



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

- KUYLER CROCKER
District One
- PETE VANDER POEL
District Two
- AMY SHUKLIAN
District Three
- J. STEVEN WORTHLEY
District Four
- MIKE ENNIS
District Five

AGENDA DATE: March 6, 2018

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

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

SUBJECT: Tentative Tract Map No. TSM 17-004 for Jamail S. Dhillon

REQUEST(S):

That the Board of Supervisors:

1. Hold a public hearing at 9:30 a.m. or shortly thereafter, to consider Tentative Tract Map No. TSM 17-004 submitted by Jamail S. Dhillon, for the division of one approximately 160-acre parcel into eight 20± acre parcels, located in the AE-20 (Exclusive Agricultural – 20 Acre Minimum) Zone, on the southeast corner of Avenue 8 and Road 168, west of Richgrove;
2. Find there is no substantial evidence that the Tentative Tract Map No. TSM 17-004 will have a significant effect on the environment and determine a General Rule Exemption for the project reflects the independent judgement of the County and has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines;
3. Approve a General Rule Exemption consistent with the California Environmental Quality Act (CEQA) Title 14 California Code of Regulations, Section 15061(b)(3);
4. Direct the Environmental Assessment Officer, or designee, of the Tulare County Resource Management Agency to file a Notice of Exemption with the Tulare County Clerk;
5. Affirm the Planning Commission recommendation based on the findings and conditions set forth in Planning Commission Resolution No. 9392 and conditionally approve Tentative Tract Map No. TSM 17-004.

SUBJECT: Tentative Tract Map No. TSM 17-004 for Jarnail S. Dhillon
DATE: March 6, 2018

SUMMARY:

Consideration of Tentative Tract Map No. TSM 17-004 submitted by Jarnail S. Dhillon, 2320 Evergreen Street, Delano, CA 93215 (Agent: Central Valley Engineering and Surveying, 2132 High Street, Selma CA 93662), for the division of one 159.85-acre parcel into eight 20± acre parcels, located in the AE-20 (Exclusive Agricultural – 20 Acre Minimum) Zone, on the southeast corner of Avenue 8 and Road 168 and approximately 3.5 miles west of Richgrove, generally described as a portion of Section 32, Township 24 South, Range 26 East, MDB&M.

As there is no possibility that the proposal would have a significant effect on the environment, it has been determined that a General Rule Exemption from the California Environmental Quality Act (CEQA) and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970, per Section 15061(b)(3) is appropriate for Tentative Tract Map No. TSM 17-004.

The proposed project is not located within an Urban Area, Urban Development, or Hamlet Boundary. As such, the Planning Commission acts in an advisory capacity to the County Board of Supervisors with the Board of Supervisors taking final action on Tentative Tract Map No. TSM 17-004. (County Subdivision Ordinance Section 7-01-1745(c)).

On January 10, 2018, the Planning Commission, after holding a public hearing, made a recommendation to the Board of Supervisors to determine a Categorical Exemption is appropriate and conditionally approve Tentative Tract Map No. 17-004 by PC Resolution No. 9392.

PROJECT FACTS

General Plan Consistency: The Proposal is consistent with the land use designation of "Valley Agricultural," as identified in the Rural Valley Lands Plan. The proposal is consistent with the goals and policies of the General Plan 2030.

Zoning Consistency: The size of the eight (8) parcels is consistent with the zoning designation of AE-20 (Exclusive Agricultural – 20-acre minimum) Zone.

Access/Roads: Parcels 1 and 2 have direct access to Avenue 8. Parcels 1, 4, 5 and 8 have direct access to Road 168. Parcels 3, 6 and 7 have direct access to a 20-foot wide public access right of way, per Subdivision No. 5 (R.M. 11-41, recorded February 6, 1912 in Volume 11 of maps, page 41), as required by Subdivision Map Act Section 66426(b).

The County Public Works Branch recommended the Private Vehicular Access Easement serving Parcels 3, 6 and 7 be improved to a three parcel standard pursuant to Section 7-01-2230 of the Ordinance Code. An exception to the timing of additional improvements is recommended for when building permits are issued on Parcels 3, 6 or 7.

SUBJECT: Tentative Tract Map No. TSM 17-004 for Jarnail S. Dhillon
DATE: March 6, 2018

FISCAL IMPACT/FINANCING:

There is no Net County Cost to the General Fund.

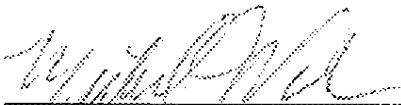
To offset the cost of application processing, a fee and deposit is paid by the applicant at the time of submittal. In this case, the applicant paid fees in the amount of \$798 and provided a \$3,000 deposit which is charged against at a rate of \$100 per hour.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

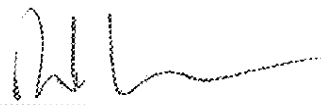
The County's five-year strategic plan includes the "Economic Well Being Initiative - to promote economic development opportunities, effective growth management and a quality standard of living". The approval of Tentative Tract Map No. TSM 17-004 helps fulfill this initiative by the following:

- Encouraging growth consistent with the County General Plan; and
- Continue to protect the county's agricultural-based economy.

ADMINISTRATIVE SIGN-OFF:



Michael Washam
Associate Director



Reed Schenke P.E.
Director

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

Attachment(s)
Attachment 1 – Tentative Map/Site Plan
Attachment 2 – Planning Commission Resolution
Attachment 3 – Planning Commission Staff Report and Exhibits

Attachment No. 1
Tentative Map/Site Plan

ATTACHMENT NO. 1

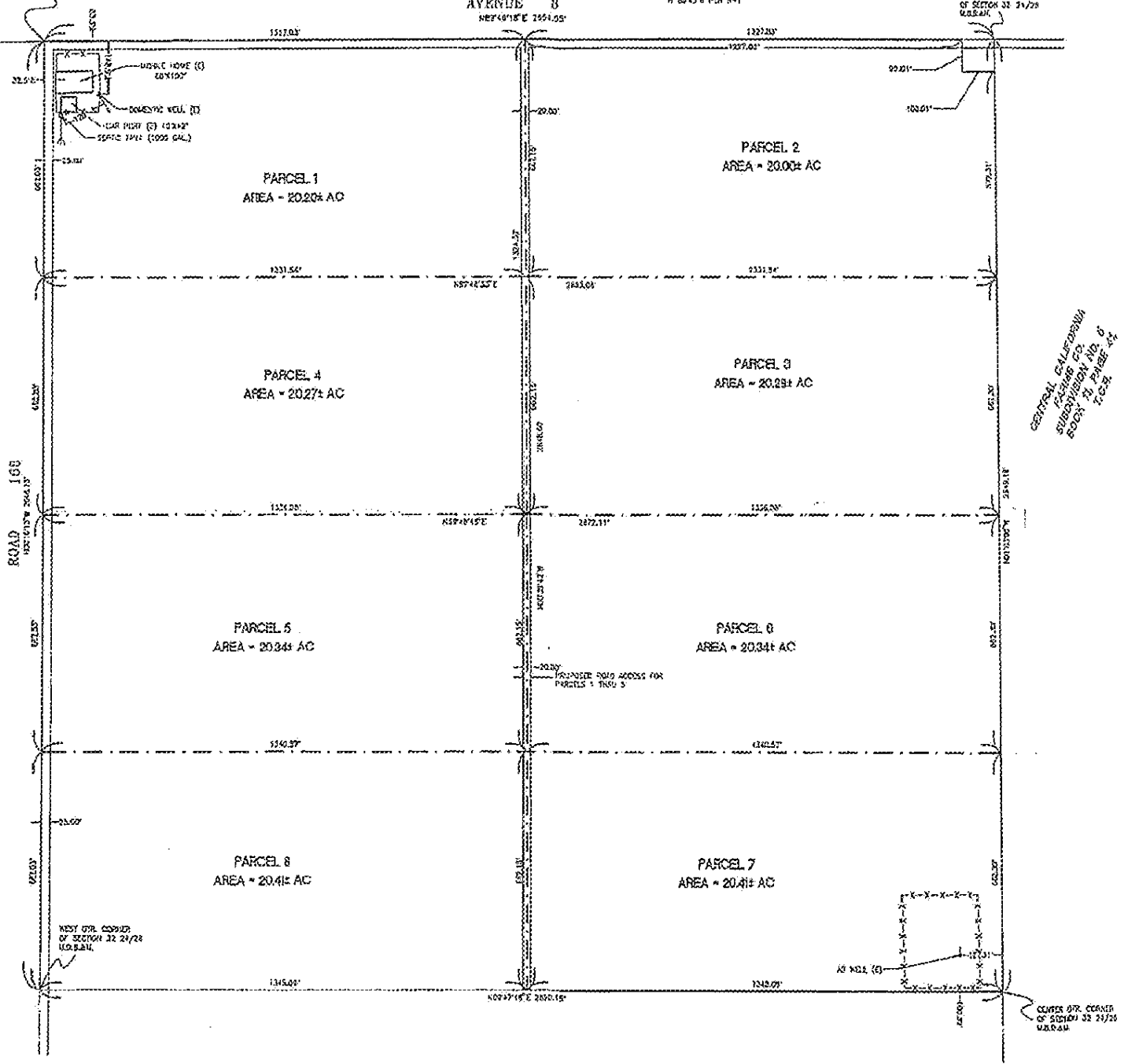
BASIS OF BEARING

AVENUE B
N67°40'18" E 2554.05'

THE NORTH LINE OF SECTION 7 TOWNSHIP 23 SOUTH
RANGE 21 EAST, M.D.S. & CO. HAS TAKEN TO BE
N 89°57'00" E 1000.00'

NORTH QTR. CORNER
OF SECTION 32 24/28
M.D.S. & CO.

NORTHEAST CORNER
OF SECTION 32 24/28
M.D.S. & CO.



No Scale

Site Plan
Illustration
TSM 17-004

Attachment No. 2
Planning Commission Resolution

ATTACHMENT NO. 2

BEFORE THE PLANNING COMMISSION
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF TENTATIVE)
SUBDIVISION TRACT MAP NO.)
TSM 17-004 - DHILLON)

RESOLUTION NO. 9392

Resolution of the Planning Commission of the County of Tulare recommending that the Board of Supervisors certify the categorical exemption as the appropriate environmental document and approve Tentative Subdivision Tract Map No. TSM 17-004, submitted by Jarnail S. Dhillon, 2320 Evergreen Street, Delano CA 93215 (Property owners: Jarnail S. Dhillon and Sukhjot K. Dhillon, Sukhmander S. Dhillon and Navneet K. Dhillon, and Balwinder S. Dhillon and Kameljit K. Dhillon) (Agent: Nick Sahota, Central Valley Engineering and Surveying, 2132 High Street, Selma CA 93662) for the division of a 159.85-acre parcel into eight 20± acre parcels, located in the AE-20 (Exclusive Agricultural – 20 Acre Minimum) Zone. The property is located on the southeast corner of Avenue 8 and Road 168, approximately three miles east of State Highway 99 and 3.5 miles west of Richgrove. (APN 338-070-017)

WHEREAS, a tentative map was filed pursuant to the regulations contained in Sections 7-01-1000 to 7-01-2850 of the Ordinance Code of the County of Tulare pertaining to the subdivision of land; and

WHEREAS, staff has conducted such investigations and surveys of fact bearing upon the proposed subdivision to assure action consistent with the purposes of Sections 7-01-1000 to 7-01-2850 of the Ordinance Code of Tulare County and the State Subdivision Map Act, and prepared a written report (made a part hereof); and

WHEREAS, staff recommended approval of this Tentative Subdivision Tract Map subject to conditions, and

WHEREAS, all attached exhibits are incorporated by reference herein; and

WHEREAS, on December 28, 2017, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Visalia Times Delta, a newspaper of general circulation in Tulare County, to consider the proposed Project, and

WHEREAS, at the January 10, 2018 meeting of the Planning Commission, an opportunity for public testimony was offered. No one from the public spoke in support of or in opposition to the project.

NOW, THEREFORE, BE IT RESOLVED as follows:

- A. This Planning Commission hereby recommends that the Board of Supervisors (the Board) certify that the Board has reviewed and considered that the information contained in the Categorical Exemption prepared for TSM 17-004 is in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970 prior to taking action on the project, and

B. This Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating Tentative Subdivision Tract Map No. TSM 17-004:

1. The Tulare County Resource Management Agency (RMA) has received a request from Jarnail S. Dhillon for a Tentative Subdivision Tract Map (TSM 17-004). The proposal is to subdivide a 159.85-acre parcel into eight 20± acre parcels in the AE-20 Zone. The proposed parcel sizes are as follows: Parcel 1=20.20± acres, Parcel 2=20.00± acres, Parcel 3=20.28± acres, Parcel 4=20.27± acres, Parcel 5=20.34± acres, Parcel 6=20.34± acres, Parcel 7=20.41± acres, and Parcel 8=20.4± acres.
2. The site is subject to the Rural Valley Lands Plan, as it is located outside any Urban Area Boundary, Urban Development Boundary or Hamlet Development Boundary. The land use designation is Valley Agriculture. The project is consistent with relevant elements of the General Plan, as follows: Land Use Element Policies LU-1.10 Roadway Access and LU-2.4 Residential Agriculture Uses; Agricultural Element Policy AG-1.14 Right to Farm Notice; Health and Safety Element Policy HS-1.4 Building and Codes, and Rural Valley Lands Plan Policy RVLP-1.6 Checklist (not required).
3. The subject site is zoned AE-20 and contains agriculture, two residences with septic tanks, one domestic well, two propane tanks, a 25'x25' agricultural shed and a drainage basin. Surrounding properties are also zoned AE-20 and contain agriculture (orange orchards and open land) with scattered rural residences. To the east and southeast are properties zoned M-1 (Light Manufacturing) and containing cold storage facilities and agricultural service establishments.
4. The AE-20 Zone is an exclusive zone for intensive agricultural uses and for those uses which are a necessary and integral part of the agricultural operation. The purpose of this zone is to protect the general welfare of the agricultural community from encroachments of unrelated agricultural uses which, by their nature would be injurious to the physical and economic well-being of the agricultural community. The uses allowed by right in the Zone are agricultural. In addition, one single-family residence or mobilehome is allowed by right on the entire contiguous property, if it is owned by one person farm, partnership or corporation or owned jointly by more than one of the same. Such residence or mobilehome shall be occupied only by an owner of the property and his family or a lessee of the property and his family. In addition to the residence allowed by right, one additional residence or mobilehome is allowed for each twenty acres in the entire property. Such additional residences and mobilehomes shall be occupied only by relatives of the owner or lessee, by farmworkers or by employees who work on the property, provided that the total number of farmworkers and employees shall not exceed nine at any time. Other uses may require approved special use permits.

