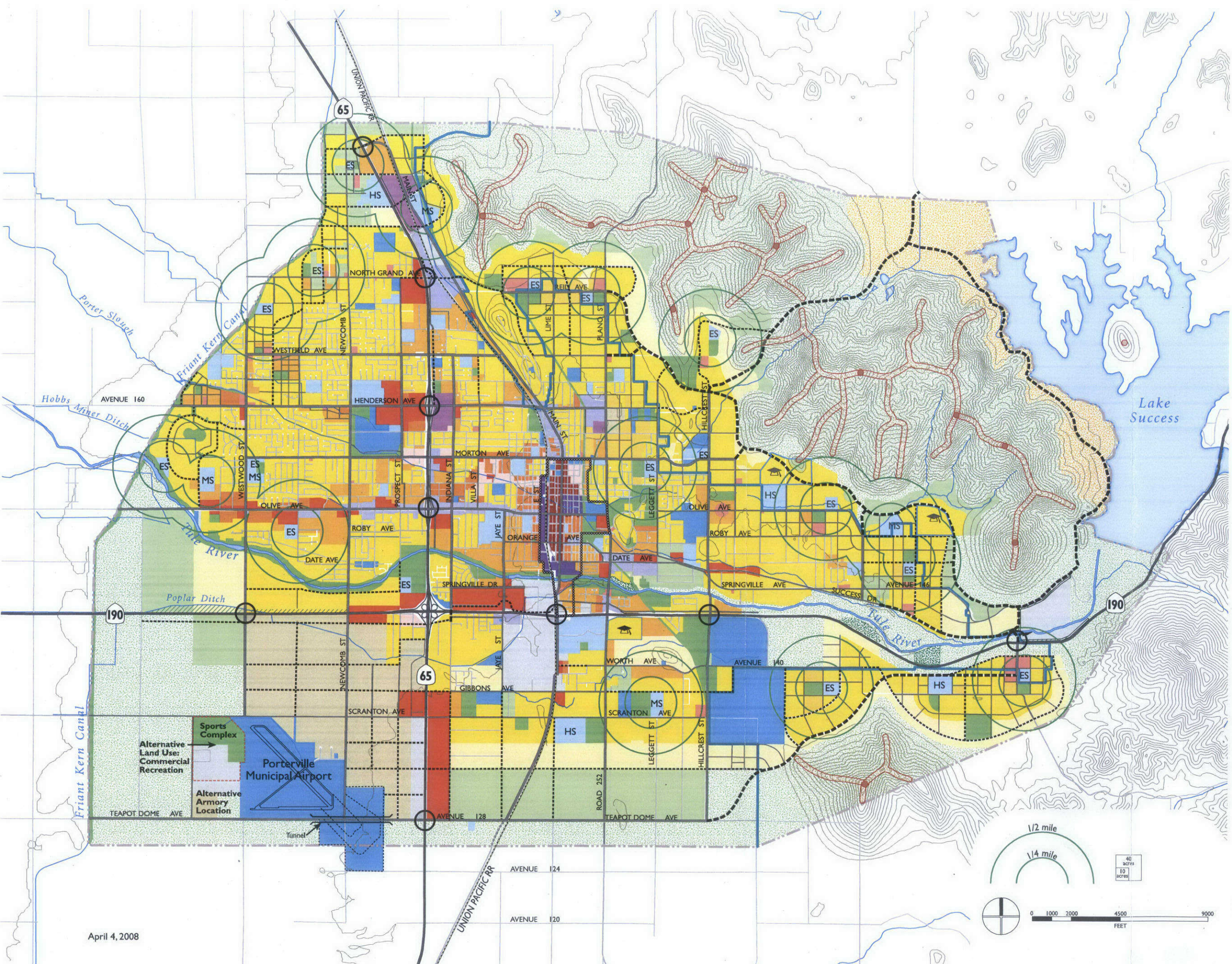


Collins & Schottler
 PLANNING CONSULTANTS
 1002 West Main Street - Visalia, CA - 93291

Base data provided by Tulare County. Created as of 09/09 by B.A.C.
 Reference only. Not drawn to engineering standards.

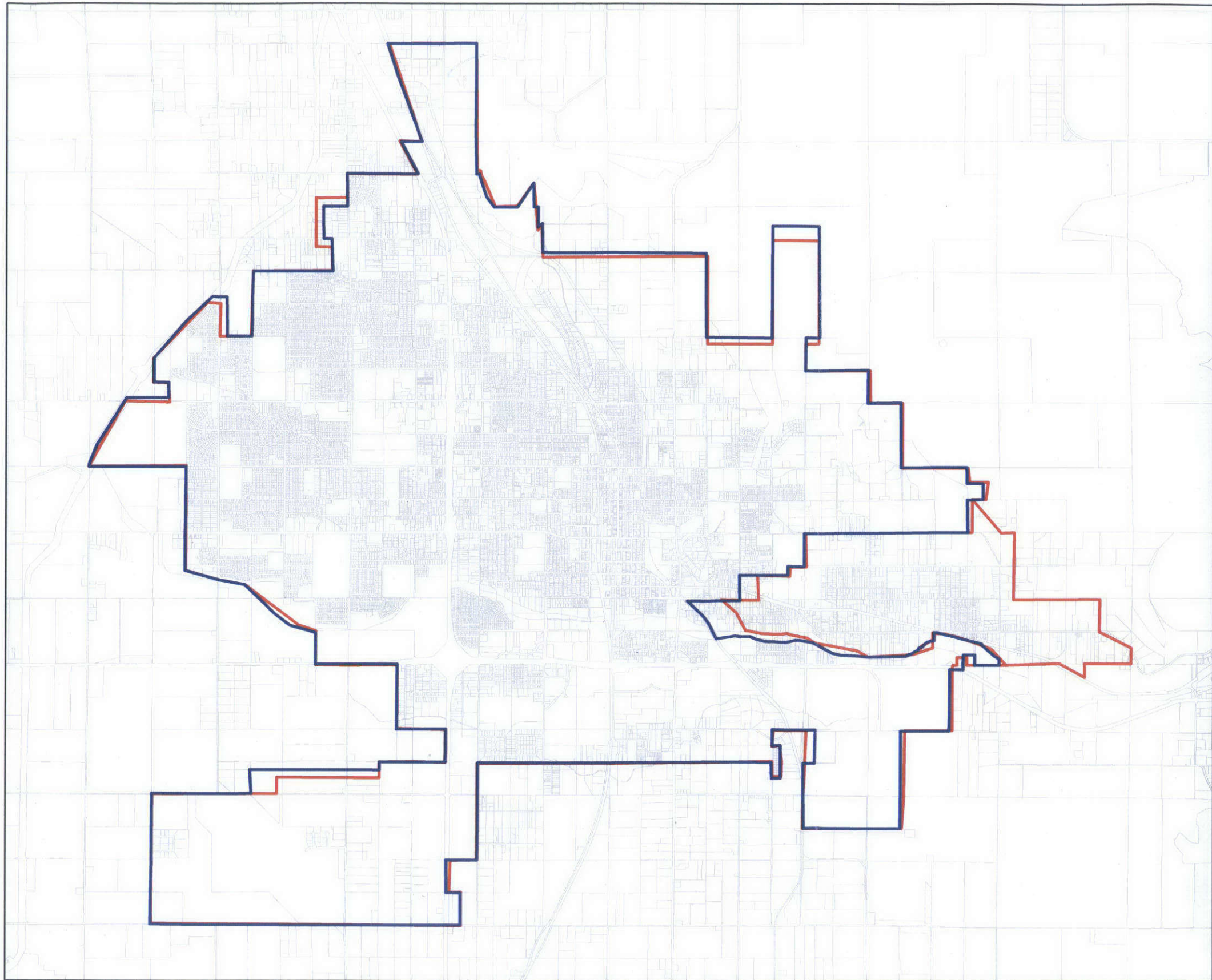
D: CITY OF PORTERVILLE

Figure 2-2
General Plan Land Use Diagram






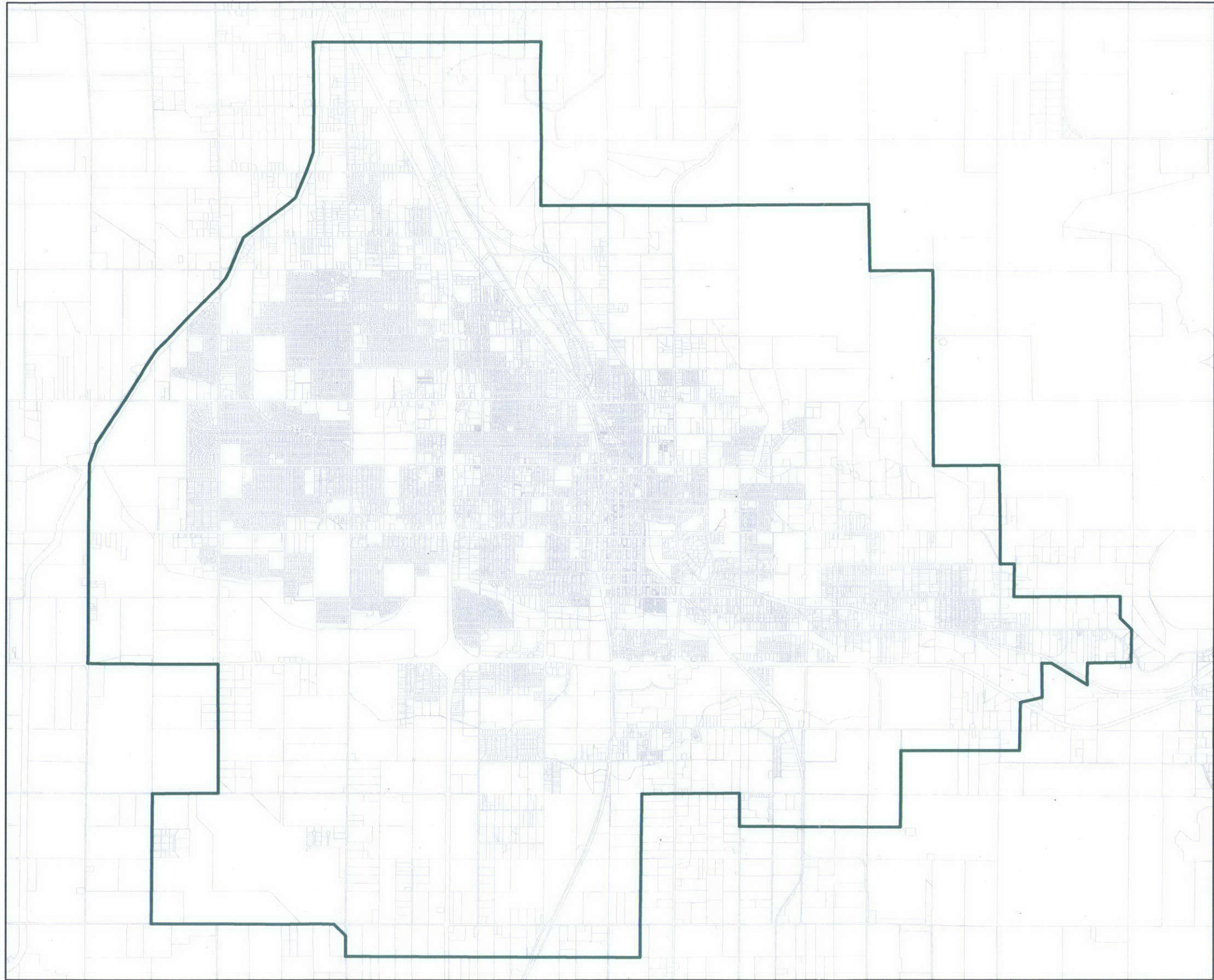
- Agriculture/Rural/Conservation
- Rural Residential
- Resort Residential
- Very Low Density Residential
- Low Density Residential
- Low Medium Density Residential
- Medium Density Residential
- High Density Residential
- Downtown Mixed Use
- Commercial Mixed Use
- Downtown Retail
- Retail Centers
- General & Service Commercial
- Neighborhood Commercial
- Professional Office
- Industrial Park
- Industrial
- Public/Insitutional
- Education
 - ES Elementary School
 - MS Middle School
 - HS High School
 - Campus College (3 Potential Sites)
- Parks and Recreation
- Commercial Recreation
- Landscape Buffer
- Ridgeline
- Existing/Proposed Arterial
- Existing/Proposed Collector
- Potential Intersection Improvements
- Other Street (conceptual)
- Downtown Planning Area
- Planning Area
- Hillside Development Zone

Note: Undeveloped roads, parks, schools, and trails are identified conceptually. Specific siting will be determined through the Development Review process and/or the approval of right-of-way alignments.






Legend

-  porterville_udb_01-11-2005
-  pviludb_Curr_Theme_06-16-1998
-  parcels



Legend

-  porterville_uab_01-11-2005
-  porterville_uab_Curr_Theme_01-11-2005
-  parcels

Porterville

2030

General Plan

Prepared by

DYETT & BHATIA
Urban and Regional Planners

In association with

Omni-Means, Transportation Planners and Engineers
Environmental Science Associates
Charles Salter Associates
Land Use Associates

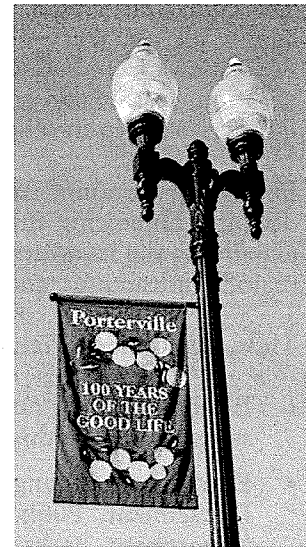
Adopted by Resolution #22-2008

1

Introduction

After the 2002 centennial celebration, it is an appropriate time for Porterville to take stock of its rich history and look to possibilities held by the future. The Porterville 2030 General Plan articulates a vision for the City that draws from the ideas of the many citizens, business owners, elected officials, and City staff who participated in the planning process. The Plan envisions Porterville as a vibrant, growing city, infused with a sense of heritage and community. The Plan supports the community's vision to preserve the desirable qualities that make Porterville an ideal place to live, work, and play.

The Porterville General Plan is not merely a compendium of ideas and wish lists. It is general but comprehensive, long-range in scope but with many near-term actions. It lays out policies and implementation strategies for the next two decades. The defined policies, maps, standards, guidelines and actions to be undertaken by the City focus on what is concrete and achievable in order to accommodate the future population. Broad objectives such as "economic development," "quality of life," and "neighborhood character" are meaningful only if translated into actions that are tangible and can be implemented. State law requires that many City regulations, requirements and actions be consistent with the General Plan. Therefore, regular ongoing use of the Plan is essential.



100 years of the Good Life

I.1 PURPOSE OF THE GENERAL PLAN

The General Plan Update was initiated to take a comprehensive look at where the City is, where it would like to be in the future, and to create a vision of what Porterville should be like in 2030. Some areas of the City may change very little in this timeframe, and others may change dramatically. The General Plan focuses on current community needs and neighborhood character, economic development opportunities and challenges, how to encourage mixed-use and infill development and appropriate development outside the current City limits. Lastly, it responds to residents' preferences about where different land uses such as housing, shopping, industry, parks and recreation, and public facilities should be located and how City resources should be used to achieve the Plan's goals.

Looking ahead, Porterville faces several planning challenges over the next 23 years. The foremost challenge is to support sustainable development. Sustainable development has been defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."¹ The goal of sustainability is to balance economic prosperity, environmental quality, and social equity.

In order to preserve and enhance the environmental quality of Porterville, sustainable development entails both encouraging the infill development of existing vacant land within the City limits, and protecting important agricultural lands and open space areas around the urban periphery. These are necessary steps to create a sustainable footprint for future growth while preserving the City's agriculture community and small town character.

The equity element of sustainability typically refers to the distribution of costs and benefits across all members of society. Therefore, another significant challenge is to ensure the dedication of land and resources for new housing, schools, parks and community facilities. In addition, sustainable growth will require careful planning in order to provide adequate public infrastructure to the entire community without impairing environmental resources.

Improving economic stability and vitality is another challenge for Porterville over the next two decades. Enhancing the City's role in the region will require building a diversified job base, expanding the base economy, supporting a multi-modal transportation system, and developing regional attractions, such as unique shopping areas and high-quality parks and recreation.

Thus, this General Plan has been prepared to:

- Establish a long-range vision that reflects the aspirations of the community and outlines steps to achieve this vision;
- Establish long-range development policies that will guide the Community Development Department, Public Works Department, Finance Department, Police Department, Fire Department, Parks and Leisure Services Department and City Council decision-making;
- Provide a basis for judging whether specific development proposals and public projects are in harmony with plan policies;

¹ World Commission on Environment and Development, *Our Common Future*, Oxford, Great Britain: Oxford University Press, 1987.

This document is frequently referred to as the Brundtland report after Gro Harlem Brundtland, Chairman of the Commission.

- Reflect Porterville’s current planning and economic development efforts;
- Plan in a manner that improves the quality of life for the whole community and meets future land needs based on the projected population and job growth;
- Allow City departments, other public agencies, and private developers to design projects that will preserve and enhance community character and environmental resources, promote sustainability, and minimize hazards; and
- Provide the basis for establishing detailed plans and implementation programs, such as the zoning and subdivision regulations, specific and master plans, and the Capital Improvement Program.

1.2 GENERAL PLAN REQUIREMENTS

State law requires each California municipality to prepare a general plan. A general plan is defined as “a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which in the planning agency’s judgment bears relation to its planning.” State requirements call for general plans that “comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.”

A city’s general plan has been described as its constitution for development – the framework within which decisions on how to grow, provide public services and facilities, and protect and enhance the environment must be made. California’s tradition of allowing local authority over land use decisions means that the State’s cities have considerable flexibility in preparing their general plans.

While allowing considerable flexibility, State planning laws do establish some requirements for the issues that general plans must address. The California Government Code (Section 65300) establishes both the content of general plans and rules for their adoption and subsequent amendment. Together, State law and judicial decisions establish three overall guidelines for general plans:

- *The General Plan Must Be Comprehensive.* This requirement has two aspects. First, the general plan must be geographically comprehensive. That is, it must apply throughout the entire incorporated area and it should include other areas that the city determines are relevant to its planning. Second, the general plan must address the full range of issues that affect the city’s physical development.
- *The General Plan Must Be Internally Consistent.* This requirement means that the general plan must fully integrate its separate parts and relate them to each other without conflict. “Horizontal” consistency applies both to figures and diagrams as well as general plan text. It also applies to data and analysis as well as policies. All adopted portions of the general plan, whether required by State law or not, have equal legal weight. None may supersede another, so the general plan must resolve conflicts among the provisions of each element.
- *The General Plan Must Be Long-Range.* Because anticipated development will affect the city and the people who live or work there for years to come, State law requires every general plan to take a long-term perspective.

CONSISTENCY REQUIREMENTS WITHIN THE GENERAL PLAN

The General Plan includes the six of the seven elements required by State law: Land Use, Circulation, Open Space, Conservation, Safety, and Noise. It also includes three other optional elements that address local concerns: Economic Development; Parks, Schools & Community Facilities; and Public Utilities. The current Housing Element was adopted in March of 2004 as a separate volume. Table 1-1 outlines how the required elements and optional elements correspond with the Porterville 2030 General Plan.

Table 1-1: Required Elements & General Plan Elements Correspondence

<i>Required Elements</i>	<i>General Plan Element</i>
Land Use	Chapter 2: Land Use
Circulation	Chapter 4: Circulation
Open Space	Chapter 6: Open Space & Conservation
Conservation	Chapter 6: Open Space & Conservation
Safety	Chapter 7: Public Health & Safety
Noise	Chapter 9: Noise
Housing	Contained in a separate volume, adopted March 2004

Source: Dyett & Bhatia, 2007.

ENVIRONMENTAL JUSTICE

State law now requires general plans to include consideration of environmental justice in preparing policies and implementation programs, and in creating the physical framework for development. The problems of environmental justice that the General Plan can address include procedural inequities and geographic inequities.

- Procedural inequities might include “stacking” commissions or committees with individuals who ignore the interests of minority and low-income residents, holding meetings at times and places that minimize the ability of low-income residents to participate, using English-only communications when non-English speaking populations may be affected by land use decisions, and requiring lower levels of mitigation for projects affecting low-income and minority populations.
- Geographic inequities might include providing fewer public services, transit services, and parks for minority and low-income residents than for middle- and upper-income residents.

Several new policy initiatives, distributed throughout the General Plan, are included to address environmental justice.

I.3 PLANNING CONTEXT

REGIONAL LOCATION

The City of Porterville is located in the southeastern portion of the San Joaquin Valley, at the base of the foothills of the Sierra Nevada Mountains. It is approximately 70 miles south of Fresno and 50 miles north of Bakersfield, in the south central portion of Tulare County. Visalia, the County seat, is approximately 30 miles to the northwest. Neighboring communities include Strathmore, Springville, Terra Bella, Tipton, Pixley, Woodville, Richgrove, and Lindsay. Sequoia National Park is 50 miles to the northeast. The Tule River Indian Reservation is located approximately 15 miles to the east. Porterville is served by state routes 65 and 190 and is approximately 17 miles east of State Route (SR) 99, a major San Joaquin Valley transportation arterial. Success Reservoir (Lake) and Dam are located on the Tule River five miles east of Porterville. The regional location is depicted in Figure 1-1.

PLANNING BOUNDARIES

In 2006, the City of Porterville encompassed approximately 9,161 acres, about 14.3 square miles. The City boundary created a patchwork that extended north along Main Street to Avenue 178, west to the Friant-Kern Canal at Westfield Avenue, east the Sierra Nevada foothills, and south to Teapot Dome Avenue including the Porterville Municipal Airport. The City adopted an Urban Development Boundary which encompasses 12,757 acres.

According to State law, the City must consider a Planning Area that consists of land within the City and “any land outside its boundaries which, in the planning agency’s judgment, bears relation to its planning.” The City of Porterville defined a 36,341 acre, 56.8 square miles, Planning Area which extends from the Friant-Kern Canal on the west to Lake Success on the east and from Road 232 on the north to south of Teapot Dome Avenue. The planning boundaries are depicted in Figure 1-2.

HISTORY OF PORTERVILLE

During California's Spanish period, the San Joaquin Valley was considered a remote region of little value. Swamps stretched out into the Valley floor lush with tall rushes or “tulares” as the Indians called them. Emigrants skirted the eastern foothills in the vicinity of Porterville as early as 1826. This all changed when gold was discovered in 1848, bringing tremendous migration to both California and Porterville. From 1849 to 1852, prairie schooners rolled through Porterville. While some wagon trains of gold seekers passed through the village, other travelers found the land rich and remained to establish farms. In 1854, the Butterfield Overland Mail Station and store was established on the banks



A growing town

of the old Tule River channel (now part of Main Street) to serve miners and Native Americans alike.

The growing population's need for food was the impetus for permanent development of the east side of the southern San Joaquin Valley. Royal Porter Putnam purchased 40 acres which were surveyed, divided into town lots, and recorded the first tract in 1870. The new town was named after the founder's middle name.

Incorporated in 1902 with a population of 2,906, Porterville grew to approximately 5,000 by 1920. During this boom, agriculture, supplemented by the Central Valley Project, was the major source of economic growth in the area. More recently, industry has become a significant factor in the development of Porterville. Industries such as Wal-Mart Distribution Center, Beckman Instruments, Foster Farms, ProDocument Solutions, Royalty Carpet Mills, and other small companies have begun developing facilities within the City.

Today, Porterville is still significantly influenced by agriculture and supportive industries, although the economy has increasingly become more diverse. With the City's advantageous location between Northern and Southern California, the City has also become a desirable location for shopping and warehousing business. Porterville remains a fast-growing community, with its strategic central location combined with affordable home prices fueling the boom. As of 2006, the State Department of Finance estimates Porterville to have a population of 45,220.

1.4 PLAN PREPARATION PROCESS

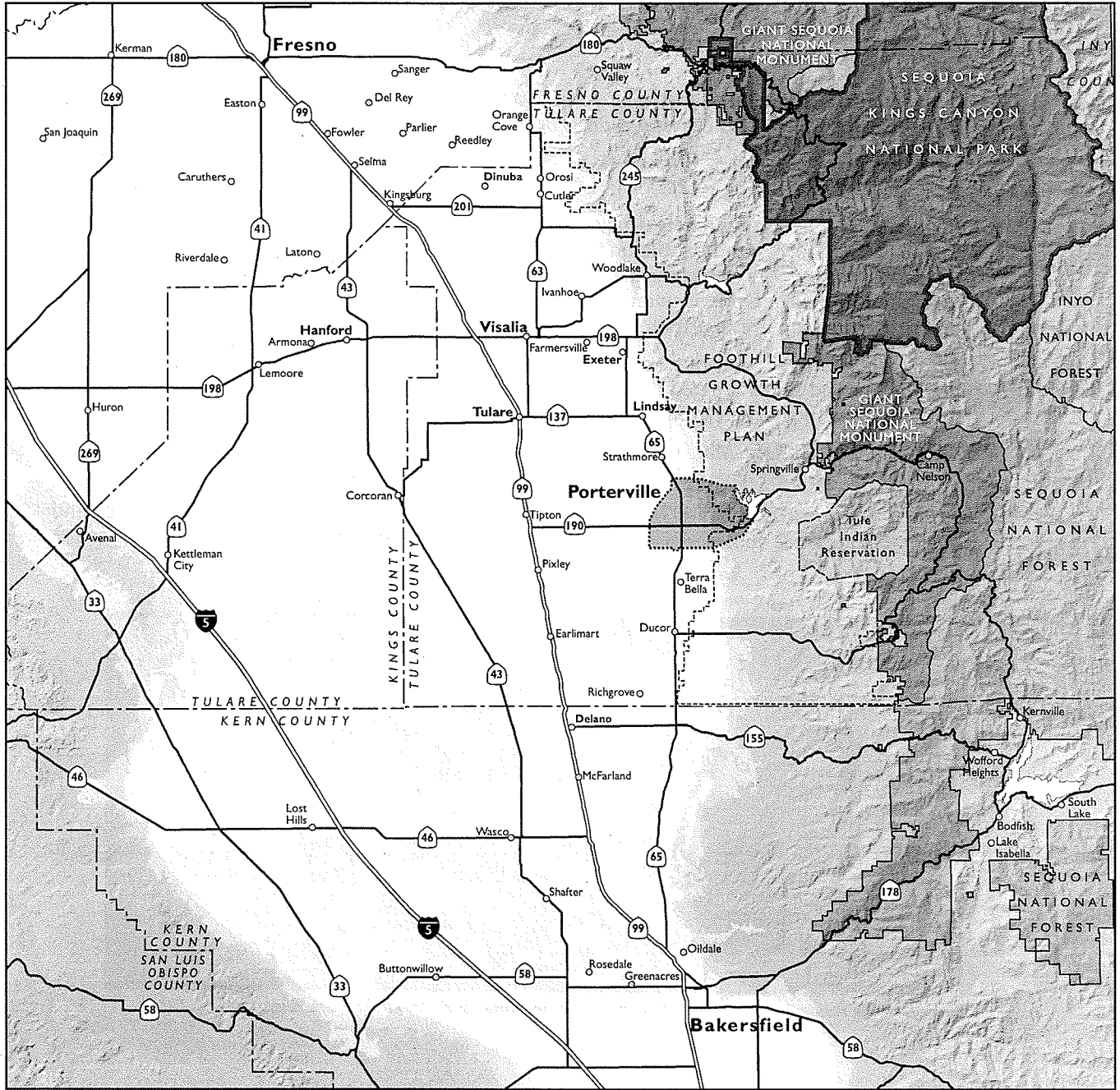
The General Plan update was initiated in the summer of 2005. In order for the General Plan to accurately address community needs and values, a comprehensive public process of obtaining the input of residents, businesses, and property owners as well as City officials was central to the update process. This involved the sharing of information and ideas between elected and appointed officials, City staff, the planning consultants, and residents. The following methods were used over the course of the General Plan update to ensure the community's full participation:

- *Stakeholder Interviews.* Interviews were conducted with 37 representatives of various community stakeholders and organizations.
- *Community Workshops.* The first Community Workshop on Visioning and Planning Issues was held on October 11, 2005. Approximately 70 community members attended. A subsequent workshop on sketch plan concepts was held on March 14, 2006. Small group discussions allowed for the 40 or so workshop participants to be heard. A third workshop, held on August 29, 2006, formed the Draft Preferred Plan concept. Approximately 55 people participated. Spanish translators and translation of workshop materials were made available at each workshop.
- *General Plan Update Advisory Committee.* The General Plan Update Advisory Committee served as a "sounding board" for ideas and alternatives during the update process and made recommendations to the City Council. Committee members also attended public workshops to facilitate dialogue and understand community concerns. The Committee held six meetings throughout the process.

- *City Council Study Sessions.* The City Council periodically met to discuss issues and provide direction on the General Plan. These Study Sessions were open to the public.
- *Parks & Leisure Services Commission.* The Commission met periodically to discuss issues and concerns pertaining to Parks and Open Space.
- *Newsletters.* The City published newsletters in English and Spanish to provide updates on the planning process and details on upcoming workshops. Newsletters were mailed to City residents, property owners, business owners, developers, service organizations, and other interested agencies. Updates were also published in the Porterville Recorder and Noticiero newspapers which are distributed to more than 19,700 organizations and individuals.
- *City Website.* All meeting agendas, staff reports, workshop summaries, planning documents and maps created during the update process were posted on the City's website: <http://www.ci.porterville.ca.us/>.
- *General Plan Update Mailing List.* Those interested in receiving information and notices were placed on the General Plan update mailing list.
- *Printed Documents.* Copies of the results from City Council meetings, workshops, and presentations were summarized and made available at City Hall.






Porterville residents participated in community meetings and stakeholder interviews.



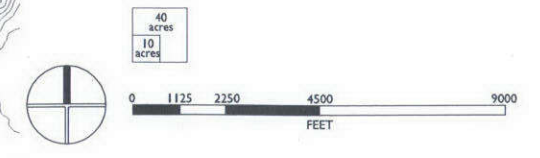
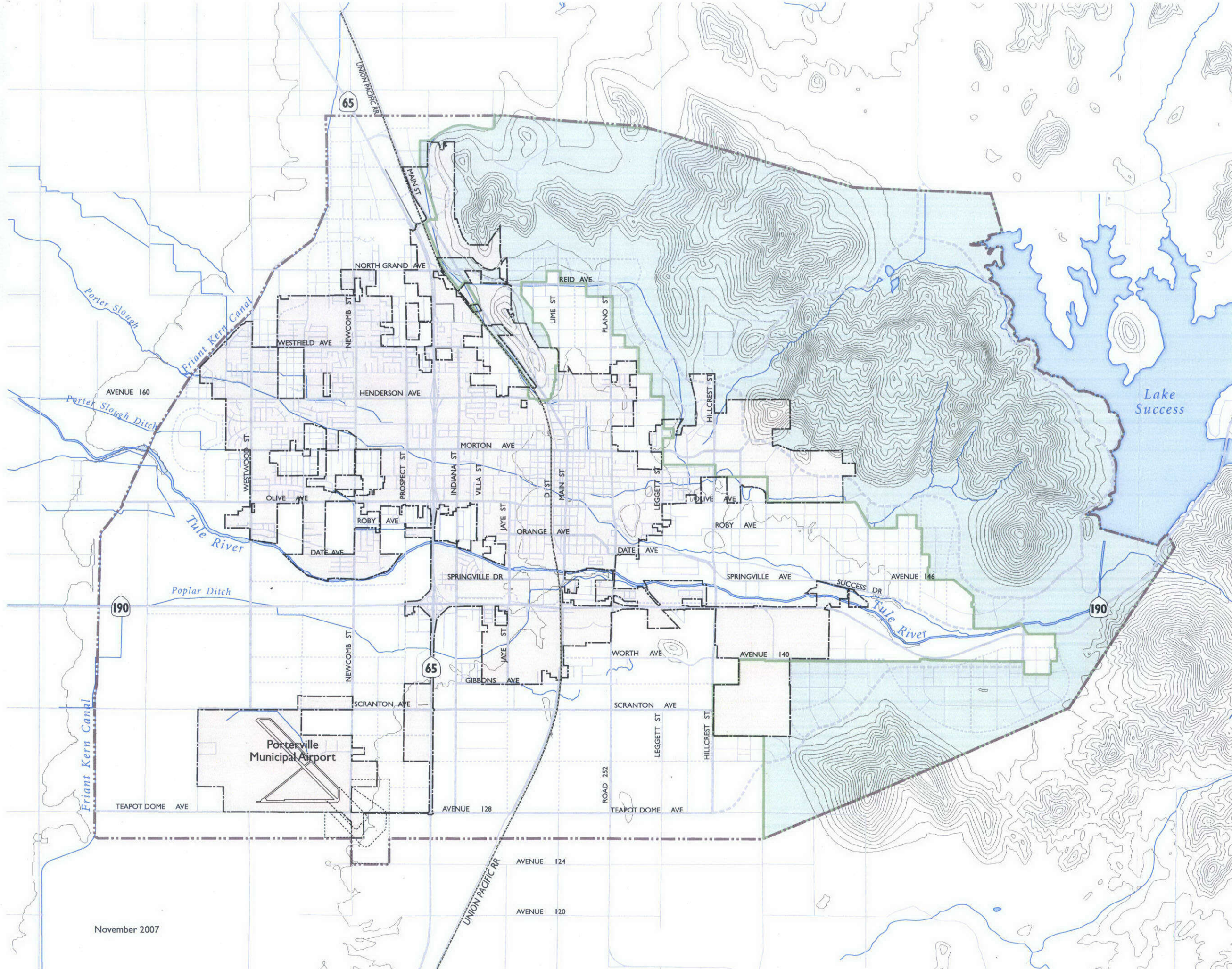
Source: Planning Area Boundary, Dyett & Bhatia, 2005; Foothill Growth Management Plan Boundary, Tulare County, 2005; Roads, Hydrologic Features, Cities and County Boundaries, California Spatial Information Library, 1992-1999.

Figure 1-1
Regional Location

Figure 1-2
Planning Area Boundaries

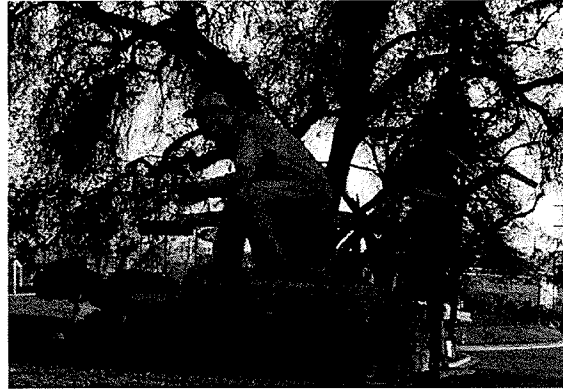
-  City Limits (2006)
-  Hillside Development Zone
-  Planning Area

Source: City of Porterville, Dyett & Bhatia



1.5 GENERAL PLAN THEMES & KEY INITIATIVES

Several themes for the General Plan were identified and considered by the GPUAC, based on input by the public and from key stakeholders and City staff.



The importance of agriculture is seen throughout the community.

- *Compact, Balanced, & Equitable Growth.* Clearly defined urban edges reflect a commitment to focus future growth within the City in order to prevent urban sprawl and protect environmentally sensitive areas. Policies to encourage infill development are found throughout the General Plan.
- *Protect Community Assets.* The Plan renews the City's commitment to protect and enhance its community assets, including small town community character, Downtown Porterville, a strong sense of community, a diverse population, historic buildings, affordable housing, and a family atmosphere. Community guidelines are described in full detail in the Land Use Element. The arrangements of land uses on the General Plan Land Use Diagram (Figure 2-2) create a framework within which quality community design is possible.
- *Economic Development & Jobs.* A significant amount of land is planned for uses that provide jobs. Areas designated "Professional Office" and "Industrial Park" will accommodate uses that provide employment opportunities for existing and future residents consistent with the Economic Development Strategy described in the Economic Development Element.
- *Variety Commercial & Retail Opportunities.* The General Plan provides for the full range of commercial and retail uses needed for the future population and business community, consistent with the Economic Development Strategy described in the Land Use Element. Regionally-oriented establishments are placed on major roadway corridors; community- and neighborhood-oriented uses are placed within planned communities and neighborhoods.
- *Park & Community Facility Network.* New parks and community facilities are placed in close proximity to proposed residential development and when possible by schools, trails and bikeways. A further discussion of parks is presented in the Parks, Schools & Community Facilities Element of the General Plan.
- *Complete Roadway System.* The land uses presented on the General Plan Land Use Diagram are structured around the proposed roadway network, and the two components are interactive and interrelated. The types, location, capacity, and use of these roadways are presented in the Circulation Element.
- *Integrated Neighborhoods & Neighborhood Centers.* Neighborhoods are defined as areas with a mix of land uses, including housing, shopping, and other local services, which interrelate and serve one another. Neighborhoods depicted on the General Plan Land Use Diagram work as part of a network, are internally accessible by non-motorized means, include community facilities such as parks and schools, and have a central focal point.

- *Mix of Housing Types.* The General Plan Land Use Diagram depicts seven residential and two mixed-use land use designations. These land uses will accommodate a diverse range of housing types and prices to provide housing choice.
- *Adequate, Flexible School Sites.* School sites depicted on the General Plan Land Use Diagram are intended to meet the school districts' needs, and relate well to adjacent neighborhood centers and parks. A further discussion of schools is presented in the Parks, Schools & Community Facilities Element.
- *Open Space Action Plan.* The Open Space and Conservation Element outlines the five types of open space preserved as part of the Action Plan. Additional General Plan policies are intended to protect ridgelines, visible hillsides and other significant natural and archeological resource areas from development that would have adverse impacts.

1.6 DEVELOPMENT UNDER THE PLAN

Full development under the General Plan is referred to as “buildout.” It should be noted that when buildout will actually occur is not specified in or anticipated by the Plan, and designation of a site for a certain use does not necessarily mean that the site will be built/redeveloped with the designated use by 2030, the horizon of the Plan.

RESIDENTIAL DEVELOPMENT

Table 1-2 tracks the existing and additional housing units expected under the General Plan buildout. As shown, approximately 14,080 units currently exist in the Planning Area. The General Plan is intended to accommodate an additional 20,170 units, through both new and infill development. In total, General Plan buildout will result in approximately 34,250 housing units in the Planning Area.

Table 1-2: Residential Development

Existing Units (2006)	Additional Units Under General Plan Buildout	Total Housing Units at Buildout (2030)
14,080	20,170	34,250

Source: City of Porterville, Dyett & Bhatia, 2007.

BUILDOUT POPULATION

Over the past 30 years, the City of Porterville’s population has grown at an average annual rate of 3.7 percent. However, the City’s population growth has slowed to an average annual rate of 2.8 percent over the past 15 years. According to the Department of Finance’s 2006 estimates, the City currently has a population of 45,220 residents. Buildout of the General Plan will accommodate a population of approximately 107,300 in the Planning Area, which represents an annual population growth rate of 3.7 percent. Table 1-3 shows the current and estimated buildout populations for the Planning Area.

Table 1-3: Population

Existing Population (2006)	From Additional Units Under General Plan Buildout	Buildout Population (2030)
45,220	62,080	107,300

Source: Existing population: Department of Finance, 2006; Projections: Dyett & Bhatia, 2007.

NON-RESIDENTIAL DEVELOPMENT

Table 1-4 tracks examples of the existing, and additional non-residential floor area expected under the General Plan buildout. Approximately 7.2 million square feet of non-residential floor area currently exist in the City of Porterville. The General Plan is intended to accommodate an additional 23.3 million square feet of non-residential space of the types listed. At buildout, the proposed General Plan will result in approximately 30.5 million square feet of nonresidential floor area in the Planning Area. Approximately half of this new space is designated for industrial development.

Table 1-4: Non-Residential Floor Area (1,000 Square Feet)

Type	Existing Floor Area (2005)	Additional Floor Area Under General Plan Buildout	Buildout Floor Area (2030)
Retail	2,030	3,050	5,080
Office	1,530	5,300	4,310
Service	1,680	2,630	6,830
Industry	1,410	12,280	13,690
Other	590	-	590
Total	7,240	23,260	30,500

Assumes the following estimated actual FARs: 0.25 for Office, 0.25 for Retail, and 0.25 for Industrial. Actual buildout is assumed to be less than the maximum allowable FARs indicated in the Land Use Element.

Source: Dyett & Bhatia, 2007.

BUILDOUT EMPLOYMENT

At buildout, the Planning Area will accommodate approximately 54,460 jobs, an increase of about 180 percent over the current estimated City of Porterville employment of 19,470. This represents a job growth rate of about 4.4 percent. Table 1-5 shows the current and estimated buildout employment for the Planning Area.

Table 1-5: Employment by Sector

Type	Existing Employment (2005)	From Additional Floor Area Under General Plan Buildout	Buildout Employment (2030)
Retail	4,510	5,810	10,022
Office	631	7,540	8,171
Service	4,706	2,510	7,216
Education	1,875	2,010	3,885
Government	4,509	760	5,269
Agriculture	1,184	-	1,184
Industrial	1,242	16,360	17,602
Other	1,112	-	1,112
Total	19,471	34,990	54,461

Assumes the following job generation ratios per square feet: 400 for Office; 425 for Retail and Service; 1,300 for Education and Government; and 750 for Industrial.

Source: Dyett & Bhatia, 2006.

JOBS/EMPLOYED RESIDENT BALANCE

A city's jobs/employment ratio (jobs to employed residents) would be 1:1 if the number of jobs in the city equaled the number of employed residents. In theory, such a balance would eliminate the need for commuting. More realistically, a balance means that in-commuting and out-commuting are matched, leading to efficient use of the transportation system, particularly during peak hours. The current jobs/employment ratio in Porterville is 0.96:1, which means that the number of jobs in the City is slightly less than the number of employed residents. At buildout, the General Plan will add more jobs than employed resident, increasing jobs/employment balance to 1.13:1. Table 1-6 displays existing and projected jobs per employed residents ratios.

Table 1-6: Jobs per Employed Residents

	Existing (2005)	Buildout (2030)
Jobs	19,470	54,460
Employed Residents	20,350	48,290
Jobs/Employed Residents	0.96	1.13

Employed Residents assumed to be 45 percent of total population, based on 2000 Census data for labor force.

Source: Dyett & Bhatia, 2007.

I.7 PLAN ORGANIZATION

GENERAL PLAN STRUCTURE

The Porterville 2030 General Plan is organized into the following chapters and elements:

- *Introduction.* This introductory chapter includes General Plan objectives and key initiatives, State requirements, and requirements for administration of the Plan. In addition the projected development under General Plan buildout is summarized and overarching themes of the Plan are presented.
- *Land Use.* This element provides the physical framework for development in the City. It establishes policies related to the location and intensity of new development, citywide land use and growth management policies.
- *Economic Development.* This element presents the economic framework for development in the City and outlines associated policies and implementation programs.
- *Circulation.* This element includes policies, programs, and standards to maintain efficient circulation for vehicles and alternative modes of transportation. It identifies future street and bikeway improvements, and addresses parking, goods movement, and long-term plans for the municipal airport.
- *Parks, Schools & Community Facilities.* This element provides an inventory of existing and planned parks, recreation facilities, public schools, and other community facilities. This element also defines policies and standards relating to parks, schools, and other community facilities.
- *Open Space & Conservation.* This element outlines policies relating to the preservation of open space and the conservation of natural resources, including geologic, biological, water, air, energy, and cultural resources.

- *Public Health & Safety.* This element addresses the risks posed by geologic hazards, wildland fire, hazardous materials, and flooding. It also discusses emergency response, safety service response standards, and evacuation routes.
- *Public Utilities.* This element outlines existing and future demand for water, wastewater, solid waste services, and other public facilities.
- *Noise.* This element includes policies and standards to limit the impacts of noise sources throughout the City. Future noise contours are illustrated in order to facilitate administration of noise policies and standards.
- *Implementation.* The Implementation chapter provides an overview of the implementation and monitoring program for this General Plan.

POLICY STRUCTURE

Each element of the General Plan includes brief background information to establish the context for policies in the element. This background material is neither a comprehensive statement of existing conditions nor does it contain adopted information. This background information is followed by two sets of policies:

- *Guiding Policies* are the City's statements of its goals and philosophy.
- *Implementing Policies* represent commitments to specific actions. They may refer to existing programs or call for establishment of new ones.

Together, these guiding and implementing policies articulate a vision for Porterville that the General Plan seeks to achieve. They also provide protection for the City's resources by establishing planning requirements, programs, standards, and criteria for project review. Explanatory material or commentary accompanies some policies. Commentary provides background information or is intended to guide Plan implementation. The use of "should" or "would" indicates that a statement is advisory, not binding; details will need to be resolved in General Plan implementation. Where the same topic is addressed in more than one element, sections and policies are cross-referenced.

1.8 ADMINISTRATION OF THE PLAN

The General Plan is intended to be a dynamic document. As such, it may be subject to more site-specific and comprehensive amendments over time, amendments that may be needed to conform to State or federal law passed after adoption, or to eliminate or modify policies that may become obsolete or unrealistic over time due to changed conditions, such as the completion of a task or project, development on a site, or adoption of an ordinance or plan.

AMENDMENTS TO THE GENERAL PLAN

State law limits the number of times a jurisdiction can amend its general plan to generally no more than four times in one year for a mandatory element, although each amendment may include more than one change. This restriction does not apply to optional general plan elements (Economic Development, Parks and Recreation, and Public Facilities and Utilities), or if the amendment is necessary to allow for the development of workforce housing or to comply with a court decision.

ANNUAL REPORT

It is good planning practice to provide an annual report to the local legislative body on the status of the General Plan and progress in its implementation. This report is an opportunity to investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the General Plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the General Plan. The report should include a summary of all General Plan amendments adopted during the preceding year, as well as a work program for the upcoming year. The work program should outline upcoming projects and any General Plan issues that need to be addressed. Also as part of the annual report, any mitigation monitoring and reporting requirements prescribed by the California Environmental Quality Act (CEQA) as identified in the General Plan environmental impact report (EIR) should be addressed because they are closely tied to Plan implementation.

All cities must also submit a progress report to the State on the Housing Element implementation, which must include an analysis of the progress in meeting the city's share of regional housing needs and local efforts to remove governmental constraints to maintenance, improvement, and development of workforce housing (Government Code Sections 65583, 65584). Porterville staff will continue to submit the Housing Element report to the State annually.

2

Land Use

This element of the General Plan constitutes the framework for land use planning in Porterville. To provide context, the evolution of the City is described and existing land use in the City is summarized. The guiding principles of the land use framework, the General Plan Land Use Diagram (Diagram), the land use classification system, and the buildout of this Plan to the year 2030 are then presented.

2.1 BACKGROUND & CONTEXT

HISTORICAL LAND USE DEVELOPMENT

Much of the existing land use pattern found in the Planning Area can be traced back to Porterville's evolution as a valley agriculture center. Downtown Porterville is similar to many older Central Valley downtown districts, with a mixture of retail, public facilities, and older residential neighborhoods. Larger commercial, agriculture, and newer residential neighborhoods are located further out from the city center. Some industrial land is located adjacent to State Route 190 (SR 190) and Union Pacific Railroad. Parks and schools are distributed throughout residential neighborhoods within the city.

EXISTING LAND USE CHARACTERISTICS

The existing land use pattern in the Planning Area, based on 2005 data, is illustrated in Figure 2-1, and current land uses are listed in Table 2-1. Single Family Residential and Public/Quasi-Public were the most significant existing land uses located within the 2005 City Limits, each representing more than 20 percent of the total land use. More than 1,500 acres (17 percent) of the incorporated land was designated as vacant, with no identified land use designation.

Within the Planning Area, approximately 21,270 acres or 59 percent of the total land area was being used for agriculture and other rural uses (generally categorized as Agriculture/Rural/Conservation). Thirteen percent of the whole Planning Area was categorized as single family residential and 10 percent was considered vacant.

Other land uses in the Planning Area include commercial, retail, and industrial. Downtown lies near the center of the Planning Area, bordered by Morton Avenue to the north, Olive Avenue to the south, D Street to the west, and Fourth Street to the east. Main Street is the central commercial street. Other large commercial areas are located along State Route 65 (SR 65) and Olive Avenue. The majority of the industrial sites are in proximity to the intersection of SR 190 and Main Street, and in proximity to the Union Pacific Railroad. A few industrial developments are also located near the Porterville Municipal Airport.

Table 2-1: Existing Land Use: Porterville Planning Area (2005)

Land Use	<u>Incorporated</u>		<u>Unincorporated</u>		<u>Total Planning Area</u>	
	Acres	Percentage	Acres	Percentage	Total Acres	Percent of Total
Agriculture/Rural/Conservation	820	9%	20,390	75%	21,270	59%
Single Family Residential	2,230	24%	2,525	9%	4,760	13%
Multi-Family Residential	170	2%	65	0%	240	1%
Retail Shopping	80	1%	0	0%	80	0%
Commercial	480	5%	277	1%	760	2%
Industrial	320	3%	31	0%	350	1%
Public/Quasi-Public	2,020	22%	614	2%	2,630	7%
Vacant	1,580	17%	2,009	7%	3,590	10%
Unclassified (Roads, water, etc.)	1,461	16%	1,220	4%	2,661	7%
Total	9,161	100%	27,130	100%	36,341	100%

Table includes development projects approved in 2005.

Source: Tulare County Assessor, Dyett & Bhatia, 2007.

2.2 GROWTH STRATEGY

This General Plan shows how the community would like Porterville to grow over the planning period, through 2030. Through integration of all the General Plan Elements, this General Plan will guide sustainable physical and economic growth, while conserving natural and cultural resources.

COMPACT

Urban Development Boundary

Clearly defined urban edges reflect a commitment to focus future growth within the City in order to prevent urban sprawl and protect environmentally sensitive areas. The Urban Development Boundary (UDB) is one of the best strategies to achieve this. The UDB protects the health, safety, welfare, and quality of life of the residents of Porterville by concentrating

future residential, commercial, and industrial growth in areas already served by urban services or areas where such services are to be provided consistent with this General Plan.

The UDB is an administrative boundary beyond which urban development is not allowed during the time period for which it is effective. The current UDB was most recently amended in 1993. Tulare County Local Agency Formation Commission (LAFCO) allows the UDB to be reviewed and amended every five years to ensure an adequate land supply is provided to accommodate 10 years of residential land demand and 20 years of non-residential land demand. Following General Plan adoption, the UDB will be reviewed and updated.

Open Space Action Plan

Porterville's Open Space Action Plan consists of the goals, principles and policies presented in the Open Space & Conservation Element. The open space network reinforces the limits of urban development by designating land around the growth area as Agriculture/Rural/Conservation, Park, and Rural Residential. Additional detail on how the action plan will be implemented is in the Implementation Chapter. Taken together, these initiatives specifically respond to and are consistent with the Government Code's requirements for an Open Space Action Plan.

Infill Development

The Urban Development Boundary complements General Plan policies emphasizing infill development, a thriving downtown, new industrial parks and additional housing opportunities. In addition to the 1,580 acres of vacant land within the 2006 City limits, more than 700 acres can be classified as underutilized, based on a improvement to land value ratio, and may have redevelopment potential. Infill development is encouraged with the Urban Development Boundary. In addition, the Economic Development and Land Use Elements provide strategies for fostering a strong Downtown that is the center of the community and a source of positive identity for the City of Porterville.

BALANCED

The General Plan Land Use Diagram (Figure 2-2) illustrates a mix of land uses that meet the housing and economic development needs of the community while balancing growth so that Downtown is once again the "heart of the City" and environmental and cultural resources are protected. In recent years, the majority of the growth and development has occurred in the northwest of the City. This Plan re-centers the City on Downtown by promoting growth in the eastern portions of the Planning Area.

In addition to balancing the anticipated growth geographically, the General Plan Land Use Diagram balances residential growth with employment-generating land uses. More than 2,000 additional acres of commercial and industrial land for potential employment development have been planned. This will help not only to create jobs for local residents, but also balance the job to housing ratio.

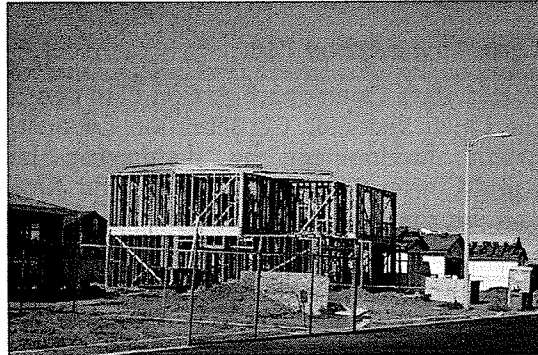
EQUITABLE

This General Plan is predicated on the idea that new development should pay its own way, so existing residents do not have to assume the costs of providing infrastructure and services to

growth areas. The key principle underpinning the Plan's policies for development mitigation is that the development community has an obligation to pay its fair share of costs so growth will not diminish the quality of public services, facilities, and lifestyle that are enjoyed by those who live in the community. Development mitigation and growth management policies will be used as tools to manage all development within Porterville and protect and enhance open space and environmental resources.

BETTER NEIGHBORHOODS

The General Plan directs residential expansion in the new growth areas into a network of approximately seventeen neighborhoods. These neighborhoods are planned to contain a mix of uses and housing types. Each neighborhood will have a well-defined, mixed-use center with neighborhood commercial and publicly-oriented uses, such as a park and recreation facility or a school. By creating these centrally located hubs, a larger number of residents have the option to bike or walk for non-work related trips. The General Plan Land Use Diagram depicts seven residential and two mixed-use land use designations. These land uses will accommodate a diverse range of housing types and prices to provide more housing choices. Policies in the General Plan strive to promote the integration of new neighborhoods with existing urban development, and to preserve and enhance neighborhood connectivity with a continuous street network.



The General Plan will promote development of new neighborhoods around publicly-oriented uses.

One of the new neighborhoods proposed in the General Plan Land Use Diagram is a Resort Residential community along the northwestern shore of Lake Success. This area is envisioned to incorporate a mix of land uses which provide a variety of housing types for all ages and income levels, and a complete open space system. The residential neighborhoods would be environmentally planned to be compact and walkable with some commercial and community services. The recreational facilities may include a golf course, a hotel, new boat ramps, parks, and trails.

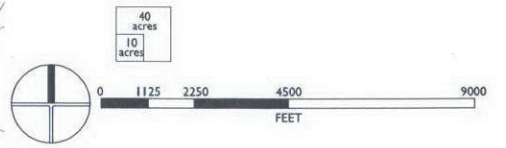
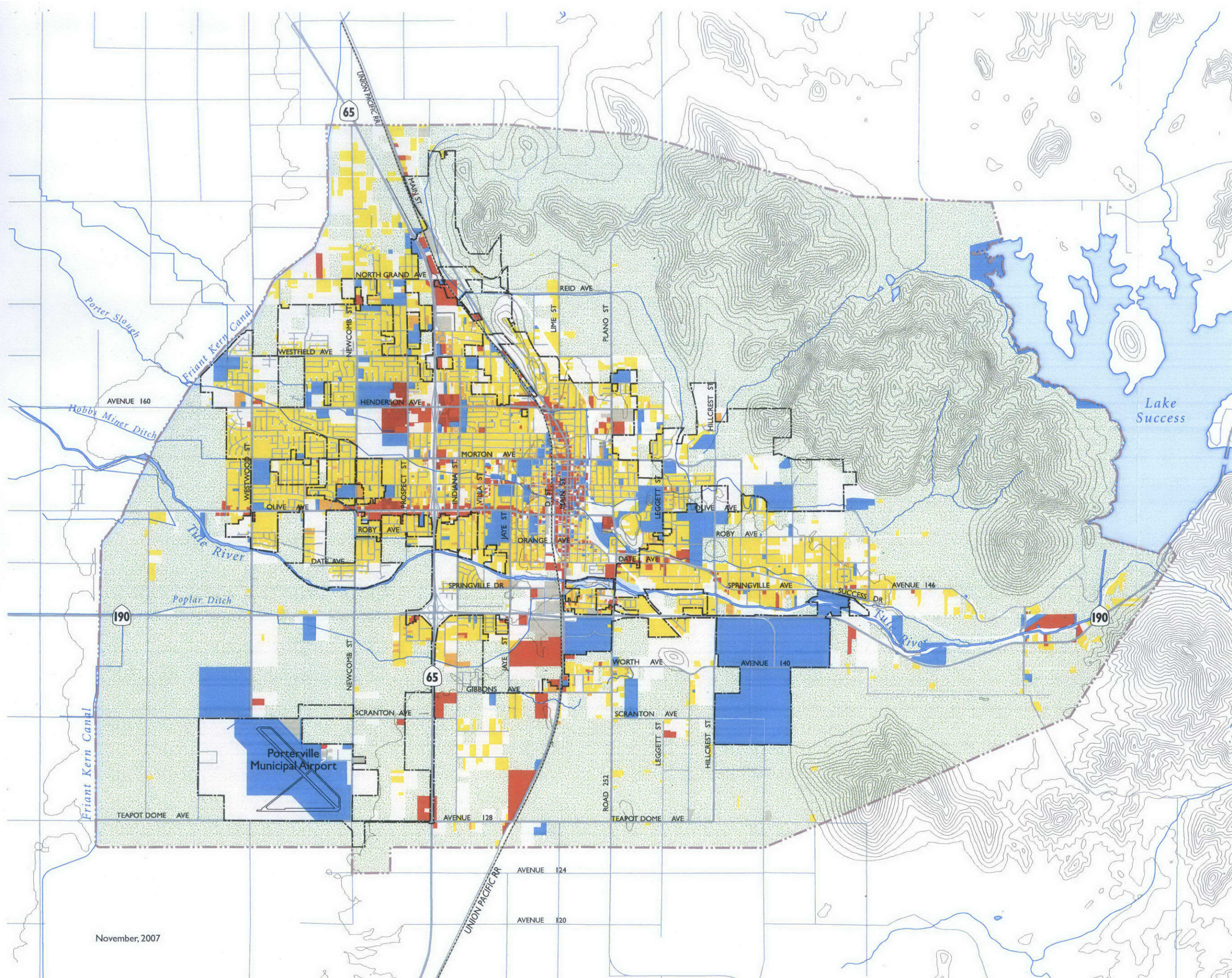
ECONOMIC OPPORTUNITIES

Another priority over the next two decades is to ensure opportunities for economic development for the residents and the City as a whole. New jobs and industries, a skilled labor force, thriving local businesses and a high-quality of life for all residents will help preserve "the good life." In order to facilitate economic development, a range of commercial and retail sites and ample land for industrial and educational development has been designated in the General Plan Land Use Diagram. The Economic Development Element provides additional policies and strategies for this initiative. The Land Use Element also provides guidance for new and revitalized commercial areas, including neighborhood and regional shopping centers, office parks and mixed-use districts.

**Figure 2-1
Existing Land Use**

- Rural/Agriculture/Conservation
- Single Family Residential
- Multi-family Residential
- Commercial
- Shopping Center
- Public/Quasi-public
- Industrial
- Vacant
- Planning Area
- City Limits

Source: Tulare County Assessor, 2004
Dyett & Bhatia, 2004



GUIDING POLICIES

- LU-G-1 *Promote a sustainable, balanced land use pattern that responds to existing needs and future needs of the City.*
- LU-G-2 *Maintain a well-defined, compact urban form with Downtown as the “heart of the City.”*
- LU-G-3 *Promote sustainability in the design and development of public and private development projects.*
- LU-G-4 *Provide transitions between types and intensities of land use using high-quality urban design and greenway buffers.*
- LU-G-5 *Ensure that new development pays for the public facilities and infrastructure improvements required to meet the demands resulting from that growth.*

IMPLEMENTATION POLICIES

- LU-I-1 Amend the Zoning Ordinance to include use regulations, development standards, and minimum performance requirements for zoning districts as needed to implement the General Plan.
- LU-I-2 Require a mix of civic, retail and service-oriented uses in the commercial component of neighborhood centers.
- The Zoning Ordinance will establish a minimum site area and use mix so centers include more than just a convenience store or gas station. They also will need to provide for transit stops and related amenities. The City may offer FAR or density bonuses or other incentives for projects undertaking elective improvements that further the City’s community design and/or open space objectives. This type of density bonus cannot be combined with the affordable housing bonus. Off-site improvements directly resulting from a project’s impacts, as specified in the Zoning Ordinance, will be required under the City’s development mitigation program; the bonus is intended for improvements that go beyond the required minimum.*
- LU-I-3 Amend the Urban Development Boundary (UDB) in order to guide growth through annexation and development, and the efficient extension of public services to new areas.
- The UDB will be periodically reviewed and updated to ensure that it provides for a 10-year supply of developable residential land and a 20-year supply of developable commercial and industrial land, consistent with the General Plan and LAFCO requirements. The UDB will be adopted separately by the City Council as a General Plan implementation policy.*
- LU-I-4 Seek LAFCO approval of a Sphere of Influence (SOI) line that accommodates planned urban development under a General Plan.

This policy is not intended to limit extension of services to existing rural uses, nor deny existing rural property owners the option of requesting annexation.

LU-I-5 Require contiguous development within the UDB unless it can be demonstrated that development of property which is contiguous to urban development is unavailable.

The City desires to prevent leapfrog development where development skips over available land to outlying and isolated areas. Contiguous development will reduce sprawl, safeguard agriculture land, and reduce the cost of extending services.

LU-I-6 Adopt, and maintain in place, a development mitigation program to ensure that all new growth is paying its share of the costs associated with that growth. This program will include two components:

- *Local Mitigation Program:* The local development fee program will establish fees, exactions, assessments or other mitigation measures to fund streets and other city-owned facilities. Revenue provided from this program shall not be used to replace private developer funding of any required improvements that have or would have been committed to any project.
- *Regional Mitigation Program:* The regional development fee program will establish fees, exactions, assessments or other mitigation measures to fund State highway and other regional transportation improvements needed to mitigate the impacts of planned development under the General Plan. Regional development impact fees may be established under this program that would apply to all new development in the City, unless exempt.

LU-I-7 Use other funding mechanisms to augment developer and/or mitigation fees, when and where appropriate.

In certain situations, it may benefit the City to advance funds, prior to developer funding and/or project completion. Additional financing options available to the City include but are not limited to: reimbursement agreements; redevelopment tax increment financing; debt financing; and assessment districts. None of these mechanisms precludes the developer's responsibility to pay the cost or mitigate the impact of their proposed development.

LU-I-8 Approve development projects only after making findings that one or more of the following conditions are met:

- No General Fund revenue will be used to replace developer funding that has or would have been committed to any other public project;
- The development project will fully fund all public facilities and infrastructure, including streets, water, sewer and storm drainage systems, parks and public safety facilities and equipment, as necessary to directly mitigate the impact of the new development; and
- The development project will pay impact fees for public facilities and infrastructure improvements in proportion to the development's impacts, as per the approved master plans.

- LU-I-9 Establish a comprehensive design review process for multi-family housing, commercial and industrial development with an appropriate level of review based on project type and size.

2.3 GENERAL PLAN LAND USE DIAGRAM

The General Plan Land Use Diagram, Figure 2-2, is a graphic representation of the Plan's themes and policies. It designates the proposed general location, distribution, and extent of land uses through 2030. The Diagram is to be used and interpreted only in conjunction with the text and other figures contained in the General Plan. The Diagram legend includes the land use classifications described below, which represent an adopted component of the Plan.

The Diagram is not parcel-specific and uses on sites less than one acre in size are generally not depicted. The Zoning Map which will be prepared subsequent to the adoption of the General Plan will be parcel-specific.

DENSITY/INTENSITY STANDARDS

As required by State law, the land use classifications of the General Plan specify a range for housing density and building intensity for each land use type. Residential density is expressed as housing units per gross acre (including public streets and other rights-of-way). Maximum permitted ratio of gross floor area to site area, called Floor Area Ratio (FAR), is specified for non-residential uses. FAR is a broad measure of building bulk that controls both visual prominence and traffic generation. It can be clearly translated to a limit on building bulk in the Zoning Ordinance and is independent of the type of use occupying the building. These density/intensity standards allow circulation and public facility needs to be determined.

Density (housing units per acre) and intensity (FAR) standards are for gross developable land (that is, including proposed streets and other rights-of-way), but excluding areas subject to physical or environmental constraints, which include ridgelines and steep hillside slopes, creek corridors and floodways, and areas to be dedicated for greenways or habitat protection. The density/intensity standards do not imply that development projects will be approved at the maximum density or intensity specified for each use. Zoning regulations consistent with General Plan policies and/or site conditions may reduce development potential within the stated ranges.

The Zoning Ordinance, as amended to implement the General Plan, may provide specific exceptions to the FAR limitations for uses with low employment densities, such as research facilities, or low peak-hour traffic generation, such as a hotel or hospital. Intensity standards for non-residential and mixed-use development are for each entire development site; that is, intensities on individual parcels may exceed the maximum, provided each overall development project does not exceed the stipulated intensity. This type of flexibility in density and intensity standards may also be provided for planned developments in the Zoning Ordinance.

LAND USE CLASSIFICATIONS

The following descriptions apply to land uses indicated on the General Plan Land Use Diagram. Land use classifications are organized into the following categories: Residential, Mixed-Use, Commercial, Office/Industrial, and Public/Open Space.

Residential

Rural Residential. This designation is intended to allow opportunities for rural living on lots ranging in size from 2.5 to 10 acres or more. This land use is around the periphery of the community because it helps serve as a transition between agriculture/open space and more intensive urban uses. This type of development helps define the limits of urban development. Clustered development is encouraged, and smaller lots may be allowed, provided that the overall density does not exceed 0.2 units per acre, with lower limits applying in the Hillside Development Zone.

Resort Residential. This designation is intended to allow residential development along the Lake Success shore and surrounding hillsides. There is an emphasis on creating a resort community with supporting commercial and recreation uses. Pedestrian-oriented design standards, including clustered development patterns, will promote sustainable development. The maximum overall density is 5.0 units per acre, with lower limits applying in the Hillside Development Zone.

Very Low Density Residential. This designation is typical of large lot or executive home single-family subdivisions. The maximum residential density is 2.5 units per gross acre.

Low Density Residential. This density represents typical single-family subdivisions. The maximum residential density is 6.0 units per gross acre.

Low-Medium Density Residential. This density is also for typical single-family subdivisions, but allows for smaller lots. The maximum residential density is 9.0 units per gross acre.

Medium Density Residential. This density range would accommodate a variety of housing types, such as small-lot single-family homes, detached zero lot line developments, duplexes, townhouses, and garden apartments. Pedestrian-oriented design and clustered development can support higher levels of density. The maximum residential density is 12.0 units per gross acre.

High Density Residential. This classification is intended to accommodate attached homes, two- to four-plexes, and apartment buildings. The maximum residential density is 24.0 units per gross acre.

Mixed-Use

Downtown Mixed-Use. Downtown Mixed-Use development allows for a mostly vertical mix of commercial, service, office, and residential uses. The vertical nature of this type of use may allow for a reduction in the minimum parking requirements. This designation allows a maximum FAR of 3.0. The maximum residential density is 30.0 units per gross acre.

Commercial Mixed-Use. This designation allows for either horizontal or vertical mixed-use development. Commercial, service, office, and residential uses are allowed. Buildings more than one story are strongly encouraged. The designation allows a maximum FAR of 2.0. The maximum residential density is 24.0 units per gross acre.

Commercial/Office/Industrial

Downtown Retail. Pedestrian-oriented and “Main Street” design standards, a vertical mix of uses, and the retention of a unique retail environment is the focus in the Downtown area. This designation allows for a maximum FAR of 3.0.

Retail Centers. Design and use standards will be established for regional shopping centers located at major circulation intersections. Large format or “big box” retail and auto sales as well as travel related services, such as hotels and gas stations are allowed. This designation allows for a maximum FAR of 0.35.

General and Service Commercial. This designation is intended for retail and services uses that meet local and regional demand. Examples of allowable uses include: equipment rental and repair, commercial print shops, auto sales, storage facilities, and wholesale businesses, and specialized retail not normally found in shopping centers. Accessory office uses related to the primary commercial use are also allowed. This designation allows for a maximum FAR of 0.40.

Neighborhood Commercial. This designation is intended for small-scale commercial development that primarily provides office space and convenience retail for local neighborhoods. This designation allows for a maximum FAR of 0.30.

Professional Office. This designation is intended for office complex development, including professional and medical offices, as well as research and development activities. Small restaurants, support services, convenience retail and limited medium and high density residential are also allowed. This designation allows for a maximum FAR of 0.50.

Industrial Park. This designation comprises a mix of light industrial, secondary office, bulk retail, and service uses. Typical uses include warehouse, mini-storage, research and development, wholesale, bulk retail, and office space with limited customer access. Other uses may be allowed, such as commercial recreation, distribution centers, or other uses that require large, warehouse-style buildings. Small-scale retail and service uses serving local employees and visitors are permitted as secondary uses. This designation allows for a maximum FAR of 0.40.

Industrial. This designation allows primary manufacturing, refining, and similar activities including those with outdoor facilities. It also accommodates warehousing, distribution, with support commercial services and ancillary office space. No retail uses are allowed. This designation allows for a maximum FAR of 0.60.

Agriculture/Rural/Conservation

Agriculture/Rural/Conservation. This designation preserves agricultural and resource conservation areas. Incidental residential uses with septic systems are allowed, subject to health and environmental standards. Clustered housing is strongly encouraged because it makes the provision of other infrastructure, such as roads and electricity, more cost-effective and limits the impact on natural resources. Industrial gravel and aggregate mining is allowed in areas designated as Mineral Resource Zones.



The General Plan will protect surrounding productive agricultural lands.

Public Uses and Open Space

Public/Institutional. This designation is intended for lands owned by public entities, including the Municipal Airport, City Hall, County buildings, and the hospital. At the Municipal Airport, industrial park uses will be allowed. It will provide for needed public facilities, including, but not limited to, recycling centers, sewage treatment ponds, and police and fire stations. This designation allows for a maximum FAR of 0.25.

Education. This designation is intended for lands owned by public or private entities for educational purposes, including schools, colleges, vocational training facilities, and administrative offices.

Commercial Recreation. This designation is intended for campgrounds, off-road vehicle complexes, and other recreation areas where patrons usually pay to participate. The maximum FAR is 0.10.

Park. This designation applies to both public and private recreation sites and facilities. It allows for a maximum FAR of 0.10.

Table 2-2 summarizes the density and intensity (FAR) standards used in the General Plan, which reflect both allowed and typical buildout densities for residential areas.

Table 2-2: Standards for Density & Development Intensity

<i>Land Use</i>	<i>Maximum Residential Density (du/gross acre)</i>	<i>Maximum Floor Area Ratio (FAR)</i>
Rural Residential	0.2	
Resort Residential	5.0	
Very-Low Density Residential	2.5	
Low Density Residential	6.0	
Low-Medium Density Residential	9.0	
Medium Density Residential	12.0	
High Density Residential	24.0	
Downtown Mixed-Use	30.0	3.00
Commercial Mixed-Use	18.0	2.00
Retail Commercial		0.35
General Commercial		0.40
Neighborhood Commercial		0.30
Professional Office		0.50
Industrial Park		0.40
Industrial		0.60
Agriculture/ Rural/ Conservation		NA
Public/Institutional		0.25
Education		NA
Commercial Recreation		0.10
Park		0.10

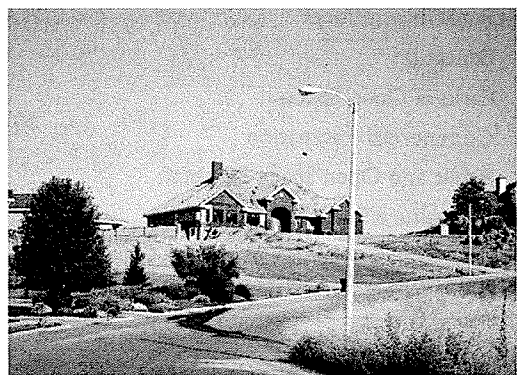
Source: Dyett & Bhatia, 2007.

Overlays

Hillside Development Zone. All development within the Hillside Development Zone is subject to hillside development and design standards. Review criteria and limitations on maximum density are based on slope.

Downtown Planning Area. This overlay is intended to emphasize the Downtown area where the City wants to promote mixed-use development. Pedestrian-oriented design standards will apply.

Transition Landscape Buffers. This designation is intended to provide a variable-width landscaped buffer between industrial and industrial park uses, or heavily traveled highways and residential



Hillside development will be regulated by the City's Hillside Development Ordinance.

land uses. The recommended buffer widths are between 150 to 200 feet. Frontage roads, orchards, and recreational uses are allowed in these areas.

General Plan Land Use Diagram Summary

Table 2-3 summarizes the total land use acreages at buildout for the Planning Area.

Table 2-3: Buildout General Plan Land Use Acreage

<i>Land Use</i>	<i>Developed Land¹</i>	<i>General Plan</i>	<i>2030 Total</i>	<i>Percent of Total</i>
Rural Residential	324	1,731	2,055	5.7%
Resort Residential	-	1,084	1,084	3.0%
Very Low Density Residential	79	1,699	1,778	4.9%
Low Density Residential	3,802	4,339	8,141	22.4%
Low-Medium Density Residential	28	223	251	<1%
Medium Density Residential	613	438	1,051	2.9%
High Density Residential	264	11	275	<1%
Residential Subtotal	5,110	9,525	14,635	40.3%
Downtown Mixed-Use	34	25	59	<1%
Commercial Mixed-Use	57	58	115	<1%
Retail Centers	495	251	746	2.1%
General & Service Commercial	242	76	318	<1%
Neighborhood Commercial	18	129	147	<1%
Mixed-Use and Commercial Subtotal	846	539	1,385	3.8%
Industrial Park	131	1,314	1,445	4.0%
Industrial	312	171	483	1.3%
Professional Office	100	1	101	<1%
Office and Industrial Subtotal	543	1,486	2,029	5.6%
Public/Institutional	1,255	348	1,603	4.4%
Education	419	343	762	2.1%
Parks & Open Space	313	993	1,306	3.6%
Commercial Recreation	-	55	55	<1%
Public and Open Space Subtotal	1,987	1,739	3,726	10.3%
Agriculture/Rural/Conservation	266	11,658	11,924	32.8%
Unclassified (Roads, water, etc.)	3	2,639	2,642	7.3%
TOTAL	8,755	27,586	36,341	100%

¹ Developed Land includes development projects approved in 2005.

Source: City of Porterville; Dyett & Bhatia, 2007.

2.4 RESIDENTIAL NEIGHBORHOODS

The General Plan promotes a mix of residential densities and compact neighborhood design that provide for efficient use of available land resources and maintain a compact form that is less intrusive on the surrounding countryside. The Plan also provides for a mix of housing types to serve the needs of all Porterville residents.



New multifamily development will occur around neighborhood centers and at other appropriate locations.

Community facilities that are appropriate for a residential environment, including residential care, day care, elderly care, and alcoholism or drug abuse recovery or treatment facilities will be allowed within neighborhoods, consistent with State and federal law, because they are considered “protected” facilities and local zoning can not exclude them as long as specified standards and licensing requirements are met.

GUIDING POLICIES

- LU-G-6 *Provide for residential development with strong community identities, appropriate and compatible scales of development, identifiable centers and edges and well-defined public spaces for recreation and civic activities.*
- LU-G-7 *Guide new development into compact neighborhoods with a defined, mixed-use center including public open space, a school or other community facilities, and neighborhood commercial.*
- LU-G-8 *Allow and encourage efficient infill development in existing neighborhoods.*
- LU-G-9 *Provide sufficient land with appropriate parcel sizes to support a full range of housing types and prices.*

IMPLEMENTATION POLICIES

- LU-I-10 Amend the Zoning and Subdivision Ordinances to include:
- Minimum lot sizes and densities consistent with the Plan’s land use classifications;
 - Development standards that permit townhouses and zero-lot line attached or detached single-family dwellings on sites designated for low-medium, medium, or medium-high densities;
 - Development standards that permit second units, small family daycares, and residential care homes in neighborhoods in accord with State law; and

- Sustainable design standards that will achieve compact, walkable neighborhoods and provide an interconnected network of local streets.
- LU-I-11 Only allow gated communities in very low density, planned development areas, and Resort Residential areas.
- LU-I-12 Require residential development on slopes over six percent to comply with the Hillside Development Ordinance.
This ordinance establishes a Hillside Development zoning district with standards and review procedures tailored to the City's needs and expectation for hillside development.
- LU-I-13 Discourage residential development within the Airport Safety Zone. If residential development is approved in the County within the Airport Safety Zone, it must comply with Tulare County Airport Land Use Commission's land-use compatibility standards and density restrictions.
The County is currently preparing an Airport Land Use Compatibility Plan which will include updated information for a safety zone.
- LU-I-14 Allow residential developments to employ creative site design, landscaping, and architectural quality that blend with the characteristics of each location and its surroundings and offer superior design solutions.
- LU-I-15 Adopt community design standards for new residential development.
These could include but are not limited to:
- *Maximum block length;*
 - *Maximum ratio of block length to width;*
 - *Limited use of dead-end streets;*
 - *Orientation of residential building; and*
 - *Required connectivity.*
- Exceptions may be provided for infill sites and projects in the Hillside Development Zone.*
- LU-I-16 Establish guidelines and incentives to promote green building techniques and materials in residential development.
- LU-I-17 Require that all new subdivisions preserve natural, cultural, and biological resources, including stands of large trees and rock outcroppings, to the maximum extent feasible.
- LU-I-18 Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses, and environmental hazards.

- LU-I-19 Enforce zoning and development regulations through project review, construction inspections, and code enforcement, with fees to enable full-cost recovery for providing these services.

State law allows cities to set permit fees to recover administrative costs.

2.5 RETAIL, COMMERCIAL, OFFICE & MIXED-USE

RETAIL & COMMERCIAL

Clusters of commercial uses are designed to provide goods, services, and employment opportunities to both local residents and people from surrounding communities. These clusters are called neighborhood and regional centers. A neighborhood center is composed of a mix of retail, civic, and service-oriented uses which is often surrounded by higher density housing. These centers help support local transit and provide places for social interaction for the neighborhood residents. The Plan provides for new neighborhood centers, located closer to where people live and designed with the pedestrian in mind.

Attractive, well-designed regional centers are critical in shaping the identity and image of Porterville. The Plan builds on the regional accessibility of state routes 65 and 190 in order to plan for regional, auto-oriented commercial development which will capture out-of-town sales tax revenue.

OFFICE

The General Plan recognizes the need for new office development, both in free-standing office buildings within existing commercial areas, along arterial streets and in new office parks. Sites that can accommodate flexible office space facilities will be in demand as the local economy matures and the City implements the Economic Development strategy described in Economic Development Element.

The General Plan Land Use Diagram provides sites for both larger site office parks and smaller, integrated office uses, designated as Professional Office. Smaller sites are typically expected to be local-serving professional and administrative office environments, such as medical, real estate, or financial services. Larger sites are envisioned as office parks that draw employees from a wider area and provide more jobs. Offices are also permitted in Neighborhood Commercial area, the Downtown Planning Area, and Retail Centers and as accessory uses in General and Service Commercial areas and Industrial Parks. A vertical mix of uses where new office uses are located above the first floor or as a secondary use in multi-tenant buildings can be an efficient use of land and promote retail continuity at the street level.

MIXED-USE

Mixed-Use designations which provide commercial and residential uses in the same area can help reduce auto dependence, preserve green space and natural resources, and promote revitalization, economic development, and modestly priced housing. The Downtown Mixed-Use designation encourages a higher-density, vertical mix of uses with residential or office uses above ground floor retail or other commercial uses. It also provides for the development of more multi-family residential within walking distance of Downtown. The Commercial Mixed-

Use designation allows for lower density but multi-story development where the uses may be either horizontally or vertically mixed.

GUIDING POLICIES

- LU-G-10 *Foster viable, pedestrian-oriented neighborhood centers with vertically- and horizontally-mixed-use development.*
- LU-G-11 *Foster strong, visually attractive regional commercial centers with a mix of tenants to serve both local and regional needs.*
- LU-G-12 *Promote the location of professional and administrative offices Downtown, near post-secondary education facilities, and in other mixed-use districts.*

IMPLEMENTATION POLICIES

- LU-I-20 Establish standards for pedestrian-oriented design in neighborhood centers.
Pedestrian-oriented design standards may include, but would not be limited to:
- *Limitations on maximum block length;*
 - *Minimum sidewalk width;*
 - *Required streetscape improvements, including street trees;*
 - *Building height and articulation;*
 - *Building setbacks;*
 - *Location of entries; and*
 - *Parking location and required landscaping.*
- The City also may provide additional incentives for projects that contribute to the pedestrian, bicycle and transit networks, and/or the open space network.*
- LU-I-21 Prohibit new strip commercial developments.
For purposes of this policy, strip development is defined as a row of at least three stores, where each has direct access to a street with a surface parking lot between the building and the street. There may or may not be an anchor tenant.
- LU-I-22 Promote and support the revitalization and infill development in existing retail shopping centers.
- LU-I-23 Establish an incentive program that will provide for density and FAR bonuses for mixed-use development that includes amenities for public benefit, such as workforce housing, pedestrian-oriented facilities (outdoor seating, plazas, weather protection, transit waiting areas), historic preservation, cultural facilities, public art and water features, and open space preservation.

- LU-I-24 Allow supporting retail, business services and other complementary uses in Professional Office districts.

2.6 INDUSTRY

The General Plan proposes to shift the focus of industrial development to areas south of SR 190, particularly around the Airport. Existing, well established industrial areas in other parts of the City will be retained. Plan policies seek to increase the supply of pre-zoned, “ready-to-go” job producing land. This will improve Porterville’s competitiveness in the regional economy by decreasing start-up time for new development. In addition, the Plan reduces the potential for conflicts associated with industrial uses adjacent to other sensitive uses.

GUIDING POLICIES

- LU-G-13 *Improve Porterville’s prominence as a major center of economic activity in Tulare County.*
- LU-G-14 *Ensure the availability of land and buildings to accommodate new industries and the expansion of existing businesses while accounting for market factors.*
- LU-G-15 *Promote clustering of industrial uses into areas that have common needs and are compatible in order to maximize their efficiency.*
- LU-G-16 *Discourage industrial development in locations where access and operations conflict with neighboring land uses.*

IMPLEMENTATION POLICIES

- LU-I-25 Establish buffering requirements and performance standards intended to minimize harmful effects of excessive noise, light, glare, and other adverse environmental impacts.
- LU-I-26 Actively promote the annexation of industrial designated lands to accommodate planned job growth.
- LU-I-27 Require Master Plans for new Industrial Parks over a specified size to ensure coordination of land use and infrastructure planning.
The City could waive this requirement where existing infrastructure can accommodate the planned industrial use.
- LU-I-28 Foster high-quality design and allow secondary uses, such as child care and other employee-serving amenities in Industrial Parks, if they complement primary use without compromising public health and safety.
- LU-I-29 Offer incentives for industrial development projects that contribute to the pedestrian, bicycle and transit networks, and/or parks and public open space.

2.7 PUBLIC & INSTITUTIONAL

Public and quasi-public facilities, such as government facilities, hospitals and cemeteries, are important elements of community-building. Sites needed for large facilities are indicated on the General Plan Land Use Diagram near mixed-use neighborhood centers and Downtown. Public uses on sites less than two acres in size do not need a separate zoning classification and are not shown on the Diagram.



The State Development Center is a major institution in Porterville.

Houses of worship and other places for religious assembly as well as private schools and colleges will be permitted in residential and commercial areas, subject to appropriate location and development standards, and use-permit requirements which will ensure neighborhood compatibility.

For policies related to community facilities, see the Parks, Schools & Community Facilities Element. For policies related to law enforcement and fire service standards, see the Public Health & Safety Element.

GUIDING POLICIES

- LU-G-17 *Provide sufficient land for civic and institutional uses such as police and fire services, water and sanitary facilities, infrastructure and other City services to meet future demand.*
- LU-G-18 *Support the expansion of Porterville's Sierra View District Hospital and related medical and dental offices in the surrounding area, subject to standards ensuring that surrounding residential areas are not adversely affected.*

IMPLEMENTATION POLICY

- LU-I-30 Establish appropriate zoning for civic and institutional uses, including development standards that address scale, operation, location, and other characteristics of community facilities, including public and quasi-public facilities that enhance the character and quality of neighborhoods.

2.8 PARKS & OPEN SPACE

Parks and open space are a fundamental building block of the General Plan Land Use Diagram. Policies pertaining to parks are found in the Parks, Schools & Community Facilities Element. Policies related to public open space are in the Open Space & Conservation Element. Public uses on sites less than two acres in size do not need a separate zoning classification and are not shown on the Diagram.

GUIDING POLICY

LU-G-19 Provide sufficient land for parks and open space to meet future demand.

2.9 DOWNTOWN PORTERVILLE

Since incorporation in 1902, Downtown Porterville has been the “heart of the City.” Main Street forms a spine which supports significant cultural and governmental buildings as well as specialty retail stores and restaurants. Recent street improvements have increased the pedestrian-friendly aspect of Main Street with new paving, contrasting crosswalks, improved lighting and additional landscaping. Public spaces are regularly programmed with local music and cultural events. Plus, most of Porterville’s historic buildings are in or near Downtown.



Downtown retail and restaurants

Even with recent improvements, Downtown is still underutilized. Buildings are aging and require rehabilitation. Streets adjacent to Main Street have not been upgraded. Incompatible uses and parking deficiencies further inhibit residents and businesses from fully taking advantage of this resource.

It is a priority for the community to revitalize Downtown. The General Plan Land Use Diagram includes an overlay for the Downtown Planning Area, where additional planning efforts will help define the long-term strategy. The General Plan supports creating new housing opportunities in and near Downtown. New residents will help support local retail and provide a greater level of around-the-clock activity. Additional street improvements will be prioritized to expand the pedestrian-friendly areas beyond Main Street. Specific building and design standards will be written to enhance the character of the area. Efforts will be made to recruit a wider variety of retail stores, restaurants, and cultural facilities.

Additional policies regarding the economic development of Downtown are found in the Economic Development Element. Historic preservation is discussed in the Open Space and Conservation Element.

GUIDING POLICIES

- LU-G-20 *Enhance Porterville's Downtown as a pedestrian-oriented district that reflects local history and culture.*
- LU-G-21 *Attract and retain specialty retail and restaurant businesses that will enhance Porterville's unique character.*
- LU-G-22 *Promote vertical mix of uses with residential and office uses above the ground floor retail to add vitality to Downtown Porterville.*
- LU-G-23 *Provide sites for multi-family housing within walking distance of Downtown.*
- LU-G-24 *Promote public and private development within Downtown that is sensitive to historic sites.*

IMPLEMENTATION POLICIES

- LU-I-31 Prepare a Downtown Plan with implementing regulations to support pedestrian-oriented, infill development and a mix of office, residential, retail and civic uses.
- LU-I-32 Include standards in the Zoning Ordinance for housing and mixed-use development within the Downtown area that address:
- Building setbacks and relationship to the street;
 - Outdoor dining areas;
 - Street landscaping to create an attractive and livable environment;
 - Adequate light, air, ventilation, and noise insulation for residential units;
 - Building design, including articulation and quality of materials;
 - Ground floor uses;
 - Location and quality of parking; and
 - Height and setback transitions to adjacent lower density residential uses.
- LU-I-33 Continue to improve the appearance of Main Street and other Downtown streets with traffic calming measures, tree planting, attractive landscaping, street furniture, and water features, etc., that will contribute to the creation of a distinctive image for Porterville's Downtown.
- LU-I-34 Utilize redevelopment, or other tools where available, to revitalize and preserve historic buildings.
- Continue to allow the adaptive reuse of historic buildings. The City could also enable owners to use the State's Historic Buildings Code as an incentive to upgrade historic buildings.*

- LU-I-35 Establish a density bonus/incentive program to spur creation of privately-owned public spaces throughout Downtown, including seating areas, landscaping, water-features, and public art.
- LU-I-36 Expand parking facilities while improving access by other transportation modes.
Promote a “park once” concept where motorists are able to drive downtown, quickly find a parking space and then walk or ride public transit to jobs, shops, restaurants and entertainment, without having to get back into their cars until they’re ready to leave.
- LU-I-37 Update the Redevelopment Project Area plans to support a contemporary mix of retail, office and entertainment uses.
This could include support for a greater variety of apparel stores, bookstores and restaurants as well as additional cultural, arts, and entertainment venues that offer quality arts and entertainment functions such as live music, theater, or comedy.
- LU-I-38 Create and maintain an attractive, pedestrian-friendly circulation system to provide connections between the downtown pedestrian core, adjacent residential, the Transit Center, civic buildings, and parking areas.
- LU-I-39 Identify funding mechanisms for improvements within Downtown, including streetscape enhancements, public space, façade renovation, parking, etc.
Explore a wide variety of options, including: redevelopment funds, development fees, community facilities districts, public improvements bonds, and regulatory programs applicable to new development.
- LU-I-40 Seek grants and other funding sources to support the façade, awning, and signage improvement program.
This program could include matching funds, subsidized architecture and design assistance, and/or reduced permit fees.

2.10 LAKE SUCCESS RESORT RESIDENTIAL COMMUNITY

The Resort Residential Community proposed adjacent to Lake Success represents a unique opportunity to plan a new mixed-use Resort Residential community that is vital, livable, and walkable while respecting wildlife habitat and sensitive resources. This General Plan outlines the policies and elements that will integrate this site’s importance as an economic, natural, and community asset.

The City recognizes that development policies and standards for the Resort Residential Community must provide flexibility within a



Lake Success

general framework for land use, open space, and environmental resource management. Therefore, the site planning policies set forth the basic parameters for more detailed master planning and development agreements, while establishing the basic character of a Resort Residential community.

LAND USE MIX

To ensure that the Resort Residential Community attracts high-quality Resort Residential development, more detailed planning for the area will be required following the adoption of the General Plan. The additional plans will ensure that desired land use intensities and overall level of development are attained. In addition, the specific location of development, number of housing units, variety of land uses, and requirements for community amenities will be determined.

The proposed land use allocation and development concept (see Tables 2-4 and 2-5) for the Resort Residential Community could accommodate up to 2,000 new housing units or more if overall goals are met (while preserving land for open space, parks and recreation facilities, neighborhood commercial and visitor facilities). The ultimate level of development will depend on decisions to be made following detailed site planning, analysis of specific land use mixes within community and neighborhoods, environmental constraints and resource assessment, the specific character of the visitor-oriented mixed-use area, economic jobs analysis, and determination of infrastructure costs. It also will depend on the scope of open space, parks, and recreation facilities planned for the area.

Table 2-4: Resort Residential Development Concept

<i>Criteria</i>	<i>Development Concept</i>
Population	4,000 ¹
Housing Units	2,000 ¹
Jobs	500

¹ The maximum number of housing units and resident population may be greater, provided the land use allocations in Table 2-5 are not exceeded, the standards set by the City's hillside development ordinance are met, and level of service standards for arterial and collector streets are maintained.

Source: Dyett & Bhatia, 2007.

The ranges in Table 2-5 reflect the development concept and provide minimum and maximum levels of development for each type of land use, which will allow for flexibility in master planning in response to market conditions, infrastructure costs, and site planning policies. The specific percentages may be adjusted based on a detailed site and market analysis conducted after General Plan adoption to assess potential level of development.

Table 2-5: Resort Residential Conceptual Land Use Allocations

Criteria	Gross Acreage (Percent of Total)	
	Minimum	Maximum
Residential Neighborhoods	30%	50%
Civic/Institutional/Small-scale Visitor Oriented Mixed-Use (including overnight accommodations, restaurants and commercial services)	3%	6%
Parks & Recreation (includes local and regional facilities and potentially a new Golf Course)	5%	35%
Other Public Open Space, Protected Hillside (shoreline corridor for public access, slopes over 20%, ridgelines and visible hillsides) ¹	30%	50%
Total	68%	n.a.²

¹ In the Resort Residential Community, only about 3% of the land is over 20% slope.

² The total in this column exceeds 100% reflecting the potential to "mix-and-match" with the 32% that is "unallocated" (the difference between the total in the minimum allocation column and 100%).

Source: Dyett & Bhatia, 2007.

DENSITY & INTENSITY

Neighborhoods are envisioned to be 80 to 120 acres in size, so that residents would be within one quarter-mile of a neighborhood center or neighborhood park, thereby reducing the need for automobile use for some local trips. Each neighborhood should have a mix of housing, which could be based on residential density allocations or on allocation by basic building type established in a master plan. The master plan could provide specifically for the goal of housing mix to be met by a combination of housing types rather than a combination of different residential densities.

GUIDING POLICY

LU-G-25 *Create a Resort Residential community at Lake Success that is sensitive to the environmental characteristics of the lakefront and surrounding hillsides.*

IMPLEMENTATION POLICIES

LU-I-41 Establish zoning and development standards for a resort residential community that will allow up to 2,000 housing units and up to 100,000 square feet of non-residential space for visitor accommodations, commercial recreation and related supporting uses.

Additional density and non-residential floor area may be permitted to enable new development to be self-sufficient and pay for all required infrastructure, community facilities, small-scale visitor-oriented mixed-use center, and open space, provided all environmental impacts are mitigated.

LU-I-42 Establish minimum requirements for specific housing types in the Resort Residential area to ensure that the needs of all economic segments of the community are met.

These should include provisions for some workforce housing at appropriate locations and possibly a requirement that some housing be restricted to seniors to minimize impacts on the school system.

LU-I-43

Require master planning using a specific plan—as authorized by the Government Code—or a similar planning program (e.g. a PD Planned Development Plan).

Master planning will enable the City to review and approve details about the location of various land uses, open spaces and linkages, and establish the standards and detailed design guidelines for individual development units with their community. Topics to be addressed will include, but not be limited to:

- *Integrating storm drainage requirements in site-specific planning;*
- *Planning for appropriate habitat conservation to preserve and protect special status species in the area;*
- *Preparing site-specific standards and financing programs for public and private improvements including new streets, parks and open space systems, street landscaping, drainage, bikeways and pedestrian walkways;*
- *Creating a streamlined development review process establishing permit review thresholds with clear standards and findings requirements consistent with Plan policies;*
- *Undertaking a fiscal impact analysis and financial feasibility study, including an analysis of revenues, capital and operating costs, development impact fees, bonding costs, and state and federal funding sources for needed improvements; and parks and recreation facilities. A long-range capital improvement program (CIP) for the Resort Residential Community also should be prepared; and*
- *Establishing minimum and maximum densities and intensities and allowable uses for individual neighborhoods (e.g., scale and mix within a visitor-oriented, mixed-use center with potential overnight lodging), consistent with the overall land use allocations and limitations based on performance standards and traffic levels of service established in the General Plan and the Hillside Development Ordinance.*

LU-I-44

Establish minimum requirements for parks and open space. These will include:

- *Providing one or more community-serving recreational facilities, such as tennis courts, golfing opportunities, lakeshore recreation facilities, and community facilities; and*
- *Providing a minimum 200-foot wide shoreline corridor for public access to and along the lakefront.*

**EXHIBITS TO MAY 26, 2010 LETTER
FROM COUNCIL OF CITIES
REGARDING
TULARE COUNTY REVISED DRAFT
GENERAL PLAN 2030 UPDATE
AND
RE-CIRCULATED DRAFT
ENVIRONMENTAL IMPACT REPORT
FOR TULARE COUNTY GENERAL PLAN**

EXHIBITS 5(e)-17

Exhibit List

- Exhibit 1: Butte County General Plan 2030 Draft EIR (Chapter 3: Project Description)
- Exhibit 2: Monterey County 2007 General Plan DEIR (Chapter 3: Project Description)
- Exhibit 3: County of Yolo 2030 Countywide General Plan (Land Use Element) & County of Yolo 2030 Countywide General Plan EIR (excerpts)
- Exhibit 4: Department of Conservation letters
- Exhibit 5: City General Plan Documents
- Exhibit 6: Comparative Land Use Maps: Visalia, Farmersville and Dinuba
- Exhibit 7: "Cities, Inside Out: Race, Poverty and Exclusion," M. Anderson, UCLA Law Review, June, 2008
- Exhibit 8: Calgary Worship Center
- Exhibit 9: Methany Tract Articles
- Exhibit 10: City of Tulare SA Recycling Appeal
- Exhibit 11: "Unincorporated Communities in the San Joaquin Valley: New Responses to Poverty, Inequity, and a System of Unresponsive Governance," V. Rubin, et al., Nov. 27, 2007
- Exhibit 12: Nitrates Articles
- Exhibit 13: Map of Tulare County Parks and Recreation
- Exhibit 14: "The Transportation and Environmental Impacts of Infill Versus Greenfield Development: A Comparative Case Study Analysis," Hagler Bailley Services (prepared for U.S.EPA), October 1999, excerpts
- Exhibit 15: "Growing Cooler: Evidence on Urban Development Change," R. Ewing, et al., April, 2009
- Exhibit 16: City of Visalia Agenda Item Transmittal, March 1, 2010
- Exhibit 17: 2008 Tulare County Annual Crop and Livestock Report (April 2009)

EXHIBIT 5

CITY GENERAL PLAN DOCUMENTS

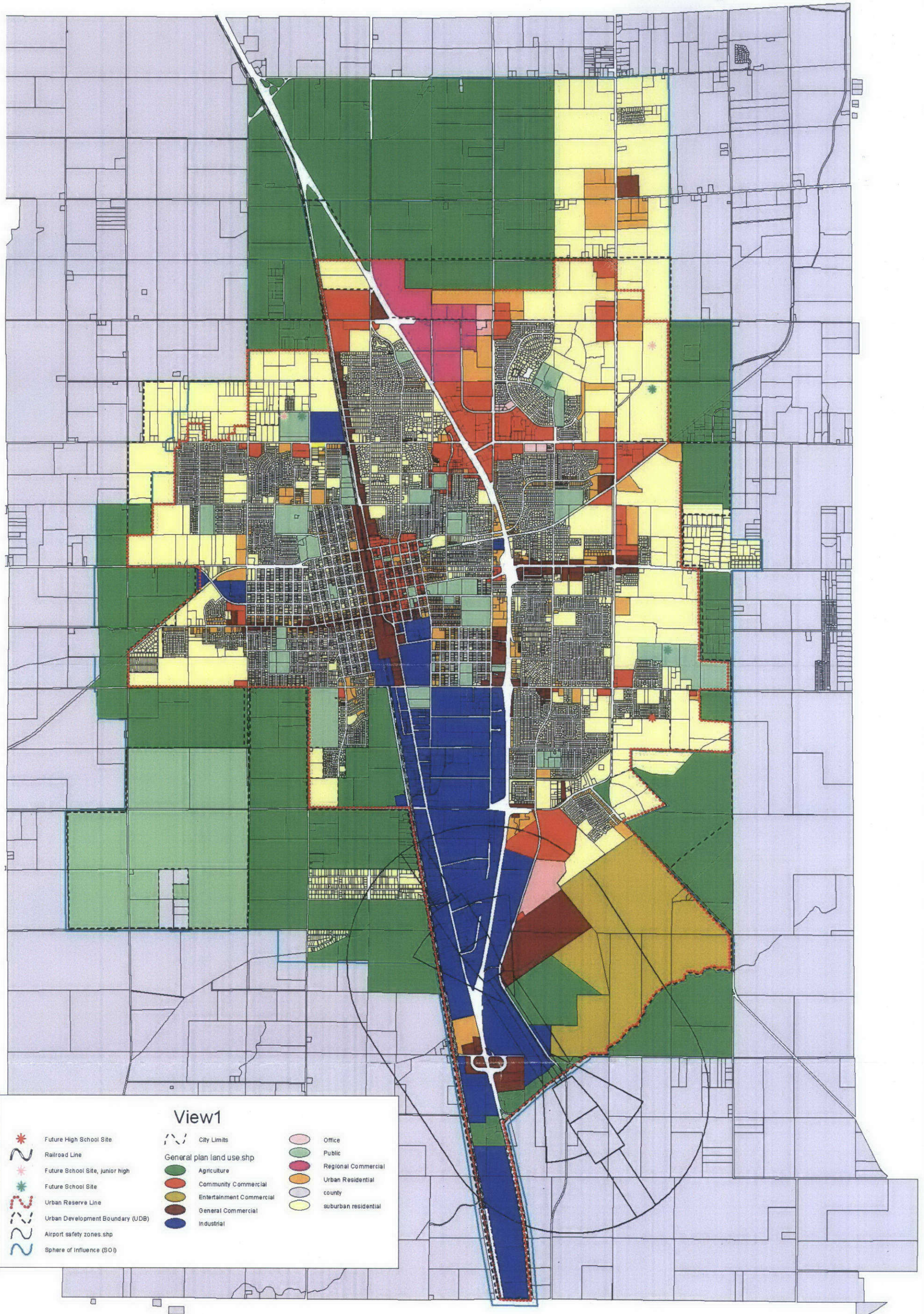
E: CITY OF TULARE

F: CITY OF VISALIA

G: CITY OF WOODLAKE

E: CITY OF TULARE

1993 General Plan land use map



View1

	Future High School Site		City Limits		Office
	Railroad Line		Agriculture		Public
	Future School Site, junior high		Community Commercial		Regional Commercial
	Future School Site		Entertainment Commercial		Urban Residential
	Urban Reserve Line		General Commercial		county
	Urban Development Boundary (UDB)		Industrial		suburban residential
	Airport safety zones.shp				
	Sphere of Influence (SOI)				

JUNE 2009

2000 0 2000 Feet



CITY OF TULARE GENERAL PLAN

LAND USE ELEMENT

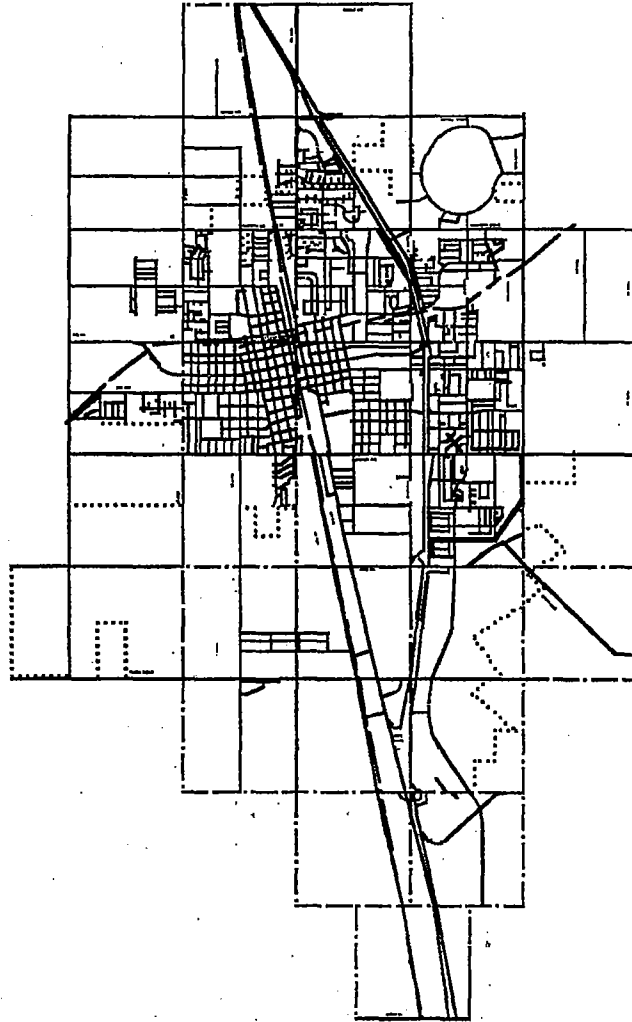
1993

Tulane

PREFACE



CITY OF TULARE
GENERAL PLAN
LAND USE AND CIRCULATION



1991-2005

CONTENTS

	<u>Page</u>
PREFACE	
I. INTRODUCTION	1
A. The Tulare General Plan Update	1
B. Purpose of the Land Use and Circulation Elements	1
C. Other Elements of the Tulare General Plan	2
II. STATE GENERAL PLAN REQUIREMENTS	3
A. General Requirements	3
B. Land Use and Circulation Element Requirements	3
III. FORMULATION PROCESS	5
A. Four-Phase Planning Process	5
B. Completed Planning Phases	5
C. Remaining Planning Phases	6
D. Public Participation	6
E. Background Report	8
IV. AMENDMENT PROCESS	9
V. PLANNING AREA SETTING	13
A. Regional Location	13
B. Local Setting	13
C. Basic Planning Area Characteristics	17
D. Historical Background	22
VI. FORMAT: GOALS, OBJECTIVES, POLICIES, AND ACTIONS	25
LAND USE ELEMENT	
I. INTRODUCTION	29
A. Purpose	29
B. Content	29
II. LAND USE GOALS, OBJECTIVES, AND POLICIES	31
A. Citywide Growth Pattern	31
B. Residential	45
C. Commercial	51
D. Office/Business Park	61

	<u>Page</u>
E. Industrial	65
F. Agriculture	69
G. Parks and Recreation	71
H. Municipal Services	85
I. Higher Education	88
J. Community Character	91
III. LAND USE DESIGNATIONS	97
A. The Land Use Map	97
B. Land Use Categories	98
IV. IMPLEMENTATION	109
A. State Implementation Requirements	109
B. Local Development Review and Land Use Regulation	109
C. Non-Regulatory Implementation Programs	113
D. Financing Measures	114
CIRCULATION ELEMENT	
I. INTRODUCTION	121
A. Purpose	121
B. Content	121
II. TRANSPORTATION POLICIES	123
A. Street System	123
B. Road Improvement Funding	131
C. Transit	132
D. Parking	137
E. Non-Vehicular Circulation	139
F. Transportation System Management/Transportation Demand Management	143
G. Trucking	146
H. Aviation	147
I. Rail	150
III. CIRCULATION SYSTEM DESIGNATION	153
A. The Circulation Map	153
B. Roadway Classifications and Improvement Objectives	154
IV. IMPLEMENTATION	163
A. State Implementation Requirements	163
B. Local Development Review	163

	<u>Page</u>
C. Non-Regulatory Implementation Programs	164
D. Financial Measures	175

List of Figures

1. Regional Setting	14
2. Tulare-Visalia Subregion	15
3. Planning Area Aerial Photograph	19
4. Planning Subareas	22
5. Existing Land Use Pattern	33
6. Existing Parks and Recreational Facilities	75
7. Land Use Map (reduction)	99
8. Existing Street System Level of Service	125
9. DART Service Area	134
10. Tulare Transit Express Service Routes	135
11. Proposed Bicycle Plan	141
12. Truck Route System	148
13. Railroads	152
14. Circulation Map	155
15. Tulare Avenue/Kern Avenue Couplet	157
16. Existing Street System Level of Service--2005	171
17. Future Street System Level of Service--2005	172

List of Tables

1. Historical Population Growth in Tulare County	24
2. Comparative Population Trends--Tulare, Visalia, Porterville, Tulare County (1900-1990)	24
3. Existing Tulare Land Use Breakdown--1990 (Approximate Acres)	32
4. Existing Tulare Housing Stock Characteristics and Trends	46
5. Existing City Parklands	74
6. City Park Classifications and Standards	82
7. Zoning Consistency with General Plan Land Use Designations	111
8. Level of Service Descriptions	126
9. Project Cost Estimates	176
10. Existing Funding and Expenditures	180
11. Revenue Shortfall Calculations	183

APPENDICES

- A. City Urban Reserve Line--County Urban Development Boundary

I. INTRODUCTION

A. THE TULARE GENERAL PLAN UPDATE

The General Plan for a city functions much as a constitution for a nation. It is a statement of the community's vision of its ultimate physical development and a "blueprint" for stability. This Tulare General Plan update consists of a revised *Land Use Element* and *Circulation Element*, the two most important general plan components in terms of shaping the physical form and character of the community.

The Central Valley is projected to be the fastest growing region in the state of California between 1990 and 2010. Approximately three million new people are expected to reside in the region by the end of this period. The City of Tulare, which grew by nearly 50 percent between 1980 and 1990, must anticipate that it will be significantly affected by this regional growth. The City has many features which make it attractive to new residents and businesses. These include its friendly citizenry, small town atmosphere, rural surroundings, affordable housing, and expanding industrial employment base. This Tulare General Plan *Land Use Element* and *Circulation Element* update has been prepared with these trends and conditions very much in mind.

B. PURPOSE OF THE LAND USE AND CIRCULATION ELEMENTS

The new general plan *Land Use* and *Circulation* elements are intended to balance the benefits of anticipated growth and change through the year 2005 with desires to maintain and enhance those qualities which make Tulare a desirable place to live and work. The two elements have been designed to promote a vision for: (1) the development of Tulare into a full service city; (2) the encouragement of a balanced, generally concentric and contiguous growth pattern which can be efficiently provided with adequate public services and infrastructure; (3) the maintenance and improvement of existing residential neighborhoods; (4) the creation of distinctive new, high quality residential neighborhoods; (5) the application of a high standard of design quality in all new development; (6) the fostering of the downtown as the City's civic, cultural, and service center; (7) the location of community shopping opportunities at convenient and appropriate locations along key circulation arterials; and (8) the establishment of regional shopping opportunities along Tulare's highly accessible freeway frontage. In addition, these two plan elements are designed to guide the City towards this overall vision in an orderly manner so that efficient and convenient circulation are maintained, adequate public infrastructure and services are

provided, the agricultural heritage of the City is respected, and related environmental impacts are minimized.

The City's previous *Land Use Element* was prepared in 1978 by the City of Tulare Planning and Building Department and was adopted by the City Council in September of 1979. The City's previous *Circulation Element* was last updated in 1981 to reflect and facilitate the policies set forth in the 1978 *Land Use Element*.

C. OTHER ELEMENTS OF THE TULARE GENERAL PLAN

The remaining state-required elements of the Tulare General Plan, including the *Housing, Conservation and Open Space, Noise, and Seismic Safety* elements, are not a part of this update. The City's *Housing Element* was recently updated and adopted in 1992. The City's *Noise Element* was most recently updated in 1990. The City's *Conservation and Open Space Element* is included within the Conservation and Open Space components of the 1972 Tulare County Environmental Resources Management Element (ERME). These components were adopted as City policy by Tulare City Council resolution in August of 1975. The City's *Seismic Safety Element* is included within the Five County Seismic Safety Element prepared in 1974 for Fresno, Kings, Madera, Mariposa, and Tulare Counties, and was adopted as City policy by Tulare City Council resolution in May of 1983.

In addition to these various elements of the Tulare General Plan, the City adopted the South Tulare Specific Plan in 1984. The South Tulare Specific Plan is superceded by this *Land Use Element* and *Circulation Element* update.

II. STATE GENERAL PLAN REQUIREMENTS

A. GENERAL REQUIREMENTS

The California Government Code mandates that all cities and counties in the state prepare and periodically revise a comprehensive long term general plan for the development of their communities. In addition, state law requires that all city regulatory controls, including its zoning ordinance, all city capital improvement programs, and local development project approvals, be consistent with the policies of the general plan.

State law also specifically dictates the contents of local general plans. There are seven mandated general plan elements which include the land use and circulation elements, and the housing, public safety, seismic safety, open space, and conservation elements. The general plan may also include any other element which relates to the physical development of a particular jurisdiction. Subjects for these additional elements could include community design, historic preservation, air quality, energy, etc.

B. LAND USE AND CIRCULATION ELEMENT REQUIREMENTS

The purpose of the *Land Use Element* is to designate the proposed general distribution, location, and extent of existing and future land uses in the community. State law stipulates that the element must include a set of development policies and a land use diagram (map), which together identify the location and intensity of different types of development allowable within the jurisdiction.

The purpose of the *Circulation Element* is to identify the general location of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities in the community. State law stipulates that these *Circulation Element* provisions must support the goals, objectives, policies, and proposals of the *Land Use Element*.

In addition to the State Government Code sections mandating the preparation and basic content of general plans, a set of State General Plan Guidelines (1987) has been prepared and adopted by the State Office of Planning and Research (OPR) to assist local planning agencies in preparing and maintaining their general plans. These guidelines constitute the most comprehensive available discussion of California's land use planning statutes, and

have been heavily relied upon in completing the updated *Land Use Element and Circulation Element* for the City of Tulare.

III. FORMULATION PROCESS

A. FOUR-PHASE PLANNING PROCESS

The completion of the City's *Land Use Element* and *Circulation Element* represents the result of the combined efforts of the Tulare City Council, the Planning Commission, the Board of Public Utilities, the Planning Department, the Public Works Department, the Parks and Recreation Department, other City staff, and the plan update consulting team. The update is the result of a four-phase process of public input and planning analysis.

B. COMPLETED PLANNING PHASES

Phase I, the preliminary planning phase, included identification of significant issues to be addressed in the plan update program, as well as general data gathering, base map preparation, and field surveys. Key planning issues and concerns were identified through a series of public meetings and citizen input workshops. Phase I also included analysis of existing conditions with emphasis on these identified planning issues, and determination of the implications of these issues and conditions for future land use and circulation planning. In addition, Phase I included an overview of likely future demands for various land uses in Tulare, and a review of possible general plan implementation and capital improvement financing approaches which might be incorporated into the land use and circulation element updates.

These preliminary planning efforts culminated in the preparation of the Tulare General Plan Update Preliminary Planning Report (July 1990). The final task of phase I was the formulation and discussion of alternative land use and circulation element update goals and policies, and analysis of conceptual land use map alternatives.

Phase II, completion of the Administrative Draft Tulare General Plan Update Land Use and Circulation Elements, involved consultant preparation of an administrative draft version of the two new elements, followed by City staff review and comment. Phase III involved preparation of the Public Review Draft Tulare General Plan Update Land Use and Circulation Elements for review by City decision-makers and the public.

C. REMAINING PLANNING PHASES

Phase IV of the process will involve public review of the Public Review Draft Tulare General Plan Update Land Use Element and Circulation Element, including a series of public meetings and hearings, followed by completion of the Final Tulare General Plan Update Land Use Element and Circulation Element.

D. PUBLIC PARTICIPATION

1. Public Meetings

The land use and circulation element update process included a special effort to maximize public involvement, primarily through a series of public hearings and open invitation citizen workshops. This public input was supplemented by regular review and comment from different decision-making bodies within city government (the City Council, the Planning Commission, and the Board of Public Utilities), as well as input from other city organizations (e.g., the Tulare Improvement Program). The various public meetings and citizen workshops were all advertised in the *Advance Register*, and in notices posted at City Hall and other locations.

The following public meetings and citizen workshops were conducted:

- (1) June 14, 1989 General Invitation Public Scoping Session in the City Council Chambers. This meeting was held to introduce the planning team and the planning process to the public, and to receive public input on issues and concerns which should be addressed in the land use and circulation element update.
- (2) August 21, 1989 Scoping Session with the Planning Commission in the City Council Chambers. This meeting was used to solicit input from the Planning Commission and the public on issues and concerns which should be addressed in the land use and circulation element update.
- (3) August 22, 1989 General Invitation Citizen Work Session at the Tulare Public Library. An informal day-long work session was conducted at the city library to provide the public with the opportunity to express and discuss their concerns, ideas, and suggestions in small groups or one-on-one with members of the planning team.
- (4) August 22, 1989 General Invitation Public Scoping Session in the City Council Chambers. This meeting was held in the evening to provide an additional

opportunity for the public to express their concerns and ideas relating to issues which should be addressed in the land use and circulation element update.

- (5) October 4, 1989 Presentation of the Planning Process and Community Input to Date to a Joint Session of the City Council, Planning Commission, and Board of Public Utilities at the Sequoia Club. This meeting was held to formally present the general plan update process to the three city boards most directly involved in the physical development of the City, to report on the public input received at all other previous meetings, and to receive additional input from the public and members of the three boards.
- (6) July 17, 1990 General Invitation Presentation and Discussion of the Preliminary Planning Report in the City Council Chambers. This meeting was held to formally present the findings of the Preliminary Planning Report and the results of Phase I to the public, and to receive public comment on these Phase 1 findings and conclusions.
- (7) August 24, 1990 General Invitation Presentation and Discussion of Policy Concepts. This meeting was held to present and discuss existing and suggested City policy concepts which responded to the findings of the Preliminary Planning Report and related public input.
- (8) November 7, 1990 Presentation of Land Use Plan Alternatives and Circulation System Implications to a Joint Session of the City Council, Planning Commission, and Board of Public Utilities at the Sequoia Club. This meeting was held to present and discuss Phase 1 report refinements and present and discuss conceptual land use alternatives and their associated circulation system implications.

2. Decision-Maker Questionnaire

In addition to the November 7, 1990 joint meeting, a survey questionnaire relating to the evolving policy language and the suggested land use alternatives was distributed among the membership of the City Council, Planning Commission, and Board of Public Utilities to provide opportunity for detailed feedback from City decision-makers.

3. Synthesis

The general public input solicited at the first five of the eight meetings listed above was summarized in the Preliminary Planning Report. That community input, as well as subsequent public comment solicited in the remaining three meetings, and the results of the

questionnaire survey, are reflected in the *Land Use Element* and *Circulation Element* updates as merited.

E. BACKGROUND REPORT

The content of the *Land Use Element* and *Circulation Element* is based in part on the findings of Tulare General Plan Update Preliminary Planning Report, which was first made available to the public in July of 1990. This report includes a summary of public comment to that point in the process, a related summary listing of key planning issues and concerns to be addressed in the general plan update program, a description of existing and anticipated future conditions within the Planning Area, an overview of anticipated demands for various land use types in Tulare over the fifteen year horizon of the plan update, and a description of the implications of these findings for land use and circulation planning. The report is available for review at the City of Tulare Planning and Building Department and at the Tulare Public Library.

IV. AMENDMENT PROCESS

Once adopted, a *Land Use Element* and *Circulation Element* will not remain static. State law permits up to four general plan amendments per year (Government Code Section 65358 [b]). General plan amendment requests most typically involve a proposed change in the general plan land use designation for a particular property. In addition, as time goes on and local circumstances change, the City of Tulare may determine that it is necessary to revise portions of the plan text to reflect these changing circumstances or a change in City philosophy. State law also provides direction on how cities can maintain their general plans as contemporary policy guides by requiring the Planning Department to report annually to the City Council "on the status of the plan and progress in its implementation" (Government Code Section 65400 [b]).

Any citizen wishing to amend the *Land Use Element*, *Circulation Element*, or any other element of the Tulare General Plan should follow the procedure generally outlined below.¹

1. Prior to filing an official application for a general plan amendment, the prospective applicant should discuss the proposed amendment with the City's Planning Director. This contact will give the applicant a first hand opportunity to learn the details of the amendment process as well as any concerns the City may have about the proposed plan changes.
2. Should the applicant decide to proceed with an amendment, the next step is to file an official application with the Tulare Planning and Building Department and pay the required processing fees.

Environmental review in accordance with the provisions of the California Environmental Quality Act will be required of every proposed general plan amendment application.

3. Once an application is submitted, it will be placed on an agenda for public hearing before the Tulare Planning Commission according to the City's established schedule for general plan amendments. Prior to the Planning Commission hearing, the City, in accordance with the State Government Code, will provide notice of the public hearing date

¹More detailed general plan amendment processing and timing information is available from the Planning Department.

and the item to be discussed. For an individual amendment, this typically involves a legal notice in the *Advance Register* and a notice mailed to all property owners within 300 feet of the subject property.

Major amendments affecting the entire community, such as an amendment to the plan text, an update of the entire plan, or a complete revision of individual elements, are noticed differently because of their broader scale. In such cases, state law provides alternative methods of notification that do not require mailing to individual property owners.

4. Planning Department staff will prepare a staff report to the Planning Commission for the public hearing, describing in detail the proposed amendment, any environmental or other impacts that may result, and related comments from other City departments or affected government agencies. The staff report also will recommend whether the Planning Commission should recommend the amendment to the City Council for approval or denial. The staff report will be sent to the Commission and the applicant prior to the public hearing. The staff report, comments from the applicant, and public hearing testimony on the proposed amendment, will become official considerations in the Planning Commission action.

State law requires that any decision on a general plan amendment must be supported by findings of fact. These findings are the rationale for making a decision either to approve or deny an amendment. While specific findings may be applied on a project-by project basis, at least the following standard findings should be made as a condition of approval for each general plan amendment:

- a. The proposed amendment is deemed to be in the public interest.
- b. The proposed amendment is consistent and compatible with the rest of the general plan and any implementation programs which may be affected.
- c. The potential impacts of the proposed amendment have been adequately assessed and have been determined not to be detrimental to the public health, safety, or welfare.
- d. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).

City-initiated general plan amendments, as well as amendments requested by other public agencies, are subject to the same basic process and requirements described above to ensure overall consistency and compatibility with the rest of the Tulare General Plan. This

includes appropriate environmental review, public notice, and public hearings leading to an official action by Tulare City Council resolution.

V. PLANNING AREA SETTING

A. REGIONAL LOCATION

The City of Tulare's regional location is illustrated on Figure 1. As shown, the City is located in the south central San Joaquin Valley, and in west central Tulare County along State Highway 99, approximately 52 miles south of Fresno and approximately 67 miles north of Bakersfield. The closest neighboring city is Visalia (1992 population of 81,685), approximately five miles to the north via Highway 99 or Highway 63 (Mooney Boulevard). The planning areas of Tulare and Visalia are contiguous. Visalia is the county's largest city, the county seat, and currently serves as the region's principal retail center.

The City of Hanford is approximately 25 miles to the northwest in Kings County via Highway 198, and the City of Porterville is approximately 22 miles to the southwest via Highway 190. Smaller communities in the area include Goshen to the north on Highway 99, Pixley and Tipton to the south on Highway 99, and Corcoran to the southwest on Highway 137.

Primary regional access to Tulare is provided by eight Highway 99 interchanges, including the North J Street, Cartmill Avenue, Prosperity Avenue, Tulare Avenue (State Highway 137), Bardsley Avenue, Paige Avenue, South K Street, and Airport Drive interchanges. Other freeway interchanges in the vicinity include the Liberty Avenue-Tagus interchange between Tulare and Visalia, and the Avenue 200 interchange to the south. East/west regional access is also provided by State Highway 137 which is known as Tulare Avenue within the Tulare city limits.

B. LOCAL SETTING

The relationship of Tulare to its two nearest neighbors, Visalia and Goshen, is illustrated on Figure 2. The communities are separated by extensive agricultural lands, with scattered rural residential development and some limited commercial development, the latter at various unincorporated locations along principal highways and arterials. The agricultural lands which surround Tulare are divided into square mile sections, as is typical of the San Joaquin Valley in general, with the section boundaries providing the basis for a grid-like rural road system.

Agriculture activities in the Tulare vicinity include production of field crops, seed crops, vegetable crops, fruit and nut crops, livestock and poultry.

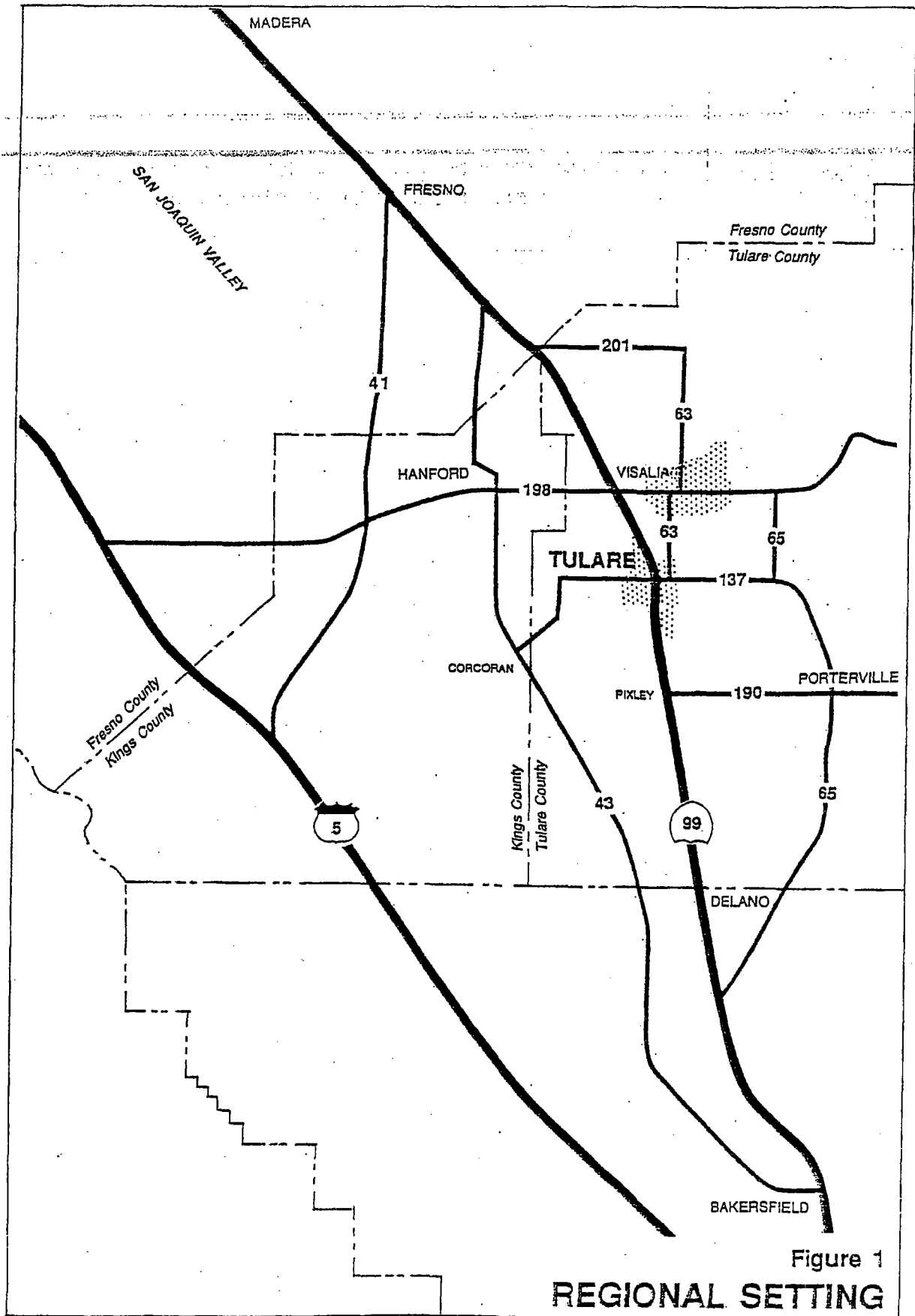


Figure 1
REGIONAL SETTING

General Plan Update City of Tulare

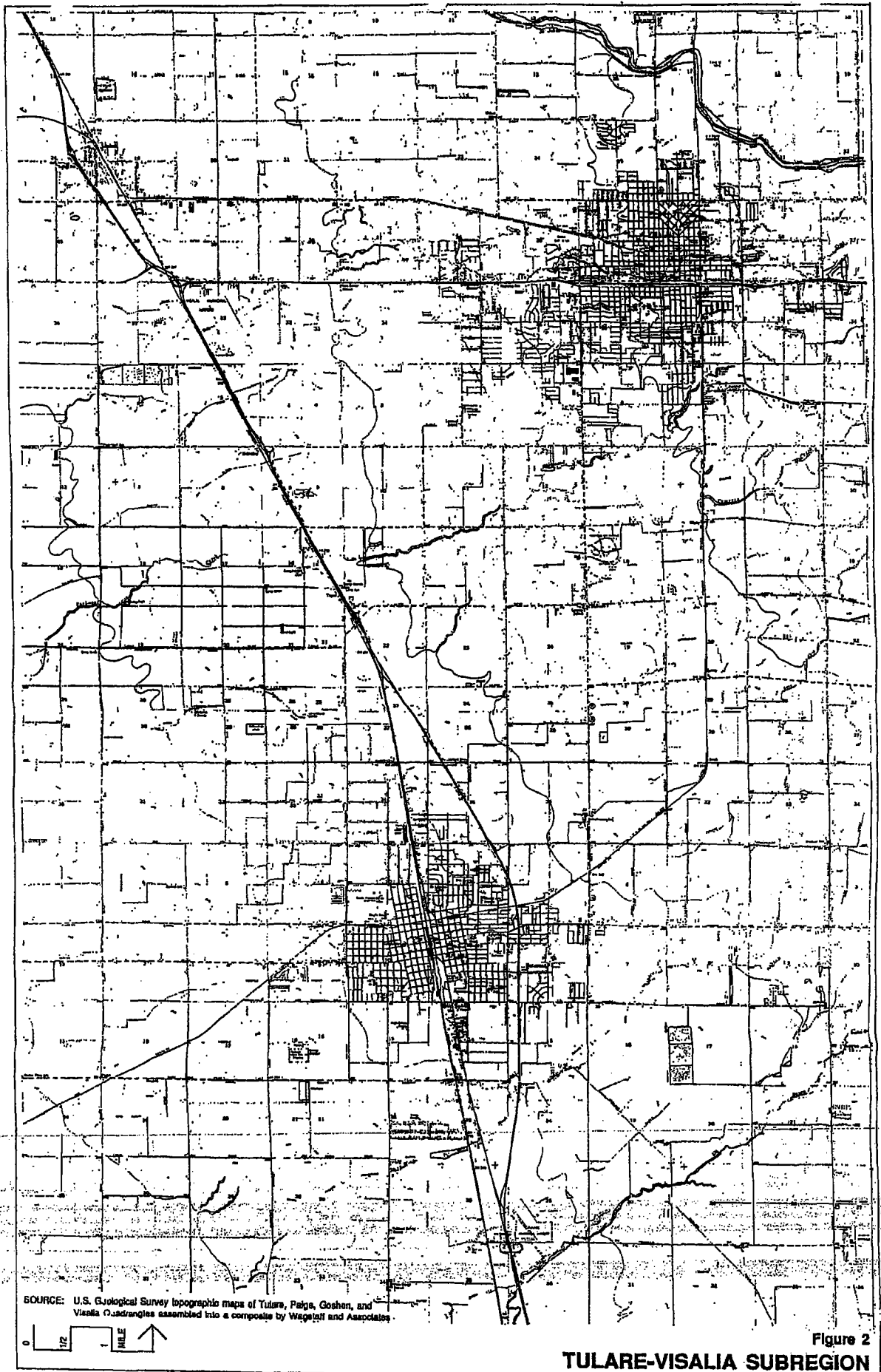


Figure 2
TULARE-VISALIA SUBREGION

As shown diagrammatically on Figure 2, Visalia urbanization extends south towards Tulare primarily along Mooney Boulevard, Demaree Road and West Street. The north end of Mooney Boulevard in particular has experienced extensive community and region-serving commercial development in recent years. Figure 2 also illustrates how, as of 1989, Visalia urbanization had not extended south of Packwood Creek. However, the 1990 Visalia General Plan Land Use Element signals a change in this past policy by re-designating lands in the Visalia Planning Area south of Packwood Creek for future urban uses (Residential Urban Reserve and Commercial/Office).

C. BASIC PLANNING AREA CHARACTERISTICS

1. Boundaries and Land Area

For general plan formulation purposes, state law provides for local designation of a "planning area" boundary which typically includes the city limits and those portions of the surrounding area which bear relation to the City's long-range planning. The City of Tulare Planning Area boundary and the city limit line are shown on Figures 3 and 4.¹

The Planning Area boundary encompasses approximately 20,320 acres. In 1989, the incorporated Tulare city limits contained approximately 8,979 acres. By 1992 the city limits had increased to 10,180 acres through the annexation of the 622-acre Lagomarsino tract and other properties, and approximately 7,400 acres (or 73 percent) of the area within the city limits had been urbanized. Approximately 8,230 acres, or 41 percent of the land within the planning area had been urbanized by 1992.

2. Topography

The Tulare Planning Area is generally flat, with a slight slope towards the southwest. Elevations range from approximately 315 feet in the northeast corner of the Planning Area, to approximately 250 feet in the southwest corner. The southeastern boundary of the Planning Area borders Elk Bayou, which is the only significant surface water body in the Planning Area with the exception of a series of irrigation canals located throughout the City and surrounding area.

¹The illustrated planning area boundary is the same as established by the Tulare City Council with adoption of the previous *Land Use Element* in 1979.

3. Existing Urban Pattern

The existing urbanized area of the City is bisected into east and west sectors by the Southern Pacific Railroad, which runs north/south through the City. The east sector is also bisected by the north/south alignment of the Highway 99 freeway.

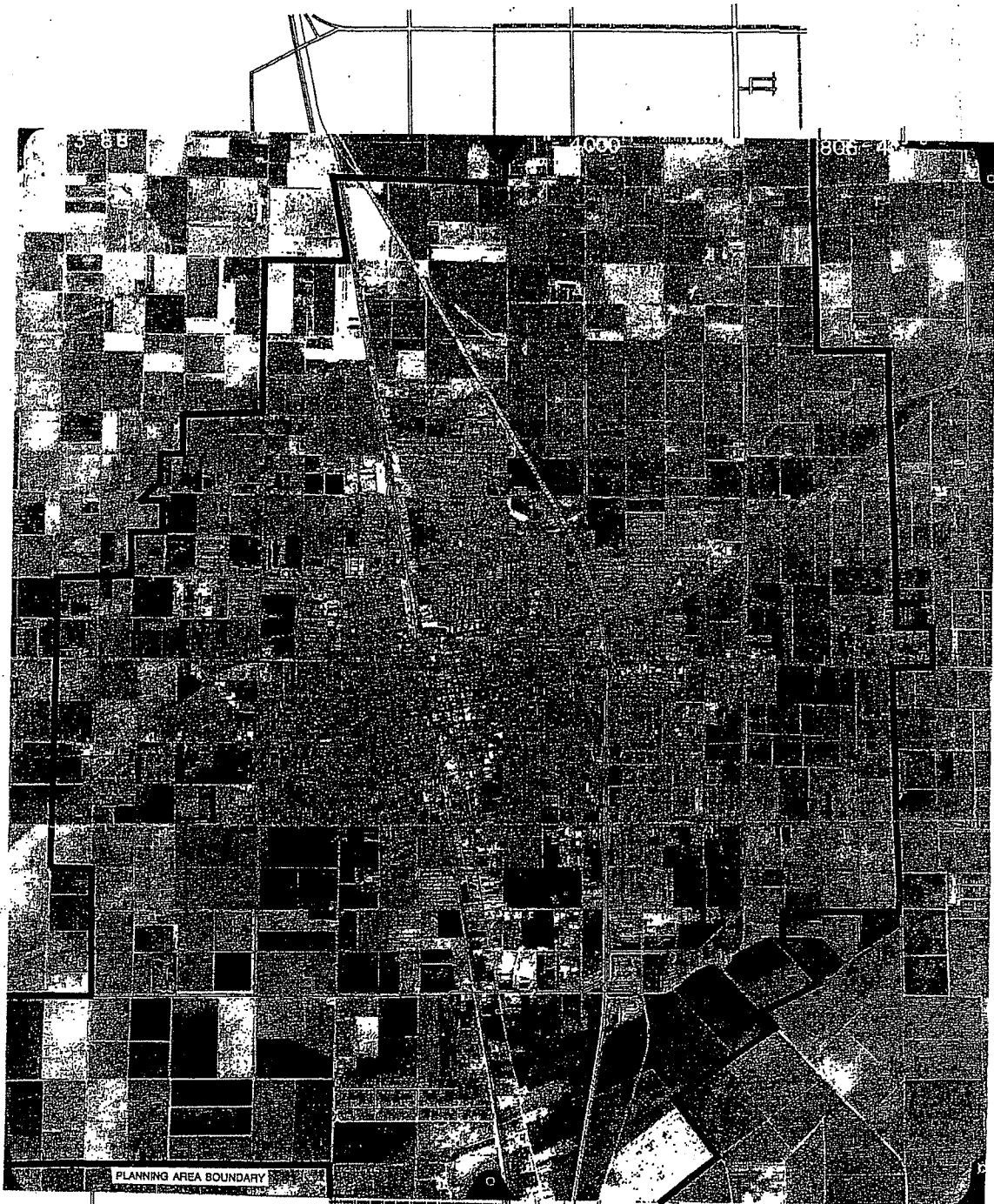
Other major north/south routes on the east side of town include Blackstone Street and Hillman Avenue, which parallel Highway 99, and Mooney Boulevard (Highway 63) which is located on the eastern edge of the city limits. Both of these routes also link Tulare with Visalia. Major north/south routes on the west side of town include J Street and K Street (old Highway 99), which parallel the Southern Pacific line, and West Street which is located near the west edge of the city limits. Major east/west routes include Paige Avenue, Bardsley Avenue, Inyo Avenue, Tulare Avenue (Highway 137), Prosperity Avenue, and Cartmill Avenue.

Residential areas are located throughout the City, with older neighborhoods concentrated primarily on the west side of the railroad and the central area surrounding the downtown. Newer residential neighborhoods and most of the City's recent residential expansion activity are located primarily in the northern and northeastern areas of Tulare as well as the west and southeast areas of the City.

The traditional central commercial center of the City is the downtown area, located between J and O Streets, and between Cross Street and Inyo Avenue. The downtown area includes the City's principal concentration of retail and service commercial activities, the City Hall, Zumwalt Park, and the new Heritage Place shopping complex. Beyond the downtown, substantial community-serving strip commercial development exists along Tulare Avenue east of the Southern Pacific railroad tracks and along Inyo Avenue west of the railroad tracks. Other principal community-serving retail concentrations include the two-shopping-center complex located just west of the Highway 99/East Prosperity Avenue intersection (the Mountain View and Town and Country shopping centers), the new K-Mart/Mervyns shopping center at the corner of Prosperity and Hillman east of Highway 99, and a strip commercial concentration along South K Street. Smaller neighborhood-serving commercial facilities are located at other outlying intersections throughout the City.

Existing industrial development in Tulare is relatively extensive, comprised primarily of food processing and other agricultural production activities concentrated in the southern portion of the City around Continental Avenue and Levin Avenue, an area commonly referred to as the Tulare Industrial Park.

For purposes of analysis and discussion, the Tulare Planning Area has been divided in this land use and circulation element document into six sections or *planning subareas*. These



PLANNING AREA BOUNDARY

Ave. 200

Ave. 200

Figure 3
**PLANNING AREA
AERIAL PHOTOGRAPH**
CITY OF TULARE
GENERAL PLAN

Wagslaff and Associates



subareas, as shown on Figure 4, are named northwest, north, northeast, west, central, east, southwest, south, and southwest.

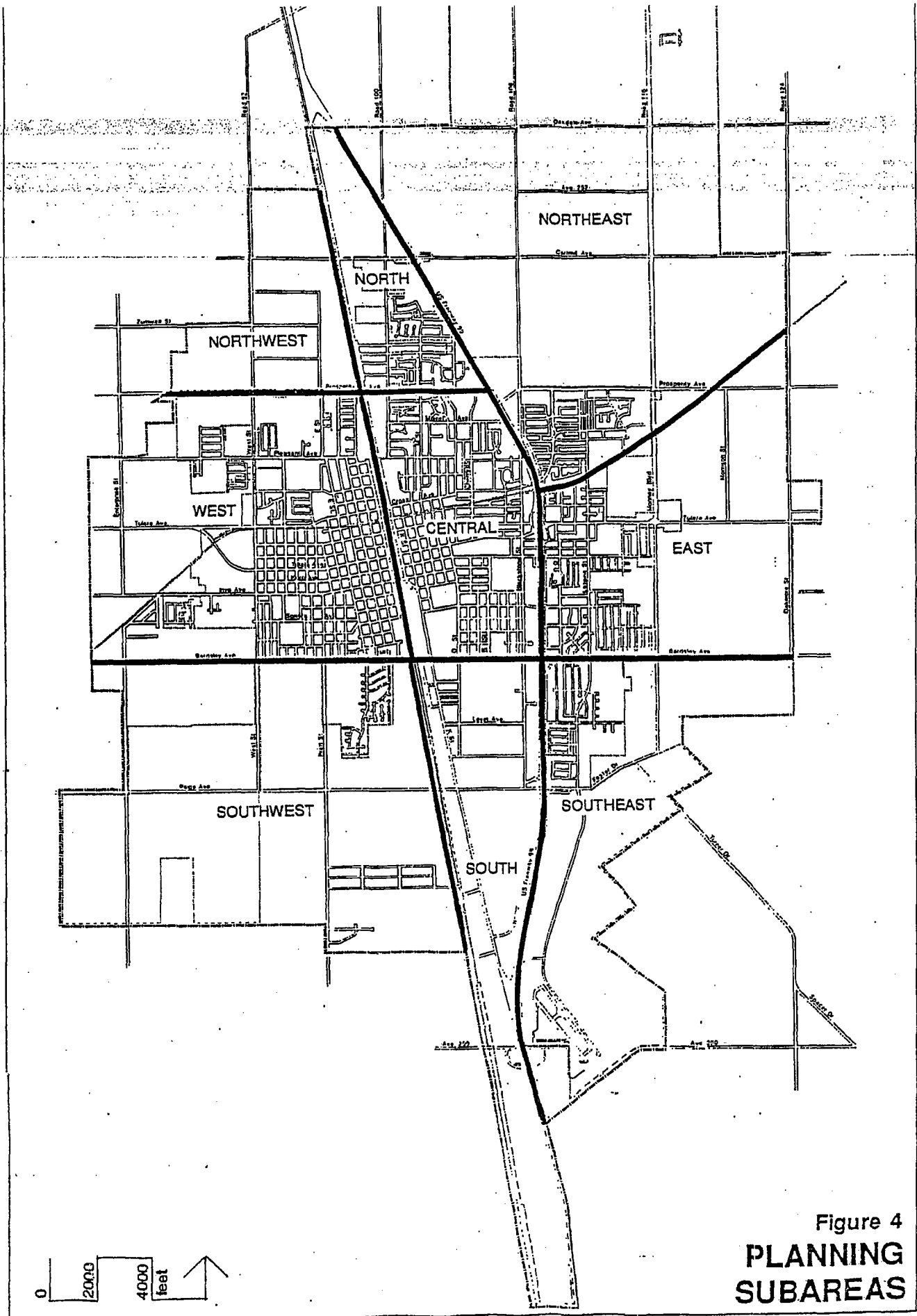


Figure 4
**PLANNING
 SUBAREAS**

D. HISTORICAL BACKGROUND

The City of Tulare was founded in 1872 with completion of the Southern Pacific north/south railroad line through Tulare County. Later, an east/west Santa Fe Railroad line was constructed across the county, intersecting with the SPRR in central Tulare. The completion of Highway 99 to freeway status in the 1950's also represented a significant growth-inducing element.

In addition to these major transportation facilities, the introduction of a subregional system of irrigation ditches and canals facilitated the development of the Tulare vicinity as a viable agricultural area, and strengthened Tulare as the service, processing, and distribution center for this activity. In addition, construction of the Highway 99 freeway in the early 1950's and the establishment of the Tulare Industrial Park in the 1970's have allowed the City to diversify its economic base from strictly an agricultural service center to a multi-functional urban area.

Historical population trends for Tulare, Visalia, nearby Porterville, and the county as a whole are described in Tables 1 and 2. Prior to 1950, the tables indicate that Visalia had historically been the largest city in Tulare County. For a brief period around 1950, however, the City of Tulare population slightly exceeded that of Visalia. Since 1950, the City of Visalia reestablished itself as the largest city in the county and as the major commercial center for the region, with a market area that includes Tulare and other nearby cities.

The City's growth between 1980 and 1990 occurred at a greater rate (48 percent) than that of the county as a whole (27 percent) and has roughly paralleled the Porterville growth rate. The Visalia growth rate over the same decade (52 percent) slightly exceeded the Tulare rate. However, the degree of difference in growth rates between the two cities has been declining. In fact, between 1988 and 1990, the City of Tulare population growth rate (5.8 percent) overtook the Visalia rate (5.4 percent) for the first time in over 35 years. These figures indicate that the City of Tulare can anticipate a year 2005 population of between 50,000 and 63,000,¹ if current trends were to continue.

The population of the City of Tulare in 1992 was 36,512. This population made Tulare the second largest city in Tulare County, accounting for approximately 11 percent of the total county population (329,999).

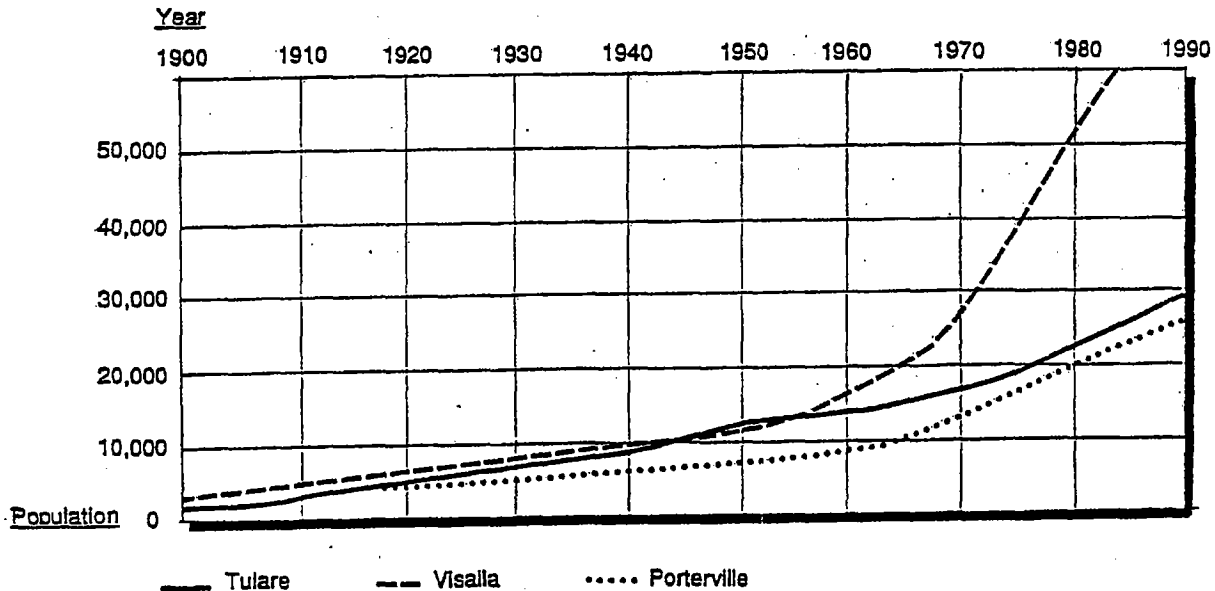
¹Population growth in the city over the 1988-89 period was due in part to annexation of existing urbanized areas and population. Such annexations have artificially inflated the percentage of population increase over that period. Therefore, the population growth range estimate for the year 2005 reflects an annual percentage rate of 3.0 to 4.5 percent rather than 5.8 percent.

Table 1
HISTORICAL POPULATION GROWTH IN TULARE COUNTY

	1900	1910	1920	1930	1940	1950	1960	1970	1980	1990
Tulare	2,216	2,758	3,539	6,207	8,259	12,495	13,824	16,235	22,526	33,249
Visalia	3,085	4,550	5,753	7,263	8,904	11,749	15,791	27,268	49,729	75,636
Porterville	-	2,696	4,097	5,303	6,270	6,904	4,991	12,602	19,707	29,563
Tulare County	18,375	35,440	59,031	77,442	107,152	149,264	168,403	188,322	245,738	311,921

Source: Tulare County Data Book

Table 2
COMPARATIVE POPULATION TRENDS--TULARE, VISALIA, PORTERVILLE, TULARE COUNTY (1900-1990)



SOURCE: Wagstaff and Associates, March 1990.

VI. FORMAT: GOALS, OBJECTIVES, POLICIES, AND ACTIONS

State General Plan Guidelines require that a city's general plan include text which sets forth statements of development policy. The guidelines suggest that these statements should work together with various diagrams to provide concrete direction for the physical development of the city. The guidelines provide significant leeway in the organization of these policy statements; however, they do imply that the statements be organized in a hierarchical fashion. Such a hierarchy has been incorporated in the *Land Use Element* and *Circulation Element* which follow.

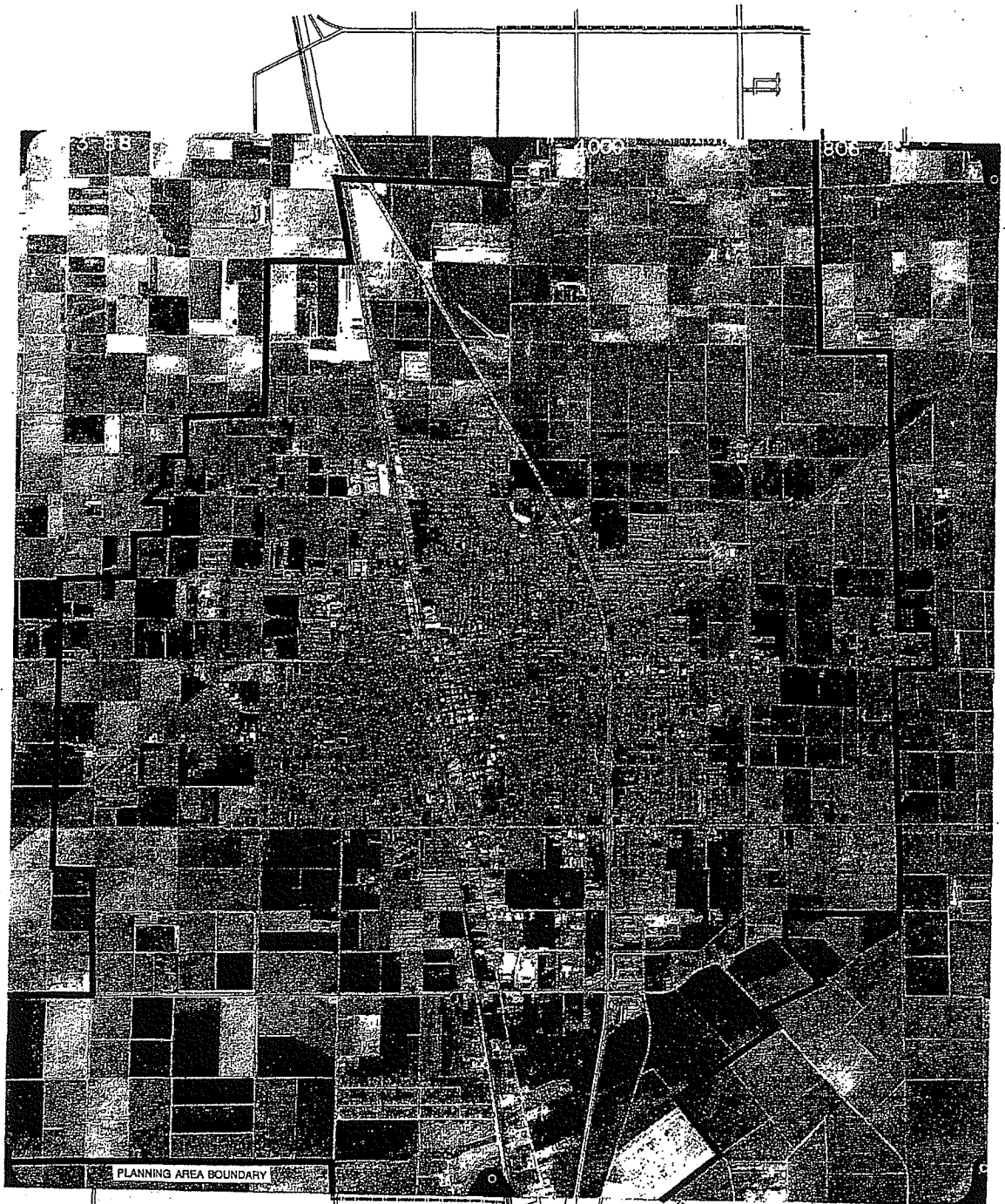
A standard organizational framework has been used, whereby the policy statements have been separated into "goals," "objectives," "policies," and "implementation measures." The value of such a hierarchical approach to city development policy is that it allows the public and City decision-makers to distinguish between the desires of the community (stated as "goals" and "objectives") and the methods through which these desires can be achieved (stated as "policies" and "implementation measures"). These different levels of the public policy description are further defined below.

A **goal** is defined as a direction setter. It is an ideal end condition or state toward which planning policy and implementation measures are directed. A goal is a general expression of community values. A goal is generally not quantifiable or time dependent.

An **objective** is a specific end, condition, or state that is an intermediate step toward attaining a goal. An objective should be an achievable end and, where possible, measurable and time-specific. An objective may pertain to one particular aspect of a goal or it may be one of several successive steps toward goal achievement. Consequently, there may be more than one objective for each goal.

A **policy** is a specific statement of intent that guides decision-making. It indicates the clear commitment of the City Council with respect to land use and circulation under certain circumstances. A policy is based on the overall general plan goals and objectives, as well as the background analyses of data and public input.

An **implementation measure** is an action, procedure, program, or technique which is intended to carry out the various general plan goals, objectives, and/or policies.



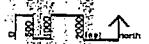
PLANNING AREA BOUNDARY

Ave. 200

Ave. 300

Figure 3
**PLANNING AREA
AERIAL PHOTOGRAPH**
**CITY OF TULARE
GENERAL PLAN**

Wegstall and Associates
Urban and Environmental Planners



LAND USE ELEMENT



I. INTRODUCTION

A. PURPOSE

The state-mandated purpose of the *Land Use Element* is to designate the intended general distribution, general location, and extent of the uses of the land within the City and its Planning Area for housing, business, industry, open space (including agricultural and recreational areas), education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private land use activity.¹ In response to this mandate, this *Land Use Element* recaps past growth trends in Tulare, lays out the City's intentions regarding the dimensions and directions of growth through the year 2005, sets forth the general plan *land use map*, and defines related land use categories.

B. CONTENT

The State General Plan Guidelines explain that the *Land Use Element* has the broadest scope of the seven mandatory elements of the general plan. The *Land Use Element* addresses many of the issues covered in other elements of the general plan as they relate to land use. Thus, the *Land Use Element* plays a central role in correlating and assuring consistency within the general plan.

This *Land Use Element* is comprised of four primary components: (1) the City's adopted land use goal policy statements which are the foundation of the element, (2) a description of the City's various formal land use classifications and related development allowances, (3) the companion *land use map*, and (4) a *Land Use Element* implementation program.

1. Policy Statements

The City's adopted land use goals and policies are organized in this chapter under the following subjects or categories: overall growth pattern, residential uses, commercial uses, office and business park uses, industrial uses, agriculture, parks and recreation, municipal services, higher education, and community character. The land use policy statements for each of these land use categories are preceded a general "Setting" statement which

¹State Office of Planning and Research (OPR), State of California General Plan Guidelines, June 1987, page 81.

describes the existing conditions, anticipated trends, and related issues that the policies have been formulated to address; and a "Planning Agenda" statement which summarizes the intent of the related policy statements and *land use map* indications for that land use category. The land use policy descriptions are broken down into goals, objectives, and policies.

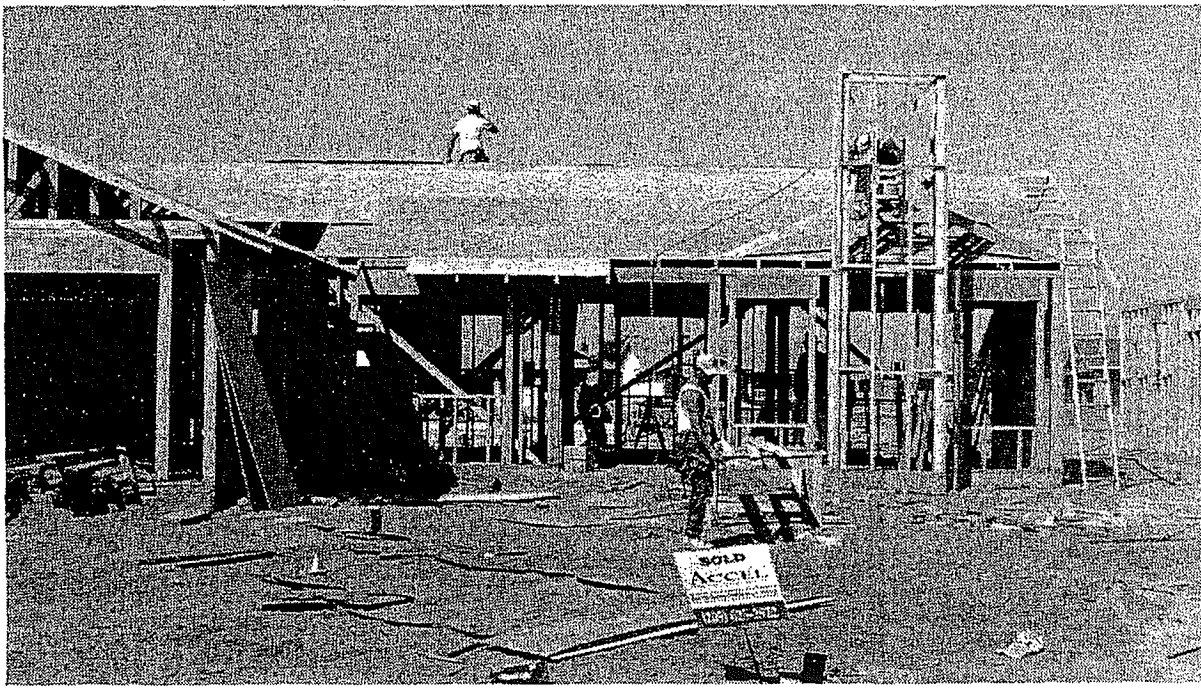
2. Land Use Classifications

The identification of City land use goals and policies is followed by a description of the City's adopted *land use classifications*, which include Rural Residential, Suburban Residential, Urban Residential, General Commercial, Regional Commercial, Community Commercial, Neighborhood Commercial, Office/Business Park, Industrial, Public and Institutional, Parks and Recreation, Agriculture, Schools, and Open Space. These land use classification descriptions include the purpose, permitted uses, and where appropriate, the allowable development intensities within each land use category.

This updated set of *land use classifications* includes a number of changes from the City's previous General Plan Land Use Map. First, the previous General Commercial classification has been divided in this update into four commercial subcategories (General, Regional, Community, and Neighborhood) to provide more specific direction regarding the various types of commercial uses desired at different locations throughout the City. Second, an overlay "Downtown Precinct" has been established to emphasize the special role and needs of the downtown. Third, a new Office/Business Park classification has been created to provide for compatible accommodation of this viable new land use type in Tulare. Finally, a new Open Space classification has been created to designate areas that contain special natural or recreational resources which warrant protection. The purpose and general plan provisions for these new land use classifications, as well as for the other retained land use categories, are described in more detail in section III of this *Land Use Element*.

The land use classification descriptions in section III are followed in section IV by a description of the City's official *land use map* for the year 2005. This map designates the intended future land use pattern within the City's Planning Area in terms of the land use classifications listed above and described in section III herein. The map includes conceptual future locations for public parks and schools, and also delineates an outlying Urban Reserve Line beyond which the development of urban uses will be discouraged during the planning period (i.e., through 2005) for the purposes of efficient urban growth and agricultural preservation.

II. LAND USE GOALS, OBJECTIVES, AND POLICIES



A. CITYWIDE GROWTH PATTERN

1. Setting

a. Existing Land Use Pattern. Figure 5 illustrates the existing land use pattern within the City as of 1991. Table 3 provides a statistical breakdown of the approximate total acreage occupied by existing development, as well as areas which remained vacant, within the Tulare Planning Area and the city limits updated through 1992.

The physical pattern of residential growth in Tulare throughout the 1980's was generally balanced geographically, with new residential subdivisions occurring in the south, southeast, north, and northeast planning subareas. In the early 1990's, multiple proposals for commercial development near the intersection of Prosperity and Hillman Avenue, plus the annexation of the 622-acre Lagomarsino property which is proposed for a mix of residential and commercial development, set a trend of future growth emphasis on the northeast subarea. Industrial development in the 1980's and 1990's has remained generally concentrated in the Tulare Industrial Park; i.e., the south subarea.

Table 3
TULARE LAND USE BREAKDOWN--1992

Note: The figures below represent an approximation of the total land area occupied by existing urban development, based on analysis of 1989 aerial photography by Wagstaff and Associates and City planning staff, and updated through 1992.

	<u>City Limits</u>		<u>Planning Area</u>	
	<u>Net Acres⁴</u>	<u>Gross Acres⁵</u>	<u>Net Acres⁴</u>	<u>Gross Acres⁵</u>
Residential	2,120	3,080	2,660	3,680
Commercial	460	665	560	765
Industrial	800	1,125	875	1,235
Public ¹	1,730	1,790	1,740	1,800
Agriculture	90	90	--	7
Recreation ²	330	330	330	330
Rights-of-Way ³	1,870	320	2,065	420 ⁶
TOTAL ACRES				
Occupied		7,400		8,230
Vacant		2,780		12,090
Occupied plus Vacant		10,180		20,320
Percent Vacant		27%		59%

Note: These figures were developed from analysis of aerial photography and, as a result, reflect acres of land within the various current general plan land use map designations which are currently occupied by any urban use. No distinction has been made between conforming and nonconforming land uses.

- ¹ Occupied "Public" land includes approximately 1,200 acres of buffer area surrounding the city's sewage treatment plant.
- ² The approximately 330 acres of existing urban uses within the current general plan "Recreation" designation include the Tulare Golf Course.
- ³ "Gross acre rights-of-way" areas are comprised of the freeway, railroads, and T.I.D. canals. "Net acre right-of-way" areas are comprised of local streets excluded from net land use acres.
- ⁴ Net acres = approximate area of urban development within each land use classification, excluding public streets. These areas have been calculated as 31 percent of the gross area of developed Residential, Commercial, and Industrial land within the city limits and ten percent of the land outside of the city limits. The Rights-of-Way portion of the Public land use classification has been calculated as ten percent of the gross developed area.
- ⁵ Gross acres = approximate area of urban development within each land use classification, including public streets.
- ⁶ Includes designated Rights-of-Way within undeveloped portions of the planning area.
- ⁷ Agricultural land outside of the city limits is included in the "vacant" category.

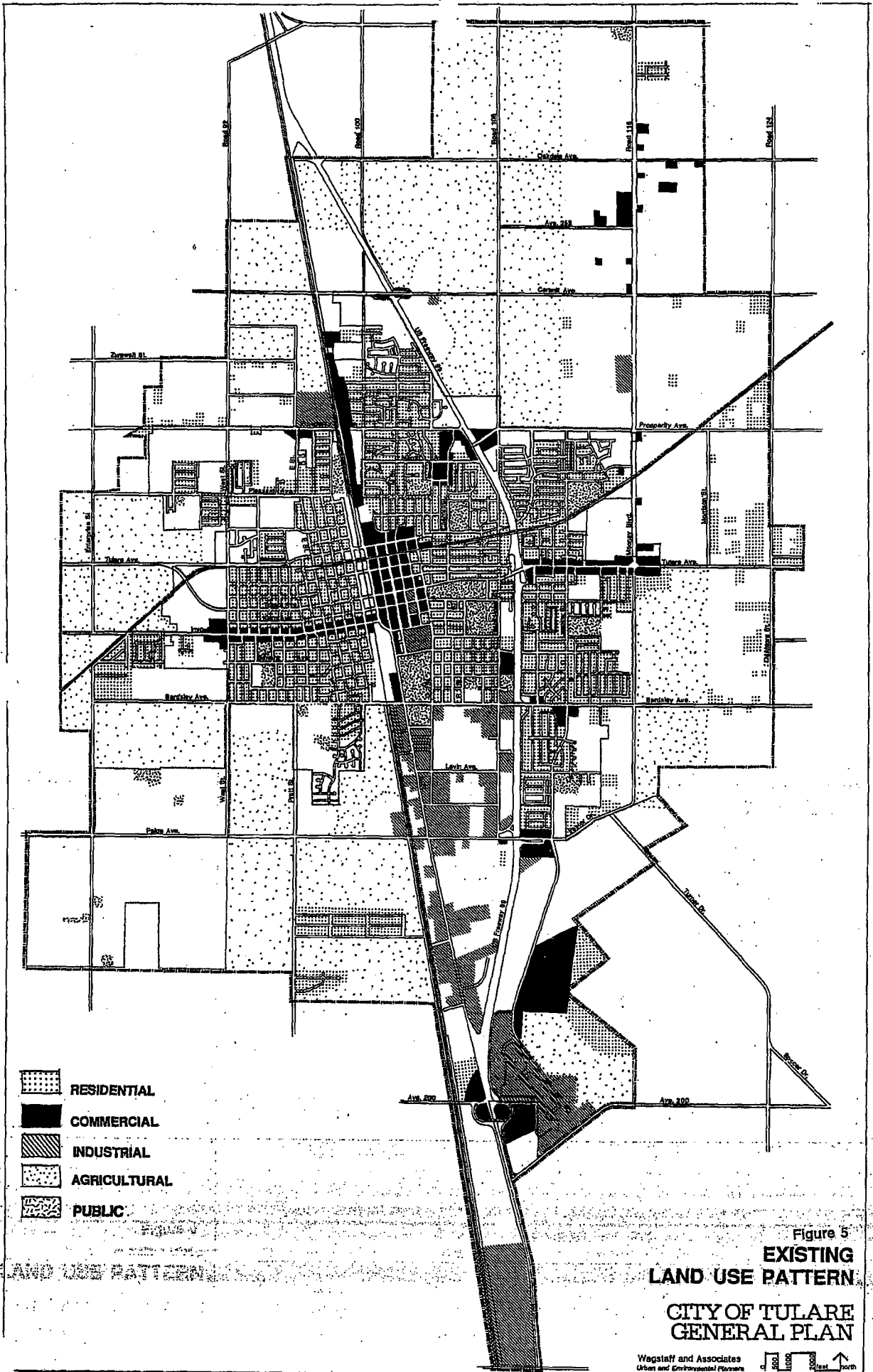


Figure 5
**EXISTING
 LAND USE PATTERN**
**CITY OF TULARE
 GENERAL PLAN**

In 1992, approximately 60 percent of the Planning Area, comprising about 12,000 acres, remained undeveloped, the largest portion of which was in the northeast planning subarea.

b. Proposed Sewer Extensions. New sewer lines which are proposed in the City's Sewer System Master Plan (1991) will facilitate growth in all sections of the City. All sewer system improvement alternatives considered in this master plan involve completion of two new sewer trunk line extensions by the year 2000--one up the east side of the City from Enterprise Boulevard to a point as far north as Cartmill Avenue, and one up the west side from Enterprise and/or West Streets to a point as far north as Pleasant Avenue. The master plan also shows possible additional trunk line extensions north of Oakdale Avenue by the year 2020.

c. Agriculture. Like most Central Valley cities, almost all of the developed and undeveloped lands in the Tulare Planning Area are on prime agricultural soil. The best rated agricultural soil in the Tulare Planning Area is in the north end. Also, like most communities in the Central Valley, virtually any substantial future development of undeveloped areas within the outlying Tulare Planning Area would displace existing agricultural activity. To the extent that these Central Valley communities, including Tulare, continue to grow, displacement of agricultural land by urban uses will continue to occur.

d. Circulation. The City's circulation system is not significantly constrained in terms of existing operation and future extension, and is generally not expected to be a major limitation on the City's future growth pattern. However, certain existing and anticipated east-west, cross-town arterial routes remain disconnected due to the freeway. Frequent train movements on the South Pacific Railroad tracks also disrupt east-west circulation. The lack of adequate grade-separated arterial crossings of the freeway and railroad represents the principal existing circulation deficiency in Tulare. This deficiency is expected to become more acute as the city grows, and could significantly affect future growth patterns.

e. Airport Land Use. Land use around the Tulare Municipal Airport has generally been restricted to industrial, limited commercial, recreation, and agricultural uses. Chapter 21 of the Tulare Zoning Ordinance (Airport Hazard Zoning Regulations) provides height limitations and use restrictions for designated zones surrounding the airport, pursuant to state Planning and Zoning Law, the state Airport Approaches Zoning Law, and the policies of the Tulare General Plan.

f. Recent Development Trends. The Planning Area boundary did not change between 1978 and 1992. Within this boundary, however, the incorporated area within the Tulare city limits has increased substantially through annexation from 6,517 acres in 1978 to 10,180 acres in 1992, an increase of 3,663 acres or approximately 56 percent.

Notable development increases since 1978 include the development of the Tulare Industrial Park in the southern subarea; the development of residential subdivisions in the south, southwest, southeast, northeast, northwest, and north subareas; the infill and intensification of commercial areas in the northernmost section of the downtown area (on Cross Street); and the development of substantial community-serving commercial uses around the Prosperity/Hillman/Highway 99 interchange.

The most significant recent annexation has been the one-square mile Lagomarsino property bounded by Mooney Boulevard, Cartmill Avenue, Hillman Street, and Prosperity Avenue. This parcel was annexed to the City in late 1990. The city has approved a mixed-use development including a combination of single-family and multi-family residential development; recreational amenities; neighborhood, community, and regional commercial shopping areas; and professional office development.

2. Growth Pattern Planning Agenda

The policies and land use allocations outlined in this *Land Use Element* reflect City desires to efficiently accommodate a reasonable and desirable share of anticipated 1990-2005 regional growth, especially the kind of growth that will allow Tulare to become a more self-sufficient, full-service city. Such growth includes additional, well-planned shopping, commercial service (restaurants, etc.), and office activity designed and located to make Tulare a more convenient and efficient community. Such growth would reduce the tendency for Tulare residents to shop and conduct business outside the City, increase prosperity for Tulare businesses, and increase City sales tax revenue. This objective to accommodate desirable business growth is balanced by City desires to serve existing and new development with efficient public services and infrastructure, to minimize traffic and other adverse impacts, to improve the visual character and image of the community, and to maintain the viability of agricultural production in outlying areas.

The general growth pattern set forth on the *land use map* has been designed to:

- (1) provide land use allocations which reflect reasonable and desirable expectations;
- (2) encourage a balanced and generally concentric pattern of development in the City;
- (3) provide for efficient provision of public services;
- (4) accommodate continued outlying agricultural activities;
- (5) provide an appropriate balance between various residential, commercial, industrial, civic, institutional, and open space land use needs;
- (6) minimize land use compatibility problems between these uses;
- (7) minimize the environmental impacts of citywide, urban growth and change; and
- (8) protect the city's natural resources, especially Elk Bayou.

Also, in response to recent northeast subarea growth trends, the *land use map* has been designed to guide the pattern of residential and commercial growth in the northeast subarea to fulfill the potential of that area for high quality development, while minimizing future reliance of northeast area residential development on areas outside Tulare for shopping needs.

To accomplish this agenda, the updated *land use map* includes substantial changes from the City's previous General Plan Land Use Map. These changes include the creation of an "Urban Reserve Line," substantial revision to land use allocations along Mooney Boulevard, and designation of the 622-acre Lagomarsino property as a "Specific Plan Area" with associated future land use parameters, and the expansion of the City's Planning Area to the southwest.

a. Urban Reserve Line. Based on the City's desire to promote efficient provision of municipal services, provide convenient circulation, and preserve viable agricultural production, this *Land Use Element* and *land use map* define an Urban Reserve Line which is intended to mark the outer edge within which urban development can occur during the time period of the *Land Use Element*. The line is meant to distinguish between those areas which could be urbanized within the horizon of this *Land Use Element* and those areas which will remain undeveloped or in agricultural use. The *land use map* does designate specific urban land uses beyond the line to provide guidance for purposes of long range planning beyond the horizon of this *Land Use Element* (i.e., through the year 2005). However, the City would not support urban development outside of the line within this time frame.

The location of the Urban Reserve Line is based on anticipated growth rates and trends, and on the anticipated provision of efficient sewer and other municipal services. The line may be amended through the general plan amendment process when the City determines that growth beyond this edge would be consistent with the growth policies of this *Land Use Element*, and with policies established in other elements of the Tulare General Plan.

The purpose and configuration of the *land use map* designated Urban Reserve Line is not the same as the City's *Sphere of Influence* line, which as defined in the State General Plan Guidelines, designates the area of the City which will ultimately be annexed and served by the City. The Urban Reserve Line has a shorter time horizon, addressing the 2005 horizon of this *Land Use Element* as opposed to the ultimate buildout of the City. The purpose of the Urban Reserve Line is similar to that of the "Urban Development Boundary" described in the Tulare County General Plan *Urban Boundaries Element* (as amended in 1988), which defines twenty year growth areas around cities in Tulare County. The City of Tulare recommends that the County of Tulare amend its *Urban Boundaries Element* to create an Urban Development Boundary which is consistent with the City's Urban Reserve Line.¹

¹The County Urban Development Boundary category was created in 1988 as an amendment to the *Urban Boundaries Element* of the Tulare County General Plan. No Urban Development Boundary has ever been designated around the City of Tulare. The County's old boundary designation, the Urban Improvement Boundary, is shown in Appendix A of this *Land Use Element*.

The area within the Tulare *land use map* Urban Reserve Line is more than 1,000 acres smaller than the area within the county's most recently adopted Urban Improvement Area. The differences between the City's Urban Reserve Line and the County's Urban Improvement Area boundaries are described in more detail in Appendix A of this element.

b. Mooney Boulevard Corridor. The previous continuous corridor of commercially designated land along Mooney Boulevard is no longer considered appropriate by the City. Consequently, the primary designations for future commercial development have been relocated from the northern Mooney Boulevard corridor to more appropriate areas along the east side of Highway 99, in and around the downtown, and in selected outlying areas more convenient to anticipated Tulare residential growth. The Mooney Boulevard corridor is now designated primarily as residential, with concentrations of commercial, office/business park, and urban density residential at major intersections within the designated Urban Reserve Line. The City encourages the County to amend its land use plan for the Mooney Boulevard corridor as described in Resolution 80-630 of the Tulare County Board of Supervisors to be consistent with this *Land Use Element* change.

c. Lagomarsino Annexation and Specific Plan. The 1990 annexation of the Lagomarsino property added 622 acres (almost one square mile) to the City limits of Tulare. Because of the opportunity and need for a unified master plan to guide future development of this important property, the *land use map* designates the site as a *Specific Plan*¹ area. To outline the general parameters for preparation of a specific plan, the *land use map* suggests a preliminary land use breakdown for this site.

These "SUGGESTED LAND USE PARAMETERS" represent preliminary guidelines which are subject to change in the Specific Plan formulation process. However, City review and adoption of such a plan will be dictated by the following criteria:

- Residential acreages should include a range of densities and housing types.
- All commercial centers within the specific plan area should be pedestrian, bicycle, and automobile accessible by specific plan area residents without leaving the specific plan area or using arterial streets.
- An internal school site should be provided which is pedestrian accessible from all residential development within the specific plan area.

¹State law authorizes cities and counties with complete general plans to prepare and adopt specific plans. Specific plans are meant to provide a bridge between the local general plan and individual development master plans. A specific plan combines planning policies, detailed design development standards, capital improvement requirements, and other regulatory schemes into one document which can be tailored to meet the special needs of a specific area.

- A minimum of one ten acre neighborhood park site should be included within the specific plan area for use by plan area residents. This park should be pedestrian accessible from all residential areas within the plan.
- The remainder of the City's park requirements (relating to Community Parks and Major Urban Parks) could be met either within or outside of the specific plan area.
- The location of the fire station should have easy access to major arterials.

d. Southern Tulare Specific Area Plan. The Southern Tulare Specific Area Plan, adopted by the City in 1983, outlined the City's specific desires with respect to land use, circulation, municipal services, and environmental concerns for an approximately 1,300-acre area in the southwest portion of the City. The area covered by the plan is south of Foster Drive and east of the freeway, including the Tulare Municipal Airport and the International Agri-Center and surrounding area. This *Land Use Element* incorporates all relevant policies from the Southern Tulare Specific Plan, with the exception of certain land use designation revisions, including a reduction in the quantity of commercial land designated along Laspina Street.

e. Planning Area Expansion. This *Land Use Element* designates an approximately 1,660-acre (9 percent) increase in the size of the City's Planning Area. The designated expansion occurs along the southwest edge. The purpose of this increase is to: (1) provide for City input into the planning for this area which is adjacent to anticipated Tulare urban areas north of Elk Bayou, (2) protect the City-valued natural environment along Elk Bayou (see photo below), and (3) preserve the rural character of the land south of Elk Bayou surrounding the University of California, Davis, Veterinary Medicine Teaching and Research Center. All of the area within this 1,660-acre Planning Area expansion is designated on the *land use map* for Agricultural use, and is outside the Urban Reserve Line.



Elk Bayou

f. Transition Areas. As Tulare grows, City decision makers are confronted with an increasing number of requests for general plan land use designation changes in response to changing local conditions and associated changes in land use suitabilities and compatibilities. For example, increases in traffic and associated noise and air quality conditions along various Tulare travel routes may have significantly reduced the desirability and quality of existing residential land uses fronting on these roadway segments (e.g., along certain arterial segments and at certain major intersections). Such changes can induce requests for a change in the current Residential land use designation in order to accommodate less sensitive land uses, such as office and other commercial activities. While the City desires to accommodate such land use transitions where necessary, the City also wants to avoid land use changes which would: (1) substantially add to the adverse conditions which initiated the request for change, and/or (2) create their own significant land use compatibility problems with adjacent land uses.

3. Growth Pattern Goals, Objectives, and Policies

Goals:

Goal 1: Provide general plan land use allocations which reflect reasonable and desirable expectations.

Goal 2: Provide for an overall land use pattern which minimizes the environmental impacts of urban growth and change.

Goal 3: Establish a growth pattern that reduces the reliance of Tulare residents on areas outside of the City for their shopping needs, and that furthers Tulare desires to be a self-sufficient, full-service community.

Goal 4: Provide for a proper interrelationship and balance between various residential, commercial, industrial, civic, institutional, recreational, and open space land uses.

Goal 5: Bring the benefits of residential and commercial growth to more than one area of the City.

Goal 6: Maintain a land use pattern which allows for efficient provision of municipal services.

Goal 7: Maintain a land use pattern which minimizes compatibility problems between adjacent uses, including but not limited to the conflicts between the Tulare Municipal Airport and surrounding land use.

Goal 8: Maintain and enhance the downtown as the City center, principal Tulare identity element, and source of community pride.

Goal 9: Protect the City's primary natural resource, Elk Bayou.

Goal 10: Establish and maintain a cooperative relationship with other local governments (i.e., Tulare County, the City of Visalia) in the review of peripheral land development within or adjacent to the City's Planning Area.

Growth Pattern Objectives:

- (a) Direct future residential development to areas convenient to existing and designated future community commercial areas in Tulare in order to further City desires to be a self-sufficient, full-service city.
- (b) Provide for local community shopping development at locations which are convenient to local residents and will further Tulare's desire to be a self-sufficient, full-service city.
- (c) Guide the pattern of residential and commercial growth in the northeast subarea in a manner which reduces future reliance of Tulare residences on shopping areas outside Tulare.
- (d) Avoid the development of strip commercial development along Mooney Boulevard north of Cartmill Avenue.
- (e) Establish a cooperative policy with Tulare County regarding future land use along Mooney Boulevard corridor segment within the Tulare Planning Area.
- (f) Encourage a land use pattern which tends to minimize related environmental impacts.
- (g) Advocate a cooperative "urban centers" policy with Tulare County which would serve to avoid county urban development decisions for lands within the City's Planning Area without consultation with and affirmation by the City of Tulare.
- (h) Foster a geographically balanced and generally concentric citywide growth pattern by encouraging sequential, contiguous growth.
- (i) Avoid designation of residential, commercial, industrial, or other future land use inventories which exceed reasonable expectations through the year 2005.

(j) *Maintain sufficient developable land within the Planning Area to avoid inflated land prices.*

(k) *Encourage contiguous and infill growth patterns rather than non-contiguous or "leap frog" urban growth.*

(l) *Establish and periodically reconsider an Urban Reserve Line designating those possible future urban areas which should be withheld from annexation and development over the horizon of this Land Use Element.*

(m) *Maintain land use designations in locations and quantities such that growth is directed to the areas desired by the City.*

(n) *Provide adequate public services to all planning subareas.*

(o) *Accommodate land use transitions through designation to a more compatible general plan land use classification in those special situations where changes in local environmental conditions, such as a substantial increase in traffic and related noise levels, have:*

(1) rendered the current land use designation incompatible with existing conditions (e.g., inconsistent with current noise/land use compatibility standards), and/or (2) significantly reduced the quality and inhibited the viability of the existing land use.

Growth Pattern Policies:

Policy 1. Development shall be approved only when adequate municipal services are available or can be efficiently provided.

Policy 2. No development or annexation shall be approved within that portion of the Planning Area outside the designated Urban Reserve Line.

Policy 3. The City shall require that adequate buffers be provided between potentially conflicting land uses in such forms as spatial separations, transitions in density, and other types of land use transition.

Policy 4. All land use compatibility restrictions set forth in Chapter 21 of the Tulare Zoning Ordinance, Airport Hazards Zoning Regulations, shall be strictly enforced.

Policy 5. All development proposed within the open space buffer surrounding the Elk Bayou shall be vigorously scrutinized for potential environmental impacts.

Policy 6. Mature Valley Oaks located within the southeast Planning Area shall be preserved to the extent possible.

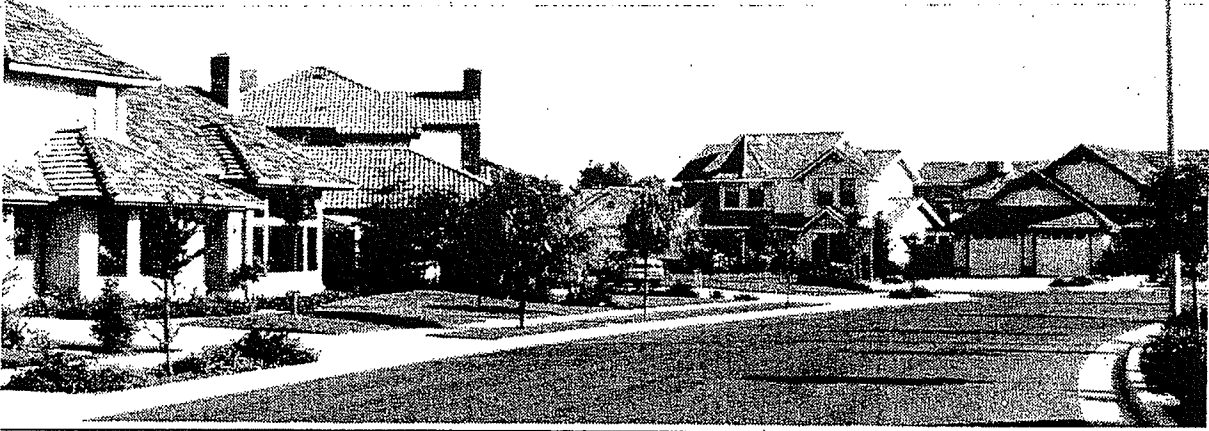
Policy 7. In order to maintain the rural environment surrounding the University of California, Davis, Veterinary Medicine Teaching and Research Center, the City shall not support any urban development south of Elk Bayou and east of the existing Urban Reserve Line.

Policy 8. The City shall continue to rigorously enforce the environmental impact assessment requirements set forth in the California Environmental Quality Act (CEQA).

Policy 9. Requests for land use changes in "transitional" areas shall be carefully considered according to the criteria in the discussion "Transitional Areas" in section 11.A.2.f of this *Land Use Element*.

Policy 10. Establish a year 2015 urban development line (UDL) and maintain a 20 year land supply when revising the UDL at five year intervals.

Policy 11. Maintain the City's Sphere of Influence (SOI) boundary at Liberty Avenue and expand the SOI where feasible to reflect the Tulare Land Use map.



B. RESIDENTIAL

1. Setting

a. Existing Development Pattern. The existing pattern of residential development in Tulare is illustrated on Figures 3 and 5. Residential land uses are located throughout the City with the largest concentrations in the western, central, eastern and northern planning subareas.

The western and central subareas contain older, more established neighborhoods; the eastern and northern subareas contain a larger percentage of new subdivisions. Residential land uses are also located in the southeastern and northeastern subareas of town and in small outlying neighborhoods in all subareas. A summary of recent Tulare housing stock characteristics and trends in comparison with Visalia and the county as a whole is shown on Table 4.

b. Future Land Requirements. The Tulare population had been growing at an average annual rate of approximately 4 percent between 1980 and 1992. However, the annual growth rate was substantially higher over the last four years of this period; i.e., in 1988-89 (a 5.8 percent population increase), 1989-1990 (a 12.1 percent increase), 1990-1991 (a 5.7 percent increase), and 1991-1992 (a 7.1 percent increase). (A substantial portion of these higher growth increments was attributable to annexations of existing development.) Conservatively, assuming a three to five percent future annual population growth rate,

Table 4
TULARE HOUSING STOCK CHARACTERISTICS AND TRENDS

Total Housing Stock (1960-1990)

	<u>1960</u>	<u>1970</u>	<u>1980</u>	<u>1990</u>
Tulare	4,623	5,466	8,196	11,316
Visalia	5,578	9,519	19,487	27,154
Tulare County	22,883	61,904	88,744	105,013

Housing Stock by Type (1980-1990)

	<u>1980</u>			<u>1990</u>		
	<u>Single-Family</u>	<u>Mobile Home</u>	<u>Multi-Family</u>	<u>Single-Family</u>	<u>Mobile Home</u>	<u>Multi-Family</u>
Tulare	6,605	327	1,295	8,531	482	2,303
Visalia	14,063	993	3,431	19,146	1,497	6,511
Tulare County	68,094	5,962	14,685	78,666	10,245	16,102

Housing Stock--Type of Occupancy (Owner vs. Renter)

	<u>1970</u>		<u>1980</u>		<u>1990</u>	
	<u>Owner Occupied</u>	<u>Renter Occupied</u>	<u>Owner Occupied</u>	<u>Renter Occupied</u>	<u>Owner Occupied</u>	<u>Renter Occupied</u>
Tulare	3,130	2,082	4,735	3,039	6,186	4,673
Visalia	5,514	3,566	11,190	7,000	15,800	10,311
Tulare County	34,855	21,635	51,121	29,525	58,775	39,086

Housing Stock Vacancy Rate Trends (1970-1980)

	<u>1970</u>	<u>1980</u>	<u>1990</u>
Tulare	4.9%	5.0%	4.0%
Visalia	4.6%	6.6%	3.8%
Tulare County	8.4%	6.8%	6.8%

SOURCE: U.S. Census 1960, 1970, 1980; California Department of Finance.

Tulare can anticipate a year 2005 population of between 50,000 and 63,000.¹ Assuming three persons per household (the 1992 figure), this population increase would require roughly 9,400 additional housing units, or approximately 725 units per average year between 1992 and the year 2005.

Assuming an average residential density of 5.7 units per acre (the current citywide figure) and a breakdown between single-family and multi-family similar to current conditions (approximately 75:25), the City can anticipate a total demand for up to approximately 1,665 additional gross acres of residential land by the year 2005 inside the City limits. If substantial development of more upper-end, larger homes occurs, then the average lot size per home would be larger and the total land needs range would increase accordingly.

c. Locational Factors. Recent residential development has occurred in the south, southwest, southeast, north, and northeast sections of the City. The most recent residential development trend appears to be towards the north and northeast. The largest pending residential development, the Lagomarsino proposal (which could contain up to 1,638 residential units), is located in the northeast subarea.

While there is substantial available vacant land in all planning subareas, the City's vacant residential land inventory is located primarily in the northeast and west sections of town.

2. Residential Planning Agenda

Projected population growth through 2005 could be expected to occupy up to approximately 2,000 acres of additional residential land in the Tulare Planning Area, assuming little change in current average residential density. The City is interested in maintaining an adequate inventory of affordable housing while also providing for a broader housing market range.

The range of housing types in Tulare should continue to emphasize single-family detached housing at suburban densities. The range should also continue to include ample higher density, multi-family residential designations to ensure an adequate inventory of rental housing and housing for special needs, including the elderly. Higher density housing should be located near commercial services and public transportation.

The range of housing types provided within the community should also include increased emphasis on "upper end" housing to better accommodate the local "executive housing"

¹Population growth in the City over the 1988-92 period was due in part to annexation of existing urbanized areas and population. Such annexations have artificially inflated the percentage of population increase over that period. Therefore, the population growth range estimated herein for the future planning period through 2005 reflects an average annual growth rate of 3.0 to 4.5 percent rather than the 5.7 to 12.1 percent annual increases recorded in the recent peak growth years.

market. The City is also interested in increasing the emphasis on high quality design in existing and developing residential neighborhoods in order to strengthen the sense of community and improve the overall image of the City.

Approximately 5,800 acres within the 20,320-acre Planning Area have been designated on the new *land use map* for residential use, of which approximately 3,950 acres were located within the city limits in 1991. This designated residential land inventory was approximately 38 percent developed in 1991, with approximately 3,600 acres remaining vacant.

Approximately 2,300 acres of that undeveloped residential land in the Planning Area are located within the City's designated Urban Reserve Line, or approximately 140 percent of the 1,650-acre anticipated need by 2005. Most of the undeveloped residential land is located in the west and northeast subareas. The undeveloped land in the northeast subarea is primarily located in the Lagomarsino property.

3. Residential Goals, Objectives, and Policies

Goals:

Goal 1: Create and maintain a diverse housing stock adequate to meet the needs of all existing and future Tulare residents.

Goal 2: Continue to provide for single-family detached housing at suburban densities (less than six units per acre) as the primary housing type in Tulare.

Goal 3: Encourage an overall emphasis on design quality for existing and new residential neighborhoods.

Residential Objectives:

(a) Continue to place primary emphasis on provisions for single-family detached housing at suburban and rural densities.

(b) Encourage the development of more "upper end" housing to better accommodate the local market for "executive housing."

(c) Encourage the continuation of affordable housing development.

(d) Provide sufficient higher density, multi-family residential designations to ensure an adequate inventory of rental housing and housing for special needs. Multi-family housing may offer a variety of features desired by Tulare residents including: (1) smaller, more

affordable housing opportunities; (2) shared amenities such as swimming pools, fitness centers, recreation centers, etc., and/or (3) alternative living arrangements including congregate care facilities.

(e) Locate higher density housing types near commercial services, principal arterial routes, and public transportation.

(f) Locate higher density housing types within and around the downtown area.

(g) Encourage the development and maintenance of housing to meet the needs of senior citizens, with emphasis on central locations near support facilities (commercial and medical services, public transit, etc.).

(h) Consistently encourage a high level of design quality for all new residential development in order to create a pleasant living environment, a source of community pride, and an improved overall City image.

