

TULARE COUNTY
RESOURCE MANAGEMENT AGENCY



5961 South Mooney Boulevard
Visalia, CA 93277

TULARE COUNTY ZONING ORDINANCE UPDATE
PZC 25-005 & PZC 25-008

Environmental Impact Report

September 2026

Prepared by

Tulare County Resources Management Agency
Planning Branch
Environmental Planning Division

**Draft Environmental Impact Report
Zoning Ordinance Update (PZC 25-005, PZC 25-008)**

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1 INTRODUCTION

1.1 Purpose of the Environmental Impact Report

This document is a Subsequent Environmental Impact Report with the purpose to examine the environmental effects of the proposed Tulare County Zoning Ordinance Update (the “Project”). This document has been prepared in accordance with the relevant provisions of the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State CEQA Guidelines as implemented by the County of Tulare. According to Section 15168(c)(2) of the State CEQA Guidelines, a program EIR can be used in compliance with CEQA to address the effects of a subsequent activity so long as the activity is within the scope of the project covered by the program EIR and no new effects are found and no new mitigation measures would be required. As supported by the analysis presented in this document, the Plan would not result in new or substantially more severe significant environmental effects than what was analyzed in the Tulare County 2030 General Plan EIR (State Clearinghouse Number 2006041162), which was certified/adopted by the Tulare County Board of Supervisors on August 28, 2012 by Resolution No. 2012-0696. The Tulare County General Plan 2030 Update establishes a planning framework and policies for the planning period to 2030 and is considered a comprehensive update of the County of Tulare’s current General Plan.

While the Zoning Ordinance is part of the general plan, it is a tool used to implement the general plan. As previously mentioned, various implementation measures call out for the County to update the Zoning Ordinance so that Zoning can be consistent with the visions of the General Plan and Housing Element.

The CEQA Guidelines establish the type of environmental documentation which is required for subsequent actions in a program. Section 15168(c)(1-5) states the following:

“Use with Later Activities: Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

1. If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading to either an EIR or a negative declaration.
2. If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measure would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.
3. An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.

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4. Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.
5. A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required."

The purpose of this EIR is to analyze whether the Zoning Ordinance Update is within the scope of the project described with the General Plan 2030 Update EIR, and whether it could result in any new or substantially more severe significant environmental impacts that would be greater than those identified in the General Plan 2030 Update EIR or require new mitigation measures.

As determined in the analysis provided herein, the Project will not involve "new significant environmental effects or a substantial increase in the severity of previously identified significant effects" which was not previously identified in the General Plan 2030 Update EIR.

Additionally, no new mitigation measures would be required; mitigation measures that were adopted for the General Plan 2030 Update EIR continue to remain applicable. The environmental impacts associated with the Zoning Ordinance Update would be within the envelope of impacts analyzed in the General Plan 2030 Update EIR and/or do not constitute a new or greater significant impact. On the basis of substantial evidence in the light of the whole record, the County has determined that no further CEQA documentation is required for adoption of the Plan.

It should be noted that upon adoption of the Zoning Ordinance Update, future projects may be subject to their own environmental review on a case-by-case basis in accordance with CEQA. If necessary, these future projects will be required to have their own CEQA documentation prepared to analyze project-specific environmental effects that have not been sufficiently analyzed in previous EIRs.

"Tiering" is defined in Section 15152 of CEQA and refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan,

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policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration. Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration. However, the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed.

A later EIR shall be required when the initial study or other analysis finds that the later project may cause significant effects on the environment that were not adequately addressed in the prior EIR. A negative declaration shall be required when the provisions of CEQA Section 15070 are met.

When tiering is used, the later EIRs or negative declarations shall refer to the prior EIR and state where a copy of the prior EIR may be examined. The later EIR or negative declaration should state that the lead agency is using the tiering concept and that it is being tiered with the earlier EIR.

1.1.1 Notice of Preparation

In compliance with the State CEQA Guidelines, the County of Tulare provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various state, regional, and local government agencies and other interested parties to solicit comments on the scope of review in this document. This included the distribution of a Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties. In addition, notice of a public scoping meeting for the project was included in the NOP. The public scoping meeting was held on April 8, 2026, at 2:00PM, over Microsoft Teams meeting or in-person at the Main Conference Room of the Tulare County Resource Management Agency, 5961 South Mooney Boulevard Visalia, CA 93277-9394

Pursuant to State CEQA Guidelines §15082, the County of Tulare circulated the NOP directly to public agencies (including the State Clearinghouse Office of Planning and Research), special districts, and members of the public who had requested such notice. The NOP was distributed on March 25, 2026, which initiated a 30-day public review period that ended on April 24, 2026.

The purpose of the NOP was to formally announce the preparation of a Draft EIR for the proposed project, and also announce that the County, as the Lead Agency, was soliciting input regarding the scope and content of the environmental information to be included in the EIR. The NOP provided preliminary information regarding the anticipated range of impacts to be analyzed within the EIR.

The public scoping meeting was held with the intent of affording interested individuals, groups, and public agencies a forum in which to orally present input directly to the Lead Agency in order to further refine the scope and focus of the EIR, as described in the NOP. Any comments received during this process are included in Appendix A of this document.

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1.1.2 Public Review of the Draft EIR

In accordance with State CEQA Guidelines §§ 15087 and 15105, this Draft EIR is being circulated for a 45-day public review period. Copies of the Draft EIR are available for review at the Tulare County Resource Management Agency, 5961 South Mooney Blvd., Visalia, CA 93277, or on the website at: [Environmental Impact Reports | Tulare](#). Copies are also available to be obtained at the Visalia Branch Library, 200 West Oak Avenue, Visalia, CA 93291.

The public is invited to comment in writing on the information presented in the Draft EIR, specifically comments related to the project's significant environmental impacts, measures to reduce or avoid significant adverse impacts, and/or feasible alternatives that could reduce significant adverse impacts. Persons and agencies commenting are encouraged to provide relevant information that they believe is missing from the Draft EIR and to identify where the information can be obtained. All comment letters received before the close of the public review period will be responded to in writing, and the comment letters, together with the responses to those comments, will be included in the Final EIR.

Comment letters should be sent to:

Gary Mills, Chief Planner, Environmental Planning Division
Tulare County Resource Management Agency
Economic Development and Planning Branch
5961 South Mooney Boulevard
Visalia, CA 93277-9394
E-mail: gmills@tularecounty.ca.gov
Phone: (559) 624-7199

1.1.3 The Final EIR

The Final EIR will consist of the Draft EIR, including any necessary revisions, and responses to all written comments addressing concerns raised in the comments of responsible agencies, the public, and any other reviewing parties. After the Final EIR is published, and at least ten days prior to the certifying the Final EIR, a copy of the response to comments made by public agencies on the Draft EIR will be provided to the commenting agencies.

Prior to taking any action to approve the Project, the County of Tulare Board of Supervisors will certify that: the Final EIR was completed in compliance with CEQA, the decision-makers reviewed and considered the information contained in the Final EIR, and the Final EIR reflects the County's independent judgment and analysis.

In order to ensure that the mitigation measures to reduce or avoid environmental impacts are implemented, the County of Tulare will adopt a monitoring or reporting program for mitigation measures in the Final EIR that are adopted as conditions of project approval.

1.2 Responsible and Trustee Agencies

Certain projects or actions undertaken by a Lead Agency require subsequent oversight, approvals, or permits from other public agencies in order to be implemented. Such other agencies are referred to as Responsible Agencies and Trustee Agencies. Pursuant to CEQA Guidelines §§ 15381 and 15386, as amended, Responsible Agencies and Trustee Agencies are respectively defined as follows:

A Responsible Agency is defined in State CEQA Guidelines § 15381 as a public agency that has responsibility for carrying out or approving a project (as defined by CEQA) for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. The term Responsible Agency includes all public agencies other than the Lead Agency that have discretionary approval power over the project. No agencies have been identified other than the County of Tulare that need to issue discretionary approvals for the adoption of the Project; however, various responsible agencies may need to issue discretionary permits or approvals for individual projects proposed within the Project area in the future. Those agencies could include the California Department of Fish and Wildlife, Regional Water Quality Control Board, and San Joaquin Valley Air Pollution Control District, among others.

A Trustee Agency is defined in State CEQA Guidelines § 15386 as a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Trustee Agencies include the: California Department of Fish and Wildlife, State Lands Commission, State Department of Parks and Recreation, and University of California with regard to sites within the Natural Land and Water Reserves System.

1.3 Organization of the EIR

The Draft EIR is organized into the following sections:

- **Chapter 1: Introduction.** An overview of the purpose of the EIR and EIR process are presented, including a description of how to submit comments on the EIR.
- **Chapter 2: Project Description.** A detailed description of the characteristics of the proposed Project is presented, including a listing of the objectives of the Project.
- **Chapter 3: Environmental Setting, Analysis, and Mitigation Measures.** Descriptions of existing environmental conditions in the Project area and a summary of relevant laws and regulations is presented for each technical issue area. The description of existing conditions serves as the baseline environmental conditions against which the environmental effects of the Project are evaluated. Each technical issue area section provides an analysis of the proposed Project's direct, indirect, and cumulative impacts along with a conclusion regarding the significance of each identified impact. Mitigation measures are proposed to reduce or avoid significant impacts anticipated to result from Project implementation.

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- **Chapter 4: Effects Found Not to Be Significant.** This chapter describes the various resources requiring analysis under the California Environmental Quality Act (CEQA) that were determined to have less than significant or no impact due to the proposed project.
- **Chapter 5: Alternatives.** This chapter describes the process for the selection of Project alternatives and the rationale used to exclude certain alternatives from further analysis. The impacts of the alternatives carried forward for analysis are described, but in less detail than the impacts of the proposed Project.
- **Appendices.** The Notice of Preparation and Scoping comments, as well as any technical appendices are included in this section.

1.4 Incorporation by Reference

Pertinent documents relating to this EIR have been cited in accordance with State CEQA Guidelines §15150, which encourages incorporation by reference as a means of reducing redundancy and the length of environmental reports. The following documents are incorporated by reference into this EIR. Information contained within these documents has been utilized for each section of this EIR. Copies of these documents are available for review on the County's website ([Environmental Impact Reports | Tulare](#)). A brief synopsis of the scope and content of these documents are provided below.

- **Tulare County 2030 General Plan, adopted August 28, 2012.** The Tulare County General Plan is a policy document, designed for the County's long-term outlook for future growth. The Tulare County General Plan includes the following elements: Circulation, Conservation, Housing, Land Use, Noise, Open-Space, Environmental Justice, and Safety Elements. The Housing and Environmental Justice Elements were updated in 2023 and the Safety Element was updated in 2024. The Tulare County General Plan identifies the types of development that will be allowed, the spatial relationships among land uses, and the general pattern of future development. It presents the issues which face the County as well as the goals, objectives, policies, and specific actions which the County will pursue to resolve those issues. All development projects including subdivisions, public works, redevelopment projects, zoning decisions, and other various implementation tools must be consistent with the General Plan.
- **Tulare County 2030 General Plan, Environmental Impact Report, certified August 28, 2012.** The General Plan EIR is intended to provide decision-makers and the public with information concerning the environmental effects of implementation of the General Plan. The General Plan EIR includes background data, analyzes potential environmental impacts, identifies General Plan strategies and actions that serve as mitigation, and identifies additional mitigation measures to reduce potentially significant effects due to implementation of the General Plan. The General Plan EIR determined that implementation of the General Plan would result in various irreversible environmental changes in the area including soil erosion associated with grading and construction activities, alteration of the human environment as a consequence of the development

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process, increased usage of public services and utilities during and after construction, temporary and permanent commitment of energy and water resources as a result of construction, operation, and maintenance of new developments, utilization of various new raw materials for construction, and incremental increased in vehicular activity within the County. Other significant environmental effects include increased traffic and circulation impacts, depletion of groundwater resources, additional air and noise pollution emissions, and increased consumption of natural resources such as water supply.

2 Project Description

2.1 Project Overview and Objectives

Several sections within the Tulare County Zoning Ordinance have remained unchanged throughout the years, resulting in language that is outdated, no longer relevant, or conflicting with other sections that have been updated. In addition, based on feedback received, the Zoning Ordinance was found to be difficult to navigate as information has had tendencies to be found in multiple locations, making it more difficult to be able to find specific information. The County is proposing updates to ensure that the Zoning Ordinance conforms to the General Plan, is more streamlined, and is easier to navigate.

Text Amendment No. PZC 25-005 is proposing to update the following Agricultural Zoning sections in the Tulare County Zoning Ordinance: Section 2 Definitions, Establish the Preamble and Zoning Matrix for Agricultural Zones, Section 9.5 AE (Exclusive Agricultural), Section 9.55 AE-10 (Exclusive Agricultural – 10 acre minimum), Section 9.6 AE-20 (Exclusive Agricultural – 20 acre minimum), Section 9.7 AE-40 (Exclusive Agricultural – 40 acre minimum), Section 9.8 AE-80 (Exclusive Agricultural – 80 acre minimum), Section 10 A-1 (Agricultural), Section 10.3 AF (Foothill Agricultural), Section 15.5 (Reasonable Accommodations), Section 16 (Variances and Special Use Permits), Section 16.4 (Site Review Combining Zone), Section 16. IV (Temporary Use Permits), and Section 16.V (Special Use Permit – Assemblage of People for Educational and/or Event Purposes).

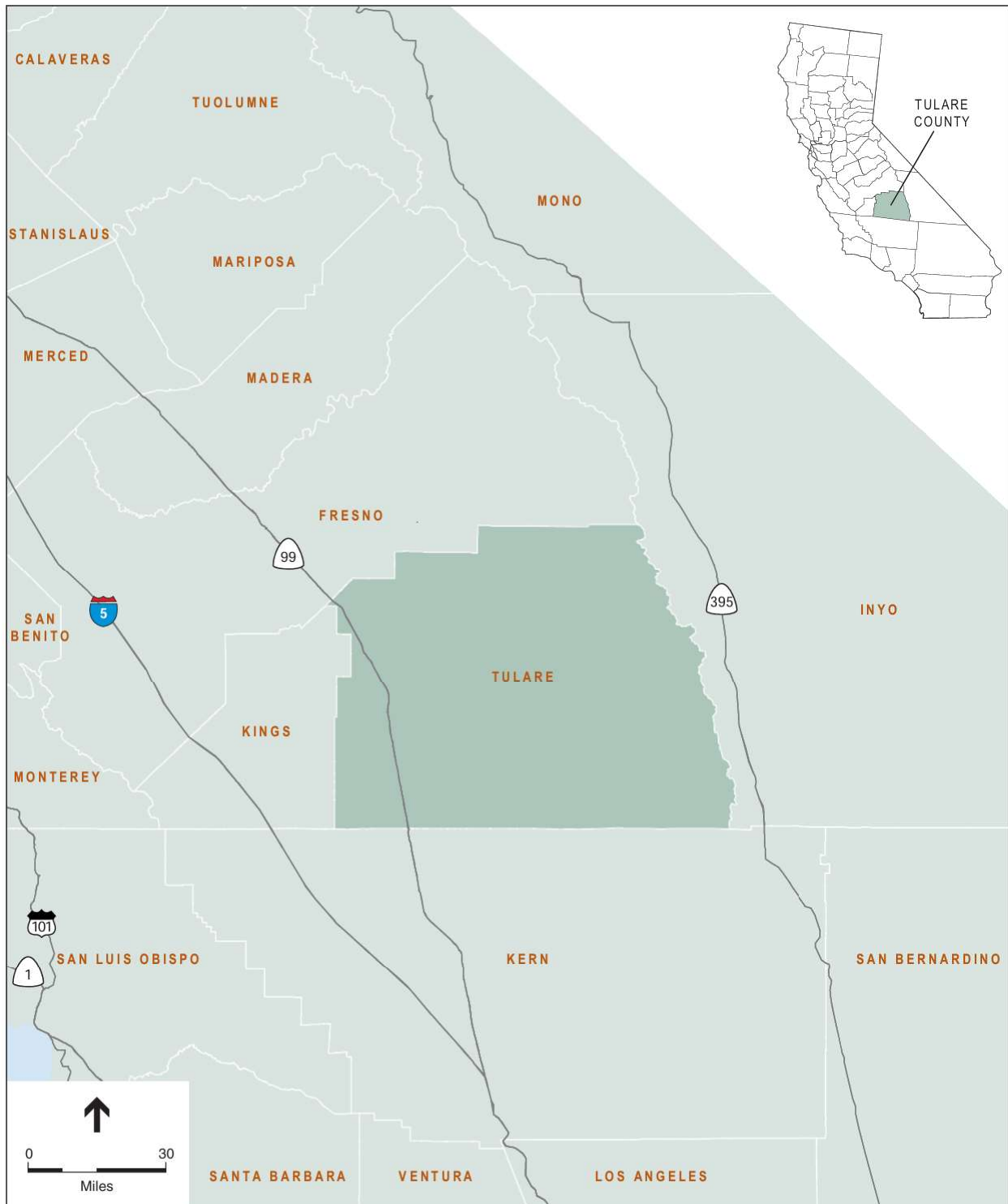
Text Amendment No. PZC 25-008, is proposing to update the Residential Zoning sections of the Tulare County Zoning Ordinance, including: Section 2 (Definitions), Establish the Preamble and Zoning Matrix for the Residential Zones, Section 4 R-A (Rural Residential), Section 4.5 MR (Mountain Residential), Section 5 R-O (Single Family Estate), Section 6 R-1 (Single-Family Residential), Section 7 R-2 (Two-Family Residential), Section 8 R-3 (Multi-Family), Section 14.3 M (Special Mobilehome Overlay), Section 15 (General Provisions and Exceptions), Section 15.5 (Reasonable Accommodations), Section 16 (Variances and Special Use Permits), Section 16.4 (Site Review Combining Zone), Section 16. IV (Temporary Use Permits), Section 16.V (Special Use Permit – Assemblage of People for Educational and/or Event Purposes), Section 18.6 PD (Planned Development), and Section 18.7 F (Foothill Combining).

2.2 Project Location

Tulare County is located in a geographically diverse region with the majestic peaks of the Sierra Nevada framing its eastern region, while its western portion includes the San Joaquin Valley floor, which is very fertile and extensively cultivated. The County is connected regionally via State Route 99 (SR 99), which is the primary north-south highway in the County. State highways 63 (north/south), 65 (north/south), 190 (east/west), and 198 (east/west) serve to connect the various cities, communities and regions within the County.

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Figure 2.2-1 - Tulare County Vicinity Map



The County of Tulare is bordered by Fresno County to the north and Kern County to the south. Kings County is located on the west side of Tulare County while Inyo County borders the County to the east (see Figure 2-1). The crest of the Sierra Nevada mountain range forms the boundary

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with Inyo County. The northern border of Tulare County is an irregular line that passes just south of the Cities of Kingsburg and Reedley and State Highway 180. The southern border is a consistent east-west trending line, comprising the south standard parallel south of Mount Diablo, located north of the City of Delano in Kern County. The western border generally trends north-south in a straight-line north and south just east of the Cities of Corcoran and Hanford in Kings County.

2.3 Project Background

The County of Tulare General Plan Update (2012) Work Plan/Implementation Measures laid out the direction for the updates to the Zoning Ordinance to be consistent with the General Plan. The County has been working with various Stakeholders and other public and private entities to receive input to help shape the changes that are being proposed. The following proposed changes are consistent with the follow Work Plan/Implantation Measures: Agriculture (13) The County shall amend the Zoning Ordinance to provide for agriculturally related energy production industries, Land Use (1) The county shall update the Zoning Ordinance to be consistent with the land use standards set forth in this Land Use Element, (3) During preparation of the Zoning Ordinance and Land Development Regulations, the County shall consider appropriate incentives to encourage smart growth implementation, including but not limited to such factors as infill, densification, transportation alternatives, provision of public amenities, and commercial standards, and Environmental Resources Management (27) Tulare County shall devise procedures as part of the Zoning Ordinance update to mitigate significant conflicts arising from incompatible land uses.

The Tulare County Housing Action Programs required that the County Update specific sections of the Zoning Ordinance to comply with updated State of California rules and regulations within the 6th Cycle of the Housing Element (2023-2031). This included Action Program numbers 4.1 – Open Exchange of Ideas and Information, 7.4 – Assist in Development/Reasonable Accommodations, 12.2, 12.3, and 12.4 – Zoning and General Plan Consistency and Updates.

Several of the Sections within the Tulare County Zoning Ordinance have remained unchanged throughout the years and include language that is conflicting with other Sections that have been updated or includes language that is outdated and no longer relevant. In addition, based on feedback received, the Zoning Ordinance was found to be difficult to navigate as information has had tendencies to be found in multiple locations, making it more difficult to be able to find specific information. The County is proposing updates to the Zoning Ordinance to ensure that it does conform to the General Plan as well as making it more streamlined and easier to navigate.

In addition, the County has reviewed several types of uses and has proposed updated “by-right” uses, as well as additional permitted uses within the Agricultural zones

2.4 EIR Certification and Project Approval

Written comments received during the CEQA statutory public comment period in response to this EIR will be addressed in a response to comments document, which, together with the DEIR, will constitute the Final EIR.

County of Tulare staff will make recommendations to the Planning Commission and to the Board of Supervisors. The Board of Supervisors will review the Final EIR for adequacy and consider it for certification, pursuant to the requirements of Section 15090 of the CEQA Guidelines. Certification consists of three separate but related findings:

- The Final EIR has been completed in compliance with CEQA.
- The Final EIR was presented to the decision-making body of the lead agency, and the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project.
- The Final EIR reflects the lead agency's independent judgment and analysis.

If the Board of Supervisors certifies the Final EIR and chooses to approve the proposed project, the Board will then be required to adopt findings on the feasibility of reducing or avoiding significant environmental effects (CEQA Guidelines, Section 15091, subd. (a)) and to adopt a statement of overriding considerations that identifies the proposed project benefits that outweigh the proposed project's significant unavoidable effects (CEQA Guidelines, Section 15093).

3 ENVIRONMENTAL IMPACT ANALYSIS:

This chapter contains an evaluation of the environmental impacts of the proposed project for compliance with the California Environmental Quality Act (CEQA). The sections listed below examine the short- and long-term adverse impacts on the physical environment from the project.

3.1 Agriculture and Forestry Resources

3.1.1 Summary of Findings

The Zoning Ordinance Update (PZC 25-005, PZC 25-008) will result in a **Less Than Significant Impact with Mitigation Incorporated** to Agriculture and Forestry Resources. The Project proposes an update in the language of Zoning Ordinance No. 352, which specifically addresses the Agricultural and Residential Zones. The Update removes redundant language, removes outdated and/or conflicting language, and updates uses to be consistent with the Tulare County General Plan. Entitlements required include Zone Changes (PZC 25-005 and PZC 25-008). A full description of the Project components can be found in Chapter 2 of this document. A detailed review of potential impacts is provided in the analysis as follows.

3.1.2 Introduction

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to Agricultural Land and Forestry Resources. As required in CEQA Guidelines Section 15126, all phases of the proposed Project will be considered as part of the potential environmental impact.