5. The Building Line Setback Ordinance that is set forth in Part VII, Chapter 19, Article 1 of the Tulare County Ordinance Code, as Section 7-19-1010, established requirements for setbacks along both sides of every highway in the County that has been dedicated to the public use, primarily to prevent traffic safety hazards. These building line setback requirements are separate and distinct requirements from "yard" areas required by the Zoning Ordinance. However, Section 7-19-1185 supersedes Section 7-19-1010 with respect to setbacks for numbered subdivisions, such as TSM 17-004.
6. The Project was found to be consistent with the following Subdivision Ordinances: General Requirements for Lots, Section 7-01-1320; Lots: Size and Shape: General Provisions, Section 7-01-1325; Lots: Non-Mountainous Areas, Section 7-01-1350; Lots: Side Lines, Section 7-01-1360; Drainage, Section 7-01-75; Drainage: Ponding Lots: Section 7-01-1380; Fire Protection, Section 7-01-1385; Sewage Disposal: Septic Tanks, Section 7-01-1395; Domestic Water: Means of Supplying, Section 7-01-1415; Domestic Water: Non-Mountainous Areas, Section 7-01-1425; Utility Easements, Section 7-01-1430; Body to Take Action on Tentative Map, Section 7-01-1745(c).
7. The parcel is described in a 1941 grant deed. In 1968, a Grant Deed from the Clements transferred a 0.15-acre parcel (later assigned APN 338-070-018) to the U.S.A. Department of the Interior (recorded as Document No. 1968-0034581).
8. The subject site is located in Agricultural Preserve No. 0855, under Williamson Act Land Conservation Contract No. 3805. Uses that relate directly to the production of commercial agricultural products are considered compatible, per Government Code §51238.1. The subject property is in active agricultural use. The proposed eight 20± acre parcels will be large enough to continue productive agriculture.
9. The subject parcel lies on the south side of Avenue 8, the east side of Road 168 and the west side of Road 172. Parcels 1 and 2 have direct access to Avenue 8. Parcels 1, 4, 5 and 8 have direct access to Road 168. Three of the eight proposed parcels (Parcels 3, 6 and 7) do not have direct access to a maintained public street or highway. However, the three parcels have direct access to a 20-foot wide public access right of way along the east side of the property, which was dedicated for a previous subdivision, Central California Farms Co. Subdivision No. 5 (R.M. 11-41, recorded Feb 6, 1912 in Volume 11 of maps, page 41). Therefore, the approved access to a maintained public street is available, as required by Subdivision Map Act Section 66426(b), for a subdivision creating five or more parcels, with gross areas of 20 acres or more.
10. The County Public Works Branch recommended that the Private Vehicular Access Easement serving Parcels 3, 6 and 7 be improved to a three parcel standard pursuant to Section 7-01-2230 of the Ordinance Code. The parcels to be created will used for agricultural purposes. The movement over roads can damage the surfacing. In keeping with the existing farming operations, an exception to additional improvements is recommended until such time as building or other permits are issued for Parcels 3, 6 or 7. Conditions of approval are included.

11. Building permit records include one for the mobilehome, installed in 1980 with Permit No. H6951. An undefined building permit (H6953) may pertain to the carport/shade; however, the owners obtained property records from the County Assessor's Office which were not conclusive. The applicant has submitted applications for "as built" building permits. Separate applications have been submitted for the seatrain storage container(s).
12. The County Environmental Health Services Division, Fire Department and Caltrans were consulted, but had no recommendations for the project at this time.

C. This Planning Commission further determined that the proposed subdivision project, together with the provisions for its design and improvements, is consistent with the Tulare County General Plan, as amended, and

D. This Planning Commission, after considering all evidence presented, found that approval of said Tentative Subdivision Tract map will promote the orderly growth of the County and will assure the health, safety and welfare of the people of the County.

AND, BE IT FURTHER RESOLVED as follows:

E. This Planning Commission hereby recommends that the Board of Supervisors certify that a Categorical Exemption is appropriate for this project and recommends that the Board of Supervisors adopt the Categorical Exemption, as the Project will not have a significant effect on the environment and has been determined to be categorically exempt by the Environmental Assessment Officer, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14 Cal. Code Regulations, Section 15303, Class 3, pertaining to the New Construction or Conversion of Small Structures. The project is compatible with this exemption because eight parcels are being created from agricultural land that will continue in agricultural use. Construction of residences is limited by Zoning, and

F. This Planning Commission hereby recommends that the Board of Supervisors approve Tentative Subdivision Tract No. TSM 17-004, subject to the following conditions:

Standard Conditions of Approval:

1. Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission (Exhibit "A") and with the Site Plan Development Standards pertaining to a use of this type adopted by the Planning Commission on February 20, 1970.
2. Regardless of Condition No. 1 above, the Planning Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his successors, as long as said modifications do not materially affect the determination of the Planning Commission. Such modifications shall be noted on the approved plans and shall be initialed by the Planning Director.

3. The applicant, together with their successors and assigns, shall ensure that all exterior lighting is so adjusted as to deflect direct rays away from public roadways and adjacent properties.
4. The applicant, together with their successors and assigns, shall ensure that the proposed facility is maintained and operated in accordance with all State and County health regulations.
5. The applicant, together with their successors and assigns, shall ensure that any structures built shall conform to the building regulations and the building line setbacks of the Ordinance Code of Tulare County insofar as said regulations and setbacks are applicable to such structures.
6. If there are conditions set down herein which require construction of improvements, they shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning Commission may grant exceptions to this condition upon request by the applicant.
7. The applicant(s), at their sole cost and expense, shall defend, indemnify and hold harmless the County of Tulare, its agents, legislative body, officers or employees in any legal or administrative action, claim or proceeding concerning approval of Tentative Subdivision Tract Map No. TSM 17-004; or, at its election and in the alternative, shall relinquish such approval. The applicant(s) shall assume the defense of the County in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by the applicant(s), but subject to the County's reasonable approvals. The applicant shall also reimburse the County, its agents, its legislative body, officers or employees for any judgments, amounts paid in the settlements court costs and attorney's fees with the County, its agents, legislative body, officers or employees may be required to pay at court as a result of such action, claim or proceeding. The County may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve the applicant(s) of their obligations under this condition.

Engineering Conditions of Approval

8. The applicant, heirs and assigns shall ensure that the Private Vehicular Access Easement (PVAE) serving Parcels 3, 6 and 7 shall be improved to a three parcel standard pursuant to Section 7-01-2230 of the Ordinance Code. The width and surface improvements of the PVAE shall be in accordance with Plate A-17B of the Tulare County Improvement Standards and fire safe regulations. Plate A-17B also identifies the requirements for the drive approach that will connect the PVAE to Avenue 8 and the requirements for providing a turnaround bulb at the end of the PVAE. (See Exhibit "B" for Plate A-17B.)
9. The applicant, heirs and assigns shall ensure that an improvement plan with profile shall be prepared for the PVAE. The improvement plan shall be designed and stamped

by a licensed civil engineer or a licensed architect and shall show detailed information on the construction of the PVAE, including curve radii, drainage facilities and erosion control measures as needed. The improvement shall be approved by the Tulare County RMA before construction of the PVAE improvements.

10. The applicant shall ensure that they or their contractor shall obtain the necessary encroachment permits from the Tulare County Resource Management Agency before starting any construction within the right of way of a County-maintained road. Improvements that typically require encroachment permits are drive approaches, curb and gutter, sidewalk, paveout and utilities.
11. The applicant shall make all necessary arrangements for the relocation of all overhead and underground public utility facilities that interfere with any improvements required to be constructed within the right of way of a county road. The applicant shall make necessary arrangements with the serving public utility company for the cost of relocating such facilities, as no relocation costs will be borne by the County. The relocation of such facilities shall be completed before any encroachment permits will be issued for the construction of any improvements within the right of way of a county road.
12. In keeping with the existing farming operations, an exception to additional improvements is recommended until such time as building or other permits are issued for Parcels 3, 6 or 7.

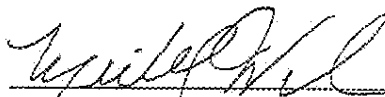
Planning Conditions of Approval:

13. In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, the content of the Right to Farm Notice shall be placed in a prominent location of the final map for acknowledgment by the subdivider; or, the Notice itself shall be signed by the subdivider and recorded as a separate sheet to accompany the final map (Exhibit "C").

The foregoing resolution was adopted upon motion of Commissioner Dias, seconded by Commissioner Gong, at a regular meeting of the Planning Commission on January 10, 2018, by the following roll call vote:

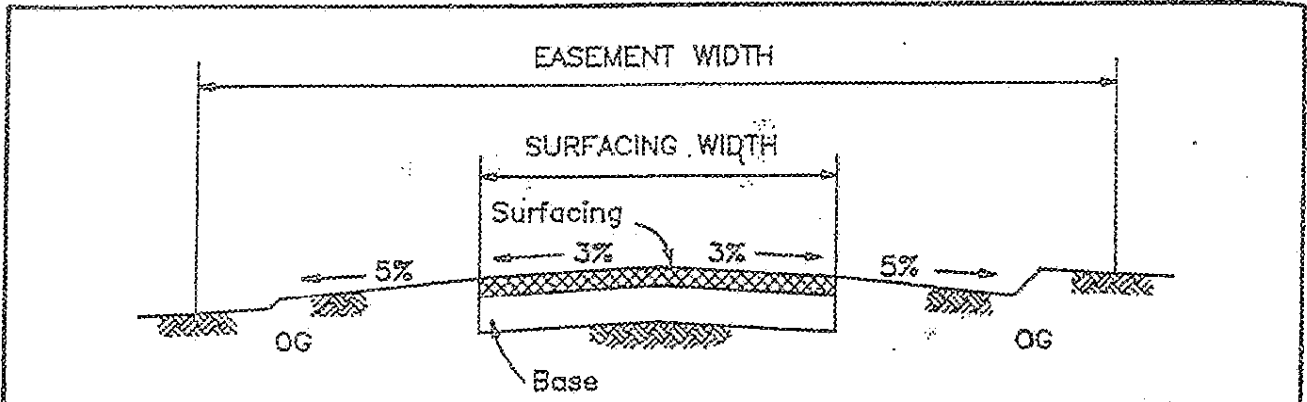
AYES: Elliott, Aguilar, Whitlatch, Millies, Gong, Pitigliano, Dias
NOES: None
ABSTAIN: None
ABSENT: None

TULARE COUNTY PLANNING COMMISSION



Michael Washam, Secretary

EXHIBIT NO B



| EASEMENT AND SURFACING WIDTHS *** | | | STRUCTURAL SECTION (minimum) *** | | |
|-----------------------------------|----------------------|----------------------|----------------------------------|----------------------------|--------------------|
| NO. OF PARCELS TO BE SERVED * | EASEMENT WIDTH (ft.) | PAVEMENT WIDTH (ft.) | NO. OF PARCELS TO BE SERVED * | BASE | SURFACING |
| 1 | 18 | 10 | 1-2 | 3" AB(3) | OIL PENETRATION ** |
| 2 | 18 | 16 | 3 | 3" AB(3) | 1.5" RMAS or AC |
| 3 | 20 | 18 | 4 | AB (3) | RMAS or AC |
| 4 | 26 | 20 | | Use TI = 4.0 for thickness | |

- NOTES:**
1. A 37' paved radius turnaround bulb shall be constructed within a 45' easement radius at the end of access easements serving 2, 3, and 4 parcels. In the SRA, turnarounds will also be required for access easements serving one parcel with more than two buildings or four or more dwelling units. Turnaround bulbs shall be paved to a 40' radius within a 48' easement radius.
 2. Private Vehicular Access connections to County roads shall be constructed in accordance with Plate No. A-17.
 3. When more than four parcels are served, County Road Standards for right-of-way, surfacing widths, and structural section shall apply.
 4. When RMAS is used, the oil quantity and the quality of aggregate will be tested using test method No. Calif. 304 and other tests as required in Section III-B6 of these standards.
 5. Compaction of OG and AB shall be to a minimum of 90% relative compaction. Compliance tests will be taken as directed by the Public Works Director.
 6. Improvement Standards for public roads shall be applicable for those standards not specifically stated in these Private Vehicular Access Easement Standards.

