

Tulare County Citizens for Responsible Growth

Working to ensure that future growth protects our local economy, communities and natural resources

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September 25, 2007

Tulare County Board of Supervisors
2800 West Burrel Avenue.
Visalia, CA 93291

RE: Comments on Proposed Draft of the Amendment to the Tulare County Zoning Ordinance No. 352 pertaining to planned communities.

Dear Chairman Ishida and Supervisors:

Thank you for the opportunity to comment on the proposed amendment to the Tulare County Zoning Ordinance pertaining to Planned Communities. Submitted concurrently with this Executive Summary is a separate, more detailed, analysis and discussion of our comments and concerns.

Who we are

Tulare County Citizens for Responsible Growth was formed in early 2006 by a diverse group of county residents with a common concern that future growth in our County ensures protection of our natural resources and the livability of our communities, as well as protecting and enhancing the local economy.

Summary of Recommendations

We urge the Board of Supervisors to take no action on the proposed Planned Community Zone Ordinance at this time, for the following reasons:

1. Although this Draft Planned Community (PC) Zone Ordinance touches on several of the many elements important to consider for any major development, as proposed, its application criteria lack the strength and specificity necessary to guide future development. We believe that, absent specific criteria and explicit guidelines, development of new towns will adversely affect Tulare County's existing communities and all of its residents.
2. Approval of this proposed new ordinance in the midst of the General Plan update process is contrary to the logical order of sound County planning. Consideration of the proposed ordinance should be delayed until the General Plan update has been completed, to ensure that it is consistent with the vision ultimately put forth in that document, and that it will neither present the County with "facts on the ground" or with an ordinance that will require additional staff time to bring into harmony with the updated General Plan.

3. The currently established development boundaries of existing County cities, communities, and hamlets are sufficient to accommodate at least 50 years of growth. Approving a new “Planned Community Zone” with county-wide applicability would expose the County’s agricultural lands and open space to overwhelming financial pressure to succumb to development – because the costs of developing previously undeveloped land are lower than the costs of developing infill space -- and would at the same time put existing communities which need and want infill development at a competitive disadvantage in seeking those same development dollars. The PC Zone Ordinance should therefore be amended to restrict the PC Zone to lands within existing development boundaries. This is consistent with both public opinion and the first four guiding principles stated in the General Plan update Goals and Policies report:

1. *Provide opportunities for small unincorporated communities to grow or improve quality of life*
2. *Promote reinvestment in existing communities and hamlets in a way that enhances the quality of life in these locations*
3. *Protect the county’s important agricultural resources and scenic natural lands from urban encroachment*
4. *Strictly limit rural residential development potential in important agricultural areas outside of communities, hamlets and cities (i.e. avoid rural residential sprawl).*

Should the Commission nevertheless choose to recommend that the Board of Supervisors adopt PC Zone Ordinance with county-wide applicability prior to completion of the General Plan update, we urge that any proposed Ordinance include the following provisions:

1. Applications for PC Zone designation outside of existing development boundaries must demonstrate that growth can no longer be accommodated within existing development boundaries.
2. A set of pre-application processes must be developed and completed that will require the applicant to work with County staff, identified agencies, TCAG, interested community organizations, and landowners regarding existing site conditions, project design, current zoning regulations, potential environmental impacts, mitigation measures, and general consistency with local, state, and federal regulations. This will enable the applicant, staff and stakeholders to develop a common understanding of relevant issues.
3. Mandatory plans for community gathering areas that contain high-density/clustered housing, businesses, and parks. These areas must be pedestrian-and bicycle-friendly and located near transit centers.
4. Transportation elements must include plans for alternative transportation, as well as internal and external community connectivity and connectivity to parks and open space.
5. The applicant must be required to hire an independent consultant to develop and submit a detailed economic analysis evaluating the impacts of the Planned Community. Input by external affected parties must also be solicited and included in the analysis.
6. Detailed provisions for Master Development Plan and Area Development Plan compliance monitoring must be made and implemented per a fixed and regular schedule. Development

must not be permitted to advance to any new stage until monitoring and approval of the prior stage has been completed

7. Specific plans must include a technical report analyzing the site's natural and physical features, prepared by a qualified expert and paid for by the applicant.
8. Open space, natural resource, and agricultural protection must be addressed through criteria outlining minimum requirements for wildlife habitat and agricultural mitigation and open space protection.
9. A detailed community services and utilities plan and a plan addressing the wastewater collection and community water supply must be required.

We have submitted a more detailed analysis of the Draft Ordinance, including specific proposed revisions, concurrently with this letter. Should you have any questions or wish to discuss the contents of our submissions further, please contact us at tccrg@earthlink.net or P.O. Box 1058, Three Rivers, CA 93271.

Thank you for your time in reviewing and considering our comments on this important issue.

On Behalf of the Tulare County Citizens for Responsible Growth

Jeff Steen
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Chair

Sarah Graber
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