As noted in Section 15126.2 (a), [a]n EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there. Similarly, the EIR should evaluate any

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potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazardous areas.¹

The environmental setting provides a description of the Agricultural Lands and Forestry Resources in the County. The regulatory setting provides a description of applicable Federal, State and Local regulatory policies that were developed in part from information contained in the Tulare County 2030 General Plan², Tulare County General Plan Background Report³, and/or Tulare County 2030 General Plan EIR⁴ are incorporated by reference and summarized below. Additional documents utilized are noted as appropriate. A description of the potential impacts of the proposed Project is provided and includes the identification of feasible mitigation measures (if necessary and feasible) to avoid or lessen the impacts.

Thresholds of Significance

The California Department of Conservation identifies the location of Prime Agricultural Land resource areas and Williamson Act Contract lands. Thresholds of potential significance are established by the CEQA Checklist Item questions and include the following:

- Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
- Conflict with Williamson Act Contracts
- Convert Forest Land

3.1.3 Environmental Setting

Tulare County exhibits a diverse ecosystems landscape created through the extensive amount of topographic relief (elevations range from approximately 200 to 14,000 feet above sea level). The County is essentially divided into three eco-regions. The majority of the western portion of the County comprises the Great Valley Section, the majority of the eastern portion of the County is in the Sierra Nevada Section, and a small section between these two sections comprises the Sierra Nevada Foothill Area.⁵

Agricultural Productivity

The Project site encompasses the entirety of unincorporated area within Tulare County. Much of Tulare County is characterized by rich, highly productive farmland. Agriculture is significant contributor to Tulare County's economy, and agriculture and related industries make Tulare

¹ [California Natural Resources Agency. California Environmental Quality Act \(CEQA\) Guidelines. Section 15126.2 \(a\). Accessed July 2025](#)

² [Tulare County 2030 General Plan. Accessed July 2025](#)

³ [Tulare County General Plan 2030 Update. Recirculated DEIR. Appendix B General Plan Background Report. February 2010 \(SCH # 2006041162\). Accessed July 25, 2025](#)

⁴ [Tulare County General Plan 2030 Update. Recirculated DEIR. February 2010 \(SCH # 2006041162\). Accessed July 2025](#)

⁵ [Tulare County General Plan 2030 Update. Recirculated DEIR. February 2010 \(SCH # 2006041162\). Page 3.11-5. Accessed July 2025](#)

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County one of the most productive agricultural counties in the United States, according to Annual Crop and Livestock Reports. “Agricultural lands (crop and commodity production and grazing) also provide the County’s most visible source of open space lands. As such, the protection of agricultural lands and continued growth and production of agriculture industries is essential to all County residents.”⁶

The *2023 Tulare County Annual Crop and Livestock Report* stated that Tulare County’s total gross production value for 2023 is \$7,866,730,100. This represents a decrease of \$745,719,900 or 8.7% below 2022’s value of \$8,612,450,000. Milk continues to be the leading agricultural commodity in Tulare County; with a gross value of \$2,039,238,000, a decrease of \$632,053,000 or 23% from 2022’s value. The value of milk decreased by \$7.00 per hundredweight (cwt), nonetheless milk represents over a quarter of the total crop and livestock value for 2023. Livestock and Poultry’s gross value of \$987,681,000 represents an increase of approximately 20% above 2022, mostly due to a higher per unit value for cattle.

The total value of all Field Crop production in 2023 was \$554,372,000, a decrease of 26% from the previous year. This decrease is mostly attributed to lower prices for corn silage. Fruit and Nut commodities were valued at \$4,033,325,000, a decrease of 2.3%. This decrease can be attributed to a lower yield and value of Navel Oranges. Vegetable crops were valued at \$38,730,000, representing an increase of nearly 46%. This can largely be attributed to increases in the yield and value of tomatoes.

Tulare County’s agricultural strength is based on the diversity of the crops produced. The 2023 crop report covers more than 150 different commodities, 41 of which 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 nearly 90 countries throughout the world.⁷

According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP), in 2012 agricultural lands in Tulare County included 860,120 acres of important farmland (designated as FMMP Prime, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) and 439,940 acres of grazing land, for a total of 1,300,060 acres of agricultural land.⁸

Important Farmland Trends

⁶ Tulare County General Plan 2030 Update. August 2012. Page 3-4.

⁷ [2023 Tulare County Annual Crop and Livestock Report. September 2024. Cover letter from Tom Tucker, Agricultural Commissioner. Accessed July 2025](#)

⁸ [California Department of Conservation, California Farmland Conversion Report, Table A-44: Tulare County 2010-2012 Land Use Conversion. Page 72. Accessed July 2025](#)

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Using data collected by the FMMP, farmland acreage has been consistently decreasing for each two-year period since 1998. Tulare County lost 13,815 acres of Important Farmland, and 14,216 acres of Agricultural Land between 2010 and 2012.⁹

According to the Tulare County Subvention Report (Fiscal Year 2015-2016), much of Tulare County's farmland is under California Land Conservation Act (Williamson Act) contracts, a program designed to prevent premature conversion of farmland to residential or other urban uses. As of January 1, 2015, there were 1,097,728 acres of farmland under Williamson Act or Farmland Security Zone contracts in Tulare County. As presented in **Table 3.2-1 2015 Tulare County Lands Under Williamson Act or Farmland Security Zone Contracts** this total includes 565,200 acres of Williamson Act prime, 521,376 acres nonprime, and 11,152 acres of Farmland Security Zone lands. (The acreage totals also include 6,283 acres of Williamson Act prime contract land in nonrenewal and 10,848 acres of Williamson Act of nonprime contract land in nonrenewal).¹⁰

Table 3.1-1 2015 Tulare County Lands Under Williamson Act or Farmland Security Zone Contracts

Acres	Category
565,200	*Total prime = Prime active + NR Prime
521,376	*Total Nonprime = Nonprime active + NR Prime
11,152	Farmland Security Zone
1,097,728	Total Acres in Williamson Act and Farmland Security Zone Contracts

** Prime total includes 6,39.75 acres in nonrenewal; Nonprime total includes 7,512.56 acres in nonrenewal.
Source: Data compiled from 2015-2016 Tulare County Subvention Report.*

⁹ Ibid.

¹⁰ [California Department of Conservation, Division of Land Resource Protection. Farmland Mapping and Monitoring Program California Farmland Conversion Report 2015. Accessed July 2025](#)

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Table 3.1-2 Tulare County FMMP Designated Land (1998-2016) Total Acres Inventoried

Farmland Category	1998¹¹	2000¹²	2002¹³	2004¹⁴	2006¹⁵	2010¹⁶	2012¹⁷	2014¹⁸	2016¹⁹
Prime Farmland	396,130	393,030	387,620	384,340	379,760	370,249	368,527	366,414	366,136
Farmland of Statewide Importance	357,220	351,720	345,760	339,580	332,160	323,599	321,296	320,886	322,355
Unique Farmland	11,790	11,720	12,750	12,530	12,220	11,593	11,474	11,421	11,691
Important Farmland Subtotal	765,140	756,470	746,130	736,450	724,140	705,441	701,297	859,171	858,119
Farmland of Local Importance	110,040	124,140	126,820	137,440	143,830	154,550	158,823	160,450	157,937
Grazing Land	439,960	434,050	440,550	440,620	440,140	440,042	439,940	439,961	439,934
Total	1,315,140	1,314,660	1,313,500	1,314,560	1,308,110	1,300,033	1,300,060	1,299,132	1,298,053

For Tulare County and the surrounding region, the reported major cause of this conversion is the downgrading of important farmlands to other agricultural uses (e.g., such as expanded or new livestock facilities, replacing irrigated farmland with non-irrigated crops, or land that has been fallow for six years or longer).²⁰

Forest Lands

¹¹ Tulare County General Plan 2030 Update Recirculated Draft EIR Sch#2006041162. Table 3.10-4.

¹² Ibid.

¹³ Op. Cit.

¹⁴ Op. Cit.

¹⁵ Op. Cit.

¹⁶ Tulare County Resource Management Agency. Tulare County Subvention Report for Fiscal Year 2012-2013 (submitted to Department of Conservation, November 2012).

¹⁷ Ibid.

¹⁸ [California Department of Conservation, Division of Land Resource Protection. Department of Conservation, Farmland Mapping and Monitoring Program, Table 2014-2016. Table A-44, Part I. Accessed July 2025](#)

¹⁹ Ibid.

²⁰ Tulare County 2030 General Plan RDEIR. Pages 3.10 to 3.13.

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Timberlands that are available for harvesting are located in the eastern portion of Tulare County in the Sequoia National Forest. Hardwoods found in the Sequoia National Forest are occasionally harvested for fuel wood, in addition to use for timber production. Since most of the timberlands are located in Sequoia National Forest, the U.S. Forest Service has principal jurisdiction, which encompasses over 3 million acres. The U.S. Forest Service leases these federal lands for timber harvests.²¹

3.1.4 Regulatory Setting

3.1.4.1 Federal Agencies & Regulations

Farmland Protection Policy Act (FPPA)

The FPPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years. The FPPA does not authorize the Federal Government to regulate the use of private or nonfederal land or, in any way, affect the property rights of owners. For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.²²

US Forest Service

The U.S. Department of Agriculture, U.S. Forest Service is a Federal agency that manages public lands in national forests and grasslands. The Forest Service is also the largest forestry research organization in the world and provides technical and financial assistance to state and private forestry agencies to protect and manage non-federal forest and associated range and watershed lands. The Forest Service mission is to sustain the health, diversity, and productivity of the nation's forests and grasslands to meet the needs of present and future generations.²³

3.1.4.2 State Agencies & Regulations

California Department of Conservation: Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC), under the Division of Land Resource Protection, has developed the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state's farmland to and from agricultural use. Data is collected at the county level to produce a series of maps identifying eight land use classifications using a

²¹ General Plan Background Report. Pages 4-17.

²² [Federal Farmland Protection Act. Accessed July 2025](#)

²³ [U.S. Forest Service, "About Us – Meet the Forest Service". Accessed July 2025](#)

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minimum mapping unit of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of state agricultural land and updates the “Important Farmland Series Maps” every two years (Department of Conservation, 2000).²⁴

Williamson Act: California Land Conservation Act of 1965

The California Land Conservation Act (CLCA) of 1965, Sections 51200 et seq. of the California Government Code, commonly referred to as the “Williamson Act”, enables local governments to restrict the use of specific parcels of land to agricultural or related open space use. Landowners enter into contracts with participating cities and counties and agree to restrict their land to agriculture or open space use for a minimum of ten years. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market (speculative) value. Local governments receive an annual subvention of forgone property tax revenues from the state via the Open Space Subvention Act of 1971.²⁵

California Department of Forestry and Fire Protection (CAL FIRE)

CAL FIRE's mission emphasizes the management and protection of California's natural resources; a goal that is accomplished through ongoing assessment and study of the State's natural resources and an extensive CAL FIRE Resource Management Program. CAL FIRE oversees enforcement of California's forest practice regulations, which guide timber harvesting on private lands. Reviews and inspections ensure protection of watershed and wildlife, as well as renewal of timber resources. Department foresters and fire personnel work closely to encourage and implement fuels management projects to reduce the threat of uncontrolled wildfires. CAL FIRE Foresters promote conservation and the importance of our trees and forests to Californians of all ages.

CAL FIRE manages fourteen Demonstration State Forests which serve as a living laboratory for how to care for California's timberlands for multiple benefits—wood products and timber production, recreation, watershed protection and habitat restoration. Additional forestry programs include Urban and Community Forestry, Cultural Resources Management, Forest Entomology and Pathology, etc.²⁶

3.1.4.3 Local Policy & Regulations

Tulare County General Plan Policies

The Tulare County General Plan has a number of policies that apply to projects within the County of Tulare.²⁷ The following General Plan policies apply to the proposed Project:

²⁴ General Plan Background Report. Page 4-12.

²⁵ Ibid. 4-13.

²⁶ [California Department of Forestry and Fire Protection. About Us. Accessed July 2025](#)

²⁷ Tulare County General Plan 2030 Update. Part 1 – Goals and Policies Report.

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AG-1.1 Primary Land Use - The County shall maintain agriculture as the primary land use in the valley region of the County, not only in recognition of the economic importance of agriculture, but also in terms of agriculture's real contribution to the conservation of open space and natural resources.

AG-1.3 Williamson Act - The County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located outside established UDBs. However, this policy carries with it a caveat that support for the Williamson Act as a tax reduction component is premised on continued funding of the State subvention program that offsets the loss of property taxes.

AG-1.4 Williamson Act in UDBs and HDBs - The County shall support non-renewal or cancellation processes that meet State law for lands within UDBs and HDBs.

AG-1.6 Conservation Easements - The County shall consider developing an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conservation of important agricultural land to non-agricultural use. If available, the ACEP shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be a part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation.

AG-1.7 Preservation of Agricultural Lands - The County shall promote the preservation of its agricultural economic base and open space resources through the implementation of resource management programs such as the Williamson Act, Rural Valley Lands Plan, Foothill Growth Management Plan or similar types of strategies and the identification of growth boundaries for all urban areas located in the County.

AG-1.8 Agriculture within Urban Boundaries - The County shall not approve applications for preserves or regular Williamson Act contracts on lands located within a UDB and/or HDB unless it is demonstrated that the restriction of such land will not detrimentally affect the growth of the community involved for the succeeding 10 years, that the property in question has special public values for open space, conservation, other comparable uses, or that the contract is consistent with the publicly desirable future use and control of the land in question. If proposed within a UDB of an incorporated city, the County shall give written notice to the affected city pursuant to Government Code §51233.

AG-1.9 Agricultural Preserves Outside Urban Boundaries - The County shall grant approval of individual applications for agricultural preserves located outside a UDB provided that the

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property involved meets the requirements of the Williamson Act and the regulations of Tulare County.

AG-1.10 Extension of Infrastructure into Agricultural Areas - The County shall oppose extension of urban services, such as sewer lines, water lines, or other urban infrastructure, into areas designated for agriculture use unless necessary to resolve a public health situation. Where necessary to address a public health issue, services should be located in public rights-of-way in order to prevent interference with agricultural operations and to provide ease of access for operation and maintenance. Service capacity and length of lines should be designed to prevent the conversion of agricultural lands into urban/suburban uses.

AG-1.11 Agricultural Buffers - The County shall examine the feasibility of employing agricultural buffers between agricultural and non-agricultural uses, and along the edges of UDBs and HDBs. Considering factors include the type of operation and chemicals used for spraying, building orientation, planting of trees for screening, location of existing and future rights-of-way (roads, railroads, canals, power lines, etc.), and unique site conditions.

AG-1.17 Agricultural Water Resources - The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.

LU-2.3 Open Space Character - The County shall require that all new development requiring a County discretionary approval, including parcel and subdivision maps, be planned and designed to maintain the scenic open space character of open space resources including, but not limited to, agricultural areas, rangeland, riparian areas, etc., within the view corridors of highways. New development shall utilize natural landforms and vegetation in the least visually disruptive way possible and use design, construction and maintenance techniques that minimize the visibility of structures on hilltops, hillsides, ridgelines, steep slopes, and canyons.

LU-2.6 Industrial Development - Other than provided in Policy LU-2.5: Agricultural Support Facilities, the County shall, and the cities should, through their industrial development policies, approve only those agriculturally-oriented or related industries and uses that can demonstrate, whether by location and/or controlled methods of operation, that they will not adversely affect agricultural production or the County's natural resources. These uses should be located inside UDBs, HDBs, PCAs and regional growth corridors unless necessary for the support of agricultural operations or as provided in Policy LU-2.5: Agricultural Support Facilities.

Rural Valley Land Plans

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For the unincorporated valley portions of Tulare County, growth is guided by the land use policies in the Rural Valley Lands Plan (RVLP)²⁸ and Planning Framework Element²⁹ of the Tulare County General Plan 2030 Update.

Tulare County has identified land for urbanization according to four categories: 1) lands in and around incorporated cities, 2) lands in and around unincorporated communities, 3) lands in foothill development corridors, and 4) lands that qualify under the RVLP. The county is legally responsible for the planning and regulation of all lands that fall outside incorporated city limits, even though cities adopt their own general plans for the incorporated area and a portion of surrounding unincorporated area.³⁰

The RVLP applies to about 773,500 acres of the valley portion of the County, outside the planned Urban Development Boundaries (UDB) and generally below the 600-foot elevation contour line along the foothills of the Sierra Nevada Mountain Range. The purpose of the RVLP is to protect and maintain the agricultural viability of rural valley areas by establishing requirements for exclusive agricultural zoning (containing minimum parcel sizes) appropriate to sustain agriculture and implementing a policy that utilizes resource information to determine the suitability of rural lands for nonagricultural uses. The goal of the RVLP is to "sustain the viability of Tulare County agriculture by restraining division and use of land which is harmful to continued agricultural use." The RVLP utilizes five exclusive agriculture (AE) zones, each requiring a different minimum parcel size (ranging from five to eighty acres). These zones are as follows: AE, AE-10, AE-20, AE-40, and AE-80. The number designation on each zone generally reflects the minimum acres of land needed to productively farm a certain crop at a commercial level.³¹

In order to grant an exception for the use of the AE zone on properties that have minimal or no agricultural value, a point system is used to evaluate property suitability. Points are awarded for various factors such as parcel size, available public services, and surrounding land uses. Parcels determined to be more suitable for nonagricultural uses may be zoned (discretionary review required) for urban/suburban uses. Parcels that do not meet the requirements for rezoning are not allowed to rezone and must remain agriculturally zoned. The RVLP point system [is used] to determine whether a site is suitable to rezone from an agricultural zone on the Valley floor to an urban zone. The county shall not allow re-zoning of parcels that accumulate 17 or more points according to the RVLP Development Criteria. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12 to 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a

²⁸ Tulare County General Plan 2030 Update, Part II – Area Plan Policies. Chapter 1 – Rural Valley Lands Plan

²⁹ Tulare County General Plan 2030 Update, Part I – Goals and Policies Report. Chapter 2 – Planning Framework

³⁰ Tulare County General Plan 2030 Update Background Report. Page 3-6.

³¹ Ibid. 3-13.

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decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system.³²

Tulare County Agricultural Conservation Easement Program

The Tulare County Agricultural Conservation Easement Program (ACEP) was established to allow the use of agricultural easements to reduce or mitigate any significant impacts resulting from the conversion of certain agricultural land to non-agricultural uses. Resolution 2016-0323, adopted by the Tulare County Board of Supervisors on May 3, 2016, requires the use of farmland conservation easements or other farmland conservation mechanisms for projects requiring County discretionary land use entitlements and the conversion of five (5) or more acres of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses.

CRITERIA FOR AN EASEMENT: A "Farmland conservation easement" means for the purposes of this ACEP, an easement over agricultural land for the purpose of restricting its use for the term set forth in this resolution for primarily agricultural and agricultural-compatible uses. Any easement offered or used under this program shall, at a minimum, meet these criteria:

- A) Preferably the easement will be located in Tulare County but other suitable land may be encumbered subject to approval by the Board of Supervisors.
- B) The easement will include Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.
- C) The land placed under the easement must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated.
- D) The land placed under the easement must be at a minimum of a one to one (1:1) ratio or its functional equivalent to the loss of defined agricultural lands mitigated.³³

3.1.5 Impact Evaluation

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

³² Op. Cit. 3-14.

³³ Tulare County Agricultural Conservation Easement Program. Pages 6 to 7.

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- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural uses?**

Mitigation Measure(s):

AG-1 Prior to recordation of the first final map or issuance of the first grading permit, whichever occurs first, within an “FMMP area” of the Project area, as applicable, the Applicant shall demonstrate compliance with the Tulare County *Agricultural Conservation Easement Program* (ACEP). The Applicant shall implement one (1) of the five (5) options below:

Option 1 (Mitigation Fees): Applicant(s) may submit in-lieu mitigation fees to Tulare County for the purpose of procuring agricultural lands for farmland conservation easement(s). These fees will be used by Tulare County to purchase farmland easement(s) at a minimum ratio of one to one (1:1) or its functional equivalent to the loss of define agricultural lands, on behalf of the Applicant. These easements must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement shall protect the designated farmland in perpetuity.

Option 2 (On-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The on-site land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, within the boundaries of the project site/property. The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement shall protect the designated farmland in perpetuity.

Option 3 (Off-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The land placed under the easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, unless otherwise agreed upon by all parties involved, including the Applicant(s), Tulare County, and/or selling Land Owner(s). The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement(s) shall protect the designated farmland in perpetuity.

Option 4 (Combined On- and Off-site Easements): Applicant(s) may enter into a Farmland Conservation Easement Agreement with Tulare County. The land placed under the

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easement(s) must be at a minimum of a one to one (1:1) ratio, with no less than its functional equivalent of the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or combination thereof, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The easement(s) shall be located in Tulare County, unless otherwise agreed upon by all parties involved, including the Applicant(s), Tulare County, and/or selling Land Owner(s). The easement(s) must be of substantially the same quality, have or could acquire access to water, and could otherwise be feasibly cultivated. The easement(s) shall protect the designated farmland in perpetuity.

Option 5 (Planned Development Overlay): The Applicant(s) can enter into a Planned Development Agreement with Tulare County to establish a Planned Development Overlay for the project area. This agreement will include conditions that require all future developments to undergo a Site Plan Review, which will include mandatory mitigation, including farmland easements, for the conversion of agricultural lands.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

The project proposes changes to Agricultural zones by updating definitions and classifications of uses, and in some specific cases, allows for a simpler streamlined process of establishing a use. There are no specific development projects resulting from the update to the Tulare County Zoning Ordinance.

The Tulare County Zoning Ordinance update includes all parcels within the following agricultural zones: AE (Exclusive Agricultural), AE-10 (Exclusive Agricultural – 10 Acre Minimum), AE-20 (Exclusive Agricultural – 20 Acre Minimum), AE-40 (Exclusive Agricultural – 40 Acre Minimum), AE-80 (Exclusive Agricultural – 80 Acre Minimum), A-1 (Agricultural), and AF(Foothill Agricultural). As of 2024, Tulare County has 32,373 parcels within the aforementioned agricultural zones, and they cover 2,837,709 acres (91.93%), of the county's 3,086,720 acres total. 1,148,968 acres, or 37.22% of Tulare County's total area, are under Williamson Act Contracts, in Farmland Security Zones, or in the Nonrenewal process.

c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code § 12220(q), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?

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Tulare County includes the Sequoia National Park and Sequoia National Forest. The proposed Project, by itself, does not propose or authorize any development that could result in conversion of Farmland into non-agricultural uses or forest land to non-forest use.

Therefore, consistent with the findings of the 2030 General Plan, a Less Than Significant Impact on Agricultural and Forestry resources would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

Tulare County includes the Sequoia National Park and Sequoia National Forest. The proposed Project, by itself, does not propose or authorize any development that could result in conversion of Farmland into non-agricultural uses or forest land to non-forest use.

Therefore, consistent with the findings of the 2030 General Plan, a Less Than Significant Impact on Agricultural and Forestry resources would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Tulare County includes the Sequoia National Park and Sequoia National Forest. The proposed Project, by itself, does not propose or authorize any development that could result in conversion of Farmland into non-agricultural uses or forest land to non-forest use.