ABBREVIATIONS

| | |
|-----------------------------------|---------------------------------|
| RMAS = ROAD MIX ASPHALT SURFACING | AC = ASPHALTIC CONCRETE |
| AB(3) = CLASS III AGGREGATE BASE | SRA = STATE RESPONSIBILITY AREA |
| OG = ORIGINAL GROUND | TI = TRAFFIC INDEX |

* Parcels served which do not have public road frontage

** Penetrating oil shall be SC 800 grade

*** In the SRA, surfacing widths and structural section requirements for PVAEs serving three parcels, two parcels, or one parcel with more than two buildings or four or more dwelling units shall be improved to the following standards. Structural section requirements shall consist of AB(3) surfaced with AC or RMAS designed using a TI of 3.0. Pavement width shall be 18 feet, within an easement width of 20 feet. Grades shall not exceed 16 percent.

PRIVATE VEHICULAR ACCESS EASEMENT STANDARDS

TULARE COUNTY
ORDINANCE CODE
SECTION NO. 7080

VEHICULAR
ACCESS
EASEMENTS

PLATE NO. A-17-B

Exhibit "C"

RIGHT TO FARM NOTICE

RE: Use Permit No. _____
 or
 Parcel Map No. _____
 or
 Subdivision Map No. TSM 17-004
 or
 Mining and Reclamation Plan No. _____

In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code; and as a condition of approval of the above-referenced use permit, parcel map, subdivision map or mining and reclamation plan, the undersigned hereby acknowledges that:

It is the declared policy of Tulare County to conserve, enhance and encourage agricultural operations within the County. Residents of property on or near agricultural land should be prepared to accept the inconveniences and discomfort associated with agricultural operations, including, but not necessarily limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. Consistent with this policy, California Civil Code Section 3482.5 provides that no agricultural operation, as defined and limited by that section, conducted and maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three years if it was not a nuisance at the time it began.

Dated: _____

 (Signature)

 (Print Name)

Dated: _____

 (Signature)

 (Print Name)

Attachment No. 3
Planning Commission Staff Report and Exhibits

ATTACHMENT NO. 3

TULARE COUNTY RESOURCE MANAGEMENT AGENCY
- PLANNING BRANCH -
Staff Report / Environmental Assessment
Tentative Subdivision Tract Map No. TSM 17-004

GENERAL

Applicant: Jarnail S. Dhillon
2320 Evergreen Street
Delano CA 93215

Owners: Jarnail S. Dhillon & Sukhjot K. Dhillon, as to undivided 50% interest
Sukhmander S. Dhillon and Navneet K. Dhillon, as to undivided 25% interest
Balwinder S. Dhillon and Kameljit K. Dhillon, as to undivided 25% interest

Agent: Central Valley Engineering and Surveying
2132 High Street
Selma CA 93662

Requested Action:

Recommend that the Board of Supervisors certify the categorical exemption as the appropriate environmental document and approve Tentative Subdivision Tract Map No. TSM 17-004 to allow the division of a 159.85-acre parcel into eight 20± acre parcels, located in the AE-20 (Exclusive Agricultural – 20 Acre Minimum) Zone. The proposed parcel sizes are as follows: Parcel 1=20.20± acres, Parcel 2=20.00± acres, Parcel 3=20.28± acres, Parcel 4=20.27± acres, Parcel 5=20.34± acres, Parcel 6=20.34± acres, Parcel 7=20.41± acres, and Parcel 8=20.4± acres.

Location:

On the southeast corner of Avenue 8 and Road 168, approximately three miles east of State Highway 99 and 3.5 miles west of Richgrove. (786 Road 168, Delano)

APN 338-070-017, Section 32, Township 24 South, Range 26 East, MDB&M.

COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES

Zoning and Land Use:

Site: AE-20, agriculture, two residences with septic tanks, one domestic well, two propane tanks, a 25'x25' agricultural shed and a drainage basin.

Surroundings:

North – AE-20 with agriculture and scattered rural residences.

East – AE-20 with agriculture (orange orchard), cold storage facilities, agricultural service establishments (Stryoytek, J.R. Simplot Company, Grapeman, Calpine Containers, California Agricultural Sprayers), scattered rural residences.

South – AE-20 with agriculture (orange orchard) and scattered rural residences.

West – AE-20 with agriculture (orange orchard) and scattered rural residences

Entitlement: The AE-20 (Exclusive Agricultural – 20 Acre Minimum) Zone is an exclusive zone for intensive agricultural uses and for those uses which are a necessary and integral part of the agricultural operation. The purpose of this zone is to protect the general welfare of the agricultural community from encroachments of unrelated agricultural uses which, by their nature would be injurious to the physical and economic well-being of the agricultural community. It is also the purpose of this zone to prevent or to minimize the negative interaction between various agricultural uses. A related purpose of this zone is to disperse intensive animal agricultural uses to avoid air, water, or land pollution otherwise resulting from compact distributions of such uses. The minimum parcel size permitted to be created in this zone is, with certain exceptions, 20 acres.

The uses allowed by right in the AE-20 Zone are agricultural – growing and harvesting; raising and slaughter of limited numbers of farm animals; sale of agricultural products, including sale at roadside stands, of more than one-half of the retail value of the agricultural products has been produced on property owned by the same person; biomass fuel manufacture for personal use; and the storage and/or handling of agricultural chemicals for on-farm, noncommercial use only; etc. Because of consideration of smoke, fumes, dust, odor and other hazards, other uses may require approved special use permits.

In addition, one single-family residence or mobilehome is allowed by right on the entire contiguous property, if it is owned by one person, farm, partnership or corporation or owned jointly by more than one of the same. Such residence or mobilehome shall be occupied only by an owner of the property and his family or a lessee of the property and his family. In addition to the residence allowed by right, one additional residence or mobilehome is allowed for each twenty acres in the entire property. Such additional residences and mobilehomes shall be occupied only by relatives of the owner or lessee, by farmworkers or by employees who work on the property, provided that the total number of farmworkers and employees shall not exceed nine at any time. A condition of approval is included.

The minimum front yard and rear yard areas are ~25 feet and the minimum side yard is ~ten feet. Accessory buildings must be located at least 15 feet from the nearest part of a main building. The site complies.

Compliance with Zoning: Yes. Each of the proposed eight parcels will contain more than the minimum 20 acres required for a division of land.

Building Line Setback:

The Building Line Setback Ordinance (Section 7-19-1010) is set forth in Part VII, Chapter 19, Article 1 of the Tulare County Ordinance Code, as Section 7-19-1010, and established requirements for setbacks along both sides of every highway in the County which has been dedicated to the public use, primarily to prevent traffic safety hazards. These building line setback requirements are separate and distinct requirements from “yard” areas required by the Zoning Ordinance.

Section 7-19-1010 requires, except as provided in Sections 7-19-1015 through 7-19-1175, that the building line setback shall be located parallel to, and 50 feet from, the established centerline of the right-of way of each highway. However, Section 7-19-1185 supersedes Section 7-19-1010 with

respect to setbacks for numbered subdivisions, such as TSM 17-004. The following building line setbacks apply to possible future residences with frontages on Road 168 or Avenue 8:

- (a) Septic tanks, leach lines and seepage pits may be constructed and maintained not less than ten (10) feet from the edge of the right of way.
- (b) A residence, including any garage or carport which is attached to or part of such residence, may be constructed and maintained on a corner lot not less than fifteen (15) feet from the edge of the right of way which has the longest frontage on the lot, unless the applicable provisions of Article 3 of this Chapter require a greater distance from the right of way; provided, however, that if the garage or carport which is attached to or part of such residence opens directly onto the right of way which has the longest frontage on the lot, such garage or carport may be constructed and maintained not less than eighteen (18) feet from the edge of the right of way, unless a greater distance is required under Article 3 of this Chapter.
- (c) A residence, including any garage or carport which is attached to or part of such residence, may be constructed and maintained on a corner lot not less than twenty-five (25) feet from the edge of the right of way which as the shortest frontage on the lot, unless section 7-19-1010 of this Article allows such residence to be constructed closer to the right of way, or unless the applicable provisions of Ordinance No. 352, or Article I of Chapter 3 of this Part, or Article 3 of this Chapter require a greater distance from the right of way.
- (d) A residence, including any garage or carport which is attached to or part of such residence, may be constructed and maintained on a lot, other than a corner lot, not less than twenty-five (25) feet from the edge of the right of way, unless section 7-19-1010 of this Article allows such residence to be constructed closer to the right of way, or unless the applicable provisions of Ordinance No. 352, or Article I of Chapter 3 of this Part, or Article 2 of this Chapter require a greater distance from the right of way.
- (e) A fence or wall may be constructed and maintained on a corner lot not less than five (5) feet from the edge of the right of way which has the longest frontage on the lot unless the applicable provisions of Ordinance No. 352 or Article 3 of this Chapter require a greater distance from the right of way; provided, however, that no portion of the fence or wall may be constructed or maintained within the building line setback established by paragraph (c) of this section.

General Plan Elements:

The site is located outside any Urban Area Boundary, Urban Development Boundary or Hamlet Development Boundary and is subject to the Rural Valley Lands Plan. The land use designation is Valley Agriculture, which is intended for intensive agricultural activities on prime valley agricultural soils and other productive valley lands where commercial agricultural uses can exist without conflicting with other uses.

Surroundings include agriculture, cold storage facilities, agricultural service establishments and scattered rural residences. The proposed project will not conflict with commercial agriculture.

The project is consistent with relevant elements of the General Plan, as follows:

Land Use Element

LU-1.10 Roadway Access - The County shall require access to public roadways for all new development. Parcels 1 and 2 have direct access to Avenue S. Parcels 1, 4, 5 and 8

have direct access to Road 168. Three of the eight proposed parcels (Parcels 3, 6 and 7) do not have direct access to a maintained public street or highway. However, the three parcels have direct access to a 20-foot wide public access right of way along the east side of the property, which was dedicated for a previous subdivision, Central California Farms Co. Subdivision No. 5 (R.M. 11-41, recorded Feb 6, 1912 in Volume 11 of maps, page 41). Therefore, the approved access to a maintained public street is available, as required by Subdivision Map Act Section 66426(b), for a subdivision creating five or more parcels, with gross areas of 20 acres or more. *Staff Comment: Agriculture will continue on the eight 20+ acre parcels created by the subject land division and no development is proposed. Conditions of approval are included.*

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. *Staff Comment: The AE-20 Zone limits the number of residences allowed.*

Agricultural Element

AG-1.14 Right to Farm Notice - The County shall condition discretionary permits for special uses and residential development within or adjacent to agricultural areas upon the recording of a Right-to-Farm Notice (Ordinance Code of Tulare County, Part VII, Chapter 29, Section 07-29-1000 and following), which is an acknowledgment that residents in the area should be prepared to accept the inconveniences and discomfort associated with normal farming activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area. *Staff Comment: A condition of approval is included.*

Health and Safety Element

HS-1.4 Building and Codes - Except as otherwise allowed by State law, the County shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault). *Staff Comment: The proposal is consistent with this policy because building plans will be reviewed for compliance with all building codes prior to issuance.*

Rural Valley Lands Plan (RVLP)

RVLP-1.6 Checklist - The RVLP checklist shall also be applicable to re-zoning applications which change the zoning classification from one agricultural zone to another agricultural zone and which have the effect of reducing the minimum parcel size in the following manner:

1. Less than ten (10) acres in the case of prime agricultural land, or
2. Less than forty (40) acres in the case of land which is not prime agricultural land.

The RVLP checklist is not required for existing parcels which do not meet the minimum parcel size as set forth in (1) and (2) above prior to the adoption of this policy. *Staff Comment: The proposed parcels are prime agricultural land and will be 20+ acres in size; therefore, the project does not require an RVLP checklist.*

Subdivision Ordinance:

The Subdivision Ordinance is contained in Section Part VII, Chapter 1. "Subdivisions of Land," of the Tulare County Ordinance Code. This section of the County Ordinance Code sets forth the requirements for filing and processing of, among other things, Subdivision Tentative Tract Maps.

General Requirements for Lots, Section 7-01-1320:

- (a) No lot shall be divided by the boundary line of a county, city, or other taxing district.
- (b) In a subdivision in which the lots may be resubdivided at some future time, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this Chapter or the Zoning Ordinance and without interfering with the orderly extension of adjacent streets.
- (c) All lots shall be adequately drained.
- (d) Double frontage lots shall not be permitted.
- (e) Reversed corner lots shall not be permitted.

Staff Comment: The proposed subdivision does comply with these general requirements.

Lots: Size and Shape: General Provisions, Section 7-01-1325:

- (a) The Size and shape of lots shall be appropriate for the locality in which the subdivision is situated, the topography of the land and the proposed use. The body which takes final action on the tentative map may require the size and shape of lots to be adjusted if said body determines that the above criteria have not been complied with.
- (b) N/A, there is no portion of the property in the F-1 Zone.
- (c) If sewage disposal is to be provided by individual septic systems, regardless of the means of providing water to the lots, the net acreage or area shall be used when computing the acreage or area of the lot.

Staff Comment: As noted earlier, the primary purpose of the 20+ acre parcels will continue to be agricultural, but Zoning allows the construction of a limited number of residences, to be occupied by the owners, lessees and employees who work on the property. Septic systems would be utilized.

Lots: Non-Mountainous Areas, Section 7-01-1350: For subdivisions which are not in mountainous areas, the lot sizes shall not be less than the minimums specified in the Zoning Ordinance and they shall comply with the minimum requirements in this section as well. The minimum lot area shall be twelve thousand five hundred (12,500) square feet if sewage disposal is provided by individual systems on the lots and water is provided by a community system. If both water and sewage disposal are provided by individual systems on the lots, the minimum lot area shall be one (1) acre.

Staff Comment: Since the size of all proposed parcels is over one acre, the proposed subdivision would comply with these requirements for lots in non-mountainous areas if both sewage and water were provided by separate systems for each parcel.