(i) Protect existing neighborhoods from intrusion by incompatible land uses and excessive traffic.

(j) Encourage the rehabilitation of existing substandard residential housing.

(k) Facilitate the planting of street trees in those neighborhoods where they do not currently exist.

(l) Encourage the preservation of historic residences and neighborhoods wherever appropriate.

Residential Policies:

Policy 1: The City shall continue to place primary emphasis on accommodating single-family detached residential development at suburban densities, with appropriate transitions to rural densities at the Planning Area periphery.

Policy 2: The City shall encourage housing developments with locational characteristics, lot configurations, landscaping, and other development standards which exceed normal city requirements, in order to distinguish the new neighborhood and appeal to the higher end, "executive housing" market.

Policy 3: The City shall encourage the creation of neighborhoods which have distinct individual identities based on incorporation of high quality individual residential designs and increased emphasis on common design elements (comfortable street scales, street tree canopies,

designed entrances, common landscaping, custom street lighting and signage design, common open spaces, etc.).

Policy 4: The City shall discourage residential design approaches within subdivisions which create monotonous or non-aesthetically pleasing neighborhoods (e.g., excessive repetition in house form, setback, and building height; repetitive driveway configurations; prominence of garage doors; etc.).

Policy 5: The City shall encourage the inclusion of elements in residential design which stimulate neighborhood interaction, (e.g., inclusion of front porches in home design, limitations on front yard fenced areas, etc.).

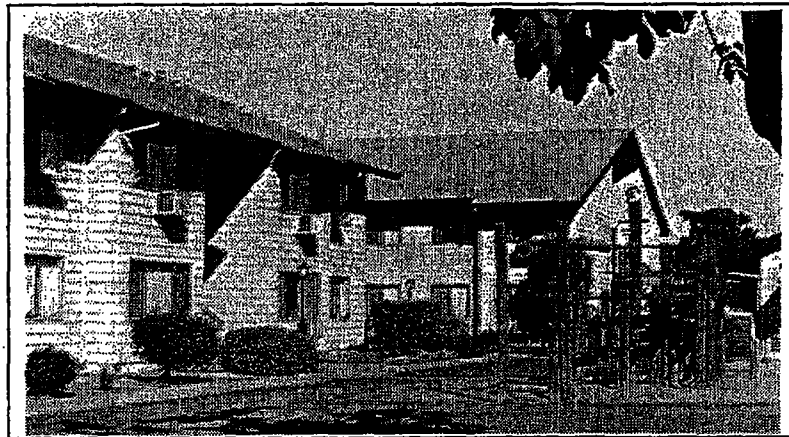
Policy 6: The City shall continue to encourage the production of housing affordable to families with low and moderate incomes through the private housing market and through public assistance programs.

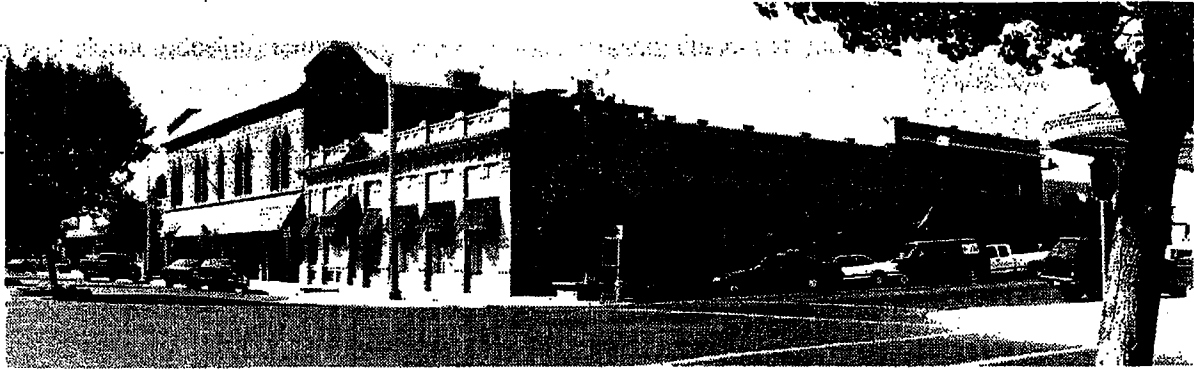
Policy 7: The City shall encourage the production of "second dwelling units" (a.k.a. granny flats, inlaw units) as allowed in the zoning ordinance for the creation of affordable rental housing in residential zoning districts.

Policy 8: The City shall encourage the development of senior housing near retail and commercial services in or near the downtown and near public transportation and other support services.

Policy 9: Multi-family housing shall be strategically located to serve its occupants and should be well designed with sufficient outdoor open space area. Multi-family housing should not be approved on "marginal" pieces of property, i.e., with inappropriate sizes, shapes, or locations.

Policy 10: The City shall require the abatement of significant noise intrusion into existing and proposed new residential developments from the freeway, major arterials, the railroad, and other significant noise sources.





C. COMMERCIAL

1. Setting

a. Typical Commercial Development Types. In most communities, commercial development occurs in concentrations which can include a traditional downtown configuration located in the center of the city, as well as the more contemporary outlying commercial shopping center configuration.

Downtown. The typical American downtown is a commercial, cultural, and civic precinct which has evolved from the traditional "central business district" concept. Such central districts were originally formed based on locational advantages and have historically contained virtually every aspect of community economic and social life (e.g., the CBD was traditionally the terminus of transportation lines, the site of major industries, the hub of commercial and professional activity, and the location for governmental activity). With the growth and evolution of communities, many of their downtowns are no longer as centrally located or are no longer the primary commercial area. However, most downtowns have maintained their varying roles as civic, cultural, office, retail, service, and/or entertainment centers.

Outlying Commercial Centers. Significant commercial developments outside of the downtown area now generally take the form of a conveniently located, outlying shopping center. These centers are usually architecturally unified commercial establishments built on a site that is planned, developed, owned, and managed as one operating unit. Such outlying commercial shopping centers can generally be divided into three types: neighborhood-serving, community-serving, and region-serving.

The **neighborhood center** is a local retail facility serving the convenience shopping needs of one subarea of the community and generally contains 30,000 to 100,000 square feet of

leasable floor area on 3 to 5 acres. Neighborhood centers generally have a supermarket as the leading tenant and require a support population of 3,000 to 40,000 people.

A **community center** is a larger facility serving community-wide "comparison" shopping needs. A typical community center contains from 100,000 to 300,000 square feet of leasable floor area on 10 to 30 acres. Its leading tenant is usually a junior department store, or a large variety, discount or department store. A typical community center usually requires a support population of 40,000 to 150,000 people.

A **regional shopping center** serves the comparison and specialty shopping needs of the region. Regional centers typically contain 500,000 or more square feet of retail floor space on 50 or more acres. Such centers usually contain at least one full-line department store, and require a support population of 150,000 or more.

Two additional types of commercial retail activity which do not fit neatly into the three major categories described above are the local convenience center and strip development. The **convenience center** is typified by a quick stop convenience store, the modern day replacement of the "mom-and-pop" grocery store. **Strip development** is typically characterized by a mixed string of independent, commercial developments along a major roadway with no anchor tenant or central management.

b. Existing Commercial Development Pattern. As shown on Figure 5, existing commercial development in Tulare is concentrated primarily in the downtown area, in newer community and neighborhood centers in the northeast along East Prosperity Avenue near Highway 99, in the east along East Tulare Avenue, in the west along West Inyo Avenue, and in the northwest along J Street. In 1992, over 560 acres of commercially designated land in the Planning Area had been developed, although some of that land contained non-conforming residential uses.

The six principal Tulare commercial concentrations are described below.

(1) The **Downtown** is the community's traditional central business district, retail hub, and civic center. The downtown serves as a community shopping area, but has experienced a decline in commercial activity in recent years as more convenient, outlying community commercial development has occurred. The downtown maintains its role as the civic center of the city and acts as a specialty retail, service, and professional office center.

(2) The **northeast shopping centers** are a cluster of general retail, service and convenience commercial outlets located at the intersection of State Highway 99 and East Prosperity Avenue. The complex is comprised of three separately-owned shopping centers: the Tulare Town and Country Center, a value-oriented center, the Monte Vista Center, which features neighborhood-serving stores, and the new K-Mart shopping center. This

expanding concentration of commercial activity functions as a neighborhood-serving and increasingly, as a community-serving retail center.

(3) **West Inyo Avenue** contains a mix of strip retail, service and convenience commercial uses extending west from the downtown to West Avenue. The complex serves as a neighborhood shopping center for the western sections of the community.

(4) **East Tulare Avenue** is a ten-block strip of commercial development extending easterly from Highway 99 to Mooney Boulevard which contains convenience outlets, service commercial uses, specialty retail outlets, office/institutional uses, new and used automobile sales outlets, auto painting and detailing, and some light industrial uses.

(5) The **West Cross/J Street** complex, Heritage Place, is a commercial center which includes the new site of the California Department of Motor Vehicles, plus a major grocery supermarket, one drug store, and several fast food outlets. This complex serves as a neighborhood commercial center for the central area.

c. **Local Retail Outlet Trends.** In 1990, the City of Tulare contained 28 percent more retail outlets than it contained in 1980.¹ Over the same 1980-1990 period, the City of Visalia increased its total retail outlets by 45 percent. The City of Porterville and the county as a whole also increased their total retail outlets by 38 and 32 percent, respectively. This comparatively low increase in Tulare retail activity, despite a 47 percent increase in Tulare population and a steady increase in neighborhood center development activity, indicated two undesirable trends: (1) a decline in downtown significance (i.e., an increasing number of vacancies and closures of anchor retail stores), and (2) an overall increase in sales "leakage" out of the City (i.e., slower growth in retail sales compared to population growth). Much of the sales "leakage" is assumed to have been captured by Visalia, which has been increasing its role as the region's major commercial center.

d. **Taxable Sales Trends in Tulare.** During the 1980-1990 period, annual taxable retail sales rose within the City of Tulare from \$152.4 million in 1980 to \$266.8 million in 1990,² an increase of approximately 75 percent. This occurred during the same period when Visalia had a 103 percent increase in annual taxable retail sales, Porterville had a 78 percent increase, and the county as a whole had an 82 percent increase. This comparatively low growth in Tulare indicates substantial leakage in retail sales to areas

¹California State Board of Equalization, 1992.

²California State Board of Equalization.

outside the City. On the other hand, substantial recent increases in community-serving commercial development in Tulare since 1990 indicate a potential reversal of this trend.

~~e. Commercial Land Absorption Trends in Tulare.~~ Despite the decreasing number of total retail outlets and the slight 1980-1988 decline in annual taxable retail sales, the City has increased its acreage of developed commercial land since 1980 by a total of 109 acres, or an average of 12 acres per year. This development trend indicates that non-retail types of commercial activity such as office and personal services are continuing to grow in Tulare.

f. Future Neighborhood and Community Commercial Land Requirements. If the City's 1980-1990 commercial land absorption rate continues, at least 150 acres of additional neighborhood and community serving commercial land would be developed in Tulare by the year 2005. If the most recent 1988-1992 increase in the rate of community retail development in Tulare continues, keeping pace with anticipated residential development, the total need by the year 2005 for additional commercial land may be substantially greater than 150 acres as the City recaptures much of the annual retail sales activity that was formerly lost to other cities. The amount of this increase will depend upon the outcome of Tulare efforts to attract sensitively designed and well-merchandised retail businesses to convenient and compatible locations within the City.

Anticipated Tulare population growth could require from one to seven new neighborhood shopping centers in the Planning Area by the year 2005. New population, in conjunction with the recapturing of current retail sales now lost to other cities, may also support an additional community shopping center, and in conjunction with other regional growth and traffic on Highway 99, could contribute to the demand for a regional commercial center. The demand for a regional shopping center is discussed further below.

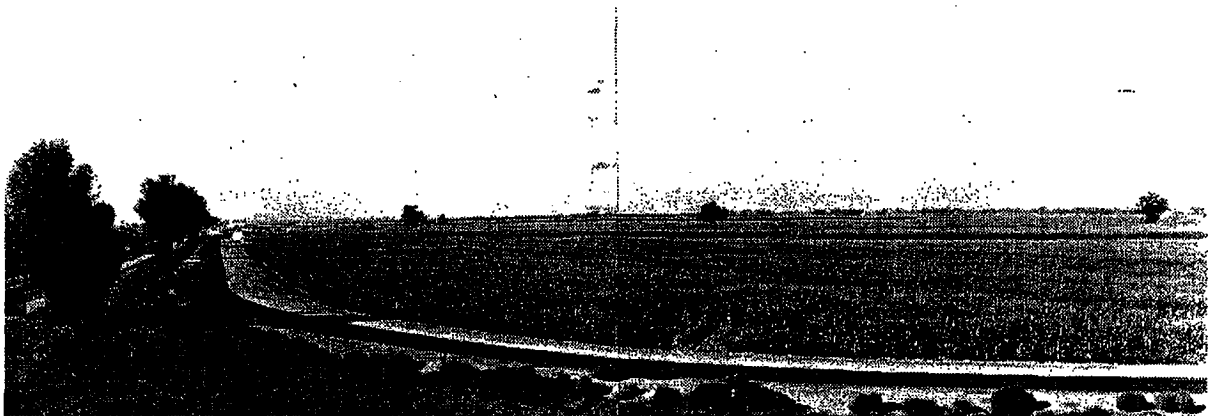
g. Regional Commercial Needs. The concept of a new regional mall in Tulare County has been heavily discussed since the early 1980's. The 1991 Visalia General Plan Land Use Element includes a new policy to expand the City's regional commercial activity at several locations, including Mooney Boulevard south of Packwood Creek. This Mooney Boulevard location has been designated as a regional center reserve area; i.e., an area to be developed as a regional center in the future after the year 2000.

Development of a viable new regional shopping center generally requires a population of over 150,000 people within a distance of 10 to 20 miles. Market studies conducted in the region¹ suggest that there was sufficient existing demand in 1990 to support the development of a new regional shopping center in the Visalia-Tulare area. The following

¹These studies are described in more detail in the Tulare General Plan Update Preliminary Planning Report, July 1990, which is available for public review at the City of Tulare Planning and Building Department.

factors indicate that the Tulare Planning Area may represent a viable location for such a new regional shopping complex:

- **Demand:** Anticipated cumulative growth in Tulare, Porterville, Woodville, Lindsey, Goshen, Corcoran, and Pixley, plus those areas of Visalia which may find it increasingly more convenient to reach a more accessible Tulare location (e.g., via Highway 99 or the Demaree/Hillman corridor) than the Mooney Boulevard/Packwood Creek area, may support development of an additional commercial regional center in Tulare, regardless of the outcome of the Mooney Boulevard/Packwood site.
- **Access:** Good, convenient regional access is perhaps the most essential component of a successful regional shopping facility. Highway 99 is the principal regional access facility in the south central San Joaquin Valley. The Tulare Planning Area includes excellent Highway 99 access.
- **Visual Prominence:** Good visual exposure is another important site selection factor. Good visibility improves center accessibility. A Highway 99 location in the Tulare Planning Area would have a high level of visual exposure to regional traffic flows.
- **Site Size and Expansion Potentials:** Smaller regional shopping center sites with one "major" full-line department store anchor (400,000 to 500,000 square feet of retail floor space) and/or a cluster of "factory outlet" stores, typically range up to 60 acres in size. A larger regional shopping center with three or more anchor stores (600,000 to 1.5 million square feet of retail floor space) can typically require up to 100 acres. Site possibilities in Tulare along Highway 99 appear to provide adequate, unconstrained, vacant land for construction of a readily expandable regional shopping facility.



Potential regional shopping center site at the northeast quadrant of the Highway 99/Cartmill Avenue interchange.

In addition to the basic locational considerations listed above, the availability of attractive merchandise is also a key factor in the success of a regional shopping facility. A future

regional center on a Tulare site would have to attract a superlative merchandising array in Tulare in order to achieve an impregnable economic position in terms of existing and future competition from retail shopping in Visalia.

2. Commercial Planning Agenda

a. General Intent. The commercial development policies and land use allocations set forth in this *Land Use Element* have been designed to provide adequate and convenient retail shopping and commercial service opportunities to the residents of Tulare, to facilitate the transition of the downtown from a predominantly retail center to a service, specialty retail, civic, and cultural precinct, and to recapture much of the annual sales tax revenues which in the recent past have been lost to other cities. This commercial planning agenda is furthered in this *Land Use Element* through the establishment of more specialization in commercial land use designation, and the adoption of related *land use map* provisions which serve to direct the various desired commercial development types to the most appropriate locations.

b. Five Commercial Designations. Tulare commercial land use provisions have been divided on the *land use map* into the more specialized designations of General Commercial, Regional Commercial, Community Commercial, Neighborhood Commercial, and Office/Business Park in order to improve City provisions for the differing specific needs of the various contemporary commercial development types (region-serving retail, community-serving retail, neighborhood convenience retail; office, research and development, etc.).

c. Downtown Precinct. In addition to these five commercial designations, the city's downtown area has been more specifically identified on the *land use map* as a "Downtown Precinct" to distinguish it from other commercial areas in Tulare. This Downtown Precinct designation is intended to facilitate a complementary combination of commercial, institutional, parks and recreation, and residential land uses which serves to promote development and improvement activities, and to further the role of the downtown as both a commercial center and a cultural, entertainment and civic center.

d. Other Commercial Locations. The *Land Use Element* also seeks to provide an appropriate inventory of commercial land in the most appropriate locations in terms of access and surrounding land use, and in sufficient quantities to maintain competitive land prices. This commercial planning agenda has resulted in a substantial change from the City's previous general plan commercial land use designations which indicated that the bulk of future additional commercial development of all types would occur along Mooney Boulevard.

The *land use map* encourages commercial development in a variety of areas. The General Commercial designation is applied primarily in the Downtown Precinct and at

locations along West Inyo Avenue, East Tulare Avenue, and the West Cross/J Street area in order to reflect existing development characteristics and to accommodate a continuation and intensification of a diverse range of central area commercial activity. The map designates an optimum site for future Regional Commercial development at the northeast quadrant of the Highway 99/Cartmill Avenue Interchange. This location would provide the adequate regional access, visibility, and land area necessary for an expandable regional shopping center and/or outlet mall, would eventually be served by the City's planned sewer trunk line expansions, and could be effectively insulated from surrounding land uses. The *land use map* directs Community Commercial development to optimum, concentric locations around the community at the convergence of major arterials and with convenient freeway access. The map also schematically indicates Neighborhood Commercial at locations within convenient walking distance of existing and future residential neighborhoods.

3. Commercial Goals, Objectives and Policies

Goals:

Goal 1: Provide adequate community and neighborhood shopping opportunities within the City to meet the needs of it's residents.

Goal 2: Designate a supply of commercially designated land which is based on realistic expectations of potential commercial growth.

Goal 3: Encourage the development of Tulare into a "full service" city.

Goal 4: Reserve appropriate locations for specific anticipated commercial needs.

Goal 5: Maintain and enhance the downtown as the city center, principal Tulare identity element, and source of community pride.

Goal 6: Maintain and enhance the downtown as a viable business, service commercial, specialty retail, office, cultural, and civic center for the City.

Goal 7: Provide and plan for a future regional retail center within the Tulare Planning Area.

Commercial Objectives:

(a) Maintain and improve the City's retail and service commercial tax base.

- (b) Encourage commercial development which provides for needed commercial opportunities and services currently not available in Tulare.
- (c) Reserve appropriate locations for community-serving and appropriate locations for neighborhood-serving commercial development.
- (d) Reserve appropriate portions of the City's vacant commercial acreage inventory to best meet the special site requirements of those specific types of commercial development which have been identified by the City as viable and desirable (office, community-serving retail centers, highway serving commercial, a regional retail center, etc.).
- (e) Encourage an overall emphasis on design quality for all new Neighborhood Commercial, Community Commercial, Office/Business Park, and Regional Commercial land use designations.
- (f) Designate and recognize the downtown area as a special Downtown Precinct with a unique role in the community for the purpose of encouraging appropriate land uses and activities in the area.
- (g) Encourage development of offices in the Downtown Precinct to intensify land uses, to encourage adaptive re-use of existing structures, and to bring people into the area.
- (h) Encourage an overall emphasis on design quality for all new development in the Downtown Precinct in order to maintain an attractive and pleasant downtown environment.
- (i) Design and construct common improvements to the Downtown Precinct to make it a visually distinct and pleasant place which projects a positive image of the City and attracts residents and visitors to the downtown area.
- (j) Provide for the development of mutually-supportive downtown land uses.
- (k) Encourage the development in the Downtown Precinct of recreational and cultural facilities, restaurants, and higher density residential projects to provide increased daytime and nighttime activity in the area.
- (l) Avoid the proliferation of strip commercial development, particularly along Mooney Boulevard north of Prosperity Avenue, along Prosperity Avenue east of Hillman Avenue, along Hillman Avenue north of Cartmill Avenue, along Tulare Avenue east of Mooney Boulevard, and along Tulare Avenue west of West Street.
- (m) Reserve an adequate site at the east side of the Highway 99/Cartmill Avenue interchange as an optimum location for future development of a regional commercial center.

Commercial Policies:

Policy 1: For those sites specifically designated for either Community Commercial, or Regional Commercial land uses, no development shall be approved which would preclude or eliminate future opportunities to develop these specific land uses.

Policy 2: Development proposed for the following commercial land use designations shall continue to be subject to City Design Review procedures: Neighborhood Commercial, Community Commercial, and Regional Commercial.

Policy 3: Development proposed within the designated Downtown Precinct shall continue to be subject to City Design Review procedures.

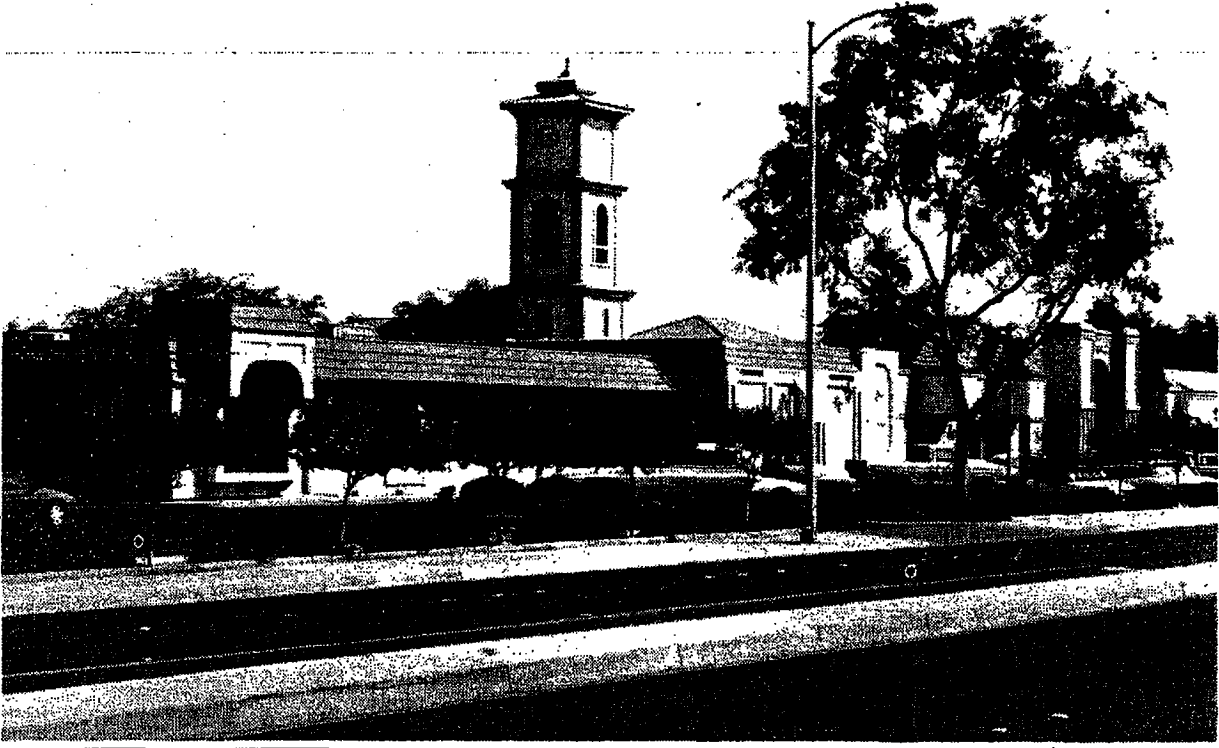
Policy 4: Encourage increased professional and administrative office development in the downtown to complement shopping and commercial service activities.

Policy 5: Encourage the concentration of pedestrian-dependent commercial uses in the central core of the downtown (general merchandise, comparative shopping, specialty goods, restaurants, outdoor eating establishments, etc.).

Policy 6: Direct development of "special trip" commercial uses to the periphery of the downtown (home furnishings and appliances, auto supplies, home improvement, motels, cleaners, farm equipment, etc.). This policy would make these land uses easily accessible by automobile, reserving the central downtown area for those uses which can benefit from good pedestrian access and concentrated pedestrian activity.

Policy 7: Encourage the development of office uses and higher density residential uses on the edge of downtown.

Policy 8: Facilitate provision of the necessary municipal services to accommodate a future regional center.



D. OFFICE/BUSINESS PARK

1. Setting

As an agricultural center, Tulare has attracted a substantial industrial development base, including food processing and distribution. With the projected development of a more diverse residential, commercial, and industrial land use pattern through the year 2005, the City also anticipates an increased interest in administrative, professional, finance, insurance, real estate, and corporate activity expansion in Tulare, and a corresponding increase in demands for office and business park development. Prior to the adoption of this *Land Use Element*, the City had no specific office or business park general plan designation. Past office development has been generally located in commercial designations in the downtown and in various outlying commercial areas.

Employment in industries which are likely to occupy office/business park development have increased steadily in Tulare County from 1980 to 1990. Finance, insurance, and real estate employment increased by 1,150 jobs (a 53 percent increase) and service employment

increased by 3,950 jobs (a 35 percent increase) between 1980 and 1990.¹ Health, legal, jobs (a 35 percent increase) educational, engineering, accounting, research and management, and public relations services are expected to experience continued growth in the county.² Visalia has been the only community in the county to formally pursue this potential growth in office/business park development. The *Land Use Element* update to the Visalia General Plan identifies the treatment of professional/administrative office land and development strategies as one of the most significant issues in the update effort. Visalia has identified a need for an additional 60 acres of professional office space outside their downtown area by 2010. The Visalia *Land Use Element* update has also designated three areas totalling 340 acres for large-scale professional/administrative office development. These locations are anticipated to attract master planned, campus-type, well-landscaped developments with high quality design standards. These designations are intended to attract office/business park users with both a local and a regional base, and indicate an anticipated substantial increase in office/business park development activity in the Visalia-Tulare subregion over the next 10 to 20 years.

2. Office/Business Park Planning Agenda

The added general plan designation and associated policies for Offices/Business Park represents another new level of land use specificity in the Tulare General Plan. The City's interest in attracting well-planned office and business park development is based on desires to provide a wider variety of employment opportunities in the City and to complement community retail and service expansion in the City. Development of new office areas and business parks with good highway and arterial access could be attractive to large office users who may wish to relocate from more urbanized, higher cost real estate markets to an accessible location with expansion potential near available housing. Reservation of suitable sites for office/business park development will strengthen Tulare's position in competing for anticipated increases in office/business park development activity in the Visalia-Tulare subregion through the year 2005.

Office/Business Park Goals:

Goal 1: Encourage a more diversified employment base within the City.

Goal 2: Attract more administrative and office employment to the City.

¹Tulare County Economic Development Corporation, Wagstaff and Associates.

²Annual Planning Information, Tulare County, June 1991, Employment Development Department, State of California, Health and Welfare Agency.

Office/Business Park Objectives:

- (a) *Reserve appropriate locations for office/business park development.*
 - (b) *Provide for office/business park development in appropriate outlying areas such as at or near the intersections of major arterials, and at or near community shopping concentrations.*
 - (c) *Encourage an overall emphasis on design quality within the new Office/Business Park land use designation.*
-

Office/Business Park Policies:

Policy 1. Requests for additional Office/Business Park designations shall be granted if the proposals meet the policies of this general plan.



E. INDUSTRIAL

1. Setting

a. Existing Industrial Development. The completion of the Southern Pacific and Santa Fe railroad lines through Tulare in the late 1800's and early 1900's, respectively, and the subsequent introduction of a subregional system of irrigation ditches and canals, facilitated development of the area as a viable agricultural subregion and strengthened Tulare as the agricultural service, processing, and distribution center for this activity. Improvement of Highway 99 to freeway status in the early 1950's, and the establishment of the Tulare Industrial Park infrastructure in the 1970's, have allowed the City to significantly expand and diversify its economic base from strictly an agricultural service center to a multi-functional economy.

Although the Tulare Industrial Park has no formal boundaries, it is generally considered to include the area located between the Southern Pacific Railroad and Laspina Street and Highway 99, Bardsley Avenue and Avenue 200, which was designated for industrial development in the City's 1978 General Plan Land Use Element. This area is well-served by City water and special sewer, is adjacent to Mefford Field and the Southern Pacific Railroad, and has good access from three freeway interchanges. This area contains

several food processing and other manufacturing operations, as well as wholesale and warehouse businesses.

There is also a smaller industrial development concentration in the northwest sector of the City at the intersection of Cross Avenue and West Street.

b. Industrial Land Absorption Trends. Between 1977 and 1989, the City added 213 acres of industrial development, or an average of approximately 16 acres per year.¹ The most significant recent year for industrial development in Tulare was 1980, when the 36-acre Southern California Edison service center and the 47-acre Gruman-Olsen Facility were constructed.

In 1992, the City's Planning Area contained approximately 1,945 acres of industrial designated land, approximately 800 of which was developed. Most of this land is located in the Tulare Industrial Park area.

c. Anticipated Industrial Land Requirements. If recent annual rates of industrial land absorption continue through 2005, development of approximately 200 acres of additional industrial land can be anticipated in Tulare by 2005. The continued success of the Tulare Industrial Park suggests that this recent rate of industrial land absorption can be expected to increase, possibly doubling the annual rate of absorption of industrial land or approximately 400 acres by 2005.

Future industrial land needs can also be based on employment projections. Tulare County employment in industries which require industrial land (manufacturing, transportation and utilities, and wholesale) would, under current growth rates, be expected to add another approximately 6,284 jobs countywide between now and the year 2005.² The City of Tulare's share of this industrial growth, based on past trends, could be expected to be at least 12 percent; i.e., at least 750 added jobs in the Planning Area.³ Assuming that each new job requires approximately 0.17 acres of industrial development (based on 1990 employment per acre ratios),⁴ an additional approximately 130 acres of industrial land would be required by 2005.⁵

¹City of Tulare Planning and Building Department; Wagstaff and Associates.

²Wagstaff and Associates, 1990.

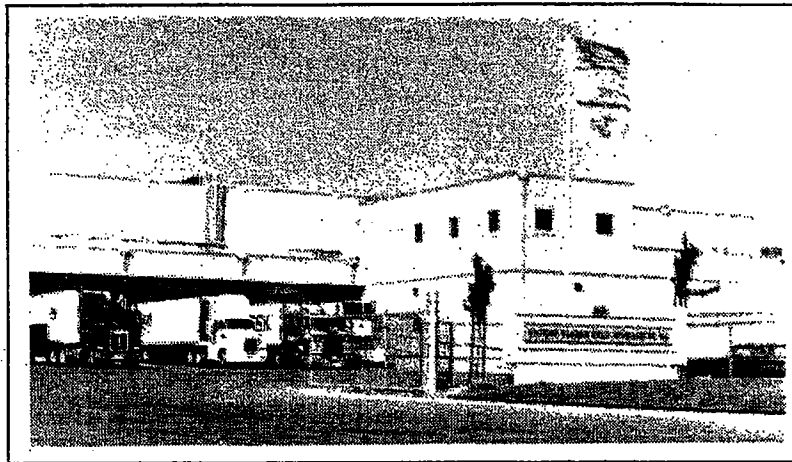
³Ibid.

⁴Ibid.

⁵Ibid.

There are approximately 840 acres of existing vacant industrial land within the City, and an additional 160 acres in the Planning Area outside of the City limits.

d. Locational Considerations. The majority of recent industrial development has been in the Tulare Industrial Park. Future growth is also likely to be attracted to this area, due to its locational advantages and the lack of significant alternative industrially-designated areas in the City.



2. Industrial Goals, Objectives, and Policies

Goals:

Goal 1: *Attract industrial land uses which provide a stable, long term, and diverse economic and employment base for City residents.*

Goal 2: *Continue to maintain and encourage agriculture-related industry in Tulare.*

Goal 3: *Accommodate industrial land uses in a manner which minimizes impacts on the environment.*

Industrial Objectives:

- (a) *Maintain an adequate inventory of industrial land attractive to industry with respect to location, access, price, public services, work force, and environmental compatibility.*
 - (b) *Reserve industrial designated lands for industrial development purposes, since other lands that have been designated for commercial use are in ample supply.*
 - (c) *Require that new industrial development include provisions for adequate initial and ongoing mitigation of related environmental impacts.*
-

Industrial Policies:

Policy 1: The City shall continue to make industrial growth a priority.

Policy 2: The City shall encourage industrial growth which will provide more year-round (non-seasonal) employment.

Policy 3: The City shall continue to facilitate the provision of municipal services to industrially designated areas within the city limits.

Policy 4: The City shall pursue reasonable opportunities and programs designed to stimulate business development, e.g., redevelopment programs, enterprise zones, etc.

Policy 5: The City shall rigorously enforce the existing performance standards for industrial uses set forth in Chapter 9.14 of the City of Tulare Zoning Ordinance.



F. AGRICULTURE

1. Settling

The Tulare Planning Area is underlain by three soil associations which are all described by the U.S. Department of Agriculture Soil Conservation Service as highly suitable for agricultural use. Like many other Central Valley communities, the majority of the Tulare Planning Area, including the existing urbanized portion of the City, as well as the *land use map* designated urban growth areas to the northeast, north, northwest, west, and southwest, are underlain by Class I soil, the association with the fewest limitations for use as cultivated crops, pasture, or range. The primary agricultural products currently produced in the Tulare Planning Area include cotton, walnuts, grapes, and dairy products.

2. Agriculture Planning Agenda

The policies set forth in this *Land Use Element* pertaining to agriculture reflect the City's desire to continue recognizing the region's agricultural activity as the key element of the City's cultural history, and as the driving force behind the City's economy. The City recognizes that new urban development will continue to displace remaining agricultural activities within the designated urban sphere, but seeks to minimize these impacts through the promotion of efficient, compact growth. To accomplish this agenda, areas designated on the *land use map* for rural density housing have been minimized while suburban and urban density housing development is encouraged, and an "Urban Reserve Line" has been created to achieve a more efficient use of land within the City's Planning Area.

3. Agriculture Goals, Objectives, and Policies

Goals:

Goal 1: Protect the viability of existing interm agricultural activity in the Planning Area to the extent possible.

Goal 2: Continue to maintain and encourage agriculture-related business in the City.

Agriculture Objectives:

(a) Establish and periodically reconsider an Urban Reserve Line designating those possible future urban areas which should be withheld from annexation and development over the horizon of this Land Use Element.

Agriculture Policies:

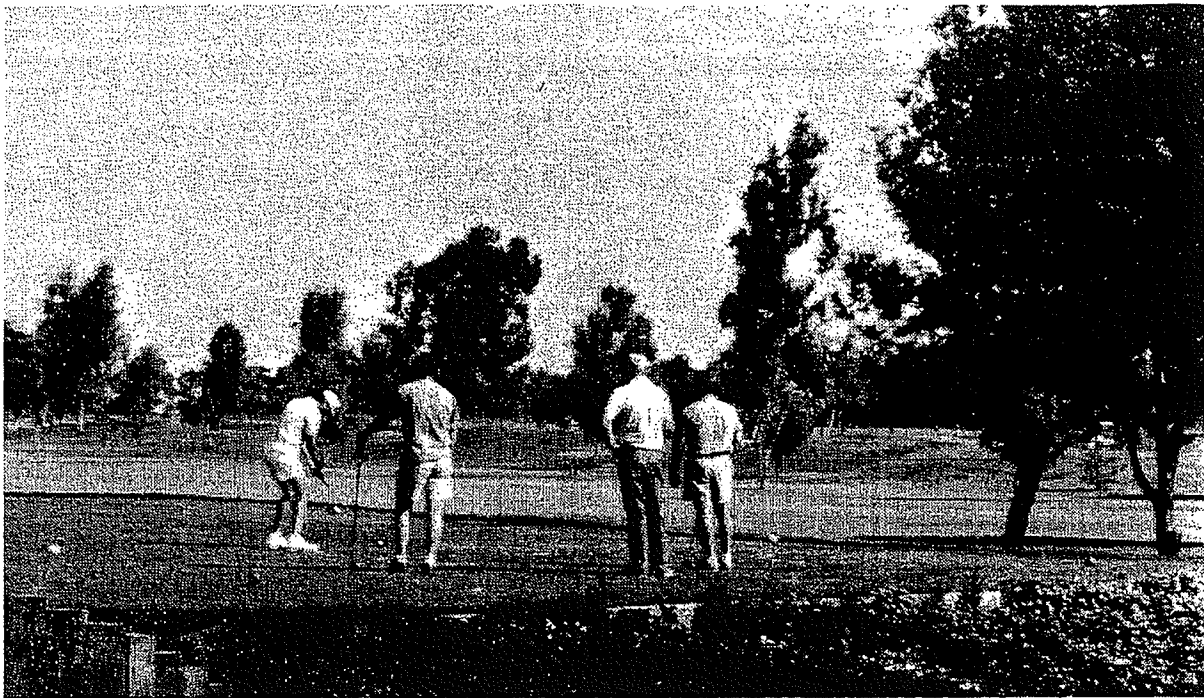
Policy 1. The City shall require that new development provide adequate buffers between existing agriculture and potentially conflicting new urban land uses, in such forms as spatial separations and transitions in density.

Policy 2. To the extent possible, the City shall encourage contiguous and infill development.

Policy 3. No development or annexation shall be approved within that portion of the Tulare Planning Area which lies outside the designated Urban Reserve Line.

Policy 4. The City shall continue to encourage the development of business and services necessary to support agriculture.

Policy 5. The City shall continue to support the annual International Farm Equipment Show within the Planning Area.



G. PARKS AND RECREATION

1. Setting

The location of existing parks and recreation facilities within the City of Tulare urban boundary as of 1991 is mapped on Figure 6. These facilities include 13 City parks (five mini-parks, seven neighborhood parks,¹ and an off-road vehicle park), a regional park maintained by Tulare County, a City-operated community center complex (community center, activity center, and swimming pool), a City-operated senior center, and the county fairgrounds. These existing public facilities are augmented by recreational facilities owned and maintained by the Tulare City School District and the Tulare Joint Union High School District which are available for public use, by a privately-owned public golf course, and by other local, private (commercial) recreational facility and service providers (water slide, bowling alley, etc.).

(a) City Parks. Before 1990, the City of Tulare classified its parks into three categories, *mini-parks*, *neighborhood parks*, and *community parks*. In 1990, the City Parks and Community Services Department (PCSD) adopted a new park classification system and

¹One of the neighborhood parks, Memorial Park, is owned and maintained by the Tulare Veteran's Memorial District.

related development standards. The new system eliminates the *mini-parks* classification and adds two new classifications: *major urban parks* and *special use facilities*.

It should be noted that the City does not currently assess park fees, but does impose park improvement requirements on new development within the City's urban boundary.

A list of existing City park facilities as of 1990 is provided in Table 5. The list corresponds with the Figure 6 map. The City has a total of 90.15 acres of parkland, plus a 20-acre off-road vehicle park. As indicated by the table, these parklands include 11.45 acres of mini-parks, 78.7 acres of neighborhood parks, no community parks, and one special use facility. Brief descriptions of the individual park types are provided below. PCSD-established development standards for its new park classification system are summarized in Table 6.

Mini-Parks. According to Parks and Community Services Department classifications and criteria, a mini-park is intended to serve a limited neighborhood population, or a particular population group (e.g., small children or senior citizens). It is typically less than five acres in area and serves a 1/4 mile radius area. This type of park typically includes children's play areas, quiet game areas, a few multi-purpose courts, and landscaping. Mini-parks are not included in the City's new (1990) park classification system. However, five existing mini-parks remain which are owned and maintained by the City:

- *Alice Topham Park* is a 1.9-acre facility located on West Tulare Avenue, immediately west of the Southern Pacific Railroad tracks. This park functions primarily as a passive park (i.e., it is not used for football, softball, soccer, or other high-activity uses), and contains picnic tables, park benches, and restroom facilities. The park is distinguished by a dense canopy of trees.
- *Zumwalt Park* is a 3.8-acre central City park located on Tulare Avenue directly across from City Hall. This park also functions primarily as a passive park, has a dense canopy of trees, and contains a bandstand, wading pool, picnic tables, and restroom facilities. The bandstand is only used occasionally, and the wading pool has not been used for many years.
- *Tyler Park* is a .75-acre facility located on E Street just north of the City's westside fire station and the Tulare Public Library. City improvement plans for Tyler Park include the eventual provision of pathways, picnic tables, rose garden, play area, and dense shade canopy.
- *Parkwood Meadows Park* is a 4.5-acre facility located on South E Street at Oakwood Drive. This park can accommodate some active uses and contains a softball backstop, children's play area, picnic tables, and picnic benches. The park is fully landscaped with young shade trees.

- **Community Center Park** is a .5-acre facility located behind the Claude Meitzenheimner Community Center. This park contains the Cecil Berkley Activity Center. The park is landscaped with sod and shade trees. Just west of the park is the Community Center public pool.



Neighborhood Parks. Under current City classifications and criteria, a neighborhood park is intended to serve an entire neighborhood (3,000 to 5,000 people). It is typically five to 15 acres in size and serves a 1/2 mile radius area. In general, these parks are designed to meet the specific needs of each particular City neighborhood. A neighborhood park typically includes children's play areas, shaded areas, multi-purpose courts, open turfed areas, picnic facilities (tables, cooking grills, etc.), group barbecue facilities, sheltered areas, lighting (if warranted), and off-street parking.

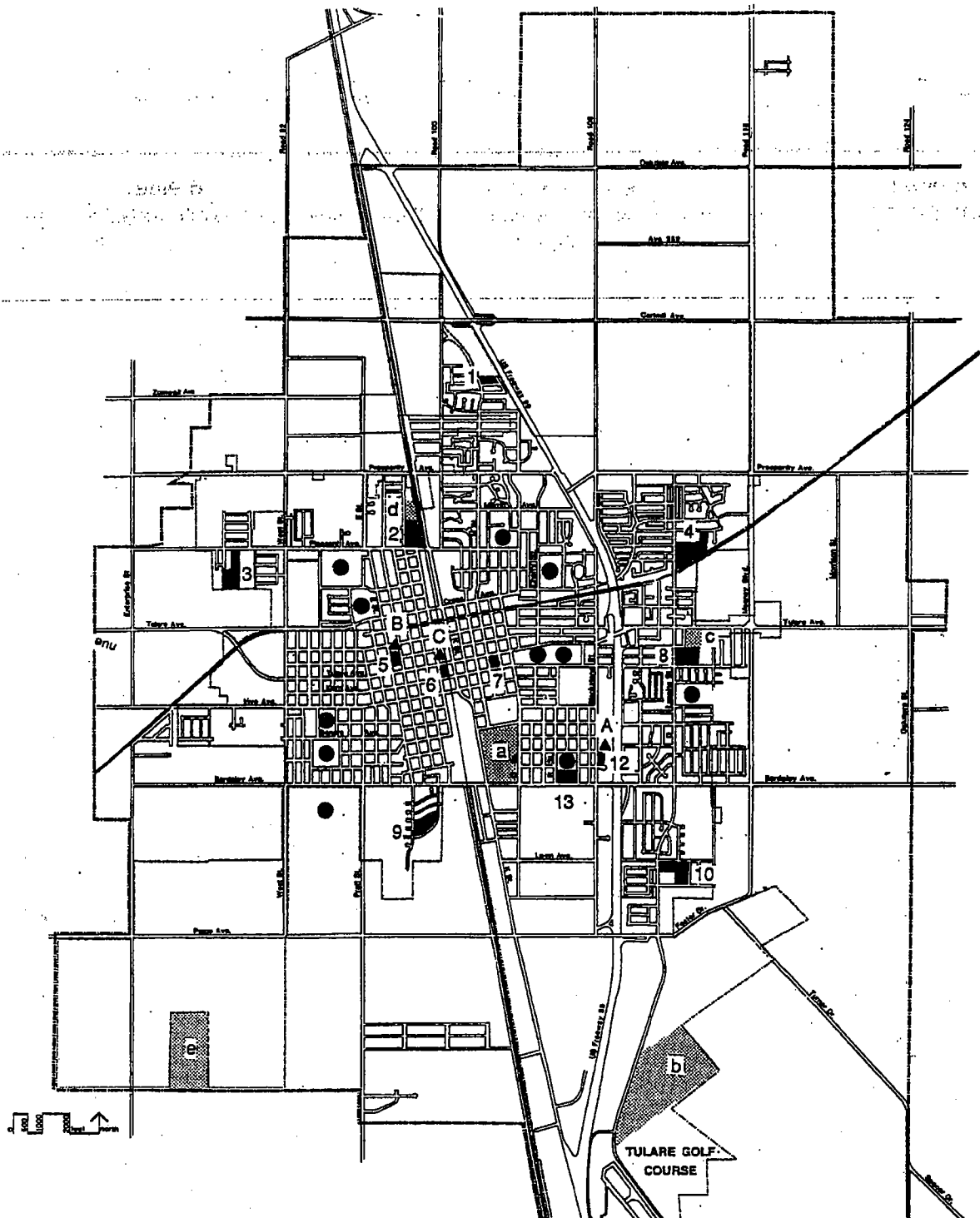
In four instances, a combination park-school is used to meet neighborhood park needs. In addition, some neighborhood park sites in Tulare are designed to also serve as interim ponding basins for collection and percolation of storm water runoff.

Table 5

EXISTING CITY PARKLANDS

<u>Park Name and Location (See Figure 6 and Table 6)</u>	<u>Acres</u>
Mini-Parks:	
Alice Topham Park (West Tulare Avenue west of the Southern Pacific Railroad tracks)	1.9
Zumwalt Park (Tulare Avenue across from City Hall)	3.8
Tyler Park (E Street north of the westside fire station and Tulare Public Library)	.75
Parkwood Meadows Park (South E Street at Oakwood Drive)	4.5
Community Center Park (behind the Meitzenheimner Community Center)	.5
<i>Total Mini-Park Acreage</i>	<i>11.45</i>
Neighborhood Parks:	
Centennial Park (H Street north of Pleasant Avenue)	10.0
Blain Park (North M Street at Garfield Avenue)	7.6
Cypress Park (Laspina Street at Cypress Avenue)	13.0
Pleasant Park (West Pleasant Avenue at Milner Street)	13.1
Veteran's Memorial Park (Laspina Street south of the Veteran's Memorial building)	10.0
Lincoln Park (Bardsley and South "R" Street)	10.0
Live Oak Park (Laspina Street at Ben Franklin Avenue)	15.0
Community Parks:	
(No City parks currently qualify as community parks; see Table 6)	0.0
<i>Total Neighborhood and Community Park Acreage</i>	<i>78.7</i>
Special Areas and Facilities:	
Off-road vehicle park	20.00
TOTAL ACREAGE	110.15

SOURCE: Wagstaff and Associates, March 1990; based on data provided by the City of Tulare Parks and Community Services Department.



- | | | | |
|----|-------------------------|---|---------------------------------|
| ■ | PARKS | ● | SCHOOLS |
| 1 | Blain Park | ▲ | COMMUNITY CENTERS |
| 2 | Centennial Park | A | Tulare Community Center Complex |
| 3 | Pleasant Park | B | Senior Community Center |
| 4 | Live Oak Park | C | Tulare Women's Clubhouse |
| 5 | Tyler Park | | |
| 6 | Alice Topham Park | ▨ | SPECIAL FACILITIES |
| 7 | Zumwalt Park | a | County Fairgrounds |
| 8 | Veteran's Memorial Park | b | International Agri-Center |
| 9 | Parkwood Meadows Park | c | Veterans Memorial Building |
| 10 | Cypress Park | d | Little League Ballfield |
| 11 | Elk Bayou Regional Park | e | Off Road Vehicle Park |
| 12 | Community Center Park | | |
| 13 | Lincoln Park | | |

Figure 6
EXISTING PARKS AND RECREATIONAL FACILITIES

At present, there are seven existing or dedicated neighborhood parks in the Planning Area, as indicated by Table 5 and Figure 6. Two of these neighborhood parks are owned and maintained by the City, three are combination neighborhood park-schools (partly owned and maintained by the City), one is owned totally by the school district, and one is owned and maintained by the Tulare Veteran's Memorial District. The seven existing or dedicated facilities are described below:

- *Centennial Park* is a 10.0-acre park located on H Street north of Pleasant Avenue, and south of the Little League Ball Park. The park includes a lighted softball diamond with adjoining bleachers, a picnic structure with a group barbecue, picnic tables, play equipment, lighted tennis courts, an open play area, restroom facilities, and a small storage building. The park also has a large parking area north of the recreational facilities, which is shared with the Little League ballpark. There is a moderate amount of onsite landscaping, including some shade trees.
- *Cypress Park* is an 13.0-acre park (combination park-school) located directly behind Cypress School on Laspina Street at Cypress Avenue. The park portion includes a lighted softball complex, children's play areas, horseshoe pits, group picnic shelters with group barbecues, picnic tables, park benches, landscaped passive recreation areas, paved pathways, restroom facilities, and off-street parking. The school portion includes an amphitheater, multi-purpose courts, and an open play area. The park site also serves as a ponding basin for the vicinity.
- *Lincoln School Park* is a neighborhood park/school and ponding basin located at Bardsley and South "R" Street. It contains an open play field, softball backstop, and play equipment.
- *Pleasant Park* is an 13.11-acre park site (combination park-school) located directly behind Pleasant School on West Pleasant Avenue at Milner Street. The park portion is irrigated and landscaped. The passive and active recreation areas (play areas, picnic shelter, sand volleyball courts, parking facilities, picnic tables, ball fields, pathways, etc.) are scheduled to be developed within fiscal year 1990-1991. Planned improvements for this park are described in the Planning Agenda section which follows.
- *Blain Park* is a 7.6-acre dedicated park site located on North M Street at Garfield Avenue, a proposed (unconstructed) street north of Hoover Avenue. This park is not yet developed. Planned improvements at this site are described in the Planning Agenda section which follows.
- In addition to these City neighborhood parks, the Tulare Veteran's Memorial District owns and maintains *Veteran's Memorial Park*. This 10.0-acre park, which functions as a public facility, is located on Laspina Street south of the Veteran's Memorial building. The park includes softball backstops, tennis courts, a

basketball court, children's play areas, a horseshoe pit, a volleyball area, large group picnic shelters with barbecues, restroom facilities, and off-street parking. The facility includes a moderate amount of onsite landscaping, including some trees and shrubs.

- *Live Oak Park* has been recently decreased in size from 26 to 15 acres, and is now regarded as a neighborhood park per the Recreation and Park Commission's new classification system. This facility is a 15-acre combination neighborhood park-school recreation facility located immediately adjacent to and south of Live Oak Junior High School on Laspina Street at Ben Franklin Avenue. The park portion includes a lighted regulation baseball diamond, a lighted combination baseball-softball diamond, bleachers serving both ball fields, lighted tennis courts, a large group picnic shelter with group barbecues, an 18-station exercise course, picnic tables, landscaped passive recreation areas, paved pathways, restroom facilities, a maintenance building, and off-street parking. The school portion includes meeting facilities, multi-purpose courts, and an open play area. The park site also serves as a ponding basin for the vicinity.

Community Parks. Under current City classifications and standards, a community park is intended to serve the broad-range recreational needs of many neighborhoods. Its desired size range is 20 to 50 acres, and its service area radius is one mile (see Table 6). Such parks are intended to be accessible by automobiles within a one- to two-mile radius via collector streets and local arterials. A community park typically includes children's play areas, large group picnic areas, large sheltered and open turfed areas, lighted multi-purpose courts, lighted athletic fields, tennis courts, multi-purpose meeting facilities, restroom facilities, landscaped passive recreation areas, and off-street parking.

Similar to neighborhood parks, a community park could also be combined with a school site and/or could serve as a ponding basin for collection and percolation of storm runoff.

There are currently no facilities in the City that can be considered community parks under the City's July 1990 criteria.

Major Urban Parks. A major urban park is intended to serve all City residents. Such a facility would be developed primarily to make available special natural resources for recreational use. Major urban park sites are defined primarily for unstructured active and passive activities. Major urban parks should be designed for resource-oriented activities such as boating, swimming and fishing, group picnic, and some playground development. Access should be available from major roads. Such facilities should be available for both day and evening use.

There currently are no major urban parks in Tulare. The county-maintained Elk Bayou Regional Park site is designated on the City's *land use map* herein as a future site for a major urban park.

Special Areas and Facilities. As shown in Table 6, this facilities classification includes parkways, greenways, plazas, historical sites, small parks, and other special use facilities. In 1990, existing facilities under this classification included the Tulare Off-Road Vehicle Park, a 20-acre facility containing a restroom/office, on-site parking, riding trails, and spectator area.

(b) Regional Parks. In 1990, there was one existing regional park in Tulare, the *Elk Bayou Regional Park*, at the south end of the Planning Area on Hosfield Road, south of Mefford Field (see Figure 6). This 54-acre linear park is owned and maintained by Tulare County, and is situated along the Elk Bayou, a natural water course. The bayou, which is part of the Kaweah River system, conveys irrigation water to agricultural fields, as well as storm runoff¹ towards Tulare Lake southwest of Corcoran in Kings County.

Of the 54 acres in this county park, 10 acres are currently developed as passive and active recreation areas, including two softball diamond backstops, a picnic shelter, a children's play area, landscaped passive recreation areas, pathways, and restroom facilities. This regional facility has the potential to be expanded into the remaining undeveloped 44 acres to serve as a major urban park, as described above.

There are no other regional park facilities within the City of Tulare Planning Area. The closest regional park beyond the City's Planning Area is *Mooney Grove Regional Park*, a county facility near Mooney Boulevard at Iona Avenue. This 143-acre park contains the Tulare County Museum and a lake which accommodates a variety of water activities.

(c) Community Center Complex. The City maintains a community center complex located on South Blackstone Street adjacent to and south of the eastside fire station (see Figure 6). The various components of this complex are described below:

- *The Claude Meltzenheimner Community Center* includes meeting and child care facilities (i.e., three meeting rooms and one child care room). In addition, this Community Center building serves as the offices of the City's Parks and Community Services Department and thus, is the information and registration center for City recreation programs and activities.

¹The Elk Bayou and the immediate area along the bayou is within the 100-year flood hazard zone, as discussed in the *South Tulare Specific Area Plan* (City of Tulare, April 1983).

- **The Cecil Berkley Activity Center** consists of a large activity room, a small office, storage facilities, and restroom facilities. The Activity Center houses many of the City's recreational programs (exercise programs, youth activities, etc.).
- **The Community Center Pool** is a regulation 8-lane pool with a surrounding lawn, dressing rooms, and an office. The pool is used for summer recreational swimming, as well as by the Tulare Joint Union High School District for its physical education classes and competitive swim teams.

(d) Women's Club House. Figure 6 also shows the location of the City-maintained *Women's Club House* located on West Tulare Avenue across from Alice Topham Park. This facility consists of two offices, one large multi-purpose room, a small meeting room, a stage, and a kitchen, and is available for use by private groups.

(e) Senior Community Center. The Tulare Senior Community Center was constructed in 1990. Adjacent to Tyler park, the 11,000 sq. ft. senior community center includes meeting rooms, stage, smaller activity rooms, offices, and a kitchen. Center activities include luncheons, dances, craft programs, movies, and card games for Tulare residents 55 and older.

(f) County Fairgrounds. The *Tulare County Fairgrounds*, located on South K Street between Alpine Avenue and Bardsley Avenue (see Figure 6), houses the Tulare County Fair each September. The state-owned fairgrounds complex includes a grandstand, associated show-grounds (multi-purpose fields), stables, exhibit buildings, and concession facilities. Events and activities at the fairgrounds complex are hosted by the county and by private groups. In addition to the annual late summer county fair, the fairgrounds complex hosts various exhibits and open air activities (e.g., horse and livestock shows, swap meets, car shows, antique shows, etc.).

(g) School District Recreational Facilities. The two local area school districts, the *Tulare City School District* (TCSD) and the *Tulare Joint Union High School District* (High School District), also provide publicly available recreation space and facilities. These facilities are also indicated on Figure 6.

The TCSD operates 11 elementary and junior high schools. As described above under City Parks, four of the TCSD schools--Lincoln Park at the corner of Bardsley and South R Street, Cypress School on Laspina Street at Cypress Avenue, Pleasant School on West Pleasant Avenue at Milner Street, and Live Oak Junior High School on Laspina Street at Ben Franklin Avenue--are combination park-school facilities. In addition, the TCSD provides open play areas, play equipment, and multi-purpose courts for public use at its other Tulare schools.

The High School District provides for general public use of portions of its two high school campuses (open play areas, multi-purpose courts, etc.). Also, under an agreement with the City's Parks and Community Services Department, the swimming pool at Tulare Western High School is available for public use during the summer.¹

(h) Private Recreation Providers. Private non-profit and commercial recreation providers who operate within the Tulare Planning Area include the International Agri-Center, the Tulare Veteran's Memorial District, the Tulare Youth Baseball Association, the Tulare Golf Course, the Tulare Water Slide, and various smaller, private recreational facilities and service providers. Facilities and services currently offered by these private providers are described below:

- The International Agri-Center is a non-profit corporation which promotes and coordinates agricultural development worldwide. The Agri-Center hosts the *California Farm Equipment Show* each February on its 200-acre property along Laspina Street immediately north of the Tulare Golf Course. In addition to the annual Farm Equipment Show, the Agri-Center facility accommodates other trade shows, agricultural expositions, conferences and seminars, and other agricultural-related activities.
- The Tulare Veterans Memorial District operates the *Veterans Memorial* building on East Tulare Avenue near Laspina Street. The Veterans Memorial has a seating capacity of 1,800 persons and hosts the Miss Tulare Pageant each November. The building is rented out for a variety of events in addition to the annual fall beauty pageant, including dances, indoor sports events, dinners, and group meetings.
- The Tulare Baseball Association operates the *Little League* ball field on H Street north of Pleasant Avenue, and north of Centennial Park.
- The *Tulare Golf Course* is located at the south end of the Planning Area, on Laspina Street east of Mefford Field, north of the Elk Bayou Regional Park. This privately-owned golf course is available for public use on a fee basis, and includes a regulation 18-hole course and clubhouse-restaurant facility.
- Tulare also includes a number of *smaller, private recreational facility and service providers*, including a health and fitness club, a racquetball and fitness club, a dance studio, and a waterslide-batting range facility. These recreational facilities are available to the public on a fee basis.

2. Parks and Recreation Planning Agenda

The parks and recreation goals, objectives, policies, and *land use map* designations set forth in this *Land Use Element* are based on planning efforts, park classifications, and

¹Kevin Baker, personal communication.

associated standards developed by the City's Parks and Community Services Department (PCSD). The policies and *land use map* designations also reflect community desires as expressed in public meetings conducted during the course of this *Land Use and Circulation Element* update.

a. New Classifications and Standards. The new park classifications and standards adopted by the Parks and Community Services Department in 1990 are shown in Table 6. The City's desire to encourage larger park facilities led to the elimination of the mini-park classification and the addition of the *major urban park* classification. In addition, the need for specialized recreation uses and other open space areas led to the creation of the new *special areas and facilities* classification. All existing mini-parks now fall into the *special areas and facilities* classification.

b. Existing Facilities Relationship to City Standards. In 1992 there were approximately 36,512 people in the Tulare Planning Area and 78.7 acres of neighborhood and community parklands, as listed earlier in Table 5, for a ratio of 2.2 acres of neighborhood and community parks per 1,000 people. The parkland standards adopted by the PCSD in July of 1990 call for four acres of neighborhood and community parklands per 1,000 people. Based on this City parkland standard, approximately 66 acres of additional *neighborhood* and *community* parks were needed in 1992 to serve the City's existing population. In addition, based on anticipated future population growth, the *land use map* in this *Land Use Element* shows potential future locations for five additional community parks and ten neighborhood parks, in order to meet the combined needs of the existing population plus anticipated population growth through 2005. The creation of a community park is a particular City priority, since no such facility currently exists.

Additionally, the revised City parkland standards call for one acre of *major urban parkland* per 1,000 people. There are approximately ten acres of developed parkland existing at the 54-acre Elk Bayou Regional Park site which could be classified as *major urban parkland*. This represents an existing ratio of 0.3 acres of *major urban parkland* per 1,000 people. Based on the communitywide parkland standard for *major urban parks*, approximately 26.5 additional acres of additional developed parkland is required to adequately serve the existing Tulare population in 1992. In light of this identified existing need, an additional *major urban park* has been designated on the *land use map* within the boundary of the 54-acre Elk Bayou Regional Park to encourage expansion of the developed portion of this county facility.

The revised standards adopted by the PCSD in 1990, which total five acres of total parkland per 1,000 population, are considered to be *Land Use Element* goals. (Standards from the last adopted Parks and Recreation Plan required four acres of total parkland per 1,000 population.)

Table 6

CITY PARK CLASSIFICATIONS AND STANDARDS

<u>Classification</u>	<u>Acres per 1,000 Persons</u>	<u>Typical Size Range</u>	<u>Typical Service Area</u>
Neighborhood Parks	1.5	5-15 acres	1/2 mile
Community Parks	2.5	20-50 acres	1 mile
Major Urban Parks	1.0	70 + acres	Community
Special Areas and Facilities	Includes parkways, greenways, plazas, historical sites, small parks, special use facilities, etc. No specific standard is applicable.		
COMBINED TOTALS			
Total Neighborhood and Community Park Standard	4 acres per 1,000 persons		
Total Major Urban Park Standard	1 acre per 1,000 persons		
Total Standard, All Park Types	5 acres per 1,000 persons		

SOURCE: Tulare Parks and Community Services Department, July 1990.

c. Short-Term Park Improvement Needs. Short-term recreational facility improvements planned by the PCSD--i.e., high-priority improvements anticipated in the near future--include the following:

- *Blain Park:* The present design for the *Blain Park* site includes a softball backstop, tennis courts, a volleyball area, a children's playground, a picnic shelter with a group barbecue, paved pathways, restroom facilities, a small off-street parking area, landscaped passive recreation areas, and a dry creek.
- *Pleasant Park:* The present design for *Pleasant Park* includes a baseball diamond, a picnic shelter, picnic tables, landscaped passive recreation areas, picnic tables, paved pathways, restroom facilities, and an 85-stall off-street parking area.

d. Future Park Needs. The *land use map* designates approximate locations for future neighborhood, community, and major urban parks within those areas designated for urban use. Although other areas within the Planning Area beyond the Urban Reserve Line may ultimately be urbanized and require additional parks, it is premature to show the locations of these outlying longer-term parks in this *Land Use Element*.

e. Other Park Concerns. The *Land Use Element* park and recreation policies also reflect a desire to place less emphasis on multi-use facilities (e.g., ponding basins/parks) in Tulare park and recreation planning. While such facilities can represent an efficient use of land resources, their implementation should not preclude fulfillment of Tulare's specific park and recreational needs.

3. Parks and Recreation Goals, Objectives, and Policies

Goals:

Goal 1: Provide parks and recreation facilities and services to adequately meet the existing and future needs of all Tulare residents.

Goal 2: Provide for all Tulare citizens a variety of enjoyable leisure, recreation, and cultural opportunities that are accessible, physically attractive, safe, and uncrowded.

Goal 3: Effectively locate, design, and use public park facilities to serve the greatest number of Tulare citizens.

Parks and Recreation Objectives:

(a) Provide parks and recreation services adequate to meet the adopted standards and criteria of the Parks and Community Services Department.

(b) *Provide adequate and convenient park sites to meet the City's existing and anticipated future park and recreation needs.*

(c) *Provide an adequate balance of recreational opportunities including facilities to serve the varying needs and interests of the Tulare population.*

(d) *Maintain and upgrade existing parks*

Parks and Recreation Policies:

Policy 1. All future residential development in Tulare shall be responsible for its fair share of the City's cumulative park and recreational service and facility needs.

Policy 2. The City shall facilitate the development of parks at or near the sites indicated on the *land use map*.

Policy 3. The City shall negotiate with the proponents of development projects to secure the dedication of adequate sites for future community and neighborhood park development.

Policy 4. In selecting new community park and neighborhood park locations, emphasis should be placed on unmet needs in existing neighborhoods as well as in new neighborhoods.

Policy 5. The City shall encourage the development of adequate neighborhood parks containing 5 to 15 acres within walking distance (1/2 mile) of neighborhood users. These neighborhood facilities should include children's play equipment, paved game areas, tree play fields, and perhaps a passive recreation area for parents and senior citizens.

Policy 6. The City shall encourage the development of conveniently located community parks containing 20 to 50 usable acres for year-round use.

Policy 7. While combination park/drainage facilities may be constructed, the area utilized for drainage basins should not be counted towards the minimum acreage size, or towards compliance with the City's park acres per capita standards.

Policy 8. The City shall encourage the development of one major urban park at least 70 acres in size.



H. MUNICIPAL SERVICES

1. Setting

The City is served by a public infrastructure system which includes municipal water, storm drainage, and sewer facilities. The water system contains 19 operating wells which pump directly from a groundwater aquifer system, and an associated water supply distribution system. The City's storm drainage facilities include a conventional urban stormwater collection system which discharges runoff into a network of percolation basins and/or retention basins where it is stored until it percolates and/or is pumped into canals operated by the Tulare Irrigation District. The City's sewer system consists of a gravity flow wastewater collection network which flows to a treatment facility located in the southwest portion of the City.

Other municipal services provided locally include police, fire, and ambulance services. Police services in the Planning Area are provided by the City of Tulare Police Department, the Tulare County Sheriff's Office, and the California Highway Patrol. Fire protection services in the Planning Area are provided by the City of Tulare Fire Department and the

Tulare County Fire Department/California Division of Forestry. Ambulance service in the Department's Planning Area is provided by the Tulare District Hospital.

The City was served in 1992 by eight elementary schools, three junior high schools, and two high schools, the locations of which are shown on the *land use map*.

City offices are located in the Tulare City Hall on Kern Avenue, and in the Civic Affairs Building on M Street.

2. Planning Agenda

Plan policies set forth in this *Land Use Element* relating to municipal services are based on the City's desire to maintain municipal infrastructure and services at levels necessary to adequately serve existing urbanization and anticipated urban growth. They are also based on the City's desire to distribute the costs of municipal infrastructure fairly between existing residents and new development, based on source of need and level of benefit.

The City's sewer system is to be extended in the near future according to the City's Sewer System Master Plan, 1990, as explained in section II.A of this *Land Use Element* (Citywide Growth Pattern). In general, City water and storm drainage systems are capable of being expanded incrementally on a development-by-development basis.

The primary emergency services concern in Tulare is the existing need for improved emergency medical service to the west side of the City through construction of a grade-separated railroad crossing to provide better cross-town access to and from Tulare District Hospital. Currently, emergency medical service vehicular access to the west side neighborhoods is subject to delays caused by frequent train movements.

Anticipated growth through 2005 will also necessitate the construction of two additional City fire stations. Potential locations for these new stations have been identified on the *land use map*.

The Municipal Services policies of this *Land Use Element* also reflect City desires to provide additional school sites adequately sized and located to serve anticipated future residential development. Based on projected enrollment increases through 2005, potential sites for five more elementary schools, two more junior high schools, and one additional high school have been identified on the *land use map*.

The *Land Use Element* policies also reflect the City's wishes to pursue expansion of the City government offices in the downtown area to accommodate growing administrative needs. The added municipal offices should be kept in the downtown to maintain the role of

the central area as the City's institutional and civic center and to foster government-related office and service development in the downtown.

3. Municipal Services Goals, Objectives, and Policies

Goals:

Goal 1: Provide water, sewer, and storm drainage systems which are adequate to meet the needs of desired future growth.

Goal 2: Provide adequate emergency services citywide.

Goal 3: Provide for needed expansion of public schools.

Goal 4: Provide for a new or expanded city hall in downtown Tulare to serve the needs of the citizens of Tulare and their government.

Municipal Services Objectives:

- (a) Expand existing water and storm drainage systems as necessary to serve existing and future development.
- (b) Provide adequate additional City sewer system capacity through the improvement of existing collection system lines and the construction of new trunk lines as proposed in the City's 1990 Sewer Master Plan.
- (c) Provide adequate emergency services to the west as well as the east side of the City.
- (d) Provide adequate sites for future fire and police stations.
- (e) Provide adequate sites to meet anticipated future elementary, junior high, and high school expansion needs.

Municipal Services Policies:

Policy 1. New development shall be responsible for expansions of existing water and storm drainage systems made necessary by their construction.

Policy 2. New development shall be responsible for expansions of existing sewer systems made necessary by their construction.

Policy 3. New development shall be approved only when it can be demonstrated that adequate downstream sewer system collection and treatment capacity is available.

Policy 4. New development shall be required to participate on a fair-share basis in the completion of improvements to the existing sewer system, and/or the construction of new sewer trunk lines as described in the City's adopted Sewer System Master Plan.

Policy 5. Provide for improved east-west emergency vehicle access.

Policy 6. Provide a grade-separated east-west railroad crossing at a location which facilitates adequate emergency vehicle movement between west-side neighborhoods and east-side medical facilities.

Policy 7. The City shall negotiate with proponents of future development projects to secure the dedication of adequate sites for future fire and police stations.

Policy 8. The City shall negotiate with proponents of future development projects to secure the dedication of adequate sites for future school construction.

Policy 9. All new development shall pay for its fair share of required school facilities expansions.

I. HIGHER EDUCATION

1. Setting

Local college or university educational opportunities for Tulare residents wishing to live at home are currently limited to the College of the Sequoias, a two-year college in Visalia. The University of California at Davis Veterinary Teaching and Research Center is located southwest of town. The closest four-year university is the California State University at Fresno. Tulare citizens have expressed a strong interest in attracting and accommodating development of additional higher educational facilities in the area.

2. Higher Education Planning Agenda

Despite the recent omission of the Frazier Valley site from consideration for the next University of California campus, the *Land Use Element* policies set forth below relating to higher education express the City's continuing interest in supporting the development of a university or college campus in the Planning Area or within the region. This position is based on the potential cultural, educational, and economic benefits that such a development

would bring to the City and the region, and the need for increased university or college opportunities in proximity to Tulare and greater Central Valley students. While the region is currently served by the College of the Sequoias, Porterville College, and the California State Universities at Bakersfield and Fresno, the Central Valley population remains generally underserved by convenient colleges and universities.

3. Higher Education Goals and Policies

Goal: Encourage the further development of higher education facilities within Tulare County.

Policies:

Policy 1. The City shall support and encourage the continued operation of the University of California at Davis Veterinary Teaching and Research Center within the Tulare Planning Area.

Policy 2. The City shall encourage the development of new university and college facilities within its Planning Area.

Policy 3. The City shall encourage the development of a new University of California campus within Tulare County or the region.



J. COMMUNITY CHARACTER

1. Setting

a. General Aesthetic Concerns and Opportunities. The visual character of Tulare is distinguished in part by the large street trees which line Tulare Avenue and other key roadways. Street trees also provide visual canopy for many of the City's older residential streets, and contribute to the historical flavor of the downtown area. However, many Tulare residents cite the need to further enhance the overall visual character and image of the City. Identified visual improvement areas include the need for more common greenery and shade trees at key travel routes and park locations, the need to screen views of unsightly land uses at key gateways to the City, and the need to increase emphasis on quality site, architectural, and landscape design in new development.

During the course of this *Land Use and Circulation Element* formulation program, the following specific issues, concerns, and improvement needs have been identified by Tulare citizens with regard to the appearance and character of their community.

- There is a need to improve the general aesthetic character and identity of the City. Many of the City's existing and potential key visual features warrant improvement.

- The general appearance of key Tulare streets and entryways needs to be substantially improved, particularly along Mooney Boulevard, Demaree/Hillman Avenue, East Tulare Avenue, South K Street, J Street/Old Highway 99 (Business), and Prosperity Avenue.
- The north and south Highway 99 entrances to the City also warrant visual enhancement and improved signage.
- Visual continuity along the City's arterial streets warrants improvement through common landscaping and other unifying design treatments. "Parkway" treatments are urged along certain routes.
- The City should advocate use of the State Landscaping-Street Lighting Act and other available financing tools to fund increased street beautification.
- City sidewalk standards have not been consistent over the years. As a result, sidewalk design approaches and appearances change from block to block.
- Reasonable development fees for street beautification, and the associated promise of improved major streetscapes, entranceways, and other key common areas in the City, can be expected to attract, rather than repel, desirable development in Tulare.
- City parks should be treated as visual, as well as recreational elements. In particular, Zumwalt Park should be maintained and improved as a visual focal point for the City.

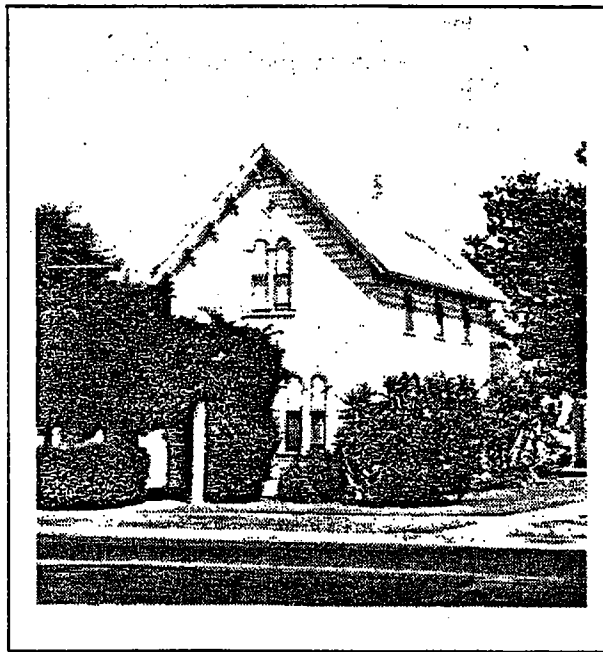
b. Downtown Concerns and Opportunities. The Tulare downtown has numerous important visual opportunities and historic values which can and should be capitalized upon. It has a number of fundamental advantages to outlying business concentrations, including its role as the principal image and identify element for the Tulare community, its centralized location, its good access, and the fact that the City's key civic and public activities, as well as much of its key administrative and financial activities (offices, banks, savings and loans, etc.), continue to take place here.

There is strong community interest in continuing and expanding current downtown improvement and beautification activities. Interest has also been expressed in incorporating a visual reflection of the City's Hispanic and Portuguese population in such downtown improvement efforts. Beyond the physical aspects of downtown character, there is also an expressed citizen interest in expanding downtown shopping hours, and in increasing evening commercial, civic, and cultural activity in the downtown.

In addition, a number of distinctive, underutilized downtown structures and historic sites which have been identified as potential candidates for adaptive use and/or as key opportunities to enhance the downtown character. These include the Linders Building (1886), the Matheson/Bollinger Building, and the old Tulare Hotel site.

c. Historic Resources and Programs. In 1987, the City of Tulare and the Tulare City Historical Society completed a Historic Resources Inventory of 1,600 homes and other structures in the City. For each structure built prior to 1946, this survey describes the location, and gives a brief description of building characteristics and historical significance. Most of these structures are located in two distinct areas: the west subarea of the City, bounded by Sonora Avenue and Pine Avenue, and C and I Streets; and the central subarea between Tulare and San Joaquin Avenues.

The City has also adopted a Historic Site and Historic Neighborhood Combining District to preserve historical sites and neighborhoods, to encourage restoration of historic buildings and neighborhoods, and to encourage and regulate compatibility of architectural styles within historic sites and neighborhoods. This designation has been applied to a limited number of properties throughout the City.



2. Community Character Planning Agenda

A set of updated goals and policies have been set forth below relating to community character. These goals and policies have been formulated to reflect the general desire of the community to improve its appearance and image. This desire suggests a need to place increased emphasis on design quality in the City's development review process. Proper attention to design quality and communitywide visual improvement in the City's development review process can be expected to attract and encourage, rather than discourage, desirable future development in Tulare. Coupled with the need for improved design in individual

developments is the need for improved communitywide visual enhancement, including the establishment of exactions from future development to fund beautification of key City entranceways, travel routes, and parks.

A third component of the City's planning agenda for improving the community character is the continuation of City efforts to enhance its principal community design focus and identity element, the downtown. Finally, goals and policies are included which express the City's desire to maintain its cultural and historical heritage through the preservation of historical buildings and the development of new activities, elements, and structures which reflect the City's historical and cultural makeup.

3. Community Character Goals, Objectives, and Policies

Goals:

Goal 1. Continue to improve the appearance and image of the City.

Goal 2. Strengthen Tulare's sense of identity.

Goal 3. Encourage expressions of Tulare's cultural and historical heritage.

Goal 4. Continue and expand efforts to enhance the downtown.

Objectives:

(a) Visually enhance key entranceways and major thoroughfares.

(b) Create distinctive and aesthetically pleasing parks and other public places.

(c) Place an increased emphasis on high quality site, architectural, and landscape design in new private and public development.

(d) Preserve and maintain existing street trees.

(e) Expand the City's street tree planting and maintenance program.

Community Character Policies:

Policy 1. The City shall continue to pursue its existing street beautification efforts at key City entranceways and travel routes.

Policy 2. The City shall continue its practice of requiring the dedication of park lands as a condition of approval for selected residential development projects.

Policy 3. The City shall prepare a citywide street beautification plan as a basis for setting street beautification priorities and funding allocations.

Policy 4. The City shall encourage use of State Landscaping-Street Lighting Act and other available financing tools to fund street beautification and other common aesthetic improvements in new private residential and business development (see the Implementation chapter of this *Land Use Element* for a description of available financing tools).

Policy 5. Existing and future City neighborhood and community park facilities shall be designed, improved, and maintained as key visual focal points, as well as recreational resources.

Policy 6. The City shall include special improvements to the appearance of Zumwalt Park in its near-future parks improvement programming (additional landscaping, restoration of facilities, etc.).

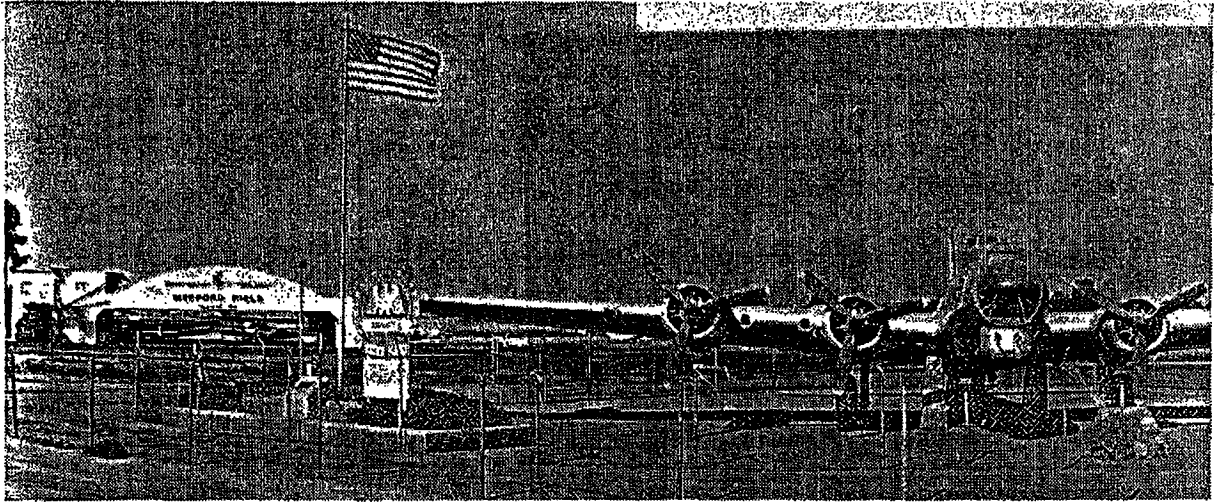
Policy 7. The list of citywide traffic mitigation and other transportation capital improvements to be funded by a transportation impact fee (see the Circulation Element) should include improved pedestrian provisions along existing local arterial and collector streets where sidewalks and streetlighting are currently inadequate.

Policy 8. The City shall continue to apply its Historic Site and Historic Neighborhood Combining District designation as a means to preserving, protecting, and encouraging the restoration of identified historical sites and neighborhoods.

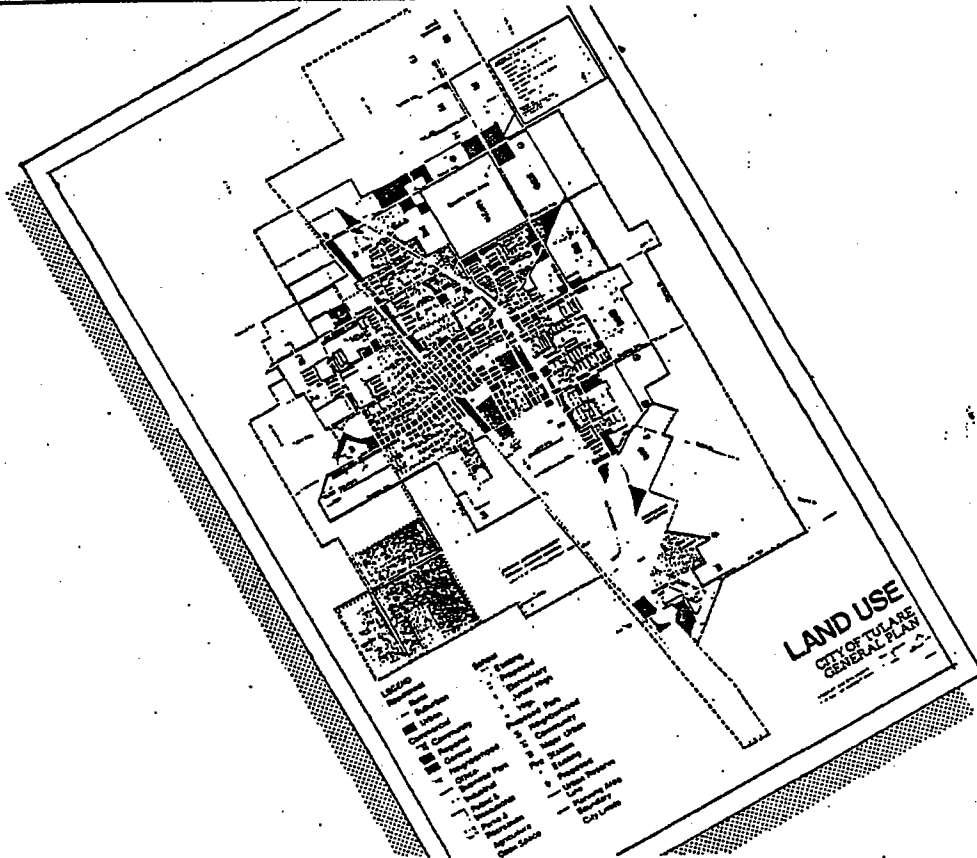
Policy 9. The City shall encourage the preservation and adaptive use of historic buildings, particularly in the downtown.

Policy 10. The City shall strengthen its formal design review process, including adoption of a set of more stringent design review guidelines for application at selected key Planning Area locations and to particular development types. Selected locations for such special design review should include key entranceways and thoroughfares; the downtown precinct; designated community and regional commercial areas; designated office/business park areas; and designated suburban and urban residential areas.

Policy 11. The City shall encourage expressions of its cultural and historic heritage in key central area architectural and other physical design elements, as well as through encouragement of related cultural events and celebrations.



III. LAND USE DESIGNATIONS



A. THE LAND USE MAP

The Tulare General Plan *land use map* depicts the adopted official policy of the City with respect to the types and locations of future land uses within its Planning Area. Figure 7 represents a reduced version of the *land use map*. Larger versions are available at the Tulare Department of Planning and Building. The following specific general plan policies pertain to the *land use map*.

Policy 1. All zoning designations within the City shall be consistent with the *land use map*.

Policy 2. No development shall be approved within the City unless it is found to be consistent with the adopted *land use map* land designations and with the associated development policies set forth in this *Land Use Element*. The *land use map* also shows the desired future location of schools, parks, fire stations, etc.

B. LAND USE CATEGORIES

Land use designations adopted by the City which appear on the general plan *land use map* and relevant City general plan policies are described below. These descriptions identify City policy with respect to the intent, the types of land use activity, the appropriate location, relevant density/lot size parameters, and typical zoning districts, for each land use designation.

1. Rural Residential

a. Intent. To provide for single-family residential development on large lots, including mini-farms or ranchettes where agricultural activity is secondary to the residential land use. Residential parcels within this designation should be large enough to support independent wastewater disposal (septic) systems.

b. Location. Rural Residential designations should typically be located in outlying areas where sewer service is not provided. Because of the land intensive nature of this land use category, it should be limited to infill in those areas which have already developed this way.

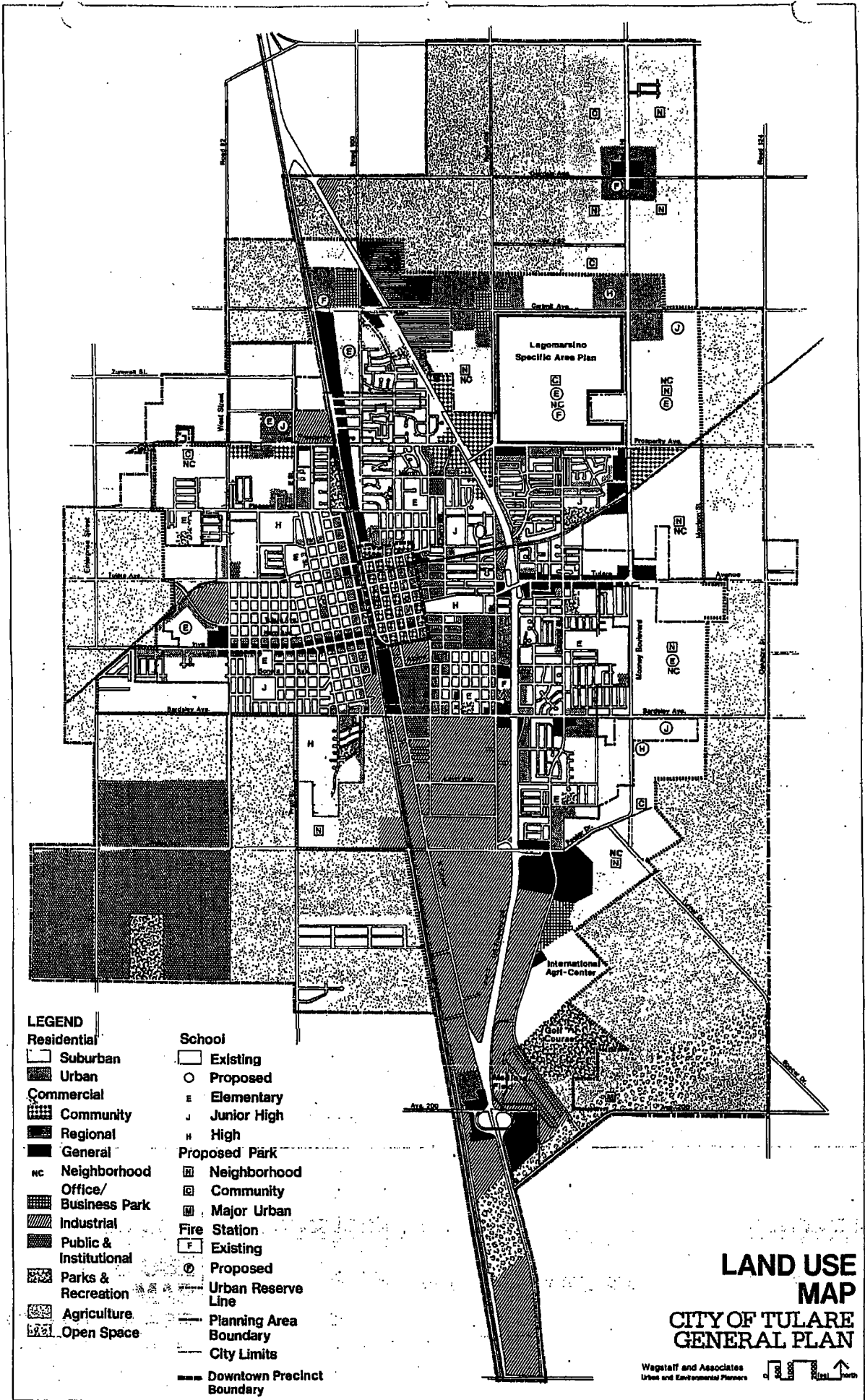
c. Density/Lot Size. Rural Residential areas should be developed at a net maximum density of one unit per acre. The minimum lot size should be 40,000 square feet.

d. Zoning. Typical zoning for the general plan Rural Residential designation is the Rural Residential (RA) District; however, the City's Public Lands (P.L.) and Agriculture (A) zoning districts would also be consistent with this designation.

2. Suburban Residential

a. Intent. To provide for the type of single-family residential development common to traditional residential neighborhoods in Tulare. These areas should be adequately and efficiently served by public services. This land use category should represent the majority of residential land use within the City.

b. Location. Suburban Residential designations can be appropriately located throughout the City. Adequate buffering should be provided between this designation and incompatible land uses, such as the City's sewage treatment plant, some industrial uses, major roadways, etc. This land use designation should be located in areas which are or can be adequately served by public water and sewer, and should have convenient access to neighborhood parks, schools, and neighborhood commercial services.



c. Density/Lot Size. Suburban Residential development should have a net density range of two to seven units per acre. Minimum lot sizes in Suburban Residential designated areas should be 5,000 square feet.

d. Zoning. General plan designated Suburban Residential areas should typically be zoned one-family residential (R-1-20, R-1-12.5, R-1-8, R-1-7, R-1-6, R-1-6, M-H) and Planned Unit Development (PUD). The City's Public Lands zoning district (P.L.) would be appropriate to accommodate schools, parks, and other public facilities within Suburban Residential areas.

3. Urban Residential

a. Intent. To provide for multi-family residential development, including condominiums, townhouses, duplexes, rental apartments, senior citizen communities, and other forms of higher density, multi-family housing.

b. Location. Urban Residential land use designations should be located throughout the City near public transportation, shopping, recreation facilities, schools, and/or medical support opportunities, depending on the particular needs of the specific Urban Residential use proposed. This higher density residential designation is often appropriate for transitional areas; however, the designation should not be relegated to undesirable properties. Rather, it should include parcels sufficient in area and configuration to provide for livable site plans with adequate sunlight, common areas, and protection against noise intrusion.

c. Density/Lot Size. Densities in Urban Residential areas should range from two to 29 units per acre. Minimum lot sizes within the Urban Residential designation should be 6,000 square feet.

d. Zoning. Typical zoning for the general plan Urban Residential designation would be the City's multi-family residential (R-M-2, R-M-3, M-H) and Planned Unit Development (PUD) districts. The Public Lands (P.L.) District could also be appropriate zoning within Urban Residential areas to accommodate associated parks and other public facilities.

4. Regional Commercial

a. Intent. To provide for future development of a regional based retail center. The regional center should contain 500,000 or more square feet of commercial space on approximately 50 to 100 acres. The center should include comparison and specialty retail uses which are capable of drawing consumers from outside of the City of Tulare Planning Area, including Visalia, Porterville, Pixley, Tipton, Corcoran, and Lindsey. A regional mall containing one or more major department stores, or an "outlet mall," are examples of appropriate uses for the Regional Commercial site. No development which would preclude

future development of such a regional center should be allowed on a designated Regional Commercial site (e.g., no neighborhood or community commercial).

b. Location. The Regional Commercial (regional retail center) designation should be located on a large site (50 acres minimum) with good freeway access and visibility. The site should also be located in an area planned for municipal sewer service by 2005, with expansion opportunities, surrounding land use buffering opportunities, and the ability to support necessary road system improvements with minimal impact on any existing sensitive land uses.

c. Density/Lot Size. Regional centers should be developed with a Floor-to-Area Ratio (FAR) no greater than .60. Minimum land area for such a development should be approximately 50 acres.

d. Zoning. Regional Commercial areas should be zoned Planned Unit Development (PUD) to allow flexibility in design, to encourage coordinated, high quality site planning, and to assure that any phasing required to develop a regional center be completed according to an integrated master plan.

5. Community Commercial

a. Intent. To provide for community oriented comparison shopping, personal and business services uses, offices, and other commercial uses with a community-wide market base. Community commercial centers can be comprised of a consolidated group of independent structures and businesses on public streets or can be integrated shopping plazas and shopping centers with common internal circulation and parking facilities. Community-serving shopping centers typically contain 100,000 to 300,000 square feet of leasable floor area on 10 to 30 acres. The leading tenant is usually a junior department store, or a large variety, discount, or department store.

b. Location. The Community Commercial designation should be located at a limited number of convenient sites throughout the City with direct and convenient arterial access. These sites should also be accessible for pedestrians, bicyclists, and public transit.

c. Density/Lot Size. Community Commercial designations should be approximately 10 to 30 acres in size. New Community Commercial development should not exceed a Floor-to-Area Ratio (FAR) of .60.

d. Zoning. Community Commercial sites should be zoned commercial (C-3, C-4) or Planned Unit Development (PUD).

6. General Commercial

a. Intent. To provide for a range of commercial uses including retail, services, offices, automotive, and highway-oriented commercial development. This designation is not intended to promote strip commercial development requiring multiple driveway entrances. Rather, designated General Commercial areas should be designed to accommodate the design of safe, integrated offstreet access to multiple businesses.

One of the principal General Commercial designation areas of the *land use map* is the downtown. The downtown shopping area contains a wide range of commercial uses including retail, services, professional offices. Because the downtown plays a multi-faceted role in the community, it also merits special recognition as a "Downtown Precinct," as explained on pages 51, 52, and 56 of this *Land Use Element*. The boundaries of this precinct are shown on the *land use map*. The intent of the "Downtown Precinct" is to distinguish the area from other General Commercial areas, to highlight its role as a cultural, civic, entertainment, specialty retail, and professional office center, and to specify related special planning needs. These planning needs include special design review consideration, adequate and convenient parking, a pedestrian friendly environment, accessibility to and from public transit, and the promotion of activities which attract residents and visitors to the downtown. In addition to General Commercial, the Downtown Precinct should also include such complementary land uses as high density residential development to ensure human activity in the downtown after business hours and on weekends; increased office, civic and institutional development to bring activity into the downtown during the day; restaurants and entertainment facilities to encourage nightlife in the downtown area; and special activities such as fairs, festivals, road races, etc., to bring large numbers of people into the downtown on selected days.

b. Location. General Commercial designations should be distributed throughout the City on major arterials, including the downtown precinct.

c. Density/Lot Size. General Commercial designated land should not be developed with a FAR greater than .60 outside of the downtown precinct. Parcels should have adequate depth to provide adequate internal circulation and safe, integrated access to adjacent roadways.

d. Zoning. General Commercial designated land should typically be zoned commercial (C-3, C-4, or C-5), although the City's Planned Unit Development (PUD) district may also be appropriate in some cases.

7. Neighborhood Commercial

a. Intent. To provide for daily convenience shopping services proximate to residential neighborhoods. In addition to safe and convenient vehicular access, these centers should be highly accessible for pedestrians and bicyclists. These centers should generally contain 30,000 to 100,000 square feet of leasable floor area. Neighborhood centers usually include a supermarket as a leading tenant, and generally require a support population of 3,000 to 40,000 people.

b. Location. Neighborhood Commercial designations should be located at easily accessible sites within or within convenient walking distance of residential neighborhoods.

c. Density/Lot Size. Neighborhood Commercial designations should range from approximately three to five acres in size. Development intensity should not exceed a maximum FAR of .60.

d. Zoning. Neighborhood Commercial designated land should typically be zoned Commercial (C-1), although the Planned Unit Development district (PUD) may also be appropriate in some circumstances.

8. Office/Business Park

a. Intent. To provide sites exclusively for the development of modern, non-nuisance light industrial and office uses which are compatible both with each other and with adjoining land uses. Allowable uses include professional offices (including but not limited to finance, insurance, and real estate), large administrative centers, medical and dental clinics, research and development, light manufacturing, light assembly, warehousing and distribution, and other similar compatible activities. These areas should be subject to special performance standards to ensure attractive and harmonious development. The designation is intended to attract development with high standards with respect to acceptable uses, building design, landscape design, signage, offstreet parking, and onsite amenities. Design review is required to carry out this intent.

b. Location. The office/business park designation should be located in outlying areas with convenient access to major arterials and Highway 99.

c. Density/Lot Size. Development of Office/Business Park designated land should not exceed a maximum FAR of .60. No specific minimum parcel size is required.

d. Zoning. Typical zoning for the Office/Business Park general plan designation would be commercial (C-2) or Planned Unit Development (PUD).

9. Industrial

a. Intent. To provide for a range of industrial uses including manufacturing, processing, assembling, research, wholesale and storage uses, trucking terminals, railroad and freight stations, and similar compatible uses. This designation should also provide for industrial parks, warehouses, distribution centers, light manufacturing, public and quasi-public uses, and similar compatible uses.

b. Location. Industrial designated land should be located near major arterials, or freeway access. Railroad access may also be appropriate for some industrial activities. Industrial land use designations should generally be concentrated to isolate and reduce potential land use compatibility conflicts with sensitive land uses caused by industrial processes, and associated noise, air pollution emissions, odors, truck traffic, etc.

c. Density/Lot Size. Development of industrial designated land should not exceed a maximum FAR of .60. No specific minimum parcel size is required.

d. Zoning. Zoning for Industrial designated land should be Industrial (M-1, M-2) or Planned Unit Development (PUD).

10. Public and Institutional

a. Intent. To provide for public and institutional land uses such as government facilities, schools, libraries, municipal corporation yards, sewer and water facilities, fire stations, hospitals, etc.

b. Location. Some public and institutional uses such as municipal government offices should be located in downtown Tulare. Other public and institutional uses such as schools, fire stations, etc., should be distributed throughout the City based on population and housing distribution.

c. Density/Lot Size. Public and institutional land uses do not have any density or lot size requirements.

d. Zoning. The typical City zoning district for Public and Institutional designated land is Public Lands (P.L.).

11. Parks and Recreation

a. Intent. To provide for neighborhood and community parks, major urban facilities, and other recreation facilities such as golf courses.

b. Location. Neighborhood Parks should be located throughout the City within residential neighborhoods. They should be easily accessible by pedestrians and bicyclists. The location of Community Parks should be balanced throughout the City to provide larger, more developed facilities easily accessible by automobile or bicycle. Major Urban Facilities should also be easily accessible by automobile and bicycle. Locational standards for the various individual park classifications are listed in Table 6 of this *Land Use Element*.

c. Density/Lot Size. Park size standards for the various individual park classifications are described in Table 6 of this *Land Use Element*.

d. Zoning. The typical City zoning district for Parks and Recreation designated land is Public Lands (P.L.). Residential districts may also be appropriate in some circumstances.

12. Agriculture

a. Intent. To provide for the preservation of land best suited for agricultural production, based on location, current use, soils, and parcel size. This designation should apply to areas intended for larger scale agricultural activity where residential and other land uses are clearly secondary and accessory to agricultural production.

b. Location. The general plan Agricultural designation should be given to land which (1) is outside of the Urban Reserve Line, and (2) has historically been in agricultural production.

c. Density/Lot Size. Agricultural parcels are generally no smaller than five acres.

d. Zoning. Agricultural designated land should be zoned Agriculture (A) or Urban Reserve (U.R.).

13. Open Space

a. Intent. To preserve undeveloped land of special value for visual, natural, or environmental protection purposes. Any proposed use within or adjacent to a designated Open Space area should be highly scrutinized to prevent potential impacts on identified visual or natural resources.

b. Location. The Open Space designation can be applied to actual resource areas or to buffer areas surrounding those resources; e.g., on and around the Elk Bayou.

c. Density/Lot Size. The Open Space designation should be sized and configured to adequately protect the relevant visual or natural resource.

e. Zoning: Open Space designated lands should be zoned Public Land (P.L.) or Agriculture (A).

IV. IMPLEMENTATION

This chapter identifies measures available to the City of Tulare to implement the goals, objectives, and policies set forth in this *Land Use Element*. These measures consist of the completion of specific actions, and the adoption and implementation of specific programs, regulatory controls, and funding programs. The chapter first describes state requirements for implementation of the general plan. That description is followed by a discussion of various development review and regulatory measures, non-regulatory programs and funding measures available to implement the various goals and policies set forth in this *Land Use Element*.

A. STATE IMPLEMENTATION REQUIREMENTS

Section 65300.5 of the California Government Code states that the diversity among the state's communities and their residents requires planning agencies to implement their local general plans in ways which accommodate local conditions and circumstances. The law requires that certain specific actions be taken to facilitate implementation of the plan (Government Code Section 65400). These required actions include:

- *Funding of City Administrative Activities to Implement the General Plan.* City staff should continue to investigate and recommend to the City Council reasonable and practical means for implementing and maintaining the general plan. These include allocating annual expenditures and identifying funding sources for general plan implementation activities, including staff time and materials to prepare and administer the plan, related amendments, regulations, financial reports, and capital improvement budgets.
- *Annual Report.* City Staff should also render an annual report to the City Council on the status of the general plan and the progress of its implementation.

The state General Plan Guidelines also stress the importance of continued *public participation* in the ongoing implementation and maintenance of the general plan.

B. LOCAL DEVELOPMENT REVIEW AND LAND USE REGULATION

The following section describes those development review and land use control actions which should be administered by the City of Tulare to implement this *Land Use Element*.

1. Plan Conformance

No subdivision, use permit, design review application, or other entitlement for land use, and no public improvement shall be authorized for construction by the City of Tulare in its **land use map** designated Planning Area until a finding has been made that the proposed action is in substantial compliance with the City's adopted general plan.

2. Zoning

a. Zoning Map. Zoning is the primary instrument for implementing the land use aspects of the general plan. The **land use map** included in this *Land Use Element* reflects substantial changes from the City's previous general plan land use map. Government Code (Section 65860) requires that zoning designations be consistent with the adopted general plan **land use map**. The State General Plan Guidelines state further that when a general plan amendment is passed which makes current zoning map designations inconsistent, those zoning map designations must be changed to reestablish general plan consistency "within a reasonable time." The guidelines identify two years as a "reasonable time" for zoning updating in those cases where the general plan has been substantially revised.

This *Land Use Element* and its **land use map** include thirteen (13) separate land use designations. The City's Zoning Ordinance contains 21 zoning designations which could be applied to implement the **land use map**. Table 7 herein identifies which zoning districts are most consistent with each land use designation.

b. Zoning Ordinance. The City's Zoning Ordinance text should also be revised as necessary to effectively implement *Land Use Element* policies. These revisions should include refinements to the City's existing design review process and clarification of the purpose of certain specific zoning districts.

- **Design Review:** *Recommendations for refining and strengthening the City's existing design review process are described under section 3 below. These design review procedure revisions should be implemented through appropriate revisions to the design review provisions of the City's Zoning Ordinance.*
- **"Purpose" Sections for Commercial and Industrial Districts:** *Descriptions of the purpose of each commercial and industrial district in the Tulare Zoning Ordinance (e.g., C-1, C-2, C-3, C-4, C-5, M-1, M-2) should be revised and clarified as necessary to be consistent with the commercial and industrial provisions of this Land Use Element, particularly with respect to the intent of each district and the differences between each district.*

Table 7
ZONING CONSISTENCY WITH GENERAL PLAN LAND USE DESIGNATIONS

<u>Land Use Category</u>	<u>Consistent Zoning Districts</u>
Rural Residential	R-A, P.L., Agriculture
Suburban Residential	R-1-20, R-1-12.5, R-1-8, R-1-7, R-1-6, R-1-5, MH, PUD, P.L.
Urban Residential	R-M-2, R-M-3, MH, PUD, P.L.
Regional Commercial	PUD
Community Commercial	C-3, C-4, PUD
General Commercial	C-3, C-4, C-5, PUD
Neighborhood Commercial	C-1, PUD
Office/Business Park	C-2, PUD
Industrial	M-1, M-2, PUD
Public and Institutional	P.L., PUD
Parks and Recreation	P.L.
Agriculture	U.R., A
Open Space	P.L., A

SOURCE: Wagstaff and Associates, 1991

- **PUD District:** Chapter 16 of the Zoning Ordinance should be revised to provide greater project-specific flexibility in the Building Site Standards as described in section 10-164(A) through (L), and the addition of performance standards for use in evaluating the compliance of proposed projects.

3. Design Review

In order to implement *Land Use Element* goals, policies, and objectives relating to community appearance, image, and character, the City should strengthen its design review criteria and design review procedures as follows:

a. **Design Review Criteria.** The City should expand, refine, and strengthen Tulare Zoning Ordinance Chapter 10, which outlines the Tulare Design Review procedure. These Chapter 10 revisions should include formulation of specific design performance standards for various specific land use types and visually significant locations (gateways, principal arterials, residential areas, the downtown, other commercial areas and types, certain industrial areas and types, etc.). These standards should also include site planning, architectural design, landscape design, roadway design, outdoor lighting, utilities, signage, parking lot design and access, roof appurtenances, trash enclosure screening, and other needed design standards for different land use types. These standards should include particular emphasis on visual improvement and enhancement of the City's principal "gateways" and key arterials, including the Highway 99 corridor, Tulare Avenue, Inyo Avenue, J Street/K Street, Cartmill Avenue, Prosperity Avenue, Cross Street, Bardsley Avenue, Paige Avenue, Mooney Boulevard, Hillman Avenue, and West Street.

b. **Design Review Procedure.** The City should also amend Tulare Zoning Ordinance Chapter 10 to establish an independent Design Review Board or Committee with specific responsibility for administering and performing some or all of the design review duties currently assigned to the Planning Commission. Such an entity could more effectively provide the kind of specialized design review of development projects called for in this *Land Use Element*, independent of consideration of the merits of the intended land use. The Design Review Board or Committee could include a panel of City staff (e.g., from the planning, engineering, and building departments) and/or qualified professionals from the community (i.e., one or two local architects, one or two local landscape architects, an engineer, etc.).

4. Parks and Recreation

The following regulatory program should be enacted by the City to implement the parks and recreation policies and standards described in this *Land Use Element*.

a. **Parks and Recreation Dedication Requirement.** The City should adopt a specific park and recreation dedication requirement consistent with the PCSD's adopted parkland standards. The Quimby Act, codified under Section 6647 of the California Government Code, enables a city to pass an ordinance imposing a requirement of land dedication or an in-lieu fee for park and recreation purposes as a condition of residential subdivision approval. The Act limits the dedication requirement to three acres per one thousand population or to the jurisdiction's existing standard (but not to exceed 5 acres per one thousand population).

C. NON-REGULATORY IMPLEMENTATION PROGRAMS

1. Specific Actions and Programs

a. **Commercial Development.** The following specific action should also be taken to implement the goals, objectives, and policies of this *Land Use Element* related to commercial development:

- **Downtown Plan:** *The City should pursue implementation of the downtown Landscape & Street Furnishing Plan and Facade Renovation Program prepared by the Tulare Redevelopment Agency and the Tulare Improvement Program (TIP) in 1988. Funding sources for implementation of this plan are discussed in section IV.D.2.a of this *Land Use Element*.*

b. **Municipal Services.** The following actions should also be taken to implement the policies of this *Land Use Element* related to municipal services:

- **Railroad Crossing:** *Based on engineering investigation and the land use and circulation pattern designated in this general plan, a grade-separated railroad crossing location should be selected and a grade-separated crossing should be constructed.*
- **City Hall Expansion:** *A new or expanded city hall should be constructed as necessary to adequately serve the residents of Tulare and their government. The City should complete a feasibility study of city hall expansion alternatives, including the possibility of new or additional construction two to three acre site alternatives in the downtown area.*

c. **Community Character.** In addition to the design review measures described under section IV.B.3 above, the following specific actions should also be taken to implement the policies of this *Land Use Element* related to community character.

- **Street Beautification:** *The City should design and facilitate special uniform landscaping and urban design treatments along major thoroughfares. A **thoroughfare landscaping plan** should be completed which could include a program of uniform*

street tree planting, plus such additional urban design features as special street lighting design, signage standards, repetition of special pavement treatment at intersections or crosswalks, street furniture, banners and flags, etc. Possible funding sources for implementation of this plan are described in section IV.D.2.d of this *Land Use Element*.

- **Enhancement of Public Places:** Provide adequate ornamental vegetation and other landscape features in key public places to enhance visual interest, create shade, define outdoor spaces, introduce and improve human scale, soften the appearance of the man-made environment, and screen visually unappealing elements of the landscape. Funding sources for implementation of this measure are described in section IV.D.2.d of this *Land Use Element*.

2. General Plan Maintenance

a. Five Year Review. As required by State General Plan Guidelines, this *Land Use Element* should be thoroughly reviewed every five years and revised as necessary to reflect new conditions, local attitudes, and political realities. This practice of review and revision will ensure that the plan remains as a relevant "blue-print" for ongoing growth and change in the City of Tulare Planning Area.

b. Amendment Process. Proposed amendments to *Land Use Element* policies, discussions, and *Land Use Map* may be processed up to four times per year. The amendment procedure must follow that which is outlined in State Government Code Section 65350. The procedure for each amendment shall include at least one public hearing before the Tulare Planning Commission and one public hearing before the Tulare City Council. As stated in the State General Plan Guidelines, the *Land Use Element* should only be amended when the City determines that the change is supported by a broad consensus of opinion, and is "in the public interest."

D. FINANCING MEASURES

In addition to the adoption of the new regulatory and non-regulatory programs described above, implementation of many of the policies of this *Land Use Element* will require substantial funding. The following section describes likely sources of such funding. Funding for many of the necessary actions and programs should be fairly distributed amongst current and future Tulare residents, businesses, and land owners. The primary means for funding of improvement and service needs attributed to future development would be payment of a comprehensive development impact fee. Funding for those improvements and services necessary to adequately serve the existing population would be provided by a variety of other sources.

1. Funding Sources for Future Development Impacts

a. Comprehensive Development Impact Fee. The City of Tulare is establishing a comprehensive development impact fee for application as a condition of approval for future development. The variety of infrastructure and service needs which are expected to be addressed by this comprehensive impact fee, and the process through which the fees have been determined, are described below:

Infrastructure and Service Needs and Costs. The policy section of this *Land Use Element* identifies a growing need in the City of Tulare to re-distribute the costs of infrastructure improvements and increased public service needs associated with new development. The City has evaluated the opportunity to assign a fair share of these costs to new development through the establishment of a comprehensive development impact fee. A fee schedule has been proposed based on a Development Impact Fee (DIF) study completed by the City in 1991.

The City's DIF study included a determination of the cost of a comprehensive range of infrastructure improvements and public services which would be required to accommodate and serve anticipated future growth. These infrastructure projects and services include law enforcement facilities, equipment, and training; fire facilities, equipment, and training; general government facilities and equipment (e.g., new civic center, facilities and equipment maintenance, City fleet expansion, etc.); street, interchange, and traffic control improvements; bridge and culvert construction; street medians construction and landscaping; water supply facilities; water distribution and holding facilities; wastewater treatment facilities; storm drainage facilities; solid waste facilities and equipment; utility undergrounding; library facilities; and parks and recreation facilities. Assignment of responsibility for funding of several of these infrastructure and service improvement categories to the proponents of benefitting future development is directly implied by the policies of this *Land Use Element*.

Determination of Fees. Recommended fees for each of these infrastructure and service needs were determined on a per acre basis through a five step process which included (1) definition of the acceptable level of service required within each service category; (2) determination of the range of land use types within the City and associated infrastructure/service needs for each; (3) identification of all the capital facilities and equipment inventory necessary to maintain the identified level of service, and their costs; (4) determination of the distribution of these infrastructure and service needs between existing development and new development; and (5) distribution of the costs of these needs between existing development and proposed new development.

The DIF report recommends that a comprehensive development fee program be generally implemented on a per acre basis for residential, commercial and industrial land uses. The DIF report also noted that a portion of the comprehensive fee attributed to certain specific

costs would be most appropriately implemented on a per person or per housing unit basis. Regardless of the basis for calculation of the fee, the amount charged would be subject to regular ongoing review and adjustment for each of the service categories described above.

b. Mello-Roos Funding. The implementation of various specific improvement policies set forth in this *Land Use Element* may require funding beyond what can be provided by a citywide comprehensive development impact fee. The implementation of certain policies calling for improvements to specific sub-areas of the City (rather than the entire City), or for other specific improvements not covered by the citywide development impact fee, may be funded through the implementation of a Mello-Roos Community Facilities District. The Mello-Roos Community Facilities Act permits a city to establish a community facilities district to (1) finance new facilities with a useful life of five or more years, and/or (2) pay for certain services, operations, and maintenance expenses through the levying of a special tax. The act requires a two-thirds vote for approving the special tax within inhabited areas, and specifies a separate, landowner-controlled procedure for areas with less than 12 registered voters. Mello-Roos districts are most often established to fund improvements within a specific area but could also be used to finance a project with citywide benefits.

2. Funding Sources for Existing Needs

Needs identified in this *Land Use Element* as "existing" should be funded by development impact fees on infill projects and by existing funding mechanisms already levied against existing land uses, including special assessments, utility service fees, property taxes, securities issues, user fees, and/or state and federal grants. Specific funding sources for infrastructure and service needs attributed to existing development are described below. These funding sources should be considered during City completion of more detailed studies to determine equitable revenue sources and financing mechanisms to be included in a Capital Financing Plan, as recommended in the City's DIF study. This plan would detail the methodologies for financing that portion of the improvements and service needs list which cannot be attributed to new development.

a. Downtown Improvement. The following funding mechanism should be considered to implement the policies of this *Land Use Element* related to downtown improvement:

- *Assessments to fund common improvements listed in the Downtown Landscape & Street Furnishing Plan and Facade Renovation Program could be administered through established proceedings such as those set forth in the Improvement Act of 1911, the Municipal Improvement Act of 1913, the Improvement Bond Act of 1915, and the Landscaping and Lighting Act of 1972.*
- *The City should also consider the possibility that the benefit of comprehensive urban design and landscaping improvements in the downtown may extend beyond the immediate downtown area. Therefore funding responsibility could extend beyond*

specific properties in the downtown to the City as a whole. In this case the City could consider financing of such improvement programs through the issuance of general obligation bonds. Issuances of general obligation bonds require a two-thirds majority of those voting in a local election. Such bonds would be secured by the full faith and credit of the City. The City is also authorized by the approving vote of the electorate to levy an ad valorem tax on all taxable property within its jurisdiction at whatever rate is required to service the bond debt.

b. Parks and Recreation. The following funding mechanism should be considered to implement the policies of this *Land Use Element* related to parks and recreation improvements necessary to serve existing development:

- *To assist in the implementation of the parks and recreation related policies, the City should consider the adoption of a development impact fee for parks in-lieu of the parkland dedication requirement. The Quimby Act, codified under section 6647 of the Government Code, specifically enables a city to adopt such a parks and recreation in-lieu fee.*

c. Municipal Services. The following funding mechanisms should be considered to implement the policies of this *Land Use Element* related to municipal service improvements necessary to serve existing development:

- *The portion of the funding for the construction of the grade-separated railroad crossing described earlier in this section attributable to the needs of the existing residents should be provided from available state and federal funds, from the City's general fund, and/or from a general obligation bond as described above.*
- *The portion of the funding for the feasibility study for the construction of a new city hall and the actual construction of the facility attributable to the needs of existing residents should be provided by the general fund or a general obligation bond.*

d. Community Character. The following funding mechanism should be considered to implement those policies of this *Land Use Element* related to existing community character which are deemed necessary to serve existing development:

- *Design and construction measures associated with the proposed street beautification program and enhancement of public places could be funded like the Landscape & Street Furnishing Plan and Facade Renovation Program described earlier; i.e., by a special assessment or a levy placed on the properties that specifically benefit from the program.*
- *In cases where this implementation measure is limited to public (City owned) property, improvements should be financed by the general fund or by general obligation bonds.*

RESOLUTION NO. 08-111

**A RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE
APPROVING GENERAL PLAN AMENDMENT NO. 2007-03**

WHEREAS, the Council of the City of Tulare at a special meeting held on December 29, 2008 to consider a request to amend the General Plan by confirming the "entertainment commercial" designation on the 2030 General Plan, adding the "entertainment commercial" designation to the 1993 General Plan and designating as "entertainment commercial" on the 1993 General Plan for properties identified on Exhibit A, and revising urban reserve line, urban development line and sphere of influence for properties identified on Exhibit A; and,

WHEREAS, the Council of the City of Tulare has determined that the proposed amendment is in the public interest; and,

WHEREAS, the Council of the City of Tulare has determined that the proposed amendment is consistent and compatible with the general plan and implementation programs which may be affected; and,

WHEREAS, the Council of the City of Tulare determined that the proposed amendment impacts have been adequately assessed and been determined not to be detrimental to public health, safety, or welfare; and,

WHEREAS, the Council of the City of Tulare determined that the proposed amendment has been processed in accordance with the applicable provisions of the California Government code and the California Environmental Quality Act (CEQA); and,

WHEREAS, the Council of the City of Tulare determined that an Environmental Impact Report has been prepared in accordance with the California Environmental Quality Act and the findings have been considered and adopted; and,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Tulare that General Plan Amendment 2007-03 is hereby approved by

1. Confirming the "entertainment commercial" designation on the 2030 General Plan.
2. Adding the "entertainment commercial" designation to the 1993 General Plan.
3. Designating as "entertainment commercial" properties identified on Exhibit A.
4. Revising the urban reserve line, urban development line and sphere of influence line adding those properties identified on Exhibit A.

PASSED, APPROVED AND ADOPTED this 29th day of December, 2008.

C. U. O.

President of the Council and Ex-Officio
Mayor of the City of Tulare

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF TULARE)

I, Darrel L. Pyle, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 08-111 passed and adopted by the Council of the City of Tulare at a special meeting held on December 29, 2008, by the following vote:

Aye(s) Phil Vandegrift, Richard Ortega, Craig Vejrada
Noe(s) David Macedo, Wayne Ross Abstention(s) _____

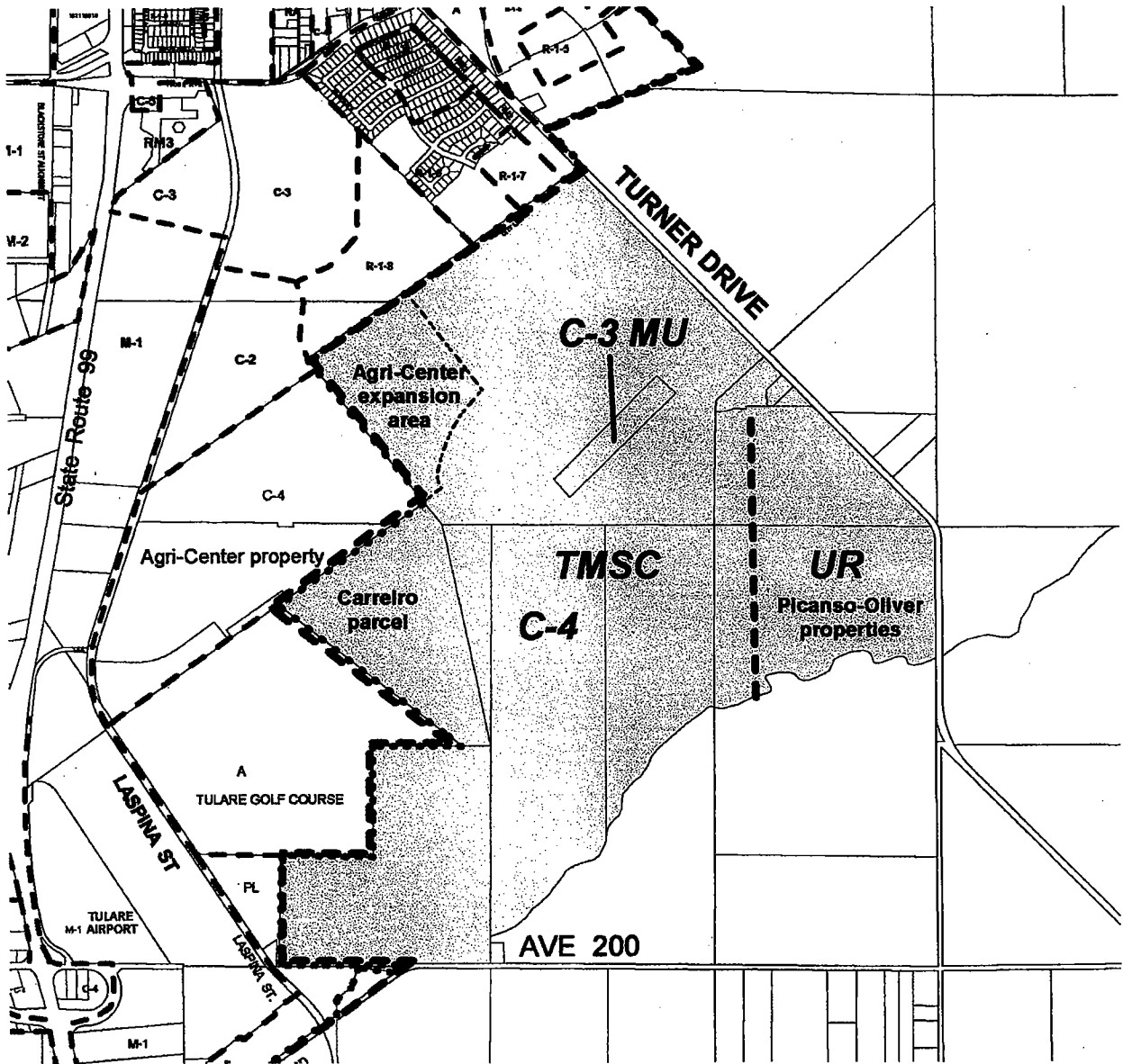
Dated: 12-29-08

DARREL L. PYLE, CITY CLERK

[Signature]
By ~~Roxanne Yoder~~, Chief Deputy
Jennifer Gomez






Zone Amendment no. 663 General Plan Amendment 2007-03



**Pre-zoning to C-4, C-3 MU and UR
Designate site as "Entertainment Commercial"**

and include addition to urban reserve,
urban development boundary
and sphere of influence

-  Urbanr.shp
 -  City Limits
 -  Zoning District Boundaries
- Tulare Zoning Map

-  parcels
-  TMSC

EXHIBIT A

2000 0 2000 Feet



RESOLUTION 09-96

COPY

**A RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE
APPROVING GENERAL PLAN AMENDMENT NO. 2006-05**

WHEREAS, the Council of the City of Tulare at a regular meeting held on October 20, 2009 to consider a request to amend the circulation element of the Tulare General Plan; and,

WHEREAS, the Council of the City of Tulare has determined that the proposed amendment is in the public interest; and,

WHEREAS, the Council of the City of Tulare has determined that the proposed amendment is consistent and compatible with the general plan and implementation programs which may be affected; and,

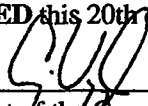
WHEREAS, the Council of the City of Tulare determined that the proposed amendment impacts have been adequately assessed and been determined not to be detrimental to public health, safety, or welfare; and,

WHEREAS, the Council of the City of Tulare determined that the proposed amendment has been processed in accordance with the applicable provisions of the California Government code and the California Environmental Quality Act (CEQA); and,

WHEREAS, the Council of the City of Tulare determined that an Environmental Impact Report has been prepared in accordance with the California Environmental Quality Act and the findings have been considered and adopted; and,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Tulare that General Plan Amendment 2006-05 is hereby approved annexing approximately 461 acres along South I Street. This project would provide for 361 acres of industrial land and approximately 83 acres of residential land.

PASSED, APPROVED AND ADOPTED this 20th day of October, 2009.



President of the Council and
Ex-Officio Mayor of the City of Tulare

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF TULARE)

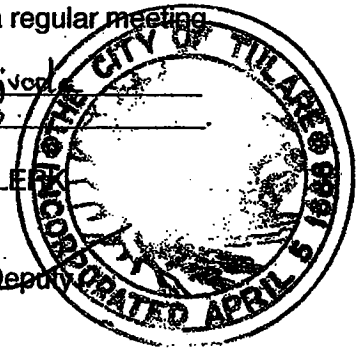
I, Darrel L. Pyle, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 09-96 passed and adopted by the Council of the City of Tulare at a regular meeting held on October 20, 2009, by the following vote:

Aye(s) Richard Ortega, Phil Vandegrift, Wayne Ross, Craig Vejvoda
Noe(s) N/A Abstention(s) David Macedo

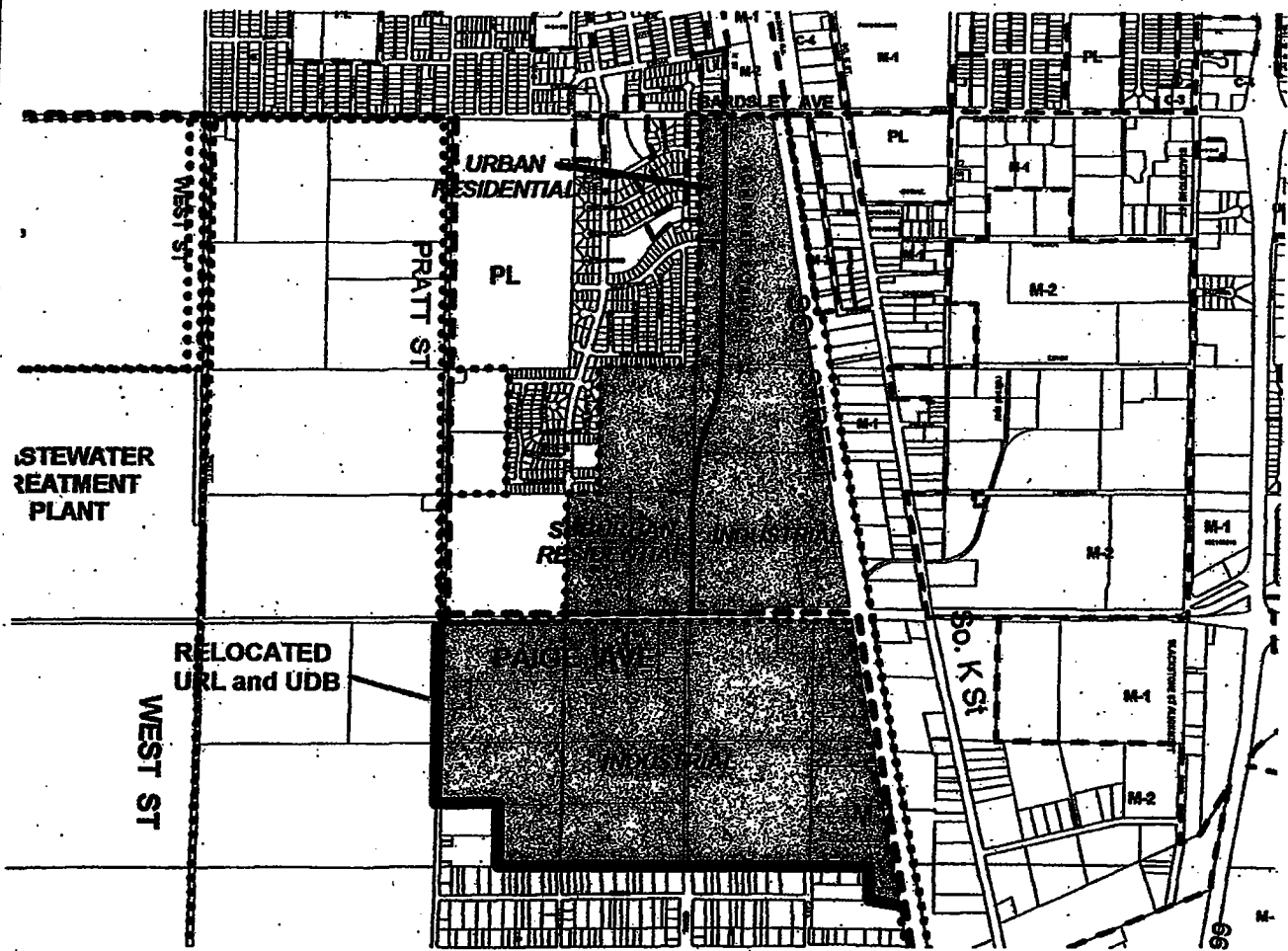
Dated: 10/20/09

DARREL L. PYLE, CITY CLERK


By Roxanne Yoder, Chief Deputy



General Plan Amendment 2006-05









-  Urban Development Boundary (UDB)
-  Urban Reserve Line (URL)
-  City Limits
-  Zoning District Boundaries
-  Tulare Zoning Map parcels
-  South I St. Specific Plan area



EXHIBIT A

**Recording Requested
by and Return to:**

Tulare County LAFCO
5961 S. Mooney Blvd.
Visalia, CA 93277

COPY of Document Recorded
28-Apr-2008 2008-0030311
Has not been compared with
original

TULARE COUNTY RECORDER

CERTIFICATE OF COMPLETION

Pursuant to Government Code §57200 - §57203, this Certificate of Completion is hereby issued by the Executive Officer of the Tulare County Local Agency Formation Commission, State of California.

1. **Short Title:** North Tulare No. 31, Reorganization 2006-10
2. **Case Number:** 1392-T162
3. **Type of Change:** Reorganization
4. **The name of each city or special district involved in this change and the type of change are as follows:**

City/Special District: City of Tulare

Type of Change: Reorganization
5. **The above listed city and/or special district are located in the following counties:**

County: Tulare County
6. **The affected territory is inhabited**
7. **A description of the boundaries of the above-cited change of organization or reorganization is shown on the map and legal description attached to the accompanying resolution and by reference incorporated herein.**
8. **This change of organization or reorganization has been approved subject to the following terms and conditions:**
 1. No change shall be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial

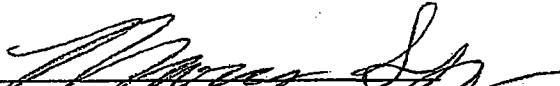
change has occurred in circumstances that necessitate a departure from the designation or zoning.

2. That all applicable City fees apply to properties within the proposed annexation, including, but not limited to Storm Drainage Fees and Ground Water Recharge.
 3. The provisions of the separate property tax sharing agreement (Tulare County Agreement Number 21725) between the County of Tulare and City of Visalia apply to this proposal.
 4. The effective date of this annexation shall be June 1, 2007.
 5. The Certificate of Completion can not be recorded until corrections are completed to the map and legal description to make sufficient for filing with the State Board of Equalization.
9. The resolution ordering this change of organization or reorganization without election was adopted on May 2, 2007.

I hereby certify that the above action is in compliance with Tulare County LAFCO Resolution Number 07-029 adopted on May 2, 2007.

George Finney, Executive Officer
Tulare County Local Agency Formation Commission

By:


Marcos Segura, Staff Analyst

Date:

10-10-2007

BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Reorganization)
Consisting of annexation to the City of Tulare)
And detachment from the Tulare Irrigation District) **RESOLUTION NO. 07-029**
LAFCO Case No. 1392-T-162, North Tulare No. 31,)
Reorganization No. 2006-10)

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to reorganize certain territories described in attached Exhibit "A" made a part hereof, said reorganization consisting of annexation to the City of Tulare and detachment from the Tulare Irrigation District; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials, the report of the County Surveyor, and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on June 6, 2007 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as

follows:

1. The information, material and facts set forth in the application, the report of the County Surveyor, and the report of the Executive Officer (including any corrections), have been received and considered in accordance with Government Code Section 56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The Commission hereby finds that there is no substantial evidence that said annexation will have a significant effect on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the *Mitigated Negative Declaration approved by the City of Tulare for the proposed annexation* (which Negative Declaration is based, in part, on the Tulare's General Plan Update Final EIR (1992) and CEQA Findings made a part thereof) in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on said annexation. Accordingly, said Negative Declaration is hereby incorporated by reference herein.

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Jason Waters, Planner
George Finney, Executive Officer
Bonnie Simoes, City of Tulare

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. This proposal is for the annexation of territory consisting of approximately 30.6 acres of developed land containing a winery to the City of Tulare and concurrent detachment from the Tulare Irrigation District.
- b. Less than 12 registered voters reside in the affected territory and all of the affected property owners have consented to the annexation.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed annexation are definite and certain and conform to lines of assessment.
- b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- d. The proposed annexation is compatible with the City's General Plan.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.

7. The Executive Officer is hereby authorized to conduct a protest hearing and report the results of that hearing to the Commission for action pursuant to Part 4 (commencing with Section 57000) of the Cortese-Knox-Hertzberg Act.

8. The proposed reorganization of the territory described in Exhibit "A" attached hereto, is hereby approved subject to the following conditions:

- a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.

9. The following short form designation shall be used throughout these proceedings:

LAFCO Case No. 1392-T-162, North Tulare No. 31, Reorganization No. 2006-10.

10. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

11. The Executive Officer is hereby authorized and directed to sign the Notice of Determination on behalf of the Commission and file said notice with the Tulare County Clerk pursuant to Section 21152 (a) of the Public Resources Code.

The foregoing resolution was adopted upon motion of Commissioner Conway, and seconded by Commissioner Macaulay, at a regular meeting held on this 6th day of June, 2007, by the following vote:

AYES: Conway, Macaulay, Payan, Allen, Ishida (A)

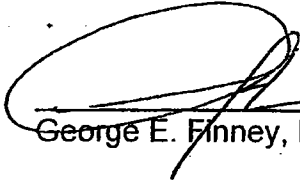
NOES: None

ABSTAIN: None

PRESENT: Hamilton (A), Magoon (A)

ABSENT: Worthley

jw



George E. Finney, Executive Officer

**The Wine Group, LLC
(Franzia Winery)
North Tulare No. 31
Reorganization 2006-10
November 16, 2006
Lane Project No. 06223**

That portion of NE ¼ of the SE ¼ of Section 36, T 19 S, R 24 E, MDB & M, County of Tulare, State of California described as follows:

Course 1: Commencing at the southeast corner of said Section 36 thence N0°35'41"W along the east line of said SE ¼ of Section 36, 1321.37 feet to the southeast corner of said NE ¼ of the SE ¼ of Section 36 and a point in the Corporate Limit Line of the City of Tulare and the POINT OF BEGINNING;

Course 2: Thence S89° 37'41"W along said Corporate Limit Line, 1321.81 ft. to the southwest corner of said NE ¼ of the SE ¼ of Section 36 and an angle point in the existing city limit line;

Course 3: Thence N0°35'11"W along the west line of said NE ¼ of the SE ¼ of Section 36 and said Corporate Limit Line 947.12 ft. to an angle point in said Corporate Limit Line;

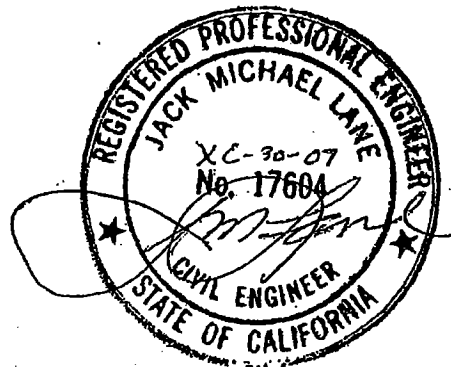
Course 4: Thence 89°34'26"E along said Corporate Limit Line 1407 ft. more or less to the east right of way line of State Route 63 (Mooney Blvd) and an angle point in the existing city limit line;

Course 5: Thence S0°35'41"E along said east right of way line of State Route 63, 948 ft. more or less to an angle point in the Corporate Limit Line of the City of Tulare;

Course 6: Thence westerly along said Corporate Limit Line 85 ft. more or less to the TRUE POINT OF BEGINNING.

Containing approximately 30.61 acres.

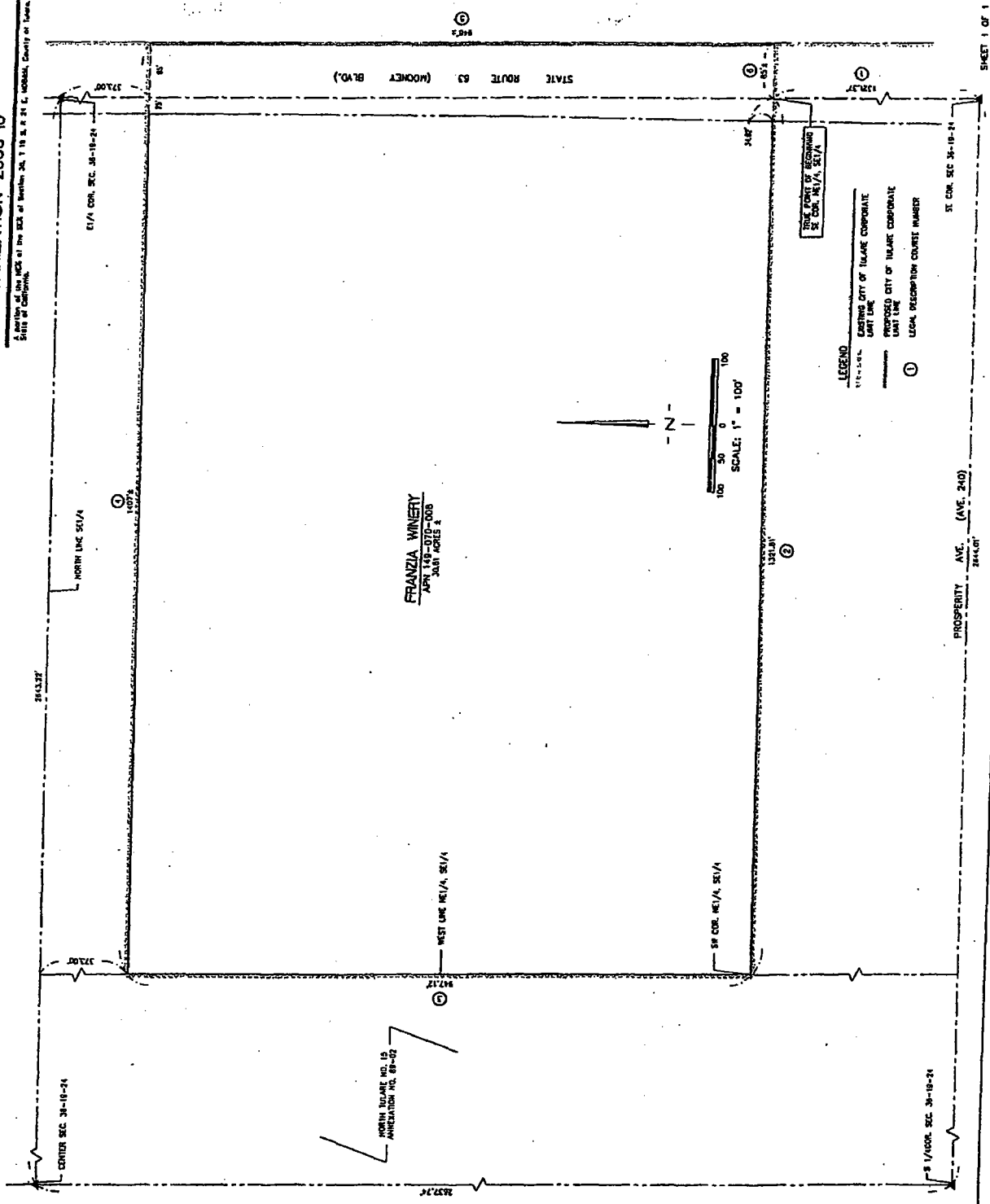
Date: November 16, 2006



11-16-2006

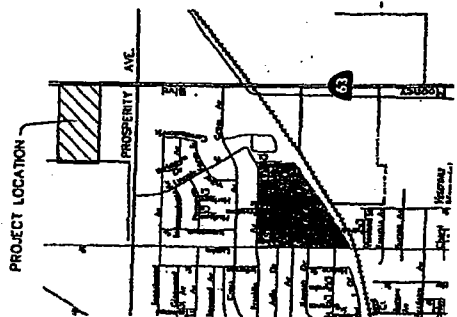
**NORTH TULARE NO. 31
REORGANIZATION 2008-10**

A portion of the NCC at the SW 1/4 of Section 36, T 19 N, R 21 E, S 10000, County of Tulare, State of California.



FRANZIA WINERY
PART OF TRACT 1000
3000 ACRES ±

NORTH TULARE NO. 19
AMENDATION NO. 88-02



VICINITY MAP
NO SCALE

LANE ENGINEERS INC.
1000 W. BROADWAY, SUITE 100
TULARE, CALIFORNIA 95324
(559) 938-1111

**Recording Requested
by and Return to:**

Tulare County LAFCO
5961 S. Mooney Blvd.
Visalia, CA 93277

*free
CM*



2008-0086989

Recorded | REC FEE 0.00
Official Records |
County of | CONFORMED COPY 0.00
Tulare |
GREGORY B. HARDCASTLE |
Clerk Recorder |
10:34AM 29-Dec-2008 | DJF
Page 1 of 14

CERTIFICATE OF COMPLETION

Pursuant to Government Code §57200 - §57203, this Certificate of Completion is hereby issued by the Executive Officer of the Tulare County Local Agency Formation Commission, State of California. No Recording Fee Pursuant to Government Code 6103.

1. **Short Title:** North Tulare No.32, Annexation 2007-05, Detachment 2007-01
2. **Case Number:** 1441-T-312
3. **Type of Change:** Reorganization
4. **The name of each city or special district involved in this change and the type of change are as follows:**

City/Special District: City of Tulare/Tulare Irrigation District

Type of Change: Reorganization
5. **The above listed city and/or special district are located in the following counties:**

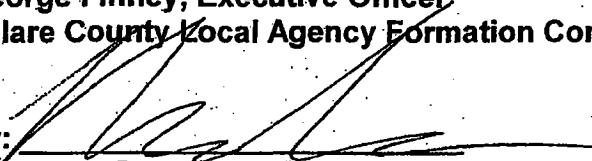
County: Tulare County
6. **The affected territory is uninhabited**
7. **A description of the boundaries of the above-cited change of organization or reorganization is shown on the map and legal descriptions attached to the accompanying resolution and by reference incorporated herein.**
8. **This change of organization or reorganization has been approved subject to the following terms and conditions:**
 1. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city

council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.

9. The resolution ordering this change of organization or reorganization without election was adopted on October 8, 2008.

I hereby certify that the above action is in compliance with Tulare County LAFCO Resolution Number 06-051 adopted on November 8, 2006.

George Finney, Executive Officer
Tulare County Local Agency Formation Commission

By: 
Marcos Segura, Staff Analyst

Date: 12-29-08

**BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA**

In the Matter of the Proposed Reorganization)
Consisting of annexation to the City of Tulare)
And detachment from the Tulare Irrigation District) **RESOLUTION NO. 08-020**
LAFCO Case No.1441-T-312, North Tulare No. 32,)
Annexation 2007-05, Detachment 2007-01)

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to reorganize certain territories described in attached Exhibit "A" made a part hereof, said reorganization consisting of annexation to the City of Tulare and detachment from the Tulare Irrigation District; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials, the report of the County Surveyor, and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on October 8, 2008 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

1. The information, material and facts set forth in the application, the report of the County Surveyor, and the report of the Executive Officer (including any corrections), have been received and considered in accordance with Government Code Section 56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The Commission hereby finds that there is no substantial evidence that said reorganization will have a significant effect on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the Mitigated Negative Declaration approved by the City of Tulare for the proposed reorganization in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on said reorganization. Accordingly, said Negative Declaration is hereby incorporated by reference herein.

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Marcos Segura, Staff Analyst
George Finney, Executive Officer
Bonnie Simoes, City of Tulare

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. This proposal is for the annexation of territory consisting of approximately 37.38 acres of land containing a single-family home, walnut orchard and fallow ground and concurrent detachment of 18.82 acres from the Tulare Irrigation District.
- b. Less than 12 registered voters reside in the affected territory however consent was not received from all of the affected property owners.
- c. The proposed annexation to the City of Tulare complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, GC Section 56377 (a).
- d. The proposed annexation does not conform to the criteria for "island" annexations as described in GC §56375.3.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed annexation are definite and certain and conform to lines of assessment.
- b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- d. The proposed annexation is compatible with the City's General Plan.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.

7. The Executive Officer is hereby authorized to conduct a protest hearing and report the results of that hearing to the Commission for action pursuant to Part 4 (commencing with Section 57000) of the Cortese-Knox-Hertzberg Act.

8. The proposed reorganization of the territory described in Exhibit "A" attached hereto, is hereby approved subject to the following conditions:

- a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.

9. The following short form designation shall be used throughout these proceedings:

LAFCO Case No. 1441-T-312, North Tulare No. 32, Annexation 2007-05, Detachment 2007-01.

10. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

11. The Executive Officer is hereby authorized and directed to sign the Notice of Determination on behalf of the Commission and file said notice with the Tulare County Clerk pursuant to Section 21152 (a) of the Public Resources Code.

The foregoing resolution was adopted upon motion of Commissioner Worthley, and seconded by Commissioner Macaulay, at a regular meeting held on this 8th day of October, 2008, by the following vote:

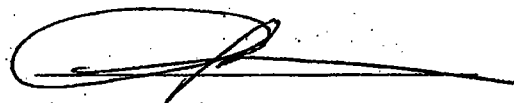
AYES: Worthley, Macaulay, Allen, Ennis (A), Payan (A)

NOES: None

ABSTAIN: None

PRESENT: Magoon (A)

ABSENT: Ishida, Hamilton



George E. Finney, Executive Officer

BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Protest Hearing for)

LAFCO Case No 1441-T-312)

RESOLUTION NO. 08-022

North Tulare No. 32, Annexation 2007-05, Detachment 2007-01)

WHEREAS, this action is being taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

WHEREAS, the Local Agency Formation Commission of the County of Tulare adopted its Resolution No. 08-020 on October 8, 2008, making determinations and approving the proposed reorganization of territory described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, a public hearing on this annexation was called for and held by the Executive Officer of this Commission on November 17, 2008 at the time and place for which notice was given, and at said hearing the Executive Officer did not hear or receive any oral or written protests, objections, or evidence made, presented or filed;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

1. No protests were filed or received, therefore, the value of written protests filed and not withdrawn for said reorganization represents owners of land who own less than 50 percent of the assessed value of land within the affected territory..

2. The reason for the annexation is to provide municipal services including sanitary sewer, water, and storm drainage services, increased police and fire protection, and other municipal services as required and to provide proper control, orderly development, and logical growth in accordance with the City and County General Plans and the Sphere of Influence.

3. The reorganization referred to as LAFCO Case No. 1441-T-312, North Tulare No. 32, Annexation 2007-05, Detachment 2007-01 is hereby ordered without an election.

The foregoing resolution was adopted upon motion of Commissioner Worthley, and seconded by Commissioner Ishida, at a regular meeting held on this 10th day of December, 2008, by the following vote:

AYES: Allen, Macaulay, Worthley, Ishida,

NOES: None

ABSTAIN: None

PRESENT: Magoon (A),

ABSENT: Hamilton, Ennis (A), Payan (A)



George E. Finney, Executive Officer

**NORTH TULARE NO. 32
ANNEXATION 2007-05**

THAT PORTION OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 35, AND THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 19 SOUTH RANGE 24 EAST MOUNT DIABLO BASE AND MERIDIAN, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS

BEGINNING AT A POINT ON THE NORTH LINE OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 35, A DISTANCE OF 55 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 35, SAID POINT BEING ON THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 1

THENCE SOUTH, PARALLEL WITH AND 55 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1349.96 FEET MORE OR LESS TO A POINT LYING 29.96 FEET SOUTH OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 2

THENCE WEST, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 724.30 FEET, MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 3

THENCE NORTH, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 81 FEET MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 4

THENCE WEST, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 504 FEET MORE OR LESS TO THE WEST LINE OF THE EAST ONE HALF OF THE NORTHEAST QUARTER OF SAID SECTION 35, SAID POINT BEING 51 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35;

COURSE 5

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1269 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35;

COURSE 6

THENCE NORTH, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 26, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 25 FEET TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 7

THENCE LEAVING THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, EAST, PARALLEL WITH AND 25 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 1255 FEET MORE OR LESS TO A POINT BEING 55 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, AND A POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 8

THENCE SOUTH, PARALLEL WITH AND 55 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 25 FEET TO THE POINT OF BEGINNING.

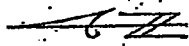
CONTAINING 37.38 ACRES MORE OR LESS

NORTH TULARE NO. 32 ANNEXATION 2007-05

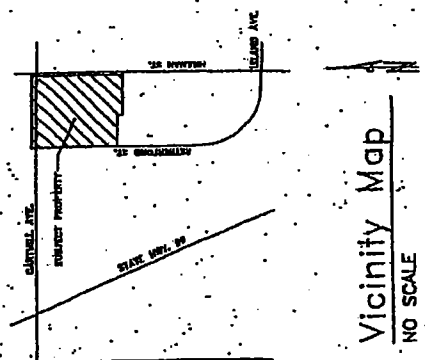
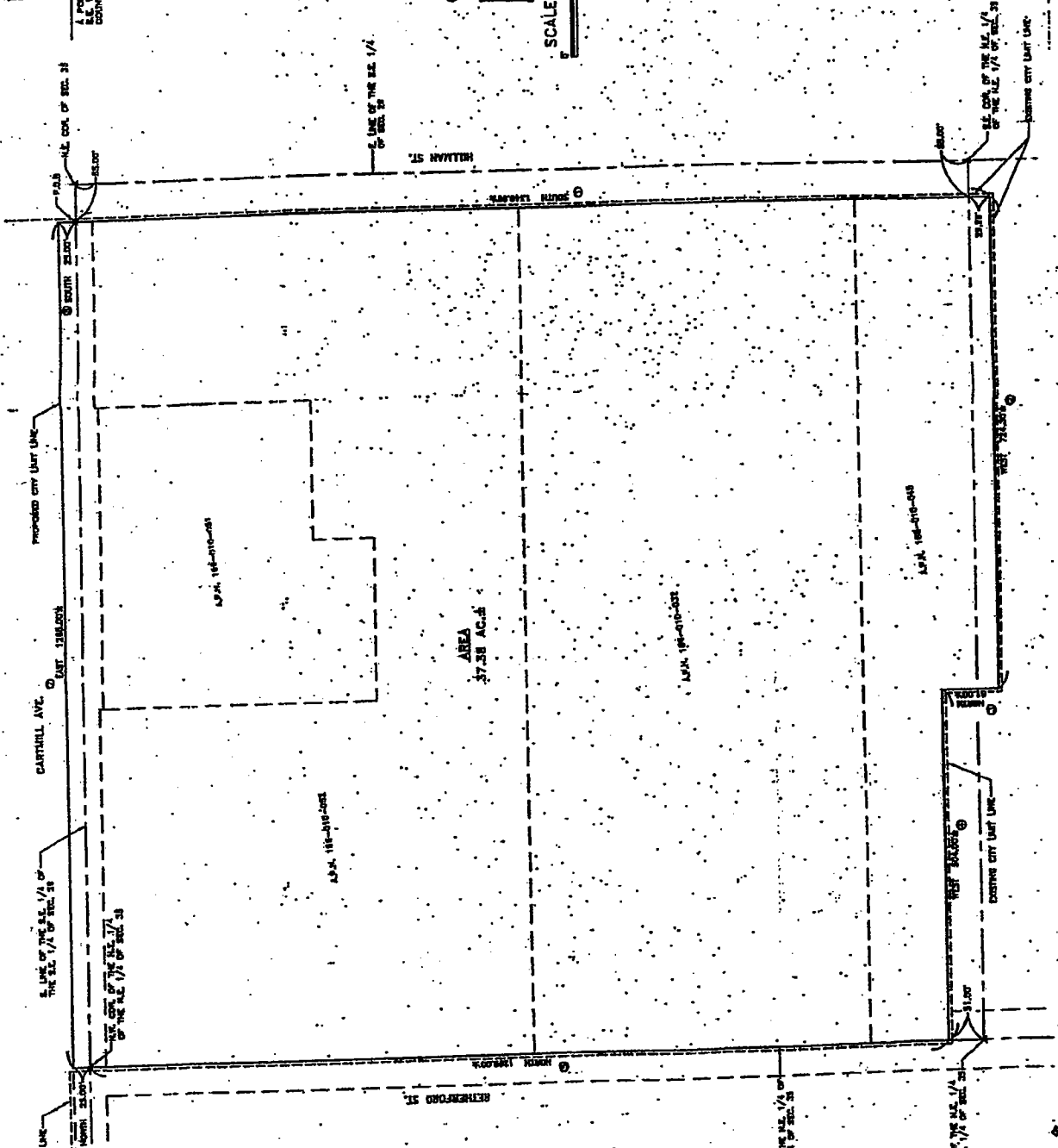
A PORTION OF THE S.E. 1/4 OF THE S.E. 1/4 OF SEC. 28 AND A PORTION OF THE S.E. 1/4 OF THE S.E. 1/4 OF SEC. 28, ALL OF TWP. 23.2N, R. 23E, COUNTY OF TULARE, STATE OF CALIFORNIA.

OCTOBER, 2007

LEGEND
 --- EXISTING CITY LIMITS
 --- PROPOSED CITY LIMITS



SCALE 1"=100'



SHEET 1 OF 1

DETACHMENT FROM TULARE IRRIGATION DISTRICT NO. 2007-01

THAT PORTION OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 35 IN TOWNSHIP 19 SOUTH RANGE 24 EAST MOUNT DIABLO BASE AND MERIDIAN, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS

COMMENCING AT A POINT ON THE NORTH LINE OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF SECTION 35, A DISTANCE OF 55 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 35, SAID POINT BEING ON THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE; THENCE SOUTH, PARALLEL WITH AND 55 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 660 FEET MORE OR LESS TO A POINT LYING 55 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, AND THE TRUE POINT OF BEGINNING;

COURSE 1

THENCE SOUTH, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, PARALLEL WITH AND 55 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 689.96 FEET MORE OR LESS TO A POINT LYING 29.96 FEET SOUTH AND 55 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 2

THENCE WEST, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 724.30 FEET, MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 3

THENCE NORTH, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 81 FEET MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 4

THENCE WEST, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 504 FEET MORE OR LESS TO THE WEST LINE OF THE EAST ONE HALF OF THE NORTHEAST QUARTER OF SAID SECTION 35, SAID POINT BEING 51 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35;

COURSE 5

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 609 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF THE NORTH EAST QUARTER OF SAID SECTION 35;

COURSE 6

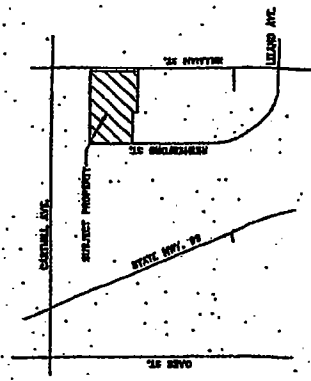
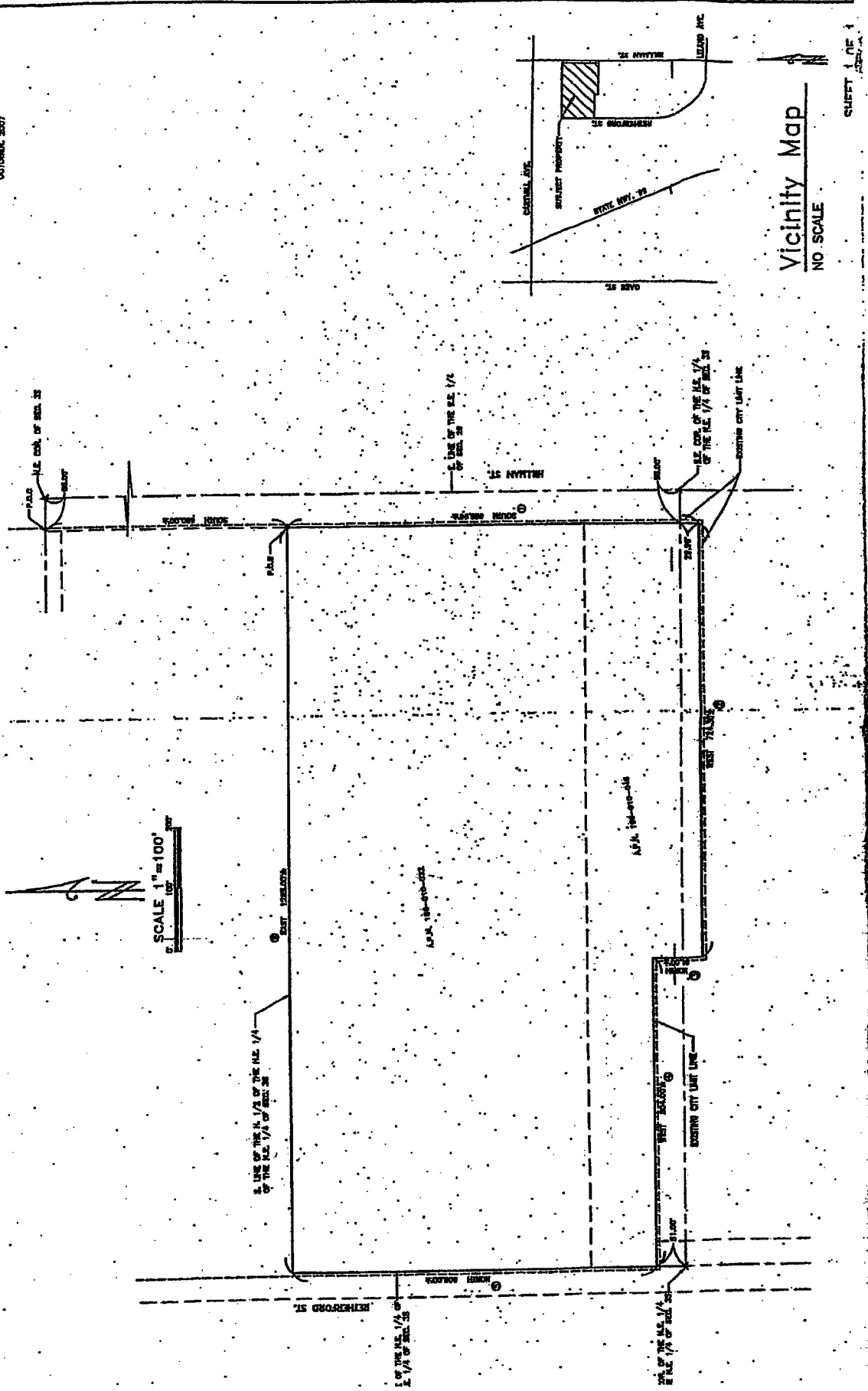
THENCE LEAVING THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, EAST, ALONG THE SOUTH LINE OF THIS NORTH ONE-HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1265 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 18.52 ACRES MORE OR LESS

DETACHMENT NO. 2007-01

THE TOWN OF THE 1/4 OF THE N.E. 1/4 OF SEC. 35, T10N, R.3E, N.3E, N.14, LOCATED IN THE COUNTY OF TULSA, STATE OF OKLAHOMA.

OCTOBER, 2007



Vicinity Map
NO SCALE

SHEET 1 OF 1

Recording Requested
by and Return to:

Tulare County LAFCO
5961 S. Mooney Blvd.
Visalia, CA 93277

COPY of Document Recorded

7-Aug-2008 2008-0054813

Has not been compared with
original

TULARE COUNTY RECORDER

CERTIFICATE OF COMPLETION

Pursuant to Government Code §57200 - §57203, this Certificate of Completion is hereby issued by the Executive Officer of the Tulare County Local Agency Formation Commission, State of California. No Recording Fee Pursuant to Government Code 6103.

1. **Short Title:** City of Tulare Annexation No. 2006-08
2. **Case Number:** 1440-T-311
3. **Type of Change:** Annexation
4. **The name of each city or special district involved in this change and the type of change are as follows:**


City/Special District:	City of Tulare
Type of Change:	Annexation
5. **The above listed city and/or special district are located in the following counties:**

County:	Tulare County
----------------	---------------
6. **The affected territory is uninhabited**
7. **A description of the boundaries of the above-cited change of organization or reorganization is shown on the map and legal description attached to the accompanying resolution and by reference incorporated herein.**
8. **This change of organization or reorganization has been approved subject to the following terms and conditions:**
 1. No change shall be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial

9. The resolution ordering this change of organization or reorganization without election was adopted on August 6, 2008.

I hereby certify that the above action is in compliance with Tulare County LAFCO Resolution Number 08-017 adopted on August 6, 2008.

George Finney, Executive Officer
Tulare County Local Agency Formation Commission

By: 
Marcos Segura, Staff Analyst

Date: 8-7-2008

BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Annexation)
To the City of Tulare, LAFCO Case No. 1440-T-311)
South Tulare No. 18, Annexation 2006-08) RESOLUTION NO. 08-017

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to annex certain territories described in attached Exhibit "A" made a part hereof; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials, the report of the County Surveyor and the report, and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on August 6, 2008 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

1. The information, material and facts set forth in the application, the report of the County Surveyor and the report, and recommendations of the Executive Officer have been received and considered in accordance with GC §56668. All of said

information; materials, facts, reports and other evidence are incorporated by reference herein.

2. The Commission hereby finds that there is no substantial evidence that said annexation will have a significant effect on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the Negative Declaration approved by the City of Tulare for the proposed annexation in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on said annexation. Accordingly, said Negative Declaration is hereby incorporated by reference herein.

3. The Commission has reviewed and considered, in accordance with GC §56668, the information, material and facts presented by the following persons who appeared at the meeting and commented on the proposal:

Marcos Segura, LAFCO Staff Analyst
Bonnie Simoes, Senior Planner City of Tulare

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. This proposal is for the annexation of an unincorporated island consisting of approximately 83.66 acres.
- b. Less than 12 registered voters reside in the affected territory, which is considered uninhabited.
- c. The subject territory is within the Sphere of Influence of the City of Tulare.

- d. The unincorporated island was surrounded by the City as of January 1, 2000, as provided in GC §56375.4.

6. The annexation is proposed by resolution of the City of Tulare, and meets the following requirements for annexation of unincorporated islands as set forth in Government Code Section 56375.3:

- a. The annexation was initiated on or after January 1, 2000 and before January 1, 2014.
- b. The annexation is proposed by resolution adopted by the affected city.
- c. The territory contained in the annexation meets all of the requirements set forth in Section 56375.3(b):
 - i. The territory does not exceed 150 acres in area and that area constitutes the entire island.
 - ii. The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.
 - iii. The territory is surrounded or substantially surrounded by the city which annexation is proposed.
 - iv. The territory is substantially developed or developing based on consideration of the availability of public utilities, the presence of public improvements or physical improvements upon the parcels.
 - v. The territory is not considered prime agricultural land, as defined by Section 56064.
 - vi. The territory will benefit from annexation.

7. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed annexation territory are definite and certain and conform to lines of assessment.
- b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.

- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- d. The proposed annexation is compatible with the City's General Plan.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
- f. This is an inhabited annexation and written consent has not been given by all affected owners of land within the territory to be annexed.
- g. This proposal is in compliance with the policies and priorities of Section 56377 of the Cortese-Knox-Hertzberg Act.

8. The Commission hereby waives the protest hearing proceedings pursuant to Part 4 (commencing with Section 57000) entirely in accordance with Section 56375.3 (a) (1) of the Government Code and orders the annexation without an election.

9. The proposed annexation of the territory described in Exhibit "A," attached hereto, to the City of Visalia is hereby approved, subject to the following conditions:

- a. No change shall be made to land-use designations or zoning for a period of two years after completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstance that necessitate a departure from the designation or zoning.

10. The following short form designation shall be used throughout these proceedings:

LAFCO Case 1440-T-311, South Tulare No. 18, Annexation No. 2006-08.

11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

The foregoing resolution was adopted upon motion of Commissioner Worthley, seconded by Commissioner Macaulay, at a regular meeting held on this 6th day of August 2008, by the following vote:

AYES: Ennis, Allen, Worthley, Hamilton, Macaulay

NOES: None

ABSTAIN: None

PRESENT: Magoon (A)

ABSENT: Ishida (A)



Theresa Szymanis AICP, Executive Officer

ms

SOUTH
TULARE NO. 18
ANNEXATION 2006-08

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 36 AND THE NORTHEAST QUARTER OF SECTION 36 AND THE NORTHEAST QUARTER OF SECTION 35, ALL IN TOWNSHIP 20 SOUTH RANGE 24 EAST MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 36, SAID POINT BEING IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 1

THENCE EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1695 FEET MORE OR LESS TO AN ANGEL POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 2

THENCE SOUTH, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 2059 FEET MORE OR LESS TO THE NORTHERLY LINE OF HOSFIELD ROAD, AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 3

THENCE LEAVING SAID EXISTING CORPORATE LIMITS AND SOUTH, ALONG A SOUTHERLY PROLONGATION OF THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 80 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY LINE OF HOSFIELD ROAD;

COURSE 4

THENCE SOUTHWESTERLY, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF HOSFIELD ROAD, A DISTANCE OF 735 FEET;

COURSE 5

THENCE NORTHWESTERLY, 60 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT OF WAY LINE OF HOSFIELD ROAD, AND A POINT ON THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 6

THENCE WESTERLY, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE HAVING A RADIUS OF 430 FEET, THROUGH A CENTRAL ANGLE OF $46^{\circ} 05'23''$, A DISTANCE OF 345.90 FEET TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS;

COURSE 7

THENCE SOUTH $17^{\circ} 40'42''$ WEST, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 12.95 FEET TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS;

COURSE 8

THENCE SOUTH $40^{\circ} 15'42''$ WEST, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 106.48 FEET TO AN ANGLE POINT IN EXISTING CORPORATE LIMITS, AND A POINT ON THE EAST LINE OF STATE ROUTE 99;

COURSE 9

THENCE SOUTH $76^{\circ} 19'30''$ WEST, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 160 FEET TO THE WEST LINE OF STATE ROUTE 99 AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS;

COURSE 10

THENCE NORTHWESTERLY, ALONG THE WEST LINE OF STATE ROUTE 99 AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1400 FEET MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS;

COURSE 11

THENCE SOUTHWESTERLY, ALONG THE RIGHT OF WAY LINE OF STATE ROUTE 99, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 50 FEET MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS;

COURSE 12

THENCE NORTHWESTERLY, ALONG THE WESTERLY RIGHT OF WAY LINE OF STATE ROUTE 99, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE A DISTANCE OF 1257 FEET MORE OR LESS TO A POINT IN THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35;

COURSE 13

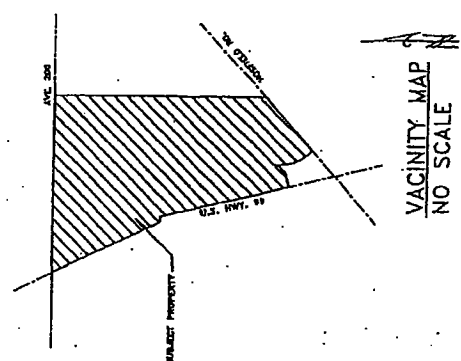
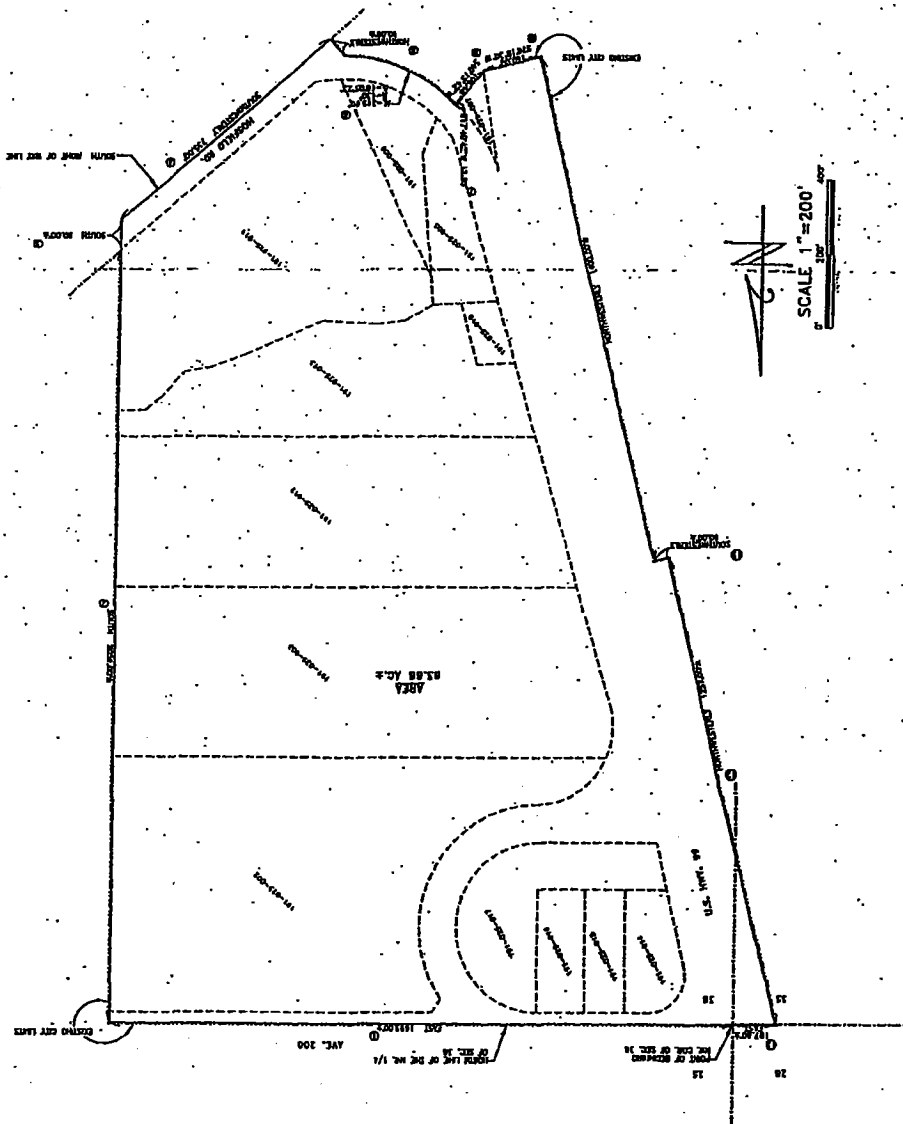
THENCE EAST, ALONG THE NORTH LINE OF SAID SECTION 35, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 107.80 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 83.66 ACRES MORE OR LESS

CITY OF TULARE ANNEXATION
 REORGANIZATION NO. 2006-08

APRIL 1, 2006
 A PORTION OF THE CITY OF TULARE, AS WELL AS SOME PORTIONS
 OF THE CITY OF TULARE, AS WELL AS SOME PORTIONS OF THE COUNTY
 OF TULARE, STATE OF CALIFORNIA.

APRIL 1, 2006
 SOUTH TULARE RD. 18
 ANNEXATION 2006-08



VICINITY MAP
 NO SCALE

Recording Requested
by and Return to:

Tulare County LAFCO
5961 S. Mooney Blvd.
Visalia, CA 93277



2009-0034967

Recorded | REC FEE 0.00
Official Records |
County of Tulare | CONFORMED COPY 0.00
GREGORY B. HARDCASTLE |
Clerk Recorder |
NB
09:30AM 04-Jun-2009 | Page 1 of 14

CERTIFICATE OF COMPLETION

Pursuant to Government Code §57200 - §57203, this Certificate of Completion is hereby issued by the Executive Officer of the Tulare County Local Agency Formation Commission, State of California.

1. **Short Title:** South Tulare No. 19 Annexation 2007-01
2. **Case Number:** 1444-T-313
3. **Type of Change:** Annexation
4. **The name of each city or special district involved in this change and the type of change are as follows:**

City/Special District: City of Tulare

Type of Change: Annexation
5. **The above listed city and/or special district are located in the following counties:**

County: Tulare County
6. **The affected territory is uninhabited**
7. **A description of the boundaries of the above-cited change of organization or reorganization is shown on the map and legal description attached to the accompanying resolution and by reference incorporated herein.**
8. **This change of organization or reorganization has been approved subject to the following terms and conditions:**
 1. No change shall be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial

**BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA**

In the Matter of the Protest Hearing for)

LAFCO Case No. 1444-T-313,)

RESOLUTION NO. 09-010

South Tulare No. 19, Annexation 2007-01)

WHEREAS, this action is being taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

WHEREAS, the Local Agency Formation Commission of the County of Tulare adopted its Resolution No. 09-005 on April 1, 2009, making determinations and approving the proposed annexation of territory described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, a public hearing on this reorganization was called for and held by the Executive Officer of this Commission on May 4, 2009 at the time and place for which notice was given, and at said hearing the Executive Officer did not hear or receive any oral or written protests, objections, or evidence made, presented or filed;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

1. No protests were filed or received, therefore, the value of written protests filed and not withdrawn for said reorganization represents owners of land who own less than 50 percent of the assessed value of land within the affected territory.

2. The reason for the annexation is to provide municipal services including sanitary sewer, water, and storm drainage services, increased police and fire

protection, and other municipal services as required and to provide proper control, orderly development, and logical growth in accordance with the City and County General Plans and the Sphere of Influence.

3. The change of organization referred to as LAFCO Case No. 1444-T-313, South Tulare No. 19, Annexation 2007-01, is hereby ordered without an election.

The foregoing resolution was adopted upon motion of Commissioner WORTHLEY, and seconded by Commissioner ISHIDA, at a regular meeting held on this 3rd day of June, 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:


George E. Finney, Executive Officer

ms

BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Annexation)

To the City of Tulare,)

LAFCO Case 1444-T-313,)

RESOLUTION NO. 09-005

South Tulare No. 19, Annexation 2007-01)

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to annex certain territories described in attached Exhibit "A" made a part hereof; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials, the report of the County Surveyor, and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on April 1, 2009 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as

follows:

1. The information, material and facts set forth in the application, the report of the County Surveyor, and the report of the Executive Officer (including any corrections), have been received and considered in accordance with GC §56668. All of said information; materials, facts, reports and other evidence are incorporated by reference herein.

2. The Commission hereby finds that the proposed annexation will have a significant effect on the environment, and certifies that the Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) approved by the City of Tulare for the proposed annexation in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on the annexation. The Commission hereby adopts by reference the City's Statement of Overriding Considerations regarding the impacts as set forth in the City's EIR. Accordingly, said EIR is hereby incorporated by reference herein.

4. The Commission has reviewed and considered, in accordance with GC §56668; the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Marcos Segura, Staff Analyst
George Finney, Executive Officer
Mark Kielty, City of Tulare
Darrel Pyle, City of Tulare
Lew Nelson, City of Tulare
Hector Guerra, City of Dinuba

Shane Owen, City of Tulare Resident
Don Manro, City of Tulare Resident

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings with respect to the inclusion of Williamson Act Contract lands within the annexation:

- a. In accordance with GC Section 56856.5 (c) (1) the annexation encourages and provides planned, well-ordered, and efficient urban development patterns that include appropriate consideration of the preservation of open-space lands within those urban development patterns.
- b. In accordance with GC Section 56856.5 (c) (2) the annexation is necessary to provide planned, well-ordered, and efficient urban development patterns that include appropriate consideration of the preservation of open-space lands within those urban development patterns.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed annexation territory are definite and certain and conform to lines of assessment.
- b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- d. The proposed annexation is compatible with the City's General Plan.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.

- f. This is an inhabited reorganization and written consent has not been given by all affected owners of land within the territory to be reorganized.
- g. This proposal is in compliance with the policies and priorities of the Cortese-Knox-Hertzberg Act, GC §56377.

7. The Commission hereby authorizes the Executive Officer to conduct a protest hearing subsequent to these proceedings and report to the Commission the results of that hearing for action in accordance with GC 57000-57120.

8. The proposed annexation of the territory described in Exhibit "A" attached hereto, is hereby approved subject to the following conditions:

- a. No change shall be made to land-use designations or zoning for a period of two years after completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstance that necessitate a departure from the designation or zoning.
- b. The City must succeed to the Williamson Act Contract 2689 upon annexation and adopt rules and regulations in accordance with GC 51243.

9. The following short form designation shall be used throughout these proceedings:

LAFCO Case No. 1444-T-313; South Tulare No. 19 Annexation No. 2007-01.

10. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

11. The Executive Officer is hereby authorized and directed to sign the Notice of Determination on behalf of the Commission and file said notice with the Tulare County Clerk pursuant to Section 21152 (a) of the Public Resources Code.

The foregoing resolution was adopted upon motion of Commissioner Hamilton, seconded by Commissioner Macaulay, at a regular meeting held on this 1st day of April 2009, by the following vote:

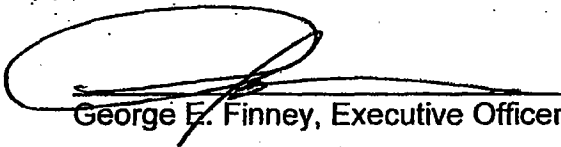
AYES: Allen, Worthley, Macaulay, Ishida, Hamilton

NOES: None

ABSTAIN: None

PRESENT: Ennis (A), Payan (A), Magoon (A)

ABSENT: None



George E. Finney, Executive Officer

ms

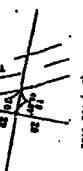
**SOUTH TULARE NO. 19
ANNEXATION 2007-01**

FOR THE CITY OF TULARE, CALIFORNIA
BY THE CITY ENGINEER
DATE: 07/11/07

OWNER: CITY OF TULARE

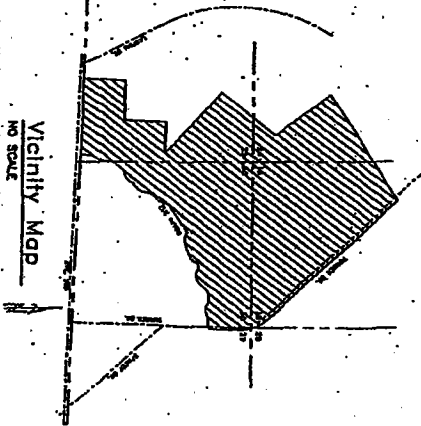
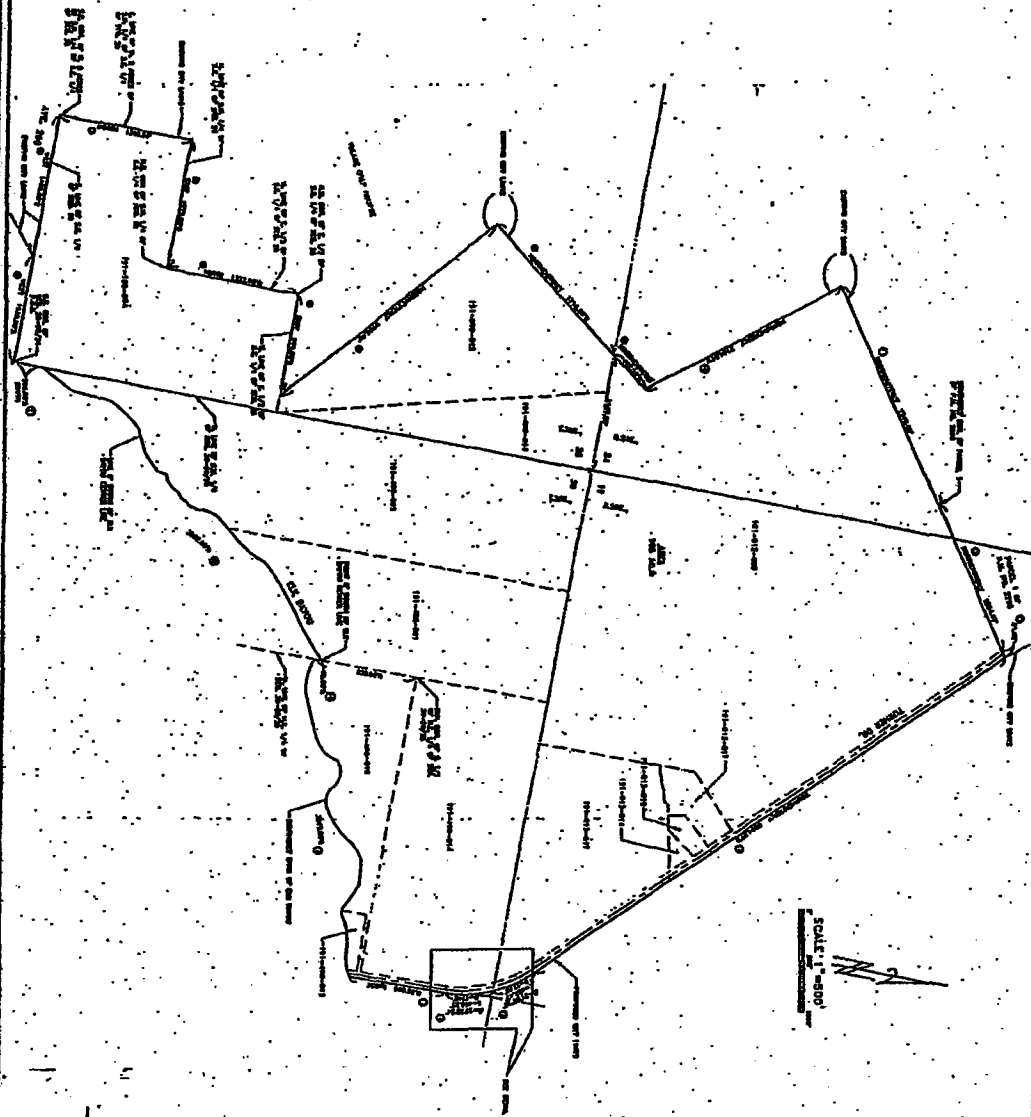
DESIGNER: FOUNTAIN VENTURES ASSOCIATES, L.L.C.
1500 N. Second Street, Suite 3
Tulare, CA 93230
Phone: (559) 932-1111

SCALE: 1"=500'



DETAIL: 1"=100'

NO SCALE



Vicinity Map
NO SCALE

DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1
DATE: 07/11/07	BY: [Signature]	APPROVED BY: [Signature]	SCALE: 1"=500'	PROJECT: SOUTH TULARE ANNEXATION 2007-01	SHEET NO: 1

EXHIBIT A

SOUTH TULARE NO. 19 ANNEXATION 2007-01

THAT PORTION OF THE EAST ONE HALF OF SECTION 25, THE SOUTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 20 SOUTH RANGE 24 EAST; THAT PORTION OF SECTION 19, THE NORTHEAST QUARTER OF SECTION 30, THE WEST ONE HALF OF SECTION 30, THE NORTHWEST QUARTER OF SECTION 29, ALL IN TOWNSHIP 20 SOUTH RANGE 25 EAST MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 25 SAID POINT BEING ON THE NORTH LINE OF HOSFIELD ROAD;

COURSE 1

THENCE WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 1030 FEET MORE OR LESS TO AN ANGLE POINT ON THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 2

THENCE CONTINUING WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1400 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF THE WEST 5 ACRES OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 3

THENCE NORTH, ALONG THE EAST LINE OF THE WEST 5 ACRES OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1312.84 FEET TO THE NORTHEAST CORNER OF SAID WEST 5 ACRES AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 4

THENCE EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1275 FEET MORE OR LESS TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 5

THENCE NORTH, ALONG THE WEST LINE OF THE EAST ONE HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 25, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1332 FEET MORE OR LESS TO THE NORTHWEST CORNER OF THE EAST ONE HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 25, AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 6

THENCE EAST, ALONG THE NORTH LINE OF THE EAST ONE HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 25, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 999.90 FEET MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 7

THENCE NORTHWESTERLY, ALONG THE NORTHEASTERLY LINE OF THE TULARE GOLF COURSE, AND ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 2706.40 FEET TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE AND THE MOST NORTHERLY POINT OF THE TULARE GOLF COURSE;

COURSE 8

THENCE NORTHEASTERLY, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 1716.89 FEET MORE OR LESS TO A POINT IN THE NORTH LINE OF SAID SECTION 25, SAID POINT BEING 1147.80 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 25;

COURSE 9

THENCE CONTINUING NORTHEASTERLY ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 462.56 FEET MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 10

THENCE NORTHWESTERLY, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 2184.06 FEET MORE OR LESS TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 11

THENCE NORTHEASTERLY, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 2349.60 FEET TO AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE; SAID POINT BEING THE MOST SOUTHERLY CORNER OF PARCEL NO. 1 OF PARCEL MAP NO. 2296 AS PER MAP FILED IN BOOK 23 OF PARCEL MAPS, AT PAGE 97 TULARE COUNTY RECORDS;

COURSE 12

THENCE CONTINUING NORTHEASTERLY, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE AND ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL NO. 1 OF PARCEL MAP NO. 2296, A DISTANCE OF 1554.17 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF TURNER DRIVE;

COURSE 13

THENCE CONTINUING NORTHEASTERLY, ALONG THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, A DISTANCE OF 81.02 FEET TO A POINT IN THE NORTHEASTERLY RIGHT OF WAY LINE OF TURNER DRIVE, AND AN ANGLE POINT IN THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE;

COURSE 14

THENCE LEAVING THE EXISTING CORPORATE LIMITS OF THE CITY OF TULARE, SOUTHEASTERLY, ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF TURNER DRIVE, A DISTANCE OF 5594.27 FEET MORE OR LESS TO THE BEGINNING OF A TANGENT CURVE;

COURSE 15

THENCE SOUTHERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF TURNER DRIVE, 457.47 FEET, ALONG A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1240 FEET, AND PASSING THROUGH AN ANGLE OF $21^{\circ} 08' 16''$, TO A POINT IN THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 19 TOWNSHIP 20 SOUTH RANGE 25 EAST, SAID POINT BEING 46.89 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 19;

COURSE 16

THENCE CONTINUING ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF TURNER DRIVE, SOUTHERLY 488.35 FEET, ALONG A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1240 FEET, AND PASSING THROUGH AN ANGLE OF 22° 33'54", TO A POINT 50 FEET EAST OF AND AT RIGHT ANGLES TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 29 TOWNSHIP 20 SOUTH RANGE 25 EAST;

COURSE 17

THENCE SOUTH, PARALLEL WITH AND 50 FEET EAST OF, MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 29, BEING THE EAST RIGHT OF WAY LINE OF TURNER DRIVE, A DISTANCE OF 969.52 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY BANK OF ELK BAYOU;

COURSE 18

THENCE WESTERLY ALONG THE SOUTHEASTERLY BANK OF ELK BAYOU, A DISTANCE OF 3047 FEET, MORE OR LESS TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30 TOWNSHIP 20 SOUTH RANGE 25 EAST, SAID POINT BEING 920 FEET MORE OR LESS SOUTH OF THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID NORTHEAST QUARTER;

COURSE 19

THENCE NORTH, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, TO A POINT 8 FEET SOUTH OF THE CENTERLINE OF SAID ELK BAYOU;

COURSE 20

THENCE WESTERLY AND SOUTHERLY ALONG A LINE 8 FEET SOUTH OF THE CENTERLINE OF SAID ELK BAYOU, A DISTANCE OF 3982 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30;

COURSE 21

THENCE SOUTH, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 299 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID SECTION 30, AND THE POINT OF BEGINNING.

CONTAINING 965 ACRES MORE OR LESS

**Recording Requested
by and Return to:**

Tulare County LAFCO
5961 S. Mooney Blvd.
Visalia, CA 93277

COPY of Document Recorded

12-Dec-2007 2007-0107187

**Has not been compared with
original**

TULARE COUNTY RECORDER

CERTIFICATE OF COMPLETION

Pursuant to Government Code §57200 - §57203, this Certificate of Completion is hereby issued by the Executive Officer of the Tulare County Local Agency Formation Commission, State of California.

1. **Short Title:** City of Tulare Annexation and Detachment from the Tulare Irrigation District, Reorganization No. 2006-09
2. **Case Number:** 1393-T-163
3. **Type of Change:** Reorganization
4. **The name of each city or special district involved in this change and the type of change are as follows:**

City/Special District:	City of Tulare
Type of Change:	Reorganization
5. **The above listed city and/or special district are located in the following counties:**

County:	Tulare County
----------------	---------------
6. **The affected territory is inhabited**
7. **A description of the boundaries of the above-cited change of organization or reorganization is shown on the map and legal description attached to the accompanying resolution and by reference incorporated herein.**
8. **This change of organization or reorganization has been approved subject to the following terms and conditions:**
 1. **No change shall be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial**

change has occurred in circumstances that necessitate a departure from the designation or zoning.

2. The Certificate of Completion can not be recorded until corrections are completed to the map and legal description to make sufficient for filing with the State Board of Equalization.

9. The resolution ordering this change of organization or reorganization without election was adopted on September 5, 2007.

I hereby certify that the above action is in compliance with Tulare County LAFCO Resolution Number 07-035 adopted on September 5, 2007.

George Finney, Executive Officer
Tulare County Local Agency Formation Commission

By: 
Marcos Segura, Staff Analyst

Date: 12-12-2007

BEFORE THE LOCAL AGENCY FORMATION COMMISSION

OF THE

COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Reorganization)
Consisting of annexation to the City of Tulare)
And detachment from the Tulare Irrigation District) **RESOLUTION NO. 07-035**
LAFCO Case No. 1393-T-163, West Tulare No. 36,)
Reorganization No. 2006-09)

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to reorganize certain territories described in attached Exhibit "A" made a part hereof, said reorganization consisting of annexation to the City of Tulare and detachment from the Tulare Irrigation District; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials, the report of the County Surveyor, and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on August 8, 2007 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as

follows:

1. The information, material and facts set forth in the application, the report of the County Surveyor, and the report of the Executive Officer (including any corrections), have been received and considered in accordance with Government Code Section 56668. All of said information; materials, facts, reports and other evidence are incorporated by reference herein.

2. The Commission hereby finds that there is no substantial evidence that said annexation as modified will have a significant effect on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the Mitigated Negative Declaration approved by the City of Tulare for the proposed annexation (which Negative Declaration is based, in part, on the Tulare's General Plan Update Final EIR (1992) and CEQA Findings made a part thereof) in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on said annexation. Accordingly, said Negative Declaration is hereby incorporated by reference herein.