Overall, consistent with the findings of the 2030 General Plan, a **Less Than Significant Impact with Mitigation** on Agricultural and Forestry resources would occur as a result of this Project.

3.1.6 Acronyms & Abbreviations

ACEP	Agricultural Conservation Easement Program
CALFIRE	California Department of Forestry and Fire Protection
CLCA	California Land Conservation Act (Williamson Act)
DOC	California Department of Conservation
FPPA	Farmland Protection Policy Act
FMMP	Farmland Mapping and Monitoring Program
HDB	Hamlet Development Boundary
MMRP	Mitigation Monitoring Reporting Program
RVLP	Rural Valley Lands Plan
THP	Timber Harvesting Plan
UDB	Urban Development Boundary

3.1.7 Definitions

“The California Department of Conservation, Division of Land Resource Protection, maintains the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state’s farmland to and from agricultural use. The map series identifies eight classifications (discussed below) and uses a minimum mapping unit size of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of state agricultural land and updates its “Important Farmland Series Maps” every two years. Although the program monitors a wide variety of farmland types (more fully described below), Important Farmland consists of lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland.”³⁴

Farmland of Local Importance (L) - Farmland of Local Importance is land important to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.³⁵

Farmland of Statewide Importance (S) - Farmland of Statewide Importance is similar to Prime Farmland but has minor shortcomings, such as greater slopes or a lesser ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.³⁶

Grazing Land (G) - Grazing Land is land on which the vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen’s Association, the University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.³⁷

Important Farmlands (IF) - While the number of agricultural lands classified as Important Farmlands (i.e., Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) have been decreasing over the past several years, the total acreage for all categories of farmland (including grazing land) remained relatively stable between the years 1998 and 2006 (see Table 3.10-4). The locations of these farmland types are identified in Figure 3.10-1. The farmlands are concentrated in the Rural Valley/Foothill Planning areas. No important farmlands are located in the Mountain Area.

Other Land (X) - Other Land is land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and

³⁴ General Plan Update RDEIR, page 3.10-4

³⁵ Ibid.

³⁶ Op. Cit.

³⁷ Op. Cit.

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borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.³⁸

Prime Farmland (P) – Prime Farmland is farmland with the best combination of physical and chemical features to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.³⁹

Unique Farmland (U) - Unique Farmland has lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.⁴⁰

Urban and Built-Up Land (D) - Urban and Built-Up Land is land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.⁴¹

Water (W) - Water is defined as perennial water bodies with an extent of at least 40 acres.

³⁸ Op. Cit., page 3.10-5

³⁹ Op. Cit., page 3.10-4

⁴⁰ Op. Cit.

⁴¹ Op. Cit., 3.10-4 to 3.10-5.

3.2 Land Use Planning

3.2.1 Summary of Findings

The Zoning Ordinance Update (PZC 25-005, PZC 25-008) (henceforth, TCZO or Project) will result in a ***Less Than Significant Impact with Mitigation*** to Land Use and Planning. The Project proposes updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. Entitlements required include Zone Changes (PZC 25-005 and PZC 25-008). A full description of the Project components can be found in Chapter 2 of this document. A detailed review of potential impacts is provided in the analysis as follows.

3.2.2 Introduction

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to Land Use and Planning. As required in Section 15126, all phases of the proposed Project will be considered as part of the potential environmental impact.

As noted in Section 15126.2 (a), [a]n EIR shall identify and focus on the significant environmental effects of the proposed Project. In assessing the impact of a proposed Project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the Project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the Project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision will have the effect of attracting people to the location and exposing them to the hazards found there. Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.⁴²

⁴² [California Natural Resources Agency. California Environmental Quality Act \(CEQA\) Guidelines. Section 15126.2 \(a\). Accessed July 2025](#)

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The environmental setting provides a description of the County's Land Use and Planning setting. The regulatory setting provides a description of the applicable Federal, State and Local regulatory policies that were developed from the Tulare County 2030 General Plan, Background Report, and the Tulare County General Plan DEIR incorporated by reference and summarized below. A description of the potential impacts from the proposed Project, and the identification of feasible mitigation measures to avoid or lessen the impacts, are provided.

Thresholds of Significance:

- Divide community
- Conflict with applicable land use plan policy, or regulation of an agency with jurisdiction over the Project
- Conflict with applicable habitat conservation plan

3.2.3 Environmental Setting

Regional Land Use Patterns

Tulare County is located in a geographically diverse region with the majestic peaks of the Sierra Nevada framing its eastern region, while its western portion includes the San Joaquin Valley floor, which is very fertile and extensively cultivated. In addition to its agricultural production, the County's economic base also includes agricultural packing and shipping operations. Small and medium size manufacturing plants are located in the western part of the county and are increasing in number. Tulare County contains portions of Sequoia National Forest, Sequoia National Monument, Inyo National Forest, and Kings Canyon National Park. Sequoia National Park is entirely contained within the county.

The County encompasses approximately 4,840 square miles of classified lands (lands with identified uses) and can be divided into three general topographical zones: a valley region; a foothill region east of the valley area; and a mountain region just east of the foothills. The eastern half of the county is generally comprised of public lands, including the Mountain Home State Forest, Golden Trout Wilderness area, and portions of the Dome Land and south Sierra Wilderness areas. Federal lands, which include wilderness, national forests, monuments and parks, along with County parks, make up 52 percent of the County, the largest percentage found in the County. Agricultural uses, which include row crops, orchards, dairies, and grazing lands on the Valley floor and in the foothills total over 2,020 square miles or about 43 percent of the entire County. Urban uses such as incorporated cities, communities, hamlets, other unincorporated urban uses, and infrastructure rights-of-way make up the remaining land in the County.

Existing Land Uses

Existing land uses in Tulare County have been organized into generalized categories that are summarized on **Table 3.2-1 County of Tulare Summary of Assessed Land by Generalized Use Categories**. These lands total 3,930 square miles or approximately 81 percent of Tulare County. Open space, which includes wilderness, national forests, monuments and parks, and County parks, encompasses 1,230 square miles, or approximately 25 percent of the County. Agricultural

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uses total over 2,150 square miles or about 44 percent of the entire County. Incorporated cities in Tulare County capture less than three (3) percent of the entire County.

Table 3.2-1 County of Tulare Summary of Assessed Land by Generalized Use Categories⁴³

Generalized Land Use Category	Square Miles*	Percentage**
Residential	110	2
Commercial	10	< 1
Industrial	10	< 1
Agriculture	2,150	44
Public (including airports, charitable organizations, churches, fraternal organizations, government owned land, hospitals and rest homes, institutional facilities, rehab facilities and schools)	420	9
Open Space (including national forests and parks, timber preserves)	1,230	25
Classified Subtotal	3,930	81
Unclassified (includes streets and highways, rivers, canals, etc.)	780	16
Unincorporated County Subtotal	4,710	97
Incorporated Cities	130	3
Total County	4,840	100

* One square mile = 640 acres.

** Percent reflect those estimated for the total land area of the County and may not equal 100 due to rounding.

⁴³ [Tulare County General Plan 2030 Update. Background Report. Page 3-53. Accessed on July 2025](#)

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Tulare County Planning Areas

Area plans have been prepared for two of the three major geographic regions of the County: the Rural Valley Lands Plan for the San Joaquin rural valley floor and the Foothill Growth Management Plan for the foothills. No plan has been previously adopted for the entire mountain region; however, the proposed project includes a Mountain Framework Plan with policies that are specific to the County's mountain areas.

Rural Valley Lands Plan

The Rural Valley Lands Plan (RVLP) (GPA 75-1D) was adopted in 1975, and has had two subsequent amendments (GPA86-009 and GPA94-008) that strengthen its agricultural-protective provisions. The RVLP applies to about 773,500 acres of the valley portion of the County, outside County adopted Urban Development Boundaries (CACUDB), City Urban Area Boundaries (UAB) and other adopted community plans areas, and generally below the 600-foot elevation contour line along the foothills of the Sierra Nevada Mountain Range. The Kings River Plan is a sub-area plan that supersedes the RVLP.

The purpose of the RVLP is to protect and maintain the agricultural viability of rural valley areas by establishing requirements for exclusive agricultural zoning (containing minimum parcel sizes) appropriate to sustain agriculture and implementing a policy that utilizes resource information to determine the suitability of rural lands for non-agricultural uses. The goal of the RVLP is to "sustain the viability of Tulare County agriculture by restraining division and use of land which is harmful to continued agricultural use."

The RVLP utilizes five exclusive agriculture (AE) zones, each requiring a different minimum parcel size (ranging from five to eighty acres). These zones are as follows: AE, AE-10, AE-20, AE-40, and AE 80. The number designation on each zone generally reflects the minimum acres of land needed to productively farm a certain crop at a commercial level.

The majority of the land located in this region is dedicated to agricultural uses. As Table 3.1-2 shows, the majority of land in the RVLP area is zoned AE-40 (495,180 acres) and AE-20 (196,630 acres). The RVLP area contains approximately 769,108 acres of land with about 2,140 acres utilized by non-designated land types, such as roads and waterways.

In order to grant an exception for the use of the AE zone on properties that have minimal or no agricultural value, a parcel evaluation checklist is used to evaluate property suitability, based on a point system. Points are awarded for various factors such as parcel size, available public services, and surrounding land uses. Parcels determined to be more suitable for non-agricultural uses may be zoned (discretionary review required) for urban/suburban uses. Parcels that do not meet the requirements for rezoning are not allowed to rezone and must remain agriculturally zoned.

Foothill Growth Management Plan

The Foothill Growth Management Plan (FGMP) was adopted in 1981. The FGMP includes a comprehensive statement of the development policies and standards that prescribe land use and circulation patterns for the foothill region of Tulare County. The plan encompasses 675,641 acres

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of land generally at a 600-foot elevation to the west and bounded on the east by the federally owned parks in the Sierra Nevada Mountains and some privately owned lands on the San Joaquin Valley floor. The plan's policies set guidelines for community identity, new development, recreation/open space, agriculture, environmental protection, scenic corridors protection, history/archaeology, infrastructure facilities, and public services. The community plans for both Springville and Three Rivers are within in the FGMP boundaries.

The FGMP utilizes four land use designations that are geographically limited to areas outside the communities of Three Rivers and Springville. These designations are Development Corridor, Extensive Agriculture, Foothill Extension, and Valley Agriculture Extension. Nearly 85 percent of the land within this region is dedicated to agricultural uses. The lands that are developable are located mainly along transportation corridors where geographic and geological characteristics are conducive to development. In total, approximately 675,641 acres of land are designated in the FGMP area.

Mountain Framework Plan

The Mountain Framework Plan includes all land located east of the Foothill Growth Management Plan, which generally coincides with the westerly boundary of Federal lands. This includes lands under the jurisdiction of the National Park Service (Sequoia National Park), the U.S. Forest Service (Sequoia National Forest and Giant Sequoia National Monument), and the Bureau of Land Management (BLM). The private lands in this region amount to about 40,000 acres. The following are seven separate geographical locations or "sub-areas" within the Mountain Framework Plan:

- Kennedy Meadows (1986)
- Great Western Divide – North ½ (1990)
- Great Western Divide - South ½ (unadopted);
- Redwood Mountain (unadopted);
- Posey (unadopted);
- Upper Balch Park (unadopted); and
- South Sierra (unadopted).

Of the seven sub-areas identified above, only the Kennedy Meadows and Great Western Divide (North ½) sub-areas have adopted plans. For areas without adopted plans, the 1964 Land Use Element and any Federal or State land use management plans guide development and/or land management. These two plans use unique land use designations that provide for the future growth of each subarea. These two plans collectively cover 50 percent of the private land in the Mountain Framework Plan.

Kennedy Meadows Plan

The Kennedy Meadows Plan includes an area of about 93,000 acres in the southeastern corner of the County. Over 80 percent of the land within this plan area is Federal or State-owned. The lands that are privately owned include small enclaves scattered throughout the plan area. The County has designated all private holdings with a land use classification. Land designated as Mountain Commercial has not been guaranteed because the land use diagram for the Kennedy Meadows Plan depicts this designation as geographic "nodes" rather than defined geographic bound areas. Over 40 percent of the land in the Kennedy Meadows Plan area is comprised of

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Resource Management and Resource Conservation Management (6,408 acres) followed by land designated as Mountain Residential-40 (6,013 acres). In total, there are approximately 15,500 acres of designated lands in the Kennedy Meadows Plan area. In addition, 77,393 acres of land is not designated since they are Federal or State-owned lands, right-of-ways, waterways, and other uses.

Great Western Divide (North Half) Plan (GWDN Half Plan)

The GWDN Half Plan includes over 110,000 total acres and is located on the eastern edge of the Foothill Growth Management Plan area along State Route 190, east of the City of Porterville. Over 95 percent of the land located in the plan area is federally or State-owned. The lands that are privately owned include small enclaves scattered throughout the plan area, each with its own neighborhood name. The County has designated all private holdings with specific land use types. The two largest designated land areas in the Great Western Divide (North Half) Plan area are Resource Management and Conservation, followed by land designated as Mountain Residential (20,000 square foot minimum).

3.2.4 Regulatory Setting

3.2.4.1 Federal Agencies & Regulation

Federal regulations for land use are not relevant to the Project because it is not a federal undertaking, the Project site is not located on lands administered by a federal agency. Should the Project request federal funding, the appropriate National Environmental Policy Act (NEPA) process of evaluating potential environmental impacts will be undertaken prior to the approval of said federal funding. Regardless of the funding source, the project and its related potential environmental impacts have been evaluated in this document.

3.2.4.2 State Agencies & Regulations

The Project is being evaluated pursuant to CEQA. The project will meet all applicable state regulations, plans, programs, or guidelines associated with land use and planning. Specifically, the project will comply with Caltrans, Regional Water Quality Control Board, State Water Boards and other responsible agencies relative to the improvements to on and off ramps and proximate circulation of the Merritt Drive interchange at State Route 99. Improvements to the existing community water system and wastewater treatment facilities will also be in conformance with applicable State of California regulatory guidelines and regulations that have proven to be effective in reducing potential environmental impacts to a level of insignificance.

3.2.4.3 Local Policy & Regulations

Tulare County Association of Governments (TCAG)

TCAG is committed to improving the quality of life for residents and visitors throughout Tulare County, creating regional plans and building regional projects. We coordinate regional transit programs to make getting around easy and convenient. We have improved air quality and strive

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to continue to meet national standards. We responsibly use the extra hard earned tax dollars that the people of Tulare County bring in to us from the passage of Measure R under the supervision of the board and citizen's review committee. We address current and future rail needs and possibilities with a forward thinking approach. We gather important data which is used by the census and the public to properly forecast housing and transit needs. We also manage the abandoned vehicle program for the county, and do a whole lot more.⁴⁴

Development Agreement

The applicant has requested the County approve a Development Agreement as defined in Government Code Title 7, Article 2.5 section 65864–65869.5 between Tulare County and the project Developer. Said Development Agreement will define and establish, among other things, design, construction, maintenance and financing of project infrastructure and corresponding duties of the County and the project applicant. See Appendix “A”.

The Development Agreement proposes, among other things, a reservation of capacity for the applicant for improvements funded by the applicant and establishment of a reimbursement process to repay the applicant should others utilize the improvements constructed by the applicant. All project improvements addressed in the Development Agreement have been described and evaluated in this document.

Tulare County General Plan 2030 Update

The General Plan contains the following policies aimed at reducing potential land use conflicts, promoting an efficient urban form, and ensuring consistency with local land use and environmental plans. General Plan policies that relate to the proposed Project are listed as follows:

ED-2.2 Land Requirements – wherein the County shall ensure there is capacity for new and expanding businesses by: Reserving sufficient locations for industry, recognizing industry's need for greater land requirements; Recognizing the need for a variety of locations to avoid creation of a monopoly of the industrial land market and to reflect varying requirements for transportation facilities and utility services; and Reserving land for exclusive industrial use to encourage development of like industries that complement each other and to prevent encroachment on industrial areas by incompatible uses;

ED-3.1 Diverse Economic Base – wherein the County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services, and commerce, and by expanding its efforts to encourage industrial development including the development of energy resources;

PF-1.1 Maintain Urban Edges – wherein the County shall strive to maintain distinct urban edges for all unincorporated communities within the valley region or foothill region, while creating a transition between urban uses and agriculture and open space;

⁴⁴ [Tulare County Association of Governments. About Us. Accessed July 2025](#)

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PF-1.2 Location of Urban Development – wherein the County shall ensure that urban development only takes place in the following areas:

- Within incorporated cities and county adopted city urban development boundary (CACUDB);
- Within the UDBs of adjacent cities in other counties, unincorporated communities, planned community areas, and HDBs of hamlets;
- Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan;
- Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub- area plans; and
- Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan;

PF-1.3 Land Uses in UDBs/HDBs – wherein the County shall encourage those types of urban land uses that benefit from urban services to develop within UDBs and HDBs. Permanent uses that do not benefit from urban services shall be discouraged within these areas. This shall not apply to agricultural or agricultural support uses, including the cultivation of land or other uses accessory to the cultivation of land provided that such accessory uses are time-limited through Special Use Permit procedures;

PF-1.4 Available Infrastructure – wherein the County shall encourage urban development to locate in existing UDBs and HDBs where infrastructure is available or may be established in conjunction with development. The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies;

PF-2.7 Improvement Standards in Communities – wherein the County shall require development within the designated UDBs to meet an urban standard for improvements. Typical improvements shall include curbs, gutters, sidewalks, and community sewer and water systems;

LU-1.2 Innovative Development – wherein the County shall promote flexibility and innovation through the use of planned unit developments, development agreements, specific plans, Mixed Use projects, and other innovative development and planning techniques;

LU-1.8 Encourage Infill Development - wherein the County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development;

LU-1.10 Roadway Access - wherein County shall require access to public roadways for all new developments;

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LU-4.6 Commercial Storage Facilities – wherein the County shall require that commercial storage facilities, including “mini” storage, indoor and outdoor storage facilities, and contractor’s materials storage be screened from view through landscape buffers or other natural landscapes;

LU-5.1 Industrial Developments – wherein the County shall encourage a wide range of industrial development activities in appropriate locations to promote economic development, employment opportunities, and provide a sound tax base;

LU-5.4 Compatibility with Surrounding Land Use – wherein the County shall encourage the infill of existing industrial areas and ensure that proposed industrial uses will not result in significant harmful impacts to adjacent land uses;

LU-6.1 Public Activity Centers – wherein the County shall encourage the development of centrally located public activity centers that include parks, schools, libraries, and community centers in communities via accessible, multiple modes of travel;

LU-6.3 – wherein the County shall encourage school districts to locate new schools in areas that allow students to safely walk or bike from their homes; and,

LU-6.4 – wherein the County shall work with school districts to coordinate the location of new schools and responsibility for developing and maintaining associated infrastructure.

LU-1.6 – Permitting Procedures and Regulations – The County shall continue to ensure that its permitting procedures and regulations are consistent and efficient.

LU-2.1 Agricultural Lands – The County shall maintain agriculturally-designated areas for agriculture use by directing urban development away from valuable agricultural lands to cities, unincorporated communities, hamlets, and planned community areas where public facilities and infrastructure are available.

LU-2.4 Residential Agriculture Uses – The County shall limit, to the extent allowed by law, residential development of lands designated for agricultural use. Only residences needed to support farming operations, agriculture, tourism, and agricultural support services shall be allowed.

Rural Valley Lands Plan (RVLP)

The General Plan Amendment (GPA) eliminates the need to conduct the Rural Valley Lands Plan (RVLP) analysis.

3.2.5 Impact Evaluation

Would the project:

a) Physically divide an established community?

The proposed Project will not have a significant direct or cumulative impact that will cause a significant effect on the land uses, zoning or other planning of the area that have not already been analyzed in the Tulare County 2030 General Plan EIR. As such, the Project will not physically divide an established community, and has a **Less than Significant** impact on Land Use Planning.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

Tulare County is located in a geographically diverse region with the majestic peaks of the Sierra Nevada framing its eastern region, while its western portion includes the San Joaquin Valley floor, which is very fertile and extensively cultivated. In addition to its agricultural production, the County's economic base also includes agricultural packing and shipping operations. Small and medium-sized manufacturing plants are located in the western part of the county and are increasing in number. Tulare County contains portions of Sequoia National Forest, Sequoia National Monument, Inyo National Forest, and Kings Canyon National Park. ⁴⁵

Assessed land uses have been organized into the following generalized categories: Residential, Commercial, Industrial, Agriculture, Public, Open Space, Unclassified, and Incorporated Cities. These lands total 3,930 square miles or approximately 81 percent of Tulare County. Open space, which includes wilderness, national forests, monuments and parks, and county parks, encompass 1,230 square miles, or approximately 25 percent of the County. Agricultural uses total over 2,150 square miles or about 44 percent of the entire county. Incorporated cities in Tulare County capture less than three percent of the entire County. ⁴⁶

⁴⁵ [Tulare County 2030 General Plan Update. Environmental Impact Report Page 3.1-5. Accessed August 2025](#)

⁴⁶ Ibid, 3.1-6

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The proposed Project will not have a significant direct or cumulative impact that will cause a significant effect on the land uses, zoning or other planning of the area that have not already been analyzed in the Tulare County 2030 General Plan EIR. As such, the Project will not physically divide an established community. Further, the proposed Project would not result in significant effects on any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Furthermore, the policies within the Tulare County General Plan would continue to be applicable to Projects within the County of Tulare after the update to the Tulare County Zoning Ordinance and are listed below.

All updates to the proposed project would be consistent with the General plan. The Zoning Ordinance Update, by itself, does not propose or authorize any development. The proposed Zoning Ordinance Update does not include any actions that would result in the division of an established community or neighborhood in the County, but rather provides the regulations and standards that guide how future development would be designed. The update does not include any actions that would result in incompatibility with an adopted plan but would rather further implement the goals and policies outlined in the General Plan.

Mitigation Measure(s):

- Potential urban–agricultural conflicts are addressed in Mitigation Measure AG-1 in Chapter 3.1 Agriculture and Forestry Resources concerning compliance with the Tulare County *Agricultural Conservation Easement Program* (ACEP).

Therefore, consistent with the findings of the Tulare County 2030 General Plan policies listed above, the proposed Project would not have a significant effect on Land Use Planning.

3.2.6 Acronyms & Abbreviations

ACEP	Agricultural Conservation Easement Program (ACEP)
CFD	Communities Facilities District (CFD)
CEQA	California Environmental Quality Act
CACUDB	The County Adopted City Urban Development Boundary
DEIR	Draft Environmental Impact Report
EIR	Environmental Impact Report
GPA	General Plan Amendment
HDB	Hamlet Development Boundary
MU	Mixed-Use Overlay Combining Zone
NEPA	National Environmental Policy Act
RVLP	Rural Valley Lands Plan
TCAG	Tulare County Association of Governments
UDB	Urban Development Boundary

3.3 Population and Housing

3.3.1 Summary of Findings

The Zoning Ordinance Update (PZC 25-005, PZC 25-008) will result in a ***Less Than Significant Impact with Mitigation*** related to the Population and Housing resource. The Project proposes updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. Entitlements required include Zone Changes (PZC 25-005 and PZC 25-008). A full description of the Project components can be found in Chapter 2 of this document. A detailed review of potential impacts is provided in the following analysis.

