

## **4.6 VISUAL RESOURCES**

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This section analyzes visual impacts related to the permitting of new dairies under the Kings County Draft Dairy Element (Element). The section discusses whether any significant scenic views could be affected by the new dairy development, and examines impacts related to lighting and glare.

### SETTING

Kings County is a predominantly agricultural county that encompasses irrigated fields on a flat valley floor in the northeast to dry rolling hills in the southwest portion of the county. Dairy development permitted under the Element would occur exclusively on flat, irrigated agricultural lands that are designated with the Dairy Development Overlay Zone (Figure 3-2). The lands designated for dairy development are located outside the Corcoran, Hanford, and Lemoore fringe areas, as well as in the rural agricultural areas of western and southwestern Kings County. Views across much of the agricultural lands that are designated for dairy development are largely unimpeded because of the topography. In the predominantly agricultural areas, the only defining landmarks are often either roads or the series of irrigation canals that run through the properties.

### KINGS COUNTY GENERAL PLAN

The Open Space Element of the Kings County General Plan includes two goals and several policies that address scenic highways and community separators. The Scenic Resources section of the Open Space Element contains Goal 23, which states “Ensure that future land uses are compatible with the preservation of scenic highways.” A figure in the Open Space Element identifies one scenic highway in the county: the portion of Highway 41 west of Highway 33 in the Coast Ranges. The figure also identifies “scenic lands” along the Kings River and its various distributaries, including Cole Slough in the northeast part of the county and the South Fork Kings and Fresno Slough in the northwest corner of the county. Policy 23c states the intent to “Design public works projects to minimize tree damage and removal along scenic corridors.” There are no specific policies that address the “scenic lands” along the Kings River.

Goal 24 states “Preserve the visual identities of cities and communities by maintaining open space areas and boundary lines between them” and Objective 24.1 states “Preserve open space, maintain rural character, and prohibit development in community separator areas.” Policy 24b identifies a community separator boundary line between Armona and Hanford and Policy 24c states the intent to retain the existing agricultural land use designations between the two communities. Policy 24d states “Maintain the existing

separation between Lemoore and Armona by preserving the predominantly General Agriculture and Rural Residential uses between 14½ and 17<sup>th</sup> avenues.”

## KINGS COUNTY ZONING ORDINANCE

Section 1902(A)(5) of the Kings County Zoning Ordinance requires that any application for a conditional use permit must submit a site plan that includes information about building heights and sizes; yards; walls and fence materials; landscaping; and “lighting: location and general nature, hooding devices.” Section 1902(A)(6) of the Kings County Zoning Ordinance requires that “the site plan shall be so prepared by the applicant to enable the planning commission to find that” various design components of the project are arranged so “there will be no adverse effect on surrounding property” and that “Proposed lighting is so arranged as to reflect the light away from adjoining properties.”

## RELEVANT GOALS, OBJECTIVES, AND POLICIES

The section of the Element devoted to “General Restriction of Siting Dairies in Kings County” contains **Policy DE 3.1a**, which states “~~Consider, at a minimum, A technical report shall be prepared and shall address the following criteria for both the general dairy siting criteria and site specific dairy projects siting issues.~~” The policy is followed by ~~fourteen~~ twelve criteria, which include “light and glare.”

As noted above, the Kings County General Plan identifies the lands along the Kings River and related tributaries as “scenic lands.” Several policies of the Element address lands along the Kings River. **Policy DE 1.2c** states that dairy facilities, including manure and dairy process water storage areas, shall not be located in any flood zones identified by the National Flood Insurance Rate Maps (FIRM). The lands along the Kings, Tule, and Kaweah rivers and Cross Creek within the Tulare Lake Basin are designated by the FIRM as flood zones, and the accompanying figure in the Element clearly prohibits dairy development from locating within the flood zones in the County.

~~**Policy DE 3.2c.A** requires that dairy facilities be set back a minimum of 150 feet from wells and water bodies.~~

~~**Policy DE 3.2c.B** states that “The minimum setback from Dairy facilities shall be designed to ensure that no runoff into surface waters, including rivers, creeks, intermittent streams, canals, reservoirs, lakes, ponds, sloughs, storm water basins, groundwater recharge basins, floodplains, floodways, etc., of any manured area shall be 150 feet will occur. This can be done by constructing barriers or grading the facility away from such water bodies.~~

# IMPACTS AND MITIGATION MEASURES

## SIGNIFICANCE CRITERIA

The CEQA environmental checklist questions indicate that a project could have a significant adverse impact if it would:

- have a substantial, adverse effect on a scenic vista;
- substantially damage scenic resources in a state scenic highway;
- substantially degrade the existing visual character or quality of the site and its surroundings; or
- create a new source of substantial light or glare.