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Marcos Segura, Planner
George Finney, Executive Officer
Bonnie Simoes, City of Tulare
Brian Martinho, Annexation Applicant
Robert Bender, Property Owner

John Bender, Property Owner
Patricia Steaver, Tulare Co. Farm Bureau Executive Director
Dan Manro, City of Tulare Resident

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. This proposal was originally for the annexation of territory consisting of 81.29 acres of developed and agricultural land to the City of Tulare and concurrent detachment from the Tulare Irrigation District.
- b. In order to avoid the creation of unincorporated islands in accordance with GC section 56744, and the annexation of land under Williamson Act Contract, it has become necessary to reduce the size of the annexation/detachment from 81.29 acres to approximately 27 acres. The reduction will also bring the City closer to a 10-year residential land supply in keeping with LAFCO Policy C-1.1 (p).
- c. Less than 12 registered voters reside in the affected territory and some of the affected property owners have consented to the annexation.
- d. As modified the annexation will still result in the creation of a small partially surrounded unincorporated island containing 3 developed parcels east of West Street. In this case the provisions of GC Section 56744 can be waived because it would be detrimental to the orderly growth of the City and because the parcels are so located that they can not reasonably be annexed to another city.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed annexation are definite and certain and conform to lines of assessment.

- b. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- c. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- d. The proposed annexation is compatible with the City's General Plan.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
- f. In accordance with GC Section 56375(m) the provisions of GC Section 56744 are hereby waived for the small partial island located east of West Street.

7. The Executive Officer is hereby authorized to conduct a protest hearing and report the results of that hearing to the Commission for action pursuant to Part 4 (commencing with Section 57000) of the Cortese-Knox-Hertzberg Act.

8. The proposed reorganization of the territory is hereby modified a described in Exhibit "A" attached hereto, are approved subject to the following conditions:

- a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.

9. The following short form designation shall be used throughout these proceedings: LAFCO Case No. 1393-T-163, North Tulare No. 36, Reorganization No. 2006-09.

10. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

11. The Executive Officer is hereby authorized and directed to sign the Notice of Determination on behalf of the Commission and file said notice with the Tulare County Clerk pursuant to Section 21152 (a) of the Public Resources Code.

The foregoing resolution was adopted upon motion of Member Allen, and seconded by Member Conway, at a regular meeting held on this 5th day of September, 2007, by the following vote:

AYES: Payan, Worthley, Allen, Conway

NOES: None

ABSTAIN: None

PRESENT: Ishida (A)

ABSENT: Macaulay, Hamilton (A), Magoon (A)

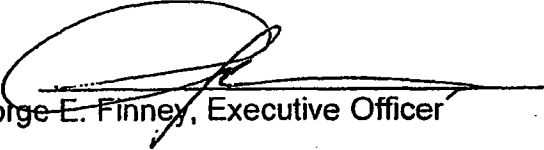

George E. Finney, Executive Officer

EXHIBIT "A"
WEST TULARE #36
REORGANIZATION 2006-09
TO THE CITY OF TULARE
FROM TULARE COUNTY

Those portions of Sections 33 and 34, Township 19 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Beginning at the Northeast corner of Annexation 78-8 West Tulare No. 3 recorded as Instrument No. 76603, in Volume 3605, Page 616, of Tulare County Records, said point also being on the North right of way line of Prosperity Avenue;

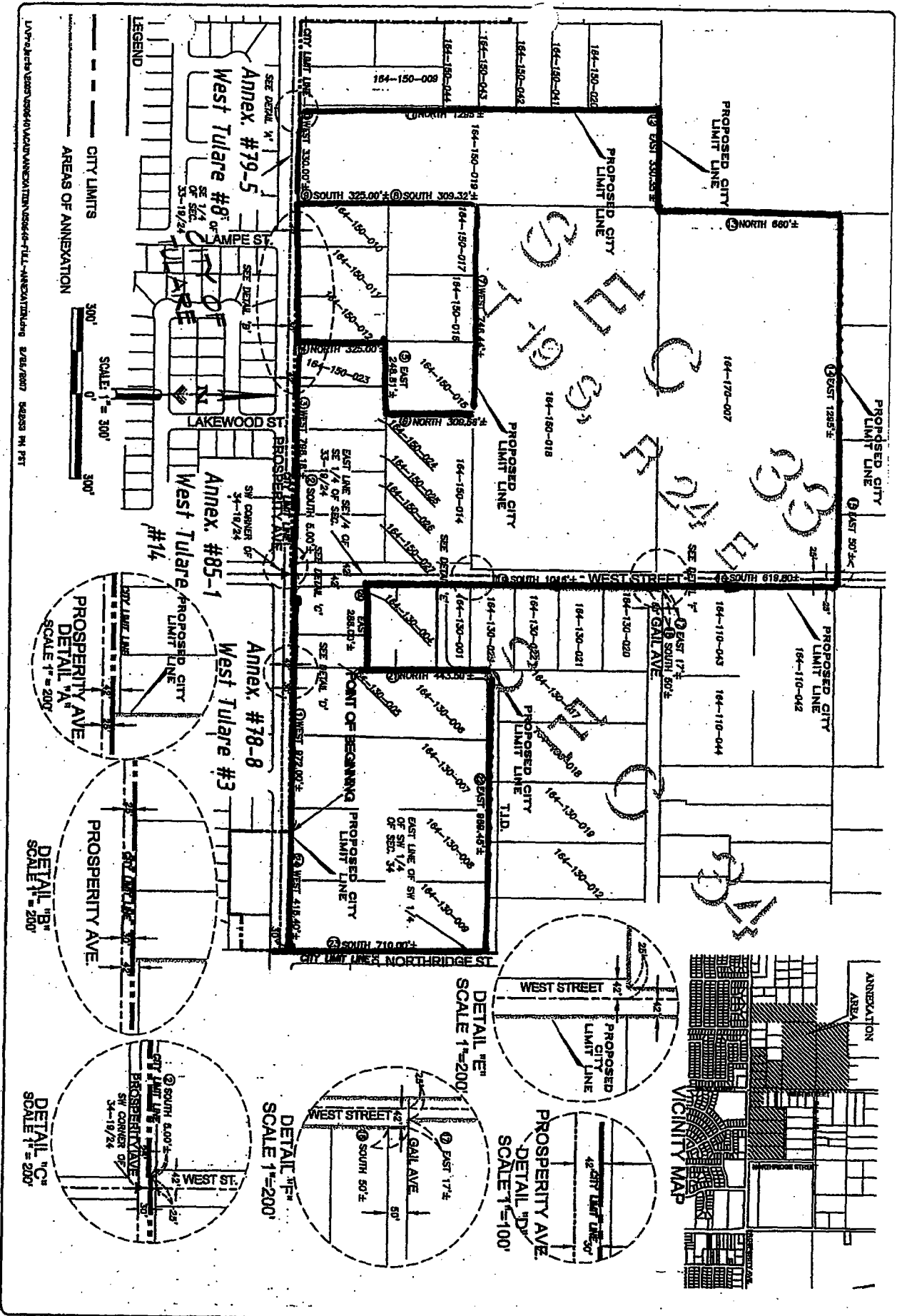
1. Thence, West, along the existing City of Tulare City Limits line, a distance of 930.41 feet, more or less, to the Northwest corner of said Annexation 78-8 –West Tulare No. 3;
2. Thence, South, along said existing City Limits line, a distance of 5.00 feet, more or less, to the Northeast corner of Annexation 85-1 – West Tulare No. 14, recorded as Instrument No. 8446, Volume 4394, Page 81, Tulare County Records;
3. Thence, West, along said existing City Limits line, a distance of 798.28 feet, more or less, to the Southeast corner of Parcel 2 of Parcel Map No. 1610, as recorded in Book 17 of Parcel Maps, at Page 11, Tulare County Records;
4. Thence, North, leaving said existing City Limits line, along the East line of said Parcel 2, a distance of 320.69 feet, more or less, to the Southeast corner of Parcel 3 of Parcel Map No. 1777, as recorded in Book 18 of Parcel Maps, at Page 78, Tulare County Records;
5. Thence, East, along the South line of Parcel 2 of said Parcel Map No. 1777, a distance of 249.52 feet, more or less, to the Southeast corner of said Parcel 2;
6. Thence, North, along the East line of said Parcel 2, a distance of 312.79 feet, more or less, to the Northeast corner of said Parcel 2;
7. Thence, East, along the North line of Parcel 1 of said Parcel Map No. 1777 and its easterly prolongation, 616.26 feet, more or less, to a point on the East right of way line of West Street;
8. Thence, South, along said right of way line, a distance of 370.81 feet, more or less, to the Southwest corner of Parcel 2 of Parcel Map No. 1706, as recorded in Book 18 of Parcel Maps, at Page 7, Tulare County Records;

Quad Knopf, Inc., 2/26/07

C:\Documents and Settings\bsimoes\Local Settings\Temp\XPGpWise\050641-Martinho&Sozinho-full annex 2-07.doc

9. Thence, East, along the South line of said Parcel 2, a distance of 288.00 feet, more or less, to the Southeast corner of said Parcel 2, and West line of Parcel 1 of Parcel Map No. 746, as recorded in Book 8 of Parcel Maps, at Page 46, Tulare County Records;
10. Thence, North, along said West line, a distance of 443.50 feet, more or less, to the Northwest corner of said Parcel 1;
11. Thence, East, along the North lines of Parcels 1, 2, 3, and 4 of said Parcel Map No. 746, a distance of 993.69 feet, more or less, to the West right of way line of Northridge Street, existing City of Tulare City Limits Line, and the East line of the Southwest quarter of the Southwest quarter of Section 34;
12. Thence, South, along said existing City Limits Line, and the East line of the Southwest quarter of the Southwest quarter of Section 34, a distance of 704.85 feet, more or less, to the North right of way line of Prosperity Avenue;
13. Thence, East, leaving said City Limits Line, along said North right of way line, a distance 414.58 feet, more or less, to the POINT OF BEGINNING.

AREA = 28.74 Acres ±



LEGEND
 --- CITY LIMITS
 --- AREAS OF ANNEXATION

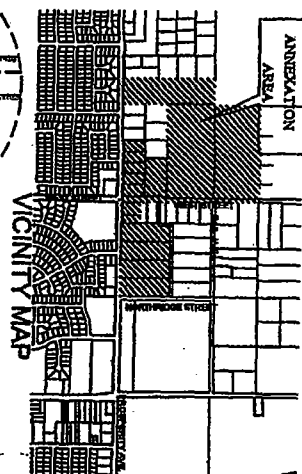
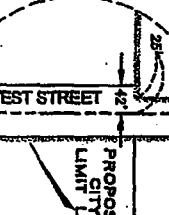
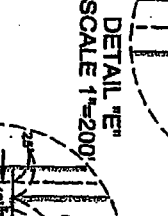
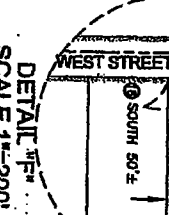
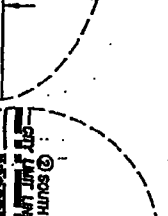
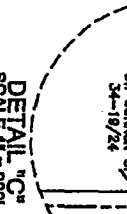
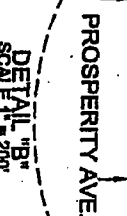


EXHIBIT "A"
WEST TULARE #36
ANNEXATION 2006-09
TO THE CITY OF TULARE
FROM TULARE COUNTY

Those portions of Sections 33 and 34, Township 19 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Beginning at the Northeast corner of Annexation 78-8 West Tulare No. 3 recorded as Instrument No. 76603, recorded in Volume 3605, Page 616, Tulare County Records, said point also being on the North right of way line of Prosperity Avenue;

1. Thence, West, along existing City Limits line, a distance of 972.00 feet, more or less, to the Northwest corner of said Annexation 78-8 - West Tulare No. 3;
2. Thence, South, along said existing City Limits line, a distance of 5.00 feet, more or less, to the Northeast corner of Annexation 85-1 - West Tulare No. 14, recorded as Instrument No. 8446, Volume 4394, Page 81, Tulare County Records;
3. Thence, West, along said existing City Limits line, a distance of 798.18 feet, more or less, to the Southeast corner of Parcel 2 of Parcel Map No. 1610, as recorded in Book 17 of Parcel Maps, at Page 11, Tulare County Records;
4. Thence, North, leaving said existing City Limits line, along the East line of said Parcel 2, a distance of 325.00 feet, more or less, to the Southeast corner of Parcel 3 of Parcel Map No. 1777, as recorded in Book 18 of Parcel Maps, at Page 78, Tulare County Records;
5. Thence, East, along the South line of Parcel 2 of said Parcel Map No. 1777, a distance of 248.81 feet, more or less, to the Southeast corner of said Parcel 2;
6. Thence, North, along the East line of said Parcel 2, a distance of 309.56 feet, more or less, to the Northeast corner of said Parcel 2;
7. Thence, West, along the North line of Parcels 2, 3 and 4 of said Parcel Map No. 1777, a distance of 746.44 feet, more or less, to the Northwest corner of said Parcel 4;
8. Thence, South, along the West line of said Parcel 4, a distance of 309.32 feet, more or less, to the Southwest corner of said Parcel 4;
9. Thence, continuing South, along the West line of Lot 17 of Thompson Colony, as recorded in Volume 7 of Maps, at Page 39, Tulare County Records, a distance of 325.00 feet, more or less, to the existing City Limits line;

10. Thence, West, along existing City Limits line, a distance of 330.00 feet, more or less, to the East line of the West half of Lot 32 of said Thompson Colony;
11. Thence, North, leaving said City Limits Line, along said East line, a distance of 1,295 feet, more or less, to the North line of said Lot 32;
12. Thence, East, along said North line, a distance of 330.35 feet, more or less, to the Southwest corner of Lot 19 of said Thompson Colony;
13. Thence, North, along the West line of Lot 19, a distance of 660 feet, more or less, to the Northwest corner of said Lot 19;
14. Thence, East, along the North line of said Lot 19, a distance of 1,295 feet, more or less, to West right of way line of West Street;
15. Thence, continuing East, along the East prolongation of the North line of said Lot 19, a distance of 50 feet, more or less, to the East right of way line of West Street;
16. Thence, South, along said right of way line, a distance of 619.80 feet, more or less, to the North right of way line of Gail Avenue;
17. Thence, East, along said right of way line, a distance of 17 feet, more or less, to the North prolongation of the East right of way line of West Street;
18. Thence, South, along said North prolongation, a distance of 50 feet, more or less, to a point on the East right of way line of West Street;
19. Thence, continuing South, along said right of way line, a distance of 1,015 feet, more or less, to the Southwest corner of Parcel 2 of Parcel Map No.1706, as recorded in Book 18 of Parcel Maps, at Page 7, Tulare County Records;
20. Thence, East, along the South line of said Parcel 2, a distance of 288.00 feet, more or less, to the Southeast corner of said Parcel 2, point also being along the West line of Parcel 1 of Parcel Map No. 746, as recorded in Book 8 of Parcel Maps, at Page 46, Tulare County Records;
21. Thence, North, along said West line, a distance of 443.50 feet, more or less, to the Northwest corner of said Parcel 1;
22. Thence, East, along the North lines of Parcels 1, 2, 3, and 4 of said Parcel Map No. 746, a distance of 989.45 feet, more or less, to the West right of way line of Northridge Street and existing City Limits Line and the East line of the Southwest quarter of the Southwest quarter of Section 34;

EXHIBIT "A"
CITY OF TULARE
TULARE IRRIGATION DISTRICT DETACHMENT
2006-02

Those portions of Sections 33 and 34, Township 19 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

DETACHMENT AREA "A"

Commencing at the Northeast corner of Annexation 85-1 – West Tulare No. 14, recorded as Instrument No. 8446, Volume 4394, Page 81, Tulare County Records;

1. Thence, West, along existing City Limits line, a distance of 1,295.69 feet, more or less, to the Southeast corner of Lot 32 of Thompson Colony, as recorded in Volume 7 of Maps, at Page 39, Tulare County Records, said point also being the POINT OF BEGINNING;
2. Thence, continuing West, along said existing City Limits line, a distance of 330.00 feet, more or less, to the West line of the East half of said Lot 32;
3. Thence, North, leaving said existing City Limits Line, along said West line, a distance of 1,295.00 feet, more or less, to the North Line of said Lot 32;
4. Thence, East, along the North line of said East half, a distance of 330.35 feet, more or less, to the East line of said Lot 32;
5. Thence, South, along said East line, a distance of 1,295.00 feet, more or less, to the Southeast corner of said Lot 32, also being the POINT OF BEGINNING.

AREA = 9.82 Acres ±

DETACHMENT AREA "B"

Beginning at the Northeast corner of Annexation 78-8 West Tulare No. 3 recorded as Instrument No. 76603, recorded in Volume 3605, Page 616, Tulare County Records, said point also being an angle point on the existing City Limits Line and on the North right of way line of Prosperity Avenue;

1. Thence, West, along said existing City Limits line, a distance of 972 feet, more or less, to the Northwest corner of said Annexation 78-8 – West Tulare No. 3;

Quad Knopf, Inc., 2/26/07

L:\Projects\2005\050640\DOCS\FINAL SENT ANNEXATION DESCRIPTIONS\050641-Martinho&Sozinho-WO BENDER 2-07.doc

2. Thence, South, along said existing City Limits line, a distance of 5.00 feet, more or less, to the Northeast corner of Annexation 85-1 – West Tulare No. 14, recorded as Instrument No. 8446, Volume 4394, Page 81, Tulare County Records;
3. Thence, West, along said existing City Limits line, a distance of 798.18 feet, more or less, to the Southeast corner of Parcel 2 of Parcel Map No. 1610, as recorded in Book 17 of Parcel Maps, at Page 11, Tulare County Records;
4. Thence, North, leaving said existing City Limits line, along the East line of said Parcel 2, a distance of 325.00 feet, more or less, to the Southeast corner of Parcel 3 of Parcel Map No. 1777, as recorded in Book 18 of Parcel Maps, at Page 78, Tulare County Records;
5. Thence, East, along the South line of Parcel 2 of said Parcel Map No. 1777, a distance of 248.81 feet, more or less, to the Southeast corner of said Parcel 2;
6. Thence, North, along the East line of said Parcel 2, a distance of 309.56 feet, more or less, to the Northeast corner of said Parcel 2 and to the South line of Lot 18 of Thompson Colony, as recorded Volume 7 of Maps, at Page 39, Tulare County Records;
7. Thence, East, along said South line, a distance of 549.49 feet, more or less, to the West right of way line of West Street, said point being 25 feet West of the East line of Section 33;
8. Thence, North, along said West right of way line, a distance of 1320.00 feet, more or less, to the Northeast corner of Lot 19 of said Thompson Colony;
9. Thence, East, along the East prolongation of the North line of said Lot 19, a distance of 50 feet, more or less, to the East right of way line of West Street;
10. Thence, South, along said East right of way line, a distance of 619.80 feet, more or less, to the North right of way line of Gail Avenue;
11. Thence, East, along said North right of way line, a distance of 17 feet, more or less, to the North prolongation of the East right of way line of West Street;
12. Thence, South, along said North prolongation, a distance of 50 feet, more or less, to a point on the easterly right of way line of West Street;
13. Thence, continuing South, along said easterly right of way line, a distance of 1,015 feet, more or less, to the Southwest corner of Parcel 2 of Parcel Map No. 1706, as recorded in Book 18 of Parcel Maps, at Page 7, Tulare County Records;

14. Thence, East, along the South line of said Parcel 2, a distance of 288.00 feet, more or less, to the Southeast corner of said Parcel 2, point also being along the West line of Parcel 1 of Parcel Map No. 746, as recorded in Book 8 of Parcel Maps, at Page 46, Tulare County Records;
15. Thence, North, along said West line, a distance of 443.50 feet, more or less, to the Northwest corner of said Parcel 1;
16. Thence, East, along the North lines of Parcels 1, 2, 3, and 4 of said Parcel Map No. 746, a distance of 989.45 feet, more or less, to the West right of way line of Northridge Street and existing City Limits Line and the East line of the Southwest quarter of the Southwest quarter of Section 34;
17. Thence, South, along said existing City Limits Line and the East line of the Southwest quarter of the Southwest quarter of Section 34, a distance of 710.00 feet, more or less, to a point on the North right of way line of Prosperity Avenue;
18. Thence, East, leaving said City Limits Line, along said North right of way line, a distance 415.40 feet, more or less, to the POINT OF BEGINNING.

AREA= 32.22 Acres ±

Recording Requested
by and Return to:

Tulare County LAFCO
5961 S. Mooney Blvd.
Visalia, CA 93277

for



2007-0089371

Recorded | REC FEE | 0.00
Official Records
County of
Tulare
GREGORY B. HARDCASTLE
Clerk Recorder
| LS
10:38AM 11-Oct-2007 | Page 1 of 7

7
C

CERTIFICATE OF COMPLETION

Pursuant to Government Code §57200 - §57203, this Certificate of Completion is hereby issued by the Executive Officer of the Tulare County Local Agency Formation Commission, State of California.

1. **Short Title:** East Tulare No. 31, Reorganization 2005-09
2. **Case Number:** 1391-T161
3. **Type of Change:** Reorganization
4. **The name of each city or special district involved in this change and the type of change are as follows:**

City/Special District: City of Tulare

Type of Change: Reorganization
5. **The above listed city and/or special district are located in the following counties:**

County: Tulare County
6. **The affected territory is inhabited**
7. **A description of the boundaries of the above-cited change of organization or reorganization is shown on the map and legal description attached to the accompanying resolution and by reference incorporated herein.**
8. **This change of organization or reorganization has been approved subject to the following terms and conditions:**
 1. No change shall be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial

change has occurred in circumstances that necessitate a departure from the designation or zoning.


2. That all applicable City fees apply to properties within the proposed annexation, including, but not limited to Storm Drainage Fees and Ground Water Recharge.
3. The provisions of the separate property tax sharing agreement (Tulare County Agreement Number 21725) between the County of Tulare and City of Visalia apply to this proposal.
4. The effective date of this annexation shall be May 1, 2007.
5. The Certificate of Completion can not be recorded until corrections are completed to the map and legal description to make sufficient for filing with the State Board of Equalization.

9. The resolution ordering this change of organization or reorganization without election was adopted on April 4, 2007.

I hereby certify that the above action is in compliance with Tulare County LAFCO Resolution Number 07-025 adopted on April 4, 2007.




George Finney, Executive Officer
Tulare County Local Agency Formation Commission

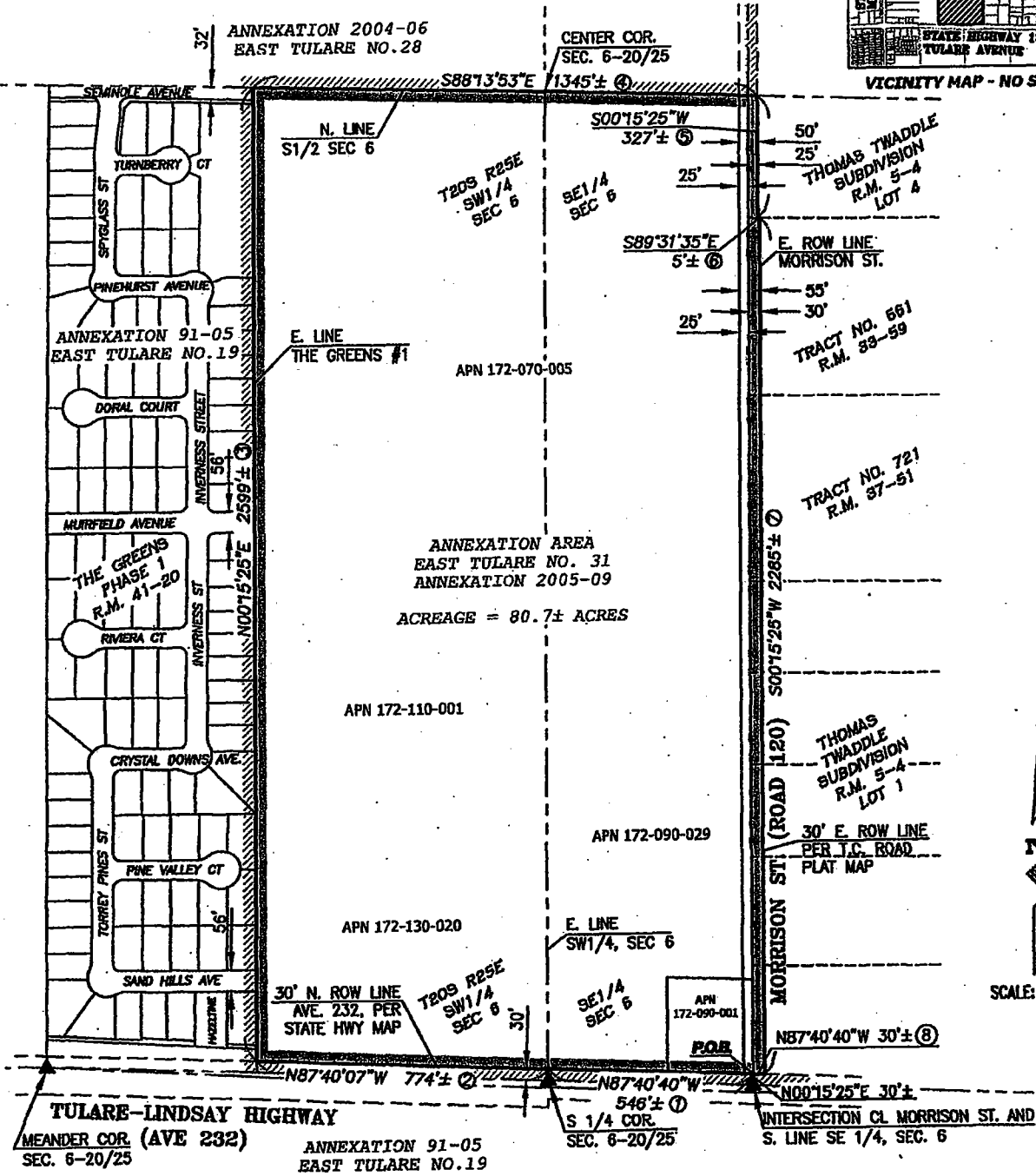
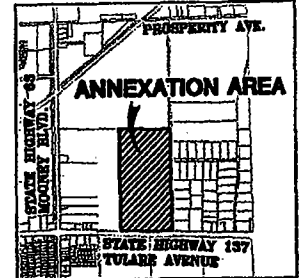
By:


Marcos Segura, Staff Analyst

Date: 10-12-2007

LEGEND

-  EXISTING CITY LIMITS
-  ANNEXATION BOUNDARY
-  ANNEXATION DESCRIPTION CALL OUT NUMBER



SCALE: 1" = 400'


L:\Projects\2005\050683\ACAD\MASTERS\ANNEXATION\050683 ANNEX.dwg 1/10/2006 10:53:50 AM PST

PLOT DATE:	1/10/2006
JOB NO.	050683
DWG. NAME:	050683 ANNEX.dwg
SCALE:	1"=400'
SHEET NO.:	

ANNEXATION EXHIBIT
CITY OF TULARE

ANNEXATION NO.
EAST TULARE NO. 31
REORGANIZATION 2005-09

PREPARED BY:



Quad Knopf

610 W. CYPRESS AVE.
P.O. BOX 3900
VISALIA, CA 93278
TEL: (559) 733-0140
FAX: (559) 733-7821

DRW BY: JoeB CHK BY: RW

EXHIBIT "A"

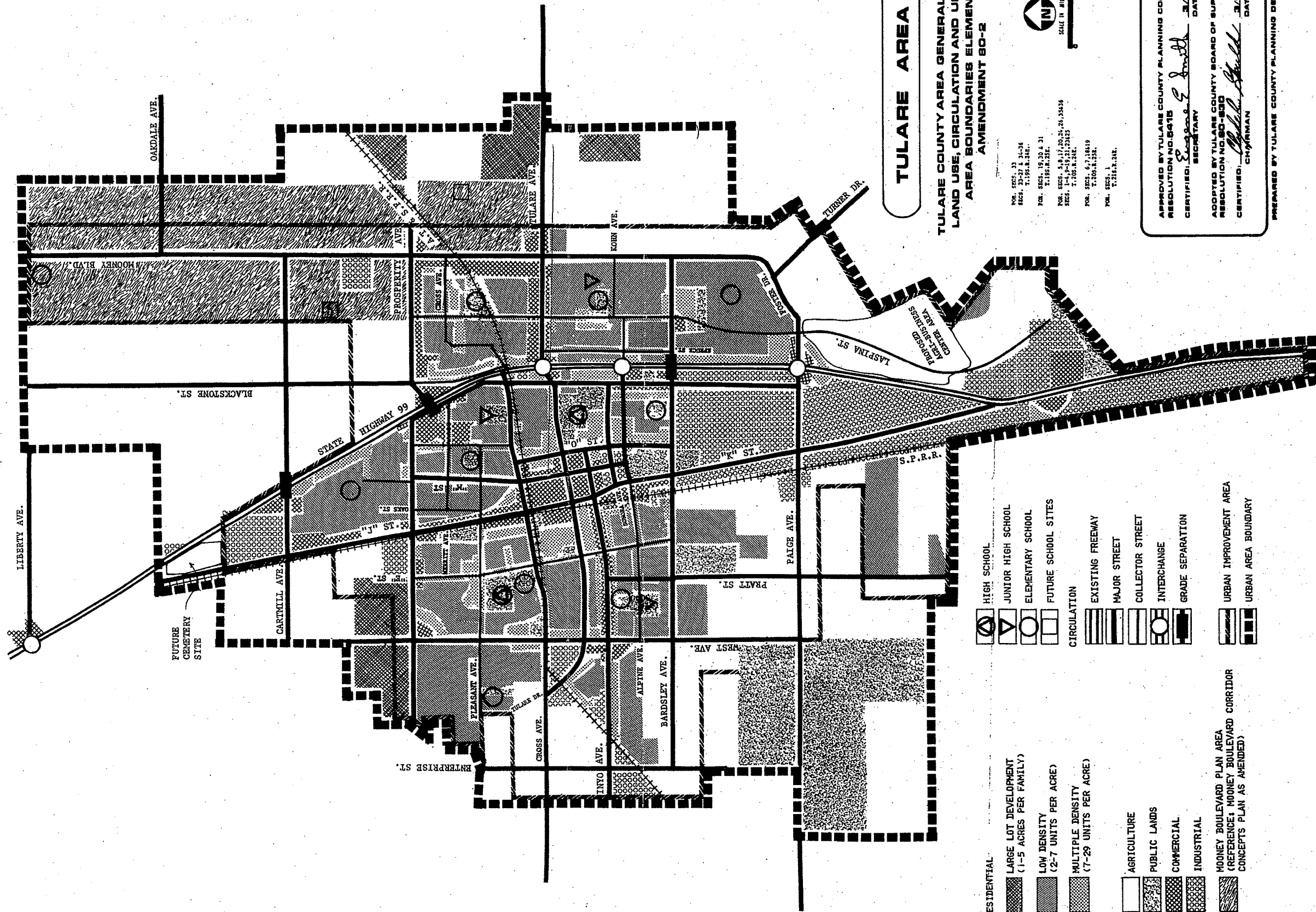
**City of Tulare Annexation
East Tulare No. 31, Reorganization No. 2005-09**

That portion of the South half of Section 6, Township 20 South, Range 25 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California and described as follows:

Commencing at the intersection of the centerline of Morrison Street and the South line of the Southeast quarter of said Section 6; thence, North 00°15'26" East, along the centerline of Morrison Street, 30 feet, more or less, to the North right of way line of Tulare-Lindsay Highway (Avenue 232), the existing city limits line, and the TRUE POINT OF BEGINNING;

1. Thence, North 87°40'40" West, along the existing city limits line and said North right of way line, 546 feet, more or less, to the East line of the Southwest quarter of said Section 6, and an angle point in the existing city limits line;
2. Thence, North 87°40'07" West, along the existing city limits line and said North right of way line; 774 feet, more or less, to the East line of The Greens Phase 1 Subdivision, recorded in Volume 41 of Maps, at Page 20, Tulare Country Records, and an angle point in the existing city limits line;
3. Thence, North 00°15'25" East, along the existing city limits line and said East line, 2599 feet, more or less, to the North line of the South half of said Section 6, and an angle point in the existing city limits line;
4. Thence, South 88°13'53" East, along the existing city limits line and said North line, 1345 feet, more or less, to the East right of way line of Morrison Street, and an angle point in the existing city limits line;
5. Thence, South 00°15'25" West, leaving the existing city limits line and along said East right of way line, 327 feet, more or less, to an angle point in said East right of way line;
6. Thence, South 89°31'35" East, along said East right of way line, 5 feet, more or less, to an angle point in said East right of way line;
7. Thence, South 00°15'25" West, along said East right of way line, 2285 feet, more or less, to the North right of way line of Tulare-Lindsay Highway (Avenue 232), a point on the existing city limits line;
8. Thence, North 87°40'40" West, along the existing city limits line and said North right of way line, 30 feet, more or less, to the centerline of Morrison Street, a point on the existing city limits line, and the TRUE POINT OF BEGINNING.

ACREAGE = 80.7 ± ACRES
END OF DESCRIPTION



TULARE AREA

TULARE COUNTY AREA GENERAL PLAN
LAND USE, CIRCULATION AND URBAN
AREA BOUNDARIES ELEMENTS
AMENDMENT 80-2

FOR SECS. 33
SIZES: 23-27 & 31-36
T. 19S. R. 24E.

FOR SECS. 19, 20 & 21
T. 19S. R. 25E.

FOR SECS. 5, 6, 17, 20, 24, 26, 33, 35
SIZES: 1-4, 19, 21, 23, 25
T. 19S. R. 24E.

FOR SECS. 6, 7, 18, 19
T. 19S. R. 25E.

FOR SECS. 1
T. 21S. R. 24E.



- RESIDENTIAL**
- LARGE LOT DEVELOPMENT (1-5 ACRES PER FAMILY)
- LOW DENSITY (2-7 UNITS PER ACRE)
- MULTIPLE DENSITY (7-29 UNITS PER ACRE)
- AGRICULTURE
- PUBLIC LANDS
- COMMERCIAL
- INDUSTRIAL
- MOONEY BOULEVARD PLAN AREA (REFERENCE: MOONEY BOULEVARD CORRIDOR CONCEPTS PLAN AS AMENDED)
- HIGH SCHOOL
- JUNIOR HIGH SCHOOL
- ELEMENTARY SCHOOL
- FUTURE SCHOOL SITES
- CIRCULATION**
- EXISTING FREEWAY
- MAJOR STREET
- COLLECTOR STREET
- INTERCHANGE
- GRADE SEPARATION
- URBAN IMPROVEMENT AREA
- URBAN AREA BOUNDARY

APPROVED BY TULARE COUNTY PLANNING COMMISSION
RESOLUTION NO. 80-150
CERTIFIED: *Stephanie S. Smith* SECRETARY 3/18/80 DATE

ADOPTED BY TULARE COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 80-830
CERTIFIED: *William A. Shull* CHAIRMAN 3/18/80 DATE

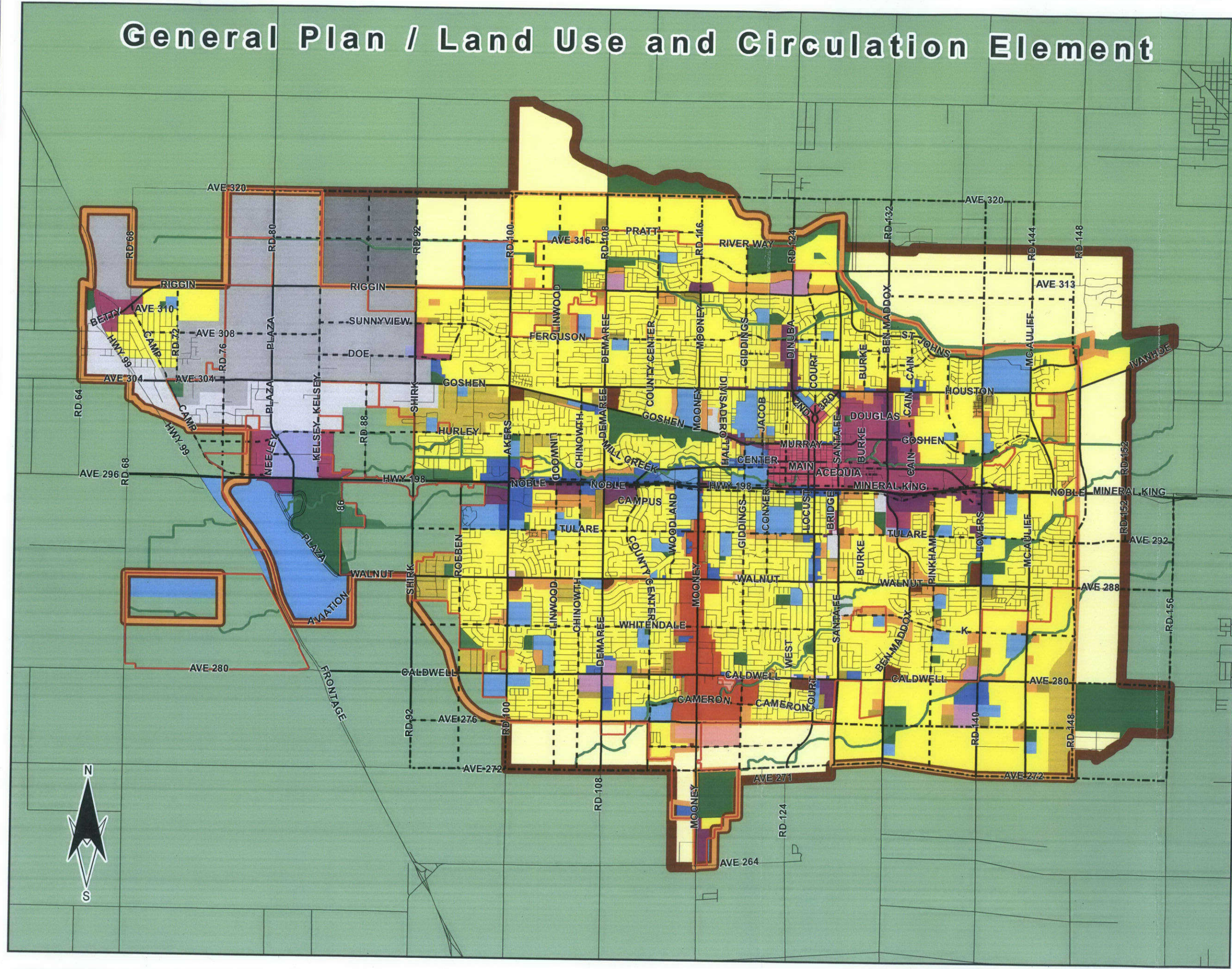
PREPARED BY TULARE COUNTY PLANNING DEPARTMENT

F: CITY OF VISALIA

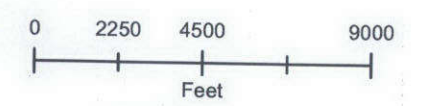
General Plan / Land Use and Circulation Element



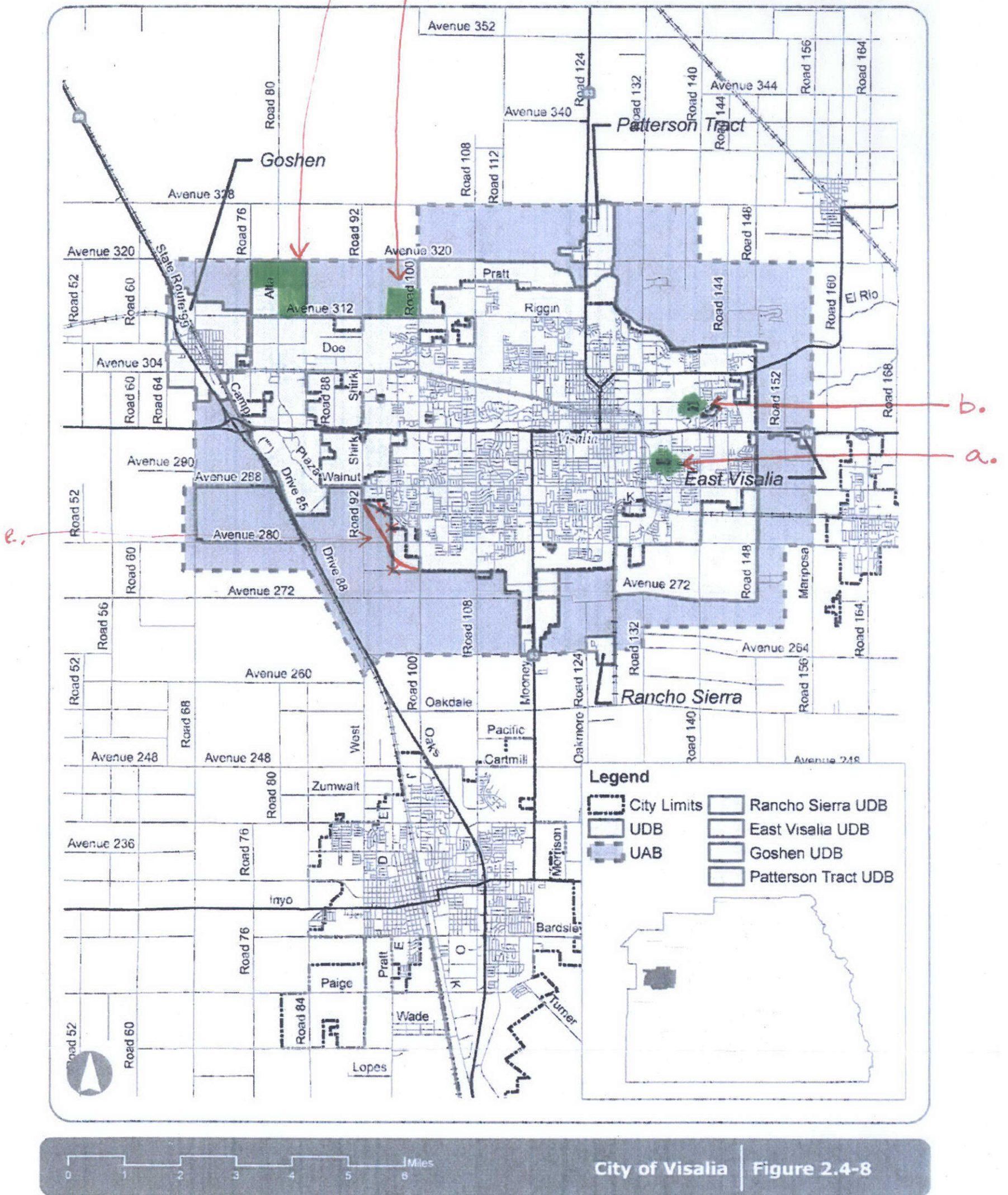
Dated: 03-15-10

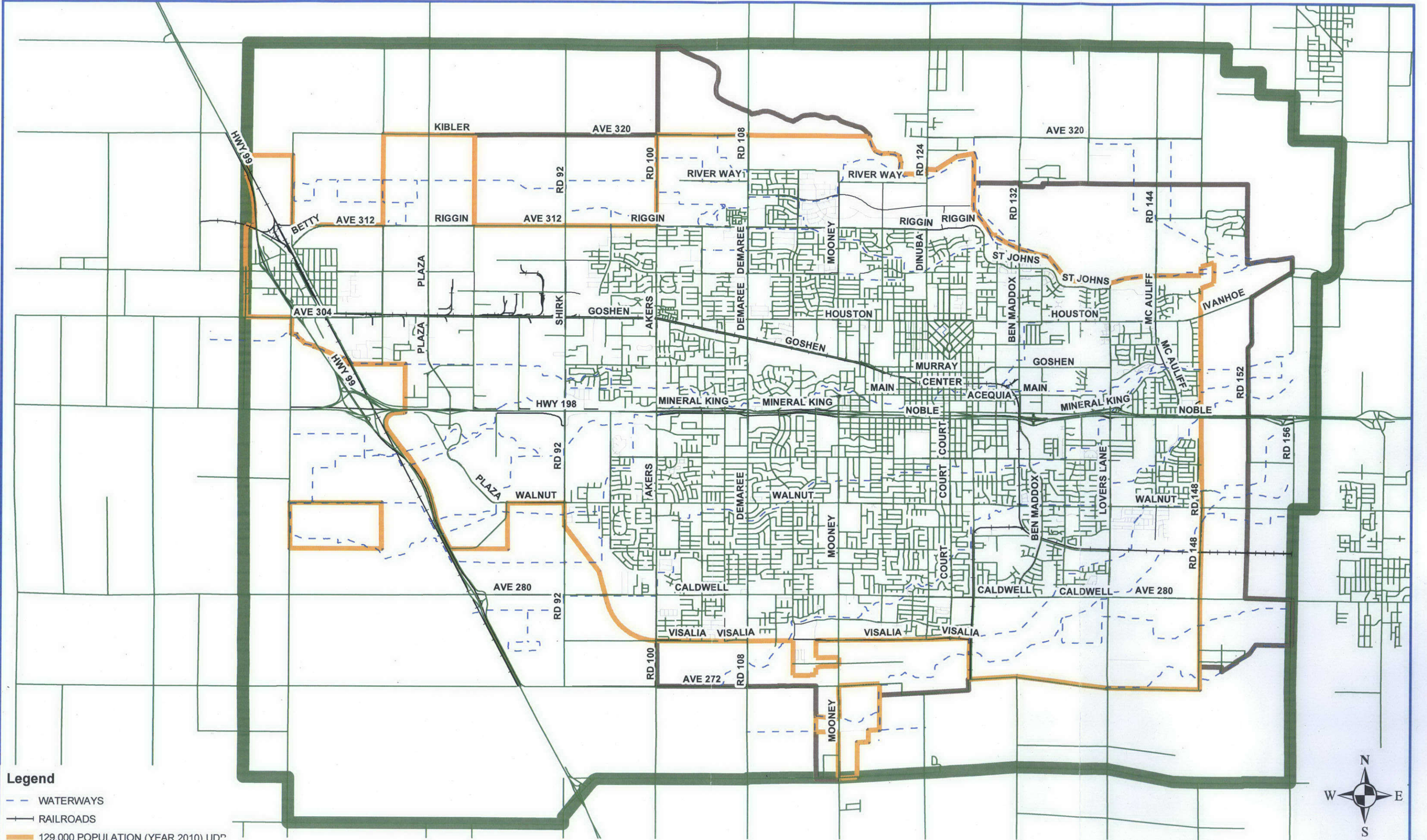


- City Limits
- Circulation Element
 - Arterial
 - - Collector
 - Major Arterial
 - - - Row Only
 - Unfunded
 - Population 129000
 - Population 165000
- General Plan
 - Agriculture
 - Business Research Park
 - Conservation
 - Convenience Commercial
 - Community Commercial
 - Central Business District
 - Highway Commercial
 - Neighborhood Commercial
 - Regional Retail Commercial
 - Regional Retail Reserve
 - Service Commercial
 - Shopping / Office Commercial
 - Heavy Industry
 - Heavy Industry Reserve
 - Light Industry
 - Professional / Admin Office
 - Park
 - Public Institutional
 - Rural Residential
 - Residential High Density
 - Residential Low Density
 - Residential Medium Density
 - Urban Reserve



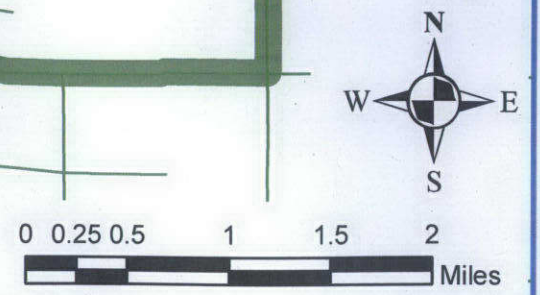
2. Planning Framework





- Legend**
- WATERWAYS
 - +— RAILROADS
 - 129,000 POPULATION (YEAR 2010) UD*
 - 165,000 POPULATION (YEAR 2020) UD
 - URBAN AREA BOUNDRY (UAB)

Visalia Urban Development Boundary and Urban Area Boundary Map



LAND USE ELEMENT

**To the
Visalia General Plan
September 1991
Revised June 1996**

Final EIR Certified September 3, 1991 • Resolution No. 91-105
Adopted by Visalia City Council September 3, 1991 • Resolution No. 91-106
Adopted by Visalia Planning Commission July 25, 1991 • Resolution No. 91-52

The following are the Goals, Objectives and Policies of the Land Use Element adopted by Resolution No. 91-106 on September 3, 1991. This document includes amendments through June 17, 1996. Resolutions amending this element are included at the end of this document.

Table of Contents

CHAPTER 1: INTRODUCTION.....	1-1
THE GENERAL PLAN	1-1
LAND USE ELEMENT	1-2
PLANNING AREA BOUNDARY	1-4
PUBLIC PARTICIPATION	1-4
ELEMENT ORGANIZATION.....	1-11
LAND USE DESIGNATION SUMMARY	1-11
GOALS & OBJECTIVES SUMMARY.....	1-18
CHAPTER 2: EXISTING CONDITIONS & PROJECTIONS	2-1
INTRODUCTION.....	2-1
SMALL-TOWN CHARACTER.....	2-2
ENVIRONMENT	2-8
ECONOMY.....	2-17
RESIDENTIAL.....	2-37
PUBLIC FACILITIES.....	2-43
URBAN GROWTH.....	2-48
SPECIAL AREAS OF CONCERN	2-60
CHAPTER 3: GOALS, OBJECTIVES & POLICIES	3-1
GOAL 1: PRESERVE AND ENHANCE VISALIA'S UNIQUE CHARACTER	3-2
GOAL 2: IMPROVE THE QUALITY OF AIR, LAND, WATER AND PLANT AND ANIMAL LIFE IN THE VISALIA PLANNING AREA.....	3-5
GOAL 3: DIVERSIFY AND IMPROVE THE VISALIA PLANNING AREA'S ECONOMY	3-10
GOAL 4: PROVIDE A VIABLE RANGE OF HOUSING ALTERNATIVES IN THE VISALIA PLANNING AREA.....	3-23

List of Figures

1-1	PLANNING AREA BOUNDARY	1-5
2-1	CORE AREA	2-9
2-2	COJMMUNITY WATERWAYS	2-11
2-3	FLOOD PRONE AREAS	2-15
2-4	POPULATION GROWTH	2-19
2-5	1963 GENERAL PLAN MAP	2-21
2-6	1976 LAND USE & CIRCULATION ELEMENT MAP.....	2-25
2-7	RESIDENTIAL LAND COMPARISON FOR 1975 AND 1988.....	2-38
2-8	RESIDENTIALLY ZONED LAND FOR 1980 AND 1988	2-39
2-9	ANNEXATION SUMMARY MAP	2-49
2-	1988 URBAN IMPROVEMENT BOUNDARY	2-53
10	EXISTING SEWER SERVICE AREA	4-11
4-1	POSSIBLE SEWER LINE EXTENSIONS.....	4-13
4-2	GREEN ACRES AIRPORT	4-19
4-3	IDENTIFIED NON-PROTESTED AGRICULTURE PRESERVES	4-21



CHAPTER 1
INTRODUCTION

CHAPTER 1: INTRODUCTION

THE GENERAL PLAN

The General Plan is a long-term, comprehensive framework for the physical, social and economic development of a community within its planning area. Visalia's General Plan is a long-range guide for attaining the City's goals within its ultimate service area and accommodating its population to the year 2020. A comprehensive document, it coordinates all components of the City's physical development.

State law requires all cities and counties to adopt and maintain a General Plan. It must include seven elements—Land Use, Circulation, Housing, Conservation, Open Space, Noise and Safety. These mandatory elements may be supplemented by optional elements at the discretion of the local jurisdiction. The Visalia General Plan includes the following optional elements: Seismic Safety, Historic Preservation, Scenic Highways, Recreation and Parks. Each General Plan Element must be consistent with the others, and City policies and ordinances must be consistent with the General Plan.

Requirements for the Land Use Element are detailed in Government Code Section 65302(a). The Land Use Element must, at a minimum, designate the proposed distribution and general location of land uses for housing, business, industry, open space and other public and private land use categories. The Element must also specify population density standards (e.g., rural residential - one dwelling unit per acre, medium residential - 10 to 15 dwelling units per acre, etc.) and building intensities (permitted land uses/building types and concentration of use) for various land use designations. In addition, the Land Use Element must identify future solid waste disposal sites and examine its relationship to the Circulation and Noise Elements.

The General Plan may be amended by minor adjustments each year or, in the longer term, by major revisions or updates. Procedures to amend the General Plan are outlined in Government Code Sections 65350 et seq. The General Plan may be amended only "in the public interest," and only with broad support for a revision necessary to accommodate changing community conditions or attitudes. Each mandatory General Plan element (text and maps) may be amended as many as four times per year. The Housing Element must be updated every five years. State law does not establish a schedule for major revisions to remaining required or optional elements.

LAND USE ELEMENT

The Land Use Element is the most visible and most often used element of the Visalia General Plan. This element plays the central role in correlating all of the City's community development issues into a series of goals, objectives and implementing policies as well as a map which depicts general land use location and distribution throughout the City's planning area. The Land Use Element is only one of several General Plan elements and several other planning and engineering tools that affect community development in the Visalia planning area. General Plan elements, various specific and master plans affecting development in the community are listed in Table 1-1.

Visalia's combination of small-town charm and larger city amenities is based on the City's recognition of the importance of a sound land use planning program. The first "General Plan", for Visalia was adopted in 1963. This 1963 Plan addressed issues like Central Business District viability, north Visalia revitalization, airport protection, and Mooney Boulevard regional commercial development and circulation.

In 1976, the 1963 Plan was revised by the adoption of the Land Use & Circulation Element to the City's General Plan. This Element involved extensive public participation and resulted in broad public support. The 1976 Element was

recognized by both the City Council and the Planning Commission as an excellent guide for community development. The 1976 Element focused on the following major local land use issues for a 20-year planning period to the year 1996:

- Directing growth, particularly to the City's northeast;
- Refining regional commercial policies;
- Development of northwest industrial parks;
- Creating an arterial/collector classification system and circulation grid; and
- Preserving the planning area agricultural operations.

TABLE 1-1 Visalia Community Development References

	First Adopted	Major Revisions
General Plan Elements		
Land Use	1963	1976, 1990
Circulation	1976	1989
Conservation, Open Space, Recreation & Parks	1974	1981, 1989
Housing	1984	
Noise	1975	
Safety	1975	
Seismic Safety	1975	
Urban Boundaries (Consolidated into Land Use Element 1990)	1975	
Historic Preservation	1979	
Scenic Highways	1976	
Master/Specific Plans		
Northeast Specific Plan	1979	1988
West Visalia Specific Plan	1988	
Airport Master Plan	1981	1990
Medical District Master Plan	1987	
East Visalia Redevelopment Plan	1986	
Mooney Blvd. Redevelopment Plan	1987	
Central Visalia Redevelopment Plan	1989	
Mooney Blvd. TSM Plan	1988	
Storm Drainage Master Plan	1989	
Zoning Ordinance	1960	1976
Subdivision Ordinance	1960	1987

In 1988, the update process to the 1976 Element began. It was undertaken: 1) to adjust 1976 population projections; 2) to reexamine commercial land inventory and development strategy; 3) to refine directed and phased growth policies; 4) to respond to General Plan law changes since 1976; and 5) to identify a growth and development strategy for the next 20 years.

On June 5, 1989, the Visalia City Council completed a three-year update process by adopting a separate Circulation Element. This revised Land Use Element amends and supersedes the 1976-1996 Land Use & Circulation Element to the Visalia General Plan which was approved by the City Council on August 17, 1976. The revised Land Use Element also supersedes the Urban Boundaries Element which was adopted on September 15, 1975.

PLANNING AREA BOUNDARY

The Planning area subject to this Land Use Element is a 90 square mile area illustrated on Figure 1-1. This area was developed based on the following criteria:

- Providing adequate area to accommodate urban growth over the next 30 years;
- Providing adequate area to provide an agricultural buffer area, which, for the 30- year planning period, would ensure a separation of Visalia from surrounding communities, and which, over the longer period, would provide for an urban expansion area beyond the year 2020; and
- The utilization of man-made or natural physical boundaries such as roadways and waterways.

PUBLIC PARTICIPATION

Underlying objectives of this update were:

- To build on the strengths of the 1976 Element;
- To determine the amount and type of change that the community has experienced since 1976;
- To plan for the needs of the community over the next 30 years; and
- To develop a growth phasing strategy that preserves Visalia's attributes.

BEN MADDOX

DINUBA

MOONEY

DEMAREE

AKERS

SHIRK

PLAZA

AVE 320

AVE 320



RD 68

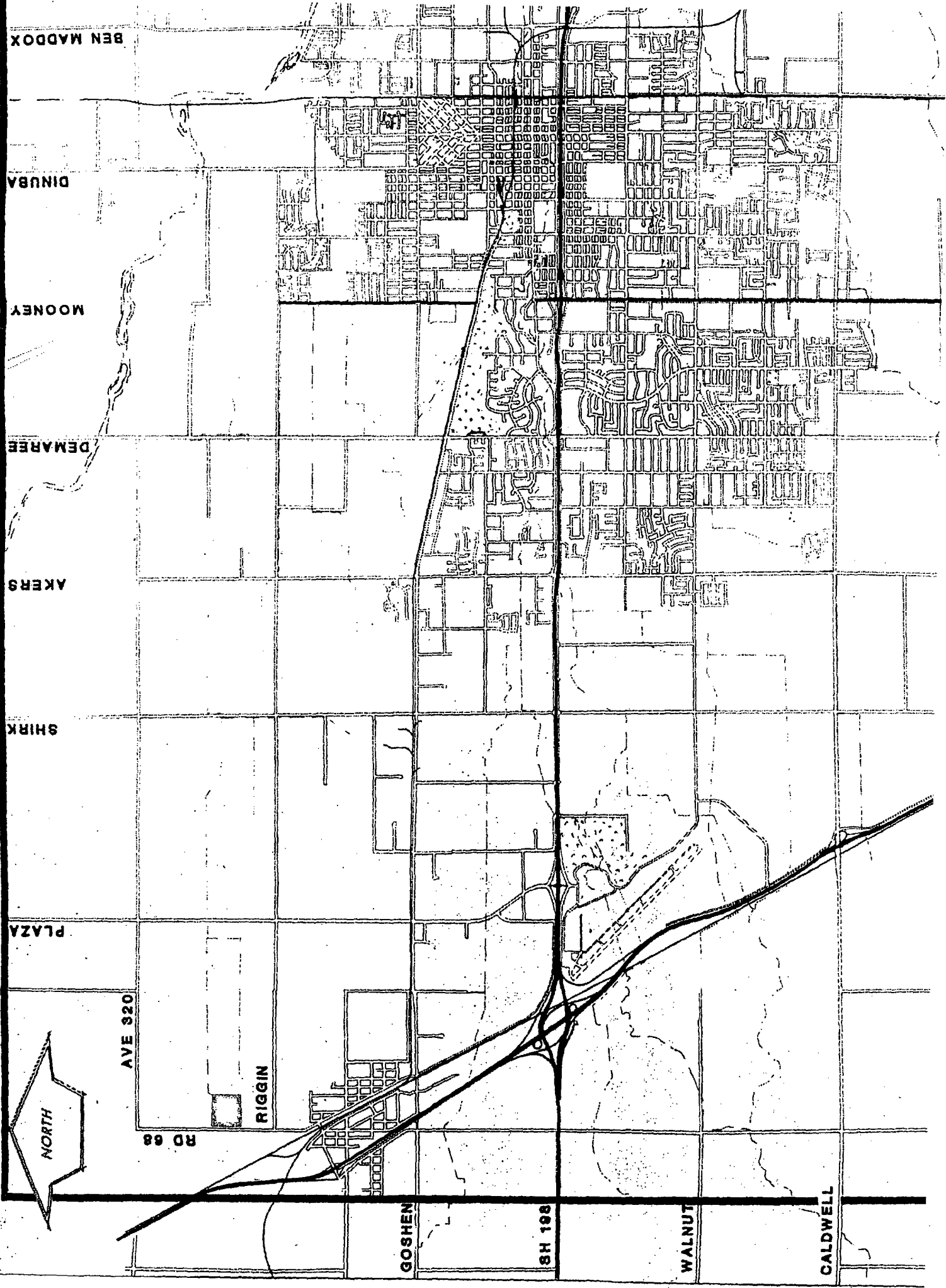
RIGGIN

GOSHEN

SH 198

WALNUT

CALDWELL



The update's public participation program stressed these two objectives. Formal public participation on the update project began on August 29, 1988 with an open meeting between the City Council and the Planning Commission. Update project issues discussed at this meeting included the length of the planning period (10, 20, or 30 years), regional commercial development strategy and inventory, managed growth, implementation, and public participation.

Two committees formed the core of the update's public participation process. The 2020 Steering Committee, appointed by the City Council, consisted of members representing several community points-of-view. Committee representation from City advisory boards and commissions ranged from City Council, Planning Commission, Citizens Advisory Committee, Park & Recreation Commission and the Housing Advisory Board. Community special interest groups were represented by members from the Visalia Chamber of Commerce, Visalia Legislative Group, Building Industry Association, and Visalia Unified School District. Public-at-large membership on the 2020 Steering Committee included a former Visalia mayor, the publisher of the Visalia Times-Delta newspaper, and administrators from the College of the Sequoias and Visalia Unified School District. Several members of this committee served on the 1976 General Plan subcommittees and provided some historical background to ensure continuity. The role of the 2020 Steering Committee, in the update process, was to serve as a clearinghouse and sounding-board as well as to provide historic and special interest perspectives on community development issues.

A parallel group in the update process was the Staff Technical Review Committee. It consisted of representatives from each City department. This group's role was similar to the 2020 Steering Committee's. Additional functions included technical input (i.e., engineering, transportation, economic development, police, fire, etc.) as well as to act as departmental representatives for Land Use Element implementation.

Throughout the remainder of 1988 and to April, 1989, these two committees met separately to review and discuss land use issues related to community values, population projections, growth management, transportation, commercial strategies and land inventory, 30-year community trends, and economic factors. On March 8, 1989, the land use and growth concepts for the Element update project were presented to a joint meeting of the City Council, Planning Commission, and the 2020 Steering Committee.

Two public forums were also held during the update process. The first was on November 11, 1988. The purpose of this meeting was to solicit public comments, concerns and opinions on this community-wide planning project. A second public forum attended by approximately 90 people was held on April 13, 1989 to review and critique commercial land use and growth concepts.

The Planning Commission held study sessions from July 1989 through February 1990 and conducted an in-depth, detailed review of the Element's proposed policies and land use designations. The Commission review during these study sessions included discussions on the needs of the community over the next 30 years, review of community development policies over the last 25 years, a policy-by-policy review and modification of the goals, objectives, and policies contained in Chapter 3, review of "land use requests", and a thorough review of a preliminary draft to the land use map. The results of these study sessions are recorded in the *1990 Land Use Element - Working Papers*. In March 1990 the Commission released its proposed draft of the Land Use Element for formal public review and comment and environmental review.

The City Council also held study sessions on the Draft Land Use Element. Between March 1990 and September 1991, they conducted seven study sessions (including two joint study sessions with the Planning Commission) where the policies and land use designations were discussed and modified.

During the review period, the public was kept informed of the progress of the Land Use Element through the following techniques:

- Three, multi-color newspaper inserts distributed to 30,000 subscribers to the *Visalia Times—Delta*.
- Five display ads advertising public hearings.
- Neighborhood meetings.
- Inserts in utility bills.

The adoption process included seven Planning Commission public hearings and six City Council public hearings. To enhance participation by the public, many of these hearings were held at community centers throughout the city.

These study sessions and public hearings resulted in the preparation of a Revised Draft Land Use Element which was issued in April 1991 which included changes to the draft policies and map. Modifications to the draft policies included:

Environmental Resource Protection

- Consolidation of policies relating to environmental impact mitigation into applicable sections to effect their implementations.
- Inclusion of Draft EIR mitigation measures in Land Use Element policy text.

Airport Compatibility

- Review of airport compatibility criteria and standards and inclusion of more stringent and restrictive land use development standards in the airport vicinity.

Residential Policies

- Review and modification of residential densities to encourage higher densities in the Core Area of the community and higher average densities in single-family subdivisions.
- Modification of the residential policies to ensure adequate housing stock for special populations.
- Consideration of a residential/golf course project in the southeast portion of the community upon completion of a specific plan and subsequent environmental review.

Commercial Policies

- Relocation of Business Research Park uses from the scenic corridor areas to the eastern portion of the community (to increase the balance of employment opportunities to the east), the Ben Maddox corridor (in the Core Area) and the Road 80/SH 198 intersection between the industrial park and the airport.
- Inclusion of additional smaller-scale professional office uses on the perimeter of the downtown area.
- Modification of the Community Center policies to include long-term phasing of uses which would potentially compete with the Core Area and the Mooney Boulevard regional commercial area.
- Modification of the Community Center policy to eliminate the proposed Community Centers in the northeast and the northwest, aggregating them into a single Community Center in the north at the intersection of Old Dinuba Highway and Riggins.

Infrastructure

- Modifications were made to ensure adequate lead time for planning and implementation of infrastructure. Additional detailed reviews of infrastructure requirements were specified to occur at the time of annexation to provide adequate capital budgeting.

- Modifications were also considered to the water conservation, air quality, and transportation sections in conformance with testimony received during the public hearings.

Upon completion of the policy modifications in March 1991, a modified map was considered by the City Council in April of 1991 which integrated the proposed changes. Major revisions to the Land Use Element Map included the following:

- The two Community Centers originally proposed for the north half of the city have been combined into one Community Center located at Riggin Avenue and Dinuba Blvd.
- Business Research Parks and development in the West Visalia Specific Plan Area have been relocated and this area remains in agriculture. This will add the agricultural use designation within the Urban Growth Boundary.
- The Business Research Park designations have been relocated to the East Visalia Redevelopment area on the west side of Ben Maddox between Houston and Main; to the north of Tulare Avenue at the intersection with Ben Maddox, replacing Regional Shopping; and to the north and south sides of Highway 198 and the Visalia Parkway on the east side of the city.
- The Business Research Park Reserve designation replaces the Highway Commercial designation at the intersection of Highway 198 and Plaza Drive.
- The Business Research Park designation located on the east side of Shirk Avenue at Riggin Avenue has been modified to bring this designation from the area north of Riggin Avenue down to fill in the area north of Goshen Avenue adjacent to the Industrial area.
- Reserve Designation has been added to the Industrial uses north of Riggin Avenue, west of Shirk Avenue and Industrial Reserve has replaced Urban Reserve in this same area.

Environmental Review

The Draft Land Use Element released in March 1990 was evaluated in a Draft Environmental Impact Report (SCH 90020160). This document was circulated to the public and responsible agencies between September 1990 and January 1991. A final Environmental Impact Report was prepared and certified by the City Council on September 3, 1991.

ELEMENT ORGANIZATION

The Land Use Element is organized into four chapters: Introduction; Existing Conditions & Projections; Goals, Objectives & Policies; and Implementation Action Plan. The Existing Conditions & Projections chapter outlines historic growth perspectives and community values, descriptions of existing land uses, and socioeconomic projections and land use demand calculations. The Goals, Objectives & Policies chapter contains statements which establish the City's direction on community development issues. The Implementation Action Plan chapter summarizes various strategies and actions for the City to realize recommended goals and policies.

LAND USE DESIGNATION SUMMARY

Land use categories were developed as part of this update process which reflect the community's changing needs and its community development objectives. These designations, their general descriptions, and generalized location criteria, are as follows:

Residential

Rural Residential: up to 2 dwelling units per net acre (6 persons per acre). Very low intensity residential development where all urban services (i.e., storm drainage, sidewalks, street lighting, etc.) may not be required. Limit to areas:

- Adjacent to agriculture areas where more intensive future urban development is unlikely because of public safety conflicts such as the airport protection area
- Adjacent to natural or man-made features which act as boundaries between dissimilar land uses (i.e., industrial to residential in the northwest and agriculture to residential in the southwest)

Low Density: 2 to 10 dwelling units per net acre (up to 21 persons per acre). This is Visalia's traditional residential land use and density range (includes R-1-4.5 to R-1-20).

Medium Density: 10 to 15 dwelling units per net acre (up to 33 persons per acre). Typically consists of duplex, triplex, and four-plex development for infill or new development at local/collector and/or collector/collector intersections to a maximum of 50 units in one contiguous development on sites ranging from 3.5 to 5 acres.

High Density: 15 to 29 dwelling units per net acre (up to 58 persons per acre). Standards for location, unit range and area are:

- Arterial intersections - 200-unit maximum on sites ranging from 6.5 to 13.5 acres.
- Arterial/collector intersections - 150-unit maximum on sites ranging from 5 to 10 acres.
- Mid-block arterials - 100-unit maximum on sites ranging from 3.5 to 6.5 acres.
- CBD - at in-fill locations which do not jeopardize the viability of existing single-family areas.

Densities in excess of 20 units per acre will be reviewed on a case-by-case basis through a conditional use permit where measurable community benefit is demonstrated and where infrastructure including mass transit facilities is available (or can be made available) to accommodate impacts of increased density.

Commercial

Convenience Center: Centers for personal and convenience goods and services for nearby residential areas. Includes new, infill, and/or existing strip commercial development at a scale which is compatible with surrounding residences. Special site design emphasis on access, on- and off-site circulation, parking, signage, noise, and lighting. Reviewed through conditional use permits, centers are to be located at one corner of arterial/collector intersections on sites of 3 acres or less. Centers are to be at one-mile intervals (minimum) from Neighborhood Centers. Where possible these centers are to be developed as part of planned unit developments or master planned as part of a development.

Neighborhood Center: Shopping centers with a major grocery store and drug store as anchors and supporting businesses which serve surrounding residential areas. Locations are to be at one corner of arterial intersections at two-mile intervals on sites up to 10-acres or on existing strip commercial areas. Center scale and design must be compatible with the surrounding residential area with emphasis on access, circulation, parking, signage, noise and landscaping. Where possible these centers should be planned and integrated into neighborhoods as part of planned unit developments.

Community Centers: Community-scale shopping areas with a wide range of commercial goods and services. Uses consist of community-, neighborhood-,

and/or convenience-level draw only. No uses which are exclusively of a regional draw or exclusively central business district uses shall be permitted. General guidelines for development are: 20-30 acres of community-level retail and ancillary facilities, and up to 10-acres of garden offices. Supporting facilities are to include up to 20-acres of multi-family residential development and a minimum area of 20-30 acres for public/institutional facilities (i.e., churches, senior residential facilities, etc.). Actual area to be determined through development of a specific plan for each community center. Locations are to be along or near the Visalia Parkway at:

- Northeast, northwest or southeast corner of Riggin and Highway 63.
- Demaree and Caldwell.
- Lovers Lane between the Parkway and Caldwell (Reserve).
- Northeast corner of Demaree and Riggin (Reserve).

Shopping/Office Center: Centers for a range of neighborhood and community-level commercial and offices uses. Primarily consists of areas previously designated for local retail (C-2.5), neighborhood, community and regional commercial uses. Generally characterized as strip or linear in nature with site/locational development and/or marketing constraints. General locations are:

- West side of Dinuba Highway, between Houston and Ferguson.
- East side of Ben Maddox Way, between Main Street and Houston.
- Murray Street corridor between Divisadero to Conyer.
- Houston corridor, between Divisadero and Oak Park.
- Noble Avenue corridor between Ben Maddox and Pinkham. Also, land locked or infill parcels may be added to this designation when they are merged with adjacent properties to obtain Noble Avenue frontage.
- Mineral King Plaza (south of SH 198 between Linwood and Chinowth).
- Other locations that may be found appropriate by the City Council and in conformity with the intent of the Land Use Element.

Central Business District: Visalia's historic, medical, and professional service center. Encompasses Conyer to Tipton and Mineral King to Murray including the Court-Locust corridor to Lincoln Oval Park.

Regional Center: Areas for large-scale retail commercial uses with limited office uses to serve local residents and shoppers from outside of the community. Neighborhood Center uses are not permitted in Regional Centers. Develop integrated sites at:

- Mooney Boulevard between SH 198 and Packwood Creek.
- South of Caldwell Avenue, east of Mooney Boulevard.
- SH 198 between Campus, Demaree and County Center.

Regional Center Reserve areas are located:

- South of Packwood Creek on both sides of Mooney Boulevard to Midvalley.
- South of Caldwell between Divisadero and Giddings alignment.
- Dorothea Street (west of Mooney Boulevard).

Highway Commercial: Limited number of areas of highly visible freeway (SH 198 and Plaza Drive) accessible locations for tourists and travelers' uses (i.e., hotels, motels, restaurants, vehicle repair, etc.)

Service: Areas for mix of wholesale and heavy commercial uses and services which are not suited to other commercial areas. General locations are:

- Noble from east of Goddard to Evans Ditch.
- Roosevelt east of Santa Fe.
- East Main extension.
- East Ben Maddox north of east Main extension.

Professional/Administrative Offices: Business and professional office areas. Zone districts underlying this designation include:

- General professional and administrative office areas.
- Garden office areas associated with Community Centers.
- Historic preservation areas for architecturally significant residential structures undergoing conversions to offices.
- Business/Research Parks for large-scale campus-type, master planned

areas to accommodate large business and research activities.

Community Facilities

Public/Institutional: Institutional, academic and community service uses. Representative examples include airport, library, hospitals, police/fire stations, waste water treatment plant, colleges, churches, cemeteries, convalescent and nursing homes, etc. Notes:

- Public schools are depicted with E for elementary schools, M for middle schools, and H for high schools. Proposed school sites are illustrated with •.
- AP is airport and WTP is waste water treatment plant.

Water Storage Basin: This (WSB) designation shall apply to existing basins that are used strictly for water storage purposes with no planned park uses.

Storm Water Basin: This (SWB) designation shall identify future planned storm water storage facilities. These future basins may or may not have park facilities. These future basins may or may not have park facilities associated with the final facility.

(Revised 11/21/94 - Resolution No. 94-177)

Industry

Light Industry: Less intensive research and development, warehousing and limited manufacturing activities. Production, processing, assembling, packaging or treatment of food products from previously processed material or finished products from previously prepared materials.

Heavy Industry: Manufacturing, processing or assembling of semi-finished or finished products from raw materials. Activities and/or operations shall comply with applicable state, federal and local environmental standards.

Open Space

Agriculture: Land primarily used for the production of food and fiber. All land outside of the UDB is designated Agriculture irrespective of size or actual use.

Conservation: Land reserved for preservation and enhancement of natural resources including plant and animal life, ground water recharge, irrigation water

conveyance, flood protection as well as limited recreation. Development adjacent to these areas may be permitted provided that conservation areas are not adversely impacted.

Parks: Open space land for public and private outdoor recreation purposes. Note: the map depicts private recreational areas with PR.

Park-Basin: This (PB) designation shall apply to existing storm water storage sites with an established or planned park use. This type of facility combines a water storage facility with a usable park space.

(Revised 11/21/94 - Resolution No. 94-177)

Urban Reserve

Urban Reserve: Consists of last planning and implementation area (outside 129,000 population Urban Development Boundary).

Special Planning Areas

Airport Protection Area: Area identified by the West Visalia Specific Plan's and Draft Airport Master Plan's (AMP) Compatibility Map and Compatibility Criteria Table Zones A through D. This public health and safety area involves traditional airport/land use compatibility concerns of noise, safety, nuisance, and air space protection. When evaluating specific land use or development proposals in this area, principle criteria are maximum densities, required open space, other development conditions listed in the (AMP's) Compatibility Criteria Table. Although Compatibility Zone E is not illustrated on the map, deed notice is required for any residential development in Zone E which indicates proximity to airport and possibility of over flights.

Waste water Treatment Plant Protection Area: Public health and safety area around the facility where land use and development proposals must address issues like transition/buffering, noise, odor, and water impacts.

Urban Boundaries

Urban Area Boundary (UAB): Approximately 90-square mile area which represents Visalia's 'sphere-of-influence' or the City's probable ultimate physical boundary and service area. The land area between the UAB and the Urban Development Boundary (UDB), the urban fringe, is generally not suited for urban development within the Land Use Element's 30-year planning and

implementation period (year 2020). This urban fringe area is designated for Agriculture. An implementation measure will be to promote development of a City/County mutual agreement to specify a process and review criteria for review of General Plan amendments and development proposals in this urban fringe area.

Urban Development Boundaries (UDB): Estimated urbanizable area within which a full-range of urban services will need to be extended or provided to accommodate urban development to the year 2020. Three boundaries are depicted by estimated City population generally for the years 2000, 2010, and 2020. These boundaries have been primarily determined to accommodate land use demand associated with economic and population projections. Periodic adjustment to these estimates and projections will be necessary to reflect changing conditions and updated data. A UDB implementation measure will be to work with the County to agree to use the Visalia Land Use Element, as amended, as the basis for review and action on any Tulare County General Plan amendments, zoning actions and development review for the area inside the Visalia UDB and outside of the Visalia City limits.

Urban Growth Boundary (UGB): This boundary line separates the urban development areas designated to accommodate urban development through the planning period (165,000 population or year 2020) from agricultural rural lands.

Circulation

Freeway: Intended exclusively for movement of high volumes of inter-city, regional, and longer local trips at high speeds.

Parkway: Enhanced arterial system which reinforces several of Visalia's community values such as defining buffer/transition areas between dissimilar land uses like industrial and residential areas as well as airport operating area from residential uses. The Parkway also: offers an alternative to the City's traditional arterial/collector grid system, reduces cross-city trips through residential areas, and serves high traffic-generating uses like town centers, Mooney Boulevard areas regional center, and Business/Research Parks. The 150' wide right-of-way has special landscaping corridor treatment for the median and adjacent land.

Arterial: Intended to provide the majority of the City's traffic carrying capacity; provides connections to the freeway system and to collector streets; provides access to major travel generators. Typically designed with 4 lanes for through traffic, two parking/transit/right turn lanes, and a median with single left turn lane at intersections.

Collector: Intended to provide connectivity between local streets and the arterial street system; also provides access to adjacent land uses. Typically designed with four lanes for through traffic, two parking/transit lanes and/or a median for left turn access.

GOALS & OBJECTIVES SUMMARY

The Land Use Element of the Visalia General Plan has eight goals, each with a series of objectives, and implementing policies. These categories are defined below:

Goal: A vision of conditions related to public health, safety or general welfare toward which the city directs planning and implementation.

Objectives: A specific condition which is an intermediate step in attaining a goal. Several objectives may relate to a goal.

Implementing Policy: A specific policy statement that guides decision-making and suggests actions to be carried out in meeting objectives and attaining goals. Policies can be broad in scope or directed at specific sites or resources.

The Element's goals and objectives are listed below. (Chapter 3 contains all of the goals, objectives, and implementing policies.)

GOAL 1: PRESERVE AND ENHANCE VISALIA'S UNIQUE CHARACTER.

1.1 COMMUNITY IDENTITY

Objectives

- A. Maintain and enhance Visalia's physical diversity, visual qualities and small-town characteristics.
- B. Strive to keep Visalia separate and distinct from nearby communities.
- C. Maintain the Core Area (Mooney Blvd. to Ben Maddox Way and Houston Ave. to Tulare Ave.) as the City's geographic center.
- D. Maintain the Central Business District (CBD) (Conyer St. to Tipton and Murray St. to Mineral King Ave. including the Court-Locust corridor to the Lincoln Oval area) as Visalia's traditional, medical, professional, government,

and cultural center. New uses and services should be directed to the CBD to the extent practicable.

GOAL 2: IMPROVE THE QUALITY OF AIR, LAND, WATER AND PLANT AND ANIMAL LIFE IN THE VISALIA PLANNING AREA.

2.1 PRESERVATION OF NATURAL FEATURES

Objective

- A. Preserve and enhance natural and rural features such as waterways, Valley Oaks, and agriculture as significant assets and community resources.**

2.2 RESOURCE CONSERVATION

Objective

- A. Promote development and public resource management practices which will result in resource conservation.**

2.3 IMPROVE THE QUALITY OF AIR IN THE CITY OF VISALIA AND ITS AIR BASIN

Objective

- A. Promote development and resource management practices which will enhance air quality.**

2.4 ENHANCE WATER QUALITY AND CONSERVE WATER RESOURCES

Objective

- A. Promote development and resource management practices which enhance water quality and minimizes the impact of development on scarce water resources.**

2.5 ENVIRONMENTAL COORDINATION AND ADMINISTRATION

Objective

- A. Develop an effective environmental compliance administrative system.

GOAL 3: DIVERSIFY AND IMPROVE THE VISALIA PLANNING AREA'S ECONOMY

3.1 EMPLOYMENT & POPULATION GROWTH

Objectives

- A. Maintain Visalia's role as the regional commercial and industrial center for Tulare, Kings and southern Fresno counties.
- B. Promote diversity in Visalia's economic base to increase the stability of jobs and fiscal revenues.
- C. Enhance the City's sales tax revenues by maintaining and improving Visalia's retail base to serve the needs of local residents and encourage shoppers from outside the community.
- D. Maintain a circulation system which is consistent with the Land Use Element and Map.

3.2 VISITOR AND CONFERENCE ACTIVITIES

Objective

- A. Encourage tourism and conference activities as part of Visalia's economic base.

3.3 EDUCATION

Objective

- A. Encourage and support the continued development of post-secondary educational facilities in Visalia.

3.4 AGRICULTURE-RELATED BUSINESSES

Objective

- A. Maintain and encourage agriculture-related businesses in appropriate areas of Visalia.

3.5 COMMERCIAL LAND DEVELOPMENT AND LAND USE

Objectives

- A. Maintain Visalia's role as the regional retailing center for Tulare and Kings Counties.
- B. Ensure the continued viability of Visalia's existing commercial areas.
- C. Promote comprehensively planned, concentric commercial areas to meet the needs of Visalia residents and its market area.
- D. Create and maintain a commercial land use classification system (including location and development criteria) which is responsive to the needs of shoppers, maximizing accessibility and minimizing trip length.
- E. Designate appropriate and sufficient commercial land for Visalia's needs to the year 2020 with appropriate phasing.

3.6 OFFICE LAND DEVELOPMENT AND LAND USE

Objectives

- A. Provide adequate area for office developments in areas where they can be effectively integrated into surrounding areas.
- B. Designate, where appropriate, areas for conversion of older historic structures to office uses.
- C. Provide for large-scale office developments in the community at locations which provide close-in employment opportunities.
- D. Maintain the circulation system to support the desired distribution of commercial, residential, industrial and employment centers.
- E. Strengthen the Core Area as the primary area for professional office development.

3.7 INDUSTRIAL LAND DEVELOPMENT AND LAND USE

Objectives

- A. Encourage the location of new industries that do not generate substantial amounts of pollutant emissions, impacts on air quality, or other natural resources.
- B. Ensure compatibility between industrial lands and adjacent dissimilar land uses.
- C. Retain and strengthen the City's role as a regional manufacturing center in the Southern Central San Joaquin Valley.

GOAL 4: PROVIDE A VIABLE RANGE OF HOUSING ALTERNATIVES IN THE VISALIA PLANNING AREA

4.1 RESIDENTIAL LAND DEVELOPMENT AND LAND USE

Objectives

- A. Ensure adequate land area is available for future housing needs.
- B. Encourage efficient residential development.
- C. Encourage development of comprehensively planned, compact, well-integrated areas for single-family and multi-family residential development using schools, neighborhood parks, and open space conservation facilities as key planning components.
- D. Provide new residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet projected demand throughout the community.
- E. Identify locations for multi-family developments which are accessible to major transportation routes, mass transit facilities, commercial areas, schools, and recreation facilities.
- F. Protect existing and proposed residential areas.

4.2 HOUSING NEEDS

Objective

- A. Coordinate residential land use planning and housing needs with Housing Element and other adopted plans and programs.

GOAL 5: PLAN AND DEVELOP AN EFFICIENT PUBLIC FACILITIES AND SERVICES SYSTEM TO SERVE AS A FRAMEWORK FOR ORDERLY URBAN DEVELOPMENT

5.1 WASTEWATER AND TREATMENT PLANT, SANITARY SEWER, STORM DRAINAGE

Objectives

- A. Coordinate facilities and services planning to implement land use goals and objectives.
- B. Plan the location, cost, and funding of facilities and services in advance of need.

5.2 LOCAL GOVERNMENT FACILITIES AND SERVICES

Objectives

- A. Provide high quality government facilities and services to the general public. The location of government facilities and services shall be directed to the Core Area of the community to the greatest extent possible.
- B. Coordinate location of public improvements for other local agencies and districts to maximize service to the general public with an emphasis on their location in the Core Area.

5.3 PUBLIC SCHOOLS

Objectives

- A. The City shall coordinate the location of school sites in the community with the School District in an effort to assist the School District in providing school facilities at the optimum locations and in a timely manner. The City shall evaluate the impact of proposed projects on the capacity of the school facilities and coordinate exists to serve the needs of existing and planned development.
- B. Provide transportation and recreation opportunities near schools.
- C. Promote schools as focal points for neighborhood areas and as planning elements for new growth areas.

5.4 DAY CARE FACILITIES

Objective

- A. Encourage all-day care centers (children, youth, and senior) and private preschools to provide facilities for year-round care.

5.5 HEALTH CARE FACILITIES

Objectives

- A. Facilitate a continued high level of health care services in the community.

5.6 TRANSPORTATION

Objectives

- A. Plan and develop a transportation system for Visalia which contributes to community livability, recognizes and respects community characteristics (natural and man-made), and minimizes negative impacts on adjacent land uses.
- B. Promote ways to reduce the number of vehicle-miles traveled in the planning area.
- C. Encourage land use planning which balances the location of housing and employment centers in the planning area.
- D. Implement a monitoring and evaluation program that will provide the data and planning needed to develop an effective and coordinated Capital

Improvement Program (CIP) that will provide circulation improvements in concert with development trends.

GOAL 6: MANAGE PLANNING AREA GROWTH TO BE CONTIGUOUS AND CONCENTRIC FROM THE CITY'S CORE AREA.

6.1 GENERAL GROWTH MANAGEMENT

Objectives

- A. Provide for an orderly and efficient transition from rural to urban land uses.
- B. Minimize urban sprawl and leap-frog development by encouraging compact, concentric and contiguous growth.

6.2 URBAN BOUNDARIES

Objective

- A. Implement and periodically update a growth management system which will:
 - 1. guide the timing, type, and location of growth
 - 2. preserve resource lands
 - 3. protect natural features and open space
 - 4. encourage techniques which encourage energy conservation

6.3 AGRICULTURAL LAND PROTECTION

Objective

- A. Protect agricultural land from premature urban development.

6.4 GROWTH MANAGEMENT COORDINATION

Objective

- A. Coordinate growth management planning and implementation among Visalia, Tulare County, and the surrounding cities of Tulare and Farmersville.

GOAL 7: IDENTIFY ISSUES OR AREAS WHICH HAVE SIGNIFICANT IMPACT ON THE VISALIA PLANNING AREA AND REQUIRE SPECIAL ATTENTION.

7.1 COLLEGE OF THE SEQUOIAS

Objectives

- A. Encourage and facilitate the implementation of the COS Master Plan.
- B. Promote City and COS efforts to resolve land use compatibility issues between the main campus and the surrounding area.

7.2 VISALIA MUNICIPAL AIRPORT

Objectives

- A. Continue to ensure safe and efficient airport operations.
- B. Design a land use plan and development regulations which ensure the long-term viability of the Visalia Municipal Airport.

7.3 REDEVELOPMENT DISTRICTS

Objective

- A. Provide for the formation and implementation of redevelopment projects consistent with State Redevelopment Law.

GOAL 8: STRUCTURE AN IMPLEMENTATION PROGRAM TO ACHIEVE THE GOALS, OBJECTIVES AND POLICIES OF THIS ELEMENT.

Objective

- A. Periodically monitor, review and amend the Land Use Element so that it is responsive to the changing conditions, needs, and attitudes of the community.

CHAPTER 2
EXISTING CONDITIONS
AND PROJECTIONS

CHAPTER 2: EXISTING CONDITIONS & PROJECTIONS

INTRODUCTION

This chapter contains documentation on Visalia's community values, policy history, statistical summaries of existing conditions, projections of future development needs and trends, and special development issues. This information is organized into seven categories corresponding to the first seven goals of the Land Use Element: 1) Small-Town Character; 2) Environmental Quality; 3) Economy; 4) Residential; 5) Public Facilities; 6) Urban Growth; and 7) Special Areas of Concern. This format is intended to provide a self-contained discussion of background information associated with each of the goals, objectives, and policies contained in Chapter 3.

Community Values

Visalia's character has been influenced by numerous physical, visual, social and economic qualities. This character has made Visalia unique among San Joaquin Valley communities. Visalia is known for its:

- Agricultural heritage and open space;
- Historic neighborhoods;
- Central Business District;
- The College of the Sequoias;
- Civic pride and community volunteerism;
- Regional retail commercial stores, medical and professional services; and
- Gradual and managed urban growth.

One objective of the Land Use Element update project was to record a perceived community value system for the City; in other words, how Visalia 'looks and feels.' These values are principles, standards or qualities which are regarded as worthwhile or desirable to preserve. They were developed and condensed from discussions with the 2020 Steering Committee and the Staff Technical Review Committee. These values served as the basis for many of the Land Use Element's goals, objectives, and implementing policies outlined in Chapter 3. By identifying community values and translating them into policy statements, the updated Land Use Element will play a central role in preserving Visalia's important community characteristics as the City evolves over the planning period to the year 2020. The community's values are listed in Table 2-1.

SMALL-TOWN CHARACTER

Visalia's small-town identity has been influenced by a number of physical, social, visual, and economic factors. Three factors—natural environment, man-made environment, and people—have had the greatest impact on the community's identity.

Natural Environment

The City is located on the rich delta of the Kaweah River. This location, at the base of the Sierra Nevada, created rich water and soil resources for the Visalia planning area. Explorers and early settlers to the area described the Kaweah's down stream system (St. Johns River, Mill Creek, Packwood Creek, and Outside or Cameron Creek) as the 'Four Creeks Country.' Here, the streams and rich soil produced part of a vast Valley Oak woodland and grassland that stretched from the foothills to Tulare Lake.

Table 2-1 Visalia Community Values

Community Image

Location	Visalia enjoys a central California location with easy access to San Francisco and Los Angeles as well as to the Pacific coast and Sierra Nevada mountains.
Livability	Visalians perceive the City as clean, safe, and livable.
Small-Town Character	<p>Visalia exhibits many big-city amenities in a small-town environment. The City is surrounded by agricultural land which emphasizes its distinctive community character. Main Street still acts as the principal downtown thoroughfare.</p> <p>The Core Area (Ben Maddox to Mooney Blvd. and Houston Ave. to Tulare Ave.) is Visalia's original town site area and historic center. The Core Area exhibits many of the City's small-town characteristics such as historic residential areas, the Central Business District, Redwood and Mt. Whitney high schools, Recreation and Lincoln Oval parks, Kaweah Delta District Hospital, etc.</p>
Viable Downtown	<p>The Central Business District or CBD (generally Santa Fe to Conyer St. and Mineral King Ave. to Murray St. including the Court-Locust corridor to the Lincoln Oval area) is Visalia's traditional retail, medical and professional center.</p> <p>The CBD is still a magnet for activity as its role has evolved from a retail sales hub to an administrative services center.</p>
Civic Pride and Volunteerism	Community spirit coupled with the City's size fosters a perception that individuals still 'make a difference' in determining Visalia's future.
Ethnic & Cultural Diversity	A shared community resource is the blend of diverse cultures.
Leisure Activities	Visalians enjoy opportunities to participate in active outdoor activities and numerous organizations.
Natural & rural landscape	Area agricultural lands and natural features like Great Valley Oak trees and waterways have combined to create scenic vistas and highly valued rural open space system.
'Scenic corridor'	Agricultural land uses and large Valley Oaks along both sides of SH 198 from SH 99 to Akers Rd. have created a unique western entryway to Visalia. This rural gateway has also created an open space buffer to SH 99 which has contributed to Visalia's uniqueness in the San Joaquin Valley.

Table 2-1

Visalia Community Values

con't

Agricultural Lands

The planning area and Tulare County have some of the most productive agricultural land in the U.S. which provides food and fiber for the world.

This agricultural resource land also acts as a buffer or transition area separating the population centers of Visalia from the cities of Farmersville and Tulare and the Tulare County community of Ivanhoe.

Environmental Quality

Environmental Issues

Rich farm land and a high quality water supply have provided Visalia with a firm economic base and an excellent quality of life. Maintaining and improving air quality, water and land resources quality is a growing concern.

Economy

Population Growth & Employment

Visalian's desire continued and gradual population growth with high quality development to maintain the City's economic and community livability.

Agriculture

Agriculture has played a leading role in shaping Visalia's economy with agriculture-related business opportunities and industry.

Commercial/Office Development

Visalia has a number of large industrial businesses and land area for industrial expansion.

Generally industrial development has been the result of progressive economic development programs among City and Tulare County public officials, private enterprise, and non-profit organizations.

Education

This sector of the community's economic base is served by the College of the Sequoias (COS), CSU-Fresno satellite campus, and a number of private business and vocational schools. Post-secondary schools add an extra dimension to the City's quality of life.

Visitor/Conference Activities

Modern transportation and convention facilities along with the City's regional center role combine to promote clean, non-polluting tourist industry.

Visalia Municipal Airport

The airport is an important transportation link which connects Visalia with major California metropolitan areas for business and leisure activities.

Table 2-1 Visalia Community Values

con't

Residential

- Neighborhoods** Visalia is made up of many distinct and cohesive residential neighborhoods. The majority of Visalia's neighborhoods consist of traditional single-family houses.
- Affordable Housing** Visalia is recognized state-wide for encouraging and implementing innovative affordable housing programs.

Public Facilities/Services

- Public Education** The community's public school system is regarded as strong in traditional basics.
- Community Cooperation** The City and Visalia Unified School District (VUSD) have established an excellent cooperative relationship which encourages maximum public use of school property and facilities. Other public organizations including COS, Kaweah Delta District Hospital, among others, also work closely with the City to ensure the highest level of service to their constituents.
- Local Government** Visalia has earned a national reputation for its public programs and services.
- Health Care** Visalia is the regional center for health services in Tulare, Kings and southern Fresno counties. As a regional center, excellent health care facilities and programs are available to Visalians.

Urban Growth

- Urban Growth** Since 1975, Visalia's urban development has stressed concentric growth where possible. Concentric growth is based on directed, balanced and contiguous growth around the City's Core Area.
- Urban Boundaries** Tulare County and Visalia have worked together to establish boundaries between urban and rural land uses. These boundaries reinforce efficient land use planning and distinctive community characteristics.

Only remnants of this forest and stream system remain. Today, glimpses of the Four Creeks Country forest and stream system merely dot the planning area. Yet, these areas have contributed greatly to Visalia's community image. They include Visalia's 'second scenic corridor' along Main Street from West Main to Mayors parks, the St. Johns River area, Mooney Grove Park and Cutler Park.

Renewed interest in preserving the planning area's natural environment began in 1979 with the Northeast Specific Plan's treatment of the St. Johns River. In 1988, the West Visalia Specific Plan heightened awareness of SH 198's scenic corridor which combines natural features like Valley Oaks and natural waterways with agricultural open space. The specific plan also set precedents for riparian corridor protection and standards along Mill Creek and Persian Ditch. The St. Johns River Park Master Plan, adopted in 1988, established policy and design criteria for riparian habitat protection and public use areas. In 1989, the Conservation, Open Space, Parks & Recreation Element update identified significant habitat areas and, for the first time, established standards for a community-wide waterway corridor system.

Man-Made Environment

Agriculture

The planning area's man-made environment has been shaped by both rural and urban development. Agriculture, since the late 1800's, has been the predominant land use around Visalia. Urban development has been characterized by gradual and steady growth around the City's Downtown area.

Tulare County is one of the most productive areas in the United States. This agricultural heritage has created a strong economic base and rural open space around for Visalia. The planning area's agriculture land uses combine farming operations and natural features like Valley Oaks and creeks. From a working farm perspective, this rural landscape provides food and fiber for the nation and the world. This land is a source of employment, and income; in many cases, it's also a future investment involving potential urban development. Visually, this rural landscape provides expansive views of cultivated fields made up of differing shapes, colors, and sizes. Oaks, and other large native trees and orchards serve as topographic elements providing visual relief to Visalia's flat-land character. Seasonal changes, varying crops types and farm activities also provide a constantly changing landscape backdrop.

Visalia's scenic corridor along west SH 198 between SH 99 and Akers Road is a well-known example of this rural landscape. The scenic corridor has contributed to Visalia's unique image particularly as a "non-Highway 99" Valley-town. This three-mile long stretch combines Municipal Airport and Plaza Park lands with the rural landscape to create a highly-regarded community value; but, one which defies definition. Defining the scenic corridor and other rural landscapes in and around the City is difficult because of agriculture land uses and varying perspectives. Because the scenic corridor's predominant land use is agriculture, its character changes from season to season and from year to year. In addition,

Chapter 2: Existing Conditions & Projections

urban development pressures are increasing and threaten this community value. Methods must be devised to reflect varying scenic corridor as well as other rural landscape interests and to preserve these valued community assets.

Urban

Visalia's urban development has revolved around what is now the City's Downtown area. The Central Business District (CBD) is generally contained in the area from Santa Fe to Conyer between Murray Street and Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area. The CBD is Visalia's traditional retail, medical, and professional center. It contains several distinct areas and districts such as the retail core, medical district, convention/hotel center, and government center.

The thriving CBD has provided the nucleus for future community growth. Many of Visalia's examples of small-town character are found in a 3-square mile area around the CBD. This area, the Core Area (Ben Maddox Way to Mooney Boulevard and Houston Avenue to Tulare Avenue) illustrated in Figure 2-1 was the area within Visalia's pre-1950 City limits. The Core Area contains architecturally significant historic neighborhoods; Redwood and Mt. Whitney high schools; the 'Hobo Jungle' riparian habitat area along Jennings Ditch; as well as Recreation, Lincoln Oval, Mayors and Memorial parks.

Citizens

Native Americans, explorers, early settlers, and new arrivals were drawn to the Visalia area because of the quality of life provided by the Kaweah River delta's water and soils as well as the shade of oak trees. Present-day citizens have found Visalia to offer a high degree of livability, community involvement and level of services not present in most California communities. Through its past and present citizens, Visalia's community identity has been marked by a high-degree of civic pride and volunteer spirit.

Examples of this civic pride and volunteer spirit include:

- Building a six-mile long railroad feeder line in 1874 to connect Visalia with the Southern Pacific line which bypassed the City.
- Launching efforts to save the giant redwoods and create Yosemite and Sequoia National Parks in the 1880's.
- Planting Valley Oak trees along SH 198 in 1925 to create a western entryway into the City.
- Developing dynamic public-private sector economic development programs to attract new and retain existing industry.

- Dedicating over 151,000 volunteer hours in 1989 for community programs and projects.

Along with the planning area's natural and man-made environments, Visalia's citizens have played an active role in forming the community's identity.

Community identity policies to preserve Visalia's small-town character are listed in Chapter 3 under Goal 1.

ENVIRONMENT

Natural Features and Resources

The Kaweah River delta has provided the Visalia planning area with rich soils and a good quality water supply. These land and water resources have, in turn, provided the basis for much of Visalia's community identity and economy. Urban development has created pressure on these and other resources like the air as well as the environments they support (agricultural lands, riparian habitat, etc.).

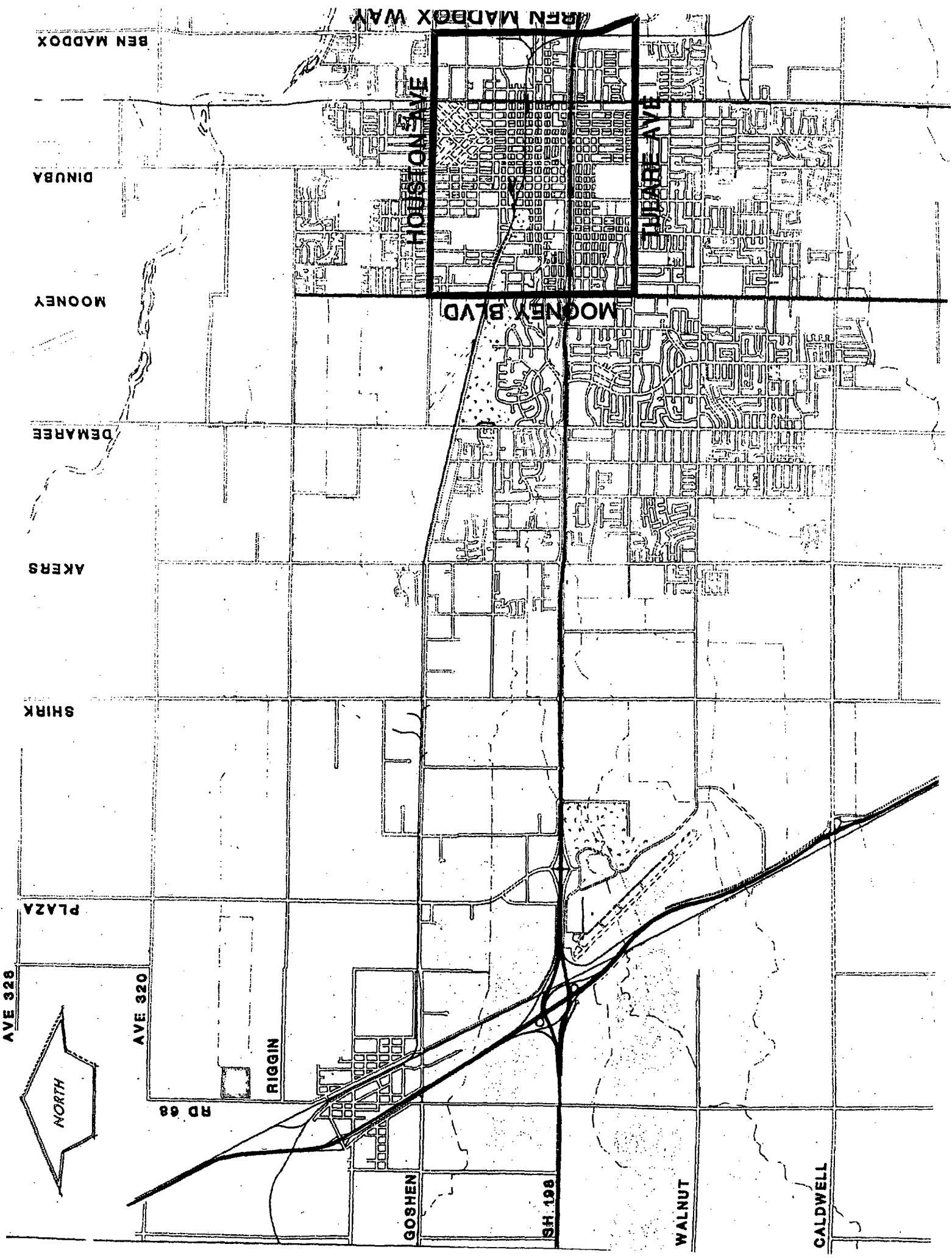
The following is a summary of the planning areas natural resources and features. A detailed description of these resources and features is contained in the Land Use Element's Environmental Impact Report (Environmental Setting) and the General Plan's Conservation, Open Space, Recreation & Parks Element.

Ground Water

Visalia is located on alluvial fan deposits of sand, silt, gravel, and clay. These materials form ground water aquifers as surface water seeps into the sand and gravel layers and flows along gradients created by layers of silt and clay. The aquifer beneath Visalia provides a supply of high quality water.

Surface Water

Visalia's community waterway network (Figure 2-2) includes natural and man-made channels. Natural streams include the St. Johns River, Mill Creek, Packwood Creek and Cameron Creek. Significant man-made channels include Modoc Ditch, Evans Ditch, and Persian Ditch. These waterways are intermittent and supplied by water released from Lake Kaweah's Terminus Dam. Historically, these waterways have been used for irrigation and flood protection including storm water runoff. In 1962, the threat of major flooding was significantly reduced by the completion of Terminus Dam.



BEN MADDOX WAY

BEN MADDOX

DINUBA

MOONEY

DEMARREE

AKERS

SHIRK

PLAZA

AVE 328

AVE 320

RD 68

RIGGIN

GOSHEN

SH 198

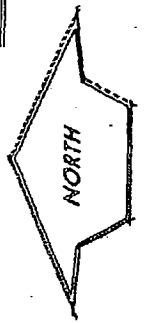
WALNUT

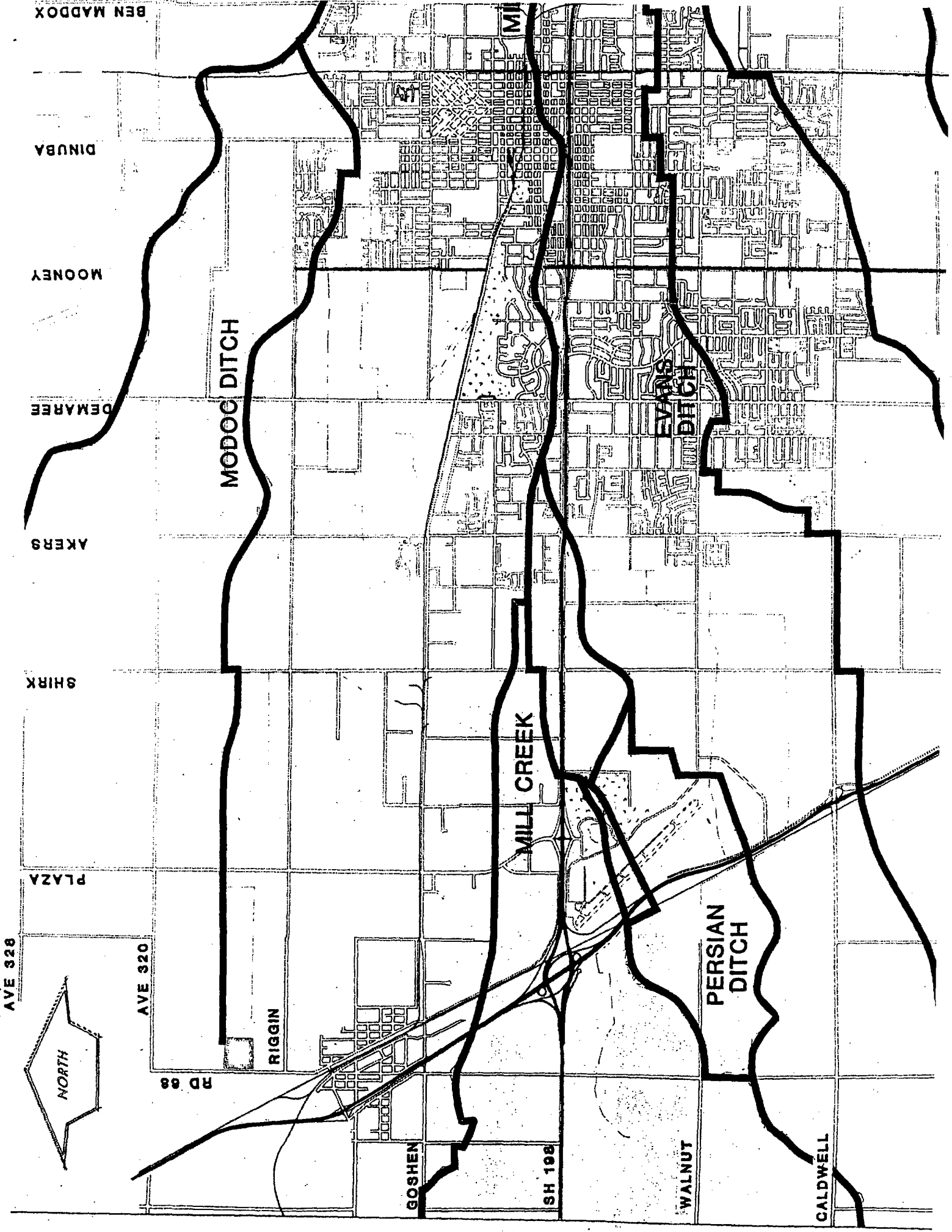
CALDWELL

HOUSTON AVE

TUBARE AVE

MOONEY BLVD





BEN MADDOX

DINUBA

MOONEY

DEMAREE

AKERS

SHIRK

PLAZA

AVE 328

AVE 320

RD 98

RIGGIN

GOSHEN

SH 198

WALNUT

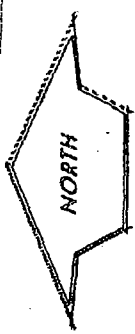
CALDWELL

MODOG DITCH

MILL CREEK

PERSIAN DITCH

EVANS DITCH



Chapter 2: Existing Conditions & Projections

Figure 2-3 illustrates flood-prone areas. These flood plane areas, designated by the Federal Emergency Management Administration (FEMA) indicate areas where special planning considerations should be made. This element also identifies the natural streams and three man-made channels for significant open space which require special treatment to integrate flood protection, irrigation water conveyance, and riparian habitat functions.

In 1989, the Storm Drainage Master Plan cited the facilities necessary to accommodate 'build-out' inside the boundaries of the 1976 Land Use & Circulation Element's Urban Improvement Boundary. The master plan recommends the use of detention and retention basins and creeks and ditches for storm water runoff. See discussion under Public Facilities.

Geology and Soils

The planning area's soils are comprised of predominantly prime (Class I-IV) agricultural soils. Generally, these soils have moderate to rapid permeability and slow surface runoff characteristics. The terrain is nearly level or gently sloping and poses few limitations to agriculture or urban growth.

The planning area's geology consists of largely metamorphic and granite rock types with no known faults in the area. The Seismic Safety Element indicates that Visalia is in Seismic Zone VI which generally does not report severe seismic activity.

Wildlife and Natural Vegetation

Wildlife and natural vegetation is largely confined to riparian corridors along the planning area's waterways. Even though water flow is intermittent, these waterway corridors support a wide variety of plants and animals.

Environmental Quality

Air Quality

Visalia lies in the Tulare County portion of the San Joaquin Valley Air Basin. The Valley's climate and weather patterns help to create and contain air pollution in the area. Air pollution in the area is largely due to local motor vehicle emissions, surrounding agricultural operations, and pollutants from metropolitan areas north and west of the City. Tulare County is designated as a non-attainment area for ozone and particulates. Recent studies have suggested that additional sources of air pollutants for Visalia include "upstream" pollutants from sources north of

Visalia and pollutants generated in the South Valley carried to Visalia by the "Visalia Eddy".

Water

Ground Water supply and quality are adequate throughout the planning area. However, ground water has been contaminated in two areas because of past, outmoded industrial operations. These areas are located in the northeast near Ben Maddox Way and Goshen Avenue and in the northwest near Shirk Road and Goshen Avenue.

Agricultural Resource Land

Numerous landowners in the planning area have acquired Williamson Act status. Williamson Act preserves are mapped in the Conservation, Open Space, Recreation & Parks Element and the Environmental Impact Report. Urban expansion adversely affects agricultural operations.

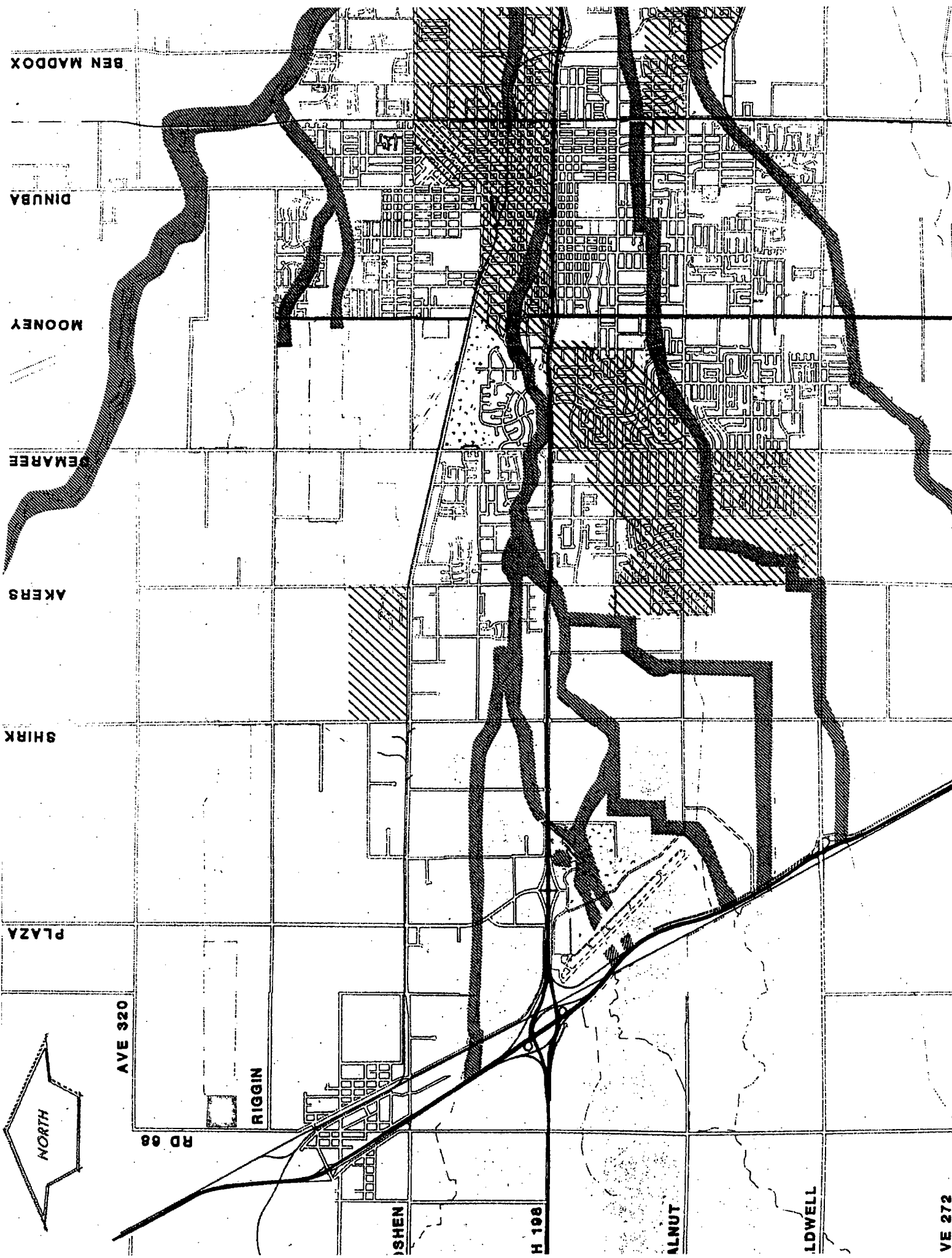
Noise

The City's Noise Element to the General Plan identifies and appraises noise problems in the community. Noise exposure information is compiled for highways and arterials, railroads, industrial operations, etc. This information has been used in locating noise sensitive land uses like residential development, schools, and areas for churches. The principal source of noise in the community is vehicle traffic on arterials.

Environmental policies are listed in Goal 2.

ECONOMY

Since the 1860's, Visalia has been the regional trade center for Tulare County, southern Fresno County and Kings County. One of the most significant Land Use Element goals (Goal 3: Economy) is to retain this regional trade center status. This section outlines historic population growth and future projections because growth is a key to the vitality of the City's economy. The City's various economic sectors are then examined with historic overviews and statistical summaries of existing land inventories and future land area demand estimates.



BEN MADDOX

DINUBA

MOONEY

BEMAREE

AKERS

SHIRK

PLAZA

AVE 320

RIFIN

RD 88

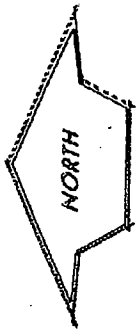
SHEN

H 198

ALNUT

LOWELL

VE 272



Population Growth

Population estimates used for the 1976 Land Use & Circulation Element projected a year 1996 population of 66,296. This projection was based on the average arithmetic increase in population between 1960 to 1975, estimated to be 1660 persons per year. In 1989, the California Department of Finance estimated Visalia's population to be 68,758.

Visalia has experienced gradual and steady population growth. Annual growth from 1975 to 1989 ranged from 0.75% (1982) to 12.0% (1980) and average 3.5% (see Table 2-2). Figure 2-4 illustrates actual City population growth from 1960 to 1990, and projects City growth to the year 2020. Table 2-3 details the projected growth rate in five-year intervals from 1990 to 2020. The methodology used to develop these projections is outlined in Appendix B.

Population and Employment

It is difficult to determine which comes first—jobs creation or population growth. Each has an influence in attracting the other. In addition, employment is closely linked to other economic and non-economic issues including housing, infrastructure, transportation, and community values.

A comparison of total City population to employment (based on data from 1960, 1970 and 1980 U. S. Census data) indicates a consistent ratio between local employment to population of 0.40. This statistic reflects Visalia's historic balance between those who reside in Visalia and those who work in Visalia. This "jobs-housing balance" is important to maintain in order to minimize vehicle trips and vehicle miles traveled in the community, to retain the community's identity as a non-bedroom community, and to provide adequate employment opportunities.

Retail Sales Volume

The City has historically been the regional retail center for Tulare, Kings and Southern Fresno Counties. In 1989, its total estimated taxable retail sales were \$825 million. Significant contributors to this volume are Visalia's auto dealerships, its major department stores (Penney's, Sears, Gottschalk's, Mervyn's, K-Mart, and Montgomery Ward) and other retail businesses. In addition to providing its citizens with a high level of conveniently located retail goods, these activities also contribute to the fiscal integrity of the City.

**TABLE 2-2 Annual Visalia Growth Rate
(1975 to 1990)**

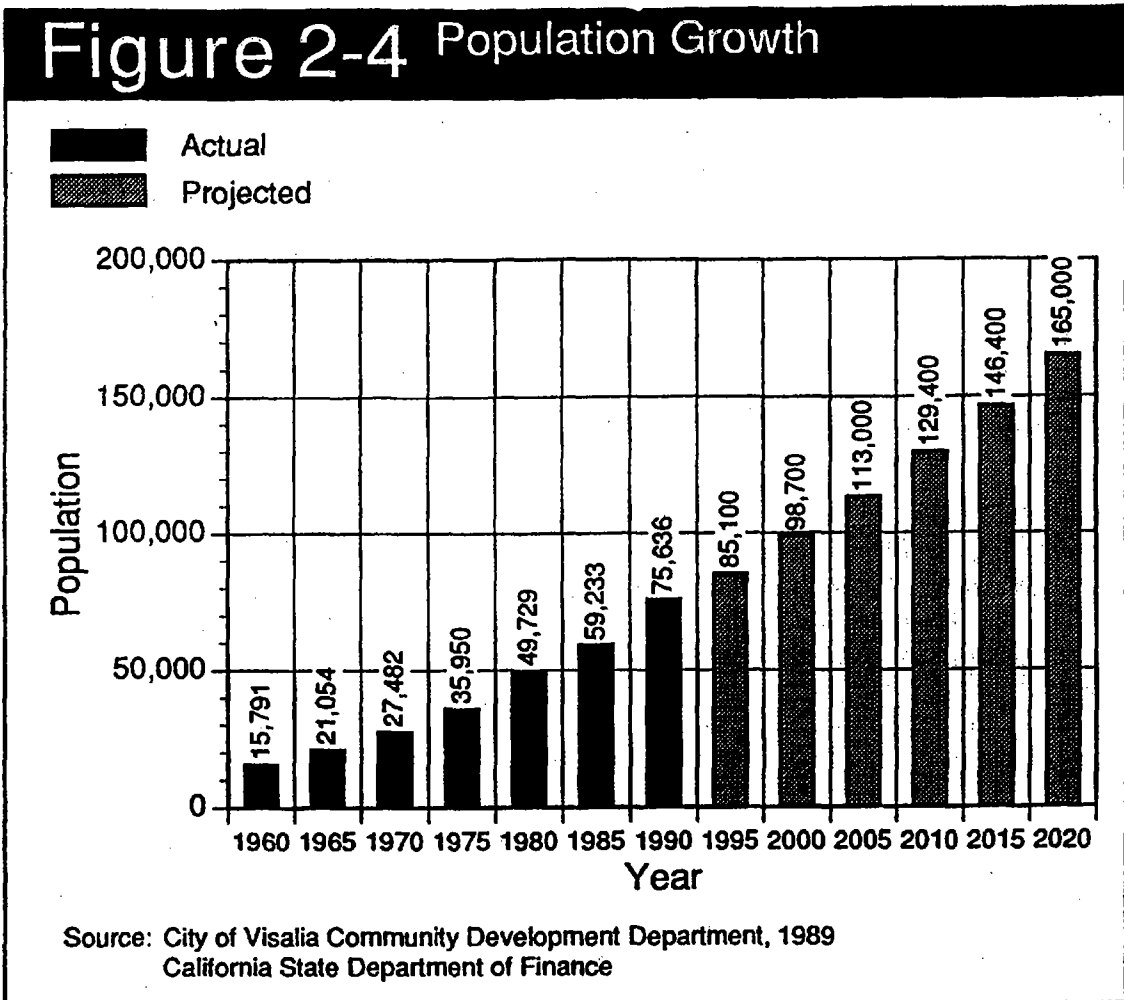
<u>YEAR</u>	<u>RATE</u>
1975	8.40%
1976	7.09%
1977	6.36%
1978	6.26%
1979	8.10%
1980	12.00%
1981	5.87%
1982	0.75%
1983	3.46%
1984	3.84%
1985	3.93%
1986	3.39%
1987	2.31%
1988	4.07%
1989	5.43%
1990	9.07%

Source: City of Visalia Community Development Department, 1989
California State Department of Finance

**TABLE 2-3 Projected 5-Year Visalia
Growth Rate (1990-2020)**

<u>Period</u>	<u>Annual Rate</u>
1991 to 1995	3.25%
1996 to 2000	3.00%
2001 to 2005	2.75%
2006 to 2010	2.75%
2011 to 2015	2.50%
2016 to 2020	2.50%

Source: City of Visalia Community Development Department, 1989



Visitor & Conference Activities

Visitor and conference activities offer the City with another tool to diversify the Visalia's economy. In the early 1980's, the Visalia Convention & Visitors Bureau was established. The Bureau promotes and markets the Visalia area for tourist and convention activities with state and regional agencies as well as the City's Convention Center and area businesses.

Education

Principal providers of public education in the community are Visalia Unified School District, Tulare County Schools, College of the Sequoias, and California State University Fresno. In addition, the City, along with a task force from other Tulare County communities and interests, promoted the location of a University of California campus near Visalia.

Agriculture-related Business

Tulare County grows over 225 commercial crops and ranks as one of the most productive agricultural counties in the United States. Much of Visalia's commercial activity is directly related to agriculture. To diversify the planning area's agriculture sector, both City and County as well as private sector groups work to increase the area's processing and production operations. In addition, economic development programs encourage the location of new and the retention of existing agriculture-related businesses.

Commercial and Office Development

The leading component of Visalia's regional trade center status is the City's commercial and office sectors. Keys to maintain this regional leadership role will be to consistently apply policies with a clear implementation program, to ensure an adequate available commercial/office land supply, and to designate land for future development. Policies effecting commercial and office development in the community have consistently been in the forefront of planning issues over the last 30 years. The following policy history summary identifies some of the on-going issues associated with commercial and office development.

1963 General Plan

The 1963 General Plan map (Figure 2-5) illustrated seven commercial/office land use designations. The Plan's commercial/office strategy concentrated Business & Professional and Central uses in the City's Core Area north of SH 198. Neighborhood commercial uses were to be associated with Planned Unit Developments (PUD's). These neighborhood centers were to be located at arterial intersections on one-mile intervals. This concept was designed to discourage strip commercial development and ensure land use compatibility between residential and commercial uses. Community commercial uses were depicted in three areas: on either side of Mooney Boulevard from SH 198 to Caldwell Avenue, at the southeast corner of SH 198/Demaree, and the Court-Locust corridor from Murray to the Lincoln Oval area. Service commercial areas were to be spread-out along the west Goshen-Murray corridor and from Main Street to SH 198 between Santa Fe and Lover's Lane.

Mooney Boulevard Zone Study

In 1969, a study was prepared by Visalia, Tulare and Tulare County to address development issues along Mooney Boulevard. Several policies were framed relating to siting, development standards, residential buffering, and recommendations for phasing growth south of Packwood Creek. Commercial

BEN MADDOX

DINUBA

MOONEY

DEMARREE

AKERS

SHIRK

PLAZA

AVE 328

AVE 320

RD 68

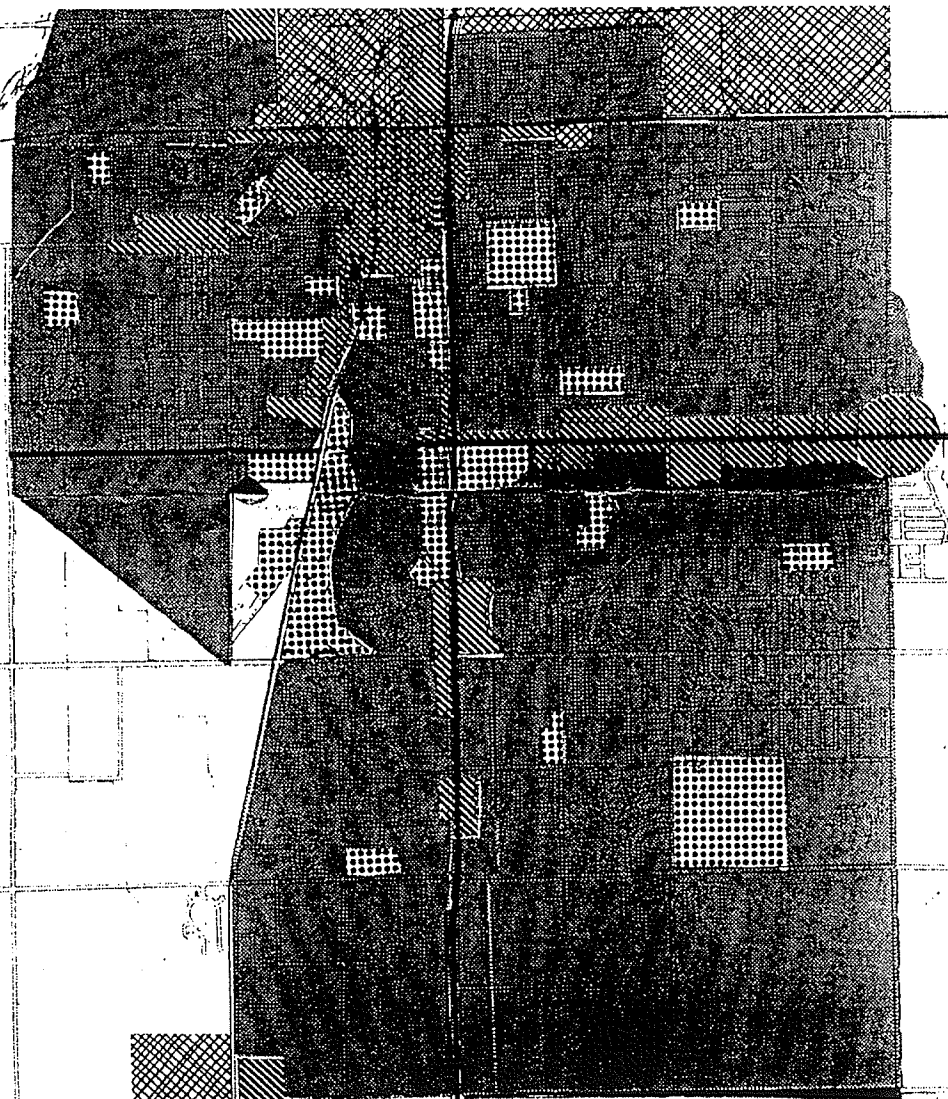
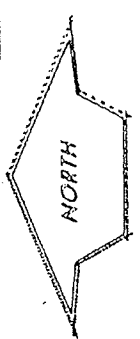
RIGGIN

GOSHEN

SH 198

WALNUT

CALDWELL



1963 GENERAL PLAN MAP

Chapter 2: Existing Conditions & Projections

expansion south of Packwood Creek was to occur only after 75% of the Mooney frontage between SH 198 and Caldwell Avenue was developed.

In 1973, this study was reviewed and modified based on a need to re-evaluate area commercial development trends and activities. Specific trends and issues involved the pending development of the Sequoia Mall, reconsidering regional rather than highway-neighborhood commercial uses south of Caldwell to Packwood Creek, clustering neighborhood center uses together as part of planned unit developments, and discouraging strip commercial development along Caldwell Avenue. Modified Mooney Boulevard policies reflected the need for additional street improvements, PUDs to reduce potential commercial development along Caldwell, and non-commercial land uses south of Packwood Creek.

1976 Land Use & Circulation Element

This document and map were the first comprehensive update to the 1963 General Plan map (see Figure 2-6). It focused on five land use categories: agriculture, industry, residential, commercial, and circulation. Commercial land use issues involved:

Neighborhood Commercial: These centers were to provide convenience shopping in residential areas. These centers ranged from isolated, existing convenience markets to proposed development which were to consist of a major grocery store as an anchor tenant with supporting retail services. Proposed neighborhood centers were to be developed as part of PUD's. They were to be located at one corner of arterial intersections on one-mile intervals to serve residential populations of 6,000 to 8,000 people. Basic purposes of this PUD/neighborhood center concept were to restrict strip commercial development, to minimize conflicts between residential and commercial uses, and to promote a mix of housing types. The 1976 Land Use Element & Circulation Element did not map neighborhood centers. Amendments to 1976 Neighborhood Commercial policies allowed a center's size to range from 1/2 to 1-acre at one mile intervals up to 10-acres at two-mile intervals. Subsequent amendments specified neighborhood center location at Demaree/Goshen, Demaree/Caldwell, West/Caldwell, and Mooney/Midvalley.

The primary concern with 1976 Neighborhood Commercial policies focused on the limited success that these policies had in establishing centers on arterial corners to serve surrounding residential areas. This, in part, was due to the location of major grocery store development along Mooney Boulevard and SH 198. Another 1976 policy concern was related to the limited marketing draw of a center that relied on only one major tenant (grocery store) as an anchor. A final

concern involved the need to improve land use compatibility criteria between neighborhood commercial and adjacent residential developments.

Regional Retail Commercial: These areas were designated to ensure Visalia's regional retail trade status was maintained. New Regional Retail Commercial development was to be confined along Mooney Boulevard from SH 198 to Packwood Creek. The 1976 Element projected a need for an additional 150 acres of regional commercial land for a 10-year period until 1986. Mooney Boulevard was estimated, in 1976, to have approximately 100 acres of available land for regional commercial development. The remaining needed acreage was to be designated in the Downtown, SH 198/Ben Maddox Way, Noble Avenue corridor between Ben Maddox Way and Lover's Lane, and SH 198/Lovers Lane. Subsequent regional retail commercial amendments were processed for several other areas which increased regional commercial land supply. A 1985 Regional Retail Commercial amendment gave priority to creating a redevelopment project area in east Visalia.

Significant concerns with regional commercial strategy and policies from 1963 and 1976 can be summarized by the following:

- limited supply of available land supply for immediate regional commercial development proposals
- determining future regional commercial needs, land supply requirements and location
- phasing development in new regional commercial areas which will not negatively impact existing regional commercial areas

Other concerns with previous regional commercial policies included the wide range of permitted and conditional uses provided by the City's Zoning Ordinance. Many non-regional uses (i.e., grocery stores, small retail, and service uses) reduced the efficiency of Mooney Boulevard's regional commercial potential. Further, little or no regional commercial development activity occurred outside of the Mooney Boulevard corridor for a number of factors. These factors included a land supply which was broken into numerous separate ownership's, poor visibility and access for marketing purposes, and site constraints involving small area and shallow depths.

Local Retail Commercial: These areas were located primarily north of the Central Business District. This designation, which permitted a mixture of neighborhood, regional, and service commercial uses, was designed to revitalize economically depressed and visually blighted areas by encouraging commercial activities near surrounding residential areas.

BEN MADDOX

DINUBA

MOONEY

DEMARREE

AKERS

SHIRK

PLAZA

AVE 326

AVE 320

RD 68

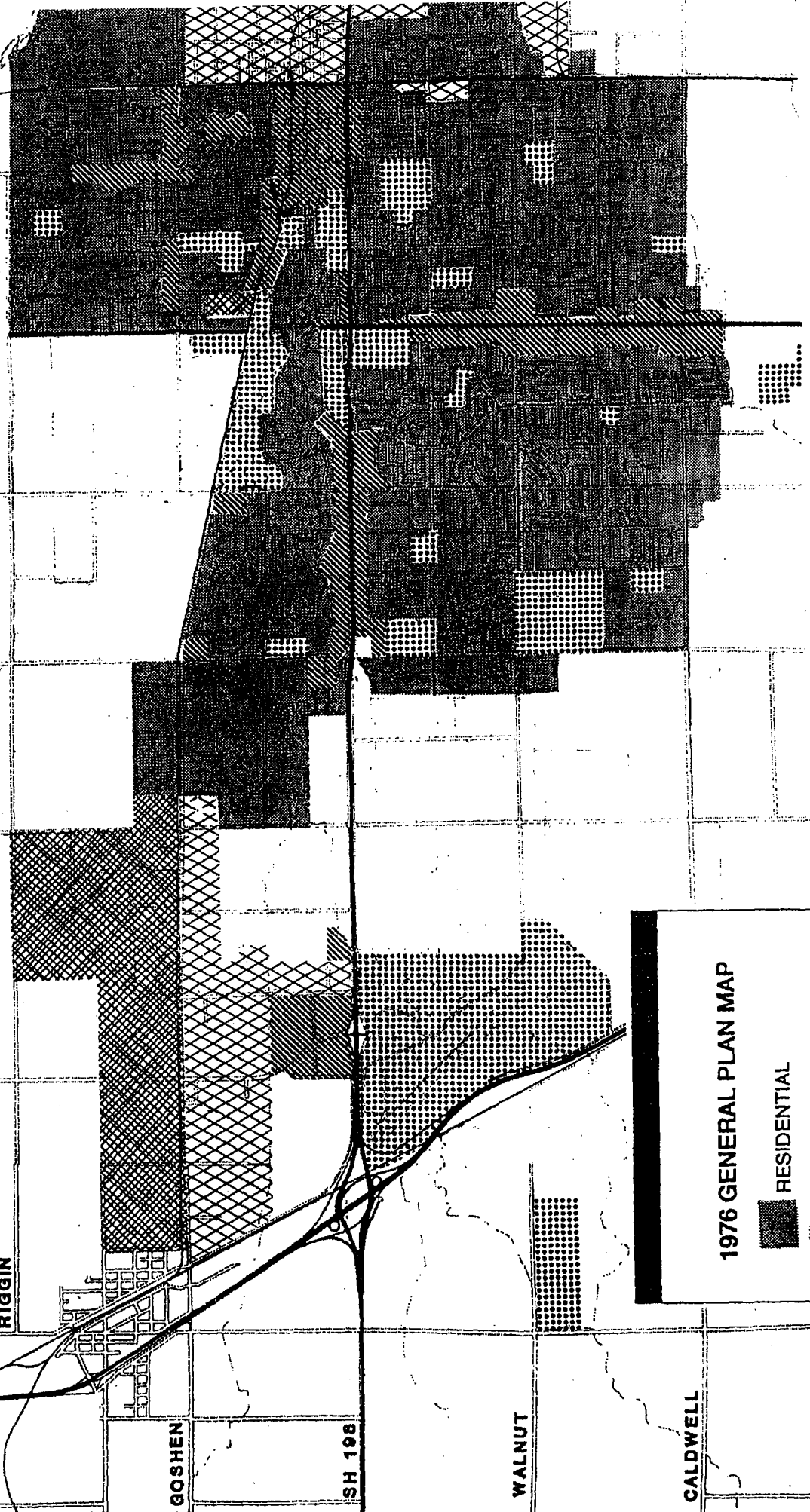
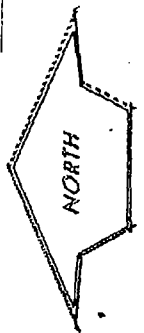
RIGGIN

GOSHEN

SH 198

WALNUT

CALDWELL



1976 GENERAL PLAN MAP

RESIDENTIAL



Chapter 2: Existing Conditions & Projections

Local Retail Commercial policies failed to stimulate the revitalization activities intended for north side areas. In addition, the development standards established for these areas did not adequately address compatibility issues between commercial and residential land uses. And finally, the wide range of neighborhood, regional, and service commercial uses afforded by the Zoning Ordinance did not foster good land use relationships.

Planned Commercial: These policies were directed to master planning the CBD area and addressing issues such as circulation, parking, design, and compatibility factors. Upgraded landscaping standards including street trees were to be applied for any new development.

Commercial Highway: These designated areas were limited to areas along SH 198 west of County Center Drive and at the SH 198/Plaza Drive intersection. Architectural review authority was delegated to the City Council for development proposals at the SH 198/Plaza Drive Highway Commercial area. Consideration of SH 198's scenic corridor was to be reviewed with each Highway Commercial development proposal. Additional policies directed the City to continue work on encouraging a motel near the Convention Center and to establish a Highway Commercial reserve area which could be opened-up once 70% of existing C-5 zoned land was committed to development.

Concerns with 1976 Highway Commercial policies included vague and yet restrictive SH 198/Plaza Drive development guidelines in an area with access and circulation and infrastructure extension constraints. This policy concern was compounded by a scenic corridor concept which was never fully explored or defined.

Service Commercial: These areas were designated by the 1976 Element to foster the development of uses which would be compatible with adjacent uses. Through the City Zoning Ordinance's planned development process, it was intended that service commercial areas would serve as buffers, particularly in the northeast, between residential areas and light and heavy industrial areas.

However, adequate standards were not developed to reduce land use compatibility concerns with adjacent residential areas.

Planned Office: Office development in the 1976 Element was to be located on sites with arterial access and away from residential areas. A 30-acre area at the northeast corner of the intersection of SH 198/Plaza Drive was designated for large-lot office development. In addition, a 65-acre area at the northeast corner of the intersection of Plaza Drive/Crowley Road was designated for office reserve once 70% of the office park was developed. Recent issues associated

with office development include designation of large sites for institutional users, preservation of the Downtown, and offices in the regional retail areas.

1983 Retail Commercial Review Task Force

This task force made a comprehensive review of the City's commercial development policies and recommended locations for additional commercial designations. The task force concluded that additional commercial land supply was needed to meet 10-year City needs. Based on this conclusion and several Task Force recommendations, the City Council designated an additional total of 60 acres of regional retail commercial land on the east side of Lovers Lane north of Walnut, south of Caldwell east of Divisadero, and North Dinuba Boulevard corridor from Ferguson to Riggin.

East Visalia Redevelopment District

In 1986, this plan expanded the City's supply of commercial land by increasing the CBD-zoned area and designating the Ben Maddox corridor from Main Street to Douglas for local retail commercial uses.

Alternative Regional Mall Sites Study

In 1987, this study analyzed ten regional shopping center sites and developed a strategy to meet the community's long-term need for regional retail space. Highlights of the study concluded that:

- Market demand to support an additional 700,000 to 800,000 square feet for a regional shopping center would occur by the early 1990's.
- Construction of a regional mall would have substantial negative impacts on existing retail areas like Mooney Boulevard.
- New regional retail expansion along Mooney Boulevard would delay the need for a new regional mall until the year 2000.
- Three site areas were deemed feasible for a regional mall: 1) southwest corner of SH 198/Akers Road; 2) Mooney Boulevard site involving the expansion of existing regional malls; and 3) south of Packwood Creek to Avenue 272.

Mooney Boulevard Redevelopment District

Adopted in 1987, this district was developed to reinforce regional commercial policies along Mooney Boulevard between SH 198 and Packwood Creek. District

Chapter 2: Existing Conditions & Projections

implementation measures are intended to carry-out City policies which have existed for up to 20 years, but which due to economics and private sector constraints could not be implemented. The District policies address circulation concerns, development depth, conversion of under-utilized properties and buildings, and phasing-out non-regional uses. The District's plan has estimated net additional development capacity along Mooney Boulevard of approximately 1,000,000 square feet. This development potential is concentrated over six sites and involves expansion of both the Visalia Mall and the Sequoia Mall. This expansion would involve up to four additional department stores, and would bring the two existing malls to full regional status.

Commercial/Office Statistics

One of the most significant issues to be addressed in the Land Use Element update is the adequate provision for regional retail commercial and professional/administrative office sites and development strategies. Regional commercial, more than any other segment of Visalia's economy, is seen as the key to maintaining the City's regional trade center status. The following provides a statistical overview of Visalia's regional commercial and professional/administrative office land demand and inventories.

The City's 1988 supply of undeveloped and underdeveloped regional retail commercial land was 253.5 acres (Table 2-4). Of this total area, it was estimated that 161.5 acres were undeveloped. The remainder constitutes the equivalent vacant acreage of underutilized land in the downtown and on Mooney Boulevard. Much of this undeveloped land consisted of smaller parcels (10 acres or less in size) in numerous separate ownership's. This inventory does not include property along North Dinuba Boulevard as it is not considered to be truly regional commercial land. Additional area was available in the City's Mooney Boulevard Redevelopment District is outlined on Table 2-5.

The City's 30-year retail commercial land demand projection is 505 acres (Table 2-6). This estimate is based on the projected population and income growth in the City's regional retail trade area over the next 30 years. A comparison (Table 2-7) of the projected demand and the planned supply indicate a cumulative balance of supply and demand over the next thirty years.

The 1963 and 1976 professional office policies emphasized development primarily in the Core Area and the CBD. The 1990 update estimated the potential existed to add approximately 315,000 square feet of office space in the CBD area (Table 2-8). This could comprise approximately 15 percent of the total future demand over the next 30 years. Additional office space outside of the

Downtown area would therefore need to be provided to meet the community's needs. Table 2-9 details office supply and demand for 1990 to 2020.

TABLE 2-4 1988 Regional Commercial Land Inventory (Undeveloped Land and Redevelopment Equivalent Properties) (acres)

<u>Commercial Area</u>	<u>Undeveloped</u>	<u>Redevelopment Equivalent Area</u>	<u>Total</u>
Mooney	20.8	79.0	99.8
West 198	10.9		10.9
South Ben Maddox	40.4		40.4
North Dinuba	34.7		34.7
South Lovers Lane	24.7		24.7
Downtown		13.0	13.0
East Caldwell	30.0		30.0
Total	161.5	92.0	253.5

Source: City of Visalia Community Development Department, 1989

TABLE 2-5 Regional Commercial Development Potential on Mooney Blvd. (square feet)

<u>Site</u>	<u>Potential</u>	<u>Existing</u>	<u>Net</u>
Young's Market	130,500	55,200	75,300
Visalia Mall	533,000	420,500	112,500
Mooney/Whitendale (SE)	165,000	80,700	84,300
Sunnyside/Dorothea	118,200	13,200	105,000
Mooney/Whitendale (SW)	455,800	160,800	295,000
Mooney/Caldwell	390,400	87,100	303,300
Total	1,792,900	817,500	975,400
		Equivalent Acres	79.0
		Undeveloped	20.8
		Total	99.8

Source: City of Visalia Community Development Department, 1989

Commercial and Office Conclusions

Highlights of the principal commercial and office objectives and supporting policies contained in Goal 3 are:

- Designating and phasing sufficient commercial and office land for Visalia's needs.
- Ensuring the continued viability of Visalia's existing commercial and office areas.
- Promoting comprehensively planned, concentrated commercial and office areas to meet the needs of Visalia's residents and its market area.
- Creating a commercial and office land use classification system (including location and development criteria) which are responsive to the needs of shoppers, maximizes access and minimizes trips.

Three central concepts to the 1990 Land Use Element's 30-year commercial/office strategy, outlined in Goal 3, are:

Regional Center: This land use designation along with its land inventory and development strategy relies on and reinforces Mooney Boulevard's regional center role for Visalia's trade area. Regional commercial development on Mooney Boulevard would be extended south of Packwood Creek to Midvalley Avenue. Regional commercial development would also be extended along the south side of Caldwell Avenue to generally the Giddings Street alignment. This regional commercial development would be master planned and phased over the 30-year planning period to 2020.

TABLE 2-6 Projected Retail Commercial Demand 1990 to 2020		
<u>Planning Period</u>	<u>Supportable Sq. Ft.†</u>	<u>Equivalent Acres</u>
1990-2000	1,122,000	125
2000-2010	1,630,500	155
2010-2020	2,416,500	225
TOTAL	5,169,000	505
Source: City of Visalia Community Development Department, 1989 † Includes 20% vacancy factor		

TABLE 2-7 Retail Commercial Supply and Demand (1990-2020) (acres)

<u>Location</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>Total</u>
Mooney Blvd.				
Redevelopment	100			100
South of Packwood Creek		80	124	204
Community Centers				
Northwest	30			30
Southeast		30		30
Northeast			30	30
Southwest	32			32
East Visalia				
Ben Maddox North	34			34
Ben Maddox South	34			34
East 198	20	30	30	80
East Caldwell	22	20		42
North Dinuba	35			35
Downtown	11	11	11	33
	Total	318	171	195
Estimated Demand	125	155	225	505

Source: City of Visalia Community Development Department, 1989

TABLE 2-8 Additional Downtown Development Potential (Existing Commercial Designated Properties) (square feet)

<u>Area/Type of Development</u>	<u>Office</u>	<u>Retail</u>	<u>Restaurant</u>	<u>Total</u>
Main Street (2nd Floor)	100,000			100,000
CBD East Plan Area	61,200	76,500	19,500	157,200
Residential Conversion	88,500			88,500
Other (C-2.5, PA)	65,600	65,600		131,200
	Total	315,300	142,100	19,500
				476,900

Source: City of Visalia Community Development Department, 1989

TABLE 2-9 Office Supply and Demand (1990-2020)
(acres)

<u>Location</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>Total</u>
Mooney Blvd.				
Redevelopment South of Packwood Creek	10	10	10	30 0
Community Centers				
Northwest	10			10
Southeast		10		10
Northeast			10	10
Southwest	7	35		42
East Visalia				
Ben Maddox North	10			10
Ben Maddox South				0
East 198				0
East Caldwell	7			7
West 198		52		52
Downtown	10	10	10	30
Total	54	117	30	201
Estimated Demand	50	60	70	180

Source: City of Visalia Community Development Department

A key to this regional center strategy is maximizing Mooney Boulevard's additional development capacity between SH 198 and Packwood Creek. New areas would be opened up for regional commercial development when:

- Mooney Boulevard Redevelopment Project area reaches 80% of total gross leasable area development capacity (an additional 500,000 sq. ft.) or after the year 2000.
- The proposed uses and tenants would substantially further the community's goal of providing high-level regional goods and services.
- There is sufficient public facilities (roadway, sewer capacity, etc.) to accommodate proposed development.
- A South Caldwell Specific Plan(1/2-mile south of Caldwell between Akers to Santa Fe) has been prepared and adopted.
- A market study is prepared which demonstrates a need for such facilities.

Another facet of this regional commercial strategy acknowledges the need to periodically (minimum five-year intervals) assess the need to evaluate the feasibility for a regional retail mall. The designation of a mall in 1990 was considered to be premature with a number of adverse impacts on existing designated regional commercial land. A policy was established which established criteria for city decision-makers to evaluate a future land use designation based on accessibility factors and the development status of regional commercial property in the community.

Community Center: A new concept to this Land Use Element update is that of a Community Center. Acknowledging that additional commercial and office development opportunities would need to be designated, the Community Center would provide an area where a wide range of neighborhood and community-level shopping opportunities can be provided in conjunction with planned office facilities, multi-family developments and quasi-public land uses such as churches and senior housing facilities. The objectives of utilizing the Community Centers are:

- To provide shopping and employment opportunities which would minimize vehicle trip length;
- To cluster commercial and office facilities in a "node" to eliminate the potential strip commercial development; and
- To provide locational opportunities for non-regional uses in order to maximize the development potential of designated regional retail properties.

Business Research Parks (BRP): The 1990 Land Use Element Map identifies five areas for large-scale professional/administrative office development. These campus-type or well landscaped areas are to be master planned prior to development to establish site design measures (i.e., lot sizes, access/circulation, landscaping, signage, infrastructure, etc.) and phasing. The five BRP locations are:

- Plaza Drive north of SH 198 in conjunction with limited, high quality highway commercial uses (Reserve).
- West side of Ben Maddox between Center Street, Burke and Douglas in conjunction with a mixed use Specific Plan for the Ben Maddox corridor. Such specific plan shall include the area bounded by Center Street, Houston Avenue, Cain Street and Burke Street.
- Northeast and northwest corners of Ben Maddox and Tulare.
- State Highway 198 and east Parkway (McAuliff) intersection (Reserve).

Chapter 2: Existing Conditions & Projections

- East side of Shirk Road between Riggin Avenue and Goshen Avenue.

(Revised 5/3/93 - Resolution No. 93-44E, 11/21/94 - Resolution No. 94-173)

Industrial Development

Policy Overview

The 1963 General Plan targeted industrial development to the area east of Santa Fe from Houston Avenue to K Road. These areas, particularly in the northeast and southeast, were the result of proximity to the City's original town-site and pre-1960 development policies.

The 1976 Land Use & Circulation Element discouraged new industrial growth in the City's northeast and southeast because of land use compatibility concerns. These industrial policies also prohibited industrial development along SH 198 and Mooney Boulevard. Existing industrial development was permitted, according to these policies, to expand operations through a conditional use permit review. New industrial development was to be directed to the northwest in planned industrial parks. Industrial Reserve land was set aside for future northwest industrial development.

Concerns with the 1976 industrial policies involved issues related to southeast industrial expansion, northeast industrial compatibility, and protection of new industrial areas. While recognizing future compatibility problems with expanding southeast industrial operations and the need to protect the financial interests of existing industry, the 1976 Element policies did not promote adequate environmental or compatibility reviews for expansion proposals. In the northeast area, neither the planned development process nor design standards were developed to revitalize existing industrial operations and make them more compatible with surrounding land uses.

In the northwest, newly established industrial areas were not protected from incompatible land uses. Rural and low density residential developments were permitted east of Akers Road, on both sides of Goshen Avenue which posed land use conflicts for industrial operations to the north and west. An additional concern involved combining the C-4/M-1 zone and land use classification that had been developed as part of the 1976 Element. Problems with this zone included inconsistent mix of uses and compatibility conflicts.

In 1981, the City Council adopted a series of industrial development policies (Resolution 81-145). These policies related to industrial land supply, waste water

treatment plant capacity, encouraging agriculture-related businesses, and setting limits on the number of employees that a new industry could bring to the City.

Since 1976, Visalia has strengthened its public and private sector industrial development network. Several development programs like 'Discover Visalia Day' and the annual 'Industrial Retention Survey' which are designed to encourage new industry and to retain existing operations.

Industrial Statistics Overview

In 1988, the City had 921 acres of land designated for industrial uses. Approximately 2,700 acres of land have been designated, to meet industrial needs through the year 2020.

Industrial Conclusions

Industrial policies contained in Goal 3 direct City actions to maintain Visalia's role as a regional manufacturing center as well as encourage industrial land use compatibility and environmental standards.

RESIDENTIAL

Policy Overview

1963 General Plan

The 1963 General Plan (Figure 2-5) illustrated the location and distribution of four residential land use designations. Low Density Residential was to be clustered around neighborhood commercial shopping centers. Medium and Medium-High Density Residential designations were to be massed in large blocks or in long, narrow strips primarily in and around the Core Area. Residential Reserve was to surround the community's urban form along Shirk Road on the west and Riggin Road and the St. Johns River on the north.

1976 Land Use & Circulation Element

The 1976 Land Use & Circulation Element addressed several residential policy areas. Four significant issue areas are summarized below:

Multiple Family: Policies were developed to address concerns with negative impacts on the circulation system and to adjacent single-family neighborhoods. These policies stated that multi-family development could not exceed 20% of the

Chapter 2: Existing Conditions & Projections

total number of dwelling units in a neighborhood area. In addition, multi-family development was to be located near high intensity land uses like commercial and quasi-public uses; but, they were not to be concentrated along only arterials. Developments were not to create adverse impacts on neighborhood schools or recreation facilities. A 1978 amendment to multi-family policies eliminated the 20% limit in favor of a 'community need' guideline with review criteria based on location, design factors, housing stock analysis and cumulative impacts assessment. Concerns with these 1978 multi-family residential policies involved clarifying community need, determining location criteria, avoiding large concentrations of multi-family developments in any one area, processing large-scale proposals, and updating general design guidelines.

Planned Unit Developments (PUD's): As an alternative to conventional subdivisions, the 1976 Land Use & Circulation Element promoted use of a PUD concept. This concept was to foster a mix of housing types and to minimize conflicts with adjacent land uses. Provisions in the Zoning Ordinance allowed trade-offs to deviate from normal requirements such as setbacks and building heights in return for greater open space and recreation uses.

PUD's were encouraged with specific site area, open space and density criteria as well as enhancement of on-site natural features. The 1978 and 1981 amendments to the PUD policy deleted specific open space area requirements and reduced the minimum site area.

Primary concerns with amended 1976 PUD policies were on the limited success in actually implementing the PUD concept in Visalia. The 1976 PUD policies lack comprehensive site design guidelines, attractive development incentives, and a clear method to process development proposals.

Rural Residential: The 1976 Land Use & Circulation Element cited the need for transition or buffer areas in areas between urban and agricultural areas. Rural residential lots were to serve as these transition elements and to preserve rural community characteristics.

Concerns with these rural residential policies were that they did not adequately address either the scope of rural residential uses or the proposed transition/buffer function between urban and agricultural land uses. Intended for those interested in small-scale farming (fruit, nut, etc.), the 1976 rural residential designation and zoning evolved into rural estate development which did not fulfill either small-scale farm role or the buffering role.

Mobile Homes: The 1976 Land Use Element policy directed that mobile home developments were to be directed to multi-family areas. Review criteria included arterial/collector locations, minimum and maximum site areas, and neighborhood limits. The 1980 amendments eliminated neighborhood limits.

Mobile home development since 1976 has been largely confined to expansions of existing facilities. Concerns with 1976 policies involve updating site design criteria.

Residential Statistical Overview

In 1975, the Urban Boundaries Element map designated 5,364 acres of land for residential land uses (Figure 2-7). Note, the 1976 Element cited only two residential land use designations, Rural Residential and Residential. These designations were not based on density ranges. In 1988, the amended Land Use & Circulation Element's map designated 7,371 acres of residential land. The percentage of undeveloped residentially-designated land decreased from 54% in 1976 to 29% in 1988.

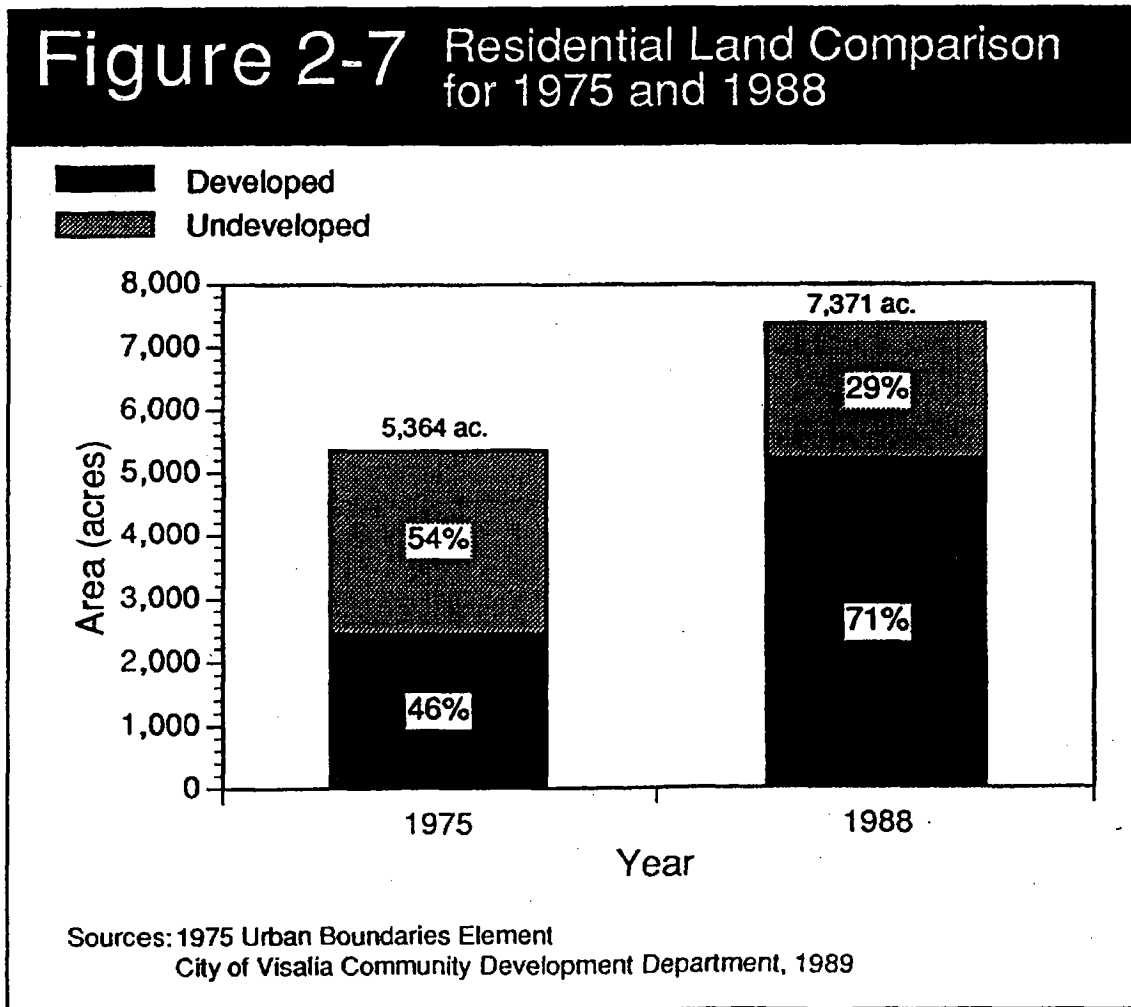


Figure 2-8 Residentally Zoned Land for 1980 and 1988

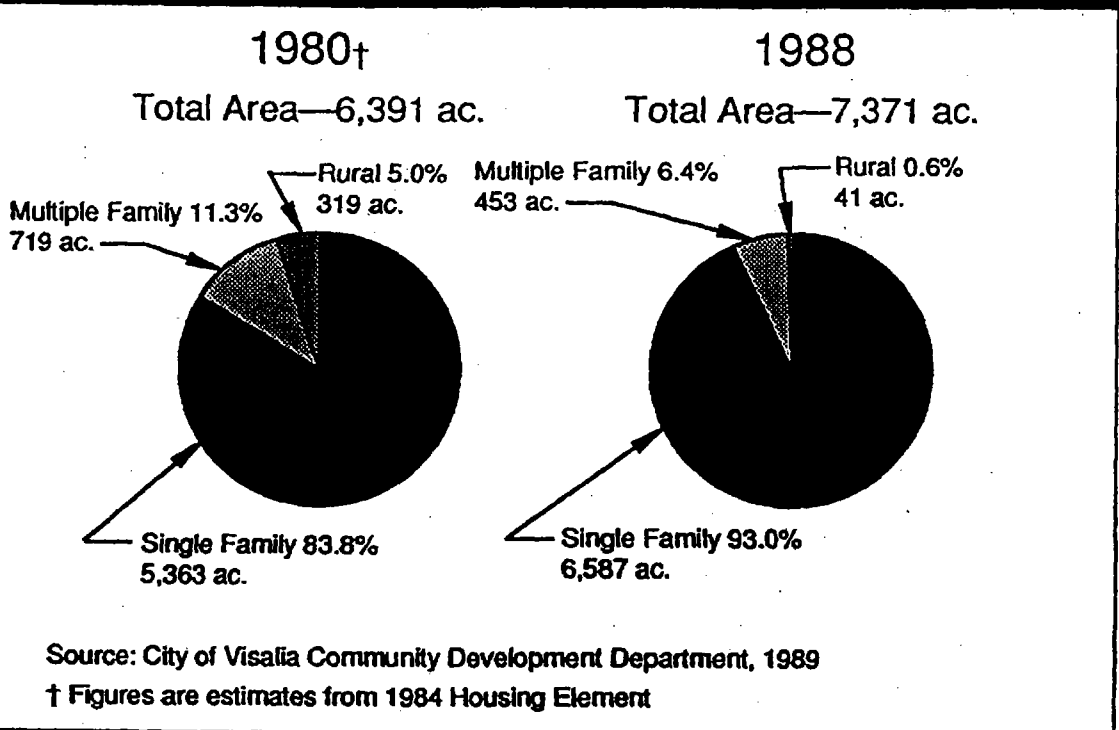


Figure 2-8 compares the amount of land zoned for single-family and multi-family uses in 1980 and 1988. Over this eight-year period, the amount of single-family zoned land increased from 84% to 93%, while the amount of multi-family zoned land decreased from 11% to 6%.

The amount of undeveloped residential land by housing type and general City quadrant is outlined on Table 2-10. The northeast quadrant contained the greatest amount of land available for both single-family and multi-family development.

Table 2-11 lists the assumptions used in estimating future residential needs. Since 1975, Visalia has used a vacancy or "flexibility factor" of 30% to help determine future urban land demand. Land supply needs are therefore calculated at 130 percent of actual or projected developed property. This 'flex' factor accounts for variables such as property owner preferences for non-urban uses, legal complications making land unavailable for immediate development, ensuring price competition, and a contingency for higher than projected growth rates.

TABLE 2-10 Undeveloped Residential Land
(1988 UIB) (acres)

<u>Quadrant</u>	<u>Single Family</u>	<u>Multiple Family</u>	<u>Rural Residential</u>	<u>Total</u>
Northeast	831.25	39.89	0.00	871.14
Southeast	528.10	21.97	0.00	550.07
Southwest	128.37	18.64	0.00	147.01
Northwest	518.58	1.48	41.01	561.07
Total	2,006.30	81.98	41.01	2,129.29

Source: City of Visalia Community Development Department, 1989

TABLE 2-11 1990 Residential Assumptions

Single Family Dwelling Units

7,500 Square Foot Average Lot Size
75% Net/Gross Ratio
Between 75% and 80% of Housing Stock

Multi-Family Dwelling Units

2,000 Square Foot Average Lot Size per Dwelling Unit
85% Net/Gross Ratio
Between 20% and 25% of Housing Stock

Need Calculations

Total Residential AVERAGE "Need"
30% Vacancy Factor Added to Total Need
5% Unit Vacancy Factor

Table 2-12 outlines the Land Use Element's residential designations by area and unit range to the year 2020. It indicates that population increases will necessitate the additional designation of approximately 7,200 acres for single-family development, 1,100 acres for multi-family development and 400 acres for rural residential development. In total, an additional 2,400 acres of residential land is designated to meet year 2000 needs.

TABLE 2-12 Residential Need Projection by Urban Development Boundary Areas (acres)

Housing Type	1988 UIB		Cumulative Acres Needed			Total Net (1990-2020)
	Existing Vacant	Existing Total	2000	2010	2020	
Single Family	1,762	6,587	8,700	11,071	13,742	7,155
Multi-Family	82	453	757	1,114	1,586	1,133
Rural	41	331	435	569	728	397
Total	1,885	7,371	9,892	12,754	16,056	8,685

Source: City of Visalia Community Development Department, 1989

Residential Conclusions

Residential policies under Goal 4 are grouped into two objective areas: 1) residential land development and land use; and 2) housing needs. Policy highlights in the first category relate to the following:

- Designating residential land uses by density ranges (i.e., rural, low, medium, and high).
- Encouraging comprehensively planned neighborhoods integrating single- and multi-family housing with schools and parks.
- Identifying locational, site area, and unit ranges for multi-family development including general building and site design criteria.
- Updating buffer and transition measures between residential and non-residential land uses.

Residential policies related to housing needs include:

- Continuing to discourage concentrations of low- and moderate-income housing in any one portion of the community.

PUBLIC FACILITIES

This section addresses general issues related to public facilities and services including waste water treatment, sanitary sewer collection, storm drainage collection, and circulation.

General Public Facilities

Visalia has traditionally provided a high level of public facilities and services. The City has laid the foundation for future facilities and services through the Waste Water Treatment Plant Master Plan (1987), Storm Drainage Master Plan (1988), and Circulation Element update (1989).

Waste Water Treatment Plant

The City operates a 12.5 million gallons per day (MGD) waste water treatment plant. The 320-acre site is located east of Road 68 south of Avenue 288. The plant collects and treats waste water prior to disposal into Mill Creek or on-site percolation ponds. Since its construction in 1966, nine additions have been completed. The plant currently operates at an average daily flow of 8.86 MGD. A 4.1 MGD expansion, increasing plant capacity to 16.6 MGD, is planned for 1992. Subsequent expansions are outlined in the Waste Water Treatment Plant Master Plan to accommodate a population of 200,000.

Sanitary Sewer Collection

The City's sanitary sewer system consists of over 200 miles of collection lines and over 15 sanitary waste water pumping stations. This system serves virtually all developed areas within the City limits. There is sufficient capacity in the existing system, with minor extension of mains, to accommodate growth to 1995. See the Action Plan outlined in Chapter 4.

The City is currently preparing a sanitary sewer master plan. Chapter 4 outlines an interim three-year plan to serve both initial growth fostered by the Land Use Element as well as longer-term trunk line extensions.

Water

Visalia's public water supply relies on ground water pumped and distributed from over 50 wells by private water companies. The California Water Service Company is the major water supplier in the planning area. Average demand for this system (in 1989) was 17.4 MGD with a peak demand of 32 MGD. This public water supply meets all state and federal standards.

The City also operates a water system, pumping from five wells to serve the Visalia Industrial Park, Goshen Avenue area, west of Road 84, and the Visalia Municipal Airport. This system has a pumping capacity of 11.5 MGD with an average demand of .57 MGD.

Storm Drainage Collection

The City adopted a Storm Drainage Master Plan in 1989 which identified required facilities to accommodate 'build-out' inside the 1976 Urban Improvement Boundary. The Plan focuses on use of a detention-type disposal method which relies heavily on creeks and ditches which traverse the City's planning area. These waterways include the St. Johns River; Mill and Packwood creeks; and Modoc and Evans ditches. A detention basin reduces peak storm water runoff by storing water temporarily and allowing smaller amounts of water to be discharged to a creek or ditch channel. After a storm, this discharge will continue until the basin is empty.

The Master Plan assumes use of all capacity in creeks and ditches; therefore, proposed detention facilities may need to be increased to accommodate proposed growth. The Storm Drainage Master Plan will require substantial revisions to account for changes reflected in the updated Land Use Element.

Streets and Roads

The General Plan's Circulation Element (updated 1989) identified major roadways (i.e., freeways, arterials, and collectors) to accommodate traffic and circulation needs through the year 2010. Because the Circulation Element was revised prior to the updated Land Use Element, it legally had to be responsive to the 1976-1996 Land Use & Circulation Element's assumptions and policies; and yet, it also had to be responsive to issues beyond 1996. Accordingly, the element is based on a hybrid land use plan which will require modifications based on the updated Land Use Element. The Circulation Element was developed on the following land use scenario:

- 1976-1996 Urban Improvement Boundary land uses; and
- Year 2010 land use concept based on State Department of Finance estimates of Tulare County growth.

An additional issue that has been addressed in the Land Use Element update is efficient north-south and east-west circulation. The City is currently served by a system of arterials on one-mile intervals (some of which have limited north-south connections), State Highway 198 and State Highway 63 (Locust/Court and Mooney Boulevard) for cross-town traffic. A need has been projected for additional cross-town circulation facilities to augment the planned expansion of the arterial network.

This "Parkway" system has been designated on the arterial alignments of Shirk Road, Riggin Road and McAuliff Road. The southern leg of the Parkway would be located 1/2-mile south of Caldwell Avenue. It includes curvilinear transitions from its east-west components to its north-south components. Desired features would include limited access and traffic signal coordination; connection to SH 99 and SH 198 to encourage its use for "through town" traffic; connection to the industrial park to facilitate commuter traffic; and connection to planned Community Centers and future regional retail areas.

Private Utilities

Southern California Edison

The City is serviced by Southern California Edison Company for electrical service. High voltage transmission components of this system exist on the City's urban fringe which affect planning and land use compatibility concerns.

Irrigation District and Ditch Companies

The City is traversed by several ditches and natural waterways which serve as irrigation water conveyance facilities for private companies and as storm drainage conveyance facilities for the City of Visalia and the Kaweah Delta Water Conservation District. The Conservation, Open Space, Recreation & Parks Element established a selected waterway system which requires special site design measures. These community waterways consist of St. Johns River, Mill Creek, Packwood Creek, Cameron Creek and Modoc, Evans and Persian Ditches. These facilities illustrated as Figure 2-2.

Local Government Services

The City of Visalia provides a variety of public services including police and fire protection, solid waste and recycling collection, recreational and cultural resources. A description of these and other City services is contained in the Land Use Element's Environmental Impact Report.

Parks

The City is the largest provider of park facilities and recreation services in the planning area. Policies in the Conservation, Open Space, Recreation & Park Element emphasize the acquisition and development of neighborhood parks as new residential development occurs. The 'service area' for a neighborhood park

Chapter 2: Existing Conditions & Projections

ranges from 1/4 to 1/2 mile radius. The City's park acquisition and development fee provides the funding and the Capital Improvement Program sets priorities for neighborhood parks in the City's four quadrants.

A key to the Land Use Element's residential land use and development strategy is the use of parks and public schools as centers and landmarks for new residential areas, a concept that evolved from discussions with the 2020 Steering Committee. The Land Use Element map illustrates the location of several five-acre neighborhood parks which would meet neighborhood objectives. These park sites are generally adjacent to elementary school sites and storm drainage detention facilities with frontage along a collector street.

Public Schools

As indicated by Visalia Community Values (Table 2-1), the public school system as well as the cooperative relationship between the City and the Visalia Unified School District (VUSD) are two highly regarded community assets. Guidelines for school location and site design were developed with VUSD staff to assist in preparing the Land Use Element Map and to initiate a process to facilitate school siting and expansions.

Determining guidelines and mapping locations for future public schools are important for two reasons. First, public schools must be considered as an integral part of the planning area's public facilities and services system or infrastructure. Efficient school facilities planning, land acquisition, and development is a necessary City growth component which must be addressed. A second reason for developing locational guidelines and mapping school site locations is the importance that schools have in building comprehensively planned neighborhoods. (See Parks discussion.) Combined with neighborhood parks and storm drainage facilities, schools, particularly elementary schools, become neighborhood for education centers as well as open space, and neighborhood amenities.

The funding of school facilities to meet the needs of new growth is a critical issue in California. In 1986, the State legislature created Government Code Sections 53080 et. seq. which authorized school districts to levy a fee, charge, or dedication against a development project to offset the costs of providing classroom facilities in a community. A tandem piece of legislation, Government Code Sections 65995 et. seq. capped these fees at \$1.50 per square foot for residential construction with provisions to allow for biennial review and adjustments. (Currently this fee is set at \$1.58 per square foot for residential construction and \$.26 per square foot for commercial and industrial construction.) The legislature also indicated that the imposition of these school

impact fees were an exclusive method of mitigating environmental impacts relative to the adequacy of school facilities.

Subsequent to the adoption of the school impact fee legislation, the courts heard three cases that dealt with the issue of providing adequate school facilities to accommodate growth. The *Mira (Mira Development Corporation v. City of San Diego)* (1988) 205 Cal.App.3d 1201), *Hart (William S. Hart High School District v. Regional Planning Commission of the County of Los Angeles)* (1991) 227 Cal.App.3d 1326) and *Murrietta (Murrietta Valley Unified School District v. County of Riverside)* (1991) 228 Cal.App.3d 1212) courts determined that Government Code Sections 53080 et. seq. and Government Code Sections 65995 et. seq. do not apply to legislative acts (i.e. general plan amendments, zone changes, etc.). The courts further concluded that for legislative acts, mitigation measures beyond those identified in Government Code Section 65996, to include reducing the density, phasing of the project to match the ability of the affected district to provide classroom facilities, or project denial could be imposed on a development project.

In order to meet the needs of the school district to provide classroom facilities, staff worked closely with VUSD staff to prepare a policy that would adequately deal with the impacts on the district's ability to provide classroom facilities to meet the needs of the growth that would be allowed by the adoption of this plan. Such mitigation measures include:

- Acquisition of school sites through a school site reservation process;
- Development and funding under the State's bond funding and State allocation process;
- Development and funding through available VUSD capital reserves earmarked for such purposes. The City and Redevelopment Agency will continue to cooperate in identifying opportunities for public financing to establish such reserve funds;
- Development and funding through Mello-Roos Community Facilities District or similar financing;
- Development and funding through private financing; or,
- Project denial.

Health Facilities

Visalia, with two general hospitals, is the health care and medical center for Tulare County. The largest medical care center is Kaweah Delta District Hospital, a 248-bed facility. This public, not-for-profit district hospital is a Level II trauma center that receives referrals from 12 hospitals in the Tulare-Kings County area.

Visalia Community Hospital is a 52-bed facility which specializes in intensive/coronary care. The community is also served by several private medical groups which provide a wide range of medical services.

URBAN GROWTH

Policy Overview

Prior to 1950, Visalia's urban form was a compact area of approximately 2,000 acres (see Figure 2-9). This area was generally bounded by Houston and Tulare Avenues from Mooney Boulevard to Ben Maddox Way. In the 1950's, the City experienced its first significant western expansion, particularly to the southwest.

By the late 1950's and through the early 1970's, the City had adopted an aggressive annexation program to prevent further urban development in unincorporated areas around Visalia. This City annexation policy was undertaken to ensure that future development would be to City standards and to avoid costly infrastructure conversions. During these years, large land areas were annexed into the City including eastern areas from Ben Maddox to Lover's Lane between Houston and Tulare Avenues, the northwest industrial area, and the Visalia Municipal Airport/Plaza Park area.

The City relaxed this annexation posture by the early 1970's as a result of state-mandated laws related to agricultural land preservation and urban growth. Subsequent land use management tools (spheres of influence, agricultural zoning, urban boundaries, etc.) developed by Tulare County and the City eliminated the need for pursuing large and dispersed areas for annexations. Ensuing annexation policy focused on evaluation of contiguous land as well as County 'islands', and only if immediate development was reasonably certain.

In the mid-1970's, the City and Tulare County developed urban boundaries and policies for the Visalia area. In 1975, the City adopted the Urban Boundaries Element to its General Plan. The purpose of this element was to provide a plan for future annexations and development activities within specifically delineated land areas and time frames. The element outlined policies and map areas (e.g., Urban Area Boundary, 10-year Annexation & Development Boundary, and Urban Improvement Boundary) to identify the interface between future urban areas and agricultural resource lands. This element's population estimates were used as the basis for the 1976 Land Use & Circulation Element.

A key Visalia goal since the mid-1970's, has been to achieve concentric urban growth around the City's Downtown area. Genuine concentric growth has not occurred around the City's Core Area because of natural and man-made

elements like the St. Johns River in the northeast, the Green Acres Airport to the northwest, and available infrastructure. This philosophy supported growth approaches which stressed contiguous, directed, and balanced growth. Major roadways and waterways have been used as boundaries between urban and agricultural land.

1976 Land Use & Circulation Element

The 1976 Land Use & Circulation Element reinforced this managed growth philosophy. Growth-related issues outlined by the 1976 element emphasized:

Agriculture: Encouraged urban development adjacent to agricultural lands which met growth management policies and established a City agricultural preserve program.

Industry: Discouraged new industrial growth in southeast, prohibited new industrial development along Mooney Boulevard and SH 198 (east and west), and encouraged new planned industrial parks in the northwest

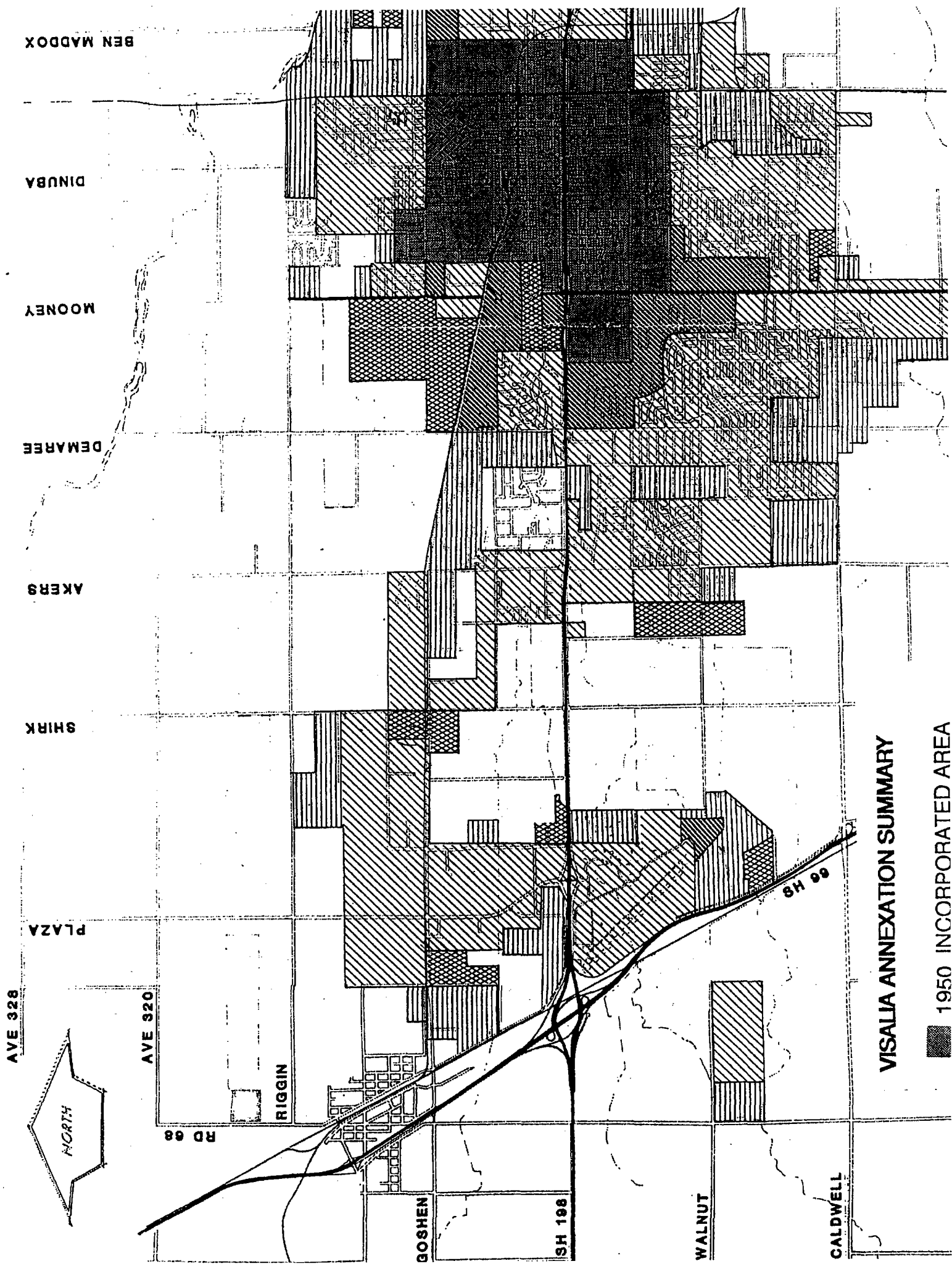
Residential: Created a Rural Residential zone to act as a buffer in areas between urban and agricultural areas

Commercial: Retained the neighborhood commercial siting criteria of one center on one corner of an arterial intersection at one-mile intervals; restricted regional retail development along Mooney Boulevard to between SH 198 and Packwood Creek; and , identified areas for new regional retail and office development

Circulation: Designated SH 198 and its frontage roads (Mineral King and Noble) as the axis for development in Visalia and identified a circulation grid system based on arterials at one-mile intervals.

In 1979, the City adopted the Northeast Specific Plan to coordinate public and private development activities in a 1,700-acre area in the City's northeast. An action plan or implementing tool of the 1976 Land Use & Circulation Element, the Plan targeted development to the north and east of the City's downtown area to balance the community's growth pattern. The Plan includes a number of County islands and was, at the time, largely undeveloped.

In 1988, the West Visalia Specific Plan, was adopted. Initially conceived as a 'scenic corridor' plan, the project culminated as a land use plan for approximately 3,800 acres. The Plan area's predominant land use is agriculture, much of which is under Tulare County's jurisdiction. Key growth and land use



VISALIA ANNEXATION SUMMARY

■ 1950 INCORPORATED AREA

coordination-related Plan issues are airport protection, annexation, and City-County implementation.

Tulare County

Tulare County's community plan for Visalia was adopted in 1977. It is essentially the same as the City's Land Use Map. However, several inconsistencies exist between the two maps. These are residential, highway commercial, quasi-public, and service commercial/light industrial.

In 1983, significant map and text changes were made to Tulare County's Urban Boundaries Element. Text changes re-classified and modified boundary definitions which were not consistent with similar City boundary purposes and definitions. Map amendments, supported by the City, significantly reduced the amount of land area around Visalia for future urban development.

Urban Growth Statistics

Table 2-13 provides a summary of the land uses within the 1988 Urban Improvement Boundary (UIB). Figure 2-10 illustrates the 1988 Urban Improvement Boundary. This tabulation indicates that approximately 52 percent of the land use designations were for residential uses, 19 percent for commercial uses, 7 percent for manufacturing, 15 percent for public and quasi-public and 8 percent for agriculture. Table 2-14 provides a more detailed breakdown of the 1988 land uses.

One of the objectives of the Land Use Element update was to designate new urban growth areas. Another objective was to change land use designations for properties in the existing UIB to reflect changing growth patterns and actual land use. These changes included: designating residential densities; "up zoning" agricultural, residential and low intensity use areas to commercial and office uses; and introducing land use designations to reflect new land use policies (see Table 2-15). Table 2-16 compares some of the major changes resulting from these redesignations in the 1988 UIB.

Table 2-17 indicates the planned supply (gross acreage) and phasing of urban development based on the Land Use Element map. For the first 20 years of development (1990-2010), specific land uses are indicated according to the revised land use designations; beyond the year 2010 a large component is designated "Urban Reserve" to indicate potential expansion areas for residential, commercial and industrial land uses. Specific land use designations in this Urban Reserve area will be determined in future updates to the Land Use Element.

TABLE 2-13 1988 Urban Improvement Boundary
Land Use Designations

Category	Acres	Percent
Residential	7,423	53%
Commercial	2,653	19%
Industrial	1,241	9%
Public & Quasi Public	1,651	11%
Agriculture	713	5%
Parks	419	3%
Conservation	0	0%
Subtotal	14,100	100%
Rights-of-way†	4,770	
Total Acreage	18,870	

Source: City of Visalia Community Development Department, 1989

† Estimated at 25%

TABLE 2-14 1988 Land Use Designation Areas

Designation	Acres	Percent
Agriculture	739	5.2%
Residential	7,052	50.0%
Rural Residential	352	2.5%
Regional Retail	616	4.4%
Local Retail	226	1.6%
CBD	91	0.6%
Highway	64	0.5%
(Reserve) Highway	13	0.1%
Service/Light Commercial	1,384	9.8%
(Reserve) Service/Light Commercial	21	0.1%
Industry	1,241	8.8%
Professional & Administrative Office	169	1.2%
(Reserve) Professional & Administrative Office	62	0.4%
Quasi Public	290	2.1%
Airport	424	3.0%
Parks	409	2.9%
Institutional-Public	277	2.0%
Schools	660	4.7%
Subtotal	14,100	100.0%
Rights-of-way†	4,770	
Total Acreage	18,870	

Source: City of Visalia Community Development Department

† Estimated at 25%

BEN MADDOX

DINUBA

MOONEY

DEMAREE

AKERS

SHIRK

PLAZA

AVE 328

AVE 320

RIGGIN

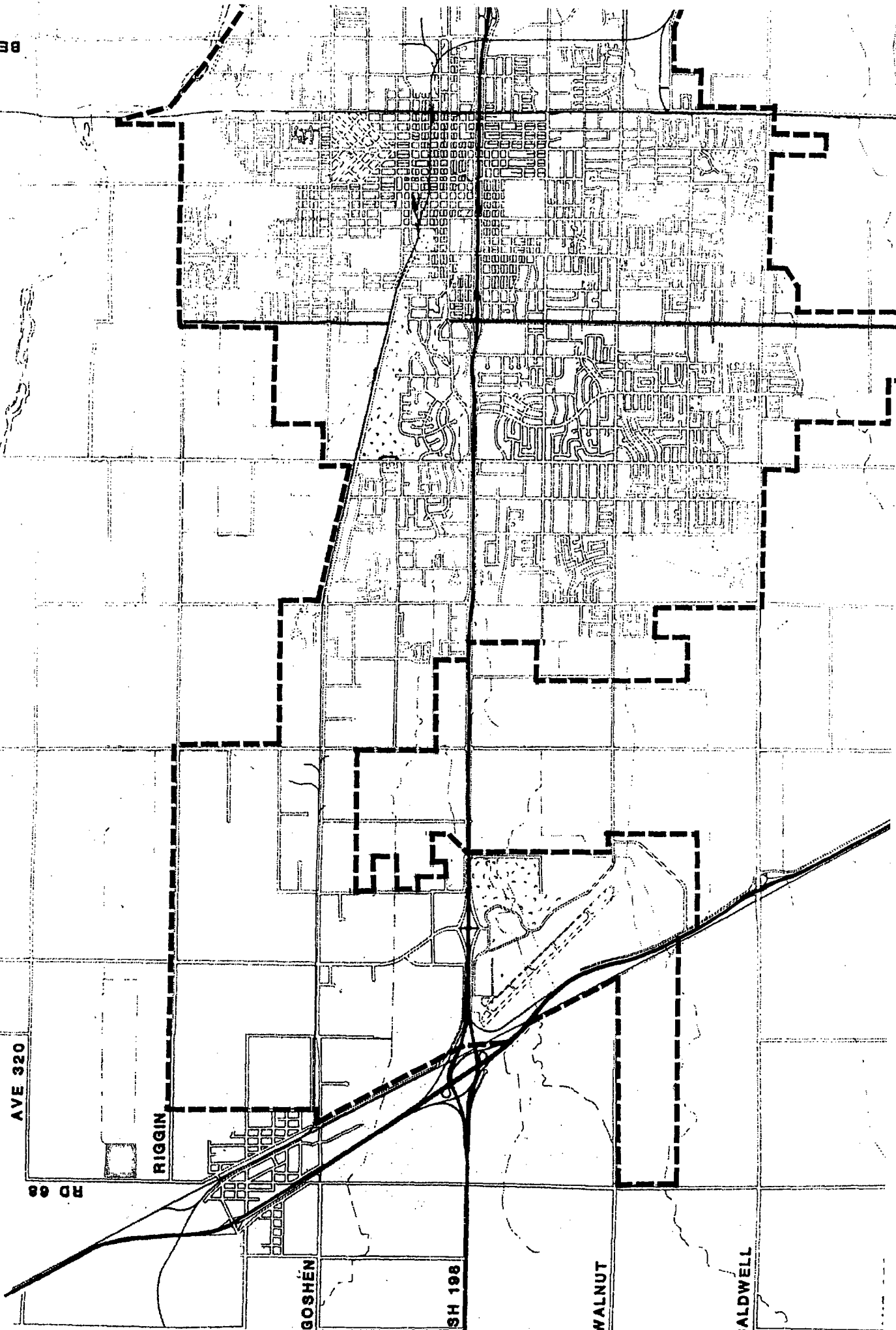
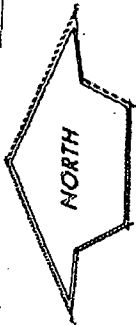
RD 66

GOSHEN

SH 198

WALNUT

SALDWELL



Chapter 2: Existing Conditions & Projections

It is important to note that although the tables refer to growth boundaries as being date based (years 2010, 2020, etc.) the expansion of the Urban Development Boundaries is tied to actual population growth and buildout. These dates provide chronological "benchmarks" to interpret growth phasing.

An additional modification in the growth management aspect is the change in nomenclature for the various growth phasing boundaries. The boundaries for the Land Use Element are defined as follows:

Urban Development Boundary (UDB): This boundary represents the area in which growth shall be permitted to occur in the immediate future. Although the land use map reflects several growth phasing lines associated with various population levels, the area contained within the inner urban development boundary is eligible for development. The City Council, through a general plan amendment may expand this urban development boundary into the next area based on findings indicated in the policies.

Urban Growth Boundary (UGB): This is projected to be the ultimate 30-year urban growth limit line.

Urban Area Boundary (UAB): This area represents the area necessary for Visalia's growth over the next 30 years plus an additional area to provide an open space buffer around the community. The UAB for Visalia is projected to increase from its current area of 54 square miles to 90 square miles.

This open space buffer around the community would also provide an area for urban expansion beyond the 30-year planning period.

Growth Conclusions

An important factor in the implementation of the Land Use Element will be the continued monitoring of the supply of and demand for various types of land uses in the community. Urban growth policies, therefore, include the following monitoring requirements:

- 5-year update of basic assumptions of urban growth projections including population growth, average density of urban development, infrastructure constraints, employment trends. "Mid-course" corrections may be made during these reviews to expand the urban development boundaries, if necessary.

Visalia General Plan • Land Use Element

- Comprehensive update of element every 10 years to reflect changing community needs and values.
- Review of urban development boundaries based on actual population and buildout, rather than the current date-based system.