3.3.2 Introduction

California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to Population and Housing. As required in Section 15126, all phases of the proposed Project will be considered as part of the potential environmental impact.

As noted in Section 15126.2 (a), [a]n EIR shall identify and focus on the significant effects of the proposed project on the environment. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected. For example, the EIR should evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas), including both short-term and long-term conditions, as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.⁴⁷

⁴⁷ [California Natural Resources Agency. California Environmental Quality Act \(CEQA\) Guidelines. CEQA Guidelines. Section 15126.2\(a\). Accessed July 2025](#)

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The environmental setting provides a description of the Population and Housing in the County. The regulatory setting provides a description of applicable Federal, State and Local regulatory policies that were developed in part from information contained in the Tulare County 2030 General Plan, the Tulare County General Plan Background Report and/or the Tulare County General Plan Revised DEIR are incorporated by reference and summarized below. Additional documents utilized are noted as appropriate. A description of the potential impacts of the proposed Project is provided and includes the identification of feasible mitigation measures (if necessary and feasible) to avoid or lessen the impacts.

Thresholds of Significance

- Induce Substantial Population Growth
- Displace Housing or People

3.3.3 Environmental Setting

As previously stated, the County of Tulare is bordered by Fresno County to the north and Kern County to the south. Kings County is located on the west side of Tulare County while Inyo County borders the County to the east. The crest of the Sierras forms the boundary with Inyo County. The northern border of Tulare County is an irregular line that passes just south of the City of Reedley and State Route 180. The southern border is a consistent east-west trending line, comprising the south standard parallel south of Mount Diablo, located north of the City of Delano. The western border generally trends north-south in a straight-line north and south just east of Corcoran. Along the eastern border is Inyo County.

The Project proposes updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance.

Tulare County Regional Housing Needs Assessment Plan 2023-2031 (TCAG, August 2022)

State housing element law assigns the responsibility for preparing the Regional Housing Needs Assessment (RHNA) for the Tulare County region to the Tulare County Association of Governments (TCAG). The RHNA is updated prior to each housing element cycle. The current RHNA, adopted on December 12, 2023, and Amended on January 28, 2025, covers a 9.75-year projection period (January 1, 2023, to September 30, 2031).

The growth projections applied in the Housing Element Update are based upon growth projections developed by the State of California. The RHNA housing allocations for Tulare County were incorporated into **Table 3.3-1**. The RHNA process (Government Code Section 65584 et seq.) requires TCAG to develop and adopt a methodology for allocating a portion of the RHNA Determination to each jurisdiction within the Tulare County region.⁴⁸

⁴⁸ [TCAG. Final Regional Housing Needs Plan Cycle 6, August 2022. Page 2. Accessed July 2025](#)

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The RHNA housing results are summarized in **Table 3.3-1**. The Tulare County RHNA Plan recommends that the County provide land use and zoning for approximately 9,243 units for the current Planning Cycle.⁴⁹

Table 3.3-1 RHNA 2023-2031

Final Allocation by Income Tier											
	Total RHNA Allocation	Affordable Allocation (Combined Low + Very Low Income)		Very Low Income Allocation		Low Income Allocation		Moderate Income Allocation		Above Moderate Income Allocation	
	Units	Units	Percent of Total RHNA	Units	Percent of Total RHNA	Units	Percent of Total RHNA	Units	Percent of Total RHNA	Units	Percent of Total RHNA
Dinuba	1,588	625	39.4%	387	24.4%	238	15.0%	268	16.9%	695	43.8%
Exeter	844	318	37.7%	197	23.3%	121	14.3%	146	17.3%	380	45.0%
Farmersville	654	218	33.3%	135	20.6%	83	12.7%	121	18.5%	315	48.2%
Lindsay	789	151	19.1%	93	11.8%	58	7.4%	178	22.6%	460	58.3%
Porterville	4,064	1,409	34.7%	872	21.5%	537	13.2%	739	18.2%	1,916	47.1%
Tulare	4,749	2,319	48.8%	1,435	30.2%	884	18.6%	677	14.3%	1,753	36.9%
Visalia	10,791	6,047	56.0%	3,741	34.7%	2,306	21.4%	1,321	12.2%	3,423	31.7%
Woodlake	492	122	24.8%	75	15.2%	47	9.6%	103	20.9%	267	54.3%
Unincorporated County	9,243	2,526	27.3%	1,563	16.9%	963	10.4%	1,870	20.2%	4,847	52.4%
Total	33,214	13,735	41.4%	8,497	25.6%	5,238	15.8%	5,424	16.3%	14,055	42.3%

Also, as noted in the RHNA, an underlying principle of the RHNA Methodology is to ensure that affordable housing is equitably distributed throughout the region. The Methodology applies an adjustment factor based on disparities in household income across the TCAG region. The adjustment factor assigns a higher proportion of units affordable to lower income households to jurisdictions that currently have a lower proportion of affordable households compared to the regional average and assigns a lower proportion of affordable units to jurisdictions that currently have a higher proportion of affordable households than the regional average. The Methodology is intended to help the region achieve income parity (the same proportion of affordable units in each community) by 2046. **Table 3.3-1** summarizes the overall allocation of units to each jurisdiction and the allocation by the four income categories.⁵⁰

The Sustainable Communities and Climate Protection Act of 2008 (SB 375) was passed to support the State's climate action goals...to reduce greenhouse gas (GHG) emissions through coordinated transportation and land use planning. The bill mandates each of California's Metropolitan Planning Organizations (MPO) prepare a sustainable communities strategy as part of its regional

⁴⁹ Ibid. Page 3.

⁵⁰ Op. Cit. Page 2.

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transportation plan (RTP). The SCS contains land use, housing and transportation strategies that, if implemented, would allow the region to meet its GHG reduction targets. In the past, the RHNA was undertaken independently from the RTP. SB 375 requires that the RHNA and RTP/SCS processes be undertaken together to better integrate housing, land use, and transportation planning. In addition to the RHNA requirements, SB 375 requires that TCAG address the region's housing needs in the SCS of the RTP, to include sections on state housing goals (Government Code Section 65080(b)(2)(B)(vi)); identify areas within the region sufficient to house all the population of the region (including all economic segments of the population) over the course of the planning period for the RTP (out to 2040 for the 2040 RTP/SCS); and identify areas within the region sufficient to meet the regional housing needs

According to the California Department of Finance estimates, the County grew from 474,032 (2021 Census) to 475,014 (2022 Census), which is 0.2% growth. The population living in unincorporated areas of the County was 135,279, which represented 28% of the total population. This growth pattern directed toward cities can be explained by the availability of public services and infrastructure that cities can provide and results in the continuing annexation of unincorporated agricultural lands adjacent to city boundaries. In 1980, 51% of the County's total population lived in cities. Now it stands at 72% as indicated in Table 3.3-2 in the Housing Element.⁵¹

Table 3.3-2 Tulare County Population Growth

Tulare County	1980	1990	2000	2010	2017	2018	2019	2020	2021	2022
Cities	124,302	178,815	227,199	299,307	323,610	328,092	331,856	335,127	338,056	339,735
Unincorporated Area	121,436	132,600	140,822	142,872	144,757	144,256	143,679	135,781	135,387	135,279
County Total	245,738	309,200	368,021	442,179	468,367	472,348	475,535	473,117	474,032	475,014
Percentage Residing in Cities	51%	58%	62%	68%	69%	69%	70%	71%	71%	72%

The TCAG RHNA Plan recommends that the County provide land use and zoning to accommodate 9,243 housing units during the planning cycle. This averages 1,155 units per year in the unincorporated portions of the County. This high allocation and augmented number is due to the fact that the County's housing allocation was based on the County's existing total housing stock percentage of 30% (2023). The allocation was not based on the County's actual housing growth rate. The County anticipates an unincorporated growth rate of less than 15% of the Countywide housing stock increase during the life of the Housing element. It is not anticipated that the County's unincorporated housing units will remain at a total of 30% of the countywide housing units, but will decrease to less than 25% due to a housing unit growth rate of 15%. However, to remain consistent with the housing allocation based on TCAG's RTP, the County continues to be allocated an extremely high housing share to 9,243 units (1,155 units per year over the 8-year RHNA planning period).⁵²

⁵¹ [Tulare County Housing Element 2023-2031 Update. Page 3-2. Accessed July 2025](#)

⁵² Op. Cit. 3-80.

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As of June 30, 2023, the TCAG estimates a total of 46,589 existing housing units in Tulare County's unincorporated area.⁵³ **Table 3.3-3** shows existing and project housing in Tulare County between June 2023 and December 2031.

Table 3.3-3 Existing and Projected Housing Needs

Existing and Projected Housing Need June 30, 2023 – December 15, 2031		
Jurisdiction	June 2023 Existing Housing Units	December 2031 Projected Need of Additional Housing Units
Dinuba	7,181	1,588
Exeter	3,854	844
Farmersville	2,957	654
Lindsay	3,715	789
Porterville	19,123	4,064
Tulare	22,349	4,749
Visalia	50,729	10,791
Woodlake	2,332	492
Unincorporated Area	46,589	9,243
County Total	158,828	33,214

Severely Disadvantaged Community

The median household income for Tulare County increased from \$42,377 in the 2010 to \$62,058 in 2020, according to the U.S. Census Bureau – SAHPE. The median income for Tulare County has historically lagged that of statewide and national median income levels. In 2020, the California median household income was reported to be \$77,358 and the national household median income was \$67,521.⁵⁴

Median income in the communities located in the unincorporated area of the county is considerably less than the median income of the entire County. Table 3-10 of the Tulare County Housing Element shows the Median Household Income compared to that of California and Tulare County from 2015-2019. During that time period the Median household income was \$44,375 which was 59% of the States Median Income and 89% of the County of Tulare's Median Income.⁵⁵

Population Growth

For all of Tulare County the growth trend from 2010 to 2020 was 7.0%. This is an increase of 30,938. As previously mentioned It is possible that market forces could result in lesser or greater growth than forecasted during the planning horizon. It is estimated that the County would need 150,652 Housing Units by 2020.

⁵³ Op. Cit 3-81

⁵⁴ Op. Cit. 3-26 to 3-27.

⁵⁵ Op. Cit. 3-16 to 3-17

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Housing Characteristics

Housing Units

Table 3.3-4 Housing Units

	Total Housing Units	Median Year Structures Built	Housing Units Built Pre-1980	% of Housing Units Built Pre-1980
Unincorporated Tulare County	46,505	Not Available	26,944	58%
Alpaugh	304	1975	191	63%
Cutler	1,241	1977	718	58%
Ducor	178	1974	122	69%
Earlimart	2,151	1981	1,042	48%
E Orosi	143	1959	138	97%
E Porterville	1,816	1969	1,307	72%
Goshen	1,084	1994	277	26%
Ivanhoe	1,188	1974	766	64%
Lemon Cove	123	1966	89	72%
London	482	1973	341	71%
Pixley	974	1971	592	61%
Poplar/Cotton Center	706	1967	343	49%
Richgrove	662	1982	302	46%
Springville	514	1965	338	66%
Strathmore	868	1954	632	73%
Terra Bella	963	1973	663	69%
Three Rivers	1,455	1977	844	58%
Tipton	797	1978	443	56%
Traver	196	1968	150	77%
Woodville	495	1973	330	67%

Tenure

“Tenure” is essentially a description of how a household is being occupied, that is, whether the owners or renters are living in a housing unit. **Table 3.3-5** shows ownership (tenure) and average household size for both owner- and renter-occupied units in the State of California, Tulare County.

Owner Affordability

Affordability problems occur when housing costs become so high in relation to household income. Households that have to pay an excessive proportion of their income for housing, or are unable to afford any housing and are homeless are impacted by housing affordability problems. A household is considered to be overpaying (or cost burdened) if it spends more than 30% of its gross income on housing. Severe overpayment occurs when a household spends more than 50% of income on housing. Housing costs depend upon many variables, including the type, size, value and/or location of the housing units, the intended tenure of the unit (whether it is to be occupied by owners or renters), and the inclusion or exclusion of one or more utilities, services, property taxes, insurance, and maintenance.

The 2019 American Community Survey indicates that overpayment remains a critical problem for low and moderate-income households, who are disproportionately affected by this burden

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compared to other households. Data for the unincorporated areas of Tulare County for the **Table 3.3-5** below was calculated using 2014 and 2019 American Community Survey 5-Year Estimates. Household information for the incorporated cities was subtracted from information for the total county to obtain results for the unincorporated area. Households in the unincorporated area of Tulare County that overpay for housing are shown by tenure in **Table 3.3-5**.⁵⁶

Table 3.3-5 Households Overpaying for Housing

Tulare County Households Overpaying for Housing, 2014-2019						
Households	Renters 2014	Owners 2014	Total 2014	Renters 2019	Owners 2019	Total 2019
Housing Units (excluding units where SMOCAPI cannot be computed)	15,884	21,760	37,644	14,926	23,172	38,098
Number of Households Overpaying	8,832	7,242	16,074	9,109	8,586	17,695
%age of Households Overpaying	55.6%	33.3%	42.7%	61.0%	37.1%	46.4%

Housing costs continue to rise significantly. The American Community Survey reports the median rent has increased 24.7% from \$755 in 2010 to \$942 in 2019. The median monthly owner costs for housing units with a mortgage have seen a minor decrease going from \$1,471 to \$1,420 which is a 3.5% decrease. The monthly owner costs for those housing units without a mortgage increased by 26%, going from \$334 to \$421.⁵⁷

The County's median household income has increased 2.91% from \$42,377 in 2010 to \$62,058 in 2020. However, this has not kept up with the rise in housing costs for renters. Therefore, these households are challenged with a greater housing cost burden. This is demonstrated in the increased percentage of household income families are paying for housing. According to the American Community Survey, 46.5% of renter households and 29.7% of owner occupied households with a mortgage pay 35% or more of their income for housing in 2019 (up from 43.1% of renter households and down from 35.2% of owner occupied households in 2010).⁵⁸

The TCAG RHNA Plan recommends that the County provide land use and zoning to accommodate 9,243 housing units during the planning cycle. This averages 1,155 units per year in the unincorporated portions of the County. This high allocation and augmented number is due to the fact that the County's housing allocation was based on the County's existing total housing stock percentage of 30% (2023). The allocation was not based on the County's actual housing growth rate. The County anticipates an unincorporated growth rate of less than 15% of the Countywide housing stock increase during the life of the Housing element. It is not anticipated that the County's unincorporated housing units will remain at a total of 30% of the countywide housing units, but will decrease to less than 25% due to a housing unit growth rate of 15%. However, to remain consistent with the housing allocation based on TCAG's RTP, the County continues to be

⁵⁶ Op Cit. Page 3-21

⁵⁷ Op. Cit. 3-26

⁵⁸ Op. Cit. 3-26 to 3-27

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allocated an extremely high housing share to 9,243 units (1,155 units per year over the 8-year RHNA planning period).⁵⁹

3.3.4 Regulatory Setting

3.3.4.1 Federal Agencies & Regulations

U.S. Department of Housing and Urban Development (HUD)

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business. However, as the proposed Project does not propose any housing, HUD or other, federal regulations do not apply.

3.3.4.2 State Agencies & Regulations

California Department of Housing and Community Development (HCD)

HCD's mission is to "Promote safe, affordable homes and strong vibrant communities throughout California." "In 1977, the State Department of Housing and Community Development (HCD) adopted regulations under the California Administrative Code, known as the Housing Element Guidelines, which are to be followed by local governments in the preparation of local housing elements. AB 2853, enacted in 1980, further codified housing element requirements. Since that time, new amendments to State Housing Law have been enacted. Each of these amendments has been considered during development of this Housing Element."⁶⁰

California Relocation Assistance Act

The State of California adopted the California Relocation Assistance Act (California Government Code §7260 et seq.) in 1970. This State law, which follows the federal Uniform Relocation Assistance and Real Property Acquisition Act, requires public agencies to provide procedural protections and benefits when they displace businesses, homeowners, and tenants in the process of implementing public programs and projects. This State law calls for fair, uniform, and equitable treatment of all affected persons through the provision of relocation benefits and assistance to minimize the hardship of displacement on the affected persons. There are no state regulations that are relevant to this proposed Project.

3.3.4.3 Local Policy & Regulations

Tulare County Regional Housing Needs Assessment Plan 2014-2023

The Tulare County Association of Governments (TCAG) was responsible for allocating the State's projections to each local jurisdiction within Tulare County including the County unincorporated

⁵⁹ Op. Cit. Page 3-80.

⁶⁰ Op. Cit Page 1-4.

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area, which is reflected in this Housing Element. Tulare County has no control over the countywide population and housing projections provided to TCAG when it prepared the Regional Housing Needs Assessment Plan (RHNA). As the proposed Project does not include (or remove/displace) any housing, the RHNA does not apply

Tulare County Housing Authority

The Housing Authority of the County of Tulare (HATC) has been officially designated as the local public housing agency for the County of Tulare by the Board of Supervisors and was created pursuant to federal and state laws. HATC is a unique hybrid: a public sector agency with private sector business practices. Their major source of income is the rents from residents. The HATC mission is "to provide affordable, well-maintained rental housing to qualified low- and very low-income families. Priority shall be given to working families, seniors and the disabled. Tenant self-sufficiency and responsibility shall be encouraged. Programs shall be self-supporting to the maximum extent feasible.

HATC provides rental assistance to very low and moderate-income families, seniors and the handicapped throughout the county. HATC offers many different programs, including the conventional public housing program, the housing choice voucher program (Section 8), the farm labor program for families with farm labor income, senior housing programs, and other programs. They also own or manage some individual subsidized rental complexes that do not fall under the previous categories and can provide information about other affordable housing that is available in Tulare County. All programs are handicap accessible. Almost all of the complexes have 55-year recorded affordability covenants. As noted earlier, the proposed Project does not include (or remove/displace) any public housing, no impact would occur to HATC's objectives/programs.⁶¹

Tulare County General Plan/Housing Element Policies

There are several policies from the Tulare County General Plan/Housing Element that would apply to this Project. These policies would help address the state's housing shortage. Tulare County General Plan policies that relate to the proposed Project are listed as follows:

Housing Guiding Principle 1.1 wherein the County will endeavor to improve opportunities for affordable housing in a wide range of housing types in the communities throughout the unincorporated area of the County;

Housing Policy 1.11 wherein the County will encourage the development of a broad range of housing types to provide an opportunity of choice in the local housing market;

Housing Policy 1.13 wherein the County will encourage the utilization of modular units, prefabricated units, and manufactured homes;

⁶¹ Op Cit. Page 5-16.

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Housing Policy 1.14 wherein the County will pursue an equitable distribution of future regional housing needs allocations, thereby providing a greater likelihood of assuring a balance between housing development and the location of employment opportunities;

Housing Policy 1.15 wherein the County will encourage housing counseling programs for low-income homebuyers and homeowners;

Housing Policy 1.16 wherein the County will review community plans and zoning to ensure they provide for adequate affordable residential development;

Housing Guiding Principle 1.2 wherein the County will promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, family status, disability, or any other arbitrary basis;

Housing Guiding Principle 1.3 wherein the County will strive to meet the housing needs of migrant and non- migrant farmworkers and their families with a suitable, affordable and satisfactory living environment;

Housing Policy 1.31 wherein the County will encourage the provision of farmworker housing opportunities in conformance with the Employee Housing Act;

Housing Policy 1.33 wherein the County will encourage and support a balance between housing and agricultural needs;

Housing Policy 1.51 wherein the County will encourage the construction of new housing units for “special needs” groups, including senior citizens, large families, single heads of households, households of persons with physical and/or mental disabilities, minorities, farmworkers, and the homeless in close proximity to transit, services, and jobs;

Housing Policy 1.52 wherein the County will support and encourage the development and improvement of senior citizen group housing, convalescent homes and other continuous care facilities; **Housing Policy 1.55** wherein the County will encourage development of rental housing for large families, as well as providing for other housing needs and types;

Housing Guiding Principle 1.6 wherein the County will assess and amend County ordinances, standards, practices and procedures considered necessary to carry out the County’s essential housing goal of the attainment of a suitable, affordable and satisfactory living environment for every present and future resident in unincorporated areas;

Housing Policy 2.14 wherein the County will create and maintain a matrix of Infrastructure Development Priorities for Disadvantaged Unincorporated Communities in Tulare County thorough analysis and investigation of public infrastructure needs and deficits, pursuant to Action Program 9;

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Housing Guiding Principle 2.2 wherein the county will Require proposed new housing developments located within the development boundaries of unincorporated communities to have the necessary infrastructure and capacity to support the development;

Housing Policy 2.21 wherein the County will require all proposed housing within the development boundaries of unincorporated communities is either (1) served by community water and sewer, or (2) that physical conditions permit safe treatment of liquid waste by septic tank systems and the use of private wells;

Housing Guiding Principle 3.1 wherein the County will encourage “smart growth” designed development that serves the unincorporated communities, the environment, and the economy of Tulare County;

Housing Policy 3.11 wherein the County will support and coordinate with local economic development programs to encourage a “jobs to housing balance” throughout the unincorporated area;

Housing Policy 3.12 wherein the County will support locally initiated programs to provide neighborhood parks and recreational facilities for residential areas within unincorporated communities;

Housing Policy 3.13 wherein the County will encourage subdivision and housing unit design, which provides for a reasonable level of safety and security;

Housing Policy 3.16 wherein the County will actively seek federal, state, and private foundation grant funds for park and recreation facilities in unincorporated areas, including dual-use storm drainage ponding basins/recreation parks;

Housing Policy 3.23 wherein the County will prepare new and/or updated community plans that provide adequate sites for a variety of types of housing within the development boundaries of community;

Guiding Principle 4.1 wherein the County will support and encourage County ordinances, standards, practices and procedures that promote residential energy conservation;

Housing Policy 4.11 wherein the County will review residential projects for environmental impacts and impose conditions to reduce those impacts;

Housing Policy 4.12 wherein the County will facilitate land use policies and programs that meet housing and conservation objectives;

Housing Policy 4.13 wherein the County will promote energy efficiency and water conservation;

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Housing Policy 4.14 wherein the County will enforce the requirements of County Ordinances regarding the disposal of construction and demolition debris;

Housing Policy 4.15 wherein the County will enforce energy Efficiency Standards for Residential and Non- Residential properties (Title 24);

Housing Policy 4.21 wherein the County will promote energy conservation opportunities in new residential development;

Housing Policy 4.22 wherein the County will enforce provisions of the Subdivision Map Act regulating energy-efficient subdivision design;

Housing Policy 5.21 wherein the County will administer and enforce the relevant portions of the Health and Safety Code;

Housing Policy 5.26 wherein the County will prohibit concentrations of dwelling units near potentially incompatible agricultural uses as defined in the Animal Confinement Facilities Plan;

Action Program 14.1 To ensure adequate sites are available throughout the planning period to meet the County RHNA, the County will annually update the sites inventory that details the amount, type, and size of vacant and underutilized parcels to assist developers in identifying land suitable for residential development and that also details the number of extremely low-, very low-, low-, and moderate-income units constructed annually”; and

Program 14.2 To ensure sufficient residential capacity is maintained to accommodate the RHNA, the County will develop and implement a formal ongoing, project-by-project evaluation procedure

As such, as noted earlier, the Tulare County RHNA Plan recommends that the County provide land use and zoning for approximately 9,243 dwelling units between the planning period between June 30, 2023, through December 31, 2031, in unincorporated portions of the County.⁶² The County administratively agreed to a housing share of 9,243 units (1,232 units per year over the 7.5-year RHNA planning period). The RHNA allocates approximately 28% of the housing share to the County. The RHNA bases the housing needs assessment on this percentage

3.3.5 Impact Evaluation

Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

⁶² [Final Regional Housing Needs Plan, Table 1; accessed July 2025](#)

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As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

The proposed Project will update all Residential Sections of the Tulare County Zoning Ordinance. This includes R-A (Rural Residential), MR (Mountain Residential), R-O (Single Family Estate, R-1 (Single-Family Residential), R-2 (Two-Family Residential) R-3 (Multiple-Family), M (Special Mobilehome Overlay), PD (Planned Development) F (Foothill Combining). It also includes updates Section 15 with regards to Accessory Dwelling Units (ADU), Junior Accessory Dwelling Units (JADU), and rules and regulations that pertain to additional residences and lastly updates Section 2 (Definitions).

