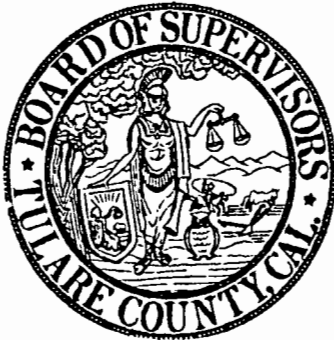


# BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF CONDUCT A PUBLIC )  
HEARING TO APPROVE THE VACATION ) Resolution No. 2018-0585  
OF MEREDITH DRIVE BETWEEN AVENUE )  
200 AND AVENUE 204 )

UPON MOTION OF SUPERVISOR ENNIS, SECONDED BY SUPERVISOR CROCKER, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JULY 17, 2018, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, WORTHLEY,  
AND ENNIS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE



ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: Hilary Ronello  
Deputy Clerk

\* \* \* \* \*

1. Conducted a public hearing to approve the vacation of Meredith Drive between Avenue 200 and Avenue 204, more particularly described in Exhibit A, Legal Description;
2. Determined that Meredith Drive between Avenue 200 and Avenue 204 is excess right of way and vacation thereof is in the public interest;
3. Vacated Meredith Drive between Avenue 200 and Avenue 204 and ordered that the public use is hereby vacated, reserving an easement and right necessary for access public utilities;
4. Determined that the vacation is exempt from the California Environmental Quality Act (CEQA) pursuant to the adopted State of California CEQA Guidelines Section 15061(b)(3) and direct the Environmental Officer to sign and file a Notice of Exemption with the Tulare County Clerk; and
5. Directed the Clerk of the Board to cause a certified copy of the resolution to be recorded in the Office of the Tulare County Assessor Clerk/Recorder



**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:** July 17, 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"/>
County Counsel Sign-Off	Yes	<input type="checkbox"/>	N/A	<input checked="" 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:** Conduct a Public Hearing to approve the vacation of Meredith Drive between Avenue 200 and Avenue 204

- REQUEST(S):**  
That the Board of Supervisors:
1. Conduct a public hearing to approve the vacation of Meredith Drive between Avenue 200 and Avenue 204, more particularly described in Exhibit A, Legal Description;
  2. Determine that Meredith Drive between Avenue 200 and Avenue 204 is excess right of way and vacation thereof is in the public interest;
  3. Vacate Meredith Drive between Avenue 200 and Avenue 204 and order that the public use is hereby vacated, reserving an easement and right necessary for public utilities;
  4. Determine that the vacation is exempt from the California Environmental Quality Act (CEQA) pursuant to the adopted State of California CEQA Guidelines Section 15061(b)(3) and direct the Environmental Officer to sign and file a Notice of Exemption with the Tulare County Clerk; and
  5. Direct the Clerk of the Board to cause a certified copy of the resolution to be recorded in the Office of the Tulare County Assessor Clerk/Recorder.

**SUMMARY:**  
The location of Meredith Drive between Avenue 200 and Avenue 204 is shown on Attachment A - Vicinity Map, and Attachment B - Location Map, and is more particularly described in Attachment G - Exhibit A, Legal Description. The portion of Meredith Drive is located northerly of the unincorporated community of Strathmore.

**SUBJECT:** Conduct a Public Hearing to approve the vacation of Meredith Drive between Avenue 200 and Avenue 204

**DATE:** July 17, 2018

The petition to vacate Meredith Drive was submitted by Robert LoBue, owner of the properties abutting Meredith Drive to the west, between Avenue 200 and Avenue 204, as shown on Attachment C, Petition for Vacation of Right of Way. The petitioner's reason for requesting the vacation is the safety of employees during operations related to harvest and to reduce vandalism.

The subject portion of Meredith Drive was created by "The Oltz Tract", recorded in Book 9 of Maps at Page 31, Tulare County Records. The vacation of the subject portion of Meredith Drive, also designated as County Road D228A, will exclude 0.54 miles from the Tulare County Maintained Mileage System.

Due notice of said public hearing, as shown on Attachment G – Notice of Public Hearing, was given by mailed notice, publication, and posting pursuant to Streets and Highways Code sections 8321(e), 8322 and 8323, respectively.