TABLE 2-15		Estimated Areas for 1990 Land Use Designations (1988 UIB)	
	Designation	Acres	Percent
Residential			
	Rural	461	3.3%
	Low Density	6,787	48.1%
	Medium Density	378	2.7%
	High Density	181	1.3%
Commercial			
	Convenience Center	18	0.1%
	Neighborhood Center	46	0.3%
	Shopping/Office Center	280	2.0%
	Community Center	21	0.1%
	Central Business District	255	1.8%
	Regional Retail	367	2.6%
	Highway	232	1.6%
	Service	332	2.4%
	Professional/Administrative Office	248	1.8%
	Business Research Park	0	0.0%
Community Facilities			
	Public - Institutional	1,421	10.1%
Industry			
	Light Industry	678	4.8%
	Heavy Industry	1,488	10.6%
Open Space			
	Agriculture	0	0.0%
	Conservation	308	2.2%
	Parks	599	4.2%
Urban Reserve			
		0	0.0%
	Subtotal	14,100	100.0%
	Rights-of-way†	4,700	
	Total	18,870	
Source: City of Visalia Community Development Department			
† Estimated at 25%			

TABLE 2-16 Estimated Area Changes Between 1976 and 1990 Land Use Designations (1988 UIB) (acres)

Category	1990	1988	Net Change
Residential	7,807	7,371	384
Commercial			
Convenience	18	0	18
Neighborhood	46	0	46
Shopping/Office	280	0	280
Community Center	21	0	21
CBD	255	91	164†
Regional	367	616	(249)‡
Highway	232	64	168
Service	332	1,405	(1,073)††
Professional/Administrative Office	248	162	86
Business Research Park	0	0	0
Industrial			
Light	678	0	678
Heavy	1,488	780	708

Source: City of Visalia Community Development Department

† Generalized zone for downtown created instead of current designations. No net increase in size.

‡ Following areas determined not to be regional in nature:
N. Dinuba Blvd., N. Ben Maddox/198, McAuliff/198, West Mineral King (between Demaree and Akers). Primarily reclassified to shopping/office and professional/administrative office.

†† Existing industrial uses and areas reclassified to appropriate light or heavy industrial category.

TABLE 2-17 Land Use Designation Areas 1990-2020 (acres)

General Plan Designations	1988 UIB†	Cumulative Gross Acreage		
		2000‡	2010	2020
Residential				
Rural	461	1,480	1,912	1,978
Low Density	6,797	8,680	11,080	13,751
Medium Density	368	574	666	981
High Density	181	287	370	527

TABLE 2-17 Land Use Designation Areas 1990-2020 (acres)

CONT.

Commercial				
Convenience Center	18	27	27	30
Neighborhood Center	46	70	84	124
Shopping/Office Center	280	178	178	227
Community Center	21	80	135	135
Central Business District	255	255	255	255
Regional Retail	367	406	512	639
Highway	232	72	72	72
Service	332	370	370	409
Professional/Administrative Office	248	342	410	480
Business Research Park	0	135	295	375
Community Facilities				
Public - Institutional	1,421	1,749	1,824	1,824
Industry				
Light Industry	678	743	743	743
Heavy Industry	1,488	1,488	1,491	1,491
Heavy Industry Reserve	0	0	620	1,280
Open Space				
Agriculture	0	690	690	690
Conservation	308	594	633	873
Parks	599	1,158	1,175	1,954
Urban Reserve				
Urban Reserve	0	0	0	289
Subtotal	14,100	19,538	23,622	29,087
Rights-of-way††	4,770	4,662	5,112	5,912
Total	18,870	24,200	28,734	34,999

Source: City of Visalia Community Development Department, 1989

† Estimated acres for 1990 Land Use Designations

‡ Goshen land use designation areas are not included.

†† Estimated at 25%

SPECIAL AREAS OF CONCERN

Four areas in Visalia have such a city-wide impact on Visalia that they warrant special attention and consideration. Therefore, they are dealt with separately in this chapter. These four areas are the College of the Sequoias (COS), transportation, Visalia Municipal Airport, and the City's three redevelopment project areas.

The College of the Sequoias

COS is one of the largest landowners and employers in the Visalia planning area. Its location in Visalia augments the City's quality of life. COS development and land use decisions often have far-reaching consequences in terms of the City's economy, transportation system, and land use compatibility. As COS's student body grows and its programs expand, it is essential that the City and COS develop a coordinated program which accounts for the concerns of all affected groups and individuals and is of benefit to both the City and COS.

Objectives and policies contained in Goal 7 detail direction promoting City and COS efforts to resolve land use compatibility issues.

Transportation

Visalia is a city that has been designed principally around the personal automobile (Circulation Element, 1989). The General Plan's Circulation Element concentrates on issues related to auto traffic and circulation, as well as parking. The car and its reliance on streets and roads will continue to be the major mode of transportation over the planning period.

Because of air quality, energy conservation, land use compatibility, and economic concerns, reliance on personal cars and the City's grid street system, the development of a well planned and integrated transportation (i.e., auto, mass transit, air, rail, bicycle, and pedestrian) system is necessary. The timing, location, cost, and expansion of this transportation system are important factors affecting future urban growth.

Objectives and policies outlined in Goal 5 in Chapter 3 address these issues. These objectives and policies deal with ways to reduce the number of miles traveled in cars; to encourage planning which balances housing and employment center location; to develop the Visalia Parkway, an enhanced 'loop' arterial; and to emphasize integrated mass transit, bicycle and pedestrian facilities.

Visalia Municipal Airport

As discussed in the Community Image and Economy sections, the airport is a valuable component to Visalia and its transportation system. Established in 1928, the airport's operations and facilities have continued to grow with the community.

Currently, a high degree of compatibility exists between the airport and the surrounding open space uses. These uses are predominantly agriculture and outdoor recreation. The only existing uses which are less than ideally situated are the Holiday Inn and urban land uses in the unincorporated community of Goshen. Urban development pressures, since the mid-1980's, have increased in the airport's environs (i.e., industrial development to the northeast, residential development to the southeast, and commercial development to the northwest).

The limited amount of existing development in the airport's operational area presents a major opportunity to avoid the creation of incompatible uses which have adversely affected so many other California airports. The airport objectives and policies contained in Goal 7 in Chapter 3 promote ways to continue safe and efficient airport operations, to protect the airport from adjacent and incompatible land uses, and to encourage Tulare County to adopt the Airport Master Plan's compatibility criteria map and table.

Redevelopment Project Areas

Redevelopment districts are formed under State redevelopment law which provides special development incentives and governmental powers. These incentives and powers are to encourage new development and renovation in community areas which are in some way blighted or distressed. Redevelopment district activities are funded through increased property taxes resulting from new development or renovations in the district. This provides a mechanism for investments within established areas of the community. Redevelopment plans are required to be in conformity with the General Plan and are used as implementation tools for goals, objectives, and policies which cannot otherwise be achieved by the private sector or existing public agencies.

Visalia has four redevelopment districts which are distinct in their needs and development objectives. These districts include:

Downtown District

This two-acre district was formed in 1971 to provide for blight clearance and new development in the Downtown area. The district's activities have been completed and included the removal of deteriorated buildings, renovation of older buildings, and new development like the Bank of America branch office.

East Visalia Redevelopment District

This 653-acre district was formed in 1986 to address a wide range of issues in the area north and east of the Downtown. Significant components of this district

Chapter 2: Existing Conditions & Projections

include expansion of the auto district, improvement of Ben Maddox Way as an arterial and commercial corridor, renovation of Lincoln Oval housing, and improvements to public facilities.

Mooney Boulevard Redevelopment District

This 323-acre district was formed in 1987 to address concerns regarding maintaining Mooney Boulevard's retail commercial corridor as the primary regional shopping area for the Visalia trade area. District activities include major improvements for Mooney Boulevard, assembly of sites for new land development, and assistance for renovating and expanding existing regional commercial developments.

Central Visalia Redevelopment District

This 1,643-acre district was formed in 1989 to address concerns regarding provision for Downtown infrastructure improvements and funding for residential conservation programs in older neighborhoods in the Core Area.

Redevelopment district objectives and policies contained in Chapter 3 under Goal 7, concentrate on implementation.

CHAPTER 3
GOALS, OBJECTIVES, AND POLICIES

CHAPTER 3: GOALS, OBJECTIVES & POLICIES

This chapter presents goals, objectives and implementing policies for the Land Use Element. The objectives and policies to be used in meeting these goals are grouped in subjects under each goal, relating to particular resources, facilities and programs. The purpose of the goals, objectives, and policies is to provide guidelines by which to consider public and private development proposals; to help in determining future capital improvement and services budgets; and to provide a "road map" for future City growth.

These goals, objectives and implementing policies were developed from the community values inventory conducted with the 2020 Steering Committee and were reviewed in detail by the Visalia City Planning Commission during its Land Use Element study sessions which were conducted between June of 1989 and January 1990 and the City Council during its study sessions between September 1990 and April 1991, as well as the public hearings conducted by each of these groups.

These goals, objectives and implementing policies are the foundation of the Land Use Element. They provide the basis upon which the land use map is developed and the land use map should be considered a graphical illustration of these policies. These policies have been developed to provide a clear basis for decision making on land use and community development issues. However, they are also designed to provide adequate flexibility in their implementation to ensure that the ultimate goals and objectives of the Element can be achieved.

GOAL 1: PRESERVE AND ENHANCE VISALIA'S UNIQUE CHARACTER.

1.1 COMMUNITY IDENTITY

Objectives

- A. Maintain and enhance Visalia's physical diversity, visual qualities and small-town characteristics.**
- B. Strive to keep Visalia separate and distinct from nearby communities.**
- C. Maintain the Core Area (Mooney Blvd. to Ben Maddox Way and Houston Ave. to Tulare Ave.) as the City's geographic center.**
- D. Maintain the Central Business District (CBD) (Conyer St. to Tipton and Murray St. to Mineral King Ave. including the Court-Locust corridor to the Lincoln Oval area) as Visalia's traditional, medical, professional, government, and cultural center. New uses and services should be directed to the CBD to the extent practicable.**

Implementing Policies

- 1.1.1 Promote the development and implementation of special districts and master plan areas like the Medical District Master Plan, historic preservation district and redevelopment project areas, within the Core Area to preserve and enhance the historic prominence and integrity of this area.**

Enhance and preserve the unique character of the Central Business District through development and adoption of a specific plan for the Core Area and Central Business District which shall include, at a minimum:

- 1. Development of master plans for sub areas of the Core Area.**
- 2. Provisions for expansion of the Historic Preservation District in the Central Business District.**
- 3. Architectural guidelines and standards to ensure that new construction and improvements to existing buildings reinforce the architectural character of the area.**
- 4. Designation of areas for public parking.**
- 5. Open space areas, including public plazas and restoration of Mill Creek.**

6. Standards for landscaping and setbacks.
 7. A financing mechanism for integrated public improvements.
- 1.1.2 Emphasize pedestrian amenities in the Core Area including landscaped open space areas, street furniture, lighting, and signage.
 - 1.1.3 Restore and enhance Mill Creek through the CBD.
 - 1.1.4 Work with utilities and transportation companies to landscape power line and railroad right-of-ways throughout the community and to underground utilities and abandoned railroad spurs where possible.
 - 1.1.5 Develop land use and site design measures for areas adjacent to high-voltage power facilities.
 - 1.1.6 Develop a CBD land use designation and assign zoning districts using the 1980 Downtown Framework Plan, redevelopment plans and historic district plans.
 - 1.1.7 Preserve established and distinctive neighborhoods throughout the City.
 - 1.1.8 Encourage comprehensively planned new residential development in or near the downtown, including single family, multi family and housing for special populations.
 - 1.1.9 Promote development of the Core Area and Community Centers with commercial services, public facilities (schools, community parks), offices and employment to serve as activity centers and to minimize vehicle miles traveled.
 - 1.1.10 Develop a City-wide street tree and landscape master plan to delineate neighborhoods, master and specific plan areas.
 - 1.1.11 Develop scenic entryways (gateways) and roadway corridors into the City through special setback and landscape standards, open space and park development, and/or land use designations. Gateways and entryways to be considered should include:

Gateways:

North:

Ave. 320/Road 80
Ave. 320/Shirk
Ave. 320/Akers
St. John's River/Demaree

South:

Ave. 272/Demaree
Ave. 264/Mooney
Ave. 272/Ben Maddox Way
Ave. 272/Lovers Lane

St. John's River/Mooney
St. John's River/Dinuba Hwy.
Parkway/Ben Maddox Way

East:

SH 216 (Houston)/Road 160
SH 198/Road 152
Caldwell/Parkway

West:

SH 99/Ave. 308
SH 99/SH 198
SH 99/Caldwell
SH 99/Ave. 264

Corridors:

East - West:

Riggin (Road 68 to Shirk)
SH 198 (SH 99 to Demaree and
McAuliff to Road 152)
Caldwell (SH 99 to Demaree and
Divisadero to Road 152)
Ave. 272 (Akers to Road 152)

North-South:

Plaza Dr. (Ave. 320 to Walnut)
Akers (St. John's River to Goshen &
Walnut to Packwood Creek)
Demaree (St. John's River to Houston
and Caldwell to Ave. 272)
Mooney (St. John's River to Houston
and Packwood Creek to Mooney
Grove Park)
Ben Maddox Way (Walnut to Ave. 272)
McAuliff (Parkway to Ave. 272)

To facilitate development of recreational communities in the southeast and northeast portions of the community. Consideration shall be given for provisions of a golf course and master planned development in the southeast between Santa Fe, Lovers Lane, Caldwell and Avenue 272; and in the northeast between Road 152, the Parkway, Mill Creek and State Highway 198. Specific land use designation and extension of urban improvement boundary shall be subject to review and approval of a specific plan for such developments and shall be subject to additional environmental review.

A low density development may be permitted on the northeast corner of Shirk Road and State Highway 198 subject to approval of a specific plan, which preserves and enhances the scenic qualities of the State Highway 198 scenic corridor. Such development shall include a minimum 600-foot permanent conservation area along the State Highway 198 frontage which includes trees, is of an agricultural character and visually screens any development to the north.

- 1.1.12 Develop special lighting, landscaping, signage, and land form treatments for the Visalia Parkway as a common design element.

- 1.1.13 Utilize schools, parks and community facilities as central activity places for residential neighborhoods.
- 1.1.14 Update the zoning ordinance and other regulatory measures to implement the neighborhood and community design goals of this element.
- 1.1.15 Develop zoning ordinance requirements to provide for parking lot shading through tree plantings to avoid "heat islands", promote energy conservation.
- 1.1.16 Minimize visual impact of development through various design techniques such as building orientation, and landscaping depth and density.

Improve parking lot landscaping standards to minimize the visual impact of large expanses of asphalt and structural form, to enhance and promote natural characteristics compatible with urban form and to minimize heat gain.
- 1.1.17 Encourage better site design by retaining native trees as landscape elements and for shading.
- 1.1.18 Develop scenic corridor and gateway guidelines that will maintain the agricultural character of Visalia at its urban fringe.

GOAL 2: IMPROVE THE QUALITY OF AIR, LAND, WATER AND PLANT AND ANIMAL LIFE IN THE VISALIA PLANNING AREA.

2.1 PRESERVATION OF NATURAL FEATURES

Objective

- A. Preserve and enhance natural and rural features such as waterways, Valley Oaks, and agriculture as significant assets and community resources.

Implementing Policies

- 2.1.1 Preserve selected waterways as identified in the Conservation, Open Space, Recreation & Parks Element for flood protection, irrigation water

conveyance, riparian habitat, and open space, where possible, for active and passive outdoor recreation.

- 2.1.2 Enhance views and public access to planning area waterways and other significant features such as Valley Oak groves consistent with flood protection, irrigation water conveyance, habitat preservation and recreation planning policies.
- 2.1.3 Expand the Conservation, Open Space, Recreation & Parks Element to incorporate the entire urban area proposed by the Land Use Element update, and implement its provisions.
- 2.1.4 Significant stands of Valley Oaks woodlands should be protected from further development. The oak woodland area south of Cameron Creek shall be designated "Conservation" and roadways shall be realigned in the area to avoid this property. In addition, revise implementation policies with the Conservation, Open Space, Recreation & parks Element to specifically include this property and provide for its restoration.
- 2.1.5 Develop an East Highway 198 Specific Plan for the east end of Highway 198 to enhance the scenic quality of the east entrance and corridor and balance the scenic qualities on both ends of Highway 198.
- 2.1.6 Encourage the incorporation of native trees in street and site landscaping designs where appropriate to preserve Visalia's character.
- 2.1.7 Utilize the Visalia planning area's natural and rural landscape elements and man-made features (major roadways, airport) as community edges to buffer dissimilar land uses and separate Visalia from its surrounding communities.

2.2 RESOURCE CONSERVATION

Objective

- A. Promote development and public resource management practices which will result in resource conservation.

Implementing Policies

- 2.2.1 Require new developments to incorporate flood water detention basins into project designs where consistent with the Storm Drainage Master Plan. Large basins shall serve as wetland habitat for extended periods where appropriate.

Chapter 3: Goals, Objectives & Policies

- 2.2.2 Require site specific archeological assessments at the time of filing of development plans for sites suspected of being archaeologically significant or of concern.
- 2.2.3 Promote the preservation of cultural resources consistent with the policies and goals of the Conservation, Open Space, Recreation and Parks Element, Housing Element, and the Historic Preservation Element.
- 2.2.4 A management plan shall be prepared for areas designated as Conservation and the Regional Park in order to take advantage of opportunities for habitat enhancement, urban forest development and resource conservation.
- 2.2.5 Promote solid waste recycling to conserve limited natural resources.
- 2.2.6 Develop guidelines for hazardous wastes disposal through the Hazardous Waste Management Element.
- 2.2.7 Develop incentive programs for developments that demonstrate sound energy conservation design and/or construction.
- 2.2.8 Encourage public and private development of alternative energy sources to reduce reliance on conventional electrical and petroleum sources.
- 2.2.9 Require new development projects to set aside appropriate lands to preserve habitat of sensitive plant and animal species known to occur on the site.
- 2.2.10 Prior to issuance of a building permit for property undergoing a change of use, the City shall require submission of a Phase I environmental site assessment which documents past uses of the property and addresses the environmental condition of the site, if it is deemed necessary by the City Engineer.

2.3 IMPROVE THE QUALITY OF AIR IN THE CITY OF VISALIA AND ITS AIR BASIN

Objective

- A. Promote development and resource management practices which will enhance air quality.

Implementing Policies

- 2.3.1 Coordinate with the Tulare County Agricultural Commissioner's Office, TCAPCD and CARB to determine the health risk impacts of aerial spraying and to determine the need and feasibility of buffer zones.
- 2.3.2 Encourage projects which incorporate mixed land uses.
- 2.3.3 Locate transit facilities near areas of high employment density and high housing density to facilitate access and reduce vehicle work trips.
- 2.3.4 Encourage a balance between jobs and a good mix of dwelling units within each quadrant of the community to minimize vehicle miles traveled.
- 2.3.5 Promote a distribution of land uses which minimizes air pollutant emissions.
- 2.3.6 Coordinate with the TCAPCD to develop Significance Thresholds and evaluation procedures to assess the air quality impacts of specific development projects.
- 2.3.7 Coordinate with the Tulare County Air Pollution Control District (TCAPCD) to develop a trip reduction ordinance to implement the California Clean Air Act.
- 2.3.8 Encourage establishments to offer employee and customer incentives to utilize pedestrian and bicycle modes of transportation.
- 2.3.9 Discourage the provision of drive-through facilities which increase the idling of car engines and resulting carbon monoxide concentrations.
- 2.3.10 Encourage large employment centers such as business parks to provide on-site services including, but not limited to, day care, food service, banking and recreation facilities, to reduce the number of necessary vehicle trips during the work day.
- 2.3.11 Continue to work in conjunction with State and Local air quality management agencies and groups to put in place additional Transportation Control Measures (TCMs) which will reduce vehicle travel and improve air quality. The following measures should be pursued:
 - a) Alternative modes of commuting in order to reduce travel.
 - b) Development of a program in conjunction with the Circulation Element Update to increase the use of transit. Investigate the

feasibility of providing shopper oriented shuttle service for the Mooney Boulevard corridor.

- c) An incentive program to employers with over 10 employees to provide incentives to employees to use transit rideshare programs. As a major employer, the City of Visalia shall take the lead in such a program.
- 2.3.12 Promote use of alternative transportation modes such as bicycle, pedestrian and mass transit.
- 2.3.13 Require adequate bicycle facilities such as bike racks, bike lanes, where applicable, for development proposals.
- 2.3.14 Facilities which result in high peak traffic volumes and CO "hot spots" or result in unhealthful toxic air emissions should not be located in the vicinity of land uses associated with sensitive receptors. A determination of "unhealthful", "Vicinity" and "Sensitive Receptors" should be performed by the Tulare County Air Pollution Control District.
- 2.3.15 The City of Visalia will support air quality planning efforts in the San Joaquin Valley Air Basin by supporting the San Joaquin Valley Air Quality Attainment Plan and working with the Tulare County Air Pollution Control District to implement measures to reduce emissions from direct and indirect pollution sources.

2.4 ENHANCE WATER QUALITY AND CONSERVE WATER RESOURCES

Objective

- A. Promote development and resource management practices which enhance water quality and minimizes the impact of development on scarce water resources.

Implementing Policies

- 2.4.1 Conserve water through the City's Water Conservation Program. Create groundwater recharge basins as identified in the Storm Drainage Master Plan to reduce overdraft conditions.
- 2.4.2 Development shall not occur unless water supplies are available to adequately serve the project. This shall be determined at the time of annexation.
- 2.4.3 The City shall require water meters for new residential development.

- 2.4.4 The City should investigate a program of water meter retrofit on any unmetered development. The City shall require the installation of water meters where existing water service improvements make such installation cost effective (e.g., existing meter box and hookup).
- 2.4.5 Control urban and storm water runoff, and point and non-point discharge of pollutants. Develop guidelines for control of pollutants from drainage and storm water runoff to protect conservation areas, park lands and waterways from contamination.
- 2.4.6 The City should consider participation in the commission of a study to determine the safe yield of the locally affected groundwater reservoir and adopt policies accordingly.

2.5 ENVIRONMENTAL COORDINATION AND ADMINISTRATION

Objective

- A. Develop an effective environmental compliance administrative system.

Implementing Policies

- 2.5.1 Update the City's CEQA review process including development and implementation of a mitigation measures monitoring and reporting checklist for development projects.
- 2.5.2 Promote the development of programs which serve to ensure compliance with the environmental goals, objectives and policies of the City's CEQA guidelines and the General Plan.

GOAL 3: DIVERSIFY AND IMPROVE THE VISALIA PLANNING AREA'S ECONOMY

3.1 EMPLOYMENT & POPULATION GROWTH

Objectives

- A. Maintain Visalia's role as the regional commercial and industrial center for Tulare, Kings and southern Fresno counties.

Chapter 3: Goals, Objectives & Policies

- B. Promote diversity in Visalia's economic base to increase the stability of jobs and fiscal revenues.
- C. Enhance the City's sales tax revenues by maintaining and improving Visalia's retail base to serve the needs of local residents and encourage shoppers from outside the community.
- D. Maintain a circulation system which is consistent with the Land Use Element and Map.

Implementing Policies

- 3.1.1 Continue to coordinate City planning activities, economic development and activities of regional significance with Tulare County.
- 3.1.2 Develop a review process to assess environmental, transportation, energy, and economic impacts of proposed large-scale economic development on Visalia.
- 3.1.3 Accommodate a variety of industrial and commercial activities.
- 3.1.4 Annually monitor the adequacy of City economic development efforts and effects of economic activity on the Visalia planning area.
- 3.1.5 Encourage new and existing business and industry that will employ Visalians.
- 3.1.6 Use redevelopment to implement community development goals and objectives.
- 3.1.7 Encourage the California Department of Transportation to provide additional signage to the City of Visalia and its businesses from State Highways.

3.2 VISITOR AND CONFERENCE ACTIVITIES

Objective

- A. Encourage tourism and conference activities as part of Visalia's economic base.

Implementing Policies

- 3.2.1 Continue to work with the Chamber of Commerce, Tulare County, and other organizations to promote tourism in Visalia.

- 3.2.2 Ensure high-quality highway commercial development at State Highway 198 and Plaza Drive in conjunction with a Business Research Park through enforcement of the West Visalia Specific Plan's design and development standards. These land uses shall be master planned and developed in conformity with the West Visalia Specific Plan.
- 3.2.3 Develop a master plan for the Central Business District around the Convention Center which encourages activities in the CBD, resolves existing parking deficiencies and provides for conversion of existing service commercial areas to retail, office and restaurant uses.

3.3 EDUCATION

Objective

- A. Encourage and support the continued development of post-secondary educational facilities in Visalia.

Implementing Policies

- 3.3.1 Encourage and support COS as a major education and employment center, including continued development of California State University, Fresno's COS satellite campus.
- 3.3.2 Promote the location and development of vocational and trade schools in Visalia.
- 3.3.3 Consider location of a four-year college or university in Tulare County in the Visalia Urban Area. Such consideration should include mitigation of identified adverse environmental impacts and preservation of community identity.
- 3.3.4 Promote educational (VUSD, COS and future four-year college) curriculum to increase graduate retention in the planning area.
- 3.3.5 The City of Visalia considers it important to train and retrain workers for entry into industrial jobs and will participate with the County of Tulare, the Chamber of Commerce, the Visalia Unified School District, the College of Sequoias, the Private Industry Council and other community organizations to encourage local training programs.

3.4 AGRICULTURE-RELATED BUSINESSES

Objective

- A. Maintain and encourage agriculture-related businesses in appropriate areas of Visalia.

Implementing Policies

- 3.4.1 Recognize the importance of agriculture-related business to the City and region and support the continuation of agriculture and ag-related enterprises in and around Visalia.
- 3.4.2 Encourage compatible agriculture-related businesses to expand or relocate in appropriate areas of Visalia and/or Tulare County.
- 3.4.3 Encourage incompatible agricultural operations currently located in the City to relocate to compatible locations in the County.

3.5 COMMERCIAL LAND DEVELOPMENT AND LAND USE

Objectives

- A. Maintain Visalia's role as the regional retailing center for Tulare and Kings Counties.
- B. Ensure the continued viability of Visalia's existing commercial areas.
- C. Promote comprehensively planned, concentric commercial areas to meet the needs of Visalia residents and its market area.
- D. Create and maintain a commercial land use classification system (including location and development criteria) which is responsive to the needs of shoppers, maximizing accessibility and minimizing trip length.
- E. Designate appropriate and sufficient commercial land for Visalia's needs to the year 2020 with appropriate phasing.

Implementing Policies

- 3.5.1 Ensure that future commercial development is concentrated in shopping districts and nodes to discourage expansion of new strip commercial development.

- 3.5.2 Ensure that commercial development in residential areas serves the needs of the area and includes site development standards which minimize negative impacts on abutting properties.
- 3.5.3 It shall be a priority of the City to develop the Ben Maddox corridor (Tulare to Houston) as an integral part of the community, including offices, commercial uses, and residences in a mixed-use development plan.
- 3.5.4 Designate land areas in 10-year increments for future commercial and office development. Commercial and office areas outside of the urban development boundary shall be designated for commercial or office "reserve". These areas are to be zoned for agriculture and may be rezoned for commercial use upon the following findings by the Planning Commission and City Council:
1. Property is necessary to meet the needs of the shopping public.
 2. Property is adequately served or will be adequately served by public facilities including streets, sewerage, police and fire protection, water supply, and other facilities.
 3. Properties located within the previous boundary are developed or do not provide the likelihood of being developed in a time-frame appropriate to meet the needs of the community.
 4. Properties are determined to provide a significant social and economic benefit to the community.
- 3.5.5 Designate Convenience Centers for personal and convenience goods and services for nearby residential areas. Such centers may be in new, in-fill, and/or consolidated existing strip commercial development and at a scale which is compatible with surrounding residences. Special site design standards shall be imposed on these facilities including high quality architecture, landscaping, signage and lighting to ensure that they are aesthetically pleasing.

Convenience Centers maybe approved by a conditional use permit on one corner of arterial / collector intersections on sites of 3 acres or less, on no more than one corner of the intersection and at least at one-half mile intervals between neighborhood shopping centers. Where possible, such centers are to be developed as part of planned unit developments or master planned as part of a development.

(Revised 6/17/96 - Resolution No. 96-66)

- 3.5.6 Designate Neighborhood Centers for shopping centers with a major grocery store as an anchor and supporting businesses which serve the surrounding residential areas. Locations shall be at one corner of arterial intersections on sites of approximately 10 acres in area. Centers shall be located no closer than approximately one mile from other General Plan-designated neighborhood centers, from existing Grocery stores, or from General Plan-designated community centers.

The center's scale and site design must be compatible with the surrounding residential area with emphasis on access, circulation, parking, signage, noise, and landscaping. Where possible, these facilities should be planned and integrated into neighborhoods as part of a planned unit development.

In the event that competing applications are made for a neighborhood center at a designated intersection, only one application shall be approved for a period of time not to exceed 24 months. If the applicant does not perform as specified by the city Council, the Council may extend the original proposal or may declare the original proposal void. If, at some future date, an application for development of a corner designated for neighborhood commercial development has not been filed and the Commission and Council find that the needs of the neighborhood are not being provided, the exclusive designation on one corner may be reviewed to consider designation of an alternative corner.

(Revised 6/17/96 - Resolution No. 96-66)

- 3.5.7 Shopping/Office Centers for a range of neighborhood and community-level commercial and office uses. Consists of areas previously designated for local retail (C-2.5), neighborhood, community and regional commercial uses. Generally characterized as strip or linear in nature and serving a non-regional market area. General locations are:

1. Dinuba Highway, between Ferguson and Houston.
2. East side of Ben Maddox Way, between Main Street and Houston.
3. Murray Street corridor between Divisadero to Conyer.
4. Houston corridor, between Divisadero and Turner.

5. Noble Avenue corridor between Ben Maddox and Pinkham. Also, land locked or infill parcels may be added to this designation when they are merged with adjacent properties to obtain Noble Avenue frontage.
6. Mineral King Plaza (south of SH 198 between Linwood and Chinowth).
7. Cain Street and Goshen Avenue.
8. Other locations that may be found to be appropriate by the City Council and in conformity with the intent of the Land Use District.

3.5.8 Develop Community Centers for community-scale shopping with a wide range of commercial goods and services. Uses in the Community Centers shall be of community-, neighborhood-, or convenience-level draw only. No uses which are primarily of a regional draw or uses which would compete with Core Area uses shall be permitted. Locations shall be limited to arterial intersections which have connections to freeway access and adequate north-south and east/west circulation. General locations for community centers are as follows:

1. Northeast, northwest or southeast corner of Riggin and Highway 63.
2. Demaree and Caldwell.
3. Lovers Lane between the Parkway and Caldwell. (Reserve)
4. Northeast corner of Demaree and Riggin. (Reserve)

Community Centers shall be developed as part of a Specific Plan for each of these areas. Each such Specific Plan shall designate the layout of improvements and land uses, development phasing and architectural standards. Specific phases or land uses which are found to be competitive with regional retail or Core Area land uses shall not be permitted or be designated for implementation in a time period which would conflict with other commercial and office development goals.

General guidelines for development shall be 20-30 acres of community-level retail and ancillary facilities, and up to 10 acres of Garden offices for each quadrant of the community served. Supporting facilities shall include up to 20 acres of multi-family residential development and a minimum of 20-30 acres for institutional facilities (churches, senior residential) facilities, to be integrated into Community Center commercial area with public art and open space. The precise

distribution of uses shall be determined at the time of development of a specific plan for the Community Center.

A new zone shall be created to facilitate the development of the Community Center commercial area to ensure compatibility with the adjacent neighborhood and to ensure that the center does not conflict with regional retail or core area development objectives.

Intersections at Community Centers shall be developed with high landscaping, setback, and architectural standards to minimize negative impacts on the surrounding neighborhood.

3.5.9 Preserve and enhance the Central Business District (CBD) (Conyer St. to Tipton and Mineral King Ave. to Murray including the Locust-Court corridor to the Lincoln Oval Park area) as Visalia's historic medical and professional services center. Promote retail commercial, specialty retail, professional/administrative office, public and community facilities and urban residential uses. Designate the Locust and Court corridor between Murray and Race for office conversions to provide for a functional connection between the Oval area and the Downtown. Maintain the downtown as the geographic center of the community.

3.5.10 Designate Regional land uses for large-scale retail commercial uses with limited office uses to serve local residents and shoppers from outside of the community on integrated sites along:

1. Mooney Boulevard between SH 198 and Midvalley.
2. South of Caldwell Avenue, east of Mooney Boulevard.
3. The area south of Caldwell and between Divisadero, Giddings and Packwood Creek.
4. SH 198 between Campus, Demaree and County Center.
5. Dorothea Street to Whitendale east of Woodland.

Areas 3 and 5 shall be designated for regional retail, only based on a submitted and approved master plan or specific plan if it is demonstrated that the properties will function as one unit and to accommodate regional- or community-scale uses.

Master plans shall be developed for the Mooney Boulevard corridor between SH 198 and Liberty which indicate the right of way and location of planned collector, arterial and local roadways necessary to service the commercial area; public facilities; mix of land uses, indicating

locations for professional office uses, retail uses, and other appropriate uses; and a conceptual site layout for major development sites.

New regional commercial areas shall be designated south of the Packwood Creek alignment at Mooney to Midvalley. These areas shall be designated as Regional Retail Reserve and zoned for Agriculture prior to their inclusion in the Urban Development Boundary (10-year development boundary). It shall be the policy of the City of Visalia that these areas not be permitted to be further subdivided or be parcelized from their existing acreage to an extent that would jeopardize their use as regional retail. A specific plan for their development shall be approved prior to redesignation in accordance with the findings of this policy. These areas may be redesignated for regional retail upon the following findings:

1. Mooney Boulevard Redevelopment Project area reaches 80% of total gross leasable area development capacity (an additional 500,000 sq. ft.) or after the year 2000, whichever occurs first.
2. The uses and tenants proposed for the area will substantially further the community's goal of providing high-level regional retail goods and services.
3. That there is sufficient roadway capacity and adequate public facilities and infrastructure to accommodate the proposed development.
4. That a Specific Plan for the South Caldwell area has been prepared and adopted, and that the proposed development is in conformity with such plan.
5. A market study has been prepared which demonstrates the need for such facilities and that there will not be a significant long term deterioration in the viability of Visalia's existing commercial areas.

The regional retail zone classification shall be amended to provide for permitted and conditional uses which are of a regional draw only. Uses which are not exclusively of a regional draw may be allowed where a finding is made that such uses are ancillary or associated with the regional uses. Uses of a neighborhood- or convenience-level draw only shall not be permitted.

- 3.5.11 Maximize regional commercial uses along Mooney Boulevard from SH 198 to Packwood Creek.

3.5.12 Encourage Tulare County to prohibit expansion of new commercial development in unincorporated areas of the Urban Area Boundary.

3.5.13 Maintain and periodically update market and location criteria for a Regional Shopping Mall which consists of an 80 to 100-acre site with two or more full-line department stores (500,000 to 1,000,000 GLA). This designation is not illustrated on the Land Use Element Map, although sufficient contiguous lands are indicated in selected areas. City review of Regional Shopping Mall proposals will be considered when the following criteria are met:

1. A factual determination is made that existing regional facilities are not adequate or cannot be made to be adequate to serve the future regional retailing needs of the community for the foreseeable future.
2. A finding is made that the development of such a facility is necessary to maintain the community's role as a regional retail center.

Upon the findings above, a site may be designated which is in conformity with the following minimum site location factors:

1. Access to a State Highway or Freeway with additional access from at least two arterials.
2. Adequate site area for the Regional Shopping Center (60 to 80) acres, with additional 60 to 80 acres for ancillary development.
3. Adequacy of roadway capacity and public facilities to service the proposed Center.
4. Site is serviced by public transit.
5. Site does not conflict with the safe and efficient operation of the Visalia Municipal Airport.

3.5.14 In order to provide for integration of convenience level and neighborhood level commercial uses into neighborhoods, require design measures which encourage pedestrian traffic, and de-emphasize use of walls as buffers which create barriers to pedestrian access and which are not visually pleasing.

3.5.15 Community and regional level commercial shall be master planned to provide for compatibility with surrounding residential (multi-family as well as single-family). The use of buffering land uses, such as office

uses between residential and high intensity commercial should be considered. Require design concepts which encourage pedestrian access to and within these developments to reduce traffic-related conflicts.

- 3.5.16 Highway Commercial areas are to be designated at a limited number of highly visible freeway accessible locations for tourists' and travelers' uses. Limited, high quality highway commercial uses shall be integrated into the Business Research Park area at the Plaza/ SH 198 intersection.

Development in this area shall be in compliance with the goals, policies and development standards of the West Visalia Specific Plan to promote protection of the aesthetic qualities of the SH 198 scenic corridor and to ensure high-quality design.

- 3.5.17 Designate Service commercial areas for mix of wholesale and heavy commercial uses and services which are not suited to other commercial areas. General locations are:

- A. Noble from Goddard to Lovers Lane.
- B. Roosevelt east of Santa Fe.
- C. East Main extension.
- D. Cain Street between Houston and Main Street.

- 3.5.18 The depth of commercial development along the Mooney Boulevard commercial corridor, Ben Maddox Way (from Tulare to Houston Avenues,) and North Dinuba Boulevard commercial corridor may be extended on a case by case basis if the extension increases the feasibility of commercial development and the proposed action will not create land use conflicts or reduce viability of adjacent residential properties. The Planning Commission shall determine precise boundaries for each zone classification consistent with the goals, objectives and policies of the General Plan.

(Revised 5/3/93 - Resolution No. 93-44B)

3.6 OFFICE LAND DEVELOPMENT AND LAND USE

Objectives

- A. Provide adequate area for office developments in areas where they can be effectively integrated into surrounding areas.

- B. Designate, where appropriate, areas for conversion of older historic structures to office uses.
- C. Provide for large-scale office developments in the community at locations which provide close-in employment opportunities.
- D. Maintain the circulation system to support the desired distribution of commercial, residential, industrial and employment centers.
- E. Strengthen the Core Area as the primary area for professional office development.

Implementing Policies

- 3.6.1 Designate an Historic Preservation Conversion zone district to preserve distinctive structures and areas proposed for office conversion in the Core Area where adequate parking can be provided. The areas are to include between Giddings and Hall from Main to 1/2 block north of Center, the area from Murray to Race Street along Locust and Court, the north side of Murray between Stevenson to Locust Avenue and the north side of west Main Street between Sunset and Green Acres. Additional consideration shall also be given to the area fronting on Noble Avenue between West and Conyer upon its addition to the Historic Preservation District. An overlay zone shall be developed for this area to address parking common access, streetscaping and architectural design.
- 3.6.2 Develop a Garden Office zone district to apply to 10-acre areas adjacent to Community Centers. Additional garden office developments shall be designated along the north side of the SH 198 corridor between Akers Road and County Center Drive to provide a use compatible with the conversion of the SH 198 to full freeway status and other locations found to be in compliance with the General Plan by the City Council, upon recommendation of the Planning Commission. Such zone districts shall provide for only limited medical offices when they are not adjacent to hospitals.
- 3.6.3 Develop a Business & Research Park Center zone district to accommodate large-scale business and research activities in campus-type master planned developments at five locations:
 - 1. Plaza Drive north of SH 198 in conjunction with limited, high quality highway commercial uses.
 - 2. West side of Ben Maddox between Center Street, Burke and Douglas in conjunction with a mixed use Specific Plan for the Ben

Maddox corridor. Such specific plan shall include the area bounded by Center Street, Houston Avenue, Cain Street and Burke Street.

3. Northeast and northwest corners of Ben Maddox and Tulare.
4. State Highway 198 and east Parkway (McAuliff) intersection. (Reserve)
5. East side of Shirk Road between Riggan Avenue and Goshen Avenue.

The zone shall establish minimum lot sizes ranging from one acre to ten acres as may be appropriate for these selected areas and specify special landscaping and architectural standards.

(Revised 5/3/93 - Resolution No. 93-44E, 1/17/94 - Resolution No. 94-06 and 94-24, 11/21/94 - Resolution No. 94-173)

3.7 INDUSTRIAL LAND DEVELOPMENT AND LAND USE

Objectives

- A. Encourage the location of new industries that do not generate substantial amounts of pollutant emissions, impacts on air quality, or other natural resources.
- B. Ensure compatibility between industrial lands and adjacent dissimilar land uses.
- C. Retain and strengthen the City's role as a regional manufacturing center in the Southern Central San Joaquin Valley.

Implementing Policies

- 3.7.1 Designate appropriate and sufficient land for Visalia's industrial needs.
- 3.7.2 Direct industrial uses to and encourage expansion of the northwest industrial areas.
- 3.7.3 Prepare a Specific Plan for the northwest industrial area to provide for an adequate mix of parcel sizes, service commercial uses, commercial services, public facilities and infrastructure, open space, circulation alternative transit modes and parking.
- 3.7.4 Develop performance standards to supplement and augment design standards to minimize the negative impacts (glare, signage, noise, dust, traffic) associated with the establishment of new or expansion of existing

service commercial and industrial development. Design standards and measures should consider, at a minimum, building setbacks, buffering landscaping including plant material and plant density, and land forms including walls and fences.

- 3.7.5 Limited expansion of industries located outside the northwest industrial park may be permitted subject to an analysis of site area limitations, land use compatibility with surrounding land uses, environmental impacts, and economic factors. Buffering land uses should be used adjacent to existing or planned residential land uses adjacent to industrial designations. Such uses may include parks, drainage ponds, open space, or other such uses.
- 3.7.6 Assist, if requested, in the relocation of older, existing service commercial and industrial uses from the southeast and northeast to the northwest industrial area.
- 3.7.7 Preserve land designated for light and heavy industrial uses by limiting the intrusion of commercial or service commercial uses.
- 3.7.8 Continue to prohibit heavy industrial uses along SH 198.
- 3.7.9 Continue to prohibit industrial and service commercial uses along Mooney Blvd.
- 3.7.10 Ensure the efficient physical, economic and cultural assimilation of major new industries and employees into the community. An individual prospective industry should initially employ no more than 750 employees. Prospective industries which initially employ more than 750 employees may be approved through a conditional use permit. Approval of the Conditional use permit should be based on the following findings:
 - 1. Significant community social and economic benefit.
 - 2. Employment of existing unemployed or under employed City residents.
 - 3. Site location and land use compatibility.
 - 4. Existing or planned availability of housing in the community.
- 3.7.11 Develop and maintain Service Commercial areas in east Visalia and in the northwest industrial park in conformity with the Industrial Park Specific Plan.
- 3.7.12 Evaluate the Land Use Element on a five-year basis to ensure that there is an adequate inventory of available industrial land.

- 3.7.13 Reserve adequate sewage treatment plant capacity and sewerage capacity to meet the projected needs of industrial growth. Further, to ensure that this capacity is prudently used, the City shall encourage industries which have low-volume and low-strength discharges.
- 3.7.14 Develop zoning ordinance provisions to provide for the following industrial land uses:
1. Light Industry--Uses characterized by low intensity research and development, warehousing and limited manufacturing, and production, processing, assembling, packaging or treatment of food products from previously prepared materials.
 2. Heavy Industry--Uses characterized by the manufacturing, processing or assembling of semi-finished or finished products from raw materials.
- 3.7.15 In order to ensure adequate supply and appropriate phasing of industrial land in the community, property located between Road 76 and Road 92 and north of Riggis shall be designated for Industrial Reserve.
- 3.7.16 In order to achieve a high-quality natural environment, it shall be the policy of the City to encourage industries which demonstrate minimum air quality and water quality impacts and to discourage air quality and water quality impacts, which cannot be offset.

GOAL 4: PROVIDE A VIABLE RANGE OF HOUSING ALTERNATIVES IN THE VISALIA PLANNING AREA

4.1 RESIDENTIAL LAND DEVELOPMENT AND LAND USE

Objectives

- A. Ensure adequate land area is available for future housing needs.
- B. Encourage efficient residential development.
- C. Encourage development of comprehensively planned, compact, well-integrated areas for single-family and multi-family residential development using schools, neighborhood parks, and open space conservation facilities as key planning components.

- D. Provide new residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet projected demand throughout the community.
- E. Identify locations for multi-family developments which are accessible to major transportation routes, mass transit facilities, commercial areas, schools, and recreation facilities.
- F. Protect existing and proposed residential areas.

Implementing Policies

- 4.1.1 Designate residential land area which is adequate to meet the needs of the community over the next thirty years. Residential land in the last two 10-year growth areas shall be designated 'Reserve.' These Reserve areas are to be zoned Agriculture. Reserve areas may be redesignated and rezoned to the appropriate residential land use designation and zone if the following findings are made by the Planning Commission and the City Council:
 - 1. Additional land is necessary to meet the residential land development needs in order to maintain a supply of zoned residential land equal to 130 percent of the total acreage necessary to accommodate total planning area residents projected to the succeeding ten years.
 - 2. The additional land is either adequately served or can be served by planned and programmed public facilities including streets, sanitary sewer, water, police/fire protection, and other urban services and facilities.
 - 3. Land within the existing 10-year growth area is either developed or can not be developed in a time-frame appropriate to meet the needs of the community.
 - 4. Additional land is determined to provide a significant social and economic benefit to the community.
 - 5. Infill has been achieved in the interior of the community consistent with Policy 6.2.3 (5).
- 4.1.2 Encourage the use of site development techniques which ensure that a good mix of housing types is provided through such methods as inclusion of duplexes in low density areas where they can be made to be compatible with surrounding development.

4.1.3 Encourage planned unit residential developments according to the following criteria.

1. The minimum site area for a planned unit development which includes a Convenience Center or a Neighborhood Center shall be 20 acres. Sites less than 20 acres may be considered upon recommendation of the Planning Commission.
2. The minimum site area for a planned residential development shall be one acre. Parcels smaller than one acre may be considered if there are unique site circumstances related to shape, natural features, location,
3. Common usable open space, exclusive of right-of-way and required setbacks, shall be encouraged to the greatest extent possible for recreation and open space purposes.
4. Existing natural features such as Valley Oak trees and community waterways shall be preserved and enhanced consistent with the Conservation, Open Space, Parks and Recreation Element.
5. Density shall not exceed the underlying zoning provisions. Density increases may be granted in accordance with the Zoning Ordinance such as density bonuses or for infill projects, or for affordable housing.

4.1.4 In order to encourage infilling and the use of existing vacant subdivision lots, the City shall develop flexible design standards which meet the intent of the General Plan.

4.1.5 Identify residential areas adjacent to roadways and other noise-sources (i.e., railroads, airport, industry) which require setbacks and/or special sound-proofing to reduce negative noise-related impacts, as identified in the Noise Element. Mitigation measures shall include the following:

- a. The performance standards of the City's Noise ordinance.
- b. Noise mitigation "packages" including the use of setbacks to ensure that the exterior noise levels at the closest building facade do not exceed 65 dB Ldn and interior noise exposure of 45 dB Ldn or below.
- c. For multi-family development, site design techniques shall be used to reduce the need for supplemental noise mitigation requirements. Also, investigate the feasibility of requiring greater

setbacks for multi-family residential development along arterials and collectors as an alternative to walls and fences.

- d. The City shall consider minimizing the development of new residential land uses in the area east of the industrial park and adjacent to other existing major commercial/industrial.
- 4.1.6 Develop design measures to buffer residential development from non-residential land uses. These measures should, at a minimum, include setbacks; roadways; community waterways; landscaping; and land forms such as berming, fences, and walls (See Conservation, Open Space, Recreation & Parks Element's policies on Community Waterways, Wildlife and Natural Vegetation, Open Space Resources, and Park Location and Design).
 - 4.1.7 Ensure that natural and open space features such as Valley Oak trees and community waterways are treated as special site amenities which are to be preserved and enhanced in conformity with the Open Space, Conservation, Recreation and Parks Element.
 - 4.1.8 Plan and coordinate residential development in close proximity to planned urban facilities and services such as schools, parks, sanitary sewer, water, storm drainage, circulation network, transportation facilities and commercial centers. The area between Akers Road and Shirk on the north side of Hurley may be developed to Low Density Residential uses subject to approval of a master plan for the area for public streets, infrastructure and parallelization.
 - 4.1.9 Encourage higher density residential development near employment centers, commercial development and parks.
 - 4.1.10 Provide for the continued viability of existing single-family areas in the Core Area of the community and encourage medium and high density residential development in the Central Business District where such uses do not conflict with existing neighborhoods.
 - 4.1.11 Promote comprehensively planned and high quality building and site design for multi-family developments with the following criteria:
 1. Exterior Elevations - Use design features such as offsets, balconies, projections, landscaping or similar elements to preclude large expanses of uninterrupted building surfaces.
 2. Building, Parking, Walkway Separation - Provide privacy, light, air, and access to dwellings within the development by ensuring

adequate distances among buildings, parking lots and driveways, and walkways.

3. **Open Space, Landscaping, and Screening** - Designate private open space exclusive of required setbacks, right-of-way, and easements within each development for the use of residents. Open space, landscaping and screening should provide outdoor space for the residents and mitigate negative impacts related to land use compatibility between the development and adjacent land uses, noise, lighting, parking (screening and shading), on-site traffic circulation, and preservation of natural features such as waterways and Valley Oaks.
 4. **Energy Efficiency** - Encourage the following measures: 1) appropriate landscaping materials to provide shade in the summer and protection from the weather in winter; 2) eaves, canopies, awnings along south and west elevations; 3) secured bicycle storage areas with lock-up capabilities.
- 4.1.12 Integrate multi-family development with commercial and professional office uses in Community Centers.
 - 4.1.13 Direct City land use actions toward the maintenance and improvement of established residential areas.
 - 4.1.14 Encourage the repair and maintenance of existing dwelling units.
 - 4.1.15 Review all development proposals for compatibility with surrounding, established residential areas including land use, circulation, and public facilities and services.
 - 4.1.16 Require special site development standards for proposed non-residential or more intensive land uses adjacent to established residential areas to minimize negative impacts on abutting properties.
 - 4.1.17 Rural Residential areas shall be designated to provide opportunities for residential dwellings in conjunction with small-scale farming and animal husbandry or in a semi-rural setting. Rural Residential development (6 persons per acre - up to 2 dwellings units per net acre) shall be directed to areas where:
 1. all urban services (i.e. storm drainage, schools, sidewalks, lighting) may not be required or available;

Chapter 3: Goals, Objectives & Policies

2. adjacent to agricultural areas where more intensive future urban development is unlikely because of public safety conflicts such as the airport protection area;
3. boundaries between dissimilar land uses (i.e., industrial to residential in the northwest and agriculture to residential in the southwest);
4. in areas where the viability of large-scale agriculture may ultimately be threatened due to the encroachment of non-agricultural uses, and which do not warrant designation to a higher density.

Densities of up to 2 units per acre may be permitted by conditional use permit in the following locations:

- a. Southeast corner of Roeben and Whitendale outside the Airport Protection Zone.
- b. West side of Roeben Road between Tulare and Walnut.
- c. North side of Sunnyview/Ferguson extension between Tommy Road and Akers.
- d. Rural residential area in the southeast.
- e. Laura and Mary Streets between Linwood and Chinowth.
- f. North side of Hurley between Akers and Shirk.
- g. North side of Doe Avenue extension westerly of Akers Road.
- h. Other areas as may be designated as compatible by the City Council upon recommendation of the Planning Commission.

Subject to the following minimum conditions:

- a. Developments will not be permitted to have farm animals.
- b. Full development improvements shall be installed.
- c. Development setbacks and buffering will ensure that there will be no conflicts with adjacent rural residential uses.

One half acre lots shall be allowed in the RA zone through the approval of a conditional use permit if the city determines that the size or shape of

the site limits the development of a standard size subdivision or the approval of 1/2 acre parcels would facilitate infill development.

(Revised 11/21/94 - Resolution No. 94-175)

- 4.1.18 Continue to encourage comprehensively planned Low Density Residential development (up to 21 persons/acre - 2 to 10 dwelling units net acre). Low density developments in excess of 7 units per acre shall only be permitted in the Northeast Specific Plan Area, for selected infill parcels as may be designated by the City Council upon recommendation of the Planning Commission, and in other specific plan areas where standards are established for lot coverage, where it will promote the fulfillment of unmet housing needs for low or moderate income households according to the Housing Element. Usage of duplex or halfplex units shall be encouraged to increase overall densities where they area made to be compatible with the overall residential development.

The Zoning Ordinance shall be amended to permit the use of 5,000 square foot lots, and include development criteria and a review process for them to be integrated with 6,000 square foot lots. The criteria shall include development standards which may include provisions for minimum lot width, setbacks, lot coverage, building mass and other development standards.

The Zoning Ordinance shall be amended to include a definition of "infill parcels" and a process and criteria to permit the use of 5,000 square foot lots on these designated parcels.

(Revised 5/3/93 - Resolution No. 93-44B)

- 4.1.19 Promote Medium Density Residential development (up to 33 persons per acre - 10 to 15 dwelling units per net acre) which typically consists of duplex, triplex and four-plex development for in-fill or new development at local/collector and/or collector/collector intersections to a maximum of 50 units in one contiguous development on sites ranging from 3.5 to 5 acres. Medium Density Residential developments on sites less than 3.5 acres at arterial/collector intersections may also be considered. All proposals in excess of 11 units shall require a conditional use permit. Medium density developments may be permitted on corner lots in single family zones where they can be provided in conformance with Policy 4.1.20. Medium density residential developments may also be used in infill areas where they can be made to be consistent with adjacent properties through the conditional use permit process and contract zoning.

(Revised 6/17/96 - Resolution No. 96-71)

4.1.20 Locate High Density Residential development (up to 58 persons per acre - 15 to 29 dwelling units per net acre) throughout the City at arterial, collector and CBD locations according to the following criteria:

1. arterial intersections - 200-unit maximum on sites ranging from 6.5 to 13.5 acres;
2. arterial/collector intersections - 150-unit maximum on sites ranging from 5 to 10 acres;
3. mid-block arterials - 100-unit maximum on sites ranging from 3.5 to 6.5 acres;
4. CBD - at in-fill locations which do not jeopardize the viability of existing single family areas.
5. High density residential developments may also be used in in-fill areas where they can be made to be consistent with adjacent properties through the conditional use permit process and conditional zoning. Consistency and compatibility with adjacent properties shall be evaluated based on issues including but not limited to: adjacent zoning, adjacent land use, proposed building mass, and the adequacy of public facilities available to the site.

Densities in excess of 20 units/acre will be reviewed on a case-by- case basis and may be approved through a conditional use permit where measurable community benefit is demonstrated and where infrastructure including mass transit facilities is available (or can be made available) to accommodate impacts of increased density. Projects in excess of 11 units shall also require a conditional use permit.

(Revised 7/18/94 - Resolution No. 94-104)

4.1.21 Develop and implement corresponding zone districts that are consistent with residential land use designations.

4.2 HOUSING NEEDS

Objective

- A. Coordinate residential land use planning and housing needs with Housing Element and other adopted plans and programs.

Implementing Policies

4.2.1 Support the Housing Element's ratio of single family to multi-family.

- 4.2.2 Continue to encourage the distribution of low and moderate income housing throughout the community and on smaller sites.
- 4.2.3 Encourage development of housing for senior adults and other special populations (i.e., developmentally disabled and physically handicapped). Locational criteria for these development proposals, at a minimum, should include:
 - 1. Proximity to health care, recreation/cultural, and/or commercial facilities
 - 2. Location on arterial and collectors with access to mass transit routes
 - 3. Aesthetic quality of area, including noise impact compatibility, and open space
- 4.2.4 Continue to provide incentives, such as density bonuses to encourage the development of housing for senior adults, special populations (developmentally disabled and physically handicapped) and low-moderate income households.
- 4.2.5 Promote mobile home park and mobile home subdivision development through updated site design criteria.

GOAL 5: PLAN AND DEVELOP AN EFFICIENT PUBLIC FACILITIES AND SERVICES SYSTEM TO SERVE AS A FRAMEWORK FOR ORDERLY URBAN DEVELOPMENT

5.1 WASTEWATER AND TREATMENT PLANT, SANITARY SEWER, STORM DRAINAGE

Objectives

- A. Coordinate facilities and services planning to implement land use goals and objectives.
- B. Plan the location, cost, and funding of facilities and services in advance of need.

Implementing Policies

- 5.1.1 Update the Wastewater Treatment Plant Master Plan, Storm Drainage Master Plans, and the Circulation Element and any other specific or master plans related to infrastructure development on a periodic basis.
- 5.1.2 Continue to coordinate community waterway issues (i.e., habitat restoration/preservation, storm drainage, irrigation, public access, maintenance) with Kaweah Delta Water Conservation District, irrigation districts, private ditch companies, private landowners, and public agencies.
- 5.1.3 Develop and carry-out an infrastructure and public services assessment during annexation reviews to determine infrastructure needs, feasibility, timing, and financing.
- 5.1.4 Prepare and implement a 50-year sanitary sewer master plan which implements adopted land use goals, objectives and policies and which stresses oversizing to meet long-range demand.
- 5.1.5 Require the development and extension of infrastructure to proposed developments according to adopted elements and master plans. The City shall use reimbursement agreements or other financing techniques to reimburse developments for any oversizing cost which may be required. Projects, which are not contiguous to existing urban development, shall be required to assess the cumulative impact of all non-contiguous development.
- 5.1.6 Develop an updated Circulation Element which integrates and addresses issues of vehicular circulation including consideration of transportation systems management strategies, bikeways, pedestrian walkways, transit and other modes of transportation.
- 5.1.7 Coordinate urban growth management planning with public and private utilities.
- 5.1.8 Implement public facility master plans through various funding mechanisms including assessment districts, user fees, development impact fees, reimbursement agreements and/or other mechanisms which provide for equitable distribution of development costs.
- 5.1.9 Incorporate circulation system monitoring and feasibility studies as part of the annexation review process.
- 5.1.10 Design runoff drainage structures to decrease erosion.

- 5.1.11 Revise and amend the existing Storm Drainage Master Plan to ensure compatibility with the Land Use Element.
- 5.1.12 Urban development in floodway areas shall be developed in accordance with regulations of the Federal Emergency Management Agency.
- 5.1.13 Develop regulations to minimize water quality impacts from stormwater runoff from point and nonpoint sources.
- 5.1.14 Conserve or create groundwater recharge zones.
- 5.1.15 Use pervious material, where appropriate, for selected paving applications. Improvement standards shall be developed to guide the use of such materials.
- 5.1.16 Implement the Storm Water Plan through the following storm water basin locational criteria.
 - 1. Final designated basin locations shall be based on the following factors: hydraulic considerations, land costs, improvement costs, surrounding land uses, property owner cooperation, and the sequencing of development within the service area of the basin.
 - 2. Unplanned basins, not designated on the LUE Map, maybe constructed for temporary or permanent use provided the basins serve as viable alternatives to the recommendations of the Storm Water Master Plan.
 - 3. Upon completion of a new basin, the appropriate designation shall be delineated on the LUE Map through the General Plan amendment process.
 - 4. Designations for unconstructed planned basins maybe removed from the LUE Map, through the General Plan amendment process, upon a determination that the basins are not needed based on hydraulic, funding, and land development considerations.

(Revised 11/21/94 - Resolution No. 94-177)

5.2 LOCAL GOVERNMENT FACILITIES AND SERVICES

Objectives

- A. Provide high quality government facilities and services to the general public. The location of government facilities and services shall be

directed to the Core Area of the community to the greatest extent possible.

- B. Coordinate location of public improvements for other local agencies and districts to maximize service to the general public with an emphasis on their location in the Core Area.

Implementing Policies

- 5.2.1 Continue to plan and provide efficient public safety and leisure/cultural facilities and services for the community.
- 5.2.2 Maintain innovative solid waste service and programs.
- 5.2.3 Support public and private-sector programs for hazardous waste management.
- 5.2.4 Promote the location and expansion of government offices in the Core Area.
- 5.2.5 Encourage location of new fire stations according to the Fire Master Plan.
- 5.2.6 Encourage development of Tulare County facilities in the Core Area.
- 5.2.7 Ensure that the City's Capital Improvement Program is adequate to meet future growth and development needs in conformity with the goals, policies and objectives of the General Plan.
- 5.2.8 Develop and implement a Recycling and Source Reduction Program to further promote recycling.
- 5.2.9 Annually monitor the need for fire services personnel as the planning area develops. Adopt and implement a master for fire services.
- 5.2.10 Annually monitor the need for law enforcement personnel as the planning area develops.
- 5.2.11 Update the City's Emergency Operations plans as needed to address additional development and population growth.
- 5.2.12 Prepare and adopt a Hazardous Waste Management Plan (HWMP). The HWMP shall provide measures which will reduce health and environmental risks associated with exposure to hazardous materials associated with agricultural and industrial land uses.

5.3 PUBLIC SCHOOLS

Objectives

- A. The City shall coordinate the location of school sites in the community with the School District in an effort to assist the School District in providing school facilities at the optimum locations and in a timely manner. The City shall evaluate the impact of proposed projects on the capacity of the school facilities and coordinate exists to serve the needs of existing and planned development.
- B. Provide transportation and recreation opportunities near schools.
- C. Promote schools as focal points for neighborhood areas and as planning elements for new growth areas.

Implementing Policies

- 5.3.1 Coordinate school location and site design with the Visalia Unified School District according to the following guidelines to ensure that adequate facilities are available:

Elementary Schools

Description: Facilities for 700 to 850 students in grades K through 6.

Location: Interior residential areas at collector/local intersection. Additional street frontage desired for transition area to adjacent residences. Abuts neighborhood park with adjacent development backing or siding onto school. Maximize pedestrian and bicycle access and on/off-site circulation.

Service Area: 1/2-mile radius to serve a population of 5,000 to 8,000.

Site Area: 12 to 15 acres

Facilities: Approximately 20 classrooms, administration building, library, multi-purpose building (lunches, recreation, and community meetings), multi-purpose recreation/open space with hard-court play areas and equipment, off-street parking, bus loading/unloading area, and bicycle storage area. Security fencing separates buildings from play areas. Public use of play areas is encouraged.

Middle Schools

Description: Facilities for 850 to 1,000 students in grades 7 and 8.

Location: Residential areas with central location for surrounding area elementary schools at collector/collector or collector/local intersections. Prefer same collector as area high school. Additional local street frontage desired for transition to adjacent residential areas. Maximize pedestrian and bicycle access and on/off-site circulation. No adjacent park facilities.

Service Area: Approximately six elementary schools.

Site Area: 20 to 25 acres.

Facilities: Approximately 30 classrooms and labs; administrative center, library/media center; multi-use buildings (cafeteria, band, chorus, shops, labs); athletic facilities for football, baseball, track; off-street parking; bus loading/unloading area; and bicycle storage area. Security fencing separates buildings from athletic fields. Public use of athletic fields is encouraged.

High Schools

Description: Facilities for 1450 to 1600 students in grades 9 through 12.

Location: Arterial-collector intersection with additional frontage on two other streets. Prefer same collector as area middle school. Do not locate adjacent to park facilities.

Service Area: Coincides with VUSD service boundaries.

Site Area: 40 to 45 acres.

Facilities: Approximately 40 classrooms and labs; library/media center; administrative building; gym; cafeteria; standard outdoor athletic facilities for football, swimming, soccer, track, ; off-street parking, bus loading/unloading; bicycle storage area. Security fencing separates buildings from athletic fields/facilities. Public use of athletic areas is encouraged.

- 5.3.2 In considering development proposals which have the potential to affect school capacity, the City shall refer such proposals to the School District for review and comment to ensure that adequate school facilities are implemented to serve the proposed developments. Such proposals shall be evaluated through the City's implementation of the California Environmental Quality Act (CEQA) for discretionary and legislative City actions and through referral of Site Plan Review proposals.

Such review shall occur at the earliest feasible discretionary or legislative action such as annexation, General Plan Amendment or zone change to ensure that there is adequate time for the City, developer and School District to identify the appropriate means of constructing and financing the needed additional improvements, if additional improvements are necessary. This analysis shall include an evaluation of existing school capacity, project future capacity, current demand and future demands, and project impact.

In considering legislative or development proposals the City and School District shall require the following measures (in priority order) to the extent such measures are available to mitigate school system impacts.

1. Acquisition of school sites through a school site reservation process;
2. Development and funding under the State's bond funding and State allocation process;
3. Development and funding through available VUSD capital reserves earmarked for such purposes. The City and Redevelopment Agency will continue to cooperate in identifying opportunities for public financing to establish such reserve funds;
4. Development and funding through Mello-Roos Community Facilities District or similar financing;
5. Development and funding through private financing; or,
6. Project denial.

5.3.3 Restrict commercial development near schools so that pedestrian or vehicular access between the two is 1/4 mile or greater.

(Revised 6/17/96 - Resolution No. 96-66)

5.3.4 Discourage development of High Density Residential complexes abutting school sites.

5.3.5 Work with Visalia Unified School District to locate additional continuation schools.

5.3.6 Continue to encourage school multi-purpose facilities and open space for community uses to maximize their utilization.

5.3.7 Work with Visalia Unified School District and other area schools to develop and administer land use planning curriculum.

5.3.8 The School District shall coordinate its school location, facility construction and phasing with the City's development guidelines contained in the Land Use Element and the City's Capital Improvement Program to ensure that school facilities are located in areas where there are planned and programmed streets, sewerage, storm drainage systems and other necessary infrastructure.

5.4 DAY CARE FACILITIES

Objective

A. Encourage all-day care centers (children, youth, and senior) and private preschools to provide facilities for year-round care.

Implementing Policies

5.4.1 Continue to allow private day-care centers (in accordance with state and county regulations) in residential zone districts where the proposed facility meets the following criteria:

1. Facility does not compromise the residential character of the neighborhood.
2. That is adequate circulation and loading and unloading facilities.
3. There is adequate site area.

5.4.2 In conjunction with community parks, develop community centers for each City quadrant with day-care programs.

5.5 HEALTH CARE FACILITIES

Objectives

A. Facilitate a continued high level of health care services in the community.

Implementing Policies

5.5.1 Provide for the expansion of Kaweah Delta District Hospital through continued implementation of the Medical District Master Plan.

- 5.5.2 Plan for additional medical campuses (including ancillary facilities and expansion areas) as may be necessary to meet the incremental needs of future residents.
- 5.5.3 Continue to coordinate land use issues with representatives from the health care community.
- 5.5.4 The City and Redevelopment Agency shall continue to work with Kaweah Delta District Hospital to facilitate expansion of their downtown facility and additional new facilities.
- 5.5.5 Direct new public and private health care facilities to the Core Area.

5.6 TRANSPORTATION

Objectives

- A. Plan and develop a transportation system for Visalia which contributes to community livability, recognizes and respects community characteristics (natural and man-made), and minimizes negative impacts on adjacent land uses.
- B. Promote ways to reduce the number of vehicle-miles traveled in the planning area.
- C. Encourage land use planning which balances the location of housing and employment centers in the planning area.
- D. Implement a monitoring and evaluation program that will provide the data and planning needed to develop an effective and coordinated Capital Improvement Program (CIP) that will provide circulation improvements in concert with development trends.

Implementing Policies

- 5.6.1 Develop a long-range transportation master plan for the City which:
 - a. Integrates various modes of transportation including auto (access, circulation and parking), bicycle, pedestrian, mass transit, regional rail, and air.
 - b. Provides special consideration for energy-efficient transportation alternatives.
 - c. Provides for transportation system management and trip reduction methodologies.

- 5.6.2 Locate commercial and industrial land uses adjacent, or in close proximity, to residential uses to reduce vehicle trips and vehicle miles traveled.
- 5.6.3 Develop and implement the Visalia Parkway to supplement the City's arterial/collector grid and to be a community image feature. Development and improvements guidelines shall include:
 - a. A minimum 150'-wide right-of-way with at least two travel lanes in either direction, controlled access, special median and right-of-way landscaping.
 - b. Adequate right-of-way for high-occupancy-vehicle and/or dedicated mass transit (e.g. bus, light rail) lanes.
 - c. Adequate right-of-way and development standards to permit effective mitigation of noise, glare, and circulation impacts.
 - d. Grade-separated crossings, on- and off-ramps and special landscaping treatments shall be utilized at the parkway's intersection with State Highway 198 and with Mooney Boulevard.
 - e. Pending development of the Visalia Parkway north of the St. John's River, the St. John's Parkway from McAuliff to Dinuba Blvd. shall serve as the northerly Parkway connector.
- 5.6.4 Work with TCAG, the City of Tulare, and Caltrans to plan and develop an expressway between Visalia and Tulare for regional circulation.
- 5.6.5 Where appropriate, encourage multi-level parking structures adjacent to major traffic generators.
- 5.6.6 Develop a method to reduce parking requirements for development proposals which integrate transit facilities, for areas with demonstrated shared parking and/or in association with transportation management systems.
- 5.6.7 Provide for the convenient location of public facilities with shared parking and access to mass transit.
- 5.6.8 Promote efficient and conveniently located transportation facilities such as the airport's intermodal terminal and a CBD mass transit transfer center.
- 5.6.9 Develop design and development standards to improve transit in the community such as wider sidewalks to accommodate bus stops and bus shelters at intersections; bus pads with shelter and shading vegetation;

widened rights-of-way for buses; dedicated bus lanes; on-site transit stops for commercial public, institutional and industrial facilities; and, bus facilities adjacent to day-care centers, schools, and major residential areas.

- 5.6.10 Support regional high-speed inter-city rail development and service.
- 5.6.11 Promote efficient traffic signalization of intersections including signal timing coordination in order to increase traffic carrying capacity of roadways to decrease air pollution and congestion.
- 5.6.12 Develop and implement safe and efficient pedestrian and bicycle facilities through development and adoption of a pedestrian and bicycle facilities master plan.
- 5.6.13 Investigate the feasibility of using existing railroads for rail passenger service; if such facilities are abandoned, explore their use for bike paths, pedestrian trails, and/or new or expanded roadways.
- 5.6.14 Prepare an inventory of roadway capacity on critical segments, and intersections to adequately anticipate future impacts.
- 5.6.15 Identify street segments and intersections that are operating worse than the standard contained in the Circulation Element.
- 5.6.16 The City shall annually monitor traffic volumes on selected street segments and at selected intersections to determine if there has been a significant increase in volumes and degradation in the level of service. Where there appears to be an increase that causes the segment or intersection to approach the minimum level of service specified in the Circulation Element additional counts and studies shall be conducted and an improvement plan developed.

When considering proposed developments, the City shall make one of the following findings:

- a) The circulation system segments, intersections and interchanges impacted by the proposed development will operate above the minimum level of service specified in the Circulation Element with project-added traffic, or that there will not be a net degradation of the level of service. Where proposed projects are not contiguous to existing development within the City, the traffic/circulation analyses shall address the cumulative impacts of the project plus all intervening undeveloped areas.

- b) Project(s) in the CIP will provide sufficient capacity on the circulation system segments, intersections and interchanges impacted by the proposed development so that the system will operate at or above the minimum level of service specified in the Circulation Element with project-added traffic.

The City shall be responsible for managing and coordinating all traffic studies to ensure consistency.

- 5.6.17 Maintain current Urban Reserve designation for areas outside the projected 2010 UDB in order to retain flexibility in future land use planning.

GOAL 6: MANAGE PLANNING AREA GROWTH TO BE CONTIGUOUS AND CONCENTRIC FROM THE CITY'S CORE AREA.

6.1 GENERAL GROWTH MANAGEMENT

Objectives

- A. Provide for an orderly and efficient transition from rural to urban land uses.
- B. Minimize urban sprawl and leap-frog development by encouraging compact, concentric and contiguous growth.

Implementing Policies

- 6.1.1 Promote development of vacant, underdeveloped, and/or redevelopable land where urban services are available.
- 6.1.2 Identify and use natural and man-made edges such as major roadways and waterways within the City's Urban Area Boundary as urban development limit and growth phasing lines.
- 6.1.3 Preserve and enhance the planning area's natural features and resource lands.
- 6.1.4 Utilize Rural Residential land uses as a buffer and transition between agricultural uses and urban development.

- 6.1.5 Develop a land development information system for the City's planning area and provide information on Visalia's annual growth and implementation of the General Plan's goals, objectives, and implementing policies.
- 6.1.6 Promote the preservation of permanent agricultural open space around the City by protecting viable agricultural operations and land in the airport and wastewater treatment plant environs.
- 6.1.7 Encourage the use of regional parks and open space to enhance gateways to the City's planning area and as a buffer between adjacent communities.

6.2 URBAN BOUNDARIES

Objective

- A. Implement and periodically update a growth management system which will:
 - 1. guide the timing, type, and location of growth
 - 2. preserve resource lands
 - 3. protect natural features and open space
 - 4. encourage techniques which encourage energy conservation

Implementing Policies

- 6.2.1 Establish an Urban Area Boundary (UAB) which identifies the City's sphere of influence or its ultimate physical boundary and service area for the next thirty years plus an agricultural buffer area comprising of an additional 30 percent of the urban growth area.
- 6.2.2 Discourage new or expanded urban development in the area between the UAB and thirty year Urban Growth Boundary as this largely agriculture resource land is not generally suited for urban uses.
- 6.2.3 Establish Urban Development Boundaries (UDB's), to accommodate estimated City population for the years 2000, 2010, and 2020, as the urbanizable area within which a full-range of urban services will need to be extended to accommodate urban development. These boundaries shall be established based on the following factors:

Chapter 3: Goals, Objectives & Policies

1. Adequate residential, commercial and industrial capacity for the projected population.
2. Inclusion of a thirty percent (30%) vacancy factor ("flexibility factor") for residential development and a twenty percent (20%) vacancy factor for commercial development.
3. Adequacy of infrastructure including existing and planned capacity of sewerage system, treatment plant, water system, schools, roadways, and other urban services and facilities.
4. Community growth priorities.
5. Progressive increase in the percentage of buildout in existing developed areas of the community, to a maximum of 90 percent buildout. Compliance with this policy shall be according to the methodology described in Appendix C.

Expansion of the urban development boundary shall be accomplished through amendment of the Land Use Element and be based on the above findings.

- 6.2.4 Periodically adjust, no less frequently than once every five years, the land use and economic demand projections used to determine population estimates, needed land supply and amendments to Urban Development Boundaries.
- 6.2.5 Annexation to the City is the appropriate method for urbanization within the Visalia Urban Area Boundary.
- 6.2.6 Annexation of land outside of the current Urban Development Boundary may be permitted only if:
 - a. the proposal is required for orderly and efficient land use planning with Visalia's planning area, and
 - b. the land is designated consistent with the City's Land Use Element Map.

6.3 AGRICULTURAL LAND PROTECTION

Objective

- A. Protect agricultural land from premature urban development.

Implementing Policies

- 6.3.1 Continue to maintain a 20-acre minimum for parcel map proposals in areas designated for Agriculture to encourage viable agricultural operations in the planning area.
- 6.3.2 Work with Tulare County to discourage parcelization of agricultural land outside of the current Urban Development Boundary and to encourage the use of agricultural preserves, where they will promote orderly development.
- 6.3.3 Maintain and update the City's agricultural preserve program.
- 6.3.4 Increase residential densities to reduce the need for conversion of prime agricultural land. Techniques to be utilized include usage of mixed use planned unit developments, integration of duplexes in single family subdivisions and development of properties to, at least, the minimum densities specified in the Land Use Element and map.
- 6.3.5 A Right-To-Farm Ordinance should be pursued.

6.4 GROWTH MANAGEMENT COORDINATION

Objective

- A. Coordinate growth management planning and implementation among Visalia, Tulare County, and the surrounding cities of Tulare and Farmersville.

Implementing Policies

- 6.4.1 Work with Tulare County to develop and adopt a Visalia-Tulare County urban growth management agreement that implements the Visalia General Plan and outlines the process for review and action on development proposals and implementing programs within the Visalia Urban Area Boundary.

This urban area management agreement should include, at a minimum:

1. Design and development standards for the Goshen Community.
2. Compatible land use plans for Goshen and Visalia and Tulare County.

3. Review and modification, where appropriate, of permitted and conditional uses in the County's agriculture zone and application of the County's Rural Valley Lands Plan for urban uses.
 4. Responsibilities for review and approval of County development proposals.
- 6.4.2 Encourage Tulare County to strictly limit the establishment of new or expansion of existing development in the Visalia Urban Area Boundary.
 - 6.4.3 Begin planning between the City and Tulare County to annex Goshen by the year 2000. In order to ensure conformity with City and Goshen development standards and land uses, it is recommended that the Redevelopment Plan for the Goshen area be reviewed so that industrial development is sensitive to the community image, and residential neighborhood integrity. A specific plan should also be developed to address site development requirements, architectural review, setbacks, landscaping, to ensure long-term compatibility between development standards.
 - 6.4.4 Promote development of a master plan to clarify growth and development issues (i.e., land use compatibility, open space, circulation) with the cities of Tulare, Farmersville, and Tulare County for an area generally bounded by Avenue 272 to Avenue 256 between SH 99 and Road 156.

GOAL 7: IDENTIFY ISSUES OR AREAS WHICH HAVE SIGNIFICANT IMPACT ON THE VISALIA PLANNING AREA AND REQUIRE SPECIAL ATTENTION.

7.1 COLLEGE OF THE SEQUOIAS

Objectives

- A. Encourage and facilitate the implementation of the COS Master Plan.
- B. Promote City and COS efforts to resolve land use compatibility

Implementing Policies

- 7.1.1 Facilitate the implementation of the COS master facilities plan.

- 7.1.2 Encourage COS to provide parking areas for students and faculty to reduce negative impacts on surrounding residential areas.
- 7.1.3 Improve traffic, circulation and access issues on and adjacent to campus.
- 7.1.4 Work with COS to identify a long-term location for the college farm.
- 7.1.5 Encourage COS to plan for and integrate transit facilities and adopt TSM and TDM strategies.
- 7.1.6 Continue to develop cooperative agreements between the City, COS, and VUSD which ensure recreation and open space lands and facilities are available for community use.

7.2 VISALIA MUNICIPAL AIRPORT

Objectives

- A. Continue to ensure safe and efficient airport operations.
- B. Design a land use plan and development regulations which ensure the long-term viability of the Visalia Municipal Airport.

Implementing Policies

- 7.2.1 Protect the airport and its operational area from potential intrusion of incompatible land uses by strictly regulating development within the airport's operating area according to the Airport Master Plan the Airport Compatibility Map and guidelines contained in the Airport Compatibility Criteria Table.
- 7.2.2 Coordinate airport area development proposals with the Tulare County Airport Land Use Commission. Also consider establishment of a separate City-County Airport Land Use Commission.
- 7.2.3 Encourage the Tulare County Airport Land Use Commission to adopt the Airport Master Plan's compatibility criteria and map.

7.3 REDEVELOPMENT DISTRICTS

Objective

- A. Provide for the formation and implementation of redevelopment projects consistent with State Redevelopment Law.

Implementing Policies

- 7.3.1 Monitor redevelopment activities and objectives to ensure their consistency and conformance with the City's General Plan. Such monitoring shall include periodic reports by the Redevelopment Agency regarding its activities and relationship to the General Plan.
- 7.3.2 Encourage redevelopment activities and development objectives.
- 7.3.3 Include the implementation objectives of redevelopment districts as a finding and consideration for specific Planning Commission zoning and land use decisions. Such consideration may include findings that the land use decision is necessary because of the need for redevelopment activity on an individual case basis.

GOAL 8: STRUCTURE AN IMPLEMENTATION PROGRAM TO ACHIEVE THE GOALS, OBJECTIVES AND POLICIES OF THIS ELEMENT.

Objective

- A. Periodically monitor, review and amend the Land Use Element so that it is responsive to the changing conditions, needs, and attitudes of the community.

Implementing Policies

- 8.1.1 Develop a public participation program that ensures the opportunity for citizens to be involved in all phases of the planning process.
- 8.1.2 Establish an annual schedule and process to consider applications for amendments to the Land Use Element. Such amendments to the Element's text and/or map shall be based on the following findings:
 - 1. That the proposed amendment is in the public interest.
 - 2. The proposed amendment will further the adopted goals and objectives of the Land Use Element.
- 8.1.3 Develop and maintain a current land use and parcel information base to monitor and update all General Plan elements. An annual report shall be

made to the Planning Commission and City Council on the status of the implementation of the general plan, in conformity with State law.

- 8.1.4 Prepare, update, and implement master and specific plans that implement the Land Use Element.
- 8.1.5 Ensure consistency between the Land Use Element map and text as well as among other General Plan elements.
- 8.1.6 Where feasible and necessary, utilize public improvement financing mechanisms such as assessment districts, reimbursement agreements, special tax districts, and other such mechanisms to ensure that necessary infrastructure is provided in a timely manner. Such financing agreements or mechanisms should be established prior to annexation, where possible.
- 8.1.7 The Zoning Ordinance and other land development and land use development regulations shall be amended, where necessary, to be in conformance with the goals, objectives, policies and map of the Land Use Element.

The Planning Commission shall interpret the General Plan goals, objectives, policies and land use maps when applying zoning to property to consider issues such as parcel configuration and orientation.

(Revised 5/3/93 - Resolution No. 93-44B)

- 8.1.8 Periodically review, no less frequently than once every five years, the land use and economic demand projections to determine the adequacy of the planned supply of land for urban development.
- 8.1.9 Perform a comprehensive update of the Land Use Element, no less frequently than once every ten years.

CHAPTER 4
IMPLEMENTATION ACTION PLAN

CHAPTER 4: IMPLEMENTATION ACTION PLAN

PURPOSE

To expedite the development permitting process this action plan identifies the work tasks necessary to implement the Land Use Element, establishes work priorities, and identifies target completion dates and responsible departments and divisions. It is the objective of this action plan to expedite the permitting process, thereby increasing the inventory of developable property while addressing intermediate- and long-term changes to regulations, code modifications and completion of planning projects necessary for the effective implementation of the Land Use Element, within the City's finite staff and financial resources.

ISSUES

Implementation of the Land Use Element will take a coordinated effort on the part of the private sector, public sector agencies, including the City, County, School Districts and utility companies. And, within the City organization, different departments and divisions will be responsible for completion of various studies, ordinance changes, master and specific plan amendments, development of new master and specific plans, development of financing agreements and

procedures, implementation monitoring and special studies. This action plan identifies a three-year work program to expedite these necessary changes.

Special master plans and other general plan elements contain the detailed design, implementation and fiscal analysis associated with development and implementation of the Land Use Element. Once the Land Use Element is adopted, these master plans and elements will need to be amended to be in conformity with the Land Use Element. This chapter, therefore, does not address the specific design considerations and fiscal analysis which are typically contained in those master plans and elements; rather, it provides a comprehensive work program for the next 3 years to ensure completion of all tasks.

A general description of the issues associated with implementation of the Land Use Element is provided below. These issues have been developed based on the following services:

- Specific policies contained in Chapter 3 of the Land Use Element which direct that certain modifications be made or studies undertaken;
- On-going development coordination and infrastructure financing issues;
- State-mandated changes in ordinances, regulations, or procedures; and
- On-going intergovernmental coordination issues.

The Action Plan is broken down into the following general categories:

- Zoning Ordinance update;
- Specific and master plan preparation and amendment;
- General Plan Element updates;
- Public facilities and infrastructure financing;
- Permit processing priorities;
- Intergovernmental coordination; and
- Implementation monitoring.

The issues and tasks associated with each of these categories are summarized below:

ZONING ORDINANCE UPDATE

Various changes will need to be made to the Ordinance as directed by the policies in the Land Use Element. Some of these directed changes are for the

creation of new zones to correspond to the new land use designations; others are for modifications to existing zones to reflect new development opportunities. Still others have been mandated by State law to ensure conformity with the adopted general plan. The zone maps will also have to be updated to reflect land use designation changes.

General modifications will include a requirement that zoning be consistent with general plan (along with a consistency matrix) and reformatting to ensure readability (policy 8.1.7). Additional provisions are to be developed to provide for transfer of development rights to implement open space conservation, Community Center and Business Research Park policies, and modification of the PUD ordinance to facilitate its use on large-scale development projects (Policy 4.1.3).

Residential

Various changes are directed to the residential designations. These changes, along with the implementing policy reference, are summarized below:

Rural Residential

Modification of the zone to provide for higher development standards, especially with regard to storm drainage and sewer service and variation in density from 1/2- acre to 5-acre minimum lot sizes. Also, changes to direct that this area should be used for interface with agriculture or permanent "edges" (Policy 4.1.17, 4.1.21).

Multi-Family Residential

Changes are directed which modify the maximum site size and development intensity, location of developments, and site design criteria to be used during consideration of site plans and building permits. (Policies 4.1.13, 4.1.19, 4.1.20, 4.1.21)

General residential modifications will include re-evaluation of existing development standards, usage of modified residential standards and use of the R-1-4.5 zone (Policy 4.1.18).

Commercial

Commercial designations are directed to receive a comprehensive review and modification to assure that the goals, objectives, and policies of the Land Use Element are achieved. These include modification of the permitted and conditional uses in existing zones, creation of new zones for new categories

such as Historic Preservation Conversion areas, garden office zone, Business Research Parks, Commercial Centers and convenience commercial zones. General changes are as follows:

- **Convenience Commercial:** Changes are directed to create locations for high-amenity convenience stores at selected locations (Policy 3.5.5).
- **Shopping Office Zones:** This zone would replace the existing C-2.5 zone and designate areas for retail and office development. Service commercial uses in the current C-2.5 zone would not be permitted (Policy 3.5.7).
- **Regional Retail:** Changes would be made which would eliminate certain neighborhood commercial uses from the C-2 zone (Policy 3.5.10).
- **Community Centers:** A Community Center zone would be created to implement the provisions of Policy 3.5.8 creating the purpose, generalized permitted uses and design/development goals.
- **Service Commercial:** A new service commercial zone will be created which eliminates industrial uses from the service commercial zone. This would "uncombine" the combining zone created in 1976 (Policy 3.5.17).

Office

The existing Professional/Administrative Office Zone will be separated into four distinct zones, each representing a different type, scale and intensity of office development: 1) Garden Office; 2) Historic Preservation Conversion zone; 3) Business Research Park; and 4) Professional/Administrative Office. These zones are described below:

- **Garden Office:** Low rise offices with high amenity development standards (Policy 3.6.2).
- **Historic Preservation Conversion:** Areas appropriate for conversion of older structures to office uses. Principally in or adjacent to the downtown, with special design standards for parking, access, and landscaping (Policy 3.6.1).
- **Business Research Parks:** New zone for large-scale uses ranging in minimum lot size of one acre to ten acres. Low intensity, high amenity, with special treatment of adjacent natural amenities (Policy 3.6.3).
- **Professional/Administrative Office:** Zone would be modified for higher intensity office uses, such as in the downtown (Policy 3.6.2).

Parking

Parking requirements are to be reviewed for all developments, but special attention is directed to parking facilities in conjunction with shared parking facilities (Policy 5.6.7), parking structures adjacent to major traffic generators (Policy 5.6.5), parking reduction incentives for integration of transit facilities (Policy 5.6.6) and parking lot development requirements for shading (Policy 1.1.15).

Open Space

State law (Government Code 65910) mandates the inclusion of an Open Space Zone to implement the Open Space Element and related components of the Land Use Element. This zone would include agriculture, conservation areas, special habitat areas, and areas subject to safety issues, such as the airport and waste water treatment protective areas.

Airport

The draft Airport Master Plan contains compatibility criteria and an airport influence map which are substantially different than those contained in the existing Airport Zone. The Airport Zone shall be amended to be in conformity with the Airport Master Plan.

Design Districts

The City's existing design districts will have to be extended to new development areas of the community. In addition, special supplemental design standards are to be developed for Visalia's gateways as specified in Policy 1.1.11.

Also a special design district shall be developed to prescribe setbacks and development conditions to be imposed on projects located within the influence area of high power transmission lines (Policy 1.1.5).

SPECIFIC AND MASTER PLAN PREPARATION AND AMENDMENTS

Specific Plans

The City currently has in effect two specific plans which regulate development in specific geographic areas of the community: 1) West Visalia Specific Plan; and 2) Northeast Specific Plan. Both will need to be amended to be in conformity with

the Land Use and development regulations designated in the Land Use Element (Policy 8.1.4). Additional plans are proposed for the following areas:

- **South Mooney Area:** Area from Akers to Court and Liberty to Caldwell in conjunction with Tulare County and City of Tulare (Policy 6.4.4).
- **Business Research Park:** West side of Ben Maddox between Main Street, Burke and Douglas in conjunction with a mixed use specific plan for the Ben Maddox corridor. Such specific plan shall include the area bounded by Main Street, Houston Avenue, Cain Street and Burke Street (Policy 3.6.3).
- **Community Centers:** Implementation of community centers will require specific plans to implement augmented design standards, integration of commercial and non-commercial uses and transfer of development rights. Specific plans shall also specify reservation of certain properties for quasi-public uses (Policy 3.5.8).
- **Industrial Park:** A specific plan shall be developed which identifies the permitted minimum lot sizes, extension of infrastructure and mitigation of projected environmental impacts (Policy 3.7.3).
- **Visalia Parkway:** A specific plan shall be developed to determine the right-of-way geometric, landscaping and lighting design, specific roadway alignment, including optimum location of curvilinear connections, and traffic and intersection control, and it's phasing and financing (Policies 5.6.3, 1.1.12).

Master Plans

Existing master plans will have to be modified to implement the provisions of the Element. These existing master plans include the Modoc Master Plan (which is proposed to be repealed), and the Medical District Master Plan (Policies 5.5.1, 1.1.1). Additional master plans will include:

- **Ben Maddox Corridor:** Located along the Ben Maddox corridor between Main Street and Houston Avenue. In order to designate roadway alignments, mix of land uses and conceptual layout of major development sites (Policy 3.5.3).
- **Mooney Boulevard:** This plan, which would replace the City's existing Mooney Master Plan, would designate proposed right-of-ways, mix of land uses and conceptual layout for major development sites (Policy 3.5.10).
- **CBD East:** This master plan will cover the area north and east of the Convention Center and would identify layout of buildings and parking.

Chapter 4: Implementation Action Plan

location for future public parking, design standards for public open space, and waterway conservation, and pedestrian amenities (Policy 3.2.3).

- Street Tree Plan: The draft street tree plan shall be finalized to include guidelines for development of street trees along City collectors and arterials (Policy 1.1.10).

GENERAL PLAN ELEMENT UPDATE

Virtually all of the general plan elements shall be reviewed for consistency. Several elements which have recently been amended, including the Circulation Element and the Conservation, Open Space, Parks and Recreation Element, will also have to be reviewed and amended to ensure consistency. General Plan Elements to be reviewed include:

- Circulation Element.
- Open Space, Conservation, Parks & Recreation Element.
- Safety Element (major update).
- Housing Element (major update).
- Urban Boundaries (to be included in Land Use Element).
- Noise Element (major update).
- Scenic Highways Element (major update).
- Historic Preservation Element (major update).

Special attention shall be made to the Circulation Element since the Circulation Element must demonstrate that it prescribes a circulation plan which will accommodate the increased demands resulting from the contemplated changes in land use. This "correlation" requirement is crucial to the implementation of the Land Use Element (Policy 5.1.1, 5.1.6).

In addition, the updated Circulation Element is to include an updated bikeway plan (Policy 5.6.12), evaluation of the feasibility of a Visalia/Tulare Expressway (Policy 5.6.4), and transit requirements for development (Policy 5.6.9).

In addition to the roadway financing plan contained in the existing Circulation Element, additional consideration will need to be given to costs for the widening of existing bridges, construction of new bridges, and railroad crossings. Financing of the facilities, as permitted in Section 66484 of the Government Code, or other financing mechanisms should be established as part of this update.

Modification of the Land Use Element map may not occur, except by City Council initiation, for a period of one year after the date of approval of the Land Use Element. Such amendments shall be for the purpose of ensuring that the Land Use Element map furthers the Element's goals, objectives and policies and are in the public interest.

The Historic Preservation Element shall also be amended with an evaluation of the Homebuilders Addition south of Noble.

PUBLIC FACILITIES AND INFRASTRUCTURE FINANCING

Master plans and procedures exist to accommodate infrastructure development needs specified in the Storm Drainage Master Plan, the Circulation Element, the Treatment Plant Expansion Master Plan and the Parks Element. However, implementation of the Land Use Element will necessitate comprehensive evaluations and updates to these plans. In addition, supplemental implementation provisions shall be added to City procedures for school facility reservation. Provisions shall also be made to ensure that adequate sites are available to accommodate public facilities. Issues associated with these public facilities and their financing are described below.

Sanitary Sewer Collection System

The existing sanitary sewer system provides for the buildout of the Northeast Specific Plan area, buildout of the 1988 Urban Improvement Boundary, allowance for development in the industrial park plus some nominal unused capacity in existing trunk lines. There is estimated to be sufficient capacity, with minor extension of mains, for a 3- to 5-year period. The current service area that can be accommodated by existing sewer services is indicated on Figure 4-1.

Figure 4-2 illustrates possible sewer line extensions to serve the remaining area. Implementation of the Land Use Element beyond the estimated 3- to 5-year period will therefore require preparation of a sanitary sewer collection system master plan to identify the following:

- Identify sewer service areas to be used for trunk line financing;
- Select best trunk line extension alternatives;
- Establish financing costs and a financing plan including development impact fees, and/or utility fee increases; and
- Design and construct new trunk lines.

CALDWELL

WALNUT

9H 198

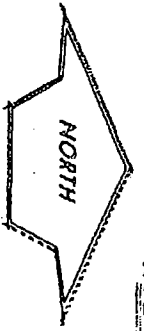
GOSHEN

RD 68

RIGGIN

AVE 320

AVE 328



PLAZA

SHIRK

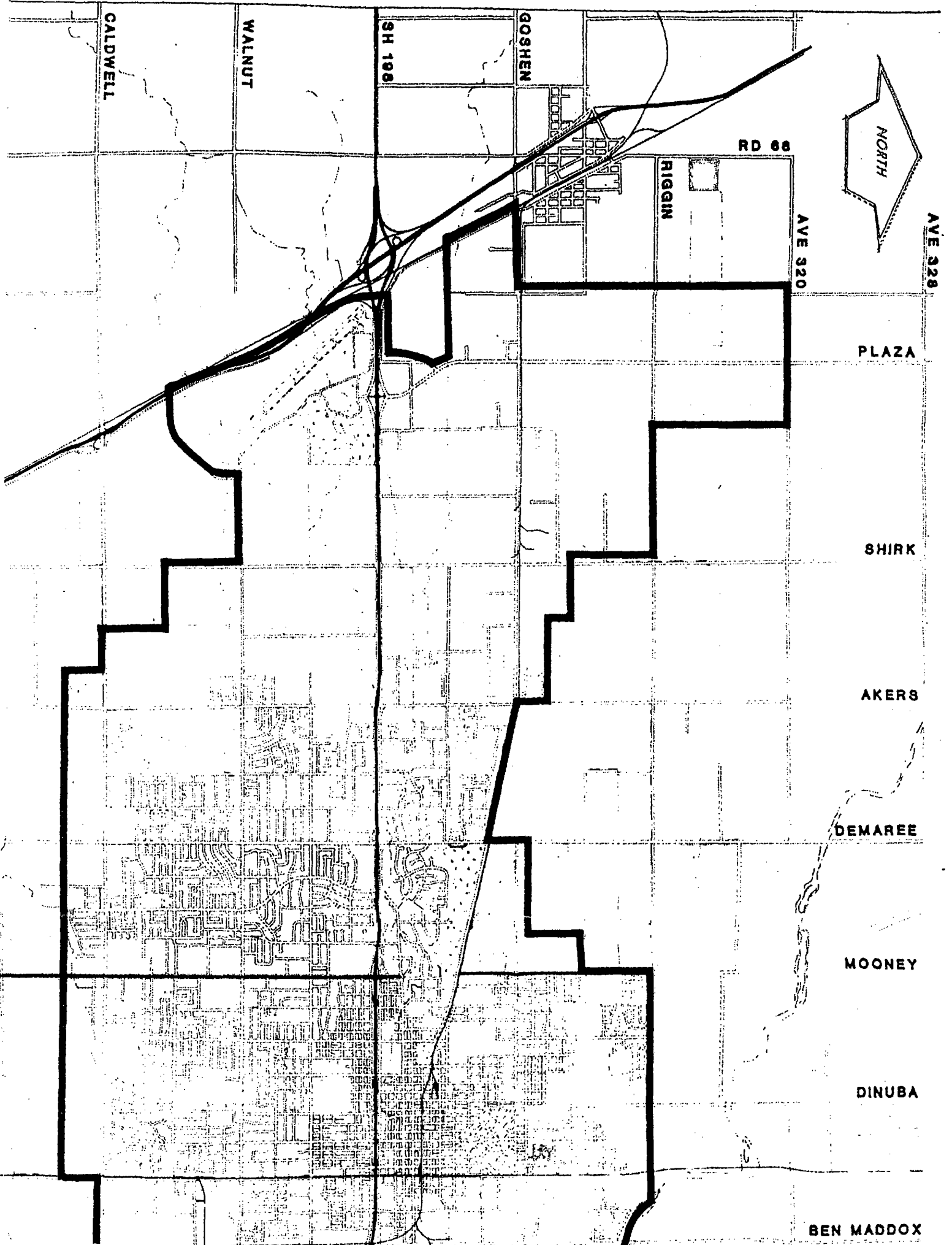
AKERS

DEMAREE

MOONEY

DINUBA

BEN MADDOX



CALDWELL

WALNUT

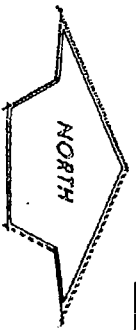
SH 198

GOSHEN

RD 68

RIGGIN

AVE 320



AVE 328

PLAZA

SHIRK

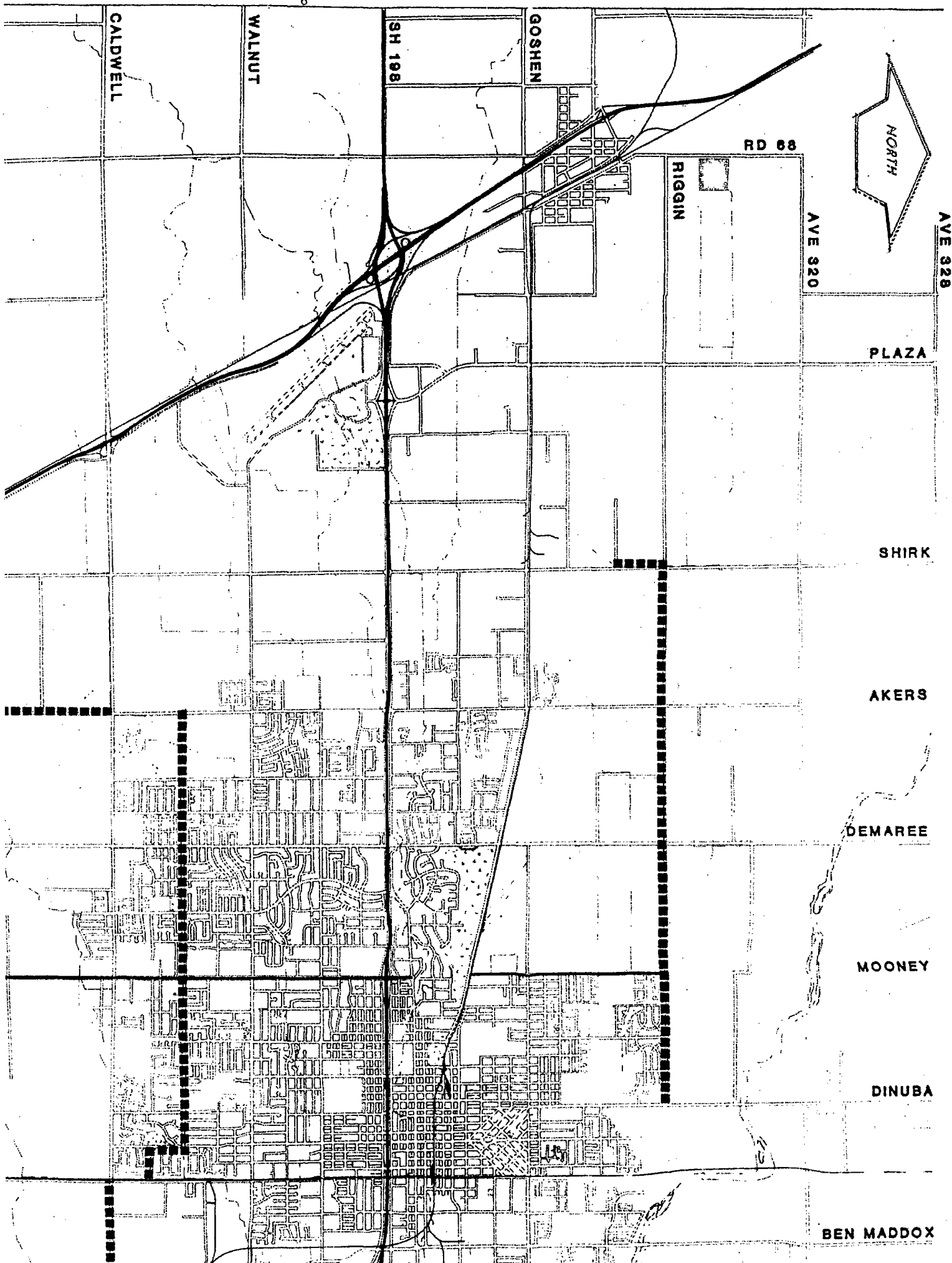
AKERS

DEMAREE

MOONEY

DINUBA

BEN MADDOX



Storm Drainage

The City adopted a Storm Drainage Master Plan in early 1989 which identified planned facilities to accommodate development within the then-adopted Urban Improvement Boundary. The plan will need to be re-evaluated to determine whether additional facilities are necessary within the 1988 Urban Improvement Boundary, due to changes in intensity of land uses, and facilities needed for new growth areas.

In the short-term, storm drainage can be handled in temporary basins and will not restrict development. Update of the Storm Drainage Master Plan is prescribed by the Plan (Policy 5.1.1). Other issues with regard to long-term storm drainage which should be addressed as part of the master plan update are:

- Development of a written Memorandum of Understanding between the Storm Drainage Fund representatives and Recreational Facilities Funds representatives on:
 - standardized development models for park/pond basins; and
 - land acquisition and improvements financing agreements for development of park/ponds;
- Size, design and location of major detention, retention and ground water recharge facilities.
- Evaluation of necessary storage capacity and future expansion areas.
- Financing plan.

Park Acquisition and Development

The City adopted a Conservation, Open Space, Parks and Recreation Element in 1989 which addressed future needs for parks to the year 2020. On-going and future issues to be addressed are:

- coordination of park acquisition and development with storm drainage facilities, as described above;
- trade of City property for acquisition of southwest community park site;
- evaluation of current park acquisition and development fees; and
- implementation of a park reservation ordinance pursuant to Section 66479 and Section 66480 of the Government Code to ensure timely processing of development proposals while providing a logical and predictable capital budgeting process.

Schools and School Sites

The updated Land Use Element provides a higher degree of specificity in determining the location and type of needed school facilities. Policies 5.3.1 through 5.3.8, inclusive, direct development criteria for elementary, middle and high schools. One of the objectives of the Land Use Element is to identify and reserve the optimum sites for school development, as they are key components to the social, physical, and recreational "fabric" of Visalia's neighborhoods.

The school districts operate under timing and budgetary constraints for the acquisition of school sites. In order to ensure that there is a predictable procedure for consideration and acquisition of school sites, the following implementing actions shall be taken:

- Adoption of a referral policies to the school district to identify school impacts associated with residential subdivisions.
- Adoption of a referral process for acquisition of identified school sites. This process shall also include adoption of an ordinance, pursuant to Government Code Section 66478 for acquisition of school sites.
- Formation of a financing agreement with the school district and the redevelopment agency for usage of school district special funds. In order to assess the overall impacts of a proposed development, the capability of it being served by public facilities, a public facilities impact report format shall be developed and adopted for use during annexation review (Policy 5.1.3).

Circulation

In addition to the Circulation Element update issues and actions identified above, several specific roadway alignment studies shall be undertaken. These studies shall include:

- "Caldwell Bypass" from Court to County Center;
- Ben Maddox Way from Caldwell to Houston;
- Houston Extension from Demaree to Shirk;
- Ferguson Extension from Dinuba Boulevard to Linwood;
- St. John's Parkway extension to the St. John's River;
- Doe Avenue Extension between Shirk and Demaree;
- Linwood Avenue Extension from Riggin to Houston;

Chapter 4: Implementation Action Plan

- Alignment of Freeway 198 between County Center and Shirk Road;
- Parkway alignment
- Roeben Road south of Walnut Avenue

Financing and Reimbursement Agreements

Implementation of the Land Use Element will require additional infrastructure financing mechanisms. Policies 5.1.5 and 5.1.8 direct that infrastructure extended to a development contain any supplemental size, capacity, number or length "oversizing" that is identified in adopted master plans and general plan elements. These policies also direct that the financing of such oversizing be through reimbursement agreements, assessment districts, user fees, developer impact fees, and/or special taxes.

As the City grows into areas not currently served by existing infrastructure, successful implementation of the plan will depend on new methods of financing of oversized improvements. Issues associated with such long-term financing are as follows:

- The City's existing development fees system provides a "pay-as-you-go" method of financing infrastructure and provides limited current resources to finance oversize costs that will be reimbursed from future developments. The experience of the Northeast Specific Plan and fund over the last 10 years is indicative of the cash flow problems associated with financing infrastructure oversizing needs from developer fee revenues.
- Formation of special assessments or Mello-Roos Districts for financing such facilities is preferred. Such methods often require the participation and cooperation of multiple property owners and would involve agreements for self assessment prior to development. While this method of financing is most preferable, reimbursement agreements shall also be used to facilitate development for individual pieces of property.
- The City's long-term objective of "minimizing urban sprawl and leap-frog development by encouraging concentric and contiguous growth" (Objective 6.1(B)) can only be achieved by providing financial disincentives, as well as regulatory control, to development which is not contiguous to existing developed properties.
- "Upfront" City participation in infrastructure financing should be limited to existing developed areas of the community where "remedial improvements" are needed for roadway, sewers, storm drainage, etc., to facilitate development in high priority growth areas and for which City and

Redevelopment Agency participation are the only reasonable sources of financing.

To ensure that infrastructure financing is undertaken in a manner consistent with Land Use Element policies, the following actions, in addition to those specified in various master plans and general plan elements, shall be taken:

- Development of a standardized reimbursement agreement pursuant to the provisions of Sections 66485 and 66486 of the Government Code and the City's Subdivision Ordinance.
- Review of existing development impact fees to ensure adequate provisions are made for financing costs of reimbursement agreements.
- Identify "service areas" in new growth areas to facilitate use of Mello-Roos and assessment district financings. Highest priority shall be given to such service areas in the northwest and southeast growth quadrants.

PERMIT PROCESSING PRIORITIES

Implementation of the Land Use Element will involve the designation of over 5,300 additional acres for urban development over the next 10 years. Much of this area, however, involves existing constraints to development including existing airport operations conflicts, sewerage capacity and agricultural preserves.

Airport Operations

The Green Acres Airport (see Figure 4-3) for many years served as a constraint to any further development in the northwest quadrant of the community. Although not a component of the County's Airport Master Plan, it operated under a lease agreement with the Green Acres Land Company. Due to noise and safety conflicts, further development in the northwest quadrant is restricted until the operations at the airport are finally and permanently terminated. A specific plan was processed for "Country Club Estates" located between Mooney and Demaree north and south of Houston. Pursuant to that plan the airport ceased operation in January 1991.

Sewerage Capacity

As illustrated previously in Figure 4-1, a limited area can currently be served by the sewer collection system. Alternatives for extension of new trunk lines will be

explored during the sanitary sewer master plan update. And, once a financing mechanism is established, design and construction of these facilities may take 6 to 12 months. Of critical importance to facilitate development in the immediate future is the extension of the "Whitendale Line" and the "Riggin Line".

Agriculture Preserve Cancellation

Figure 4-4 illustrates known non-protested agriculture preserves located within Visalia's Urban Area Boundary. If originally protested by the City when first formed, these preserve contracts become null and void upon annexation. If, however, these preserves were not originally protested by the City, State statutes and Case Law mandate that certain findings be that such cancellations are in the public interest, and that an early cancellation penalty be paid. Cancellation of non-protested preserves requires specified procedures and environmental findings, which are normally established through adoption of a standardized Preserve Cancellation process. Establishment of this procedure will be necessary as several non-protested preserves are located in the Urban Area Boundary.

One of the principal objectives of this action plan is to expedite development projects which are in conformity with the Land Use Element and which are not subject to significant development constraints. By giving such projects higher priority than those subject to other development constraints, the application of "finite" City staff and financial resources will result in the most direct and immediate increase in Visalia's inventory of developable land. In order to achieve this objective, the following actions shall be taken:

- Completion of an agriculture preserve cancellation procedure;
- Complete identification of all non-protested agriculture preserves in the Urban Area Boundary;
- Annexations, development proposals and proposed subdivisions located within the sewer service area indicated on Figure 4-1 shall be given high priority;
- If the closure of the Green Acres Airport is finalized, development proposals in the northwest quadrant, but within the existing sewer service area described in paragraph 3 above, shall be given high priority;
- A standardized infrastructure impact report shall be developed to appraise infrastructure availability;
- Adjust permit process fees to reflect actual costs.

INTERGOVERNMENTAL COORDINATION

Successful implementation will depend on a high degree of intergovernmental coordination actions shall include:

- Request for adoption of Land Use Element, its land uses, growth boundary policies, etc., by the County of Tulare;
- Development of a joint development review process for City and County developments (Policy 6.4.1);
- Development of a master plan for growth in South Visalia (Policy 6.4.4);
- County adoption of the City's Airport Master Plan and land use compatibility criteria (Policy 7.2.3);
- Formation of a City-County Airport Land Use Commission (Policy 7.2.2).

IMPLEMENTATION MONITORING

Developments shall be in conformity with the provisions of the Land Use Element and the Land Use Element shall be periodically amended to ensure that it addresses the short- and long-term urban growth needs of the community. Also, in order to ensure that an adequate inventory of developable land is available, periodic review of the plan's actual buildout and conformity of growth projections with actual growth. Also, successful implementation of the plan will require a heightened level of coordination of City capital expenditures, environmental impact mitigation measures, and development review.

In order to establish an adequate implementation monitoring program the following actions shall be taken:

- Establishment of a land use information data base and preparation of an annual land development formation report (Policies 8.1.3, 3.1.4, 6.1.5).
- Establishment of an annual schedule for general plan amendments (Policy 8.1.2).
- Establishment of a five-year review of the buildout of the Urban Development Boundary (Policies 8.1.8, 3.7.12, 6.2.4).
- Establishment of a ten-year comprehensive review of the Element (Policy 8.1.9);

BEN MADDOX

DINUBA

MOONEY

DEMAREE

AKERS

SHIRK

PLAZA

AVE 320

AVE 320

RD 68

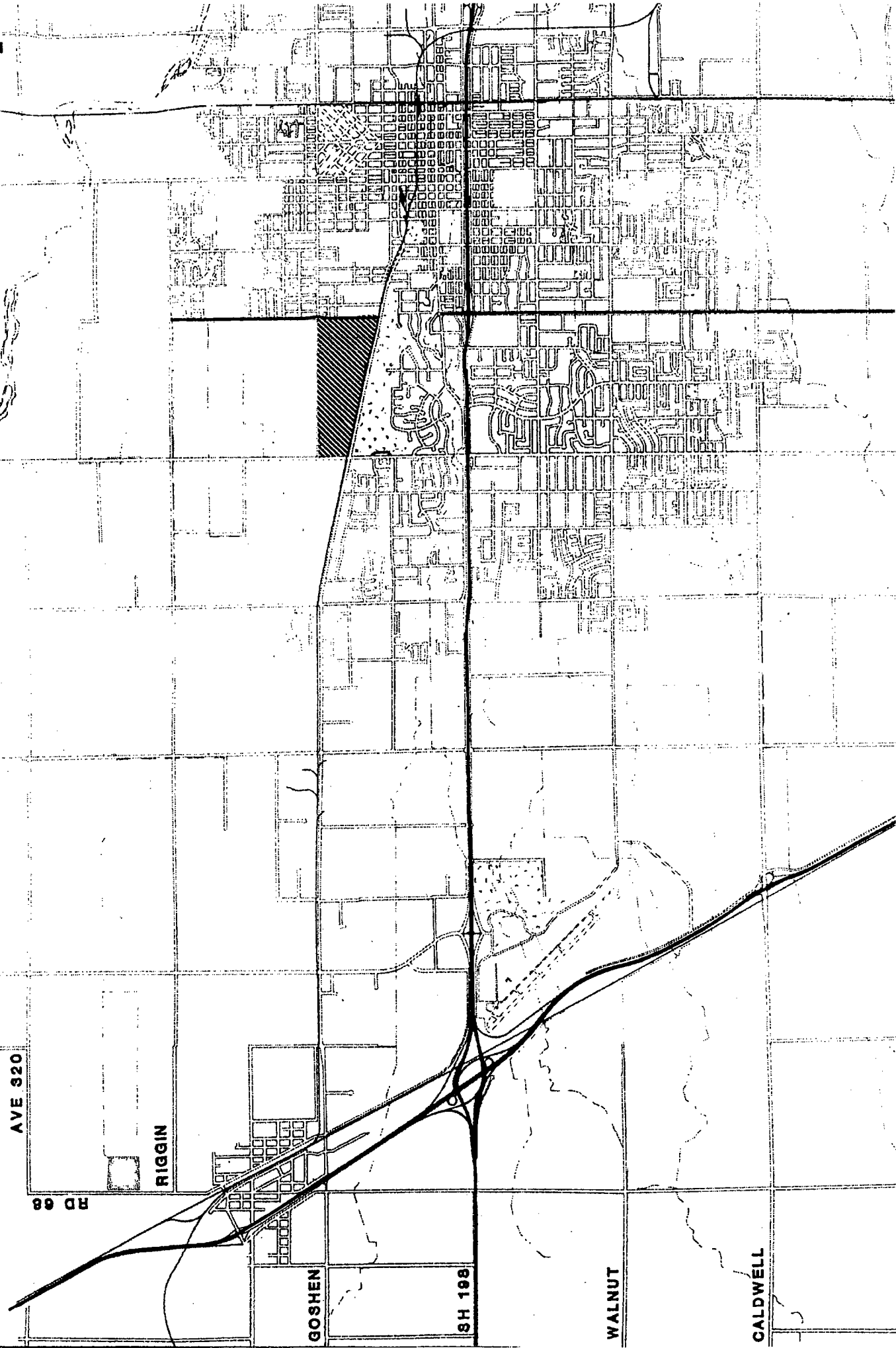
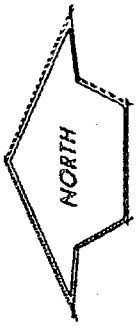
RIGGIN

GOSHEN

SH 198

WALNUT

CALDWELL



BEN MADDOX

DINUBA

MOONEY

DEMARREE

AKERS

SHIRK

PLAZA

AVE 328

AVE 320

NORTH

RD 68

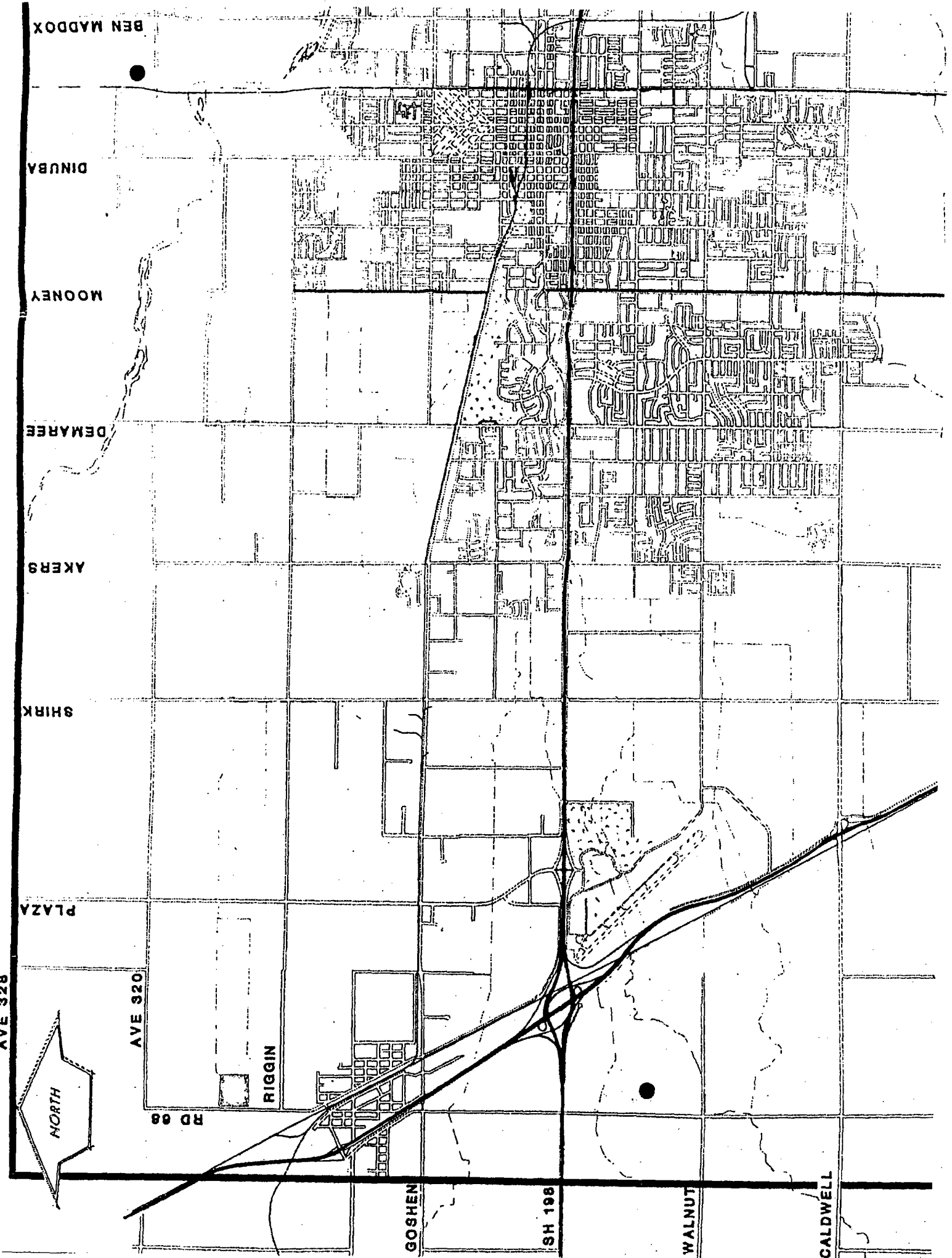
RIGGIN

GOSHEN

SH 198

WALNUT

CALDWELL



- Conduct annual Planning Commission action on the following:
 - Review of the proposed City capital improvement program pursuant to Government Code Sections 65401 and 65403 and Policy 5.2.7 for its conformity with the general plan.
 - Preparation of an annual report to City Council on the status of progress of the Element's implementation, including recommendations regarding reasonable and practical means for implementing the general plan and the expenditure of public funds to implement the plan (Government Code 65400).
 - Establishment and review of a mitigation monitoring program and report on the extent of conformance with required mitigation measures (Policy 2.5.1).
- Establishment of a mitigation monitoring program and California Environmental Quality Act (CEQA) process for site plan review (Policy 3.1.2).
- Establishment of a land development regulation index and filing system to coordinate requirements contained in the Zoning Ordinance, special overlay zones, general plan designations, applicable master and specific plans, previous discretionary approvals, applicable environmental documents, and other regulations on the geo-base information system.

ACTION PLAN PRIORITIES

The work items listed above have been assigned different levels of priority due to their relationship to achieving the purpose of this action plan. Priorities are broken down into the following categories:

- **Immediate:** Projects that need to be completed ahead of "high" or "low" priority projects in order to expedite the increase in the supply of land available for urban development.
- **High:** Projects which should be completed in the next 12-18 months, but which are not crucial to the immediate development of properties.
- **Low:** Projects which should be performed, but can be completed in 18- 36 months without jeopardizing development status of properties.

Table 4-1, identifies the priorities for each of the work tasks, the authority for it (e.g., policy, state statute), the responsible agency (e.g., City division, private property owner) and a completion estimate expressed in months after the Land

Use Element adoption. This table is the summary of the action plan and constitutes a 3-year work program for implementation of the Land Use Element.

Table 4-1		Land Use Element Action Plan		
<u>Action</u>	<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>	
Zoning Ordinance Update				
General Plan Consistency	P 8.1.7	I	AP	
Transfer of Development Rights	P 4.1.3	H	AP	
PUD Ordinance	P 4.1.3	H	CP	
Rural Residential	P 4.1.17	L	AP, ES	
Multi-Family	P 4.1.21			
	P 4.1.11	I	AP	
	P 4.1.19			
	P 4.1.20			
Convenience Commercial	P 4.1.21			
	P 3.5.5	L	AP	
	P 3.5.7	I	AP	
Shopping Office Zone	P 3.5.7	I	AP	
Regional Retail	P 3.5.10	I	AP	
Community Center	P 3.5.8	H	AP	
Service Commercial	P 3.5.17	I	AP	
Garden Office	P 3.6.2	H	AP	
Historic Preservation Conversion	P 3.6.1	H	AP	
Business Research Park	P 3.6.3	H	AP	
Professional/Adm. Office	P 3.6.2	L	AP	
Parking	P 1.1.15	L	AP	
	P 5.6.5			
	P 5.6.6			
	P 5.6.7			

Key			
<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>	
P - Policy Number	I - Immediate	A - Airport Division	ES - Engineering Services
GC - Government Code	H - High	AP - Advanced Planning	LS - Leisure Services
	L - Low	AS - Administrative Services	PS - Public Services
		CP - Current Planning	PR - Private
		DP - Data Processing	RDA - Redev. Agency
		EC - Economic Development	TS - Traffic Safety
		ED - Engineering Design	EP - Engineering Permit
		RE - Real Estate	

Table 4-1 Land Use Element Action Plan

Con't.

<u>Action</u>	<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>
Open Space	GC 65910	H	AP
Airport Zone	GC 65910	H	AP
Design Districts	P 1.1.11	I	CP
Zone Maps	P 8.1.7	I	CP
Existing Maps	P 8.1.7	I	CP
New Zones	P 8.1.7	I	CP
Specific Plans			
South Mooney Blvd.	P 6.4.4	L	AP
Business Research Park	P 3.6.3		PR
Northeast Specific Plan	P 8.1.4	I	AP
West Visalia Specific Plan	P 8.1.4	H	AP
Community Centers	P 3.5.8		PR
Industrial Park	P 3.7.3	L	EC
Visalia Parkway	P 5.6.3	H	AP
	P 1.1.12		
Master Plan			
Medical District	P 5.5.1	L	AP
	P 1.1.11		
Ben Maddox Corridor	P 3.5.3	H	RDA
Mooney Blvd.	P 3.5.10	H	RDA
CRD East	P 3.2.3	H	RDA
Street Tree	P 1.1.10	L	PS
General Plan Elements			
Circulation Element	P 5.1.1	I	TS
	P 5.1.6		
	P 5.6.9		
Parks, Recreation, Conservation, & Open Space	P 8.1.5	I	LS

Key

Authority

P - Policy Number

GC - Government Code

Priority

I - Immediate

H - High

L - Low

Responsible Agency

A - Airport Division

AP - Advanced Planning

AS - Administrative Services

CP - Current Planning

DP - Data Processing

EC - Economic Development

ED - Engineering Design

RE - Real Estate

ES - Engineering Services

LS - Leisure Services

PS - Public Services

PR - Private

RDA - Redev. Agency

TS - Traffic Safety

EP - Engineering Permit

Table 4-1 Land Use Element Action Plan

Con't.

<u>Action</u>	<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>
Safety	P 8.1.5	I	AP
Housing	P 8.1.5	H	RDA
Noise	P 8.1.5	H	AP
Scenic Highways	P 8.1.5	H	AP
Historic Preservation	P 1.1.11 P 8.1.5	H	CP
Public Facilities and Infrastructure			
Sanitary Sewer Master Plan			
Designate Service Areas	P 5.1.4	I	ED
Select Trunk Line Alternative		I	ED
Financing Plan		I	ED
Design and Construction of Lines		H	ED
Storm Drainage			
Park/Pond Development Agreements	P 5.1.8 P 5.1.1	I	ES
Designate Location of Major Facilities		H	ED
Update Master Plan		H	ED
Financing Plan		H	ED
Park Acquisition and Development	P 5.1.8	I	LS
Park/Pond Development Agreements		H	RE
SW Park		H	LS
Fee Evaluation		I	AP, ES
Park Reservation Ordinance		I	AP, ES
Schools and School Sites			
Adopt Referral Process	P 5.3.2	I	CP
School Site Reservation Ordinance	P 5.3.2	I	AP, ES
RDA/VUSD Financing Agreement		H	RDA
Right-of-way Alignment			
Caldwell Bypass		I	ED
Ben Maddox s/o K Road		I	ED
Key			
<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>	
P - Policy Number	I - Immediate	A - Airport Division	ES - Engineering Services
GC - Government Code	H - High	AP - Advanced Planning	LS - Leisure Services
	L - Low	AS - Administrative Services	PS - Public Services
		CP - Current Planning	PR - Private
		DP - Data Processing	RDA - Redev. Agency
		EC - Economic Development	TS - Traffic Safety
		ED - Engineering Design	EP - Engineering Permit
		RE - Real Estate	

Table 4-1 Land Use Element Action Plan

Con't.

<u>Action</u>	<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>
Houston Ave. w/o Demaree		H	ED
Ferguson w/o Mooney		H	ED
St. Johns Parkway		H	ED
Doe Ave. e/o Shirt		H	ED
Linwood Ave. s/o Riggin		H	ED
Roeben Rd. s/o Walnut		H	ED
Freeway 198		H	ED
Parkway		H	ED
Financing & Reimbursement Agreements			
Standardize Reimbursement Agreement		I	ED
Review Impact Fees		H	ED
Permit Processing Priorites			
Adopt Ag. Preserve Concellation Procedure		I	CP
Identify all Non-protested Ag. Preserves		I	CP
Review Proposals (Sewer Service Area)		I	
Review Proposals (Green Acres Airport)		I	
Review Permit Processing		I	CP
Infrastructure Impact Report		H	ES
Intergovernmental Coordination			
Request Adoption by Tulare County		I	AP
Adopt Joint Development Review	P 6.4.1	L	AP
South Visalia Master Plan	P 6.4.4	L	AP
County Adoption of Airport Plan	P 7.2.3	H	A
Form City/County ALUC	P 7.2.2	L	A
Implementation monitoring			
Establish Land Use Data Base	P 8.1.3	H	DP
Establish Annual Schedule for GP Amendments	P 8.1.2	I	CP
Establish Five-Year Review of Element	P 8.1.8	L	AP
	P 3.7.12		
	P 6.2.4		

Key

<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>	
P - Policy Number	I - Immediate	A - Airport Division	ES - Engineering Services
GC - Government Code	H - High	AP - Advanced Planning	LS - Leisure Services
	L - Low	AS - Administrative Services	PS - Public Services
		CP - Current Planning	PR - Private
		DP - Data Processing	RDA - Redev. Agency
		EC - Economic Development	TS - Traffic Safety
		ED - Engineering Design	EP - Engineering Permit
		RE - Real Estate	

Table 4-1 Land Use Element Action Plan

Con't.

<u>Action</u>	<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>
Establish Ten-Year Review	P 8.1.9	L	AP
Planning Commission Annual Review		L	AP
Capital Improvement Program	P 5.2.7	H	AP
	GC 65401		
	GC 65403		
Annual Rept to Council	GC 65400	H	AP
Mitigation Monitoring Status	P 2.5.1	H	AP
Establish Mit. Monitoring/Site Plan	P 3.1.2	I	CP
Establish Dev. Reg. Index & Filing System	P 2.5.1	H	AS, DP

Key			
<u>Authority</u>	<u>Priority</u>	<u>Responsible Agency</u>	
P - Policy Number	I - Immediate	A - Airport Division	ES - Engineering Services
GC - Government Code	H - High	AP - Advanced Planning	LS - Leisure Services
	L - Low	AS - Administrative Services	PS - Public Services
		CP - Current Planning	PR - Private
		DP - Data Processing	RDA - Redev. Agency
		EC - Economic Development	TS - Traffic Safety
		ED - Engineering Design	EP - Engineering Permit
		RE - Real Estate	



APPENDICES

APPENDIX A: COMMUNITY DEVELOPMENT REFERENCE LIST

For more community development information, see the following documents. These references are arranged in groups according to each of the Land Use Element's eight goals. They are available for review at the Visalia Community Development Department, 707 W. Acequia, Visalia, CA 93291

GOAL 1: PRESERVE AND ENHANCE VISALIA'S UNIQUE CHARACTER.

Downtown Framework Plan (1981)
Northeast Specific Plan (1979, 1988)
West Visalia Specific Plan (1988)
St. Johns River Park Master Plan (1988)
Urban Creeks and Ditches Study (1987)
Conservation, Open Space, Recreation & Parks Element (1989)
Design Districts (Visalia Zoning Ordinance)

GOAL 2: IMPROVE THE QUALITY OF AIR, LAND, WATER AND PLANT AND ANIMAL LIFE IN THE VISALIA PLANNING AREA.

Land Use Element's Environmental Impact Report (1990)
Conservation, Open Space, Recreation & Parks Element (1989)
Northeast Specific Plan's EIR (1988)
West Visalia Specific Plan's EIR (1988)
Storm Drainage Master Plan (1989)
Draft Airport Master Plan (1988)

Goal 3: DIVERSIFY AND IMPROVE THE VISALIA PLANNING AREA'S ECONOMY

Annual Community Audit (City of Visalia/Chamber of Commerce)
Annual City of Visalia Sales Tax Report
1963 Visalia General Plan Map
1976 Land Use & Circulation Element
Mooney Boulevard Zone Study (1969)
Retail Commercial Review Task Force Study (1983)
East Visalia Redevelopment Plan (1986)
Alternative regional Mall Sites Study (1987)
Mooney Boulevard Redevelopment Plan (1987)
City of Visalia Industrial Retention Survey (1988)

GOAL 4: PROVIDE A VIABLE RANGE OF HOUSING ALTERNATIVES IN THE VISALIA PLANNING AREA

1963 General Plan
1976 Land Use & Circulation Element
Northeast Specific Plan (1979, 1988)
Multiple-Family Density Guidelines (1983)
Historic Preservation Element (1979)
Modoc Specific Plan (1982)
Central Visalia Redevelopment Plan (1989)

**GOAL 5: PLAN AND DEVELOP AN EFFICIENT
PUBLIC FACILITIES AND SERVICES
SYSTEM TO SERVE AS A
FRAMEWORK FOR ORDERLY URBAN
DEVELOPMENT**

Master Plan for Waste Water Treatment (1987)
Storm Drainage Master Plan (1989)
Circulation Element (1989)
Conservation, Open Space, Recreation & Parks Element (1989)
Medical District Master Plan (1987)

**GOAL 6: MANAGE PLANNING AREA GROWTH
TO BE CONTIGUOUS AND
CONCENTRIC FROM THE CITY'S CORE
AREA.**

Visalia Urban Boundaries Element (1975)
Tulare County Urban Boundaries Element (1974)
Tulare County General Plan Land Use and Circulation Elements—Visalia
Area (1977)
West Visalia Specific Plan (1988)

**GOAL 7: IDENTIFY ISSUES OR AREAS WHICH
HAVE SIGNIFICANT IMPACT ON THE
VISALIA PLANNING AREA AND
REQUIRE SPECIAL ATTENTION.**

College of Sequoias' Master Plan
Circulation Element (1989)
Mooney Boulevard Transportation Systems Management Plan (1988)
Airport Intermodal Feasibility Study (1989)
Draft Visalia Municipal Airport Master Plan (1989)
Tulare County Airport Land Use Commissions' Compatibility Policies
Tulare County's Goshen Community & Redevelopment Plans (1988)
East Visalia Redevelopment Plan (1986)
Mooney Boulevard Redevelopment Plan (1987)
Central Visalia Redevelopment Plan (1989)

GOAL 8: STRUCTURE AN IMPLEMENTATION PROGRAM TO ACHIEVE THE GOALS, OBJECTIVES AND POLICIES OF THIS ELEMENT.

Annual Visalia Capital Improvement Program

APPENDIX B: 1990 POPULATION PROJECTION METHODOLOGY

The following methodology was used to develop the population projections outlined on Figure 2-4 and Table 2-3.

- Projection of current growth trends to the year 1995.
- Reduction in the percentage growth for each five-year interval by 0.25 percent to account for the gradual reduction in the overall effect of migration on population increases, and a general decrease in birth rates normally associated with more urbanized populations.
- Establishment of 'steady-state' population growth rate of 2.5 percent by the year 2015.

Based on this methodology, it is estimated that the City's population by the year 2020 will be 165,000. This is considered a 'prudent' estimate; it is unlikely that the actual growth, if current trends and conditions continue, would be lower.

APPENDIX C: GROWTH CRITERIA BEFORE ADVANCING TO NEXT GROWTH AREA

Table C-1 Percentage of Residential Buildout Required Before Advancing to the Next Growth Area				
	1988	2000	2010	2020
Before expanding to 2010 boundary need	80%	70%		
Population Threshold	98,700			
Before expanding to 2020 boundary need	85%	80%	70%	
Population Threshold	129,000			
Before expanding beyond 2020 boundary need	90%	85%	80%	70%
Population Threshold	165,000			
<p>Example: Before expanding to the 2020 Urban Growth Boundary 85% of the area within the 1988 Urban Development Boundary (UDB) must be developed, 80% of the area within the 2000 UDB must be developed, and 70% of the total area (area within the 2010 UDB) must be developed. Reference Policy No. 6.2.3</p>				



RESOLUTIONS

List of Resolutions

Adopted by Resolution 91-106	9/3/91
Amended by Resolution 93-44B	5/3/93
Amended by Resolution 93-44E	5/3/93
Amended by Resolution 94-06	1/17/94
Amended by Resolution 94-24	1/17/94
Amended by Resolution 94-104	7/18/94
Amended by Resolution 94-173	11/21/94
Amended by Resolution 94-175	11/21/94
Amended by Resolution 94-177	11/21/94
Amended by Resolution 96-66	6/17/96
Amended by Resolution 96-71	6/17/96

RESOLUTION NO. 96- 71

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA,
APPROVING GENERAL PLAN AMENDMENT NO. 9605, A REQUEST
TO (1) CHANGE THE LAND USE DESIGNATION FROM MEDIUM DENSITY
RESIDENTIAL TO LOW DENSITY RESIDENTIAL (SUBAREA A),
(2) CHANGE THE LAND USE DESIGNATION FROM LOW DENSITY
RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL (SUBAREA B), AND
(3) TO CHANGE THE LAND USE ELEMENT POLICY 4.1.19 TO ALLOW MEDIUM
DENSITY RESIDENTIAL DESIGNATED SITES OF LESS THAN 3.5 ACRES AT
ARTERIAL/COLLECTOR INTERSECTIONS, FOR PROPERTY LOCATED ON THE
NORTHWEST CORNER OF CALDWELL AVENUE AND THE PINKHAM STREET
ALIGNMENT; DAVE WIND AND TIMOTHY LAWLER;
KNOPF ENGINEERING, AGENT

WHEREAS, General Plan Amendment No. 9605 was filed by Dave Wind and Timothy Lawler; Knopf Engineering, agent, to change the Land Use Element designations on portions of a parcel located between Caldwell Avenue and K Road (APN: 126-120-24), west of the Pinkham Street alignment; City of Visalia; and

WHEREAS, the Planning Commission of the City of Visalia, after twenty- one (21) days published notice held a public hearing before said Commission on May 28, 1996; and

WHEREAS, the City Council of the City of Visalia, after ten (10) days published notice held a public hearing before said Council on June 17, 1996; and

WHEREAS, the City Council of the City of Visalia finds the general plan amendment to be in accordance with Section 7656 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

NOW, THEREFORE, BE IT RESOLVED that a Negative Declaration was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves the proposed general plan amendment, with the addition of APN: 126-120-20 and 23 (1922 and 2024 E. Caldwell), based on the following specific findings and based on the evidence presented:

1. That the proposed amendment is in the public interest. Specifically:

- The proposed amendments to Subareas A and B would essentially switch low and medium density areas on the project site, with a nominal net reduction in medium density residential areas. The relocated medium density areas would be located closer to a major transportation corridor (Caldwell) and promote efficient utilization of the site.
 - Changes to Land Use Element Policy 4.1.19, to allow Medium Density Residential developments on sites less than 3.5 acres at arterial/collector intersections, would provide flexibility in locating multiple family developments throughout the community in an evenly dispersed fashion.
2. That the proposed amendment will further the adopted goals and objectives of the Land Use Element. Specifically:
- The proposed amendments to Subareas A and B would help:
 - * Provide a viable range of housing alternatives in the area (Goal 4).
 - * Encourage efficient residential development in the area (Objective 4.1.b).
 - * Provide new residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet projected demand in the area (Objective 4.1.D).
 - Changes to Land Use Element Policy 4.1.19, to allow Medium Density Residential developments on sites less than 3.5 acres at arterial/collector intersections, would encourage efficient residential development (Objective 4.1.b.), by providing additional potential medium density residential locations throughout the city. These locations could increase residential density and development efficiency in areas already designated for urban development.
3. That the proposed amendment would be compatible with adjacent land uses.
4. That the proposed amendment will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties in the vicinity.
5. That an Initial Study was prepared for the proposed amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and Negative Declaration No. 9616 is hereby adopted.
6. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves the General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7656 of the Ordinance Code of the City of Visalia and based on the above findings.

PASSED AND ADOPTED: June 17, 1996 **RANDY GROOM, CITY CLERK**

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Randy Groom, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 96-71 passed and adopted by the Council of the City of Visalia at a regular meeting held on June 17, 1996.

DATED: June 18, 1996

RANDY GROOM, CITY CLERK


By Linda Rodriguez Todd, Deputy

RESOLUTION NO. 96-66

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF VISALIA, APPROVING GENERAL PLAN AMENDMENT NO. 9613,
A PROPOSAL TO CHANGE LAND USE
ELEMENT POLICY NOS. 3.5.5, 3.5.6 AND 5.3.3;
CITY OF VISALIA

WHEREAS, the Visalia City Council initiated General Plan Amendment No. 9613, a proposal to change Land Use Element Policy Nos. 3.5.5, 3.5.6 and 5.3.3; City of Visalia; and

WHEREAS, the Planning Commission of the City of Visalia, after twenty- one (21) days published notice held a public hearing before said Commission on May 28, 1996; and

WHEREAS, the City Council of the City of Visalia, after ten (10) days published notice held a public hearing before said Council on June 17, 1996; and

WHEREAS, the City Council of the City of Visalia finds the general plan amendment to be in accordance with Section 7656 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

NOW, THEREFORE, BE IT RESOLVED that a Negative Declaration was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves the proposed general plan amendment based on the following specific findings and based on the evidence presented:

1. That the proposed language changes to policies 3.5.5, 3.5.6 and 5.3.3 provides more flexibility in the location of neighborhood centers and allows for greater flexibility of uses allowed in residential neighborhoods.
2. That the proposed General Plan amendment will further the adopted goals and objectives of the Land Use Element.
3. That the proposed General Plan amendment would not be detrimental to the public health, safety, or welfare, and materially injurious to properties in the vicinity.
4. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant. Negative Declaration No. 9620 was prepared for this project.

5. The City of Visalia hereby declares that there is no evidence before the city that the proposed project will have any potential for adverse effect on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves General Plan Amendment No. 9613, to amend the General Plan Land Use Element as follows:

(a) Amend General Plan Policy No. 3.5.5 to read:

Convenience Centers maybe approved by a conditional use permit on one corner of arterial / collector intersections on sites of 3 acres or less, on no more than one corner of the intersection and at least at one-half mile intervals between neighborhood shopping centers. Where possible, such centers are to be developed as part of planned unit developments or master planned as part of a development.

(b) Amend General Plan Policy No. 3.5.6 to read:

Designate Neighborhood Centers for shopping centers with a major grocery store as an anchor and supporting businesses which serve the surrounding residential areas. Locations shall be at one corner of arterial intersections on sites of approximately 10 acres in area. Centers shall be located no closer than approximately one mile from other General Plan-designated neighborhood centers, from existing Grocery stores, or from General Plan-designated community centers.

The center's scale and site design must be compatible with the surrounding residential area with emphasis on access, circulation, parking, signage, noise, and landscaping. Where possible, these facilities should be planned and integrated into neighborhoods as part of a planned unit development.

In the event that competing applications are made for a neighborhood center at a designated intersection, only one application shall be approved for a period of time not to exceed 24 months. If the applicant does not perform as specified by the city Council, the Council may extend the original proposal or may declare the original proposal void. If, at some future date, an application for development of a corner designated for neighborhood commercial development has not been filed and the Commission and Council find that the needs of the neighborhood are not being provided, the exclusive designation on one corner may be reviewed to consider designation of an alternative corner.

(c) Amend General Plan Policy No. 5.3.3 to read:

Restrict commercial development near schools so that pedestrian or vehicular access between the two is 1/4 mile or greater.

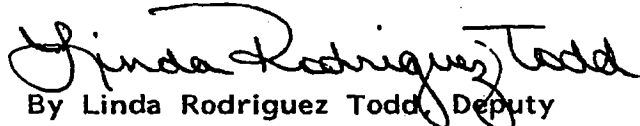
PASSED AND ADOPTED: June 17, 1996 **RANDY GROOM, CITY CLERK**

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Randy Groom, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 96-66 passed and adopted by the Council of the City of Visalia at a regular meeting held on June 17, 1996.

DATED: June 18, 1996

RANDY GROOM, CITY CLERK


By Linda Rodriguez Todd, Deputy

RESOLUTION NO. 94-177

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA TO
APPROVE GENERAL PLAN TEXT AMENDMENT NO. 94-31:
CITY OF VISALIA

WHEREAS, General Plan Text Amendment No. 94-31 was filed by the City of Visalia, which consists of the following four components:

1. Establish three new land use categories: " Park-Basin" (under the "Open Space" designation), "Water Storage Basin" (under the "Community Facilities" designation), and "Storm Water Basin" (under the Community Facilities designation).

The "Park-Basin" designation will be applied to existing storm water storage sites with an established or planned park use. The "Water Storage Basin" designation will be applied to existing basins that are used strictly for water storage purposes with no planned park uses.

The "Storm Water Basin" designation will be used to identify future planned storm water storage facilities. The GPA also will establish criteria for location of future storm water facilities.

2. Re-designate seven (7) existing park/pond sites (that currently are designated for "Conservation" uses) for "Park-Basin" uses. This proposed re-designation is considered a "paper" change that is not expected to change the existing or planned uses of the sites.
3. Re-designate one (1) existing storm water basin (that currently is designated for "Conservation uses) for "Water Storage Basin" uses. This proposed re-designation is considered a "paper" change that is not expected to change the existing or planned uses of the site.
4. Add "Storm Water Basins" symbols to the Land Use Element to represent the generalized location of future planned storm water facilities.

WHEREAS, the Planning Commission of the City of Visalia, after ten (10) days published notice held a public hearing before said Commission on September 26, 1994; and

WHEREAS, no new environmental impacts would result and no further mitigation measures would be required for this project; and

WHEREAS, the land use designations, symbols and locational criteria, as shown in Exhibit "A", will facilitate the orderly implementation of the Storm Water Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the land use designations, symbols and locational criteria, as shown in Exhibit "A", be added to the Land Use Element of the General Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council finds that in accordance with the Guidelines for implementation of the California Environmental Quality Act Section 15168, the Environmental Impact Report prepared for the City of Visalia Land Use Element (SCH #90020160) certified by Resolution No. 94-93 and Environmental Impact Report (SCH No. 93012010), prepared for the City of Visalia Storm Water Master Plan Update, will be utilized as program EIR's for the purpose of providing review of potential environmental effects associated with this General Plan Amendment.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves of the proposed General Plan amendment based on the following specific findings and based on the evidence presented:

1. That the proposed General Plan Amendment is consistent with the implementing policies of the Land Use Element of the General Plan.
2. That the proposed General Plan Amendment allows for a greater consistency between the Storm Water Master Plan and the Land Use Element of the General Plan.
3. That the creation of new land use designations, generalized location of planned basins on the LUE Map, and criteria for selecting the final location of each basin will provide clarity and flexibility in implementing the Storm Water Master Plan for the City of Visalia.
4. That the Adopted Storm Water Master Plan EIR (SCH No. 93012010) (Resolution No. 94-93) identifies and evaluates the potential environmental impacts that are directly attributable to the adoption of the proposed General Plan Amendment. Further, that there is no evidence before the city that the proposed General Plan Amendment will have any potential for adverse effect of wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.
5. That the proposed General Plan Amendment will not be detrimental to the public health, safety, or welfare, nor materially injurious to the citizenry of the City of Visalia.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves of the General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7656 of the Ordinance Code of the City of Visalia and based on the above findings.

PASSED AND ADOPTED: November 21, 1994

LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 94-177 passed and adopted by the Council of the City of Visalia at a regular meeting held on November 21, 1994.

DATED: November 23, 1994

LESLIE B. CAVIGLIA, CITY CLERK

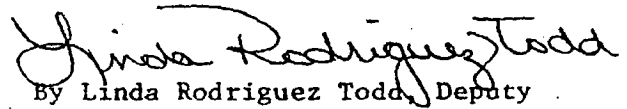

By Linda Rodriguez Todd, Deputy

EXHIBIT "A"

General Plan Amendment No. 94-31

Land Use Element

Locate "Park-Basin" designation in Chapter 1: Introduction, under "Open Space".

Park-Basin: This (PB) designation shall apply to existing storm water storage sites with an established or planned park use. This type of facility combines a water storage facility with a usable park space.

Locate "Water Storage Basin" and "Storm Water Basin" in Chapter 1: Introduction, under "Community Facilities".

Water Storage Basin: This (WSB) designation shall apply to existing basins that are used strictly for water storage purposes with no planned park uses.

Storm Water Basin: This (SWB) designation shall identify future planned storm water storage facilities. These future basins may or may not have park facilities associated with the final facility.

* Symbols (SWB) shall be added to the LUE Map to represent the generalized location of new basins identified in the Storm Water Master Plan. Basin symbols should be located within the boundaries of the area it is expected to ultimately serve.

Locational criteria for Storm Water Basins shall be listed under the implementing Policies for "LOCAL GOVERNMENT FACILITIES AND SERVICES".

5.1.16 Implement the Storm Water Master Plan through the following storm water basin locational criteria.

1. Final designated basin locations shall be based on the following factors: hydraulic considerations, land costs, improvement costs, surrounding land uses, property owner cooperation, and the sequencing of development within the service area of the basin.
2. Unplanned basins, not designated on the LUE Map, maybe constructed for temporary or permanent use provided the basins serve as viable alternatives to the recommendations of the Storm Water Master Plan.

3. Upon completion of a new basin, the appropriate designation shall be delineated on the LUE Map through the General Plan amendment process.
4. Designations for unconstructed planned basins maybe removed from the LUE Map, through the General Plan amendment process, upon a determination that the basins are not needed based on hydraulic, funding, and land development considerations.

RESOLUTION NO. 94-175

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA, APPROVING
GENERAL PLAN AMENDMENT NO. 94-26,
A REQUEST TO ALLOW 1/2 ACRE PARCELS IN RURAL
RESIDENTIAL AREAS IF CERTAIN FINDINGS ARE MADE,
GREG DOWDS

WHEREAS, General Plan Amendment No. 94-26 was filed by Greg Dowds, to allow 1/2 acre parcels in rural residential areas if certain findings are made, City of Visalia; and

WHEREAS, the Planning Commission of the City of Visalia, after twenty-one (21) days published notice held a public hearing before said Commission on October 10, 1994; and

WHEREAS, the City Council of the City of Visalia, after ten (10) days published notice held a public hearing before said Council on November 21, 1994; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

NOW, THEREFORE, BE IT RESOLVED, that a Negative Declaration was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves the proposed general plan amendment based on the following specific findings and based on the evidence presented:

1. That the proposed General Plan Amendment is consistent with the intent of the General Plan Land Use Element Policy 4.1.17 for use of 1/2 acre Rural Residential lots.
2. That approval of developments shall be subject to the conditional use permit process to determine land use compatibility.
3. That the use of 1/2 acre rural residential lots provides conservation of land resources and the preservation of agricultural land.
4. That the use of 1/2 acre rural residential lots promotes maximum land utilization.
5. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties in the vicinity.
6. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and Negative Declaration No. 94-37 is hereby adopted.

7. That there is no evidence before the Planning Commission that the proposed project will have any potential adverse effect on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves the General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7656 of the Ordinance Code of the City of Visalia and based on the above findings.

PASSED AND ADOPTED : November 21, 1994

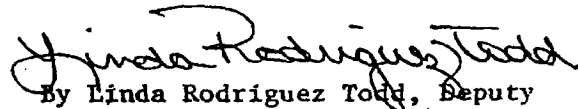
LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 94-175 passed and adopted by the Council of the City of Visalia at a regular meeting held on November 21, 1994.

DATED: November 23, 1994

LESLIE B. CAVIGLIA, CITY CLERK


By Linda Rodriguez Todd, Deputy

RESOLUTION NO. 94-173

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA TO APPROVE
GENERAL PLAN AMENDMENT NO. 94-19.D,
AMENDMENT TO THE LAND USE DESIGNATION TO
REDESIGNATE 48 ACRES FROM BRP (RESERVE) TO BRP
FOR PROPERTY LOCATED AT THE NORTHEAST CORNER
OF SHIRK STREET AND GOSHEN AVENUE
CITY OF VISALIA

WHEREAS, General Plan Amendment No. 94-19.D was filed by the City of Visalia, an amendment to the land use designation to redesignate 80 acres from BRP (Reserve) to BRP, for property located at the northeast corner of Shirk Street and Goshen Avenue; APN: 077-010-19, 25, 27, 28, 34-36, 46, and 48, comprising 80 acres City of Visalia; and

WHEREAS, the Planning Commission of the City of Visalia, after ten (10) days published notice held a public hearing before said Commission on June 13, 1994; and

WHEREAS, no new environmental impacts would result and no further mitigation measures would be required for this project; and

WHEREAS, the Environmental Impact Report (SCH No. 90020160) is being used as a Program Environmental Impact Report for this project; and

WHEREAS, the Visalia City Council, after ten (10) days published notice held a public hearing before said Council on November 21, 1994; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Visalia City Council approves the proposed General Plan amendment based on the following specific findings and based on the evidence presented:

1. That the proposal is consistent with the land use designation and intent of the Visalia General Plan for the development of Business Research Parks.
2. That master planning of the subject BRP is necessary to insure that the facilities compliment and augment one-another, as well as the adjacent industrial area.
3. That removal of the "Reserve" designation is consistent with the designation of adjacent BRP properties, and recently approved General Plan Amendment No. 92-14.F.
4. That no new environmental effects will result of the project, or no new mitigation measures would be required that have not been addressed within the Program EIR (SCH #90020160).
5. That the project would not be detrimental to the public health, safety, or welfare, nor materially injurious to properties in the vicinity.

BE IT FURTHER RESOLVED that the Visalia City Council approves the General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7657 of the Ordinance Code of the City of Visalia and based on the above findings.

PASSED AND ADOPTED: November 21, 1994

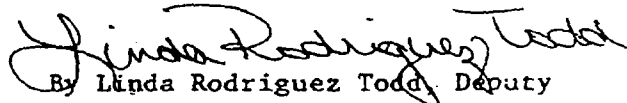
LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA) :
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 94-173 passed and adopted by the Council of the City of Visalia at a regular meeting held on November 21, 1994.

DATED: November 23, 1994

LESLIE B. CAVIGLIA, CITY CLERK


By Linda Rodriguez Todd, Deputy

RESOLUTION NO. 94-104

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA APPROVING
GENERAL PLAN TEXT AMENDMENT NO. 94-18,
A TEXT AMENDMENT REQUESTING A CHANGE IN POLICY
TO ALLOW HIGH DENSITY RESIDENTIAL IN
IN-FILL AREAS WHERE NEIGHBORHOOD COMPATIBILITY
CAN BE PROVIDED THROUGH DESIGN,
J. MICHAEL LANE

WHEREAS, General Plan Text Amendment No. 94-18 was filed by J. Michael Lane, text amendment requesting a change in policy to allow high density residential in in-fill areas where neighborhood compatibility can be provided through design, City of Visalia; and

WHEREAS, the Planning Commission of the City of Visalia, after ten (10) days published notice held a public hearing before said Commission on June 13, 1994; and

WHEREAS, no new environmental impacts would result and no further mitigation measures would be required for this project; and

WHEREAS, the Planning Commission finds that the Environmental Impact Report (SCH No. 90020160) is being used as a Program Environmental Impact Report for this project; and

WHEREAS, the Planning Commission of the City of Visalia recommends approval of the amendment based on the evidence and testimony submitted and based on findings that the amendment would assist in meeting the goals and intent of the Land Use Element.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Visalia hereby approves the General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7657 of the Ordinance Code of the City of Visalia and based on the evidence presented and the following findings:

1. That the proposed General Plan Policy Text Amendment is consistent with the policies and intent of the General Plan.
2. That the proposed General Plan Policy Text Amendment is consistent with the adopted Housing Element to the General Plan.
3. That the proposed General Plan Policy Text Amendment will provide an additional tool for providing multi-family development on in-fill parcels throughout the community with an emphasis on neighborhood compatibility.
4. That the proposed General Plan Policy Text Amendment will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties in the vicinity.

5. That the proposed General Plan Policy Text Amendment is consistent with the Land Use Element Final EIR (SCH No. 90020160) and is being utilized as a Program EIR.

THEREFORE, BE IT FURTHER RESOLVED that the City Council hereby adopts General Plan Policy No. 4.1.20.5 to read as follows:

"High density residential developments may also be used in in-fill areas where they can be made to be consistent with adjacent properties through the conditional use permit process and conditional zoning. Consistency and compatibility with adjacent properties shall be evaluated based on issues including but not limited to: adjacent zoning, adjacent land use, proposed building mass, and the adequacy of public facilities available to the site."

PASSED AND ADOPTED: July 18, 1994

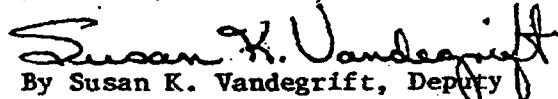
LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 94-104 passed and adopted by the Council of the City of Visalia at a regular meeting held on July 18, 1994.

Dated: July 19, 1994

LESLIE B. CAVIGLIA, CITY CLERK


By Susan K. Vandegrift, Deputy

RESOLUTION NO. 94-24

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF VISALIA TO APPROVE
GENERAL PLAN AMENDMENT NO. 93-16.N,
AMENDMENT TO THE LAND USE ELEMENT MAP DESIGNATION
TO REMOVE THE RESERVE FROM BRP,
FOR PROPERTY LOCATED AT ROAD 80 AND HIGHWAY 198
CITY OF VISALIA - APPLICANT

WHEREAS, General Plan Amendment No. 93-16.N was filed by the City of Visalia to amend the Land Use Element map designation to remove the Reserve from BRP, for property located at Road 80 and Highway 198; APN: 081-020-14, 081-020-30, 081-020-31, 081-020-32, 081-020-36, 081-020-38, 081-020-40, 081-020-41, 081-020-42, 081-020-43, 081-020-44, 081-020-48, 081-020-50, 081-020-58, 081-020-59, 081-020-60 and 081-020-61, City of Visalia; and

WHEREAS, the Planning Commission of the City of Visalia, after ten (10) days published notice held a public hearing before said Commission on January 10, 1994; and

WHEREAS, Initial Study 93-65 was prepared and found that no further mitigation measures would be required for this project, and the Planning Commission finds that the Environmental Impact Report (SCH No. 90020160) is being used as a Program Environmental Impact Report for this project; and

NOW, THEREFORE, BE IT RESOLVED that Initial Study 93-65 was prepared and found that no further mitigation measures would be required for this project, and the Planning Commission finds that the Environmental Impact Report (SCH No. 90020160) is being used as a Program Environmental Impact Report for this project; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves the proposed General Plan amendments based on the following specific findings and based on the evidence presented:

1. That said amendment to remove the Reserve designation from General Plan Policy No. 3.6.3-1 is consistent with the goals and objectives of the General Plan.

General Plan Policy No. 3.6.3.1

*Plaza Drive north of SH 198 in conjunction with limited, high quality highway commercial uses.
{Reserve}*

2. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and that Land Use Element EIR (SCH No. 90020160) may be utilized as program EIR.

3. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effect on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.
4. That the General Plan Amendment would not be injurious to properties in the vicinity, nor detrimental to the public health, safety, or welfare.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves the General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7656 of the Ordinance Code of the City of Visalia and based on the above findings.

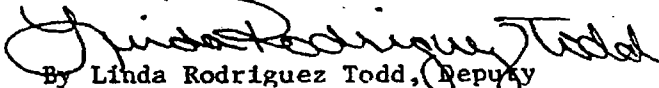
PASSED AND ADOPTED: January 17, 1994 LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 94-24 passed and adopted by the Council of the City of Vialia at a regular meeting held on January 17, 1994.

DATED: January 20, 1994

LESLIE B. CAVIGLIA, CITY CLERK


By Linda Rodriguez Todd, Deputy

RESOLUTION NO. 94-06

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA RECOMMENDING APPROVAL
OF GENERAL PLAN AMENDMENT NO. 93-11.G,
AN AMENDMENT TO THE LAND USE ELEMENT LAND USE DESIGNATION
FROM BUSINESS RESEARCH PARK TO SERVICE COMMERCIAL
AND SHOPPING OFFICE TO INCLUDE PROPERTY LOCATED
OUTSIDE THE PROPOSED REDEFINED BOUNDARIES FOR THE
CENTRAL VISALIA BRP, GENERALLY LOCATED
BETWEEN CENTER STREET, BEN MADDOX,
DOUGLAS STREET, AND BURKE STREET
CITY OF VISALIA PLANNING DIVISION

WHEREAS, a General Plan Amendment No. 93-11.G, was filed by City of Visalia Planning Division, an amendment to the Land Use Element Land Use designation from Business Research Park to Service Commercial and Shopping Office to include property located outside the proposed redefined boundaries for the Central Visalia BRP, generally located between Center Street, Ben Maddox, Douglas Street, and Burke Street; Visalia, and

WHEREAS, the Planning Commission of the City of Visalia, after twenty-one (21) days published notice held a public hearing before said Commission on December 13, 1993; and

WHEREAS, the Planning Commission of the City of Visalia finds the amendment in accordance with Section 7656 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, Negative Declaration No. 93-37 was prepared and found that no significant impacts would result from this project, and that no mitigation measures would be required for this project,

WHEREAS, the City Council of the City of Visalia, after ten (10) days published notice did hold a public hearing before said Council on January 3, 1994.

NOW, THEREFORE, BE IT RESOLVED that a Negative Declaration was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves the proposed General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7657 of the Ordinance Code of the City of Visalia and based on the evidence presented and the following findings:

1. That the amendment to the General Plan Land Use Designation from "Business Research Park" to "Shopping/Office" and "Service Commercial" is consistent with the goals and objectives of the General Plan.

2. The requested amendment to the land use designation is to provide commercial service and shopping opportunities where, due largely to small parcel sizes and existing development, development of a large scale business research park may not be feasible.
3. That those properties herein described as the Central Visalia Business Research Park are predominately large parcels which would provide opportunities for master planning of a BRP.
4. That this amendment would facilitate development which would be compatible with the surrounding land uses.
5. That the redesignation of approximately 22.8 acres from BRP to Service Commercial and Shopping Office will not create a significant impact regarding employment and subsequent vehicle trip generation.
6. That the 1986 Redevelopment Plan Land Use Map indicated the subject properties for essentially the same land uses as are now proposed. Based on these data, the proposed change is consistent with the East Visalia Redevelopment Plan.
7. That an Initial Study was prepared for this project, consistent with the CEQA, which disclosed that environmental impacts are determined to be not significant and Negative Declaration No. 93-37 is hereby adopted.
8. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effect on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.
9. That the amendment would not be detrimental to the public health, safety, or welfare, nor materially injurious to properties in the vicinity.

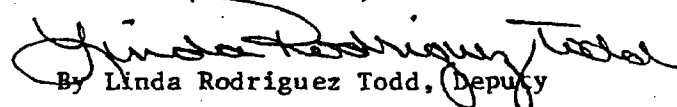
PASSED AND ADOPTED: January 17, 1994 LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
 COUNTY OF TULARE) ss.
 CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 94-06 passed and adopted by the Council of the City of Visalia at a regular meeting held on January 17, 1994.

DATED: January 20, 1994

LESLIE B. CAVIGLIA, CITY CLERK


 By Linda Rodriguez Todd, Deputy

RESOLUTION NO. 93-44E

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA RECOMMENDING APPROVAL OF
GENERAL PLAN AMENDMENT NO. 92-14.F,
TO CHANGE THE LAND USE ELEMENT OF THE GENERAL PLAN
TO REMOVE THE "RESERVE" DESIGNATION FROM APPROXIMATELY 80 ACRES
DESIGNATED FOR BRP (BUSINESS RESEARCH PARK) RESERVE,
FOR PROPERTY LOCATED NORTH OF
GOSHEN AVENUE, EAST OF SHIRK STREET AT DOE AVENUE,
KEVIN M. GREEN - APPLICANT
QUAD CONSULTANTS - AGENT

WHEREAS, a General Plan amendment application was filed by Quad Consultants, agent, Kevin M. Green, applicant, to remove the "Reserve" designation from approximately 80 acres designated for BRP (Business Research Park) Reserve, located north of Goshen Avenue, east of Shirk Street at Doe Avenue; APN: 077-100-20, Visalia, and

WHEREAS, the Planning Commission of the City of Visalia, after twenty-one (21) days published notice held a public hearing before said Commission on March 8, 1993; and

WHEREAS, Negative Declaration No. 93-09 was prepared and found that no significant impacts would result from this project, and that no mitigation measures would be required for this project,

NOW, THEREFORE, BE IT RESOLVED, that a Negative Declaration was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Visalia hereby approves the General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7657 of the Ordinance Code of the City of Visalia and based on the evidence presented and the following findings:

1. That the proposal is consistent with the land use designation and intent of the Visalia General Plan for the development of Business Research Park Reserve designated properties.
2. That the development of the site requires master planning, in concept, of the entire BRP area.
3. That removal of the "Reserve" designation from the subject site would not promote "leapfrog" development.

4. That the BRP sites shown for immediate develop meet (non-reserve) have characteristics that are problematic to development.
5. That it is necessary to provide more than one vacant site for Business Research Park designation.

PASSED AND ADOPTED: May 3, 1993

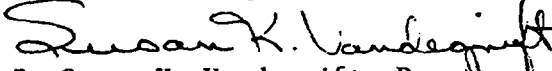
LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 93-44E passed and adopted by the Council of the City of Visalia at a regular meeting held on May 3, 1993.

Dated: May 4, 1993

LESLIE B. CAVIGLIA, CITY CLERK


By Susan K. Vandegrift, Deputy

RESOLUTION NO. 93-44B

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF VISALIA TO APPROVE
GENERAL PLAN AMENDMENT NO. 92-14.K, (A), (B), AND (C),
(A) ADDING LANGUAGE TO LAND USE ELEMENT POLICY NO. 4.1.18;
(B) ADDING LAND USE ELEMENT POLICY NO. 3.5.18;
(C) ADDING LANGUAGE TO LAND USE ELEMENT POLICY NO. 8.1.7,
CITY OF VISALIA - APPLICANT

WHEREAS, a General Plan Amendment No. 92-14.K (a) adding language to Land Use Element Policy No. 4.1.18; (b) adding Land Use Element Policy No. 3.5.18; and (c) adding language to Land Use Element Policy No. 8.1.7, application was filed by the City of Visalia, and

WHEREAS, the Planning Commission of the City of Visalia, after ten (10) days published notice held a public hearing before said Commission on March 8, 1993; and

WHEREAS, Initial Study 93-17 was prepared and found that no further mitigation measures would be required for this project, and the Planning Commission finds that the Environmental Impact Report (SCH No. 90020160) is being used as a program Environmental Impact Report for this project, and

WHEREAS, the Planning Commission recommends approval of the amendment based on the evidence and testimony submitted and based on findings that the amendment would assist in meeting the goals and intent of the Land Use Element, and

NOW, THEREFORE, BE IT RESOLVED that Initial Study 93-17 was prepared and found that no further mitigation measures would be required for this project, and the Planning Commission finds that the Environmental Impact Report (SCH No. 90020160) is being used as a program Environmental Impact Report for this project, and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Visalia hereby approves the General Plan amendment described herein, in accordance with the terms of this resolution under the provisions of Section 7657 of the Ordinance Code of the City of Visalia and based on the evidence presented and the following findings:

1. That the proposed policy amendments and addition are consistent with the intent and objectives of the General Plan Land Use Element.
2. That the proposed policy amendments and addition would assist in meeting the goals and objectives of the General Plan Land Use Element, by providing the means to increase residential densities through the zoning ordinance, and allowing flexibility in the application of zoning designations and commercial extensions.
3. That the proposed amendment would not be detrimental to the public health, safety, or welfare, or materially injurious to the properties in the vicinity.

THEREFORE, BE IT FURTHER RESOLVED that the City Council hereby adopts the policies of the General Plan Land Use Element be amended to read as follows;

(a) Amending Policy No. 4.1.18, to read;

Continue to encourage comprehensively planned Low Density Residential development (up to 21 persons/acre - 2 to 10 dwelling units net acre). Low density developments in excess of 7 units per acre shall only be permitted in the Northeast Specific Plan Area, for selected infill parcels as may be designated by the City Council upon recommendation of the Planning Commission, and in other specific plan areas where standards are established for lot coverage, where it will promote the fulfillment of unmet housing needs for low or moderate income households according to the Housing Element. Usage of duplex or halfplex units shall be encouraged to increase overall densities where they area made to be compatible with the overall residential development.

The Zoning Ordinance shall be amended to permit the use of 5,000 square foot lots, and include development criteria and a review process for them to be integrated with 6,000 square foot lots. The criteria shall include development standards which may include provisions for minimum lot width, setbacks, lot coverage, building mass and other development standards.

The Zoning Ordinance shall be amended to include a definition of "infill parcels" and a process and criteria to permit the use of 5,000 square foot lots on these designated parcels.

(b) Adding new Policy No. 8.1.7, to read;

The Zoning Ordinance and other land development and land use development regulations shall be amended, where necessary, to be in conformance with the goals, objectives, policies and map of the Land Use Element.

The Planning Commission shall interpret the General Plan goals, objectives, policies and land use maps when applying zoning to property to consider issues such as parcel configuration and orientation.

(c) Amending Policy No. 3.5.18, to read;

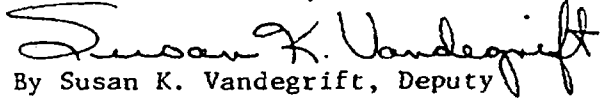
The depth of commercial development along the Mooney Boulevard commercial corridor, Ben Maddox Way (from Tulare to Houston Avenues,) and North Dinuba Boulevard commercial corridor may be extended on a case by case basis if the extension increases the feasibility of commercial development and the proposed action will not create land use conflicts or reduce viability of adjacent residential properties. The Planning Commission shall determine precise boundaries for each zone classification consistent with the goals, objectives and policies of the General Plan.

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 93-44B passed and adopted by the Council of the City of Visalia at a regular meeting held on May 3, 1993.

Dated: May. 4, 1993

LESLIE B. CAVIGLIA, CITY CLERK


By Susan K. Vandegrift, Deputy

RESOLUTION 91-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA
CERTIFYING THE ENVIRONMENTAL IMPACT REPORT ON THE
VISALIA LAND USE ELEMENT UPDATE TO THE VISALIA
GENERAL PLAN (AMENDMENT 90-04, STATE CLEARINGHOUSE
NO. 90020160 AND MAKING A FINDING OF
OVERRIDING CONSIDERATIONS

WHEREAS, the draft Environmental Impact Report on the Project was released on September 4, 1990 for circulation; and,

WHEREAS, pursuant to notice duly given, the Planning Commission held full and fair public hearings on the draft Environmental Impact Report on September 6 and 18, 1990; and,

WHEREAS, the Draft Environmental Impact Report was circulated to the public and reviewed by Trustee, Responsible and other affected Agencies for the reviewed period required by Law; and,

WHEREAS, the Visalia Planning Commission has reviewed and considered the Final Environmental Impact Report prepared on the Visalia land Use Element update to the Visalia General Plan (the "Project"), and has recommended its certification pursuant to Planning Commission Resolution No. 91-51; and

WHEREAS, changes made to the project are within the scope of the Draft and Final EIR with the following modified projected impacts:

1. Land Use. There is a decrease in the amount of commercial acreage. This change is not considered to be significant since as potential over-supply of commercial land existed in the Draft Plan. Relocation of one Community Center has resulted in a 20-acre decrease in public/institutional land uses, which is not considered to be significant. The addition of the square mile of Industrial reserve in the northwest industrial park should be phased as development necessitates and the relocation of Business Research Park uses to the eastern portion of the community may result in a net decrease in the cross-town commuting.
2. Agriculture. Revised LUE policies support phased development based on infill criteria. The potential for additional land use conflicts is small if a Right to Farm Ordinance is adopted.
3. Hydrology and Drainage. The revised Land Use Element incorporates 650 acres of Agricultural land within the UGB, which is projected to have a beneficial impact on ground water recharge since a portion of the water used for irrigated agriculture percolates back to the water table. Infiltration of pesticides will remain a potential problem.

NOTE: On Page 11, item 11, statement of facts section, of Resolution 91-105, it mistakenly refers to Exhibit B. Instead, it should have referred to Exhibit A. The correct documents for this reference are located in Exhibit A.

Dated: June 19, 1992


LESLIE B. CAVIGLIA, CITY CLERK

4. Biological Resources. Retaining agriculture in the West Visalia Specific Plan Area will have a beneficial impact on wildlife in the Plan Area.
5. Traffic and Circulation. Relocation of the northeast community center to the Riggin/Old Dinuba Highway intersection one location was considered in the final EIR. The net affect of this change at the Riggin/Hwy 63 intersection would be to increase commercial acreage by approximately 10 acres, office space by 10 acres, and a 30-acre reduction in area for low density residential uses.

These changes would increase traffic loads in the vicinity of the new community center, while decreasing traffic loads and the former locations. This modification will decrease the level of service at Riggin and Hwy 63 from A to B and increase the level of service at Demaree and Riggin from B to A.

The redistribution of Business Research Park and Service Commercial Uses to the East Visalia area also has reduced the projected employment concentraton in the northwest industrial park by approximately 6,400 jobs. This may improve traffic congestion in the northwest area but will not eliminate significant impacts resulting from increased traffic in the Plan Area.

WHEREAS; the City Council has reviewed and considered the Final Environmental Impact Report prepared on the Visalia Land Use Element update to the Visalia General Plan.

WHEREAS; The City Council has reviewed and considered the final EIR prepared on the Land Use Element Update; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Visalia as follows:

1. That full and fair public hearings having been held on the Environmental Impact Report and the City Council having considered all comments received thereon, said Environmental Impact Report is hereby determined to be adequate; and said Environmental Impact Report is hereby incorporated herein by reference.
2. The City Council hereby determines that the Final Environmental Impact Report has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the state and local environmental guidelines and regulations, and that it has been reviewed and considered the information contained therein in connection with the recommended adoption of the proposed Land Use Element update.
3. The City Council hereby finds with respect to the adverse environmental impacts detailed in the Environmental Impact Report:
 - (a) That the adverse environmental impacts associated with the adoption of the Land Use Element update have been considered and recognized by the City Council;

- (b) That comments and responses made during the public hearings of the City Council have been considered and recognized by the City Council and said comments are incorporated into the Final EIR along with written responses;
- (c) That through the inclusion of mitigation measures in the Land Use Element EIR in the Land Use Element Goals, Policies and Objectives, as amended and as indicated in Exhibit A hereto attached, significant environmental effects as identified in the Final EIR, have been eliminated or substantially lessened and that findings pursuant to Section 15091 of the CEQA Guidelines are made.

Mitigation measures not implemented because of lack of feasibility, specifically include the following.

4.2-1 Long-Term Farmland Preservation. This mitigation measure calls for the preservation of prime farmland outside of the proposed Urban Growth Boundary. This issue is of regional importance and significance and its success will depend on a multi-jurisdictional commitment through the Tulare County Association of Governments or a Joint Powers Agreement. It is recommended that this mitigation measure be implemented by the appropriate regional agency with cooperation from the City.

4.6-13 (d) This program to increase the community's awareness of air quality issues should be implemented by the Air Pollution Control District. The City encourages such adoption.

Those impacts addressed and mitigation measures addressing unmitigatable significant environmental effects are as follows:

1. **Significant Effects - Land Use**

Land use conflicts result when commercial, residential and industrial, airport and railroad uses are located within close proximity to one another. These impacts will occur in east Goshen, Central Visalia and southwest Visalia.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and Implement Revised Land Use Element Goals, Objectives and Policies.

2. Significant Effect - Agricultural Resources

Buildout will cause the loss of approximately 13,000 acres of prime agricultural land.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Increase residential density to result in the need for fewer acres of prime land being lost to urbanization and phase development as indicated in Policy 6.2.3. Implementation of further mitigation measures are beyond the jurisdiction of the City of Visalia.

3. Significant Effects - Traffic/Circulation

Increase in traffic congestion due to increased development.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement mitigation measures in the Final EIR and the Draft Land Use Element Goals, Objectives and Policies.

4. Significant Effects - Noise

Increase in ambient noise levels.

Increase in noise levels adjacent to arterial streets.

Increased noise in the vicinity of commercial and industrial sites.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

The performance standards of the City's Noise Ordinance should be incorporated into the review/approval process for individual projects when such projects involve potential conflicts between commercial/industrial and noise-sensitive uses.

5. Significant Effects - Air Quality

Construction activities cause short-term emissions.

Health risks and degraded air quality resulting from harvesting emissions and agricultural pesticide and defoliant spraying.

Additional traffic volumes exacerbate localized areas of high CO concentration (also known as "hot spots").

Stationary (industry) and mobile (vehicle) sources emit long-term air pollution and exceed state and federal ozone and PM₁₀ standards.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Further significant reductions may be attained through local implementation of the Clean Air Act.

6. Significant Effects - Biological Resources

The conversion of agricultural lands to urban uses will diminish habitats of species associated with agricultural fields, the California jewelweed, Tulare pseudobahia, blackshouldered kites, San Joaquin Kit Fox, native vegetation and remnant Valley Oak woodlands.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

7. Significant Effects - Water Supply and Demand

Increased pumping of the groundwater basin will lead to overdraft conditions.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft Land Use Element Goals, Objectives and Policies. Further, participate in the commission of ground water safe yield study to determine regional impacts on the locally affected groundwater basin.

8. Significant Effects - Visual Resources

The increase of residential, industrial, commercial and institutional development will impair the aesthetic and visual quality of the area.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

- (d) That any remaining significant effects on the environment, as identified in the Final EIR, are unavoidable as described in the Final EIR and the City Council makes and adopts the following "Statement of Overriding Considerations" pursuant to Section 15093 of the CEQA Guidelines for the identified significant unavoidable effects. The mitigation measures that address these impacts are as follows:

1. Significant Effects - Population/Housing/ Employment

No potentially significant impacts were identified.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft LUE Goals, Objectives, and Policies.

2. Significant Effects - Geological and Seismic

Major property damage or loss of life can occur from ground surface displacement or ground-shaking from potential earthquakes. Major property damage or loss of life can occur from soil erosion.

Statement of Facts:

Design and construct foundations and structures to resist seismic shaking in accordance with current building codes standards and practices. Conform to Uniform Building Code as it applies to earthquake design.

Identify and retrofit seismically unsafe structures.

Design and construct all drainage control structure sand utilities to minimize the potential for failure/breakage.

Comply with grading and flood control ordinances.

3. Significant Effects - Hydrology and Drainage

Development will increase the rate and concentration of surface flow which may erode and flood natural drainage channels. Incorporation will add to the amount of land in floodplain areas.

Increase surface runoff will contaminate water downstream.

Development of agricultural land and open space will reduce groundwater infiltration and recharge rates.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Implement Draft Land Use Element policies and Final EIR mitigation measures.

4. Significant Effects - Wastewater Collection and Treatment

Project growth will exceed the existing wastewater collection system after the year 2000 and exceed capacity of the City treatment plant.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft Land Use Element Goals, Objectives, and Policies.

5. Significant Effects - Solid Waste Disposal

Future population growth will generate enough refuse to decrease the life span of the Visalia landfill.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft Land Use Element Goals, Objectives and Policies.

6. Significant Effects - Fire Protection Services

Projected population growth will overburden fire services.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft Land Use Element Goals, Objectives and Policies.

Annually monitor the need for fire services personnel, as the planning area develops.

7. Significant Effects - Police Protection Services

Doubling the population would substantially increase the demand for law enforcement.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft Land Use Element Goals, Objectives and Policies.

Annually monitor the need for law enforcement personnel, as the planning area develops.

8. Significant Effects - Parks and Recreation

Continued population increases will exceed existing park system capacity which already operates above intended capacity, especially in the southwest region.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Acquire sufficient park acreage to meet existing demands.

9. Significant Effects - Health Care

Increased health care demand that necessitates expansion of hospital facilities may result in transition periods when medical services lag behind demand.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft Land Use Element Goals, Objectives and Policies.

The City and the Redevelopment Agency shall continue to work with the Kaweah Delta District Hospital to facilitate the expansion of their downtown facility through cooperative agreements for parking, etc.

10. Significant Effects - Risk of Upset/Hazardous Materials

Increased industrial activities as well as residential development on former agricultural land will expose people to toxic chemicals and hazardous materials.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Update the City's Emergency Operations plan as needed to address additional development and population growth.

Prepare and adopt a Hazardous Waste Management Plan (HWMP). The HWMP shall provide measures which will reduce health and environmental risks associated with exposure to hazardous materials associated with agricultural and industrial land uses.

11. Significant Effects - Schools

Population growth will increase the demand for additional elementary, middle, high school and post-secondary educational facilities.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft Land Use Element Goals, Objectives and Policies. Further, amend objective 5.3A and policies 5.32 and 5.3.8 as indicated in Exhibit B:
(NOTE CHANGE ON PAGE 1) A

12. Significant Effects - Cultural Resources

Potential destruction of subsurface artifacts from construction activities.

Finding:

Pursuant to required mitigation measures, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Adopt and implement Draft Land Use Element Goals, Objectives and Policies.

- (e) That environmental, economic, social and other considerations and benefits derived by development of the project override the unavoidable environmental risk of the project and make infeasible project alternatives which would eliminate or further

reduce adverse impacts on the displacement of existing residents and businesses. A summary of the comparisons of the project alternatives is listed below and Chapter 9 of the Environmental Impact Report, "Alternatives to the project" is hereby incorporated herein by reference.

1. Alternative A: Existing Conditions

This alternative represents maintenance of existing conditions with no further growth or development within the existing Urban Improvement Boundary. Under this alternative, no in-fill development, or further redevelopment activities involving new development would take place.

Under this alternative, no agricultural land would be converted to urban uses in the UIB, although it is assumed that development could take place within the unincorporated portions of the UIB. There would be some segments of the transportation and circulation system that would operate below the designated Level of Service C if no improvements were installed. .pa Initially, vacancy rates would decrease since no new housing would be built. Housing costs may increase, adversely affecting affordable housing availability. Industry may be limited in ability to expand and some operations may relocate to other areas.

Under this alternative, it is unlikely that sufficient acreage could be acquired and developed for parks to provide the standard acreage of park land for the existing population. With this alternative, the noise environment would generally remain unchanged; there would be no additional impacts to hydrology and drainage facilities; would be the least disruptive to biological resources; water demand would not increase; would not have any significant public service impacts; health care conditions would remain constant; no significant school impacts would occur; and no further impacts would be made to visual or cultural resources.

2. Alternative B: No Project Alternative

This alternative represents the continued growth and development under the existing General Plan Land Use and Urban Boundaries Element. Undeveloped lands within the existing Urban Improvement Boundary would be available for annexation and development, and changes in the UIB would be considered on a case by case basis as is the current practice.

Development as planned in the 1976 General Plan would result in the loss of 713 acres of prime agricultural land. This alternative would increase the

traffic by 33 percent which would cause additional sections of the existing circulation system to fall below LOS C and also result an increase in noise levels. The No Project Alternative would result in a less than significant impact to the housing and employment balance. Water demand with this alternative will increase by approximately 45 percent over existing conditions and no water recharge areas would be established. This alternative is expected to impact fire and police protection, as well as a significant parkland impact. This alternative is not anticipated to result in any significant health care impacts.

3. Alternative C: Downtown Office Concentration

This alternative is similar to the proposed update of the Land Use Element. The types and amount of land uses are the same; however, office uses are focused in the Central Business District and eliminated from the Community Center. The policies regarding Community Centers would be changed to reflect the elimination of office uses.

Under this alternative the concentration of offices in the central business district will increase travel time and distance for employees and customers. Alternative C exacerbates the poor operation of the Downtown street segments and does not improve the operation of the Circulation System. Ambient noise levels in the downtown area and historical area would also be expected to increase. Impacts to public services in the areas of water supply, solid waste disposal, fire and police protection, public utilities would be the same as the proposed project, with the exception of significant impacts on the existing sanitary sewer collection system.

4. Alternative D: West Visalia Specific Plan Overlay

This alternative essentially represents, with some modifications, the revised project. It contains the same land use mix as the original proposed land use element update, however the land use map is modified to include the land uses of the existing West Visalia Specific Plan. The main difference between this alternative and the Draft LUE is that Alternative D would maintain large portions of the plan area in agricultural use.

Using the proposed West Visalia Specific Plan would result in reducing the loss of prime farmlands by 11 percent, although the benefits may be short-lived. There are improvements in the operation of the street system on the west side of the City and a degradation

near the center and on the east side of the City. Impacts to the population, employment, and housing issues would not change significantly from those in the Draft Land Use Plan. Land designated for parks would be the same as the proposed project. Health care impacts, school impacts, visual resources and cultural resources are the same or similar to the proposed project.

5. Environmentally Superior Alternative

This Environmentally Superior Alternative consists of the Goals, Objectives and Policies enumerated in the Draft LUE, plus the mitigation measures contained in EIR. The Draft LUE Map shows added Reserve designation on Industrial north of Riggins and the Business Research Parks in West Visalia.

Comparison of Land Use Element Alternatives

The Draft Land Use Element and Alternatives C and D will result in similar levels of significant unavoidable impacts to air quality, agricultural lands and biological resources. Other secondary impact areas will require extensive programs to mitigate to less-than-significant levels.

The mitigation of traffic impacts (and associated air quality impacts) for the Draft Land Use Element and Alternatives C and D will require the revision of the 1989 Circulation Element including the requirement that a program of traffic monitoring and performance standards be put into place. A system of groundwater recharge basins within the Urban Area Boundary will be required to prevent potential water quality and quantity degradation. Extension of services and upgrading and expansion of facilities to provide water and wastewater collection and treatment will also be necessary. Strong land use controls, exercised through the Land Use Element policies and implementing ordinances will be required to prevent land use imbalance between commercial/industrial land uses and residential land uses and to mitigate land use incompatibilities. A program of agricultural land preservation measures must be initiated with the cooperation of other local agencies and communities in order to partially mitigate loss of agricultural lands.

The Downtown Office Alternative (C), will result in additional air quality impacts in the form of one additional CO hot spots. The major drawback of this alternative is that the additional traffic congestion in the Central Business District will exceed the capacity of the street system and the increased vehicle miles traveled as a result of the location of substantial portions of office space in the Central Business district.

The West Visalia Specific Plan Overlay Alternative (D) would result in some savings in agricultural land of approximately (1,338 acres or 11 percent), but would have 158 acres less of conservation lands, which provide better opportunities for habitat enhancement, than does the Draft Land Use Element. This alternative would also result in the increase in the local jobs/housing balance within each quadrant of the community, effectively increasing the number of job opportunities by 6,400 in east Visalia. Since agricultural areas do not require urban services, there is no reason for these areas to be included within the urban boundaries of the City, where the role is to provide urban services.

Benefits accrued to agricultural lands with this alternative may be short-lived. The status of the West Visalia Specific Plan area as a strictly agricultural area is undergoing change at this time due to encroachment of rural residential development taking place in the County.

Continued demands for rural residential land may result in the area developing under County General Plan and zoning regulations regardless of whether it is included within Visalia's Urban Growth Boundary. Additionally, the agricultural operations that remain will be enclosed on three sides by urban uses.

The Draft Land Use Element and the West Visalia Specific Plan Overlay Alternatives are roughly equivalent with regard to all other impact areas; however, enhancement of the identified San Joaquin Kit Fox habitat by land use changes to conservation or regional parks under the Draft Land Use Element would be beneficial and be in compliance with Tulare County policy.

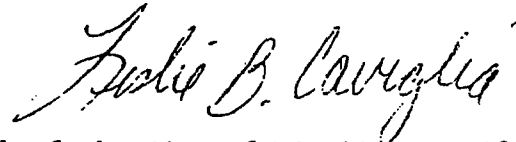
A regional park would provide a more suitable habitat for the Kit Fox, and the conservation areas designated near SR 198 provide an opportunity for creation of additional habitat and/or urban forest areas. Due to the opportunities provided for conservation and habitat enhancement and the potential for land use incompatibility between urban and agricultural uses in the West Visalia Specific Plan Area, it is concluded that the Environmentally Superior Alternative is the Draft Land Use Element as mitigated.

This Environmentally Superior Alternative consists of the Goals, Objectives, and Policies enumerated in the Draft Land Use Element, plus the mitigation measures contained in Final EIR.

BE IT FURTHER RESOLVED that the City Council determines that the Final Environmental Impact Report is adequate and complete and so certifies it.

PASSED AND ADOPTED: September 3, 1991 **LESLIE B. CAVIGLIA, CITY CLERK**

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)



I, Leslie Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 91-105 passed and adopted by the Council of the City of Visalia at a regular meeting held on September 3, 1991.

Dated: September 4, 1991

LESLIE B. CAVIGLIA, CITY CLERK



By Susan K. Vandegrift, Deputy

RESOLUTION NO. 91-106

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF VISALIA RECOMMENDING ADOPTION OF
AMENDMENT NO. 90-04 RELATING TO THE LAND USE ELEMENT
OF THE GENERAL PLAN AND RECOMMENDING CERTAIN POLICY
AND MAP CHANGES THERETO**

WHEREAS, an amendment application was initiated by the Council of the City of Visalia (City Council) in accordance with Section 7651 of the Visalia Zoning Regulations to consider amending the land use designation for various areas under the City's Land Use Element of the General Plan; and

WHEREAS, the draft Land Use Element of the General Plan text and map was first circulated in March 1990 with amendments released in August 1990; and

WHEREAS, the draft Environmental Impact Report (SCN 90020160) on the project was prepared as appropriate, given full public review notice and released on September 4, 1990 for circulation as required under the California Environmental Quality Act (CEQA); and

WHEREAS, a Final Environmental Impact Report was prepared pursuant to CEQA and reviewed by the Planning Commission prior to approval its recommendation; and,

WHEREAS, the revised policies and map integrate the mitigation measures indicated in the Final Environmental Impact Report to the extent feasible; and

WHEREAS, the Visalia City Council gave due notice and held full and fair public hearings on the draft Land Use Element in 1990 on November 1, 7, 13, and on the draft Land Use Element and the Draft Environmental Impact Report on August 28, 1991;

WHEREAS, the City Council after conducting said public hearings, has considered all comments received on the draft Land Use Element and the Final EIR; and

WHEREAS, the City Council reviewed and considered all comments received on the Environmental Impact Report and the Council considered the Final Environmental Impact Report in its entirety, adding all feasible mitigation measures to the draft Land Use Element.

WHEREAS, the City Council recognizes the potential environmental impacts associated with Amendment No. 90-04 and have made a finding of overriding considerations in Resolution No. 91-105; and

WHEREAS, the City Council of the City of Visalia did recommend certain policy and map changes as a result of said City Council public hearings and study sessions; and

WHEREAS, the City Council did refer such changes to the Planning Commission for consideration prior to adoption of Amendment No. 90-04 pursuant to Section 65356 of the California Government Code; and

WHEREAS, the Planning Commission of the City did consider such changes after a properly noticed public hearing on July 23, 1991; and

WHEREAS, the City Council has determined that the proposed amendments to the Land Use Element to the General Plan are appropriate as amended and will contribute to the orderly and planned growth of the community as indicated under the individual text and map herein incorporated by reference; and

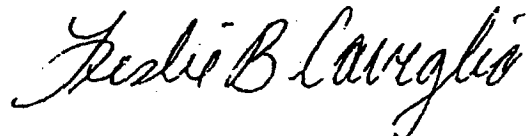
NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts the modified Goals, Objectives and policies for Amendment No. 90-04 as indicated in Exhibit "A" hereto attached; and

BE IT FURTHER RESOLVED, that the City Council adopts Amendment 90-04 in its entirety as recommended by the Planning Commission in Planning Commission Resolution 91-52 with the policies as indicated in Exhibit "A" and further map amendments indicated in Exhibit "B" hereto attached.

PASSED AND ADOPTED: September 3, 1991

LESLIE B. CAVILGIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)



I, Leslie Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution No. 91-106 passed and adopted by the Council of the City of Visalia at a regular meeting held on September 3, 1991.