The Tulare County Board of Supervisors approved and adopted the 6th Cycle of the Housing Element on December 12, 2023, by Resolution No. 2023-1110. The Housing Element was then updated and amended and was approved and adopted on January 28, 2025, by Resolution No. 2025-0079. The Housing Element was then certified by the California Department of Housing and Community Development on February 4, 2025, as being in substantial compliance with State Housing Element Law (California Government Code Section 65580 et seq). To remain in compliance the County must continue implementation of all programs. The following are the Action Programs that would fulfilled with the Project:

4.1 – Open Exchange of Ideas and Information. “Continue to publicize, consult, and solicit input from private and public sector advocates such as local agencies, nonprofit organizations, contractors, developers and the public regarding existing and proposed ordinances, policies, and procedures, proposed streamlining processing of permit and land use applications, existing and proposed housing programs, existing and proposed development standards, housing reports, and proposed new fees or an increase of existing fees.”

7.4 – Assist in Development / Reasonable Accommodations. “Amend Section 15.5 of the Tulare County Zoning Ordinance to remove the requirement for Planning Commission Review to allow for Reasonable Accommodation requests to be reviewed by the Planning Director to allow for a faster review period and residences that are approved in such manner would be allowed by right”

12.2 – Zoning and General Plan Consistency and Updates. “The County will update Section 16 of the Tulare County Zoning Ordinance to better define Group Homes as well as allow Group Homes for seven (7) or more by right similar to other residential uses of the same type in the same zone.”

12.3 – Zoning and General Plan Consistency and Updates. “The County will update Section [2] of the Tulare County Zoning Ordinance to include “interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care,” as part of the definition of emergency shelter”.

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12.4 – Zoning and General Plan Consistency and Updates. “The County will update Sections [6,7,8, and 18.7] of the Tulare County Zoning Ordinance to include Low Barrier Navigation Centers and Permanent Supportive Housing.”⁶³

Furthermore, the update is consistent with the following Housing Element Guiding Principles:

The update itself does not offer any additional housing units, nor does it rezoning any sites for housing, however with the proposed changes 3rd residences would be simpler and more streamlined to apply for. It is reasonable to conclude that the proposed changes would not increase the demand for housing as is already anticipated in the Housing Element. The changes are tools used to meet the Regional Housing Needs Assessment (RHNA) of 9,243 for the unincorporated areas of Tulare County⁶⁴.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The update will not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. As previously mentioned, the update does not offer any additional housing units, nor rezone any sites for housing.

Therefore, consistent with the findings of the Tulare County Housing Element 2023-2031 update, the proposed Project would result in a *Less Than Significant* Impact to Population and Housing.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The update will not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. As previously mentioned, the update does not offer any additional housing units, nor rezone any sites for housing.

Therefore, consistent with the findings of the Tulare County Housing Element 2023-2031 update, the proposed Project would result in a *Less Than Significant* Impact to Population and Housing.

3.3.5.1 Cumulative Impact Analysis

3.3.6 Acronyms & Abbreviations

CEQA	California Environmental Quality Act
CT	Census Tract
DEIR	Draft Environmental Impact Report
DOF	California Department of Finance

⁶³ [Tulare County Housing Element 2023-2031 Update, Pages 6-17 to 6-35, Accessed August 2025](#)

⁶⁴ Op. Cit, Page 1-18

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EIR	Environmental Impact Report
HATC	Housing Authority of the County of Tulare
HCD	California Department of Housing and Community Development
HUD	U.S. Department of Housing and Urban Development
LU	Land Use
PF	Planning Framework
PFS	Public Facilities and Services
RHNA	Regional Housing Needs Assessment
TCAG	Tulare County Association of Governments
UDB	Urban Development Boundary

3.3.7 References

[California Natural Resources Agency. California Environmental Quality Act \(CEQA\) Guidelines. CEQA Guidelines. Section 15126.2\(a\). Accessed July 2025](#)

[TCAG. Final Regional Housing Needs Plan Cycle 6, August 2022. Page 2. Accessed July 2025](#)

[Tulare County General Plan 2030 Update. Accessed July 2025](#)

[Tulare County Housing Element 2023-2031 Update. Accessed July 2025](#)

3.4 Tribal Cultural Resources

3.4.1 Summary of Findings

The Zoning Ordinance Update (PZC 25-005, PZC 25-008) will result in a ***Less Than Significant Impact With Mitigation*** related to Tribal Cultural Resources. The Project proposes updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. Entitlements required include Zone Changes (PZC 25-005 and PZC 25-008). A full description of the Project components can be found in Chapter 2 of this document. The Project will result in a ***Less Than Significant Impact*** to Cultural Resources with mitigation predicated upon perceived buildout. A consultation with the California Native American Heritage Commission (including a Sacred Lands File (SLF) search), and Tribal Consultation pursuant to AB 52 (which are included in Appendix C of this DEIR) are used as the basis for this finding. A detailed review of potential impacts is provided in the following analysis.

3.4.2 Introduction

California Environmental Quality Act (CEQA) Requirements

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural Resources, etc., are contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and the Tulare County General Plan 2030 Update EIR are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion with supporting documentation in Appendix C.

Several CEQA statutes and guidelines address requirements for cultural resources, including historic and archaeological resources. If a proposed Project may cause a substantial adverse effect on the significance of a historical resource, then the Project may be considered to have a significant effect on the environment, and the impacts must be evaluated under CEQA (Section 21084.1). The definition of “historical resources” is included in Section 15064.5(b)(1) of CEQA Guidelines and includes both historical and archaeological resources.⁶⁵ Substantial adverse change” is defined as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.”⁶⁶

Sections 15064.5(d)-(f) also provides guidelines when there is a probable likelihood of Native American remains existing in the Project site.⁶⁷ Provisions for the accidental discovery of historical

⁶⁵ [California Environmental Quality Act. CEQA Guidelines. Sections 15064.5. Accessed July 2025](#)

⁶⁶ Ibid.

⁶⁷ Op. Cit.

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or unique archaeological resources encountered during construction include a recommendation for evaluation by a qualified archaeologist, with follow up as necessary.

Public Resources Code Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.”⁶⁸

This section of the Draft Program/Project Environmental Impact Report (DEIR) for the Project meets CEQA requirements by addressing potential impacts to cultural resources on the proposed Project site. The “Environmental Setting” section provides a description of cultural resources in the region, with special emphasis on the proposed Project site and vicinity. The “Regulatory Setting” section provides a description of applicable State and local regulatory policies. Results of cultural resources reports from CHRIS, Sacred Lands File search, and responses to Tribal Consultation efforts are included in Appendix B of this Draft EIR. A description of potential impacts is provided, along with feasible mitigation measures to reduce the impacts to less than significant.

CEQA Thresholds of Significance

- Would the Project cause a substantial adverse change in the significance of a tribal cultural resource that is listed in a state or local register of historical resources?
- Would the Project cause a substantial adverse change in the significance of a tribal cultural resource that has been determined by a local agency to be significant pursuant to criteria set forth in the Public Resources Code?

3.4.3 Environmental Setting

As previously stated, the County of Tulare is bordered by Fresno County to the north and Kern County to the south. Kings County is located on the west side of Tulare County while Inyo County borders the County to the east. The crest of the Sierras forms the boundary with Inyo County. The northern border of Tulare County is an irregular line that passes just south of the City of Reedley and State Route 180. The southern border is a consistent east-west trending line, comprising the south standard parallel south of Mount Diablo, located north of the City of Delano. The western border generally trends north-south in a straight-line north and south just east of Corcoran. Along the eastern border is Inyo County.

Tulare County lies within a culturally rich province of the San Joaquin Valley. Studies of the prehistory of the area show inhabitants of the San Joaquin Valley maintained fairly dense populations situated along the banks of major waterways, wetlands, and streams. Tulare County was inhabited by aboriginal California Native American groups consisting of the Southern Valley

⁶⁸ [California Legislative Information. PRC PUBLIC RESOURCES CODE – PRC DIVISION 5. PARKS AND MONUMENTS \[5001 - 5873\] CHAPTER 1.7. Archaeological, Paleontological, and Historical Sites \[5097 - 5097.7\]. Section 5097.5 Accessed July 2025](#)

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Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Of the main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory.⁶⁹

California's coast was initially explored by Spanish (and a few Russian) military expeditions during the late 1500s. However, European settlement did not occur until the arrival into southern California of land-based expeditions originating from Spanish Mexico starting in the 1760s. Early settlement in the Tulare County area focused on ranching. In 1872, the Southern Pacific Railroad entered Tulare County, connecting the San Joaquin Valley with markets in the north and east. At about the same time, valley settlers constructed a series of water conveyance systems (canals, dams, and ditches) across the valley. With ample water supplies and the assurance of rail transport for commodities such as grain, row crops, and fruit, a number of farming colonies soon appeared throughout the region.⁷⁰

The colonies grew to become cities such as Tulare, Visalia, Porterville, and Hanford. Visalia, the County seat, became the service, processing, and distribution center for the growing number of farms, dairies, and cattle ranches. By 1900, Tulare County boasted a population of about 18,000. New transportation links such as SR 99 (completed during the 1950s), affordable housing, light industry, and agricultural commerce brought steady growth to the valley. The California Department of Finance estimated the 2007 Tulare County population to be 430,167.⁷¹

Existing Cultural and Historic Resources

Tulare County's known and recorded cultural resources were identified through historical records, such as those found in the National Register of Historic Places, the Historic American Building Survey/Historic American Engineering Record (HABS/HAER), the California Register of Historic Resources, California Historical Landmarks, and the Tulare County Historical Society list of historic resources.⁷²

Due to the sensitivity of many prehistoric, ethnohistoric, and historic archaeological sites, locations of these resources are not available to the general public. The Information Center at California State University Bakersfield houses records associated with reported cultural resources surveys, including the records pertinent to sensitive sites, such as burial grounds, important village sites, and other buried historical resources protected under state and federal laws.

Native American Consultation

The Native American Heritage Commission (NAHC) was contacted in order to determine whether Native American sacred sites have been identified either within or in close proximity to the study area. The NAHC responded in a letter dated December 12, 2025, stating that, "a search of the

⁶⁹ [Tulare County General Plan 2030 Update. Page 8-5. Accessed July 2025](#)

⁷⁰ Ibid.

⁷¹ Op. Cit. Page 8-6.

⁷² [Tulare County General Plan 2030 Update. Background Report. Page 9-56. Accessed July 2025](#)

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Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed based on the information submitted for the above referenced project. The results were positive

The NAHC advised that when specific projects become public, that the County or appropriate jurisdiction inform the Native American contacts provided by the NAHC as to the nature of the proposed project. As part of the consultation process, the NAHC recommends that local government and project developers contact tribal governments and Native American individuals on the list provided in order to determine if the proposed action might impact any cultural places or sacred sites. NAHC also recommends that more than one written notice sent to tribes that are traditionally and culturally affiliated to a potential area of project effect (APE) during the 30-day notification period to ensure that the information has been received.

Letters and follow-up phone calls were made to tribal organizations on the NAHC contact list, to determine whether tribal cultural resources were known in or near the Project. These investigations determined that the Project would not impact any known tribal resources because of no development was authorized by the project, itself.

Planning Department Records Search

It is also noted that Planning Department records search of building permits and other types of entitlements within the project planning area by RMA staff indicates that no new projects, unless separately analyzed under CEQA (i.e., construction-related developments which involves new structures or any clearing or earthmoving) have occurred since the CHRIS was conducted by the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield. As such, the landscape remains unchanged since the CHRIS was completed; that is, no surface or subsurface ground disturbances, demolition, or other physical changes within the planning area have occurred thus it is unlikely that any cultural resources have been impacted since the CHRIS was completed.

3.4.4 Regulatory Setting

3.4.4.1 Federal Agencies & Regulations

The National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966, which has been amended several times, was passed to acknowledge the importance of protecting our nation's heritage from federal development. The NHPA sets federal historic preservation policy, establishes partnerships between the Federal government and states and the Federal government and tribes, creates the **National Register of Historic Places** and **National Historic Landmarks** programs, mandates the selection of qualified **State Historic Preservation Officers**, establishes the **Advisory Council on Historic Preservation**, charges Federal agencies with stewardship, and establishes the role of **Certified Local Governments** within the states.

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Title I of the statute established the National Register of Historic Places to create a national listing of historic properties (districts, sites, buildings, structures, and objects) significant in American history, architecture, archeology, engineering, and culture. Title I also expanded the level of Federal concern to include the preservation of historic properties of local or State significance. It established State Historic Preservation Officers as partners in the national historic preservation program and also describes how local governments or Indian tribes may, in certain circumstances, carry out SHPO functions.

Implementation of Section 106 of Title I has been critical to archeology and archeological preservation in the United States. Section 106 requires federal agencies to take into account the effects of their actions on historic properties by identifying historic properties, assessing adverse effects, and resolving those adverse effects. The process is initiated by the federal agency, and includes comment and input from stakeholders at the local and State levels, as well as the Advisory Council on Historic Preservation. After the procedures for implementing Section 106 were established (6 CFR 800), the field of professional archeology expanded throughout governments and the private sector to meet the need for compliance.

Section 110 requires all federal agencies to establish -- in conjunction with the Secretary of the Interior -- their own historic preservation programs for the identification, evaluation, and protection of historic properties, including archeological properties. Determinations of Eligibility for the National Register are established during Phase II archeological surveys.

Title II

Title II of NHPA establishes the Advisory Council on Historic Preservation, an independent Federal agency. The Council and its staff advise Federal agencies on their roles in the national historic preservation program, especially Section 106. The ACHP also develops advice and training to support Federal agencies.

Title IV

Title IV of the statute established the National Center for Preservation Technology and Training, part of the National Park Service. NCPTT contributes research and training to archeological preservation practice.

Statute and regulation texts:

- **National Historic Preservation Act** (16 U.S. Code 470 et seq.), statute text.
- **National Register of Historic Places** (36 CFR 60), regulation text.
- **Procedures for State, Tribal, and Local Government Historic Preservation Programs** (36 CFR 61), regulation text.
- **Determinations of Eligibility for Inclusion in the National Register of Historic Places** (36 CFR 63), regulation text.
- **Protection of Historic Properties** (36 CFR 800), regulation text.⁸

The National Historic Preservation Act (NHPA) of 1966, as amended, established a partnership between the federal government and state, tribal, and local governments to encourage the

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preservation of historic resources. The Act provides federal funding to support preservation activities and authorizes the National Park Service to administer the Historic Preservation Fund, which distributes matching grants to State Historic Preservation Officers (SHPOs), Tribal Historic Preservation Officers (THPOs), and certified local governments. The NHPA also created the Advisory Council on Historic Preservation (ACHP), an independent federal agency with the sole responsibility of addressing historic preservation matters.

The NHPA requires federal agencies to incorporate historic preservation considerations into their undertakings. Specifically, Section 106 requires federal agencies to consider the potential effects of proposed projects on historic properties and to afford the ACHP an opportunity to comment prior to implementation. This process ensures agency accountability for decisions affecting historic resources. In addition, Section 110 requires federal agencies to establish preservation programs and designate Federal Preservation Officers to oversee compliance and coordinate preservation activities within their respective agencies.

American Indian Religious Freedom Act and Native American Graves and Repatriation Act

The American Indian Religious Freedom Act recognizes that Native American religious practices, sacred sites, and sacred objects have not been properly protected under other statutes. It establishes, as national policy, that traditional practices and beliefs, sites (including right of access), and the use of sacred objects shall be protected and preserved. Additionally, Native American remains on federal lands are protected by the Native American Graves and Repatriation Act of 1990.

Secretary of the Interior's Standards

The Secretary of the Interior is responsible for establishing professional standards and providing guidance related to the preservation and protection of all cultural resources listed in, or eligible for, listing in the National Register of Historic Places. The Secretary of the Interior's Standards for the Treatment of Historic Properties apply to all grant-in-aid projects assisted through the National Historic Preservation Fund, and are intended to be applied to a wide variety of resource types, including buildings, structures, sites, objects, and districts. The treatment standards, developed in 1992, were codified as 36 CFR 68 entitled, "The Secretary of the Interior's Standards for Historic Preservation Projects."

Certified Local Government Program (CLG)

The Certified Local Government (CLG) Program is a national program designed to encourage the direct participation of a local government in the identification, registration, and preservation of historic properties located within the jurisdiction of the local government. A local government may become a CLG by developing and implementing a local historic preservation program based on federal and State standards.

The CLG program encourages the preservation of cultural resources by promoting a partnership among local governments, the State of California, and the National Park Service (NPS). Becoming a CLG can provide local staff and commissions with the tools, technical training, and more

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meaningful leadership roles in the preservation of a community's cultural heritage. Local interests and concerns are integrated into the official planning and decision-making processes at the earliest possible opportunity. According to a list provided by the California Office of Historic Preservation dated June 4, 2009, Tulare County is not a Certified Local Government.

Other Federal Legislation

Historic preservation legislation was initiated by the Antiquities Act of 1966, which aimed to protect important historic and archaeological sites. It established a system of permits for conducting archaeological studies on federal land, as well as setting penalties for noncompliance. This permit process controls the disturbance of archaeological sites on federal land. New permits are currently issued under the Archeological Resources Protection Act (ARPA) of 1979. The purpose of ARPA is to enhance preservation and protection of archaeological resources on public and Native American lands. The Historic Sites Act of 1935 declared that it is national policy to "preserve for public use historic sites, buildings, and objects of national significance."

3.4.4.2 State Agencies & Regulations

California State Office of Historic Preservation (OHP)

"The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the State Historic Preservation Officer (SHPO), a gubernatorial appointee, and the State Historical Resources Commission.

OHP's responsibilities include:

- Identifying, evaluating, and registering historic properties;
- Ensuring compliance with federal and state regulatory obligations;
- Encouraging the adoption of economic incentives programs designed to benefit property owners;
- Encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California."⁷³

A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important to our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

⁷³ [California Office of Historic Preservation. 2021. Mission and Responsibilities. Accessed July 2025](#)

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- Has yielded, or may be likely to yield, information important in prehistory or history.¹⁶

Tribal Consultation Requirements: SB 18 (Burton, 2004)

On September 29, 2004, Governor Schwarzenegger signed Senate Bill 18, Tribal Consultation Guidelines, into law. SB 18, enacted March 1, 2005, creates a mechanism for California Native American Tribes to identify culturally significant sites that are located within public or private lands within the city or county's jurisdiction. SB 18 requires cities and counties to contact, and offer to consult with, California Native American Tribes before adopting or amending a General Plan, a Specific Plan, or when designating land as Open Space, for the purpose of protecting

Native American Cultural Places (PRC 5097.9 and 5097.993). The Native American Heritage Commission (NAHC) provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe.⁷⁴

Tribal Consultation Requirements: AB 52 (Gatto, 2014)

The Public Resources Code has established that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. (Pub. Resources Code, § 21080.3.1.) If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact."⁷⁵

California Native American Heritage Commission (NAHC)

"The Native American Heritage Commission (NAHC), created in statute in 1976, is a nine-member body, appointed by the Governor, to identify and catalog cultural resources -- ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California. The NAHC is also charged with ensuring California Native American tribes' accessibility to ancient Native American cultural resources on public lands, overseeing the treatment and disposition of inadvertently discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act (CalNAGPRA), among many other powers and duties.

⁷⁴ [California Legislative Information. 2021. Bill Number: SB 18. Accessed July 2025](#)

⁷⁵ [Governor's Office of Planning and Research. 2017. Technical Advisory. Page 4. AB 52 and Tribal Cultural Resources in CEQA. Accessed July 2025](#)

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“In 1976, the California State Government passed AB 4239, establishing the NAHC as the primary government agency responsible for identifying and cataloging Native American cultural resources. Up until this point, there had been little government participation in the protection of California’s cultural resources. As such, one of the NAHC’s primary duties, as stated in AB 4239, was to prevent irreparable damage to designated sacred sites, as well as to prevent interference with the expression of Native American religion in California.”⁷⁶

“Today, the NAHC provides protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction. It also provides a legal means by which Native American descendants can make known their concerns regarding the need for sensitive treatment and disposition of Native American burials, skeletal remains, and items associated with Native American burials.”⁷⁷

CEQA Guidelines: Archaeological Resources

Section 15064.5(c) of CEQA Guidelines provides specific guidance on the treatment of archaeological resources as noted below.⁷⁸

- (1) When a Project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subdivision (a).
- (2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
- (3) If an archaeological site does not meet the criteria defined in subdivision (a), but does meet the definition of a unique archeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the Project location contains unique archaeological resources.
- (4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the Project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

CEQA Guidelines: Human Remains

⁷⁶ [California Native American Heritage Commission \(NAHC\). About the Native American Heritage Commission. Accessed July 2025](#)

⁷⁷ Ibid.

⁷⁸ [California Environmental Quality Act. CEQA Guidelines. Sections 15064.5. Accessed July 2025](#)

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Public Resources Code Sections 5097.94 and 5097.98 provide guidance on the disposition of Native American burials (human remains), and fall within the jurisdiction of the Native American Heritage Commission:

- “(d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the Project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any Items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action to implement such an agreement is exempt from:
 - (1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).
 - (2) The requirements of CEQA and the Coastal Act.
- (e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
 - (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - (B) If the coroner determines the remains to be Native American:
 - 1. The coroner shall contact the Native American Heritage Commission within 24 hours.
 - 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 - 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
 - (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

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- (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - (B) The descendant identified fails to make a recommendation; or
 - (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.
- (f) As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.”