The General Plan Referral, Administrative Decision No. 0487, as shown on Attachment D, determined the vacation is not in conflict with the Tulare County General Plan. The Environmental Officer determined the vacation is exempt from the California Environmental Quality Act, as shown on Attachment E, Notice of Exemption.

**FISCAL IMPACT/FINANCING:**

There will be **No Net County Cost** to either the General Fund or the Road Fund as a result of this action, other than that necessary for staff to prepare and process the petition for vacation.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

Strategic Initiative 1: Safety and Security includes the goal of improving and maintaining adequate transportation infrastructure. This action promotes that goal by redirecting maintenance activities to active roadways. Strategic Initiative 2: Economic Well Being includes the goal of encouraging growth consistent with the County General Plan. This action corresponds with that goal by allowing self-determination of private property use.

**ADMINISTRATIVE SIGN-OFF:**



Reed Schenke, P.E.  
Director

cc: County Administrative Office

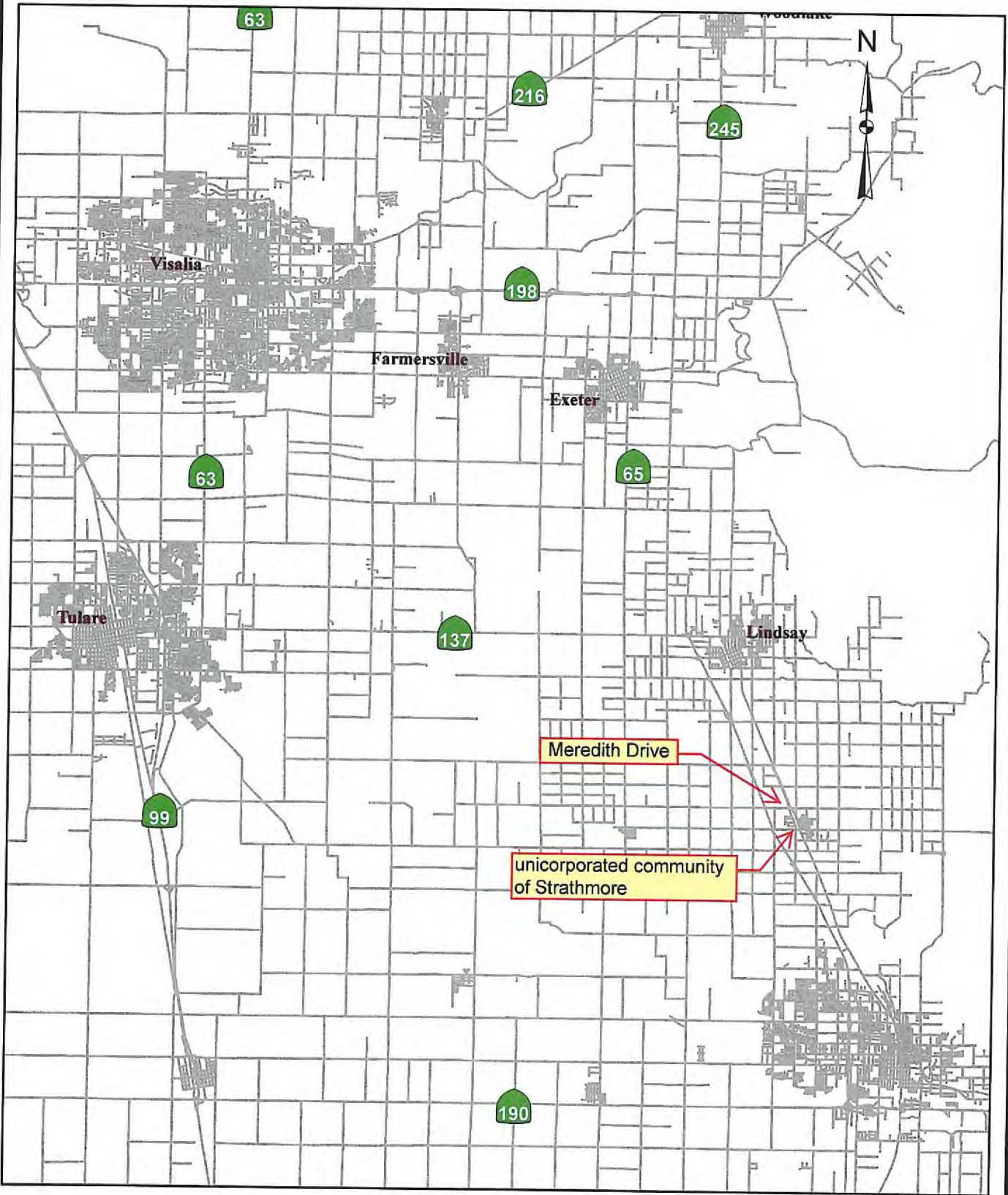
Attachment(s) Attachment A - Vicinity Map  
Attachment B - Location Map  
Attachment C - Petition for Vacation of Right of Way