Dated: September 4, 1991

LESLIE B. CAVIGLIA, CITY CLERK



By Susan K. Vandegrift, Deputy

G: CITY OF WOODLAKE

Woodlake General Plan



Land Use Element

Table of Contents

Part 1: General Plan

<u>Chapters</u>	<u>Page</u>
Chapter 1: Introduction	
Woodlake	1
The General Plan	2
Legal Background	3
The Woodlake Planning Area	4
Document Organization	5
Public Participation	5
Relationship to other Plans	5
 <u>Exhibits</u>	
Exhibit No. 1: Regional Location	after 1
Exhibit No. 2: Planning Area	after 4
Exhibit No. 3: Sphere of Influence	after 5

Table of Contents

Chapter 2: Land Use Element

Introduction	6
Land Use and Population	7
Population Projections	19
Land Use Projections	20
Land Use Designations and Population Densities	33
Planning Issues and Land Use Goals	38
Land Use Policies and Actions	51
Land Use Designation/Zoning District Matrix	87
Land Use Map	88

Exhibits

Exhibit No. 1: Land Use	after 12
-------------------------	----------

Tables

Table No. 1: Woodlake Land Use	13
Table No. 2: Residential Construction Trends	14
Table No. 3: Residential Rehabilitation and Demolition Trends	16
Table No. 4: Residential Subdivision Status	16
Table No. 5: Population Projections	18

Figures

Figure No. 1: Population Growth in Woodlake	17
---	----

Table of Contents

Chapter 3: Circulation Element

Introduction	1
Existing Conditions	2
Evaluation of Existing Circulation System	8
Traffic Projections and Evaluation	12
Circulation Issues and Goals	14
Circulation Policies and Actions	22
Cross-Section Designs for Circulation System	37
Circulation Map	38

Exhibits

Exhibit No. 1: Existing Circulation System	after 2
Exhibit No. 2: Circulation Map	after 38

Tables

Table No. 1: Level of Service interpretation	8
Table No. 2: Daily Capacities for Types of Roadways	9
Table No. 3: Existing Traffic Volumes	9
Table No. 4: Projected Traffic Volumes, 2028	13
Table No. 5: Population Projections	18

Table of Contents

Chapter 4: Open Space, Recreation and Conservation Element

Introduction	1
Existing Conditions	4
Population and Park Land Need Projections	13
Open Space, Parks, Recreation and Conservation Issues/Goals	
Objectives and Action Plans	18
Quimby Act Calculations	38
Open Space, Parks, Recreation and Conservation Map	39

Exhibits

Exhibit No. 1: Existing Land Use	after 4
Exhibit No. 2: Agricultural Preserves	after 6
Exhibit No. 3: Soils	after 7
Exhibit No. 4: Floodplains	after 10
Exhibit No. 5: Existing Park Locations and Service Area	after 14
Exhibit No. 6: Parks and Open Space	after 39

Table of Contents

Part 2: Draft Environmental Impact Report

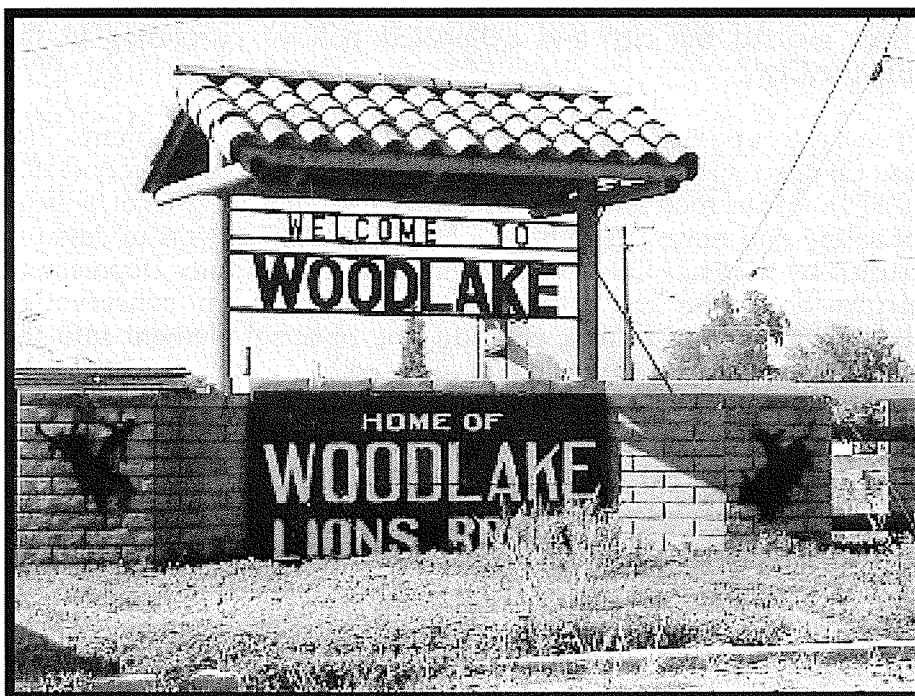
<u>Chapters</u>	<u>Page</u>
Introduction	
Project Description	
Environmental Setting	
Environmental Impact Analysis	
Risk of Upset	
Resources	
Physical	
Human Impacts	
Unavoidable Adverse Environmental Effects	
Alternatives to the Proposed Action	
No Project	
Alternative General Plan	
Long-Term Implications of the Proposed Project	
Short-Term Use of the Environment versus its Long-Term	
Productivity	
Irreversible Environmental Changes	
Growth-Inducing Impacts	
Cumulative Impacts	
Effects Found not to be Significant	
Organizations and Persons Consulted	

Woodlake General Plan 2008 to 2028

Introduction

Woodlake

Woodlake is located in Tulare County in the e southern part of the San Joaquin Valley. Woodlake is 15 miles northeast of Visalia, the county seat of Tulare County, and 20 miles west of Sequoia National Park and eight miles north of Exeter (see Exhibit 1). Woodlake is bisected by State Route 216 (Naranjo Boulevard), which runs east and west, and State Route 245 (Valencia Boulevard), which runs north and south. The community is situated five miles north of State Route 198, a major east/west route that connects the coast range with the Sierras.



Woodlake has two welcome signs. One is on State Route 245 south of Woodlake and the second is located west of town on State Route 216.

Woodlake General Plan 2008 to 2028

The General Plan

Government Code Section 65300 requires that every planning agency (city and county) prepare, and the legislative body is required to adopt, a comprehensive, long-term general plan for the physical development of the city, and any land outside the city boundaries which in the city's opinion bears relation to its planning. The general plan shall consist of a statement of development policies and shall include diagrams and text setting forth objectives, principles, standards and plan proposals for each of the general plan's mandatory elements, which include land use, circulation, housing, open space, conservation, safety and noise.

Woodlake's first general plan was prepared by the County of Tulare in 1978 when Woodlake had a population of approximately 4,300. The County also prepared the Urban Boundaries Element for the city of Woodlake, adopted in 1974. This document established growth lines around the city and delineated policies pertaining to the annexation of lands into the City.

This general plan will serve to update four of Woodlake's general plan elements - (1) land use, (2) circulation, (3) open space, and (4) conservation. Woodlake's Safety (1975) and Noise Elements (1976) are deemed adequate in regards to their long-term policies pertaining to issues of safety and noise. Woodlake's Housing Element was updated in 2002 and has been certified by the State Office of Housing and Community Department (HCD). This general plan document will combine the open space and conservation elements into one document and in addition, will add one optional element into the same document - parks and recreational element.

Woodlake will update its general plan, which was last updated in 1978.

This update will modernize the following elements - Land Use Element, Circulation Element and the Open Space, Parks, Recreation and Conservation Element

Woodlake's vision and expectations for its future are best expressed through its General Plan. The general plan is frequently referred to as the "blueprint" for a city's future development patterns, roadway alignments and the location of its open space

Woodlake General Plan 2008 to 2028

amenities. Its policies and implementation actions serve as the "directions" for executing the blueprint.

The General Plan is a narrative expression of Woodlake's vision and expectations for the future. Through its goals, policies and implementation actions, the four elements (three documents) that will be updated - Land Use; Circulation; and Open Space, Parks, Recreation and Conservation, these visions and expectations will be addressed. In addition, maps included in these elements will provide a visual display of the location of such features like (1) existing and future land uses, (2) existing and future roadway, bike path and trail alignments, and (3) the existing and future locations of open space amenities and recreational facilities.

The primary purpose of the General Plan is to facilitate a well-planned community where the public's health, safety and welfare are protected. It can also:

- o guide the Planning Commission and City Council on land use, circulation, open space, parks, recreation, conservation and capital improvement decisions;
- o inform the public where certain types of development will occur in the community;
- o educate the public on how Woodlake's resources will be managed and its open space amenities will be conserved;
- o provide the private sector with a document upon which it can base investment decisions; and
- o direct the city in regards to opportunities for applying for grants and loans to implement certain financing strategies detailed in the General Plan.

Legal Background

Planners and decision-makers have drawn a parallel between the General Plan and the U.S. Constitution. Decisions regarding land use, circulation, open space, housing and capital improvements must be consistent with General Plan just like the nation's laws must be consistent with the Constitution. In *City of Santa Ana v. City of Garden Grove*, 100 Cal. App. 3d521, 532 (1979), the Court of Appeal, in explaining California's general plan legislation in 1971, stated the following:

Woodlake General Plan 2008 to 2028

"... transformed the general plan from just an interesting study to the basic land use charter governing the direction of future land use in the local jurisdiction. . . As a result, general plans now embody fundamental land use decisions that guide the future growth and development of cities."

City decisions that are not consistent with the General Plan place that jurisdiction in a legally tenuous position and subject to legal challenge. In *Friends of "B" Street et.al. V. City of Hayward, et.al.*, 106 Cal. App. 3d 988 (1980), the court concluded that construction of public improvements (e.g. street projects, sewer lines, etc.) must be consistent with the General Plan. Further, the court stated that the General Plan essentially is the constitution for all future development within the city.

An internally inconsistent general plan, lacks one or more of the mandatory elements or certain types of required information. This inconsistency can potentially prevent a city from issuing land use approvals on building permits, zone changes, tentative subdivision maps, etc., if the Court finds that any one of the aforementioned conditions exist (*Sierra Club v. Kern County*, 126 cal. app. 3d 698, 704 (1981); *Resource Defense Fund v, County of Santa Cruz*, 133 Cal. App. 3d 800, 802 (1982); *Camp v. Mendocino*, 123 Cal. App. 3d 334 (1981).

For example, the Woodlake Housing Element may include a policy that states that the city provides adequate sites for a range of housing types, including multi-family uses. The Land Use Element would have to be consistent with the Housing Element by insuring that multi-family uses were provided for in the planning area.

The Woodlake Planning Area

The planning areas for the General Plan are delineated by Woodlake's sphere of influence (SOI) line, containing 3,707 acres; urban development boundary (UDB) line, containing 2,552 acres, and its city limits, containing approximately 1,689 acres (see Exhibit 2).

The UDB line, which is the primary planning line for the Woodlake General Plan, is defined by the Tulare County Local Agency Formation Commission (LAFCO) as follows:

"... a 20-year planning boundary within which urban development is expected to occur over the plan period."

Woodlake General Plan 2008 to 2028

The larger planning area, delineated by the SOI line, contains the city of Woodlake; a rural county service area called the Wells Tract; Bravo Lake, an irrigation facility operated by Wutchumna Water Company; scattered rural residential lots; agricultural lands, containing citrus, olives and grazing land; and isolated industrial and commercial uses located near the intersection of Road 196 and State Route 216 (see Exhibit 3).

Document Organization

The Woodlake General Plan will be presented as a single document that contains two parts. Part 1 will contain the General Plan - Chapter 1, Land Use Element; Chapter 2, Circulation Element; and Chapter 3, Open Space, Parks, Recreation and Conservation Element. Part 2 will contain the draft environmental impact report (DEIR).

Public Participation

The Woodlake City Council has directed the Woodlake Planning Commission to oversee the preparation of the General Plan. The Commission has worked with planning staff in the preparation of the General Plan. Specifically, the Commission has reviewed the goals, policies, and implementation actions contained in the elements as well as providing valuable expertise in the areas of schools, economic development, public safety and circulation.

Relationship to other Plans

State planning law requires that a city's general plan be consistent with other city planning documents. In Woodlake, these other planning documents include the Woodlake Housing Element, Woodlake Redevelopment Plan, the zoning ordinance and various infrastructure master plans. The term "consistency" in planning terms means that the general plan and the other plans have similar community goals and policies, that they advocate similar land use patterns, and they are consistent in their guidance of direction and rate of growth.

Woodlake General Plan 2008 to 2028

Land Use Element

Introduction

The Land Use Element is the most prominent of the seven mandatory elements of the General Plan. It, more so than the other elements, has the most significant impact on existing and future Woodlake residents. It is the element that determines the general location of residential, commercial, industrial, public and open space uses and it discloses building intensities and population densities for the planning area. In planning circles, the land use and circulation elements of the General Plan have been termed the "blueprints" for the development of a city. The goals, policies, and implementation measures of the elements are considered to be the "instructions" for the blueprints.

The Woodlake Land Use Element contains seven sections:

- 1) land use and population;
- 2) population projections;
- 3) land use projections;
- 4) land use designations and population densities;
- 5) planning issues and land use goals;
- 6) land use policies and actions (implementation measures);
- 7) land use designation/ zoning district matrix; and a
- 8) land use map.

Woodlake General Plan 2008 to 2028

Land Use and Population

Early Land Use Patterns

The early history of Woodlake is best described by the city's website:

"The Woodlake area was originally the home of the Yokut and Wutchumna Indians who lived around Bravo Lake. They were peaceful tribes, who made homes of tree bark and wood with roofs made from thatches of lake tules. They lived off the many herds of elk and antelope that would graze the areas wild vegetation growing along the local lakes and rivers. The Antelope Valley just north of Woodlake was once ceremonial grounds where hundreds of Indians would gather to hold annual ceremonies to mourn their dead. There are still many artifacts being found in the areas foothills to record their history. The first white settler was a miner named Tom Davis who started a cattle ranch in 1853. Ten years later a Reverend Jonathan Blair brought a covered wagon train from Missouri and founded a settlement along the lake called "String town". In 1867 a terrible flood wiped out most of String town and the settlers moved on. The lake used to stretch as far north as Castle Rock and the majority of Woodlake's eastside is built on lake bottom. The area became a significant agricultural producer during the 1870's when ranchers moved in and began raising cattle and sheep. Irish cowboys used to drive their cattle from here to Carson City, Nevada where beef was slaughtered and sold to miners. Portuguese shepherders from this area transported wool by wagon to The Port of Stockton. About this same time, grain also became an important crop for the area and was transported to Traver to be milled."

The original Woodlake township was formed by Gilbert F. Stevenson. In 1910, he purchased 13,000 acres in and around Woodlake's current location. Stevenson's vision for the area was a planned recreation community that would focus on Bravo Lake. The original Woodlake townsite contained approximately 240 acres.

Stevenson constructed a two-story commercial building on the northeast corner of Naranjo and Valencia Boulevards and installed streets, and sewer and water lines within the townsite.

Woodlake General Plan 2008 to 2028

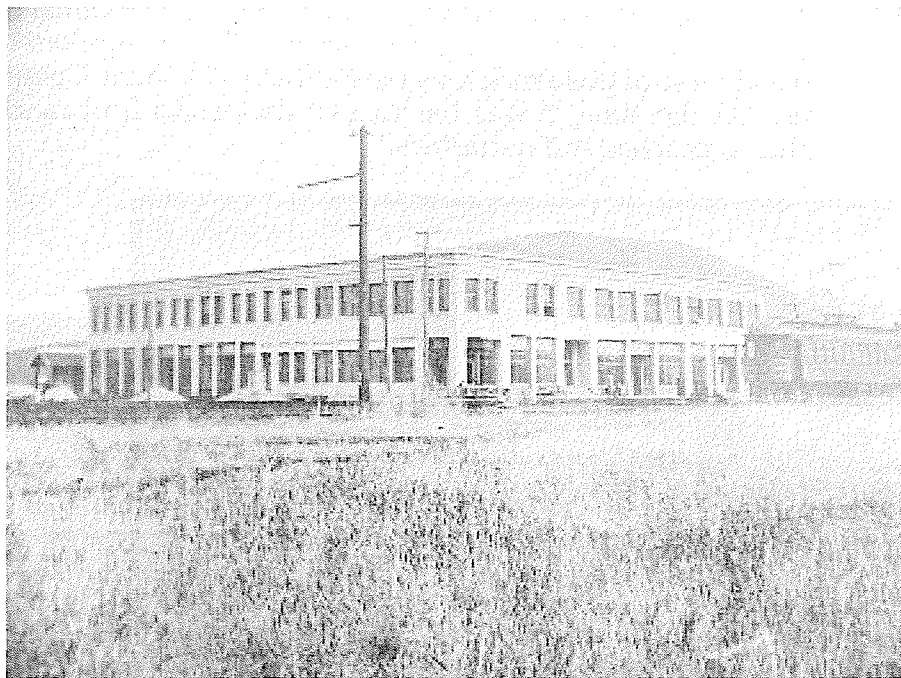
Much of the 13,000 acres owned by Stevenson was devoted to the Sentinal Butte Ranch, which grew oranges, olives, grapes, lemons, and grapefruit, and supported a packing house. Adjacent to and west of this ranch was the Redbanks Orchard Company, which covered 4,000 acres. At the time, it was the largest deciduous fruit ranch in Tulare County, growing plums, peaches and nectarines.



A plum orchard in the winter.

In 1905, the Visalia Electric Railroad was constructed. It linked the communities of Visalia, Farmersville, Exeter and Woodlake. The Sante Fe Railroad was constructed in 1914. Three acres of land was donated by Stevenson to insure that the Sante Fe Railroad did not bypass Woodlake.

Woodlake General Plan 2008 to 2028



The Visalia Electric Railroad was constructed in 1914. It connected Woodlake with the communities of Visalia, Exeter and Farmersville. Adjacent to the Visalia Electric railcar is the new Bank of America building, which was demolished in 1961.

In 1941, Woodlake became incorporated. Prior to incorporation, Woodlake had already established a fire department, Chamber of Commerce and Cemetery District.

Woodlake's first streets were laid out in a grid pattern. The streets, which ran east/west and north/south had rights-of-way widths of 50 feet and each block formed by these streets had a 20-foot wide alley that bisected the block. The early blocks were rectangular in shape, 300 by 600 feet. They were composed of lots that measured 50 feet by 140 feet, 60 feet by 140 feet, and 75 feet by 140 feet. Valencia and Naranjo boulevards has rights-of-way that were 80 feet wide. They served as Woodlake's "main streets" and eventually became state highways. These two boulevards divided the community into quadrants. The southeast quadrant is dominated by Bravo Lake while the other three quadrants are occupied by residential, office and commercial uses.

Woodlake General Plan 2008 to 2028

Existing Land Use Patterns

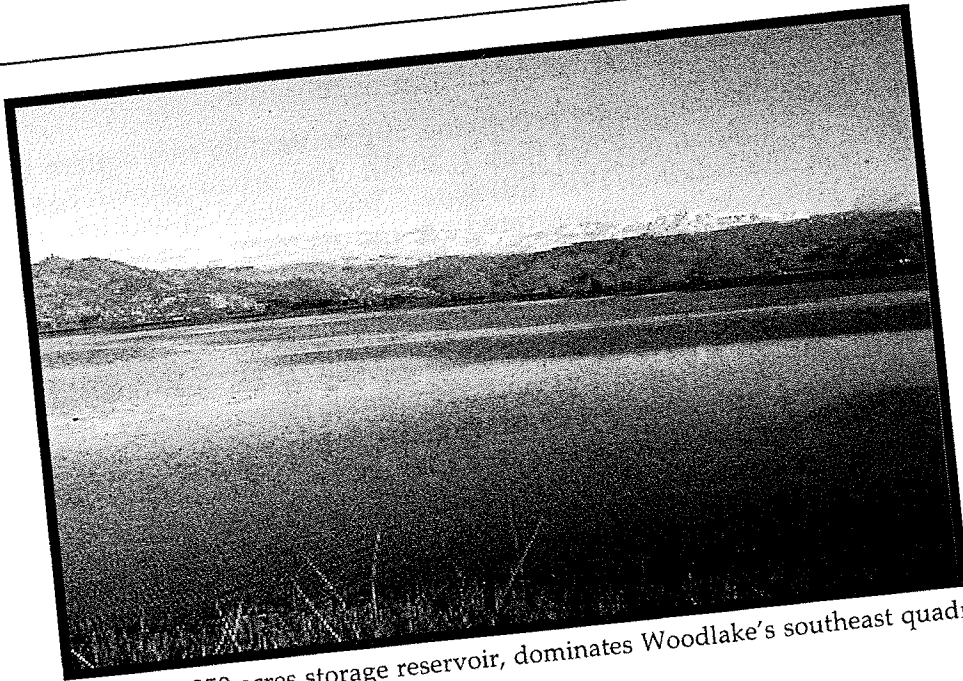
Woodlake is a compact community occupying approximately two square miles of land and containing a population of 7,524 (Jan. 1, 2008). The urban growth has extended in all directions from the original 1910 townsite. Woodlake's downtown and its older residential neighborhoods are concentrated around its main intersection, Valencia and Naranjo Boulevards. These intersecting boulevards divide Woodlake into four quadrants each with its own unique mix of land uses.

The southeast quadrant is dominated by Bravo Lake, a 350-acre lake used to store water for irrigation and operated by the Wutchumna Water District, the Bravo Lake Botanical Garden (10 acres) and residential neighborhoods that back up to the west and southwest sides of the Lake. The Lake's southern and eastern borders are dominated by olive and citrus groves.



The Bravo Lake Botanical Garden stretches along the northern bank of Bravo Lake. It contains thousands of agricultural and ornamental plant species.

Woodlake General Plan 2008 to 2028



Bravo Lake, a 350 acres storage reservoir, dominates Woodlake's southeast quadrant.

The southwest quadrant contains all of Woodlake's industrial users as well as the Woodlake Airport (80 acres), the Woodlake Charros (a 8.5 acre rodeo facility), and Woodlake's waste water treatment facility, which includes a 30-acre plant site and 87 acres of adjacent olives. Major industrial users located in this quadrant include Golden State Packers, Bradford Steel, Fruit Growers Supply, U.S. Towers, and Dryvit Industries. This quadrant also contains about 200 residential units, mostly single family dwellings.

Woodlake General Plan 2008 to 2028



Bradford Steel is one of newer industries to locate in Woodlake.

The northwest quadrant contains the Woodlake Cemetery (12 acres), Woodlake Memorial Building (4.13 acres), Woodlake High School (27 acres), Woodlake Middle School (18.5 acres), F.J. White Elementary School (10 acres), and Woodlake Adult and Preschool (10 acres). This quadrant contains the largest number of single family dwellings as well as a substantial number of apartments, over 150 units. A portion of Woodlake's downtown commercial development is located along the north side of Naranjo Boulevard and the west side of Valencia Boulevard. This quadrant also contains the largest number of churches.

The northeast quadrant contains Woodlake's only three parks - Miller-Brown Park (6.74 acres), Rubra Park (10,000 square feet) Willow Court Park (3.91 acres), and most of Woodlake's public buildings, Woodlake City Hall, U.S. Post Office, and Woodlake Fire District. Castle Rock Elementary School (grades 3 through 5) and ten acres of adjacent playing fields (soccer) is also located in this quadrant.

Woodlake General Plan 2008 to 2028



Woodlake's largest park, Miller-Brown Park, contains 6.74 acres and hosts most of Woodlake's outdoor community activities.

Woodlake's sole shopping center is located in this quadrant along with retail, office and service commercial uses that line the north side of Naranjo Boulevard and the east side of Valencia Boulevard. This quadrant contains the second largest concentration of single family dwelling but houses the largest concentration of apartments, over 200 units. This quadrant is bounded on the north and east by various types of agriculture, including olives, citrus, and grazing lands. The Wells Tract, a county service area that contains about 50 rural residential units, is situated just east of the city limits and just north of Naranjo Boulevard.

Table 1 provides a breakdown by acreage of the land uses within the city limits as of January 1, 2008. Exhibit No. 4 illustrates the arrangement of land uses within the city as of this date.

Woodlake General Plan 2008 to 2028

**Table No. 1
Woodlake Land Use (1-1-2008)**

<u>Land Use Type</u>	<u>No. of units</u>	<u>No. of lots/parcels</u>	<u>Acreage</u>
Residential			
single family dwellings	1475	1400	271
multi-family units	454	52	32.2
mobile homes/trailers	60	3	18.13
vacant sf residential lots		69	11.94
vacant residential land		22	105.92
subtotal	1989	1546	439.19
Public			
Woodlake Elem. School District		3	48.93
Woodlake H.S. District		3	24.2
School District Yard		1	8.86
Woodlake Cemetery District		2	11.28
Woodlake Memorial District		1	4.13
Wutchumna Water Company		3	29.85
Bravo Lake		2	350
Woodlake Fire District		1	0.48
Woodlake City Hall		1	0.96
Woodlake Corp. Yard		1	2.24
Woodlake Airport		2	82.16
Woodlake Parking Lots		2	0.4
Miller-Brown Park		1	6.74
Willow Court Park		1	3.91
Rubra Park		1	0.23
Woodlake WWTF		1	30
Woodlake WWTF ag. land		3	81.37
Woodlake water tank site		1	2.29
Tulare County Flood Control		1	2.14
U.S Post Office		1	0.48
subtotal		32	690.65
Industrial			
industries		13	64.72
vacant industrial land		10	74.03
subtotal		23	138.75
Commercial			
central commercial uses		30	14.52
vacant CC parcels		10	4.89
subtotal		40	19.41
service commercial uses		12	10.23
vacant CS parcels		15	3.35
subtotal		21	8.58
Churches		10	5.45
Agriculture		9	116.16
Right of-way			265.81
TOTAL	1989 res. units	1683 parcels	1423.19 acres

Woodlake General Plan 2008 to 2028

Residential Development and Occupancy Trends

Compared to other cities in Tulare County, residential growth has lagged in Woodlake. A review of building statistics since 1980 shows that residential development has been steady but slow. Although single family development has been slow, especially when compared to other cities in Tulare County, multi-family development has been active. In 1980, there were 190 multi-family units, comprising 14.4 percent of Woodlake's housing stock. In 2007, this percentage grew to 23 percent and will likely increase in the near future given that three or four multi-family projects are in the pipeline. Figure No. 1 illustrates residential construction trends in Woodlake since 1980 as well as the number of persons occupying a residential unit.



Most of the single family dwellings constructed in Woodlake since 2000 have been built on infill lots, generally replacing substandard dwellings.

Over the last 27 years, Woodlake has constructed on average 15 single family and 10 multi-family residential units per year. The most significant year of residential construction occurred in 1991, when the City issued 52 single family residential building permits and a building permit for a 49-unit multi-family complex.

Woodlake General Plan 2008 to 2028

**Table No. 2
Residential Construction Trends**

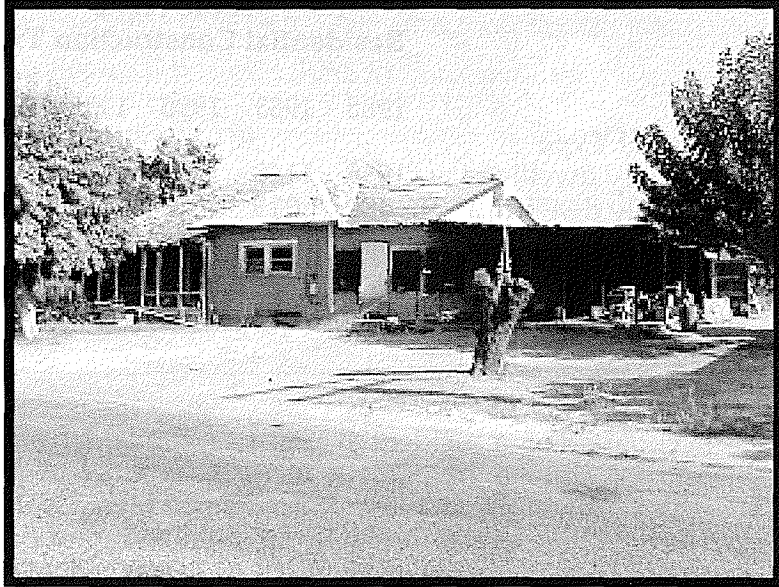
	1980	1985	1990	1995	2000	2005	2007
Residential Type							
single family dwellings	1088	1145	1208	1257	1330	1408	1472
multi-family dwellings	190	219	310	384	399	406	444
mobile homes/trailers	42	70	48	49	49	60	60
Occupancy (persons/unit)	3.39	3.54	3.69	3.84	3.73	3.89	3.86

The occupancy of a residential unit has climbed from 3.39 persons per unit to 3.86 persons per unit, a 14 percent increase. Cost of housing is the most significant causative factor in the increase of occupancy rates. In 1980, the median price of a home in Woodlake was 35,900. In 2000, the median home price had jumped to \$81,800, and by 2005, it had skyrocketed to about \$180,000, pricing most families out of the home market.

Rehabilitation and Demolition Trends

Self-Help Enterprises, whom the City of Woodlake contracts with for housing rehabilitation services, has rehabilitated 91 single family dwelling since 1997. During this same time period, 61 substandard, single family homes have been demolished. Generally, they are replaced with a new single family dwelling. The rehabilitation, demolition and construction of these dwelling units has been funded by CDBG and HELP funds. These housing-related activities will continue to be funded by these grant funds.

Woodlake General Plan 2008 to 2028



This substandard home that occupied a one acre parcel was demolished and replaced with four new single family dwellings using HELP funds.

**Table No. 3
Residential Rehabilitation and Demolition Trends**

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Activity											
rehab.	13	11	8	7	9	14	9	8	7	4	1
demolition	2	7	1	1	3	5	8	5	6	12	11

Collins & Schoettler, January 1, 2008

Woodlake General Plan 2008 to 2028

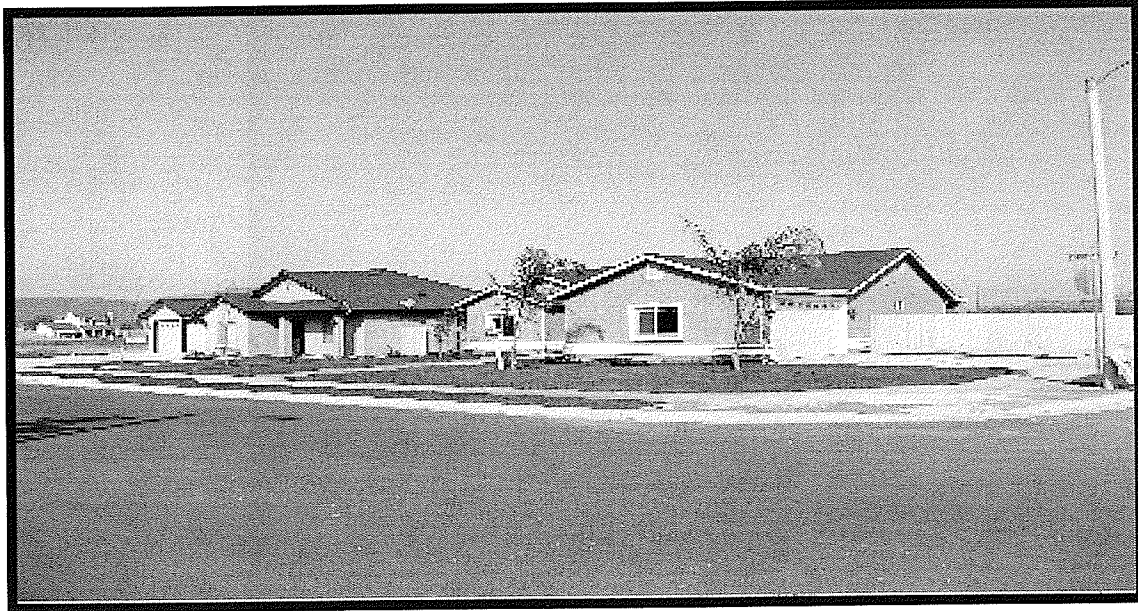


This new single family dwelling replaced a substandard dwelling that was demolished using HOME funds.

Subdivision Trends

Woodlake has not entertained many residential subdivisions since 1980. In any given year, Woodlake has one active single family residential subdivision. Build out can occur within 18 months, like the recent Van Dellen subdivision, or it can require years for completion, like the DeOchoa Subdivision where construction began in 2000 yet there remains two phases to be completed, containing 28 and 25 lots. Table No. 4 below details the active single family residential subdivisions in Woodlake in 2007.

Woodlake General Plan 2008 to 2028



Two examples of new single family dwelling that have been constructed in Woodlake. These units sold for approximately \$210,000.

**Table No. 4
Residential Subdivision Status**

<u>Subdivision Tract</u>	<u>Developed Lots</u>	<u>Vacant lots</u>	<u>Tent. Map Lots</u>
Rodeo Estates	0	0	220
Cervantes	5	41	0
Van Dellen	20	0	0
DeOchoa	<u>44</u>	<u>25</u>	<u>25</u>
TOTAL	69 lots	66 lots	245 lots

Collins & Schoettler, January 1, 2008

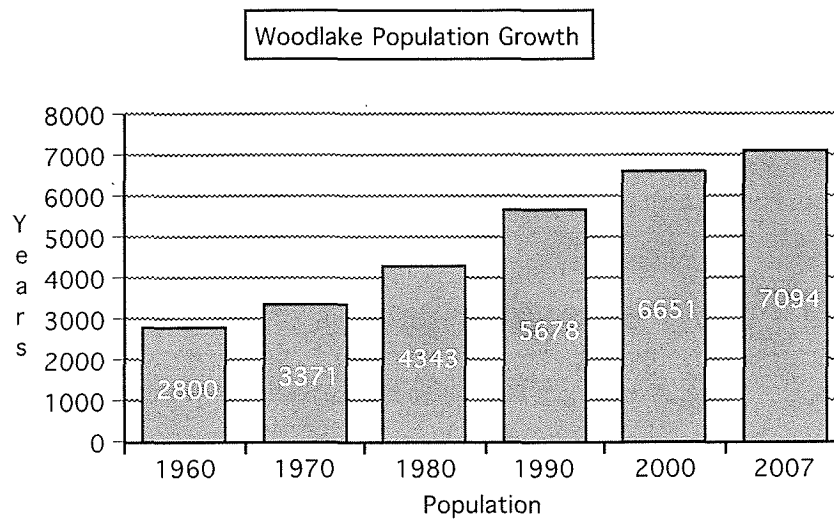
Woodlake General Plan 2008 to 2028

Population

From 1980 to 2000, Woodlake had the lowest growth rate of the eight incorporated cities in Tulare County, except for Lindsay. During that period, Woodlake grew by 2.15 percent, from 4,343 to 6,651. The average growth rate of all eight Tulare County cities during this time period was 2.71 percent. During the decade from 1990 to 2000, Woodlake grew at even a slower pace, 1.59 percent. On average, the County's eight cities grew by 2.51 percent.

Figure No. 1 below graphically illustrates Woodlake's population growth over the last 47 years.

**Figure No. 1
Population Growth in Woodlake**



Source: U.S. Census Bureau and State Department of Finance

Woodlake General Plan 2008 to 2028

Population Projections

In order to determine the amount of land needed for urban development in Woodlake over the next 20 years, 2008 to 2028, population projections and land use demand projections are required. Two population projection scenarios (low and high) are provided in the Plan. These population figures are projections from the base year of 2008, provided by the U.S. Census Bureau. The Plan's "low" population projection is based on Woodlake's growth rate from 1990 to 2000 (1.59 percent), and its "high" population projection is based on its growth rate from 1980 to 2000 (2.15 percent). Both of these growth rates are based on the U.S. Census Bureau figures.

**Table No. 5
Population Projections**

	2008	2018	2028
Low Population Projection (1.59 %)	7,524	8,809	10,315
High Population Projection (2.15 %)	7,524	9,307	11,514

Source: U.S. Census Bureau; State Department of Finance; Collins & Schoettler, 2008

Woodlake General Plan 2008 to 2028

Land Use Projections

Projections for different types of urban development for the years 2018 and 2028 are based on the population projections above and other types of demographic data, including persons per dwelling unit, acres of parkland per 1000 persons, residential densities, and size of school sites to name a few.

Residential Land Demand, 2018 and 2028

Residential land demand projections (low and high) for the years 2018 and 2028 are calculated below. Residential uses include single and multi-family dwellings and mobile homes, including trailers. Criteria for the location and demand for this type of land use are as follows:

- The number of persons per residential dwelling unit will be 3.86 persons (State Department of Finance, 2007).
- Seventy-four percent of the new residential dwelling units will be single family units, 23 percent multi-family units, and 3 percent mobile home units (State Department of Finance, 2007).
- Single family developments will have a gross density of 3.5 units per acre; multi-family development, 15 units per acre; and mobile homes, 9 units per acre. (Collins & Schoettler, 2007 Land Use Survey).
- The residential land demand projections for 2018 and 2028 will be increased by 25 percent (flex-factor) so as to insure that the local residential real estate market does not become overly restricted thereby artificially forcing up residential land prices.
- In 2007, there was approximately 118 acres of vacant residential land available for development within the city limits. About 12 acres of this vacant land has already been divided into single family residential lots (69 lots).

Woodlake General Plan 2008 to 2028

Residential Land Demand, Low Population Estimate, 2018

8,809 (2018 estimated population) - 7,524 (2007 population) = 1,285 persons
 1,285 persons / 3.86 persons per residential unit = 333 residential units

333 residential units x 74 percent single family units =	246 units
333 residential units x 23 percent multi-family units =	76 units
333 residential units x 3 percent mobile home units =	10 units
246 single family residential units / 3.5 units per acre =	70 acres
76 multi-family residential units / 15 units per acre =	5 acres
<u>10 mobile home units / 9 units per acre =</u>	<u>1.1 acres</u>
subtotal	76.1 acres

76.1 acres x 1.25 (flex-factor) 95.12 acres

118 acres of vacant residential land available - 95.12 acres needed for residential development = 22.88 acres of surplus vacant residential land

Residential Land Demand, High Population Estimate, 2018

9,307 (2018 estimated population) - 7,524 (2007 population) = 1,783 persons
 1,783 persons / 3.86 persons per residential unit = 462 residential units

462 residential units x 74 percent single family units =	342 units
462 residential units x 23 percent multi-family units =	106 units
462 residential units x 3 percent mobile home units =	14 units
342 single family residential units / 3.5 units per acre =	98 acres
106 multi-family residential units / 15 units per acre =	7.1 acres
<u>14 mobile home units / 9 units per acre =</u>	<u>1.5 acres</u>
subtotal	106.6 acres

106.6 acres x 1.25 (flex-factor) 133 acres

118 acres of vacant residential land available - 133 acres needed for residential development = 15 acres of land needed for residential development by 2018

Woodlake General Plan 2008 to 2028

Residential Land Demand, Low Population Estimate, 2028

10,315 (2028 estimated population) - 7,534 (2007 population) = 2,791 persons
 2,791 persons / 3.86 persons per residential unit = 723 residential units

723 residential units x 74 percent single family units =	535 units
723 residential units x 23 percent multi-family units =	166 units
723 residential units x 3 percent mobile home units =	22 units

535 single family residential units / 3.5 units per acre =	153 acres
166 multi-family residential units / 15 units per acre =	11 acres
<u>22 mobile home units / 9 units per acre =</u>	<u>2.4 acres</u>

subtotal **166.4 acres**

166.4 acres x 1.25 (flex-factor) **208 acres**

118 acres of vacant residential land available - 208 acres needed for residential development = 90 acres of land needed for residential development by 2028

Residential Land Demand, High Population Estimate, 2028

11,514 (2028 estimated population) - 7,524 (2007 population) = 3,990 persons
 3,990 persons / 3.86 persons per residential unit = 1,034 residential units

1,034 residential units x 74 percent single family units =	766 units
1,034 residential units x 23 percent multi-family units =	238 units
1,034 residential units x 3 percent mobile home units =	31 units

766 single family residential units / 3.5 units per acre =	219 acres
238 multi-family residential units / 15 units per acre =	16 acres
<u>31 mobile home units / 9 units per acre =</u>	<u>3.4 acres</u>

subtotal **238 acres**

238 acres x 1.25 (flex-factor) **297 acres**

118 acres of vacant residential land available - 297 acres needed for residential development = 179 acres of land needed for residential development by 2028

These residential land demand projections indicate that Woodlake will need between 0 and 22.88 acres of land for residential development by 2018 and between 90 and 179 acres by 2028. As previously mentioned, these acreage projections are based on

Woodlake General Plan 2008 to 2028

specific variables, including population growth rates, residential density, persons per dwelling unit, land demand flex-factor, and residential composition. A modification of any one variable can cause the above land projections to decrease or increase. For example, if Woodlake were to require single family residential development to meet a density of 4.5 units per acre rather than the proposed 3.5 units per acre, the demand for residential land for the year 2028 would be lower, ranging from 47 to 119 acres rather than the proposed 90 to 179 acres.

By 2018, Woodlake will need to designated 22.88 acres of land for future residential development. By 2028, this residential land demand will increase to between 90 and 179 acres.

Woodlake General Plan 2008 to 2028

Office/Retail Commercial Land Demand

High projections for office/retail commercial land for the years 2018 and 2028 are calculated below. Office/retail commercial uses will generally include professional and administrative uses and businesses that retail goods. Criteria for the location and demand for these types of land uses are as follows:

- Retail commercial/office uses will generally be restricted to lands along Valencia and Naranjo Boulevards in the downtown.
- Retail commercial /office uses will continue to be intermixed.
- Retail commercial/office uses will replace service commercial and residential uses in Woodlake's Downtown as land values increase.
- Existing retail commercial/office buildings are not operating at capacity. They have the ability to serve a significant number of additional clients and/or shoppers.
- New retail commercial/office uses will generally be housed in one-story buildings.
- There were 14.52 acres of retail commercial/office uses in Woodlake as of 1-1-2008.
- There was five acres of vacant, commercial/office land in Woodlake as of 1-1-08.

Woodlake General Plan 2008 to 2028

Retail/Office Land Demand, High Population Estimate, 2018

7,524 (2008 population)/14.52 acres of retail/office (2007) = 1 acre retail/office per 518 persons

9,307 (2018 estimated population)/1 acre of retail/office per 518 persons = 17.96 acres retail/office needed

17.96 acres retail/office needed - 14.52 acres of existing retail/office - 5 acres of vacant retail/office = 1.56 acres of surplus land for retail/office development

Retail/Office Land Demand, High Population Estimate, 2028

7,524 (2008 population)/14.52 acres of retail/office (2007) = 1 acre retail/office per 489 persons

11,514 (2028 estimated population)/1 acre of retail/office per 518 persons = 22.22 acres retail/office needed

22.22 acres retail/office needed - 14.52 acres of existing retail/office - 5 acres of vacant retail/office = 2.70 acres of retail/office needed by 2028

Woodlake General Plan 2008 to 2028

Service Commercial Land Demand

High projections for service commercial land for the years 2018 and 2028 are calculated below. Service commercial uses generally involve repair, maintenance and overhaul of equipment and vehicles, light manufacturing operations, storage and warehousing, and service uses, like rug cleaning, auto painting, tire and muffler shops, etc. Criteria for the location and demand for these types of land uses are as follows:

- The service commercial sector (commercial services like automobile repair, warehousing, and light manufacturing) of the economy will grow faster than the retail/office and industrial sectors.
- Service commercial uses do not require the high visibility that office/retail commercial uses require.
- Existing service commercial uses are not operating at capacity and can serve additional clients.
- Service commercial uses will generally be restricted to lands along South Acacia Street, portions of Naranjo Boulevard, West Bravo Avenue in Woodlake's industrial park, and within the Woodlake Airport environs.
- There were 10.53 acres of service commercial uses in Woodlake as of 1-1-2008.
- There was 3.35 acres of vacant service commercial land as of 1-1-08.

Woodlake General Plan 2008 to 2028

Service Commercial Land Demand, High Population Estimate, 2018

7,524 (2008 population)/10.53 acres of service commercial (2007) = 1 acre service commercial per 715 persons

9,307 (2018 estimated population)/1 acre of service commercial per 715 persons = 13.02 acres of service commercial needed by 2018

13.02 acres of service commercial needed - 10.53 acres of existing service commercial - 3.35 acres of vacant service commercial = .86 acres of surplus of service commercial land

Service Commercial Land Demand, High Population Estimate, 2028

7,524 (2007 population)/10.53 acres of service commercial (2007) = 1 acre service commercial per 715 persons

11,514 (2028 estimated population)/1 acre of service commercial per 715 persons = 16.11 acres of service commercial needed

16.11 acres of service commercial needed - 10.53 acres of existing service commercial - 3.35 acres of service commercial land = 2.24 acres of service commercial land needed by 2028

Woodlake General Plan 2008 to 2028

Industrial Land Demand

High projections industrial land, which includes light and heavy industrial uses, for the years 2018 and 2028 are calculated below. Industrial uses generally involves manufacturing, food processing and storage, transportation operations, packing houses and cold storage, metal fabrication, and warehousing. Criteria for the location and demand for these types of land uses are as follows:

- Industrial uses will generally be restricted to land located on the south side of Naranjo Boulevard between Road 196 and Antelope Creek, both sides of Ropes Avenue between Road 204 and Antelope Creek and along South Acacia between Ropes and Deltha Avenues.
- The industrial sector will include the following typical industrial uses: packing houses, manufacturing plants, cold storage facilities, food processing plants, and metal fabrication operations.
- Industrial uses do not require high visibility, however, they do require effective roadway and railroad access.
- Existing industrial uses are not operating at capacity. They have the ability to expand production internally
- A significant amount of vacant, industrially zoned land, can be accommodated along the south side of Naranjo Boulevard between Road 196 and Antelope Creek.
- Other area where future industrial development could be accommodated include the Woodlake Airport, a county enclave located at the intersection of Road 196 and Naranjo Boulevard.
- There were 64.72 acres of general industrial uses in Woodlake as of 1-1- 2008.
- There was 74 acres of vacant industrially zoned land in Woodlake as of 1-1-08.

Woodlake General Plan 2008 to 2028

Industrial Land Demand, High Population Estimate, 2018

7,524 (2008 population)/64.72 acres of industrial land (2008) = 1 acre industrial land per 110 persons

9,307 (2018 estimated population)/1 acre of industrial land per 116 persons = 80 acres of industrial land needed

80 acres of industrial land needed - 64.72 acres of existing industrial land - 74 acres of vacant industrial land = a surplus of 58.66 acres of vacant industrial land

Industrial Land Demand, High Population Estimate, 2028

7,524 (2008 population)/64.72 acres of industrial land (2008) = 1 acre of industrial land per 116 persons

11,514 (2028 estimated population)/1 acre of industrial per 116 persons = 99 acres of industrial land needed

99 acres of industrial land needed - 64.72 acres of existing industrial land - 74 acres of vacant industrial land = a surplus of 39.67 acres of of vacant industrial land

Woodlake General Plan 2008 to 2028

Park Land Demand

Park land demand projections (low and high) for the years 2018 and 2028 are calculated below. Parks uses include open space, sport and recreation facilities, and water features. Criteria for the location and demand for this type of land use are as follows:

- The City of Woodlake has set a standard through its *Conservation, Open Space, Parks and Recreation Element* of 3 acres of parkland for every 1000 persons in Woodlake (Note: Many communities opt for 5 acres per acre, however, given that Woodlake enjoys existing open space features in or near Woodlake, like Bravo Lake, the St. Johns River, or Bravo Lake Botanical Garden, the need for 5 acres of parkland per 1000 persons is unnecessary).
- The open space associated with school grounds, botanical gardens, Bravo Lake and land adjacent to waterways, like St. Johns River and Antelope Creek, will not be counted as park land.
- The City of Woodlake currently has 10.9 acres of passive and active parkland.
- The City of Woodlake's current parkland ratio is 1.54 acres of parkland for every 1000 persons

Woodlake General Plan 2008 to 2028

Park land demand, low population projection, 2018

Three acres of parkland per 1000 persons or 1 acre of parkland per 333 persons

8,809 (2018 estimated population)/1 acre of parkland per 333 persons = 26.54 acres of parkland

26.54 acres of parkland needed - 10.9 acres of existing parkland = 15.55 acres of parkland needed by 2018

Park land demand, high population projection, 2018

Three acres of parkland per 1000 persons or 1 acre of parkland per 333 persons

9,307 (2018 estimated population)/1 acre of parkland per 333 persons = 27.95 acres of parkland

27.95 acres of parkland needed - 10.9 acres of existing parkland = 17.04 acres of parkland needed by 2018

Park land demand, low population projection, 2028

Three acres of parkland per 1000 persons or 1 acre of parkland per 333 persons

10,315 (2028 estimated population)/1 acre of parkland per 333 persons = 30.98 acres of parkland

30.98 acres of parkland needed - 10.9 acres of existing parkland = 20.08 acres of parkland needed by 2028

Park land demand, high population projection, 2028

Three acres of parkland per 1000 persons or 1 acre of parkland per 333 persons

11,514 (2028 estimated population)/1 acre of parkland per 333 persons = 34.58 acres of parkland

34.58 acres of parkland needed - 10.9 acres of existing parkland = 23.68 acres of parkland needed by 2028

Woodlake General Plan 2008 to 2028

School Land Demand

School land demand projections for the years 2018 and 2028 are calculated below. The high population projection for 2018 and 2028 was used because it is in the best interest of Woodlake's school districts and the students they serve to identify, purchase and construct schools before the existing schools are impacted with too many students. Using the higher population projection will achieve this objective. Criteria for the location and demand for this type of land use are as follows:

- The Woodlake Union School and Woodlake High School Districts have set acreage figures for the following types of schools: elementary school, 10 to 20 acres; middle school, 15 to 25 acres; and high school, 40 acres or more.
- The Woodlake Elementary School and Woodlake High School Districts have set enrollment figures for the following types of schools: elementary school, 600 to 700 students; middle school, 750 to 900 students; and high school, 1000 to 2000 students.
- Elementary school sites should be located within walking distance of the neighborhoods they are to serve; all sections of Woodlake should be effectively served by elementary schools.
- Middle school sites should be located within walking distance of the neighborhoods they are to serve; all sections of Woodlake should be effectively served.
- For the 2007/08 school year, Woodlake's school districts reported the following enrollments: Castle Rock Elementary (3-5), 537 students; Francis J. White Elementary (K-2), 507 students; Woodlake Valley Middle School (6-8), 521 students; Woodlake High School (9-12), 714 students; Continuation High School, 52 students; and Community Day School, 17 students.
- The percentage of school enrollment to city population is expressed as follows: K-2 grades, 507 students/7,394 population or 6.85 percent; 3-5 grades, 537 students/7,394 population or 7.26 percent; 6-8 grades, 521 students/7,394 population or 7.04 percent; and grades 9-12, 714 students/7,394 population or 9.65 percent.

Woodlake General Plan 2008 to 2028

School land demand, high population projection, 2018

Grades K-2

9,307 (2018 population) x .0685 percent = 638 students / 700 students per school site = .91 elementary school sites needed by 2018

.91 sites needed by 2018 - 1 current site (F.J. White Elementary) = 0 sites needed by 2018

Grades 3-5

9,307 (2018 population) x .0726 = 676 students / 700 students per school site = .97 elementary school sites needed by 2018

.97 sites needed by 2018 - 1 current site (Castle Rock Elementary) = 0 sites needed by 2018

Grades 6-8

9,307 (2018 population) x .0704 = 655 students / 750 students per school site = .87 middle school sites needed by 2018

.87 sites needed by - 1 current site (Woodlake Middle School) = 0 sites needed by 2018

Grades 9-12

9,307 (2018 population) x .0965 = 898 students / 1500 students per school site = .6 high school sites needed by 2018

.6 sites needed by - 1 current site (Woodlake High School) = 0 sites needed by 2018

Woodlake General Plan 2008 to 2028

Total Land Demand Projections

Table No. 6 shows the acreage demand for various categories of land use for the years 2018 and 2028. These demand figures are based on population projections and other types of demographic data. The land demand for each land use category detailed below has been provided for within the planning area. This planning area, which includes land within the Woodlake city limits and land adjacent to the city limits, is exhibited on the land use element map.

The designation and location of land for future development will be based on the goals and policies of the land use, circulation and open space, recreation and conservation elements of the General Plan.

**Table No. 6
Land Demand Projections**

<u>Land Use Category</u>	<u>2018</u>		<u>2028</u>	
	Low	High	Low	High
Residential	22.88 surplus acres	15 acres	90 acres	179 acres
Retail/Office		1.56 surplus acres		2.70 acres
Service Commercial		.86 surplus acres		2.24 acres
Industrial		58.66 surplus acres		39.67 surplus acres
Park Land	15.5 acres	17 acres	20 acres	23.68 acres
School Land				
K-2		none		one, 10-20 acres
3-5		none		one, 10-20 acres
6-8		none		one, 15-25 acres
9-12		none		none
Total	15.5 acres	32 acres	110 acres	243-273 ac.

Woodlake General Plan 2008 to 2028

Land Available for Development

Land Available for Residential Development

Within Woodlake's city limits, a significant amount of land is available for residential development. A review of Table No. 1, Woodlake Land Use (2007), shows that there is 118 acres of vacant land zoned for residential development inside the city limits.

To reach the acreage figure necessary to accommodate residential growth in Woodlake by the year 2028, either additional land will be required to be annexed and rezoned for residential development, or non-residential land will be reclassified to a residential district. Land demand projections detailed above show that between 90 and 179 acres of residentially designated land will be required in Woodlake by 2028. There are three areas in Woodlake that are potentially suitable for residential development. They occupy lands in Woodlake's northeast, northwest and southwest quadrants.

The designation of these three areas for future residential growth will add about 215 acres to the vacant 118 acres that already exists inside the city limits and is available for residential development. Table No. 6 indicates that Woodlake will need between 90 and 179 acres for residential development by 2028. The addition of 215 acres exceeds the 90 to 179 acres of land needed for residential development by 2028, however, land designated for residential development also provides land for uses like parks and schools. Table No. 6 indicates that by 2028, Woodlake will need between 20 and 24 acres for parks and 35 to 65 acres for new school sites. In total, Woodlake will need between 145 acres and 268 acres of land for these three types of land use. The 215 acres of land available for residential development falls within this range of land demand. A brief description of each area is as follows:

Southwest Quadrant

There are four parcels, containing approximately 20 acres and located north of West Bravo Avenue and east of Antelope Creek, that are suitable for residential development. They are adjacent to existing residential development, sewer and water services are available to the parcels and roadway access is available from West Bravo and West Ropes avenues.

Northwest Quadrant

West of Woodlake there exists 320 acres of land that is currently under

Woodlake General Plan 2008 to 2028

agricultural production and is adjacent the city's western city limits. The eastern 80 acres of this block of land lies between Antelope Creek and the Mulberry Street alignment and is contiguous to the city limits. Roadway access to this area would be provided by six city streets that terminate at the eastern edge of this block of land. Sewer and water lines are also available to this 80-acre corridor of land. These lines are contained within the right-of-way of the six streets previously mentioned.

Northeast Quadrant

Situated between East Wutchumna and East Cajon avenues there exists 75 acres of land that currently is under agricultural production. Access to this area is provided by Cajon Avenue on the north, Wutchumna Avenue on the south, State Highway 245 from the west and the future extension of Castle Rock Street from the east. Sewer and water lines can be extended into this area from lines that already exist along Wutchumna Avenue.

This quadrant also contains 40 acres of land that is zoned to the Urban Reserve district but could be reclassified to a residential zone. The property is north of Wutchumna Avenue and east of the northerly extension of Castle Rock Street. Development of this parcel will be expensive in that sewer, water and roadway improvements will be required to be extended up to a quarter mile in distance.

Land Available for Retail/Office Development

A review of Table No. 1, Woodlake Land Use (2007), shows that there are ten parcels of vacant land, comprising 4.89 acres, available for retail/office development. Table No. 6, Land Demand Projections, shows a need for four acres of retail/office land by 2018 and nine acres by 2028. To provide the necessary amount of land for retail/office development by 2028, additional land on the east side of Palm Street south of Lake View is proposed to be added to the downtown. This 3.5 acres could be added to the downtown area and made available for retail/office development by rezoning these two blocks of land from the Transition and Multi-Family Residential zone districts to the Central Commercial zone district.

Land Available for Service Commercial Development

A review of Table No. 1, Woodlake Land Use (2007), shows that there are 15 parcels of vacant land, comprising 3.35 acres, available for service commercial development.

Woodlake General Plan 2008 to 2028

Table No. 6, Land Demand Projections, shows a need for four acres of service commercial land by 2018 and nine acres by 2028. To provide the necessary amount of land for service commercial development by 2028, additional land within Woodlake's two industrial parks could be made available for this type of development. Under Woodlake's Light Manufacturing (ML) zone district, service commercial uses are permitted. Service Commercial development has already been constructed in each of Woodlake's industrial parks - mini-storage along West Bravo Avenue and a cabinet shop on South Acacia Street.

Land Available for Industrial Development

A review of Table No. 1, Woodlake Land Use (2007), shows that there 10 parcels of vacant land, comprising 74 acres, available for industrial development. Table No. 6, Land Demand Projections, shows a need for 17 acres of industrial land by 2018 and 36 acres by 2028. Woodlake's two industrial parks have ample vacant land for industrial development. In fact, in addition to the existence of vacant land in Woodlake's two industrial parks there also exists vacant buildings, the most prominent being the Wheeling-Pacific building containing approximately 200,000 square feet of building area, located on the southeast corner of Road 196 and State Route 216.

Land Available for Parks and Schools

Table No. 6, Land Demand Projections, shows a need for 20 acres of park land by 2018 and 24 acres by 2028. Woodlake's population growth over the next 20 years may require the construction of new elementary schools. New parks will be incorporated into new residential development. These parks will come in the form of pocket parks, neighborhood parks or community parks.

All of Woodlake's parks are located in the southwest quadrant of the city. For this reason, new parks will be planned for the other three quadrants of the city thereby putting new parks in close proximity to these under served populations.

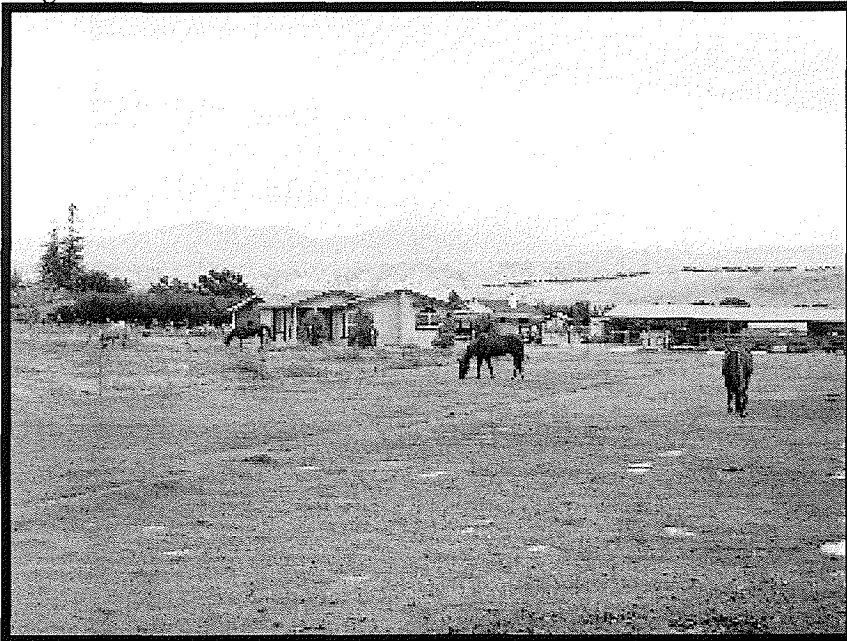
Woodlake General Plan 2008 to 2028

LAND USE DESIGNATIONS AND POPULATION DENSITIES

The land use designations delineated on the Woodlake land use map are described below. For residential land use designations, maximum population densities are provided. A generalized location criteria for each land use designation is also provided below.

Residential

Very Low Density - a maximum of two dwelling units per gross acre, or eight persons per acre. Development in this category may not be required to install sidewalks, curbs/gutters or street lights, or connect to the city's waste water collection system. It will be required to connect to the city's water system. This designation shall be reserved for those lands that are on the fringe of the community, have already been divided into lot sizes that are one-half acre or larger, or are required to "buffer" an industrial, agricultural or public use. The Wells Tract, a county subdivision located east of town, and parcels along Riverside Avenue are examples of this type of land use designation.



Very low density residential uses range from 1/2-acre to 2-acre lots. They operate on septic tank leach line systems and individual wells. The raising of livestock is sometimes permitted.

Woodlake General Plan 2008 to 2028

Low Density - a maximum of 5 dwelling units per gross acre, or 14 persons per acre. Development in this category shall be required to install sidewalks, curbs, gutters, sidewalks and street lights, and connect to the city's sewer, storm drain and water systems.

This designation shall be reserved for those lands that are appropriate for single family dwellings, and other uses compatible with single family uses, including churches, day-care centers, community centers, parks, and schools. These lands shall generally be located in areas of the community that are free from conflicting land uses, such as service commercial and industrial uses.



The most common residential density category among cities in the San Joaquin Valley is low density residential, five dwelling units per gross acre or less.

Woodlake General Plan 2008 to 2028

Medium Density - a maximum of 15 dwelling units per gross acre, or 58 persons per acre. Development in this category shall be required to install all the same improvements that are required in the low density residential designation. Medium density development could encompass a mix of single family and multi-family uses, including duplex, triplex, four-plex units and mobile home parks. These lands shall generally be located in areas of the community that are free from conflicting land uses, such as service commercial and industrial uses, and are situated near the center of Woodlake. Land between Valencia Boulevard and Holly Street on both sides of Lakeview are good examples of medium density residential uses.



Medium density residential is often composed duplex and tri-plex units.

Each quadrant of the community will contain land that is designated for this type of residential development. This action will insure that each quadrant of the community has a mix of housing types.

Woodlake General Plan 2008 to 2028

High Density - a maximum of 29 dwelling units per gross acre, or 112 persons per acre. Development in this category could encompass apartment complexes, senior citizen projects or single family condominiums. These lands shall generally be located in areas of the community that are free from conflicting land uses, are located near the center of Woodlake, and are generally situated on corner lots, where major streets intersect. There currently exists five apartment complexes that fall into this land use category. A sixth one was recently approved by the City Council for 60 apartment units. To reach this unit number, the applicant requested and received a density bonus



Multi-family units recently constructed financed by federal tax credits.

Office

An office designation shall be reserved for lands located along Valencia and Naranjo Boulevards in or near the downtown. Some of the parcels within these two areas contain single family dwellings. By designating these units for office uses, it would be the intent of the General Plan to encourage "adaptive reuse" of the structures. Converting these homes to an office use lends character to the neighborhood and may

Woodlake General Plan 2008 to 2028

serve to protect some of the structures from being demolished.

When this designation is applied to lands that contain single family dwellings, these units should be adjacent to commercial uses, should have alley access, and should be in a neighborhood that is in transition. In certain instances, blocks just off Valencia or Naranjo Boulevards in the downtown are appropriate for office designations.

Commercial

Neighborhood commercial designations shall be located within or adjacent to a residential neighborhood located on the fringe of the community. This designation shall provide local residents with nearby commercial uses that would be used on a frequent basis. The neighborhood commercial center should be designed for pedestrian access, the building(s) should have an architectural theme, the site should be landscaped and signs should be strictly regulated.

Community commercial designations shall be reserved for properties generally located on Valencia and Naranjo Boulevards and for specific blocks just off these boulevards. This designation shall provide for shopping centers, highway commercial uses, retail uses, and offices. Development within this designation will have the following distinguishing features - the building sites will be required to be landscaped, parking shall be constructed off-street, signs shall be regulated and new uses or extensive expansion of existing uses shall undergo site plan review. Lands designated community commercial may be required to comply with Woodlake's downtown design standards.

Woodlake General Plan 2008 to 2028



Woodlake's only shopping center, located just off the city's main street, State Highway 245.

Service commercial designations shall be reserved for properties generally located in Woodlake's two industrial parks, and to a lesser extent, the Woodlake Airport. This designation shall provide for uses that include a mix of light industrial and heavy commercial uses. Development with this designation will have the following distinguishing features - the buildings will have front yard landscaping, parking shall be off-street, all visible equipment and storage areas shall be fenced and screened from public view, lighting shall not be allowed to illuminate surrounding properties, signs will be regulated and new uses or extensive expansion of existing uses shall undergo site plan review. For service commercial uses on airport lands, the standards for development may vary from traditional service commercial development standards.

Currently, there is existing service commercial uses along Naranjo Boulevard both east

Woodlake General Plan 2008 to 2028

and west of Valenica Boulevard. As the community grows in population and the demand for community commercial properties increases, it is intended that service commercial uses along Naranjo would be phased out and replaced with community commercial uses.



Fruit Growers Supply is a good example of a well designed service commercial use.

Industrial

Industrial development will be restricted to Woodlake's two industrial parks and the Woodlake Airport. The larger of the two parks is situated on the south side of Naranjo Boulevard between Road 196 and Antelope Creek. The smaller of the two industrial parks is situated along south Acacia Street between Ropes and Deltha Avenues. This designation will provide for uses that are involved in manufacturing, processing, warehousing, and certain service commercial uses. Industrial uses adjacent to the Woodlake Airport will most likely be related to airport uses.

Development with this designation will have the following distinguishing features - the

Woodlake General Plan 2008 to 2028

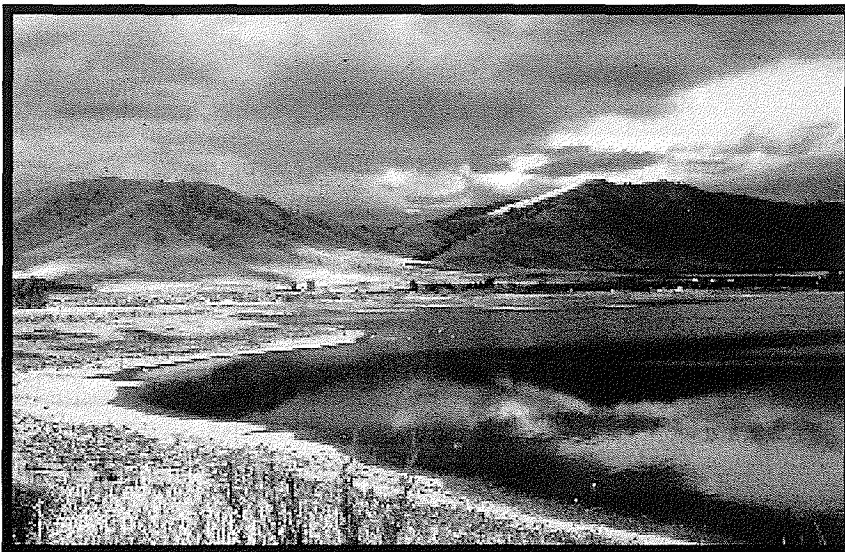
subject site will be landscaped, parking lots will be constructed off-street and will be landscaped, storage areas shall be fenced and screened, signs shall be regulated and new uses shall undergo site plan review.

Public Facilities

This designation is reserved for facilities that are frequented by the public, including schools, the post office, and city hall. Development with this designation will have the following distinguishing features - the subject site will be landscaped, off-street parking will be required and signs shall be regulated. All new public facilities shall undergo site plan review. Schools will receive special attention in regards to pedestrian, bike and bus circulation.

Open Space

This designation is applied to lands that will remain generally free of buildings. Uses that would receive this designation would include parks, agricultural land, playing fields, open space along waterways, such as the St. Johns River and Antelope Creek, Bravo Lake, Bravo Lake Botanical Garden, and properties on steeply sloping lands.



Bravo Lake and the foothills and agricultural lands that adjoin the urbanized portions of Woodlake will be designated as "open space."

Woodlake General Plan 2008 to 2028

Urban Reserve (Agriculture)

This designation is applied to lands that are being, or have the capacity to be, actively farmed but are within the planning area and proposed to be eventually developed. Further, this designation could also be applied to lands that contain agriculturally-related uses, such as packing houses, cold storage operations or agriculturally-related businesses. The purpose of this designation is to protect agriculture from urban encroachment, maintain land in agriculture until the time is appropriate for conversion to urban uses, and to insure that conflicts do not arise between agriculture and urban uses.



Land that is on the fringe of Woodlake will remain in a reserve status, usually under agricultural production, until the community requires the land to meet its urban development needs.

Woodlake General Plan 2008 to 2028

PLANNING ISSUES AND LAND USE GOALS

Land use goals express a city's values and its vision for the future. They can refer to image and appearance, economic viability, health and safety, preservation of resources or fiscal soundness. Some of the goals listed below are the product of previously approved planning documents - housing element, Woodlake Redevelopment Plan, or Woodlake Zoning Ordinance.

Growth Management

The planning (management) of Woodlake's growth - direction, rate, density and arrangement of land uses is an important aspect of the general plan. A city that is well-planned is more attractive to potential residents, developers, businesses and investors than one that is poorly planned - land use conflicts, urban sprawl, a nonviable downtown, poor circulation patterns and blighted sections of town.

Discouraging urban sprawl is an important growth management objective in Woodlake. Woodlake has realized that a community that is compact and avoids sprawl has more efficient, cost effective infrastructure and service delivery systems than a community that lacks these characteristics.

- **Maintain Woodlake as a small, agriculturally-oriented city surrounded by farmland and open space features.**
- **Use natural barriers as a means of delineating the urbanized portion of Woodlake, including the St. Johns River, Antelope Creek, Bravo Lake, and foothill lands.**
- **Promote Smart Growth planning principals in order to discourage urban sprawl and the premature urbanization of agricultural land.**
- **Encourage the County of Tulare to upzone properties that surround the City of Woodlake so as to avoid future land use conflicts. An example of upzoning would be a reclassification of land from the AE (exclusive agriculture, five acre minimum) to the AE-20 (exclusive agriculture, 20 acre minimum) zone district.**

Woodlake General Plan 2008 to 2028

Community Image

Image is an important community asset. It can influence how people feel about a community. A community that is clean, well-maintained, visually appealing and properly planned will (1) attract outside investment, (2) encourage people to maintain their property, (3) cause real estate values to appreciate and (4) stimulate city revenues - tax increment, sales tax and property taxes.

- An attractive, clean and well-maintained community.
- A community that is free of land use conflicts.
- A city that portrays a "sense of community" through community events like the Woodlake Rodeo or events at the Woodlake Charros facility or the Bravo Lake Botanical Garden.
- A friendly community that encourages public involvement.
- A community that portrays an image that is progressive and energetic.

Economic Development

The economic base of a city can be divided into two categories: 1) basic industries that produce and sell goods that bring new money into Woodlake (Monrovia Nursery and U.S. Towers); and 2) service and retail industries (Wood Bros. cabinet shop and Fruit Growers Supply) that provide services and sell goods that simply circulate existing money in Woodlake. The stimulation of either type of industry has a positive impact on Woodlake's economy, which in turn, affects employment, housing starts, the city's fiscal affairs and household income.

- Increase tourism.
- Promote the development of the Woodlake Airport with airport-related uses.
- Market agriculture as a tourist attraction by encouraging visitation of the Bravo Lake Botanical Garden.
- Work with existing businesses in the community to foster expansion, efficiency

Woodlake General Plan 2008 to 2028

or better site design, such as site appearance, traffic circulation or building design.

- **Attract technologies to the Woodlake area that are related to the citrus, olive and nursery industries.**
- **Assist existing industries to expand their operations and increase employment by providing financial incentives.**
- **Increase the number of businesses operating in Woodlake in order to generate more sales, property, business and transient occupancy taxes.**

Employment

For those persons in the labor force, having a job is a fundamental need. The income generated from a job allows a person or family to pay for food, shelter, transportation, education, health care and recreation. To a great degree, a person's or family's quality-of-life is based on their job. A city's vitality and viability is also influenced by people having a job. A high unemployment rate (lack of jobs) can have an adverse impact on city revenues, crime rates and the existence of physical blight, whereas, a low unemployment rate can have the opposite affect.

- **Diversify employment base.**
- **Attract industries that are complementary to the existing workforce, and do not adversely affect air quality, the city's waster water treatment facility or the city's water system. Further, industries that do not have a negative impact on the health or safety of the immediate neighborhood or on the community as a whole.**
- **Encourage stable, year-around employment.**

Housing (from Woodlake Housing Element, adopted 2004)

Providing safe and decent housing for its citizens is a fundamental objective of all cities. Housing need is a complex issue, consisting of at least three major components: housing affordability, housing quality and housing quantity. In addition, certain

Woodlake General Plan 2008 to 2028

segments of the population have unique needs, including the elderly, the handicapped, female heads of household, large families, and farm workers.

- **To develop through public and private channels, sufficient new housing to insure the availability of affordable housing for all households in Woodlake.**



- **To manage housing and community development in a manner that will promote the long-term integrity and value of each new housing unit and the environment in which it is located.**
- **To provide a choice of housing locations for all residents.**
- **To maintain and improve the quality of the existing housing stock and the neighborhoods in which it is located.**

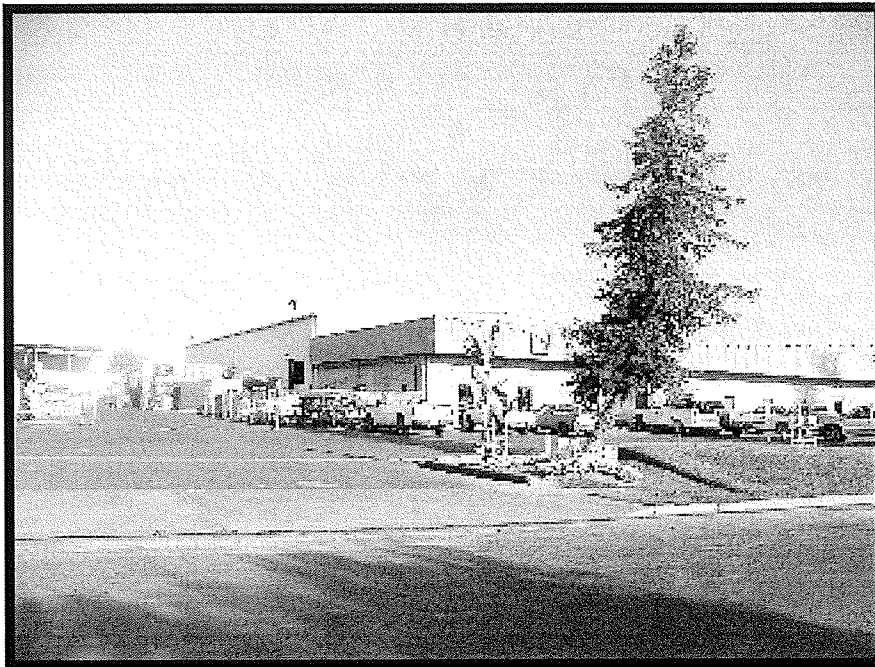
Woodlake General Plan 2008 to 2028

- To promote equal access to safe and decent housing for all economic groups.
- To promote energy conservation activities in all residential neighborhoods.

Fiscal Conditions

Revenue from local taxes is the lifeblood of a city's financial condition. Without a steady, diversified and reliable revenue stream, a city will have a difficult time paying for and financing its services and infrastructure. Decisions on land use matters can influence the fiscal condition of a city. For example, a viable downtown can enhance sales tax revenues, while a blighted downtown can have a depressing effect on sales tax revenue. A lack of shopping outlets (goods for sale) can cause persons to shop in nearby cities because the choice of outlets is greater and in many cases, the goods are less expensive. This condition leads to sales tax "leakage" - Woodlake residents spending their monies in other, nearby cities.

- Encourage a strong sales tax base.



Fruit Growers Supply is a strong sales tax generator for the City of Woodlake.

Woodlake General Plan 2008 to 2028

- **Facilitate the construction of a small motel in Woodlake and impose a transient occupancy tax.**
- **Insure that development impact fees pay for public improvements required by the general plan and infrastructure master plans.**
- **Promote public-private and public-public partnerships towards the construction of projects that are of significant community value.**
- **Enhance tax increment revenues by encouraging development to occur in the redevelopment district.**
- **Retain the services of a grant writer to apply for housing, infrastructure, road and open space funds.**

Woodlake General Plan 2008 to 2028

Infrastructure

A well designed, maintained and managed infrastructure system is necessary for the proper and efficient operation of a city. Local city councils quickly understand the importance of the infrastructure system if citizens complain about poor water quality or pressure, the waste water treatment plant emitting odors, or the streets flooding every time it rains.

From an economic development perspective, businesses wishing to locate in a city are concerned about the same issues. For example, if the business is an industry that generates large volumes of effluent, it will be concerned about the capacity of the treatment plant and its ability of treat certain types of effluent. Failure of a city to provide assurances that the industry can be accommodated by the city's infrastructure system will most likely cause that business to seek another city.

- **Adequately finance infrastructure systems.**
- **Periodically update infrastructure master plans, including sewer, water and storm drainage plans.**
- **Insure infrastructure master plans and the general plan are in concert with each other.**
- **Maintain, rebuild and upgrade infrastructure systems.**
- **Every three years the city should review its development impact fees to insure that the necessary funds are being collected to pay for future capital infrastructure improvements.**

Resources

There are two types of resources - natural and man-made. A natural resource is defined as "any form of matter or energy obtained from the environment that meets human needs." It includes air, water, land and native plants and animals. The wise use and management of these resources can influence a community's quality-of-life. With population growth and its secondary impacts, including air and water pollution, and urbanization of agricultural land, planning (resource management) is one of the primary tools used to insure a community's quality-of-life standard.

Woodlake General Plan 2008 to 2028

Man-made resources are those that include the built-environment (historic homes, neighborhoods, and public places, like parks, gardens, and lakes) and cultural resources (public art, historic sites and prehistoric sites). Through planning, these resources can be preserved for the public's long-term enjoyment and education. This preservation effort also creates a city that is more interesting and visually appealing.

Natural Resources

- **Conserve natural resources, including native trees, agricultural land, and water.**
- **Preserve air quality.**
- **Promote ground water recharge.**
- **Promote energy and water conservation**
- **Preserve plants and animals of special concern.**

Man-Made Resources

- **Preserve historic buildings**
- **Discourage uses that are architecturally incompatible with existing structures in historic neighborhoods**
- **Encourage adaptive reuse of historic structures that are zoned for non-residential uses**

Open Space, Parks, and Recreation

Open space, parks and recreation add to the quality-of-life in a community. Open space delineates the edge of a community and affords the public views of orange groves, fields and/or the Sierras. People that live in a city that is surrounded by open space benefit psychologically because they can visually or physically take advantage of an open space feature.

A park is an outdoor open space feature that can accommodate an assortment of recreation and leisure activities. A park can include playgrounds, community recreation

Woodlake General Plan 2008 to 2028

facilities, playing fields and community centers. Paralleling a city's park system is its recreation program. A city's recreation department is responsible for programing various activities, services and events in its park system. To have an effective recreation program, a city must also have a good park system.

This Element is contained in its entirety in Part 2 on the General Plan. The goals of this element have been provided below in order to give the reader how the goals of this element relate to that of the Land Use Element.

- **Plan for adequate park and recreation facilities to meet existing and future needs in Woodlake.**
- **Establish parks in appropriate locations and ensure their design caters to the needs of the community.**
- **Create and preserve open space in the Woodlake area to meet the needs of the community now, and in the future.**
- **Establish policies to reduce the impact of urbanization on agricultural lands, while allowing the City to grow.**
- **Protect air and water quality from negative impacts.**
- **Consider energy conservation in the planning and design of new and existing development in Woodlake.**
- **The City of Woodlake should explore opportunities for generating energy or conserving energy.**
- **Minimize the impact of new development on biotic resources in the planning area.**
- **Take actions to promote Woodlake's historic identity and protect cultural resources.**
- **Preserve the natural areas on the Woodlake Airport as open space.**

Woodlake General Plan 2008 to 2028

Agriculture

Agriculture is the primary industry in the Woodlake area. This basic industry employs about 23 percent of Woodlake's labor force (2000 US Census). When other agriculturally-related sectors of the economy are factored in, the agricultural labor force increases to 35 percent. Agriculture is a relatively stable industry when compared to other sectors of the economy, like manufacturing, tourism and transportation industries. For this reason, agriculture should be encouraged and protected in the Woodlake area. Further, land use policies that minimize the impacts between urban and agricultural uses should be promoted.

- **Preserve agricultural land that lies outside the planning area.**
- **Discourage land uses outside the planning area of the general plan that conflict with existing agricultural operations.**
- **Insure that Woodlake's agriculturally-related businesses are encouraged to continue to operate and/or expand where appropriate.**

Residential Neighborhoods

The "neighborhood" is the fundamental building block of a city. The health and quality-of-life of a community is best measured at the neighborhood level. If a city's neighborhoods are noisy, contain excessive traffic, are unkempt, or include incompatible land uses, then the city as a whole is most likely spiraling towards a state of blight. In terms of community priorities, preservation of the neighborhood ranks as an important land use goal.

The ideal neighborhood should be inviting, quiet, cool in the summer, children-friendly, pedestrian-oriented and architecturally interesting. It should appreciate in value over time and it should provide for a wide range of housing types, styles and prices.

The multi-family neighborhood is a necessary part of a city's housing stock. It provides housing opportunities for persons or families who do not wish to own a single family dwelling or who can not afford to own one. Improperly located, designed or maintained, the multi-family neighborhood can have an adverse impact on surrounding neighborhoods and the community as a whole. To protect the health, safety and welfare of persons living adjacent to and within the multi-family

Woodlake General Plan 2008 to 2028

neighborhood, the location, design and long-term maintenance of this type of housing must be well thought out.

- **Revitalize blighted neighborhoods using redevelopment and CDBG funds.**
- **Protect existing neighborhoods from incompatible land uses.**
- **Promote neighborhoods that are quiet, visually pleasing, and cool.**
- **Promote attractive, well-maintained and designed residential neighborhoods.**
- **Large multi-family projects should provide an on-site manager.**

Commercial Development

The Woodlake General Plan provides four types of commercial development - central, office, service and neighborhood. Each of these types of commercial uses is required if the community wishes to provide services and shopping opportunities for its citizens. Further, if a city is going to maintain its sales tax base, it is imperative that it not only retain its own shoppers but that it also attract shoppers from surrounding cities and outlying rural areas.

For each type of commercial development to be successful, it must be properly located, it must have adequate access and it should be designed so that it will attract patrons. For example, a parcel of land that is designated for community commercial uses should front onto a major roadway (with high traffic volumes), it should be designed so that it is attractive and visible from the roadway and it should incorporate ample off-street parking.

Office commercial is almost as important to the economic well-being of a community as other types of commercial or industrial uses. Offices support both small and large businesses, which on average, have a higher wage scale than most of the agricultural economy and some of the manufacturing/warehousing economy.

- **Insure that developable land is available for different types of commercial development, including offices.**
- **Promote commercial development that is aesthetically pleasing.**

Woodlake General Plan 2008 to 2028

- **Promote the conversion of residential dwellings in the downtown into office and/or retail uses.**
- **Reduce sales-tax leakage.**
- **Encourage commercial development to be pedestrian-oriented.**
- **Encourage the replacement of service commercial operations (auto repair and towing services) that exist along Naranjo Boulevard with retail and offices.**

Industrial Development

Industrial uses are generally the economic foundation of a city. It is a source of employment and it provides a flow of revenue into the city from outside sources - other businesses buying raw materials or finished goods from the local industry.

Industries are typically poor land use neighbors because they can generate large volumes of truck traffic, they can produce noise and odors, and they can be unsightly. For these reasons, it is important that they be properly located in the community - away from land uses that are sensitive to these conditions, such as schools, residential development and parks.

- **Promote and encourage agriculturally-related industries.**
- **Diversify the City's industrial base.**
- **Promote agriculturally-related tourism.**
- **Attract small, light industries.**
- **Attract technologies that are related to agriculture, including irrigation, plant science, and pest management.**
- **Promote airport-related development at the Woodlake Airport.**

Woodlake General Plan 2008 to 2028

Schools

One of the most frequently asked questions by families contemplating a move to a city is "How are the schools?" The education of one's children is very important to most parents. A school system that can't deliver a "good" education will adversely impact a city. Families and businesses contemplating a move to a city with a poor school system may opt for another city. In fact, if a city has a good school system, this attribute will sometimes be used as a marketing tool by the Chamber of Commerce, home builders and economic development professionals to attract persons and businesses to the community.

- **Schools that are easily accessible and free from land use and circulation conflicts.**
- **Schools that have adequate land for future expansion.**
- **Encourage the schools to forge partnerships with other public entities.**
- **Work with educational institutions to fashion a training program that teaches skills that mirror local industrial sectors, including equipment repair, irrigation technology, food processing, nurseries, and agricultural technology.**
- **Encourage college courses to be taught in the Woodlake area.**

Public Safety and Emergency Medical Services and Health Care

These types of services are crucial to the public's health, safety and welfare. Public safety, which includes police and fire, insures that the public and their property are protected from criminal elements, exposure to hazardous materials, and fire. Emergency medical services responds to calls for emergency medical assistance and potentially, transport of the victim to a local health care facility. Health care facilities, which include hospitals, medical clinics and other types of medical-related uses, provide to the public physical and psychological care and treatment.

Public Safety and Emergency Medical Services

- **A community that is free of crime and fire hazards.**

Woodlake General Plan 2008 to 2028

- Adequately financed police department.
- Woodlake should facilitate a cooperative working relationship between Woodlake's police department and other public safety departments, including the Tulare County Sheriffs Department, the Visalia Police Department and the Tulare County Probation Department
- A full-time ambulance service should be provided in Woodlake.
- A cooperative working relationship between the Woodlake Fire Department and the Tulare County Fire Department should be established.

Health Care

- Promote the continued operation and future expansion of health care facilities within the community, including not-for-profit health care clinics.
- The City and Kaweah Delta District Hospital should work together on projects that are of mutual benefit.

Public Facilities

Construction of city halls, police and fire stations, recreation centers, or parks can benefit a city by providing new employment, new investment in a blighted section of town, and/or it can improve the city's image. For example, a public facility like a new city hall, built in or near the downtown can bring additional people to that area of the community, it may encourage new development on surrounding properties or it can promote a sense of community pride.

- The city should forge partnerships with other public entities in the financing and construction of public facilities.
- The Bravo Lake Botanical Garden, built on city-owned land, should be enhanced with additional improvements that make the operation more attractive to tourists and local residents.
- Where possible, public facilities should have multi-purpose uses.

Woodlake General Plan 2008 to 2028



A multi-purpose room on the campus of F.J. White Elementary School.

- **The Woodlake Airport, a city-owned facility, should be upgraded with a new runway in order to attract investors to the facility.**

Woodlake General Plan 2008 to 2028

LAND USE POLICIES AND ACTIONS

For each land use-related topic, this section of the element will provide a list of policies and actions that will facilitate implementation of the land use goals delineated in the previous chapter.

Growth Management

- **Maintain Woodlake as a small, agriculturally-oriented city surrounded by farmland and open space features.**

1. Insure that Woodlake is surrounded by agricultural land that is zoned for large parcel agriculture (e.g. AE-20).

- a. The City shall notify the County of Tulare that all agricultural land that is within its Sphere of Influence (SOI) and outside its city limits should be zoned to the AE-20 zone district.

- b. The City shall protest any division of land requests within its Sphere of Influence that would create non-viable agricultural parcels.

- **Use natural barriers as a means of delineating the urbanized portion of Woodlake, including the St. Johns River, Antelope Creek, Bravo Lake and foothill lands.**

1. The City of Woodlake shall establish the southern alignment of its Sphere of Influence (SOI) along the St. Johns River and Friant-Kern Canal.

2. Woodlake's urban development boundary line (20- year growth line) shall follow Antelope Creek between Naranjo Boulevard and Cajon Avenue.

3. Woodlake's urban development boundary line (20-year growth line) and Sphere of Influence shall align with St. Johns Street, a street that separates foothill and agricultural lands from lands that can be potentially urbanized.

- **Promote Smart Growth planning principals in order to discourage urban sprawl and the premature urbanization of agricultural land.**

1. The City shall amend its Zoning Ordinance to add Smart Growth planning principles

Woodlake General Plan 2008 to 2028

to its Planned Unit Development (PUD) zone district.

a. The Smart Growth planning principles shall potentially include reduced yard standards, passive solar orientation, narrower streets, unique architectural dwelling designs, and water and energy conservation measures.

2. The City shall promote mixed-use development where appropriate.

a. The City shall amend its Zoning Ordinance to provide for a mixed-use zone district.

b. The City should identify sites in the downtown core where mixed-use development would be appropriate.

• **Encourage the County of Tulare to upzone properties that surround the City of Woodlake so as to avoid future land use conflicts.**

1. Insure that Woodlake is surrounded by agricultural land that is zoned for large parcel agriculture (e.g. AE-20).

a. The City shall notify the County of Tulare that all agricultural land that is within its Sphere of Influence and outside its city limits should be zoned to the AE-20 zone district.

b. The City shall protest any division of land requests within its Sphere of Influence that would create non-viable agricultural parcels.

Community Image

• **An attractive, clean and well-maintained community.**

1. The City shall upgrade the community signs at the city's two designated entryways.

a. The City of Woodlake shall devote general fund monies to upgrade the two entry signs that are located on Naranjo Boulevard west of town and on Valencia Boulevard, adjacent to the airport.

b. The City of Woodlake shall erect smaller versions of its entry signs at its north and east entrances.

Woodlake General Plan 2008 to 2028

2. The City shall insure that street sweeping, trash pickup, and the maintenance of public grounds and buildings are completed on a weekly basis.
3. A downtown maintenance district should be formed to pay for the cost of maintaining improvements in the downtown, such as landscaping, street furniture, parking lots and lighting.
4. The City should actively enforce the State Housing Code, which provides a procedure for abating or rehabilitating unsafe, dilapidated residential structures.
 - a. The Woodlake Building Department shall report to the City Council on an annual basis their progress on rehabilitating or removing unsafe residential structures.
 - b. The Planning Department shall maintain a city map that identifies the location of unsafe residential dwellings.
 - c. The Woodlake Redevelopment Agency shall explore the use of state or federal funds to promote infill residential development while concurrently facilitating the removal of unsafe residential structures.
 - d. The Woodlake Fire District should implement a program wherein property owners who have properties that have accumulated junk, litter, vehicles, etc. should be required to clear their properties so that the material does not become a fire hazard.
5. The City should facilitate a landscaping program in parks and within the downtown that promotes shading, color, and interesting form.
 - a. The City shall apply for an urban forestry grant to pay for the planting of trees in the downtown.
6. The Woodlake Police Department shall continue to actively enforce the city's vehicle abatement program and illegal parking on residential property.
7. The City shall actively enforce its new sign ordinance.
8. The City shall identify an area in the community where an underground district should be formed. This typically involves a roadway that is lined with utility poles.

Woodlake General Plan 2008 to 2028

a. The City will contact Southern California Edison (SCE) to collaborate on the formation of an underground district consistent with Rule 20A.

- **A community that is free of land use conflicts**

1. Legal, non-conforming land uses should not be allowed to be enlarged physically or operationally.
2. The city shall actively enforce existing zoning and building regulations that preclude or eliminate uses of land or buildings that present conflicts for adjacent properties.
3. The city shall insure that commercial uses do not operate in residential neighborhoods unless the operator of the commercial use has secured a home occupation permit from the city.

- **A city that portrays a "sense of community" through community events like the Woodlake Rodeo or events at the Woodlake Charros facility or the Bravo Lake Botanical Garden.**

1. Woodlake should continue to promote public events and celebrations in its downtown and in public places, like parks, schools and buildings, that bring citizens together.
 - a. Promote a Farmers Market in the Bravo Lake Botanical Garden.
 - b. Promote a 10-k run around Bravo Lake.
 - c. The City should contact the Urban Tree Foundation to seek their assistance in the development of a tree planting program in Woodlake.
2. The City of Woodlake working with the Woodlake Chamber of Commerce should sponsor an annual event at the Woodlake Botanical Garden that brings people who are interested in horticulture from outside the community.
3. The City of Woodlake in collaboration with the Chamber of Commerce should sponsor an annual event at the Woodlake Airport that brings people who are interested in flying from outside the community.

Woodlake General Plan 2008 to 2028

4. The City should work with other public entities and service organizations to jointly work on projects that benefit Woodlake as a whole.

a. The City Planner should make presentations to various community organizations to solicit their help in financing, constructing and/or maintaining public art or beautification improvements, such as mini-parks, statues, fountains, specimen trees or murals.

- **A friendly community that encourages public involvement.**

1. The City should form a citizens advisory committee that reports to the city council on a myriad of topics, including beautification, gangs, recreation and any other topic suggested by the city council.

2. The City should convene an annual study session with Woodlake Schools to discuss planning matters that are of mutual interest.

a. The City Manager will coordinate with the Woodlake Schools to set a date for a joint meeting between the two agencies.

b. The City Manager will meet with the Woodlake Schools Superintendent to prepare an agenda for the joint meeting.

3. The City Council and Planning Commission should hold biannual study sessions to discuss planning-related matters.

a. The City Manager and City Planner will set a date and formulate an agenda for these joint meetings.

Economic Development

- **Increase tourism.**

1. Woodlake should facilitate the construction of a small hotel in the downtown or at the airport to provide overnight opportunities for tourists.

2. The Woodlake Memorial Building should be marketed for various annual events, like dances associated with the Woodlake Rodeo.

Woodlake General Plan 2008 to 2028

- a. The Woodlake Chamber of Commerce should identify two additional events that could be held annually at the Woodlake Memorial Building that would attract persons to Woodlake. The events could be related to the citrus or cattle industries, irrigation technology and/or the packing house/cold storage sector.
3. Advertise in magazines and travel journals about the City of Woodlake and its botanical garden and airport.
 4. Upgrade the web page for the City of Woodlake.
 - a. The City Council should budget general funds for the upgrading of the web page for the City of Woodlake.
 - b. Woodlake's web site should provide a photographic essay of the city's botanical garden, downtown, airport, its local agricultural industries and other images of the community. The site should also provide socio-economic information on the city along with maps.
- **Promote the development of the Woodlake Airport with airport-related uses.**
 1. Encourage development at the Woodlake Airport consistent with the Airport Master Plan. Development could include service commercial uses, light industrial uses or tourist-related uses, like a hotel, a rent-a-car operation or restaurant.
 2. Provide redevelopment funds as incentives to attract users to the airport, which could include free land, free connection to sewer and water lines, or forgiveness of development impact fees.
- **Market agriculture as a tourist attraction by encouraging visitation of the Bravo Lake Botanical Garden.**
 1. The City of Woodlake should take a more active role in the marketing of the Bravo Lake Botanical Garden.
 - a. The City should develop a timeline, a financing plan, and a schematic plan for the Garden, including planning for off-site improvements such as curb, gutter and sidewalks.

Woodlake General Plan 2008 to 2028

b. The City should seek state and private grants for the installation of additional improvements throughout the Garden.

- **Work with existing businesses in the community to foster expansion, efficiency, or better site appearance, traffic circulation or building design.**

a. The City should utilize redevelopment or CDBG funds to assist existing businesses in an upgrade of their operations, which could involve expansion or a building or parking lot, redevelopment of a building facade, or installation of landscaping and irrigation.

b. The City could apply for state grants to install curb, gutter and sidewalks in front of existing businesses to make them more marketable.

- **Attract technologies to the Woodlake area that are related to the citrus, nursery and olive industries.**

1. The City working with the EDC (Economic Development Corporation) should develop an information packet detailing the benefits of locating the above types of businesses in Woodlake.

2. The City explore the purchase of the Wheeling-Pacific building so that it can be marketed to companies that may wish to locate in the Woodlake area, including industries in the agricultural field.

- **Assist existing industries to expand their operations and increase employment by providing financial incentives.**

1. The City should contact on an annual basis existing industries to determine if they have plans for expansion and if there are tasks that the city could assist them with to make their expansion more successful.

a. The Redevelopment Agency could use redevelopment or CDBG funds to finance an existing business.

- **Increase the number of businesses operating in Woodlake in order to generate more sales, property, business and transient occupancy taxes.**

1. Promote the development of a motel or hotel in Woodlake.

Woodlake General Plan 2008 to 2028

- a. The City should contact motel/hotel developers to solicit their input in regards to type of incentives they would require to develop a complex in town.
2. Promote the redevelopment of underutilized commercial uses located along Naranjo Boulevard.
 - a. The subject properties should be reclassified from service commercial uses to community commercial, which permits both retail and office uses.
 - b. The City of Woodlake should consider purchasing properties along Naranjo Boulevard so that development can be facilitated in a manner consistent with the design vision for this corridor.
3. Promote the development of multi-story buildings in the downtown, including residential uses.
4. Contact existing businesses in the downtown through the Chamber of Commerce to determine if there are improvements the city can make to enhance business activity.
 - a. The Woodlake Redevelopment Agency should continue its facade renovation funding to businesses who wish to develop in this area.
 - b. Where opportunities arise, the City should purchase land in the downtown for public parking lots.

Employment

- **Diversify employment base**

1. The City should consider the purchase of the Wheeling-Pacific plant located on the southeast corner of Road 196 and Naranjo Boulevard.
 - a. The City should extend a water line to the building to enhance its marketability.
 - b. The City should extend West Bravo Street westward to Road 196, which would run along the rear of the Wheeling-Pacific building.
 - c. The City should purchase the railroad right-of-way that forms the northern

Woodlake General Plan 2008 to 2028

boundary of the Wheeling-Pacific site. This right-of-way could be used for drainage, landscaping or parking.

2. The City should be prepared to apply for state infrastructure grants to assist potential businesses that may wish to build in one of Woodlake's industrial parks.

a. The City should contact the EDC to discover what types of grant opportunities exist for infrastructure improvements.

3. The City should market the Woodlake Airport as a future site for industrial development or airport-related commercial uses.

• **Attract industries that are complementary to the existing work force, that do not adversely affect air quality, the city's waste water treatment facility or the city's water system and do not have a negative impact on the health and safety of the neighborhood or on the community as a whole.**

1. Seek industries that compliment the local work force, such as agricultural equipment repair and manufacturing, nurseries, warehouses and packing houses, and trucking and farm management.

2. The City Engineer will review each industry that wishes to locate in Woodlake to insure that the project will not have an adverse impact on Woodlake's sewer or water systems. Should the City Engineer make such a findings, the city will require a mitigated negative declaration or an environmental impact report to be prepared on the proposed industry.

a. The City Engineer will require industries that generate high strength industrial effluent to mitigate this impact by either pre-treating the effluent or by paying an appropriate wastewater impact fee to defray the city's cost of treating the effluent.

3. New industrial uses will be processed through Woodlake's site plan review process to insure that they do not conflict with surrounding land uses or adversely impact the health and safety of the community.

Woodlake General Plan 2008 to 2028

Fiscal Conditions

- **Encourage a strong sales tax base.**
 1. The City should attempt to reverse the leakage of sales tax dollars to surrounding communities by:
 - a. continuing to improve on the image of the downtown and its associated businesses;
 - b. work to attract new retail establishments to the Naranjo and Valencia corridors.
 - c. widen State Routes 216 and 245 with curb, gutter, sidewalk and street paveout where lacking.
- **Facilitate the construction of a small motel in Woodlake and impose a transient occupancy tax.**
 1. The City of Woodlake should attempt to attract a small hotel, which could be located in the downtown or at the airport.
- **Insure that development impact fees pay for public improvements required by the general plan and infrastructure master plans.**
 1. A new fee schedule shall be developed for Woodlake's development impact fees.
 - a. The City Engineer shall review Woodlake's sewer, water and storm drainage impact fees and forward a recommendation to the City Council regarding any modification.
 - b. The City Planner shall review Woodlake's park impact fees and forward a recommendation to the City Council regarding any modification.
 - c. The City Planner shall identify any new impact fees that would be appropriate for financing public improvements delineated by the General Plan.
 2. The cost of the General Plan shall be collected through building permit fees.

Woodlake General Plan 2008 to 2028

a. The fee schedule for building permits in Woodlake shall be amended to include a fee for the cost of preparing and maintaining the General Plan

3. The fees for Woodlake's planning, subdivision and zoning applications should be reviewed and amended every three years.

a. These fees should be developed consistent with AB 1600.

• **Promote public-private and public-public partnerships towards the construction of projects that are of significant community value.**

1. The City should form a group composed of public and private entities interested in the development of the Bravo Lake Botanical Garden, including the Woodlake school districts, College of Sequoias, and the U.C. Extension Service.

2. The City should work with the private sector in the upgrading and development of the Woodlake Airport. Private sector developers could include a rental car agency, a small hotel, airport-related industries and restaurant operators.

• **Enhance tax increment revenues by encouraging development to occur in the redevelopment district.**

1. The City should seek state and federal grants to promote infill development in the redevelopment district, including HELP, CDBG, and HOME funds.

a. The City could consider encouraging higher residential densities in the redevelopment district in order to encourage infill development.

b. The City should apply for state grants that can be used to encourage infill residential development, including Proposition 1C monies.

2. The Redevelopment Agency should fashion a financial assistance program that promotes development within the District. This program would have the Agency participating financially based on the number of new jobs being created.

a. Financial assistance by the Agency shall be based on job creation and/or assessed value.

3. The Redevelopment Agency should, on behalf of existing companies or companies interested in locating in Woodlake, apply for state or federal grants that assist the

Woodlake General Plan 2008 to 2028

company with off-site improvements, purchase of land or equipment or training of employees.

- a. The Agency should identify state or federal grants that are available for the above listed costs.
- b. The Agency should send a letter to existing companies in Woodlake asking about their long-term needs in terms of expanding their operation.
- c. Retain the services of a grant-writer to apply for housing, infrastructure, roadway and open space funds.

Infrastructure

- **Adequately finance infrastructure systems.**

1. The City shall install water, sewer and storm drainage improvements that correct existing infrastructure deficiencies.

- a. Woodlake's water, sewer and storm drainage master plans shall be reviewed in order to insure that they can properly and efficiently serve future development provided for by the Land Use Element.

- b. The City's water, sewer and storm drainage development impact fees shall be reviewed on an annual basis. This review should focus on the relationship between the amount of fees being collected for each of the accounts and the future capital needs of each system based on development trends in Woodlake.

- c. The modification of the City's development impact fees should be processed consistent with AB 1600.

2. The City should continue to seek state and federal grants for the upgrading and expansion of its infrastructure systems.

- **Insure infrastructure master plans and the general plan are in concert with each other.**

1. The Land Use Element shall identify where development will occur in Woodlake over the next 20 years. The Element will be fashioned so that it is generally in concert

Woodlake General Plan 2008 to 2028

with existing master plans.

- **Maintain, rebuild and upgrade infrastructure systems.**
 1. The City shall update its 5-Year Capital Improvement Program to insure that its infrastructure system can accommodate the urban growth provided for by the Land Use Element.
 2. The Redevelopment Agency shall prepare a 5-Year Capital Improvement Program to assist in the maintenance, rebuilding and upgrading of Woodlake's infrastructure system.
 3. The City should work with the private sector to participate in the upgrading of the infrastructure system when it is developing in the City.
 - a. From time to time, the City may wish to work with a developer to upgrade a part of the infrastructure or street system that is not part of the project being developed.

Resources (see Open Space, Parks, Recreation and Conservation Element)

The goals listed below are discussed in detail in the Open Space, Parks, Recreation and Conservation Element. They have been listed below to give the reader an understanding of how the goals of this element are intertwined with that of the Land Use Element.

- **Plan for adequate park and recreation facilities to meet existing and future needs in Woodlake.**
- **Establish parks in appropriate locations and ensure their design caters to the needs of the community.**
- **Create and preserve open space in the Woodlake area to meet the needs of the community now, and in the future.**
- **Establish policies to reduce the impact of urbanization on agricultural lands,**

Woodlake General Plan 2008 to 2028

while allowing the City to grow.

- **Protect air and water quality from negative impacts.**
- **Consider energy conservation in the planning and design of new and existing development in Woodlake.**
- **The City of Woodlake should explore opportunities for generating energy or conserving energy.**
- **Minimize the impact of new development on biotic resources in the planning area.**
- **Take actions to promote Woodlake's historic identity and protect cultural resources.**
- **Preserve the natural areas on the Woodlake Airport as open space.**

Agriculture

- **Preserve agricultural land that lies outside the planning area.**
1. Encourage Tulare County to apply large-lot agricultural zoning (20-acre minimum) to land within Woodlake's Sphere of Influence.
 2. The City shall oppose any county development within its Sphere of Influence, including agriculturally-related industries and small-lot agricultural parcels.
 - a. When the City receives such a request from the County of Tulare, the planning department will send a letter indicating that they do not support the approval of the proposed land use.
 3. The City shall encourage the county to place lands around Woodlake, outside its urban area boundary line, into an agricultural preserve.
 - a. The City shall send a letter to the County indicating that they support the formation of agricultural preserves outside the City's sphere of influence.

Woodlake General Plan 2008 to 2028

- **Discourage land uses outside the planning area of the general plan that conflict with existing agricultural operations.**

1. Encourage the county to apply large-lot agricultural zoning to land within Woodlake's Urban Development Boundary line.

- a. Send a letter to the Tulare County Resources Management Agency requesting that all land within this portion of the planning area be zoned to the AE-20 (exclusive agriculture, 20 acre minimum) zone district.

2. Apply an agricultural designation to land within the planning area that is not slated for urban development within the next 20 years.

- a. Adoption of the Land Use Element and Land Use Map will implement this policy.

- **Insure that Woodlake's agriculturally-related businesses are encouraged to operate at their current location and to expand if appropriate.**

1. The City will fast track proposals to expand existing agriculturally-related businesses.

2. The City will explore opportunities to assist in the expansion of these businesses.

Residential Neighborhoods

- **Revitalize blighted neighborhoods using redevelopment and CDBG funds.**

1. Remove substandard homes from residential neighborhoods.

- a. The City shall abate or rehabilitate residential dwellings through the process described in the State Housing Code.

- b. The Redevelopment Agency should explore the purchase of substandard housing in order to clear the property for new, low to moderate income housing.

Woodlake General Plan 2008 to 2028

- c. The City shall work with Self-Help Enterprises to identify substandard homes that can be demolished and replaced with new residential units. Self-Help could use HELP or CDBG funds to purchase substandard dwellings.
2. Rehabilitate homes that have deteriorated.
 - a. The City should contract with Self-Help Enterprises to rehabilitate homes that have deteriorated.
3. Upgrade public improvements in blighted neighborhoods, including sidewalks, alleys, street trees, roadways, parkways and street lights.
 - a. Establish an annual objective for repairing or replacing broken curbs, gutters and sidewalks.
 - b. Replant vacant parkways with street trees.
 - c. Identify alleys that can be abandoned and initiate the process consistent with the Streets and Highways Code.
 - d. Upgrade alleys with pavement, where possible.
4. Encourage residential infill development in neighborhoods that are blighted.
 - a. Consider increasing the allowable underlying density on land that will support a residential infill project by utilizing Woodlake's PD (planned development) zone district.
 - b. Utilize state housing grants that can mitigate blight in neighborhoods by removing dilapidated housing and replacing it with new, standard housing. Woodlake has recently used the state's HELP program to promote new infill housing.
5. Continue to enforce sections of Woodlake Municipal Code that prohibit certain activities in Woodlake's residential zone districts. This section reads as follows:

Prohibited Uses

The outside placement, parking, storage or stockpiling of equipment, materials,

Woodlake General Plan 2008 to 2028

vehicles, furnishings or commodities, not associated with the normal use, maintenance or repair of a residential dwelling or its accessory structures, and including but not limited to farm equipment, port-potties, picking ladders, agricultural produce, produce boxes and bins, trucks larger than one ton, scrap materials, inoperable vehicles and appliances or furniture.

- **Protect existing neighborhoods from incompatible land uses.**
 1. Insure that the city's zoning ordinance regulations do not permit uses that will be incompatible with residential neighborhoods. Persons wishing to conduct a business in a residential district shall be required to comply with Woodlake's Home Occupation regulations, which serves to minimize the impact of the business on the residential neighborhood.
 2. The planning and building department will work together to insure that building and zoning code violations are corrected and/or eliminated.
 - a. The city on a monthly basis will send out correction letters to persons who are in violation of planning or building code regulations.
 - b. The planning and building department will work with the Police Department's code enforcement officer to insure that zoning and building codes are enforced.
 3. The city will annually seek state grant and loan funds that can assist in the elimination of blight in residential neighborhoods.
 - a. The City should work with Self-Help Enterprises and the Tulare County Housing Authority to develop a residential in fill program that will replace dilapidated housing with new housing, using state funds.
 4. The Woodlake Redevelopment Agency will use its low to moderate housing income (LMI) funds to eliminate conditions of blight in residential neighborhoods.
- **Promote neighborhoods that are quiet, visually pleasing, and cool.**
 1. The City should discourage land uses that are incompatible with residential neighborhoods.

Woodlake General Plan 2008 to 2028

- a. Adoption of the Land Use Element and Land Use Map will implement this policy.
 - b. New development should be required to install street trees to improve the aesthetics of the site and also reduce summer temperatures.
- **Promote attractive, well-maintained and designed residential neighborhoods.**
2. The City should continue to utilize its Planned Development Combining District which promotes:
 - a. Tree-lined streets.
 - b. Neighborhood parks.
 - c. Dwellings that are architecturally interesting.
 - d. Common areas that are maintained by Landscaping and Lighting Districts.
 - e. Narrow streets.
 3. Encourage residential developments and adjacent land uses to be pedestrian-oriented.
 - a. All residential developments with walls should provide openings for pedestrian and bike traffic.
 - b. Land uses adjacent to residential developments should provide for pedestrian access between the two types of developments.
- **Large multi-family projects should incorporate design features that insure that the project is compatible with adjacent properties and the larger neighborhood.**
1. Apartment/condominium development should utilize architectural styles that are native and traditional to Woodlake.
 - a. Regardless of size or number of units, apartment/condominium projects should be designed to integrate into the surrounding neighborhood.
 - b. Dwelling units should be "pulled forward" on the lot, towards the street, with parking to the rear. This helps apartment / condominium projects better harmonize with the existing streetscape and surrounding neighborhood.
 - c. Dwelling units fronting the street should include a front door facing the

Woodlake General Plan 2008 to 2028

street.

d. Dwelling units with doors facing streets should include a front porch with a minimum of six feet of depth and a minimum of eight feet of width.

2. All apartments/condominium development should incorporate the following elements:

a. Varied front setbacks within the same structure with staggered unit plans.

b. Varied roof lines (especially where the building exceeds 20 feet in height). Roof lines of large buildings should be varied to reduce apparent scale and mass. Use of overhanging eaves, parapet wall details and three dimensional cornice treatments can enhance character of the roof line area.

c. Use reverse building plans to add variety.

d. A maximum of two adjacent units with identical exterior colors.

e. Exterior walls on single story dwelling units that face a street should contain a base treatment and a wall of a contrasting material; exterior walls of a two-story dwelling shall be constructed of two different building materials and/or painted with two different colors.

f. Stairways should be designed as an integral part of the overall structure and should incorporate materials used in the main building. Exposed "Motel-style" prefabricated stairways composed of concrete and open wrought-iron railing is discouraged. Common stairways should be designed to serve a limited number of units.

g. Accessory structures such as club houses, equipment buildings, and trash enclosures should be architecturally treated to be consistent with main buildings.

h. Large roof mounted equipment is prohibited except in select in-fill type projects where space is critical. Where necessitated such equipment should be screened from view through the use of parapets or screening that complement the architectural character of the building.

i. Exterior lighting should be designed to complement the overall architectural character of the site and should be shielded from neighboring

Woodlake General Plan 2008 to 2028

properties. Utilitarian light fixtures are discouraged.

3. Apartment/condominium developments should be well landscaped, ideally incorporating an appropriate combination of turf, shrubs and shade trees. Not more than fifty percent of the landscaped area should be composed of turf; xerophytic shrubs should be utilized as well as tree species where possible.

Commercial Development

- **Insure that different types of commercial development are provided for in Woodlake, including central, neighborhood and service commercial; office and mixed-use.**

1. Amend the Zoning Ordinance to add office and residential uses to the central and neighborhood commercial zone districts subject to a conditional use permit.

2. Allow service commercial uses to be located in Woodlake's industrial parks.

- a. Amend the Zoning Ordinance to provide for service commercial uses in the industrial zone district.

3. Permit certain types of retail uses on properties that are zoned for office.

- a. Amend the Zoning Ordinance to provide for certain retail uses in the office zone district.

- **Promote commercial development that is aesthetically pleasing.**

1. All commercial developments shall be processed through the city's site plan review process.

- a. Require each commercial development to be built consistent with an architectural theme.

- b. All commercial parking lots shall be landscaped and shall be provided with pedestrian-oriented circulation patterns.

2. The City should modify its development standards for its commercial zone districts

Woodlake General Plan 2008 to 2028

to upgrade improvements such as parking, landscaping, pedestrian features, setbacks and signage.

a. Amend the Woodlake Zoning Ordinance to add the upgraded development standards to each commercial zone district.

- **Promote the conversion of residential dwellings in the downtown into office and/or retail uses.**

1. Insure that Woodlake's Zoning Ordinance permits residential dwelling units in the downtown to be converted to office or retail uses.

a. All conversions will be processed through the city's site plan review process.

b. The Woodlake Redevelopment Agency will continue to offer financial assistance to businesses locating in the downtown and to existing establishments that are undergoing facade renovation.

- **Reduce sales-tax leakage.**

1. Encourage a used automobile dealership to locate in Woodlake.

a. Insure that commercial zones along Naranjo Boulevard allow for new and used auto dealerships, subject to a conditional use permit.

b. Identify other types of dealerships (boats, trailers, farm equipment) that could be located along Naranjo Boulevard.

2. Continue to promote shopping in Woodlake's downtown.

a. Continue to identify other uses that could be located in the downtown that would be compatible with existing downtown uses, like antique stores, gift shops, restaurants, and banks.

b. Continue to work with building owners in the renovation of their building facades in order to make the storefronts more attractive.

c. Continue to identify, design and construct downtown streetscape improvements that make the downtown a more desirable place to visit and

Woodlake General Plan 2008 to 2028

shop, including paseos, alleys, and streets.

3. Promote the development of commercially designated land on both sides of Naranjo and Valencia Boulevard with commercial uses that enhance the city's sales tax position.

a. Insure that the commercial zoning applied to lands along Valencia Boulevard allows uses that are compatible with each other, like shopping centers, offices and fast food operations. This zoning should not include commercial uses like auto repair, corporation yards and light industrial uses.

b. Promote commercial infill in the Woodlake Plaza Shopping Center by improving its appearance and accessibility.

c. Promote commercial development along Naranjo Boulevard that will enhance Woodlake sales tax position. Stores could include lumber yards, tire shops, used car development, etc.

d. Encourage the replacement of service commercial uses (auto repair and towing) that exist along of Naranjo Boulevard with retail establishments and offices.

- **Encourage commercial development to be pedestrian-oriented.**

1. Through design, require new commercial development to be accessible by the walking public.

a. During Woodlake's site plan review process the city will insure that the design of the commercial development will be pedestrian-oriented.

b. Continue to encourage downtown stores to open their stores from the rear.

Industrial Development

- **Promote and encourage agriculturally-related industries.**

1. The Land Use Map will designate sufficient acreage for the development of industries that are agriculturally-related.

a. Adoption of the Land Use Map will implement this policy.

Woodlake General Plan 2008 to 2028

b. Develop the south side of Naranja Boulevard between Roads 196 and 204 as an industrial facility that could cater to citrus industry for transportation, packing and cold storage uses.

- **Diversify the City's industrial base.**

1. Encourage industrial development at the Woodlake Airport.

- a. The City shall insure that the Woodlake Airport Master Plan provides for industrial development.

- b. The City shall amend its Zoning Ordinance to add industrial uses to the airport zone district subject to a conditional use permit.

2. Utilize redevelopment funds to financially assist new companies to locate in Woodlake.

- a. Financial assistance should be based on the number of jobs being created by the new company and/or by the hourly wages paid by the company.

3. The City should utilize Measure R funds to improve roadways that provide access to properties designated for industrial growth.

- **Promote agriculturally-related tourism.**

1. The City working with the agricultural community should develop tours of various sectors of the agricultural economy, including farms, packing houses, cold storage plants and other related businesses.

- a. The City, working with the Chamber of Commerce, should form a citizen advisory committee composed of persons knowledgeable about the local agricultural economy.

- b. The Chamber of Commerce should maintain a list of docents who can conduct tours of local farms and agriculturally-related plants (e.g. packing houses and cold storage plants).

2. The City should develop tours of the Bravo Lake Botanical Garden.

Woodlake General Plan 2008 to 2028

a. The Chamber of Commerce should maintain a list of docents who can conduct tours of the Bravo Lake Botanical Garden.

3. The City should facilitate the development of a tourist-based citrus farm that has examples of all the different varieties of citrus species.

a. The City shall contact the U. C. Extension Service, U. C. Riverside and representatives of the local citrus industry to gather information on how such a farm could be created.

- **Attract small, light industries.**

1. The Woodlake Zoning Ordinance will be amended to allow to small, light industrial uses in the City's service commercial district.

2. The City shall review other zone districts in the Woodlake Zoning Ordinance to determine if there are opportunities to allow these types of uses in non-industrial zones on a small scale.

3. The City shall promote the development of light industrial uses along segments of Naranjo Boulevard, west of Valencia Boulevard, within the Woodlake Airport, and on South Acacia Street.

a. The City will develop design standards for these corridors.

b. The City will insure that these corridors are served with adequate infrastructure.

c. The Woodlake Redevelopment Agency will financially assist the development of light industrial uses along these corridors based on job creation and/or wages paid.

- **Attract technologies that are related to agriculture, including irrigation, plant science, and pest management.**

1. The City working with the Chamber of Commerce will prepare an annual questionnaire that can be sent to local agricultural industries asking them about their type of business, do they know of like industries that would like to relocate to Woodlake and are there incentives that the city could offer to assist in the expansion of their existing business.

Woodlake General Plan 2008 to 2028

- **Promote airport-related development at the Woodlake Airport.**
1. The City should make an application to the FAA to secure a grant to upgrade the airport.
 - a. The City should solicit airport related businesses to move to the Woodlake Airport, including a motel, restaurant, and a car rental agency.
 - b. The City should fashion an infrastructure master plan for the airport so that potential industrial users are aware of the location and size of these improvements.

Schools

- **Schools that are easily accessible and free from land use and circulation conflicts.**
1. Schools should be located in areas of the community where they are easily accessible for school-aged students.
 - a. Schools should be designed so that they can be accessed from adjacent residential developments.
 - b. Schools should be designed so that students can be easily dropped off by their parents.
 - c. Bus drop-off zones should be separate from where parents drop off their children.
 - d. Roadways adjacent to schools should be provided with sidewalks, properly stripped crosswalks and signage.
 2. The location of schools should not be on roadways that attract other types of traffic (e.g. commuter, industrial or commercial traffic).
 - a. Schools should not front onto major collector or arterial roadways.

Woodlake General Plan 2008 to 2028

- b. Sidewalks should be installed on all streets around a school site.
 - c. Schools should be connected to bike path systems.
3. To the best extent possible, schools should be centrally located.
- a. Existing, centrally located schools should buy adjacent property for future expansion.
 - b. The Woodlake Elementary School District should investigate the purchase of a future elementary school site.
- **Schools that have adequate land for future expansion.**
- 1. When schools are purchasing land for future expansion, additional land should be purchased in case other types of school facilities are required.
- **Encourage the schools to forge partnerships with other public entities.**
- 1. The City and Woodlake Schools should work on projects jointly, including recreation building, a joint cooperation yard and playing fields.
 - 2. The Woodlake High School District should forge a working relationship with College of Sequoias as it pertains to agricultural, technical and mechanical training courses.
- **Work with educational institutions to fashion a training program that teaches skills that mirror local industrial sectors, including equipment repair, irrigation technology, food processing, nurseries, and agricultural technology.**
- 1. The Woodlake High School District should develop training and vocational programs for students that wish to be employed in the above sectors.
 - a. The School District should develop programs in cooperation with Proteus Inc., C-Set, and the Tulare County Private Industry Council.
 - b. The high school district should develop vocational programs for the citrus industry.
- **Encourage college courses to be taught in the Woodlake area.**

Woodlake General Plan 2008 to 2028

1. The Woodlake High School District should provide classroom space for College of Sequoias classes.
2. The Woodlake High School District should make its facilities available to other institutions that wish to provide instruction, training, or certification.

Public Safety

- **A community that is free of crime and fire hazards**

1. Through Woodlake's site plan review process, new developments should be designed so that that crime and fire safety are considered in the design.
 - a. Insure that all new uses have water available to the site and that proper water pressure is also available.
 - b. Buildings larger than 5,000 square feet in size should be equipped with sprinklers.
 - c. Insure that all new uses are properly equipped with on-site lighting to promote safety.
2. The City will continue to upgrade its water system to insure that adequate water pressure is maintained throughout the system.
 - a. The City should amend its development impact fee schedule to provide funds for replacement of older water lines.
 - b. The City should amend its development impact fee schedule to provide funds for the construction of new water wells and water storage tanks.
3. Residential development should be designed so that two points of access are provided.
 - a. The Site Plan Review Committee will insure that new developments provide proper access for public safety vehicles.

- **Adequately financed public safety departments**

Woodlake General Plan 2008 to 2028

1. The City should apply for state and federal grants that can provide money to supplement the city's police department revenue.
 2. The City should collect a development impact fee that can be used for capital improvements.
 - a. Consistent with AB 1600, the City of Woodlake should create a development impact fee for public safety for public safety improvements, including buildings, equipment or grounds.
 3. The Police Department should implement innovative programs that promote an efficient delivery system, such as:
 - a. Volunteer program
 - b. Take-Home Car Program
 - c. K-9 Unit Program
 4. The Fire Department should implement innovative programs that promote an efficient delivery system, such as:
 - a. Volunteer program
 - b. Aggressive fire prevention program
 - c. Promoting sprinklers to be installed in new commercial and industrial developments
- **Woodlake should facilitate a cooperative working relationship between the police department and other public safety departments, including the Tulare County Sheriffs Department, the Visalia Police Department, and the Tulare County Probation Department.**
1. The City should be financially supportive of the police department's collaboration with other agencies in law enforcement.
 2. The City should be financially supportive of the police department's efforts towards

Woodlake General Plan 2008 to 2028

gang suppression.

Emergency Medical Services and Health Care

- **An efficient medical emergency delivery system**

1. The City should work with the Exeter Ambulance District to insure that persons in the Woodlake area are well served in regards to response time by ambulances.

- **Promote the continued operation and future expansion of health facilities within the community, including not-for-profit health care clinics.**

1. The City should work with Kaweah Delta District Hospital and other entities that provide medical care to provide medical services to the community, especially for low-income families.

2. The City should encourage the District Hospital to provide outreach programs to Woodlake and other smaller cities.

- **The City and Kaweah Delta District Hospital should work together on projects that are of mutual benefit.**

1. The City and Kaweah Delta District Hospital should jointly work on opportunities to provide medical services to the community that are not presently available from private or non-profit clinics.

Public Facilities

- **The city should forge partnerships with other public entities in the financing and construction of public facilities.**

1. A Corporation Yard that could be jointly used by the City of Woodlake and Woodlake Schools should be investigated.

- a. Joint use buildings could be constructed at the school district's industrially zoned site on West Bravo Avenue.

2. Woodlake schools should identify building projects where the city could financially become involved. These projects could include:

Woodlake General Plan 2008 to 2028

- a. multi-purpose room
- b. recreation fields
- c. theater

- **The Bravo Lake Botanical Garden, built on city-owned land, should be enhanced with additional improvements that make the operation more attractive to tourist**

1. The City should apply for state or private grants to further develop the Garden with needed improvements.
2. The City should market the Garden on their web site, and in local publications and national magazines.

- **Where possible, public facilities should have multi-purpose uses.**

1. The restoration of public buildings should always provide for public meeting rooms.
 - a. Public meeting rooms should be equipped with modern audiovisual equipment and the room should also be wired for modern telecommunications.
2. The City should investigate utilizing one a room in one of its buildings as a teleconferencing center.

- **The Woodlake Airport, a city-owned facility should be upgraded with a new runway in order to attract investors the the facility.**

1. The City should apply for a FAA grant to upgrade its airport consistent with its airport master plan.

Woodlake Zoning Districts

Land Use Category	RA	R-1-6	R-1-7	R-1-10	RM-2	RM-3	PO	CN	CC	CS	ML	RSC	UR
Residential													
Very Low Density													
Low Density													
Medium Density													
High Density													
Professional Office													
Commercial													
Neighborhood Commercial													
Service Commercial													
Central Commercial													
Industrial													
Public Facilities													
Open Space													
Urban Reserve													
Agriculture													

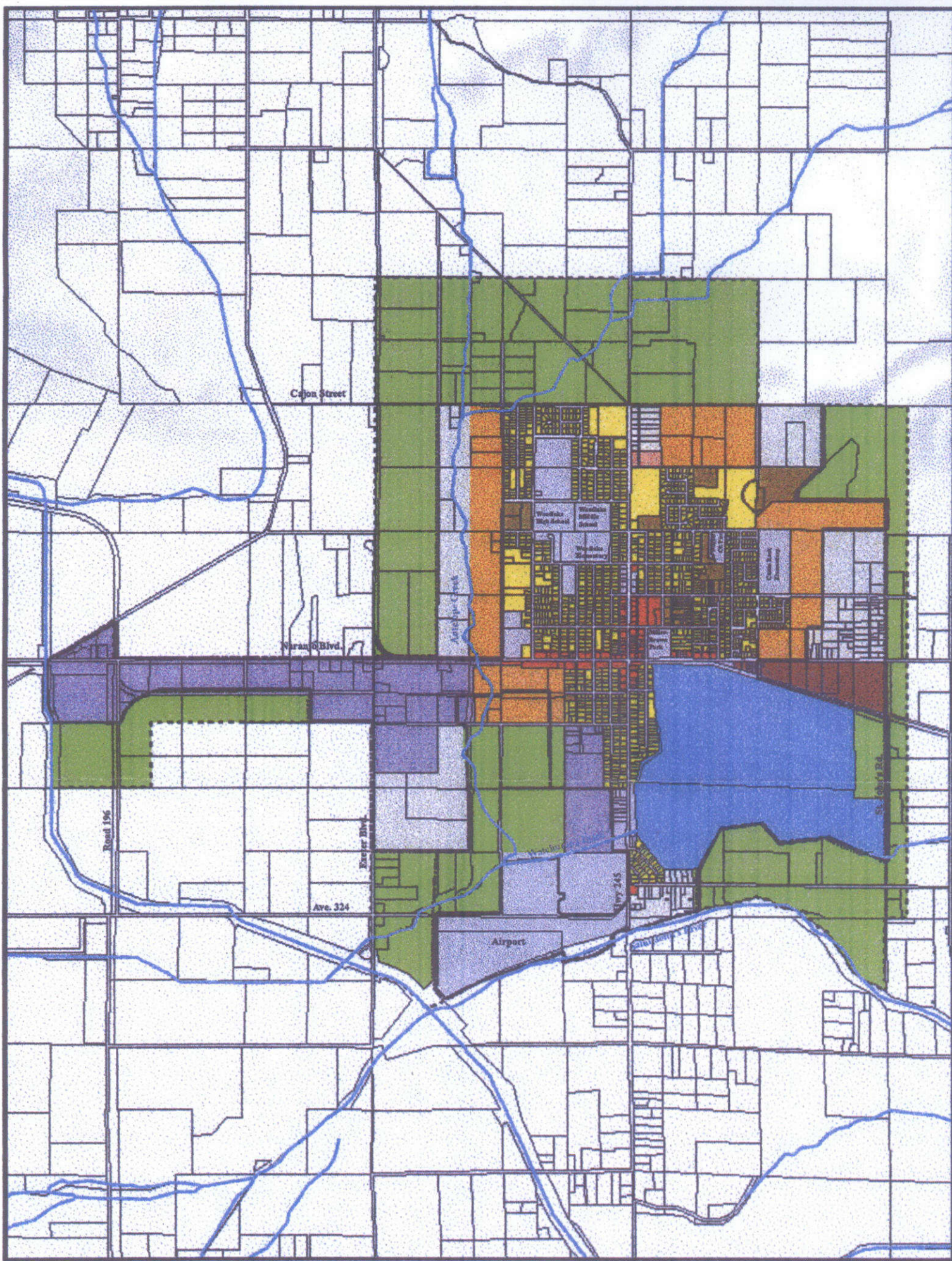
Woodlake General Plan 2008 to 2028

Land Use Designation/Zoning District Matrix

Woodlake General Plan 2008 to 2028

Land Use Map

The Woodlake land use map (Exhibit No. 4) delineates the ultimate uses of land in and around Woodlake. It is to be read in conjunction with the land use descriptions and special regulations detailed in the land use element text. The land use map shows areas intended for urban development during the term of the General Plan.



Woodlake General Plan Land Use

Exhibit No. 4

Legend

- City Limits
- Urban Development Boundary
- Sphere of Influence
- Parcels
- Water
- Public Facilities
- Professional Office
- Neighborhood Commercial
- Community Commercial
- Service Commercial
- Industrial
- Agriculture
- Urban Reserve
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential

Collins & Schoettler
 PLANNING CONSULTANTS
 1002 West Main Street - Visalia, CA 93291

Data provided by Tolson Group. Created on 7/29/2004 by BAE. For reference only.

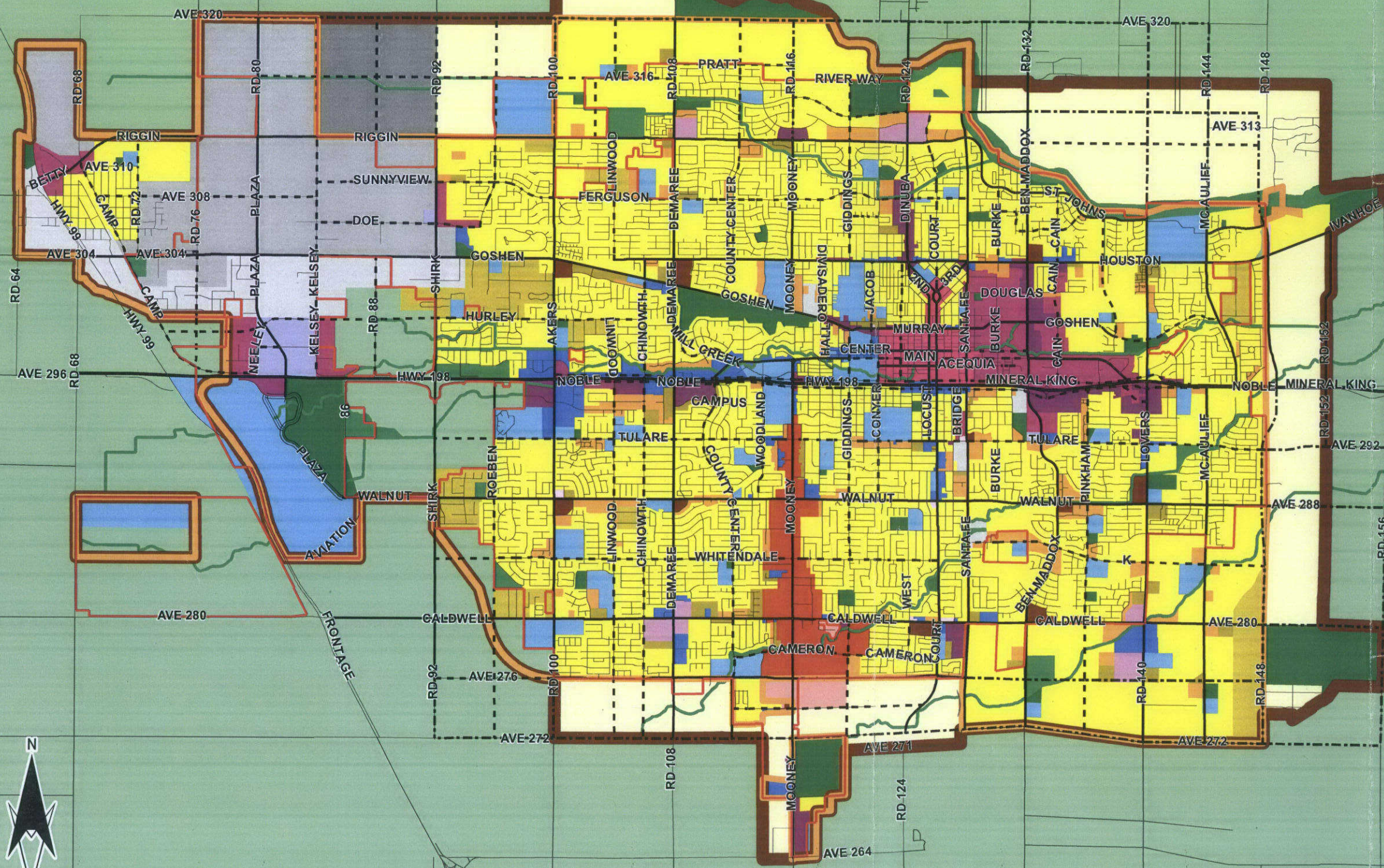
EXHIBIT 6

**COMPARATIVE LAND USE MAPS:
VISALIA, FARMERSVILLE
AND DINUBA**

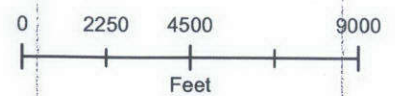
General Plan / Land Use and Circulation Element

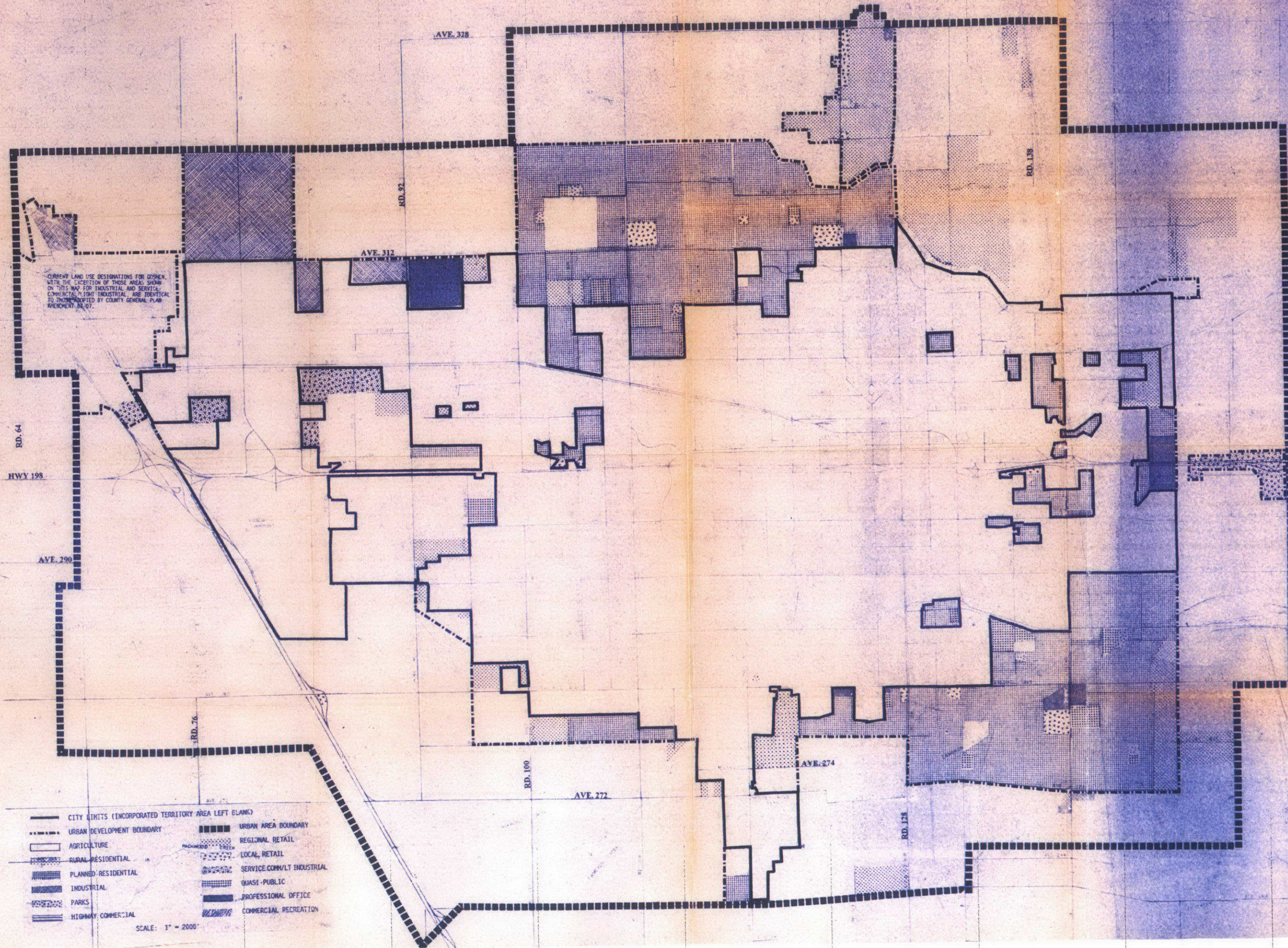


Dated: 03-15-10



- City Limits
- Circulation Element**
- Arterial
- - Collector
- Major Arterial
- - - Row Only
- Unfunded
- Population 129000
- Population 165000
- General Plan**
- Agriculture
- Business Research Park
- Conservation
- Convenience Commercial
- Community Commercial
- Central Business District
- Highway Commercial
- Neighborhood Commercial
- Regional Retail Commercial
- Regional Retail Reserve
- Service Commercial
- Shopping / Office Commercial
- Heavy Industry
- Heavy Industry Reserve
- Light Industry
- Professional / Admin Office
- Park
- Public Institutional
- Rural Residential
- Residential High Density
- Residential Low Density
- Residential Medium Density
- Urban Reserve

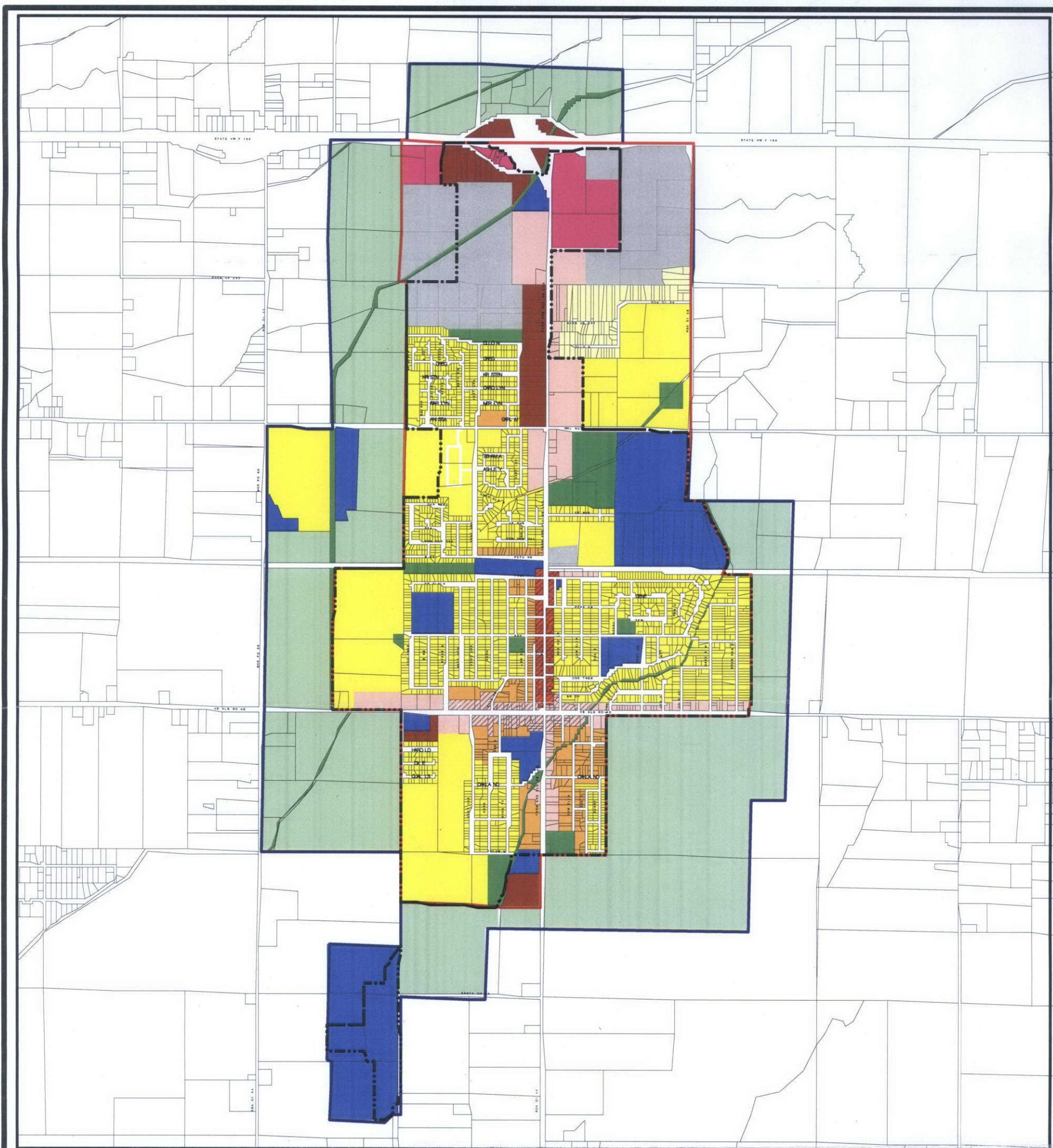




CURRENT LAND USE DESIGNATIONS FOR GOSHEN, WITH THE EXCEPTION OF THOSE AREAS SHOWN ON THIS MAP FOR INDUSTRIAL AND SERVICE COMMERCIAL LIGHT INDUSTRIAL, ARE IDENTICAL TO THOSE ADOPTED BY COUNTY GENERAL PLAN AMENDMENT 92-07.






- CITY LIMITS (INCORPORATED TERRITORY AREA LEFT BLANK)
- URBAN DEVELOPMENT BOUNDARY
- AGRICULTURE
- RURAL RESIDENTIAL
- PLANNED RESIDENTIAL
- INDUSTRIAL
- PARKS
- HIGHWAY COMMERCIAL
- URBAN AREA BOUNDARY
- REGIONAL RETAIL
- LOCAL RETAIL
- SERVICE COMM/LT INDUSTRIAL
- QUASI-PUBLIC
- PROFESSIONAL OFFICE
- COMMERCIAL RECREATION








SCALE: 1" = 2000'



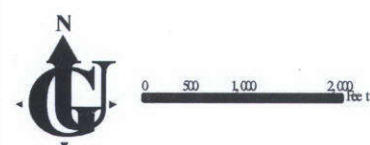
General Plan Land Use Designations

Legend

-  City Limits
-  Urban Development Boundary
-  Urban Area Boundary
-  Parcels
-  Rd. 164 Streets

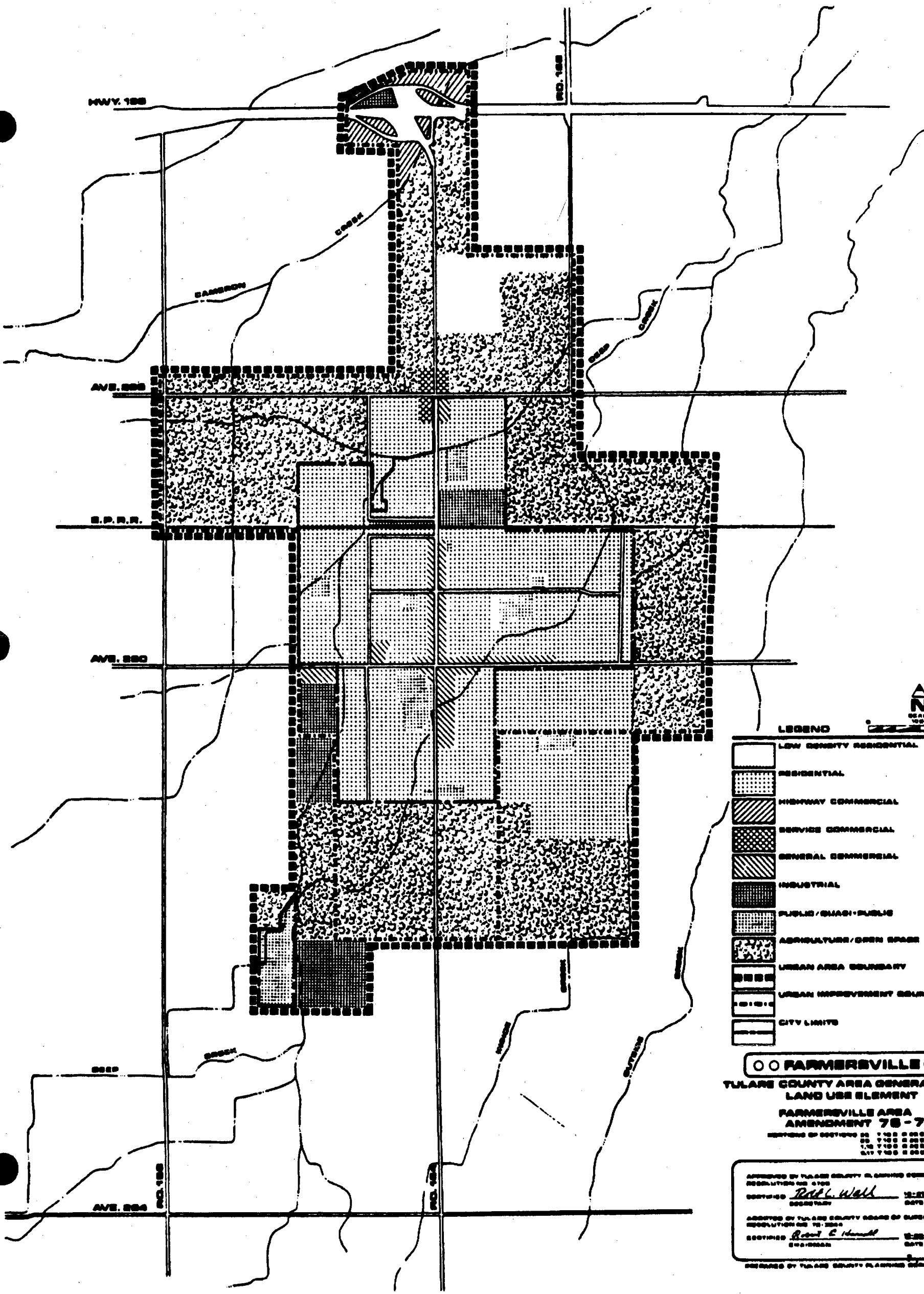
-  Low Density Residential
-  Medium Density Residential
-  Medium-High Density Residential
-  General Commercial
-  Central Commercial
-  Highway Commercial
-  Service Commercial

-  Industrial
-  Public Facilities
-  Open Space
-  Agriculture/Urban Reserve
-  Mixed Use Overlay
-  Right-Of-Way



Collins & Schottler
 PLANNING CONSULTANTS
 1002 West Main Street - Visalia, CA - 93291

This map provided by Tulare County. Created as of 09 by B.K.
 For reference only. Not drawn to engineering standards.



LEGEND

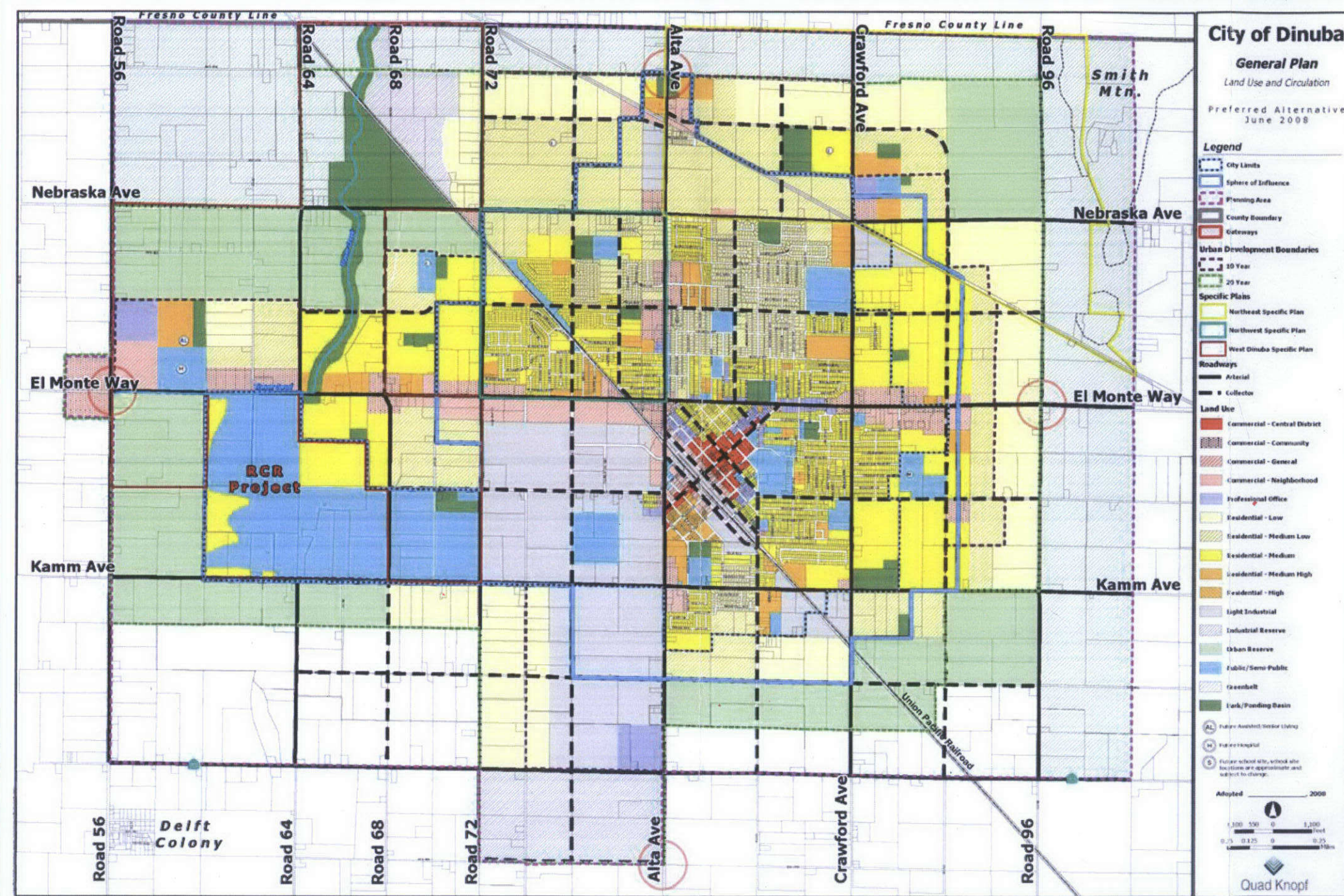
- LOW DENSITY RESIDENTIAL
- RESIDENTIAL
- HIGHWAY COMMERCIAL
- SERVICE COMMERCIAL
- GENERAL COMMERCIAL
- INDUSTRIAL
- PUBLIC / QUASI-PUBLIC
- AGRICULTURE / OPEN SPACE
- URBAN AREA BOUNDARY
- URBAN IMPROVEMENT BOUNDARY
- CITY LIMITS

○○ FARMERSVILLE ○○
TULARE COUNTY AREA GENERAL PLAN
LAND USE ELEMENT
FARMERSVILLE AREA
AMENDMENT 78-7B
 SYSTEMS OF SECTIONS 35 1400 0000
 15 1400 0000
 16 1400 0000
 35 1400 0000

APPROVED BY TULARE COUNTY CLERK/PLANNING COMMISSION RESOLUTION NO. 0100	DATE
APPROVED BY TULARE COUNTY BOARD OF SUPERVISORS RESOLUTION NO. 78-7B	DATE

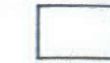
ISSUED BY TULARE COUNTY PLANNING DEPARTMENT

2008 City of Dinuba General Plan



TULARE COUNTY AREA GENERAL PLAN DINUBA AREA

AGRICULTURE



RESIDENTIAL

- Reserve
- Low Density
- Medium Density

COMMERCIAL

- Neighborhood
- Central
- Highway
- Service

INDUSTRIAL

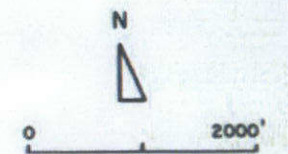
- Reserve
- Limited
- General

COMMUNITY FACILITIES

- Park and Recreation
- Elementary School
- Junior High School
- Senior High School
- Civic Center

CIRCULATION (solid lines denote existing alignments)

- County-City Primary
- City Major
- City Secondary



TULARE COUNTY AREA PLANNING COMMISSION

Robert Grunwald and Associates - City and Regional Planners

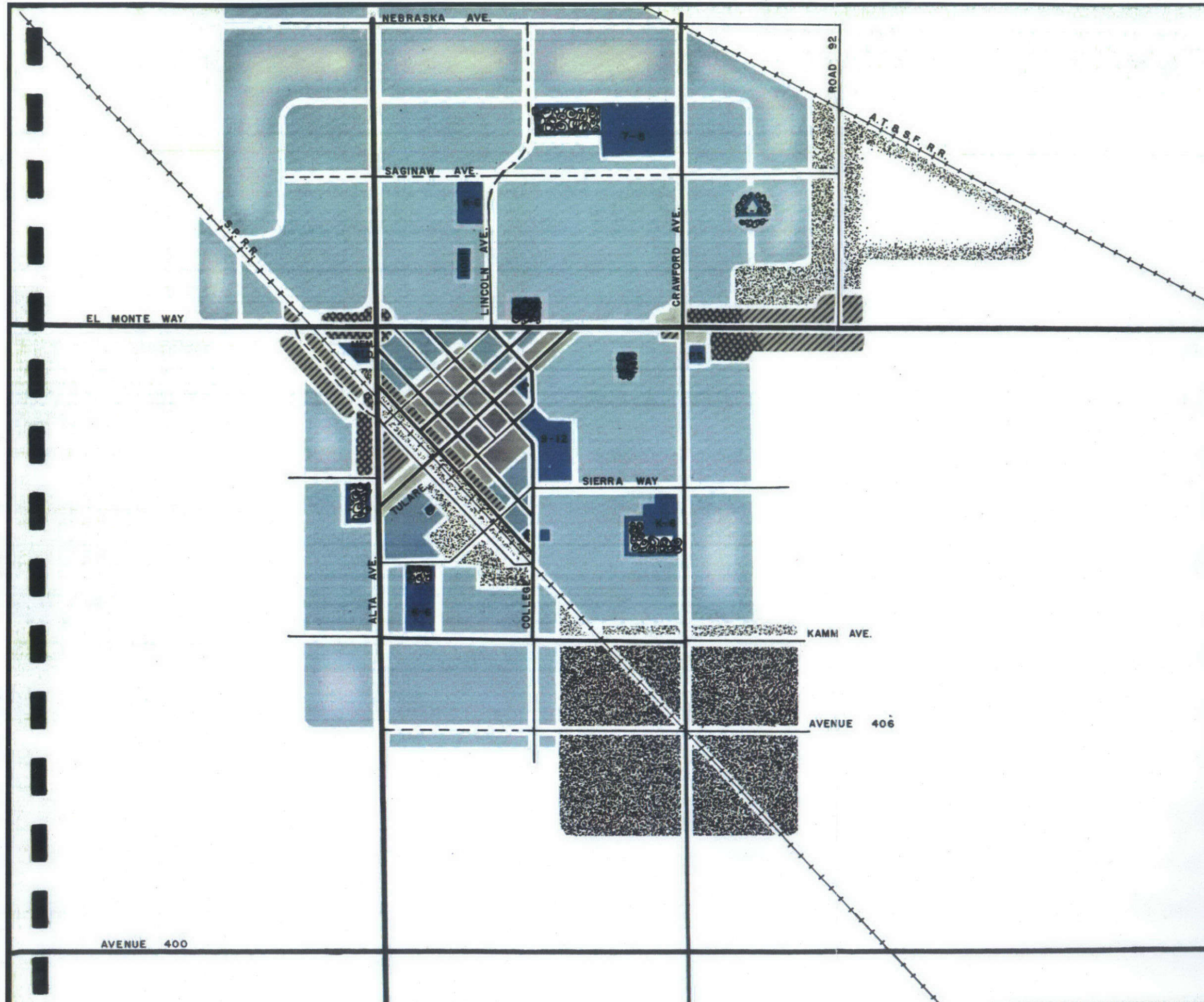



EXHIBIT 7


 UCLA Law Review
 June, 2008

Article

***1095 CITIES INSIDE OUT: RACE, POVERTY, AND EXCLUSION AT THE URBAN FRINGE**

Michelle Wilde Anderson [FNa1]

Copyright (c) 2008 Regents of the University of California; Michelle Wilde Anderson

Are county governments capable stewards of urban life? Across the country, millions of low-income households live in urban enclaves that rely on county government for their most proximate tier of general purpose local government. Material conditions in many of these neighborhoods are reminiscent of early twentieth-century rural poverty, while others are a dystopic vision of twenty-first century urbanity, with clusters of housing tucked in between landfills, industrial plants, and freeways. This Article provides a vocabulary and a conceptual baseline for understanding this national pattern of unincorporated urban areas and presents a qualitative study of these neighborhoods in California, Texas, Florida, and North Carolina. It explores the governmental status of these communities, and asks, for the first time, whether two tiers of general purpose local government--a city and a county--offer urbanized areas greater participatory voice, stronger protection from undesirable land uses, improved collective services, and greater housing choice than county rule alone. Providing a framework for evaluating local government, this Article posits that housing-market mobility, neighborhood habitability, and political voice are the three pillars of adequate local government. By this metric, we can no longer assume that county governments are equivalent to municipalities.

Introduction	1096
I. Unincorporated Urban Areas	1100
A. Defining the Problem	1101
B. Unincorporated Urban America	1106
C. Traversing Academic Categories	1113
1. Municipal Underbounding	1113
2. Related Patterns: Colonias and	1115

Black Rural Poverty

D. Beyond White Flight: Looking Towards the Low-Income Periphery	1120
II. Origins, Persistence, and Perpetua- tion	1125
A. The History of Unincorporated Urban Areas	1125
B. An Economic Gravity Pattern of Urban Development	1129
III. Urban Life Without Urban Gov- ernment	1133
A. A Model for Evaluating Local Government Adequacy	1134
B. Adequacy Applied: Single-Tier Local Government	1139
1. A Few Words About County Gov- ernment	1140
2. Mobility: The Right to Move, the Right to Stay	1145
3. Habitability: Safety, Services, and Clean Neighbors	1149
4. Political Voice: County Democra- cy	1155

Conclusion

1159

*1096 Introduction

The flight of wealth from central municipalities was the twentieth century's indelible mark on America's urban history. Local government law as an academic field developed amidst this exodus to the suburbs. As a result, it has focused on questions of municipal incorporation, annexation, regional governance, and voting rights through the lens of the polarizing economic and racial characteristics of core cities and their suburbs. Taking nothing away from the powerful history written by that scholarship, the centrality of this model of urban change has diverted our attention away from nonconforming histories and places. In these understudied contexts, millions of low-income families live outside central cities on pockets of unincorporated land and in economically marginal suburban or rural municipalities. Viewing this wider and more complex picture turns our notions about cities inside out, exposing fringes where low wages, the need for affordable housing, and the aspiration for family-friendly suburban life have pushed low-income communities beyond the limits of central cities. This Article follows that migration, moving past the traditional paradigm of "cities" and "suburbs" to discover narratives of hardship, adaptation, diversity, and accomplishment among low-income suburban pioneers and their successors. It takes a step in advancing this underdeveloped line of legal scholarship by naming and defining the problem of unincorporated urban areas, a heretofore largely unnoticed pattern of low-income suburbanization.

Two places introduce us to this new pattern. The City of Modesto, located in California's agricultural heartland of fruit and nut groves, relies economically on several industrial canneries located near city limits, and the surrounding Stanislaus County depends on the cultivation of thousands of *1097 acres of crops. On the other side of the country, the "bent-grass paradise" [FN1] of North Carolina's Village of Pinehurst and its neighboring towns boast some of the nation's most prestigious golf facilities, fueling surrounding Moore County with hundreds of millions of dollars in golf-event revenues. At the backbone of these regional economies teem thousands of workers: agricultural laborers, seasonal cannery workers, caddies, maids, cooks, laundry staff, and groundskeepers.

Where do these workers live? Not in the bright-grass, white-picket residential areas of Modesto or in the lakeside estates of Pinehurst. They live where one might expect them to--in neighborhoods with the advantage of proximity, the necessity of affordability, and the possibility of home ownership. In these regions, such neighborhoods lie where the sidewalks, and the city borders, end. On patches of unincorporated land at the municipal fringe, low-wage workers live without water or sewage lines, sidewalks or paved roads, drainage or flood control. Health and safety risks plague local water and soil, as communities rely on rural-character services in urbanized areas built on environmentally damaged or disaster-vulnerable land.

Current residents' predecessors, often their own grandparents and great-grandparents, settled these neighborhoods fifty to one hundred years ago to achieve sustenance and independence in the face of racial segregation, wage discrimination, and poverty. Their neighborhoods remain racially obvious today: three-fourths Latino in Stanislaus County's Bret Harte neighborhood, for instance, and nearly one hundred percent African American in Moore County's Jackson Hamlet. Decade after decade, these communities have been denied or overlooked for annexation to their adjacent municipalities. Though contiguous with an incorporated town or city and integrated with that city's social and economic life, these unincorporated "islands" or urbanized clusters at the city fringe have been mapped out of municipal boundaries.

Due to crisis conditions caused by failing septic systems, civil rights advocates have launched legal efforts to pursue municipal service improvements and annexation for these marginalized communities. [FN2] They have little *1098 context for their work. Zones of urban life without urban government have been virtually invisible to the literature of law and city planning, enacting the names for two such neighborhoods, "Lost City" and "No Man's Land." Yet these communities are not alone. They represent a phenomenon that is national in scope, urgently in need of attention, and deeply rooted in our current system of local government law.

This Article fills that gap, providing a legal framework to understand the national problem of neighborhoods that I refer to as “unincorporated urban areas”: low-income, urbanized areas bordering incorporated municipalities but denied or bypassed for annexation for at least twenty-five years. Communities lacking rudimentary urban services (like those in Stanislaus and Moore Counties) represent just one of two types of unincorporated urban areas. A second and often overlapping category of such places—including at least 300,000 people in eastern Los Angeles County alone—has basic services but houses a disproportionate share of undesirable facilities serving the larger metropolitan area, such as landfills, industrial complexes, sewage treatment plants, and freeways.

Unincorporated urban areas might be little different than other nodes of poverty on the urban landscape but for this: They rely on only one tier of general purpose local government, a county, while urban areas within municipalities rely on both a city and a county. Does this distinction make a difference? This Article explores that question, asking whether county governments are different than municipal governments in ways that explain the histories of unincorporated urban areas and the challenges they face. To differentiate cities and counties in terms of their capacity to provide for urbanized populations, I provide a framework for evaluating local government—a way of analyzing whether people have enough local government or the right kind of local government.

Synthesizing insights from fair housing and voting rights law, public choice theory, and political theory, I set the normative perspective underlying this evaluation (the orientation point for determining what makes a local government sufficient or suitable) to be a local government's capacity and performance at pursuing three values: choice on the housing market (mobility), protection from undesirable land uses and the provision of collective services (habitability), and access to participatory democracy (political voice). Applied to unincorporated urban areas, this theoretical model helps both to explain the relative stasis in these communities over time and to identify the conditions necessary for corrective progress. County governments are not oversized equivalents of municipal governments; they are significantly *1099 distinct in ways that affect land values, material conditions, and political accountability. Counties' increasing role in governing urbanized populations will become, I argue, a central element of America's twenty-first century urban condition.

Part I presents the first national study of unincorporated urban areas, providing a vocabulary, definitional framework, and qualitative foundation for understanding the issue. Locating the unincorporated urban areas classification in the existing literature, I identify the shared ground between black rural poverty and colonias communities, two urban development patterns previously understood as unrelated, racially compartmentalized, and regionally specific. In Part II, the Article moves to underlying dynamics, looking beyond the Big Bang model of postwar white flight to recognize historic and current manifestations of what I call an economic gravity model of urban development, in which exclusionary zoning interacts with cities' magnetic pull on wage earners to generate unregulated, peripheral development for low-income families. The resulting communities exhibit the curious state of urban life under county rule. Part III places county government in high relief, providing an analytical framework for evaluating local governments and applying that framework to counties.

By virtue of the relatively uncharted terrain explored in this Article and the need to establish a baseline from which to organize future research, I employ three methodologies and disciplinary perspectives. First, I define the nature and scope of the problem of unincorporated urban areas using qualitative empirical research. To unravel the origins of these neighborhoods and their persistence over time, I pair historical inquiry and urban planning theory. Finally, I draw upon local government political theory, with special attention to the economic and political incentives of municipalities and the residents of unincorporated urban areas, to assess the legal dynamics underlying the problem.

Cities Inside Out represents the first in a series of articles investigating unincorporated urban areas and providing a new legal framework for understanding communities that fall outside the white flight model of urban change. This first Article analyzes the origins and governance of these communities, theorizing the role of county government in shaping unincorporated urban areas. Mapped Out of Local Democracy, [FN3] a forthcoming piece, takes a prescriptive turn, exploring roads to reform located in civil rights law, market-based self-correction, and state and local government law. *1100 Regional Localism: American County Government, [FN4] also forthcoming, deepens and complicates our understanding of the legal context, constraints, and opportunities of county government, providing typologies to capture the range of American counties.

The social justice problem at the heart of the unincorporated urban areas pattern is clear: In a number of high-poverty, unincorporated neighborhoods, urban labor forces struggle to balance low wages with a dangerous and degrading absence of public investment in the physical state and safety of their neighborhoods. At this urban periphery, with its landscapes of privation and perseverance, we find a new frontier in the quest for distributive justice in the context of the opportunities and vulnerabilities attached to land.

I. Unincorporated Urban Areas

On a strip of county land stranded between Austin, Texas and the neighboring city of Round Rock nests a small, low-income community of about 350 residents known as Northridge Acres. The neighborhood lacks access to safe, reliable water, and many blocks are plagued by drainage problems and failing septic systems that “mak[e] flushing during a rainstorm a potential health hazard.” [FN5] Residents of Northridge Acres pay more than double what Austin residents pay for water, even though their supply is severely limited and often contaminated by human waste. [FN6]

This Part investigates the problem of communities like Northridge Acres, establishing a vocabulary for understanding their common characteristics and providing preliminary research about the scope and nature of the phenomenon. It explores the relationship of the unincorporated urban areas classification to municipal underbounding, colonias development, and black rural poverty-- three existing academic categories that heretofore have been treated independently but in fact are deeply related to one another and partially coincident with the phenomenon of unincorporated urban areas. Presenting a broader understanding of dynamics at the urban fringe, this Part calls for sustained academic engagement with low-income suburbs.

*1101 A. Defining the Problem

Unincorporated urban areas, as I define them, include neighborhoods that are: (1) unincorporated (lying outside the borders of any incorporated city [FN7]); (2) contiguous on one or more sides with a municipal border or lying within the area legally designated for a city's expected growth (denoted in some states as a sphere of influence or extraterritorial zoning jurisdiction); (3) primarily residential, with densities greater than or similar to adjacent incorporated land; [FN8] and (4) low-income, as defined by census tract data. [FN9] I limit my use of this term to communities that have been in existence for more than twenty-five years in order to exclude those neighborhoods that may simply be in transition, awaiting natural absorption by their adjacent municipality.

This definition is notably race-neutral. I did not limit the communities studied according to racial criteria, thus presuming that the pattern of underserved or overburdened poverty at the unincorporated urban fringe would be associated with particular racial groups. Yet strikingly, every community I found that qualified as an unincorporated urban area was predominantly African American or Latino. [FN10] Indeed, each community uncovered by my research traced its origins to laws or norms enforcing racial segregation. As a result, I understand the pattern of unincorporated urban areas to derive in part from racial discrimination.

With great consistency, unincorporated urban areas fall into one or both of two categories. One group lacks one or more vital service, such as piped, potable water; sewage and wastewater disposal; adequate law enforcement and fire protection; street paving, lighting, and traffic control; and/or flood and stormwater control. A second, often overlapping group faces health risks and depressed land values due to a concentration of a metropolitan *1102 area's undesirable land uses, contamination from past land uses, or uncontrolled vulnerability to natural disaster. The first category of unincorporated urban areas has not been properly understood as a nationwide pattern. The second category has been misunderstood--efforts to address the poverty, crime, and environmental justice issues in these areas overlook their unincorporated status, a structural dimension of their decline and disenfranchisement.

How many such communities are there? This Article, with its focus on questions of local government law and urban development, does not undertake a quantitative investigation of unincorporated urban areas, beyond a brief discussion of ex-

isting empirical studies. Instead, I have used qualitative methods to locate dozens of communities meeting this Article's definition of unincorporated urban areas. [FN11] Case studies and the observable patterns among them frame the legal issues discussed here and provide a framework for a comprehensive, multiyear quantitative analysis of unincorporated urban areas that is currently in the planning stages. [FN12]

The research underlying the present Article focused on unincorporated urban areas within four pilot states--California, Texas, Florida, and North Carolina. [FN13] These states were selected because, first, they represent a cross-section of regional geographies, encompassing the United States-Mexico border, the South, and the West. They also represent diverse land-use regimes (ranging from Texas's more libertarian scheme to California's highly *1103 regulated context [FN14]), annexation laws (including North Carolina's so-called progressive annexation laws, which permit cities to annex peripheral areas against their will, and California's centralization of annexation approvals through a state agency [FN15]), and local government structures (including Florida's county-led efforts to support city-county consolidations and the municipal annexation of all unincorporated land remaining within certain conurbations [FN16]). And finally, unincorporated urban areas within these states were first settled during diverse historical settings, including the post-Emancipation South, the Great Migration of the early twentieth century, and the midcentury agricultural and industrial expansion of the West and the United States-Mexico border states. Such multifaceted diversity suggests that the unincorporated urban areas phenomenon is in fact national in scope, rather than an idiosyncrasy of one region, one type of state legal regime, or one racial community's local history. [FN17] It provides a broad foundation for observation of unifying development patterns and underlying legal dynamics.

*1104 Although heretofore unidentified as a unified pattern, several empirical studies of the South and the United States-Mexico border provide piecemeal data suggestive of the scale of the unincorporated urban areas problem. A recent study of census data from 1990 and 2000 by Daniel Lichter and other geographers, for instance, found strong indications that African American communities adjacent to nonmetropolitan towns in the South are more likely to be bypassed for annexation than similar white communities. [FN18] Moreover, it concluded that southern towns were less likely to annex any land at the periphery at all, whether majority black or white, where the unincorporated periphery eligible for annexation included a large black population--even where available socioeconomic controls were introduced to distill the effects of race rather than class-based exclusion. [FN19]

The Lichter study found that annexation was also less likely where largely white towns faced a so-called black threat, defined as towns in which the percentage of black residents in the county was higher than the percentage of black residents in the town. [FN20] Towns with predominantly white populations were much less likely to annex black unincorporated areas, even with statistical controls on the size of the black fringe population. [FN21] These findings are all the more striking given that where the racial population of the municipality itself was not taken into account, the study revealed a less substantial discrepancy between black populations defined as "at risk" for annexation and those actually annexed. In other words, it was predominantly white towns, not predominantly black ones, that exhibited patterns of exclusion. [FN22] The study found evidence, though it could not *1105 draw final conclusions on the point, that exclusion of these areas was motivated by race rather than class. [FN23]

An older regional study of the fifty-seven municipalities within the Yazoo Delta of Mississippi similarly found evidence of housing patterns and annexations affected by race. [FN24] The study determined that 20 percent of the region's black population lived within one mile (but outside the borders) of a municipality, and more than 90 percent of the municipalities with a large fringe population (at least one-half the size of the municipality's population) had a larger black population in their fringe than in the municipality. [FN25] This means that many African American households in the region lived in the urban fringe outside town lines, and municipalities that had failed to annex a populous urban fringe had more African Americans living outside municipal lines than within them.

The proliferation of colonias housing at the United States-Mexico border provides a further glimpse of the scale of the unincorporated urban areas pattern. Colonias, which are discussed in detail in Part I.B below, are commonly defined as low-income subdivisions that are lacking in basic infrastructure. [FN26] Within the border region of Texas alone, scholars estimate that 350,000 people live in settlements satisfying the federal definition of colonias; [FN27] in New Mexico there are 42,000 such residents. [FN28] Recent research has identified 1,800 colonias in Texas, 138 in New Mexico, 32 in California,

and 77 in Arizona. [FN29] The Texas Water Development Board estimates that 1.2 million Texans need water and wastewater system improvements that would cost more than \$4.5 billion. [FN30] In the eight counties of California's San Joaquin Valley, the heart of the state's agricultural industry, researchers have *1106 found 219 low-income, unincorporated communities. [FN31] These numbers provide only a starting point for estimating the number of unincorporated urban areas, however, because, as discussed in Part I.C, not all colonias communities are located near or on a city's border, and not all unincorporated urban areas qualify as colonias.

The communities identified by my own qualitative analysis came to public light only after symptoms of distress became acute--an unincorporated subdivision's septic tanks aging and failing; a Latino mayoral candidate in a city election speaking out because decisive blocks of his putative supporters live just outside city borders; a proposed freeway route threatening to demolish sections of a community founded soon after Emancipation. Yet the nature of the unincorporated urban areas pattern suggests that the communities to have surfaced thus far are only examples of a more widespread pattern. Unincorporated urban areas tend to be small pockets with weak political and economic capital, and advocacy efforts by residents to obtain an equitable share of public investment have been quiet, flying under the radar of most journalists, political leaders, and academics. Ida Mae Murchison, a resident of an unincorporated urban area in North Carolina and a housekeeper in the adjacent city for nearly fifty years, captured this invisibility and reticence. "I get the feeling that we're just forgotten, put on the shelf or the back burner or something," she said. But she hesitated, emphasizing that she did not seek "to offend anyone" or "cause trouble." [FN32]

To find unincorporated urban areas, geographers, policymakers, and civil rights advocates simply need to look for them.

C. Unincorporated Urban America

Clean water, sewage disposal, law enforcement, protection from land hazards, and a sound economic base are five of the basic conditions of residential quality of life and the appreciation of land values. Each of these attributes is, to one extent or another, beyond a homeowner's control. None can be taken for granted in unincorporated urban areas.

One need not travel to Mexico City or Lagos for a case study on the need for clean water. In the neighborhoods of North Houston and Fresno--located outside Houston "in inconvenient corners between suburban *1107 boomtowns"-- households on small lots rely on wells in combination with failing septic tanks, creating "disastrous" conditions of septic tank overflow during Houston's heavy rains. [FN33] Well water that used to be potable is increasingly dirty and foul smelling, and trichlorethylene, a chemical linked with cardiac abnormalities and childhood leukemia, has been found at dangerous concentrations in wells at the nearby site of a former industrial plant. [FN34] Some local families spend scarce income every month on bottled water, while others, in the words of the communities' state representative Kevin Bailey, "are literally drinking their own sewage." [FN35] The absence of area fire hydrants means greater risk of fire and no possibility of acquiring insurance. After fifteen years of broken promises from local governments, and nearly a decade after residents voted to tax themselves to create a special water district, nothing has changed. [FN36] Residents fear that their special district funds are supporting clean water services in new, neighboring subdivisions with artificial lakes and green lawns, where water services appeared overnight. [FN37] Similar stories can be heard in the unincorporated urban areas outside Austin, Texas; Exeter, California; and Zanesville, Ohio, among others.

Where there is tainted water, inadequate wastewater disposal is rarely absent. Just beyond the city limits of Mebane in Alamance and Orange Counties, North Carolina, for instance, are five communities founded by former slaves shortly after the Civil War that remain 85 percent to 95 percent African American. [FN38] Failing septic systems dogged by small lots and incompatible soil have contaminated local well water, becoming a significant health threat. [FN39] Local authorities have refused to grant permits for the replacement systems needed by some households, which are then faced with the choice of continuing to rely on hazardous systems, reverting to an outhouse, or abandoning their parcel. [FN40] Each community is within blocks of Mebane sewer and water lines; the Buckhorn/Perry Hill neighborhood, for instance, is across the street from a forty-one acre *1108 truck stop plaza with water and sewer services. [FN41] Cities like Mebane generally can and often do sell water and sewer services across city lines, but charges for extraterritorial services come at a premium, and the city or county must first equip an unincorporated community with underground infrastructure to carry the services. [FN42] Unincor-

porated urban areas similarly facing dangerous conditions in sewage disposal can be found in Cumberland, Union, Bertie, Hoke and Moore Counties, North Carolina; Fresno, Madera, and Stanislaus Counties, California; and Harris and El Paso Counties, Texas.

On matters of law enforcement and emergency services, the challenges faced by unincorporated urban areas are of adequacy rather than of access. Law enforcement in these areas falls to county sheriffs' departments, even where deputies must travel across long gaps in their jurisdiction to reach unincorporated islands. For the more than 300,000 people living in the unincorporated interstices of Los Angeles County, [FN43] reliance on the county sheriff may not be a disadvantage--the county's one million total unincorporated area residents, combined with its contracts to provide law enforcement to dozens of incorporated suburbs, mean that the county has a vast, well-established system for addressing urban crime. [FN44] By contrast, county sheriffs adapted to low-density, primarily agricultural counties like Kern, Stanislaus, and Fresno counties in California have struggled to cope with the increasing levels of urban crime and gang activity concentrated in unincorporated islands and fringes of their major cities. A recent civil rights lawsuit on behalf of unincorporated urban areas at the edge of Modesto, California alleges that a combination of their urban environment and inadequate sheriff *1109 services, along with other service deficiencies in street lighting and waste disposal, have made their communities magnets for criminal activity and illegal dumping by Modesto residents. [FN45] Residents allege that response times by the county sheriff, as well as dispatch times by the joint agency for regional 911 calls, indicate racial discrimination against the households in the primarily Latino unincorporated urban areas. [FN46]

In addition to problems of exclusion and neglect by local services, many unincorporated urban areas are burdened by more permanent defects that endanger residents' health, depress neighborhood property values, and impose private costs on residents. These burdens take two forms: the concentration of undesirable land uses within the communities and/or long-standing damage or vulnerabilities in land condition. The first problem, the dumping of undesirable land uses on unincorporated urban areas, includes the concentration of public disamenities (for example, landfills, recycling plants, and sewage treatment plants), private disamenities (such as industrial disposal sites), public utilities (for example, water and electrical plants), and chemical and toxic processing facilities. [FN47] Such is the fate of the unincorporated urban area of North Richmond, California, which formed an integral part of the "Black Crescent" of residential areas open to blacks employed in the City of Richmond's teeming World War II shipyards. [FN48] Today, the North Richmond community is bounded on all sides by city land, the San Francisco Bay, and a massive oil refinery that causes severe air pollution and presents major public safety risks. The neighborhood is home to 2,310 people in one of the area's highest poverty and highest crime residential neighborhoods, as well as the *1110 city's landfill, its recycling plant, and several brownfield sites contaminated with pesticides, lead, and petroleum hydrocarbons. [FN49] It is a similar story for Barrett Station, Texas, an unincorporated community within Houston's extraterritorial zoning authority that has about 3,000 residents, more than 86 percent of whom are African American, [FN50] and a history reaching back to 1840, when the settlement was founded by the freed slave Harrison Barrett. [FN51] During the 1960s and early 1970s, two industrial waste facilities near the community received 100,000 barrels of toxic chemicals each year, warranting designation as a Superfund site. [FN52] Resulting contamination of area groundwater and a local lake used for swimming and baptisms have been linked to unusually high rates of cancer and other severe health disorders. [FN53]

Compromised land condition--stemming from hurricane exposure, subdivision and development of a flood plain, contamination by former uses, or topographical features that impede service provision--imposes costs ranging from health hazards to increased insurance rates. Public programs funded by the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the U.S. Departments of Agriculture and Housing and Urban Development, and various state agencies are designed to stabilize or overcome such conditions through infrastructure investments or brownfield abatement. Public money, however, seems to be in short supply for unincorporated urban areas. The Coal Run Road neighborhood outside Zanesville, Ohio, for instance, lies atop an abandoned coal mine that infuses the water in wells and local streams with the foul smell, color, and oiliness of iron and sulfur contamination. [FN54] More than forty years of denials by the city to serve the community with water or annex it to the local water district have forced residents to choose between *1111 investing in expensive wells that draw contaminated water or purchasing and hauling household water from the water treatment plant and drinking water from grocery stores. [FN55] The second option was nearly as unattractive as the first, requiring storage of bathing and cleaning water in outdoor cisterns prone to insects, worms, snails, and parasites and necessitating chemical treatment before

use. [FN56] Community groups estimated that to purchase, haul, and treat their own water, residents paid up to, and sometimes more than, ten times the cost of public water service, as well as heightened insurance premiums for the lack of water for firefighting. [FN57] One can only guess at the private costs borne in other unincorporated urban areas. Residents of California and Texas's numerous unincorporated urban areas located on flood plains, for instance, have incurred devastating property damage--including sewage tainted floodwaters washing through homes--stemming from the absence of drainage and flood-control infrastructure in their communities. [FN58]

Furthermore, unincorporated urban areas may face the perpetuation of economic disadvantage brought about by their isolation as county pockets within areas that have been economically cherry-picked for annexation to incorporated municipalities. In Broward County, Florida, for instance, city incorporations and annexations have consumed nearly every parcel of land that offers advantageous property tax revenues, whether commercial or residential. Today, the only urban residential areas remaining under unincorporated jurisdiction are clustered in a block of low-income neighborhoods that are nearly 100 percent African American. [FN59] Divided from all *1112 revenue-generating land, these communities have little hope for remaining economically viable on their own. The loss of the county's economy of scale in providing municipal services has meant that the cost of basic urban services in these areas now exceeds the cost of such services within city lines. [FN60] To its credit--unlike many of the counties reviewed in the present study--Broward County has invested in the municipal services and physical condition of its unincorporated islands in order to improve their desirability for annexation; nevertheless, Fort Lauderdale and other adjacent municipalities have yet to annex them. [FN61]

When such conditions are aggregated, land ownership in unincorporated urban areas is burdened by handicaps. Such land is less valuable to hold over time, due to lethargic appreciation rates that reflect undesirable neighborhood conditions. Land in unincorporated urban areas can also be more costly to maintain and improve, with residents incurring costs such as property replacement after an uncontrolled flood and mitigation of contamination. Residents face the added costs of substituting for public services, such as by running a homemade streetlight on a home generator, buying and hauling clean water, and replacing a home septic system. And finally--of greatest risk to the economic stability of area households--homes in unincorporated urban areas are more likely to be lost through condemnation and redevelopment, as cities and counties work to increase the fiscal impact of area land by displacing residential uses. When overlaid with the long histories of segregation that led to these communities' establishment, these neighborhoods illustrate a material inheritance from racial discrimination and its capacity for race-neutral perpetuation through the high costs of poverty.

*1113 E. Traversing Academic Categories

Traditionally, black and Latino low-income suburbs have been seen through racially and regionally compartmentalized lenses. Among urban geographers, policymakers, and legal advocates, the study of colonias has been the dominant paradigm for understanding low-income Latino suburbanization. When studied at all, low-income black suburbanization is typically framed in terms of black rural poverty and municipal underbounding, both of which are characterized as southern patterns organized along a black-white racial axis. The nationwide, cross-racial concept of unincorporated urban areas distills the commonality among these three patterns, and they, in turn, help further define its contours.

1. Municipal Underbounding

"Municipal underbounding," a term coined by urban geographers, has been used to describe annexation policies and practices in which municipalities grow around low-income minority communities, leaving them outside the reach of city voting rights and municipal services. The term remains in use by some advocates today, including the University of North Carolina's Center for Civil Rights, the Southern Coalition for Social Justice, and the Cedar Grove Institute for Sustainable Communities, though the problem continues to receive sparse academic attention. With two notable, contemporary exceptions, [FN62] academic research on the issue largely dates back to the 1970s and 1980s, when awareness of racially discriminatory annexation and incorporation policies reached its peak, both fueling and reflecting interpretative changes to the Voting Rights Act of 1965. [FN63] Empirical research into the problem has focused exclusively on white discrimination against African Americans in the South. [FN64]

*1114 Municipal underbounding is a critical component of the story of unincorporated urban areas, capturing the causal dynamic of municipal decisionmaking regarding annexations. Yet, like local government and urban policy literature in general, municipal underbounding focuses on cities as the relevant actors, largely overlooking causal factors related to the actions and incentives of settlers/residents, counties, and state governments. [FN65] Such additional dynamics are discussed throughout this Article, but it is worthwhile to articulate here the two forces most necessary for a complete understanding of unincorporated urban areas. The first is the dynamic of low-income suburbanization itself--the pattern behind initial settlement and ongoing occupancy of unincorporated urban areas. I explain this pattern using the concept of an economic gravity model of urban change, discussed in Part II.B, in which segregation, affordability gaps, land-use barriers, and the aspiration for homeownership interact with the gravitational pull of the urban economy to spur low-income settlement at the urban fringe. Combining an economic gravity model of urban change with municipal underbounding reveals a broad dynamic of municipal exclusion in which low-income households are effectively barred from settlement in desirable subdivisions and residential neighborhoods in incorporated cities and suburbs (exclusionary land-use decisions); and, after settlement in alternative, unincorporated enclaves, these communities are locked in their unincorporated status and excluded from city growth that would have otherwise absorbed them (exclusionary boundary determinations).

Municipal underbounding and this broader formulation of municipal exclusion both fail to capture counties' roles in creating and perpetuating the condition and status of unincorporated urban areas. Counties, not municipalities, are legally responsible for the initial land-use approvals and service conditions of unincorporated urban areas. By virtue of their service standards for the establishment of new subdivisions, their purchase and allocation of the services needed in their jurisdictions, and the extent of their efforts to seek state and federal infrastructure grants to improve local conditions, counties are responsible not only for the establishment of everyday conditions of unincorporated communities, but also for their eligibility and desirability for annexation. In addition, it is counties as well as cities and state agency partners that enact infrastructure and land-use planning decisions that adversely affect unincorporated urban areas. *1115 The nature and limitations of county rule of unincorporated urban areas is explored extensively in Part III.

Municipal underbounding is thus a necessary but insufficient lens through which to view the pattern of unincorporated urban areas. Annexation decisions are but one cause of unincorporated urban areas, and annexation should not be presumed to be the answer to these communities' needs in every case.

2. Related Patterns: Colonias and Black Rural Poverty

The unincorporated urban areas classification is also informed by its partial overlap with the land-use patterns known as colonias and black rural poverty. Colonias development refers to a pattern of low-income, primarily Latino, subdivisions named after the Spanish word for neighborhood. [FN66] The term colonias encompasses communities built in both rural and peri-urban [FN67] areas. Land subdivided for settlement as colonias must be inexpensive, while also profitable for subdivision and within range of agricultural, industrial, or other concentrations of employment. [FN68] This combination has shaped the location and condition of colonias in at least two ways: Most colonias are found in unincorporated areas within states that have traditionally granted their counties minimal, if any, land-use or building-code enforcement powers; and most colonias lie on patches of desert, flood plains, steep slopes, and/or former industrial sites. [FN69] Colonias lack most, if not all, collective infrastructure, [FN70] and this fact has brought them to public attention primarily for the health risks caused by improvised, failing sewage disposal systems that *1116 have contaminated residents' water supplies. [FN71] The absence of flood-control infrastructure has also exacted a severe toll in many colonias, permitting unabated floodwaters to destroy homes, amplify human exposure to ground contamination, and create accumulations of hazardous standing water. [FN72]

Despite some similarities with colonias, low-income, unincorporated African American enclaves have been seen through a different lens. Such communities are typically understood as incidents of black rural poverty, a pattern of socioeconomic decline in segregated rural and peri-urban enclaves of the South. Black rural poverty now far exceeds the rural poverty rates of any other ethnic group; indeed, in 47 percent of nonmetropolitan counties with poverty rates of 20 percent or more in 2000, the majority of the poor were black, or it was only the high incidence of poverty among black households that brought the county's overall poverty rate above 20 percent. [FN73] This pattern is most prominent in the "cotton counties" that run

through North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, and East Texas, where slavery gave way to the indentured status of the sharecropping system and left behind some of the country's most severe inequities in education, poverty, and unemployment. [FN74] Themes reminiscent of distressed cities--racial segregation, social isolation, a vanishing job base-- now plague towns like Jonestown, Mississippi, which is dying in the Delta cotton fields after school integration in the 1960s spurred the departure of the city's white economic base, leaving behind a population of no more *1117 than 1,500 people that is 95 percent black and overwhelmingly jobless. [FN75] Among the pattern's most important spatial dimensions is the concentration of African Americans in de facto segregated rural hamlets and peri-urban subdivisions that, in many cases, are near former plantations where residents' ancestors lived under slavery. [FN76] Some of these unincorporated fringe developments trace their roots to low-interest housing loans or federally funded public housing that was refused by the municipalities themselves, which have tended to avoid the annexation of these areas as they grew. [FN77] As a result, segregation between fringe and municipality has increased, just as black-white segregation in the South in general has risen. [FN78]

The racial identities attached to the names of these two patterns, one signaled with language and the other with color, have isolated the patterns from one another, drawing scrutiny away from their underlying local government and economic structures and towards the people who occupy these spaces. By their very name, colonias are a racialized category--a label originally rooted in community pride and culture [FN79] that, in certain policy and media contexts, has become a stigmatized expression denoting poverty, dilapidation, and filth. [FN80] The use of the term in policy, government, and grantmaking contexts is suggestive of the pattern's branding as an importation from the Third World, a housing pattern that has leaked across *1118 America's southern border from Mexico. [FN81] Similarly, a narrow focus on black rural poverty isolates the pattern as an idiosyncrasy of one racial group. While there is an important place for a focus on the extent and distinctive historical origins of poverty in rural African American areas, the study of other urban development patterns illuminates the extent to which the problem is not limited to one place, population, or race. In policy and media contexts, characterization of colonias and black rural poverty as racialized phenomena distracts from the decidedly American combination of low wages, inadequate education, scarce affordable housing, racially discriminatory allocation of services and regulation, and land-market exploitation that catalyzed such communities' development. [FN82]

The social construction of the colonias and black rural poverty frameworks has also artificially limited these patterns to specific regions of the country, blinding policy and grantmaking endeavors to the presence of similar communities elsewhere. Federal funding for infrastructure in colonias, for instance, is limited to border counties within border states, [FN83] despite the fact that among advocates, the term colonias has moved northward, increasingly encompassing low-income unincorporated Latino communities with severe infrastructure needs anywhere in the country. [FN84] Similarly, the nomenclature "black rural poverty" and its strong historical affiliation with the South have drawn attention away from scattered communities that are too far north, too racially heterogeneous, or too urban to fit the typical profile. [FN85]

*1119 Many unincorporated urban areas would fall into the academic and policy categories of colonias and black rural poverty as described above. However, the definition of unincorporated urban areas developed in this Article is underinclusive of the patterns of black rural poverty and colonias insofar as colonias and black rural poverty encompass unincorporated areas that are not near an incorporated municipality, including rural settlements surrounded by agricultural land. The unincorporated urban areas definition is also overinclusive, reaching communities that might not fall within the typical understandings of colonias or black rural poverty because of heterogeneous racial demographics, high levels of urbanization, geographic location, and development origins. The sorting function provided by the definition and nomenclature of "unincorporated urban areas" emphasizes dependence on county government, proximity to city lines, neighborhood density, and poverty--four conditions that affect opportunities for and constraints on extending services, resisting adverse land uses, and improving political participation.