### Impact 4.6-1

**The general height, scale, lighting, and design of typical dairy facilities that would be allowed under the Element would be consistent with other farming operations in the agricultural zones of Kings County. This is a less-than-significant impact.**

The flat, irrigated agricultural areas of Kings County that are designated for development of additional dairies are characterized by open agricultural fields with low rise (one- and two-story) agricultural structures and houses, with occasional tall structures such as grain silos. The site plan layout for a typical new dairy facility with several thousand milking cows would include freestall barns, shaded corrals, and several other barns. The shaded corrals would be approximately 18 to 20 feet in height; the main dairy barn, the calf barn, the commodity barn, and the hospital milk barn would range in height from 20 to 24 feet. If holding ponds are proposed for construction on-site, a typical design would be to excavate the ponds to below the ground surface. In areas of shallow groundwater, it may be necessary to construct embankments above the ground surface to impound the ponds.

The Kings County Zoning Ordinance specifies no height limit for structures within the Agricultural zone districts. The scale of the typical dairy facility described above would include project structures and buildings that are of a similar scale to other agricultural and residential buildings in the agricultural areas of Kings County. Views experienced by motorists traveling on nearby roads would be of the dairy structures, the main dairy barn, and shaded corrals in front of the property. The other structures toward the back of the typical dairy facility, such as the sides of the ponds and commodity barn, may not be readily visible to passing vehicles and occupants.

The zoning regulations for the Agricultural zone districts do not require any landscaping, although a 50-foot front yard is required for structures abutting a public road (Section 406(D)(1)).

### *Mitigation Measure 4.6-1*

*None required.*

### **Impact 4.6-2**

**There is a potential for outdoor lighting and glare associated with dairies allowed under the Element to affect nearby rural residences. This is a less-than-significant impact.**

New dairy facilities allowed under the Element would typically include night-time lighting of the freestall barns and corral areas. A potential impact of outdoor lighting constructed to illuminate the dairy buildings is a slight loss of darkness in the night sky, which could be experienced by any rural residents in the area of a new dairy.

The ~~Conditional Use Permit approval~~ process outlined in the Element contains **Policy DE 3.1a**, which requires that light and glare be considered as “~~criteria for both the general dairy siting, criteria and site specific dairy projects.”~~ addressed in the Technical Report for dairy applications. In addition, Section ~~1903 (A)(6)~~ 2102.C.3 of the Kings County Zoning Ordinance requires that “~~the site plan shall be so prepared by the applicant to enable the planning commission to find that~~” various design components of the project are arranged so “~~there will be no adverse effect on surrounding property~~” and that “~~In approving the site plan, the zoning administrator shall find that ...~~ Proposed lighting is so arranged as to reflect the light away from adjoining properties.” In addition, Policy DE 3.1h requires that the Technical Report includes a design of outdoor lighting that ensures that lighting is directed away from adjoining properties

The Kings County Right to Farm Ordinance protects agricultural operations from the encroachment of incompatible, nonagricultural uses such as rural residences in agricultural areas of the County. The Right to Farm Ordinance does not address impacts of proposed agricultural operations on existing residences. Night lighting associated with new dairy facilities permitted under the Element is not expected to significantly impact existing nearby residences, since Element **Policy DE 1.2i** requires that new dairies be sited at least one-half mile from all residentially zoned lands, including isolated rural communities. In addition, **Policy DE 3.1b** of the Element requires that the proximity of rural residences shall be considered in the siting of individual dairy structures. **Policy DE 3.1c** requires that dairy structures be located the maximum distance from nearby off-site residences so that land use conflicts are minimized.

However, nearby residents may experience a slight brightening in the night sky due to the project lighting. Lighting and glare impacts would not be considered significant to these homes since the homes are already exposed to outdoor lighting from the other agricultural operations in the area.

Implementation of **Policies DE 1.2h, 3.1a, 3.1b, and 3.1c, and 3.1h** would reduce the potential for light and glare impacts through consideration of this issue during permit application review. In addition, **Objective DE 7.2 6.4** and **Policies DE 7.2a 6.4a through 7.2c 6.4c** would provide a formal process for responding to any complaints (including complaints associated with lighting) regarding dairy operations.

***Mitigation Measure 4.6-2***

*None required.*

Implementation of **Policies DE 1.2i, 3.1a, 3.1b, 3.1c, 3.1h, and 7.2a 6.4a through 7.2c 6.4c** will ensure that the potential site-specific impacts of lighting and glare are **evaluated mitigated** in the dairy development application review process, reducing the potential impacts to a less-than-significant level.