3.4.4.3 Local Policy & Regulations

Tulare County General Plan Policies and Tulare County General Plan 2030 Update

The General Plan has a number of policies that apply to Projects within Tulare County. General Plan policies that relate to the proposed Project are listed as follows:⁷⁹

ERM-6.1 Evaluation of Cultural and Archaeological Resources - The County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

ERM-6.2 Protection of Resources with Potential State or Federal Designations - The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation’s California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional.

ERM-6.3 Alteration of Sites with Identified Cultural Resources - When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and

⁷⁹ [Tulare County, 2012. Tulare County General Plan 2060 Update. Pages 8-18 to 8-19 Accessed July 2025](#)

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value of resource, and Mitigation Measures proposed for any impacts the development may have on the resource.

ERM-6.4 Mitigation - If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.

ERM-6.8 Solicit Input from Local Native Americans - The County shall continue to solicit input from the local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

ERM-6.9 Confidentiality of Archaeological Sites - The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts (which is also consistent with AB 52).

ERM-6.10 Grading Cultural Resources Sites - The County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

3.4.5 Impact Evaluation

Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).**

Mitigation Measure(s):

CUL-1 In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the property owner shall retain a qualified archaeologist/paleontologist to provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.

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CUL-2 In Consistent with Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5, if human remains of Native American origin are discovered during Project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and
 - b. If the coroner determines the remains to be Native American:
 - i. The coroner shall contact the Native American Heritage Commission within 24 hours.
 - ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 - iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - b. The descendant fails to make a recommendation; or
 - c. The landowner or his authorized representative rejects the recommendation of the descendent.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

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On July 1, 2015, Assembly Bill 52 (AB 52) was enacted, expanding CEQA by defining a new resource category, “tribal cultural resources.” AB 52 states, “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states the lead agency shall establish measures to avoid impacts altering the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Sections 21074 (a)(1)(A-B) define tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and are:

1. Listed or eligible for listing in the CRHR or in a local register of historical resources as defined in PRC Section 5020.1(k); or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified or adopted. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those having requested notice of projects proposed in the jurisdiction of the lead agency.

On **December 16, 2025**, the County distributed AB 52 consultation letters for the proposed project, including project information, a map, and County contact information, to Native American tribes. The AB 52 consultation letters were sent, via certified mail, to the following tribal governments:

- Big Pine Paiute Tribe of the Owens Valley
- Big Sandy Rancheria of Western Mono Indians
- Bishop Paiute Tribe
- Cold Springs Rancheria of Mono Indians of California
- Death Valley Timbi-sha Shoshone Tribe
- Dunlap Band of Mono Indians
- Fort Independence Indian Community of Paiutes
- Kern Valley Indian Community
- Kitanemuk & Yowlumne Tejon Indians
- Lone Pine Paiute-Shoshone Tribe
- Mono Lake Kootzaduka'a Tribe
- North Fork Mono Tribe
- Santa Rosa Rancheria Tachi Yokut Tribe

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- Table Mountain Rancheria
- Traditional Choinumni Tribe
- Tubatulabals of Kern Valley
- Tule River Indian Tribe
- Utu Utu Gwaitu Tribe of the Benton Paiute Reservation
- Wuksachi Indian Tribe/Eshom Valley Band

Under AB 52, Native American tribes have 30 days to respond and request further project information and formal consultation; however, none of the contacted tribes responded within 30 days of mailing of the letters. Accordingly, AB 52 consultation is complete for the project.

The proposed Project, by itself, does not propose or authorize any development that could result in a substantial adverse change in the significance of a tribal cultural resource. Future land use development in the County would be required to conform to federal, State, and local guidelines and requirements that address historical, archaeological, and tribal cultural resources. The requirements may include identification of significant resources present within a given project site, requirements to avoid significant resources and requirements to mitigate any impacts to these resources through project design, tribal consultation, monitoring, and Native American consultation. The updated Tulare County Zoning Ordinance would not conflict with these existing requirements. Therefore, impacts would be less than significant.

3.4.6 Acronyms and Abbreviations

AB	Assembly Bill (in California)
APE	Area of potential effect
CACUDB	County Adopted City Urban Development Boundary
CEQA	California Environmental Quality Act
CHRIS	California Historical Resources Information Systems
DEIR	Draft Environmental Impact Report
EIR	Environmental Impact Report
HABS/HAER	Historic American Building Survey/Historic American Engineering Record
KACP	Kingsburg Area Community Plan
NAHC	Native American Heritage Commission (of the State of California)
NHPA	National Historic Preservation Act
OHP	Office of Historic Preservation
PRC	Public Resources Code (of the State of California)
RMA	Tulare County Resource Management Agency
SHPO	State Historic Preservation Officer
SB	Senate Bill (in California)
SCH	State Clearinghouse
SR	State Route
SLF	Sacred Lands File
UDB	Urban Development Boundary

3.4.7 Definitions

Historical Resources - See earlier discussion at “CEQA Guidelines: Archaeological Resources,” Page 3.18-7.

Significant Resource – The California Public Resources Code identifies a resource as “significant” when it meets all of the following criteria:

“(c) A resource may be listed as an historical resource in the California Register if it meets any of the following National Register of Historic Places criteria

- (1) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.”⁸⁰

(g) A resource identified as significant in an historical resource survey may be listed in the California Register if the survey meets all of the following criteria:

- (1) The survey has been or will be included in the State Historic Resources Inventory.
- (2) The survey and the survey documentation were prepared in accordance with office procedures and requirements.
- (3) The resource is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523
- (4) If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.”⁸¹

3.4.8 References

Advisory Council on Historic Preservation. 2021. National Historic Preservation Act. Accessed August 2025

California Legislative Information. 2021. Bill Number: SB 18. Accessed August 2025

California Native American Heritage Commission (NAHC). About the Native American Heritage Commission. Accessed August 2025

California Environmental Quality Act. CEQA Guidelines. Sections 15064.5. Accessed July 2025

⁸⁰ California Legislative Information. 2021. Bill Number: SB 18. Accessed August 2025

⁸¹ Ibid.

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California Natural Resources Agency Final Statement of Reasons For Regulation Action Amendments to the State CEQA Guideline OAL Notice File No. Z-2018-0116-12. November 2018. Accessed August 2025.

California Office of Historic Preservation. 2021. California Register of Historical Places. Accessed August 2025

California Office of Historic Preservation. 2021. Mission and Responsibilities. Accessed July 2025

Tulare County. Tulare County General Plan 2030 Update. August 2012. Accessed August 2025

Tulare County General Plan 2030 Update. Background Report. Accessed August 2025

4 Effects Found Not to Be Significant

California Public Resources Code Section 21003(f) states, “It is the policy of the State that...all persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment.” This policy is reflected in California Environmental Quality Act (CEQA) Guidelines Section 15126.2(a), which states that “an EIR [environmental impact report] shall identify and focus on the significant impacts of the proposed project on the environment,” and Section 15143, which states that “the EIR shall focus on the significant effects on the environment.” As stated in Section 15128 of the CEQA Guidelines, “An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.”

State CEQA Guidelines Section 15128 requires that an EIR contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant. This chapter includes an environmental analysis and findings of no impact, less than significant, or less than significant with mitigation incorporated for the topics not included in Chapter 3, Environmental Analysis, of this DEIR.

4.1 Aesthetics

a) Would the project have a substantial adverse effect on a scenic vista?

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

The project proposes changes to Agricultural and Residential zones by updating definitions and classifications of uses, and in some specific cases, allows for a simpler streamlined process of establishing a use. For instance, side yard setbacks were reduced from 12.5 feet to 10 feet in the Mountain Residential Zones. Height requirements were also updated for fences, walls, and hedges to three and one half (3 ½) if located within the front yard setback and seven (7) feet in size if outside of the front yard area setback. The update does not impact any restrictions for sites located in the Scenic Corridor Combining Zone (SC), and does not add any additional uses that have not already been established in other zones or sections of the Zoning Ordinance.

The proposed Zoning Ordinance update would be consistent with the programs and policies outlined within the General Plan and would not facilitate new areas for development. The Zoning

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Ordinance update would not involve changes in zoning that would result in a cumulatively considerable net increase of any criteria pollutant or expose sensitive receptors to a substantial pollutant concentration. Impacts would be less than significant.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Refer to Response 4.1(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Aesthetic.

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

Refer to Response 4.1(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Aesthetic.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Refer to Response 4.1(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Aesthetic.

4.2 Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

This proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

Tulare County falls within the southern portion of the San Joaquin Valley Air Basin (SJVAB), which is bordered on the east by the Sierra Nevada range, on the west by the Coast Ranges, and on the south by the Tehachapi Mountains. These features restrict air movement through and out of the SJVAB. The topography of Tulare County significantly varies in elevation from its eastern to western borders, which results in large climatic variations that ultimately affect air quality. The western portion of the County is within the low-lying areas of the SJVAB; this portion of the

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County is much dryer in comparison to the eastern portion that is located on the slopes of the Sierra Nevada Mountains. The higher elevation contributes to both increased precipitation and a cooler climate.

The SJVAB is highly susceptible to pollutant accumulation over time due to the transport of pollutants into the SJVAB from upwind sources. Stationary emission sources in the County include the use of cleaning and surface coatings and industrial processes, road dust, local burning, construction/demolition activities, and fuel combustion. Mobile emissions are primarily generated from the operation of vehicles. According to air quality monitoring data, the SJVAB has been in violation for exceeding ozone and PM10 emission standards for many years.

Unlike other air basins in California, the pollution of the SJVAB is not produced in large urban areas. Instead, emissions are generated over many moderate sized communities. Emission levels in the San Joaquin Valley have generally been decreasing overall since 1990. This can be primarily attributed to motor vehicle emission controls, reducing the amount of vehicle emissions. The main source of carbon monoxide (CO) and nitrogen oxides (Nox) emissions occurs from motor vehicles. The largest contributor to reactive organic gases (ROG) emissions focuses on the oil and gas production area located in the lower part of the SJVAB, which includes Tulare County. ROG emissions from vehicles have been decreasing since 1985 due to stricter standards even though the vehicle miles have been increasing. Direct PM10 emissions have decreased between the years 1975 and 1995 and have remained relatively constant since 2000. Vehicles traveling on unpaved roads and agricultural activities are a substantial source of PM10 emissions in the SJVAB.

San Joaquin Valley Air Pollution Control District (SJVAPCD) is responsible for formulating and implementing the Air Quality Management Plans (AQMPs) for the SJVAB. The SJVAPCD Air Quality Guidelines for General Plan documents was most recently revised in June 2005. SJVAPCD published its technical guidance document, Guidance for Assessing and Mitigating Air Quality Impacts, for reviewing air quality impacts in the Basin under CEQA in March 2015. In addition, SJVAPCD has established a number of regulations to reduce air pollutant emissions from construction of land use projects under Regulation VIII (Fugitive PM10 Prohibitions). The purpose of Regulation VIII is to reduce ambient concentration of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Regulation VIII identifies general requirements under Rule 8011, as well as those for construction, demolition, excavation, extraction, and other earthmoving activities (Rule 8021), bulk materials (Rule 8031), carryout and trackout (Rule 8041), open areas (Rule 8051), paved and unpaved roads (Rule 8061), unpaved vehicle/equipment traffic areas (Rule 8071), and agricultural sources (Rule 8081).

SJVAPCD provides guidance for analyzing the significance of a project's air quality impacts in its publication Guidance for Assessing and Mitigating Air Quality Impacts. The document includes two separate quantitative thresholds; one to analyze criteria pollutant emissions and the other to analyze ambient air quality impacts. Projects that emit pollutants at levels below SJVAPCD criteria pollutant significance thresholds and the ambient air quality screening threshold would not violate or contribute to a violation of an ambient air quality standard and are considered to

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have a less than significant individual impact to air quality. In addition, projects with emissions below significance thresholds for criteria pollutants would be determined to “not conflict or obstruct implementation of the District’s air quality plan,” as stated in section 7.12 of SJVAPCD’s guidance document.

SJVAPCD also provides guidance on assessing a project’s cumulative impacts on air quality. A project would have a considerable contribution to a significant cumulative impact if it exceeds significance thresholds for criteria pollutant emissions. A project would not have a considerable contribution to cumulative impacts if all three of the following conditions are met:

- Project emissions are below significance thresholds for criteria pollutant emissions;
- Project emissions are below ambient air quality standards; and
- The sum of emissions from the project and other planned and pending projects in the project area do not exceed ambient air quality standards.

San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted the 2018 PM_{2.5} Plan for the San Joaquin Valley in November 2018. The PM_{2.5} Plan includes a strategy to attain the federal health-based 1997, 2006, and 2012 National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM_{2.5}) as expeditiously as practicable. In addition, the District adopted the 2022 Ozone Plan for the San Joaquin Valley in December 2022. This plan satisfies Clean Air Act requirements and ensures expeditious attainment of the 70 parts per billion 8-hour ozone standard. The 2018 PM_{2.5} Plan and 2022 Ozone Plan are comprehensive planning documents intended to provide guidance to SJVAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM_{2.5}. The documents present a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

The proposed Zoning Ordinance update would be consistent with the programs and policies outlined within the General Plan and would not facilitate new areas for development. The Zoning Ordinance update would not involve changes in zoning that would result in a cumulatively considerable net increase of any criteria pollutant of expose sensitive receptors to a substantial pollutant concentration. Impacts would be **less than significant**.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Refer to Response 4.2(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on Air Quality.

c) Expose sensitive receptors to substantial pollutant concentrations?

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Refer to Response 4.2(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on Air Quality.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Refer to Response 4.2(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on Air Quality.

4.3 Biological Resources

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

This proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance (TCZO) in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

The proposed Project proposes changes to uses allowed in Agricultural and Residential Zones by updating definitions and classifications of uses, and in some specific cases, allows for a simpler streamlined process of establishing a use. The update would not add any additional uses that have not already been established in other zones or sections of the Zoning Ordinance. The proposed changes may have a less than significant effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; it may result in a less than significant effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service; it may have a less than significant effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.; it may interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites to a degree found to be less than significant; but will not conflict with local policies or ordinances protecting

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biological re-sources, such as a tree preservation policy or ordinance, as the update does not alter the General Plan Policies and brings the Zoning Ordinance into Compliance with the General Plan.

Further, State and federal regulations will require adequate mitigation measures (e.g., selective preservation, replanting, sensitive site planning, etc.) for all development that will adversely impact significant biological resources. As such, this impact is considered less than significant." As such, the proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan."

Therefore, consistent with the findings of the Tulare County 2030 General, the proposed Project will have a Less Than Significant effect on the Biological resource. The revised TCZO would be consistent with the programs and policies outlined within the General Plan and would not authorize new areas for development beyond what has been identified by the General Plan. The revised TCZO would not involve changes that would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No impact would occur.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Refer to Response 4.3(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Biological Resources.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Refer to Response 4.3(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Biological Resources.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Refer to Response 4.3(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Biological Resources.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

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Refer to Response 4.3(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Biological Resources.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?**

Refer to Response 4.3(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Biological Resources.

4.4 Cultural Resources

Would the Project:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?**

As noted earlier, this Project will result in updating various sections of the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the zoning ordinance. The proposed Project will not have a significant direct or cumulative impact on the countywide, or statewide facilities in the area because the project is an update to and is consistent with the adopted Tulare County 2030 General Plan.

A historical resource is defined in Section 15064.5(a) of the CEQA Guidelines as a resource listed in or eligible for listing in the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or any object, building, structure, site, area, place, record or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California. Historic resources in the County are subject to the policies and regulations contained in the General Plan, Environmental Resources Management Element. These policies and regulations also identify the review process for actions proposed within potentially historic areas.

The Environmental Resources Management Element includes goals and policies and programs related to historical resources. While these goals and policies aim to protect historic resources, they do not on their own protect historic resources. Nonetheless, these policies include:

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ERM-6.1 Evaluation of Cultural and Archaeological Resources - The County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

ERM-6.2 Protection of Resources with Potential State or Federal Designations - The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional.

ERM-6.3 Alteration of Sites with Identified Cultural Resources - When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site-specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and Mitigation Measures proposed for any impacts the development may have on the resource.

ERM-6.4 Mitigation - If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.

ERM-6.8 Solicit Input from Local Native Americans - The County shall continue to solicit input from the local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

ERM-6.9 Confidentiality of Archaeological Sites - The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

ERM-6.10 Grading Cultural Resources Sites - The County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

The proposed Zoning Ordinance Update would be consistent with the programs and policies outlined within the General Plan. The update does not propose or authorize any development and would continue to provide for the protection of the County's archaeological resources. The update would not make any changes to the Environmental Resources Management Element and would not allow new development in areas where such development is prohibited under the General Plan. The Zoning Ordinance Update would also continue to provide for the protection of the County's human remains. Therefore, impacts would be **less than significant**.

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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Refer to Response 4.4(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Cultural Resources.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Refer to Response 4.4(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Cultural Resources.

4.5 Energy

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

The California Public Utilities Commission and California Energy Commission (CEC) are two agencies with authority over different aspects of energy. The California Public Utilities Commission regulates privately owned utilities in the energy, rail, telecommunications, and water fields. The CEC collects and analyzes energy-related data, prepares State-wide energy policy recommendations and plans, promotes and funds energy efficiency programs, and regulates the power plant siting process.

The California Constitution vests in the California Public Utilities Commission, the exclusive power and sole authority to regulate privately owned or investor-owned public utilities. This exclusive power extends to all aspects of the location, design, construction, maintenance, and operation of public utility facilities. Nevertheless, the California Public Utilities Commission has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns.

The State of California regulates energy consumption under Title 24 of the California Code of Regulations. The Title 24 Building Energy Efficiency Standards were developed by the CEC and apply to energy consumed for heating, cooling, ventilation, water heating, and lighting in new residential and non-residential buildings. The CEC updates these standards periodically. The current standards (2008) became effective on January 1, 2010. Under Assembly Bill 970, signed September 2000, the CEC will update and implement its appliance and building efficient standards to make “maximum feasible” reduction in unnecessary energy consumption.

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Southern California Edison provides electric service to the majority of Tulare County, including the majority of the San Joaquin Valley and the foothills. Natural gas services are primarily provided by The Gas Company (formerly Southern California Gas Company). Pacific Gas & Electric also serves northern Tulare County's electric needs on limited basis. The electrical facilities network includes both overhead and underground lines, with new development required to install underground service lines. All utility providers indicate that additional service should be available to new development, depending on the necessary load of the services requested.

Implementation of the General Plan 2030 Update is projected to increase the County's total population by approximately 313,970 new residents by 2030, which will increase the demand for additional energy. The development of new residential, commercial, and industrial uses will also contribute to the need for additional energy supplies and utility infrastructure. Energy would be used for heating and electricity in homes and businesses, manufacturing, industrial, public infrastructure, agriculture, and resource extraction uses. Motor vehicles also consume energy. Future development subsequent to the General Plan 2030 Update would primarily occur in or adjacent to existing developed urban areas, with the County Adopted City Urban Development Boundaries, County Adopted City Urban Area Boundaries, Hamlet Development Boundaries (HDBs), Planned Community Areas (PCAs), Mountain Service Centers (MSCs), and Development Corridors in the Foothill Growth Management Plan (FGMP). These land use patterns allow for the logical extension and utilization of existing utilities, public services, and other amenities such as proximity to employment centers, commercial uses, and public transit. Such land use patterns reduce dependence on motor vehicles and allows for stronger public transportation systems and development of pedestrian and bicycle paths.

Policies that minimize this impact are included as part of the General Plan 2030 Update and the Environmental Resource Management (ERM) Element include the following:

ERM-4.1 Energy Conservation and Efficiency Measures - The County shall encourage the use of solar energy, solar hot water panels, and other energy conservation and efficiency features in new construction and renovation of existing structures in accordance with State law.

ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation - The County shall promote the planting and maintenance of shade trees along streets and within parking areas of new urban development to reduce radiation heating.

ERM-4.3 Local and State Programs - The County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources.

ERM-4.4 Promote Energy Conservation Awareness - The County should coordinate with local utility providers to provide public education on energy conservation programs

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ERM-4.6 Renewable Energy - The County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including renewable energy such as wind and solar, biofuels and co-generation.

ERM-4.8 Energy Efficiency Standards - The County shall encourage renovations and new development to incorporate energy efficiency and conservation measures that exceed State Title 24 standards. When feasible, the County shall offer incentives for use of energy reduction measures such as expedited permit processing, reduced fees, and technical assistance.

AQ-3.5 Alternative Energy Design - The County shall encourage all new development, including rehabilitation, renovation, and redevelopment, to incorporate energy conservation and green building practices to maximum extent feasible.

LU-7.12 Energy Conservation - The County shall encourage the use of solar power and energy conservation building techniques in all new development.

The County does not have a local plan for renewable energy or energy efficiency; however, future land uses would be required to comply with State energy efficiency regulations and standards, including CALGreen building code requirements, and compliance with these requirements would be assessed during the project permitting and review process. As such, the proposed Zoning Ordinance Update would not conflict with or obstruct a plan for renewable energy or energy efficiency and would not conflict with a plan for renewable energy and energy efficiency. The proposed Project would be consistent with the policies outlined within the General Plan and would not facilitate new areas for development. The proposed Project would not result in any development and would therefore not result in energy consumption. Therefore, impacts would be **less than significant**.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Refer to Response 4.5(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Energy.

4.6 Geology/Soils

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including liquefaction?

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iv) Landslides

This proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

Public health and safety issues resulting from seismic hazards can be minimized through implementation of the policies provided as part of the Goals and Policies Report (Part I of the General Plan 2030 Update). Part II, Area Plans, of the Goals and Policies Report of the General Plan 2030 Update also includes a number of similar policies in the Foothill Growth Management Plan that have been developed to address a variety of environmental issues (including seismic hazards).

Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Geology/Soils.

b) Result in substantial soil erosion or the loss of topsoil?

The updated Tulare County Zoning Ordinance, by itself, does not propose or authorize any development. The updated TCZO would not facilitate new areas for development beyond what has been identified by the General Plan. The updated TCZO would not conflict with General Plan policies or the California Building Code. The updated TCZO would not involve changes in zoning that would result in substantial soil erosion or the loss of topsoil.

The County's topography varies from west to east ranging from relatively flat areas (with soil conditions that exhibit minimal potential for erosion impacts) to relatively steep areas with greater potential for soil erosion conditions. Development in the County would be subject to local (i.e., County Storm Water Management Plan) and State codes and requirements for erosion control and grading. In addition, project sites encompassing an area of one or more acres would require compliance with best management practices included as part of a National Pollutant Discharge Elimination System (NPDES) permit and consequently the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

Consequently, erosion-related effects can be minimized through implementation of the policies provided as part of the Goals and Policies Report (Part I of the General Plan 2030 Update). Part II, Area Plans, of the Goals and Policies Report of the General Plan 2030 Update also includes a number of similar policies in the Foothill Growth Management Plan that have been developed to address a variety of environmental issues (including soil erosion) specific to this unique County area.

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The policies referenced above were specifically designed to minimize erosion impacts. With the implementation of these policies, this impact is considered less than significant.

- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Refer to Response 4.6(a) and 5.3(b) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Geology/Soils.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

Refer to Response 4.6(a) and 5.3(b) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Geology/Soils.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

Refer to Response 4.6(a) and 5.3(b) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Geology/Soils.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

The foothill and mountain areas of the County are more likely to experience landslides than the Valley floor. Susceptible areas include areas where fractured and steep slopes are present or where inadequate ground cover accelerates erosion. Erosion and ground slumping of soils can also occur along bluff and banks of the Kaweah, Kings, and Tule Rivers. The probability of soil liquefaction actually taking place in the County is considered to be a low to moderate hazard. Soil types in the area are not conducive to liquefaction because they are either too coarse or too high in clay content. However, due to the high clay content, there is potential for some subsidence to occur. Impacts related to these types of geological hazards are site specific and need to be evaluated on a site by site basis within all of the County's individual planning areas.

With adherence to all applicable State and local building codes and regulations and implementation of the 2030 Tulare County General Plan policies above, impacts associated with on- or off-site landslide, subsidence, liquefaction, or collapse would be minimized. Consequently, with implementation of the below mentioned policies and implementation measure, this impact is considered less than significant.

The proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake

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fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (Refer to Division of Mines and Geology Special Publication 42); ii) strong seismic ground shaking; iii) seismic-related ground failure, including liquefaction; or iv) landslides; it would not result in substantial soil erosion or the loss of topsoil; it would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; it would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; nor would it be located on soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, nor would it directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Therefore, consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less than Significant Impact** on Geology and Soil resources.

4.7 Greenhouse Gas Emissions

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHG). The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), fluorinated gases such as hydrofluorocarbons and perfluorocarbons, and sulfur hexafluoride. Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. GHGs are emitted by both natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, and CH₄ results from off-gassing associated with agricultural practices and landfills. Different types of GHGs have varying global warming potentials (GWP), which are the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO₂) is used to relate the amount of heat absorbed to the amount of the GHG emissions, referred to as carbon dioxide equivalent (CO₂e), and is the amount of a GHG emitted multiplied by its GWP. CO₂ has a 100-year GWP of one. By contrast, CH₄ has a GWP of 28, meaning its global

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warming effect is 28 times greater than that of CO₂ on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2014a).

The accumulation of GHGs in the atmosphere regulates Earth's temperature. Without the natural heat-trapping effect of GHGs, the Earth's surface would be about 33 degrees Celsius (°C) cooler. However, emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of GHGs in the atmosphere beyond the level of naturally occurring concentrations.

The proposed Project complies with AB32, the California Air Resources Board's Scoping Plan, Tulare County Association of Governments' Blueprint, Tulare County's General Plan Update 2030, and the Tulare County Climate Action Plan. As such, updating the Tulare County Zoning Ordinance would not result in any significant impact on climate change or introduce significant amounts of GHG, nor would it conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Therefore, consistent with the findings of the Tulare County General Plan EIR, the proposed Project would have a Less than Significant effect on the Greenhouse Gas resource.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Refer to Response 4.7(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Greenhouse Gas resource.

4.8 Hazardous Materials

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

This proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

At the local level, existing plans and agencies guide and regulate the production, disposal, and transport of hazardous materials and hazardous waste management. The Unified Hazardous Waster and Hazardous Management Regulatory Program (SB 1082, Health and Safety Code section 25260 et seq) is a State and local effort to consolidate, coordinate, and make consistent

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existing programs regulating hazardous waste and hazardous materials management. The Unified Program is implemented at the local level by a Certified Unified Program Agency (CUPA).⁸²

The Tulare County Health and Human Services Agency (TCHHSA), Environmental Health Division (EHD) through the County of Tulare is the CUPA for all cities and unincorporated areas within Tulare County. The CUPA was created by the California legislature to minimize the number of inspections and different fees for businesses. The EHD was certified as the County CUPA in December 1996. As the CUPA, the EHD operates the following programs in the County: 1) Aboveground Storage Tank (AST) Program Spill Control and Countermeasure Plan and requirements, 2) California Accidental Release Prevention (CalARP) Program, 3) Hazardous Materials Release Response Plans & Inventory (Business Plan), Hazardous Waste Generator and Onsite Hazardous Waste Treatment (Tiered Permit), Underground Storage Tank (UST) Program, and Hazardous Material Inventory Requirements of Article 80 of the Uniform Fire Code. Under a contract with the State Water Resources Board (SWRB), the County through the EHD conducts the Local Oversight Program, which provides oversight of corrective action at leaking underground fuel tank (LUFT) sites throughout Tulare County.⁸³

Tulare County has prepared a Hazardous Waste Management Plan (HWMP) in accordance with California Health and Safety Code Section 24135 et seq. The Tulare County HWMP, which was developed in may 1989, identifies hazardous waste generators within the County, amounts and types of waste produced, and projected waste generated. In addition, this identifies the need for any potential future locations of treatment, storage, and disposal (TSD) facilities and includes policies and potential impacts for the management of hazardous waste within the County. The major goal of the HWMP is to reduce the need for new hazardous waste facilities by reducing waste at its source through recycling, reducing use of hazardous materials, and public education.⁸⁴

The updates to the Zoning Ordinance do not propose or authorize any development. The proposed changes do not conflict with General Plan policies nor state and federal regulations applicable to public safety and exposure to hazards and hazardous materials. The Zoning Ordinance would be consistent with applicable General Plan policies and state and federal regulation that address hazardous materials. The project would not facilitate development that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.

The proposed Project would not result in potential foreseeable upset or accident conditions involving the release of hazardous materials into the environment or risk of explosion. The Tulare County 2030 General Plan EIR includes policies and programs for development near known hazardous material users, or construction in areas with existing hazardous materials, that could expose individuals to health risks. The Health and Safety Element of the Tulare County 2030

⁸² [Tulare County 2030 General Plan Update. Environmental Impact Report Page 3.8-5. Accessed August 2025](#)

⁸³ Ibid.

⁸⁴ Ibid.

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General Plan includes the following policies related to hazards associated with wildland fires, including but not limited to the following:

HS-4.1 Hazardous Materials - The County shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards, including the Hazardous Waste Management Plan, Emergency Operations Plan, and Area Plan.

HS-4.3 Incompatible Land Uses - The County shall prevent incompatible land uses near properties that produce or store hazardous waste.

HS-4.4 Contamination Prevention - The County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

HS-4.6 Pesticide Control - The County shall monitor studies of pesticide use and the effects of pesticide on residents and wildlife and require mitigation of the effects wherever feasible and appropriate.

HS-4.1 Hazardous Materials – The County shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards, including the Hazardous Waste Management Plan, Emergency Plan, and Area Plan.

HS-4.3 Incompatible Land Uses – The County shall prevent incompatible land uses near properties that produce or store hazardous waste.

HS-4.4 Contamination Prevention – The County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

HS-4.6 Pesticide Control – The County shall monitor studies of pesticide use and the effects of pesticide on residents and wildlife and require mitigation of the effects wherever feasible and appropriate.

HS-6.2 – Development in Fire Hazard Zones – The County shall ensure that development in very high or high fire hazard areas is designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards. This shall include promoting the use of fire-resistant materials designed to reduce fire vulnerability within high or very high fire hazard areas through use of Article 86-A of the 2001 California Fire Code, SRA Fire Safe Regulations, and other nationally recognized standards, as may be updated periodically. Special consideration shall be given to the use of fire resistant-materials and fire-resistant construction in the underside of eaves, balconies, unenclosed roofs and floors, and other similar horizontal surfaces in areas with steep slopes. Ensure new development proposals contain

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specific fire protection plans, actions, and codes for fire engineering features for structures in Very High Fire Hazard Safety Zones including automatic sprinklers as required by applicable codes.

HS-6.6 – Wildland Fire Management Plans – The County shall require the development of wildland fire management plans for projects adjoining significant areas of open space that may have high fuel loads.

As such, it can be concluded reasonably that the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; it would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment or risk explosion; nor would it result in the release of hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Therefore, consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **less than significant** effect on Hazardous and Hazardous Materials resources.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Refer to Response 4.8(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on the Hazardous Materials Resource.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Refer to Response 4.8(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on the Hazardous Materials Resource.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Refer to Response 4.8(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on the Hazardous Materials Resource.

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- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

Refer to Response 4.8(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on the Hazardous Materials Resource.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Refer to Response 4.8(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on the Hazardous Materials Resource.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Refer to Response 4.8(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on the Hazardous Materials Resource.

4.9 Hydrology and Water Quality

- a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

This proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

The Tulare Lake Hydrologic Region covers approximately 10.9 million acres (17,050 square miles) and includes all of Kings and Tulare counties and most of Fresno and Kern counties. The San Joaquin Valley is divided into the San Joaquin River and the Tule Lake regions by the San Joaquin River with the Tulare Lake region in the southern portion. Historically, the Valley floor in this region had been a complex series of interconnecting natural sloughs, canals, and marshes.

The economic development of the region is closely linked to the surface water and groundwater resources of the Tulare Lake region. Major rivers draining into the Tulare Lake region include the

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Kings, Kaweah, Tule, and Kern rivers. The original ecological character of the area has been changed dramatically, largely from the taming of local rivers for farming. In the southern portion of the region, significant geographic features include the lakebeds of the former Buena Vista/Kern and Tulare lakes, comprising the southern half of the region; the Coast Ranges to the west; the Tehachapi Mountains to the south; and the southern Sierra Nevada to the east.

The Tulare County General Plan has several policies that protect hydrology and water quality and apply to projects within County of Tulare.

PF-4.14 Compatible Project Design - The County may ensure proposed development within CACUABs is compatible with future sewer and water systems, and circulation networks as shown in city plans.

PFS-2.1 Water Supply - The County shall work with agencies providing water service to ensure that there is an adequate quantity and quality of water for all uses, including water for fire protection, by, at a minimum, requiring a demonstration by the agency providing water service of sufficient and reliable water supplies and water management measures for proposed urban development.

PFS-2.2 Adequate Systems - The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval.

PFS-2.3 Well Testing - The County shall require new development that includes the use of water wells to be accompanied by evidence that the site can produce the required volume of water without impacting the ability of existing wells to meet their needs.

PFS-2.4 Water Connections - The County shall require all new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing water district service areas, or zones of benefit, to connect to the community water system, where such system exists. The County may grant exceptions in extraordinary circumstances, but in these cases, new development shall be required to connect to the water system when service becomes readily available.

PFS-2.5 New Systems or Individual Wells - Where connection to a community water system is not feasible per PFS-2.4: Water Connections, service by individual wells or new community systems may be allowed if the water source meets standards for quality and quantity.

PFS-3.1 Private Sewage Disposal Standards - The County shall maintain adequate standards for private sewage disposal systems (e.g., septic tanks) to protect water quality and public health.

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PFS-3.2 Adequate Capacity - The County shall require development proposals to ensure the intensity and timing of growth is consistent with the availability of adequate wastewater treatment and disposal capacity.

PFS-3.3 New Development Requirements - The County shall require all new development, within UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing wastewater district service areas, or zones of benefit, to connect to the wastewater system, where such systems exist. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the wastewater system when service becomes readily available.

PFS-3.7 Financing - The County shall cooperate with special districts when applying for State and federal funding for major wastewater related expansions/upgrades when such plans promote the efficient solution to wastewater treatment needs for the area and County.

PFS-4.1 Stormwater Management Plans - The County shall oversee, as per Community Plan Content Table PF-2.1 and Specific Plan Content, Hamlet Plans Policy PF-3.3, and Table LU-4.3, the preparation and adoption of stormwater management plans for communities and hamlets to reduce flood risk, protect soils from erosion, control stormwater, and minimize impacts on existing drainage facilities, and develop funding mechanisms as a part of the Community Plan and Hamlet Plan process.

PFS-4.2 Site Improvements - The County shall ensure that new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, and Area Plans includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater.

PFS-4.3 Development Requirements - The County shall encourage project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, and where feasible, provide a natural watercourse appearance.

PFS-4.4 Stormwater Retention Facilities - The County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge.

PFS-4.5 Detention/Retention Basins Design - The County shall require that stormwater detention/retention basins be visually unobtrusive and provide a secondary use, such as recreation, when feasible.

PFS-4.6 Agency Coordination - The County shall work with the Army Corps of Engineers and other appropriate agencies to develop stormwater detention/retention facilities and recharge facilities that enhance flood protection and improve groundwater recharge.

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PFS-4.7 NPDES Enforcement - The County shall continue to monitor and enforce provisions to control non-point source water pollution contained in the U.S. Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.

AG-1.17 Agricultural Water Resources - The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.

HS-4.4 Contamination Prevention - The County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

HS-5.1 Development Compliance with Federal, State, and Local Regulations - The County shall ensure that all development within the designated floodway or floodplain zones conforms to FEMA regulations and the Tulare County Flood Damage Prevention Ordinance. New development and divisions of land, especially residential subdivisions, shall be developed to minimize flood risk to structures, infrastructure, and ensure safe access and evacuation during flood conditions.

HS-5.2 Development in Floodplain Zones - The County shall regulate development in the 100-year floodplain zones as designated on maps prepared by FEMA in accordance with the following:

1. Critical facilities (those facilities which should be open and accessible during emergencies) shall not be permitted.
2. Passive recreational activities (those requiring non-intensive development, such as hiking, horseback riding, picnicking) are permissible.
3. New development and divisions of land, especially residential subdivisions, shall be developed to minimize flood risk to structures, infrastructure, and ensure safe access and evacuation during flood conditions.

HS-5.4 Multi-Purpose Flood Control Measures - The County shall encourage multipurpose flood control projects that incorporate recreation, resource conservation, preservation of natural riparian habitat, and scenic values of the County's streams, creeks, and lakes. Where appropriate, the County shall also encourage the use of flood and/or stormwater retention facilities for use as groundwater recharge facilities.

HS-5.6 Impacts to Downstream Properties - The County shall ensure that new County flood control projects will not adversely impact downstream properties or contribute to flooding hazards.

HS-5.9 Floodplain Development Restrictions - The County shall ensure that riparian areas and drainage areas within 100-year floodplains are free from development that may adversely impact floodway capacity or characteristics of natural/riparian areas or natural groundwater recharge areas.

HS-5.10 Flood Control Design - The County shall evaluate flood control projects involving further channeling, straightening, or lining of waterways until alternative multipurpose modes of

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treatment, such as wider berm and landscaped levees, in combination with recreation amenities, are studied.

HS-5.11 Natural Design - The County shall encourage flood control designs that respect natural curves and vegetation of natural waterways while retaining dynamic flow and functional integrity.

WR-1.1 Groundwater Withdrawal - The County shall cooperate with water agencies and management agencies during land development processes to help promote an adequate, safe, and economically viable groundwater supply for existing and future development within the County. These actions shall be intended to help the County mitigate the potential impact on ground water resources identified during planning and approval processes.

WR-1.5 Expand Use of Reclaimed Wastewater - To augment groundwater supplies and to conserve potable water for domestic purposes, the County shall seek opportunities to expand groundwater recharge efforts.

WR-1.6 Expand Use of Reclaimed Water - The County shall encourage the use of tertiary treated wastewater and household gray water for irrigation of agricultural lands, recreation and open space areas, and large landscaped areas as a means of reducing demand for groundwater resources.

WR-2.1 Protect Water Quality - All major land use and development plans shall be evaluated as to their potential to create surface and groundwater contamination hazards from point and non-point sources. The County shall confer with other appropriate agencies, as necessary, to assure adequate water quality review to prevent soil erosion; direct discharge of potentially harmful substances; ground leaching from storage of raw materials, petroleum products, or wastes; floating debris; and runoff from the site.

WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement - The County shall continue to support the State in monitoring and enforcing provisions to control non-point source water pollution contained in the U.S. EPA NPDES program as implemented by the Water Quality Control Board.

WR-2.3 Best Management Practices (BMPs) - The County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations requiring a County Permit and urban runoff in coordination with the Water Quality Control Board.

WR-2.4 Construction Site Sediment Control - The County shall continue to enforce provisions to control erosion and sediment from construction sites.

WR-2.5 Major Drainage Management - The County shall continue to promote protection of each individual drainage basin within the County based on the basins unique hydrologic and use characteristics.

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WR-2.6 Degraded Water Resources - The County shall encourage and support the identification of degraded surface water and groundwater resources and promote restoration where appropriate.

WR-2.8 Point Source Control - The County shall work with the Regional Water Quality Control Board to ensure that all point source pollutants are adequately mitigated (as part of the California Environmental Quality Act review and project approval process) and monitored to ensure long-term compliance.

WR-3.3 Adequate Water Availability - The County shall review new development proposals to ensure the intensity and timing of growth will be consistent with the availability of adequate water supplies. Projects must submit a Will-Serve letter as part of the application process and provide evidence of adequate and sustainable water availability prior to approval of the tentative map or other urban development entitlement.

WR-3.5 Use of Native and Drought Tolerant Landscaping - The County shall encourage the use of low water consuming, drought-tolerant and native landscaping and emphasize the importance of utilizing water conserving techniques, such as night watering, mulching, and drip irrigation.

WR-3.6 Water Use Efficiency - The County shall support educational programs targeted at reducing water consumption and enhancing groundwater recharge.

WR-3.10 Diversion of Surface Water - Diversions of surface water or runoff from precipitation should be prevented where such diversions may cause a reduction in water available for groundwater recharge.

The updates to the Zoning Ordinance do not propose or authorize any development. The proposed changes do not conflict with General Plan policies nor state and federal regulations applicable to hydrology and water quality.

Therefore, consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on Hydrology and Water Quality.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Refer to Response 4.9(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Hydrology and Water Quality.

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- c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
- i. result in a substantial erosion or siltation on- or off-site;
 - ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site
 - iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 - iv. impeded or redirect flows?

Refer to Response 4.9(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Hydrology and Water Quality.

- d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?**

Refer to Response 4.9(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Hydrology and Water Quality.

- e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Refer to Response 4.9(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Hydrology and Water Quality.

4.10 Mineral Resources

Would the resource:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Aggregate resources are the most valuable mineral resource in Tulare County because it is a major component of Portland cement concrete (PCC) and asphaltic concrete (AC). PCC and AC are essential to constructing roads, buildings, and providing for other infrastructure needs. There are four streams that have provided the main source of high-quality sand and gravel in Tulare County: Kaweah River, Lewis Creek, Deer Creek, and the Tule River. The highest quality deposits are located at the Kaweah and Tule Rivers. Lewis Creek deposits are considerably inferior to those of the other two rivers.

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Mineral resources located within the County predominantly include sand and gravel resources and (to a lesser extent) minerals such as asbestos, copper, gold, iron and silver. Currently, there are four streams that have provided the main source of high quality sand and gravel in Tulare County. These include the Kaweah River, Lewis Creek, Deer Creek and the Tule River. The highest quality deposits are located along the Kaweah River, near Lemon Cove, and along the Tule River between Porterville and Lake Success. Aggregate resource extraction operations are located predominantly within these areas. Although the locations of most major sand and gravel deposits and other mineral commodities are known, not all areas of the County have been comprehensively investigated by the State or the County to identify other mineral deposits and potential land use planning implications. Development resulting from implementation of the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State, as the Text Amendments would not change language applicable to land under the Surface Mining and Reclamation Act of 1975, and would maintain existing operations. Impacts would be **less than significant** in this regard.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Refer to Response 4.10(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant effect** on Mineral Resources.

4.11 Noise

Would the project:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

Roadways and traffic noise are the dominant source of ambient noise in the County. The noise generated from vehicles using roads within the County is governed primarily by the number of vehicles, type of vehicles (mix of automobiles, trucks, and other large vehicles), and speed. Using Sound32 (Caltrans' computer implementation of the Federal Highway Administration (FHWA) Traffic Noise Prediction Model) and traffic information provided in Section 3.2 "Transportation

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and Circulation” of the Tulare County General Plan EIR, baseline traffic noise contours for major roads in the County were developed.

Farming operations are common throughout Tulare County with the exception of some mountainous areas and heavily developed areas within larger communities. Some of the more common noise sources associated with farming operations include tractors, harvesting equipment and spray equipment. In order to document noise levels generated by such equipment, noise levels were measured at various locations throughout the county. Examples of measured levels include a cotton picker operating at roughly 500 feet away, which produced a noise level of 58 adjusted decibels (dBA). A larger diesel-powered wheel tractor pulling a 20-foot disk generated levels of 72-75 dBA at approximately 150 feet. An International 574 diesel-powered wheel tractor pulling a furrowing appliance generated levels of 69-79 dBA at approximately 50 feet. Also measured were a Randall weed sprayer with a National one cylinder diesel engine which produced 74-75 dBA at 50 feet, an FMC Bean 267 engine-driven speed sprayer which produced 92-97 dBA at 50 feet depending upon orientation, and an Aerofan 391 speed sprayer which generated 74-76 dBA at 100-300 feet.

The above-described levels do not include all types of farm equipment but do present a range of levels that may be expected. A good general rule-of-thumb is that a diesel engine will produce noise levels of 75-85 dBA at approximately 50 feet. Although farming operations occasionally generate significant noise levels, such levels generally do not last more than a few hours at a given location unless a stationary piece of equipment such as a pump master (or engine) is involved. For this reason, significant cumulative noise exposure, as defined by the California Noise Insulation Standards, would not generally be expected to result from typical farming operations within Tulare County. Other noise sources associated with agricultural operations include wind machines, diesel engines on wells, and crop dusters. The following policies in the Health and Safety element of the General Plan relate to noise:

HS-8.2 Noise Impacted Areas – wherein the County shall designate areas as noise-impacted if exposed to existing or projected noise levels that exceed 60 dB Ldn (or Community Noise Equivalent Level (CNEL)) at the exterior of buildings;

HS-8.3 Noise Sensitive Land Uses – wherein the County shall not approve new noise sensitive uses unless effective mitigation measures are incorporated into the design of such projects to reduce noise levels to 60 dB Ldn (or CNEL) or less within outdoor activity areas and 45 dB Ldn (or CNEL) or less within interior living spaces;

HS-8.5 State Noise Standards – the County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code (UBC). Title 24 requires that interior noise levels not exceed 45 dB Ldn (or CNEL) with the windows and doors closed within new developments of multi-family dwellings, condominiums, hotels, or motels. Where it is not possible to reduce exterior noise levels within an acceptable range the County shall require the application of noise reduction technology to reduce interior noise levels to an acceptable level.