Linking colonias and black rural poverty through the broader concept of unincorporated urban areas reveals widespread common ground among all three patterns from the vantage point of local government and land-use law. Such communities tend to originate as highly unregulated subdivisions on unincorporated land, and they lack adequate public investment in the physical state of the neighborhood. They have experienced segregation and racial discrimination, tenacious poverty, a scarcity of housing alternatives, and in many cases, vulnerable or damaged land. The predominance of self-built housing, with improvised materials and construction methods, has resulted in poor and uneven building standards. [FN86] As a conse-

quence of these characteristics, such communities' unusually high rates of homeownership do not create the same prospects for financial stability and upward mobility as homeownership in other contexts. [FN87]

Colonias and black rural poverty are not interchangeable--community advocates have good reasons to remain aware of the patterns' distinct histories and cultural attributes. But key dimensions of their condition, including their dependence on county government, warrant unified attention. By placing colonias and black rural poverty within this larger *1120 understanding, local government law and urban policy may begin to unravel underlying dynamics of causation and perpetuation. Looking through the wider lens of unincorporated urban areas also reveals the interplay of these patterns with municipal underbounding, providing a common rubric for nationwide, cross-racial academic and policy attention. Rather than representing southern, rural, Latino, African American, or border phenomena, we see that municipal underbounding, colonias, and black rural poverty represent a single civil rights issue that is rooted in unmistakably American legal origins.

D. Beyond White Flight: Looking Towards the Low-Income Periphery

Urban planners, geographers, and local government scholars have largely overlooked the pattern of unincorporated urban areas, because it fails to conform to the twentieth century's dominant paradigm in city growth, the white flight model of urban change. Under this familiar pattern--described in landmark works such as *Cities of Tomorrow* by Peter Hall [FN88] and *American Apartheid* by Douglas Massey and Nancy Denton [FN89]--wealthy households and commercial interests moved to outer suburbs, using independent municipal incorporation as a tool of antidistributivist isolation, tax advantage, and political control. [FN90] The loss of high-income households (and thus high-ticket real estate and property taxes), jobs, and sales tax revenue--in combination with racial discrimination in suburban real estate and zoning practices [FN91]--left behind a zone of predominantly black and Latino poverty in city centers. The resulting landscape of primarily white suburbs surrounding a high-poverty, *1121 racialized urban core is most prevalent in the large and historic metropolitan areas of the Midwest and the Northeast, [FN92] where the introduction of the automobile and automated mass transit stimulated radial layers of increasingly disparate development around an urban core.

Several decades of local government and urban policy scholarship have scrutinized the causes and consequences of inner-city poverty, including housing conditions and mobility at the lower rungs of the tenure ladder, polarization in wages and employment access, intensification of racial and economic segregation, and housing displacement stemming from urban redevelopment. Without taking anything away from this powerful work--which establishes the history by which twentieth-century urban policy will be judged--and the need for continued academic investment in these topics, the dominance of this framework has drawn attention away from economic and racial dynamics of newer cities and smaller cities across the country, where many low-income households live beyond city borders in low-income suburbs, drawn by the city's economy but excluded from the privileges of municipal political participation and the advantages of historically rooted public investment. [FN93] Scholarship has thus understudied regional differences, particularly the expanding presence of suburban poverty in the South and the West. [FN94] In these regions, longstanding patterns of minority suburbanization have led to deeply rooted community histories and more even distributions of African Americans and Latinos between cities and suburbs. [FN95]

A public discourse focused on the dichotomy of white suburban idyll in contrast to black and Latino inner-city destitution has generated a perception of exaggerated universality in which the black and Latino poor are thought to live primarily in dilapidated inner cities. [FN96] This perception of the inner city's *1122 degraded social fabric has arguably polarized and aggravated race relations, while rendering invisible innumerable low-income minority communities outside core cities. A popular culture that continues to define suburbs as enclaves of cul-de-sacs, soccer moms, backyard super grills, and public school booster clubs with assumed white majorities excludes millions of low-income households that have sought family-friendly neighborhoods and upward mobility through suburbanization. [FN97]

The emphasis on white flight also means that contemporary urban policy and academic literature fail to account for urban neighborhoods without sewers and sidewalks the way that they account for the hopes and hindrances of inner-city neighborhoods. Poverty is less visible when it is outside the city, beyond the watchful eyes of central news outlets and suburban residents on their commutes to downtown jobs and services. Indeed, many of the land-use stories recounted here--neighborhoods divided by freeways or pinned between sewage plants and industrial facilities--perpetuate ignorance of pover-

ty at the fringe by spatially isolating unincorporated urban communities.

When we turn our attention to the city fringe, we also notice that unincorporated urban areas are closely related to two other urban patterns in which low-income, urbanized communities reside beyond the central city. First is the phenomenon of struggling, incorporated first-ring suburbs and other small towns. Poverty is shifting towards the suburbs in general, and independently incorporated first-ring suburbs (in large and small metropolitan areas alike) are becoming a particular locus of financial distress. The year 2005 marked the first time that American history has recorded more poverty in the suburbs than in the cities. [FN98] Older cities in the South and Midwest (like Cleveland, Dallas, and Detroit) continue their struggle to adapt to the contraction of manufacturing, and their working-class populations, both urban and suburban, are slipping below the poverty line. [FN99] Many older central cities are *1123 fringed by historic black suburbs that independently incorporated during better economic times but today are fighting desperately to restore their tax bases and remain independently viable. [FN100] The rural South similarly has a strong history of small (perhaps unsustainably so) residential communities of African Americans that proudly incorporated during the early decades of the century but today face severe challenges from withered tax bases. [FN101] Development of an alternative understanding of urban change is equally relevant to these communities, which may soon represent another type of urban actor knocking at other cities' doors for inclusionary voting arrangements, regional revenue sharing, or consolidation. Changes to counties' institutional capacity to serve urbanized populations could similarly shift the possibilities for such communities, making the option of municipal dissolution more desirable.

A cities inside out framework also encompasses isolated but relatively dense high-poverty residential clusters that lie beyond the extraterritorial zoning jurisdiction of a municipality or other measure of a city's near term expansion territory. Research from the 2000 census revealed that more than 442 nonmetropolitan counties (out of a total of 2,308) had poverty rates of 20 percent or more. [FN102] In a stunning 64 percent of these counties, the majority of the poor are African American or Hispanic, or it was only the high incidence of poverty among African American or Hispanic households that brought the county's overall poverty rate above 20 percent. [FN103] Such communities range from topographically isolated rural hamlets to sprawling rural trailer parks with no collective services. These communities often exhibit both dramatic needs for municipal services and the overconcentration of undesirable land uses, but they are not candidates for annexation to an incorporated municipality or for the extraterritorial extension of *1124 municipal services. [FN104] Their location beyond the eyes and borders of surrounding cities makes their abandonment a less visible (though no less resonant) call to the state and local conscience.

Distinctions within these related patterns arise from the nature of their needs and the range of possible solutions, such as their eligibility for annexation, the influence of an adjacent city's regulatory power or political influence, and the empowerment and proximity of existing local government. In recognition of these important differences, this Article focuses on only one category-- those living under county government but near city lines. This proximity to city borders may provide a normative and/or legal claim to municipal inclusion, and it offers the potential to extend services from the municipal grid. Yet important common origins exist, with many communities of all three types built as workforce housing borne of low wages, segregation, and the desire for landownership. All have been disadvantaged by falling levels of local agency funding, and many have faced the dumping of hazardous or otherwise undesirable land uses in their communities.

When we look past white flight to discover new patterns of urban change, we encounter understudied patterns such as low-income homeownership, gentrification and displacement in suburban or semi-rural settings, environmental injustice at the urban fringe and agricultural interior, the costs and dangers of homemade infrastructure, neglect and passivity by remote law enforcement, and slumlords operating vast stretches of rural housing. Recent events show the vulnerability in this blindness. Low-income mortgages have collapsed in highly concentrated spatial clusters within older suburbs. [FN105] Catastrophic loss of life and property beset New Orleans' Ninth Ward during Hurricane Katrina, where the greatest poverty meant the greatest exposure to risk. [FN106] And each day brings private stories: children killed for lack of a sidewalk in the urban streets of Stanislaus and water pulsing with dangerous contaminants from taps in Tulare. [FN107]

*1125 II. Origins, Persistence, and Perpetuation

Peeling away the assumption of radial metropolitan regions characterized by inner-city poverty and suburban wealth re-

veals a slumbering history of low-income minority suburbanization, as well as an array of understudied economic and social forces animating that history.

A. The History of Unincorporated Urban Areas

When we look to the periphery, we find vestiges of nineteenth- and twentieth-century urban history: post-emancipation African American settlements across the South, hillsides and hollows in the Midwest that housed African American industrial workers of the Great Migration, and arid residential patches of the Southwest that have absorbed more than fifty years of Latino labor migration. Dating back twenty-five years or more (in some cases, more than a century), unincorporated urban areas form lasting gaps in the path of city growth, both bearing witness to and actively entrenching the history of racial exclusion that led to the neighborhoods' establishment.

Self-built, low-income minority settlement at the unincorporated periphery has been widespread since the nineteenth century. Indeed, "the first Americans to flee to the suburbs for racial reasons were black, not white." [FN108] Spurred by the "living out" movement in the urban South, families of slaves and free blacks moved to the suburban fringe as a means to achieve privacy and independence from white masters while maintaining access to employment such as factory work and domestic labor. [FN109] An unincorporated and unregulated hinterland provided space for development for "anyone with a few dollars for a down payment" for many decades before the era of the automobile, and the exclusion of blacks and Latinos from incorporated municipalities caused their relocation to this unregulated periphery. [FN110] Black residence in blue-collar urban clusters and rim villages at the city fringe was a characteristic prewar development pattern of the South. [FN111] Some of these prewar neighborhoods remain unincorporated urban areas today, including clusters in Moore, Orange, and Alamance Counties, North Carolina.

*1126 The era of the Great Migration is best known for African American movement into central cities as whites began moving into the suburbs, [FN112] but it is widely overlooked that this migration also triggered African American suburbanization in housing clusters near industrial facilities; enclaves for domestic workers in affluent rail and trolley line commuter suburbs; rustic, unplanned suburbs without services; and a few small bungalow suburbs for the prewar black middle class. [FN113] Though such communities were less common in the North and the West, by 1940, one-fifth of African Americans lived in suburbs. [FN114] Chagrin Falls Park, Ohio, for instance, one such community that remains an unincorporated urban area today, was settled in the 1920s by working-class African American Clevelanders seeking a return to their southern rural roots. [FN115] Across the Southwest, a similar low-income urban form was emerging for Latino workers, with residential nodes developing near rail lines, manufacturing facilities, and agricultural districts on the urban periphery. [FN116]

Until World War II, nonwhites were more likely to their own homes than whites, particularly at the suburban fringe. [FN117] Many of these communities were situated on inexpensive land that was vulnerable to nuisance or natural disaster and/or physically isolated from other city development by railroad tracks, topography, rivers, and other barriers. [FN118] Neglect by white officials, often compounded by community need to keep housing costs low, resulted in a lack of rudimentary infrastructure, including paved streets, sewers, utilities, and water. [FN119] These unplanned, unregulated communities retained a rural character--embodied by backyard husbandry and subsistence farming--that reflected the importance of self-sufficiency during times of employment insecurity. [FN120]

Concurrently, in the 1940s and 1950s, expansion in American agriculture and industry fueled the Bracero program, which authorized the entry of migrant workers from Mexico and other countries and led to the *1127 development of housing for temporary workers on unincorporated land. [FN121] The end of the Bracero program in 1964 did little to stop cross-border migration, but it did mark the end of its worker housing programs, leaving decades of recent immigrants and first-generation Mexican Americans unable to afford market-rate rental housing or mainstream home financing. [FN122] To fill this gap, and in the absence of substitute federal housing programs, the colonias housing pattern thrived in the 1960s along the United States-Mexico border, particularly in Texas. [FN123] Steady growth of the pattern continued in the 1970s and rapidly accelerated in the 1980s. [FN124]

The suburban floodgates of the postwar period, now a well-known urban narrative, had the effect of pushing growth out to the existing minority fringe developments, some of which were annexed to urban and suburban municipalities, others of which remained islands of unincorporated land. [FN125] Once subsumed within the larger urban fabric, displacement pressures occurred, though we know little about the dynamics or extent of such transformations. [FN126] While the midcentury proliferation of middle-class suburbs changed the economics and the laws governing development of unincorporated land near city borders, it did not stop the pattern of low-income peripheral development. Segregation effectuated by Federal Housing Administration financing, racially restrictive covenants, exclusionary zoning, and real estate steering and blockbusting continued to push many low-income blacks and Latinos into the unincorporated interstices of metropolitan areas, such as Long Island and Los Angeles, that had fragmented into numerous incorporated suburbs. [FN127] In some cases, these groups first settled in ethnically *1128 diverse unincorporated urban areas, but African Americans and Latinos ended up as the sole occupants as Jewish, Italian, Japanese, Russian, and other groups departed for more affluent, incorporated suburbs with stronger exclusionary zoning powers. [FN128] East Los Angeles and other unincorporated minority suburbs considered incorporation as a means of emulating the advantageous contract city model pioneered in white suburbs, but many of these attempts failed due to insufficient tax bases, leaving hundreds of thousands of residents under county rule, where they remain today. [FN129]

The days of truly unregulated county land are over in most of the country, as counties have increasingly acquired zoning, building regulation, and enforcement authority. [FN130] Yet even today, it remains the case that most county subdivision regulations fall short of requiring the range of services required for safe and sanitary habitation at suburban densities, and counties often lack sufficient personnel to enforce their codes vigorously. Even where compliance with counties' shallow minimum standards occurs at the inception of a subdivision, it may not prove adequate over time as physical conditions deteriorate and overall density in surrounding areas increases. [FN131] *1129 Counties that fail to regulate and to require the provision of services tend not to provide them either, approvals for large-scale development notwithstanding. Development pressures on unincorporated land will undoubtedly continue, compounded as service economies replenish the fiscal health and land values of many cities and exclusionary zoning practices persist. For reasons discussed in the next section, working-class families priced out of city property values continue to be drawn to neighborhoods at the unregulated edge.

B. An Economic Gravity Pattern of Urban Development

As is well understood in the context of international development, jobs attract workers, and workers need housing, whether or not the private market or the government provides and serves such housing. [FN132] Well understood in the context of the American middle class, the aspiration for neighborhoods with "family values, youth values, and the blessings of quiet seclusion and clean air" [FN133] is a powerful social force, propelling many households to seek lower-density residential settings. [FN134] Where the market and the state fail to build affordable housing that satisfies people's preferences, self-help patterns emerge, with low-income workers settling on the least regulated, most affordable land in the metropolitan region. [FN135] The urban fringe can satisfy these economic and cultural trajectories with its relative proximity to employment, rock-bottom land prices, and promise of space, sustenance, and homeownership.

I call this understudied interaction of employment magnetism, housing necessity, and suburban aspiration an "economic gravity pattern" of urban development. It directs our attention to the city periphery, where we find not only a widely-overlooked story of twentieth-century urbanization, but also some of the most important dynamics in contemporary local governance. *1130 Economic gravity describes the magnetic pull of a metropolitan economy, expressed in the tendency of households of all income levels to settle as close as possible to employment sources, commercial offerings, schools, government hubs, and urban amenities, but according to the constraints of exclusionary zoning and household needs and preferences in terms of land values, lot sizes, and proximity to open space. [FN136]

For some low-income households, the pull of economic gravity has meant tolerance for concentrated poverty in highly urbanized pockets in the center city; for others, it has meant settlement in makeshift suburban-style housing in the unincorporated zone at or near the city border. Even in counties where major low-wage employers are located at scattered agricultural and industrial sites away from central municipalities, the urban fringe can offer balance between access to employment and access to urban amenities. Though lacking in many essential services, the fringe is more likely to provide access to single-

family homes and the opportunity for land ownership. [FN137]

Development in unincorporated areas at or near the city fringe is also less expensive for at least two reasons: lower land values due to the absence of existing urban services and increased distance from urban amenities and the absence or weakness of building regulations and enforcement mechanisms. This lack of regulatory oversight or segregation of land uses may permit subsistence agriculture, animal husbandry, and home businesses, which provide supplemental family income, economic stability, and sustenance for low-wage, often seasonal workers. [FN138] Lax regulatory control can also mean, however, that developers are permitted to juxtapose low-income residential subdivisions with undesirable land uses or site such communities on disaster-prone land. Such locations keep land prices low and make annexation by a neighboring municipality less likely.

***1131** In these conditions, we encounter one of the most important tensions at the city's edge: spatial exile and government abdication, embodied by the lack of collective infrastructure or the concentration of undesirable land uses, can enable low-income families to achieve the dream of buying land and building a home. With this freedom and this risk, residents of the fringe have labored to create their own suburban refuges, forged strong bonds of family and community loyalty, and developed a pride of place that would chasten any outsider's empathetic indignation. Yet it would belie their history not to notice the numerous crossroads at which the absence of government has also weakened unincorporated urban areas' ability to resist false promises and exploitation in private land markets, the concentration of undesirable land uses, redevelopment in the economic interests of outsiders, and, in many cases, outright displacement and land loss. Several decades of federal housing policy subsidized suburbanization through transportation, water, and sewage treatment infrastructure financing that passed by unincorporated urban areas.

An economic gravity pattern of urban change not only reclaims the struggle and self-sufficiency of low-income families who have fought to secure the suburban dream of open space and homeownership, it shifts our vantage point in the local autonomy and regional equity debate. Unincorporated urban areas represent a low-income outsider community serving as an insider labor pool for a municipal or regional economic market and, as such, they lead us to ask whether it is just to exclude them from municipal services and governance. Unified economic networks, even in smaller cities, invite expansion of the notion of the community entitled to self-government and regional service equality. [FN139] In the local autonomy debate, these areas illuminate the way that we have unwittingly privileged existing municipalities' claims of self-government over the inclusionary claims of outsiders, thus preferring some groups' claims to local autonomy over others' claims for any local entity at all. From a local autonomy perspective, for instance, one would question whether annexation of unincorporated urban areas would dilute the small-scale participatory democracy enjoyed by existing residents in a city, but in so doing, ignore the participatory effects of ***1132** that exclusion on the existing minority population in the city and its unincorporated urban areas, who enjoy no right to municipal participation at all.

The concept of economic gravity also helps us to better understand sprawl, with its well-documented effects of traffic congestion, destruction of open space, air pollution, and racial and economic homogeneity. [FN140] Unincorporated urban areas teach us about the early processes of sprawl, such as the leapfrog development of affordable housing to the urban fringe and the largely unregulated sale of unincorporated land. They also reveal one of sprawl's understudied consequences: the construction of poor communities without the prior establishment of services necessary for health, safety, and property appreciation. The problem of unincorporated urban areas thus uncovers several tensions in environmental and infrastructure policy related to, on the one hand, the importance of development limits in cities' green belts or spheres of influence and, on the other hand, the environmental hazards of improvising or going without municipal services at the rural-urban periphery.

Perhaps most importantly, looking towards the periphery also brings our attention to the problem of land loss. [FN141] Homeownership tenure in areas at risk for condemnation, legal exploitation, and redevelopment heightens households' vulnerability to devastating financial loss. High levels of physical deterioration and sanitation problems verging on legal uninhabitability, as well as myriad building code violations that could warrant condemnation orders augment this risk. Like the slum clearance programs of old, modern redevelopment programs pose the risk of displacement before improvement. Even where communities are not at risk for absolute displacement, real property devalued by a history of municipal exclusion or other form of racial discrimination is a form of property loss in the sense that it artificially depresses land values. The effect can tip

a neighborhood towards further *1133 deterioration or complete displacement by condemnation, exploitative land speculation, and/or gentrification.

Finally, at a structural level, the economic gravity model of urban development challenges the contemporary assumption that outlying areas resist annexation due to tax effects. Rooted in the postwar flight to the suburbs, the narrative of resistance to annexation assumes its protagonist suburbs to be higher-income, and it emphasizes these suburbs' economic and political advantages as smaller units. Local government literature, which widely emphasizes, if not takes for granted, this aggressor-city model of annexation, commonly features contests for power and economic advantage between cities and incorporated suburbs, in which annexations are described as a means of consolidating center-city power at the expense of independent suburban municipalities' autonomy interests, tax rates, and the service quality. [FN142] This story is not untrue, but it is incomplete. Annexation is not necessarily a panacea or a burden, but as Part III explains, the political limitations of county government summon our attention to the potential advantages--in terms of democratic accountability as well as administrative efficiency--of bringing unincorporated urban areas under municipal authority.

Understanding annexation in this broader context--in which poor communities seek inclusion within stronger and larger tax bases--will be crucial for twenty-first century urban policy and local government law. [FN143] Unincorporated urban areas, just one example of this dynamic, are unlikely prospects for independent incorporation precisely because of their lower land and property values (and thus the lower property tax potential there) and the absence of a commercial property or sales tax base. Instead, as incorporated municipalities grow out to meet them or grow past them, annexation is the only alternative to unincorporated urban areas remaining as isolated urban pockets of county jurisdiction. The question then becomes whether the city wishes to take or to exclude their land.

III. Urban Life Without Urban Government

The challenges in unincorporated urban areas are not unique. Nodes of urban poverty located within municipalities struggle against the ills of political *1134 neglect and material decline. Yet unincorporated urban areas' dependence on counties as their most proximate tier of general purpose local government distinguishes these communities from high-poverty neighborhoods within city lines. This Part investigates the difference this status might make, taking a first step towards understanding counties' unique political economies and their capacity and performance at serving urban populations. To undertake this inquiry, I provide a framework for evaluating local government-- a way of analyzing whether people have the right kind of local government to suit local needs and preferences--and then apply this model to unincorporated urban areas. I use the analysis of institutional incentives and capacity, paired with case studies, to explore the differences between county and city governments' stewardship of urban areas.

I focus here on the governmental status of unincorporated urban areas, because local governments continue to wield tremendous power to advance or to thwart the consequences of residential segregation underlying unincorporated urban areas' development. Unincorporated urban areas manifest the legacy of segregation expressed not only in terms of racial separation, but in terms of hierarchies of land quality and location. The land beneath many of these communities remains today, as it was at the time of settlement, inherently defective or burdened due to one or more of three adversities: contamination or the risk of natural hazards; decades of reduced public investments in infrastructure, services, and brownfield abatement; and the overconcentration of undesirable land uses that reduce neighboring property values and threaten community health. [FN144] Local governments are key actors in preserving or correcting these disadvantages. They act as gatekeepers of newcomers to local jurisdictions, including industrial uses; they hold regulatory powers that shape the material conditions of neighborhood life; they advocate to bring private and intergovernmental resources into their locales; and they serve as forums for participatory democracy. While other factors (most importantly, labor markets and wage structures) also weigh on the conditions in unincorporated urban areas, local governments independently affect the real property assets of communities defined by the legacy of residential segregation.

A. A Model for Evaluating Local Government Adequacy

The endeavor of evaluating local governments requires a normative perspective--a point of orientation for determining what makes a local *1135 government suitable and adequate. I have captured this normative perspective in three dimensions. Residents need a meaningful option to stay in their homes, or if they wish, to move; safe, sanitary material conditions that support quality of life, protect public and environmental health, and enable property appreciation; and the power to organize to improve local conditions. These values amount to a conceptualization of local government adequacy as: (1) choice and mobility in the housing market; (2) habitability in terms of collective services, as well as air, soil, and water quality; and (3) political access and representation. This conceptualization represents a synthesis of theoretical insights from fair housing law (seeking formal racial equality among homeseekers as well as nondiscriminatory allocation of public resources), voting rights law (enabling minority communities to draw political will towards their neighborhoods), public choice theory (emphasizing the interaction of housing mobility and local government political accountability), and political and institutional economic theory (exploring the institutional incentives of local governments and the pathways of reform available to persons seeking to change local government behavior).

Housing choice and mobility, the first of these factors, lies at the heart of economic analysis of local government behavior and fair housing law. Its first dimension is the ability to exit--residents' freedom to move in search of more desirable combinations of taxes, services, and environments. Exit is a linchpin of public choice theory in the local government context, which posits that mobility justifies a broad sphere for local autonomy; the threat that people will "vote with their feet" by moving in search of suitable locales serves as an inherent check on local government behavior. [FN145] Exit values are also a premise of fair housing laws, which seek to permit racial minorities to exit segregated, high-poverty areas characterized by physical decline and political failure.

Housing alternatives (in other words, the option to enter alternate jurisdictions) are a necessary condition of exit. By leaving its existing home, a family must be able to acquire an equally or more satisfactory--yet affordable--housing product. For homeowners, both exit and entry require that residents' current homes hold their value (thereby avoiding a loss penalty at the time of sale) and appreciate at rates approximately commensurate with the regional housing market (thereby permitting owners *1136 to acquire a better housing product without falling on the tenure ladder from homeowner to renter). For renters, housing alternatives require the maintenance of affordable housing within a wide range of jurisdictions, permitting households to exert preferences beyond mere affordability itself, such as school quality, access to open space, safety, and proximity to employment. Entrance has thus become a central theme in local government law, with a rich exploration of zoning and boundary setting devices, including incorporation and annexation, that establish homogeneous jurisdictions that exclude nonconforming outsiders. [FN146] Applying an integrationist perspective primarily in the context of white flight, this scholarship has identified the barriers erected by middle-and upper-class white suburbs seeking to exclude low-income, particularly low-income minority, residents.

A housing market that facilitates mobility and housing choice does not mean that local government spurs the departure of costly residents. Instead, a local government's stewardship of its residents' housing choices requires the option to stay in one's existing home and neighborhood. This option, in turn, enables residents to discipline their local government's decisions and to justify the breadth of local government autonomy. Such an inquiry preserves a concern about local government capacity to entrench or to ease the neighborhood hierarchies grafted by segregation, but it shifts our focus on that question. For people who have fought tenaciously to hold on to their land and might choose to continue holding it, are their current local governments supporting or undermining fair housing and voting rights? With respect to existing residents of a jurisdiction, not putative entrants to it, are local governments perpetuating the community disadvantages organized under segregation? By prioritizing households' right to preserve and build the equity already present in neighborhoods of color, this Article joins the call to look beyond the paradigm of moving minorities out of their home jurisdictions and into white neighborhoods--the crossing-the-color-line narrative of the fair housing movement. [FN147]

The second prong of local government adequacy is habitability, a factor with aspects of both affirmative and negative rights. On the one hand, habitability means provision of services commensurate with local densities *1137 and local needs--specifically, services that ensure personal safety (including law enforcement, emergency services, and road infrastructure) and sanitation (including water and sewers). Habitability also means freedom from a disproportionate concentration of undesirable land uses, including the local air pollution, noise, and ground contamination these uses can cause if not properly regu-

lated and monitored. Local governments' police powers to protect health, safety, and welfare provide the authority, and arguably the mandate, for stewardship on both of these fronts.

Habitability is deeply related to mobility, because neighborhood safety, sanitation, and comfort make one's existing property competitive on open housing markets. By giving homeowners the choice to sell, habitability also makes the choice not to sell a meaningful one. Yet habitability and housing choice are also in tension, because more rigorous building and land-use standards can lead to condemnation, redevelopment, increased property tax burdens (in states without property tax caps), and rent increases that can trigger housing displacement. [FN148] Indeed, habitability initiatives have a troubled past, particularly in the evictions and condemnations of millions of low-income minority households as part of urban renewal and slum clearance programs conducted in the name of improving area physical conditions and housing standards. [FN149] In addition, low habitability standards can enable housing choice by reducing the costs of purchasing land and building homes--that is, by facilitating entry. The tension between these two factors invites debate over the optimum levels of building and land-use regulation to *1138 ensure health and safety and property appreciation, on the one hand, and the ability to acquire and to retain land and housing, on the other. [FN150]

Finally, adequate local government must be measured in terms of the goal of political voice--the ability for citizens to engage in public decisionmaking processes that can meaningfully affect opportunity and material conditions in their neighborhoods. To affect such conditions, two dimensions of political voice are most salient. The first is the power to protest--the ability to resist undesirable land uses and other neighborhood harms. The second is advocacy--the ability to draw local resources, as well as private and intergovernmental investment, towards one's neighborhood. These twin tenets carry the pitfalls attendant to local democracy (such as NIMBYism and rentseeking), but in a fragmented, competitive jurisdictional marketplace where such pitfalls are endemic, a neighborhood with weak power to protest or advocate is vulnerable to regional inequity and neglect. [FN151]

Political voice is the underpinning of voting rights reforms, including redistricting, that seek not only to provide formal access to polls, but also to empower minority communities through robust and proximate political influence. Political theorists and local government scholars have long posited that the issue of scale is central to this endeavor, as participation in accessible, small-scale public decisionmaking is credited with enhancing individual engagement and empowerment through the exercise of control *1139 over one's own life and surroundings. [FN152] In this sense, political voice and local democracy justify local government autonomy--"the ability of people within distinct small areas to decide for themselves by democratic means the matters that fall within the competence of local authority." [FN153] By asking whether there is enough voice rather than enough government, this factor ensures that adequacy turns on democratic accountability and participation rather than the depth of municipal bureaucracy, as might an estimation of habitability alone. [FN154]

B. Adequacy Applied: Single-Tier Local Government

In unincorporated urban areas, urban life encounters rural public services and discordant land uses. Fast and frequent drivers roar along dirt roads with no sidewalks or drainage. Streets lack public lighting, enabling crime with impunity and the dumping of waste in alleys and empty lots. Front lawns crowd with motley configurations of propane tanks, water cisterns, and generators, while underground, tightly packed septic systems fail. Residential suburbs nestle against incinerators and international airport runways. Political participation requires travel to county seats that may be many miles, if not hours, away. Through the lens of the adequacy framework discussed above, this Part analyzes the compatibility of urban life with reliance on counties as the most proximate tier of general purpose local government.

*1140 1. A Few Words About County Government [FN155]

Like municipalities, counties are a form of general purpose local government. Yet in the literature of local government law, which emphasizes vertical contests for power between states and municipalities, and horizontal contests for land, wealth, and power between cities and incorporated suburbs, counties are rarely mentioned, and seldom, if ever, disaggregated from municipal governments in terms of their capacity to provide for urbanized populations. [FN156] This is a significant omis-

sion, given that counties are the most proximate tier of government for millions of Americans, and, in rural and urban counties alike, county land-use approvals are major catalysts of urban sprawl.

The existing literature emphasizes two aspects of county government. First, nearly every state is divided into counties that serve as passive administrative subdivisions of state government. [FN157] In this role, they carry out state functions like running elections; assessing, collecting, and distributing property taxes to local governments; operating highway and road networks; recording legal documents like deeds and marriages; and operating jails and courthouses. [FN158] County borders also demarcate the bureaucratic zones for delivering federal government services (including tax, law enforcement, and social security functions) and state services (such as public assistance, hospitals, and vocational rehabilitation programs). [FN159] In both capacities, county borders are endowed with a historically rooted permanence, and *1141 we tend to view county territories, quite justifiably, as fixed and immovable--a stark contrast to municipalities, where acts of incorporation, annexation, deannexation, and consolidation enable territorial self-determination.

In the aftermath of the suburban explosion, a second identity has emerged on the ground and in the literature: counties as providers or brokers of urban services. [FN160] Today, so-called urban counties, which govern large and highly urbanized metropolitan regions, serve as substantial regional providers of law enforcement, water, sewage, emergency, and other municipal services. In addition to providing such services to their unincorporated communities, these counties also commonly provide them by contract to incorporated suburbs, thus creating the economy of scale necessary for large-scale urban infrastructure. [FN161] The emergence of this role reflects counties' increasing participation in facilitating suburban growth and providing urban services, a trend caused by the financial squeeze in many cities, county revenue interests in residential development, and the lack of any alternative government unit capable of providing these services to dense unincorporated areas. [FN162]

These roles are key components of county governments. Yet we know little about counties' additional roles. The first missing link is counties' function as representative democracies for both unincorporated and incorporated constituencies. This is the legacy of the U.S. Supreme Court's decision in *Avery v. Midland County*, [FN163] which applied the one-person, one-vote *1142 rule to county government. This rule gives municipal residents the same vote as unincorporated residents in county elections, which, as a practical matter, dilutes the political power of unincorporated neighborhoods when compared to populous municipalities.

In addition to this democratic function, counties have independent legal authority to exercise police powers over their unincorporated populations, positioning them to act like municipalities for their unincorporated populations. [FN164] Yet can we assume that they do, in fact, function like municipalities? It stands to wonder whether counties' obligations and interests stemming from their other three roles--as state administrative subdivisions, as service providers seeking to recruit and satisfy suburban municipalities, and as representatives accountable to incorporated and unincorporated populations--affect the political economy of county governance. At the very least, counties are likely to behave differently than municipalities when it comes to providing the most proximate tier of general purpose local government for unincorporated areas.

Any debate about the differences between counties and municipalities therefore starts from the observation that county politicians usually serve three distinct types of constituencies: municipal voters and their elected leaders in major cities, municipal voters and their elected leaders in suburbs that purchase services from the county, and voters in unincorporated areas. Counties are thus simultaneously local and regional governments. [FN165]

The final starting point for understanding county governments is that their urbanized populations tend to be residual. In small and large metropolitan areas alike, counties serve as the general purpose local government for any areas left over after other county land has been folded into one or more municipalities. This results from a cherry-picking process, *1143 by which municipalities annex commercial or residential land with a promising tax base (often exchanging the extension of discounted urban services for the landowner or developer's consent to annexation). Defensive incorporations also account for the residual nature of county land. With a caveat explored below that some unincorporated areas are higher income, it remains very common that unincorporated communities capable of sustaining municipal independence incorporate to resist a financially disadvantageous annexation to an existing municipality or to reject their county's taxes, regulations, or degree of demo-

cratic responsiveness. [FN166] As discussed in Part I.B, it is routine for the line drawing attendant to these restructurings to exclude properties offering lower tax revenues or residents considered undesirable through the lens of racial prejudice. [FN167]

What does it mean for the remaining unincorporated land within an urban region to rely on county government as its only tier of general purpose local government? Is there any inherent disadvantage to having one tier of local government rather than two? At first glance, the answer to this question appears to be no. Many affluent subdivisions, not to mention some of the nation's most regal estates, can be found on unincorporated land near urban or suburban municipalities. [FN168] For wealthier communities, unincorporated status may be desirable in terms of both property taxes and services. [FN169] Property taxes within unincorporated areas tend to be lower than *1144 in municipalities that fund diverse services for economically heterogeneous constituencies. County governments impose fewer regulations (including service standards for subdivisions) on development, which gives developers or landowners more choice about the range and intensity of services for their properties. At the time of initial development, landowners may not be required to install collective water and sewage systems, dedicate or fund land for park use, provide streetlights and sidewalks, or comply with other minimum standards typical of municipal codes. After development, higher-income households can improve services in their neighborhoods by purchasing them a la carte from the county or nearby municipality (through special assessment districts, for instance [FN170]) rather than paying for them through increased property taxes--an approach that offers both control and the perception of efficiency, because assessment districts provide direct returns in a payee's own neighborhood. Landowners can also choose to rely on private substitutes for services typically provided by local government. For spacious lots on unsullied land, septic systems and wells can be cost-effective, and conditions like irregular roads without sidewalks can add to the ambiance of rural living or country estates. Able to purchase the services they want and decline those they do not, these residents control their community's physical condition and environmental safety. Such areas have been the object of many of the nation's most vicious annexation battles, as cities seek to use annexation to expand their tax base against the resistance of residents and county governments. [FN171]

In a low-income community, however, beset by the messiness of higher-density living on tighter household budgets, do the same advantages of one-tier local government attach? Seen through the lens of a local government *1145 adequacy framework, there are sound reasons to hypothesize that for both categories of unincorporated urban areas identified here--those lacking basic public services and those burdened by damaged land or undesirable land uses--county government may present special limitations.

2. Mobility: The Right to Move, the Right to Stay

For low-income residents of unincorporated urban areas, most of whom are low-income homeowners, mobility is hampered by two factors: the opportunity costs of selling a property before land has been regularized with services, brownfield abatement, or other investment that makes it comfortably habitable (functioning like a penalty for premature sale); and the absence of affordable housing alternatives, particularly affordable homeownership options that permit property owners to relocate without falling on the housing tenure ladder. The public choice hypothesis of free movement--that unincorporated urban area residents can simply move to improve their housing conditions and to discipline their local government--is thus strained by both prerequisites of housing mobility.

Residents of most unincorporated urban areas occupy land that would be worth considerably more if it were "regularized" or "consolidated" (that is, fitted with basic infrastructure, including flood control) and rid of past contaminants and other hazards. Indeed, a majority of the unincorporated urban areas studied for the present Article are nestled near lands of considerably higher value. For instance, the Jackson Hamlet neighborhood in Moore County is just down the lane from a lakeside resort, and Bret Harte in Stanislaus County shares its streets with middle class subdivisions. In these areas, which are characterized by inferior land quality, service provision, and public investment that dates back to de jure and de facto racial segregation, moving before conditions have improved incurs a major penalty. To sell means giving up the appreciation of one's land that would accrue if basic governmental promises came through--clear water flowing from taps, roads paved and lit, wastewater unseen, solid waste cleared, and perhaps, annexation and municipal voting rights. Such a move means foregoing an economic reward for tolerance of dire conditions, even though those conditions have a long racial history and have

meant decades of lower costs for local agencies and their taxpayers. The opportunity costs of exit are difficult to estimate, but research on the unincorporated urban areas surrounding *1146 Mebane, North Carolina found that exclusion from city lines, with its associated service deprivations, caused a 20 percent devaluation of local homes. [FN172]

The penalties incurred for exit are arguably even higher--and the need for mobility expressed as the right to stay even stronger--in unincorporated urban areas, where land often preserves powerful noneconomic values of cultural affinity, connection to forbearers, the sense of accomplishment in building and owning one's own home, and personal pride in one's heritage as an elder community pioneer. [FN173] In a neighborhood like Jackson Hamlet, mentioned above, such values are a powerful source of connection and shared identity among residents, many of whom trace their family roots to the small cluster of African American families that settled and developed the area in the early twentieth century. [FN174] Other community members moved to the enclave more than forty years ago to obtain jobs in the adjacent city, and many built their own homes. [FN175] Intergenerational patterns of possession like those in Jackson Hamlet are also typical of colonias communities, where many original settlers tenaciously work to keep their land within family hands. [FN176] In such cases, moving represents an economic decision and more, and the potential for utilitarian gain may never outweigh a household's emotional connection to and financial dependence on its land. Local government stewardship of mobility in those cases, then, means reinforcing habitability and political voice to allow residents a meaningful choice whether to stay or to sell.

Mobility also requires that families leaving a jurisdiction must be able to afford something better. [FN177] Dramatic shortages of affordable housing across the country constrain low-income mobility, particularly for households seeking to maintain their status as homeowners. [FN178] Relocation, which is onerous enough in a major metropolitan area, is even more infeasible or *1147 undesirable in a small urban area with few jurisdictional alternatives. Minimum lot or building sizes, amenity requirements, minimum dwelling costs, and other land-use regulations function to exclude lower-income buyers from many areas with the features that make unincorporated urban areas desirable, such as open space, family-friendly communities, and proximity to city jobs. [FN179] Municipalities also block or hamper the development of low-income housing by establishing single-family residential zoning, prohibiting multifamily housing developments, prohibiting dwelling types (such as mobile homes), and setting bedroom or bathroom minimums. [FN180] By alienating land that has not appreciated at a rate comparable to that of the local housing market and facing a constrained market for replacement housing, residents of unincorporated urban areas risk falling on the tenure ladder, taking the downward step from homeowner to renter that has fueled the century's pattern of black land loss and reinforced racial inequality in property ownership constructed by segregation. [FN181] The possibility of a cost-free exit may represent a hollow obedience to logic over reality, however appealing it might be as a matter of economic assumptions.

Constraints on mobility in unincorporated urban areas are not relieved by displacement. Counties, working with municipalities adjacent to these communities, are often tempted to address the problems in unincorporated urban areas by using zoning and eminent domain powers to the benefit of alternative landowners (whether public, commercial, industrial, or higher-end residential) with an economic interest in land at the city fringe. Rather than buttressing the economic stability of current communities by infusing their *1148 neighborhoods with capital investments that support habitability, counties may target these areas for urban renewal, redevelopment programs, service deprivations, and condemnations that force or encourage displacement before existing landowners have seen the regularized value of their land. Rather than buttressing the economic stability of current communities by infusing their neighborhoods with capital investments that support habitability, counties may target these areas for urban renewal, redevelopment programs, service deprivations, and condemnations that force or encourage displacement before existing landowners have seen the regularized value of their land. [FN182]

Such was the story of Meacham Park, a former unincorporated urban area near St. Louis, Missouri. After a fierce battle over school desegregation, drastic service reductions following the low-income neighborhood's transition from a white to a black community, and refusals to annex the area, Meacham Park's adjacent municipality (an exclusive suburban municipality called Kirkwood) abruptly annexed the area, rezoned the land for commercial use, and deployed eminent domain powers to displace the African American community. A Wal-Mart moved in immediately. [FN183] Cast in the narrative of deviant property ownership subtly ascribed to low-income homeowners and other residents of minority communities--a socially constructed story of material stagnation, dependency, and lax maintenance [FN184]--exit and displacement were framed as solutions to the problems in an unincorporated urban area, when in fact, they represented the final culmination of the same histor-

ic patterns of discrimination and racial disadvantage imposed through segregation. Such displacement is antithetical to an assessment of mobility grounded in principles of fair housing and voting rights.

In sum, lower service standards and weak building regulations (a lower entry price) can make counties a provider of much-needed affordable *1149 housing. Yet the same lack of regulation enables collective material conditions that burden property appreciation (a higher exit price). At first glance, this diagnosis might make counties appear both better and worse than municipal governments. But in an adequacy framework tethered to desegregating the privileges attached to land, the provision of substandard housing is not a meaningful offer of urban mobility. As long as land appreciation rates remain dramatically uneven in accordance with the lines drawn by racial segregation, the lack of public investment will burden the substantive mobility of homeowners who have battled for decades to hold on to their land and to improve their communities.

3. Habitability: Safety, Services, and Clean Neighbors

The two prongs of habitability--its affirmative aspects concerning services and infrastructure and its negative aspects in protection from an overconcentration of damaging neighbors--roughly correlate to the two types of unincorporated urban areas identified in this Article. Counties may fail an adequacy analysis on both fronts (as is the case for unincorporated urban areas outside Modesto), but for the purposes of discussion, these factors are treated separately in light of the specific category of unincorporated urban area most affected.

In the first category, a neighborhood seeking improved public services inevitably requires a surge of initial investment. In the case of unincorporated urban areas needing water and sewer systems, for instance, residents may well be willing and able to pay tie-in or user fees to a provider, [FN185] but it is exceedingly rare that any community, rich or poor, can reach majority agreement to pay hundreds of thousands, often millions, of dollars to retrofit an existing community with an underground water or sewer system. Such retrofits--which involve, at a minimum, tearing up local streets and removing existing septic systems--are considerably more expensive than the cost of laying such lines on naked land. For that reason, it was through federal and state block grants that the country regularized (for example, installed underground urban services) the massive middle-class suburbs of the postwar period, many of which had been built on unregulated, unincorporated land *1150 and equipped with rudimentary infrastructure like septic systems. [FN186] As a historic matter and still true today, federal, state, and municipal governments have heavily subsidized the infrastructure of middle-class and affluent suburbs through direct funding (such as intergovernmental grants for new sewage processing and collection facilities) and indirect support (such as mortgage assistance to homeowners that enabled them to afford home prices that reflected the costs of developer-installed infrastructure). [FN187] Wealthier communities on larger lots may never face this dilemma, because sophisticated wells and larger lots with viable septic tanks can permit the unserved status quo. Housing density, lot sizes, soil types, and contamination hazards in the lower-income communities identified in the present study, by contrast, make the decision to do nothing a veritable health hazard. [FN188]

An unincorporated urban area seeking a new water or waste system faces a formidable challenge in convincing a county to commit to funding such infrastructure from its own coffers. Without exception, the areas lacking infrastructure identified in this Article (i.e., the first type of unincorporated area identified in Part I.A) lie in primarily rural counties beholden to the demands of nonresidential interests, such as agriculture or industry. As discussed in the next section, urbanized residential clusters within such *1151 counties are likely to be ignored in county budgeting processes that favor minimizing costs and keeping county government small.

Personal safety, also a component of habitability, can be similarly undermined by the discordance between the needs of unincorporated urban areas and other county interests. In Kern, Fresno, and Stanislaus Counties in California, for instance, the county sheriffs' departments cover large swathes of agricultural land punctuated by isolated homes or small, high-value subdivisions, agricultural facilities, and industrial facilities like canneries and warehouses. Yet these sheriffs' departments also cover the unincorporated islands and urban fringes of these counties' burgeoning cities, where crime has become more urban in nature, with a growing presence of gangs and violence. Some residents believe that increasing concentrations of crime in their communities are related to the distance and neglect of county law enforcement and the foregone efficiencies of having these areas patrolled by city police, whose jurisdictional lines stop within yards of unincorporated urban areas that

they must routinely traverse to travel between points on city land.

The second category of unincorporated urban areas--those with damaged land or land desired for industrial facilities or unsightly public uses--also experiences an inattentiveness to its needs and land values that seems peculiar to county rule. When undesirable (but perhaps lucrative) land-use proposals seek approval, county governments have weak political incentives and weak regulatory control to resist on behalf of the project's putative neighbors. Such scenarios arise in every urban area, ranging from a state agency, special district, or municipality's effort to site a public project (like a sewage plant, freeway, prison, or landfill) in relative proximity to the adjacent city, to an industrial or agribusiness entity's interest in siting a private facility near a labor base and commercial network. Counties' dependence on property taxes and sales taxes create powerful fiscal incentives to permit such development regardless of its burdens on neighbors. The same fiscal incentives also drive counties to accommodate land uses--such as public works, utilities, and freeways--that enable new tax-rich development elsewhere in the county. The weak voices of small low-income communities face a severe challenge to be heard among a county's larger economic interests.

An example of county acquiescence to regional planning needs and economic goals at the expense of unincorporated urban areas, East Los Angeles has been beset by land uses that have impaired the community's historical quest for independent incorporation. The City and County of Los Angeles and California state transportation agencies built no fewer than four freeway routes through the highly urbanized, unincorporated East Los *1152 Angeles area during the 1960s, demolishing thousands of homes and fracturing dozens of diverse neighborhoods. [FN189] The freeways, in the words of a local assemblyman at the time, "encircled, cut up, and gutted" the communities of East Los Angeles. [FN190] They ravaged economic activity in the area through the displacement of local businesses and rendered the communities walled-off zones through which outsiders traveled without any contact, familiarity, or comfort. [FN191] Without leverage against their overburdened, administratively complex, and distant county government, vociferous community opposition to the freeways failed to overcome the coalition interested in their construction: City of Los Angeles business interests sought suburban consumers and employees; the Los Angeles City Council sought to protect downtown economic activity; the County of Los Angeles stood to gain from the sprawl of new subdivisions promising additional county property taxes or contract municipalities to purchase county services; and the State Division of Highways envisioned the freeways as essential linkages in a polycentric, tri-county economic growth engine. [FN192] Largely as a result of these freeways and other major streets, 26 percent of the land in East Los Angeles (compared with 17-22 percent in adjacent areas) is unparceled and not subject to taxation. [FN193] These figures mean that today, despite East Los Angeles's large population and historic yearning for municipal autonomy, independent municipal incorporation may not prove fiscally desirable.

The risk that unincorporated urban areas will bear a disproportionate share of regional land-use burdens is compounded by the fact that many states have conferred extraterritorial powers on cities, an exception to the general rule that borders define the limits of local government authority. [FN194] *1153 Extraterritorial power can include the exercise of police powers (such as zoning) and/or proprietary authority to own and to construct public works and other city-owned facilities beyond city borders. [FN195] State laws establish the territory in which these activities can take place, usually an "extraterritorial zoning jurisdiction" defined as all unincorporated land within a fixed distance from city lines. [FN196] Cross-border authority may also include the power to exercise eminent domain outside city lines for the purpose of siting public uses such as utilities, waterworks, electric and gas plants, power lines, waste processing facilities, and public parks. [FN197] From the perspective of growth control, extraterritorial authority wisely empowers cities to control their areas of future expansion and ensures that they will not be burdened with the effects of county planning decisions. From the perspective of political community, however, it also allows cities to regulate those whom they need not serve or enfranchise. [FN198] Whatever the political disadvantages of these state systems, their legal permissibility is clear. [FN199]

*1154 For the unincorporated urban areas in Moore County, North Carolina, extraterritorial zoning authority has meant that incorporated cities can lay their municipal sewage lines under streets traversing predominantly black unincorporated urban areas in order to reach newly annexed, predominantly white subdivisions, while barring residents along the way from tying their homes into the system. [FN200] The unincorporated fringe communities of Alamance County, North Carolina similarly lament their disenfranchisement in the face of extraterritorial authority. In all but one section, a proposed interstate bypass is slated to traverse the city of Mebane's extraterritorial zoning jurisdiction while remaining a comfortable distance

away from city borders, thus achieving city advantage without displacing city constituents or devaluing city land. [FN201] Having survived for more than a century--a history captured in local buildings founded as early as 1864--the unincorporated urban areas are now fighting for their homes, land values, and quality of life. Residents of these communities, who have no voting rights within the decisionmaking city, must bring their opposition to the county, which itself has economic interests in spurring the development of revenue-generating subdivisions on county land. For the city, the new highways offer a dual win: they will stimulate the development of middle-class subdivisions attractive for future annexation to the city, while also eliminating a cross-section of the households that might allege that those annexations are racially regressive under the Voting Rights Act of 1965. [FN202]

Even if single-tier government represents specific habitability challenges, the question remains: Is it any worse than similar perils attendant to two tiers of general purpose local government? Residence in an incorporated area cannot avert significant service deprivations in poor communities when it comes to law enforcement, fire, education, and the like. Yet the *1155 present study found that the nature of these challenges is affected by the presence or absence of municipal governments. Municipalities, as discussed, generally have much stronger code standards than counties when it comes to infrastructure and services. In addition, antidiscrimination law has greater potential to prevent the racially discriminatory distribution of such services where they are provided to residents as a feature of municipal citizenship. It is all but impossible to prevail on such claims against a county that does not provide those services cost-free to any residents, minority or not.

The environmental justice problem of overconcentrating undesirable land uses in disenfranchised communities is similarly not limited to counties. Municipalities, like counties, have incentives to load undesirable land uses on low-influence, low-income communities. Yet exposure to overconcentrations of undesirable uses is arguably higher in counties for at least three of the reasons discussed above: cities' extraterritorial authority and their tremendous incentive to externalize undesirable facilities or public works projects that benefit municipal populations; counties' looser land-use regulations, which can permit the juxtaposition of incompatible industrial and residential uses unlikely within municipal lines; and the challenges in asserting an effective political voice in county democracy, discussed below, which may impede the efficacy of neighborhood protest against specific projects.

4. Political Voice: County Democracy

In *Holt Civic Club v. City of Tuscaloosa*, [FN203] which upheld a state law excluding unincorporated residents within a city's extraterritorial zoning jurisdiction from the municipal franchise despite their accountability to city regulation, the Supreme Court found that residents could (and should) seek political, as opposed to constitutional, correction for their woes. Chief Justice Rehnquist, writing for the Court majority, reasoned that the right to vote in state elections gave unincorporated area residents the opportunity to take their grievance to the legislature and advocate to alter their relationship to the city. [FN204] Justice Stevens's concurring opinion noted that unincorporated area residents' right to vote in county, state, and federal elections gave them influence over the "officials who exercise primary control over their day-to-day lives." [FN205] Both opinions thus presumed the option for political voice. Is *1156 this option as meaningful for unincorporated urban areas as it is for residents of their neighboring municipalities?

Residents of unincorporated urban areas may, of course, vote in county elections or in any election held by special districts to which they belong. However, both of these types of franchise are shared with residents of incorporated municipalities within the same county or special district. [FN206] One or more of three barriers may impede the exercise of a robust vote at the tier of county government: a mismatch between the needs and norms of urban living and the norms of rural living and services; the dilution of the neighborhood's vote within a geographically dispersed and numerically oversized county government whose elected officials cater to both incorporated and unincorporated constituents; and city-county agreements that it would be to the economic advantage of both governments to phase out residential use of the unincorporated urban area. One or more of at least two barriers may impede the exercise of a robust vote at the tier of county government: a mismatch between the needs and norms of urban living and the norms of rural living and services and the dilution of the neighborhood's vote within a geographically dispersed and numerically oversized county government whose elected officials cater to both incorporated and unincorporated constituents.

The first of these, a mismatch between urban needs and a rural county government, is exemplified in the experience of the communities outside the City of Modesto, California. Thousands of Latinos in unincorporated urban areas rely on a Board of Supervisors that governs a county that is economically dependent on powerful agricultural interests and the economic engine of the City of Modesto. Perhaps it is an expression of the disempowerment of the unincorporated urban areas in this regional political equation that the city and county have located a widely disproportionate share of undesirable, property-depreciating services for city residents in the unincorporated urban neighborhoods. Modesto's sewage treatment plant, for instance, is ironically situated beside two such neighborhoods whose homes lack access to sewer lines; its reeking fumes remind these communities of their exclusion from the benefits but not the burdens of city sewage treatment. [FN207] A neighboring *1157 unincorporated urban area is home to the county's women's jail, men's jail, coroner's facility, and social services agency. [FN208]

The second common challenge to strengthening political voice in unincorporated urban areas is vote dilution: the weakening of a neighborhood's vote within the geographically and numerically larger county population, which includes both incorporated and unincorporated constituencies. As noted in Part III.B.1, the Fourteenth Amendment rule of one-person, one-vote applies to county governments, giving municipal residents the same vote as unincorporated area residents in county elections. [FN209] In large, highly urbanized counties (exemplified by Alameda, Los Angeles, and Contra Costa Counties in California, each of which have unincorporated urban populations) that provide services by contract to dozens of suburban municipalities, county government can become a major bureaucracy, accountable foremost to suburban constituencies and other revenue-generating hubs. For instance, although Los Angeles County is home to only 1 million unincorporated residents compared to the 4 million residents of its largest municipality (the City of Los Angeles), those 1 million unincorporated county constituents share their voting rights for the Los Angeles Board of Supervisors with a total of more than 9,800,000 county residents, and the county's unincorporated patches of land are scattered across an area that is more than 4,000 square miles. [FN210] Such diffusion bodes poorly for unincorporated communities' individual or collective political voice.

Dilution can also erect spatial barriers to political participation. The unincorporated urban area of North Richmond, California, for instance, is less than five miles from City Hall in Richmond, but its residents must drive more than an hour to reach the county seat, which is located in a different city, to attend the meetings of their governing Board of Supervisors. [FN211] Such a distance is no small barrier for low-income residents reliant on public transportation in a clogged metropolitan area. [FN212] While cities can also be territorially expansive, counties are considerably larger on average, and they are often fragmented into diffuse, noncontiguous pockets of jurisdiction. In *1158 every state in the country, by contrast, municipalities are prohibited from noncontiguous growth, [FN213] a rule no doubt underpinned by values of democratic access and service efficiency that should apply equally to populous unincorporated areas.

With respect to lobbying the state, unincorporated urban areas are severely constrained by their small size, diffuse geography, and economic weakness. Residents cannot lobby for annexation of their specific communities at the statewide level, because such legislation would constitute special legislation, (state legislation that targets a specific local government), which is prohibited or strictly limited in all but a handful of state constitutions. [FN214] Instead, unincorporated urban areas must gain support for statewide reforms affecting all communities, which would face much more organized opposition from the lobbies of cities, counties, and wealthy unincorporated homeowners' associations that would oppose annexation and costly obligations to extend infrastructure. Political voice at the state level is not impossible of course, but it is a vastly more burdensome route to redress than organizing at the local level.

With respect to their adjacent municipalities, unincorporated urban areas have no voice at all, except insofar as they can pressure their counties to negotiate for services and annexation or mobilize opinion within the city. As a result, vote dilution occurs both inside and outside city borders, because large blocks of minority voters may be divided from one another. This dilutes both groups' influence over their respective local governments. Despite the fact that Latinos now represent 25 percent of the population of the City of Modesto, only one Latino has been elected to the at-large city council over the past one hundred years. Approximately 14,000 people live in the four unincorporated urban areas, [FN215] and the political consequences of their exclusion could hardly be more stark: If these neighborhoods were annexed, the Latino population of Modesto would nearly double. Divided in that way, neither the inside voters nor the outside voters have the independent *1159 political influence to assure equality in policy outputs, that is, to ensure that the unincorporated areas receive basic services.

[FN216]

All avenues of political voice were not created equally. The structure of governance of unincorporated urban areas may diminish the ability of residents to protect their land and address community needs.

Conclusion

Urban life placed outside the reach of municipal government thus reveals itself as a condition that can constrain household mobility, enable the continuation of severe service deficiencies, heighten exposure to undesirable land uses, and inhibit participatory voice for low-income communities. When we leave conditions associated with city life--including housing density, poverty, and crime--within the jurisdiction of an underfunded, weak, or distant local government, we leave low-income residents to bear costs that, in other contexts, a greater collective would assume.

While voting rights and inclusion within municipalities do not represent a panacea of individual political voice and governmental responsiveness, unincorporated urban areas call us to look seriously at means for promoting annexation and inclusion. They call for state legal reforms that increase territorial outsiders' ability to initiate annexation, as well as legal reforms that create incentives for municipalities to annex low-income unincorporated areas. Where annexation is unavailable or undesirable, the unincorporated urban areas issue encourages changes to counties' resources, institutional structures, and regulatory regimes that improve county stewardship of urban life. Such reforms include enhancing county institutional capacity (and corresponding accountability) to compete for infrastructure investment in their urban areas, as well as the application of more rigorous land-use and health and safety standards in counties' urbanized areas. And finally, the history of the unincorporated urban areas and their intractability in the local political economy provide a normative basis for considering minimum service standards and augmenting funds for infrastructure investment in low-income counties. [FN217] Such efforts would not amount to a claim to *1160 formal equalization of property values, but a claim to equal public inputs to support property appreciation in those neighborhoods passed by during earlier waves of public largess.

When we look towards the low-income city periphery, a new landscape for urban law comes into focus. Far from the government dependence at the center of inner-city narratives, we find government abdication and local self-reliance. We shift from questions of police brutality to police neglect; from tenants' rights to the insecurities of loans for low-income homeowners. We find exclusion through annexation, land loss through extraterritorial eminent domain, and misfit pairings of community need and government capacity. And perhaps most importantly, we encounter communities that have acquired neither mobility, habitability, nor political voice from the end of de jure residential segregation. Development of these alternative understandings of local government law are relevant beyond unincorporated urban areas, affecting the struggling first-ring suburban municipalities of the Midwest and the Northeast, as well as the small incorporated towns now teetering on the brink of economic collapse throughout the South. In the twenty-first century's story of urban change, all of these local governments may knock at the doors of other municipalities or counties for consolidation or dissolution. Deepening our understanding of county government is a first and necessary step in confronting the expansion of poverty beyond central cities.

[FNal]. Environmental Law Fellow, Shute, Mihaly & Weinberger LLP. I am grateful to The Chief Justice Earl Warren Institute for Race, Ethnicity, and Diversity at Boalt Hall School of Law for providing me with a writing fellowship to undertake this project. Further thanks go to Kathy Abrams, Suzanne Borghei, Guido Calabresi, Juan Carlos Cancino, Phil Frickey, Gerald Frug, Tim Iglesias, Sonya Lebsack, Jennifer Mnookin, Andrea Peterson, Joe Singer, Kirk Stark, David Super, and the attorneys of Shute, Mihaly & Weinberger, LLP for their thoughtful comments on this Article and their support of this research. A wide range of interviewees supported this project with their time and knowledge. Above all, this Article is the culmination of Ian Haney Lopez's tireless mentorship and Sade Borghei's unbending confidence.

[FN1]. Wright Thompson, *Wrong Side of the Tracks Midway N.C., Surrounded by Town That Left It Behind*, *Charleston Gazette*, June 17, 2005, at P5C.

[FN2]. The Lawyers' Committee for Civil Rights of the San Francisco Bay Area, California Rural Legal Assistance, and Hel-

ler Ehrman LLP brought litigation to address service needs in the neighborhoods locked out of the boundaries of Modesto. The University of North Carolina Center for Civil Rights has represented the unincorporated enclaves of Moore County for more than ten years, using community organizing and political advocacy to secure neighborhood improvements. This author served on the original legal team that investigated the communities outside Modesto and explored avenues for redress.

[FN3]. Michelle Wilde Anderson, *Mapped Out of Local Democracy* (Apr. 7, 2008) (unpublished manuscript, on file with author).

[FN4]. Michelle Wilde Anderson, *Regional Localism: American County Government* (Apr. 7, 2008) (unpublished manuscript, on file with author).

[FN5]. Jeff Claassen & John Gutierrez-Mier, *Faulty Water and Wastewater Facilities Take Environmental Toll*, Fort Worth Star-Telegram, Nov. 6, 2005; see also Walter Howerton, Jr., *Between Round Rock and a Hard Place: Tiny Northridge Acres Is a Colonia on the Border--of Austin*, The Austin Chron., Nov. 15, 2002.

[FN6]. See Howerton, *supra* note 5.

[FN7]. I use the word “city” in a political sense--to denote the political unit of an incorporated municipality, regardless of size or urbanity. Under this definition, an incorporated municipality functioning as a residential suburb qualifies as a city, as would a small incorporated town.

[FN8]. The second and third prongs of this definition reflect my expansive usage of the term “urban,” which I use to encompass spaces, with or without any nonresidential uses, that at minimum (1) include a cluster of residences at what are commonly thought of as either “urban” or “suburban” residential densities, and (2) are located near the border of an incorporated municipality, whether town, city, or suburb. This definition distinguishes “urban” spaces from sparsely populated, scattered farms and settlements that are isolated from a municipality.

[FN9]. I have chosen the term “unincorporated urban areas” because, though impersonal, it offers the compelling advantages of being normatively, regionally, and racially neutral, while also providing descriptive specificity. This term, however, is not quite complete. It is shorthand for “low-income unincorporated urban areas,” as distinct from unincorporated neighborhoods near city borders that are middle or upper income. This latter type of unincorporated urban area is discussed in Part III.B.

[FN10]. Comprehensive statewide mapping could, however, reveal similar predominantly white communities, particularly in states with large concentrations of white rural poverty.

[FN11]. The study underlying the present Article involved qualitative research on a series of case studies. I located the group of unincorporated urban areas for study through research in local newspapers, interviews with advocates for low-income communities, internet research, interviews with historians and geographers, census tract data analysis, and review of county-wide maps. The study targeted two to six counties in each state, and each county included a range of one to seven unincorporated urban areas. Research on each unincorporated urban area included interviews with residents; media searches and interviews with local journalists; demographic analysis on rates of poverty, race, and homeownership; interviews with local government officials; windshield surveys (California only); and, where available, local historical research. At the state level, I researched the legal rules governing annexation, local government extraterritorial authority, county taxation authority, and local government structure.

[FN12]. In collaboration with the Chief Justice Earl Warren Institute on Race, Ethnicity, and Diversity at Boalt Hall School of Law, the University of North Carolina Center for Civil Rights, and the Southern Coalition for Social Justice, I will undertake such an investigation in 2008-2010.

[FN13]. Initial research also included Ohio, which has several communities that satisfy the definition of unincorporated urban

areas. However, the state's local government system, which subdivides counties into townships that enjoy a core set of land-use and other regulatory powers, substantially distinguishes Ohio from the other states of study in terms of county power, interlocal relations between municipalities and counties, and governance within the state's unincorporated areas. Though the unincorporated urban areas of Ohio are occasionally referenced in Parts I and II of this Article in order to better understand the manifestations of this issue nationally, these communities are excluded from Part III's analysis of county government.

[FN14]. For an excellent discussion of Texas's comparatively unregulated county land-use regimes, see Jane E. Larson, Free Markets Deep in the Heart of Texas, 84 *Geo. L.J.* 179 (1995). For a discussion of California's regime, where the state has granted extensive land-use planning authority to its local governments, see Daniel J. Curtin, Jr. & Cecily T. Talbert, Curtin's California Land Use and Planning Law 103-09 (2008) (describing local authority to impose a wide range of substantive development conditions on subdivisions).

[FN15]. North Carolina state law authorizes municipalities to expand their boundaries without a vote by affected residents, a practice known as "involuntary annexation" that is permissible in a small minority of states. See N.C. Gen. Stat. §160A-49 (2005). See generally Elizabeth R. Connolly, Bargain Basement Annexation: How Municipalities Subvert the Intent of North Carolina Annexation Laws, 29 *N.C. Cent. L.J.* 77 (2006); Karen Ubell, Recent Development, Consent Not Required: Municipal Annexation in North Carolina, 83 *N.C. L. Rev.* 1634 (2005). For an analysis of the significance of involuntary annexation powers, see Laurie Reynolds, Rethinking Municipal Annexation Powers, 24 *Urb. Law.* 247 (1992). California has established specialized Local Agency Formation Commissions, state agencies that oversee annexations and broker city-county relationships concerning growth. See Cal. Govt. Code §§56300-56301, 56375 (2008). See generally Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Cal. Govt. §56000-57550. For a comprehensive analysis of the level of democratic input in annexation decisions, which are subject to a diversity of procedural rules, see Clayton P. Gillette, Voting With Your Hands: Direct Democracy in Annexation, 78 *S. Cal. L. Rev.* 835 (2005).

[FN16]. Florida has seen the aggressive pursuit (albeit usually unsuccessful) of city-county consolidations and other means of eliminating unincorporated land. Voters in six counties in the state have considered full or partial consolidation one or more times, and such measures were successful in the City of Jacksonville in Duval County and the City of Miami in Dade County. See Chris Briem, Some Major City-County Consolidation Referenda in the 20th Century, <http://www.briem.com/frag/CityCountyReferenda.htm> (last visited May 15, 2008). Broward County has actively sought and promoted the annexation of its few remaining unincorporated areas by its constituent municipalities. See *infra* note 59.

[FN17]. However, there are a small minority of states, regions, and cities where the unincorporated urban areas issue by definition will not arise. These include consolidated city-county governments (like San Francisco, Denver, and Honolulu); "independent" cities not included within any county's territory (such as Baltimore City, St. Louis City, and 39 cities in Virginia); areas in which one or more county governments has been subsumed within a city government and all land is incorporated within that city (like New York City, Jacksonville, and Indianapolis); and states with county designations, but in which all territory lies within a municipality and there is no functioning unit of county government (as in Rhode Island, Connecticut, and most of Massachusetts). See U.S. Census Bureau, 2002 Census of Governments: Government Organization (2002), at app. B, available at <http://www.census.gov/govs/www/cog2002.html>.

[FN18]. The study covered the area of the "Old South," defined to include Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, and Arkansas. It relied on GIS, Tiger files, and other geographically disaggregated data from the 1990 and 2000 censuses to investigate the racial composition of small-town fringe populations in the South that were annexed or not annexed between 1990 and 2000, as well as to identify factors associated with racially selective annexation. See Daniel T. Lichter et al., Municipal Underbounding: Annexation and Racial Exclusion in Small Southern Towns, 72 *Rural Soc.* 47, 48, 51 (2007).

[FN19]. *Id.* at 63, 66.

[FN20]. *Id.* at 47.

[FN21]. *Id.* at 63-65.

[FN22]. *Id.* at 66-67. African Americans made up 22.6 percent of the fringe areas defined as “at risk” for annexation, as compared to African Americans' slightly lower 20.7 percent representation in the areas actually annexed during the 1990s.

[FN23]. See *id.*; see also Daniel T. Lichter et al., National Estimates of Racial Segregation in Rural and Small-Town America, 44 *Demography* 563, 581 (2007) (finding that levels of racial segregation are heightened by the exclusion of African American neighborhoods by small Southern towns).

[FN24]. See Charles S. Aiken, Race as a Factor in Municipal Underbounding, 77 *Annals Ass'n Am. Geographers* 564 (1987).

[FN25]. *Id.*

[FN26]. See, e.g., Jane E. Larson, *Informality, Illegality, and Inequality*, 20 *Yale L. & Pol'y Rev.* 137, 140 (2002).

[FN27]. Peter M. Ward, Colonias and Public Policy in Texas and Mexico: Urbanization by Stealth I (1999).

[FN28]. Chad K. Wakefield, Colonias Along the United States/Mexico Border: The Issue and Impact of Colonias in Southern New Mexico, Paper presented at the American Planning Association 2001 National Planning Conference (March 14, 2001) (transcript available at <http://www.design.asu.edu/apa/proceedings01/contents.htm>).

[FN29]. Vinit Mukhija & Paavo Monkkonen, What's in a Name? A Critique of Colonias in the United States, 31 *Int'l J. Urb. & Regional Res.* 475, 476 (2007).

[FN30]. Jake Bernstein, Don't Drink the Water: In the Urban Colonias of the Greater Houston Area, the Water Stinks, *The Texas Observer*, Dec. 2, 2005.

[FN31]. See Victor Rubin et al., Unincorporated Communities in the San Joaquin Valley: New Responses to Poverty, Inequity, and A System of Unresponsive Governance (Nov. 27, 2007) (unpublished report on file with author).

[FN32]. Shaila Dewan, Manicured Greens and Raw Sewage, *The New York Times*, June 16, 2005, at A19.

[FN33]. Bernstein, *supra* note 30.

[FN34]. *Id.*

[FN35]. *Id.*

[FN36]. *Id.*

[FN37]. *Id.*

[FN38]. See James H. Johnson, Jr. et al., Racial Apartheid in a Small North Carolina Town, 31 *Rev. Black Pol. Econ.* 89, 94 fig.2 (2003); West End Revitalization Association, <http://www.wera-nc.org> (last visited Mar. 31, 2008).

[FN39]. See Johnson et al., *supra* note 38, at 97-98.

[FN40]. See *id.*

[FN41]. West End Revitalization Association, EPA Environmental Justice Study: Failing Septic Systems and Contaminated Well Waters: African-American Communities in Mebane, North Carolina (2002), http://www.wera-nc.org/News/epa/epaej_1202.htm.

[FN42]. In a companion article, I discuss these practices at greater length, showing that this system of providing municipal services for a price generally did not arise until after the close of de jure housing segregation. See Anderson, *supra* note 3.

[FN43]. Locked in the gap between several large municipalities, unincorporated East Los Angeles is home to nearly 125,000 residents--96.8 percent of whom are Latino--and it encompasses nearly all of the area commonly referred to as "East L.A." Florence-Graham, an unincorporated urban area bordered by Los Angeles and Walnut Park, holds the dubious distinction of witnessing the biggest national increase in the number of homeowners spending more than 30 percent of their incomes on housing. See Janny Scott & Randal C. Archibold, Across Nation, Housing Costs Rise as Burden, N.Y. Times, Oct. 3, 2006, at A1. Lennox, a predominantly Latino unincorporated urban area of 30,000 residents, lies in the deafening flight path of Los Angeles International Airport. Other unincorporated urban areas in Los Angeles include West Compton, East Compton, Wil-lowbrook, Westmont, and City Terrace.

[FN44]. The same is true for unincorporated urban areas in other urban counties in California, such as Alameda and Contra Costa.

[FN45]. Complaint P37, Comm. Concerning Cmty. Improvement v. City of Modesto (CCCI), 2007 WL 4365584 (E.D. Cal., 2007) (No. CIV-F-04-6121).

[FN46]. Expert testimony adduced during residents' litigation to improve services indicated that in addition to total delays in the response time to the "priority 1" (i.e., most serious) calls to 911, the time between these calls and the dispatch of a sheriff's unit has been significantly longer in the plaintiffs' communities than in the county as a whole, a comparator unincorporated area that is 85 percent white, or in unincorporated county islands that are more than 60 percent white. See Declaration of James H. Johnson in Support of Opposition to City of Modesto's Motion for Summary Adjudication or Partial Summary Judgment as to Police Service and Bilingual Assistance at PP3, 10, CCCI, 2007 WL 4365584 (No. CIV-F-04-6121). The Modesto Chief of Police testified that dispatch times should be consistent across the county. See Exhibit D to Declaration of Brian P. Brosnahan in Support of Plaintiffs' Opposition to City of Modesto's Motion for Summary Adjudication or Partial Summary Judgment as to Police Service and Bilingual Assistance at 63, CCCI, 2007 WL 4365584 (No. CIV-F-04-6121).

[FN47]. For a discussion of the overconcentration of undesirable land uses in poor communities and the political movement to resist such practices, see generally Luke W. Cole & Sheila R. Foster, *From the Ground Up: Environmental Racism and the Rise of the Environmental Justice Movement* (2001).

[FN48]. See Shirley Ann Wilson Moore, *To Place Our Deeds: The African American Community in Richmond, California 1910-1963* (2000).

[FN49]. See United States Environmental Protection Agency, Brownfields 2005 Grant Fact Sheet: North Richmond Community Housing Development Corporation, CA, <http://www.epa.gov/swerosps/bf/05grants/northrichmondchdc.htm> (last visited Mar. 30, 2008).

[FN50]. See Barrett CDP, Texas, Census 2000 Fact Sheet, <http://factfinder.census.gov> (type "Barrett" under "city/town" and select "Texas" under "state"; then click "Go") (last visited Mar. 30, 2008). Owner-occupancy rates in Barrett are upwards of 78 percent. See *id.*

[FN51]. See Carla Rabalais, *Restoring an Ancestor's Dream; Barrett Station's John Barrett has a Revitalization Plan*, Houston

Chronicle, June 18, 2006, at B5.

[FN52]. See Environmental Justice in Barrett Station, Clearing the Air Newsletter (Mothers for Clean Air), Summer 1999, <http://www.mothersforcleanair.org/newsletters/1999-summer.html>. Superfund is the name of an environmental program that governs and funds clean up of abandoned hazardous waste sites. Environmental Protection Agency: Superfund, <http://www.epa.gov/superfund> (last visited May 11, 2008).

[FN53]. See *id.*; H. Dayal et al., Symptom Clusters in a Community With Chronic Exposure to Chemicals in Two Superfund Sites, 50 Archives Envtl. Health 108 (1995) (attributing the high frequency of neurological symptoms in the stable black community of Barret Station, Texas to chemical dumping at neighboring National Priority List sites).

[FN54]. See Randy Ludlow, Racism Colors Water Service, Columbus Dispatch, June 21, 2003, at 1A.

[FN55]. See Complaint P3, Fair Housing Advocates Assoc. v. City of Zanesville, (OSI)H1071702 (29617) 080502 (S.D. Ohio Dec. 1, 2003).

[FN56]. See Ludlow, *supra* note 54, at 1A; see also Complaint PP33, 35, Zanesville, (OSI)H1071702 (29617) 080502; James Dao, Ohio Town's Water at Last Runs Past a Color Line, N.Y. Times, Feb. 17, 2004, at A1.

[FN57]. See Complaint PP3, 34, 39, Zanesville, (OSI)H1071702 (29617) 080502; see also *id.* P34 (describing other costs as well, including installation and maintenance of a cistern and pump, chemicals for treating water, bottled potable water, and repair and replacement of hot water tanks and appliances damaged by running contaminated water).

[FN58]. See Ward, *supra* note 27, at 30-32; Larson, *supra* note 14, at 191; Interview with Magdalena Mercado, Bret Harte resident, in Stanislaus County, California (Sept. 14, 2006) (on file with author).

[FN59]. In 1995, at the request of the Broward County Board of County Commissioners, the Broward County Legislative Delegation to the state legislature recommended that before 2010, all unincorporated residential land in Broward County should be independently incorporated or annexed into one of the County's municipalities. See Legislative Comm. on Intergovernmental Relations, Overview of Municipal Incorporations in Florida 30 (Feb. 2001), available at <http://www.floridalcir.gov/UserContent/docs/File/reports/muninc01.pdf>. As a result of these efforts and the aggressive campaign of annexations that followed, the unincorporated population of the county fell from 127,374 in 2000 to an estimated 14,190 in 2006. See Broward County Urban Planning and Redevelopment Department Planning Services Division, Unincorporated Broward County, 2006, Broward-by-the-Numbers, June 2006, at app. tbl. 2, available at <http://www.broward.org/planningservices/bbtn47.pdf>. The few remaining residential unincorporated areas in the center of the county are between 94.1 and 98.2 percent African American. See Census 2000 Fact Sheets for Boulevard Gardens CDP, Roosevelt Gardens CDP, Franklin Park CDP, and Washington Park CDP, Florida, <http://factfinder.census.gov> (type city name under "city/town" and select "Florida" under "state"; then click "Go"); see also Map of Unincorporated Broward County, <http://gis.broward.org/maps/webPDFs/Unincorp/unincorp.pdf> (last visited May 14, 2008).

[FN60]. Cf. Broward County Board of County Commissioners, Urban Planning and Redevelopment Department Planning Services Division, Comparison of Municipal Fees and Taxes for the Municipalities and the Unincorporated Area of Broward County, Fiscal Year 2008, at 5 (2008), available at <http://www.broward.org/planningservices/upi00174.pdf> (indicating that households in unincorporated areas pay property taxes, municipal service fees, and other municipal taxes that are higher than the average of Broward County's 81 municipalities); Jim Gaines, Annexation Vexation: The Plan to Bring Broward County's Poor Areas Into the Fold is Full of Holes, New Times Broward-Palm Beach (Florida), Aug. 23, 2001, available at <http://www.browardpalmbeach.com/2001-08-23/news/annexation-vexation>.

[FN61]. See Gaines, *supra* note 60.

[FN62]. See Lichter et al., *supra* note 18, at 51; Allan M. Parnell et al., *The Persistence of Political Segregation: Racial Underbounding in North Carolina* (Oct. 24, 2004), http://www.mcmoss.org/CedarGrove/Docs/regional_underbounding.pdf.

[FN63]. 42 U.S.C. §§1973 to 1973bb-1 (2000). This period of attention is marked by, at the early end, the U.S. Supreme Court's decision in 1971 that Section 5 of the Voting Rights Act of 1965 reached racially discriminatory annexation and, at the later end, the Court's decision in 1987 that municipalities could not employ a racially discriminatory double standard in annexing white versus black neighborhoods. See *City of Pleasant Grove v. United States*, 479 U.S. 462, 466-72 (1987); *Perkins v. Matthews*, 400 U.S. 379 (1971). Major investigations of municipal underbounding include Symposium, *The White Curtain: Racially Disadvantaging Local Government Boundary Practices*, 54 U. Det. J. Urb. L. 679 (1977), and Aiken, *supra* note 24.

[FN64]. See, e.g., Aiken, *supra* note 24; Lichter et al., *supra* note 18.

[FN65]. See Lichter et al., *supra* note 18 (anchoring a major study of municipal underbounding in the annexation behavior of cities).

[FN66]. Under the operative federal definition, colonias include only those communities that (1) are in the states of Arizona, California, New Mexico, or Texas; (2) lie within 150 miles of the United States-Mexico border, excepting metropolitan areas with populations exceeding 1,000,000; (3) satisfy objective criteria, including a lack of potable water, an adequate sewage systems, and decent, sanitary housing; and (4) existed before November 28, 1990. 42 U.S.C. §1479(f)(8)(2000). I use the term "colonias" without limitation to its location along the United States-Mexico border--the broader sense of the term now common in academic literature.

[FN67]. Peri-urban areas are generally defined as communities that are outside of, but adjacent to, the boundaries of a city, but that share many of the characteristics of urban areas.

[FN68]. Ward, *supra* note 27.

[FN69]. *Id.*; Larson, *supra* note 14.

[FN70]. See Larson, *supra* note 14, at 194. Studies of colonias have documented, however, that many residents purchased their lots based on false information from subdividers that water and sewer lines would be forthcoming. See Chad Richardson, *Batos, Bolillos, Pochos, and Pelados: Class and Culture on the South Texas Border* 43-44 (1999).

[FN71]. Public health risks in colonias have included vulnerability to cholera, outbreaks of viral infections, and myriad skin and intestinal disorders. See Larson, *supra* note 14, at 189-90; Ward, *supra* note 27, at 7, 9.

[FN72]. See Larson, *supra* note 14, at 191.

[FN73]. See U.S. Dep't of Agric. Econ. Research Serv., *Rural Income, Poverty, and Welfare: High-Poverty Counties*, <http://www.ers.usda.gov/Briefing/IncomePovertyWelfare/HighPoverty> (last visited July 10, 2007).

[FN74]. See William W. Falk et al., *Life in the Forgotten South: The Black Belt*, in *Forgotten Places: Uneven Development in Rural America* 53-56 (Thomas A. Lyson & William W. Falk eds., 1993). The causes of black rural poverty are also linked to the failure to provide economic relief during the New Deal-- including access to social security benefits, government grants, assistance to the elderly poor, and unemployment insurance--to African American sharecroppers, who were known to be among the hardest hit by the Great Depression; the dramatic fall in the number of black farm operators during the postwar period; the absence of highly skilled jobs in the economy of the Black Belt region in general; and the struggle throughout the past century of rural black families to hold onto their land. See generally Ira Katznelson, *When Affirmative Action Was*

White: An Untold History of Racial Inequality in Twentieth-Century America (2005); John B. Cromartie & Calvin L. Beale, Increasing Black-White Separation in the Plantation South, 1970-90, in *Racial/Ethnic Minorities in Rural Areas: Progress and Stagnation*, 57 (Linda L. Swanson ed., 1996), available at <http://www.ers.usda.gov/publications/aer731/aer731e.pdf>; Falk et al., *supra*, at 63-73.

[FN75]. See Peter Applebome, *Deep South and Down Home, But It's a Ghetto All the Same*, N.Y. Times, Aug. 21, 1993, at A1.

[FN76]. See Charles S. Aiken, *New Settlement Patterns of Rural Blacks in the American South*, 75 *Geographical Rev.* 383 (1985); see also Charles S. Aiken, *A New Type of Black Ghetto in the Plantation South*, 80 *Annals Ass'n Am. Geographers* 223 (1990). This pattern of white flight from rural municipalities in the South reached its peak between 1980-1990, with more than one-third of towns, cities, and rural villages experiencing growth in black populations and a decline in white populations. This flight drained towns of economic resources that had been built on slavery and sharecropping. See Cromartie & Beale, *supra* note 74, at 61, 63.

[FN77]. See Aiken, *A New Type of Black Ghetto in the Plantation South*, *supra* note 76.

[FN78]. See *id.*; Cromartie & Beale, *supra* note 74, at 62-64.

[FN79]. In the context of self-identification, the name "colonias" can be viewed as an act of cultural ownership, a label to capture the role of colonias as an ethnic neighborhood refuge. See, e.g., *Colonias Housing and Community Development Assistance: Hearing on H.R. 4606 Before the Subcomm. on Hous. and Cmty. Dev. of the H. Comm. on Banking, Fin. and Urban Affairs, 100th Cong. 6* (1988) (statement of Henry B. Gonzalez, Chairman) (describing the origins of the word in identifying "our area, our folks" as newcomers clustered together to adjust to foreign or hostile environments).

[FN80]. See Richardson, *supra* note 70, at 43 (citing news reports); see also Mukhija & Monkkonen, *supra* note 29, at 476 (finding the term colonias to serve as a prejudiced signal that the problem was imported by Latino immigrants). This dichotomy between cultural affirmation and sanctuary, on the one hand, and an externally imposed state of segregation and stigmatization, on the other, imposes a similar tension on the term barrio. David R. Diaz, *Barrio Urbanism: Chicanos, Planning, and American Cities 3* (2005).

[FN81]. Indeed, the U.S. Congress has called the problem "A Third World Within Our Borders"--a title suggestive not only of the impoverished conditions lying within the U.S., but of the problem's foreign origin. See *Colonias: A Third World Within Our Borders: Hearing Before the H. Select Comm. on Hunger, 101st Cong.* (1990). Yet, not surprisingly, the federal definition of colonias is not limited by the race of the occupants, and some of California's officially designated colonias are demographically heterogeneous. See Mukhija & Monkkonen, *supra* note 29, at 479-83. The Spanish name for the pattern, however, overshadows this diversity.

[FN82]. See Ward, *supra* note 27, at 89; Richard Delgado, *Rodrigo's Twelfth Chronicle: The Problem of the Shanty*, 85 *Geo. L.J.* 667 (1997).

[FN83]. See 42 U.S.C. §1479(f)(8) (2000).

[FN84]. See Mukhija & Monkkonen, *supra* note 29; Nancy L. Simmons, *Memories and Miracles--Housing the Rural Poor Along the United States-Mexico Border: A Comparative Discussion of Colonia Formation and Remediation in El Paso County, Texas, and Dona Ana County, New Mexico*, 27 *N.M. L. Rev.* 33, 37 (1997); see also Larson, *supra* note 26, at 145 (describing great variation among colonias despite important underlying commonalities).

[FN85]. For instance, Skeels and McElrath Park, African American unincorporated urban areas just outside the small city of Ravenna, Ohio, were identified as the poorest rural neighborhoods in the United States during the 1990s. These communities,

settled by black workers during the boom years of World War II, continue to struggle against disinvestment, and they remain outside the borders of Ravenna, which is more than 90 percent white. See Grant Segall, *Blacks Maintain Life Outside City Limits*, *Cleveland Plain Dealer*, Feb. 21, 1999, at 1B.

[FN86]. See Larson, *supra* note 14, at 192; Andrew Wiese, *Places of Their Own: African American Suburbanization in the Twentieth Century* (2004).

[FN87]. Indeed, it is estimated that 85 percent of colonias residents own their own homes. Larson, *supra* note 26, at 152. Instability in home prices in colonias is compounded by the legal uncertainty associated with the financing and titling mechanisms commonly used in the colonias market. See *id.* at 147.

[FN88]. Peter Hall, *Cities of Tomorrow: An Intellectual History of Urban Planning and Design in the Twentieth Century* (3d ed. 2002).

[FN89]. Douglas S. Massey & Nancy A. Denton, *American Apartheid: Segregation and the Making of the Underclass* (1993).

[FN90]. Cornerstone works of legal scholarship considering the distributive, local governmental, and economic impacts of this metropolitan fragmentation include, *inter alia*: Gerald Frug, *City Making: Building Communities Without Building Walls* (1999); Richard Briffault, *The Local Government Boundary Problem in Metropolitan Areas*, 48 *Stan. L. Rev.* 1115 (1996); Sheryll D. Cashin, *Localism, Self-Interest, and the Tyranny of the Favored Quarter: Addressing the Barriers to New Regionalism*, 88 *Geo. L.J.* 1985 (2000); Richard Thompson Ford, *The Boundaries of Race: Political Geography in Legal Analysis*, 107 *Harv. L. Rev.* 1841 (1994); Laurie Reynolds, *Intergovernmental Cooperation, Metropolitan Equity, and the New Regionalism*, 78 *Wash. L. Rev.* 93 (2003); David Dante Troutt, *Ghettos Made Easy: The Metamarket/Antimarket Dichotomy and the Legal Challenges of the Inner-City Economic Development*, 35 *Harv. C.R.-C.L. L. Rev.* 427 (2000).

[FN91]. Suburban governments fostered economic and racial homogeneity using the power of zoning, the impact of which impact was amplified by racial steering, discriminatory mortgage lending, racial segregation in the placement of public housing, and racial covenants. See Sheryll Cashin, *The Failures of Integration: How Race and Class Are Undermining the American Dream* (2004).

[FN92]. See Alan Berube & William H. Frey, *A Decade of Mixed Blessings: Urban and Suburban Poverty in Census 2000*, in 2 *Redefining Urban and Suburban America: Evidence From Census 2000*, at 111, 114-16 (Alan Berube, Bruce Katz & Robert E. Lang eds., 2005).

[FN93]. In contrast to low-income suburbanization, middle-class minority suburbanization has received long overdue attention in works such as Sheryll D. Cashin, *Middle-Class Black Suburbs and the State of Integration: A Post-Integrationist Vision for Metropolitan America*, 86 *Cornell L. Rev.* 729 (2001). In addition, scholars have tracked the outcomes of individual low-income families of color, particularly in Chicago, that have relocated to white, middle-class suburbs under court-ordered programs to distribute public housing across the metropolitan region. See, e.g., James Rosenbaum, Stefanie DeLuca, & Tammy Tuck, *New Capabilities in New Places: Low-Income Black Families in Suburbia*, in *The Geography of Opportunity: Race and Housing Choice in Metropolitan America* 150 (Xavier de Souza Briggs ed., 2005); Leonard Rubinowitz & James E. Rosenbaum, *Crossing the Class and Color Lines: From Public Housing to White Suburbia* (2000).

[FN94]. See Berube & Frey, *supra* note 92, at 115-16.

[FN95]. See *id.* at 115.

[FN96]. See John O. Calmore, *A Call to Context: The Professional Challenges of Cause Lawyering at the Intersection of Race, Space, and Poverty*, 67 *Fordham L. Rev.* 1927, 1946 (1999).

[FN97]. Historians of low-income and minority suburbanization, like Andrew Wiese and Becky Nicolaides, are now providing a long-absent foundation for alternative racial and economic geographies of urban space. See Becky M. Nicolaides, *My Blue Heaven: Life and Politics in the Working-Class Suburbs of Los Angeles, 1920-1965* (Kathleen N. Conzen, Timothy Gilfoyle & James R. Grossman eds., 2002); *The Suburb Reader*, chs. 4, 7, 11, 14, 15 (Becky M. Nicolaides & Andrew Wiese eds., 2006); Wiese, *supra* note 86. Urban geographers have similarly provided a crucial research foundation for understanding patterns of racial and economic change in American suburbs. See, e.g., Myron Orfield, *American Metropolitcs: New Suburban Reality* (2002); Berube & Frey, *supra* note 92.

[FN98]. Alan Berube & Elizabeth Kneebone, *The Brookings Inst. Metro. Policy Program, Two Steps Back: City and Suburban Poverty Trends 1999-2005* (2006); Peg Tyre & Matthew Philips, *Poor Among Plenty: For First Time, Poverty Shifts to the U.S. Suburbs*, *Newsweek*, Feb. 4, 2007.

[FN99]. Berube & Kneebone, *supra* note 98; Tyre & Philips, *supra* note 98.

[FN100]. Such communities include Robbins, a historic black suburb settled on unincorporated land outside Chicago, as well as Venice and Brooklyn, suburbs of St. Louis. For a history of these three communities, see Wiese, *supra* note 86. Robbins, for instance, had a per capita annual income of \$9,837 in 1999. See Robbins Village, Illinois, Census 2000 Fact Sheet, <http://factfinder.census.gov> (type "Robbins" under "city/town" and select "Illinois" under "state"; then click "Go") (last visited Mar. 30, 2008).

[FN101]. Taylortown, North Carolina, for instance, is a small residential hamlet that was founded in the early 1900s by the grandson of one of the first African slaves in America. The town's incorporation in 1987 enabled residents to obtain the municipal services denied to the other unincorporated Moore County residents discussed in this Article, but its aging population, loss of young people, and dwindling tax base present major viability challenges. See U.N.C. Ctr. for Civil Rights, *Invisible Fences: Municipal Underbonding in Southern Moore County* (2006), <http://www.law.unc.edu/documents/civilrights/briefs/invisiblefencesreport.pdf> (citing research by Spencer M. Cowan, Ph.D., J.D., of the UNC Center for Urban and Regional Studies and UNC Center for Community Capitalism).

[FN102]. See U.S. Dep't of Agric. Econ. Research Serv., *supra* note 73.

[FN103]. *Id.*

[FN104]. Spatially isolated, high-poverty unincorporated communities include, for instance, the desperately impoverished rural mobile home parks of the Coachella Valley in California's Riverside County, where thousands of the region's farm and construction workers pack into unheated trailers without clean water or proper sewage disposal. Compounding their household deprivations, local air is choked with fumes from nearby illegal toxic dumps and pyres of hazardous waste. See David Kelly, *The Southland's Hidden Third World Slums*, *L.A. Times*, Mar. 26, 2007, at A1.

[FN105]. See Erik Eckholm, *Foreclosures Force Suburbs to Fight Blight*, *N.Y. Times*, Mar. 23, 2007, at A1.

[FN106]. See, e.g., Susan E. Howell & John B. Vinturella, *Forgotten in New Orleans*, *N.Y. Times*, Apr. 20, 2006, at A1.

[FN107]. See, e.g., Daryl Farnsworth, *Tragedy Strikes Family Again, The Modesto Bee*, Dec. 1, 2002 (reporting the death of two boys walking with their mother in an unincorporated urban area); Interview with Magdalena Mercado, *supra* note 58; Interview with Eunize Martinez, resident of Tooleville, California, in Tooleville, California (Apr. 11, 2008).

[FN108]. Kenneth T. Jackson, *Crabgrass Frontier: The Suburbanization of the United States* 18 (1985).

[FN109]. See *id.* at 18; Wiese, *supra* note 86, at 17, 19.

[FN110]. See Diaz, *supra* note 80, at 31-32; see Wiese, *supra* note 86, at 43, 117. Apart from the presence of a few very wealthy enclaves of elite estates, the suburbs of the early nineteenth century were actually economically weaker than cities. See Jackson, *supra* note 108, at 18-19; Werner Troesken, *Water, Race, and Disease 36-37* (2004).

[FN111]. Wiese, *supra* note 86, at 5-6, 18.

[FN112]. Troesken, *supra* note 110, at 36-37. Within the narrow period of 1920 to 1940, the percentage of African Americans living in urban areas jumped from one-third to nearly one-half. See *id.* at 10.

[FN113]. Wiese, *supra* note 86, at 23-30.

[FN114]. *Id.* at 5, 15, 20.

[FN115]. See *id.* at 69.

[FN116]. See Diaz, *supra* note 80, at 32-35.

[FN117]. Wiese, *supra* note 86, at 69, 87.

[FN118]. See Diaz, *supra* note 80, at 32; Wiese, *supra* note 86, at 18.

[FN119]. See Wiese, *supra* note 86, at 17; see also Diaz, *supra* note 80, at 34-36, 38; Jackson, *supra* note 108, at 130-31.

[FN120]. Wiese, *supra* note 86, at 19.

[FN121]. Ward, *supra* note 27, at 89.

[FN122]. *Id.*

[FN123]. *Id.*

[FN124]. See Mukhija & Monkkonen, *supra* note 29, at 477.

[FN125]. See Diaz, *supra* note 80, at 36.

[FN126]. See generally Diaz, *supra* note 80, at 36. Scholarship in urban studies and history displays a yawning gap in understanding this transition and the dynamics of land loss at the urban fringe. In particular, research remains to be done regarding the fate of early low-income fringe communities under pressure from the increased land values triggered by explosive suburbanization. One study of African American communities in Long Island between 1945 and 1960 found that unincorporated black neighborhoods largely escaped displacement by the urban renewal and slum clearance programs that displaced black neighborhoods in nearly every incorporated suburb of Long Island. See Andrew Wiese, *Racial Cleansing in the Suburbs: Suburban Government, Urban Renewal, and Segregation on Long Island, New York, 1945-1960*, in *Contested Terrain: Power, Politics, and Participation in Suburbia* 61, 63-64 (Marc L. Silver & Martin Melkonian eds., 1995).

[FN127]. See Wiese, *supra* note 86, at 8, 40-43, 107, 117; Wiese, *supra* note 126, at 61-65; *id.* at 65 (describing that by 1950, as many as one-third of the African Americans in Long Island lived in unincorporated areas). Research on the Old South in-

dicates that in many small towns, African Americans displaced by urban renewal and slum clearance programs from neighborhoods within town lines were strategically rehoused at the unincorporated fringe, where they could be excluded from town elections. See Charles S. Aiken, *The Cotton Plantation South Since the Civil War* 320-27 (1998).

[FN128]. See Eric Avila, *Popular Culture in the Age of White Flight: Fear and Fantasy in Suburban Los Angeles* 51-52 (2004).

[FN129]. Residents of East Los Angeles, citing the need for improved services and political accountability, attempted independent incorporation in 1961, 1963 and 1974. See Gary J. Miller, *Cities By Contract: The Politics of Municipal Incorporation* 138-40 (1991); Burr Consulting, Report to the East Los Angeles Residents Association, Public Review Draft: Initial Fiscal Analysis of Proposed Incorporation 6-7 (Oct. 25, 2007), [http:// www.cityhoodforeastla.org/files/PDFs/ELARA_IFA.pdf](http://www.cityhoodforeastla.org/files/PDFs/ELARA_IFA.pdf) [hereinafter East L.A. Residents Ass'n Report].

[FN130]. The best illustration of this evolution is Texas. Until the 1990s, the state retained a system of relatively powerless county government with little or no authority to regulate minimum public services and infrastructure in subdivisions. Though counties in Texas continue to lack the full scope of land-use regulatory authority common in other states, reforms in the 1990s granted counties some powers to regulate subdivision development and published model subdivision rules concerning minimal water, wastewater disposal, street paving, and flood control. See Larson, *supra* note 14, 197-200; Ward, *supra* note 27, at 98-114.

[FN131]. Indeed, many of the unincorporated urban areas discussed in this Article came to public light due to the health and environmental hazards caused by septic systems failing because residents could not afford replacement systems, or because area soil types had become saturated or otherwise incompatible with septic leeching. County decisions to enable development with a home sewage disposal system at its inception are unsustainable if at the expiration of a code-compliant home septic system (about twenty to thirty years), no private or governmental entities can pay the steep costs of replacement or upgrade to city sewers. In the normal course of suburban evolution for other communities, wealthier subdivisions built with septic systems were eventually annexed or incorporated into a municipality, and federal grants, local special assessments, and general municipal revenues funded the replacement of septic systems with city or special district sewer lines. See Adam Rome, *Bulldozer in the Countryside: Suburban Sprawl and the Rise of American Environmentalism* 87-118 (2001); see also *id.* at 111 (describing \$30 billion in federal subsidization of suburban sewer construction, "a goodly share" of which funded the replacement of septic tanks).

[FN132]. See generally Mike Davis, *Planet of Slums* (2006) (giving a global portrait of informal settlements throughout the developing world); Saskia Sassen, *The Global City: New York, London, and Tokyo* (2d ed. 2001); *Urban Informality: Transnational Perspectives From the Middle East, Latin America, and South Asia* (Ananya Roy & Nezar Alsayyad eds., 2004).

[FN133]. Vill. of Belle Terre v. Boraas, 416 U.S. 1, 9 (1974).

[FN134]. See generally *The Suburb Reader*, *supra* note 97; Robert Bruegmann, *Sprawl: A Compact History* (2005) (describing the history of urban decentralization and the evolving meaning of the word sprawl).

[FN135]. See Larson, *supra* note 26, at 153-55. See generally Larson, *supra* note 14, at 185, 197-99.

[FN136]. In its broadest sense, an economic gravity model has been implicit in our understanding of metropolitan areas built on the economic engines of historic cities, though our language has focused instead on the concept of centrifugal flight or sprawl from the city. An explicit focus on gravitational dynamics represents a shift in perspective for two reasons. First, it highlights those economic dynamics that pull a region's employers and employees (and consumers and commercial activities) together, rather than focusing on those dynamics that splinter it apart. Second, unlike the concepts of flight and sprawl, it does not prejudice the question of whether suburban settlement represents a conscious choice made in the face of meaningful alternatives. Due to the widespread barriers to affordable housing in so many family-friendly, centrally located residential

areas, settlement in outerlying areas may be less voluntary than inevitable.

[FN137]. Studies of colonias housing have found that home ownership serves as a “powerful symbol of self-reliance, personal dignity, and family advancement,” and residence in colonias expresses aspirations for a suburban pastoral of rural open space and personal safety. See Larson, *supra* note 14, at 206.

[FN138]. See, e.g., Larson, *supra* note 14, at 208; Wiese, *supra* note 86, at 69.

[FN139]. Richard Schragger's conceptualization of the “communities” underlying the local autonomy debate--political bodies defined in relation to other plausible, alternative communities--is thus manifested in the pattern of unincorporated urban areas. See Richard C. Schragger, *The Limits of Localism*, 100 Mich. L. Rev. 371, 373, 464 (2001). Due to integration with municipal life in terms of economic, social, educational, and transportation networks, residents of unincorporated urban areas are in the position to make a “horizontal” claim, *id.*, that they belong to the relevant community affected by municipal politics and thus should be included within the zone of municipal political rights.

[FN140]. See Bruegmann, *supra* note 134, for a history and examination of sprawl in urban and exurban (i.e., prosperous rural commuter areas just beyond suburbs) areas.

[FN141]. This vulnerability is best understood in the context of black rural poverty, which is both a cause and an effect of the dramatic pattern of continual black land loss across the South since 1910. In a “remarkable and improbable” triumph over history, black farmers acquired sixteen to nineteen million acres of agricultural land, primarily in the South. Thomas W. Mitchell, *Destabilizing the Normalization of Rural Black Land Loss: A Critical Role for Legal Empiricism*, 2005 Wis. L. Rev. 557, 563. By 2002, that number had fallen to about 2.2 million acres. *Id.* An eighteen-month investigation into the causes of black land loss indicated that patterns of heir property and partition sales (by which a single heir to an undefined portion of real property triggers the court-ordered sale of the entire property to the highest bidder, often a nonfamily member) were a common cause, but that fraud, intimidation, and violence also explained a high percentage of forced land sales. See Todd Lewan & Dolores Barclay, *Torn From the Land: Black Americans' Farmland Taken Through Cheating, Intimidation, Even Murder*, Associated Press, Dec. 2, 2001, available at <http://www.commondreams.org/headlines01/1202-03.htm>.

[FN142]. The U.S. Supreme Court's most direct foray into questions of municipal annexation addresses this scenario of growth resistance by suburbs, holding that there is no constitutional right to resist absorption by a larger municipality. *Hunter v. City of Pittsburgh*, 207 U.S. 161 (1907).

[FN143]. See Anderson, *supra* note 3 (proposing legal reforms to annexation laws that respond to the unincorporated urban areas issue).

[FN144]. See *supra* Part II.B.

[FN145]. The launch of these thousand ships was, of course Charles M. Tiebout, *A Pure Theory of Local Public Expenditures*, 64 J. Pol. Econ. 416 (1956). The influence of Tiebout's hypothesis is captured in William Fischel's edited volume *The Tiebout Model at Fifty: Essays in Public Economics in Honor of Wallace Oates* (William A. Fischel ed., 2006). For a critique of Tiebout's theory see Miller, *supra* note 129, at 61-62, 68.

[FN146]. See, e.g., Frug, *supra* note 90; Briffault, *supra* note 90; Richard Thompson Ford, *Beyond Borders: A Partial Response to Richard Briffault*, 48 Stan. L. Rev. 1173 (1996); Ford, *supra* note 90; Eduardo M. Peñalver, *Property as Entrance*, 91 Va. L. Rev. 1889 (2005).

[FN147]. Several scholars of housing desegregation have issued this summons. See, e.g., Michelle Adams, *Separate and [Un]Equal: Housing Choice, Mobility, and Equalization in the Federally Subsidized Housing Program*, 71 Tul. L. Rev. 413 (1996); John O. Calmore, *Spatial Equality and the Kerner Commission Report: A Back-to-the-Future Essay*, 71 N.C. L. Rev.

1487 (1993).

[FN148]. See Larson, *supra* note 14, at 235-38 (describing the need to balance health, safety, and environmental concerns against the risk that strict land-use regulations and building codes will reduce the supply of affordable housing and impose compliance burdens on low-income families). In a recent study of housing vulnerability among the rural poor in four states, the authors found that land-use regulations and the scarcity of affordable housing alternatives are core causes of financial insecurity and the risk of housing displacement. See, e.g., Katherine MacTavish et al., Housing Vulnerability Among Rural Trailer-Park Households, 13 *Geo. J. on Poverty L. & Pol'y* 95, 98-110 (2006). For historical perspectives on the tension between habitability and the preservation of low-income communities, see Wiese, *supra* note 86, at 64-65, 104-09, and Moore, *supra* note 48, at 99-100.

[FN149]. Rich local histories of such programs are provided in such works as Arnold R. Hirsch, *Making the Second Ghetto: Race & Housing in Chicago 1940-1960*, at 100-34 (1998), Raymond A. Mohl, *Race and Space in the Modern City: Interstate-95 and the Black Community in Miami*, in *Urban Policy in Twentieth-Century America* 100, 100-58 (Arnold R. Hirsch & Raymond A. Mohl eds., 1993) (Miami, Florida), Moore, *supra* note 48, at 97-100 (Richmond, California), Robert O. Self, *American Babylon: Race and the Struggle for Postwar Oakland* 139-55 (2003) (Oakland, California), and Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* 48-50 (2005).

[FN150]. Jane Larson and Richard Delgado have debated whether the absence of land-use control and building code enforcement in colonias development protects a vital source of affordable housing or perpetuates nonlivable wages and racial double standards by enabling substandard housing for low-income minority workers. Compare Larson, *supra* note 14, 238-39 (arguing for progressive compliance with improved building and service standards in colonias, rather than the adoption and enforcement of full-scale, traditional building and land use regulatory regimes), and Larson, *supra* note 26, at 160-75 (defending a theory of progressive regularization in colonias), with Delgado, *supra* note 82, at 674-75, 688 (arguing that relaxed standards in building and land-use codes in colonias would reinforce the racial and socioeconomic hierarchy that created colonias from the first). In future work, I will more squarely engage this debate and its implications for regulatory interventions to address the service and infrastructure needs in unincorporated urban areas.

[FN151]. The tool of neighborhood-based advocacy and the outcome of equitable regional distribution of harms and advantages, however, need not and should not be in tension, as the criticisms of NIMBYism often assume. Scott Cummings has theorized that the value of local empowerment, a centerpiece of the community economic development movement, is best served by regionally focused advocacy rather than a narrowly local approach. See Scott L. Cummings, Recentralization: Community Economic Development and the Case for Regionalism, 8 *J. Small & Emerging Bus. L.* 131 (2004); see also *id.* (warning of the risk of “valor[ing] local action at the cost of de-emphasizing the critical importance of metropolitan coordination”). Nevertheless, whether the goal is local or regional change, political voice at the community or neighborhood level is a prerequisite for local empowerment. Both the allocation of public dollars and the concentration of dangerous, noisy, and polluting land uses are at stake in local government decisionmaking. See generally Robert D. Bullard, *Neighborhoods “Zoned” for Garbage*, in *The Quest for Environmental Justice: Human Rights and the Politics of Pollution* 43, 43-61 (Robert D. Bullard ed., 2005).

[FN152]. See, e.g., Frug, *supra* note 90, at 23.

[FN153]. Briffault, *supra* note 90, at 1115.

[FN154]. The formulation presented here offers an interesting opportunity for economists to consider local government optimization in terms of the balance between housing market mobility, habitability, and political participation. At what point does an additional layer of local government form (a special district, a municipality, etc.) support or hinder those three objectives? A model for this type of analysis is provided in Robert D. Cooter, *The Optimal Number of Governments for Economic Development*, in *Market-Augmenting Government: The Institutional Foundations for Prosperity* 297, 297-336 (Omar Azfar & Charles A. Cadwell eds., 2006).

[FN155]. A more developed exploration of the range of county governments operating in America today, along with the nature of the fiscal and political forces acting upon them, will be provided in my forthcoming article *Regional Localism: American County Government*, supra note 4. In this Article and my future work on counties, the following wise words bear noting: “We have in the United States what is probably the greatest output and complexity of laws relating to the government of cities that the world has ever seen.” *McQuillin Mun. Corp. §1.33* (3d ed. 1999). Similar diversity exists among county governments across the country, and the description and analysis provided here is not without its exceptions and caveats. In the longer conversation about county government, this Article constitutes merely an early remark.

[FN156]. Just as Richard Briffault once made the critical step of differentiating urban and suburban municipalities, this Article thus hopes to open a debate on differentiating municipalities and counties. See Richard Briffault, *Our Localism: Part I--The Structure of Local Government Law*, 90 *Colum. L. Rev.* 1, 4 (1990).

[FN157]. Richard Briffault has observed that the U.S. Supreme Court has alternately treated local governments as miniature representative democracies and as administrative subdivisions of the state. See Richard Briffault, *Our Localism: Part II--Localism and Legal Theory*, 90 *Colum. L. Rev.* 346 (1990). In the case of counties, the latter quality is always present in the day-to-day administration of county government. See Briffault, supra note 156, at 73 n.309. Counties' functions as proximate local democracies, however, is poorly understood, yet equally significant.

[FN158]. See Tanis J. Salant, *Overview of County Governments*, in *Forms of Local Government: A Handbook on City, County and Regional Options* 95, 98 (Roger L. Kemp ed., 1999).

[FN159]. See Herbert Sydney Duncombe, *Modern County Government* 132 (1977); Briffault, supra note 156, at 73 n.309.

[FN160]. Counties may provide services directly through a department or agency subordinate to county government, or the state legislature or area residents may establish special districts to provide such services. See U.S. Census Bureau, supra note 17, at vii. Even in the case of independent special districts (i.e., those not subordinate to county government), a great deal of interaction and overlap between counties and special districts is common-- county supervisors may sit on governing boards for area special districts and/or county staff members may be appointed as staff for such entities. Counties' role interacting with (and sometimes leading) an array of special districts and regionally based state agencies will be addressed in Anderson, *Regional Localism: American County Government*, supra note 4.

[FN161]. The “rash of municipal incorporations” in the second half of the twentieth century led many counties to enter the business of providing basic services on a model often referred to as the “Lakewood Plan” or “contract city” model, in which small, incorporated municipalities contract for their services from the county government rather than building their own infrastructure and service bureaucracies. See Miller, supra note 129, at vii; see also Mark B. Feldman & Everett L. Jossy, Note, *The Urban County: A Study of New Approaches to Local Government in Metropolitan Areas*, 73 *Harv. L. Rev.* 526 (1960). For an interesting analysis of one highly urbanized county, Los Angeles County, see Gerald E. Frug, *Is Secession From the City of Los Angeles a Good Idea?*, 49 *UCLA L. Rev.* 1783, 1784-88 (2002).

[FN162]. See Duncombe, supra note 159, at 132; see also National Association of Counties, *County Government Overview* 1, available at http://www.naco.org/Content/NavigationMenu/About_Counties/County_Government/CountyOverview.pdf (last visited May 15, 2008).

[FN163]. 390 U.S. 474 (1968).

[FN164]. Indeed, even though development on unincorporated land in most areas remains less regulated than development within municipal borders, counties have taken an increasingly proactive role in land-use control, building-code enforcement, and metropolitan infrastructure. This new role is a late twentieth-century development, as counties traditionally were not in the business of providing the urban services and regulatory structure required for higher density living, due to a lack of

awareness of the environmental and social costs of unregulated, unlimited urban sprawl. See, e.g., Rome, *supra* note 131, at 229 (describing how despite cities' and counties' authority to regulate land use, until the 1970s, counties failed to use their land-use powers at all, while cities typically used this power simply to protect property values and encourage economic development); *id.* at 221-53 (describing the increasing regulation of land use and subdivisions across the country).

[FN165]. For a thoughtful exploration of the history and legal position of county government in California, as well as the potential to strengthen counties' existing regional functions, see Jared Eigerman, California Counties: Second-Rate Localities or Ready-Made Regional Governments?, 26 *Hastings Const. L.Q.* 621 (1999) (arguing that counties in California are well suited to address regional planning issues).

[FN166]. The power to incorporate a municipality lies with local residents and landowners, and requirements for such a step are minimal. See, e.g., Briffault, *supra* note 156, at 74-75. The exception to this cherry-picking model of municipal growth are those middle- and upper-income unincorporated strongholds that have decided against municipal incorporation and that, under state law, are able to resist annexation by an adjacent municipality.

[FN167]. See *id.* at 76.

[FN168]. Rancho Sante Fe, San Diego County, California; Genesee, Jefferson County, Colorado; Barton Creek, Travis County, Texas; Gladwyne, Montgomery County, Pennsylvania; Pelican Bay, Collier County, Florida; and Great Falls, Fairfax County, Virginia: such unincorporated communities are emblematic of wealth and spatial prestige, and all are among the one hundred highest-income places with at least 1,000 residents. See Highest Income Places in the United States, http://en.wikipedia.org/wiki/Highest-income_places_in_the_United_States (last visited Mar. 31, 2008).

[FN169]. While some middle- and upper-income communities may derive economic advantage from remaining unincorporated as described above, it is not because unincorporated areas are subsidized by residents of incorporated places within the county. A certain share of the property taxes of city residents does go to counties, but these taxes fund services provided to the entire county territory, incorporated and unincorporated alike--services such as regional road networks, library systems, countywide social service agencies, and county jails and courthouses. For instance, in California, a statewide average of 21 percent of city residents' property tax revenues are distributed to the city, 27 percent to the county, 45 percent to the state and schools, and 7 percent to special districts. Michael Coleman, *A Primer on California City Finance*, *W. City Mag.*, March 2005, at 5, available at <http://www.californiacityfinance.com/FinancePrimer05.pdf>. Most counties have the legal authority to levy property taxes and other assessments on unincorporated area residents in order to pay for services. For example, in Miami-Dade County, the county's approximately 1.2 million unincorporated area residents, the majority of whom live in dense urban areas, fall within an Unincorporated Municipal Services Area subject to a special tax for city services. Residents of incorporated cities within the county are not subject to this tax. See *About Miami-Dade County*, http://www.miamidade.gov/infocenter/about_miami-dade.asp (last visited Mar. 31, 2008); *Miami-Dade County, Distribution of Property (Ad Valorem) Taxes*, http://www.miamidade.gov/taxcollector/property_tax_whereitgoes.asp (last visited Mar. 31, 2008).

[FN170]. Also known as direct benefit assessments, these charges are imposed on landowners--often at their specific request or subject to their approval-- within a defined area to finance public improvements such as sidewalks, streetlights, paving, sewers, curbs and gutters, business improvement services, and fire and medical rescue services. See Ronald H. Rosenberg, *The Changing Culture of American Land Use Regulation: Paying for Growth With Impact Fees*, 59 *SMU L. Rev.* 177, 195 n.58 (2006).

[FN171]. See, e.g., StopNCAnnexation, <http://www.stopncannexation.com> (last visited May 12, 2008) (detailing a self-described "[g]rassroots [e]ffort to [e]nd [forced] [a]nnexation [a]buse in North Carolina" that disseminates information about annexation battles in the state); AnnexReform.com, <http://www.annexreform.com> (last visited May 12, 2008) (a citizen group website that collects information about current annexation conflicts in Indiana). See generally Reynolds, *supra* note 15, at 248-49 & n.1.

[FN172]. Specifically, the research demonstrated that for a property valued at \$40,000, the impact of exclusion from city lines reached \$10,000 to \$11,000 per acre. See U.N.C. Ctr. for Civil Rights, *supra* note 101, at 17.

[FN173]. See generally Albert O. Hirschman, *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States* 96 (1970) (similarly recognizing that the highest prices for exit are extracted from “traditional human groups” reflecting family and community).

[FN174]. See U.N.C. Ctr. for Civil Rights, *supra* note 101, at 3-4.

[FN175]. See *id.*

[FN176]. Interview with Juan Carlos Cancino, former staff member, California Rural Legal Assistance, in San Francisco, California (July 17, 2007).

[FN177]. For a more in-depth discussion of this challenge, see Anderson, *supra* note 3 (discussing the “price of entry” and the “price of residence” faced by low-income households seeking to move into incorporated municipalities).

[FN178]. See John J. Delaney, *Addressing the Workforce Housing Crisis in Maryland and Throughout the Nation: Do Land Use Regulations That Preclude Reasonable Housing Opportunity Based Upon Income Violate the Individual Liberties Protected by State Constitutions?*, 33 *U. Balt. L. Rev.* 153 (2004).

[FN179]. See Jon C. Dubin, *From Junkyards to Gentrification: Explicating a Right to Protective Zoning in Low-Income Communities of Color*, 77 *Minn. L. Rev.* 739, 755 n.73 (1993); see also Lior Jacob Strahilevitz, *Exclusionary Amenities in Residential Communities*, 92 *Va. L. Rev.* 437 (2006).

[FN180]. Dubin, *supra* note 179, at 756 n.74. Some states and municipalities have adopted measures to incentivize or require the construction of limited affordable housing, such as linkage fees (which require contributions from housing developers for off-site, low-income housing construction) and inclusionary zoning measures (which require developers to designate a percentage of their residential projects to low- or moderate-income housing), but these programs have been unable to satisfy demand, particularly for the lowest-income groups. Theodore C. Taub, *Exactions, Linkages, and Regulatory Takings: The Developer's Perspective*, in *Exactions, Impact Fees and Dedications: Shaping Land-Use Development and Funding Infrastructure in the Dolan Era* 132-41 (Robert H. Freilich & David W. Bushek eds., 1995). See generally Andrew G. Dietderich, *An Egalitarian's Market: The Economics of Inclusionary Zoning Reclaimed*, 24 *Fordham Urb. L.J.* 23 (1996).

[FN181]. See discussion *supra* Part I.B; see also Mitchell, *supra* note 141, at 557, 563; Michael K. Brown et al., *Whitewashing Race: The Myth of a Color-Blind Society* 66-103 (2003); Thomas M. Shapiro, *The Hidden Cost of Being African-American: How Wealth Perpetuates Inequality* 4-9, 36-40, 47-56, 87-101, 107-114 (2004) (describing and quantifying the lasting effects of segregation and discrimination on the accumulation and intergenerational transfer of wealth and real property assets within the black community).

[FN182]. Such policies can be quite explicit. The 1971 General Plan for the County of Tulare, California, for instance, promulgated an official policy of starving low-income unincorporated neighborhoods of infrastructure improvements as a means to achieve their permanent elimination. The Plan stated:

Public commitments to communities with little or no authentic future should be carefully examined before final action is initiated. These non-viable communities would, as a consequence of withholding majority public facilities such as sewer and water systems, enter a process of long term, natural decline as residents depart for improved opportunities in nearby communities.

County of Tulare General Plan 2-1 (1971) (on file with author).

[FN183]. Wiese, *supra* note 86, at 247-48; Telephone Interview with Andrew Wiese, Professor of History, San Diego State University (July 17, 2007).

[FN184]. See Calmore, *supra* note 147; Mitchell, *supra* note 141.

[FN185]. Once the groundwork for necessary collective infrastructure is built, unincorporated urban areas generally pay more than households within city limits to tie in and use that infrastructure. Unless a county or special district system is available to serve the unincorporated urban area, infrastructure built to serve these communities at a municipality's fringe generally ties in to that city's water and sewer network, and cities are empowered to charge a premium for services provided extraterritorially.

[FN186]. See generally Rome, *supra* note 131.

[FN187]. See, e.g., Richardson Dilworth, *The Urban Origins of Suburban Autonomy* (2005); David M. P. Freund, *Colored Property: State Policy and White Racial Politics in Suburban America* 99-139 (2007); Jackson, *supra* note 108, at 131; Martin V. Melosi, *The Sanitary City: Urban Infrastructure in America From Colonial Times to the Present* (2000); William L. Andreen, *The Evolution of Water Pollution Control in the United States--State, Local, and Federal Efforts, 1789-1972: Part II*, 22 *Stan. Env. L.J.* 214, 226, 290 (2003); Nicole Stelle Garnett, *Unsubsidizing Suburbia: The Urban Origins of Suburban Autonomy*, 90 *Minn. L. Rev.* 459 (2005) (reviewing Dilworth, *supra*). Some portion of this subsidization occurred in the form of city financing of service extensions to newly annexed suburbs. In an economic analysis of the motives behind annexations during the 1950s, for instance, the author found that a large majority of the cities claiming an economic motive for annexations of suburban areas did not expect to obtain tax revenues covering the cost of new service extensions. See D. Andrew Austin, *Politics vs. Economics: Evidence From Municipal Annexation*, 45 *J. Urb. Econ.* 501, 504 (1999). Instead of pursuing purely economic motives for annexation as was claimed, the study found that cities pursued political ends, including the use of annexation to increase the proportion of white voters and to dilute nonwhite voting power within the city. *Id.* at 528-29.

[FN188]. In the history of funding public services (discussed in greater detail in a forthcoming article), public entities, not individual households, traditionally bore the cost of equipping residential neighborhoods with infrastructure. City financing subsequently evolved towards a pay for what you get system of infrastructure financing, in which the costs of laying infrastructure beneath a new subdivision are borne by developers and passed on to homebuyers. See generally Laurie Reynolds, *Taxes, Fees, Assessments, Dues, and the "Get What You Pay For" Model of Local Government*, 56 *Fla. L. Rev.* 373 (2004); Rosenberg, *supra* note 170. These costs, as noted, are much lower than infrastructure retrofit projects--a bitter pill for communities established without necessary initial infrastructure under conditions of racial discrimination and segregation. See Anderson, *supra* note 3.

[FN189]. See, e.g., Diaz, *supra* note 80, at 53. These routes destroyed some of the most racially diverse working-class communities of Los Angeles, with Jewish, Mexican, Italian, Japanese, and African Americans, which led to the resettlement of those groups in larger and more racially homogeneous areas. See Avila, *supra* note 128, at 206-08.

[FN190]. See Avila, *supra* note 128, at 212. Unincorporated East L.A. was not alone in bearing the brunt of the 5, 10, and 710 freeways and Highway 60. More than 10,000 residents of the Boyle Heights neighborhood, located within the City of Los Angeles, were displaced between 1946 and 1965 by construction of these same freeways, as well as a major interchange among them.

[FN191]. By creating sightless corridors in which suburban residents could imagine and fear but not see the communities on the other side of the concrete freeway walls, the freeways are also credited with amplifying the psychological polarization between black and Latino districts like East Los Angeles and nearby middle-class suburbs. See *id.* at 213.

[FN192]. See *id.* at 215-18.

[FN193]. See East L.A. Residents Ass'n Report, *supra* note 129, at 14-15.

[FN194]. Three of the states analyzed here confer a form of extraterritorial land-use and zoning authority on their municipalities. See N.C. Gen. Stat. §160A-360 (2005) (granting municipalities the authority to exercise the same powers within a defined extraterritorial sphere as are exercised within corporate limits); Cal. Govt. Code §56076 (2007) (defining a city's sphere of influence as the area designated for a city's future growth and service extensions); Cal. Govt. Code §65859 (permitting cities to prezone unincorporated areas within the city's sphere of influence to determine the zoning that will apply to that territory upon annexation); Tex. Loc. Gov't Code Ann. §§42.001-42.904 (Vernon 2007) (establishing extraterritorial jurisdictions and the power of municipalities within those areas).

[FN195]. See, e.g., Sander M. Stevenson, 1-24 Antieau on Local Government Law §24.08 (2d ed. 2003); see also Briffault, *supra* note 90, at 1131-32 (discussing the problematic nature of extraterritorial service provision and regulation).

[FN196]. See, e.g., N.C. Gen. Stat. §160A-360 (granting municipalities the authority to exercise the same powers within a defined extraterritorial sphere as are exercised within corporate limits); Ariz. Rev. Stat. Ann. §9-401(A) (2007) (granting power to purchase land extraterritorially and to enforce city code there); Ariz. Rev. Stat. Ann. §9-461.11 (establishing a three-mile extraterritorial zoning jurisdiction); Ariz. Rev. Stat. Ann. §9-511(C) (2007) (establishing the right to site public utilities and other uses outside corporate limits); Ind. Code Ann. §36-1-4-18 (granting municipalities the right to own, operate, and dispose of property within a four-mile radius outside the city's corporate boundaries); N.M. Stat. Ann. §3-21-2 to 3-21-3 (2007) (granting smaller municipalities extraterritorial zoning jurisdiction).

[FN197]. See, e.g., Ariz. Rev. Stat. Ann. §9-511(A)-(C); Utah Const. art. XI §5(b) (2007); Ga. Code Ann. §36-82-62 (2007); Ohio Const. art. XVIII, § 4; see also Vickery v. City of Carmel, 424 N.E.2d 147, 150 (Ind. Ct. App. 1981) (interpreting Ind. Code Ann. §32-1 to grant eminent domain powers within cities' extraterritorial jurisdiction).

[FN198]. This tension and a U.S. Supreme Court case squarely confronting it are both analyzed *infra* Part III.B.4.

[FN199]. In Holt Civic Club v. City of Tuscaloosa, 439 U.S. 60 (1978), a neighborhood association and residents of Holt, an unincorporated community on the outskirts of Tuscaloosa, Alabama, challenged state "police jurisdiction" statutes by which their community had no voting rights in municipal elections but was subject to Tuscaloosa's police and sanitary regulations, the criminal jurisdiction of the city's court, and the city's business licensing rules. The Court rejected the unincorporated area's claim that the city's extraterritorial exercise of police powers over them, without a concomitant extension of the municipal franchise, denied Holt residents' due process and equal protection rights. Id. at 62-63, 70. One-person, one-vote principles, the Court held, had never interfered with the longstanding rule that units of government could limit eligibility for the right to vote in local elections to persons residing within their borders. Id. at 68-69.

[FN200]. See U.N.C. Ctr. for Civil Rights, *supra* note 101.

[FN201]. Maps of the area, the proposed bypass, and the boundaries of municipal sewage services are available at the website of the West End Revitalization Association. See West End Revitalization Association, *supra* note 38; see also Johnson et al., *supra* note 38, at 93 fig.1, 94 fig.2, 99 fig.3, 102 fig.4.

[FN202]. 42 U.S.C. §§1973 to 1973bb-1 (2000). This type of claim is discussed in detail in a companion article. See Anderson, *supra* note 3. It is a similar story in Shaw Heights, a high-poverty black enclave pinned between the cities of Fort Bragg and Fayetteville that has "long been neglected" by the neighboring cities and Cumberland County. The area lacks sewer lines and has been passed over for annexation several times by Fayetteville. Yet local officials are currently considering running an interstate highway through the residential community, a move that is expected to stimulate enough redevelopment to lure Fayetteville into serving and annexing the community but will come at the cost of displacing many residents and businesses in Shaw Heights. See Bryan Mims, Bragg Growth, Highway to Lift Longtime Eyesore, Wral.com, June 6, 2007, <http://wral.com/news/local/story/1478589>.

[FN203]. 439 U.S. 60 (1978).

[FN204]. See id. at 74 (Rehnquist, J.).

[FN205]. Id. at 77 (Stevens, J., concurring).

[FN206]. The catchments of special districts for schools, parks, water, sewage, or other services, do not necessarily conform to city or county boundaries.

[FN207]. Interview with Ina Lopez, No Man's Land resident, Stanislaus County, California (Sept. 14, 2006) (on file with author); Interview with Maria Jaime, Attorney, California Rural Legal Assistance, Stanislaus County, California (Sept. 14, 2006) (on file with author).

[FN208]. Interview with Magdalena Mercado, *supra* note 58.

[FN209]. Avery v. Midland County, 390 U.S. 474, 479 (1968).

[FN210]. The Federal Executive Bd., Los Angeles, The Greater Los Angeles Area Is Greater Than We Think 4 (2002), http://www.awp.faa.gov/new_feb/local_info.cfm.

[FN211]. See Telephone Interview with Jessie Slocum, sixty-five-year North Richmond resident (July 19, 2007) (on file with author).

[FN212]. To make it to one of the Board of Supervisors' monthly meetings, which are held at 9 a.m. on a weekday, a resident taking the bus must leave North Richmond at 7 a.m. As a result much of the active community participation by North Richmond residents is directed at the City of Richmond, which must communicate and negotiate solutions with the County Board of Supervisors. *Id.*

[FN213]. See, e.g., N.C. Gen. Stat. §160A-36, -48 (2007).

[FN214]. See Briffault, *supra* note 156, at 9 n.18; Recent Case, Municipal Corporations--Legislative Control--Statute Applicable to a Single County Does Not Violate Constitutional Prohibition Against Special Legislation, 76 Harv. L. Rev. 652, 652 (1963) (discussing Williams v. Rolfe, 114 N.W.2d 671 (Minn. 1962), and discussing state bars against special legislation). For instance, Indiana courts struck down a state legislative act prohibiting annexation of specific unincorporated neighborhoods on the fringes of South Bend, Indiana, whose wealthy residents were so opposed to annexation by the city (despite its promise of sewer and water systems) that they had lobbied for and won the attention of the state legislature. See Garnett, *supra* note 187, at 499.

[FN215]. See Lee Romney, Poor Neighborhoods Left Behind: Modesto Has Annexed Land for Upscale Tracts but Shunned Run-Down Areas, Saying the County Should Improve Them. *Suit Alleges Bias*, L.A. Times, Sept. 18, 2005, at B6.

[FN216]. Briffault has observed that extension of city borders to encompass people adversely affected by extraterritorial regulation is problematic because it produces a larger government unit, which is in tension with participatory values. He is correct from the perspective of existing municipal residents if the race of excluded voters is not taken into account, but the observation elides the participatory claims of the affected outsiders. See Briffault, *supra* note 90.

[FN217]. Mapped Out of Local Democracy, a forthcoming article, explores each of these three categories of reform. See Anderson, *supra* note 3.

55 UCLA L. Rev. 1095

END OF DOCUMENT

P:\VISALIA\GP\2010 GP and RDEIR\Comment Letter\submittal exhibits\Anderson--Cities Inside Out.doc

EXHIBIT 8

CALVARY WORSHIP CENTER



CALVARY WORSHIP CENTER
E. Side Lovers Lane, South of Caldwell Ave



EXHIBIT 9

METHANY TRACT ARTICLES



City of Tulare's annexation of Matheny Tract on hold

BY LUIS HERNANDEZ • lhernand@visalia.gannett.com • April 20, 2010

A plan to annex Matheny Tract and more land south of Tulare is on hold.

The county's Local Agency Formation Commission decided to delay its decision on the plan until a committee representing Matheny Tract residents can form and look into the possibility of annexing the 900-resident enclave south of Tulare.

The city also has proposed adding nearly 500 acres to the city for a planned industrial park.

The delay will be at least three months.

Marco Segura, a staff analyst for LAFCO, said the yet-to-be-formed committee also will look at the possibility of extending city services to the tract if annexation doesn't work out.

"We're trying to get all those interested people to the table," Segura said. "We're trying to find out what everybody wants."

LAFCO's delay, however, didn't sit well with Tulare Vice Mayor Phil Vandegrift.

"We're trying to create an industrial park that creates jobs," Vandegrift said.

"Delaying the process is not prudent."

The land for the proposed industrial site is needed because expansion inquiries have been received, city officials said.

And having such land available will give Tulare a competitive advantage in job creation.

The construction of Matheny Tract started in 1947, a year after being approved. Vandegrift said little to no building standards were followed, leading to serious lack of infrastructure.

Water, sewer, street, curb and gutter improvements, with an estimated \$8 million price tag, must be

completed to bring up the enclave's infrastructure to city standards. To help finance the improvements' costs, state officials are helping tract residents turn in a request for state and federal money.

Still, Vandegrift said the cost shouldn't come out of city's coffers.

"LAFCO seems to think it's the city of Tulare's job to fix this," he said. "It's not fair for Tulare residents to solve this. It's the county's problem."

All annexations must come before LAFCO, an independent agency interested in orderly land development in the county. After city officials came before LAFCO to make the request, the board members held a public meeting late last month to determine residents' interest in being annexed. The response was largely positive.

Advertisement

USA TODAY
AutoPilot ✈️
The new travel app for iPhone™ and iPod touch™
Presented by **Hampton**
SEE HOW IT WORKS »

Print Powered By FormatDynamics™

Print this Page

Matheny Residents 'Very, Very Unhappy'

Tulare - More Matheny Tract residents appear interested in annexing to the city than city officials previously had thought, but whether the number equals more than half the property owners – the amount needed for the city of Tulare to act – is not yet known.

After a lively 2 1/2-hour meeting last Thursday with about 70 Matheny residents, city Planning Director Mark Kielty said one thing was clear to him: "They're very, very unhappy with the county."

But even given that unhappiness with the county, residents appeared "all over the board" when it came to the question of whether they wanted to be annexed to the city, Kielty said.

"There's obviously some who would support it, depending on what the cost was; others – not a chance; and still others want more choices," he said.

Tulare County Local Agency Formation Commission (LAFCo) staff members attended the meeting and Kielty said he was told they will likely recommend the city conduct a survey to get a better handle on how much annexation support exists.

LAFCo, the agency authorized to approve or reject annexation requests, postponed in February a city request to annex 461 acres adjacent to Matheny Tract for an industrial park until a meeting was held with subdivision residents.

The lack of consensus among residents was apparent when Kielty said he would report to his boss, City Manager Darrel Pyle, that the residents were dissatisfied with county services and want city services.

"Not everybody wants to be city," one woman shouted out as a portion of the audience nodded its head in agreement.

Lew Nelson, the city's public works director, has been working with the Pratt Mutual Water Company and Self Help Enterprises for three years on a grant application to replace Pratt Mutual's old, undersized and contaminated water system so the city can either sell water to the company or directly to residents.

"I've heard for three years...a majority of Matheny residents don't want to be annexed," Nelson told the audience.

If that is not the case, then they must petition the city for annexation, he said,

predicting a request from a majority of property owners would get “good support” from LAFCo.

Nelson and other city officials have been blunt in their assessment that annexing the Matheny Tract would cost the city lots of money – \$8.6 million according to a study by City Engineer Mike Whitlock – because it is so far below city standards and would not benefit the city in any way.

“But that doesn't mean we won't do it if a majority of property owners asks for it,” Nelson said.

Industrial Park

The meeting with Matheny residents was called at the insistence of LAFCo – which is considering the proposed 461-acres along South I Street zone for an industrial park.

The park would be adjacent to the Matheny Tract and LAFCo staff and commissioners wanted to make sure residents were aware of the plan and had the opportunity to comment on potential impacts.

During LAFCo's February meeting, Maria Sofia Corona, a community worker for California Rural Legal Assistance, presented commissioners with a petition signed by 18 residents asking that action be postponed until residents received more information.

State law requires the city to send public hearing notices on proposed general plan amendments, zoning changes and annexations to all property owners within 300 feet of the area under consideration.

The city did what it was required, which resulted in about 25 to 30 notices going to Matheny property owners, Kielty said.

But the subdivision includes nearly 300 parcels, which prompted LAFCo staff to cite “a lack of public outreach” to Matheny residents and the commission to postpone action on the proposed industrial park annexation until 2 p.m. Wednesday, April 7, in the Tulare County Board of Supervisors chambers at the County Civic Center in Visalia.

Asked about the proposed industrial park, several Matheny residents expressed concern about the noise, pollution and traffic congestion they suspect will occur with large industrial operations next door.

“You put a 20-foot wall out there and it's still not going to stop it,” one man said in response to Kielty's comment the city would require a developer to put in a brick wall to separate the industrial park from the residential subdivision.

“We don't want none of this out there,” another resident said.

“There's no advantage to us,” yet another said.

About two years ago a major warehousing company was looking at property in the proposed new industrial park but the land was neither within the city's limits nor zoned for industrial use at the time, Kielty and Nelson told residents.

That operation would have employed about 1,000 people – creating jobs for people who live in the Matheny Tract – but it also would have generated about

160 truck trips a day, Kielty and Nelson said.

Addressing the noise impact, Nelson said the city can require developers to place loading docks away from the Matheny side of the parcels.

The proposed annexation would include land bound by Bardsley Avenue on the north, the Union Pacific Railroad on the east, Pratt Street on the west and the Matheny Tract on the south.

Rural Legal Assistance

California Rural Legal Assistance (CRLA) became involved with Matheny residents after they heard there was concern about the industrial park plan, CRLA attorney Kara Brodfuehrer said after the meeting.

CRLA has held two meetings with residents to inform them of their rights. The first drew about 25 people and the follow-up attracted about 50, Brodfuehrer said.

Asked if she detected a consensus among the residents who attended the city's meeting regarding the annexation and industrial park issues, she said she didn't want to speculate on what the majority might be thinking.

CRLA will hold another meeting with residents prior to the LAFCo meeting in Visalia, she said.

Brodfuehrer and Corona, the CRLA community worker, said the city's concerns over what the annexation of Matheny would cost can be addressed in part by tax-sharing agreements such as the ones the cities of Visalia and Porterville entered into with the county when they annexed county subdivisions. They also said the city could qualify for grants to help pay for improvements.

Kielty is skeptical a tax-sharing agreement would help. He said Matheny Tract pre-dates Proposition 13, which means the value of most properties is low as is the amount of property taxes paid.

The above story is the property of The Valley Voice Newspaper and may not be reprinted without explicit permission in writing from the publisher.

EXHIBIT 10

**CITY OF TULARE SA
RECYCLING APPEAL**

SA RECYCLING APPEAL

The Tulare County Planning Commission abused its discretion by approving Special Use Permit PSP 09-005/PSZ 08-030. The Planning Commission approved the project on the grounds the applicant had done so much work cleaning up the site. The City of Tulare is appealing the Planning Commission's approval due to the fact this is not about how the applicant cleaned up the site. This is about a use that is located within the City of Tulare's Sphere of Influence and is not allowed under the County's Zoning Ordinance land use designation (M-1), therefore the project does not comply with the Tulare County General Plan. The Planning Commission's approval process is flawed in numerous respects.

Because the Planning Commission's decision is in error, the City of Tulare asks the Tulare County Board of Supervisors to reverse the approval. The deficiencies aggregate to create a document that purports to inform the public, but in reality, does an inadequate job of analyzing the true impacts of the proposed project and the expansion. The Board should reject the approval of the Mitigated Negative Declaration and the proposed project because it fails to comply with the Tulare County Zoning Ordinance, the Tulare County General Plan, and California Environmental Quality Act (CEQA).

The Project:

Special Use Permit PSP 09-005/PSZ 08-030 is to allow a solid waste recycling operation to allow a 10-ft block wall/fence on approximately 14.10 acres in the M-1 (Light Manufacturing) Zone.

ZONING:

The subject property is zoned M-1 and AE-20 and is occupied by an illegal auto-wrecking yard. The M-1 (Light Manufacturing) Zone - is intended for establishments engaged in the manufacturing, assembling, packaging, treatment and processing of products other than those which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise or other similar causes. Allowed use in the M-1 Zone - Automobile dismantling and used parts storage when operated or maintained wholly within a building. The applicants state they are not an automobile dismantling operation. The west 2/3 of the project site (APN 168-170-029) is zoned AE-20 - is intended for exclusive agricultural - 20 acre minimum. The purpose of this zone is to protect the general welfare of the agricultural community from encroachments of unrelated agricultural uses which, by their nature, would be injurious to the physical and economic well-being of the agricultural community. [Exhibit No.]

CITY OF TULARE'S SPHERE OF INFLUENCE

The site is located adjacent to the City of Tulare and within the City of Tulare's sphere of influence. The City of Tulare's land use designation is industrial. Adjacent industrial

property is zoned M-1 (Light Industrial). If this property were in the City, it would be zoned as the adjacent parcels (M-1), which does not allow salvage and wrecking facilities in that district.

COUNTY ZONING, ENTITLEMENTS AND OTHER ORDINANCE CHARACTERISTICS:

JUNE 7, 1983 - TULARE COUNTY ORDINANCE NO. 2542

- **SOLID WASTE:** All putrescible and nonputrescible solid, semi-solid and liquid wastes, including but not limited to discarding paper, cloth, metal, wood, glass and plastic materials.
- **SOLID WASTE RECYCLING OPERATION:** Any building or area where the process of collecting, sorting, cleansing, treating and reconstituting of solid waste or other discarded materials for the purpose of using the altered form, is undertaken.

FEBRUARY 18, 1988 - TULARE COUNTY ORDINANCE 2817

- **RECYCLING COLLECTION CENTER** – A Recycling Collection center is a Solid Waste recycling Operation limited to the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Processing of materials shall be limited to the crushing of glass, metal, and plastic beverage containers within an enclosed space including, but not limited to, reverse vending machines.

OCTOBER 3, 1989 - TULARE COUNTY ORDINANCE NO. 2901

- Defined storage depots for non-operating vehicles "AUTOMOBILE WRECKING" to be located in the M-1 and M-2 Zones. The Ordinance went on to state "Provided, however, that in the **M-1 Zone automobile wrecking shall be limited to only the dismantling, storage or sale of used motor vehicle parts and no outside storage or wrecking of car bodies or wrecked vehicles shall be allowed."**

SPECIAL USE PERMIT UNDER SECTION 16.II.B

- Storage of used motor vehicles require a Special Use Permit under Section 16.II.B "automobile wrecking" in the C-3, M-1, M-2 Zones with a Special Use Permit "Provided however, that in the C-3 and the M-1 Zones the dismantling, storage or sale of used motor vehicle parts and no outside storage or wrecking of car bodies or wrecked vehicles shall be allowed."
- "A special Use Permit shall be granted only if it is found that the establishment, maintenance and operation of the use of building or land applied for will not,

under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.”

- Special Use Permits require a more comprehensive review through the Tulare County Planning Commission, and require a public hearing.

SOLID WASTE RECYCLING OPERATION

- AE-10, AE-20, AE-40, AE-80, A-1, AF, C-2, C-3, M-1, M2- AP. Provided, however, that in the C-2 and C-3 Zones a Solid Waste Recycling Operation shall be limited only to the collection and assemblage of solid waste materials from previously prepared products, not including waste food materials, for transport to other sites for recycling, processing, manufacture or treatment; and, provided further that a special use permit shall not be required for a recycling collection center which is operated as an accessory use in the C-2, C-3, M-1 and M-2 zones.

March 20, 2009 – Letter from the county determining SA Recycling was operating a solid waste recycling operation. Stating “There are different types of material other than vehicles that are being recycled.” [Exhibit No. letter]

Although SA Recycling does recycle computer monitors, refrigerators, air conditioners, and other large metal object the majority of the site is composed of non operating vehicles that are crushed on site. [Exhibit No. pictures]

The project is considered a solid waste recycling operation which is an allowed use in the M-1 Zone, however, as stated in the staff report pg 4 the solid waste recycling operation uses a car crusher to wreck vehicles. In addition, the vehicles are stored outside on bare ground prior to being crushed. The project is not in compliance with county zoning land use designation and is not consistent with the county general plan; therefore, the county cannot make the findings for the zone variance to construct a ten-foot high block wall.

The City has no evidence of a general plan amendment and a zone amendment application to address the land us deficiencies.

The county’s definition for a solid waste recycling operation does not include crushing and storing of non-operating vehicles. However, storage of non-operating vehicles is defined under the county’s “AUTOMOBILE WRECKING stating **“no outside storage or wrecking of car bodies or wrecked vehicles shall be allowed.”** in the M-1 Zone.

VIOLATION (V207-115) [Exhibit No.]

The county became aware of this facility in October of 2007 when the City of Tulare informed the county of the vehicle crushing operation. During the county's field inspection the following violation (V207-115) was confirmed on 11/15/2007:

- "solid waste recycling operation in the M-1 zone without approval of a Special Use Permit"
- "Outside storage or wrecking of car bodies or wrecked vehicles in the M-1 Zone (No allowed)"

February 6, 2009, letter from Bruce Kendall, Code Compliance Manager, to Maureen Hopkins, Project Planner, stated PSP 09-005 has **no violation on the parcels**. Violation No. V-207-115 as mentioned above "was closed due to Beverly Cates determination that the **use on this site was a use by right.**" [Exhibit No's.]

Staff report pg 9 states "April 30, 2008 Violation V207-115; Solid Waste Operating Facility and the storage of vehicles. **It was determined to be permitted by right, since they were not dismantling and the case was closed.**"

The lack of enforcement at this facility was not addressed adequately. The violation was closed due to staff's determination that the use on this site was a use by right undermined enforcement efforts and allowed the illegal operation to continue over the last four years.

The Third-Party Assessment of Hazardous Materials Storage at the facility was assessed on May 12, 2009. Environmental Investigation Services assessment noted the current recycling facility was approximately 3.4 acres (Parcel 1) while the remainder of the site (Parcel 2) was undeveloped. Observation of the subject facility by the Environmental Investigation Services observation of the site showed the vehicles were arranged in orderly rows and each clearly marked by an identification number and the receiving date with spray paints. The area was observed secured with metal wire fences. In addition, Environmental Investigation Services reported the car rack and car crusher area at the southwest side (Parcel 1) was located on concrete pavement.

Exhibit No. Pictures June 13, 2008 show the entire 14.1 acres completely submerged in non operating vehicles not arranged in orderly rows but stacked in all directions. Exhibit No. Pictures June 13, 2008 shows the car crusher located on APN 168-170-029 crushing vehicles on bare ground. **The applicant cleaned up the site only to obtain a permit.**

PROJECT DESCRIPTION

A project is "the whole of an action, which has a potential for resulting in a physical change in the environment, directly or ultimately . . .," including "the activity which is

being approved and which may be subject to several discretionary approvals by governmental agencies." (Section 15378 (a) and (c).) 21065 refer to the underlying "activity" for which approval is being sought. The entirety of the project must be described, and not some smaller portion of it.

"Special use permit is to allow a solid waste recycling operation in the M-1 Zone and a Zone Variance to allow a 10-ft block wall/fence (with sound absorption capabilities) along the rear and side yard areas."

Section 15064 (b) CEQA contemplates serious and not superficial or pro forma consideration of the potential environmental consequences of a project. "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. **To fulfill the goals of CEQA it is important to show an accurate project description.** It is equally important to consider seriously a project's potential environmental impacts in its preliminary review and initial study, particularly if no further environmental consideration is likely

The County employed an incomplete and misleading description of the project. Please note following:

Notice of Completion & Environmental Document Transmittal prepared by the County referenced the project description "Special Use Permit to allow a solid waste recycling center, and a Zone Variance to allow a 10-foot block wall/fence."

Notices of Public Hearings and Completion of Environmental prepared by the County also referenced the project description in the documents as follows: "A Special Use Permit to allow a solid Waste Recycling Operation and Zone Variance to allow a 10-foot block wall/fence (with sound absorption capabilities) along the rear and side yard areas on 14.10 acres in the M-1 (Light Manufacturing) Zone."

State Clearinghouse and Planning Unit's description of the project is "Special Use Permit to allow a solid waste recycling center, and a Zone Variance to allow a 10 ft. block wall/fence."

California Integrated Waste Management Board listed the project description as "Special Use Permit and Zone Variance to allow operation of a solid waste recycling center and to allow a 10-foot wall on approximately 14 acre property in a Light Manufacturing, M-1, Zone located in Tulare"

Department of Transportation reviewed the project as a solid waste recycling center and a variance to allow a 10-foot high retaining wall with sound absorption capabilities along the rear and side yard."

In addition, the environmental document under Aesthetics described the project as follows: "The proposal is to allow a solid waste recycling operation on a parcel that is located on Avenue 232 (Tulare Avenue)."

Not only did the environmental document fail to explain that the solid waste recycling operation stores non-operating vehicles they also crush those vehicles on bare ground. In addition, the environmental document failed to include the project expansion of the use which includes two-70 ft. scales alongside a 1,444 sq. ft. scale-house, a 64 sq. ft. satellite waste storage building, and a 5,000 sq.ft. maintenance shop with a 1,000 sq. ft. wash pad/rack. By giving such conflicting signals to decision makers and the public about the nature and scope of the activity being proposed, the project description was fundamentally inadequate and misleading. Moreover, it is clear that this curtailed or shifting project description affected the environmental review process.

ENVIRONMENTAL ISSUES:

The County of Tulare, acting as Lead Agency, prepared the following environmental document for SA Recycling/Central Valley Recycling Facility

A Mitigated Negative Declaration, State Clearinghouse No 2009121015, was circulated for a thirty day comment period from December 8, 2009, through January 6, 2010. The Mitigated Negative Declaration and the Special Use Permit was approved by the Tulare County Planning Commission on February 24, 2010.

BASELINE ENVIRONMENTAL SETTING:

The City of Tulare contends the environmental document failed to adequately describe the existing environmental setting. Before the impacts of a project can be assessed and mitigation measures considered, an initial study must describe the existing environment. It is only against this baseline that any significant environmental effects can be determined.

Prior to SA Recycling purchasing the site (2006) the site contained a small recycling collection center –limited to the acceptance by donation, redemption, or purchase, of recyclable materials from the public limited to the crushing of glass, metal, and plastic beverage containers on a portion of APN 168-170-003. 2007 aerial depicts the southern portion of APN 168-170-029 fallow agriculture land, no recycling activity on the site dating back to 1990. [Exhibit No. 2007 aerial]. The 2008 aerial depicts both APN's 168-170-003 & 029 stacked with non-operating vehicles and car crushers on bare ground. [Exhibit No. 2008 aerial]. Therefore, the City of Tulare believes this is only a starting point for more ambitious facilities and this piece-meal approval process violated the California Environmental Quality Act (CEQA)

Pg 11 of the Mitigated Negative Declaration states the subject site is not adjacent to residential neighborhoods, but there are two residential subdivisions in the vicinity. Both residential subdivisions are within 120 feet of the site. [Exhibit No.].

EXISTING RESIDENTIAL SUBDIVISIONS PRIOR TO THE CAR CRUSHING OPERATION

- Valley Estates - 222 single family lots - Notice of Determination December 22, 2004. Located 120 feet to the north of the site.
- Westgate No. 4 – 39 single family lots – Notice of Determination, December 21, 2005. Located 100 feet to the south of the site. The Santa Fe Trail lies between the sit and the residential development.

PROPOSED NEW SCHOOL SITE PRIOR TO THE SPECIAL USE PERMIT APPLICATION

The project site is adjacent to parcels proposed for future annexation into the City. Tulare's land use designation for those parcels is residential. In addition, The Tulare City School District has received site approval from the California Department of Education School Facilities Planning Division for a new Elementary School – Gemini #2 (October 9, 2008). The site was chosen because of ongoing conversation with the City of Tulare regarding future residential development in this area, as well as the existing residential development that has occurred to the east of the site. This special use permit to allow a solid waste recycling facility was not applied for until 2009. [Exhibit No. Location map]

Prior to the assessment of stored hazardous materials by Environmental Investigation Services (EIS) in 2009 SA Recycling had cleaned up the site. EIS observed the vehicles arranged in orderly rows and the area was observed secured with metal wire fences. Also, EIS observed the car rack and car crusher area on concrete pavement. [Exhibit No.]

As a preliminary matter, the environmental document failed to set a proper baseline and failed to include other information which is necessary to evaluate the project's impacts. Because the project is an expansion of an illegal facility which has never been the subject of an EIR or Mitigated Negative Declaration, the County has never analyzed or mitigated the project's impacts as compared to baseline conditions as they will exist if the project is not approved or conditions before the initial project commenced. It must, therefore, do so now.

Additionally, the environmental document failed to accurately analyze numerous project impacts including:

- Failure to update its water analysis and hydro geologic characteristics of the area around the site.
- Failure to consider all on-site activities, including vehicle crushing, as well as all offsite facilities in analyzing cumulative impacts.
- Failure to conduct a water assessment as required by CEQA and California Water Code 10910.
- Failure to assess air quality, global warming and health impacts from diesel truck transportation and diesel emissions.
- Accurate noise study.

ENVIROMENTAL ASSESSMENT

Aesthetics

Agricultural

Staff report pg 6 "The site has been utilized as a recycling business dating back to 1990." Staff report pg 8 "The whole site has been disturbed with the recycling operation. The business has been in operation in this capacity since August 7, 2006, and different recycling business was in operation in 1990"

In review of the aerials and the County Zoning Map which depicts the west 2/3 of the project site (APN 168-170-029) Agricultural and zoned AE-20. In addition, the 2007 aerial depicts the southern portion of APN 168-170-029 fallow agriculture land, no recycling activity on the site dating back to 1990.

The staff report leads you to believe there has been a solid waste recycling facility (auto wrecking) utilizing the entire site since the 1990. Aerials depict fallow ag land on APN 168-170-029. [Exhibit No.] In addition, the site was clean up prior to going through the entitlement process [Exhibit No. Pictures prior to application 2008 and pictures after application 2010]

The original Mitigated Negative Declaration under Agricultural Resources pg 7 states as follows:

"The site has been zoned M-1 dating back to 1967. Along the eastern property boundaries the majority of the site is zoned Agricultural. The

other portion along the same property boundary is zoned M-1. The land use of the subject site dating back to 1990 has been recycling. Therefore, there is little evidence to suggest that the current activity on this site will impact the agricultural site to conversion to non-agricultural use.”

The site adjacent to the west is also designated AE-20. Thus, impacts to agricultural for the conversion of agriculture use to non-agricultural use.

The County cannot make CEQA findings for the loss of farmland by use of a mitigated negative declaration.

Air Quality

Air Quality - Mitigation Measure

- a) The hazardous material that might result in toxic air contaminants is to be kept in containment consistent with State and County regulations. All buildings where hazardous material is stored shall be secured, locked up and a notice shall be placed on the outside of the buildings stating that there is hazardous material in the building.

The Mitigated Negative Declaration document does not characterized potential health risks that may result due to Toxic Air Contaminants (TACs) from diesel exhaust emissions during the project operations. TACs are defined as air pollutants that which may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. The most common source of TACs can be attributed to diesel exhaust fumes that are emitted from both stationary and mobile sources. The project related health impacts should be evaluated to determine if TAC emissions resulting from this project's operations will pose a significant health risk to nearby sensitive receptors. If project related health impacts exceed the District's significance threshold of 10 in a million, the district recommends reparation of a detailed health risk assessment and incorporation of additional mitigation measures.

Contact with the San Joaquin Valley Air Pollution Control District (SJVAPCD) on April 5, 2010, revealed the letter from the SJVAPCD was just a referral letter for early consultation. The Notice of Completion & Environmental Document Transmittal [SCH#2009121015] shows Air Quality as Project Issues Discussed in Document, however, the Lead Agency (Tulare County) did not recommend to the State Clearinghouse to distribute the document to Air Resources Board. SJVAPCD has not reviewed the Mitigated Negative Declaration. [Exhibit No. NOC and SJVAPCD referral letter for early consultation.] Therefore, the Mitigated Negative Declaration has inadequate CEQA review.

April 16, 2010, [Exhibit] a letter was received from the SJVAPCD who reviewed the Tulare County documents submitted by the City of Tulare. The District comments:

"The District has no record of having received a Health Risk Assessment (HRA) for the subject project. Therefore the District cannot render an opinion regarding the adequacy of the HRA." The District went on to say "If a Health Risk Assessment (HRA) was done that included diesel emissions from on-site mobile equipment, heavy duty trucks traveling onsite and truck idling, it may be adequate"

Section 15064 (b) The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data.

A concentration of large vehicles in this area (most of them diesels) will create an air pollution problem. The noise factor created by diesel motors and crushing of vehicles is another item which deserves serious study. In addition, the bare ground will create a certain amount of dust and pollution of that sort, particle pollution which will go in the air.

Noise – Mitigation Measures

The original Mitigation measures for noise as follows:

1. A sound wall/fence which will reduce the level of noise to a minimum of 75 dB is required along the side yard areas.
2. A block wall is required along the rear property line
3. The car crusher shall be placed along the east property boundary, at a minimum distance of 140 feet from all property boundaries.

The revised MND removed items 1 and 2 mitigation measures was made part of the conditions of approval in the revised draft Resolution.

The draft Resolution handed out during the hearing of February 24, 2010. Revised the condition to read as follows:

- Within **two years** of project approval, the applicant shall replace existing fencing along the southern property line with a block fence between six and ten feet high.

The Mitigation Monitoring Plan, under noise, allows the applicant to violate noise decibel levels for three months before complying moving the car crusher to 130 feet from all property boundaries. Thus, for 3 months, the noise violation is not mitigated at all.

An initial study leading to a negative declaration should provide the basis for concluding that the project will not have a significant effect on the environment.

It is the public's agency responsible for creating an adequate record. Deficiencies in the record due to the public agency's lack of investigation may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences.

Significant effect on the environment means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. The City of Tulare's view regarding air quality and noise under Section 15382; cf. Code 21068 "Significant effect on the environment" it is consistent with CEQA's concern about significant environmental effects for environmental document to have considered a bigger picture of air quality and noise.

Air quality is more of an area-wide concern than a site specific one. Odor and noise impacts are more site specific than air quality. The initial study noted that the placement of the car crusher tended to confine noise within the site. **However, since heavy equipment startups are located within a residential setting, the potential odor and noise impact merit further study.**

GEOLOGY/SOILS

MND revised pg 15

The project has the potential to contaminate the soil due to the seepage of petroleum products; the applicant is proposing filtration system, drainage, and concrete or blacktop pavement of the site. With these measures in place the probability of soil contamination unlikely.

The use has been in operation since 2006, the environmental document admits there is potential to contaminate the soil due to the seepage of petroleum products. However, until the construction of the expansion

RECIRCULATION FOR PUBLIC COMMENT:

The Mitigated Negative Declaration (MND) for Special Use permit No. PSP 09-005 was substantially changed without recirculation for public comment in violation of Title 14, section 15073.5 and 15074.1 of the California Code of Regulations. The original Mitigated Negative Declaration had created the following mitigation measure for Noise:

- 1. A sound wall/fence which will reduce the level of noise to a minimum of 75 dB is required along the side yard areas.**
- 2. A block wall is required along the rear property line**
3. The car crusher shall be placed along the east property boundary, at a minimum distance of 140 feet from all property boundaries

The revised Mitigated Negative Declaration removed items 1 and 2 mitigation measures for Noise and made them apart of the conditions of approval. The revised draft Resolution condition pg7

- The applicant shall install a 10ft. block sound absorption wall along the rear yard adjacent to Santa Fe Trail and install either a 10 ft. **sound absorption wall or fence along the side yard areas. These walls/fences shall have the capability of reducing the noise level of on-site noise generators to 75dB at the perimeter of the site.**

In the revised Mitigated Negative Declaration, Attachment 2 pg 2 stated at the Planning Commission public hearing on January 13, 2010 “the Commission and Planning Director discussed the necessity of a Mitigation Measure for a sound wall/fence to reduce the level of noise to a minimum 75dB. . . a decision was made to replace the mitigation measures regarding a sound wall/fence with an equal condition for project approval, . . .”

In addition, Attachment 2 pg 2 stated; “Title 14, CCR Section 15073.5 – Recirculation of an environmental document is not required if 1) **mitigation measures are replaced with equal or more effective measures**; 2) new project revisions are added in response to written or verbal comments on the project’s effects identified in the proposed IS/MND which are not new avoidable significant impacts; 3) measures or conditions of project approval are added after circulation of the proposed IS/MND which are not required by CEQA, which do not create new potentially significant environmental impacts, and are not necessary to mitigate an avoidable significant environmental impact; and/or 4) new information is added to the IS/MND which merely clarifies, amplifies, or makes insignificant modifications to the IS/MND that does not affect the impact analyses and the environmental determination and subsequent findings of the negative declaration. “

During the hearing of February 24, 2010, a second revised draft Resolution was handed out. The condition of approval was revised again which had replaced the original mitigation measure for Noise as follows:

- Within **two years** of project approval, the applicant shall replace existing fencing along the southern property line with a block fence between six and ten feet high.

Under Title 14, CCR Section 15073.5 – A lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has be previously been given pursuant to Section 15072, but prior to its adoption. Section 14074.1(d) “Equivalent or more effective” means that the new measure will avoid or reduce the significant effect to at least the same degree as, or to a greater degree than, the original measure and will create no more adverse effect of its own than would have the original measure” The final condition of approval replacing the mitigation measure was substantially revised after public notice (December 8, 2009, through January 6, 2010) and is not equivalent or more effective than the original measure, **therefore, the project was required to be recirculated.**

Time line of Mitigation Monitoring Plan

ORIGINAL MITIGATION MEASURES	TIMING OF ACTION	REVISED MITIGATION MEASURES	TIMING OF ACTION	MITIGATION MEASURES HANDED OUT FEBRUARY 24, 2010	TIMING OF ACTION
<p>AESTHETICS The applicant shall submit a landscaping plan to include the types of trees, vines and irrigation system. The landscape plan will show the following: trees which are to be planted along the front of the subject site, along the front of the subject site, along Avenue 232. These trees are to grow to a minimum height of 12 feet; The plan shall depict the proposed oleanders that are to be planted along the west side of the site. The plan shall depict the proposed vines that are to be located along the block wall adjacent to the Santa Fe Trail. This shall be recorded with the decision</p>	<p>PRIOR TO THE RECORDING OF THE DECISION</p>	<p>AESTHETICS The applicant shall submit a landscaping plan to include the types of trees, vines and irrigation system. The landscape plan will show the following: trees which are to be planted along the front of the subject site, along the front of the subject site, along Avenue 232. These trees are to grow to a minimum height of 12 feet; The plan shall depict the proposed oleanders that are to be planted along the west side of the site. The plan shall depict the proposed vines that are to be located along the block wall adjacent to the Santa Fe Trail. This shall be recorded with the decision</p>	<p>PRIOR TO THE RECORDING OF THE DECISION</p>	<p>AESTHETICS The applicant shall submit a landscaping plan to include the types of trees, vines and irrigation system. The landscape plan will show the following: trees which are to be planted along the front of the subject site, along the front of the subject site, along Avenue 232. These trees are to grow to a minimum height of 12 feet; The plan shall depict the proposed oleanders that are to be planted along the west side of the site. The plan shall depict the proposed vines that are to be located along the block wall adjacent to the Santa Fe Trail. This shall be recorded with the decision</p>	<p>1) Landscape Plan – within 3 months of project approval 2) Planting and installing irrigation system along Avenue 232 – within 1 year of construction and relocation of fence 3) Planting and installing irrigation system on west and south lot lines - within 1 year of construction of fence/wall</p>
<p>AIR QUALITY The hazardous material that might result in toxic air contaminants is to be kept in containment consistent with State and County regulations. All buildings where hazardous material is stored shall be secured, locked up and a notice shall be placed on the outside of the buildings stating that there is hazardous material</p>	<p>CONTINUOUS</p>	<p>AIR QUALITY The hazardous material that might result in toxic air contaminants is to be kept in containment consistent with State and County regulations. All buildings where hazardous material is stored shall be secured, locked up and a notice shall be placed on the outside of the buildings stating that there is hazardous material</p>	<p>CONTINUOUS</p>	<p>AIR QUALITY The hazardous material that might result in toxic air contaminants is to be kept in containment consistent with State and County regulations. All buildings where hazardous material is stored shall be secured, locked up and a notice shall be placed on the outside of the buildings stating</p>	<p>CONTINUOUS</p>

in the building.		in the building.		that there is hazardous material in the building.	
<p>GEOLOGY/SOILS</p> <p>a) The applicant shall place under all vehicles that have not been de-polluted; a containment plan. The pan shall be check within 48 hours of placement. A log is to be established noting the vehicle, time of placement and the time checked and any indication of fluids. The applicant shall take whatever methods are necessary to prevent contamination.</p> <p>b) All work to remove fluids from machinery (vehicles, washing machines, etc.), and car crushing shall take place on impervious surfaces</p>	CONTINUOUS	<p>GEOLOGY/SOILS</p> <p>c) The applicant shall place under all vehicles that have not been de-polluted; a containment plan. The pan shall be check within 48 hours of placement. A log is to be established noting the vehicle, time of placement and the time checked and any indication of fluids. The applicant shall take whatever methods are necessary to prevent contamination.</p> <p>b) All work to remove fluids from machinery (vehicles, washing machines, etc.), and car crushing shall take place on impervious surfaces</p>	CONTINUOUS	<p>GEOLOGY/SOILS</p> <p>a) The applicant shall place under all vehicles that have not been de-polluted; a containment plan. The pan shall be check within 48 hours of placement. A log is to be established noting the vehicle, time of placement and the time checked and any indication of fluids. The applicant shall take whatever methods are necessary to prevent contamination.</p> <p>b) All work to remove fluids from machinery (vehicles, washing machines, etc.), and car crushing shall take place on impervious surfaces</p>	CONTINUOUS
<p>HYDROLOGY</p> <p>All fluids are to be removed on impervious surfaces, and the applicant shall place under all vehicles that have not be de-polluted, a containment pan and the pan shall be checked within 48 hours of placement. A log is to be established noting the vehicle, time of placement and the time checked and any indication of fluids. The applicant shall take whatever</p>	CONTINUOUS	<p>HYDROLOGY</p> <p>All fluids are to be removed on impervious surfaces, and the applicant shall place under all vehicles that have not be de-polluted, a containment pan and the pan shall be checked within 48 hours of placement. A log is to be established noting the vehicle, time of placement and the time checked and any indication of fluids. The applicant shall take whatever</p>	CONTINUOUS	<p>HYDROLOGY</p> <p>All fluids are to be removed on impervious surfaces, and the applicant shall place under all vehicles that have not be de-polluted, a containment pan and the pan shall be checked within 48 hours of placement. A log is to be established noting the vehicle, time of placement and the time checked and any indication of fluids. The applicant shall take whatever</p>	CONTINUOUS

methods area necessary to prevent soil contamination.		methods area necessary to prevent soil contamination.		methods area necessary to prevent soil contamination.	
HAZARDOUS MATERIAL The buildings that store hazardous material shall be secured and locked when not in use, and a warning sign is to be placed on all buildings that have hazardous material.	CONTINUOUS	HAZARDOUS MATERIAL The buildings that store hazardous material shall be secured and locked when not in use, and a warning sign is to be placed on all buildings that have hazardous material.		HAZARDOUS MATERIAL The buildings that store hazardous material shall be secured and locked when not in use, and a warning sign is to be placed on all buildings that have hazardous material.	CONTINUOUS
NOISE a) A sound wall/fence which will reduce the level of noise to a minimum of 75 dB is required along the side yard areas. b) A block wall is required along the rear property line The car crusher shall be placed along the east property boundary, at a minimum distance of 140 feet from all property boundaries.	CONTINUOUS	e) A sound wall/fence which will reduce the level of noise to a minimum of 75 dB is required along the side yard areas. d) A block wall is required along the rear property line e) The car crusher shall be placed along the east property boundary, at a minimum distance of 140 feet from all property boundaries.	CONTINUOUS	a) A sound wall/fence which will reduce the level of noise to a minimum of 75 dB is required along the side yard areas. b) A block wall is required along the rear property line The car crusher shall be placed along the east property boundary, at a minimum distance of 140 feet from all property boundaries.	Within three months of project approval

DEFERRED MITIGATION MEASURES

The MND recognized significant effect, created mitigation measures, however, deferred the mitigation measures until a later date **without explaining why the mitigation measures are not practical now.**

A Mitigated Negative Declaration is a written statement making a finding that the project will not have a significant impact because mitigation measures included in the project will mitigate the impacts to a point where clearly no significant impact could occur.

Mitigation measures need to be:

- Based on a performance standard by which the success of the mitigation can be determined (i.e. what the mitigation measure will achieve at the end)
- Feasible
- Specific
- Fully enforceable

California Code of Regulations (14 CCR 15370) – Mitigation

- Mitigation measures must minimize, reduce or avoid significant impacts, or rectify or compensate for the impact.
- MND: Mitigation must avoid the impact or reduce the effects to the point that no significant impact will occur.

California Code of Regulations (14 CCR 15364) – Feasible

- “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, and environmental, legal, social, and technological factors.

Public Resources Code (PRC 21081.6(b)), California Code of Regulations (14 CCR 15126.4(a) (2)). Enforceable

- The Lead Agency must ensure that the mitigation measures are fully enforceable through permit conditions, agreements, or other measures.
- The Lead agency must adopt a mitigation reporting or monitoring program to insure implementation. (PRC 21081.6(a).

The Mitigated Negative Declaration that was prepared for the above described project defers the mitigation measures required to reduce the level of significance up to two years and includes a provision that allows the Planning Commission to extend those mitigation measures indefinitely. Since the mitigation measures are deferred, the project does not clearly reduce impacts to a less than significant level.

As stated in the California Code of Regulations Mitigation Measures cannot defer impact assessment or recognition of significant effect. Mitigation measures must be feasible and be accomplished in a reasonable period of time. In addition, mitigation measures with no specific timing are non-enforceable and non-measurable. Therefore, the Mitigated Negative Declaration does not meet the standards set forth in the California Code of Regulations Title 14: Natural Resources, Division 13: Environmental Quality (CEQA)

Planning Commission should not approve this project if there are “Feasible mitigation measures available which would substantially lessen the significant environmental effects” of the project. Cal. Pub. Res. Code 21002; see also Cal. Code Reg. Title 14 15002(a)(3) (agencies must prevent avoidable damage “whenever it finds measures to be feasible”).

TIMELINE FOR CONDITIONS OF APPROVAL

ORIGINAL DRAFT CONDITIONS	REVISED DRAFT CONDITIONS	RESOLUTION NO. 8476 HANDED OUT DAY OF HEARING
	<p>The applicant shall install an interceptor (clarifier) to adequately protect against grease, sand, solids, acids, or alkaline substances or other ingredients harmful to the sewage disposal system and shall be reviewed and approved by the Environmental Health Department prior to obtaining a building permit.</p>	<p>Within one year of approval of the project, the applicant shall install a clarifier in the area where there is existing concrete.</p>
		<p>Within one year of approval of the project, the applicant shall install a ponding basin.</p>
		<p>Within one year of approval of the project, the applicant shall conduct all operations, except for the parking of vehicles awaiting DMV clearance, on the pavement existing on Parcel 168-170-003.</p>
<p>A six-foot high chain link fence with privacy slats shall be installed along the subject site on Avenue 232 (Tulare Avenue)/Tulare Drive, and shall meet all County regulations.</p> <p>The applicant shall relocate fencing (or install new fencing) ten feet behind the ultimate right of way to provide better sight distance of on-coming traffic.</p>	<p>A six-foot high chain link fence with privacy slats shall be installed along the subject site on Avenue 232 (Tulare Avenue)/Tulare Drive, and shall meet all County regulations.</p> <p>The applicant shall relocate fencing (or install new fencing) ten feet behind the ultimate right of way to provide better sight distance of on-coming traffic.</p>	<p>Within two years of project approval, the applicant shall construct a six-foot high chain link fence with slats along the subject property's frontage along Avenue 232 (Tulare Avenue/Tulare Drive.)</p> <ul style="list-style-type: none"> • The new fence shall be located ten feet behind the ultimate right of way of Avenue 232, in order to provide better sight distance of on-

		<p>coming traffic.</p> <ul style="list-style-type: none"> The existing six-foot high chain link fence on Avenue 232 shall be relocated to ten feet behind the ultimate right of way, in order to provide better sight distance of on-coming traffic.
		<p>Within one year of project approval, the applicant shall plant evergreen trees that will grow to a height of 12 feet and install an irrigation system along the property frontage on Avenue 232 (Tulare/Tulare Drive).</p>
		<p>Within two years of project approval, the applicant shall replace existing fencing along the east and west property lines with metal fences between six and ten feet high. If Zone Variance PZV 08-030 is not approved, the height of the fences shall be limited to six feet.</p>
<p>The applicant shall install a 10 ft. block wall along the rear yard adjacent to Santa Fe Trail and install either a 10 ft. sound wall/fence along the side yards areas. These walls/fences shall have the capability of reducing the noise level of the site to 75dB.</p>	<p>The applicant shall install a 10 ft. block sound absorption wall along the rear yard adjacent to Santa Fe Trail and install either a 10ft. sound absorption wall or fence along the side yard areas. These walls/fences shall have the capability of reducing the noise level of on-site noise generators to 75dB at the perimeter of the site.</p>	<p>Within two years of project approval, the applicant shall replace existing fencing along the southern property line with a block fence between six and ten feet high.</p>

		<p>Within two years of approval of the project or within nine months after the fences and/or walls along the east, west and south property lines are constructed, whichever comes first, the applicant shall plant landscaping and install an irrigation system as specified in the approval landscaping plan.</p>
		<p>Within two years of approval of the project, the applicant shall ensure that all material (vehicles/machinery) shall be stored on concrete or blacktop.</p>
<p>The applicant is to provide an irrevocable offer of dedication to the City of Tulare to accommodate a 110 ft. right of way along Avenue 232 (Tulare Avenue)/Tulare Drive.</p>	<p>The applicant is to provide an irrevocable offer of dedication to the City of Tulare to accommodate a 110 ft. right of way along Avenue 232 (Tulare Avenue)/Tulare Drive.</p>	<p>Within one year of approval of the project, the applicant shall provide an irrevocable offer of dedication to the City of Tulare to accommodate a 110 ft. right of way along Avenue 232 (Tulare/Tulare Drive).</p>
		<p>Within two years of approval of the project or within six months after the scale house and truck scales are installed, whichever occurs sooner, the applicant shall install city standard drive approaches.</p>
	<p>The applicant shall install street lighting along Avenue 232 (Tulare Avenue/Tulare Drive) property frontage, per request of the City of Tulare City Engineer, when improvements</p>	<p>Within one year after street lighting is installed on adjacent parcels east and west of the site along Avenue 232 (Tulare</p>

	take place on adjacent parcels east and west of the site.	Avenue/Tulare Drive), the applicant shall install street lighting along the property frontage, per request of the City of Tulare City Engineer.
		The site currently has a Hazardous Materials Business Plan on file with the Tulare County Environmental Health Division. Within one year of approval of the project and prior to final inspection for any future building permit, the applicant shall file an update to the Hazardous Materials Business Plan to the division's Certified Unified Program Agency Program (CUPA).
	The applicant shall prepare a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with the U.S. Code of Federal Regulations, Title 40, Part 112 (40CFR112). The plan shall be submitted to the Tulare County Environmental Health Services Division by November 1, 2010 . The applicant shall contact the TCEHSD's CUPA inspector for any additional questions.	Within ten months of approval of the project, the applicant shall prepare a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with the U.S. Code of Federal Regulations, Title 40, Part 112 (40CFR 112). The plan shall be submitted to the Tulare County Environmental Health Services Division. The applicant shall contact the TCEHSD's CUPA inspector at 559-733-6441 for any additional questions.
The applicant shall provide an all-weather access road to the site (buildings), within two years from approval of		Within two years of project approval or within six months of installation of the scale house and truck

the project.		scales, the applicant shall provide an all-weather access road to all areas of the yard/lot, extending the existing the access road that reaches existing buildings.
		Development shall be in accordance with plan(s) as submitted by the applicant and/or as modified by the planning Commission (Planning commission Exhibit "A") and with the Site Plan Development Standards pertaining to a use of this type.
		Regardless of Condition No. 61 above, the Planning and Development Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his successors as long as said modifications do not materially affect the determination of the Planning commission. Such modification shall be noted on the approved plans and shall be initialed by the Planning and Development Director.
		The conditions set down here in which require construction of improvements shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said

		<p>premises, and the traveling public, shall be protected. The Planning and Development Director may grant exceptions to this condition upon request by the applicant.</p>
		<p>This Special Use Permit shall be null and void two (2) years after the date upon which it is granted by the Planning Commission, unless the applicant, or his/her successor, has actually commenced the use authorized by the permit within said two year period. The Planning Commission may grant one or more extensions of said two year time, upon request by the applicant.</p>
		<p>All standard conditions and all special conditions of approval of this Special Use Permit must be complied with at all times in order to continue the use allowed. Compliance with such conditions is subject to review at any time. Normally, an initial review of compliance shall be conducted by the Tulare County Planning Commission twelve (12) months after the granting of said permit; however, the Planning Commission may schedule the review sooner under certain circumstances. Additional reviews may be undertaken</p>

		at the discretion of the Planning Commission. Fees as established by the County shall be paid in advance to off-set the costs for the required reporting.
All work to remove fluids from machinery (vehicles, washing machines, etc.) and car crushing shall be performed on impervious surfaces only.		
All equipment (car crusher, racks, etc.) that collects wastes (oil, grease, etc.) shall be routinely cleaned to prevent polluted run-off. This shall only take place on impervious surfaces. Any spills shall be cleaned up by the close of the business day from the time of discovery, and disposed of in a proper manner consistent with State and County Regulations.		
	The number of daily trips by heavy duty trucks shall be limited to 50, in order to reduce impacts of oxides of nitrogen (NOx)	
	The applicant shall ensure that no fluids leak into the soil and shall take appropriate preventative measures necessary to comply with this requirement.	
	A log is to be established noting the vehicle, time of placement and time checked and any indication of fluids.	
	All material shall be stored, organized and kept at a reasonable volume – no higher than 10 feet, in a manner that would prevent it from becoming a hazard to the public health, safety, and general welfare.	
	The applicant shall provide a	

	copy of the proposed Stormwater Infiltration system to the Regional Water Quality Control Board for their review and approval prior to the installation of the ponding basin.	
	The applicant shall ensure the wash rack drains into an approved sewage disposal system and shall be reviewed and approved by the Environmental Health Department prior to obtaining a building permit.	
	The applicant shall prepare a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with the U.S. Code of Federal Regulations, Title 40, Part 112 (40CFR112). The plan shall be submitted to the Tulare County Environmental Health Services Division by November 1, 2010. The applicant shall contact the TCEHSD's CUPA inspector for any additional questions.	
	All ignitable and reactive wastes shall be located at least 50 feet away from the property boundary.	
	The conditions set down herein which require construction of improvements shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning and Development Director may grant exceptions to this conditions upon request by the applicant	

The Planning Commission approved the project with the conditions of approval to be deferred to an undetermined time. Timing for the conditions needs to be specific in order to enforce compliance with the conditions for approval of the project.

The solid waste recycling facility has been illegally operating since August of 2006, does not comply with the land use designation (M-1). Therefore, is not in compliance with the Tulare County General Plan. Should you decide to approve the outline project conditions of approval should be carried out immediately.

NUISANCE:

Title 14 Section 17225.45. Nuisance - "Nuisance" includes anything which is injurious to human health or is indecent or offensive to the senses and interferes with the comfortable enjoyment of life or property, and affects at the same time an entire community or neighborhood or any considerable number of persons although the extent of annoyance or damage inflicted upon the individual may be unequal and which occurs as a result of the storage, removal, transport, processing or disposal of solid waste.

SUMMARY

The City of Tulare has shown the crushing of vehicles (auto wrecking) is not an allowed use in the Tulare County Zoning Ordinance (M-1) Zone. Residential development was approved north and south of the site prior to SA Recycling purchasing the site (2006). In addition, the site contained a small recycling collection center and did not crush non operation vehicles prior to SA Recycling purchasing the site. The Tulare City Schools applied for the New Elementary School site (2008) prior to this special use application. Tulare County's Code Compliance in 2007 found the site in violation of running an auto wrecking operation in the M-1 zone without approval of a Special Use Permit and outside storage or wrecking of car bodies or wrecked vehicles in the M-1 Zone (Not allowed). The mitigated negative declaration required the county to consider all potential environmental impacts; the City of Tulare's real challenge to the initial study is not that county completely ignored these impacts, but that it did not study them enough. The staff report employed an incomplete and misleading description of the project. The environmental document failed to fully evaluate how the expansion will affect the

environment. The environmental document cannot make CEQA findings for the loss of farmland by use of a mitigated negative declaration. The City of Tulare contends the environmental document failed to consider cumulative effects and did an inadequate initial study. The environmental document's lack of analysis cannot hide behind its own omission. Under other circumstances, the environmental document might be faulted for not elaborating further on the initial study's conclusion of no significant cumulative effects.

Guideline Section 15064 (h) "In marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following factors: 1) If there is serious public controversy over the environmental effects of a project, the lead agency shall consider the effect or effects subject to the controversy to be significant and shall prepare an EIR ..."

The Tulare County Planning Commission abused its discretion by approving Special Use Permit PSP 09-005/PSZ 08-030. The Planning Commission approved the project on the grounds the applicant has done so much working cleaning up the site. The City of Tulare request the Board of Supervisors reverse the Planning Commission's approval of this project due to Planning Commission abused its discretion by approving the project on the grounds the applicant had done so much work cleaning up the site.

EXHIBIT 11

**Unincorporated Communities in the San Joaquin Valley:
New Responses to Poverty, Inequity, and a
System of Unresponsive Governance**

**Framing paper for the first convening hosted by
California Rural Legal Assistance and PolicyLink**

Fresno, California

November 27, 2007

Written By:

**Victor Rubin,
Arnold Chandler,
Erika Bernabei,
Rubén Lizardo**

I. Summary

The low-income unincorporated communities of the San Joaquin Valley face uphill struggles to attain basic features of a safe and healthy environment that residents of most other places have long taken for granted. These communities range from remote settlements in farm country to neighborhoods that have been surrounded by, but are not part of, the San Joaquin Valley's fast-growing cities. There are at least 220 such low-income unincorporated communities in the eight county region. Whether it is a lack of storm drains, streetlights, and sidewalks or an inadequate residential water supply, these communities outside of the San Joaquin Valley's cities are often systematically underserved if not neglected in the overall allocation of public resources. This neglect prevents these places from realizing their potential as livable neighborhoods and threatens the health and security of their residents. These disparities can be dangerous, such as the illnesses caused from unsafe drinking water, the heightened likelihood of mosquitoes carrying West Nile virus as a result of standing water arising from inadequate storm drains, and the higher rates of traffic accidents on poorly maintained roads. Or, they can chip away more slowly at the prospects for building a strong community, when there is illegal dumping, poor sanitation service, few or no recreation facilities for youth, and dilapidated schools. When the official lack of attention and resources becomes standard practice, it can create an overall discouraging cycle of decline that is hard to break. The fact that governance structures are not organized to ensure meaningful political representation for residents in decision-making only adds to the challenge.

This may be a grim picture, but it has never been taken as inevitable by residents of these communities and their allies. Instead, there has been a continual ferment for change in the unincorporated communities and an array of grass-roots organizing campaigns, lawsuits and efforts to promote legislation. These efforts have brought some tangible improvements, and they have run up against some barriers. Notwithstanding some important individual victories, the broad patterns of inequity have not yet been shifted, and the San Joaquin Valley's *colonias*, as they are sometimes called, are still getting a bad deal.

This paper is a step in a year-long effort to think through new strategies for addressing the inequities faced by the unincorporated communities. It has been written at the mid-point of a project in which California Rural Legal Assistance, PolicyLink, and leaders from around the San Joaquin Valley are examining issues, assessing past efforts, setting priorities, and creating new approaches for community organizing, legislation, litigation or other methods for social and policy change. It is a modest framing paper in that it does not attempt to overwhelm the reader with copious evidence of the problems or a detailed analysis of the literature. We at PolicyLink owe a large debt to those who have labored for years on these issues in community-based practice and in research, and we base our understanding on their work. The value added by this paper will hopefully be in the framing itself: the recasting of

familiar issues and evidence in new and different ways; the tracing of a path toward a larger, more robust and integrated movement for change. But this framing will be presented not as a roadmap or strategic plan, for that would be premature, but simply as challenging questions for Valley leaders to sort through and build on, beginning with our convening in Fresno on November 27, 2007. The results of that discussion, in conjunction with the background research that has been conducted, will set the stage for the next phase of the project, to develop a coordinated action plan. More detailed information about these communities will be available at the convening on November 27th.

a. The Building Blocks of a New Frame for Understanding Unincorporated Communities

Our approach to framing the issues and opportunities for change includes four broad elements:

1. Identifying the Communities of Interest. There have been, over the years, several different ways of defining and naming the unincorporated communities. For different reasons, the definitions and names used, whether by local residents or government officials, have not always served to help further research, assessment, and planning to improve conditions in these communities. For example, all the settlements in San Joaquin Valley commonly referred to as *colonias* are unincorporated but not all unincorporated communities exhibit social and economic conditions associated with *colonias*. To account for these differences, we have chosen to refer to the subset of San Joaquin Valley unincorporated settlements that meet the criteria for inclusion in this project as “**Communities of Interest,**” (or COIs). To begin to systematically identify our Communities of Interest, we started with the 122 Census Designated Places (CDPs), the term Census 2000 used to identify unincorporated communities in the eight counties of the San Joaquin Valley. Using an index that sorted CDPs according to key economic and social indicators and their racial and ethnic composition we were able to identify 83 CDPs that fit our criteria of unincorporated settlements with multiple indicators of concentrated poverty—our Communities of Interest. We have augmented this list of 83 COIs with 134 additional settlements that have been identified by various public documents and by the advisory committee to this project. To be sure, as this project continues other unincorporated settlements will be added to the initial set of Communities of Interest we identified in this report.

The Communities of Interest we have identified to date fall into three distinct types of unincorporated settlements, based on their location in relationship to cities. There are 118 “islands,” neighborhoods that may once have been semi-rural but have now been literally surrounded by the city limits of the large and medium-sized cities of the Valley such as Modesto, Visalia, Porterville, or Fresno. Then, there are 35 of what we have labeled “fringe” communities, to indicate that they are on the outskirts of a city that is, in many cases, expanding, but whose borders have not yet

reached it. Finally, there are 66 rural settlements, labeled “hinterlands” to reinforce that they are far enough away from any cities to be viewed as independent small towns, at least for the foreseeable future. With the continued rapid sprawl of the cities in the Valley, today’s fringe can become tomorrow’s island, and today’s hinterland can become tomorrow’s fringe, so while the three types are distinct, the pattern is always evolving and even the most isolated communities are part of a larger regional system of land development and conversion. Overall, more than 400,000 people live in the lower income unincorporated settlements of the eight counties.

The term *colonias* literally means simply “settlement” but also carries a host of legal consequences and informal connotations, and its use in the context of the Central Valley is a subject of active discussion. Most, but not all, of the residents of most of the settlements are Latino, and the conditions embody the racialized nature of poverty and inequality in the country. There are unmistakable similarities to certain conditions in the border-region settlements in Texas, Arizona, New Mexico, and California officially designated by the federal and state governments as *colonias*, and important lessons to learn from their experiences. One of the policy discussions will no doubt address whether there are advantages to seeking some kind of analogous government recognition for San Joaquin Valley settlements. However, there are also important differences with the border areas, as well as some reactions to negative images associated with the term.¹ We will employ it on limited occasions in this report and continue to encourage the constituencies for this project to develop a consensus regarding the strategic use of the term.

2. Documenting conditions in the communities. The unincorporated settlements have a host of conditions that present threats to health and safety, maintain economic and educational inequity, and prevent the flourishing of more complete communities. There are deficiencies of physical infrastructure, such as water systems, storm drain and sewer lines, sidewalks, roads and streetlights, and of public buildings of all kinds. These are joined by substantial deficits in resources for decent affordable housing and for adequate public human services, health care, and education. Some of these issues have been relatively well-documented, while for others, information and data is either not available or uneven. Many of the strongest efforts to improve these conditions have taken up one issue at a time, such as the need for a new water system in a particular community or group of communities, and thus some of the best data have been generated as part of those efforts. For this project so far, we have collected and summarized many reports about the San Joaquin Valley community conditions done by research and planning bodies across the state and tracking recent developments as they are reported in the news media. While this information does not represent a major breakthrough with regard to new evidence, reorganizing this information can help to frame and sharpen the issues and tell us what new kinds of data would be needed to guide and inform

future activities. There are several different aspects of services and facilities that can be documented. First, there are absolute *shortcomings and deficiencies* in the provision of infrastructure and services, as noted above, when measured against standards of basic performance. Then, there are also *disparities*, which refer to the relative differences between the unincorporated areas and other parts of the region. These can be disparities of *inputs*, such as how much is being spent per capita on infrastructure and services, and disparities in *outcomes*, as measured by public health and economic statistics or other measures. The measures of public finance conditions, which we have only started, can include a wide range of information about revenue capacity, tax rates, local expenditures, shares of county budgets, and resources from state programs.

The absence of good data about conditions and about the performance of local government can itself become a potent political issue. The fragmented, under-resourced way in which unincorporated communities are governed has limited the collection of useful data about their conditions compared to those of neighborhoods in California cities. Information about conditions and resources in these communities is uneven, scattered, inconsistent, not transparent and generally insufficient for assessment and planning. Some of the public entities are so small or so rarely queried that they have not created the systems for providing data to the public that are seen in larger units of government.

3. Documenting the system of governance. Being unincorporated – not being part of a city – has a particular legal and administrative meaning in California and this has serious consequences on the ability of residents to take part in the decision-making process about how services, utilities, and infrastructure are provided, and how public funds are raised and allocated. The San Joaquin Valley unincorporated island, fringe and hinterland communities are caught up in a perplexing, complicated, fragmented, and dysfunctional array of local service providers: special districts, community service districts, joint powers authorities, and municipal advisory councils, as well as numerous county agencies. Furthermore, Local Area Formation Commissions (LAFCOs), Metropolitan Planning Organizations, and other entities overseeing the growth of cities and counties and, more generally, regional development determine the fates of many unincorporated communities. All of these bodies exist within a complex system of state government financing and regulation of taxation, land subdivision, public health, and other components of local government.

Any solution to the problems of unincorporated communities will require a high degree of knowledge about this thicket of structures, rules and interests, for it must be untangled and revised, if not rebuilt, in order to better serve low-income residents. This set of complex public entities will need to become much more responsive to residents through their direct and active involvement in decision-making. In this first phase of our research we are creating an inventory and guide to the

structure of local government operating in the *colonias*. Because the governance structure we are contending with is so decentralized and complex, we chose to start by developing a clearer picture of the situation in three counties with different patterns. It is our hope that this analysis will be useful as community leaders develop approaches for engaging local government in addressing their infrastructure needs.

4. Identifying a strategic approach for combined action, and policy targets for change in the system of governance and public finance. The various problems which residents of unincorporated communities confront are interconnected, and there can be power in building several kinds of connections and relationships. The project, through its reports and convenings, will explore five kinds of connections that should be made:

- Linking people in individual communities across the region that are experiencing similar problems.
- Linking the efforts of researchers and advocates who have specialized in a particular issue or service area, such as water, infrastructure, housing, or environmental health, so that they can see where there is a basis for common or parallel actions.
- Exploring the extent to which the experiences and policy options for the three types of *colonias* – island, fringe, and hinterland communities – overlap and can be the basis for common action.
- Examining the opportunities for coordinated action at four levels of geography and governance: the community, the county, the region and the state.
- Identifying opportunities to link the challenges in *colonias* to existing and planned community improvement efforts at the local and regional level.

If some or all of these bases for common activity are confirmed as valuable, then a wide range of collaborative strategies can be developed. The toolbox for policy change has many instruments, and it may be best not to choose the specific tool before working through the issues and strategies thoroughly. To be sure, there will be a place for several kinds of legal action, for grass-roots organizing, and for legislative advocacy. There also will be opportunities to build new alliances to generate sufficient support for certain the various strategies. Various kinds of research and forms of communications will be employed in support of each approach.