**SUBJECT:** Conduct a Public Hearing to approve the vacation of Meredith Drive  
between Avenue 200 and Avenue 204

**DATE:** July 17, 2018

Attachment D - General Plan Referral, Administrative Decision  
Attachment E - Notice of Exemption  
Attachment F - Notice of Public Hearing  
Attachment G - Exhibit A, Legal Description

# Attachment A - Vicinity Map



# Attachment B - Location Map



**Attachment C – Petition to Vacate Right of Way**

**Petition for Vacation of County Right-of-way  
County of Tulare, State of California  
To the Honorable Board of Supervisors of the County of Tulare**

The undersigned persons hereby petition the Board of Supervisors of the County of Tulare to vacate the County right-of-way or portion thereof, which is described as follows:

THAT PORTION OF MEREDITH DR (ROAD #2529) BETWEEN AVE 200 ON THE SOUTH AND AVE 204 ON THE NORTH. SEE ATTACHED MAP.

Said petitioners request the Board of Supervisors to vacate the County right-of-way or portion thereof, which is described above, for the following reasons:

SAFETY OF EMPLOYEES ESPECIALLY DURING NIGHT SPRAYING.  
EASIER TO MOVE AND STORE EQUIPMENT DURING HARVEST.  
REDUCE VANDALISM.

In accordance with Resolution No. 2009-0665 the petitioners herewith deposit with the Clerk of the Board of Supervisors the required fee of \$2148.00. The petitioners understand and agree that the \$2148.00 fee deposited with the Clerk shall cover the cost of preparing, publishing and posting notices of hearing, and investigation by the Resource Management Agency and other interested County officers and employees, and that no portion thereof shall be refunded.

Date: 3/4 2012.

- |   |  |
|---|--|
| <p>1. print name <u>ROBERT LOBUE</u><br/>Signature <u>Robert Lobue</u><br/>address <u>240 VALLEY VIEW DR</u><br/>phone <u>559-804-5851</u></p>                  | <p>6. print name <u>Garry Weeks</u><br/>Signature <u>Garry Weeks</u><br/>address <u>745 N. Valencia</u><br/>phone <u>559 553 8648</u></p>  |
| <p>2. print name <u>SARA DETAGER</u><br/>Signature <u>Sara Detager</u><br/>address <u>240 Valley View Dr. Exeter</u><br/>phone <u>559 909-4135</u></p>          | <p>7. print name <u>Philip LoBue</u><br/>Signature <u>Philip LoBue</u><br/>address <u>22114 Ave 208 Lindsay</u><br/>phone <u>(559) 280-5239</u></p>                                |
| <p>3. print name <u>Mike Bettencourt</u><br/>signature <u>Mike Bettencourt</u><br/>address <u>1898 W. Chestnut Exeter</u><br/>phone <u>559-231-6030</u></p>     | <p>8. print name <u>FRED P. LOBUE</u><br/>signature <u>Fred P. Lobue</u><br/>address <u>1750 So. MANZANITA DR.</u><br/>phone <u>Visalia, CA. 93292</u><br/><u>559-805-0837</u></p> |
| <p>4. print name <u>Robert W Peavey</u><br/>signature <u>Robert W Peavey</u><br/>address <u>35414 Rd 176 Visalia Ca 93292</u><br/>phone <u>559 799-5857</u></p> | <p>9. print name <u>Patsy L. Anderson</u><br/>signature <u>Patsy L. Anderson</u><br/>address <u>23001 Ave. 204 Strathmore Ca.</u><br/>phone <u>559-361-2744</u></p>                |
| <p>5. print name <u>Diann Peavey</u><br/>signature <u>Diann Peavey</u><br/>address <u>35414 Rd 176 Visalia 93292</u><br/>phone <u>559 799-2343</u></p>          | <p>10. print name <u>PATRICK KERWIN</u><br/>signature <u>Patrick Kerwin</u><br/>address <u>21341 MAIN DR. WOODLAKE</u><br/>phone <u>559-804-5852</u></p>                           |