Lot Widths and Depths, Section 7-01-1355:

- (a) The average width of each lot shall conform to the requirements of the zoning ordinance in zoned areas. If the average lot width is not specifically stated, the average width of each interior residential lot shall be not less than sixty (60) feet and the average width of each corner residential lot shall be not less than seventy (70) feet.
- (b) Not applicable to non-residential lots.
- (c) Not applicable to non-residential lots.
- (d) Not applicable to any lot which is ten acres or more in size.
- (e) Not applicable, as the proposed parcels are all rectangular in shape, not irregular or "panhandle" lots.

Staff Comment: The proposed subdivision complies with lot widths and depths.

Lots: Side Lines, Section 7-01-1360: The side lines of lots shall run at right angles to the street upon which the lot faces, as far as practicable.

Staff Comment: The proposed subdivision complies with side lines for lots.

Drainage: Section 7-01-1375

- (a) The subdivider shall provide structures necessary for adequate drainage of surface and storm waters.
- (b) If the subdivision is traversed by water courses, the subdivider shall dedicate easements for storm drainage purposes.
- (c) Not applicable, as the project is not in a PD-F (Planned Development Foothill) Zone.

Staff Comment: A drainage basin exists in the southeast corner of the property.

Drainage: Ponding Lots: Section 7-01-1380

- (a) If it is not feasible to provide for an adequate system of drainage outside of the subdivision, a ponding lot or lots shall be required within the subdivision.
- (b) N/A, as the subdivision lots are larger than ½ acre in area.
- (c) N/A in agricultural areas, to specify the depth of ponding lots.
- (d) N/A for agricultural properties to convey an easement to the County.

Staff Comment: As noted earlier, the properties will remain in agricultural use and drainage basin exists in the southeast corner of the property.

Fire Protection: Section 7-01-1385

- (a) N/A to provide fire hydrants for large agricultural parcels that are not served by a community water system.
- (b) N/A to provide fuel breaks for large agricultural parcels.
- (c) N/A to have two access routes for subdivisions outside potential fire hazard regions.
- (d) N/A to locate greenbelts to serve as separation areas between wildland fuels and structures, for large agricultural parcels outside a hazard zone.
- (e) Future residences may be required at the building permit stage to provide fire suppression water tanks or to install residential sprinkler systems.

Staff Comment: The proposed subdivision complies with fire protection.

Sewage Disposal: Septic Tanks, Section 7-01-1395

(a) If connection to a sanitary sewer system is not required, provision shall be made for adequate sewage disposal by the installation of individual sewage disposal systems, such as septic tanks and leach lines.

Staff Comment: As noted earlier, the primary purpose of the 20+ acre parcels will continue to be agricultural, but Zoning allows the construction of a limited number of residences, to be occupied by the owners, lessees and employees who work on the property. Septic systems would be utilized.

Domestic Water: Means of Supplying, Section 7-01-1415: Provisions shall be made for providing an adequate and safe supply of water to all lots in the subdivision and no Subdivision Tentative Tract map shall be approved unless there is assurance of such an adequate and safe supply of water.

Staff Comment: Individual domestic wells are being proposed for each lot. The lots are of sufficient size (greater than one acre) to provide both septic and well.

Domestic Water: Non-Mountainous Areas, Section 7-01-1425: The domestic water for subdivisions which are not in mountainous areas shall be supplied by individual wells on individual lots only if all of the lots in the subdivision are to be one acre or more. Individual sewage disposal systems will be located and constructed so as not to contaminate any existing or proposed well or any existing stream or underground water supply on the property to be subdivided or adjoining property.

Staff Comment: The 20+ acre lots are of sufficient size. Building permit site plans are reviewed to prevent septic systems from contaminating wells or waterways.

Utility Easements, Section 7-01-1430: The tentative and final subdivision maps shall show the proposed location of easements for the placement of utilities where necessary to provide the subdivision with electric power, communication facilities, street lighting, sewer lines and gas lines.

Staff Comment: Not applicable for large agricultural parcels with limited numbers of residences allowed by Zoning.

Body to Take Action on Tentative Map, Section 7-01-1745(c): If a proposed subdivision is located outside an Urban Area Boundary or Urban Development Boundary, the Planning Commission shall act in an advisory capacity to the Board of Supervisors and the Board of Supervisors shall take final action on the tentative map.

Staff Comment: Following the Planning Commission recommendation, a public hearing will be set for the matter to be heard by the Board of Supervisors.

Access/Circulation:

The subject parcel lies on the south side of Avenue 8, the east side of Road 168 and the west side of Road 172. Parcels 1 and 2 have direct access to Avenue 8. Parcels 1, 4, 5 and 8 have direct access to Road 168. Three of the eight proposed parcels (Parcels 3, 6 and 7) do not have direct access to a maintained public street or highway. However, the three parcels have direct access to a 20-foot wide public access right of way along the east side of the property, which was dedicated for a previous subdivision, Central California Farms Co. Subdivision No. 5 (R.M. 11-41, recorded Feb 6, 1912 in Volume 11 of maps, page 41). Therefore, the approved access to a maintained public street is available, as required by Subdivision Map Act Section 66426(b), for a subdivision creating five or more parcels, with gross areas of 20 acres or more.

The County Public Works Branch recommended that the Private Vehicular Access Easement serving Parcels 3, 6 and 7 be improved to a three parcel standard. In keeping with the existing farming operations, an exception to additional improvements is recommended until such time as building or other permits are issued for Parcels 3, 6 or 7. Conditions of approval are included.

According to the County's maintained mileage maps, Avenue 8 is a county maintained road. Based on the 2015 Pavement Management System database, the existing pavement width on Avenue 8 is 22 feet and pavement type is road mix asphalt surfacing. The existing right of way on Avenue 8 is 50 feet (25 feet on the north side and 25 feet on the south side).

According to the County's maintained mileage maps, Road 168 is a county maintained road. Based on the 2015 Pavement Management System database, the existing pavement width on Road 168 is 19 feet and the pavement type is road mix asphalt surfacing. The existing right of way on Road 168 is 50 feet (25 feet on the west side and 25 feet on the east side).

According to the County's maintained mileage maps, Road 172 is a non-maintained county right of way. The existing right of way on Road 172 is 20 feet (0 feet on the west side and 20 feet on the east side).

Ultimate rights of way on Avenue 8, Road 168 and Road 172 are 60 feet.

No additional right of way dedications are required, pursuant to Ordinance Code Section 7-01-2215, which pertains to any parcel to be created that will have an area of ten acres or more.

Planning Commission Policies and Precedents:

The Planning Commission has generally approved Tentative Tract Maps in appropriately zoned areas when findings can be made that the proposed project, together with its provisions for design and improvements, is compatible and consistent with the County General Plan and Zoning Ordinance, the project will not have an adverse impact on the public's health, safety and welfare, and the project will not have a significant adverse impact on the environment.

Based upon review of applicable elements, components, and policies, the proposed project (TSM 17-004) can be found to be consistent with the General Plan. The eight parcel subdivision is found to be consistent with the County's policies and applicable ordinances.

ENVIRONMENTAL SETTING

Topographical Setting: Level, typical of most valley lands.

Flooding Potential:

Zone X, per Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 065066 dated June 16, 2009, Panel No. 2300. Construction of buildings within a Zone X requires no specific flood mitigation measures.

Soils:

Hanford Sandy Loam and Yetterm Sandy Loam, both prime Class I if irrigated, with low shrink-swell and moderate septic tank absorption. Source: Soil Survey - Tulare Co. Western Part, USDA Natural Resources Conservation Service, 1997.

Biotic Conditions/ Vegetation Characteristics: Field crops/ orchards.

Wildlife Habitats:

The California Natural Diversity Database of July 30, 2017 shows no Species of Concern on the site. Approximately 1 mile south are areas where the following have been sighted - the Kern brook lamprey and San Joaquin Kit Fox. Approximately 0.3 miles east, the western spadefoot has been sighted. However, the subject site has been used for agriculture for decades, contains structures and is surrounded by active agriculture. There are no signs of special status species on the site. The project site does not contain wetlands, creeks, waterways, a waterfowl refuge or riparian habitat and is not in the planning area of a Conservation Plan.

Waterways:

There are no waterways on the site. The Friant Kern Canal is located approximately 2,000 feet east of the facility site. The facility will not impact waterways.

Water Table:

Approximately 250 feet, according to the Ground to Water Surface Contours – Spring 2010 map of the Tule Groundwater Basin, per the State Department of Water Resources.

Agricultural Preserves:

The subject site is located in Agricultural Preserve No. 0855, under Williamson Act Land Conservation Contract No. 3805. Uses that relate directly to the production of commercial agricultural products are considered compatible, per Government Code §51238.1. The subject property is in active agricultural use. The proposed eight 20± acre parcels will be large enough to continue productive agriculture.

Archaeological Resources:

The site is not on a bluff or hillside with rocky outcroppings, and not likely to contain artifacts.

HISTORY AND PROJECT FACTS

History:

1941 – Grant deed to Florence M. Kasch described the property. 1967 grant deed from Kasch to Fisher (recorded as Document No. 1967-0034596) and from Fisher to Clement (recorded as Document No. 1967-0036640). In 1968, a Grant Deed from the Clements transferred a 0.15-acre parcel (later assigned APN 338-070-018) to the U.S.A. Department of the Interior (recorded as Document No. 1968-0034581).

1978 – AE-20 Zoning was applied with the Rural Valley Lands Plan Rezoning Study.

2010 – The applicants acquired the property.

2017 - Project Review Committee application PRC 17-028 was discussed by the Committee on May 4, 2017. The Committee recommended that the property owners apply for a Tentative Tract map. The application for TSM 17-004 was submitted on September 1, 2017.

Building Permits

1980 – H6951 for the mobilehome. An undefined building permit (H6953) may pertain to the carport/shade; however, the owners obtained property records from the County Assessor's Office which were not conclusive. The applicant has submitted applications for "as built" building permits. Separate applications have been submitted for the seartrain storage container(s).

Other Facts:

Water Supply:

One domestic well on site.

Liquid Waste Disposal:

The two existing residences utilize septic tank – leach line systems

Stormwater: A ponding basin exists in the southeastern corner of the site.

Fire Protection: Tulare County Fire Department - Station #10 in Richgrove

Police Protection: Tulare County Sheriff's Department, Pixley Patrol Substation

Energy Source: Southern California Edison

Correspondence:

Agencies Notified

| <u>Agencies Notified</u> | <u>Replies Dated</u> |
|---|-----------------------------|
| Tulare Co. RMA, Public Works/Engineering Branch-Flood/Permits/Subdivisions | 9/20/17 |
| Tulare Co. HHSA, Environmental Health Services Division | 10/9/17 |
| Tulare Co. Fire Dept. | 9/20/17 |
| Tulare Co. Assessor | None |
| Caltrans Dist 6 | 9/26/17 |

ENVIRONMENTAL IMPACTS CHECKLIST/DISCUSSION FORM: N/A or (See attached Notice of Exemption.)

ENVIRONMENTAL DETERMINATION

Categorical Exemption from the California Environmental Quality Act (CEQA) and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970, pursuant to Title 14, Cal. Code Regulations Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures. The project is compatible with this exemption because eight parcels are being created from agricultural land that will continue in agricultural use. Construction of residences is limited by Zoning.

SUBSEQUENT ACTIONS

Appeals:

All Planning Commission actions on Tentative Subdivision Tract Maps are final unless appealed, in writing, to the Board of Supervisors, 2800 W. Burrel, Visalia, CA 93291-4582 within 10 calendar days after the date on which the decision is made. The written appeal shall specifically set forth the grounds for the appeal and shall be accompanied by the appropriate appeals fee.

School Fees:

The subject site is within the Richgrove Elementary and Delano Joint Union High School Districts, which have implemented developer's fees for all assessable space for new residences and expansions to existing residences and for all assessable space for new commercial/industrial structures and expansions to existing commercial/industrial structures pursuant to Government Code Section 53080. These fees are required to be paid prior to the issuance of any permit for the installation or construction of new or expanded residential, commercial and/or industrial structures. [Please contact the TCRMA-Permits Center or the applicable school district(s) for the most current school fee amounts.]

NOTICE: Pursuant to Government Code Section 66020(d)(1), this will serve to notify you that the 90-day approval period, in which you may protest to the school district the imposition of fees or other payment identified above, will begin to run from the date on which they are paid to the school district(s) or to another public entity authorized to collect them on the district(s) behalf, or on which the building or installation permit for this project is issued, whichever is earlier.

Right to Farm Notice:

In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, and as a condition of approval of the special use permit, a Right to Farm Notice shall be recorded with the resolution approving the Tentative Subdivision Tract Map (Exhibit B).

Air Impact Assessment:

The San Joaquin Air Pollution Control District has adopted the Indirect Source Review (District Rule 9510). Your project may require filing of an application for an Air Impact Assessment. Application forms and a copy of the rule that includes specific applicability criteria are available on the District Website at www.valleyair.org under "Land Use/Development" and then under "Indirect Source Review", or at any District Office. Assistance with applications and advice as to the applicability of the rule can be obtained from the District's ISR Group at 559-230-6000.