Our discussion to identify and select broad policy objectives to improve basic infrastructure and services in *colonias* will be informed by a “lay of the land” discussion about policy targets (that is, the decision-making organizations and individuals responsible for addressing the various issues), the unique challenges the policy making bodies currently face, opportunities to tie-in to related advocacy efforts

currently underway, and our capacity to undertake different organizing methods, and build new alliances. As a starting point for those discussions, this paper will present a set of questions about four key factors:

- **The Complexity of Jurisdictional Issues.** How can the fragmented, unrepresentative, often poorly functioning system be reorganized, and what are the viable initial focal points for change? How can such change bring about an increase in civic engagement as well as improvements in the delivery of services and infrastructure?
- **Challenges of Public Finance.** The needs of these communities will take substantial new investment, and it will not be sufficient to simply demand improvements without helping to identify the sources of revenue. What are the strategies for finding new public capital and operating funds for facilities and services in unincorporated communities, and how can we emphasize solutions that are more than a “zero-sum game” within local governments?
- **Opportunities to Reframe the Problem.** Complicated jurisdictional issues and public finance policy/practices present formidable challenges for small groups of community leaders and their allies to build the organizing capacity and power to hold accountable the complex array of public entities responsible for maintaining basic infrastructure. What are the prospects and possible benefits of reframing the problems faced by residents in the low-income unincorporated communities as planning and development challenges also facing their counties as a whole and the nearby cities? If they are currently seen as primarily problems affecting politically isolated, low-income Latinos, can we recast the racialized disparities in access to infrastructure for healthy community development as a barrier to a goal of broader regional prosperity and equity? For example, would emphasizing the threat posed by the high percentage of Communities of Interest residents that rely on aging and leaking septic tanks to ground water that supplies all city and county residents (and the greater costs associated with cleaning up contamination) serve as a motivation to spend city and county funds to connect Communities of Interest to the sewer system?
- **Alliance-building on Behalf of the Colonias.** Efforts to change policy, practice, and investment related to infrastructure development in the Communities of Interest are likely to take place within local and regional policy deliberations about water and other environmental concerns, economic development, transportation, health and human services, and other issues related to urban growth. Given all these dimensions to the issues, what new opportunities exist for alliance building? Or put differently, how can community leaders engage a more diverse and powerful set of constituencies to break through long standing patterns of resistance on the part of local governance structures? Most substantial changes take the combined efforts of many groups. Some coalitions or collaborative arrangements will come naturally, while others might be unexpected.

II. Identifying Our Communities of Interest

The San Joaquin Valley is the primary region for understanding the issues and challenges facing small unincorporated communities in California. It contains the largest relative concentration of number of small unincorporated communities of any region in the state.² The fourth largest region in the state, the Valley is anchored by a string of urban areas that runs along California State Highway 99 from Stockton to Bakersfield and includes the cities of Modesto, Merced, Tulare and Fresno, in eight counties (Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare). Of the 3.9 million residents, more than one in four live in unincorporated areas; more than 400,000 of those residents live in unincorporated settlements with multiple indicators of concentrated poverty.

The universe of unincorporated communities is much larger than that of the *colonias* which we are interested in for this project. The San Joaquin Valley has 122 unincorporated areas (Census Designated Places) with an average population size of 3,101. Only four of these areas (Oildale, Rosamond, Lamont and Salida) have populations greater than 10,000 people. Most of the Valley's unincorporated communities are smaller and more isolated, with much smaller tax bases and more challenges in securing the resources needed for infrastructure and public services.

The eight counties in the Valley share a number of similarities that bind them together as a coherent region. Importantly, however, their unincorporated communities evince a number of differences in their size, type, and geographic distribution, as well as the governance structure in place to respond to their service and infrastructure needs.

a. The Types of Communities that Comprise Our Communities of Interest (COIs)

There are three distinct types of unincorporated communities in the San Joaquin Valley that present distinct issues and circumstances and require investigation in their own right:

1. **Islands** are unincorporated county areas that are fully or partially enclosed within the boundaries of a city. For the purposes of this report, an island is defined as an unincorporated geographic area that is surrounded by a city's geographical boundaries on at least seventy-five percent of its sides.³ Since islands are not Census Designated Places, we do not have the same demographic and housing data on islands that we do for most other unincorporated communities that are CDPs.

Table 1. Islands by County

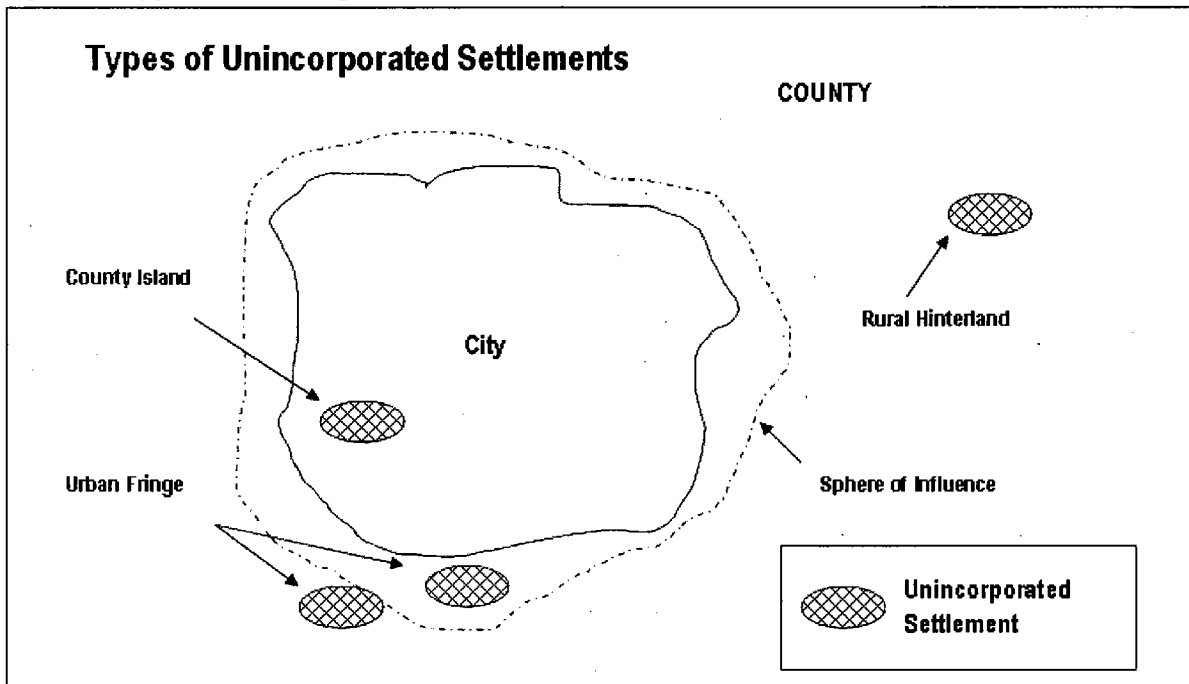
County	Islands
Tulare	28
Stanislaus	23
Fresno	24
San Joaquin	20
Kern	9
Kings	7
Merced	6
Madera	1
Total	118

2. **Fringes** are unincorporated county areas that are located adjacent to or within 1.5 miles of a city’s geographical boundaries. Some fringes may be located within an adjacent city’s “sphere of influence” which allows that city to exercise influence over how that unincorporated area develops.⁴ Fringes that are outside the sphere of influence of a city may lie within the potential growth footprint of that city within the next few years.

3. **Hinterlands** are unincorporated county areas that are located more than 1.5 miles beyond any city’s geographical boundaries.

Each of these types of communities needs to be mapped, documented and understood in order to grasp the nuanced policy circumstances of unincorporated communities in the Valley. Some circumstances and strategies may be relevant to all, while others will be specific to one type.

Figure 1. Types of Unincorporated Communities



A combination of publicly available data sources, local government documents, online GIS databases, and interviews with key informants was used to identify each of these types of communities for all the eight counties in the San Joaquin Valley. Together, all of the communities identified constitute our “**Communities of Interest**” and are what make up the total counts of unincorporated communities for each county and the Valley as whole that we have identified to date in **Table 2**. below.

b. Identifying Fringe and Hinterland Communities Using Census Data

Data from the 2000 Census offered the primary means for identifying most of the fringe and hinterland unincorporated communities analyzed in this report. As part of the 2000 Census, the U.S. Census Bureau collected data on unincorporated communities that it identified in partnership with local county governments. Known as **Census Designated Places**, or **CDPs**, these communities can range widely in population size. Although 2000 Census data is now more than eight years old, it is the only publicly-available data source with demographic and housing information specific to these communities.

c. Filtering Census-Designated Places to Identify Colonias

Some unincorporated communities have residents with high incomes and expensive homes. To focus our research on communities that are most likely to face the infrastructure and service deficits of interest in this report, it was necessary to filter the complete list of 122 Census Designated Places in the San Joaquin Valley based upon a number of key characteristics.

In order to filter out more affluent CDPs from those that are less affluent, a simple index using five indicators developed from 2000 Census data was used. On each indicator, all CDPs were compared to their counties using the following questions:

1. **Poverty**: Is the CDP poverty level higher than the county?
2. **Median Income**: Is the CDP median household income lower than the county?
3. **Home Value**: Is the CDP median home value lower than the county?
4. **Age of Housing Stock**: Is the median year that CDP housing was built earlier than the median for the county?
5. **Proportion of Mobile Homes**: Is the percentage of CDP housing that is mobile homes higher than the percentage for the county?

Each CDP was assigned a score based upon how many answers to these questions were “yes” versus “no”. Only those CDPs with three or more “yes” responses are included in our Communities of Interest (COIs) and analyzed in this report. After applying these criteria, we were left with 83 CDPs that

qualified as our Communities of Interest, with an average population of 3,323. (See **Table 2.** below for a count of these communities by county).

- At least 50 percent or more of all CDPs in each of our eight San Joaquin Valley counties met the criteria to be included in our Communities of Interest as did nearly 7 in 10 CDPs in the Valley as a whole.
- Kern and Tulare counties have the highest number of CDPs in the Valley and contribute over 50 percent of the total Communities of Interest for the entire region.
- Twenty out of 21 CDPs in Tulare County met the criteria to be included in our Communities of Interest, while 63 percent of Kern County’s CDPs were similarly qualified.
- Madera, San Joaquin and Stanislaus had the lowest proportion of their total CDPs that met our filter criteria.

Table 2. Total Census Designated Places that are our Communities of Interest, by County

County	Total CDPs (2000)	Total CDPs that are COIs (2000)	% of all County CDPs
Kern	41	26	63%
Tulare	21	20	95%
Stanislaus	14	10	71%
Fresno	16	9	56%
San Joaquin	13	7	54%
Merced	6	4	67%
Kings	5	4	80%
Madera	6	3	50%
Total (San Joaquin Valley)	122	83	68%

The share of each county’s total population living in CDPs that met our criteria to be included in our Communities of Interest varies significantly by county. More than 1 in 7 residents in Tulare County live in our Communities of Interest as do more than 1 in 10 in Kern County. The total population in the 83 Communities of Interest is roughly 237,000. (If the 134 other Communities of Interest, mostly smaller islands, had an average population of half that of the CDPs, they would be home to another 220,000 residents.⁵)

Table 3. Share of County Populations Included in our Communities of Interest

County	County Population (2000)	% in CDPs that are COIs (2000)
Tulare	369,727	15%
Kern	665,376	11%
Stanislaus	450,982	8%
Merced	211,231	8%
San Joaquin	568,932	6%
Kings	130,090	6%
Madera	124,544	4%

County	County Population (2000)	% in CDPs that are COIs (2000)
Fresno	804,342	1%

d. Identifying Additional Unincorporated Communities with Public Documents and Key Informant Interviews

For a number of reasons, the U.S. Census may fail to identify all unincorporated communities that are known to exist. Therefore, we utilized public documents from local government agencies as well as interviews with key informants who live or work in three of these counties.⁶ Utilizing all the research methods described above for three of the counties, we have identified a total of 219 Communities of Interest for the San Joaquin Valley, and a number of additional ones will likely be added once the public documents and advisors in the five other counties have been utilized.

III. Spatial, Demographic & Housing Characteristics of Communities of Interest

The eight counties that make up the San Joaquin Valley show significant variation in the number of their residents that live in unincorporated areas, the spatial distribution of those areas within the counties themselves, and their demographic and housing characteristics. Because the Census Bureau does not collect data on unincorporated areas other than officially recognized Census Designated Places (CDPs), the demographic and housing data reported in this section only refers to the 83 CDPs identified in the 2000 Census. There is no publicly available data on islands or unincorporated fringe and hinterland areas that were not recognized by the U.S. Census Bureau as of April 1999.

a. The Spatial Distribution of Unincorporated Communities within Counties

The number of Communities of Interest identified for each county in the Valley varied considerably, from a high of 64 in Tulare to a low of 4 in Madera. Fresno, Kern, San Joaquin and Stanislaus (the four most populous counties in the region) had the next highest number of Communities of Interest, ranging from 27 to 35. (See **Table 4.** below).

Table 4. Total Communities of Interest by Spatial Geography: Island, Fringe and Hinterland

County	Islands	Fringe COIs (within an SOD)	Fringe COIs (outside an SOD)	Hinterland COIs	Total COIs
Fresno	24	*	4	7	35
Kern	9	2	5	19	35
Kings	7	N/A	2	2	11
Madera	1	N/A	2	1	4
Merced	6	*	*	4	10
San Joaquin	20	6	*	1	27
Stanislaus	23	4	3	3	33
Tulare	28	*	7	29	64
Total (San Joaquin Valley)	116	12	23	66	219

A more detailed county-by-county analysis will be available soon, but a few facts illustrate the considerable variation:

- Tulare (29) had the highest number of Communities of Interest located in areas distant from cities (hinterlands), followed by Kern (19) and Fresno (7).
- Tulare had the highest number of Communities of Interest (28) circumscribed within the boundaries of cities (islands) followed by Fresno (24), Stanislaus (23) and San Joaquin (20).
- Given its total population size, Kern County has relatively few islands in its cities. Bakersfield contains 6 of the county's 9 total islands.
- Fresno's unincorporated communities tend to be smaller on average than the communities in other counties.
- The unincorporated communities are highly Latino, White or a mix of both. Although currently African-American and Asian populations are relatively smaller percentages of these communities, historically both groups have faced similar challenges in the San Joaquin Valley. For example, in the early in the 20th Century Allensworth, a predominantly African-American town faced significant discrimination in efforts to secure water. The unincorporated settlements of Allensworth (Tulare)⁷, Home Garden (Kings)⁸, Fairmead (Madera), Easton (Fresno), all have significant number of African American residents.

A summary of racial composition, income, housing and other demographic characteristics of the *colonias* will be provided at the November 27th convening. A few more basic facts are outlined in the following charts.

Table 5. Racial and Ethnic Composition

County	CDPs that are COIs	Greater than 65% Latino	Greater than 65% White	Latino-White (neither group over 65%)
Kern	26	4	19	2
Kings	4	2	0	2
Madera	3	2	1	0
Fresno	9	5	1	3
Merced	4	3	0	1
San Joaquin	7	1	0	4
Stanislaus	10	3	2	5
Tulare	20	15	2	3
Total (San Joaquin Valley)	83	35	25	20

Table 6. CDP Poverty Rates, 2000

County	CDPs that are COIs	# CDPs with Poverty Rates > County	CDPs with Poverty Rates 150% County Rate	CDPs with Poverty Rates 200% County Rate
Kern	26	9	5	1
Kings	4	4	2	2
Madera	3	2	1	1
Fresno	9	7	1	0
Merced	4	4	2	0
San Joaquin	7	5	4	2
Stanislaus	10	9	5	3
Tulare	20	19	10	1
Total (San Joaquin Valley)	83	59	30	10

IV. Documenting Conditions in the Communities

It is easy to define the Communities of Interest as low-income, but more difficult to systematically document the local conditions in which residents live. The responsibility for providing basic infrastructure to these communities is divided among a great number of providers who have little incentive to document the shortcomings of their services, or to contribute any data to a more comprehensive assessment. Most reports commissioned to document the challenges faced and responses to the variety of ills (e.g., high levels of poverty, poorer health, environmental problems, etc.) facing the San Joaquin Valley do not include a specific focus on conditions in unincorporated communities, especially our Communities of Interest. Though the broad social and economic disparities that our Communities of Interest contend with, as well as the gaps in infrastructure provided to these communities, are common knowledge among residents and public officials, the lack of comprehensive data systematically documenting the state of Communities of Interest in the San Joaquin Valley, means that from a policy standpoint the urgent needs of Communities of Interest are virtually invisible.

One exception to the dearth of systematic documentation of infrastructure deficits was the evidence presented in the lawsuit CRLA and the Lawyers Committee for Civil Rights brought against the City of Modesto, Stanislaus County, and the Stanislaus County Sherriff. Working with organized resident leaders in unincorporated *islands*, the lawyers documented serious infrastructure deficits, including: the lack of sidewalks and street lights, inadequate sewage disposal and storm drainage, lack of curbs and gutters, poorly kept roads and inadequate traffic control mechanisms that have lead to increases in incidents of pedestrian harm; and evidence of lower levels of municipal services including solid waste and bulky garbage pick-up and spotty emergency service response. Another significant area of systemic documentation and advocacy has been in the area of water in Tulare County – as sited in Section 4 below, on Water.

Almost all research on our Communities of Interest cites infrastructure and service deficits as consistent challenges for *colonias* or unincorporated communities. [As Mukhija and Monkkonen wrote about the border *colonias*, “another key, and easily apparent, deficiency in almost all the colonias is the lack of or shortage of paved roads, sidewalks, gutters, storm drains, and streetlights.”⁹] Anecdotally, one can find articles about specific roads, “blighted” neighborhoods, sewage overflows, garbage collection, etc., but systematically, no data is available. We can infer trends from anecdotes, but real work needs to be done to methodically collect and synthesize conditions information.

In the absence of a lot of place-specific government data or independent research that pertained to all kinds of Communities of Interest, we began with a search of the press and other public sources of news and information. A preliminary literature review of local news papers and research focused on key social and economic challenges for the San Joaquin Valley has led to a sizeable collection of *anecdotal evidence* that the Communities of Interest suffer major gaps in basic infrastructure supports (e.g., water, sewage, solid waste disposal, housing, roads, and emergency response services, etc.). These are summarized in the sections that follow, beginning with a few extended quotations about three places.

In Tulare:

“As the sun rose over the majestic Sierra Nevada mountain range, the radiant light illuminated a long forgotten subdivision in southeast Porterville surrounded by decaying buildings, rotting infrastructure, and a deep-seated poverty. The subdivision, located within the Porterville Redevelopment Project Area is at the physical core and economic fringe of the city, which had become a place known for drugs, crime, and vagrants. Property values continued to plummet as the area surrounding the subdivision, which is bounded on the south by the Tule River, had become a dumping ground for refuse, drug paraphernalia, and a habitat for the homeless.”¹⁰

In Fresno:

“Today, halfway between Hollywood and the Golden Gate Bridge, in the shadow of America's richest farms, their tarpaper shacks rise out of fields of salt and tumbleweed. The old migrants and their children, a lost tribe of Black Okies, pass their last days in some of the worst poverty in the nation. Their broken piece of the promised land sits in exile from the rest of the state, a scattering of country churches and crooked huts that seem lifted straight out of the plantation South.”¹¹

In Stanislaus:

“The gangs and the garbage heaped in yards persist, despite a decade-long campaign by Martinez (resident) to better the neighborhood. The troublemakers are still around, as are vicious-looking dogs.”¹²

“The tiny, run-down downtown Salida house Carla Morgan inherited from her mother put a roof over her head, but not much more. “We haven't had any heat for three years”... “We turn on burners on top of the stove to heat up the house.” The 1945-vintage two-bedroom, one-bath home is too dilapidated to repair, and it's considered a fire hazard.

Electrical wiring in the 800-square-foot house is antiquated. Cabinets are coming off the walls, and the garage burned down a few years ago.¹³

“They come to school with very poor shoes – hand-me-downs that are a size too small or two sizes too big,” (Principal) Dittman said of the 500 students in his school. “Whatever is handy.¹⁴”

a. Economic Status

Poverty in the San Joaquin Valley can be so extreme that it is often compared to that in the Appalachian region.¹⁵ Although the media coverage/research of conditions in the San Joaquin Valley is far less extensive than that in Appalachia, the poverty is greater; a Congressional Research Service Report in 2005 found that per capita income in San Joaquin Valley was lower than in the 68-county Central Appalachia region.¹⁶ The root of this kind of poverty in the Valley is said to be “high unemployment, low wages and an undereducated work force.”¹⁷ Statistics on unemployment in parts of the Valley are staggering; the juxtaposition of incorporated to unincorporated communities shows an unmistakable disparity to which only numbers do justice. While the unemployment rates for Tulare County’s three largest cities in June 2007 remained between 5.2 percent and 7.8 percent, in remote or unincorporated parts of the county, in Alpaugh, Cutler, Earlimart and Strathmore, unemployment averaged between 22 to 25 percent.¹⁸

Youth in the San Joaquin Valley fair no better, as the Valley sends “far more of their juvenile delinquents per capita to the California Youth Authority than other California counties,” due to counties’ lack of financial ability and capacity to create effective juvenile justice systems.¹⁹ Twelve percent of youth age 16-19 the San Joaquin Valley are unemployed and not in school, compared to 10% statewide.²⁰ Children in the San Joaquin Valley are least likely in the Central Valley to attend preschool and have the largest average class sizes.²¹ According to a 1999 Fresno County study on child-care needs:

“The unincorporated community of Biola looks like a model for much of rural Fresno County when it comes to child care: The demand is high. The supply is limited. “We have so many parents that work in the fields, so many that need day care.” The problem is pervasive, according to a 1999 Fresno County study on child-care needs: “Lack of facilities and providers as well as lack of transportation contribute to the limited accessibility to child care in rural and unincorporated areas.”²²

b. Infrastructure Deficits and Service Disparities

1. Gutters, Drainage, Sidewalks, Curbs

In 2005, the *Fresno Bee* documented that certain streets in Calwa (fringe), in Fresno County flooded 6-8 inches when it rained, due to lack of sidewalks, curbs and gutters. Although residents were able to fundraise and receive grants for some sidewalks, they are anomalies in this unincorporated area.

“Vanessa Cortez, 11, said she is excited that Kaviland Street is finally going to have sidewalks and

curbs. She said she doesn't like walking to school on rainy days because ... the street has a lot of puddles and they're really big," said Vanessa, a sixth-grader at Calwa Elementary School.²³

Standing Pools of Water

Stagnant pools of water caused by the absence of gutters and curbs, or because generally vacant property has gone wild, are all too common in Porterville, Tulare County. (The example comes from an island only recently annexed into the city.) The fear of contracting West Nile virus – generally contracted through mosquito bites – is heightened because mosquitoes are attracted to the pools of stagnant water and there is little mosquito abatement in Porterville.²⁴

2. Street Lighting

In many unincorporated communities, adding street lighting is viewed as a way to reduce residents' fear of crime in their neighborhoods. In southwest Modesto's Paradise South (island or fringe), an area of higher crime, residents believe that if streetlights were installed it would prevent criminals from "lurking," aid traffic safety and increase pedestrian traffic.²⁵ The lack of street lighting has been identified as a built environment barrier to health, as it decreases the likelihood that residents will be able to walk and engage in other forms of exercise in the evening after work.

Residents can sometimes opt to pay for street lights on their streets, when feasible, but still do not always receive adequate maintenance services. Residents have paid taxes to install and maintain streetlights in the high-crime Franklin-Beachwood area (unsure of location, but a CDP) of Merced County, but one resident claims that the county has failed to regularly change light bulbs (less than once per year) and he "feels like the county has forgotten about his neighborhood" through its negligence.²⁶

3. Roads

Unsafe, smaller roads and inadequate traffic enforcement for both speeding and driving under the influence of alcohol and drugs plague rural roads in unincorporated parts of the San Joaquin Valley.²⁷ In some areas of Fresno County high-growth "traffic levels exceed what the roads were built to handle" and two lane roads with no medians make head-on collisions more likely.²⁸ Narrow, poorly constructed roads in unincorporated areas "that don't meet safety standards and (have) limited traffic enforcement," lead to dozens of fatal car crashes per year.²⁹

In Tulare County heavily-traveled, pothole-littered roads in "many of these unincorporated communities have not seen a road grater for 40 years" as stated by Chairman Allen Ishida of County's Board of Supervisors.³⁰ It will take an estimated 30 years to improve these sorts of roads in Tulare County.³¹

Porterville's, South Indiana Street (was an island), "populated by potholes and alligator-striped concrete" has only recently been annexed into the City of Porterville. However, the City doesn't have the funding to complete this road project despite Mayor Hamilton's statement that it is a "really bad street. On a scale of 1 to 10, I'd give it a good 8."³²

4. Water

Potability / Access to Drinking Water

Water access and potability are areas that have the most data in the San Joaquin Valley – whether due to pesticide runoff, proximity to dairies and nitrate contamination, or simple fact that most of the residential water is supplied through groundwater. The water issue has been the most extensively studied, due in large part to non-profit water activists' concern about drinking water (*See Community Water Center, Environmental Justice Coalition for Water*), agribusiness/farmers' water concerns (*See Great Valley Center, California Farm Water Coalition*), and more broadly, droughts and global warming. Thus, we will not try to replicate their work, but rather give a snippet of the picture.

Laurel Firestone and Susana De Anda began the Community Water Center in 2004 as an outgrowth of work begun by the Rural Poverty Water Project at the Center on Race, Poverty & the Environment (CRPE).³³ In Tulare County, various unincorporated communities, like Cutler-Orosi, Tonyville, and Alpaugh) deal with toxic levels of nitrates, arsenic, and spill-over sewage in their residential water. This is due to the fact that over 90% of the communities in the Central Valley rely on groundwater for drinking water and 73% of the nitrate drinking water violations in the state are in the Southern San Joaquin Valley, which is also home to the same percentage of the state's dairy cows.³⁴ "Nitrates can come from fertilizers, septic systems and animals, and can occur naturally" and they all exist in the unincorporated areas in Tulare.³⁵ The groundwater in some of these communities is unsafe to drink and "residents drive 30 to 50 miles each week just to buy bottled water, effectively doubling the price for this basic need."³⁶ This is not unique to Tulare; in Fresno County, an ordinance dealing with the proximity of dairies to cities and unincorporated areas has raised public health concerns about the inadequacy of buffer zones.³⁷ And, although non-profit organizations like Self Help Enterprises³⁸ do important advocacy work and help update and replace water infrastructure components, the systemic issues remain deeply rooted.

5. Sewage

Many communities in unincorporated California have private septic tanks instead of connections to sewer lines.³⁹ When septic tanks overflow, due to poorly maintained structures, high levels of rain, etc. the overflow of waste invades homes, streets and neighborhoods with health hazardous, foul smelling matter.⁴⁰ Although the court did not agree that there was evidence of discrimination in *Committee*

Concerning Community Improvement v. Modesto, U.S. District Judge Lawrence O'Neill stated that: "Plaintiffs do live in poor conditions, including failing septic tanks. The county and the city have put unincorporated islands in a difficult situation. ... It is further undisputed that most of Rouse-Colorado and Hatch-Midway (neighborhoods) are in need of new or upgraded sewer systems."⁴¹ Residents believe that linking the sewer system should be the top priority for Stanislaus County.⁴²

6. Garbage Collection

Illegal dumping of large items in unincorporated areas has been a highly publicized problem. But the problem is rooted in the services provided/absent and the cost of those services. In Fresno County, residents and officials say that "people who illegally dump their trash typically can't or won't pay for garbage service," that the difficulty of disposing of bulky items contributes to the problem, and that in the past two years "the rates in some of the unincorporated areas have nearly doubled."⁴³ In Stanislaus County, unincorporated community residents are considering paying a fee to have a biannual bulk trash pick up – although certain types of bulk trash will still need to be dumped at a special site.⁴⁴ On a different scale, in South Modesto (island or fringe), Stanislaus County, residents and the Neighborhood Watch Group collect garbage – tires, broken furniture, etc. – to help instill a sense of pride and community in their neighborhood.⁴⁵ Although the problem is larger than the physical landscape, residents see the clean-up as a "first step toward eliminating the crime plaguing (the) neighborhood," but that residents "must do it 'on (their) own.'"⁴⁶

7. Crime (See also: Street Lighting and Roads)

Neighborhood Watch groups, like that mentioned in the previous section on Garbage are not uncommon throughout the state. But the South Modesto Neighborhood Watch patrols along with the sheriff's department, as there are too few deputies overall in the county, leaving even fewer for the unincorporated areas.⁴⁷ Fearing an increase in the number and violence of the crime in South Modesto, residents hesitantly join the Neighborhood Watch, despite their fears of retribution from gangs and other criminals.⁴⁸ In terms of domestic violence crimes, Fresno County had "5,641 (calls to the domestic violence hotline) in the city of Fresno...and 927 in the unincorporated areas of the county,"⁴⁹ – showing another form that violence takes in some unincorporated communities.

8. Fire

In unincorporated areas of Fresno County, fire stations are located "farther apart from one another, (than in the cities) increasing response times" and increasing the cost of home insurance due to reduced fire coverage.⁵⁰ Parallel circumstances are found in Stanislaus' unincorporated areas of rural land on the fringes of the county boundaries. Residents "can't expect timely responses to fires" and "most

departments have substandard stations and equipment, including engines and trucks.” In Stanislaus, the disparity is between the urban areas (largely incorporated) and rural areas (largely unincorporated).⁵¹ In Tulare, the Fire Department has an agreement with the County to deal with some of the fires in unincorporated areas. However, responses to these calls take much longer than in the incorporated parts of the county.⁵² In terms of ambulance services, Board of Supervisors Chairman Allen Ishida of Lindsay, Tulare County “said his concern is the unincorporated county territory and smaller cities that don't have on-the-spot (on-site emergency) ambulance service” and the community wants to get services to some areas that don't have any currently.⁵³

In a conclusion to this section, it is critical to underscore the importance of developing a strategy to assess and document current conditions has surfaced as key objective for any new advocacy strategy to improve the basic infrastructure of Communities of Interest in the San Joaquin Valley. As noted earlier, good data and research about social and economic disparities facing different racial and ethnic groups in the San Joaquin Valley; however this data is rarely organized to illustrate the spatial/geographic dimensions of poverty. Fifty-nine of the 83 Communities of Interest we identified through this research have considerable higher rates of poverty than the counties in which they sit. Meanwhile, the rate of poverty in 30 of the Communities of Interest are 150% and 10 are 200% higher than overall poverty rates in their respective counties.

We believe that our advocacy efforts would benefit greatly from meta-analysis research that would combine relevant findings in existing research with a place based assessment of the relationship between higher levels of poverty and the infrastructure deficits in Communities of Interest as a whole. The perspectives shared by the Community Advisory Committee through this project could prove to be an invaluable in first step in an effort to more systematically describe the state of infrastructure in the San Joaquin Valley's *colonias*. The strategy used in counties like Imperial that are able to tap Federal grant dollars designated for *Colonias* could be used to develop a baseline picture of needs. In 2002 Imperial County used a State of California Community Development Block Grant (CDBG) grant to develop a Colonia Master Plan⁵⁴ that includes a description of needs, estimated costs and timetables for recommended improvements related to infrastructure, services and supportive community issues. Imperial County drew on quantitative (GIS and Census) and qualitative research methods (e.g., interviews with residents and staff of key agencies) to inform the plan. The Colonia Master Plan addressed the following specific areas for each *colonia*: water, sewer, refuse/solid waste, electrical service, natural gas, street lighting, telephone, cable, streets/roads/bridges, safety services, schools, parks, housing, retail/commercial, and social services.

V. Identifying Approaches for Combined Action, Targets for Engaging the System of Governance & Public Finance in Support of Infrastructure Improvements

The challenges facing residents in our Communities of Interests are deeply entrenched and complex. Tackling them will require effective and sustained advocacy to make the infrastructure needs of our *colonias* a priority in decision-making bodies at the local, regional, and state levels. The starting point for developing an effective advocacy strategy is getting clarity on:

- the **problems or barriers** we seek to address
- the **policy and institutional practices** that can be changed or harnessed to help us achieve our goals
- the **resources** and allies we can count on to advance our advocacy efforts, and
- the **opportunities and challenges** that are likely to affect our chances of success.

In the previous sections of this paper we sought to begin defining the barriers and problems that severely limit the quality of life in our Communities of Interests. The principal purpose of this section is to present the project participants with an “initial cut” of the challenges and opportunities we are likely to encounter as we advocate for strengthening infrastructure supports in unincorporated islands, fringe, and hinterland communities.

Apart from a host of organizational and tactical questions that will need to be taken up by resident leaders and their allies (e.g., what form the advocacy group will take and from what tools, litigation, grassroots organizing, community development, it will draw on), our initial policy analysis has surfaced two inter-related structural challenges, regardless of the infrastructure deficits we seek to address (water, sewage, energy, roads, storm drainage, housing, and etc.). They are very basic – **governance and money**.

a. **The Structure of Government: Barriers & Challenges:**

As grassroots leaders and civil rights lawyers can attest, the current maze of governmental agencies with responsibility for providing basic services in Communities of Interest make it difficult to determine what agency(ies) to hold accountable for addressing infrastructure deficit(s). In the language of community organizing, who is the “target,” the decision-maker(s) who can give us what we demand? All other agencies and services aside, according to our research, as of 2000 there were a total of 586 special districts providing basic infrastructure services to the eight counties in the San Joaquin Valley. Special district services include sewage, water, fire protection, pest abatement or cemetery management, etc.⁵⁵ In 2004-2005, 57 multi-functional or specialized service districts were providing infrastructure

services to Communities of Interest in just the three counties that we examined in more detail (14 in Stanislaus, 16 in Fresno, and 27 in Tulare). Among these 57 agencies were eleven different types of service districts.

Given the large number of possible “targets” (each with their unique histories, governance structures, and leadership) that would need to be engaged, it is not surprising that advocacy and litigation strategies to improve infrastructure supports have focused on multiple targets. For example, the recent lawsuit on behalf of residents in unincorporated Stanislaus County focused on three providers—the County, the City of Modesto, and the County Sherriff—that lawyers argued were principally responsible for providing services to residents. Meanwhile, the community-lead campaign to restore safe drinking water to Alpaugh at the beginning of the decade required the engagement of the two special districts that provide water services, the state, and several other local institutions.

According to leading researchers (Olmstead⁵⁶ and Ward⁵⁷) money is a key factor in the enduring infrastructure deficits in *colonias*. More specifically, city governments are reluctant to annex neighborhoods whose infrastructure and municipal service needs exceed the resources that can be collected through property taxes and other levies (e.g., special assessments). If this is true, it will be difficult to use annexation as a strategy to improve infrastructure support for Communities of Interest because the LAFCO processes give cities and counties virtual veto power over decisions about annexation and incorporation. For example, before the LAFCO’s executive officer will issue a certificate of filing (for special election on annexation) proponents must negotiate the allocation of property tax revenues with the city, county, and affected special districts involved. An agreement among these parties is a precondition to a LAFCO hearing on an application for annexation. As a result, although only residents of the proposed territory have a right to vote in the special election on the issue of annexation, the steps leading to this election are stacked against the residents. These policies have made it possible to block annexation proposals from unincorporated neighborhoods that are viewed as revenue drainers rather than revenue producers.

The situation with incorporation would require residents in our Communities of Interest to overcome similar hurdles, because any strategy to use incorporation presumes that the residents of the residents have the resources to support the new city’s various municipal service functions. This seems less likely, or at least less widely applicable, as an option. In fact, much of the haggling that takes place in an incorporation process is between proponents of the new city and the county that is reluctant to give up the tax revenues of an unincorporated territory made up of fairly wealthy homeowners. The requirement that incorporation of a new city be revenue neutral for the county involved provides considerable leverage to counties.

Special districts are also reluctant to take on costly projects for small areas. This is because securing bond financing hinges on the ability of rate payers (low-income residents in the Communities of Interest) to accommodate substantially higher rates in order to pay debt service on the bonds that would fund the infrastructure improvement projects. According to Olmstead, who has studied the factors that determine who gets access to water service in the border *colonias*, “for every \$1000 increase in per capita income, a *colonia*’s probability of water service increases by 2.3%.”⁵⁸ Olmstead also found that service providers who were not subject to rate regulations (designed to keep rates low) are more “proactive in providing water services to colonias” than municipalities and counties.⁵⁹ Finally, Olmstead found that price regulations reduce the likelihood of obtaining services by 27% in *colonias*.⁶⁰

Given these formidable structural challenges, what are the strategies for finding new public capital and operating funds for unincorporated communities, and how can we emphasize solutions that are more than a “zero-sum game” within local governments? The Alpaugh case demonstrates the value of looking beyond the immediate governance and special district structures to engage state and other public agencies. Focusing organized community leadership on the goal of leveraging new resources from the state, and collaboration among small service districts toward this end, may be important avenues to pursue.

b. Policy Strategies & Levers:

Because of the public finance challenges and the extreme fragmentation of local government authority and decision-making with regard to unincorporated communities in the San Joaquin Valley, the policy responses to infrastructure and service deficits will differ for communities with **different structural characteristics** and for communities with different **political/historical circumstances**.

Our research and discussions with policy experts suggest a number of possible levers for change in the system of governance. Some of these have been addressed by recent research, lawsuits, legislation or organizing campaigns, but to our knowledge there has not been a comprehensive or widely shared discussion of their future prospects. Some may pertain only to certain types of communities, or to a limited number of counties, while others may be relevant to a state-level strategy. At least nine broad categories of areas for action have already been raised in the early months of this project. We summarize these approaches along with key questions as inputs for the strategic discussion on November 27th.

- 1. Annexation and Incorporation**, to provide the services of city government to unincorporated areas. What are the prospects of developing a viable advocacy strategy to remove the built-in barriers to annexation or incorporation of Communities of Interest? Would our approach be to

use a litigation as a tool to challenge LAFCO actions that limit the percentage of annexation elections in unincorporated neighborhoods that are predominantly low-income vs. those that are wealthy; or is it best to use the racial make up of the neighborhoods as the key consideration? Are there other leverage points that are further upstream that we can exploit? For example, in addition to serving as the key regulatory body on the annexation process, LAFCOs are charged with the task of establishing the “spheres of influence” that serve to define the primary area in which a city will encourage urban development. Can leaders and allies of our Communities of Interest work with local smart growth advocates or those who oppose sprawl to encourage LAFCO’s to prioritize the annexation of *island* and *fringe* Communities of Interest as a strategy to preserve agriculture and open-space lands (one of the key points that is considered in “sphere of influence” determinations).

2. **Improvement of the practices, performance and accountability of community service districts and special districts.** What advocacy strategies could we use to ensure infrastructure and services CSDs and other special districts provide Communities of Interest with the basic/minimum standards in charters or service goals set by governing bodies? How might a litigation strategy be enhanced by including additional deep pockets as parties to lawsuits against service districts? For example, would including agricultural interests who are largely responsible for contamination of ground and surface water in Communities of Interest adjacent to farm land in lawsuits related to water services be a viable option (especially given the fact that some local farmers are members of the governing boards of the special districts?)
3. Taking a different tactic, **are there new approaches to address the public finance challenges faced by Community Service Districts?** Could regional CSA’s that include several or all unincorporated communities in the pool of rate payers Wall Street financiers used to determine the viability of a bond deal to finance infrastructure improvement projects make a difference? Could the adoption of variable rates based on usage in CSDs that serve residents in Communities of Interest and agribusiness help to raise enough revenue to qualify for the bond financing needed to complete water related infrastructure projects? What advocacy strategies could be used to leverage new public capital and operating funds for unincorporated communities; and how can we emphasize solutions that are more than a “zero-sum game” within local governments?
4. **Improvement of the practices, performance and accountability of the agencies of county government.** Although this paper has emphasized the complexity of determining what public entity to hold accountable for various infrastructure deficits in Communities of Interest, the

County Board of Supervisors are responsible for overseeing services to county residents in cities and in unincorporated areas alike. What advocacy approaches could be used to secure a commitment to improve services provided to Communities of Interest by county government?

5. Using **local and county general plans, as well as plans for housing, transportation and capital improvements**, as vehicles for securing adequate infrastructure for unincorporated areas. Although existing Community Development Block Grant money could be used to fund infrastructure improvements in our Communities of Interest, at the present moment resident leaders do not have enough power to successfully compete with other interests groups that are vying for these resources. What new framing and advocacy messages could help the build alliances needed to impact planning and decision-making? For example, could connecting the infrastructure needs of *island* and *fringe* Communities of Interest to the advocacy agenda of anti-sprawl and smart growth advocates through a “fix it first” strategy in general plan discussions about growth work? Would emphasizing the threat posed by the high percentage of Communities of Interest residents that rely on aging and leaking septic tanks to ground water that supplies all city and county residents (and the greater costs associated with cleaning up contamination) help to broaden support proposals to spend city and county funds to connect Communities of Interest to the municipal sewer system?
6. Using existing **federal and state civil rights laws to document patterns of disparate inputs and outputs in Communities of Interest that have higher populations of color** than the region as a whole. What additional documentation would we need to support litigation or legislative advocacy on disparate access to basic infrastructure supports?
7. Using **regional planning and governance entities** to address the needs of low-income unincorporated communities. Our research and discussion with policy experts surfaced a number of regional planning efforts aimed at improving social and economic conditions in the San Joaquin Valley. Some of these are led by government agencies; while others feature collaboration between government, business, and community leaders. For example, the California Partnership for the San Joaquin Valley’s Land Use, Agricultural and Housing Work Group presented a Strategic Action Proposal that was adopted in September 2006; this proposal included Principles for a Sustainable San Joaquin Valley that specifically called for “new growth to be located in or adjacent to existing communities whenever possible.” What advocacy and partnership strategies could be used to put the infrastructure needs of Communities of Interest on the radar screen of these efforts? What would it take to enlist the leadership and support of these

regional planning and leadership bodies in our efforts to improve infrastructure supports in *island, fringe, and hinterland* Communities of Interest?

Since its inception, the Inter-Agency Taskforce for the Economic Development of the San Joaquin Valley has secured \$150 million, over and above regular, formula, and state pass-through funds for these initiatives. After conducting listening sessions with economic development leaders in seven counties, the Taskforce adopted a Strategic Plan with four initiatives: 1) Jobs/Business Development, 2) Clean Air/Clean Energy, 3) Asset Development, and 4) Rural Infrastructure. The Taskforce had on its drawing board in 2005 a pilot program to improve funding for water-related infrastructure by organizing rural water districts through joint powers agreements. What are the prospects for full realization of this objective, and how much of the problem would it solve? What would be the best vehicle for the long-term implementation of the Taskforce's other plans?

Finally, San Joaquin Valley agricultural interests are using regional organizing and advocacy strategies to ensure their water needs are addressed by the State. For example, the California Rural Water Association, the San Joaquin Valley Water Coalition, and several major water districts (e.g., the Westlands Water District) have played key roles in garnering support for the 2006 water bonds and are working with the Governor to secure a new State water policy that will ensure Central Valley agribusiness's water needs are met. What lessons can infrastructure equity advocates learn from these successful efforts? What new opportunities for forming unusual bedfellows alliances with these water coalitions, given the challenges Central Valley Agricultural interests will face in securing a majority in a Democratically controlled legislature. What role could the Latino Caucus, with strongholds across the state, play in positioning the infrastructure needs of *Colonias* in the policy deliberations to develop a statewide water policy?

8. Accessing **additional state funding for infrastructure** and other aspects of capital development. In 2006, voters approved close to \$43 Billion worth of bonds to address infrastructure needs ranging from: housing, transportation, school facilities, parks, water and flood protection, and disaster preparedness. What advocacy strategies could be used and what decision-making bodies would we need to target to tap portions of these bond dollars for critically needed infrastructure improvement projects in Communities of Interest? Proposition 84, for example, contains: \$10 million for grants to fund emergency grants to provide alternative water supplies where necessary to protect public health, \$60 million to make grants and loans for projects to reduce contamination of groundwater that serves as a source for drinking water, and \$180 million for grants for small community drinking water infrastructure improvements.

Administration of these grant and loan programs has been given to the State Department of Health Services. What advocacy and partnership strategies could be used to facilitate access to these resources among the special districts and municipal infrastructure service providers in Communities of Interest? Similarly, in what ways could an expanded alliance dedicated to improvement of infrastructure supports in Communities of Interest help to channel bond dollars for housing, parks, school facilities, roads, and etc toward this goal?

9. Exploring the advantages of pursuing some form of **state or federal designation as colonias**, for purposes of funding, other support, special development regulations, or other policies. As noted earlier in this report, the ability to leverage federal and state resources has made it possible for counties that are within 150 miles of the border to launch and sustain *Colonia* improvement projects. Would a state designation of “*Colonias*” in the San Joaquin Valley help counties and special districts leverage additional state dollars to launch and sustain similar projects? What other opportunities would emerge from this strategy? For example, how might new state resources help non-profit housing developers leverage municipal and private dollars needed to finance infrastructure improvements in Communities of Interest?

If the convening on November 27th makes progress on many of these questions and opportunities for action, or raises others of equal or greater importance and relevance to the participants, it will have been a major step in the movement to improve the lives of residents of these communities.

Endnotes

¹ Mukhija, V., Monkkonen, P., *What's in a Name? A Critique of "Colonias" in the United States*, International Journal of Urban and Regional Research, June, 2007.

² State of California, Department of Finance, *E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2006 and 2007*, Sacramento, California, May 2007.

³ The only method for identifying islands within our 8 San Joaquin Valley counties is through reviewing public documents and publicly available GIS maps including: Local Area Formation Commission (LAFCO) maps of current city boundaries; maps available from city and county planning or public works departments; city and county web-based GIS systems; and the U.S. Census Bureaus website, www.factfinder.census.gov. All islands identified to be located within a county are included as potential Communities of Interest in this analysis. Because islands are often very small and only partially overlapped by Census Block Groups, it is not possible to summarize in any systematic way their demographic and housing characteristics using data from the 2000 Census. **Therefore any ensuing reference to demographic or housing characteristics of unincorporated communities in this report excludes all county islands.**

⁴ Spheres of influence are created by county Local Agency Formation Commissions (LAFCO's) typically based upon a petition by a local government agency, including special districts. As described in the California Government Code Section 56076, a sphere is a "plan for the probable physical boundaries and service area of a local government agency." Once approved by a LAFCO, and depending on local rules and practice, a city may exercise influence over how development occurs in areas located within its sphere. This may entail reviewing building permits issued by the county for areas within the sphere, coordinating land use planning and collaborating on the creation of regulatory standards.

⁵ The exact population of each island has not yet been calculated, but it is clear that they are, on average, smaller than the CDPs.

⁶ Public Documents: Documents available from County LAFCOs as well as city and county planning departments were used to identify additional unincorporated communities missed in the 2000 Census. These additional unincorporated communities were only identified for Fresno, Tulare and Stanislaus counties. The primary communities identified through this method are those served by County Service Areas or Community Service Districts in Fresno and Tulare counties. Advisory Committee Informants: Advisory committee members who have helped guide and support this project identified local unincorporated communities that have recently emerged or have been missed in both Census data as well as local government documents. A total of 7 of these communities, all located in Tulare County, were identified through interviews with key informants.

⁷ The New York Times, March 7, 2007, *A Piece of History Lands in a Contemporary Fight*, Patricia Leigh Brown.

⁸ A. Gonzalez, M. Bengiamin, J., *Home Garden Community Assessment*, Central Valley Health Policy Institute, May, 2007.

⁹ Mukhija, V., Monkkonen, P., *Federal Colonias Policy in California: Too Broad and Too Narrow*, Housing Policy Debate Volume 17 Issue 4, 2006, Fannie Mae Foundation, p769.

¹⁰ Porterville Redevelopment Agency, www.calredevelop.org/AM/Template.cfm?Section=Home&CONTENTID=3706&TEMPLATE=/CM/ContentDisplay.cfm

*Although Porterville was annexed recently and making improvements through the redevelopment agency since 2004, these extreme conditions still exist there and in other Communities of Interest.

¹¹ Los Angeles Times, August 25, 2002, *The Black Okies; A Lost Tribe's Journey to a Land of Broken Promises; 'Going to California' was the rally cry of black sharecroppers who traded one hardscrabble life for another in the San Joaquin Valley*, Mark Arax.

¹² Modesto Bee, January 22, 2006, *A Watchful Eye Focuses on Riverdale; Martinez and Company Reversed Neighborhood's Slide into Crime*, Inga Miller.

¹³ Modesto Bee, February 24, 2006, *Tapping Financial Resources; Funds Help Low-Income Families Build New Homes or Repair Old Ones*, J.N. Sbranti.

¹⁴ ***Quoted from Principal Bob Dittman of Empire Elementary, "a school where 85 percent of the students come from families living below the poverty level."

Modesto Bee, October 1, 2005, *Jumping Feet First Into Generosity for 4th-Graders*, Lorena Anderson.

¹⁵ “Appalachia, as defined in the legislation from which the Appalachian Regional Commission derives its authority, is a 200,000-square-mile region that follows the spine of the Appalachian Mountains from southern New York to northern Mississippi. It includes all of West Virginia and parts of 12 other states: Alabama, Georgia, Kentucky, Maryland, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, and Virginia.” <http://www.arc.gov/index.do?nodeId=2>

¹⁶ *California’s San Joaquin Valley: A Region in Transition*, December 12, 2005, Tadlock Cowan, Congressional Research Service.

¹⁷ The Modesto Bee, December 8, 2006, *Suburbs among U.S. poorest: Sixth-worst ranking seen as in the making for years*, Garth Stapley.

¹⁸ Tulare Advance-Register, July 21, 2007, *Jobless rate holds steady*, George Lurie

¹⁹ *Out of Sight Out of Mind: Central San Joaquin Valley Delinquents and the California Youth Authority*, Nancy M. Richardson, 2001.

²⁰ *Assessing the Region Via Indicators: Education and Youth Preparedness, The State of the Great Central Valley of California*, Great Valley Center, February, 2004.

http://www.greatvalley.org/pub_documents/2004_5_28_0_23_43_indicators_edu_report.pdf

²¹ *Ibid.*

²² Fresno Bee, May 21, 2001, *Waiting for Care Rural Fresno County towns and cities open centers to ease limited child-care options*, Donald E. Coleman.

²³ Fresno Bee, November 22, 2005, *Calwa street gets improvements; Grant money will add sidewalks, gutters and curbs to Kaviland*, Kerri Ginis.

²⁴ The Porterville Recorder, July 21, 2007, *Pool breeds mosquitoes, fear of West Nile Virus*, Sarah Elizabeth Villicana.

The Porterville Recorder, August 4, 2007, *West Nile virus on the Rise, Fear, Too Toll*, Sarah Elizabeth Villicana.

²⁵ Modesto Bee, November 26, 2005, *Neighborhood Wants to End the Dark –Southwest Modesto Trying to Get Streetlights Installed*, Tim Moran.

²⁶ The Merced Sun-Star, April 12, 2007, *Merced Sun-Star Tip List: Residents weary of footing the bill for burned out streetlights*.

²⁷ Fresno Bee, October 28, 2007, *Rural Danger; Bee analysis finds most fatal crashes occur on narrower county roads*, Brad Branam.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ The Porterville Recorder, July 17, 2007, *Measure R funds break ground in Tulare: Project: Stretch of Road 96 the first to benefit*, Sarah Elizabeth Villicana.

³¹ *Ibid.*

³² The Porterville Recorder, May 24, 2007, *Residents decry condition of South Indiana Street*, Aaron Burgin.

³³ From www.communitywatercenter.org/our_history.html (accessed October 2007)

³⁴ From www.communitywatercenter.org/The_Communities.html (accessed October 2007)

³⁵ Visalia Times-Delta, August 5, 2006, *Water woes plague rural areas*, Jed Chernabaeff.

³⁶ From http://www.communitywatercenter.org/files/On_Water_SF_op-ed.doc (accessed October 2007)

³⁷ The Fresno Bee, September 21, 2007, *Fresno County plan panel OKs new dairy rules*, Dennis Pollock.

³⁸ <http://www.selfhelpenterprises.org/>

³⁹ Mukhija, V., Monkkonen, P., *Federal Colonias Policy in California: Too Broad and Too Narrow*, Housing Policy Debate Volume 17 Issue 4, 2006, Fannie Mae Foundation, p768.

⁴⁰ *Ibid.*, p768-769.

⁴¹ Modesto Bee, May 28, 2007, *Neighborhoods' History Factors In Lawsuit Ruling*.

***The County is in the process of making improvements – but it seems only in response to the suit.

⁴² Modesto Bee, June 19, 2007, *Lawsuit Questions County’s Priorities; Connecting Modesto Sewers Should Be First, Latinos Say*, Adam Ashton.

⁴³ Fresno Bee, July 30, 2006, *Down in the dumps; Fresno County hopes to cut back its mounting piles of illegally abandoned trash with more enforcement and better disposal options*, Kerri Ginis.

⁴⁴ The Modesto Bee, July 16, 2007, *Stanislaus mulls bulk pickup: Environmental chief says service is most requested*, Tim Moran.

⁴⁵ Modesto Bee, September 30, 2007, *South Modesto sharpens its law enforcement 'tool': Deputy: Tackle blight and add folks to neighborhood Watch*, Rosalio Ahumada.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ Fresno Bee, August 16, 2007, *Chilling news reports remind of domestic violence's impact; Even when number of cases declines, we must be alert to dangers.*

⁵⁰ Fresno Bee, June 10, 2007, *Playing With Fire; Overtaxed fire departments in Fresno Co. – particularly in rural areas – are failing to meet the national standard for response time*, Brad Branam.

***“The main reason for getting an engine to a fire within five minutes is to try to prevent “flashover,” when a fire expands and ignites nearly everything in the room where it started, Coleman said. Fires contained to the room of origin are about 10 times less likely to kill than fires that escape to other rooms, the NFPA has concluded.”

⁵¹ Modesto Bee, August 31, 2006, *Fire Agencies Faulted; Report Notes Spotty Coverage, Urges Mergers; Inefficiency, Low Revenue, Slow Rural Response Cites*, Garth Stapley.

***Several departments ranked moderately for urban areas but poorly in their unincorporated areas. For example, Oakdale Rural and Salida fire districts have a rating of 4 in town but fall to 9 in the country. Others with rural 9 ratings are Stanislaus Consolidated, Denair, Keyes and Mountain View. West Stanislaus' rural rating is 10.

⁵² Tulare Advance-Register, March 6, 2007, *Fire calls rise in 2006*, Luis Hernandez.

⁵³ The Fresno Bee, August 19, 2007, *Tulare Co. diagnoses ambulance need: Some officials want to see a single provider for a county with nine services and sometimes spotty response*, Tim Sheehan.

⁵⁴ From http://www.icced.com/edp_pic/Introduction.pdf,

http://www.icced.com/edp_pic/PoeColoniaMASTERPLAN.pdf (accessed October 2007)

⁵⁵ <http://www.csda.net/spcldist.htm>

⁵⁶ Olmstead, S.M., *Thirsty Colonias: Rate Regulation and the Provision of Water Services*, Land Economics, 2004, 80(1):136-150.

⁵⁷ Ward, P.M., *Colonias and Public Policy in Texas and Mexico: Urbanization by Stealth*, Austin: University of Texas Press, 1999.

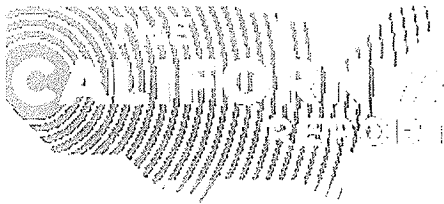
⁵⁸ Olmstead, S.M., *Thirsty Colonias: Rate Regulation and the Provision of Water Services*, Land Economics, 2004, 80(1):136-150.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

EXHIBIT 12

NITRATES ARTICLES



- [Home](#)
- [Archive](#)
- [Special Coverage](#)
- [Health Dialogues](#)
- [Tune In](#)
- [About](#)
- [Contact Us](#)



[« Full episode for Fri, May 14, 2010](#)

Nitrates in Our Drinking Water, Part 1 - The Present Threat

[Download audio \(MP3\)](#)



Reporter: Sasha Khokha

California is facing a hidden threat to its drinking water supply. Nitrate pollution is a problem for both cities and rural areas, and it could get worse as the state's population grows. Yet, regulators aren't really paying attention.

A DREAM HOME TURNS INTO A NIGHTMARE

When Ana Vargas and her husband built their four-bedroom dream home, they chose a large plot of land in rural Tulare County, on what used to be an alfalfa field. They angled the living room and master bedroom toward a panoramic view of the Sierra Nevada.

"We moved here thinking, if we left the city, everything would be better, more peaceful. Cleaner air, cleaner water. But we've found out that's not true," says Vargas.

The Vargases are among a growing number of Californians whose drinking water is polluted with nitrates -- colorless and odorless contaminants that can cause health problems. Nitrates are linked to blue-baby syndrome, a condition that cuts off oxygen to the organs of fetuses and infants. Some animal studies have also linked nitrates to increased cancer risk, although there's no conclusive evidence in humans.

This kind of pollution is acute in the Central Valley. In fact, in the eastern San Joaquin Valley, one out of three domestic wells test high for nitrates. Researchers' maps show agricultural areas with a history of heavy fertilizer use have some of the worst nitrate contamination problems.

Last year, the Vargas family volunteered to get their well tested by the state. The results came in high above what the EPA considers safe for drinking water.

Ana Vargas was pregnant when she moved to their house, and had three other young children. They haven't suffered any notable health problems, but the family is still worried.

These days, Vargas sends her children to school every day with bottled water -- which is what her family drinks at home, too. She also recently stopped cooking with tap water when she learned boiling nitrates can concentrate them, making them more potent.

WHAT ARE NITRATES?

Nitrates are a salt -- they're a byproduct of fertilizer, dairy farms, and leaky septic tanks. They often leach into groundwater.

State records show over the last fifteen years, nitrates have contaminated public drinking water sources for more than two million Californians in both urban and rural areas. Although cities are required to remove nitrates before they reach the tap, many communities don't have access to that kind of cleanup technology.

That's true in rural Tulare County, where the Vargas family lives. Pointing to the rows of orange and olive trees that surround her property, Ana Vargas says it makes her mad that farmers don't have any rules limiting how much fertilizer they can put on their land.

"They have to think about who's living around the fields, and who's drinking the water that's contaminated by what they feed their plants," she says.

In 2008, California farmers applied 855,000 tons of nitrogen fertilizer to farmland across the state. Depending on the crop, scientists say plants can take up less than half that fertilizer, leaving the rest to evaporate or seep into the ground.

"What has happened is that as that fertilizer use has increased, the concentrations in the groundwater have increased," explains Karen Burow, a scientist with the US Geological Survey in Sacramento.

Burow has found that most of the nitrate concentration from fertilizer applied over the last 50 to 60 years is affecting groundwater in shallower private wells, like the one the Vargases use. But nitrates are starting to leach down further to the deeper groundwater that supplies municipalities and cities.

"So we are seeing increases deeper in the system, and the question will be, how long is it going to take until that really high concentration of water gets down deeper in the system, and are we going to effectively fill up the bathtub with nitrate concentrations?" says Burow.

WHAT'S BEING DONE?

Problems with nitrates could get worse as California's population swells.

"We're growing at a pace of about a half a million a year, so we're looking at a population of 50 million by somewhere mid-century," predicts Ellen Hanak of the nonprofit think tank the Public Policy Institute of California. Hanak's research focuses on how the state will meet its water needs.


Hanks continues, "About half of that growth is going to be in the inland areas, including San Joaquin Valley, Inland Empire, and Sacramento Valley. All places that rely heavily on groundwater."

So far, regulators haven't done much to force farmers and the industry to clean up nitrates. State and regional water boards almost never issue fines or shut down farms and dairies found responsible for nitrate pollution.

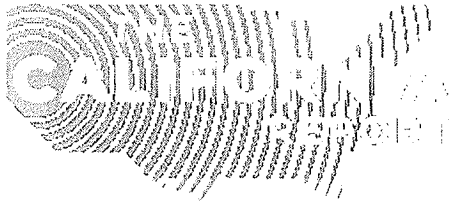
State water regulators say nitrates are not as urgent a priority as other contaminants that cause severe health effects, like perchlorate or dry cleaning chemicals. Darrin Polhemus, head of the water quality division of the State Water Board, defends the inaction: "On the scale of things we deal with, while nitrates is certainly a concern, and we're managing for it, I don't rank it high up there as something that makes me stay awake at night."

But that's no comfort to Ana Vargas. Knowing her well is contaminated means her family must rely on bottled water, because they can't trust one of the most basic necessities -- the water from their tap.

- More: [Video: How Nitrates Enter Drinking Water](#) - at CaliforniaWatch.org
- More: [Coping With Nitrate Contamination multimedia series](#) - videos, photos, and more stories at CaliforniaWatch.org
- More: [Part 2 - Charting a Cleaner Future](#)
- More: [California Watch Radio](#) - Listen to previous stories.
- More: [Part 3 - Cleaning up the Past](#)

 Comments [0] (Comments will be closed on Fri, May 28, 2010.)

[Share This](#)



- [Home](#)
- [Archive](#)
- [Special Coverage](#)
- [Health Dialogues](#)
- [Tune In](#)
- [About](#)
- [Contact Us](#)



[Full episode for Mon, May 17, 2010](#)

Nitrates in Our Drinking Water, Part 2 - Charting a Cleaner Future

[Download audio \(MP3\)](#)



Photo: Sasha Khokha

Reporter: Sasha Khokha

The most widespread pollutants in California drinking water are nitrates -- colorless, odorless contaminants that can be especially dangerous to pregnant women and infants. One of the main sources of nitrates in California is fertilizer from farms.

For decades, nitrogen fertilizer was hailed as something of a miracle product. It boosted blooms on flowering plants, beefed up tomatoes and helped trees bear fruit.

But scientists have discovered that, in some cases, only half of the nitrogen in fertilizer gets sucked up by the roots of a plant. The rest can evaporate away, or leach down below the roots, where it can make its way into the groundwater. Nitrates from fertilizer applied to fields decades ago are only now reaching some of the wells that supply cities and rural areas.

HOW MUCH IS TOO MUCH?

In the Salinas Valley, farmers grow most of the nation's lettuce. This region also has some of the worst nitrate groundwater pollution in the state.

University of California farm advisor Michael Cahn trains lettuce growers to test their fields for nitrates. By putting a thimbleful of dirt into a test tube with some water and watching as a strip changes color, farmers can assess how much nitrogen is in the soil, and calculate how much more fertilizer they really need to add.

"The way we sell this test to growers is: Hey, this is dollars that you are leaching out of your field," says Cahn.

Cahn's research on the Central Coast has shown that if farmers use less fertilizer and less water, they can still get similar lettuce yields.

One grower using the quick nitrate test is Christensen and Giannini, one of the nation's largest lettuce farms.

Today, the company is using half as much fertilizer on its lettuce. They're doing this voluntarily. In fact, there are no regulations limiting how much synthetic fertilizer a California farmer can apply to a field. And farmers aren't sanctioned if nearby wells are contaminated with high levels of nitrates.

WHO'S RESPONSIBLE?

The kind of practices they're trying on this farm could become a requirement for doing business on California's central coast. Under new rules that the regional water quality board is considering, farmers could be required to file plans and face inspections to demonstrate they're trying to protect groundwater from nitrate contamination.

Jennifer Skidgel-Clarke, head of environmental operations at Christensen and Giannini, says most growers want to be good stewards of the land. In fact, the well at her own house is contaminated with nitrates. But she doesn't think more regulation is the answer:

"Sometimes regulation can really tie a grower's hands behind their back and make it hard for them to implement things that can really work. You know, the more money we spend paying for permits, the less money we have to invest on the farm," explains Skidgel-Clarke.

Susana De Anda, co-director of the Community Water Center in Tulare County, advocates for low-income residents whose drinking water is contaminated with nitrates. She says the polluter needs to pay, and thinks farmers should be required to install monitoring wells to check for contamination.

"It shouldn't be the responsibility of the neighboring community to have to figure out how to bring in treatment because their water has been polluted by a person next door," says De Anda.

State regulators say installing monitoring wells on every farm would be cost-prohibitive and impractical, because nitrates can flow a long distance underground.

Darrin Polhemus is in charge of water quality at the State Water Resources Control Board. He says, "We certainly don't approach it from the standpoint we do like a chemical and contamination where we're trying and find who released it, make them clean it up, and penalize them for that. Nitrates are just too much everywhere, you'd spend too much time trying to track them down, and it wouldn't make sense to go after it that way."

Polhemus says a better solution is to develop a system to help educate farmers about proper use of fertilizer and test groundwater at a regional level.

Rather than taking statewide action, regulators are leaving it to the regional water boards to come up with plans to protect groundwater from farms, taking into consideration local soil conditions, rainfall, and crops. That process is just starting in regions like the Central Coast and the Central Valley.

For Californians whose drinking water is already contaminated with nitrates, the larger question remains: Who will pay to clean it up?

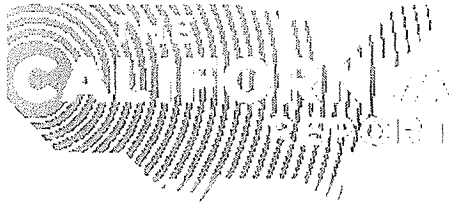
- More: [Part 1 - The Present Threat](#)
- More: [Part 3 - Cleaning up the Past](#)
- More: [Coping With Nitrate Contamination](#) - Complete series with videos, photos, and more (at CaliforniaWatch.org).
- More: [California Watch Radio](#) - Listen to previous stories.



Photo Slideshow: Testing and Treating

See what's being done to manage the amount of nitrates in drinking water.

[View](#)



- [Home](#)
- [Archive](#)
- [Special Coverage](#)
- [Health Dialogues](#)
- [Tune In](#)
- [About](#)
- [Contact Us](#)



[« Full episode for Tue, May 18, 2010](#)

Nitrates in Our Drinking Water, Part 3 - Cleaning up the Past

[Download audio \(MP3\)](#)

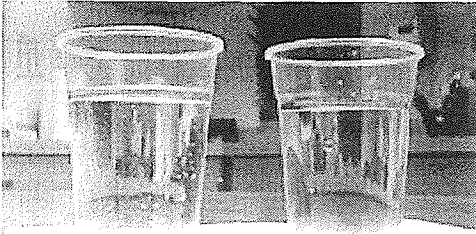


Photo: Sasha Khokha

Over the past several days, we've brought you stories about drinking water contaminated with nitrates. They're byproducts of fertilizer, dairies and septic tanks -- and they affect wells serving millions of Californians. In the final installment of our series, we learn about some of the challenges facing cities and towns trying to clean up the problem. Reporter: Sasha Khokha

When John Anderson was growing up, the Chino basin was dappled with orange trees and dairy farms. It was a world apart from the twisting freeways and skyscrapers of Los Angeles. But then, the metropolis marched eastward, swallowing up swaths of farmland and with it, a way of life.

These days, when the 75-year-old Anderson goes to order a slice of pie at Flo's café, there are just a few other farmers left for him to talk with.

"What used to be farmland is now houses," says Anderson.

A dairyman sitting nearby interjects: "Well, they're the last crop. The crop of houses!"

Today, a traffic light flashes at the busy intersection where John Anderson once sold corn, tomatoes and melons at his rural farm stand. And a cluster of office buildings sits where his family farmhouse used to be.

"This was all vegetable crop, which was mostly sweet corn and potatoes, and my grandpa moved there in 1884," explains Anderson.

There's something else new on this old farm ground: a multi-million dollar water treatment plant. It filters out nitrates.

'WE WERE CARELESS'

Nitrates are colorless and odorless contaminants that are especially dangerous to pregnant women and infants. They can cause blue-baby syndrome, cutting off oxygen to fetuses and newborns. Nitrates have also been linked to cancer in lab animals.

Nitrates have leached into the ground from fertilizer and dairy manure in the Chino basin, which used to be the biggest dairy region in the state. Residents can't drink untreated groundwater because it tests four times above the EPA health standard.

"We were careless, we were careless with what we had," says Anderson, who now sits on the board of the Inland Empire Utilities Agency.

The agency delivers drinking water to 850,000 residents in seven cities. Anderson says it was hard at first to convince other farmers that the Inland Empire needed a fancy treatment plant to provide clean water to all the new suburban residents. But, he says, eventually everyone agreed to help pay for the plant as part of their water bill. And, as a step to prevent future pollution, regulators at the regional water board passed rules imposing limits on dairies and restricting the amount of manure that could be spread on farmland.

"Everything's a cycle. Life's a cycle, we come, we go, grandkids come, and they go. If they have to pay for cleaning up our mess because we don't pay for it, it's going to cost them an arm and a leg, or else they're just going to have poorer health," Anderson says.

Inside the water-treatment plant, sophisticated membranes filter out salts like nitrate using reverse osmosis. This kind of technology cost the Utilities Agency over 300 million dollars. General manager Richard Atwater says the district relies on groundwater for two-thirds of its water supply.

"During the last two years of drought, we've cut imported water from Northern California in half, and increased our groundwater pumping," he explains. "And if we didn't have these groundwater desalters, we wouldn't be able to do that."

The Chino basin was one of the first to build this kind of treatment plant. Cities like Pomona and Modesto have also installed them. In fact, state law requires public-water systems to remove nitrates. Nevertheless, many small, rural communities can't afford these treatment plants.

Take Tooleville. It's a two-street community in Tulare County, on the eastern edge of the Central Valley, where the groundwater is also contaminated with nitrates.

"The only thing I can use this water ? is to wash my dishes, or bathe, or wash my clothes, but I can't drink this water. It's very frustrating," says Eunice Martinez.

Martinez has lived in Tooleville all her life, and says it's ironic that residents in poor communities like hers pay higher water bills than residents in cities with pristine drinking water.

"We're paying double for our water. We pay our monthly \$40 bill, and bottled water, which is anywhere from \$20 to \$85 a month," she explains.

And Martinez laughs at the idea that Tooleville will ever be able to install a multi-million dollar treatment plant. Unlike in the Chino basin, there just aren't enough residents to share the cost.

"We're just a little two-street, 77-home, 300-people community. We're poor folk. What can we do?" says Martinez.

LOOKING TO SACRAMENTO

"It's really a question of whether we as California are going to ensure that all Californians have safe and clean drinking water, or whether we're going to let these small water systems be on their own," says Eli Moore of the Pacific Institute, an Oakland-based water-policy think tank. Moore is spearheading a project to calculate the toll pollution from nitrates is taking on Californians' health and wallets.

Getting more state money to pay for water treatment won't be easy, says Democratic state Senator Dean Florez, a Kern County Democrat. He chairs the Senate Agriculture Committee.

"We probably don't pay enough attention to the issue of nitrates," he says. "I think people think the battles in agriculture center on wages, but I think at the end of the day, this is an issue that rural California has had for many, many years, and it's getting worse. So I imagine people in Sacramento, their eyes will raise, and the question is whether they'll act, which I think is always a tough one for the Legislature."

And it's especially tough in the midst of the state budget crisis.

Californians have voted twice for water bonds totaling more than two billion dollars for a variety of clean drinking water projects. But that's just a fraction of what it will cost to build treatment plants and the extra infrastructure needed to eliminate nitrate pollution.


- More: [Remedies Anything but Quick, Cheap](#) - (at CaliforniaWatch.org)
- More: [Part 2 - Charting a Cleaner Future](#)
- More: [Part 1 - The Present Threat](#)
- More: [Coping With Nitrate Contamination](#) - Complete series with videos, photos, and more (at CaliforniaWatch.org).
- More: [Forum with Michael Krasny: Nitrates](#) - Listen to Sasha Khokha and co-reporter Julia Scott discuss nitrates on KQED's daily talk show.



Photo Slideshow: Testing and Treating

See what's being done to manage the amount of nitrates in drinking water.

[View](#)

 Comments [0] (Comments will be closed on Tue, June 1, 2010.)

[Share This](#)

Login Your name here (required)

Share This Page

What's on your mind...

Follow

Cancel

Post

Echo 0 Items

Admin

Social Networking by

Please ensure that all comments adhere to our [community guidelines](#). We reserve the right to edit or remove comments that do not follow these guidelines.

California Watch

Nitrate contamination spreading in California communities

May 13, 2010 | [Julia Scott \(/user/julia-scott\)](#)

The water supply of more than two million Californians has been exposed to harmful levels of nitrates over the past 15 years – a time marked by lax regulatory efforts to contain the colorless and odorless contaminant, a California Watch investigation has found.

Nitrates are now the most common groundwater contaminant in California and across the country. A byproduct of nitrogen-based farm fertilizer, animal manure, wastewater treatment plants and leaky septic tanks, nitrates leach into the ground and can be expensive to extract.

The problem affects both rural Californians and wealthier big-city water systems. State law requires public water systems to remove nitrates. Many rural communities, however, don't have access to the type of treatment systems available in metropolitan areas.

Nitrates have been linked to "blue baby syndrome," which cuts off an infant's oxygen supply. Some studies have found connections to certain cancers in lab animals.

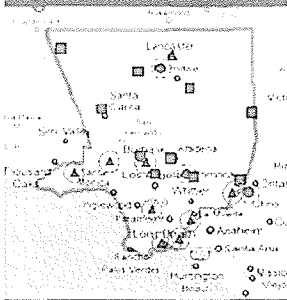
The State Water Resources Control Board acknowledges that nitrates are a problem affecting vast regions of California. And the situation is worsening, especially in the Central Valley, Central Coast, and the Los Angeles and Imperial Valley regions. High nitrate levels have already impacted public water system wells in many areas, and the contaminants continue to migrate toward groundwater supplies that could ultimately impact the water supply for millions of additional Californians.

Statewide, the number of wells that exceeded the health limit for nitrates jumped from nine in 1980 to 648 in 2007. Scientists anticipate a growing wave of nitrate problems in some parts of the state if remedial steps aren't taken.

And yet the state's patchwork regulatory efforts remain riddled with gaps that have allowed nitrate contamination to spread virtually unchecked. Consider:

- Nothing is being done to regulate the use of the leading source of nitrate pollution in many regions of the state – nitrogen fertilizer. A lettuce farmer can apply as much fertilizer as he wants, within feet of the nearest water supply well, without having to worry how much of it might contaminate the groundwater with nitrates. Officials aren't even equipped to determine the sources of contamination, meaning no one is held accountable.
- Sixty-five percent of domestic wells at Central Valley dairies test over the public health limit for nitrates, putting local residents at risk of potential exposure. Yet, according to records obtained from the State Water Resources Control Board, none of the dairies were fined for a nitrate problem identified by the state.
- When polluters are found responsible for nitrate contamination, the state rarely does anything to correct it. California has issued 248 enforcement actions against 44 polluters for nitrate contamination in the past six years. But only once has the state ordered a polluter to clean up contaminated groundwater.

Is your water contaminated?



(<http://geotrackerbeta.ecointeractive.com/gama/>)

In one of life's ultimate ironies, families in poorer, rural communities typically pay more for tainted water than ratepayers hooked up to clean water systems.

Residents in the tiny town of Seville in eastern Tulare County, for instance, pay a flat monthly fee of \$60 for nitrate-laden water they have been warned by local health officials not to drink. By comparison, the average metered bill is just \$26.50 a month for San Francisco residents, who consume water from the pristine Hetch Hetchy water system.

"The people who are polluting the water, they don't pay for that cleanup – the ratepayer does," said Debbie Davis, a legislative analyst with the Oakland-based Environmental Justice Coalition for Water, a statewide network of grassroots groups that advocates for clean, safe water. "If California is going to meet the water challenges of the future, we have to figure out how to deal with nitrates."

State officials, meanwhile, say that efforts to regulate and clean up nitrates have taken a backseat because the state has too many other environmental dangers to worry about. California finds itself grappling with a host of difficult water issues – ranging from the logistics of delivery and supply to basic safety and health concerns. Nitrate contamination is just one challenge facing regulators.

Darrin Polhemus, deputy director of the State Water Resources Control Board's division of water quality, said his agency has chosen to spend more time and resources dealing with chemicals such as perchlorate and dry cleaning solvents, which cause more acute health effects when leached into groundwater.

"On the scale of things we deal with, while nitrates is certainly a concern and we're managing for it, I don't rank it high up there as something that makes me stay awake at night," he said.

It's unclear how often nitrate exposure has led to serious health consequences, because the dots aren't always connected. For instance, more than 2,000 cases of acute "blue baby syndrome" have been tied to excessive nitrate consumption around the world since the mid-1950s, but scientists say many cases go undiagnosed. Bottle-fed infants whose formula was prepared using water are at greatest risk if the water exceeds public health limits for nitrates. Pregnant women are also at risk.

Many of the state's fastest-growing regions overlie vast stores of nitrate-polluted groundwater. In the Eastern San Joaquin Valley, one of every three domestic wells has nitrate levels that exceed public health limits.

One of those wells is located on property owned by Camelia and Manuel Lopez in East Orosi, a small Central Valley town in Tulare County.

The Lopez family volunteered to have their family's private well tested by the state last winter. The water contained nearly three times the federal health limit for nitrates. Follow-up testing of the family's tap water by California Watch confirmed these results.

"You would never imagine in this country, that someone would have this problem," said Camelia Lopez, who emigrated from Mexico as a young woman and moved to the countryside from the Bay Area.

Now the family buys bottled water for drinking and cooking at a cost of \$60 a month – a real hardship since Manuel Lopez, a contractor, is unemployed.

Their three boys, age 6, 16 and 18, take the bottles to school as a precaution. A local high school has had nitrate problems for years. Camelia Lopez has taught them how to brush their teeth with bottled water and keep their mouths closed when they're in the shower. Putting filters on all the taps in the house would cost at least \$750.



Julia Scott
Camelia Lopez uses the water from her well to wash dishes, but not to drink or cook with because it is contaminated.

The U.S. Environmental Protection Agency has estimated that as many as 52 percent of community water wells and 57 percent of domestic water wells in the United States are contaminated by nitrates. And 15 percent of contaminated wells in agricultural and urban areas have been found to exceed levels considered safe, according to the U.S. Geological Survey.

Much of the nitrates are only deep enough to affect private wells, which are shallower than their public counterparts. But the contaminant is starting to sink further into aquifers, deep enough to affect towns and cities, according to Karen Burow, a Sacramento-based scientist with the USGS.

"In the absence of some sort of mitigation, it's likely that the water that's at the domestic wells now is going to move downward and eventually reach the public supply wells," Burow said. "So the question is, how long is it going to take until that really high-concentration water gets deeper in the system?"

Don't drink the water

In parts of the state where serious nitrate problems have already taken root, communities have a limited menu of options available to cope with the contamination.

Large municipalities can afford to pay millions of dollars to remove contaminants like nitrates before they reach the tap. But these kinds of solutions are beyond the scope of many small communities, which are often home to the poorest and most disenfranchised residents in California.

Many communities rely on at least one well that contains dangerous levels of nitrates, forcing residents to use water they've been warned not to drink, say clean water advocates.

The Community Water Center, based in Visalia, has helped dozens of residents, schools and communities across the Central Valley deal with nitrate problems.

Co-founder Susana De Anda says many communities pay twice for water each month: once for contaminated well water, once for bottled water.

Some communities have used state money to drill a test well, only to find nitrate problems there, too. And they can't trace the nitrates back to their sources, so they can't hold anyone accountable.

"The community has to figure out how to fix the problems when they didn't pollute the water," De Anda said. "It is not OK for communities to have to subsidize the cost of pollution through their health and their pocketbooks."

Schools struggle with tainted water

On the other side of Tulare County from East Oroshi, nitrate problems have been one long, expensive headache for Norm Brown, principal of Citrus South Tule Elementary School in Porterville. Several years ago, Brown applied for a state grant to dig a \$100,000 well on school property to alleviate the school's chronic nitrate problem, only to learn that the school's entire local groundwater basin was loaded with nitrates.

"I was really going to make a difference on that," Brown recalled. "But if they're digging a well they're not going to find clean water. It's a waste of money."



The school, which has 53 students, is one of 12 across the state now coping with nitrate contamination in their well water, affecting a total of about 3,000 students, according to public health records.

Testing by California Watch showed the school's well water contained twice the public health limit for nitrates. A second set of tests analyzed the DNA fingerprint of the nitrates under the school and traced the contaminant back to its likely sources, including local citrus farms and natural sources in the Sierra foothills. The DNA test, known as a nitrogen isotope tracer test, indicates the general type of source the nitrates came from but can't isolate exactly who would be responsible.

Sasha Khokha
Schools across the Central Valley

Bottled water is the only affordable remedy now but only barely. The

have discovered their drinking water is contaminated by nitrate, affecting more than 3,000.

school pays more than \$2,000 each year to stock its water coolers and distribute plastic cups. Brown is also required to test the well water every month, which cost \$2,500 in 2009, a hardship for a

school that has just three teachers for six grade levels and was forced to tap its small reserve fund this year just to avoid laying off one of those instructors. Brown sends the test results to the Tulare County Department of Environmental Health.

Boiling water isn't an option. It can actually make matters worse, scientists say, because it concentrates the water without eliminating the nitrates, making the dose of contaminants even more potent.

Even though no one has ever suspected the school of being the source of nitrates, last year, Citrus South Tule Elementary School had to pay \$750 in fines for water quality. Brown calls it adding insult to injury.

"They get their money, they're happy. I will pay a bill and buy the water. But don't make me test the well," he said. "I don't care if you dig to China. There's going to be nitrates."

Enforcement doesn't keep pace with spreading nitrates

Nitrogen fertilizers are an essential component of California agriculture, but they are also the leading source of nitrates in many agricultural areas, scientists say. In 2008, farmers applied 855,699 tons of nitrogen-based fertilizer to 6.7 million acres of irrigated farmland.

Dairies contribute an additional 240,000 tons of nitrogen from cow manure used to grow forage crops for the cows. Although crops absorb some of the nitrogen, up to half of it reaches the water table, scientists say.

In soils with enough oxygen to support it, nitrogen compounds convert to nitrates. Some of these eventually sink deep enough to affect drinking water.

Officials say nitrates are so common and mobile that they are difficult to track once they get into the groundwater, making the contaminant hard to monitor. And it can be just as hard to pinpoint the exact source of nitrates. Regulators can trace a gasoline tank leak to its source, or rocket fuel leaching from a factory. It's not as simple with nitrates.

The regulatory challenges are even more vexing because so much of the nitrates seeping into the groundwater began their migration decades ago. It's nearly impossible to know if contamination identified in 2010 came from a modern-day farm or from the same farm owned by a different family in 1970.

"It is much more difficult to go out and identify a single cause of a nitrate problem in the area, and it can be also very difficult to identify responsible parties and figure out what corrective action needs to be taken," said Ken Landau, assistant executive officer of the Central Valley Regional Water Quality Control Board.

But clean water advocates say the State Water Resources Control Board could be doing more to protect ordinary Californians with stronger regulations, tougher enforcement and more monitoring to better understand what's happening underground.

"Unfortunately, the (state) water board sort of throws up their hands and says, 'If we can't find the source how can we enforce?'" said Davis, of the Environmental Justice Coalition for Water.

Even if the state board has reason to believe that a dairy farm or a food processor is leaching nitrates next to a residential area, it rarely requires farmers to test the nearest homeowner's well to see if the contaminants have spread.

Farmers and companies are urged not to degrade groundwater but are mostly left to employ voluntary strategies to comply. Fruit and vegetable farmers are completely exempt from enforcement oversight when it comes to groundwater, according to a review of agricultural policies across the state.

State water board staff members say they're doing the best they can with limited resources. The Central Valley Regional Board, for instance, has six staff members to handle enforcement and compliance issues for hundreds of sewage treatment plants, food processors and other facilities that discharge waste, records show.

Critics charge that when it comes to regulating the industrial and municipal causes of nitrate leaching – farmers, dairies, food processors and sewage plants among them – economic considerations take precedence over public health.

Richard McHenry, a 20-year veteran of the state water board, says that when he worked for the regulatory authority, he felt pressured to write permits that did not place undue economic burden on certain operations. McHenry retired in 2008 after a final stint with a special investigations unit in the Office of Enforcement.

He says some companies have benefited from a clause in the Porter-Cologne Water Quality Control Act, enacted in 1969 to limit the spread of contaminants, which allows authorities to waive waste discharge requirements if it is in the "best interest" of Californians.

"The regional boards just make off-the-cuff remarks that a dairy employs people and produces milk, and therefore it's in their best interests to pollute," McHenry said. "What kind of analysis is that? You're not looking at the whole big picture. It's not only about jobs."

Landau of the regional board said he knows of no regulatory agency that approaches its job in the manner McHenry described.

"This absolutely does not reflect the view of the boards," he said. "Might a single board employee ever have said or thought something like this? We're not privy to employees' private opinions, but that statement certainly does not reflect the boards' opinion. The boards' view is that current regulation is vigorous and appropriate."

Pollution yields few consequences

While the state water board and its regional entities have begun treating nitrates as a significant issue, regulations vary greatly by industry and region.

Where regulations do exist, former inspectors say a toothless enforcement system enables polluters to pay small fines for nitrate problems – if they are fined at all – rather than bring their operations into compliance.

Consider the case of Monterey Mushrooms Inc., the country's largest marketer of fresh mushrooms. Its wells have exceeded nitrate limits 17 times, according to records reviewed by California Watch.

In 2006, the Central Coast Regional Water Quality Control Board cited Monterey Mushrooms for four of those violations. "Nitrate out of control!" one staff member scrawled on a lab report obtained by California Watch.

Yet the facility has never been fined or required to limit the amount of nitrate-contaminated water it sprays onto adjacent fields. This nutrient-rich wastewater is left over from the process of spawning, growing, and processing the mushrooms.

Monterey Mushrooms is hardly alone. In the past six years, state regulators issued 248 enforcement actions against 44 polluters for problems specific to nitrates in groundwater, records show. Most received routine violation notices. Even repeat violators are rarely fined.

Polhemus, of the State Water Resources Control Board's division of water quality, says his agency has put greater emphasis on regulation than enforcement when it comes to nitrate polluters.



Sasha Khokha
Chino water regulators passed strict rules limiting the number of cows and the amount of manure that dairymen can apply.

"We certainly don't approach it from the same standpoint we do a chemical contamination, where we're trying to find who released it, make them clean it up and penalize them for that," he said. "Nitrates are so much everywhere that you'd spend too much time trying to track them down and the levels are such that it wouldn't make sense to go after it that way. We think it's much more important to try to get ahead of the curve through our different programs."

The impact on towns and communities is steep. Several drinking water wells in Royal Oaks, a community neighboring Monterey Mushrooms, have already been shut down due to nitrates. Since 1983, residents have been asking the Central Coast Water Board to limit the amount of undiluted wastewater it allows Monterey Mushrooms to apply. Environmental studies conducted by the company show the Royal Oaks facility has applied far more nitrogen than the land can actually absorb – 36 times more.

The regional water board has said it is "concerned" about the potential for nitrate problems. But the agency has been unable to pinpoint the cause of the contamination.

Wayne Bautista, general manager of Monterey Mushrooms, says the high nitrate readings come from a well that's closer to other fields on a ridge above the mushroom plant, and are not attributable to his plant's operations. He also said the company has "significantly" reduced the amount of wastewater it applies to land, due in part to five newly lined wastewater ponds that help the plant reuse water in its composting process.

Monterey Mushrooms is located in the Salinas Valley – the heart of Monterey County's \$3.8 billion dollar agricultural industry. The region ranked first in the state for the most severe nitrate contamination back in 1995, according to a report prepared by the Central Coast Regional Water Quality Control Board. The water board has not updated its numbers since then.

Yet the regional board does not require all growers to conduct groundwater monitoring. They are required to fill out a checklist of water quality management techniques they may be using on their farm, but they won't face consequences for operating without them.

Farmers in both the Central Coast and the Central Valley may soon face new regulations that could require them to limit the amount of fertilizer they apply to crops. Farmers in areas known for heavy nitrate contamination would have to deal with more restrictions.

Fresno County farmer Parry Klassen says farmers shouldn't be blamed for legacy nitrate problems that may have migrated in groundwater from elsewhere.

"Cities can't say the farmers did it, the farmers can't say the cities did it. I don't think it should be set in someone's lap. We need to figure out what the problems are and solve them where we can," said Klassen, who is president of the East San Joaquin Water Quality Coalition.

Although nitrates are considered a pollutant under the Porter-Cologne Act, they have never been regulated that way, according to Davis, of the Environmental Justice Coalition for Water.

Back in East Oroquieta, Camelia Lopez feels helpless about her family's nitrates problem, which testing has traced to animal manure, possibly from nearby cattle ranches, or a leaky septic system.

The reasons Lopez moved to the San Joaquin Valley – a simpler, rural life among the vineyards and the orange trees, the cows and chickens – may be harming her home and her community.

She knows nitrates are a big problem that will require a Sacramento-sized solution. But today she's starting small – going door-to-door, talking to other mothers about getting their wells tested. She'd like to tell lawmakers what it's like to be unable to drink water from her own tap. She's even been practicing her testimony.

"Please care a little bit about this community," she says. "Just like I'm worried about this, there are other mothers with a lot of kids who are worried about this issue, too. If it were you and your kids in this community, what would you think? What would you do?"



[\(/user/julia-scott\)](#) **Julia Scott** ([/user/julia-scott](#)) reported this story.
[E-mail \(/user/julia-scott\)](#)

This story was produced in collaboration with KQED Central Valley Bureau Chief [Sasha Khokha \(/user/sasha-khokha\)](#) and [Christopher Beaver \(/user/christopher-beaver\)](#) of CB Films. It was edited by [Mark Katches \(/user/mark-katches\)](#). It was copy edited by [William Cooley \(/user/william-cooley\)](#).

California Watch

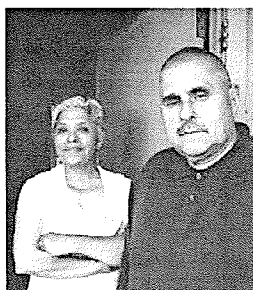
Remedies for nitrate contamination anything but quick, cheap

May 14, 2010 | [Julia Scott \(/user/julia-scott\)](#)

John and Rosenda Mataka never gave a thought to their tap water until 1995, when the city of Modesto took over the town of Grayson's water supply wells and informed everyone that they had been drinking nitrate-contaminated water for over a decade.

Modesto officials began conducting regular tests of Grayson's two production wells. The state Department of Public Health reacted to the results by requiring the city to install a treatment plant to rid the water of dangerous nitrate levels.

"I was angry. We just weren't told. Every year they said the water was fine," said Rosenda Mataka, who raised her son Emiliano on compromised tap water.



Roberto Guerra
John Mataka of Grayson, Calif., and his wife Rosenda drink bottled water although Modesto has invested in treatment plant.

Although Emiliano and his parents show no indication that their health has been harmed by the water they drank for years, the Matakas worry about the long-term health impacts of exposure to tainted drinking water. Tap water spiked with high nitrate levels can lead to "blue baby syndrome," which cuts off an infant's oxygen supply. Some studies have found connections to certain cancers in lab animals.

Grayson's water treatment system provides an oddly incongruous sight: an assortment of gleaming pipes and tanks that tower above apricot orchards and alfalfa fields, with a tall fence wrapped around them and a big warning sign that says "Caution: Chlorine."

It's Grayson's accidental landmark, a symbol of the hidden legacy that has prevented this rural outpost of 1,200 from becoming the prosperous

Modesto suburb it could have been.

In a way, Grayson is lucky. Most small communities of its size with serious nitrate problems can't afford expensive water treatment plants. That means these communities, made up largely of low-income families who work the fields, end up drinking whatever comes out of the tap, even if the water violates public health standards for nitrates.

At least one million Californians rely on private wells that have no public health oversight. These residents are at high risk for nitrate contamination because their wells are shallower than municipal wells. Nitrates are colorless and odorless, making them hard to detect without lab testing.

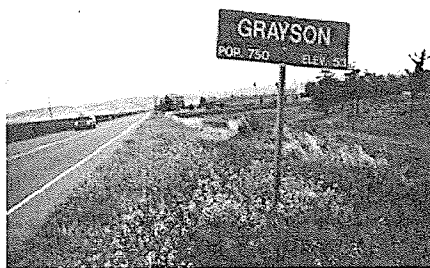
At the other end of the spectrum, cities in Southern California have spent millions of dollars on nitrate treatment plants because they have no other choice – dirty or not, the groundwater is crucial to meet population growth while access to imported water shrinks. The Irvine Ranch Water District, for instance, built a \$33 million system to remove nitrates in 2007. It costs an additional \$2.3 million a year just to operate and maintain. The plant itself serves 50,000 water customers in Orange County.

Other California communities will be facing the same tough choices in the coming years. California's population is projected to increase 53 percent by 2050. Of the 50 million people who will one day call this state home, many will settle in the greater Los Angeles area, Inland Empire, and parts of the Central Valley – areas that overlie some of the most nitrate-contaminated groundwater in the state.

City planners are looking to groundwater to supply one-third of the water needed to accommodate California's coming population boom, or 1.1 trillion gallons per year – more than any other source, according to the Public Policy Institute of California.

Looking around Grayson today, it's hard to believe the town was once in the running to become a major suburb of Modesto. Twenty years ago, a developer was planning to build a 633-unit subdivision at the site of a peach orchard in Grayson.

Those dreams were dashed shortly after Modesto installed a de-nitrification plant. Although it can barely afford it, the city spends \$800 per acre-foot of water to make water drinkable for Grayson's 1,200 residents – up to \$19,440 a month, four times the cost of the treated Tuolumne River water Modesto pipes to half its 210,000 residents.



Roberto Guerra

Another problem is the leftovers: Grayson's ion exchange process leaves behind hundreds of tons of saline brine that can't be recycled or reused, so Modesto pays extra to export four truckloads of it each week to a Bay Area wastewater plant. At those prices, the city quickly concluded it couldn't afford any new water connections in Grayson and banned them outright. The ban is still in place today, minimizing the area's population growth.

"If water wasn't a problem here, the whole area would be developed in a heartbeat," said John Mataka, who works for Stanislaus County as a behavioral health specialist. He and Rosenda both advocate for environmental justice issues with a variety of local and state organizations.

Experts say the slow spread of nitrates underground has already affected millions of Californians, mostly due to a legacy of leaky septic tanks and intensive nitrogen fertilizer-based farming over the last 60 years. Nitrates are the leading cause of well closures in California. Scientists say that if nitrate concentrations don't taper off, the pollution will eventually sink deep enough to affect the well water that millions of Californians depend upon.

Studies have shown that although only 3.5 percent of public water supply wells in the Central Valley exceed the public health limit for nitrates today, an additional 13 percent of wells are at substantial risk of contamination.

That message is somehow getting lost on people, says Karen Burow, a Sacramento-based scientist with the U.S. Geological Survey. Past farming practices have already contributed to tomorrow's nitrate problems, and today's contributions are making the problem worse.

"I think that's the most important point we can get across – that there is a lot of nitrate in shallow groundwater and it's moving, and we don't see it going away very fast. There is some urgency for the policy people to figure out what to do," Burow said.

Solving the groundwater problem will take imagination – and a lot more money than the state is spending. California voters have passed two water bonds since 2002, worth more than \$8 billion. Roughly \$2 billion was allocated for clean, safe drinking water.

No estimate exists for what it would cost to clean up the nitrates in our groundwater basins, in part because the state has limited knowledge about where the pollutants are and where they go when they reach the water table.

The Environmental Protection Agency has estimated that the cost of treating all the polluted groundwater in California over the next 20 years, including nitrates, would amount to \$7.5 billion.

Tackling the source

Activists and regulators agree that the best way to solve the nitrate problem is to prevent it. But that is easier said than done. State regulators have started requiring certain operations to limit the nitrogen they apply to land. Records show, however, that in many cases, officials have been aware of ongoing nitrate pollution for years – and took little action to address it.

One of the best examples of this is the state's dairies, which grow crops with manure. Many dairies lack enough cropland to absorb all the nitrogen they produce. As a result, they over-apply liquid manure,

causing nitrate problems.

Most dairies began testing their domestic wells for nitrates in 2007 and 65 percent of the dairy wells exceeded the public health limit for nitrates. Forty-two percent of wells had nitrate levels that were twice the drinking water standard.



Sasha Khokha
Many dairies moved north, to the Central Valley, after Chino water regulators passed strict rules limiting the number of cows.

Since 2000, the state has mandated that 48 dairies submit groundwater test results – in response to numerous other findings of nitrate contamination on their land. Yet none of the dairies were fined, required to cease operations or asked to clean up a nitrate problem identified by the state.

Dairies receive violation letters for not monitoring properly, but exceeding the nitrate limits rarely has serious consequences.

Records show some dairies were even suspected of spreading contamination to adjacent lands, potentially affecting the drinking water of neighbors and farmhands living onsite. But only one dairy, The Bosma Milk Co. in Tipton, received a violation letter specifically for high nitrates in groundwater beneath the property, according to an online database of state enforcement actions.

The Bosma Milk Co. has reported nitrate concentrations above the public health limit since 2003. Like many other Central Valley dairies with nitrate problems, nitrate concentrations in some of Bosma's wells spiked as high as five times the pollution limit between 2000 and 2007.

The dairy received a violation letter in 2008, but no fine. The Central Valley Regional Water Board has asked the dairy to collect more information before it takes action.

Gary Bosma, co-owner of Bosma Milk Co., said he and his brother Jake have gone out of their way to comply with water quality requirements imposed by the state. He suggested that regulators would have a hard time proving that nitrates were coming from Bosma given that there are other dairies in the area.

"We have neighbors and the water moves around in the aquifer. Just because one well pops up positive doesn't mean it's coming from that dairy," Bosma said.

Officials say they have been aware of nitrate issues at dairies for a long time.

"The solution isn't usually to just shut down a dairy. The ones that we found having problems, we've worked with them to get more land, improve their cropping practices, in some cases line manure basins," said Ken Landau, assistant executive officer of the Central Valley Regional Water Quality Control Board.

In 2007, Central Valley regulators started requiring most dairies to develop plans to manage their manure to reduce water contamination. Another rule, the first of its kind in the country, required dairies to sample their domestic wells for nitrates. If the levels are too high, the dairy needs to pay to install additional monitoring wells to gauge the extent of the contamination.

The program was welcomed by environmentalists, but Dairy CARES, a statewide dairy-industry coalition, feels the requirements are too burdensome. The group is working on an alternative that calls for installing wells in select regional locations to monitor contamination, an approach that would avoid pointing fingers at individual dairy operators.

"It's a much broader scale than holding an individual responsible for their exact actions," said Darrin Polhemus, deputy director of the State Water Resources Control Board's division of water quality.

"Obviously that's what we'll want to get to eventually, but that's not the focus. It's not designed to find that one guy out there."

An expensive problem

It's too late to prevent nitrate contamination in many Southern California groundwater basins,

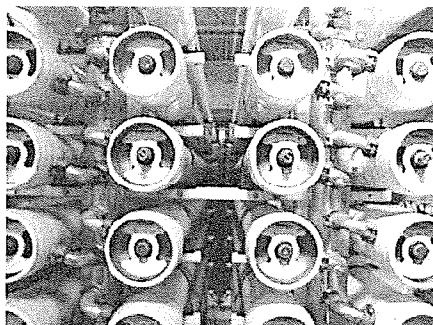
especially in heavily urbanized portions of Los Angeles, Orange, Riverside and San Bernardino counties.

It's a problem that harkens back to the region's agricultural legacy. Land now covered with suburban neighborhoods once sprouted with citrus trees and vegetable fields where farmers used nitrogen fertilizer. Until recently, the Chino Basin was home to more dairies than anywhere in the world.

Nitrate problems were detected as early as the 1970s in the Chino Basin, one of the largest groundwater basins in the state. The area is at the heart of California's Inland Empire and home to more than a million people. Nitrate concentrations in the worst-hit parts of the basin were double the EPA threshold in the 1980s and quadruple the limit by 2000, according to records.

Regulators with the Santa Ana Regional Water Quality Control Board tried with limited success to contain the problem by banning dairies from applying manure to land in the Chino Basin in 1999.

Today, residents pay high water bills to bankroll multimillion-dollar nitrate treatment plants in places like Pomona and Riverside. The Inland Empire Utilities Agency in western San Bernardino County is in the midst of a \$300 million project to expand its nitrate removal plant as part of an aggressive strategy to cope with drought-related limits on imported water.



Sasha Khokha
Inside an Inland Empire Utility District water treatment plant known as a "desalter" in Chino, Calif.

"We recognized that imported water was vulnerable and less reliable," agency General Manager Rich Atwater said. "We've literally hit the wall with the Delta. We're in a huge economic recession and everybody recognizes that we're going to go from 38 million to 50 million people in the next 25 years, and Southern California is a big part of the demand."

Times have changed since the 1970s, when water managers could just shut down a well and dig a new one if nitrates became a serious problem. Atwater says the causes of nitrate contamination were ignored for too long, creating a problem for everyone in the region.

"All that nitrate contamination that we're addressing today is literally a legacy of 50 to 100 years ago," Atwater said. "Prevention is so much more cost effective – 10, 20 times as much. It's so much more expensive to remove the contaminant from the groundwater basin than to keep it from getting there in the first place."

In Modesto, the city has had to shut down 10 of its 140 municipal wells because of nitrate contamination in the past 15 years, and there will likely be more, said Allen Lagarbo, deputy public works director.

"All cities on wells in this area start developing contamination problems eventually," he said.

The combined population of cities in the Sacramento Metro region and the San Joaquin Valley is projected to top 9 million by 2030. The population in the Central Valley has doubled every 30 years since 1900 as residents move onto former farmlands.

Meeting those future water demands is not as simple as building a new generation of nitrate treatment plants, as Modesto has discovered. The most common technologies to remove nitrates, ionic exchange and reverse osmosis, can be expensive and cumbersome.

"We do this crazy thing now and take pristine, beautiful water and put it on our farms, and the minute it soaks into the ground it's filled with nitrate, and then we ask cities to clean up marginal water and use it as drinking water," said Jean Moran, professor of earth and environmental science at CSU East Bay and a former groundwater research scientist at Lawrence Livermore National Laboratory.

A Sacramento solution?

In the Central Valley, farmers may soon face regulations on their use of fertilizer similar to an order imposed on dairies in 2007. The agricultural industry wants those rules to remain voluntary and says it

would be unfair for regulators to require farmers to comply with strict statewide water quality standards.



Sasha Khokha

Some lettuce growers in Monterey County are participating in a farm program to help them gauge how much nitrogen to apply.

Nitrogen fertilizer use in California has stabilized at an average 700,000 tons each year, but it's unclear whether voluntary strategies have made a difference for nitrate levels so far. It took 50 years to detect nitrate problems in many areas and it will take decades to see changes, experts say.

One option would be to require farmers to limit the amount of fertilizer they apply to their fields. That would require new legislation. The State Water Resources Control Board does not have the authority to impose those limits.

Lawmakers have directed hundreds of thousands of dollars of aid to small communities struggling with nitrates, and established demonstration projects for good farming practices through the University of California. But when it comes to tackling fertilizer itself, results have been mixed.

Former Bay Area state Assemblyman Johan Klehs tried to pass a bill in 2006 that would have raised the mill tax on fertilizer. The money would have been used to provide grants to communities affected by nitrate contamination. (In California, fertilizer is exempt from local and state sales taxes). The bill died in the Assembly's Agriculture Committee.

"All efforts along those lines automatically go to the ag committee and they die there. Legislators are not friendly to anything that could negatively impact agriculture," said Debbie Davis, legislative analyst with the Oakland-based Environmental Justice Coalition for Water.

State Senate Majority Leader Dean Florez, D-Shafter, calls nitrates "a backwater issue in Sacramento."

"These are the kinds of things public policy makers need to hear," he said. "It's always difficult to get any of these things on the radar screen. ... We've got to get our farmers to recognize the long-term impact of these materials on water systems. People say it's the end of a major, multi-billion dollar industry without these fertilizers."

Scientists with the U.S. Geological Survey have calculated that even if fertilizer inputs ceased immediately and forever, nitrate levels would continue to climb for many more decades before starting to decline because of the lag time in deeper aquifers.

All the more reason to take preventative action, says Eli Moore, a research associate with the Oakland-based Pacific Institute.

"We can deal with nitrate contamination once it's already reached the tap water, or we can try to prevent nitrate contamination before it becomes a problem," Moore said. "It's really a question of whether we as Californians are going to ensure that all Californians have access to clean drinking water."

Grayson's moratorium on new water connections hasn't kept people from building new homes and simply digging their own backyard wells at the risk of exposing themselves to dangerous levels of nitrates.

Nitrate concentrations in Grayson's raw water have tested as high as 65 milligrams per liter over the past 15 years. The public health limit is 45 milligrams per liter. One milligram is equivalent to half a teaspoon in a swimming pool. It may not seem like much, but for vulnerable populations, like infants, the effects can be acute, experts say.

"If this is an issue now, can you imagine a town three times the size?" asked John Mataka. "It would have been a calamity."



[\(/user/julia-scott\)](#) **Julia Scott** [\(/user/julia-scott\)](#) reported this story.
[E-mail \(/user/julia-scott\)](#)

This story was produced in collaboration with KQED Central Valley Bureau Chief [Sasha Khokha \(/user/sasha-khokha\)](#) and [Christopher Beaver \(/user/christopher-beaver\)](#) of CB Films. It was edited by [Mark Katches \(/user/mark-katches\)](#). It was copy edited by [William Cooley \(/user/william-cooley\)](#).

Log in to post a comment

Username

[New user? Sign up for an account. \(/user](#)

[/register?destination=node%2F2040%23comment-form\)](/register?destination=node%2F2040%23comment-form)

Password

[Forgot your username or password? \(/user/password\)](#)



Or log in using:

[Login with Facebook](#)

[Log in with OpenID](#) (#)

California Watch

Solving the problem of nitrate contamination

May 13, 2010 | [Julia Scott \(/user/julia-scott\)](#)

Farmers and state officials are exploring solutions to nitrate leaching in heavily impacted parts of the state, including solutions that go beyond paying millions of dollars for a treatment plant. But some proposals are more controversial than others.

Experts say any serious action on dealing with nitrates has to begin with regulating farmers who rely on commercial fertilizer, the leading cause of nitrate leaching in California.

"The largest problem is irrigated agriculture. It covers a much larger area, it's a constant input of nitrates in groundwater and you have constant irrigation and over-irrigation, which drives the nitrates deeper into the groundwater," said Jean Moran, professor of earth and environmental science at CSU East Bay and a former research scientist at Lawrence Livermore National Laboratory. "But if you look for new evidence of regulations on nitrate issues in groundwater, you just don't find them."

That could be changing in the Central Valley, where regulators are working on a set of rules to govern fertilizer use on fields for the first time.

One option would require farmers to install mandatory groundwater-monitoring wells on each farm and report back to the state – a controversial idea that even regulators admit is unlikely to take root.

Growers say that they would prefer to employ voluntary measures to prevent pollution to the extent they can, and they have told the Central Valley Regional Water Quality Control Board they should not be required to comply with statewide water-quality limits.

Renee Pinel feels the same way. As CEO of the Western Plant Health Association, a nonprofit trade association that represents agricultural retailers and fertilizer manufacturers, she believes the state should not be regulating farmers at all.

"Monitoring wells are expensive, and individual growers should not take on that expense if there is no demonstrated proof that whatever may be tested has anything to do with [them]," Pinel said. "We would be concerned about the finger of blame being pointed at one sector just because it's easy."

The State Water Resources Control Board has taken important steps toward understanding groundwater problems in recent years, funding a series of studies by the U.S. Geological Survey to measure nitrates in groundwater across the state. Much of that information is available in a new, [searchable mapping database \(http://geotrackerbeta.ecointeractive.com/gama\)](http://geotrackerbeta.ecointeractive.com/gama), called GeoTracker, on the state water board website.

In 2007, the state appropriated \$2 million for a study to assess the feasibility of helping disadvantaged communities get access to safe drinking water in the southern Central Valley and the Salinas Valley – two of the most nitrate-saturated parts of California. Another set of recommendations will focus on developing a cleanup plan for both regions. Money for the project was set aside in Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Unfortunately, a freeze on Proposition 84 bond funding means the project has yet to begin.

The Central Valley Water Board also helped create the Central Valley Salinity Coalition, or CV-SALTS, a project to identify the main sources of salt and nitrate problems. The group is taking a long-term view, working on cleanup and reduction plans over the next 100 years.

Practical solutions

One way to stop the nitrate cycle is to use less fertilizer. Depending on the type of crop and soil conditions, some plants only use half of the fertilizer a farmer applies – leaving the rest to evaporate or

previously reserved for farming – putting pressure on farmers to produce more on less land. Commercial fertilizer use increased almost ninefold on American farms between 1940 and 1972 before leveling off in the 1980s, while a highly mechanized, nitrogen-intensive model of farming pushed crop yields through the roof.

A small group of lettuce farmers in Monterey County has discovered it's possible to save money on fertilizer, cut back on water and reduce nitrates without sacrificing crop yield.

Using a "quick nitrate" test, provided by the University of California Cooperative Extension, growers can gauge how many nitrates are already in the soil and use only as much fertilizer as their lettuce needs to grow. Michael Cahn, a UC Cooperative farm adviser, says he helped one company use 70 pounds less fertilizer per acre and get the same yield. Another benefit? Less water needed to grow the lettuce.

The test is both affordable and widely available but isn't popular, according to Cahn.

"The test is cheap, but you still have to go into the field and do it – so it costs the company labor. We figure it's still not cheaper than buying more fertilizer. Water's cheap too. These crops don't suffer by having extra nitrogen and extra water."

Fertilizer and irrigation go hand in hand, and conserving irrigation water cuts down on fertilizer use as well. The Pacific Institute, an Oakland-based think tank, estimates that farmers could save at least 17 percent more water if they installed water-efficient sprinklers and precision irrigation systems.

Many farmers have already made the switch, but progress has been slow. Nearly 60 percent of crops in California are still flood-irrigated, including more than 80 percent of field crops, according to a state report from 2001 (the most recent numbers available).



[\(/user/julia-scott\)](#) **Julia Scott** [\(/user/julia-scott\)](#) reported this story.
E-mail [\(/user/julia-scott\)](#)

This story was produced in collaboration with KQED Central Valley Bureau Chief [Sasha Khokha \(/user/sasha-khokha\)](#) and [Christopher Beaver \(/user/christopher-beaver\)](#) of CB Films. It was edited by [Mark Katches \(/user/mark-katches\)](#). It was copy edited by [William Cooley \(/user/william-cooley\)](#).

Log in to post a comment

Username *

[New user? Sign up for an account. \(/user/register?destination=node%2F2041%23comment-form\)](#)

Password *

[Forgot your username or password? \(/user/password\)](#)



Or log in using:

[Login with Facebook](#)

Log in with [OpenID](#) (#)

EXHIBIT 13

EXHIBIT 14

**THE TRANSPORTATION AND ENVIRONMENTAL IMPACTS OF
INFILL VERSUS GREENFIELD DEVELOPMENT:
A COMPARATIVE CASE STUDY ANALYSIS**

Prepared for:

United States Environmental Protection Agency,
Urban and Economic Development Division

Geoffrey Anderson, Work Assignment Manager

EPA publication number 231-R-99-005

Prepared by:

Hagler Bailly Services, Inc.
2097 Jefferson Ave.
St. Paul, MN 55105

William Schroeer, Project Manager

With:

Criterion Planners/Engineers
725 NW Flanders St., Suite 303
Portland, Oregon 97209

October 1, 1999

Acknowledgements

Hagler Bailly, Criterion, and the US Environmental Protection Agency gratefully acknowledge the contributions of several staff from the San Diego Association of Governments; the Montgomery County Department of Parks and Planning, Transportation Planning Division; Palm Beach County; the City of West Palm Beach; and Florida International University. Without their assistance, this study would not have been possible.

We also appreciate the helpful comments of three external peer reviewers: Elizabeth Deakin, University of California at Berkeley; Kevin Downing, Air Quality Division of the Oregon Department of Environmental Quality; and Frederick Ducca, US DOT, Federal Highway Administration.

Table of Contents

1. EXECUTIVE SUMMARY 1

2. STUDY OBJECTIVE AND OVERVIEW..... 2

3. ANALYSIS METHODOLOGY 3

 SITE SELECTION 3

 SCENARIO DEVELOPMENT 3

 EVALUATION TOOLS 3

Four-step travel demand models 4

INDEX model..... 4

 Infrastructure costs..... 5

4. STUDY AREAS AND SITE PAIRS..... 6

 CASE STUDY ONE – SAN DIEGO, CALIFORNIA..... 6

San Diego methodology details 6

San Diego infill site 7

San Diego greenfield site 7

San Diego hypothetical development project..... 8

Land use Type..... 8

 CASE STUDY TWO – MONTGOMERY COUNTY, MARYLAND 8

Montgomery County Methodology Details 8

Montgomery County infill site..... 9

Montgomery County greenfield site..... 9

Montgomery County hypothetical project development 9

 CASE STUDY THREE – WEST PALM BEACH, FLORIDA 10

West Palm Beach methodology details 10

West Palm Beach infill site 10

West Palm Beach greenfield site 11

West Palm Beach hypothetical development project..... 11

Land Use Type..... 11

5. RESULTS 12

 CASE STUDY ONE – SAN DIEGO, CALIFORNIA..... 12

Travel would be more convenient and cheaper with the infill site..... 12

Public infrastructure costs would be much lower at the infill site 13

Environmental impacts would be lower with the infill site 13

Multi-modal orientation and community accessibility would be higher at the infill site 14

 CASE STUDY TWO – MONTGOMERY COUNTY, MARYLAND 15

Travel would be more congested, but cheaper, and VMT would be lower with the infill site 15

Public infrastructure costs would be lower at the infill site 16

Environmental impacts would be lower at the infill site..... 16

Multi-modal orientation and community accessibility would be higher at the infill site 16

 CASE STUDY THREE – WEST PALM BEACH, FLORIDA 16

Travel would be more convenient and cheaper with the infill site..... 17

Environmental impacts would be lower with the infill site 17

Multi-modal orientation and community accessibility would be greater at the infill site..... 17

6. SUMMARY AND CONCLUSIONS 18

Transportation and Environmental Impacts of Infill versus Greenfield Development

TECHNICAL APPENDIX..... I

EMISSIONS I

Criteria emissions factors i

Variation of emissions factors with speed i

Effects on emissions ii

TRANSPORTATION MODELS..... III

SANDAG's Tranplan model iii

Montgomery County's TRAVEL/2 model vii

The Florida Standard Urban Transportation Modeling Structure viii

ADDITIONAL DETAIL ON THE ANALYSIS PROCESS..... IX

RESULTS APPENDICES..... XI

1. Executive Summary

EPA modeled the transportation and environmental impacts of locating the same development on two sites—one infill, and one suburban edge/greenfield—and compared the results. This analysis was conducted in three regions: San Diego, California; Montgomery County, Maryland; and West Palm Beach, Florida.

For each site pair, modeling predicted that the infill site would outperform the greenfield site in six important dimensions:

- Average trip distance: generally shorter with the infill site.
- Per capita vehicle miles traveled: generally fewer with the infill site.
- Travel time: generally shorter with the infill site.
- Public infrastructure and household travel costs: lower with the infill site.
- Environmental impacts, including emissions: smaller with the infill site.
- Multi-modal orientation, and access to community amenities and transportation choices: greater at the infill site.

These case studies suggest that identifying public benefits from infill does not require using a particular level of travel model sophistication. The transportation effects of even moderately sized alternative development patterns were not so subtle that one needs a highly sophisticated model to identify them.

The cases suggest that, although not a panacea, in the right conditions, infill development can make travel more convenient by reducing travel time, lowering travel costs, and lessening congestion. Infill development can also cost significantly less, in total public dollars, in private transportation dollars, and in externalities. Finally, the results suggest that infill development can improve community environmental quality and inputs to quality of life such as accessibility. This study concludes that infill *can* produce non-trivial transportation, environmental, and public infrastructure cost benefits.

The predicted benefits are large enough to suggest that communities may productively investigate whether infill should be considered as one component of a strategy to accommodate growth and meet future transportation needs. Likewise, federal and state agencies, which share responsibility with communities for providing efficient transportation services and environmental protection, may also find it productive to ensure that federal and state policies allow infill where it has a place in communities' transportation and growth strategies.

2. Study Objective and Overview

Given a choice between placing a new commercial or residential development on a suburban edge/greenfield or an urban infill site, which site provides better or more efficient transportation services?¹ Which site produces fewer transportation-related burdens on the environment? In an effort to shed light on these questions, EPA modeled the impacts of locating a given development project on two sites—one infill, and one suburban edge/greenfield—and compared the results. This analysis was conducted in three regions: San Diego, California; Montgomery County, Maryland; and West Palm Beach, Florida.

In each region, EPA examined transportation system performance, travel costs, and transportation emissions for each site. The Agency obtained estimates for public infrastructure costs other than for transportation, and compared the site designs at the neighborhood level to see which provides better access to transportation choices and proximity to community services and amenities.

EPA used standard transportation modeling techniques, including the regional four-step travel model, as the basis for estimating changes in transportation and environmental performance at the regional level. Results from the regional four-step models were supplemented with site- and neighborhood-level analysis using a GIS-based analysis tool, INDEX™.

In each case analyzed, EPA concluded that the infill site would perform better than the greenfield site across most transportation, environmental, and other performance categories. In general, the models predicted that infill development would produce shorter average travel times and fewer vehicle miles of travel, while also using up less open space and producing less air pollution. Traffic congestion results varied among the case studies. Neighborhood-level analysis also revealed greater local accessibility and support for more transportation options. These results suggest that in the three regions analyzed in this study, infill would produce better transportation and environmental results than suburban edge/greenfield development (see the results summary table on page 20).

To our knowledge, no other study has compared the transportation and environmental impacts of locating essentially the same development on infill versus greenfield sites. In contrast to other studies of the transportation and environmental impacts of land use choices, this study limited the scope of inquiry to the impacts of locating a specific development project at different sites within a metropolitan area. This approach allowed all project variables to be held constant except development location. While the analysis does not attempt to develop general principles about the impacts of infill versus greenfield development, it suggests that in at least these three cases, the infill development alternative may be preferable to greenfield development along a number of transportation and environmental criteria. It suggests that local analyses of future transportation investments may do well to include infill development as an investment option.

¹ “Infill” refers to development in urban areas with existing streets, infrastructure and development. “Greenfield” refers to development on previously undeveloped (“green”) parcels in suburban or non-urban locations with limited existing infrastructure and development.

3. Analysis Methodology

Each case study placed the same development on two different sites—one infill and one edge/greenfield—and modeled the impact of each infill and greenfield development on transportation and environmental performance measures. Public cost estimates were also obtained. The alternative development scenarios contained the same number of housing units and square footage of commercial space.

Site Selection

The credibility and value of the study depends on the extent to which the selected sites represent typical infill and greenfield development in the region. In each region (San Diego, CA, Montgomery County, MD, and West Palm Beach, FL), EPA worked with local government officials responsible for development policy to select one infill site and one greenfield site suitable for a development project. Local officials were eager to improve their understanding of the implications of accommodating regional growth in one kind of location versus another, in general participated enthusiastically, and made detailed recommendations that greatly aided site selection. The sites thus reflect current local development plans and trends.

In addition to local advice, the criteria for selecting the infill sites included: a central city or central business district location, the availability of redevelopable land, and the availability of project-serving infrastructure. Local assessments of redevelopment potential were based in general on the status of sites in the local planning process and on indications of developer interest. The dominant criterion for selecting greenfield sites was the likelihood, as assessed by local officials, of development occurring in the very near future.

Scenario Development

Once the sites were selected, a hypothetical development consisting of commercial and/or residential development was prepared for each site pair.

For each site pair, the project was then “placed” on both the infill site and the greenfield site through computer simulation. For infill sites, projects were overlaid on existing street grids and other infrastructure. For greenfield sites, where no infrastructure was present, the street and parcel layout was created by following the configuration of existing subdivisions in the vicinity. This approach held constant as many project variables as possible while comparing the two sites.

Each greenfield development was thus developed to be representative of local new development at the edge. Similarly, each infill redevelopment was representative of local infill opportunities.

Evaluation Tools

The regional travel and environmental impacts of development at each site were modeled using each locality’s regional four-step travel demand model, together with INDEX, a regional and site-level Geographic Information System (GIS)-based tool used to measure the built environment and indicators of its performance. The four-step model provided basic transportation system

Transportation and Environmental Impacts of Infill versus Greenfield Development

performance indicators, some of which then became inputs for the GIS model. INDEX generated travel-related site design and environmental performance indicators. Local planning officials in each region provided infrastructure cost estimates.

Four-step travel demand models

“Four-step” travel demand models are widely used to forecast roadway and transit volumes across transportation networks. These models use local data for:

1. Trip generation: Estimate the total number of trips produced by households and total trips attracted by employment centers, recreational facilities, etc.
2. Trip distribution: Allocate trips generated in the first step to specific origin-destination movements.
3. Mode split: Estimate the share of trips made by mode of travel (auto, transit, walk, etc.)
4. Traffic assignment: Estimate volumes for each link the transportation system.

Model inputs include data on local transportation patterns, the transportation behavior of residents, and roadway and transit networks. Relevant model outputs include trips by purpose, mode, and travel times.

Each region in the study — San Diego, Montgomery County, and West Palm Beach — has a region-specific four-step model that it uses for long-range transportation planning. These models were used to analyze each region’s pair of sites. Each model was run twice, once with inputs representing the existing region plus a developed infill site, and a second time with inputs representing the existing region plus a developed greenfield site. Each run produced different regional travel forecasts. The results then were compared. The highlights of the resulting variations in expected vehicle miles traveled (VMT), transit use, travel times and other measures are summarized in Section 4. Detailed results are presented in Appendices A, B, and C.

Because four-step models are customized to regional needs and capabilities, model sophistication varies widely from region to region. Of the three used in this study, the San Diego model is the most complex, and is regarded as one of the nation’s most sophisticated travel demand models. The Florida model is less complex, while the Montgomery County model falls in between. For example, the San Diego travel demand model feeds travel times from the traffic assignment step back to the trip distribution step, helping to model traveler response to congestion. The Montgomery County model has similar feedbacks, but the South Florida model does not. Several significant advanced features of the San Diego model relevant to this study are discussed in the San Diego case section, on page 6.

INDEX model

While the four-step regional models were used to assess regional travel outcomes, INDEX, a GIS-based modeling tool, was used to analyze the performance of the infill and greenfield sites at the neighborhood level. INDEX was used to analyze local characteristics that affect travel such as density, transit accessibility, number of stores and other destinations within walking distance of

Transportation and Environmental Impacts of Infill versus Greenfield Development

homes, and other characteristics of the site's design. INDEX was also used to model the energy use and emissions impacts of the transportation system using outputs from the four-step model.

A. Site Design Characteristics: The site design for each hypothetical development was developed, in a GIS environment, to be consistent with existing local development patterns. Designs were developed using geographic information about each site from local planning staff as well as information about similar development within the area.

B. Energy and Emissions Impacts: INDEX calculated travel-related energy use and emissions based on travel outputs from the relevant four-step model. To calculate energy use, a per-mile energy use rate was applied to each mode of travel. To calculate tailpipe emissions, INDEX applied a separate per-mile emissions rate to the auto and transit trips. Auto trips also received a trip-based emission factor to represent typical "cold start" and "hot soak" emissions that occur at the beginning and end of each vehicle trip regardless of distance traveled.²

After trip starts and lengths, the most important determinant of travel emissions is trip speed. In general, graphs of emissions-per-mile versus speed are U-shaped, with higher per-mile emissions at low and high speeds, and relatively lower per-mile emissions at moderate speeds.

In order to avoid overstating the emissions benefits of the infill site, where average speeds tend to be slower, a 15% higher emission factor was used for the infill sites. This was a conservative weighting in favor of the greenfield sites. (See further discussion in the Technical Appendix.)

Infrastructure costs

Rather than modeling infrastructure costs, EPA asked local officials to estimate the costs of necessary public infrastructure for each site. Private infrastructure costs were not examined in this study. The only private costs examined were the personal per-mile costs of driving, which include vehicle depreciation and operating costs.

In not estimating private infrastructure costs, we do not minimize their importance. However, unlike the other measures on which this analysis focuses, private infrastructure costs have been investigated elsewhere for infill and greenfield development.

² Both per-mile and trip-end emissions factors were developed by Criterion and SANDAG during a previous Criterion contract with SANDAG, and updated as part of this study. The official EPA emissions model, MOBILE 5, takes a more complex approach to quantifying the individual determinants of auto emissions, including varying emissions by the age of the local fleet. These factors were taken into account when SANDAG and Criterion developed the simplified emissions factors. SANDAG considers them robust enough to use in lieu of a full MOBILE 5 run (except when making regulatory submissions). For more discussion, please see the Technical Appendix.

4. Study Areas and Site Pairs

Each regional analysis examined a development project with a different mix of land uses. Table 4.1 summarizes these.

Table 4.1: Land Uses Modeled by Case Study Location

Case Study Location	Land Uses Modeled
San Diego	Office/light industrial/commercial/residential
Montgomery County	Residential
West Palm Beach	Retail/hotel/residential

Case Study One – San Diego, California

Case study one analyzed the relative impacts of regionally central versus regionally peripheral development in the San Diego region. This case study was coordinated with staff at the San Diego Association of Governments (SANDAG). San Diego has both a rapidly growing urban periphery and a central business district (CBD) that is a regional activity center.

San Diego methodology details

SANDAG uses the transportation planning model Tranplan, developed by the Urban Analysis Group. San Diego's model is one of the most advanced four-step transportation models in the United States, a judgment confirmed by the modelers on the evaluation panel for this report. Three San Diego model features were valuable to this study: its high resolution, its ability to model congestion, and its land use-specific trip generation rates.

A. High level of detail: SANDAG's model includes 4,545 regional analysis zones, 10 trip types, and 80 land use categories to which trips are distributed using separate trip attraction rates. This level of detail helped to more accurately model the impact of a development project that is a fairly small addition to the region's built environment.

B. Sophisticated feedback mechanism: The San Diego model takes a sophisticated approach to modeling traveler response to congestion. A basic four-step model determines trip distribution and mode split based on travel time, yet definitive estimates of travel time are not available until the end of the travel modeling process — after the completion of traffic assignments. The SANDAG travel model resolves this inconsistency by feeding travel times from the traffic assignment step back to trip distribution. This feedback loop helps model traveler response to congestion. Since a major concern about infill development is that travel in town often occurs under more congested conditions, it was useful to have the model handle congestion in an advanced way.

The SANDAG model also incorporates time-of-day sub-modeling, and detailed transit treatment.³ The time-of-day factoring is especially sophisticated in that it calculates trips by time of day

³ SANDAG can turn on different parts of its model to get different levels of output detail. For this study, SANDAG ran the second-stage (most advanced) analysis.

according to both trip type and land use. As a result, not only will more work trips be expected during rush hour, but they will also be expected to be associated with work trip-generating and work-trip attracting land uses.

C. Land use-specific trip generation rates: The San Diego model uses land use-specific trip generation rates. Recent studies have found that trip generation can be affected by urban design and form as well as by travel times and costs. Since the study compares not only different locations, but also the urban/suburban designs in which the sites are located, the design effect may be important. San Diego's survey data show, and its model thus generates, more total trips from urban parcels such as the studied infill site; the additional trips are almost all non-auto. (San Diego is the only model of the three used that varies trip generation rates by land use.)

San Diego infill site

Figure 4.1 shows the San Diego neighborhood where infill was simulated. Five miles east of downtown San Diego, it had already been chosen for a previous SANDAG brownfield redevelopment study on the basis of its inner city location, the availability of abandoned industrial land suitable for redevelopment, and the presence of infrastructure available to accommodate redevelopment. The 300-acre mixed-use neighborhood contains single and multiple-family dwellings, small retail stores, an elementary school, churches, and various community services. Given San Diego's interest in redeveloping portions of the neighborhood and the community's expressed decisions about redevelopment, it was realistic to assume that the modeled development is feasible. The neighborhood's 300 acres are divided among roughly 1,000 parcels. Of this total, about 77 acres, or 200 parcels, were used to accommodate the hypothetical development. The 200 parcels are located at dispersed points across the site at appropriate densities given existing development.

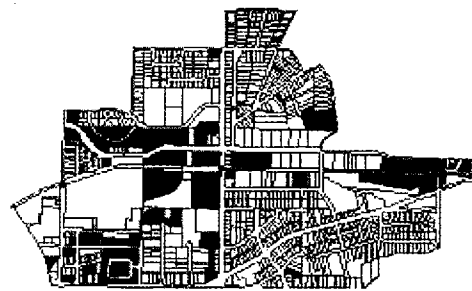


Figure 4.1 San Diego Infill Site
Infilled parcels highlighted. (Maps not to same scale.)

San Diego greenfield site

Figure 4.2 shows the San Diego greenfield site. The 160-acre greenfield site is located 15 miles north of San Diego's CBD and was selected because of its location in one of San Diego's highest-growth areas. The site is at the edge of existing suburban development in an area dominated by low-density, single-family dwellings, with limited amounts of strip-style retail and other commercial use. SANDAG recommended using this site as the basis for the analysis because San Diego's growth management plan gives priority to the site's development relative to other sites



Figure 4.2: San Diego Greenfield Site

Transportation and Environmental Impacts of Infill versus Greenfield Development

in the region. San Diego has a highly structured growth management system that designates the “next” development areas, and this site was designated as a “priority one” area.

San Diego hypothetical development project

The new development project designed for both sites was modeled on an existing SANDAG study carried out for the selected infill neighborhood as part of a brownfield study that determined public preferences for development types and quantities. The resulting scenario for both sites included a mix of housing, commercial, and educational uses, shown in Table 4.2.

Table 4.2: San Diego Development Project

<i>Land use Type</i>	<i>Quantity</i>
<i>Residential</i>	<i>350 dwelling units</i>
<i>Low-rise office</i>	<i>262,500 sq. ft.</i>
<i>Light industrial</i>	<i>622,000 sq. ft.</i>
<i>Neighborhood commercial</i>	<i>204,200 sq. ft.</i>
<i>Strip commercial</i>	<i>10,000 sq. ft.</i>
<i>Postal distribution</i>	<i>80,000 sq. ft.</i>
<i>Vocational education</i>	<i>135,000 sq. ft.</i>

These uses were placed on the infill and greenfield sites in designs and densities consistent with the dominant development pattern of each area. Thus, the greenfield development site design was at a lower density than the infill site and matched the density of surrounding development. Conversely, the infill was at a density matching the surrounding urban neighborhood and occupied fewer acres than the greenfield development.

Case Study Two – Montgomery County, Maryland

Case study two analyzed the relative impacts of regionally central versus regionally peripheral development in Montgomery County, Maryland. Expected impacts of development in Silver Spring, a first-ring suburb of Washington, DC, were compared with expected impacts of a greenfield development in Clarksburg, in northern Montgomery County. Silver Spring has excellent transit access, extensive office development surrounding a Metrorail station, and a CBD with considerable redevelopment potential. Clarksburg is a designated growth area on the urban fringe. The case study was coordinated with staff from the Montgomery County Department of Parks and Planning (MCDPP), Transportation Planning Division.

Montgomery County Methodology Details

MCDPP’s travel planning model Travel/2 was used. Travel/2 is a companion version of the widely used EMME/2 four-step model. MCDPP’s model is less sophisticated than the SANDAG model used in the San Diego case study. However, Travel/2 is in the upper tier of four-step models in the U.S., according to modelers on the evaluation panel for this study. Unlike many four-step models, Travel/2 has feedback loops that modify destination, route, and mode choices based on travel time.

Montgomery County infill site

Figure 4.3 shows the Montgomery County neighborhood where infill development was simulated. The dispersed site covers several parcels within Silver Spring's CBD. The parcels were chosen by MCDPP staff based on the parcels' CBD location, whether the parcels' size made them suitable for redevelopment, and the presence of infrastructure available to accommodate redevelopment. County staff selected six development sites totaling 24 acres based on redevelopment designations in the local land-use plan.

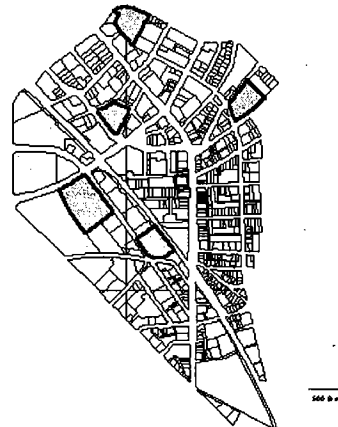


Figure 4.3 Montgomery County Infill Site
Infill parcels highlighted.

Montgomery County greenfield site

Figure 4.4 shows the Montgomery County greenfield site. MCDPP planning staff recommended the 365-acre site near

Clarksburg based on its location in one of the region's prime growth areas, approximately 20 miles north of the Silver Spring CBD. It is situated at the edge of existing suburban development in an area dominated by low-density, single-family dwellings and surrounding agricultural land and open space. The 365 acres are part of a larger area for which Montgomery County has completed a master plan for continued suburban development.



Figure 4.4 Montgomery County Greenfield Site

Montgomery County hypothetical project development

The development project for the Silver Spring and Clarksburg sites consisted of 2,000 dwelling units divided into various residential types as summarized in Table 4.3. In each case, the 2,000 units are estimated to house 5,740 residents. Although the densities were much higher for the infill development, dwellings in each development would have essentially comparable amounts of living space.⁴

⁴ Since the modeling was completed, ground has been broken on several Silver Spring infill projects, including the Cameron Hill residential development, and the 740,000 square foot Silver Triangle retail and office project. The residences are selling before construction, and Silver Triangle has numerous occupancy commitments, including the 1,100 employees at Discovery Communications. Although this mix is different than that modeled, the success of the retail, office, and residential components of the current development suggests the potential for all kinds of development in Silver Spring.

Table 4.3: Montgomery County Development Project

Greenfield	Infill
55% Single family detached	4% Ground-level multifamily
35% Single family attached	21% Low-rise multifamily
10% Ground-oriented multifamily	75% High-rise multifamily

As in San Diego, these uses were placed on the infill and greenfield sites in designs and densities consistent with the dominant development pattern of each area.

Case Study Three – West Palm Beach, Florida

Case study three was coordinated with staff from Palm Beach County, the City of West Palm Beach, and Florida International University. An infill site located about half a mile west of the city's CBD was compared to a greenfield site about ten miles west of the city center that was recently approved for a regional shopping center and mixed-use project.

West Palm Beach methodology details

The Florida Standard Urban Transportation Modeling System (FSUTMS) was used to calculate travel behavior and development impacts at the two selected West Palm Beach sites. FSUTMS was run with the assistance of Reid Ewing at Florida International University. INDEX was used to calculate all other statistics such as measures of travel choice and land use impacts. Estimates of infrastructure costs were not available for the West Palm Beach case study.

West Palm Beach infill site

Figure 4.5 shows the West Palm Beach infill and greenfield site locations. The 162-acre infill site is located approximately half a mile west of the city's CBD and was selected in coordination with City of West Palm Beach planning staff.

The infill location is composed of two parts: an existing 72-acre retail shopping center and an adjacent 90-acre vacant site. Using the existing shopping center as part of the modeled new infill development was necessary to ensure a fair comparison with the large greenfield project, which includes a new regional shopping center.

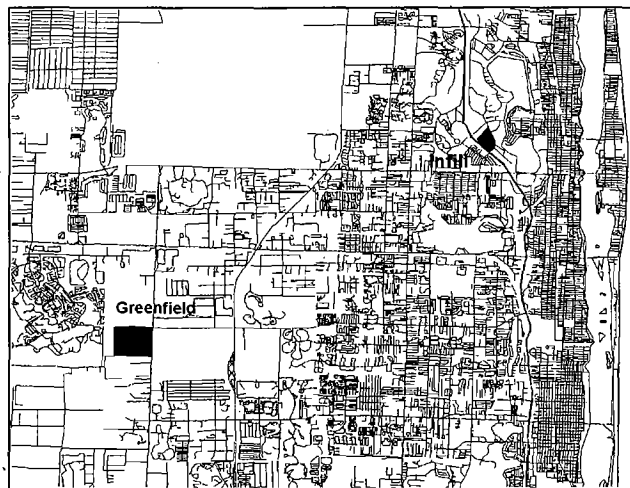


Figure 4.5: West Palm Beach Sites

West Palm Beach greenfield site

The greenfield site was selected in consultation with Palm Beach County planning staff. It is a 488-acre site located about ten miles west of the city center.

West Palm Beach hypothetical development project

The greenfield site was selected because it is the location of a recently approved regional shopping center and mixed-use project consisting of 19 million sq. ft. of retail; 65,000 sq. ft. of office, a 125-room hotel, and 400 units of multi-family housing. This approved, but not yet constructed, project was used as the case study's hypothetical development scenario.

Table 4.4: West Palm Beach Development Project

<i>Land Use Type</i>	<i>Quantity</i>
<i>Retail</i>	<i>1,900,000 sq. ft</i>
<i>Office</i>	<i>65,000 sq. ft</i>
<i>Hotel</i>	<i>125 rooms</i>
<i>Multi-family housing</i>	<i>400 units</i>

As in the other two cases, these uses were placed on the infill and greenfield sites in designs and densities consistent with the dominant development pattern of each area.

5. Results

In general, the results show that, in comparison with the greenfield alternative, the infill development would:

- cut travel time
- increase non-auto mode shares
- reduce air pollutant emissions and loss of open space
- lower travel and infrastructure costs
- improve measures of community quality of life.

Because each case study represents a unique region, development, and model combination, comparisons across regions or extrapolations to other areas should be made with caution.

Case Study One – San Diego, California

Highlights:

- ***Travel would be more convenient and cheaper with the infill site.***
- ***Public infrastructure expenditures would be lower for the infill site.***
- ***Environmental impacts would be lower with the infill site.***

This summary of the results for the San Diego case study is based on outputs from SANDAG's transportation model and the INDEX community indicators model. Full results are presented in tables in Appendix A (San Diego Performance Indicators). The expected impacts of development at the two sites differ in the following ways:

Travel would be more convenient and cheaper with the infill site

- Average drive-alone trip times from the infill site would be 48% less.
- Congestion (driving in Level of Service F⁵) would be 75% lower within one mile of the infill site.
- Average travel costs would be 42% lower with the infill site.
- Per capita vehicle miles traveled would be 48% lower.
- Auto use as a percentage of all trips would be 11% lower.

Autos would continue to be the dominant mode of transportation with both the infill and greenfield sites. The use of other modes, however, would be considerably higher with the infill site than the greenfield site: 13% of trips are made by transit/bike/walking at the infill site compared to 2% of

⁵ Highest level of congestion

Transportation and Environmental Impacts of Infill versus Greenfield Development

trips at the greenfield site. While SANDAG's model predicted that average drive-alone travel speeds would be somewhat slower at the infill site during off-peak travel times, total travel time would be considerably lower at the infill site and vicinity congestion would be much lower.

The predicted travel time advantage for the San Diego infill site is primarily the result of shorter average trip distances expected with the infill site. The infill site creates shorter trips because more destinations are located within the immediate neighborhood. Those located outside the neighborhood also tend to be closer to the regionally central site. Shorter trips produce fewer vehicle miles traveled (VMT) and reduce household travel costs. Congestion is expected to be lower in part because of lower overall VMT, but also because the infill site's grid-based street pattern is better able to handle congestion by diverting traffic onto a wide array of alternate routes. In contrast, the greenfield site uses a collector system that funnels traffic onto a handful of main arteries that become congested at peak times.

Public infrastructure costs would be much lower at the infill site

- Infrastructure costs per dwelling would be 90% lower at the infill site.

The public infrastructure costs associated with the San Diego infill site would be considerably less than those at the greenfield site because almost all of the necessary infrastructure already exists, is under-used, and can absorb additional demand. The infrastructure needs anticipated for the infill site are street and sidewalk improvements, estimated to cost less than \$1 million. In contrast, the greenfield site would require new sewer, water, sidewalk, and road infrastructure at an estimated cost of between \$5 to \$8 million. Depending on local agreements, some portion might be borne by developers. The lowest portion of the greenfield costs that could be borne by the public, for trunk infrastructure,⁶ would be at least \$4 million more than the infill site. In that case, private non-building infrastructure costs associated with the greenfield would be \$3 million, versus essentially nothing for the infill site.

In addition to infrastructure costs, many analysts now calculate a measure of "social costs," which include costs of air pollution and other environmental externalities. Infill site vehicle travel externality costs would be 48% less than with the greenfield site.⁷

Environmental impacts would be lower with the infill site

- The infill site does not use open space, saving 160 acres of open space compared to the greenfield site.
- Greenhouse gas emissions with the infill site would be 48% lower.

⁶ Trunk infrastructure includes any sewer, water, wastewater, or transportation infrastructure that serves more than just individual properties.

⁷ An estimated external social cost of 27.9¢ per VMT, developed by DeCorla-Souza at the Federal Highway Administration, was used. Note that the important result is the difference between the two sites, not the absolute level of externality cost per VMT. Numerous studies have estimated these costs. Essentially all agree that they are positive. If one believes that there are external social costs to driving, then the infill site imposes about half as many.

Transportation and Environmental Impacts of Infill versus Greenfield Development

- Ozone (smog) precursor emissions of NO_x and VOC at the infill site would be 51% and 43% lower, respectively.

The environmental impacts of the San Diego infill site would all be lower than those at the greenfield site.

Multi-modal orientation and community accessibility would be higher at the infill site

- Neighborhood “completeness” of services and amenities would be 108% higher.
- Transit-oriented residential and employment density would be 77% and 12% higher, respectively.
- Bicycle network connectivity would be 61% higher.

These indicators measure both the transportation choices available and some of the factors that determine whether those choices are exercised. As such, they are inputs to the performance of the transportation system. The measures allow one to evaluate which site would produce a more “accessible” environment for residents and employees. For example, “neighborhood completeness” measures whether shops, recreation, schools, and other neighborhood destinations are present in the neighborhood—that is, accessible. This factor affects travel choices and also is a measure of accessibility. Accessibility is one factor in a neighborhood’s quality of life.

The question of urban design was not central to the study. The study’s goal was to compare development that differed only in its location, but was otherwise as similar as possible. However, community accessibility results are different, and favor the infill site. This is a product of the infill site’s location amidst existing destinations, near to transit, and on a pedestrian and bicycle-friendly street grid. The result is not a product of designing the infill to be more accessible than the greenfield.

Transportation and environmental factors only partially determine community quality of life. The overall quality of life in a community is difficult to quantify. In a sense, all of the performance indicators in this study, including congestion and travel time, affect community quality of life. Indicators such as transit-oriented residential and employment density as well as transit service density measure how easy it is for those without an automobile to access employment and housing options. Neighborhood completeness measures the extent to which the neighborhood contains common destinations. Bicycle network connectivity measures ease of access by bicycle.

In general, the infill site performs significantly better than the greenfield site for most access and other performance measures that affect community quality of life.

Case Study Two – Montgomery County, Maryland

Highlights:

- ***Vehicle miles traveled would fall with the infill site, but congestion would increase.***
- ***Public infrastructure and household travel costs would be much lower with the infill site.***
- ***Environmental impacts would be lower with the infill site.***

This summary of the results for the Montgomery County case study is based on performance indicator outputs from MCDPP's Travel/2 transportation model and the INDEX community indicators model. The full set of results is presented in tables in Appendix B (Montgomery County — Performance Indicators).

Montgomery County's infill site performed better than the greenfield in most indicators. However, the results were more mixed than those in the other two case studies. The expected impacts of development at the two sites differ in the following ways.

Travel would be more congested, but cheaper, and VMT would be lower with the infill site

- Average VMT per capita would be 58% lower with the infill site.
- Infill vicinity congestion would be 1114% of that at the greenfield site.
- Average household travel costs would be 54% lower at the infill site.

The Silver Spring infill site and vicinity would experience considerable congestion, while the greenfield site and vicinity would experience very little. However, the large increase in the infill congestion measure may overstate the likely change. Average peak auto speeds average 25 miles/hour. Thus, despite an over 1000% increase in the number of vehicle miles experiencing congested conditions, the model does not predict gridlock. Rather, the large change in the congestion measure appears to be a function of the measurement approach, in which a given vehicle mile traveled either experiences congested conditions or does not. The additional vicinity traffic appears to push to the "congested" level many vehicle miles of travel that were already close to it. Infill VMT per capita is less than half of greenfield per capita VMT. The net effect on average travel times is difficult to discern, as the Montgomery County model did not report a single average trip time measure. Rather, the model reported travel times from each site to the top-ten regional trip attractors, weighted by mode. Travel time from the infill site to six of ten attractors was less than from the greenfield site.

The lower VMT per capita would make travel costs per household significantly lower at the infill site. Mode shifts to transit are anticipated to be quite significant at this infill site, much more so than in either of the other two site pairs. Mode shifts would result in part because of substantially higher transit accessibility at the infill site.

Transportation and Environmental Impacts of Infill versus Greenfield Development

Public infrastructure costs would be lower at the infill site

- Infrastructure costs per dwelling would be 92% lower at the infill site.

The Montgomery County infrastructure cost estimates are based in part on a recent cost of service study for the greenfield site only, and are thought to be more accurate than those quoted for San Diego. As in San Diego, the results suggest that infrastructure costs are much lower at the infill site, primarily because most public infrastructure for the infill site already exists and can absorb additional demand. Total infill site infrastructure costs would be \$2.5 million compared to \$33 million for infrastructure at the greenfield site.

Environmental impacts would be lower at the infill site

- The infill site does not use open space, saving 365 acres of open space compared to the greenfield site.
- Greenhouse gas emissions at the infill site would be 49% lower.
- Ozone (smog) precursor emissions of NO_x and VOC at the infill site would be 46% and 52% lower, respectively.

Multi-modal orientation and community accessibility would be higher at the infill site

- Infill transit-oriented residential density would be 1,035% higher.
- Infill transit service density would be 127,900% higher.

The large percentage increases are a function of the low amount of service at the greenfield site. Extremely large percentage increases such as this are less important for their actual magnitude than as an indication that the sites are fundamentally different in character.

In measures of access to non-auto modes, the infill site outperforms the greenfield site. Greater land use density and diversity at the infill site would make the transit there more effective. Better street connectivity for pedestrians creates greater accessibility to shopping and employment.

Case Study Three – West Palm Beach, Florida

Highlights:

- ***Travel would be more convenient and cheaper at the infill site.***
- ***Environmental impacts would be lower at the infill site.***

This summary of results for the West Palm Beach case study is based on performance indicator outputs from the Florida Standard Urban Transportation Modeling System (FSUTMS) and the INDEX community indicators model. The full set of results is presented in tables in Appendix C (West Palm Beach, Florida — Performance Indicators).

Transportation and Environmental Impacts of Infill versus Greenfield Development

As in the previous case studies, the West Palm Beach case study found that the infill site would generally be expected to perform better.

Travel would be more convenient and cheaper with the infill site

- Average drive-alone trip travel time would be 32% lower at the infill site.
- Average per capita VMT would be 61% lower at the infill site.
- Congestion would be the same at both sites.
- Average household travel costs would be 58% lower at the infill site.

Both West Palm Beach sites would experience some congestion. However, the infill site shows considerably lower per capita VMT and lower overall trip travel times. In turn, household travel costs are lower for the infill site.

Environmental impacts would be lower with the infill site

- Open space loss at the infill site would be 73% lower.
- Greenhouse gas emissions at the infill site would be 52% lower.
- Ozone (smog) precursor emissions of NO_x and VOC at the infill site would be 50% and 54% lower, respectively.

Multi-modal orientation and community accessibility would be greater at the infill site

- Infill pedestrian network connectivity would be 100% greater.
- Infill neighborhood completeness would be 54% greater.

By almost all indicators, West Palm Beach's infill site outperforms the greenfield site.

6. Summary and Conclusions

The highlighted results of each case study are summarized in Table 6.1, which compares the impact of infill development to greenfield development across key performance indicators. This table compares the results from each region's full model runs.

For each site pair, modeling predicted that the infill site would outperform the greenfield site in six important performance dimensions:

- Average trip distance: generally shorter with the infill site.
- Per capita vehicle miles traveled: generally fewer with the infill site.
- Travel time: generally shorter with the infill site.
- Public infrastructure and household travel costs: lower with the infill site.
- Environmental impacts, including emissions: smaller with the infill site.⁸
- Multi-modal orientation, and access to community amenities and transportation choices: greater at the infill site.

In these three cases, infill benefits appear to be a function of conditions that include existing congestion levels, and regional and local accessibility to activities from the infill sites.

These case studies suggest that identifying public benefits from infill does not require using a particular level of travel model sophistication. In these case studies, the transportation effects of even moderately sized alternative development patterns were not so subtle that one needs a highly sophisticated model to identify them. We did not test whether more sophisticated models produce more accurate estimate of benefits.

The cases suggest that, although not a panacea, in the right conditions, infill development can make travel more convenient by reducing travel time, lowering travel costs, and lessening congestion. Infill development can also cost significantly less, in total public dollars, in private transportation dollars, and in externalities. Finally, the results suggest that infill development can improve community environmental quality and inputs to quality of life such as accessibility. This study concludes that infill *can* produce non-trivial transportation, environmental, and public infrastructure cost benefits.

The predicted benefits are large enough to suggest that communities may productively investigate whether infill should be considered as one component of a strategy to accommodate growth and

⁸ The emissions measures include both auto and transit emissions to the extent that regional models supported transit emission modeling. Because the three models and developments vary significantly in their use and treatment of transit, some reviewers asked whether EPA could present results that might appear more comparable across case studies, such as reduction in auto emissions alone. This study's primary goal was not to draw generalizable conclusions about the magnitude of impacts from infill versus greenfield development decisions, and so does not present auto-only results. We note that transit emissions widen the total difference between auto-only infill and greenfields emissions in Montgomery County and West Palm Beach slightly, and narrow it slightly in San Diego. The general VMT and emissions outperformance of the infill sites did not change.

Transportation and Environmental Impacts of Infill versus Greenfield Development

meet future transportation needs. Likewise, federal and state agencies, which share responsibility with communities for providing efficient transportation services and environmental protection, may also find it productive to ensure that federal and state policies allow infill where it has a place in communities' transportation and growth strategies.

Transportation and Environmental Impacts of Infill versus Greenfield Development

Table 6.1 Infill Development Produces...

	Per capita VMT	Travel time	Vicinity congestion	NO_x emissions	CO₂ emissions	Infrastructure costs	Household travel cost
San Diego	52% of greenfield	Auto: 50-52% of greenfield Transit: 39-102% of greenfield	24% of greenfield	49% of greenfield	52% of greenfield	10% of greenfield	58% of greenfield
Montgomery County	42% of greenfield	Auto: 95-285% of greenfield Transit: 27-84% of greenfield	1114% of greenfield	54% of greenfield	51% of greenfield	8% of greenfield	46% of greenfield
West Palm Beach	39% of greenfield	Auto: 68% Transit: n.a.	99.8% of greenfield	50% of greenfield	48% of greenfield	n.a.	42% of greenfield

Technical Appendix

This appendix contains additional technical detail and discussions.

Emissions

Criteria emissions factors

Criterion's criteria pollutant emissions factors are based on CARB EMFAC 7F 1.1, using California statewide fleet averages for light duty vehicles, medium duty vehicles, and motorcycles in 1995. The VOC and NO_x factors are for summer, and the CO is from winter. Using these factors, Criterion established composite trip-end and VMT factors. The trip-end factors are (cold starts + hot starts + soaks)/total trips. The VMT factors are (running exhaust + running losses)/VMT. The case study analyses used both trip-end and VMT factors.

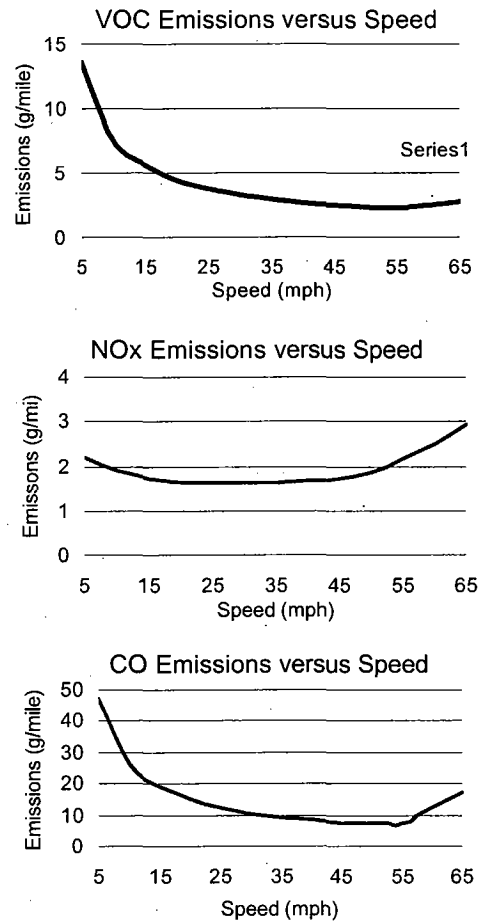
Criterion developed these emissions factors to facilitate precisely the kind of analysis done in this study. The composite factors do not capture the full complexity of MOBILE or EMFAC runs, but do capture the important determinants of fleet emissions, and do give a robust estimate of the likely emissions impacts of policy options, at low cost.

Although the use of California emission factors in the two case study locations outside California is not ideal, its main impact on the results is on the absolute level of the estimates, rather than on the relative performance. Because the study investigates relative performance, there is no reason to believe that the results are not robust relative to each other, or that the use of Criterion's composite factors biases the results in favor of one site or another.

Variation of emissions factors with speed

Emissions versus speed graphs are generally U-shaped. Figure A.1 shows emissions per mile in the EPA's MOBILE 5 emissions model. Any vehicle has an operating speed at which emissions are as low as possible for that vehicle. Above or below that speed, emissions increase. Given emissions that change with speed, a fully comprehensive assessment would have used speed-sensitive emissions rates to account for the effects of higher per-mile emissions in congested or high-speed travel. Speed-sensitive emission rates would be relevant in this case because the various sites are expected to generate various levels of congestion.

Figure A.1. Emissions vs. speed



Transportation and Environmental Impacts of Infill versus Greenfield Development

Thus, there is a possibility that the emissions we have forecast may deviate somewhat from those actually generated by the expected development. The magnitude of the potential deviation is related to the shape of the emission curves.

Although the emission factors we used do not vary with speed, they have been found by SANDAG to capture well the emissions of the average trip in analyses such as those performed in this study. To minimize the risk of overstating emissions impacts due to greenfield development, we assumed that faster, exurban traffic emitted fewer emissions per mile than in-town traffic. We did this by reducing SANDAG's emissions factors for exurban traffic by 15% per mile for all criteria pollutants (that is, all pollutants other than CO₂).

This is a conservative approach (that is, it favors the greenfield site) because it gives an advantage only to greenfield travel, while two conditions of infill travel—at opposite ends of the speed/emissions curve—would also give an advantage to infill in a full accounting. First, congestion is found around both infill and greenfield sites; some greenfield sites also see severe stop-and-go congestion and thus slow-speed emissions. Second, the higher speeds of some greenfield-based trips, once past the congestion, are far enough past the low point on the speed/emissions curve that a speed penalty should be applied.

Effects on emissions

The 15% advantage given to the greenfield developments in fact appears adequate—and more than adequate in the case of NO_x—to account for any actual advantage. The average speeds associated with the infill and greenfield sites are not, in most cases, different enough to move a substantial distance along the speed/emissions curve.

NO_x

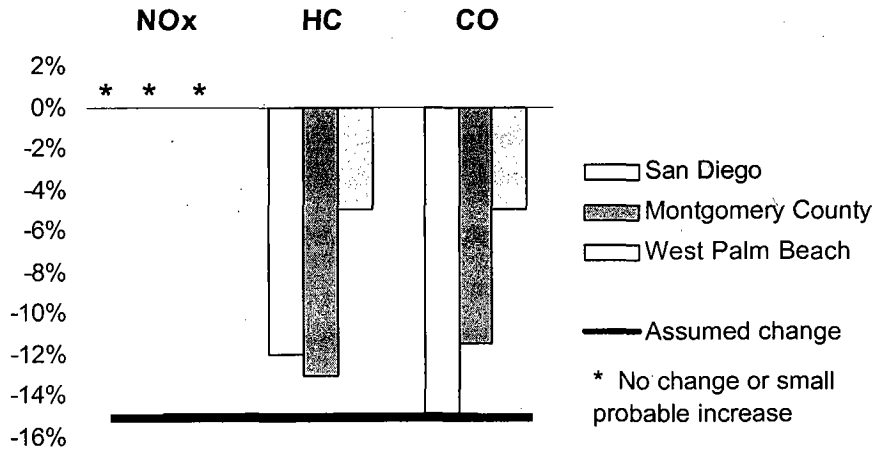
In San Diego, the average auto speed from the greenfield is predicted to be 32 mph, 6 miles an hour faster than from the infill site. But in moving from 26 mph to 32 mph, the NO_x emissions curve does not rise at all. If the speed profile of the greenfield site shifted uniformly to faster speeds, then the 15% emissions advantage applied to the greenfield site is not only unwarranted, but in fact, ignores the fact that more autos will now be emitting in the higher-NO_x part of the speed curve. As Figure A.1 shows, changes between 20 mph and 45 mph do not affect NO_x emissions.

San Diego and West Palm Beach show average speed changes within this range. Montgomery County's splitting out of trips originating and trips terminating complicates matters. Speeds for "trips originating" in both greenfield and infill sites in Montgomery County are on the flat part of the curve. For trips terminating at each site, the average speed for the greenfield is on the rising part of the NO_x curve, and for the infill site, on the flat part of the curve. *Thus, in all cases, the changes in average speed either produce no NO_x advantage for the greenfield site, or produce a NO_x disadvantage.* These average speeds may hide increases in very low speeds on some trips, where NO_x rises. Thus, we cannot say with certainty that the 15% emissions advantage given to the greenfield development is more than enough to account for any slow-speed congestion effects for NO_x in the infill sites. However, it certainly appears to do so.

VOC

The VOC emissions curve is shaped differently, but the 15% benefit given to the greenfield again appears to compensate. On the basis of average speed alone, grams/mile emissions would decrease for the greenfield sites by approximately 12% in San Diego and less than 5% in West Palm Beach. In Montgomery County, greenfield trips terminating would show an approximately 22%

Figure A.2. Speed-based emissions changes: *Likely disadvantage of infill sites versus the modeled disadvantage.*



grams/mile average emissions decrease compared to the infill, while trips originating would show change less than 4%, or an average of 13%.

CO

The CO curve looks much like the HC curve, so it is not surprising to find again that the assumed 15% greenfield advantage is adequate. In San Diego, a uniform speed shift would produce a greenfield advantage of 15%, in West Palm Beach, roughly 5%, and in Montgomery County, less than 3% for originating trips and roughly 20% for terminating trips, for a county average of roughly 11.5% percent.

In sum (see Figure A.2), there is little reason to suspect that the simplified approach to modeling the emissions effects of speed changes has biased the results in favor of the infill sites.

Transportation Models

SANDAG's Tranplan model⁹

The study used a transportation planning computer package called Tranplan, developed by the Urban Analysis Group, as adapted and used for all regional transportation planning in San Diego. In addition to the San Diego Association of Governments (SANDAG), users of this model include:

⁹ Adapted from SANDAG material.

Transportation and Environmental Impacts of Infill versus Greenfield Development

- Caltrans (freeway planning)
- transit agencies (bus and rail patronage studies)
- local jurisdictions (circulation element studies)
- developers (site-specific impact reports)
- the Air Pollution Control District (vehicle emissions).

Public agency users are also sources of data. The body of this paper briefly describes how SANDAG's adaptation of Tranplan models transportation behavior. Some additional features of the SANDAG model are relevant to this study:

1. Fine-grain detail. SANDAG's last major model refinement took place in 1994. The improvements made include:

- increasing the number of regional analysis zones from 773 to 4,545
- increasing the number of trip types from five to ten
- increasing to 80 the number of land use categories to which trips are distributed using separate trip attraction rates.

2. Feedback through the model. SANDAG can turn on different parts of its model to obtain different levels of output detail. (see Figure A.3). For this study, SANDAG ran the second-stage (advanced) analysis. The second-stage analysis is not usually run. As SANDAG's modeling manual explains:

First stage applications make use of simplified trip distribution and mode choice procedures. Second-stage applications make use of peak and off-peak period travel times from first-stage highway assignment. These travel times are used to redistribute trips and determine mode choice.

Processing would stop after the first stage for most applications. Federal guidelines for modeling air quality and major investment impacts require more elaborate procedures. These studies would use second-stage transportation models in order to better match transportation demand with transportation supply.

The first stage requires 7.5 hours to run on a Sun SPARC workstation, and the second stage, 20 hours. The computer run times reflect the different level of detail in each stage.

SANDAG's second stage includes a feedback loop from the first stage back to the trip distribution step of the model. This feedback models what happens when travelers encounter congestion—they change their travel plans. Since a major concern about infill development is that travel in town often occurs under more congested conditions, it was useful that the model handled congestion in an advanced way. The feedback improves the accuracy of every output, but is particularly important in improving estimates of congestion and travel responses to congestion.

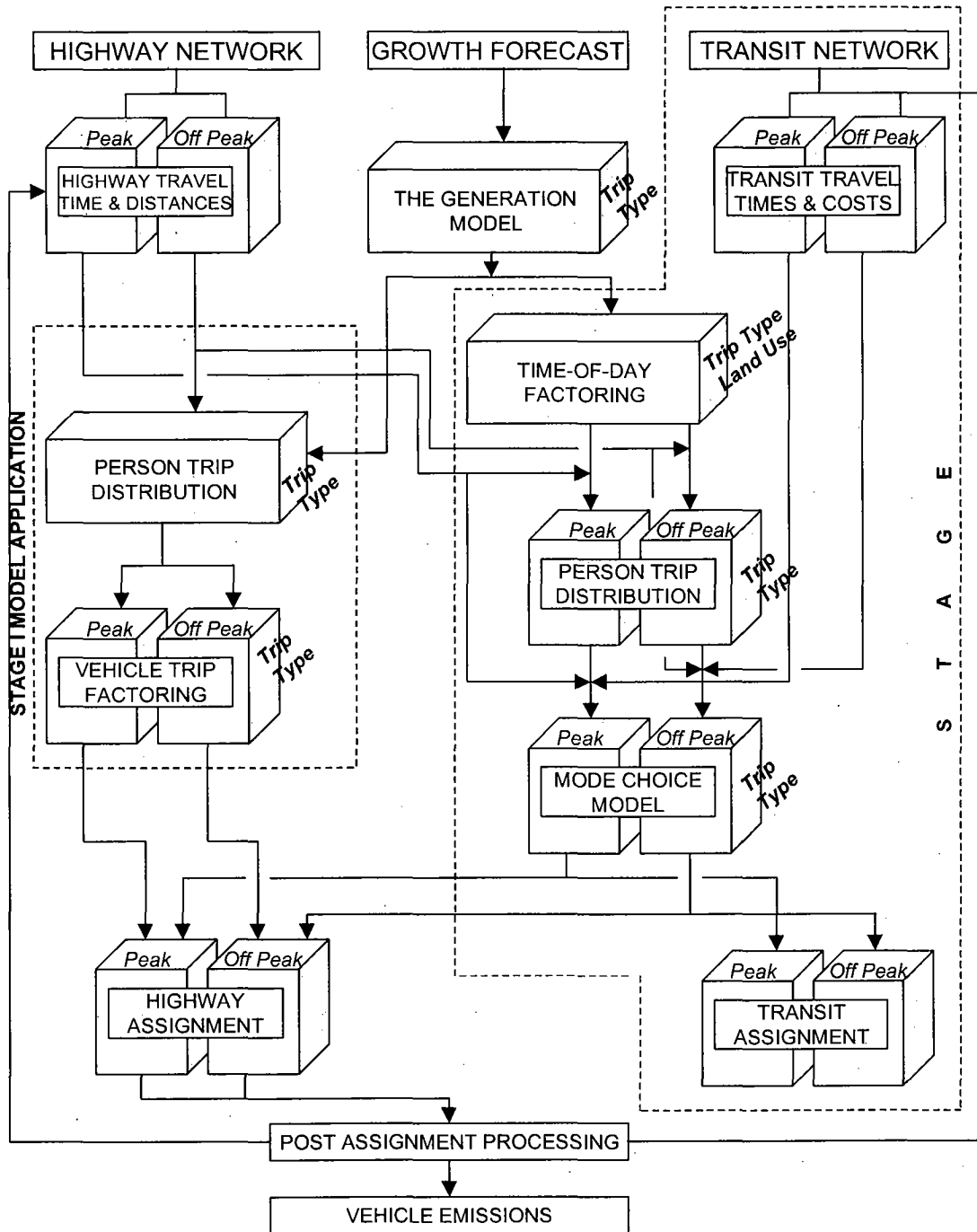
3. Time-of-day modeling. The second-stage application also adds separate time-of-day sub-modeling, and detailed transit treatment. The time-of-day factoring calculates trips by time of day according to both trip type and land use. So not only will more job trips be made during rush hour, but they will also be associated with job-trip-generating and -attracting land uses.

Transportation and Environmental Impacts of Infill versus Greenfield Development

4. Land-use-specific trip generation rates. The SANDAG model adjusts trip generation rates by land use type. Since the case study compares not only different locations, but also designs appropriate to the different locations, the design effect is important. San Diego's model generates more trips from urban parcels—such as the case study infill sites.

Figure A.3: SANDAG model structure

**San Diego Association of Governments
Transportation Modeling Process**



Montgomery County's TRAVEL/2 model¹⁰

Several features of Montgomery County's model, TRAVEL/2, deserve mention. TRAVEL/2 uses 292 traffic zones within Montgomery County, with a total of 651 zones in the region modeled. The modeled region covers the area between and including:

- Harford Co. north of Baltimore, MD
- Charles Co., MD and Prince William Co., VA, south of Washington, DC
- Frederick Co., MD, west of Washington, DC.

The estimation and calibration of TRAVEL/2 use data from Washington Metropolitan Council of Governments' Household Travel Survey, Montgomery County Planning Department (MCPD) Trip Generation Studies, the MCPD Census Update, the MCPD Travel Time and Delay Study, Metrorail Passenger Studies, and MCPD Traffic Counts databases.

The following features are relevant to this study.

1. Capture of complex choice making across space and modes. The Washington, DC metropolitan area is a large multi-nucleated metro area in which residents make complex travel decisions involving numerous strong destination centers, including two large central cities, Washington and Baltimore. Residents also choose between a rich set of modes: auto with and without dedicated HOV facilities, bus, heavy rail (subway), light rail, and commuter rail, and non-motorized modes (walking and biking). TRAVEL/2 captures this complex set of decisions in modeling seven single or mixed-mode trip types: walking to transit, driving to transit, receiving a ride to transit, driving alone, traveling in a two-person carpool, traveling in a carpool with three or more persons, and walking or bicycling.

2. Feedback through the model. As shown in Figure A.4, TRAVEL/2 uses an iterative procedure to estimate travel demand, the impact of travel demand on travel time, and the changes in travel demand that result from changed travel times due to congestion. This enables an estimate of demand to influence travel time and vice versa, meaning that the travel time between two points is not fixed in advance and varies depending on the level of congestion on the transportation network under test.

As explained in the San Diego discussion, the feedback loops are particularly useful for this study. Since a major concern about infill development is that travel in town often occurs under more congested conditions, it was useful that the model handled congestion in an advanced way. The feedback improves the accuracy of every output, but is particularly important in improving estimates of congestion and all potential travel responses to congestion.

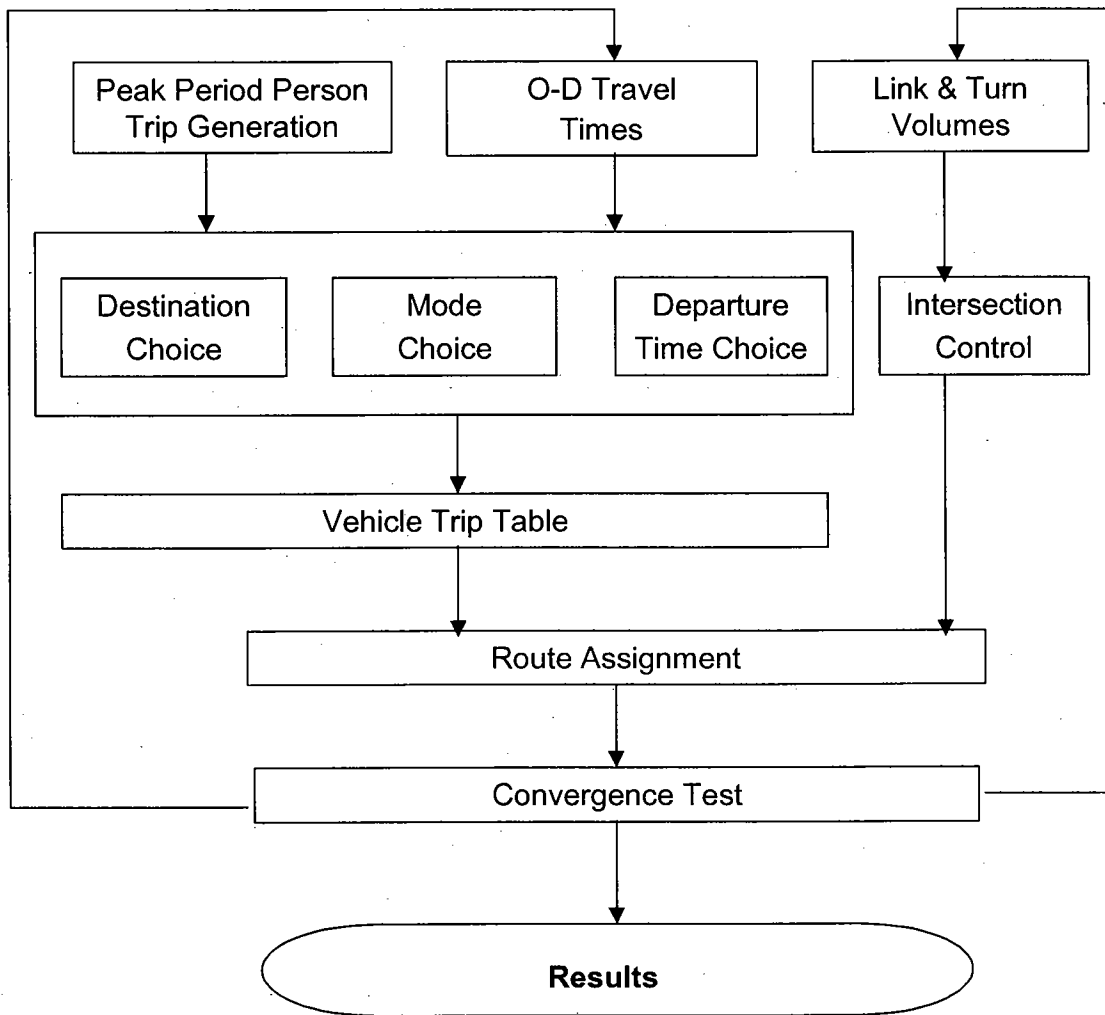
3. Time-of-day modeling. TRAVEL/2 allows trip making to change by time-of-day. The trip generation process calculates person trip volumes for a three-hour afternoon peak period, but the auto assignment that completes the modeling is for the afternoon peak hour. Departure time, a special feature of the TRAVEL/2 model, uses travel survey data to determine the fraction of

¹⁰ Adapted from Montgomery County Planning Department, Transportation Division, "The TRAVEL/2 Transportation Model."

afternoon trips that will occur during the 4:30 – 5:30 peak hour. As the network becomes more congested, some trips may begin earlier or later to avoid peak hour congestion.

Figure A.4: Montgomery County TRAVEL/2 model structure

Transportation Planning Model with Feedback



The Florida Standard Urban Transportation Modeling Structure

The Florida Standard Urban Transportation Modeling Structure (FSUTMS) is the Florida Department of Transportation’s transportation demand modeling tool. It is a reasonably standard four-step model. Like most standard four-step models, FSUTMS uses only household type, household size, and vehicle ownership as the structure variables in the definition of trip generation tables. Thus, it implicitly assumes that geographic locations have no (or insignificant) impact on the trip generation patterns.

Additional Detail on the Analysis Process

The main body of this paper briefly describes the individual analysis steps. This section describes those steps in more detail. We use San Diego terms here, but all three cases followed the same basic steps.

1. SANDAG prepared its Tranplan-based model as it does for its standard model runs.

SANDAG has a standard land use forecast, based on its Regional Growth Plan and internal forecasts. This forecast was the basis for the model run for each site. SANDAG also used the standard transit routes and street networks that it uses for the other transportation planning purposes listed above. As MPO and central modeling office, SANDAG had ready access to these data.

2. SANDAG ran its regional transportation model twice.

The model ran once with the new employment and residences located on, and generating trips from, the infill site, and once with new employment and residences located on, and generating, trips, from the greenfield site. Otherwise, the base regional land use forecast did not change.

- A. These runs produced *regional* transportation behavior and resulting VMT, transit use, and other mode shares, congestion measures, travel times, and other travel measures.
- B. SANDAG also reported one *vicinity* measure, the vicinity being the area within one mile of the development site boundary. This is the basis of the measure "local congested travel," which measures the percent of vicinity VMT on roads operating at Level of Service F (severe congestion) or worse.

3. Criterion calculated site design performance measures.

Quantifying design characteristics is a fairly straightforward matter of measurement using GIS site information. Criterion obtained GIS coverages for each site from SANDAG, and then filled each site with geographic data describing the developments. Most of the measurement from then on is a straightforward matter of measuring and summing. For example, to measure Employee Transit Proximity (the proportion of site employees within a ¼ mile of a transit stop), INDEX draws a ¼-mile circle around all transit stops. Next it looks at the site's parcel description data to count all the employees in each circle, and then sums. An example of a more complex measurement is that of community land use diversity. Here, INDEX calculates an index of diversity developed by University of California-Berkeley Professor Robert Cervero, which weights parcel diversity by both size and proximity to dissimilar-use parcels. INDEX then uses its GIS capabilities to measure both distances and areas, while looking up parcel uses.

SANDAG gave to Criterion the parcel descriptions for each of the two developments, as well as the area within a mile of the development sites. SANDAG's electronic descriptions of local land use are rich enough that INDEX could measure distances to particular destinations (schools, shopping, etc.) outside the site without having to code those locations into SANDAG's descriptions. Criterion had only to add to them the descriptions for the new development. In the greenfield site, that meant all descriptions, including:

Transportation and Environmental Impacts of Infill versus Greenfield Development

- road and sidewalk alignments and centerline distances
- business and residential locations
- number of employees or residents in each newly-developed building
- parcel descriptions including land uses and shapes.

In the infill site, the roads and sidewalks were already set, so Criterion added business and residential locations for new development among the existing development, and the number of employees or residents in each newly developed building.

Once complete, Criterion used INDEX to measure and rate the land use descriptions for each site on several design characteristics that affect transportation behavior.

Criterion combined the SANDAG travel results (VMT, number of person trips, mode splits) with site residential and employment populations to produce two measures: site VMT/capita and “auto use.”

Finally, INDEX calculated the energy use and emissions from the travel behaviors predicted by the SANDAG model. (See the section on emissions factors above.)

Results Appendices

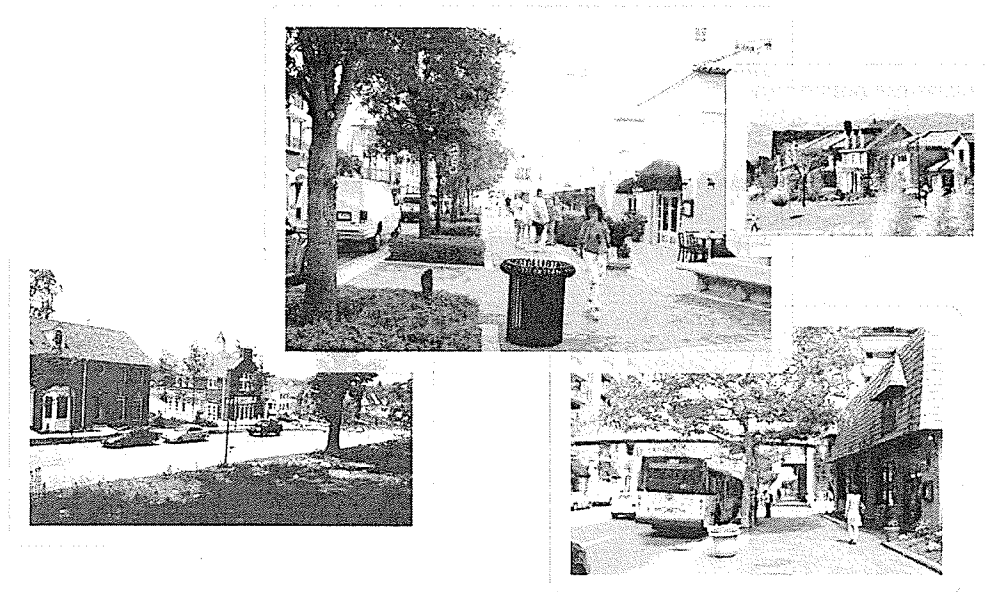
The three four-step models used produced slightly different types of travel statistic outputs. The following detailed results reflect that, and so are not parallel in places.

The detailed results present numerous performance measures not highlighted in the discussion in the main body of the report.

EXHIBIT 15

Growing Cooler:

Evidence on Urban Development and Climate Change



Reid Ewing, Keith Bartholomew, Steve Winkelman,
Jerry Walters and Don Chen

with Barbara McCann and David Goldberg



About ULI

The mission of the Urban Land Institute is to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. ULI is committed to

- Bringing together leaders from across the fields of real estate and land use policy to exchange best practices and serve community needs;
- Fostering collaboration within and beyond ULI's membership through mentoring, dialogue, and problem solving;
- Exploring issues of urbanization, conservation, regeneration, land use, capital formation, and sustainable development;
- Advancing land use policies and design practices that respect the uniqueness of both built and natural environments;
- Sharing knowledge through education, applied research, publishing, and electronic media; and
- Sustaining a diverse global network of local practice and advisory efforts that address current and future challenges.

Established in 1936, the Institute today has some 38,000 members in over 90 countries, representing the entire spectrum of the land use and development disciplines. ULI relies heavily on the experience of its members. It is through member involvement and information resources that ULI has been able to set standards of excellence in development practice. The Institute has long been recognized as one of the world's most respected and widely quoted sources of objective information on urban planning, growth, and development.

About the Authors

Reid Ewing is a research professor at the National Center for Smart Growth, University of Maryland; an associate editor of the Journal of the American Planning Association; a columnist for Planning magazine; and a fellow of the Urban Land Institute. Earlier in his career, he served two terms in the Arizona legislature, analyzed urban policy issues at the Congressional Budget Office, and lived and worked in Ghana and Iran.

Keith Bartholomew is an assistant professor of urban planning in the University of Utah's College of Architecture + Planning. An environmental lawyer, he worked for ten years as the staff attorney for 1000 Friends of Oregon, where he directed "Making the Land Use, Transportation, Air Quality Connection" (LUTRAQ), a nationally recognized research program examining the interactive effects of community development and travel behavior.

Steve Winkelman is director of the Transportation Program at the Center for Clean Air Policy (CCAP). He coordinated transportation analyses of climate change plans for New York and several other states, culminating in the CCAP Transportation Emissions Guidebook, which quantifies savings from 40 transportation policies. In February 2007 Steve launched a national discussion, "Linking Green-TEA and Climate Policy," to craft policy solutions that address travel demand.

Jerry Walters is a principal and chief technical officer with Fehr & Peers Associates, a California-based transportation planning and engineering firm. He directs integrated land use/transportation research and planning for public entities and real estate development interests throughout the United States and abroad.

Don Chen is the founder and executive director of Smart Growth America (SGA) and has worked for the Surface Transportation Policy Project, the World Resources Institute, and the Rocky Mountain Institute. He has been featured in numerous news programs and publications; has lectured in North America, Europe, Australia, and Asia; and has written for many magazines and journals, including "The Science of Smart Growth" for Scientific American.

Executive Summary

The phrase “you can’t get there from here” has a new application. For climate stabilization, a commonly accepted target would require the United States to cut its carbon dioxide (CO₂) emissions by 60 to 80 percent as of 2050, relative to 1990 levels. Carbon dioxide levels have been increasing rapidly since 1990, and so would have to level off and decline even more rapidly to reach this target level by 2050. This publication demonstrates that the U.S. transportation sector cannot do its fair share to meet this target through vehicle and fuel technology alone. We have to find a way to sharply reduce the growth in vehicle miles driven across the nation’s sprawling urban areas, reversing trends that go back decades.

This publication is based on an exhaustive review of existing research on the relationship between urban development, travel, and the CO₂ emitted by motor vehicles. It provides evidence on and insights into how much transportation-related CO₂ savings can be expected with compact development, how compact development is likely to be received by consumers, and what policy changes will make compact development possible. Several related issues are not fully examined in this publication. These include the energy savings from more efficient building types, the value of preserved forests as carbon sinks, and the effectiveness of pricing strategies—such as tolls, parking charges, and mileage-based fees—when used in conjunction with compact development and expanded transportation alternatives.

The term “compact development” does not imply high-rise or even uniformly high density, but rather higher average “blended” densities. Compact development also features a mix of land uses, development of strong population and employment centers, interconnection of streets, and the design of structures and spaces at a human scale.

The Basics

Scientific consensus now exists that greenhouse gas accumulations due to human activities are contributing to global warming with potentially catastrophic consequences (IPCC 2007). International and domestic climate policy discussions have gravitated toward the goal of limiting the temperature increase to 2°C to 3°C by cutting greenhouse gas emissions by 60 to 80 percent below 1990 levels by the year 2050. The primary greenhouse gas is carbon dioxide, and every gallon of gasoline burned produces about 20 pounds of CO₂ emissions.

Driving Up CO₂ Emissions

The United States is the largest emitter worldwide of the greenhouse gases that cause global warming. Transportation accounts for a full third of CO₂ emissions in the United States, and that share is growing as others shrink in comparison, rising from 31 percent in 1990 to 33 percent today. It is hard to envision a “solution” to the global warming crisis that does not involve slowing the growth of transportation CO₂ emissions in the United States.

The Three-Legged Stool Needed to Reduce CO₂ from Automobiles

Transportation CO₂ reduction can be viewed as a three-legged stool, with one leg related to vehicle fuel efficiency, a second to the carbon content of the fuel itself, and a third to the amount of driving or vehicle miles traveled (VMT). Energy and climate policy initiatives at the federal and state levels have pinned their hopes almost exclusively on shoring up the first two legs of the stool, through the development of more efficient vehicles (such as hybrid cars) and lower-carbon fuels (such as biodiesel fuel). Yet a stool cannot stand on only two legs.

As the research compiled in this publication makes clear, technological improvement in vehicles and fuels are likely to be offset by continuing, robust growth in VMT. Since 1980, the number of miles Americans drive has grown three times faster than the U.S. population, and almost twice as fast as vehicle registrations (see Figure 0-1). Average automobile commute times in metropolitan areas have risen steadily over the decades, and many Americans now spend more time commuting than they do vacationing.

This raises some questions, which this report addresses. Why do we drive so much? Why is the total distance we drive growing so rapidly? And what can be done to alter this trend in a manner that is effective, fair, and economically acceptable?

The growth in driving is due in large part to urban development, or what some refer to as the built environment. Americans drive so much because we have given ourselves little alternative. For 60 years, we have built homes ever farther from workplaces, created schools that are inaccessible except by motor vehicle, and isolated other destinations—such as shopping—from work and home. From World War II until very recently, nearly all new development has been planned and built on the assumption that people will use cars virtually every time they travel. As a larger and larger share of our built environment has become automobile dependent,

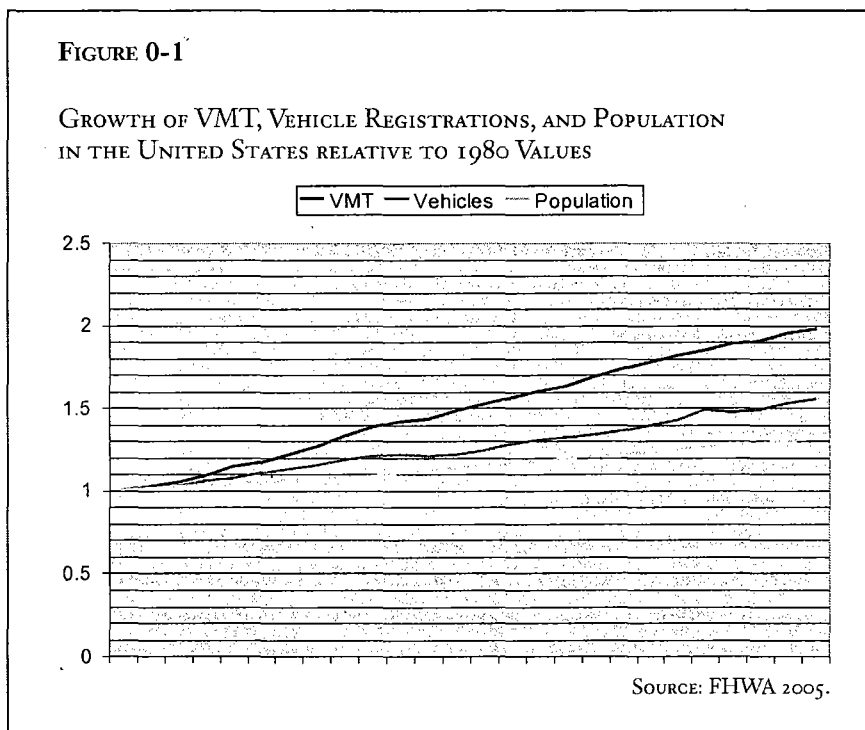
car trips and distances have increased, and walking and public transit use have declined. Population growth has been responsible for only a quarter of the increase in vehicle miles driven over the last couple of decades. A larger share of the increase can be traced to the effects of a changing urban environment, namely to longer trips and people driving alone.

As with driving, land is being consumed for development at a rate almost three times faster than population growth. This expansive development has caused CO₂ emissions from cars to rise even as it has reduced the amount of forest land available to absorb CO₂.

How Growth in Driving Cancels Out Improved Vehicle Fuel Economy

Carbon dioxide is more difficult to control through vehicle technology than are conventional air pollutants. Conventional pollutants can be reduced in automobile exhaust with sophisticated emission control systems (catalytic converters, on-board computers, and oxygen sensors). Carbon dioxide, meanwhile, is a direct outcome of burning fossil fuels; there is no practical way to remove or capture it from moving vehicles. At this point in time, the only way to reduce CO₂ emissions from vehicles is to burn less gasoline and diesel fuel.

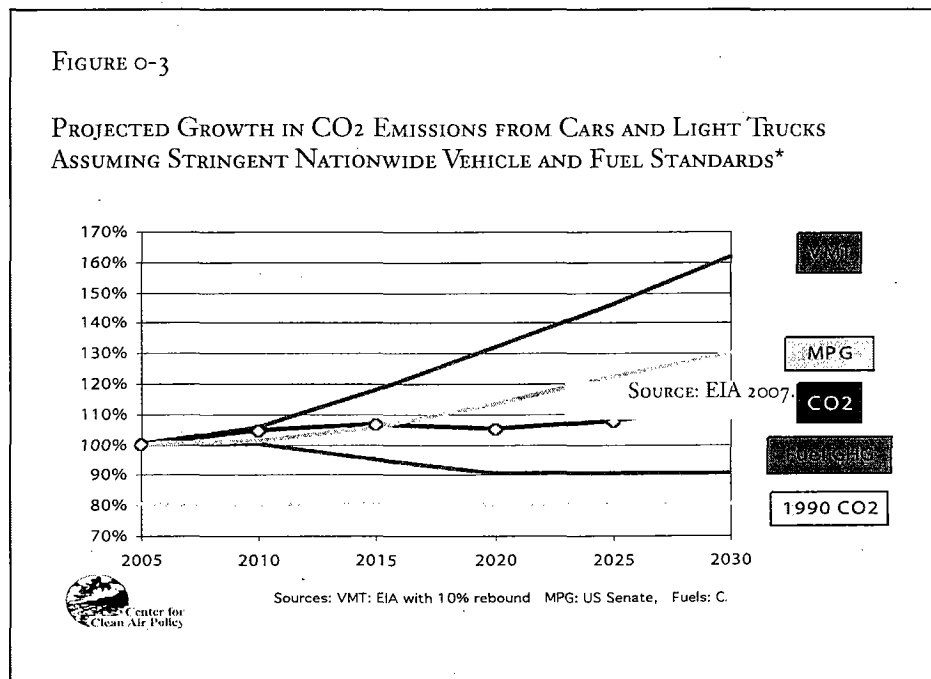
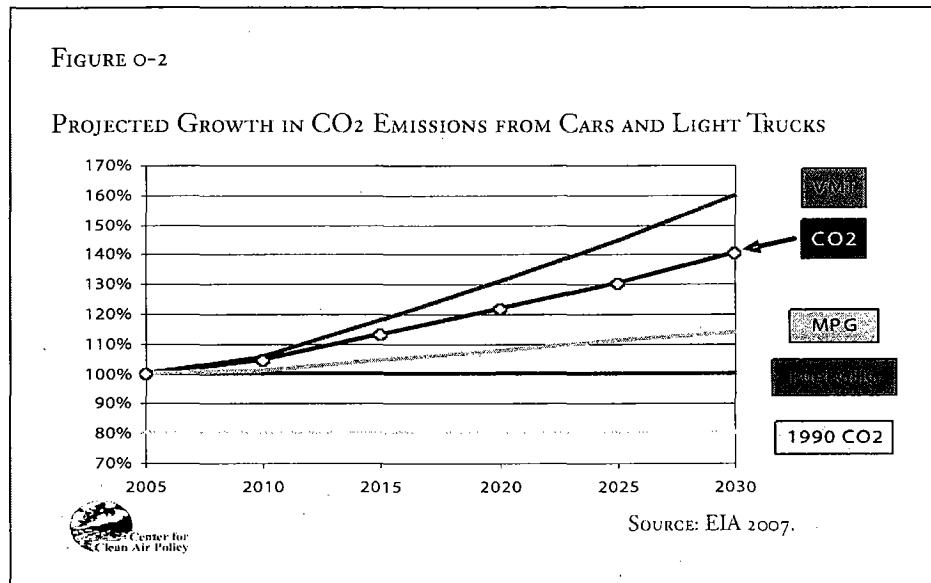
An analysis by Steve Winkelman of the Center for Clean Air Policy, one of the coauthors of this publication,



finds that CO₂ emissions will continue to rise, despite technological advances, as the growth in driving overwhelms planned improvements in vehicle efficiency and fuel carbon content. The U.S. Department of Energy's Energy Information Administration (EIA) forecasts that driving will increase 59 percent between 2005 and 2030 (red line, Figure 0-2), outpacing the projected 23 percent increase in population. The EIA also forecasts a fleetwide fuel economy improvement of 12 percent within this time frame, primarily as a result of new federal fuel economy standards for light trucks (green line, Figure 0-2). Despite this improvement in efficiency, CO₂ emissions would grow by 41 percent (dark blue line, Figure 0-2).