In accordance with section 8321 of the Streets and Highways Code of the State of California, this petition must be signed by not less than 10 freeholders, 2 of whom are residents of the road district in which some part of the county right-of-way affected is situated, and are taxable therein for highway purposes.



**Attachment D**

**Administrative Decision No. 0487**

BEFORE THE PLANNING DIRECTOR

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF INVESTIGATION AND )  
REPORT OF PROPOSED VACATION OF ) Administrative Decision No. 0487  
A PORTION OF MEREDITH DRIVE AND )  
GENERAL PLAN REFERRAL NO. GPR 18-002 )

Decision of the Planning Director of the County of Tulare regarding the vacation of right-of-way along a portion of Meredith Drive, being approximately 2,852 feet in length, between Road 200 and Road 204, north of the Community of Strathmore. The vacation of this portion of Meredith Drive will be acquired by the adjacent property owner, Lo Bue Ranches, 240 Valley View Drive, Exeter, CA 93221 situated in Section 29, Township 20 S., Range 27 E., M.D.B. & M., in the County of Tulare, State of California.

WHEREAS, pursuant to Government Code Section 65402 and Public Resources Code Section 21151.2, the Planning Director reviewed the written report prepared by the Tulare County Resource Management Agency Staff in connection with General Plan Referral No. GPR 18-002; and

WHEREAS, this portion of Meredith Drive is a County maintained road; and


WHEREAS, the site is located within the Rural Valley Lands Plan (RVLP), Land Use Element of the Tulare County General Plan and the land use designation is "Valley Agriculture." This designation establishes minimum parcel sizes that are necessary to preserve agricultural lands in increments large enough to support commercial agriculture and discourage the generation of urban land uses in predominantly agricultural areas. The RVLP has the effect of slowing the dilution of required public services and diminish land use incompatibilities associated with non-agricultural uses interspersed with agricultural operations. The proposal is consistent with this policy because the adjacent property is designated for agricultural use and zoned for exclusive agricultural use (AE-20 Zone); and

WHEREAS, Section 3.C of Ordinance No. 352: Zoning Boundaries, states: Where uncertainty exists as to the boundaries of any zone shown on said Zoning Map, the following rules shall apply: (3) Where a public street or alley is officially vacated or abandoned the regulations applicable to abutting property shall apply to such vacated or abandoned street or alley. This portion of Meredith Drive is a County maintained right of way. Assessor's Parcel Number 215-340-007 is the adjacent parcels to the west side of the proposed abandonment. The adjacent parcel is owned by Lo Bue Ranches and is zoned AE-20 (Exclusive Agricultural – 20 acre minimum); therefore, the Zone District to be acquired by the abandoned road portion would be AE-20. The existing use on this site is agriculture (citrus orchard), which is an allowed use in all agricultural zones; therefore, the road vacation would be consistent with Ordinance No. 352, the Zoning Ordinance.

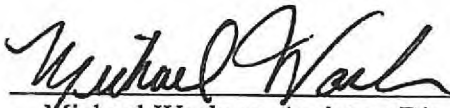
NOW THEREFORE BE IT RESOLVED:

The Planning Director of the County of Tulare hereby adopts the report made by Tulare County Resource Management Agency Staff for General Plan Referral No. GPR 18-002 finding that the vacation of this section of right of way as detailed herein (Exhibit "A") is consistent with the adopted plans and policies of the County of Tulare.