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CASE NO. TSM 17-004
CONSULTING AGENCY LIST

TULARE COUNTY AGENCIES

- R.M.A. - Building Division
- R.M.A. - Code Compliance Division
- R.M.A. - Environmental Coordinator
- R.M.A. - Community Dev./Redevelopment Division
- R.M.A. - Flood/Permits/Subdivisions Division
- R.M.A. - Parks and Recreation Division
- R.M.A. - Building Services Division
- R.M.A. - General Services Division
- R.M.A. - Transportation/Utilities Division
- R.M.A. - Solid Waste Division
- H.H.S.A. - Environmental Health Services Division
- H.H.S.A. - HazMat Division
- Fire Chief (2 copies)
- Sheriff's Department - Visalia Headquarters
 - Traver Substation
 - Oroqui Substation
 - Pixley Substation
 - Porterville Substation
- Agricultural Commissioner
- Education Department
- Airport Land Use Commission
- Supervisor District
- Assessor
- Supervising Agric. Standards Inspector - Gas Stations

LOCAL AGENCIES

- Levee Dist. No 1*
 - Levee Dist. No 2*
 - _____ Irrigation Dist*
 - _____ Pub Utility Dist*
 - _____ Comm. Service Dist*
 - _____ Town Council*
 - _____ Elem. School Dist*
 - _____ High School Dist*
 - City of _____ *
 - County of _____ *
 - Tulare Lake Basin Water Storage Dist*
 - _____ Advisory Council*
 - _____ Fire District*
 - _____ Mosquito Abatement*
 - Kaweah Delta Water Cons. District*
 - SJV Air Pollution Control Dist
- * _____

FEDERAL AGENCIES

- Army Corps of Engineers
 - Fish & Wildlife
 - Bureau of Land Management
 - Natural Resources Conservation Dist.
 - Forest Service
 - National Park Service
- _____

STATE AGENCIES

- Dept. of Fish & Wildlife Dist 4
 - _____, DFG Area Biologist
 - Alcoholic Beverage Control
 - Housing & Community Development
 - Reclamation Board
 - Regional Water Quality Control Board - Dist. 5
 - Caltrans Dist. 6*
 - Dept. of Water Resources*
 - Water Resources Control Board*
 - Public Utilities Commission
 - Dept. of Conservation
 - State Clearinghouse (15 copies)
 - Office of Historic Preservation
 - Dept. of Food & Agriculture
 - State Department of Health
 - State Lands Commission
 - State Treasury Dept. - Office of Permits Assist.
- _____

OTHER AGENCIES

- U.C. Cooperative Extension
- Audubon Society - Condor Research
- Native American Heritage Commission
- District Archaeologist (Bakersfield)
- TCAG (Tulare Co. Assoc. of Govts)
- LAFCo (Local Agency Formation Comm.)
- Pacific Bell (2 copies)
- GTE (General Telephone) (2 copies)
- P.G. & E. (2 copies)
- Edison International (2 copies)
- The Gas Company (2 copies)
- Tulare County Farm Bureau
- Archaeological Conservancy (Sacramento)

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

20 September 2017

TO: April Hill, Project Planner

FROM: Craig Anderson, Engineer III

A handwritten signature in black ink, appearing to be "CA", is written over the name "Craig Anderson".

SUBJECT: Case No. TSM 17-004

OWNER: Jarnail Dhillon, et al

APN: 338-070-017

The subject Case No. TSM 17-004 has been reviewed. The following comments and recommendations are submitted for consideration in processing this matter.

The subject site is not located within any Urban Improvement Area or Urban Development Boundary whichever is applicable.

The subject site is not located within the boundaries of any Specific Plan.

The division is of a 159.85 acres into eight parcels of 20 acres or more [SMA 66426(b)].

Flood Information:

The following flood zone information is based on our interpretation of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map for Community Number 065066 dated June 16, 2009, Panel No. 2300. The subject site is located within Zone X.

Construction within Zone X requires no specific flood mitigation measures.

Right-of-way Information:

The proposed parcels lies on the south side of Avenue 8, the east side of Road 168 and the west side of Road 172. The existing right of way on Avenue 8 is 50 feet (25 feet on the north side and 25 feet on the south side) and on Road 168 is 50 feet (25 feet on the west side and 25 feet on the east side) and on Road

172 is 20 feet (0 feet on the west side and 20 feet on the east side). Ultimate right of way on Avenue 8 is 60 feet and on Roads 168 and 172 are 60 feet.

No additional right-of-way dedications are required pursuant to Ordinance Code section 7-01-2215 for any parcel to be created which will have an area of ten acres or more.

Road Information:

According to the county's maintained mileage maps, Avenue 8 is a county maintained road. Road 168 is a county maintained road. Road 172 is not a county maintained road.

Based on the 2015 Pavement Management System database, the existing pavement width on Avenue 8 is 22 feet and on Road 168 is 19 feet. The pavement type on Avenue 8 is road mix asphalt surfacing and on Road 168 is road mix asphalt surfacing. Road 172 is a non-maintained county right-of-way.

The following conditions are recommended for the subject case.

These conditions are required to be completed before the recording of the parcel map or before the recording of the resolution for a waived parcel map, unless specified otherwise in the wording of the condition.

1. The Private Vehicular Access Easement (PVAE) serving Parcels 3, 6 and 7 shall be improved to a three parcel standard pursuant to Section 7-01-2230 of the Ordinance Code. The width and surface improvements of the PVAE shall be in accordance with Plate A-17B of the Tulare County Improvement Standards. Plate A-17B also identifies the requirements for the drive approach that will connect the PVAE to Avenue 8 and the requirements for providing a turnaround bulb at the end of the PVAE.
2. An improvement plan with profile shall be prepared for the PVAE. The improvement plan shall be designed and stamped by a licensed civil engineer or a licensed architect and shall show detailed information on the construction of the PVAE including curve radii, drainage facilities and erosion control measures as needed. The improvement plan shall be approved by the Tulare County RMA – Engineering Branch before construction of the PVAE improvements.
3. The applicant or the applicant's contractor shall obtain the necessary encroachment permits from the Tulare County Resource Management Agency before starting any construction within the right of way of a county maintained road. The applicant may contract the Resource Management Agency – Encroachment Permit Section at 624-7000 for information on the requirements for encroachment permits in order to avoid unexpected delays. Improvements that typically require encroachment permits are drive approaches, curb and gutter, sidewalk, paveout and utilities.
4. The applicant shall make all necessary arrangements for the relocation of all overhead and underground public utility facilities that interfere with any improvements required to be

constructed within the right of way of a county road. The applicant shall make necessary arrangements with the serving public utility company for the cost of relocating such facilities as no relocation costs will be borne by the county. The relocation of such facilities shall be completed before any encroachment permits will be issued for the construction of any improvements within the right of way of a county road.

The parcels to be created will be used for agricultural purposes. The movement of equipment over roads can damage the surfacing. In keeping with the existing farming operations, an exception to additional improvements is recommended until such time as building or other permits are issued for Parcels 3, 6 or 7.

CA



TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY

Public Health Branch

Jason T. Britt, M.S.
Agency Director

October 9, 2017

APRIL HILL
RESOURCE MANAGEMENT AGENCY
5961 SOUTH MOONEY BLVD
VISALIA CA 93277

Re: TSM 17-004

Dear Ms. Hill:

This office has reviewed the above referenced matter. Based upon our review, we have no comments for this project at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Martin".

Ted Martin
Environmental Health Specialist
Environmental Health Services Division

From: Jimmy Herrera
To: April Hill
CC: Samantha Meza
Date: 09/20/2017 9:38 AM
Subject: Fwd: Re: Project Review Consultation Notice for TSM 17-004
Attachments: Re: Project Review Consultation Notice for TSM 17-004

April,

In regards to TSM 17-004 (Dhillon), the Tulare County fire Department has no recommendations.

Please let me know if you have any questions.

Jimmy Herrera, Fire Inspector
Tulare County Fire Department
5961 S. Mooney Blvd
Visalia, CA 93277
559.624.7058 Office
559.285.2115 Cell

From: "Deel, David@DOT" <david.deel@dot.ca.gov>
To: "April Hill (Tulare County Planning)" <AHill@co.tulare.ca.us>
CC: "Gentry, Jamaica@DOT" <Jamaica.Gentry@dot.ca.gov>, "Navarro, Michael@DOT..."
Date: 09/26/2017 4:00 PM
Subject: Tentative Subdivision Map TSM# 17-004

April –

Caltrans has a "NO COMMENT" on Tentative Subdivision Map TSM# 17-004 to divide a 162 ac parcel into 8 lots with no proposed development; located 3 miles east of SR 99.

Thank you for your assistance in this matter.
If you have further questions, please contact me.

DAVID DEEL | Associate Transportation Planner
 Desk: 559.488.7396
 Office of Planning & Local Assistance – North Section
 IGR & Transit Representative – Tulare County
 Training Coordinator – Planning Unit

CALTRANS – District 6
 1352 W. Olive Avenue (P.O. Box 12616)
 Fresno, CA 93778-2616

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☐ ☐ ➔☐ ☐ ☐ ☐ ☐ ♥☐ ☐ ☐ ☐ [cid:image002.jpg@01D336E0.902DC810]☐

*[cid:image003.png@01D336E0.902DC810]☐

Caltrans Mission: Provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability.

Caltrans Vision: A performance-driven, transparent, and accountable organization that values its people, resources and partners, and meets new challenges through leadership, innovation, and teamwork.




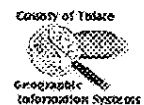
Vicinity Map for TSM 17-004



Supervisorial District: 2



-  SITE
-  Supervisorial Districts



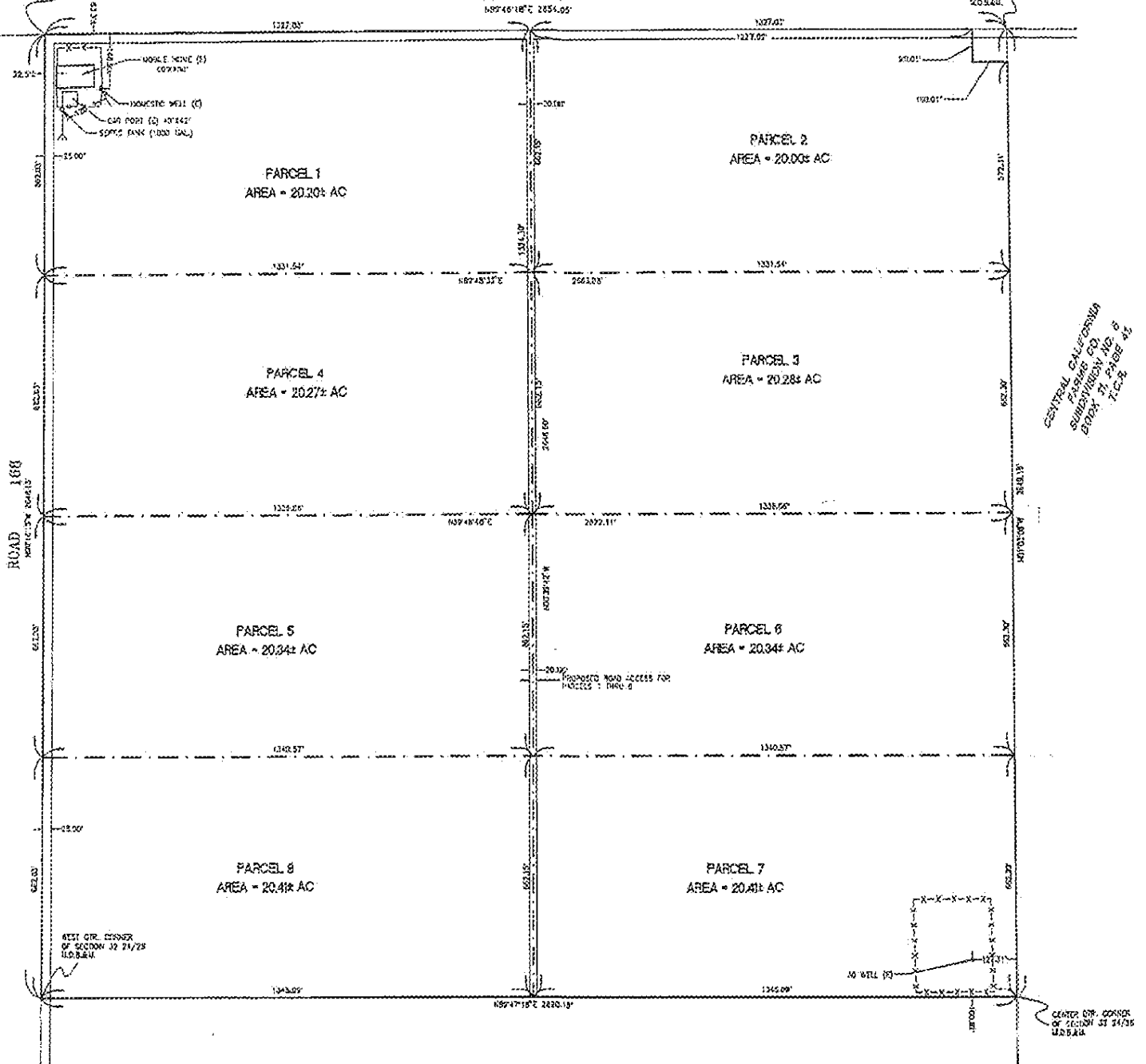
BASIS OF BEARING

THE NORTH LINE OF SECTION 3, T9N/R9E/23 SW/4M, RANGE 77 EAST, N.D. 23 N.M. WAS TAKEN TO BE N 89°18' W ON S-1

NORTHEAST CORNER OF SECTION 32 24/23 N.D. 23 N.M.

NORTH QTR. CORNER OF SECTION 32 24/23 N.D. 23 N.M.