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HS-8.6 Noise Level Criteria wherein the County shall ensure noise level criteria applied to land uses other than residential or other noise-sensitive uses are consistent with the recommendations of the California Office of Noise Control (CONC);

HS-8.8 Adjacent Uses wherein the County shall not permit development of new industrial, commercial, or other noise-generating land uses if resulting noise levels will exceed 60 dB Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses, unless it is determined to be necessary to promote the public health, safety and welfare of the County;

HS-8.11 Peak Noise Generators wherein the County shall limit noise generating activities, such as construction, to hours of normal business operation (7 a.m. to 7 p.m.). No peak noise generating activities shall be allowed to occur outside of normal business hours without County approval;

HS-8.13 Noise Analysis – wherein the County shall require a detailed noise impact analysis in areas where current or future exterior noise levels from transportation or stationary sources have the potential to exceed the adopted noise policies of the Health and Safety Element, where there is development of new noise sensitive land uses or the development of potential noise generating land uses near existing sensitive land uses. The noise analysis shall be the responsibility of the project applicant and be prepared by a qualified acoustic engineer (i.e., a Registered Professional Engineer in the State of California, etc.). The analysis shall include recommendations and evidence to establish mitigation that will reduce noise exposure to acceptable levels (such as those referenced in Table 10-1 of the Health and Safety Element);

HS-8.14 Sound Attenuation Features – The County shall require sound attenuation features such as walls, berming, heavy landscaping, between commercial, industrial, and residential uses to reduce noise and vibration impacts; **HS-8.16 State Noise Insulation** – wherein the County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code;

HS-8.18 Construction Noise wherein the County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 a.m. to 7 p.m., Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors; and,

HS-8.19 Construction Noise Control wherein the County shall ensure that construction contractors implement best practices guidelines (i.e., berms, screens, etc.) as appropriate and feasible to reduce construction-related noise-impacts on surrounding land uses.

The General Plan protects sensitive receptors from noise impacts through policies and plan review. For example, The proposed Zoning Ordinance update would not conflict with the General

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Plan policies pertaining to noise. The proposed update, by itself, does not propose or authorize development and would not general a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the general plan. The update would not conflict with existing policies and standards related to ground borne noise or vibration. Therefore, impacts would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Refer to Response 4.11(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on Noise.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Refer to Response 4.11(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on Noise.

4.12 Public Services

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- 1. Fire protection?**
- 2. Police protection?**
- 3. Schools?**
- 4. Parks?**
- 5. Other public facilities?**

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has

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remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

Tulare County and special districts provide many important services to County residents and businesses in unincorporated communities and hamlets such as water, wastewater, storm drainage, solid waste removal, utilities, communications, fire protection, law enforcement, and a number of other community facilities and services (schools, community centers, etc.). Water districts supply water to communities and hamlets throughout the County. Most communities and some hamlets have wastewater treatment systems; however, several communities including Three Rivers, Plainview, Alpaugh, and Ducor rely on individual septic systems. Storm drainage facilities are generally constructed and maintained in conjunction with transportation improvements or new subdivisions in communities. Solid waste collection in the County is divided into service areas, as determined by the Board of Supervisors, with one license for each area. Southern California Edison provides electric service to the south and central areas of Tulare County while PG&E provides electric service in the north. The Gas Company is the primary provider of natural gas throughout the County.

The following policies applicable to fire protection facilities, police protection facilities, schools, parks, or other public facilities can be found in the Public Facilities and Services Element of the General Plan:

PFS-7.1 Fire Protection - The County shall strive to expand fire protection service in areas that experience growth in order to maintain adequate levels of service.

PFS-7.2 Fire Protection Standards - The County shall require all new development to be adequately served by water supplies, storage, and conveyance facilities supplying adequate volume, pressure, and capacity for fire protection.

PFS-7.3 Visible Signage for Roads and Buildings - The County shall strive to ensure all roads are properly identified by name or number with clearly visible signs.

PFS-7.5 Fire Staffing and Response Time Standards - The County shall strive to maintain fire department staffing and response time goals consistent with National Fire Protection Association (NFPA) standards.

PFS-7.6 Provision of Station Facilities and Equipment - The County shall strive to provide sheriff and fire station facilities, equipment (engines and other apparatus), and staffing necessary to maintain the County's service goals. The County shall continue to cooperate with mutual aid providers to provide coverage throughout the County.

PFS-7.8 Law Enforcement Staffing Ratios - The County shall strive to achieve and maintain a staffing ratio of 3 sworn officers per 1,000 residents in unincorporated areas.

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PFS-7.9 Sheriff Response Time - The County shall work with the Sheriff's Department to achieve and maintain a response time of:

- Less than 10 minutes for 90 percent of the calls in the valley region; and
- 15 minutes for 75 percent of the calls in the foothill and mountain regions.

PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations – The County shall strive to locate fire and sheriff sub-stations in areas that ensure the minimum response times to service calls.

PFS-7.12 Design Features for Crime Prevention and Reduction - The County shall promote the use of building and site design features as means for crime prevention and reduction.

PFS-8.1 Work with Local School Districts - The County shall work with local school districts to develop solutions for overcrowded schools and financial constraints of constructing new facilities.

PFS-8.3 – Location of School Sites – The County shall work with school districts and land developers to locate school sites consistent with current and future land uses. The County shall also encourage siting new schools near the residential areas that they serve and with access to safe pedestrian and bike routes to school.

PFS-8.4 Library Facilities and Services – The County shall encourage expansion of library facilities and services as necessary to meet the needs (e.g., internet access, meeting rooms, etc.) of future population growth.

PFS-9.1 Expansion of Gas and Electricity – The County shall coordinate with gas and electricity service providers to plan the expansion of gas and electrical facilities to meet the future needs of County residents.

PFS-9.2 Appropriate Siting of Natural Gas and Electric Systems – The County shall coordinate with natural gas and electricity service providers to locate and design gas and electric systems that minimize impacts to existing and future residents.

PFS-9.3 Transmission Corridors – The County shall work with the Public Utilities Commission and power utilities so that transmission corridors meet the following minimum requirements:

1. Transmission corridors shall be located to avoid health impacts on residential lands and sensitive receptors, and
2. Transmission corridors shall not impact the economic use of adjacent properties.

PFS-9.4 Power Transmission Lines – The County shall work with the Public Utilities Commission and power utilities in the siting of transmission lines to avoid interfering with scenic views, historic resources, and areas designated for future urban development.

Housing Element (2023)

Housing Policy 1.11 Encourage the development of a broad range of housing types to provide an opportunity of choice in the local housing market.

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Housing Policy 1.12 Encourage Federal and State governments to expand and adequately fund housing programs for very low-, low- and moderate-income households, to stimulate mortgage financing for such programs, and to revise program requirements that preclude certain programs from being utilized.

Housing Policy 1.16 Review community plans and zoning to ensure they provide for adequate affordable residential development.

Housing Policy 1.23 The County will take all measures reasonably available to it to ensure the provision of affordable housing and a suitable living environment for residents of low-income communities.

Housing Policy 1.34 Encourage and support a balance between housing and agricultural needs.
PFS-7.1 Fire Protection - The County shall strive to expand fire protection service in areas that experience growth in order to maintain adequate levels of service.

As mentioned in Chapter 2, the proposed Zoning Ordinance Update would not directly or indirectly increase the population in the County. As such, the Zoning Ordinance would not generate additional demand for public services. Therefore, the proposed Zoning Ordinance Update would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities in order to maintain acceptable service rations, response times or other performance objectives for any of the public services, fire protection, police protection, schools, parks, or other public facilities. Therefore, the impact would be **less than significant** on Public or Utility Services.

4.13 Recreation

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

The proposed project does not propose or authorize any development, including recreational facilities. As described in Section 3.4, Population and Housing, the proposed update would not directly or indirectly increase the population in the County. The update itself does not offer any additional housing units, nor does it rezoning any sites for housing, however with the proposed

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changes 3rd residences would be simpler and more streamlined to apply for. It is reasonable to conclude that the proposed changes would not increase the demand for housing as is already anticipated in the Housing Element. Therefore, the proposed project would not result in an increase in population that would increase the use of existing neighborhood and regional parks or other recreational facilities.

Therefore, consistent with the findings of the Tulare County 2030 General Plan Update, the proposed Project would have a **less than significant** effect on Recreation resources.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Refer to Response 4.13(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a **Less Than Significant** effect on Recreational Resources.

4.14 Transportation

a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance. The proposed Project will not have a significant direct or cumulative impact on the countywide, or statewide roadway facilities in the area because the project is an update to and is consistent with the adopted Tulare County 2030 General Plan.

As indicated in the Tulare County 2030 General Plan, implementation of the Tulare County General Plan Circulation Element will improve the existing regional transportation and circulation systems. Such improvements are intended to fulfill existing and future circulation needs. Implementation of planned improvements to the street and highway network, improvement to county airports, provision of mass transportation services and facilities, identification of additional bikeways and pedestrian improvements, and improved transportation systems that accommodate existing and future goods movement, will have beneficial effects on a localized and region-wide basis.

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The proposed Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; it would not conflict with an applicable congestion management program, including, but not limited to LOS standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; it would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; it would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); it would not result in inadequate emergency access; and it would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Policies from the Transportation and Circulation Element are designed to minimize transportation impacts through the establishment of design and Level of Service (LOS) standards for a variety of circulation, traffic, transit, and non-motorized transportation modes. Other policies in the Land Use Element are designed to integrate land use and circulation concepts early during the design phases of Countywide development to minimize land use conflicts. The revised TCZO, by itself, does not propose or authorize any development. Impacts would be less than significant.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Refer to Response 4.14(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Transportation.

c) Would the project substantially increase hazards due to a geometric design feature or incompatible uses?

Refer to Response 4.14(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Transportation.

d) Would the project result in inadequate emergency access?

Refer to Response 4.14(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Transportation.

4.15 Utilities and Service Systems

Would the project:

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

As noted earlier, this proposed Project will result in updating various sections with regards to the Agricultural and Residential portions of the Tulare County Zoning Ordinance in order to bring them into compliance with the Tulare County 2030 General Plan and 2023-2031 Housing Element, which is part of the General Plan. The proposed changes would modernize language that has remained relatively unchanged for decades and remove inconsistencies and redundant language found throughout the various sections of the Zoning Ordinance.

The Tulare County General Plan has a number of policies that apply to projects within County of Tulare. General Plan policies that relate to the proposed Project in this resource are listed as follows.

PFS-2.1 Water Supply - The County shall work with agencies providing water service to ensure that there is an adequate quantity and quality of water for all uses, including water for fire protection, by, at a minimum, requiring a demonstration by the agency providing water service of sufficient and reliable water supplies and water management measures for proposed urban development.

PFS-2.2 Adequate Systems - The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval.

PFS-2.3 Well Testing - The County shall require new development that includes the use of water wells to be accompanied by evidence that the site can produce the required volume of water without impacting the ability of existing wells to meet their needs.

PFS-2.4 Water Connections - The County shall require all new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing water district service areas, or zones of benefit, to connect to the community water system, where such system exists. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the water system when service becomes readily available.

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PFS-2.5 New Systems or Individual Wells - Where connection to a community water system is not feasible per PFS-2.4: Water Connections, service by individual wells or new community systems may be allowed if the water source meets standards for quality and quantity.

PFS-3.1 Private Sewage Disposal Standards - The County shall maintain adequate standards for private sewage disposal systems (e.g., septic tanks) to protect water quality and public health.

PFS-3.2 Adequate Capacity - The County shall require development proposals to ensure the intensity and timing of growth is consistent with the availability of adequate wastewater treatment and disposal capacity.

PFS-3.3 New Development Requirements - The County shall require all new development, within UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing wastewater district service areas, or zones of benefit, to connect to the wastewater system, where such systems exist. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the wastewater system when service becomes readily available.

PFS-3.7 Financing - The County shall cooperate with special districts when applying for State and federal funding for major wastewater related expansions/upgrades when such plans promote the efficient solution to wastewater treatment needs for the area and County.

PFS-4.1 Stormwater Management Plans - The County shall oversee, as per Community Plan Content Table PF-2.1 and Specific Plan Content, Hamlet Plans Policy PF-3.3, and Table LU-4.3, the preparation and adoption of stormwater management plans for communities and hamlets to reduce flood risk, protect soils from erosion, control stormwater, and minimize impacts on existing drainage facilities, and develop funding mechanisms as a part of the Community Plan and Hamlet Plan process.

PFS-4.2 Site Improvements - The County shall ensure that new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, and Area Plans includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater.

PFS-4.3 Development Requirements - The County shall encourage project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, and where feasible, provide a natural watercourse appearance.

PFS-4.4 Stormwater Retention Facilities - The County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge.

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PFS-4.5 Detention/Retention Basins Design - The County shall require that stormwater detention/retention basins be visually unobtrusive and provide a secondary use, such as recreation, when feasible.

PFS-4.6 Agency Coordination - The County shall work with the Army Corps of Engineers and other appropriate agencies to develop stormwater detention/retention facilities and recharge facilities that enhance flood protection and improve groundwater recharge.

PFS-4.7 NPDES Enforcement - The County shall continue to monitor and enforce provisions to control non-point source water pollution contained in the U.S. Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.

PFS-5.1 Land Use Compatibility with Solid Waste Facilities - The County shall ensure that solid waste facility sites (for example, landfills) are protected from the encroachment by sensitive and/or incompatible land uses.

PFS-5.3 Solid Waste Reduction - The County shall promote the maximum feasible use of solid waste reduction, recycling, and composting of waste, strive to reduce commercial and industrial waste on an annual basis, and pursue financing mechanisms for solid waste reduction programs.

PFS-5.4 County Usage of Recycled Materials and Products - The County shall encourage all industries and government agencies in the County to use recycled materials and products where economically feasible.

PFS-5.8 Hazardous Waste Disposal Capabilities - The County shall require the proper disposal and recycling of hazardous materials in accordance with the County's Hazardous Waste Management Plan.

PFS-5.9 Agricultural Waste - The County shall investigate waste disposal and reuse needs for agricultural wastes for energy and other beneficial uses and shall change County plans accordingly

The proposed Project, by itself, does not propose or authorize any development. Furthermore, the Zoning Ordinance Update would not increase the population of Tulare County beyond that envisioned in the General Plan. As such, the updated Tulare County Zoning Ordinance would not result in increased water usage or increased solid waste.

Therefore, the proposed Project would have a Less than significant effect on Utilities and Service Systems.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple years?**

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Refer to Response 4.15(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Utilities and Service Systems.

- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Refer to Response 4.15(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Utilities and Service Systems.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Refer to Response 4.15(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Utilities and Service Systems.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Refer to Response 4.15(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Utilities and Service Systems.

4.16 Wildfires

- a) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

The County contains an amount of land classified as Very High Fire Hazard Severity Zones (VHFHSZs) and as State Responsibility Areas (SRAs) (California Department of Forestry and Fire Protection [CAL FIRE] 2025).

The revised TCZO would be consistent with and required to comply with the County of Tulare Emergency Operations Plan (EOP) which outlines how the county will respond to an emergency such as wildfire, as well as the adopted Tulare County Multi-Jurisdictional Hazard Mitigation Plan (MJLHMP).

The proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The following *Tulare County General Plan 2030 Update* policies

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could apply to this Project if it were located on sloped areas, fire hazards areas, lands susceptible to landslides, subsidence/settlement, contamination, flooding, potential for wildland fires, etc.:

HS-6.1 New Building Fire Hazards - The County shall ensure that all building permits in urban areas, as well as areas with potential for wildland fires, are reviewed by the County Fire Chief;

HS-6.5 Fire Risk Recommendations - The County shall encourage the County Fire Chief to make recommendations to property owners regarding hazards 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;

HS-6.7 Water Supply System – The County shall require that water supply systems be adequate to serve the size and configuration of land developments, including satisfying fire flow requirements. Standards as set forth in the subdivision ordinance shall be maintained and improved as necessary;

HS-7.1 Coordinate Emergency Response – Service with Government Agencies wherein the County shall coordinate emergency response with local, State, and Federal governmental agencies, community organizations, volunteer agencies, and other response partners during emergencies or disasters utilizing SEMS and NIMS; and

HS-7.2 Mutual Aid Agreement - The County shall participate in established local, State, and Federal mutual aid systems. Where necessary and appropriate, the County shall enter into agreements to ensure the effective provision of emergency services, such as mass care, heavy rescue, hazardous materials, or other specialized functions.

The revised TCZO does not impair either the EOP or CWPP. The revised TCZO, by itself, does not propose or authorize any development. Impacts would be less than significant.

- b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Refer to Response 4.16(a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Wildfires.

- c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

Refer to Response 4.16 (a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Wildfires.

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- d) Would the project Expose people or structures to significant risks, including downslope or downstream flooding, or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Refer to Response 4.16 (a) above. Consistent with the findings of the Tulare County 2030 General Plan EIR, the proposed Project would have a Less Than Significant effect on Wildfires.

5 Alternatives

5.1 Introduction

The California Environmental Quality Act (CEQA) requires that an environmental impact report (EIR) examine a reasonable range of feasible alternatives to the project or the project location that could substantially reduce one or more of the project's significant environmental impacts while meeting most or all of its objectives. The EIR is required to analyze the potential environmental impacts of each alternative, though not at the same level of detail as the project. However, there must be sufficient detail to be able to compare the respective merits of the alternatives. The key provisions of State CEQA Guidelines Section 15126.6 that relate to alternatives analyses are summarized below.

- The discussion of alternatives shall focus on alternatives to the project or project location that are feasible, would meet most or all of the project objectives, and would substantially reduce one or more of its significant impacts.
- The range of alternatives must include the No-Project Alternative. The no project analysis will discuss the existing conditions at the time the NOP was published, as well as conditions that would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. The No-Project Alternative is not required to be feasible, meet any of the project objectives, or reduce the project's expected impacts to any degree.
- The range of alternatives required is governed by a rule of reason. The EIR must evaluate only those alternatives necessary to permit a reasoned choice. An EIR is not required to analyze every conceivable alternative to a project.
- An EIR does not need to consider an alternative that would not achieve the basic project objectives, for which effects cannot be reasonably ascertained, and for which implementation is remote and speculative.

5.2 Project Objectives

Several sections within the Tulare County Zoning Ordinance have remained unchanged throughout the years, resulting in language that is outdated, no longer relevant, or conflicting with other sections that have been updated. In addition, based on feedback received, the Zoning Ordinance was found to be difficult to navigate as information has had tendencies to be found in multiple locations, making it more difficult to be able to find specific information. The County is proposing updates to ensure that the Zoning Ordinance conforms to the General Plan, is more streamlined, and is easier to navigate.

5.3 Significant Impacts of the Proposed Project

Alternatives should provide a means of reducing the level of one or more significant impacts that would otherwise result from implementation of the project. Chapter 3 of this EIR evaluated four resources that could potentially result in significant impacts.

5.4 Alternatives to the Proposed Project

This analysis focuses on alternatives capable of eliminating significant adverse environmental effects or reducing them to less than significant levels, even if these alternatives would impede, to some degree, the attainment of the proposed project objectives. As noted previously, the CEQA Guidelines (Section 15126.6(e)(2)) require that the alternatives discussion include an analysis of the No Project Alternative. Pursuant to CEQA, the No Project Alternative refers to the analysis of existing conditions (i.e., implementation of current plans) and what would reasonably be expected to occur in the foreseeable future if the project was not approved. Further, CEQA Section 15126.6(a) provides that an environmental impact report (EIR) need not consider every conceivable alternative to a project; rather, an EIR need only consider a reasonable range of alternatives. The following alternatives have been identified for analysis in compliance with CEQA:

5.4.1 Alternative 1: No Project Alternative

Description:

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate and analyze the environmental impacts of the “No-Project” Alternative. When the project is the revision of an existing land use or regulatory plan or policy, the no-project alternative will be the continuation of the existing plan or policy into the future. Therefore, Alternative 1 (No-Project or Existing Zoning Ordinance) analyzes the effects of continued implementation of the County’s existing Zoning Ordinance. Consequently, current development patterns would continue to occur in accordance with the existing General Plan, Zoning Ordinance, and Community/Area Plans. Implementation of the No-Project Alternative would not include any of the new policies and implementation measures designed to address the environmental impacts of future County development.

As detailed above, this alternative would result in reduced significant impacts. As no analysis would be required from staff, the continued confusion of activities currently permitted within the Tulare County Zoning Ordinance would persevere, and the project would still need to be completed in the near future as Tulare County approaches their comprehensive General Plan update beginning in 2030.

5.4.2 Alternative 2: Reduced Intensity Alternative

Description:

The Reduced Intensity Alternative would result in a phased roll out of the Tulare County Zoning Ordinance updates. If the project were to be phased, Text Amendment No. PZC 25-005 would be processed with individual environmental analysis under CEQA, covering the updates to the following Agricultural Zoning sections in the Tulare County Zoning Ordinance: Section 2 Definitions, Establish the Preamble and Zoning Matrix for Agricultural Zones, Section 9.5 AE (Exclusive Agricultural), Section 9.55 AE-10 (Exclusive Agricultural – 10 acre minimum), Section 9.6 AE-20 (Exclusive Agricultural – 20 acre minimum), Section 9.7 AE-40 (Exclusive Agricultural – 40 acre minimum), Section 9.8 AE-80 (Exclusive Agricultural – 80 acre minimum), Section 10 A-1 (Agricultural), Section 10.3 AF (Foothill Agricultural), Section 15.5 (Reasonable Accommodations), Section 16 (Variances and Special Use Permits), Section 16.4 (Site Review Combining Zone), Section 16. IV (Temporary Use Permits), and Section 16.V (Special Use Permit – Assemblage of People for Educational and/or Event Purposes).

The following phase would to be separately analyzed would be Text Amendment No. PZC 25-008, focusing on the Residential Zoning sections of the Tulare County Zoning Ordinance, including: Section 2 (Definitions), Establish the Preamble and Zoning Matrix for the Residential Zones, Section 4 R-A (Rural Residential), Section 4.5 MR (Mountain Residential), Section 5 R-O (Single Family Estate), Section 6 R-1 (Single-Family Residential), Section 7 R-2 (Two-Family Residential), Section 8 R-3 (Multi-Family), Section 14.3 M (Special Mobilehome Overlay), Section 15 (General Provisions and Exceptions), Section 15.5 (Reasonable Accommodations), Section 16 (Variances and Special Use Permits), Section 16.4 (Site Review Combining Zone), Section 16. IV (Temporary Use Permits), Section 16.V (Special Use Permit – Assemblage of People for Educational and/or Event Purposes), Section 18.6 PD (Planned Development), and Section 18.7 F (Foothill Combining).

The Reduced Intensity Alternative, would not significantly change the environmental impacts associated with the project. The primary difference between the chosen method and this alternative is the timeline for completion. Phasing the project would increase the amount of staff time required to analyze the projects separately from what is necessary when combining the Text Amendment projects.

5.4.3 Comparison of Project Alternatives and Identification of the Environmentally Superior Alternative

The Reduced Intensity Alternative would not significantly change the environmental impacts associated with the project. The primary difference between the no Project Alternative and the Reduced Intensity Alternative is the timeline for completion. The No Project Alternative would result in no analysis required from staff, but also the continued confusion of activities currently permitted within the Tulare County Zoning Ordinance. Phasing the project would increase the amount of staff time required to analyze the projects separately from what is necessary when

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combining the Text Amendments, and would not be more efficient or less costing than the current method of combining the environmental review for both the Agricultural and Residential zones.

6 Exhibits

Exhibit A – NOP and Comment Letters

AVAILABLE BY REQUEST

Tulare County RMA Environmental Planning

Phone: (559) 624-7000

E-mail: RMAPublicRequest@tularecounty.ca.gov.

Exhibit B – Mitigation Monitoring and Reporting Program (MMRP)

AVAILABLE BY REQUEST

Tulare County RMA Environmental Planning

Phone: (559) 624-7000

E-mail: RMAPublicRequest@tularecounty.ca.gov.