U.S. fuel economy has been flat for almost 15 years, as the upward spiral of car weight and power has offset the more efficient technology. Federal and state efforts are underway to considerably boost vehicle efficiency and reduce greenhouse gas emissions. In June 2007, the U.S. Senate passed corporate average fuel economy (CAFE) standards that would increase new passenger vehicle fuel economy from the current 25 miles per gallon (mpg) to 35 mpg by 2020. (As of this writing, the House has not acted.) California plans to implement a low carbon standard for transportation fuels, specifically a 10 percent reduction in fuel carbon content by 2020.

Even if these more stringent standards for vehicles and fuels were to go into effect nationwide, transportation-related emissions would still far exceed target levels for stabilizing the global climate (see Figure 0-3). The rapid increase in driving would overwhelm both the increase in vehicle fuel economy (green line) and the lower carbon fuel content (purple line). In 2030, CO₂ emissions would be 12 percent above the 2005 level, and 40 percent above the 1990 level



(turquoise line). For climate stabilization, the United States must bring the CO₂ level to 15 to 30 percent below 1990 levels by 2020 to keep in play a CO₂ reduction of 60 to 80 percent by 2050.

As the projections show, the United States cannot achieve such large reductions in transportation-related CO₂ emissions without sharply reducing the growth in miles driven.

Changing Development Patterns to Slow Global Warming

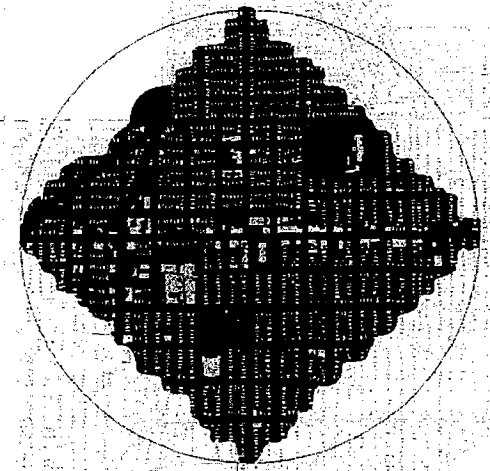
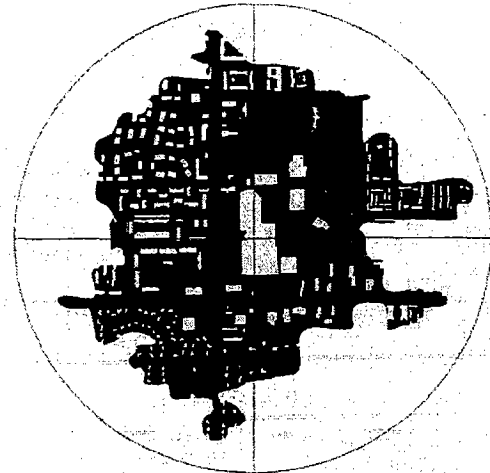
Recognizing the unsustainable growth in driving, the American Association of State Highway and Transportation Officials (AASHTO), representing state departments of transportation, is urging that the growth of vehicle miles driven be cut in half. How does a growing country—one with 300 million residents and another 100 million on the way by mid-century—slow the growth of vehicle miles driven? Aggressive measures certainly are available, including imposing ever stiffer fees and taxes on driving and parking or establishing no-drive zones or days. Some countries are experimenting with such measures. However, many in this country would view such steps as punitive, given the reality that most Americans do not have a viable alternative to driving. The body of research surveyed here shows that much of the rise in vehicle emissions can be curbed simply by growing in a way that will make it easier for Americans to drive less. In fact, the weight of the evidence shows that, with more compact development, people drive 20 to 40 percent less, at minimal or reduced cost, while reaping other fiscal and health benefits.

How Compact Development Helps Reduce the Need to Drive

Better community planning and more compact development help people live within walking or bicycling distance of some of the destinations they need to get to every day—work, shops, schools, and parks, as well as transit stops. If they choose to use a car, trips are short. Rather than building single-use subdivisions or office parks, communities can plan mixed-use developments that put housing within reach of these other destinations. The street network can be designed to interconnect, rather than end in culs-de-sac and funnel traffic onto overused arterial roads. Individual streets can be designed to be “complete,” with safe and convenient places to walk, bicycle, and wait for the bus. Finally, by building more homes as condominiums, townhouses, or detached houses on smaller lots, and by building offices, stores and other destinations “up” rather than “out,” communities can shorten distances between destinations. This makes neighborhood stores more economically viable, allows more frequent and convenient transit service, and helps shorten car trips.

FIGURE O-4

DESTINATIONS WITHIN ONE-QUARTER MILE OF CENTER FOR CONTRASTING STREET NETWORKS IN SEATTLE



SOURCE: MOUDON ET AL. 1997.

This type of development has seen a resurgence in recent years, and goes by many names, including “walkable communities,” “new urbanist neighborhoods,” and “transit-oriented developments” (TODs). “Infill” and “brownfield” developments put unused lots in urban areas to new uses, taking advantage of existing nearby destinations and infrastructure. Some “lifestyle centers” are now replacing single-use shopping malls with open-air shopping on connected streets with housing and office space as part of the new development. And many communities have rediscovered and revitalized their traditional town centers and downtowns, often adding more housing to the mix. These varied development types are collectively referred to in this publication as “compact development” or “smart growth.”

How We Know that Compact Development Will Make a Difference: The Evidence

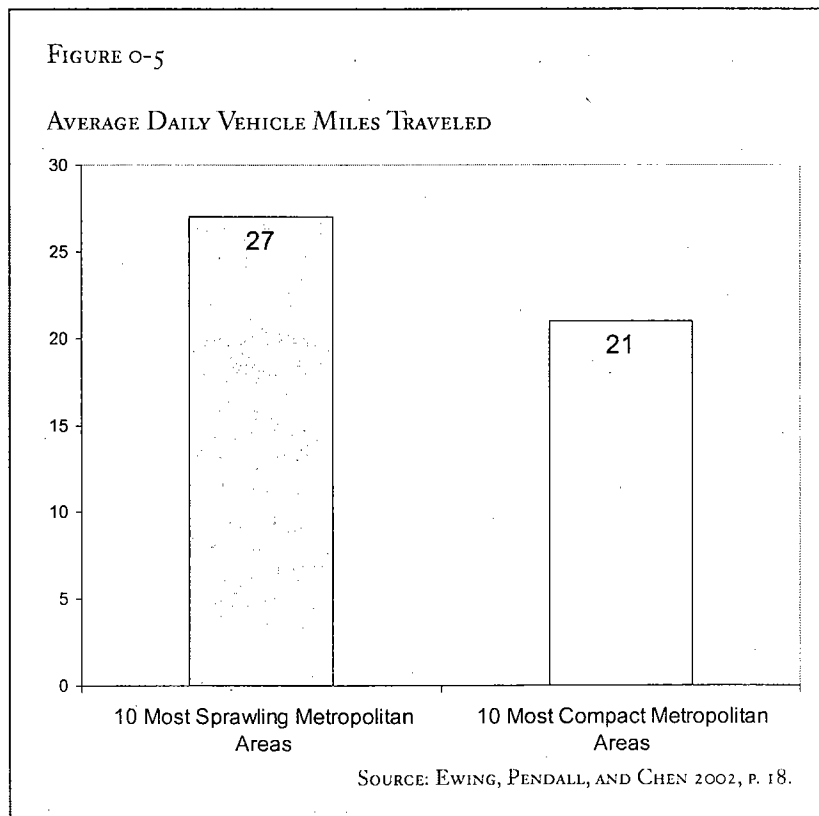
As these forms of development have become more common, planning researchers and practitioners have documented that residents of compact, mixed-use, transit-served communities do less driving. Studies have looked at the issue from varying angles, including:

- research that compares overall travel patterns among regions and neighborhoods of varying compactness and auto orientation;
- studies that follow the travel behavior of individual households in various settings; and
- models that simulate and compare the effects on travel of different future development scenarios at the regional and project levels.

Regardless of the approach, researchers have found significant potential for compact development to reduce the miles that residents drive.

A comprehensive sprawl index developed by coauthor Reid Ewing of the National Center for Smart Growth at the University of Maryland ranked 83 of the largest metropolitan areas in the United States by their degree of sprawl, measuring density, mix of land uses, strength of activity centers, and connectedness of the street network (Ewing, Pendall, and Chen 2002, 2003). Even accounting for income and other socioeconomic differences, residents drove far less in the more compact regions. In highly sprawling Atlanta, vehicles racked up 34 miles each day for every person living in the region. Toward the other end of the scale, in Portland, Oregon, vehicles were driven fewer than 24 miles per person, per day.

This relationship holds up in studies that focus on the travel habits of individual households while measuring the environment surrounding their



homes and/or workplaces. The link between urban development patterns and individual or household travel has become the most heavily researched subject in urban planning, with more than 100 rigorous empirical studies completed. These studies have been able to control for factors such as socioeconomic status, and can account for the fact that higher-income households tend to make more and longer trips than lower-income families.

One of the most comprehensive studies, conducted in King County, Washington, by Larry Frank of the University of British Columbia, found that residents of the most walkable neighborhoods drive 26 percent fewer miles per day than those living in the most sprawling areas. A meta-analysis of many of these types of studies finds that households living in developments with twice the density, diversity of uses, accessible destinations, and interconnected streets when compared to low-density sprawl drive about 33 percent less.

Many studies have been conducted by or in partnership with public health researchers interested in how the built environment can be better designed to encourage daily physical activity. These studies show that residents of communities designed to be walkable both drive fewer miles and also take more trips by foot and bicycle, which improves individual health. A recent literature review found that 17 of 20 studies, all dating from 2002 or later, have established statistically significant relationships between some aspect of the built environment and the risk of obesity.

Two other types of studies also find relationships between development patterns and driving: simulations that project the effect of various growth options for entire regions and simulations that predict the impact of individual development projects when sited and designed in different ways. In regional growth simulations, planners compare the effect of a metropolitan-wide business-as-usual scenario with more compact growth options. Coauthor Keith Bartholomew of the University of Utah analyzed 23 of these studies and found that compact scenarios averaged 8 percent fewer total miles driven than business-as-usual ones, with a maximum reduction of 31.7 percent (Bartholomew 2005, 2007). The better-performing scenarios were those with higher degrees of land use mixing, infill development, and population density, as well as a larger amount of expected growth. The travel models used in these studies would be expected to underestimate the impacts of site design, since most only crudely account for travel within neighborhoods and disregard walk and bike trips entirely.

Of the project-level studies, one of the best known evaluated the impact of building a very dense, mixed-use development at an abandoned steel mill site in the heart of Atlanta versus spreading the equivalent amount of commercial space and number of housing units in the prevailing patterns at three suburban locations. Analysis using transportation models enhanced by coauthor Jerry Walters of Fehr & Peers Associates (Walters, Ewing, and Allen 2000), and supplemented by the EPA's Smart Growth Index (to capture the effects of site design) found that the infill location would generate about 35 percent less driving and emissions than the comparison sites. The results were so compelling that the development was deemed a transportation control measure by the federal government for the purpose of helping to improve the region's air quality. The Atlantic Station project has become a highly successful reuse of central city industrial land.

What Smart Growth Would Look Like

How would this new focus on compact development change U.S. communities? Many more developments would look like the transit-oriented developments and new urbanist neighborhoods already going up in almost every city in the country, and these developments would start filling in vacant lots or failing strip shopping centers, or would revitalize older town centers, rather than replacing forests or farmland. Most developments would no longer be single-use subdivisions or office parks, but would mix shops, schools, and offices together with homes. They might feature ground-floor stores and offices with living space above, or townhomes within walking distance of a retail center. Most developments would be built to connect seamlessly with the external street network.



JACOBY DEVELOPMENT COMPANY

ATLANTIC STATION TODAY.

The density increases required to achieve the changes proposed in this publication would be moderate. Nelson's work shows that the average density of residential development in U.S. urban areas was about 7.6 units per acre in 2003. His predictions of shifting market demand indicate that all housing growth to 2025 could be accommodated by building condominiums, apartments, townhomes, and detached houses on small lots, while maintaining the current stock of houses on large lots. Under this scenario, while new developments would average a density of 13 units per acre, the average density of metropolitan areas overall would rise modestly, to about nine units per acre. Much of the change would result from stopping the sprawling development that has resulted in falling densities in many metropolitan areas.

Several publications provide a glimpse of what this future might look like. Images of compact development are available in *This is Smart Growth* (Smart Growth Network 2006) and *Visualizing Density* (Lincoln Institute of Land Policy 2007).

The Potential of Smart Growth

The potential of smart growth to curb the rise in greenhouse gas emissions will, of course, be limited by the amount of new development and redevelopment that takes place over the next few decades, and by the share of it that is compact in nature. There seems to be little question that a great deal of new building will take place as the U.S. population grows toward 400 million. According to the best available analysis, by Chris Nelson of Virginia Tech, 89 million new or replaced homes—and 190 billion square feet of new offices, institutions, stores, and other nonresidential buildings—will be constructed through 2050. If that is so, two-thirds of the development on the ground in 2050 will be built between now and then. Pursuing smart growth is a low-cost climate change strategy, because it involves shifting investments that have to be made anyway.

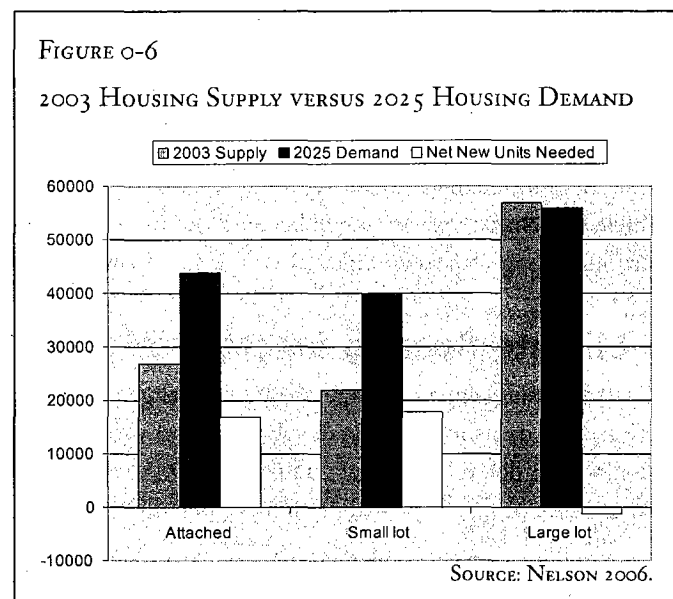
Smart Growth Meets Growing Market Demand for Choice

There is no doubt that moving away from a fossil fuel-based economy will require many difficult changes. Fortunately, smart growth is a change that many Americans will embrace. Evidence abounds that Americans are demanding more choices in where and how they live—and that changing demographics will accelerate that demand.

While prevailing zoning and development practices typically make sprawling development easier to build, developers who make the effort to create compact communities are encountering a responsive public. In 2003, for the first time in the country's history, the sales prices per square foot for attached housing—that is, condominiums and townhouses—was higher than that of detached housing units. The real estate analysis firm Robert Charles Lesser & Co. has conducted a dozen consumer preference surveys in suburban and urban locations¹ for a variety of builders to help them develop new projects. The surveys have found that in every location examined, about one-third of respondents prefer smart growth housing products and communities. Other studies by the National Association of Homebuilders, the National Association of Realtors, the Fannie Mae Foundation, high-production builders, and other researchers have corroborated these results—some estimating even greater demand for smart growth housing products. When smart growth also offers shorter commutes, it appeals to another one-quarter of the market, because many people are willing to trade lot or house size for shorter commutes.

Because the demand is greater than the current supply, the price-per-square foot values of houses in mixed-use neighborhoods show price premiums ranging from 40 to 100 percent, compared to houses in nearby single-use subdivisions, according to a study by Chris Leinberger of the Brookings Institution.

This market demand is only expected to grow over the next several decades, as the share of households with children shrinks and those made up of older Americans grows with the retiring of baby boomers. Households without children will account for close to 90 percent of new housing demand, and single-person households will account for a one-third. Nelson projects that the demand for attached and small-lot housing will exceed the current supply by 35 million units (71 percent), while the demand for large-lot housing will actually be less than the current supply.



¹ These locations include Albuquerque, Atlanta, Boise, Charlotte, Chattanooga, Denver, Orlando, Phoenix, Provo, Savannah, and Tampa.

Total Estimated VMT Reduction and Total Climate Impact

When viewed in total, the evidence on land use and driving shows that compact development will reduce the need to drive between 20 and 40 percent, as compared with development on the outer suburban edge with isolated homes, workplaces, and other destinations. It is realistic to assume a 30 percent cut in VMT with compact development.

Making reasonable assumptions about growth rates, the market share of compact development, and the relationship between CO₂ reduction and VMT reduction, smart growth could, by itself, reduce total transportation-related CO₂ emissions from current trends by 7 to 10 percent as of 2050. This reduction is achievable with land-use changes alone. It does not include additional reductions from complementary measures, such as higher fuel prices and carbon taxes, peak-period road tolls, pay-as-you drive insurance, paid parking, and other policies designed to make drivers pay more of the full social costs of auto use.

This estimate also does not include the energy saved in buildings with compact development, or the CO₂-absorbing capacity of forests preserved by compact development. Whatever the total savings, it is important to remember that land use changes provide a permanent climate benefit that would compound over time. The second 50 years of smart growth would build on the base reduction from the first 50 years, and so on into the future. More immediate strategies, such as gas tax increases, do not have this degree of permanence.

The authors calculate that shifting 60 percent of new growth to compact patterns would save 85 million metric tons of CO₂ annually by 2030. The savings over that period equate to a 28 percent increase in federal vehicle efficiency standards by 2020 (to 32 mpg), comparable to proposals now being debated in Congress. It would be as if the fleetwide efficiency for new vehicles had risen to 32 mpg by 2020. Every resident of a compact neighborhood would provide the environmental benefit expected from, say, driving one of today's efficient hybrid cars. That effect would be compounded, of course, if that person also drove such an efficient car whenever he or she chose to make a vehicle trip. Smart growth would become an important "third leg" in the transportation sector's fight against global warming, along with more efficient vehicles and lower-carbon fuels.

A Climate-Sparing Strategy with Multiple Payoffs

Addressing climate change through smart growth is an attractive strategy because, in addition to being in line with market demand, compact development provides many other benefits and will cost the economy little or nothing. Research has documented that compact development helps preserve farmland and open space, protect water quality, and improve health by providing more opportunities for physical activity.

Studies also have confirmed that compact development saves taxpayers money, particularly by reducing the costs of infrastructure such as roads and water and sewer lines. For example, the *Envision Utah* scenario planning process resulted in the selection of a compact growth plan that will save the region about \$4.5 billion in infrastructure spending over a continuation of sprawling development.

Finally, unlike hydrogen-fueled vehicles and cellulosic ethanol, which get a lot of attention in the climate-change debate, the "technology" of compact, walkable communities exists today, as it has in one form or another for thousands of years. We can begin using this technology in the service of a cooler planet right now.

Policy Implications

In most metropolitan areas, compact development faces an uneven playing field. Local land development codes encourage auto-oriented development. Public spending supports development at the metropolitan fringe more than in already developed areas. Transportation policies remain focused on accommodating the automobile rather than alternatives.

The key to substantial GHG reductions is to get all policies, funding, incentives, practices, rules, codes, and regulations pointing in the same direction to create the right conditions for smart growth. Innovative policies often are in direct conflict with the conventional paradigm that produces automobile dependence.

Here, we three major policy initiatives at the federal level that would benefit states, metro regions, cities and towns in their efforts to meet the growing demand for compact development. These initiatives, as well as potential actions on the part of state and local governments, discussed more fully in Chapter 7 of *Growing Cooler*.

Federal Actions

Require Transportation Conformity for Greenhouse Gases. Federal climate change legislation should require regional transportation plans to pass a conformity test for CO₂ emissions, similar to those for other criteria pollutants. The Supreme Court ruling in *Massachusetts v. EPA* established the formal authority to consider greenhouse gases under the Clean Air Act, and a transportation planning conformity requirement would be an obvious way for the EPA to exercise this authority to produce tangible results.

Enact "Green-TEA" Transportation Legislation that Reduces GHGs. The Intermodal Surface Transportation Efficiency Act of 1991 (known as ISTEA) represented a revolutionary break from past highway bills with its greater emphasis on alternatives to the automobile, community involvement, environmental goals, and coordinated planning. The next surface transportation bill could bring yet another paradigm shift; it could further address environmental performance, climate protection, and green development. We refer to this opportunity as "Green-TEA."

Provide Funding Directly to Metropolitan Planning Organizations (MPOs). Metropolitan areas contain more than 80 percent of the nation's population and 85 percent of its economic output. Investment by state departments of transportation in metropolitan areas lags far behind these percentages. The issue is not just the amount of funding; it is also the authority to decide how the money is spent. What is necessary to remedy the long history of structural and institutional causes of these inequities is a new system of allocating federal transportation funds directly to metropolitan areas. The amount of allocation should be closer to the proportion of an MPO's population and economic activity compared to other MPOs and non-MPO areas in the same state.

EXHIBIT 16

**CITY OF VISALIA AGENDA ITEM
TRANSMITTAL MARCH 1, 2010**

**City of Visalia
Agenda Item Transmittal**

Meeting Date: March 1, 2010

Agenda Item Number (Assigned by City Clerk): 4

Agenda Item Wording: Update regarding Council of Cities negotiations with Tulare County on a potential Memorandum of Understanding regarding the Tulare County General Plan Update

Deadline for Action: None

Submitting Department: Administration/Community Development

Contact Name and Phone Number:

Mayor Bob Link
Mike Olmos, Assistant City Manager 713-4332
Alex Peltzer, City Attorney 636-0200

Department Recommendation: Consider the information regarding the history and current status of negotiations between Tulare County and the Council of Cities on a Memorandum of Understanding (MOU) for the Tulare County General Plan Update; provide direction as appropriate.

Summary: This report is intended to provide Council with an overview of the history of Tulare County's General Plan Update (GPU) and accompanying Environmental Impact Report (EIR) process and an update on the current status of negotiations between the Council of Cities and the County regarding certain policies contained in the GPU. Also to be discussed is a summary of the items currently being negotiated and areas still needing resolution as discussed in the letter from Council of Cities to Tulare County Supervisors Phil Cox and Steve Worthley dated January 28, 2010 (Exhibit 1). Council discussion and direction on these topics is requested to assist Mayor Link, Visalia's representative on the Council of Cities, in the negotiation process.

Topics of Concern

The concerns of the Council of Cities on the County GPU are straightforward. The versions of the County's General Plan Update document provided to the Council of Cities have consistently contained several significant policy changes that are objectionable to the Cities. These proposed County policy changes include, but are not limited to:

- Moving away from a "City centered" growth strategy that this prevailed in the County for several decades. This strategy has directed population growth primarily to incorporated cities because our cities have the full range of urban infrastructure and services to

For action by:

- City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

- Work Session
 Closed Session

Regular Session:

- Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 30

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

accommodate growth. Unincorporated communities with urban service capacity (primarily sewer and water) have also received growth. Other areas of the County have primarily remained Exclusive Agriculture in keeping with the Valley's predominant agricultural economy. The new proposed County strategy would encourage development on unincorporated lands around cities and along major transportation corridors (Hwy 99, 65, Mooney), in many small pockets of rural residential areas around the County having very limited services and in new cities, such as Yokohl Valley.

- Significantly weakening the long standing "annexation referral policy" contained in the current Tulare County General Plan. This policy currently establishes a policy requiring referral of proposals for development projects within city Urban Development Boundaries (UDBs) to affected cities for potential annexation and development.
- Invoking a new County policy allowing "Regionally Significant Proposals" to bypass the referral policy and allow development to occur on County lands within City UDBs and Urban Area Boundaries (UABs) without referral to cities for annexation. Regionally Significant Proposals include development projects that have been determined by the County to "confer substantial financial benefits upon countywide operations, or any other relevant factor considered on a case by case basis". **Regionally Significant Projects will allow Tulare County to approve large commercial, industrial, or other development projects within designated City urban development areas.**
- Invoking a new County policy allowing establishment of "Urban Corridor Plans" and "Regional Growth Corridor Plans" along Highway 99, Highway 65, and Mooney Boulevard. **Corridor Plans will encourage the development of regional commercial developments, industrial developments, office parks, and highway commercial developments inside City UDBs and UAB.**

The County has offered to remove the threat of development on unincorporated lands around our cities if the cities will agree to significant financial concessions to benefit the County. These concessions include an increased share of sales taxes, a share of transient occupancy taxes (referred to as TOT) and imposition of County Development Impact Fees on development occurring in the Cities. The sales and TOT tax shares would be applied to areas of future expansion of City UABs. County Development Impact Fees would apply to all development occurring in the City after date of fee implementation.

The Cities have a strong interest in the County remaining financially stable and in establishment of effective planning policies around our cities. Therefore, the Council of Cities has concluded it is reasonable to negotiate the financial concessions being requested by the County. However, the Council of Cities has been very clear that in return for financial concessions by the Cities, the County must agree to establish land use policies within our planning areas (UDBs and UABs) that:

- Establish a "City centered" growth strategy to continue directing population growth to cities;
- Establishing the Urban Development Boundary as a 20 year City Planning area and the Urban Area Boundary as a 50 year City Planning area;
- Prohibit "regionally significant" and "regional growth corridor" development potential;
- Prohibit rezonings and conditional use permits for urban uses inside City UDBs;
- Consider rezonings and conditional use permits for urban uses inside City UABs only through application of the Rural Valley Lands Plan;
- Eliminate the many loopholes in County agricultural zoning around our communities that allow rural residential development and parcelization over time.

These points continue to be the crux of the Council of Cities position. The Council of Cities has expressed willingness to provide economic concessions to the County if these points are agreed to; to date, the County has not agreed to these points.

Policy Shift

The proposed policy changes in the proposed County General Plan Update signify a profound shift in land use philosophy by the Board of Supervisors. The current County General Plan, which has been in place for several decades, has a strong agricultural orientation, promotes city centered population growth, and allows limited growth in designated rural communities with available urban services. The proposed new General Plan policies encourage development in many unincorporated areas where the County has not previously sought urban growth.

The versions of the proposed County General Plan Update that have been made available to the Council of Cities take a markedly different approach to land use than currently exists. The new plan will encourage urban development on unincorporated lands in many areas of the County where development was not previously promoted, including inside City UDBs (potentially next to city limits) and UABs, including along major transportation corridors such as Highway 99, Highway 65, and Mooney Boulevard. These areas have previously been reserved for future urban growth as extensions of Cities through gradual annexation.

The County is focusing on increased urban development on unincorporated land as a way to improve the County's financial condition. Development enables the County to potentially collect property taxes, sales taxes, transient occupancy taxes, and development impact fees as is typically done by cities. Areas adjacent to cities have high potential for urban development and are therefore prime areas for the County to establish development opportunities.

While the Cities fully understand the County's fiscal issues, there are serious public policy concerns about development occurring on unincorporated lands within our UDBs and UABs, including the following:

1. Development proposals occurring in the County will not achieve densities or land use patterns contemplated in City General Plans. This will lead to inefficient land use, urban sprawl, higher infrastructure costs and inability to meet regional AB 32/SB 375 and San Joaquin Valley Blueprint targets.
2. County planning programs are directed primarily at agricultural land uses, and are not adept at issues and design techniques associated with urban development. This will create poorly designed and improved neighborhoods and problems in assimilating County developments into the City in the future. Cities will incur increased costs in extending infrastructure in and around these poorly designed unincorporated neighborhoods in the future.
3. The County is not proficient at providing services to and maintenance of urban developments. When County developments are annexed to the City, lack of urban services and proper maintenance has created financial burdens on Cities. There are many examples of this condition throughout the County. In Visalia, the annexation of the "Birdland" neighborhood in North Visalia is an example where lack of infrastructure and maintenance by the County has resulted in significant costs to the City after the area was annexed.
4. If the County engages in commercial and industrial development within City UABs, it will be in direct competition with the Cities. This will result in the City and County being pitted against each other in competing for desirable commercial and industrial developments. The result is that the "winner" will be the entity that allows development to move forward with concessions such as financial incentives, minimal infrastructure improvements and poor design standards. This is poor public policy that will eventually

result in higher costs to the community, spreading of maintenance costs over all taxpayers, and strain on services, including public safety.

While it is worth considering sharing increased sales tax and TOT, it should be recognized that **Tulare County receives a higher percentage than cities of property tax generated by development occurring on lands inside of cities.** As an example, the attached table (Exhibit 2) entitled Estimated Annual Property Tax Distribution – North Plaza Drive Industrial Park shows the estimated distribution of property taxes at various stages of development for the 480 acre Vargas/MSJ annexation in the Industrial Park. The table shows that the County will receive more financial property tax benefit from the development of the Vargas/MSJ property than will the City of Visalia. Further, the City will provide all urban services, including public safety, to the property though the City will receive less property tax benefit.

Brief History of Tulare County General Plan Update

A comprehensive update to the Tulare County General Plan was initiated by the Board of Supervisors in July 2003. A team of consultants was hired by the County to assist in the GPU process, with Mintier and Associates of Sacramento as the lead consulting firm.

Initially, a Technical Advisory Committee was assembled by the County to provide stakeholder input in the GPU process. The Committee was comprised of representatives from each city, local organizations, the building industry, agriculture, unincorporated communities, and a variety of other interests. The Committee met several times in the early stages of the County's GPU process.

The County's consultant team presented the Technical Advisory Committee with a Policy Alternatives document dated July 2005 (Exhibit 3). The document analyzes several growth issues and identified three primary growth alternatives: 1. City Centered Alternative (80% of population growth to be directed to incorporated cities, 15% to selected unincorporated communities, 5% to rural areas); 2. Transportation Corridors Alternative (70% population growth to cities, 25% to unincorporated communities focusing on Highways 99 and 65 corridors, and 5% to rural areas); and 3. Rural Communities Alternative (70% population growth to cities, 25% to unincorporated communities with available infrastructure, and 5% to rural areas).

Strong preference was expressed by city representatives on the Technical Advisory Committee that the County retain focus on the City Centered Alternative. Based on the technical analysis prepared by the County's consulting team, it was clear that the Cities could absorb much more than 80% of future population growth. This approach also continued long standing land use practices in the County to direct population primarily to Cities and to unincorporated communities able to provide sewer and water services.

On August 10, 2005, the City Council sent a letter to the Tulare County Board of Supervisors (Exhibit 4) with recommendations on the County GPU based on discussions occurring at the Technical Advisory Committee. Included in the recommendations was strong support for the City Centered Growth Alternative, and a recommendation that at least 90% of future population growth be directed to the cities. The letter also suggested that discussions be initiated on increased revenue sharing with the County to prevent fiscalization of land use policy in the County GPU.

The meetings of the Technical Advisory Committee were abruptly halted before a Draft Plan was completed. No notice or explanation for terminating the Committee was given. The

County's consulting team responsible for preparing the GPU policy document was also released soon thereafter. The County Planning Staff took over responsibility for preparing the Draft GPU, working directly with the Board of Supervisors in a series of work sessions.

On April 2, 2007, the City Council reviewed the first draft of the County GPU policy document. At that time, it became evident that the County would pursue a growth oriented General Plan Update, including encouraging development on unincorporated lands within City UABs/UDBs and along major transportation corridors, including Highway 99 and Mooney Boulevard. The proposed GPU included provisions for new towns (Yokohl Valley) and encouraged growth in established unincorporated communities and in "hamlets", (a new planning concept in the County identifying very small rural developments with very little urban services as areas able to accommodate growth). It became clear at this point that the County was moving away from the County's traditional City Centered growth model. On May 7, 2007, a letter was sent from then-Mayor Jesus Gamboa expressing the City Council's concerns on numerous planning issues and reiterating Visalia's preference for a City Centered Growth Strategy and willingness to discuss increased revenue sharing. A copy of this letter is attached (Exhibit 5).

In 2007, other Cities in the County were also expressing concerns about the direction the County GPU was taking. Staff from the Cities began meeting informally to share information and analysis on the GPU. This effort transitioned into the formation of the Council of Cities, a consortium of all the cities in the County with an elected Council Member from each City as a member. Mayor Bob Link is the City of Visalia's current member on the Council of Cities, and Council Member Mike Lane is the alternate. The Council of Cities continues to meet periodically as needed to discuss the County GPU and other issues affecting all the Cities.

The Draft Environmental Impact Report for the County's GPU was released for public review and comment on January 14, 2008. Recognizing the great detrimental impact that the County's proposed growth policies will have, the Council of Cities hired attorney Tamara Galanter of the law firm Shute, Mihaly and Weinberger to work with technical staff from the Cities to prepare a comprehensive set of comments on the Draft EIR for the Council of cities. On April 11, 2008, Ms. Galanter submitted a 45 page comment letter and extensive supporting attachments to Tulare County outlining the many concerns of the Council of Cities on the Draft EIR and the County GPU Goals and Policies document. A copy of Ms. Galanter's letter is attached (Exhibit 6).

Following the review period on the Draft EIR, the Board of Supervisors and Council of Cities agreed to initiate negotiations on the potential removal of objectionable language in the County GPU in exchange for increased sales taxes and TOT to the County in future UDB expansion areas, along with consideration of implementation of County development impact fees on development occurring inside Cities. These negotiations were intended to result in the eventual establishment of a Memorandum of Understanding (MOU) between the Council of Cities and Tulare County. The MOU would specify that in return for removal or modification of objectionable policies in the County's General Plan Update allowing development on unincorporated lands inside UDBs and UABs of incorporated Cities, the Cities would agree to:

1. Negotiate on a City by City basis the sharing with County of Transient Occupancy taxes and increasing County shares of sales taxes in future expansion areas for City UDBs. (Note: During negotiations, the Cities and County tentatively agreed that Urban Development Boundaries would be updated for all cities before this provision would go into effect, and that updated UDBs and LAFCo Sphere of Influence should be made coterminous).
2. Undertake processes for establishment of County Development Impact Fees that would be levied on development occurring inside Cities.

In Fall 2009, a "Subcommittee" was established to facilitate the negotiations. The Subcommittee is comprised of Mayor Bob Link of Visalia and Vice Mayor Phil Vandergrift of Tulare representing the Council of Cities, and Supervisors Phil Cox and Steve Worthley representing the Board of Supervisors. These elected representatives are supported by technical staff from both the Cities and County.

The Subcommittee met on October 1, October 15, and December 2 in 2009. On December 2, it appeared that the terms of an MOU had been worked out and technical staff from the Cities and County was directed to incorporate the terms into a draft agreement for presentation to the Council of Cities and Board of Supervisors. On December 11, the technical staff met to review a final draft agreement. Representing the Council of Cities at that meeting were Mike Olmos, Brad Dunlap (Porterville), Dan Meinert (Dinuba) and Alex Peltzer (attorney for Council of Cities), and representing the County were Jake Raper (Director of Resource Management Agency), Julia Roberts (Deputy County Counsel) and David Bryant (Senior County Planner). At that meeting, the County staff informed the Cities representatives that the terms of an agreement tentatively agreed to on December 2 would not be acceptable to the Board of Supervisors. Instead, a new, fully re-written draft agreement was presented by the County that was significantly different from the terms discussed on December 2.

The County's new proposal is graphically depicted on the colored display table entitled "County Proposal – December 2009" (Exhibit 7) which is also included as an attachment in the January 28, 2010 letter (Exhibit 1). This proposal contains numerous terms that are objectionable to the Cities, including several loopholes allowing the County to permit development inside City UDBs and UABs.

The Council of Cities sent the January 28th letter (Exhibit 1) to the Supervisors Cox and Worthley containing a response to the County's most recent proposal. Included in the letter is a graphic representation of the Council of Cities proposal with a detailed explanation. Of significance, **the Council of Cities proposal re-states the terms agreed upon during the Subcommittee meeting on December 2, 2009 at which Mayor Link, Vice Mayor Vandergrift, Supervisor Cox and Supervisor Worthley were present.**

County Development Impact Fees

The most immediate fiscal impact of the County's proposal would be imposition of development impact fees to offset costs of County services caused by growth on unincorporated lands and inside cities. To implement County impact fees, each City would be requested to hold necessary public hearings and take action to incorporate County fees into City DIF programs. Cities would then pass County fees collected from future development to the County.

During the negotiations, the Cities raised the issue of development on nearby County lands impacting the Cities. The Cities have indicated that DIFs must be reciprocal, with the County levying City DIFs on developments on unincorporated lands within our UAB.

Exhibit 8 shows the impact of county DIFs, as currently proposed, on a 2000 sq. ft. single family home. The County Fees would increase total fees (including City building permit and DIFs, and Visalia Unified School District fees) by 28% from the current \$20,278.87 to \$ 25,958.87.

Next Steps

A response to the January 28 letter was sent to the Council of Cities from Jean Rousseau, the County Administrative Officer. (see Exhibit 9). The response appears to add little to the current status of the discussions, and in fact seems to confirm that, although points of agreement have been arrived, there are still differences between the parties. The letter indicates that the County intends to release for public review a revised GPU Goals and Policies document and revised Draft EIR in late February. Supervisor Cox has stated that the revised GPU will include alternate sets of policies for urban growth on unincorporated lands within UDBs and UABs of incorporated Cities. One set will be for Cities that agree to revenue sharing and County development impact fees, and another set will be for those that will not agree. At this time it cannot be determined what the alternate sets of policies will look like.

After receiving the revised GPU and Draft EIR, the Council of Cities and the individual cities will evaluate future steps. These could include further attempts at negotiating an MOU to revise policy language in the County's GPU. It will also likely include submitting further comprehensive written comments on the County's Goals and Policies document and accompanying EIR in preparation for potential future legal challenge.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: N/A

Alternatives: N/A

Attachments:

- Exhibit 1- Letter from Council of Cities to Tulare County dated January 28, 2010
- Exhibit 2- Estimated Annual Property Tax Distribution Table
- Exhibit 3- Tulare County General Plan Policy Alternatives (July 2005)
- Exhibit 4- Correspondence from Mayor Link to Tulare County Board of Supervisors (August 10, 2005)
- Exhibit 5- Correspondence from Mayor Gamboa to Tulare County Board of Supervisors (May 7, 2007)
- Exhibit 6- Correspondence from Shute, Mihaly & Weinberger LLP to Tulare County Resource Management Agency (April 11, 2008)
- Exhibit 7- County Proposal Diagram – December 2009
- Exhibit 8- Table – Single Family Residence Impact Fee Estimate
- Exhibit 9 – Correspondence from Jean Rousseau, County Administrative Officer dated February 16, 2010

Recommended Motion (and Alternative Motions if expected): Discussion and direction as appropriate.

Environmental Assessment Status

CEQA Review: NA

NEPA Review: NA

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

Tulare County Board of Supervisors
Tulare County Administrative Officer Jean Rousseau
Tulare County RMA Director Jake Raper
Visalia Chamber of Commerce
Visalia Economic Development Corporation
Visalia Hispanic Chamber of Commerce
Visalia Community Forum
Home Builders Association

COUNCIL OF CITIES



CITY OF DINUBA
CITY OF FARMERSVILLE
CITY OF PORTERVILLE
CITY OF VISALIA

CITY OF EXETER
CITY OF LINDSAY
CITY OF TULARE
CITY OF WOODLAKE

January 28, 2010

Chairman Steve Worthley
Supervisor Phil Cox
Tulare County Board of Supervisors
2800 W. Burrell
Visalia CA 93277

Dear Chairman Worthley and Supervisor Cox:

This letter contains the response of the Council of Cities to the most recent proposal by Tulare County regarding planning policies in the draft Tulare County General Plan Update being discussed in conjunction with a potential Memorandum of Understanding.

General

The Tulare County Council of Cities has spent considerable time, effort and money in the process of meeting with the County of Tulare to achieve a true "City Centered Growth" focus to the County's General Plan. This has been a frustrating process because the County representatives have, through their words, stated their desire to implement a City Centered Growth focus, but in deeds and in the specific terms that they ultimately have stuck to, it is clear they are not interested in this focus.

The Council of Cities, representing all of the eight incorporated cities of Tulare County, is united on this subject, and has unanimously endorsed this letter, as indicated by the signatures of elected officials from all eight member Cities.

The attached Diagram, titled "Cities' Proposed Compromise", is explained in more detail below. The members of the Council of Cities are unanimous in supporting this compromise, and are also unanimous in their view that this is in fact a significant compromise that does not, by any means, achieve all or even most of what the Cities had hoped to achieve in this process.

The Cities are primarily frustrated over the fact that County elected officials, during face to face meetings with City elected offices, expressed support for the concepts depicted in the Cities' Proposed Compromise diagram. However, when it came time to put this agreement in writing, it was apparent that the County elected officials had no intention of agreeing to these points.

The Cities are providing the attached Diagram with explanation bullet points as a means of demonstrating the reasonableness of their approach, and in clarifying what they believe the County had agreed to, but is now not willing to commit in writing.

Compromises on Growth Issues

The fundamental concept the Cities are committed to furthering is that the areas surrounding their jurisdictions need to be protected from poorly planned growth to a much greater degree than has occurred over the past 20 to 40 years. No one seems to dispute that fact, though the current Board of Supervisors claim that past decisions were made as a result of poor policies established many years ago, which they have no choice but to follow. Even assuming that to be the case, the Supervisors should welcome, not oppose, an effort to establish more modern, effective and reasonable controls on growth in the areas immediately surrounding each City. Not only is this necessary in the current environment, but it will become even more important if the County, as it appears poised to do, broadens the ability to develop in the unincorporated areas through policies that are being proposed through the County's General Plan Update.

The primary compromises the Cities have agreed to include:

- The Cities are no longer asking the County to consider reasonable down-zones in areas surrounding their jurisdictions that were never intended to be zoned anything other than agriculture.
- The Cities are no longer asking the County to revise zoning provisions in ag zones to eliminate the more industrial types of uses that are currently allowed in County Agricultural zones.
- The Cities have agreed to use of the Rural Valley Lands Plan as a reference for determining when agricultural land may be rezoned to urban uses, instead of an outright prohibition on such rezoning, in the more distant areas surrounding cities (outside the current Sphere of Influence ("UDBs" or twenty year growth planning area), but within the fifty year planning area ("UABs").
- The Cities have agreed that no additional controls, other than future planning requirements, need be placed on urbanized development in city fringe areas that also lie within current unincorporated planning areas.
- The Cities have agreed that current industrialized uses on ag-zoned lands that become vacant may be reused, with certain reasonable limitations, without having to annex into a city or conform to a city's planning documents.
- The Cities have not sought to limit the County's ability through the General Plan Update to promote urban development in new cities, towns or unincorporated communities and "hamlets" outside the areas of influence surrounding the incorporated cities. Even though urban development outside of the established cities can have indirect, and even some direct, negative impacts on the ability of the incorporated cities to grow in a uniform and predictable manner, and even though the Cities are concerned about these impacts, the Cities, as a compromise, have taken this issue off the table before the negotiations on an MOU even began.

Revenue Agreements

In addition to the compromises described in the Diagram and attached Bullet Point Explanations, the Cities have worked hard to come to agreement with the County on significant revenue sharing measures, including individually negotiated increases in sales and occupancy tax that would be applicable in expanded city areas, as well as mutual development impact fees. Although the Cities did not believe these revenue measures should be treated as conditions, to which they were forced to agree in order for the

County to consent to adopt more responsible growth policies, the Cities have nevertheless conceded to them.

Specific measures the Cities have offered to reach agreement on as a condition to the County's agreement on the above planning measures include:

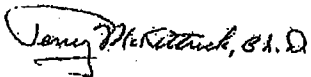
- Agreement to an increased share for the county of the city's sales and occupancy taxes in areas of expanded City develop (beyond current SOIs), to be negotiated with individual Cities.
- Agreement to implement mutual development impact fees, which would provide County revenue for growth that occurs within the Cities, and City revenue for growth that occurs within their planning areas but outside their current boundaries.

Conclusion

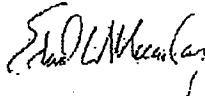
The measures identified above, which the cities have worked hard to achieve agreement on, are significant compromises. Compromising beyond these measures would mean an abandonment of the core concept important to the Cities, namely that Cities should be able to expect the County to preserve areas surrounding their jurisdictions for future City growth. If the County expects the Cities to abandon this concept, then there is no reason to reach agreement, and the Cities will simply resume commenting on the County's General Plan Update as any other interested party.

Despite our frustration with the process the County has chosen to follow to date, the Council of Cities, as a unified unit, remain ready and willing to discuss finalizing the compromise expressed in the attached documents into a formal MOU. We would be disappointed if the County elects to abandon this process now.

Respectfully Submitted on behalf of the Council of Cities,



Terry McKittrick, Ph.D.
Council Member
City of Dinuba



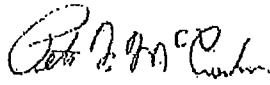
Ted Macaulay
Council Member
City of Exeter



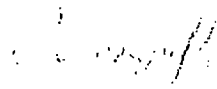
Leonel Benavidez
Mayor
City of Farmersville



Ed Murray
Mayor
City of Lindsay



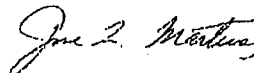
Pete V. McCracken
Mayor
City of Porterville



Phil Vandegrift
Vice Mayor
City of Tulare



Bob Link
Mayor
City of Visalia

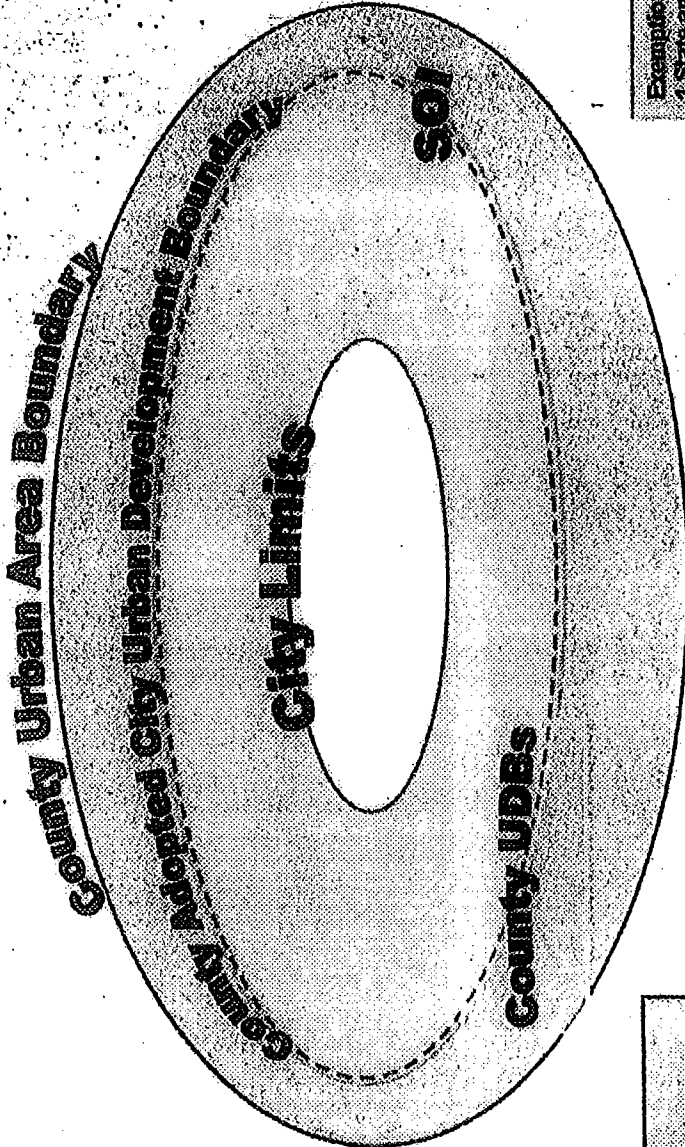


Jose L. Martinez
Council Member
City of Woodlake

Attachments: County Proposal Diagram
Council of Cities Proposal Diagram dated 1-11-2010
Summary

cc: Supervisor Pete Vander Poel
Supervisor Allen Ishida
Supervisor Mike Ennis
Jean Rousseau, County Administrative Officer
Jake Raper, RMA Director
Julia Roberts, County Counsel
Dave Bryant
Tulare County City Managers
Visalia Times Delta
Tulare Advanced Register
Dinuba Sentinel
Porterville Recorder
Exeter Sun Gazette
Fresno Bee
Valley Voice

County Proposal



- Exemptions to CACUIDBs:**
1. State and Federal Regs.
 2. Conflict inconsistencies in land use
 3. PSPs if no other economically viable use of property
 4. Reuse of Ag. Support facilities
 5. GPA for rezone to Ag. designation
 6. Comprehensive Zoning or GP Update
 7. Comprehensive restructuring text amendments
 8. Alternative GP land use designations or zoning classifications

- In CACUIDBs:**
1. No GPAS
 2. No Rezoning
 3. RM P Checklist
 4. Collection of City & County Impact Fees
 5. Coordinate to review land use & zoning
 6. Adopt city development standards
 7. Should be continuous with SOI
 8. RVL applies to PSP, PSA, PPA/TMS

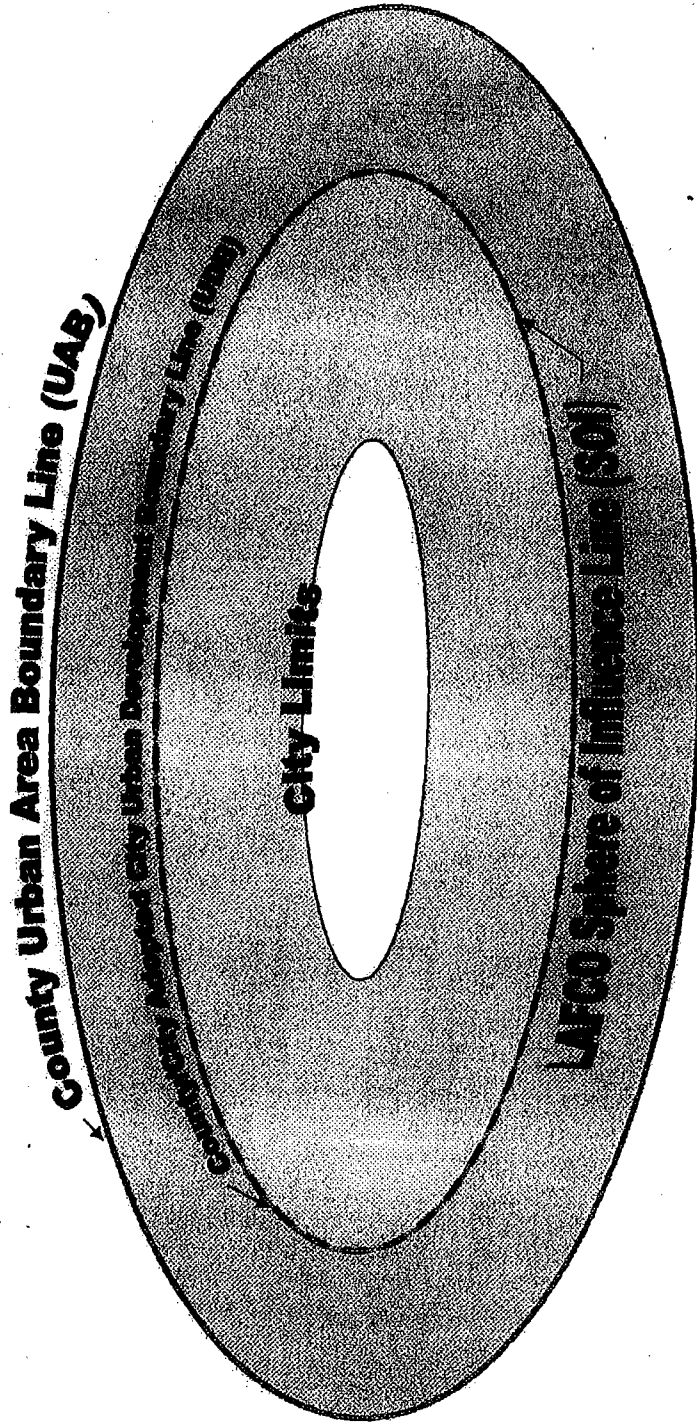
- Overlap-County UDBs:**
1. GPA allowed for establishment of new, change, or amendment of Community UDBs, HDE, Corridor Area Plans.
 2. Boundary Expansions
 3. Allow Land Use & Zoning

- In City Limits:**
1. Collection of City and County Impact Fees

- In SOI:**
1. Refer PSPs to cities for amendments, with set time limits (3/6 months)
 2. Coordinate to propose SOI criteria to LAFCo
 3. Coordinate to propose 50' boundary to LAFCo

- In CACUIDBs:**
1. Coordinate long-range infrastructure (e transportation and utility systems and networks) as shown on city plans
 2. Coordinate to review land use & zoning
 3. Collection of County Impact Fees only
 4. No GP or Zoning Amendment unless it meets RM P Checklist
 5. RVL applies to PSP, PSA, PPA/TMS
 6. PSPs if no other economically viable use of property

Council of Cities Proposal



- In UAB**
- Development can occur on non-agricultural lands as determined by RMLP
 - Development can occur on land currently zoned for non-agricultural use
 - Ag processing facilities can be expanded or re-occupied subject to use permit and City consultation
 - New development to utilize City standards financing mechanisms, and irrevocable consent to annex
 - No "regionally significant projects"
 - Corridor plans Ok but with City consultation
 - County to tighten up exceptions in Ag zones

- In UDB/SOI**
- No County GP amendments or rezoning to non-agricultural uses ("no new entitlements")
 - County to tighten up exceptions in Ag zones
 - No corridor plans
 - No "regionally significant projects"
 - New development can occur on lands currently zoned for non-ag use, subject to City standards financing mechanisms, and irrevocable consent to annex
 - Existing community UDB's that encroach into City UDB's are exempt
 - Re-occupation of ag processing facilities subject to use permit and City consultation (no expansion)

SUMMARY OF COUNCIL OF CITIES DIAGRAM DATED JANUARY 11, 2010

In UAB

This column presents the Council of Cities proposal for regional land use policies in the area between City Urban Area Boundary (UAB) lines (to be designated as City 50-year planning boundaries) and Urban Development Boundary (UDB) lines (to be designated as City 20-year planning boundaries). Discussion of the bullet points in this column follows:

- Development can occur on non-agricultural lands as determined by RVLP. This policy proposal indicates agreement with the County's proposal that development may occur on lands identified by the Board of Supervisors as non-agricultural, as determined through the point evaluation process contained in the Rural Valley Lands Plan.
- Development can occur on land currently zoned for non-agricultural use. This point recognizes that certain unincorporated lands inside City UABs, outside UDBs, are currently zoned by the County for non-agricultural uses (rural residential, for example). The Cities recognize that this existing non-agricultural zoning cannot be practically converted to agricultural zoning. Therefore, the Cities agree with the County that lands zoned for non-ag uses should be able to develop in accordance with existing zoning.
- Ag processing facilities can be expanded or re-occupied subject to use permit and city consultation. The Cities will agree with the County's proposal to allow agricultural processing facilities (packing houses, dehydrators, etc.) to be expanded or, if vacant, re-occupied with similar ag processing uses through the use permit process including written consultation with affected Cities.
- New development to utilize City standards, financing mechanisms, and irrevocable consent to annex. New development that is authorized/approved by the County shall utilize the development standards of the affected City, its financing mechanisms for long term improvement and maintenance (City development impact fees, Landscape and Lighting Maintenance Districts, etc.), and must provide an irrevocable, recorded consent to annex to the City. This policy is intended to provide a seamless annexation and transition of the property into the City in the future.
- No "regionally significant" projects. These types of development projects, as defined in Policy PF-1.2-III in the Draft Tulare County General Plan Update, and in other areas of the document, will be prohibited inside City Urban Area Boundaries.
- Corridor plans OK, but with City consultation. Regional Growth Corridor Plans, as described in Part II, Chapter 2 of the Draft County GPU are permissible within City UABs but outside UDBs, subject to written, meaningful consultation with affected Cities. Corridor plans pursuant to this policy shall not include an "Interim Policy" as described in Policy C-1.6 (Part II, Page 2-2) of the Draft County GPU.

- County to tighten up exceptions in Ag zones. The County and Cities shall collaborate on a process to identify "loopholes" in existing land use and land division regulations in Exclusive Agricultural zones applied within City UABs and UDBs that result in inappropriate uses and ongoing small parcelization. This process would result in County-adopted revisions to its ag zones to eliminate these loopholes.

In UDB/SOI

This column presents the Council of Cities proposal for regional land use policies in the area between an updated City/County adopted Urban Development Boundary, coterminous with a LAFCO adopted Sphere of Influence line (excepting "communities of interest"). As discussed in the Draft Memorandum of Understanding, prior to these policies going into effect, the Cities, County and LAFCO shall work together to update UDB and SOI boundary lines. Discussion of the bullet points in this column follows:

- No County GP amendments or rezoning to non-agricultural uses ("no new entitlements"). This policy proposal is a major component of the Cities position. The Cities propose that the County not allow filing of requests for general plan amendments and/or zone changes for non-agricultural zones or uses within City UDBs/SOIs. This area would remain as a holding zone and in agricultural use pending future annexation to Cities consistent with City general plans.
- County to tighten up exceptions in Ag zones. Same as discussion above.
- No corridor plans. Regional Growth Corridor Plans, as described in Part II, Chapter 2 of the Draft GPU (and in other areas of the document), and any interim corridor plans, shall not be permitted inside City UDBs/SOIs that are inconsistent with the affected city's General Plan.
- No "regionally significant projects". As discussed above, regionally significant projects, as described in Policy PF-1.2-iii of the Draft County GPU, and in other areas of the document, will be prohibited inside City UDBs/SOIs.
- New development can occur on lands currently zoned for non-ag use, subject to City standards, financing mechanisms, and irrevocable consent to annex. Same as in bullets 2 and 4 above under UAB discussion.
- Existing community UABs that encroach into City UDBs are exempt. The Cities recognize that limited situations exist where existing UDBs of unincorporated communities currently encroach into City UABs and UDBs (Goshen is an example). The Cities agree that these existing UDB areas of these unincorporated communities shall be exempt from these provisions.
- Re-occupation of existing ag processing facilities subject to use permit and City consultation (no expansion). The Cities agree that existing ag processing facilities can be re-occupied with similar ag processing facilities subject to issuance of a special use permit by the County. Affected Cities shall be consulted in writing on the re-occupation application. Expansion of ag processing facilities inside City UDBs/SOIs shall be prohibited.

Estimated Annual Property Tax Distribution
North Plaza Drive Industrial Park

	Note 1		Note 2		Note 3		Note 4	
	Current (Frozen)	Revenue	Annexation Rate	Revenue	Land Improvements Rate	Revenue	Build Out Rate	Revenue
County	20.0%	14,400	15.9%	25,848	15.9%	122,679	15.9%	526,539
Fire	4.9%	3,528	0.0%	3,528	0.0%	3,528	0.0%	3,528
Visalia City	0.0%	0	10.2%	7,344	10.2%	69,462	10.2%	328,542
ERAF	22.0%	15,940	22.0%	31,680	22.0%	165,660	22.0%	724,460
All Others	53.1%	38,232	51.9%	75,600	51.9%	391,671	51.9%	1,709,631
Total	100.0%	72,000	100.0%	144,000	100.0%	753,000	100.0%	3,293,000

Note 1: Current Assessed Value (AV) (outside city)
480 gross acres
15,000 per acre
7,200,000 Total AV
72,000 Annual Tax Revenue (rounded)

Note 2: Projected AV upon annexation (inside city)
480 gross acres
30,000 per acre
14,400,000 Total AV
144,000 Annual Tax Revenue (rounded)

Note 3: Projected AV upon land improvements (street improvements per Note 5, including installation of utilities)
480 gross acres
90% conversion to net acres (see Note 5)
432 net acres
174,240 per acre (\$4 per sq ft)
75,271,680 Total AV
753,000 Annual Tax Revenue (rounded)

Note 4: Projected AV upon build out
480 gross acres
90% conversion to net acres (see Note 5)
432 net acres
25% conversion to building pad
108 net acres
3,049,200 per acre (\$70 per sq ft)
329,313,600 Total AV
3,293,000 Annual Tax Revenue (rounded)

Note 5: Conversion to net acres to account for half width street improvements on perimeter of each 160 acre section plus an interior cul-de-sac to service minimum 10 acre parcels
Note 6: Projected annual revenues were computed by freezing the existing tax allocation (Note 1) and then adding the increase due to annexation, improvements and build out using the new allocation %. No inflation assumptions have been incorporated.

POLICY ALTERNATIVES



What is a General Plan?

Every county and city in California is required by state law to prepare and maintain a planning document called a general plan. A general plan is designed to serve as the jurisdiction's "constitution" or "blueprint" for future decisions concerning land use and resource conservation. Decision makers in the county will use the Tulare County General Plan to provide direction when making future land use and public service decisions. All specific plans, subdivisions, public works projects, and zoning decisions made by the County must be consistent with their General Plan.

- Provide a description of current conditions and trends shaping Tulare County;
- Identify planning issues, opportunities, and challenges that should be addressed in the General Plan;
- Explore land use and policy alternatives;
- Ensure that the General Plan addresses the needs of all communities, regardless of size;
- Ensure that the General Plan is current, internally consistent, and easy to use;
- Provide guidance in the planning and evaluation of future land and resource decisions; and
- Provide a vision and framework for the future growth of the Tulare County.

The Tulare County General Plan Update will serve several purposes:

- Provide the public opportunities for meaningful participation in the planning and decision-making process;

General Plan Overview

The General Plan will provide policy direction on a broad range of issues concerning community development and environmental quality. These policy directives will be organized by topic headings (or "elements") as follows:

- Circulation
- Public Facilities and Services
- Safety
- Environmental Resource Management
- Noise

- Land Use and Urban Boundaries
- Scenic Landscapes

Inside

Overview	1
Topical Alternatives	
Envisioning the Future	2
Economic Development	4
Land Use	5
Infrastructure	6
Natural Resources	7
Land Use Alternatives	
Capacity to Grow	8
Tulare Quick Facts	10
Implications of Ag Loss	10
Developing Alternatives	11
Selecting Focus Communities	12
Other Alternatives Considered	12
Stacking up the Alternatives	13
City Centered	14
Transportation Corridors	16
Rural Communities	18
Public Participation	20

The purpose of this report is to solicit input from the Board of Supervisors and Planning Commission on the policy directions and land use alternatives highlighted in this report.



Envisioning the Future - Public Input

Two types of alternatives are presented in this report: topical alternatives and land use alternatives. The topical alternatives addressed in this section were developed based on the key issues ("topics") raised through the public input on the General Plan. The land use alternatives are covered later in this report.

The lists on the left side of the page show the locations of workshops held to date. The flowchart on the bottom of the page gives an overview of the process described below.

The availability of water was also a key issue. There was also concern about the image and economic impacts of the continued conversion of agricultural land to residential development. As in many Central Valley communities, people identified the need to diversify the economic base and provide higher paying year-round employment.

The leading assets identified at workshops featured the county's natural and cultural diversity. Natural and working landscapes (farms) were both linked to an overall quality of life, and also as part of a growing visitor industry. Outstanding farming due to high quality soils was an obvious choice too. The people and communities of the county were put forward as popular assets.

Following the first series of workshops, Workshops 2 and 3 focused on land use alternatives, which are covered later in this report.

From the list of issues and opportunities gathered during Workshop 1, the consulting team, County staff, and the Technical Advisory Committee (TAC) were able to identify 11 topics that were key areas of interest with the public. These 11 "topical issues" were stated in the form of a question and used during Workshop 4 to get public input on the potential solutions or actions that they felt the County should evaluate as part of the General Plan. The 11 topical issues are shown in the text box on the facing page.

During preparation of the General Plan, input from the public will be a vital and ongoing component. There will be five series of community workshops during the development of the General Plan, organized into three steps:

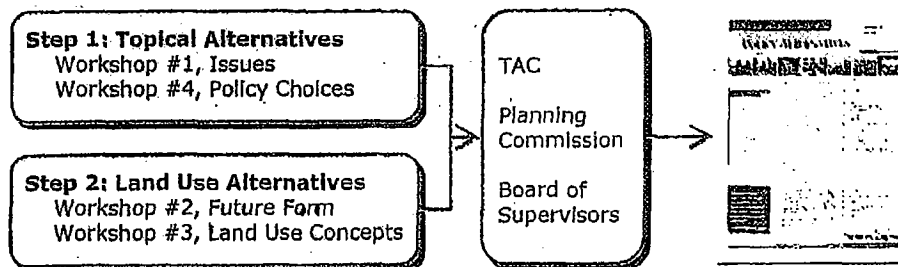
- Step 1. Topical Alternatives
- Step 2. Land Use Alternatives
- Step 3. General Plan Review

Each series of workshops was/will be held in multiple locations throughout the county to ensure everyone has a chance to be involved.

Step #1 relates to "Topical Alternatives." That is, alternatives that address a topic of interest, like economic development. During the first workshop series, the public was asked to identify the key challenges and opportunities that will face the county in the coming years. Generally, all the workshops demonstrated concerns about air and water quality.

Workshop Step #1 Topical Alternatives	
#1	Lindsay Visalia Goshen Visalia EDC Orosi Springville Tipton
#4	Tulare Three Rivers

Workshop Step #2 Land Use Alternatives	
#2	Orosi Pixley Lindsay
#3	Donner Fowlerville Tipton



Workshop Series #1 was used to identify the wide range of opportunities and issues that should be discussed during the preparation of the General Plan. While all input will be used, a majority of the input was found to fall into 11 key issue areas.

For each of the 11 key issues, a question was developed to capture the essence of the public's input. These questions formed the basis of the topical alternatives discussion in this section. The following are the 11 key issues and their related questions.

A. Air Quality. What specific land use and transportation measures should the County undertake to reduce air pollution?

B. Water Supply. What measures can the County take to reduce groundwater overdraft/depletion and improve groundwater quality?

C. Water Quality. What can the County do to ensure an adequate water supply to meet future needs?

D. Education and Training. How can the County encourage higher education and training?

E. Infrastructure. How can the County prevent deterioration of current infrastructure and meet the needs of new development?

F. Economic Diversity. How can the County promote economic diversification?

G. Expanding Tourism. How can the County expand the tourism industry utilizing existing recreational resources?

H. Natural Resources. How can the County meet the needs of a growing population and protect natural resources?

I. Planning Consistency. How can the County achieve greater consistency among plans?

J. Housing for All Incomes. How can the County provide housing opportunities for all income levels?

K. Agriculture. What is the future of agriculture in Tulare County?

L. Land Use. What growth patterns will the County use to accommodate future development?



Topical Alternatives

Based on input from Workshop 4 and subsequent discussions with the Technical Advisory Committee (TAC), Planning Commission, and Board of Supervisors, the 11 topical issues were refined into four key topic areas, and are used to present the Topical Alternatives in this report.

- Economic Development
- Land Use
- Infrastructure
- Natural Resources

The following four pages provide a summary of these four key topic areas. For each one, a summary of the issue is provided. This is followed by two key questions and a series of potential policy responses. The answers to these questions, which were discussed with the TAC and will be discussed with the Planning Commission and Board of Supervisors, will be the basis for the direction taken in preparing the General Plan.





Economic Development

Economic diversity is one of the primary issues in determining the future physical development of Tulare County. Tulare County's economy is primarily driven by three economic sectors: agriculture, food processing, and tourism. Agriculture has been the traditional mainstay of the Tulare County economy. Approximately 29 percent of all jobs in the county are in agriculture, compared to 21 percent of the three-county region consisting of Tulare, Kings, and Kern counties. In 1995 (latest statistics), agriculture and food processing industries comprised 47 percent of the employment in industries considered to be growing, underscoring the importance of these industries throughout the late 1990s.

In addition to the agricultural and food processing industries, the future jobs of Tulare County will most likely diversify, with a focus on durable goods manufacturing, which increased 19 percent between 2000 and 2002, and tourism.

Other areas of potential economic development growth may include:

- Eco-Agrl business opportunities
- Industrial incubator zones
- Commercial / Industrial development along Highway 99
- Historical sites / scenic highway program

The structure of a community's economy plays an important role in the physical development of a planning area and the stability of the local tax base.

Economic Focus

To what extent should the County rely on traditional agriculture in its economic future versus diversifying the county's economy?

- Strive to maintain agriculture's role in the economy
- Increase agriculture's role in the economy by diversifying value-added agricultural products
- Transportation-oriented industries (i.e., distribution and advanced logistics centers)
- Pursue/develop alternative employment generators (agri-, eco-, national parks-tourism) in unincorporated communities. Expand cooperative marketing efforts with Sequoia National Park/Sequoia National Monument
- Establish business incubators for small business and food processing enterprise
- Make broadband/high speed internet service available throughout the county

Agricultural Sector

What new measures should the County adopt to foster greater productivity in the agricultural sector?

- Utilize higher density standards for development to preserve agriculture
- Restrict urban development outside of Urban Area Boundaries (UABs)/ Urban Development Boundaries (UDBs) to protect prime agricultural lands
- Continue to promote and pursue the development/expansion of confined animal operations (additional dairies/processing)
- Pursue/develop additional/specialty (wine/export) value-added agricultural products
- Pursue agricultural related energy industries (ethanol production)

Land Use



Tulare County has grown by over 122,000 in the past 20 years (1980 through 2000) and is predicted to grow by over 58 percent by 2030 (estimated 2030 population 630,000). Past County growth policies and market forces have directed much of this growth in and immediately around incorporated cities. As of 2000, 61.6 percent of the county population lived in an incorporated city, with another 8.6 percent living within an Urban Area Boundary surrounding the cities. The remaining 29.8 percent of the population was split between unincorporated communities (15.3 percent) and other unincorporated areas (14.5 percent). The General Plan will play a big role in determining future direction (mix of growth in cities and unincorporated communities).

The County will play a role in determining the level of revitalization that occurs in existing communities, economic development efforts, infrastructure improvements, and a concerted effort between community members and County officials/staff to address social issues. Other key facts to consider in determining future land use patterns:

- 38 percent of housing in unincorporated areas are classified as deteriorated or dilapidated.
- There is significant pressure for development of the Highway 99 corridor.
- In 2000, Tulare County had the third highest unemployment rate in CA.

Where to Grow

How much of the future growth (residential, retail and employment) should the County direct to incorporated cities versus unincorporated County?

- Continue with the current population split between city urban areas and unincorporated communities
- Direct more population growth toward unincorporated communities
- Direct more population growth toward city urban areas
- Identify existing communities to support incorporation and growth
- Encourage development in existing UDBs until additional land is required
- Begin active review of strategic non-renewals of Williamson Act contracts in UDBs to support projected growth
- Limit the range of non-agricultural uses in the areas designated/zoned for agriculture

New Towns

Should the County support new town proposals?

The following are mutually exclusive (i.e., only one can be chosen)

- No, consolidate growth within existing urban growth areas to preserve agricultural land
- Yes, but the General Plan needs to identify parameters (i.e., criteria, measurements, etc.) of growth, such as location, land use mix, etc.
- Yes, define areas for new town growth (defined UAB)
- Maybe, consider them on a case-by-case basis

Today Tulare County is composed of mostly open space (52.2%) and agriculture (43.5%).

What is the future land use composition of Tulare County?



Infrastructure

Domestic water and sewer systems in the unincorporated areas of Tulare County are generally small isolated systems providing service to individual communities. Many of these communities do not have adequate infrastructure (parks, water, sewer, streets, etc.) to support anticipated population growth. In most unincorporated communities, inadequate and outdated water supply and sewer systems continue to require repairs while increasing water quality problems underscore the need for updated treatment facilities. In addition, infrastructure improvement financing is limited, limiting the repair and upgrade to these systems. If the county is to continue to grow and add population in any of its unincorporated communities and move towards economic diversity, ade-

quate infrastructure is needed to maintain and enhance the quality of life for county residents.

Other interesting issues that may impact infrastructure upgrades and improvements include:

- Total vehicle miles projected to increase from 9.9 million VMT to 17.1 VMT between 2005 and 2030
- Federal funding may be withheld if clean air efforts are unsuccessful
- Automobiles are projected to remain as the primary transportation mode

The development and quality of life for Tulare County is dependant on the availability of adequate infrastructure.

Directed Infrastructure

Where should infrastructure investments be directed to obtain the greatest pay-off in terms of economic development and improving the quality of life for residents of the unincorporated county?

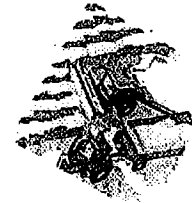
- Direct Infrastructure Investments in the communities with the greatest need
- Direct Infrastructure Investments in the communities with the greatest economic potential
- Direct Infrastructure Investments in the communities with redevelopment areas
- Consolidate service districts
- Ensure that sufficient water/wastewater treatment is available for unincorporated communities prior to directing additional growth to them
- Change emphasis on roadway maintenance
- Partner with surrounding incorporated areas to build off their infrastructure backbone

Financing Infrastructure

How should new / upgraded infrastructure be financed?

- Continue to pursue State and Federal financing for water and sewer systems and road improvements
- Implement Development Impact Fees which require new development/developers (residential/commercial/Industrial) to finance water and sewer systems and roadway improvements
- Develop funding mechanisms for future water and sewer systems and roadway maintenance
- Sales tax Increase for repair/construction (provide project specific to gain voter support)
- Develop Assessment Districts for maintenance
- Partner with surrounding incorporated areas to build off their infrastructure backbone

Natural Resources



Tulare County sits in the southern portion of the San Joaquin Valley, where water resources are limited and air quality is declining in quality. Groundwater levels are continuing to drop in portions of the county as usage increases. In some communities in the county, increased water quality issues are also noted.

county residents with asthma and other related diseases.

Both water and air must be addressed as natural resources and be maintained and protected if the county is to continue to grow and provide its residents with adequate and clean water and air.

Poor air quality in Tulare County is primarily the result of vehicle emissions and agricultural related emissions. The quality of air impacts not only the health of county residents, but also the visual beauty of the county. Since 1990, air quality has improved, likely due to increased vehicle emission controls, but poor air quality continues to affect

Water Resources

What can Tulare County do to better manage its water resources?

- Support increased utilization of surface water sources, water import.
- Increase groundwater recharge programs
- Meter (price) urban water to manage use
- Implement conservation options by water use type (i.e., landscaping use)
- Protect riparian habitats/waterways
- Upgrade water treatment facilities, encourage recycling/reduction
- Address water contamination sources
- Consolidate single user wells into community service districts (with management plans) when feasible
- Prepare a water export ordinance

Air Quality

What can Tulare County do to improve air quality beyond what is already required by the SJVAPCD?

- Use low emission vehicles for County use
- Encourage the use of low emission vehicles in industry
- Encourage/pursue alternative agriculture practices for the storage/treatment of confined animal operation byproducts
- Develop/promote the use of transit (and alternative transportation), including land use designs that support transit
- Encourage employers to locate in communities to be closer to residential uses and transit services
- Encourage federal agencies to comply with California air quality regulations
- Encourage a high-speed rail stop in Tulare County

Many people see the natural beauty and rural nature of the County as a key to it's quality of life.

Capacity to Grow

The table on the next page shows a breakdown of county population by unincorporated communities and incorporated cities as of 2000. The table also shows the projected population capacity of each community and city based on adopted land use plans and other assumed development patterns as explained in below.

The General Plan Consulting Team conducted an analysis of the remaining residential holding capacity by assessing adopted plans for the communities and the cities. The analysis was organized geographically according to Urban Area Boundaries (UABs), the County adopted ultimate growth boundary for a city or community or Urban Development Boundaries (UDBs), the County adopted 20 year growth boundary.

The first step was assessing available land. This was calculated by measuring the amount of vacant, underutilized residential land, and agricultural land within the UAB/UDB area. Next, where there was an adopted land use plan, the consultants made assumptions on typical residential densities that could be expected based on the density range stated in the adopted plan. In portions of the UAB/UDB where there wasn't an adopted land use plan, the consultants calculated build out based on a set of assumptions, which included the following.

- 90% percent of available land was assumed developable (for Three Rivers, only 10 percent was assumed for development)
- 18% of land was assumed to be used for non-residential uses (commercial, industrial, public, open space)

- 82% was assumed to develop for residential uses. Residential uses were distributed as follows:

- 25% Very Low Density (1 unit/acre)
- 35% Low-Medium Density (4 units/acre)
- 25% Medium Density (7 units/acre)
- 10% Medium-High Density (12 units/acre)
- 5% High Density (20 units/acre)

Based on these assumptions, the analysis showed that the county could hold an additional 950,000 people without designating more land for residential use. The table on the next page shows the estimated remaining population for each area. The three communities with the most available land for development are Cutler-Orosi, Earlimart, and Pixley. The three largest cities in the county - Visalia, Porterville, and Tulare - also have the greatest amount of available land for residential development.

As a basis for assessing available capacity, the three conceptual land use scenarios developed earlier in the program were analyzed. The analysis found that the cities had more than enough capacity to meet future growth in each alternative scenario. The unincorporated communities could meet assumed growth in the City Centered scenario, but some could not in the Community Oriented or Proportional Growth scenarios. However, in all alternative scenarios, the collective available land within the communities was more than enough to meet the assumed growth for non-city development.

As a starting point in looking towards future growth, the capacity of the designated urban growth areas was assessed.

In Tulare County today, there are 20 adopted land use plans:

- 5 Regional Plans
- 14 Community Plans
- 8 City General Plans

The County uses two key terms when defining areas for future growth around existing unincorporated communities and the incorporated cities. **Urban Development Boundary (UDB)** represents the area the County designated as a 20 year growth boundary. The **Urban Area Boundary (UAB)** represents the area designated by the County as an ultimate growth boundary for a city or community.

Capacity within Tulare County*

	2000 City Limits Population	2000 UAB/ UDB Population	Percent of Total	Remaining Capacity	2000 Pop + Capacity
Alpaugh		761	0.2%	721	1,482
Cutler-Orosi		11,809	3.2%	26,753	38,562
Ducor		504	0.1%	4,992	5,496
Earlimart		6,583	1.8%	16,981	23,564
East Orosi		426	0.1%	1,468	1,894
East Porterville		6,730	1.8%	7,358	14,088
Goshen		2,394	0.7%	1,038	3,432
Ivanhoe		4,474	1.2%	4,375	8,849
Lemon Cove		298	0.1%	2,913	3,211
London		1,848	0.5%	4,136	5,984
Pixley		2,586	0.7%	12,114	14,700
Poplar		1,496	0.4%	6,023	7,519
Richgrove		2,723	0.7%	62	2,785
Springville		1,109	0.3%	1,422	2,531
Strathmore		2,584	0.7%	5,416	8,000
Terra Bella		3,466	0.9%	7,221	10,687
Three Rivers		2,248	0.6%	9,889	12,137
Tipton		1,790	0.5%	5,111	6,901
Traver		732	0.2%	1,285	2,017
Woodville		1,678	0.5%	5,083	6,761
Community Subtotal		56,239	15.3%	124,360	180,599
Dinuba UAB	16,844	18,582	5.0%	60,103	78,685
Exeter UAB	9,168	9,963	2.7%	36,055	46,018
Farmersville UAB	8,737	9,910	2.7%	24,269	34,179
Lindsay UAB	10,297	12,629	3.4%	78,080	90,709
Porterville UAB	39,615	51,268	13.9%	128,169	179,437
Tulare UAB	43,994	48,585	13.2%	106,906	155,491
Visalia UAB	91,565	100,178	27.2%	339,968	440,146
Woodlake UAB	6,651	7,348	2.0%	52,963	60,311
City UAB Subtotal	226,871	258,463	70.2%	826,514	1,084,977
Other Unincorporated		53,319	14.5%	--	
TOTAL	226,871	368,021	100.0%	950,873	1,265,575

* Based on existing land use designations in adopted plans.

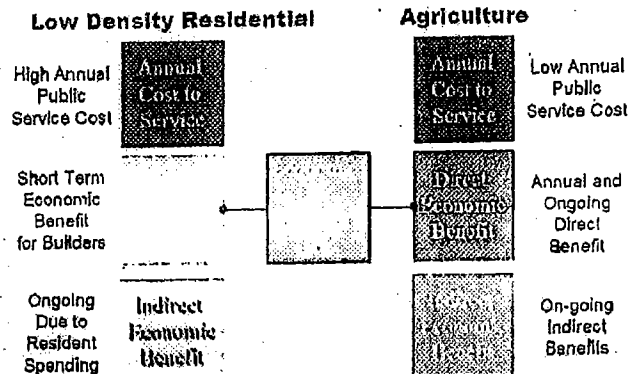
Population (2000):	368,021
Unincorporated Pop:	38.2%
Growth (1980-2000):	50%
Unemployment (2000):	8.1%
Non-farm Labor (2000):	76.1%
Avg. Wage (2000):	\$25,317
Below Poverty (1999):	25.9%
Per Capita Property Tax:	\$79.54
Per Capita Debt Service:	\$60.89

- A high percentage of population lives in unincorporated areas compared to peer counties
- The per capita debt for Tulare County, compared to peer counties, is relatively higher (4th highest in CA based on fiscal year 1999-2000)
- Tulare County consistently ranks first or second in agricultural revenues (currently about \$4 billion/year)
- Tulare County has a lower percentage of financing coming from property taxes than peer counties (47th in CA based on fiscal year 1999-2000)
- Southern San Joaquin Valley has the highest percent of farming employment (17%). California as a whole is 2.5%.

Implications of Agriculture Loss

- Much of the fiscal gain for local communities from urban development is short-run, generated by initial development and construction activities. In the long run, it is far more costly for local governments to provide public services and facilities to urban areas than to agricultural areas.
- Opportunities for turning rural land into residential and other urban uses are generally confined to the fringes of expanding cities and other urban areas, mainly because few farmland owners actually have the immediate or foreseeable opportunity to sell, simply because their parcels are not in the right place, as dictated by local land markets and city/county growth policies.
- Large-scale farmland conversions that reduce the production of certain commodities could affect local and even international food markets. For example, if a large share of California's dairy, almond, avocado, or artichoke land was converted, regional and national market prices would be significantly affected.
- Communities and regions generally gain in overall economic terms when farmland conversions occur through economic diversification, new jobs, and higher incomes.
- To the extent that farmland provides aesthetic or other non-market values to urban and suburban residents, it becomes a socially valuable public good, having value

Agricultural land provides open space, environmental, and social amenities to a community.



2001 AFT/National Study
 • Each \$1.00 in residential economic benefit costs \$1.16, a net loss
 • Each \$1.00 agricultural economic benefit costs only \$0.35, a net gain

Developing Land Use Alternatives

The land use alternatives described in this report were developed through a process that involved input from the public and technical comments from County staff and the TAC. The initial set of conceptual land use scenarios, presented in the December 2004 newsletter, were developed based on input from Community Workshop Series 2. These scenarios included three land use concepts: City Centered Growth, Community Oriented Growth, and Proportional Growth. The City Centered Scenario focused growth in the cities, while the Community Oriented Growth focused more growth in the unincorporated communities. The Proportional Growth distributed growth among all cities and unincorporated communities based on their 2000 population distribution.

The land use concepts were presented for review by the TAC, Planning Commission, and Board of Supervisors. Based on input from the TAC and comments from the Planning Commission and Board of Supervisors, the land use concepts were redefined, resulting in the land use alternatives described in this report. The City Centered alternative is essentially the same as the City Centered land use concept with a slightly higher percentage of population directed to cities (80/20 percent versus 75/25 percent). The original Community Oriented concept was refined into two new alternatives,

the first focusing on communities with State highway accessibility and the second focusing on communities with institutional and financial capacity. The Proportional Growth concept was not carried forward as an alternative.

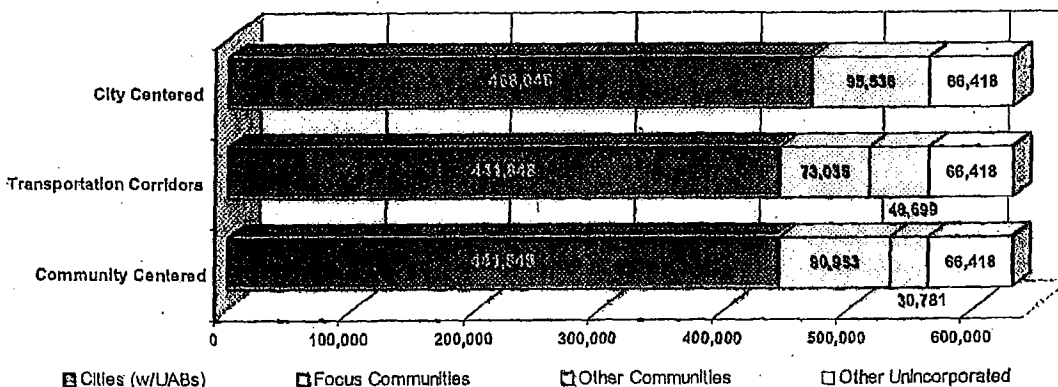
The three land use alternatives presented in this report are still conceptual in nature. Their purpose is to illustrate three alternative scenarios for future growth in order to frame a discussion with the public, TAC, Planning Commission, and Board of Supervisors concerning the preferred pattern of future growth. This preferred concept may be one of the three concepts presented in this report or it may be a hybrid that combines features of two or more alternatives. The preferred concept developed during the review of this report will serve as the basis for the development of the General Plan and associated environmental impact report (EIR).

The chart below provides a comparison of the three alternatives. The pie charts on the next page provide pie charts that better illustrate each alternative.

For each alternative, the pie chart on the left side shows the assumed distribution of future population. The pie chart on the right side shows the distribution of population in 2030 when current and future population is combined.

For each alternative, the population target was held constant. Each alternative will have a population of about 630,000 persons by the year 2030 (a growth of about 262,000 persons).

Comparative Summary of Alternatives



Selecting Focus Communities for Community Centered Alternatives

	SR 99/65	RDA	Water	Sewer
Alpaugh	.	.	n/a	Septic
Cutler-Orosi	.	◆	○	○
Ducor	◆	◆	n/a	Septic
Earlhart	◆	◆	●	●
East Orosi	.	.	n/a	○
East Porterville	.	.	●	n/a
Goshen	◆	◆	n/a	●
Ivanhoe	.	◆	●	●
Lemon Cove	.	.	n/a	n/a
London	.	.	n/a	●
Pixley	◆	◆	●	○
Poplar	.	◆	●	●
Richgrove	.	◆	○	○
Springville	.	.	●	○
Strathmore	◆	.	n/a	●
Terra Bella	◆	◆	n/a	○
Three Rivers	.	.	●	Septic
Tipton	◆	◆	●	●
Traver	◆	◆	n/a	○
Woodville	.	.	●	●

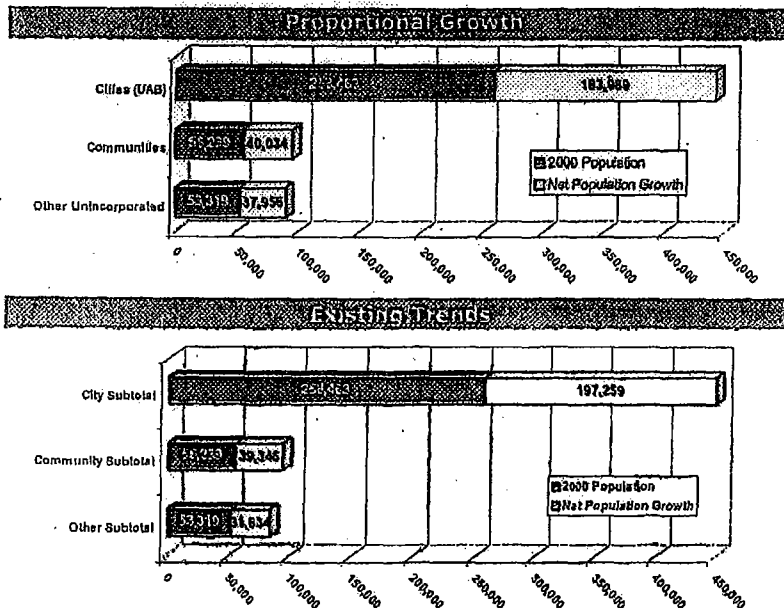
The two community centered alternatives (Transportation Corridors Alternative and Rural Communities Alternative) are based on the premise that some communities will grow faster in the future based on their locations or capabilities to handle growth (the two alternatives are described in more detail on pages 16 - 19).

For the **Transportation Corridors Alternative**, communities adjacent to either State Routes 65 or 99 were selected to take on a greater share of the growth projected for the communities. For the **Rural Communities Alternative**, communities with established or pending Redevelopment Project Area (RPA) were selected to handle additional growth. The availability of an RPA was seen as a tool to assist in preparing the communities to support the growth.

A third item that was not used at this time was the capacity of water and sewer systems. This information is presented here as an informational item.

◆	Meets Criteria
●	Remaining Capacity
○	At or Over Capacity
n/a	Not Available

Other Alternatives Considered



During development of the land use alternatives, two additional alternatives were discussed and determined to not be viable for continued evaluation (see charts to the left).

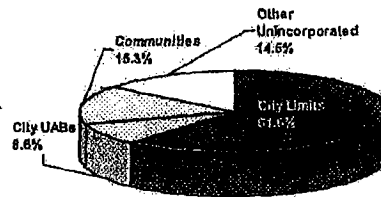
Proportional Growth. The Proportional Growth Alternative looked at the total county population and the population for each city, community, and rural unincorporated area within the county. The ratio of existing population to the total county population was held constant (i.e., the cities and communities will maintain the same percentage of the total population in the future).

Existing Trends. The TAC requested a look at continuing the growth rate projections for the population distribution if the county continued to grow as it did from 1990 through 2000.

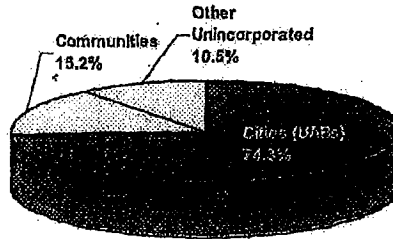
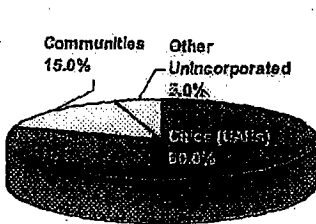
Based on the alternatives described, how do they compare? The pie charts on this page are designed to provide an easy comparison of the growth distribution assumed by the model (percent in cities, in communities, and in other unincorporated areas) and the resulting distribution of population in 2030.

For each alternative, the left pie chart shows the assumed distribution of future population. The right pie chart shows the distribution of population in 2030 when current and future population is combined.

Existing Population Distribution

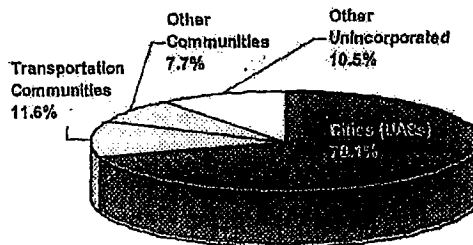
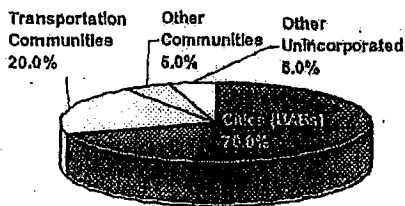


City Centered Alternative

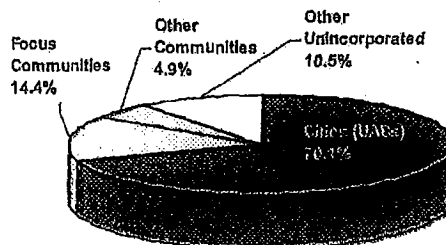
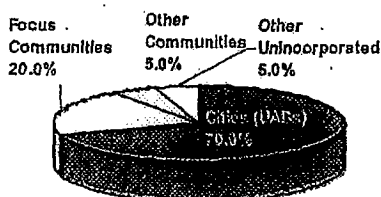


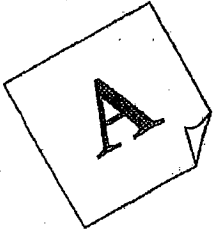
In the City Centered Alternative, if it was assumed that the cities in Tulare County would account for 20% of new growth, they would reach 78.5% of the total population in 2030.

Transportation Corridors Alternative



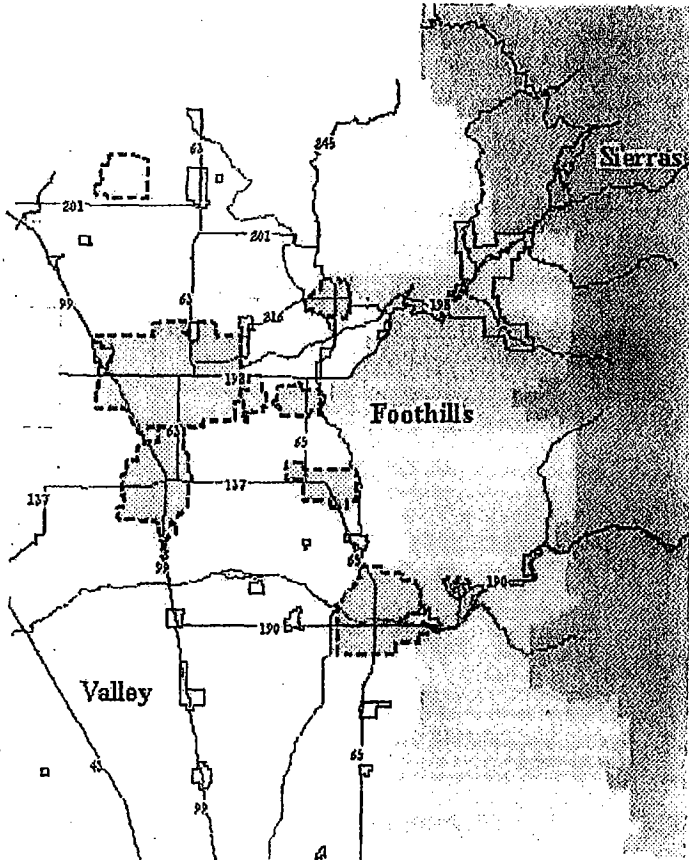
Rural Communities Alternative





City Centered Alternative

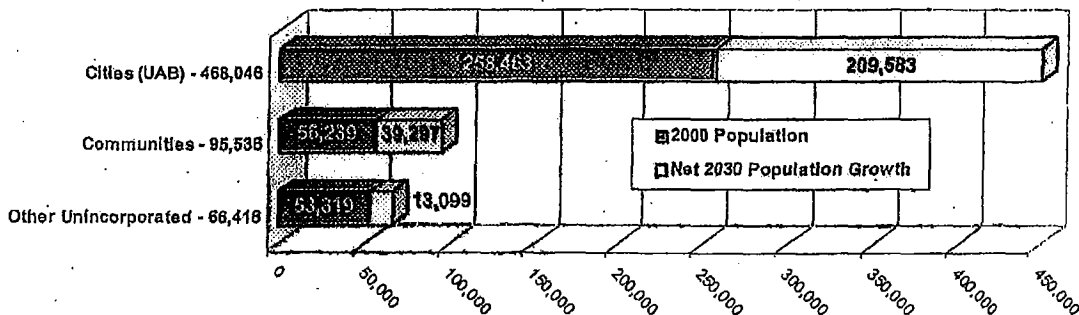
The City Centered Alternative assumes that cities will accept additional population by increasing the density and developing contiguous land in and around incorporated cities. The cities will also continue to provide sites for urban commercial services and industry. This approach would not ignore the needs of unincorporated communities, and would look at policy solutions to address housing, services, and infrastructure needs to meet future growth.



Key advantages for this scenario include protecting agricultural land and maintaining the rural character of the county. It also can be more readily supported by a regional transit system. The distribution of future growth under the City Centered Alternative is as follows:

The City Centered Alternative emphasizes growth in the eight incorporated cities of Tulare County: Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake.

- 15 percent of new population is directed to 20 unincorporated communities. The 15 percent allocated to communities is based on each community's percentage share of total community UAB/UDB population in 2000.
- 80 percent of new population growth is directed to incorporated cities. This 80 percent is allocated to cities based on each city's percentage share of total city UAB population in 2000.
- 5 percent of new population is directed to other unincorporated areas (rural areas).



Economic Development

- Concentrates new commercial development in cities where the population is concentrated.
- Concentrates new employment growth in cities where there is infrastructure and a workforce.
- County residents continue to drive to cities for major shopping, services, and jobs. Continued limited growth of these communities is envisioned.
- Strengthens the competitive position of the larger cities and promotes economic diversification.
- Provides for only limited job growth in unincorporated communities.

Land Use

- Growth can be accommodated within existing city UABs and community UABs/UDBs.
- Results in substantial agricultural land conversion within city UABs.
- Reduces the encroachment of low density rural residential development on agricultural lands, foothills, and Sierra gateway communities.

Infrastructure

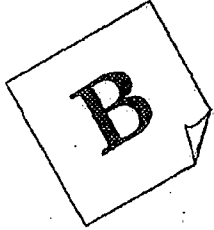
- Takes advantage of the existing well-developed infrastructure systems of the cities.
- Requires only modest infrastructure improvements in unincorporated communities.
- May limit ability of some communities to upgrade infrastructure due to insufficient growth to finance improvements.

Natural Resources

- Results in lower air pollution emissions due to less travel between communities, but County residents continue to travel to the cities for shopping, services, and jobs.
- Concentrates growth on cities with well established water/wastewater systems.
- Higher density in cities may reduce overall pressure on prime agricultural land conversion.
- Begin active review of strategic non-renewals of Williamson Act contracts in UDBs to support projected growth.

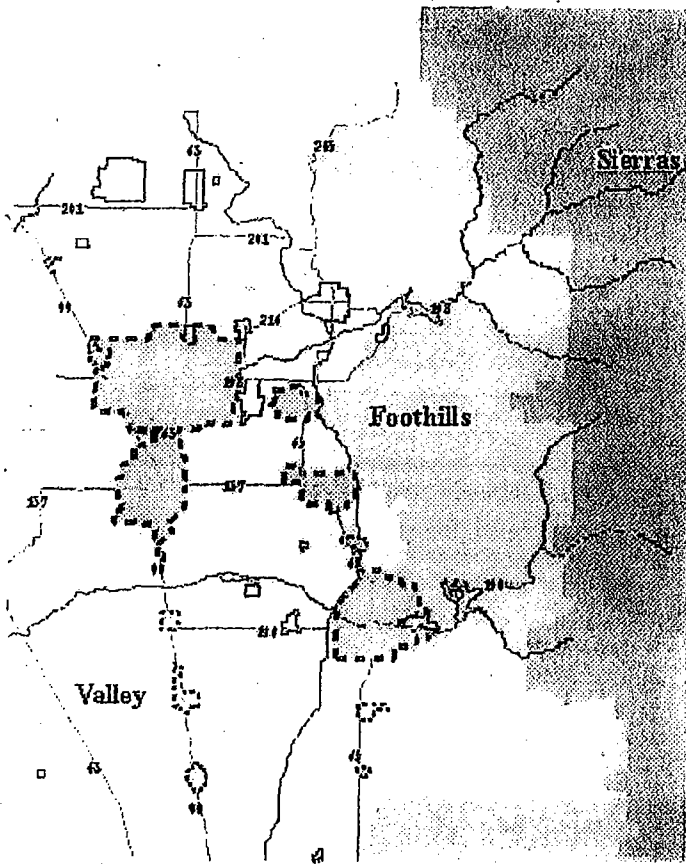
Policy Commitments

- Cities accept significant growth and accommodate it through infill development, higher densities, and transportation infrastructure.
- County limits rural residential development.
- County continues to improve quality of life and services in unincorporated communities but does not make growth inducing infrastructure improvements.
- County limits commercial development to local serving in unincorporated communities.
- County continues to focus on facilitating/managing agricultural development.
- County and cities need to evaluate revenue-sharing agreement.



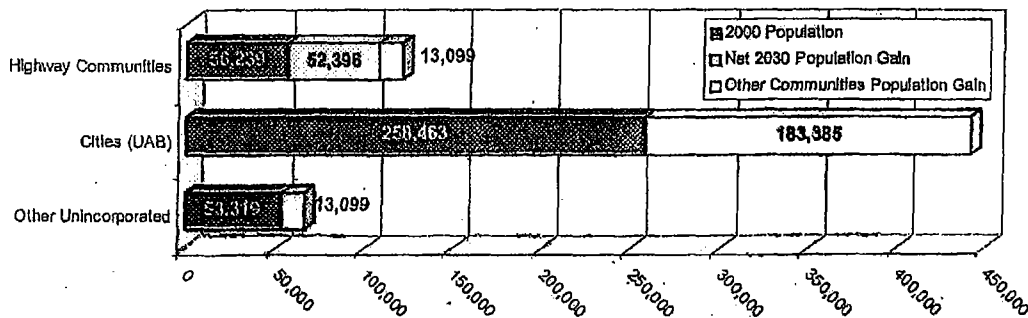
Transportation Corridors Alternative


The Transportation Corridors Alternative assumes that cities and communities along Highways 99 and 65, will accept additional population by increasing the density and developing contiguous land within their UDB or UAB. These communities and cities would also continue to provide sites for urban commercial services and industry. This approach would not ignore the needs of other unincorporated communities. Better housing, services, and infrastructure would be developed for rural communities to adequately meet the needs of future growth.



Key advantages for this scenario include the utilization of existing transportation routes and maintaining the rural character of the county. The Transportation Corridors Alternative emphasizes growth in the cities and unincorporated communities along the Highway 99 and Highway 65 corridors. The distribution of future growth under this alternative is as follows:


- 25 percent of new population is directed to the county's 20 unincorporated communities. Of this amount, 80 percent is allocated to the eight communities located on Highways 99 and 65. The population in each community is based on each community's percentage share of the UAB/UDB population for those eight communities in 2000. These eight communities are Ducor, Earllmart, Goshen, Pixley, Strathmore, Terra Bella, Tipton, and Traver. The other 20 percent is allocated to the other 12 unincorporated communities based on each community's share of the total UAB/UDB population of those 12 communities in 2000.
- 70 percent of new population growth is directed to incorporated cities. This 70 percent is allocated to each city based on each city's percentage share of the total city UAB population in 2000.
- 5 percent of new population directed to other unincorporated areas (rural areas).






Economic Development

- Results in the need for more commercial development in the unincorporated communities to serve the larger populations.
- Provides for job growth in unincorporated communities.




Land Use

- Results in conversion of more prime agricultural land along Highway 99 and 65 corridors.
- Requires the expansion of UABs/UDBs in Goshen, Richgrove, Strathmore, Terra Bella, Tipton, and Traver.
- Requires the adoption or update of community plans in the eight transportation corridor communities.



Infrastructure

- Takes advantage of existing highways, but will drive the need for improvements.
- Takes advantage of existing water or sewer capacity in the communities of Earlismart, Goshen, Pixley, and Tipton.
- Would require significant infrastructure investment in Ducor, Strathmore, Terra Bella, and Traver.
- Continues to utilize existing infrastructure in cities.

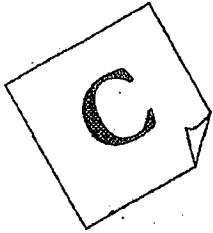


Natural Resources

- Results in higher air pollution emissions due to more travel between communities.
- Lower density in communities may increase overall pressure on prime agricultural land conversion.
- Begin active review of strategic non-renewals of Williamson Act contracts in UDBs to support projected growth.

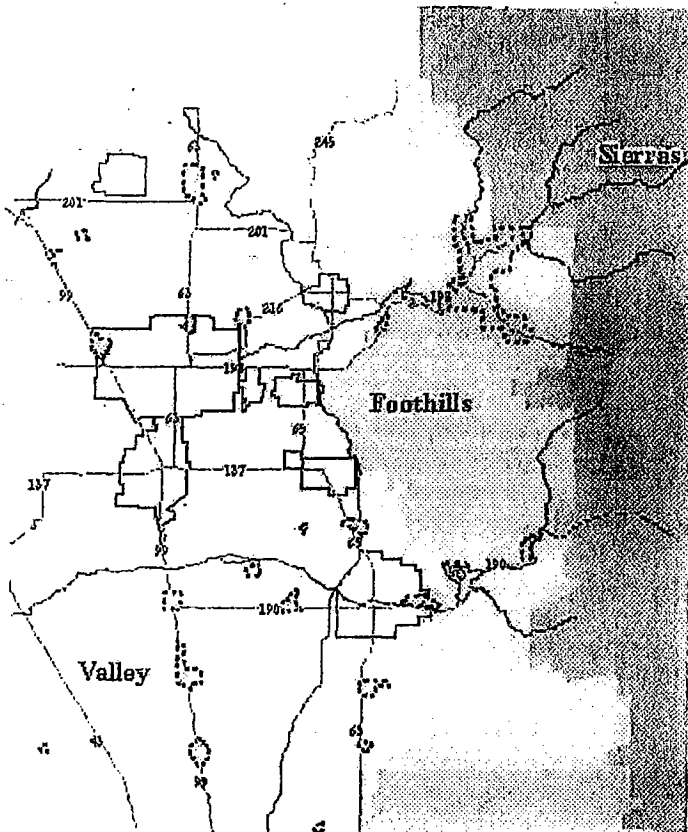
Policy Commitments

- County limits rural residential development and concentrates unincorporated growth in communities.
- County commits to providing higher levels of services in eight transportation corridor communities.
- County provides for more commercial development in unincorporated communities.
- County provides for more job growth in unincorporated communities.



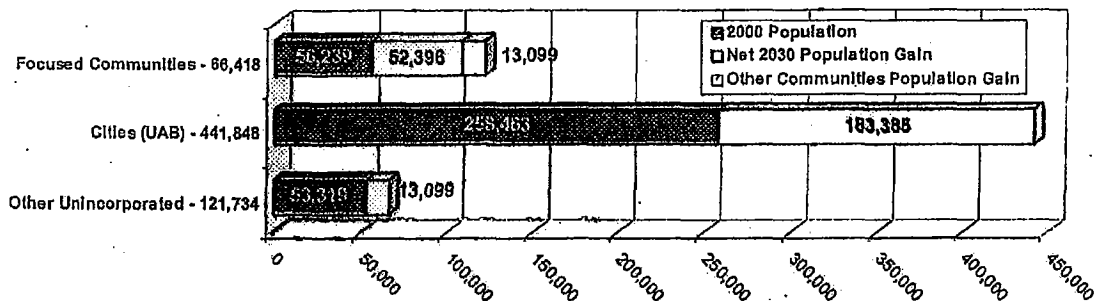
Rural Communities Alternative


The Rural Communities Alternative emphasizes growth in the eleven unincorporated communities that have or are expected to soon have an adopted Redevelopment Project Area (RPA) and Community Plan. Key advantages for this scenario include the utilization of existing infrastructure, services, and community cooperation while protecting agricultural lands and maintaining the rural character of the county. It also can be more readily supported by existing infrastructure, roadways, and community cooperation.



The distribution of future growth under this alternative is as follows:


- 25 percent of new population is directed to the 20 unincorporated communities. Of this amount, 80 percent is targeted to the eleven unincorporated communities that have an adopted, or are expected to soon have adopted, a RPA and Community Plan. Distribution of new population is based on each community's share of total UAB/UDB population of the eleven communities in 2000. The eleven communities are Cultier-Orosi, Ducor, Earllmart, Goshen, Ivanhoe, Pixley, Poplar, Richgrove, Terra Bella, Tipton, and Traver. The other 20 percent is allocated to the other nine communities based on each community's percentage share of total UAB/UDB population of those nine communities in 2000.
- 70 percent of new population growth is directed to incorporated cities. This 70 percent is allocated to cities based on each city's percentage share of total city UAB population in 2000.
- 5 percent of new population is directed to other unincorporated areas (rural areas).






Economic Development

- Results in the need for more commercial development in the unincorporated communities to serve the larger populations.
- Provides for job growth in unincorporated communities.
- Uses future financing capacity of unincorporated communities with Redevelopment Project Areas.




Land Use

- Results in conversion of more prime agricultural land around the eleven unincorporated communities.
- Requires the expansion of UABs/UDBs in Goshen, Ivanhoe, and Richgrove.



Infrastructure

- Takes advantage of existing water or sewer capacity in Earlsmart, Goshen, Ivanhoe, Pixly, and Poplar.
- Would require significant infrastructure investment in Cutler-Orosi, Ducor, Richgrove, Terra Bella, and Traver.
- Continues to utilize existing infrastructure in cities.



Natural Resources

- Results in higher air pollution emissions due to more travel between communities.
- Lower density in communities may increase overall pressure on prime agricultural land conversion.
- Begin active review of strategic non-renewals of Williamson Act contracts in UDBs to support projected growth.

Policy Commitments

- County limits rural residential development and concentrates unincorporated growth in communities.
- County commits to providing significant infrastructure improvements in the eleven communities with redevelopment agencies and plans.
- Unincorporated communities provide for more commercial development.
- County provides for more job growth in unincorporated communities.



Tulare County General Plan
Theresa Szymanski, AICP
Countywide Planning Manager
5961 S. Mooney Blvd.
Visalia, CA 93277
Phone: (559) 733-6291 x-4201
Fax: (559) 730-2653
Tszymanski@co.tulare.ca.us

Public Involvement in the General Plan

Website www.co.tulare.ca.us
From the County's website, a link to the General Plan can be found under the "Quality of Life" heading. The General Plan website contains schedules for future meetings and provides a location to download documents prepared during the project.

Newsletters
During the General Plan Update, a series of newsletters will be prepared to provide an overview of the progress being made and the direction of the work.

Community Workshops
A number of community workshops will be held to gain input on issues and opportunities, alternative futures, and the General Plan documents. Dates will be posted on the website when they are available.

Technical Advisory Committee (TAC)
The County has set up an advisory committee to help in the development of the General Plan. This advisory committee, the TAC, is designed to be a work with County staff and the General Plan consulting team on refining the plan. While not a decision making body, the TACs input is vital to preparing a plan that will work for the County. These meetings are open to the public.

Workshops / Hearings
Workshops will be held with the Planning Commission and the Board of Supervisors throughout the development of the General Plan. At the end of the process, formal public hearings will also be held to consider the General Plan and environmental impact report.

City of Visalia

707 West Acequia, Visalia, CA 93291



Office of the Mayor

Tel: (559) 713-4313 Fax: (559) 713-4800

August 10, 2005

Tulare County Board of Supervisors
Administration Building
2800 West Burrel
Visalia CA 93291-5482

Subject: Tulare County General Plan Update

The City of Visalia has been closely following the progress of the Tulare County General Plan Update. We understand that on August 16, 2005, the Board of Supervisors will be asked to consider adopting a preferred "Growth Alternative" which will constitute a county-wide planning strategy around which growth policies and land use designations for the General Plan Update will be prepared. This decision will significantly impact how and where future growth occurs in Tulare County and have profound effects on future economic, agricultural, social and environmental conditions that will eventually exist in our cities, rural communities, and the county as a whole. It is essential that we understand the magnitude of this critical decision, in that the county will likely not undertake another General Plan Update for several decades. For these reasons, the City is compelled to offer a recommendation on a growth alternative that we believe will maintain the agricultural base of the county, create the most beneficial land use patterns, socio-economic conditions, and environmental conditions for Tulare County and its cities, unincorporated communities and rural areas.

Bob Link
Mayor

Jesus Gamboa
Vice Mayor

Walter Delsler
Councilmember

Greg Kirkpatrick
Councilmember

Don Landers
Councilmember

Recommendations of the City of Visalia:

County staff and consultants have presented a City Centered Growth Alternative that, if adopted by the Board, would direct 80% of future population growth to City Urban Area Boundaries (both incorporated and unincorporated lands), and 20% to rural communities. This recommendation is a good start, but does not go far enough to be truly effective. The City of Visalia recommends the following:

- The City of Visalia strongly recommends that the Board continue this item and develop a hybrid to the City Centered Growth Alternative for the General Plan Update. Instead of directing only 80% of future growth to the cities as proposed in the City Centered Alternative, the City of Visalia recommends a "Hybrid City Growth Alternative" that would allocate 90% of future population growth to the cities with such development to occur inside city limits only.
- If growth is to be directed primarily to cities, the fiscal impacts to the county must be addressed. Therefore, the City recommends that the Board



authorize the County Administrative Officer to meet with the City Managers to initiate discussions regarding a potential agreement for sharing sales and property tax revenue between the cities and the county. A tax sharing agreement would apply to future annexations to the cities for new development.

- A potential revenue sharing agreement would also consider measures for providing city services to developed county areas adjacent to the cities. This would allow consideration of cities providing urban services to developed county lands in and around incorporated city limits.
- To prevent further proposals for inefficient rural residential developments on county lands within city UABs, the agreements would include provisions for the reclassification of rural residential zoning on unincorporated lands to zone categories that will defer development controls to the cities.

Discussion:

County staff and the team of consultants working on the update have developed several possible growth alternatives that have been discussed in community meetings, Board and Planning Commission sessions, and Technical Advisory Committee (TAC) meetings. Of these alternatives, the Visalia has concluded that a "City Centered Growth Alternative" has merit. It is appropriate to distribute the majority of future growth to the cities based on our ability to effectively provide infrastructure and urban services to an expanding population. However, as presented by your consulting team, the City Centered Growth Alternative would distribute only 80% of future population to City UABs. While the overall concept is sound, for land uses to truly be efficient in Tulare County and agricultural land preserved to the maximum extent, the proportion of population growth allocated to the cities should be increased significantly and future development in City UABs should occur only within City limits. For example, Fresno County, in its recent General Plan update, established a population distribution of 93% to the City Spheres of Influence and 7% to unincorporated areas. Fresno County continues to be ranked as the top producing agricultural county in the nation, and their population distribution formula will help them preserve agricultural lands by utilizing the development efficiencies of their cities. The recommended Hybrid City Growth Alternative would incorporate the same strategy for agricultural land protection.

The City believes a Hybrid City Growth Alternative, distributing 90% of future growth to the cities will best serve the future of Tulare County for the following reasons:

1. The eight cities have infrastructure, financing mechanisms, planning systems, and urban services to accommodate projected growth, more so than unincorporated communities. Due to availability of infrastructure, higher development densities can be achieved in the cities, and financing mechanisms are available to make development financially sustainable. Further, by taking advantage of economies of scale, cities can minimize the cost of developing and maintaining infrastructure.
2. Even with potential population increases, unincorporated communities will struggle to provide the necessary infrastructure and services to accommodate growth. They will also struggle to achieve financial sustainability and independence (Cutler-Orosi is an example).
3. Without urban zoning controls, proper development standards, and infrastructure, rural communities will not be able to achieve efficient urban development densities. This means that future development in these communities will likely be at low densities. This type of development is not financially self sufficient and will cost the County more to provide services than the revenue it will receive.
4. Inefficient land use densities in unincorporated communities and rural areas will take more agricultural land out of production than development in cities. This will significantly and adversely affect our agricultural economy.
5. Directing growth to rural communities will require residents of those areas to travel to cities for jobs, educational opportunities, shopping, medical services, governmental services, and other destinations. Increased traffic from these rural areas will impact highways and local roads, and will cause increased air pollution.

The City recognizes that Tulare County has struggled financially in past years. Development in unincorporated communities and rural areas may be viewed as a way to potentially increase property and sales revenues to the county. We understand and appreciate the County's current financial dilemma and the need to consider revenue generating land uses. To help ease the revenue issue, and in the interest of effective land use planning, it is appropriate to begin discussions with the County regarding a potential revenue-sharing program for future development.

The City is also concerned about unplanned rural residential development occurring on unincorporated lands within our urban area boundaries. These projects are occurring on lands zoned many years ago by the County for rural residential uses. An example is the recent Baker Subdivision located in Visalia's UAB that was recently approved by the Board. The Baker Subdivision will allow 19 lots on 58 acres (3 acres per lot gross density). If this 58 acre property were to develop in the City of Visalia, with full services, at an urban density of 5 units per acre (mix of single family and multiple family housing types), the site could accommodate 290 units. Not only will urban development in the cities result in a more efficient use of

the land, the amount of annual property tax revenue the higher densities will generate for the County under the current tax structure would be significantly greater compared to rural residential development in the County.

We believe strongly that lands within City UABs should develop in the cities to achieve land use and infrastructure efficiencies, to prevent urban sprawl, to preserve agricultural lands and avoid future county islands. As part of a possible revenue sharing agreement, we will look to the County to reclassify undeveloped rural residential properties within city UABs to defer development controls to the cities.

The City shares the Board's concerns about the condition of rural communities. We agree that efforts are needed to help outlying communities improve themselves. To assist in this effort, the City of Visalia, and hopefully other cities in Tulare County, will offer technical assistance from our staff as the County strategizes ways to improve the condition of the rural communities.

It is imperative that the cities and County work together to prepare an effective plan for protecting agriculture, accommodating future growth and addressing related financial implications. We sincerely hope that the Board approves the Hybrid City Growth Alternative being recommended by the City of Visalia.

Steve Salomon, Visalia City Manager and current Chair of the City Managers Group of Tulare County, can be contacted to arrange discussions regarding a possible revenue sharing agreement. Mr. Salomon can be contacted at (559) 713-4312.

Sincerely,



Bob Link, Mayor
City of Visalia

Cc: Visalia City Council
Steve Salomon, City Manager
Mayors and City Managers of Dinuba, Exeter, Farmersville, Lindsay,
Porterville, Tulare, and Woodlake
Brian Haddix, Tulare County Executive Officer
Henry Hash, Tulare County RMA
George Finney, Tulare County RMA



315 E. Acequia Avenue, Visalia, CA 93291

May 7, 2007

Alan Ishida
Supervisor, District One
2800 W. Burrel Avenue
Visalia CA 93291

The City Council is strongly interested in the Tulare County General Plan Update and the impacts of plan policies on the future of our county. On April 2, 2007, the Council reviewed the Draft Goals and Policies Report. The Council hereby submits the following preliminary comments to Tulare County on the draft document.

1. The City Council supports the County's efforts to update and consolidate its General Plan.
2. The Council recommends that draft policy language be modified to not allow development on unincorporated lands inside city Urban Area Boundaries (UAB) without the consent of the affected city. This policy would also apply to major transportation corridors in UABs, including Highways 99, 198, 65 and 190.
3. The Draft Plan should discourage development along major transportation corridors in Tulare County except where currently designated for such uses.
4. The Draft Plan should maintain the current policy of County referral of development proposals on unincorporated lands inside city UABs to affected cities for consideration of annexation.
5. The Draft Plan should be restructured to focus on a City Centered Growth Strategy as recommended in the letter from former Mayor Bob Link to the Board of Supervisors dated August 10, 2005 (copy attached).
6. In concert with a City Centered Growth Strategy and an adopted County development impact fee program, the Council reiterates its previous offer to initiate discussions with the County regarding possible revenue sharing for future annexations.
7. The City supports the policy language in the Draft Plan that prohibits the designation of areas for ranchette development. The City recommends that a strong implementation strategy be enacted to prohibit further ranchette development on agricultural lands.
8. Given the availability of land in existing UABs to accommodate future growth, the City opposes development of new towns.

9. The Draft Plan should contain policies directed at establishment of a City/County comprehensive agricultural land mitigation program to offset impacts of ag land conversion to urban uses.
10. Policies regarding water resources need to be strengthened to prevent the proliferation of individual septic tank systems in unincorporated areas and to avoid degradation of groundwater supplies.

In support of these recommendations, the City Council offers the following discussion of major policy issues contained in the document:

General Plan Consolidation: The current County General Plan is a conglomeration of various elements and regional and community plans that have been accumulated over almost 40 years. The General Plan update will help consolidate the County's plans into a more effective and usable document. This is a major positive feature of the General Plan Update process.

Shift to Development Focus: The update also brings in new policies regarding growth that will significantly shift the County's planning focus from an agricultural based strategy to one that emphasizes and encourages growth in certain unincorporated areas and along major transportation corridors, such as State Highways 99, 63 and 65. While the draft does not discourage development in incorporated cities, it does encourage residential, commercial, and industrial development in unincorporated communities and hamlets, and potentially along highway corridors. The plan will allow consideration of major commercial facilities, shopping centers, and big box retailers in these unincorporated areas.

Growth Inducement Outside of Cities: The growth inducing aspects of the County's draft plan has serious implications for Visalia and the County as a whole:

- The plan has potential to create regional sprawl by encouraging growth in outlying unincorporated communities and hamlets. Many of these areas currently lack the infrastructure necessary to serve increased population growth. Most of these areas will attract lower cost housing and lower level retail commercial uses.
- Give the demographics of most unincorporated communities on the Valley floor, inducement of growth in some communities has potential to create concentrations of low income families that will continually struggle to raise their standards of living. The accumulation of low income families in these areas will inhibit their potential to be assimilated into more mainstream populations that exist in the cities.
- Although the draft plan contains policies for smart growth design and improvement standards for new development, it is questionable that the standards can be feasibly implemented to achieve the effect desired by the County. For instance, it will be difficult for growth in unincorporated communities to pay for parks and trails to facilitate walkable neighborhoods.

City Centered Growth Strategy: Initial discussions by the General Plan Technical Advisory Committee included a preference for a City Centered Growth Strategy. This strategy would establish a plan that would continue to focus primarily on maintaining the agricultural economy in the county and directing most new growth to existing cities which have infrastructure, urban services, and development systems in place that accommodate anticipated growth demands. Calculations prepared by the County's consultants concluded that existing Urban Area Boundaries of the eight cities had sufficient lands available to accommodate the anticipated population growth during the 30 year planning period

On page 9 of the enclosed Policy Alternatives Report provided to the TAC by the consultants is a table that analyzes residential development capacity within existing urban area boundaries. The table indicates that the current UABs of existing cities have capacity to accommodate an additional 826,500 persons. When combined with calculated capacities for current UABs of existing unincorporated communities, the available population capacity increases to over 950,000 persons. **Clearly, the existing UABs, with plans, infrastructure and services available, are able to accommodate population growth during the planning period to 2030.**

On July 18, 2005, the City Council held a work session to review potential "Growth Alternative" scenarios that were being evaluated by County staff and consultant team and discussed with the Technical Advisory Committee. After reviewing potential alternatives and considering the UAB capacity described above, the Council directed that a letter be sent to the Board of Supervisors indicating Visalia's support for a Hybrid City-Centered Growth strategy that would allocate 90% of future population growth to the cities with such development to occur inside city limits. To mitigate the fiscal impacts to the County that a City-Centered strategy might create, the Council also recommended that discussions be initiated to consider a sales and property tax sharing agreement to apply to new annexations. A copy of the August 10, 2005 letter to the Board of Supervisors signed by then-Mayor Bob Link is attached. No response has been received to date on the proposals contained in the letter.

After review of the Draft Goals and Policies Report, the City Council believes that the City's recommendations contained in the August 10, 2005 letter are even more appropriate at this later stage of the General Plan Update. The City therefore reiterates its offer to discuss possible tax sharing for new annexations in conjunction with a City-Centered growth strategy.

Development of Unincorporated Lands Inside City UABs: The draft plan contains a policy (PF 4.9, page 2-10) that would require the County to update its plan to consider any changes in land use plans of the various cities in the County. However, the County General Plan Update also contains policies that will enable the County to approve development projects on unincorporated lands within city UABs, subject to a finding of consistency with General Plan "objectives" and the requirement that the project meet the development standards of the city in question.

This policy is troubling in several ways. First, it is clear that the County is seeking to improve its fiscal position by encouraging development on unincorporated lands, including lands in City UABs. However, this policy may place the City and county at odds regarding development proposals in UABs where developers "shop" the two entities for the best deal or the two agencies compete for desirable, high sales tax land uses. Also, because both the City and County can consider development proposals in City UABs, this policy has potential to cause sprawl due to piecemeal, uncoordinated development and thwart efforts to maintain planned, orderly growth inside City UABs.

The current policy of referring development proposals on unincorporated lands in City UABs needs to be maintained so that first preference is given to development occurring as well connected extensions of cities with application of full urban services. This has the benefits of minimizing sprawl, providing efficient land use and traffic circulation patterns and minimizing impacts on ag lands. Further, consistent with the August 10, 2005 letter from Council to the Board of Supervisors, fiscal issues should be dealt with through potential tax sharing agreements for newly annexed areas, and not drive land use decisions.

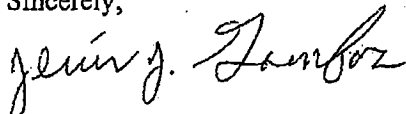
Consideration of New Towns: New towns create concerns regarding loss of ag lands, regional sprawl, water demands, environmental impacts and other issues. Based on County staff/consultant team analysis of development capacity of existing UABs attached to this report, there is no demonstrated need to establish new communities in Tulare County. Therefore, the City Council strongly recommends that the County not consider new town proposals.

Agricultural Land Mitigation: The draft document contains no policies for development of a program for mitigation of agricultural land conversion to urban uses. Given Tulare County's global contribution to food production and bio-industries, it is critical for the County Government to take a leadership role in ag land mitigation, particularly if the County continues down the path of encouraging urban development. Even more beneficial would be the establishment of a coordinated and comprehensive ag land mitigation program involving the County and its cities. This type of inter-governmental partnership would be an effective tool in offsetting the impacts of development County-wide and would create a level playing field for all cities and the County as we address development issues.

This General Plan Update will have profound influence on the future of this County. The City Council firmly believes that we currently stand at a crossroads; with a choice to continue to strengthen the agricultural character and economy of our region and direct development to cities capable of accommodating and servicing growth, or to pursue the path followed by Southern California and permit widespread suburban sprawl. The City Council hopes that the Board of Supervisors will reconsider the policies examined in this letter and work with Visalia and other cities to better conserve our agricultural resources and find ways to better accommodate urban growth.

Thank you for considering our preliminary comments. Please notify the City regarding future releases of public documents, including the upcoming Final Draft General Plan and environmental impact report, and provide us with notifications of future public meetings and hearings on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jesus J. Gamboa".

Jesus Gamboa
City of Visalia Mayor

Cc:

City Council

Steve Salomon, City Manager

Brian Haddox, County Administrative Officer

Henry Hash, RMA Director

George Finney, Assistant Director for Long Range Planning

**City of Visalia
Single Family Residence Impact Fee Estimate**

Land Use Designation/Building Type: SF Residence Tract Development/Low Density

Assumptions

Square Feet
07/01/2009 Fee Schedule

2000 SF
1 unit

10,000 sf lot

		UNITS		Total Estimated Fee
BUILDING FEES				
Building Permit and Inspection Fees	Average \$.83 sf	1	\$	1,660.00
IMPACT FEES				
Transportation Impact Fee:	\$ 4,803.00	1.00 per unit	\$	4,803.00
Trunk Line Capacity Charge:	\$ 646.87	1.00 per unit	\$	646.87
Treatment Plant Connection Capacity Charge:	\$ 641.44	1.00 per unit	\$	641.44
Storm Drainage Impact Fee:	\$ 2,681.64	0.23 Per Gross Acre	\$	615.60
Park Acquisition and Development Impact Fee:	\$ 3,215.44	1.00 per unit	\$	3,215.44
Waterways Acquisition Fee:	\$ 2,466.17	0.23 Per Gross Acre	\$	586.15
Groundwater Overdraft Mitigation Fee:	\$ 1,057.00	0.23 Per Gross Acre	\$	242.65
Public Safety Impact Fee:		1.00 Per Gross Acre	\$	681.23
Public Facility Impact Fee:		1.00 per unit	\$	466.49
Total City Fees			\$	13,538.87
VUSD SCHOOL FACILITY FEES				
School Facility Fees	\$3.37 per sq/ft	1	\$	6,740.00
Total School Impact Fees			\$	6,740.00
TOTAL CURRENT CITY/SCHOOL FEES PAID			\$	20,278.87
PROPOSED COUNTY IMPACT FEES				
Public Facility Impact Fee	\$ 3,527.00	1.00	\$	3,527.00
Transportation Impact Fee	\$ 2,153.00	1.00	\$	2,153.00
Total Potential County Impact Fees			\$	6,880.00
				<i>potential increase 28%</i>
Total City, School and Potential County Impact Fees			\$	25,958.87

Administration Building
2800 W. Burrel Ave.
Visalia, California 93291
TEL: (559) 636-5005
FAX: (559) 733-6318
www.co.tulare.ca.us

County of Tulare



Jean M. Rousseau
County Administrative Officer

Kristin Bennett, Assistant
County Administrative Officer

February 16, 2010

Phil Vandegriff
411 E. Kern Ave.
Tulare, CA 93274

RE: Status Update as to the County of Tulare's Efforts in meeting and negotiation with the Council of Cities Members and their letter dated January 28, 2010

Dear Mayor Pro-Tem Vandegriff;

The Tulare County Board of Supervisors (BOS) and staff received the above dated letter, attached for your information and review. Unfortunately, this letter does not reflect the progress and good faith effort that has been extended to the members representing the Council of Cities (COC). Upon reading the January 28, 2010 letter, you would conclude that County representatives negotiated in bad faith. Additionally, that we were intentionally wasting your representatives' time as well as our time in our mutual endeavor to negotiate a "city centered growth" focus to the County's General Plan, while taking into consideration the County's role in development within County jurisdiction.

You, as an elected official, understand the dynamics in coordinating and facilitating development entitlements while recognizing individual's desires to maximize their land potential. The BOS and its staff envision a positive working relationship with every city in the implementation of the County's General Plan Policy Update. I wish to think that it is each city's desire as well. Attached, for your information and use, is a Chronology of Events and Meetings that clearly demonstrates the desire of the BOS to achieve a mutual beneficial planning program.

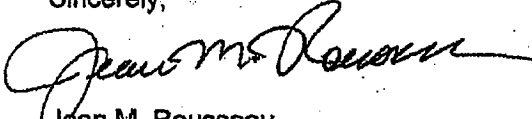
Please keep in mind that it is the responsibility of the County to manage growth in the unincorporated areas around the cities until such time as those areas are annexed. While the County seeks to cooperate with the cities, the County is responsible to conduct a program that is respectful of the needs of property owners, and balance these interests and city interests accordingly.

The attached matrix is a summary of outstanding issues resulting from numerous meetings with the COC team. County staff has reviewed the COC January 28, 2010 proposal and the attached chart shows how close we are to reaching a mutually beneficial agreement for all concerned. It is unfortunate that the COC negotiating team chose to make the negative assertions of the BOS intent and desired outcome in their letter of January 28, 2010.

While the County looks forward to working with each of you to accomplish a policy program that meets your city's planned growth, timing, and coordination of development within your County Adopted Urban Development Boundary and Urban Area Boundary, the County does plan to release its General Plan Update by the end of February 2010 for a 60-day public review period. County staff is available to make an informational presentation at each of your city council meetings regarding the Tulare County 2030 General Plan Update during this 60-day time frame.

Thank you for working with us through this complex process and please let me know when you would like to meet again.

Sincerely,



Jean M. Rousseau
County Administrative Officer

**Tulare County Staff Response
Council of Cities UDB-UAB Proposal Letter
Dated January 28, 2010**

#	City Proposal	General Plan Update Policies	Staff Recommendations
In County Adopted City UAB			
1.	Development can occur on non-agricultural lands as determined by the RVLP.	Policy PF- 4.19 Application of a Checklist to control Development in a County Adopted City UAB.	In Agreement as per Policy PF- 4.19 Application of a Checklist to control Development in a County Adopted City UAB.
2.	Development can occur on land currently zoned for non-agricultural use.	Policy PF-4.17 Cooperation with Individual Cities.	In Agreement as per Policy PF- 4.17 Cooperation with Individual Cities. Allows for managed development.
3.	Ag. Processing facilities can be expanded or re-occupied subject to special use permit and city consultation.	Policy LU -2.5 Ag. Support Facilities, PF- 4.23 Reuse of Abandoned Improvements in a County Adopted City UAB.	In agreement with re-use and expansion except that it is too narrow being limited only to ag. re-use.
4.	New Development to utilize city standards, financing mechanisms, and irrevocable consent to annex.	Policy PF- 4.10 City Design Standards. PF- 4.12 Compatible Project Design.	The proposal conflicts with the General Plan Update. The County may ensure proposed development with future sewer or in water systems and circulation networks. City standards applicable only in UDBs.
5.	No Regionally Significant Projects	None	In agreement, these policies have been removed.
6.	Corridor plans ok, but with city consultation in UABs but not within UDBs.	Policy C-1.2 Urban Corridor Plans.	In agreement for UABs as per Policy C-1.2 Urban Corridor Plans, but do not support proposal in UDBs as it contradicts Policy PF- 4.18 e to allow a corridor overlapping a UDB. The County is aware of only three locations for possible corridors.
7.	County to tighten up exceptions in ag.zones.	Policy PF-4.19 Future Land Use Entitlements in a County Adopted City UAB.	In Agreement to work with cities to review land use and zoning to address inappropriate land uses and small parcelization concerns.
In County UDB			
1.	No County GP Amendments or Rezoning to non-agricultural uses ("No new entitlements").	Policy PF-4.18 Future Land Use Entitlements in a County Adopted City UDB.	Do not support proposal unless cities agree to exceptions as provided in Policy PF-4.18 a-i.
2.	County to Tighten-up exceptions in Ag. Zones.	Policy PF-4.18 Future Land Use Entitlements in a County Adopted City UDB.	In Agreement to work with cities to review land use and zoning to address inappropriate land uses and small parcelization concerns.
3.	No Corridor Plans.	Policy PF-4.18 Future Land Use Entitlements in a County Adopted City UDB.	Do not support proposal as it contradicts Policy PF-4.18 e to allow a corridor overlapping a UDB. The County is aware of only three locations for possible corridors.
4.	No Regionally Significant Projects.	None	In agreement, these policies have been removed.
5.	New Development can occur on lands currently zoned for	Policy PF- 4.10 City Design Standards. PF-	In agreement.

	non-ag. use, subject to city standards, financing mechanisms, and irrevocable consent to annex.	4.24 Annexations to a City within the County Adopted City UDB.	
6.	Existing Unincorporated Community UDBs that encroach into City UDBs are exempt.	Policy PF-4.18 Future Land Use Entitlements in a County Adopted City UDB a-	In agreement using Goshen as an example.
7.	Re-Occupation of existing ag. processing facilities subject to special use permit and City consultation (No Expansion).	Policy LU -2.5 Ag. Support Facilities, PF-4.22 Reuse of Abandoned Improvements in a County Adopted City UDB.	The term "No expansion" needs to be defined. The proposal contradicts Policy LU -2.5 Ag. Support Facilities, PF-4.22 Reuse of Abandoned Improvements in a County Adopted City UDB encouraging broader land use types.
8.	Delete RVLP application in a County Adopted City UDB.	Policy PF- 4.20 Application of a Checklist to control Development in a County Adopted City UDB.	Consider retaining PF- 4.20 Application of a Checklist to control Development in a County Adopted City UDB as an option to "no new entitlements".

CHRONOLOGY OF EVENTS AND MEETINGS BETWEEN THE COUNCIL OF CITIES AND TULARE COUNTY

A. Joint County of Tulare/Council of Cities Meetings (Dates and subjects discussed)

- June 4, 2008: Williamson Act; Review property tax distribution; Millennium Fund Update
- June 18, 2008: Overview of County Criminal Justice Funding
- July 16, 2008: Recap of County and City Revenues/Expenditures.
- August 6, 2008: Recap of County Solid Waste System and City Revenues/Expenditures
- August 21, 2008: General Plan Issues
- October 1, 2008: Blue Ribbon Committee update and revenue sharing
- November 14, 2008: Development Impact Fees
- January 14, 2009: Ground water recharge; TCAG regional projects and Blue Ribbon Committee update
- March 19, 2009: Meeting canceled
- May 6, 2009: City-centered growth and growth within city planning areas

B. Blue Ribbon Committee Meetings (Dates and subjects discussed)

- August 4, 2008: Interface planning and impact fees; setbacks and street standards
- September 8, 2008: Countywide impact fee study; Dinuba general plan and UDB issues
- September 22, 2008: Spheres of influence and impact fees
- October 13, 2008: Spheres of influence and impact fees.
- October 27, 2008: City and County land use policies; impact fees. Discussed accelerating meeting schedule.
- November 14, 2008: Provided County proposal to cities and copy of impact fee report
- November 24, 2008: City concerns and County proposed changes to Initial proposal
- December 8, 2008: Cities proposed MOU for process
- January 26, 2009: More MOU discussion
- February 9, 2009: Meeting canceled
- May 14, 2009: Turned process over to planners from both cities and county to allow cities to review draft document and provide proposed city language.

C. RECENT PLANNER/ELECTEDS MEETINGS

June 24, 2009: The County responded to a letter from the Council of Cities dated April 2009 agreeing to dedicate necessary County resources to meet with the Council of Cities to address issues regarding planning policies in the draft Tulare County General Plan 2030 Update.

July 16, July 23, August 2, and ~~August 7, 2009~~: County and city staff met July 16, 2009, July 23, 2009, and August 7, 2009, to exchange ideas and compromise proposals. On August 2, 2009 the Board of Supervisors conducted a study session to review issues and provide direction to staff regarding the draft Tulare County General Plan 2030 Update Policies and Implementation Measures Specific to County Adopted City Urban Area Boundaries (UAB's), and Urban Development Boundaries (UDB's).

August 6, 2009: The County received a letter from the Council of Cities recommending proposed revisions to the draft Tulare County General Plan 2030 Update.

October 1, 2009: The Board of Supervisors and the Council of Cities held a joint meeting to discuss issues related to the draft Tulare County General Plan 2030 Update. As a product of the joint meeting, a sub-committee consisting of two elected officials each from the cities and County along with several city and county staff members was created to further discuss these issues.

October 15, December 2, December 11, 2009: The sub-committee met on these dates to exchange ideas and compromise proposals.

December 15, 2009: The County provided clarification to the County position regarding the Council of Cities proposal including the substantial offer to not include the draft "regionally significant proposal" policies in the current proposed version of the draft Tulare County General Plan Update policy document.

January 28, 2010: The Council of Cities sub-committee failed to return to the table to further discuss the County position and the substantial offer to not include the draft "regionally significant proposal" policies in the current proposed version of the General Plan Update policy document. Instead, the Council of Cities representatives chose to prepare and sign January 28, 2010 accusatory letter erroneously charging the County of negotiating in bad faith with a courtesy copy of the letter to the press. The Board of Supervisors and County Staff received phone calls from the press asking about the letter before it was delivered to County Administration.

As can be seen from the time and effort expended and the few remaining outstanding issues noted in the chart above, the County has attempted to negotiate a fair and mutually beneficial agreement.

EXHIBIT 17

**2008 TULARE COUNTY ANNUAL
CROP AND LIVESTOCK REPORT
(APRIL 2009)**



Tulare County Agricultural Commissioner/Sealer

Gary Kunkel, Agricultural Commissioner
Sealer of Weights and Measures
William R. Appleby, Assistant
Commissioner/Sealer

A. G. Kawamura, Secretary
California Department of Food and Agriculture

April 2009

and

The Honorable Board of Supervisors
County of Tulare

Phillip Cox, Chairman
Mike Ennis Allen Ishida
Pete Vander Poel J. Steven Worthley

Jean Rousseau – County Administrative Officer

It is my pleasure to submit the 2008 Tulare County Annual Crop and Livestock Report. The report is produced in accordance with Sections 2272 and 2279 of the California Food and Agricultural Code, and summarizes the acreage, production, and value of Tulare County's agricultural commodities. The figures contained herein represent gross returns to the producer and do not reflect actual net profit.

Tulare County's total gross production value for 2008 is **\$5,018,022,800**. This represents an increase of \$143,983,800, or 3%, above 2007's value of \$4,874,039,000.

Milk once again remained the leading commodity with a total value of \$1,796,425,000, despite the decrease of 5% from last year's total. Milk represents 36% of the total crop and livestock value for 2008. Milk prices were lower in 2008 but production increased by 2%. Livestock and Poultry's gross value of \$602,761,000 represents an increase of 2% over that of 2007.

Fruit and Nut commodities were valued at \$1,835,198,000 representing an increase of 3%. Increased yields were seen in a variety of fruits, including Grapes, Oranges, Peaches and Plums. Fresh citrus crops experienced a 58% increase in total production and a 25% increase in total value in 2008, as trees recovered from the January 2007 freeze. Total value of all field crops was \$630,631,000 for 2008, an increase of 37% from the previous year. Prices were generally higher for forage crops including: Corn, Alfalfa, and Small Grain Silage. Nursery Products were valued at \$85,413,000 representing a decrease of 5% from 2007. The total value of Apiary Products for 2008 was \$36,503,000, an increase of 34% when compared to the previous year. Honey yields were high and prices were strong.

Tulare County's agricultural strength is based on the diversity of the crops produced. The 2008 report covers more than 120 different commodities. Forty-five of these commodities have a gross value in excess of \$1,000,000. Although individual commodities may experience difficulties from year to year, Tulare County continues to produce high-quality crops that provide food and fiber to more than 80 countries throughout the world.

I wish to express my sincere appreciation to the many producers, processors, and agencies, both private and public, which supported our efforts in producing this report. I would also like to thank all the members of my staff, particularly Samantha Durborow and Dennis Haines. Without their hard work and valuable input, the publication of this report would have been impossible.

Respectfully submitted,

Gary Kunkel
Agricultural Commissioner/Sealer

Agricultural Commissioner/Sealer of Weights & Measures

Gary W. Kunkel

Assistant Agricultural Commissioner/Sealer

William R. Appleby

Deputy Agricultural Commissioner/Sealer

Brian Cox Billy Deavours Marilyn Kinoshita

Systems and Procedures Analyst

David Greenwood (Consultant)

Supervising Agricultural & Standards Inspectors

Donald Borges David Case Rafael Garcia Jr. Jerry McElhaney

Agricultural Staff Biologist

R. Dennis Haines

District Agricultural & Standards Inspectors

Karrie Batchelor	Roy Fontaine	Kurt Kilburn	Robert Milner	Stoney Savage
Dan Bigham	Chris Francone	Kelly LeGrand	Gabriella Nunez	Curt Steggall
Steven Brown	David Gould	Robert Mann	Jim Qualls	Deo Tigulo
Scott Cornett	Gavin Iacono	Craig Mills	Rhonda Rico	Ben Yosako
Greg Dunbar				Rick Yraceburu

Agricultural & Standards Inspectors

Brienne Alexander	David Brasher	Alejandro Del Rio	Jannelle Malek	Ivan Ramirez
Dexter Bennett	David Bryant	Samantha Durborow	Ramphal Mann	Homero Romero
Page Berquist	Ronnie Capili	Guy Eubank	Melinda Mills	Salome Ruedas
Joseph Berry	Marvin Clark	Sabrina Gilbert	Robert Miranda	Michelle Stanley
Richard Bramer	Khamla Collins	Rebecca Huerta	Martin Munoz	George Tucker
Judith Brant	Kristyna Cotta	Tesfaye Jimma	Melissa Partin	Janel Young

Extra Help Inspector Aides & Pest Detection Trappers

Bruce Akin	Robert Fallert Jr.	Ricky Meraz	Sharon Plum	Derek Taylor
Donald Conner	Cordie Foster	Billy Mittel	Joseph Rico	Deo Tigulo
Wade DeCesare	Katrina Jones	Sena Morris	Rolando Rodriguez	Shelly Ward
Brian Dias	Franklin McGrew	Eusebio Perez Jr.	Mario Sagredo	Maynard Watts
Anabel Escalante	Teena Mendoza		Evan Sutherland	Ashlee Wells

Staff Services Analyst II

Brenda Plum

Senior Account Clerk

Patricia McCurry

Office Assistant III

Diana Cisneros Anita Letsinger Annette Castro Margie Renfro Ellen Stafford

Tulare County Agricultural Offices

TULARE	4437 South Laspiña Street, Suite A	(559) 685-3323
AG WAREHOUSE	14173 Avenue 256	(559) 733-6476
DINUBA (1)	324 West Tulare, Suite 102	(559) 591-5842
DINUBA (2)	324 West Tulare, Suite 102	(559) 591-5855
EXETER	101 West Pine Street	(559) 592-4075
LINDSAY	240 East Honolulu	(559) 562-6025
PORTERVILLE	75 West Olive, Suite D	(559) 782-4787
WOODLAKE	250 Antelope, Suite L	(559) 564-8320



Table of Contents

County Acreage-Permanent Plantings.....	1
Field Crops.....	2-3
Vegetable Crops.....	3
Fruit & Nut Crops.....	4-6
Nursery Products.....	7
Apiary Products.....	7
Livestock & Poultry.....	8
Livestock & Poultry Products.....	8
Seed Crops.....	9
Industrial Crops.....	9
Summary.....	10
Million Dollar Products.....	11
Twenty-Year Value Comparison.....	12
Five-Year Category Comparison.....	13
Produce Export Data.....	13-14
Annual Sustainable Agriculture.....	15-17

**TULARE COUNTY
PERMANENT PLANTING ACREAGE**

	BEARING ACREAGE	NON-BEARING ACREAGE	TOTAL ACREAGE
<u>CITRUS</u>			
Grapefruit & Pomelos	1,060	543	1,603
Lemons	3,720	839	4,559
Navels	74,900	2,550	77,450
Valencias	18,900	97	18,997
Tangerines & Tangelos	8,370	1,640	10,010
Other Citrus ^a	13	1	14
Total Citrus	106,963	5,670	112,633
<u>DECIDUOUS & GRAPES</u>			
Almonds	24,800	1,550	26,350
Apples	153	0	153
Apricots	322	10	332
Avocados	248	0	248
Blueberries	1,020	115	1,135
Cherries	1,350	495	1,845
Figs	19	0	19
Grapes			
Raisin	19,600	199	19,799
Table	29,000	536	29,536
Wine	9,800	0	9,800
Kiwifruit	1,860	0	1,860
Nectarines	11,400	364	11,764
Olives	12,600	192	12,792
Peaches			
Cling	1,030	37	1,067
Freestone	11,600	595	12,195
Pears & Asian Pears	299	0	299
Pecans	611	95	706
Persimmons	733	31	764
Pistachios	16,100	9,360	25,460
Plums	13,000	458	13,458
Pomegranates	1,920	1,350	3,270
Prunes-Dried Plums	3,640	337	3,977
Quince	175	0	175
Walnuts	27,200	1,210	28,410
Miscellaneous ^b	1,300	118	1,418
TOTAL			
Total Grapes	58,400	735	59,135
Total Orchard Crops	238,343	21,987	260,330
GRAND TOTAL	296,743	22,722	319,465

^a Includes Citron, Kumquat and Lime

^b Includes Guava/Papaya, Jujubes, Plumcots, and Pluots

Field Crops

The total value for Field Crops grew by 37%, or \$171,617,000, in 2008. The increase was due in large part to the upward trend of prices for grain and forage products. Cotton acreage decreased by 45%, resulting in a 45%, or \$15,875,000, decrease in its total value.

Crop	Year	Harvested Acreage	Production			Value	
			Per Acre	Total	Unit	Per Unit	Total
Alfalfa - Hay	2008	102,000	9.50	969,000	Ton	213.00	206,397,000
	2007	96,600	8.85	855,000	Ton	186.00	159,030,000
Silage ^a	2008	X	2.67	182,000	Ton	50.30	9,155,000
	2007	X	2.63	169,000	Ton	31.70	5,357,000
Barley - Grain	2008	1,040	0.59	614	Ton	256.00	157,000
	2007	964	0.82	790	Ton	170.00	134,000
Beans - Dry	2008	1,930	1.36	2,620	Ton	866.00	2,269,000
	2007	4,540	1.77	8,040	Ton	761.00	6,118,000
Corn - Grain	2008	13,600	5.75	78,200	Ton	207.00	16,187,000
	2007	13,200	5.63	74,300	Ton	165.00	12,260,000
Silage	2008	159,000	25.60	4,070,000	Ton	48.50	197,395,000
	2007	148,000	27.70	4,100,000	Ton	32.70	134,070,000
Cotton - Lint ^b	2008	12,600	1,540.00	39,200	Bale	76.00	14,896,000
	2007	23,100	1,560.00	72,800	Bale	76.70	27,919,000
Seed	2008	X	X	15,700	Ton	274.00	4,302,000
	2007	X	X	29,200	Ton	245.00	7,154,000
Pasture & Range (Irrigated)	2008	93,000	X	X	Acre	175.00	16,275,000
	2007	92,600	X	X	Acre	140.00	12,964,000
Native	2008	615,000	X	X	Acre	14.50	8,918,000
	2007	615,000	X	X	Acre	16.00	9,840,000
Other	2008	76,000	X	X	Acre	25.00	1,900,000
	2007	76,700	X	X	Acre	25.00	1,918,000
Silage - Small Grain ^c	2008	121,000	17.10	2,069,000	Ton	39.70	82,139,000
	2007	115,000	17.10	1,966,000	Ton	28.00	55,048,000
Sorghum Grain	2008	10,300	2.66	27,400	Ton	164.00	4,494,000
	2007	7,800	2.51	19,600	Ton	149.00	2,920,000
Sudan Grass ^d	2008	14,600	11.50	168,000	Ton	34.50	5,796,000
	2007	8,940	12.30	110,000	Ton	27.60	3,036,000

Field Crops continued

Crop	Year	Production			Value		
		Harvested Acreage	Per Acre	Total	Unit	Per Unit	Total
Wheat – Grain ^f	2008	46,300	3.21	149,000	Ton	269.00	40,081,000
	2007	26,700	2.26	60,300	Ton	168.00	10,130,000
Miscellaneous ^e	2008	39,800	X	X	X	X	20,270,000
	2007	20,700	X	X	X	X	11,116,000
TOTAL	2008	1,306,170					\$630,631,000
	2007	1,249,844					\$459,014,000

^a Green weight basis

^b Yield per acre in pounds lint, production total in 495 lbs net weight bales, unit value in dollars per lint hundredweight

^c Includes Barley, Sorghum, Wheat, and Winter Forage

^d Sudan Grass reported as green chop

^e Includes Bean Screenings, Bean Straw, Corn Stalks, Oat Grain, Oat Hay, Rye, Grain Straw, Safflower, and Sugar Beets

^f Includes Triticale

Vegetable Crops

In 2008 total value for Vegetable Crops increased by \$628,000 and total vegetable acreage decreased by 2%. The majority of the acreage decrease occurred in succulent beans, with a 60% decrease in acreage being harvested. Tulare County produces more than 34 different types of vegetables.

Crop	Year	Production			Value		
		Harvested Acreage	Per Acre	Total	Unit	Per Unit	Total
Broccoli - Processed	2008	705	7.04	4,960	Ton	334.00	1,657,000
	2007	690	6.60	4,550	Ton	380.00	1,729,000
Cucumbers	2008	447	8.15	3,640	Ton	492.00	1,791,000
	2007	448	8.38	3,750	Ton	422.00	1,582,000
Beans - Succulent	2008	262	1.32	346	Ton	873.00	302,000
	2007	649	1.27	824	Ton	837.00	690,000
Sweet Corn	2008	160	6.15	984	Ton	617.00	607,000
	2007	198	6.33	1,250	Ton	625.00	781,000
Miscellaneous ^a	2008	3,330	X	X	X	X	11,758,000
	2007	3,010	X	X	X	X	10,705,000
TOTAL	2008	4,904					\$16,115,000
	2007	4,995					\$15,487,000

^a Includes Artichokes, Asparagus, Assorted Peppers, Assorted Greens, Beets, Cabbage, Cactus, Carrots, Cauliflower, Cilantro, Collards, Eggplant, Garlic, Gourds, Herbs, Kale, Lettuce, Melon-Cantaloupe, Melons-Assorted, Mushrooms, Mustard, Okra, Onions, Peas, Potatoes, Pumpkins, Spinach, Sprouts, Squash, Tomatillos, Tomatoes (Fresh and Processed), Turnips, Watermelon, and Zucchini

Fruit and Nut Crops

Fruit and Nut crops increased in total value by 3%, or \$59,104,000, in 2008. The total value of grapes increased by 2%, or \$10,412,000. Per unit prices in peaches, plums and nectarines showed a decrease from 2007 prices. Citrus production rebounded from the 2007 January freeze with high yields, causing the total value of navel and valencia oranges to increase by 11%, or \$59,193,000.

Crop	Year	Production			Value		
		Harvested Acreage	Per Acre	Total	Unit	Per Unit	Total
Almonds - Meats	2008	24,800	1.11	27,500	Ton	2,990.00	82,225,000
	2007	22,100	0.96	21,200	Ton	3,690.00	78,228,000
Hulls	2008	X	X	56,400	Ton	127.00	7,163,000
	2007	X	X	43,500	Ton	113.00	4,916,000
Apricots	2008	322	8.20	2,640	Ton	1,340.00	3,538,000
	2007	357	5.69	2,030	Ton	1,020.00	2,071,000
Blueberries	2008	1,020	5.11	5,210	Ton	6,400.00	33,344,000
	2007	627	5.47	3,430	Ton	4,990.00	17,116,000
Cherries	2008	1,350	4.21	5,680	Ton	4,290.00	24,367,000
	2007	1,190	3.44	4,090	Ton	4,880.00	19,959,000
Grapes - Total	2008	58,400	X	X	X	X	488,035,000
	2007	60,200	X	X	X	X	477,623,000
Raisin Varieties	2008	19,600	12.50	X	X	X	X
	2007	21,400	8.44	X	X	X	X
Canned	2008	X	X	22,400	Ton	288.00	6,451,000
	2007	X	X	18,500	Ton	280.00	5,180,000
Crushed ^a	2008	X	X	42,100	Ton	211.00	8,883,000
	2007	X	X	32,900	Ton	152.00	5,001,000
Dried ^b	2008	X	X	22,400	Ton	1,160.00	25,984,000
	2007	X	X	15,500	Ton	1,150.00	17,825,000
Fresh	2008	X	X	69,600	Ton	1,340.00	93,264,000
	2007	X	X	54,900	Ton	1,240.00	68,076,000
Table Varieties	2008	29,000	9.21	X	X	X	X
	2007	28,600	8.57	X	X	X	X
Crushed	2008	X	X	50,000	Ton	181.00	9,050,000
	2007	X	X	26,100	Ton	165.00	4,306,000
Fresh	2008	X	X	217,000	Ton	1,400.00	303,800,000
	2007	X	X	219,000	Ton	1,590.00	348,210,000
Wine Varieties	2008	9,800	14.80	X	X	X	X
	2007	10,200	12.10	X	X	X	X
Crushed	2008	X	X	141,000	Ton	267.00	37,647,000
	2007	X	X	119,000	Ton	223.00	26,537,000
Juice	2008	X	X	3,920	Ton	754.00	2,956,000
	2007	X	X	3,930	Ton	633.00	2,488,000

Fruit and Nut Crops continued

Crop	Year	Production			Value		
		Harvested Acreage	Per Acre	Total	Unit	Per Unit	Total
Grapefruit - Fresh °	2008	1,060	12.40	13,100	Ton	504.00	6,602,000
	2007	1,620	9.86	16,000	Ton	665.00	10,640,000
Kiwifruit	2008	1,860	7.14	13,300	Ton	1,530.00	20,349,000
	2007	2,010	8.30	16,700	Ton	1,780.00	29,726,000
Lemons - Fresh	2008	3,720	8.85	32,900	Ton	1,440.00	47,376,000
	2007	3,930	8.62	33,900	Ton	1,140.00	38,646,000
Nectarines - Fresh	2008	11,400	7.12	81,200	Ton	737.00	59,844,000
	2007	11,500	8.41	96,700	Ton	782.00	75,619,000
Olives	2008	12,600	1.81	22,800	Ton	935.00	21,318,000
	2007	11,500	4.18	48,100	Ton	946.00	45,503,000
Oranges - Navels	2008	74,900	14.50	782,000	Ton	585.00	457,470,000
	2007	73,600	11.50	492,000	Ton	767.00	377,364,000
Processed	2008	X	X	304,000	Ton	54.00	16,416,000
	2007	X	X	356,000	Ton	107.00	38,092,000
Oranges - Valencia	2008	18,900	16.80	201,000	Ton	520.00	104,520,000
	2007	19,700	12.00	132,000	Ton	795.00	104,940,000
Processed	2008	X	X	117,000	Ton	123.00	14,391,000
	2007	X	X	104,000	Ton	127.00	13,208,000
Peaches - Cling	2008	1,030	17.20	17,700	Ton	321.00	5,682,000
	2007	1,290	16.00	20,600	Ton	270.00	5,562,000
Peaches - Freestone	2008	11,600	10.50	68,000	Ton	875.00	59,500,000
	2007	12,900	10.30	79,600	Ton	908.00	72,277,000
Processed	2008	X	X	53,800	Ton	224.00	12,051,000
	2007	X	X	53,000	Ton	208.00	11,024,000
Pears & Asian Pears	2008	299	6.72	2,010	Ton	2,500.00	5,025,000
	2007	330	6.08	2,010	Ton	1,790.00	3,598,000
Pecans	2008	611	1.42	868	Ton	2,790.00	2,422,000
	2007	584	1.18	689	Ton	3,860.00	2,660,000
Persimmons	2008	733	6.70	4,910	Ton	1,760.00	8,642,000
	2007	512	7.01	3,590	Ton	1,120.00	4,021,000
Pistachio Nuts	2008	16,100	1.21	19,500	Ton	4,030.00	78,585,000
	2007	12,800	1.94	24,800	Ton	3,200.00	79,360,000
Plums - Fresh	2008	13,000	7.83	102,000	Ton	755.00	77,010,000
	2007	12,800	7.32	93,700	Ton	873.00	81,800,000
Pomegranates	2008	1,920	4.19	8,040	Ton	1,350.00	10,854,000
	2007	1,400	5.08	7,110	Ton	1,230.00	8,745,000

Fruit and Nut Crops continued

Crop	Year	Production				Value	
		Harvested Acreage	Per Acre	Total	Unit	Per Unit	Total
Prunes - Dried Plums ^d	2008	3,640	2.22	8,080	Ton	1,360.00	10,989,000
	2007	4,440	1.52	6,750	Ton	1,440.00	9,720,000
Quince	2008	175	5.05	884	Ton	1,780.00	1,574,000
	2007	208	5.35	1,110	Ton	1,760.00	1,954,000
Tangerines ^e	2008	8,370	9.55	79,900	Ton	1,080.00	86,292,000
	2007	5,080	5.46	27,700	Ton	1,170.00	32,409,000
Walnuts	2008	27,200	2.15	58,500	Ton	1,310.00	76,635,000
	2007	25,900	1.81	46,900	Ton	2,540.00	119,126,000
Miscellaneous ^f	2008	1,907	X	X	X	X	12,979,000
	2007	1,878	X	X	X	X	10,187,000
TOTAL	2008	296,917					\$1,835,198,000
	2007	288,456					\$1,776,094,000

^a Includes green weight raisins for distillery materials and juice pack

^b Combined value reflecting free and reserve tonnage

^c Includes Pomelos and Hybrids

^d Yield is dry weight basis

^e Includes Mandarins, Tangelos and Tangors

^f Includes Avocados, Apples, Bushberries, Citron, Chestnuts, Figs, Jujubes, Limes, Plumcots, Pluots, Processed Grapefruit, Processed Lemons, Processed Tangerines, and Strawberries.



Nursery Products

Nursery Products experienced a 5%, or \$4,771,000, decrease in total value from 2007. Ornamental Trees and Shrubs had a 4% decrease in total value and constituted 75% of the entire total value in Nursery Products. Citrus and Subtropical Trees had a 23% decrease in quantity sold and a 22% decrease in total value.

Crop	Year	Production		Value	
		Quantity Sold	Unit	Per Unit	Total
Citrus & Subtropical Trees	2008	555,000	Each	9.09	5,045,000
	2007	719,000	Each	8.99	6,464,000
Deciduous Fruit & Nut Trees	2008	500,000	Each	7.08	3,540,000
	2007	513,000	Each	7.49	3,842,000
Grape & Berry Vines	2008	2,489,000	Each	3.30	8,214,000
	2007	3,614,000	Each	2.22	8,023,000
Ornamental Trees & Shrubs	2008	5,822,000	Each	11.00	64,042,000
	2007	7,178,000	Each	9.31	66,827,000
Miscellaneous ^a	2008	X	X	X	4,572,000
	2007	X	X	X	5,028,000
TOTAL	2008				\$85,413,000
	2007				\$90,184,000

^a Includes Citrus (Buds, Cuttings, & Scions), Christmas Trees, Cut Flowers, Foliage Plants, Irises, Landscape Olive Trees, Turf, and Vegetable Flats

Apiary Products

Apiary products experienced a 34%, or \$9,332,000, increase in total value from 2007. High prices, in addition to a 36% increase in total honey production helped contribute to this increase. Beeswax production more than doubled, resulting in a \$309,000 increase in its total value.

Crop	Year	Production		Value	
		Total	Unit	Per Unit	Total
Honey - Orange ^a	2008	16,285,000	Pound	1.40	22,799,000
	2007	12,105,000	Pound	1.13	13,679,000
Other	2008	2,110,000	Pound	1.22	2,574,000
	2007	1,444,000	Pound	0.87	1,256,000
Beeswax	2008	244,000	Pound	2.06	503,000
	2007	109,000	Pound	1.78	194,000
Pollination ^b	2008	123,000	Colony	86.40	10,627,000
	2007	142,000	Colony	84.80	12,042,000
TOTAL	2008				\$36,503,000
	2007				\$27,171,000

^a From bee colonies registered in Tulare County during the 2008 citrus bloom period

^b Estimated number of colonies required for adequate pollination

Livestock & Poultry

Livestock and Poultry values experienced a 2%, or \$11,402,000, increase in total value in 2008. The total number of all head sold increased by 10%, or 140,200. Cattle and calf per head values decreased by 4%, while lamb, hog and pig per unit values remained steady.

Crop	Year	No. of Head	Total Liveweight	Unit	Value	
					Per Unit	Total
Cattle & Calves	2008	638,000	X	Head	787.00	502,106,000
	2007	615,000	X	Head	817.00	502,455,000
Lambs	2008	15,300	1,453,000	Pound	0.91	1,322,000
	2007	15,100	1,430,000	Pound	0.91	1,301,000
Hogs & Pigs	2008	277,000	X	Head	110.00	30,470,000
	2007	227,000	X	Head	111.00	25,197,000
Turkeys	2008	577,000	16,715,000	Pound	0.57	9,528,000
	2007	510,000	15,870,000	Pound	0.41	6,507,000
Miscellaneous ^a	2008	X	X	X	X	59,335,000
	2007	X	X	X	X	55,899,000
TOTAL	2008					\$602,761,000
	2007					\$591,359,000

^a Includes Aquaculture, Beneficial Organisms, Chicken Fryers, Fryer Chicks, Game Birds, Goats, Pullet Chicks, Sheep, and Turkey Breeders

Livestock & Poultry Products

Livestock & Poultry Products' gross value decreased 6%, or \$105,588,000, in 2008. Milk prices decreased, causing the total value for all milk to decrease by 5%. Total milk production increased by 2%.

Crop	Year	Production		Value	
		Total	Unit	Per Unit	Total
Manure ^a	2008	2,642,000	Ton	1.07	2,827,000
	2007	2,555,000	Ton	1.03	2,632,000
Milk – Market	2008	105,878,000	Cwt.	16.60	1,757,575,000
	2007	103,444,000	Cwt.	17.90	1,851,648,000
Manufacturing	2008	2,100,000	Cwt.	18.50	38,850,000
	2007	2,411,000	Cwt.	19.00	45,809,000
Miscellaneous ^b	2008	X	X	X	6,926,000
	2007	X	X	X	11,677,000
TOTAL	2008				\$1,806,178,000
	2007				\$1,911,766,000

^a Includes Dairy and Poultry Manure.

^b Includes Turkey Hatching Eggs, Chicken Eggs (Market & Hatching), Goat Milk, and Wool

Seed Crops

The total value of Seed Crops more than doubled in 2008. Seed cotton acreage increased by 57%, which helped to contribute to the 59%, or \$719,000, increase in its total value. Miscellaneous seed crops had an increase in harvested acreage and an increase in total value.

Crop	Year	Production			Value		
		Harvested Acreage	Per Acre	Total	Unit	Per Unit	Total
Cotton – Foundation, Registered & Certified ^a	2008	4,520	X	5,600	Ton	346.00	1,938,000
	2007	2,880	X	3,640	Ton	335.00	1,219,000
Miscellaneous ^b	2008	367	X	X	X	X	1,434,000
	2007	108	X	X	X	X	170,000
TOTAL	2008	367					\$3,372,000
	2007	108					\$1,389,000

^a Not included in total acreage for "Seed Crops"

^b Includes Cowpea and Walnut seed

Industrial Crops

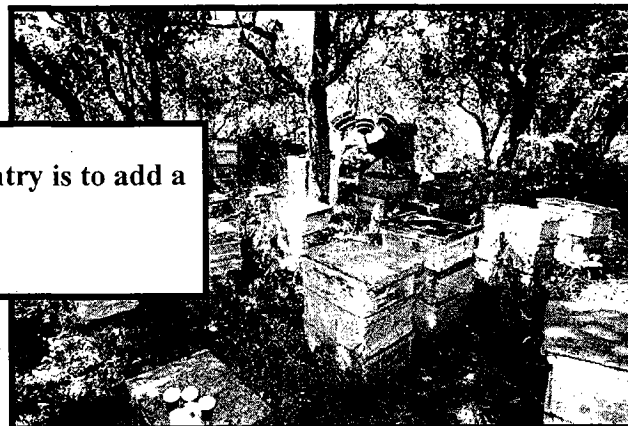
Industrial Crops had a total value of \$1,851,800, which was an increase of 18%, or \$276,800, in 2008. The value of miscellaneous industrial crops increased by 39%, or \$505,000.

Crop	Year	Production		Value	
		Total	Unit	Per Unit	Total
Timber harvested ^a	2008	1,028,000	Board Ft.	0.066	67,800
	2007	1,743,000	Board Ft.	0.170	296,000
Miscellaneous ^b	2008	X	X	X	1,784,000
	2007	X	X	X	1,279,000
TOTAL	2008				\$1,851,800
	2007				\$1,575,000

^a 2007 year's production and value updated based on information provided by Timber Tax Division, Property Taxes Dept., State Board of Equalization.

^b Includes Almond Shells, Biomass, Firewood, and Walnut Burls

**"The greatest service which can be rendered any country is to add a useful plant to its culture."
-Thomas Jefferson**



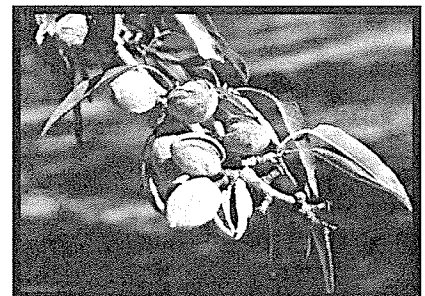
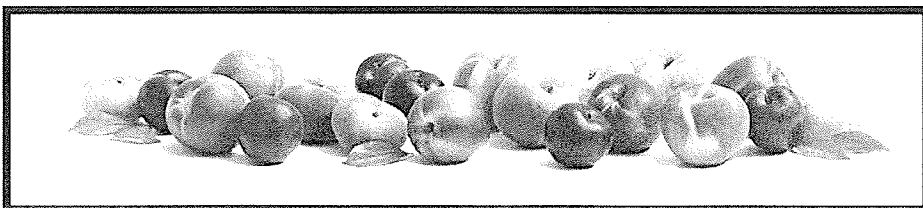
SUMMARY

COMMODITY	YEAR	HARVESTED ACREAGE	VALUE
FIELD CROPS	2008	1,306,170	\$630,631,000
	2007	1,249,844	\$459,014,000
VEGETABLE CROPS	2008	4,904	\$16,115,000
	2007	4,995	\$15,487,000
FRUIT & NUT CROPS	2008	296,917	\$1,835,198,000
	2007	288,456	\$1,776,094,000
NURSERY PRODUCTS	2008	X	\$85,413,000
	2007	X	\$90,184,000
APIARY PRODUCTS	2008	X	\$36,503,000
	2007	X	\$27,171,000
LIVESTOCK & POULTRY	2008	X	\$602,761,000
	2007	X	\$591,359,000
LIVESTOCK & POULTRY PRODUCTS	2008	X	\$1,806,178,000
	2007	X	\$1,911,766,000
SEED CROPS	2008	367	\$3,372,000
	2007	108	\$1,389,000
INDUSTRIAL CROPS	2008	X	\$1,851,800
	2007	X	\$1,575,000
GRAND TOTAL	2008	1,608,358	\$5,018,022,800
	2007	1,543,403	\$4,874,039,000



**“Farming looks mighty easy when your plow is a pen and you’re a
thousand miles from the corn field.”**

-Dwight Eisenhower



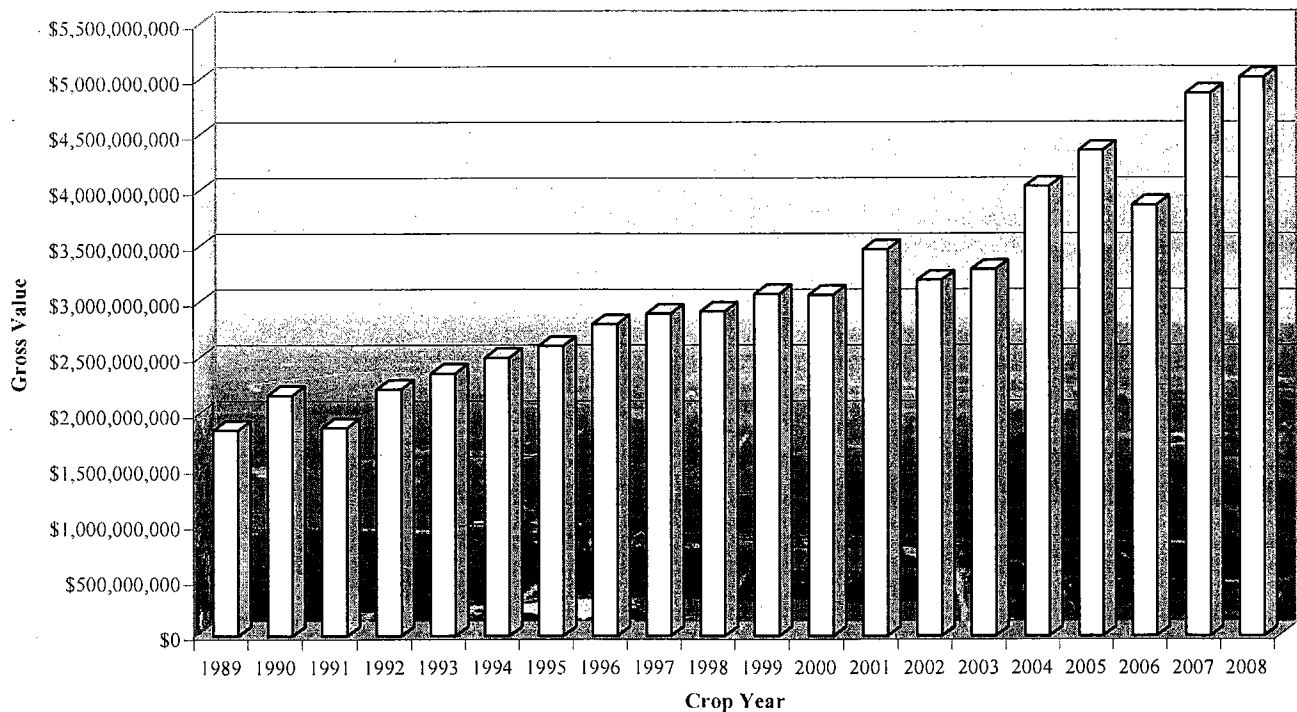
MILLION DOLLAR PRODUCTS

<u>2008 Ranking</u>	<u>2008 Total Value</u>	<u>2007 Ranking</u>
1 Milk	\$1,796,425,000	1
2 Oranges - Navel & Valencia	\$592,797,000	2
3 Cattle & Calves	\$502,106,000	3
4 Grapes	\$488,035,000	4
5 Alfalfa - Hay & Silage	\$215,552,000	5
6 Corn - Grain & Silage	\$213,582,000	6
7 Almonds- Meats & Hulls	\$89,388,000	9
8 Tangerines - Fresh	\$86,292,000	18
9 Silage - Small Grain	\$82,139,000	14
10 Pistachio Nuts	\$78,585,000	11
11 Peaches - Cling & Freestone	\$77,233,000	8
12 Plums	\$77,010,000	10
13 Walnuts	\$76,635,000	7
14 Nursery - Ornamental Trees & Shrubs	\$64,042,000	13
15 Nectarines	\$59,844,000	12
16 Lemons - Fresh	\$47,376,000	16
17 Wheat - Grain	\$40,081,000	27
18 Blueberries	\$33,344,000	23
19 Hogs & Pigs	\$30,470,000	20
20 Pasture & Range	\$27,093,000	21
21 Honey	\$25,373,000	24
22 Cherries	\$24,367,000	22
23 Olives	\$21,318,000	15
24 Cotton - Lint & Seed	\$21,136,000	17
25 Kiwifruit	\$20,349,000	19
26 Prunes	\$10,989,000	28
27 Pomegranates	\$10,854,000	29
28 Pollination	\$10,627,000	25
29 Turkeys	\$9,528,000	31
30 Persimmons	\$8,642,000	34
31 Nursery - Grape & Berry Vines	\$8,214,000	30
32 Grapefruit	\$6,602,000	26
33 Sudan Grass	\$5,796,000	37
34 Nursery - Citrus & Subtropical Trees	\$5,045,000	32
35 Pears & Asian Pears	\$5,025,000	36
36 Sorghum - Grain	\$4,494,000	38
37 Nursery - Deciduous Fruit & Nut Trees	\$3,540,000	35
38 Apricots	\$3,538,000	41
39 Manure	\$2,827,000	40
40 Pecans	\$2,422,000	39
41 Beans - Dry	\$2,269,000	33
42 Cucumbers	\$1,791,000	44
43 Broccoli	\$1,657,000	43
44 Quince	\$1,574,000	42
45 Lambs	\$1,322,000	45

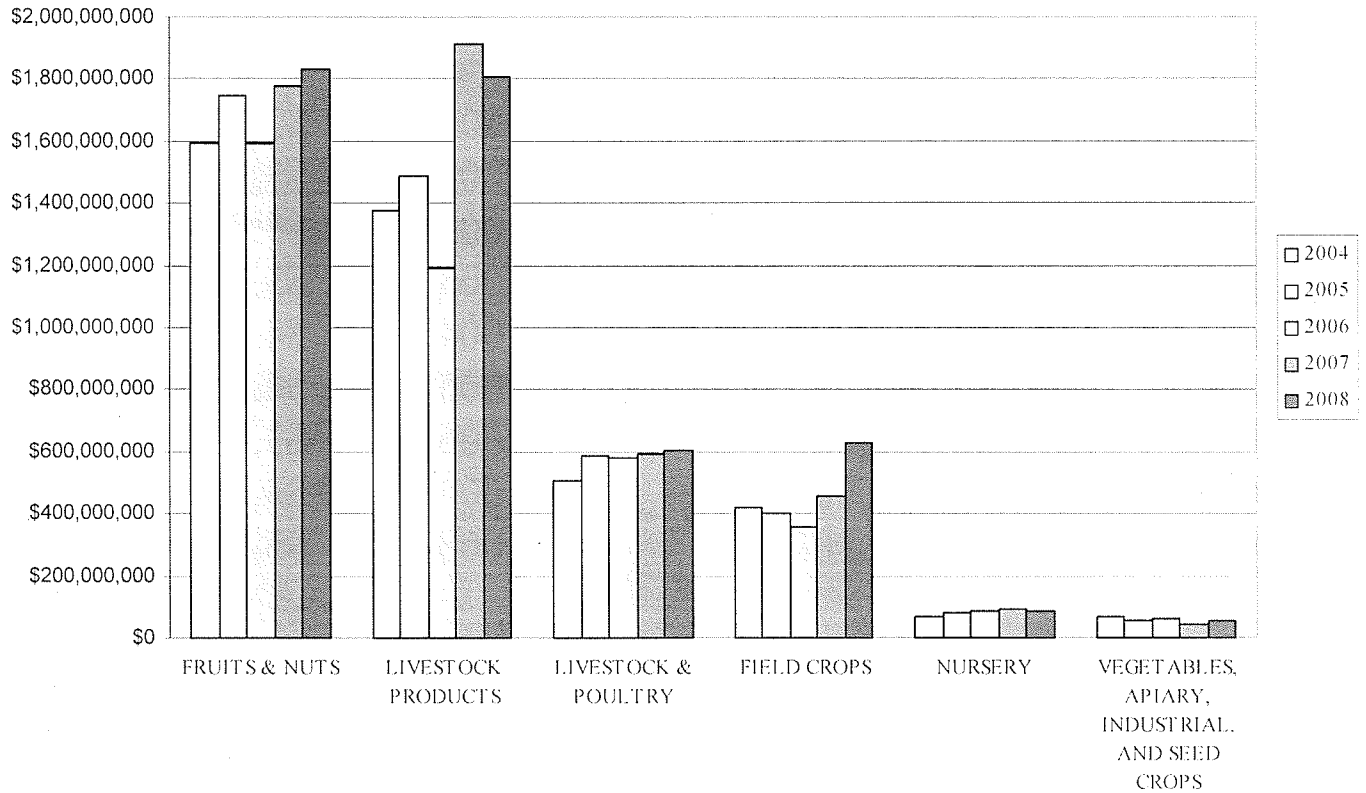
Twenty-Year Comparison of Agriculture Value in Tulare County 1989-2008

1989	\$1,853,151,600	1999	\$3,078,369,000
1990	\$2,169,448,000	2000	\$3,068,648,200
1991	\$1,878,425,000	2001	\$3,475,999,600
1992	\$2,224,612,000	2002	\$3,201,084,900
1993	\$2,365,202,000	2003	\$3,296,522,000
1994	\$2,504,944,000	2004	\$4,039,524,000
1995	\$2,611,088,000	2005	\$4,362,738,000
1996	\$2,805,452,000	2006	\$3,872,059,700
1997	\$2,900,892,000	2007	\$4,874,039,000
1998	\$2,919,528,800	2008	\$5,018,022,800

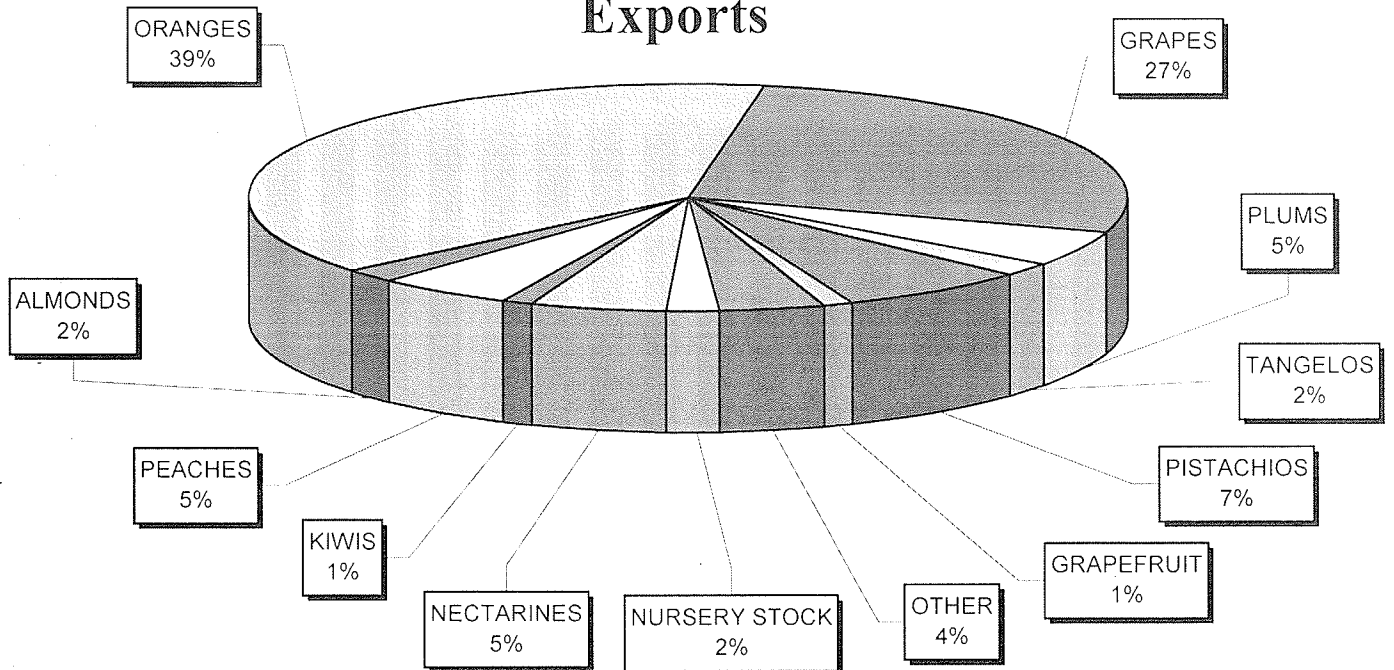
Tulare County Twenty Year Comparison



Five-Year Category Comparison



2008 Fruit and Nut Exports



75 Leading Export Countries

Rank	Country	Cartons	Rank	Country	Cartons	Rank	Country	Cartons
1	Mexico	4,716,781	26	Panama	202,608	51	Israel	14,969
2	Republic of Korea	4,532,909	27	India	195,796	52	New Caledonia	14,158
3	Japan	3,883,031	28	Ecuador	195,148	53	Portugal	14,080
4	China	3,058,271	29	Dominican Republic	158,193	54	Lebanon	10,700
5	Taiwan	2,571,837	30	France	144,661	55	Ukraine	9,160
6	Canada	1,015,183	31	Bangladesh	112,896	56	Oman	7,938
7	New Zealand	670,478	32	Italy	101,185	57	Afghanistan	7,877
8	United Arab Emirates	660,980	33	Greece	92,083	58	Bulgaria	7,864
9	Philippines	623,643	34	Spain	85,640	59	French Polynesia	7,551
10	Australia	579,933	35	Brazil	78,164	60	Kuwait	7,087
11	Guatemala	533,507	36	Trinidad & Tobago	61,669	61	Peru	6,825
12	Indonesia	495,258	37	Malaysia	54,531	62	Finland	5,456
13	Netherlands	466,246	38	Chile	53,624	63	Sweden	5,380
14	Hong Kong	464,614	39	Saudi Arabia	50,922	64	Morocco	5,280
15	El Salvador	315,748	40	Nicaragua	44,359	65	Latvia	5,132
16	Costa Rica	298,899	41	Bahamas	40,156	66	Switzerland	4,334
17	Belgium	296,189	42	Sri Lanka	28,700	67	Guyana	4,133
18	Vietnam	248,876	43	Norway	28,328	68	Hungary	3,520
19	United Kingdom	275,983	44	Cambodia	24,240	69	Ireland	3,374
20	Germany	267,063	45	Singapore	22,479	70	Sudan	3,200
21	Colombia	263,602	46	Turkey	21,062	71	Republic of Ireland	3,136
22	Russian Federation	249,548	47	Cyprus	19,553	72	Egypt	3,032
23	Honduras	248,651	48	Romania	19,360	73	Republic of Armenia	2,740
24	Venezuela	236,536	49	South Africa	18,991	74	Luxembourg	1,760
25	Thailand	216,964	50	Argentina	16,412	75	Burkina Faso	1,600

Tulare County Sustainable Agricultural Reporting - 2008

County Biological Control

<u>Pest</u>	<u>Agent/Mechanism</u>	<u>Program Scope</u>
Aphids <i>Aphis</i> spp.	Asian Ladybird Beetle <i>Harmonia axyridis</i>	2 sites
Ash Whitefly <i>Siphoninus phillyreae</i>	Parasitic Wasp <i>Encarsia inaron</i> Ladybird Beetle <i>Cleitostethus arcuatus</i>	Upon demand Upon demand
Comstock Mealybug <i>Pseudococcus comstocki</i>	Parasitic Wasps <i>Pseudoaphycus malinus</i> <i>Allotropa burvelli</i>	Upon demand
Cottony-Cushion Scale <i>Icerya purchasi</i>	Parasitic Fly <i>Cryptochetum iceryae</i> Vedalia Beetle <i>Rodolia cardinalis</i>	Upon demand Upon demand
Italian Thistle <i>Carduus pycnocephalus</i>	Seedhead Weevil <i>Rhinocylus conicus</i>	2 sites
Milk Thistle <i>Silybum marianum</i>	Seedhead Weevil <i>Rhinocylus conicus</i>	Upon demand
Mulberry Whitefly <i>Tetraleurodes mori</i>	Ladybird Beetle <i>Delphastus dejavu</i>	Upon demand
Puncture Vine <i>Tribulus terrestris</i>	Seed & Stem Weevils <i>Microlarinus lareynii</i> <i>Microlarinus lypriformis</i>	Upon demand
Russian Thistle <i>Salsola australis</i>	Casebearer Moth <i>Coleophora klimeschiella</i>	Upon demand
Yellow Star Thistle <i>Centaurea solstitialis</i>	Flowerhead Bud Weevil <i>Bangasternus orientalis</i> Flower Weevil <i>Larinus curtus</i> Hairy Weevil* <i>Eustenopus villosus</i> Peacock Fly <i>Chaetorellia succinea</i> Yellow Star Gall Fly <i>Urophora sirunaseva</i>	Upon demand 2 sites 1 site Upon demand Upon demand

*Also provided insect agents to other out-of-county agencies.

County Pest Detection

<u>Target Pest</u>	<u>Number of Traps</u>	<u>Host Crops</u>
European Corn Borer	4	Corn/Sorghum
European Pine Shoot Moth	5	Pines
General Fruit Fly	574	Fruit Trees
Glassy-winged Sharpshooter	7150	Various Trees & Shrubs
Gypsy Moth	252	Shade Trees
Japanese Beetle	181	Turf & Flowers
Khapra Beetle	110	Stored Food Products
Light Brown Apple Moth	465	Various Trees & Shrubs
Mediterranean Fruit Fly	492	Fruit Trees
Melon Fruit Fly	368	Vegetables
Mexican/Caribbean Fruit Flies	173	Fruit Trees
Oriental Fruit Fly	368	Fruit Trees

County Pest Eradication

<u>Pest</u>	<u>Agent/Mechanism</u>	<u>Program Scope</u>
Alligatorweed <i>Alternanthera philoxeroides</i>	Mechanical/Chemical Control	340 Plants
Pink Bollworm <i>Pectinophora gossypiella</i>	Mechanical/Chemical Control	12,605 Acres
Scotch Thistle <i>Onopordum acanthium</i>	Mechanical/Chemical Control	520 Plants

County Pest Exclusion

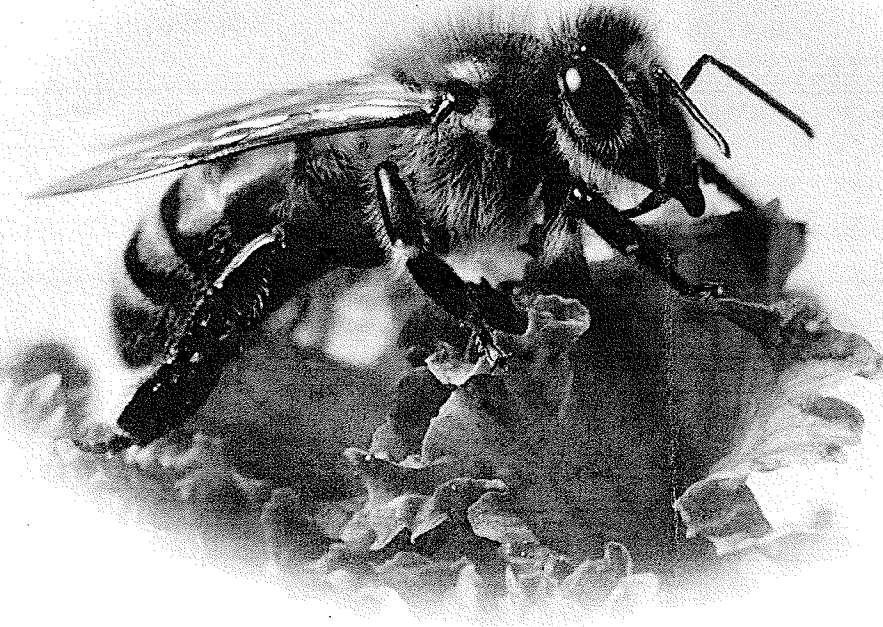
<u>Pest Rejections</u>	<u>Setting</u>	<u>Program Scope</u>
Federally Prohibited Plants	Incoming Shipments	1 Rejection/Destroyed
Live Pests (unspecified)	Incoming Shipments	3 Rejections/Destroyed
Improper Markings	Incoming Shipments	8 Rejections/Destroyed

**2008 Registered Organic and Certified Producer
Farming Statistics**

Organic Growers	79
Acres of Organic Cropland	3698
Organic Packers/Shippers	16
Certified Producers Certificates	135

Organic Crops

Citrus	1,323 Acres
Grapes	817 Acres
Tree Fruits	741 Acres
Nuts	379 Acres
Berries	153 Acres
Avocados	65 Acres
Vegetables/Melons	53 Acres
Olives	35 Acres
Other	132 Acres
Dairy Cows	620 Head



The Tulare County Agricultural Commissioner/Sealer's Office would like to offer a special thanks to the United States Department of Agriculture, Agricultural Research Service Information Staff Photo Unit and Natural Resources Conservation Service for the photographs featured in this publication.