AVENUE 8
N 89°48'18"E 2855.05'



CENTRAL CALIFORNIA
PLANNING CO.
SUBDIVISION AND
SURVEYING AND
ENGINEERING
F.C.S. 415



No Scale

Site Plan
Illustration
TSM 17-004



Aerial Photograph for TSM 17-004



Owner: Jarnail S. & Sukhjit K. Dhillon
 Address: 2320 Evergreen Street
 City, State, ZIP: Delano CA 93215
 Applicant: Jarnail S. Dhillon
 Agent: CVEAS, Inc.
 Supervisorial District: 2
 Assessors Parcel: 338-070-017

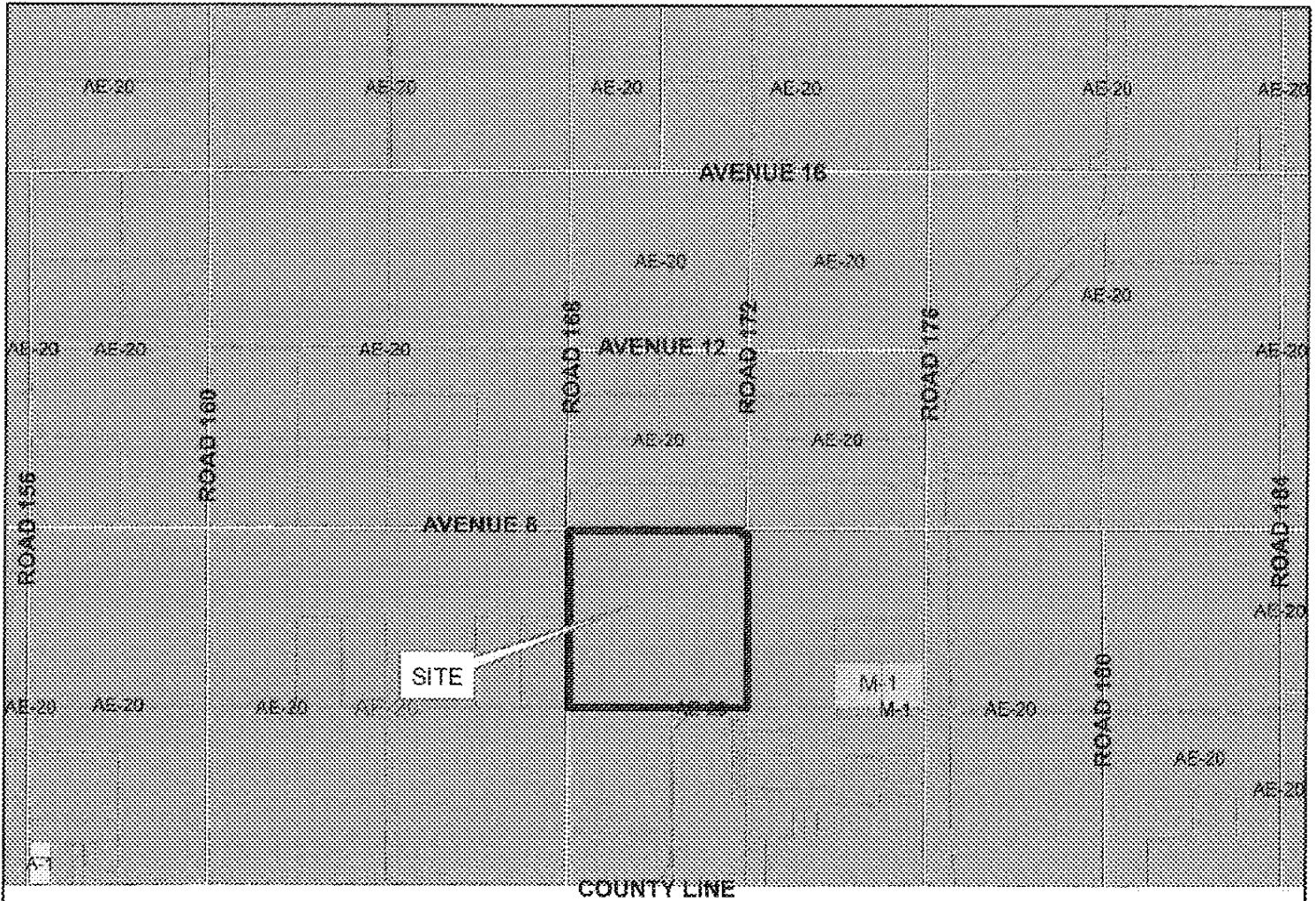
0 2,000 Feet

 SITE

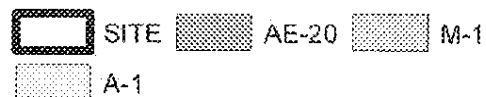
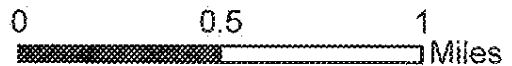




Existing Zoning Map for TSM 17-004

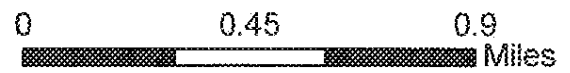
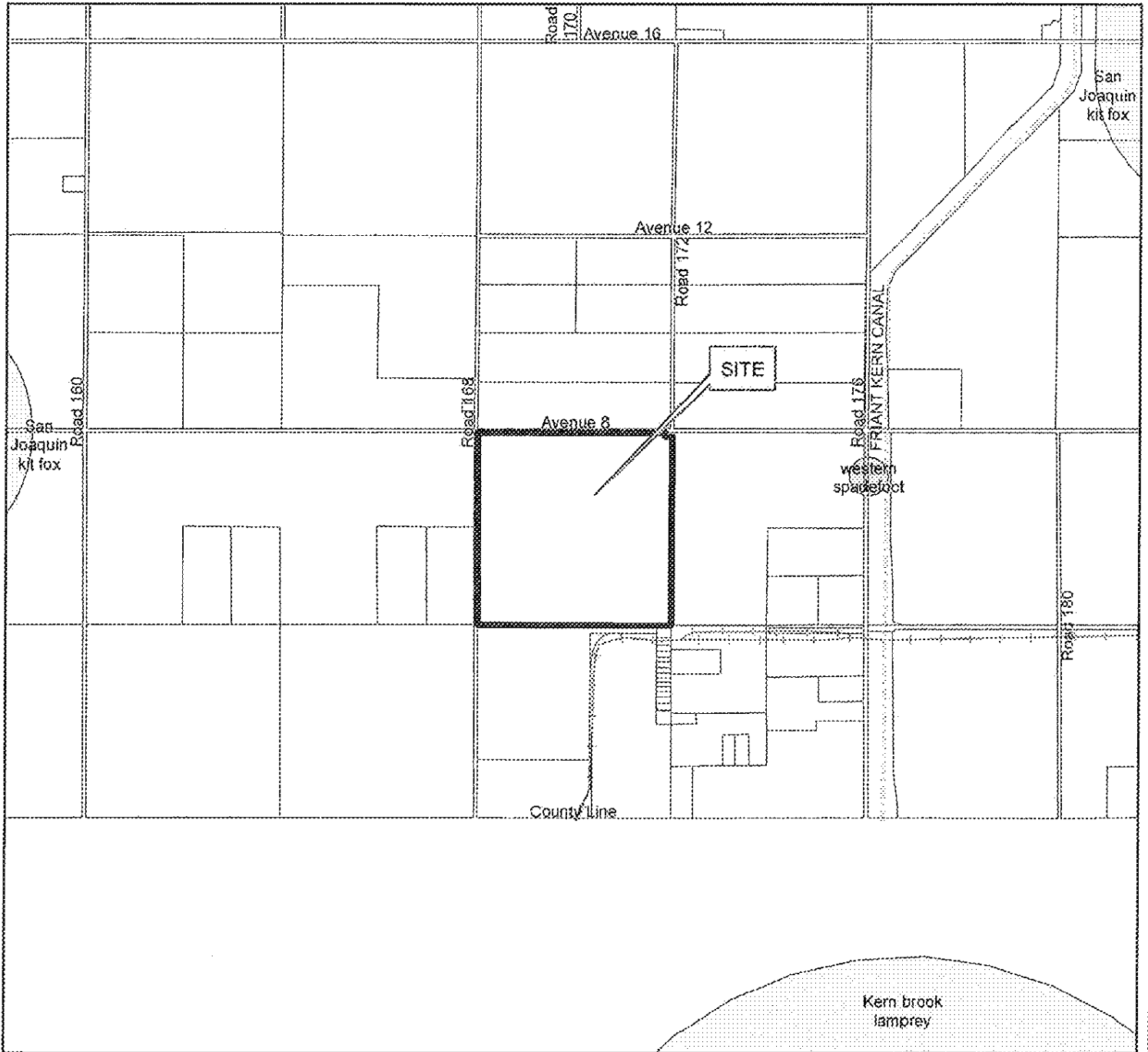


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Species of Concern for TSM 17-004

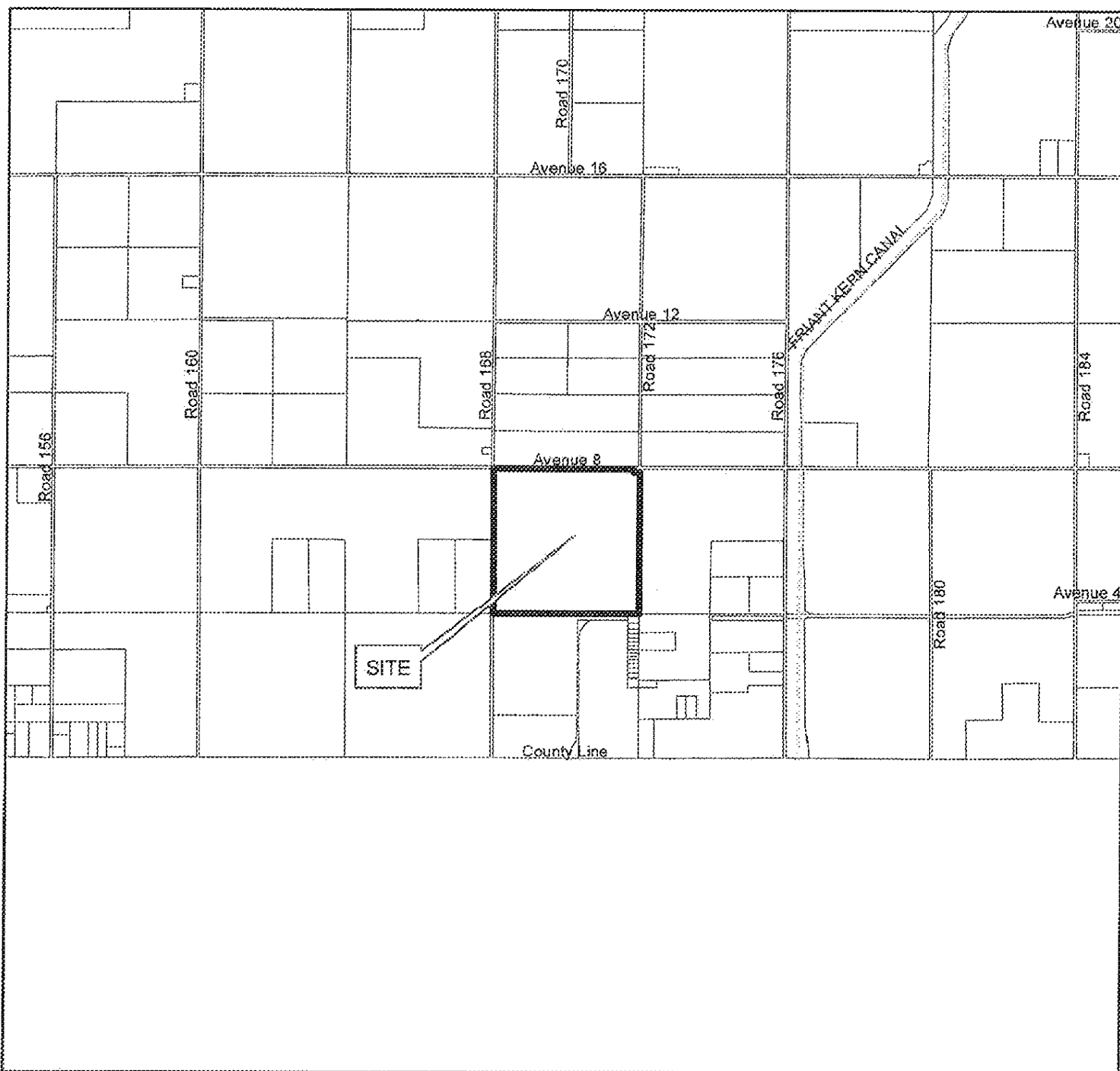


CNDDDB (data file last updated on 7/30/2017)

- SITE Species of Concern (CNDDDB)
- Kern brook lamprey
- San Joaquin kit fox
- western spadefoot



Waterways Map for TSM 17-004



 SITE
 Waterways

0 4,000 8,000 Feet

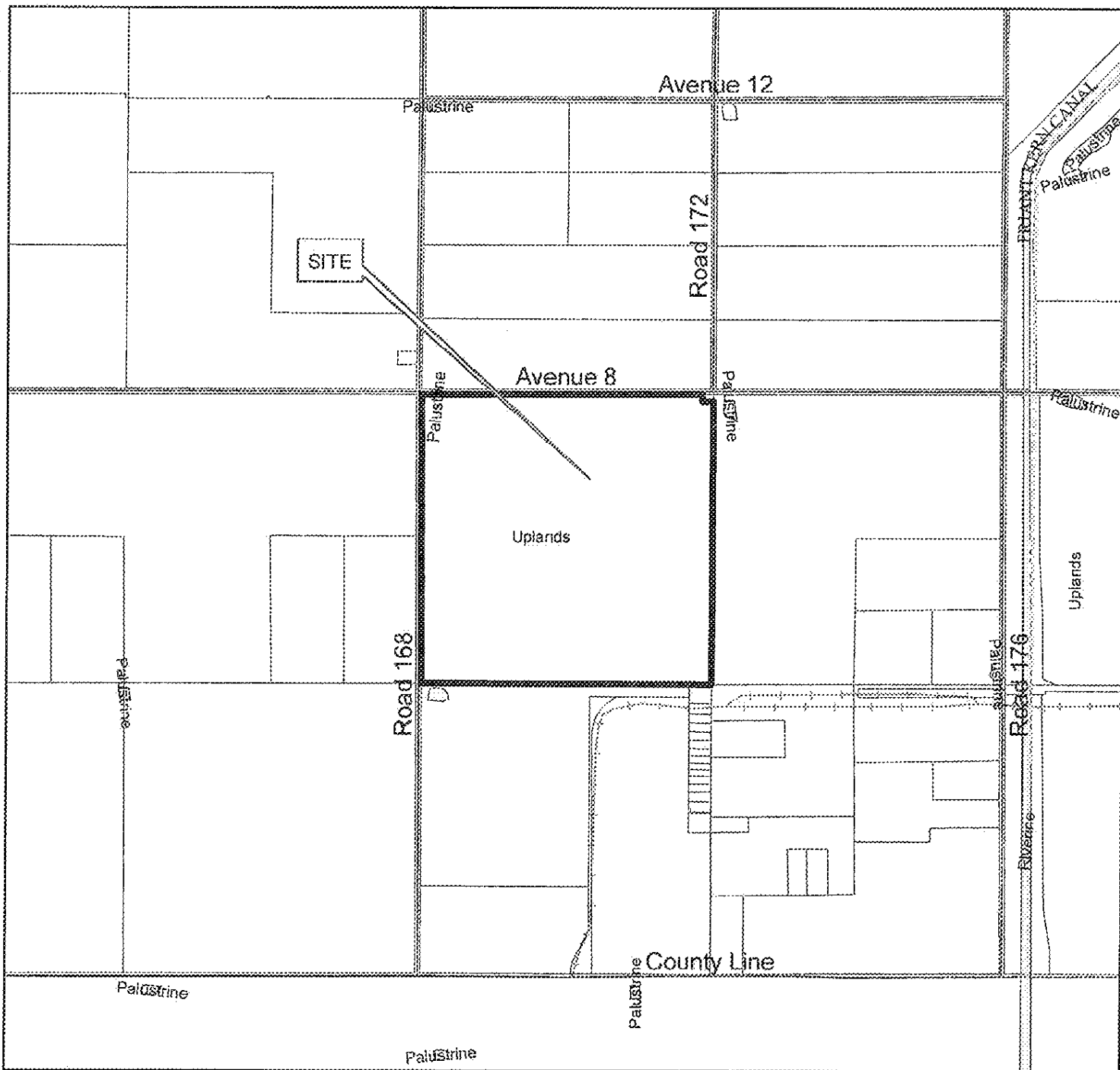


County of Tulare
Geographic
Information Systems










Wetlands Map For TSM 17-004



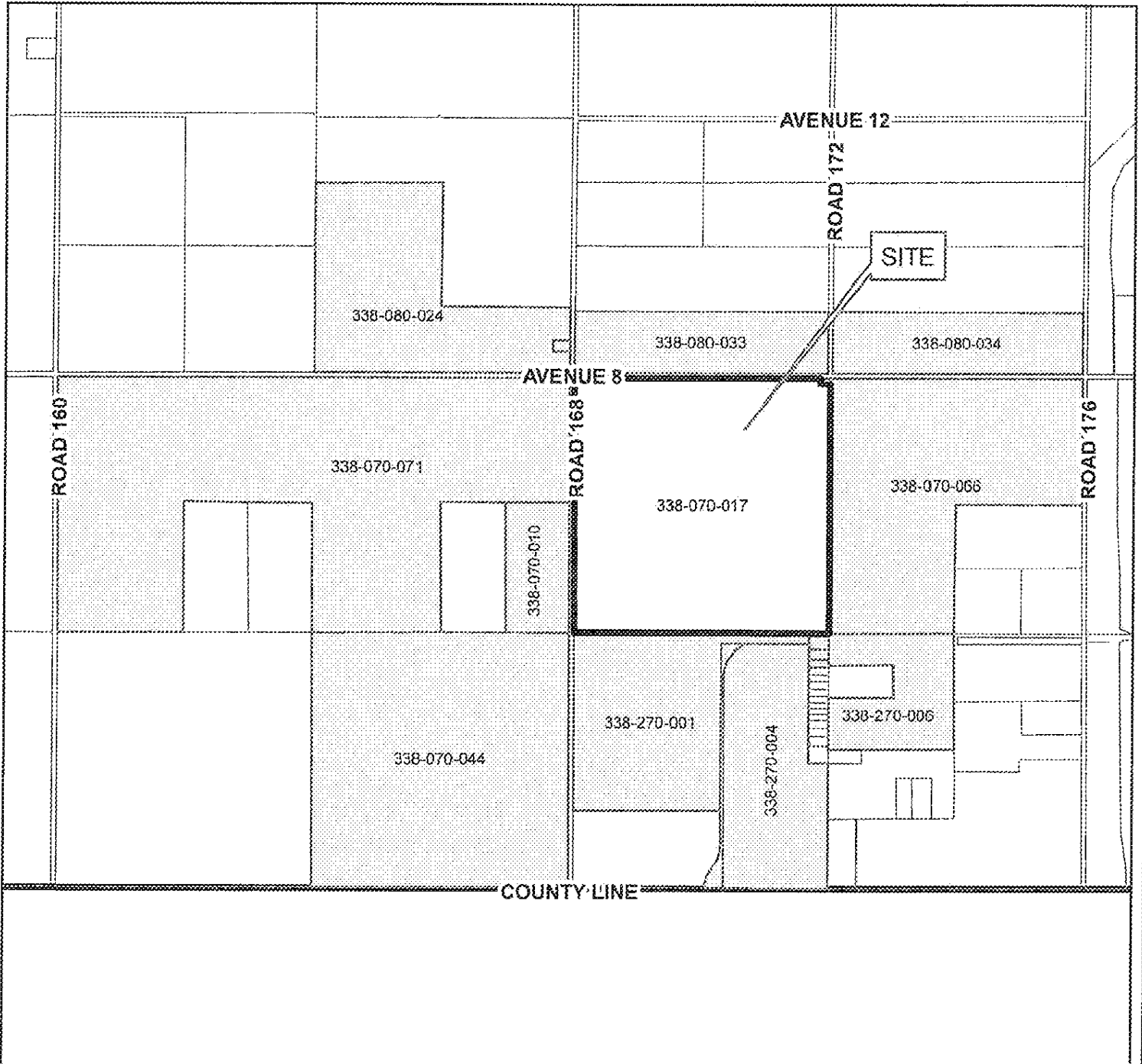
National Wetlands Inventory

-  SITE
-  Lacustrine
-  Palustrine
-  Riverine
-  Uplands (No Wetlands)

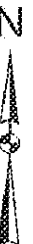
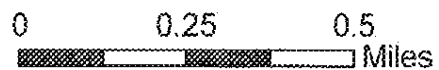




Location and Property Ownership Map for Hearing Notification for TSM 17-004

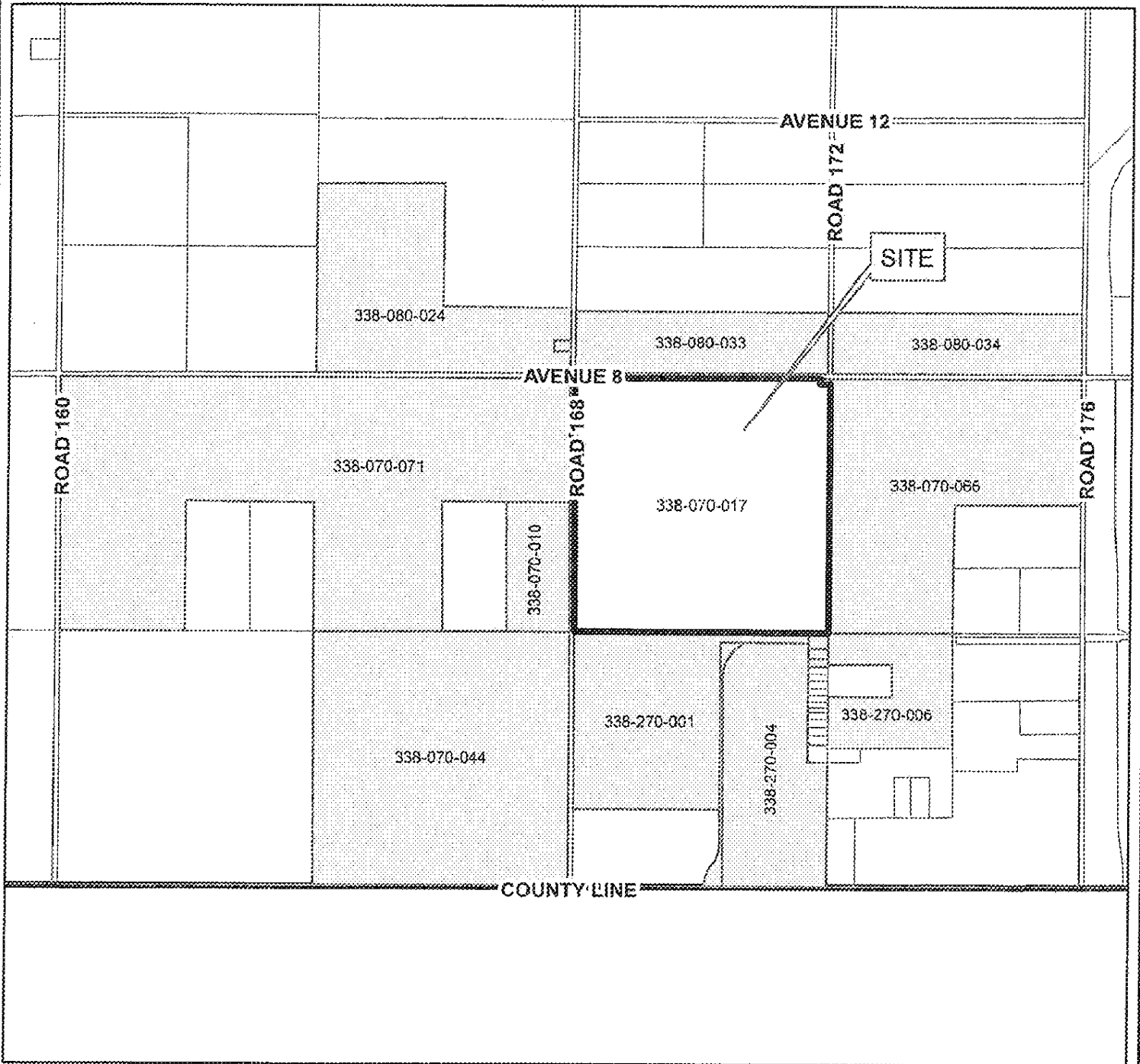


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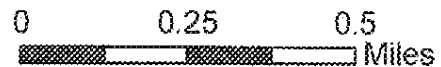




Location and Property Ownership Map for Hearing Notification for TSM 17-004



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 Address: 2320 Evergreen Street
 City, State, ZIP: Delano CA 93215
 Applicant: Jarnail S. Dhillon
 Agent: CVEAS, Inc.
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 Assessors Parcel: 338-070-017

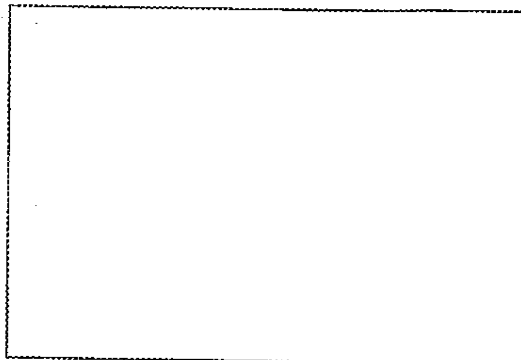


Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Tulare County Clerk
Room 105, Courthouse
221 South Mooney Boulevard
Visalia, California 93291

Lead Agency: Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, Ca 93277; (559-624-7000)



Applicant(s): Jarnail S. Dhillon, 2320 Evergreen Street, Delano CA 93215; (661-586-8314)

Project Title: Tentative Subdivision Tract Map No. TSM 17-004

Project Location - Specific: The subject property is located on the southeast corner of Avenue 8 and Road 168, approximately three miles east of State Highway 99 and 3.5 miles west of Richgrove. The site address is 786 Road 168, Delano and the Assessor Parcel Number (APN) is 338-070-017.

Project Location- Section 32, Township 24 South, Range 26 East, MDB&M. The subject property is outside any Urban Boundary.

Project Location - City: Near Richgrove

Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: The Tentative Subdivision Tract Map will allow the division of a 159.85-acre parcel into eight 20± acre parcels. The subject property is in the AE-20 (Exclusive Agricultural - 20 Acre Minimum) Zone, outside any Urban Boundaries and is subject to the Rural Valley Lands Plan and designated Valley Agricultural.

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- General Rule: CEQA guidelines 15061 (b)(3)
- Categorical Exemption: Section 15303, Class 3 - New Construction or Replacement of Small Structures.
- Statutory Exemptions:

Reasons why project is exempt: The subject property is in active agricultural use. The parcels to be created will continue to be used for agricultural purposes. Zoning limits the number of residences allowed. The subject site is not located in an environmentally sensitive area and is surrounded by agricultural and rural residential uses. Therefore, the use of Section 15303 is applicable and appropriate.

Name of Public Agency Approving Project: County of Tulare, Resource Management Agency

Activity / Project Representative: April Hill

Area Code/Telephone: 559-624-7108

Signature: [Signature] - Hector Guerra

Date: 12/14/17 Title: Chief Environmental Planner

Signature: [Signature] - Reed Schenke

Date: 12/16/17 Title: Director, RMA
Environmental Assessment Officer

Signed by Lead Agency Signed by Applicant

Date Sent to the Clerk of the Board: _____

Statement Regarding

Use Permit No. TSM 17-004 (Dhillon/CVEAS)

Categorical Exemption per Section 15303

from the California Environmental Quality Act (CEQA)

Aesthetics -- No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the aesthetics of the area. Based on a search for County and Caltrans Scenic highways on 12/4/17, the project is not located within a scenic corridor and would not impact scenic resources 15300.2 (d). See http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm. The facility is in a predominantly agricultural area of the county. Surrounding properties contain agriculture (orchards and fallow open land), with scattered rural residences. Screening is not normally required for agriculture-related uses. A standard condition of approval requires exterior lighting to be directed away from public roadways and adjacent properties. The project would result in No Impact to the Aesthetics resource.

Agriculture -- No Impact. The project will authorize a Tentative Subdivision Tract Map for a The proposal is to subdivide a 159.85-acre parcel into eight 20± acre parcels in the AE-20 (Exclusive Agricultural -- 20 Acre Minimum) Zone. The subject site is located in Agricultural Preserve No. 0855, under Williamson Act Land Conservation Contract No. 3805. Uses that relate directly to the production of commercial agricultural products are considered compatible, per Government Code §51238.1. The subject property is in active agricultural use. The proposed eight 20± acre parcels will be large enough to continue productive agriculture. The proposal will not interfere with existing agricultural operations in the surrounding area. A standard condition of approval for sites in agricultural land requires the property owner to sign a "Right to Farm" notice.

Based on a search of Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) maps on 12/4/17, the project site is located on prime farmland. This land is defined as having the best combination of physical and chemical features able 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. See ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/tul10_so.pdf. The 159.85-acre subject property contains agriculture, two residences with septic tanks, one domestic well, two propane tanks, a 25'x25' agricultural shed and a drainage basin.

The project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have an impact on the Agricultural resources.

Air Quality - No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the air quality resources of the area. Zoning allows each property owner to construct a residence. After reviewing the construction activities and operations of this project, and all temporary construction and operational activities, there were no emissions that will have a significant effect. The facility is required to comply with applicable San Joaquin Valley Air Pollution Control District (Air District) rules and regulations, including Rule 4102 (Nuisance), including odors; Regulation VIII (Fugitive PM10 Prohibitions) and associated Rules 8021, 8031, 8041, 8051, 8061, and 8071; Rule 4002 (National Emission Standards for Hazardous Air Pollutants), Rule 4103 (Open Burning); Rule 4601 (Architectural Coatings); Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations); Rule 4702 (Internal Combustion Engines -- Phase 2).

Agricultural activities will continue on the 20 acre parcels. Estimated maximum daily trips (arrivals and departures) will fall below the Small Project Analysis Level (SPAL) with regard to assessing Air Quality Impacts. Based on these analyses, the project will result in No Impact to Air Quality.

Biological Resources – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the biological resources of the area. The project site does not contain wetlands, creeks, waterways, a waterfowl refuge or riparian habitat and is not in the planning area of a Conservation Plan. The California Natural Diversity Database, updated 7/30/17, shows no Species of Concern on the site. Approximately 1 mile south are areas where the following have been sighted - the Kern brook lamprey and San Joaquin Kit Fox. Approximately 0.3 miles east, the western spadefoot has been sighted. However, the subject site has been used for agriculture for decades, contains structures and is surrounded by active agriculture. There are no signs of special status species on the site. Properties in the vicinity have been used for agriculture and rural residences for decades. The Project will result in No Impact to the Biological resource.

Cultural Resources – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the cultural resources of the area. No cultural resources assessment has been conducted for this site. No cultural resources are known to be on or near the site. The property and surroundings have been under agricultural and residential use for decades. The site is not near a natural watercourse or on a bluff or hill with rock outcrops, where a California Historical Resource Information System (CHRIS) search would be warranted, or where archaeological or paleontological resources could occur. Therefore, there will be No Impact on Cultural resources.

Geology/Soils – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the geology / soils of the area. Based on a search of the Tulare County Seismic Safety Element in the County General Plan on 12/4/17, the Project is not located in a seismic hazard zone. No earthquake faults are known near the site. The subject site is level, typical of valley land. Agriculture will continue on the site. The on-site soils are Hanford Sandy Loam and Yettam Sandy Loam, both prime Class I if irrigated, with low shrink-swell and moderate septic tank absorption. The requirements of the Uniform Building Code Zone II are adequate for normal facilities on these soils. Therefore, there will be No Impact on the Geology/Soils resource.

Greenhouse Gas Emissions – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will introduce green house gas (GHG) emissions. The project complies with the AB32, the California Air Resources Board's (CARB) Scoping Plan, Tulare Council of Governments Blueprint, Countywide General Plan and Climate Action Plan (see Climate Action Plan page 57) and it will not generate temporary, or vehicle miles traveled, or operational emissions in excess of CARB's thresholds. Since CEQA does not apply to this project, it is not required to reduce its Climate Action Plan Consistency Reduction Target of 6% per the Tulare County Climate Action Plan. Any construction emissions are considered temporary emissions that would not occur after the CARB Scoping Plan 2020 target year. Therefore, project construction or operational emissions would result in No Impact to GHG.

Hazards & Hazardous Materials – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will introduce hazards or hazardous material to the area. An online Cortese Act / Envirostor search conducted by County staff on 12/4/17 indicated that there are no known hazardous or toxic sites in the vicinity of the project. (See <http://www.envirostor.dtsc.ca.gov/public/>)

No improvements were required by the Fire Department or the County Environmental Health Services Division.

No public or private airstrips are located within two miles of the subject site. The subject site has direct access to Avenue 8. Parcels 1 and 2 have direct access to Avenue 8. Parcels 1, 4, 5 and 8 have direct access to Road 168. The land division does not impair the implementation of any adopted emergency response plan or evacuation plan. The site is not located in an area designated by the California Department of Forestry as a "wildland" fire area. Therefore, the project will result in No Impact by Hazard and Hazardous Materials.

Hydrology & Water Quality – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the hydrology

/water quality of the area. The project will not impact the quality or quantity of water or waterways above any known threshold for water quality or affect water rights, including impacting water ways of the United States under Section 404, and 401 of the Clean Water Act. A search of the United States Geographic Survey (USGS) quadrant maps on 12/4/17 shows that there are no areas marked as blue (signifying wetlands) that will be impacted by this project. See County GIS Wetlands Map. There are no waterways on the site. The Friant-Kern Canal is approximately 2,000 feet east of the facility site.

The property is not located within a water service district and water will be supplied by a domestic well. The water table at the subject site is approximately 250 feet, per the California Department of Water Resources, South Central Region, 2010 Tule Groundwater Basin Contour Map.

Tulare County Public Works/Engineering Branch staff provided correspondence on 9/20/17 indicating that the subject property is within Flood Hazard Zone X, per Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 065066 dated June 16, 2009, Panel No. 2300. Construction of buildings within a Zone X requires no specific flood mitigation measures.

Based on the above discussion of the project improvements and requirements and the low-level use of the site, there will be No Impact to Hydrology or Water Quality.

Land Use & Planning – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the land uses, zoning, or planning of the area. Based on a search of the County's General Plan and Zoning Ordinance and any planning area policies, this project complies with all applicable plans, policies and regulations, with a conditionally approved use permit. It will also meet all current engineering standards.

The subject site is located in the AE-20 Zone. The minimum parcel size permitted to be created in this zone is, with certain exceptions, 20 acres. The proposed project is consistent with the zoning regulations for the subject site and the Development Standards applicable to the proposed use.

The site is not located within Urban Area Boundary, Urban Development Boundary or Hamlet Development Boundary and is subject to the Rural Valley Lands Plan, which designates the area for Valley Agriculture. The proposed project will not conflict with commercial agriculture and the property owner is required to sign a Right to Farm Notice. The project is consistent with relevant elements of the General Plan -- Land Use Element Policies LU-1.10 Roadway Access and LU-2.4 Residential Agriculture Uses; Agricultural Element Policy AG-1.14 Right to Farm Notice; Health and Safety Element Policy HS-1.4 Building and Codes, and Rural Valley Lands Plan Policy RVLP-1.6 Checklist (not required).

The property and surroundings have been under agricultural and residential use for decades. Therefore, the project will result in No Impact to Land Use and Planning.

Mineral Resources -- No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the mineral resources of the area. Based on a search of the CGS Mineral Zone website and the County General Plan, the area is not delineated as a resource zone; and hence, it is unlikely that there are important mineral reserves in the vicinity. No valuable minerals or mature timber trees are in the vicinity (per the County's Environmental Resources Management Element). Therefore, there will be No Impact to Mineral Resources as a result of the Project.

Noise – No Impact. The site is not located in a designated noise corridor. The agricultural practices will generate noise typical of the area. Due to the agricultural zoning and character of the area, sensitivity to noise impacts is relatively lower than other more populated urban areas of the County. Normally acceptable noise levels for agricultural uses are up to 70 dB. Since distance lessens level of sound, noise generated by the project will have a minimal effect on nearby residences. Any noise generated by the facility is less than agriculture-related equipment

and will have no impact on noise levels. As the Project does not exceed operational Noise standards outlined in the General Plan there will be No Impact to the Noise resource.

Population/Housing – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the population, or housing of the area. As noted earlier, adjacent land uses are agricultural, with scattered rural residences. The project will not displace an existing population or induce population growth. Therefore, there will be No Impact to Population/Housing.

Public Services – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the public services of the area. Based on a review of the project's demands, the project will not significantly impact the capacity of the following services: Police, Fire, Schools, Parks or other Public Facilities. Therefore, there will be No Impact to Public Services.

Recreation – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the recreational facilities in the area. This project will not affect the amount of new housing in order to generate the need for new recreational facilities, under the Quimby Act. Therefore, there will be No Impact to Recreation.

Transportation / Traffic - No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the Countywide, or Statewide roadway facilities in the area. The subject parcel lies on the south side of Avenue 8, the east side of Road 168 and the west side of Road 172. Parcels 1 and 2 have direct access to Avenue 8. Parcels 1, 4, 5 and 8 have direct access to Road 168. Three of the eight proposed parcels (Parcels 3, 6 and 7) do not have direct access to a maintained public street or highway. However, the three parcels have direct access to a 20-foot wide public access right of way along the east side of the property, which was dedicated for a previous subdivision, Central California Farms Co. Subdivision No. 5 (R.M. 11-41, recorded Feb 6, 1912 in Volume 11 of maps, page 41). Therefore, the approved access to a maintained public street is available, as required by Subdivision Map Act Section 66426(b), for a subdivision creating five or more parcels, with gross areas of 20 acres or more.

The County Public Works Branch recommended that the Private Vehicular Access Easement serving Parcels 3, 6 and 7 be improved to a three parcel standard. In keeping with the existing farming operations, an exception to additional improvements is recommended until such time as building or other permits are issued for Parcels 3, 6 or 7. Conditions of approval are included.

According to the County's maintained mileage maps, Avenue 8 is a county maintained road. Based on the 2015 Pavement Management System database, the existing pavement width on Avenue 8 is 22 feet and pavement type is road mix asphalt surfacing. The existing right of way on Avenue 8 is 50 feet (25 feet on the north side and 25 feet on the south side). According to the County's maintained mileage maps, Road 168 is a county maintained road. Based on the 2015 Pavement Management System database, the existing pavement width on Road 168 is 19 feet and the pavement type is road mix asphalt surfacing. The existing right of way on Road 168 is 50 feet (25 feet on the west side and 25 feet on the east side). According to the County's maintained mileage maps, Road 172 is a non-maintained county right of way. The existing right of way on Road 172 is 20 feet (0 feet on the west side and 20 feet on the east side). Ultimate rights of way on Avenue 8, Road 168 and Road 172 are 60 feet.

No additional right of way dedications are required, pursuant to Ordinance Code Section 7-01-2215, which pertains to any parcel to be created that will have an area of ten acres or more.

The site is located approximately three miles east of State Route 99. The California Department of Transportation responded to a consultation request with "No Comment."

Existing agricultural activities will continue. The average daily trips are fewer than the 100 trips that would require a detailed traffic analysis. Avenue 88 is not classified in the County General Plan Environmental Impact Notice of Exemption for TSM 17-004

Report; however, the 2010 Pavement Management System estimated fewer than 100 average daily trips on Avenue 8, Road 168 or Road 172. The project will generate a minimal percentage of the total daily traffic on public roads. Therefore, there will be No Impact to Transportation/Traffic.

Utilities / Service Systems – No Impact. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the infrastructure / facilities in the area. The proposed project will not have an impact on Water (Quality or Quantity), Wastewater, Storm Drainage, or Solid Waste. The project will not generate enough demands on the facilities or infrastructure to impact the infrastructure level of service thresholds. This project will not impact the level of service provided by any utility agencies or franchises operating in the area. The subject site is outside any community service district or public utilities district and contains a domestic well. Therefore, there will be No Impact to Utilities/Service Systems.

Mandatory Findings of Significance – The Project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important major periods of California history or pre-history. The proposed project will not have a direct or cumulative impact, or create an unusual circumstance that will cause the proposed project to have a significant effect on the environment, directly or incrementally. This project will not adversely impact the public health and safety resulting in a consequence to the proposed project.