TULARE COUNTY RESOURCE MANAGEMENT AGENCY  
Reed Schenke, P.E., Director

By:   
Aaron Bock, Chief Planner  
Project Processing  
Economic Development & Planning Branch

Date Approved: 6-00-18

By:   
Michael Washam, Assistant Director  
Tulare County Resource Management Agency

Date Approved: 6/7/18

**Attachment E – Notice of Exemption**

# Notice of Exemption

## Fee Exempt per Government Code Section 6103

- 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

<i>Date Filed with Tulare County Clerk</i>

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

**Applicant(s):** Robert LoBue and Petitioners  
240 Valley View Dr.  
Exeter, CA 93221 Phone: (559) 804-5851

**Activity/Project Title:** Vacation of Meredith Dr. between Avenue 200 and Avenue 204, Tulare County, CA.

**Activity/Project Location:** Meredith Dr. between Avenue 200 and Avenue 204, Tulare County, CA.

**Activity/Project Location- Section, Township, Range:** South ½, Section 29, Township 20 South, Range 27 East, M.D.B.&M.

**Project Location - City:** N/A

**Project Location - County:** Tulare

**Description of Nature, Purpose, and Beneficiaries of Project:** Applicant benefits from vacation of County right-of-way which would revert to applicant's property at such time as a Board Resolution approving the vacation is officially recorded.

**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 (14 Cal. Code Regs. Section 15061 (b)(3)) (No Possibility of Significant Impact)
- Categorical Exemption:
- Statutory Exemptions:


**Reasons Why Activity/Project is exempt from CEQA:** The activity is covered by the general rule Section 15061 (b)(3) "General Rule" or "common sense" exemption on the grounds that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**Name of Public Agency Approving Activity/Project:** County of Tulare Board of Supervisors

**Activity/Project Representative:** Mike Bond, County Surveyor

**Area Code/Telephone:** 559-624-7150

Signature:  Date: 6/6/18 Title: Chief Environmental Planner  
Hector Guerra

Signature:  Date: 6/8/18 Title: Environmental Assessment Officer  
Reed Schenke RMA Director

Signed by Lead Agency

Date received for filing at OPR: N/A

**Attachment F – Notice of Public Hearing**

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Tulare County Board of Supervisors will hold a public hearing on July 17, 2018 at 9:30 a.m., or as soon thereafter as it can be heard, in the Chambers of the Board of Supervisors, Administration Building, County Civic Center, 2800 West Burrel, Visalia, California.

The hearing will pertain to the consideration of vacation of right of way:

That portion of Meredith Drive, between Avenue 200 and Avenue 204, located in the Southeast Quarter of Section 29, Township 20 South, Range 27 East, County of Tulare, which is depicted on the Tulare County Assessor's Map, in Book 215 at Page 34.

All interested persons may appear and be heard at said time and place.

If you challenge the decision of the Board of Supervisors on the foregoing matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors of the County of Tulare at, or prior to, the public hearing.

Michael C. Spata  
County Administrator/Clerk,  
Board of Supervisors

**Attachment G – Exhibit A, Legal Description**



**Exhibit A**  
**Legal Description**

That portion of The Oltz Tract, recorded in Book 9 of Maps at Page 31, Tulare County Records, located in the Southeast Quarter of Section 29, Township 20 South, Range 27 East, Mount Diablo Base and Meridian, County of Tulare, State of California, more particularly described as follows:

The easterly 50 feet of said The Oltz Tract, measured perpendicular to the easterly line of said The Oltz Tract, lying north of the north line of Avenue 200, being the north line of the south 25 feet of said Southeast Quarter of Section 29, and lying south of the south line of Avenue 204, being the south line of the north 20 feet of said Southeast Quarter of Section 29.

Reserving therefrom an easement and right necessary to construct, maintain, operate, replace, remove, and renew public utility facilities in, upon, over, and across the above described portion of said The Oltz Tract.

The area of the above described portion of said The Oltz Tract is 3.29 acres, more or less.

MRB  
Michael R. Bond, L5852

05-24-18  
Date





# Vacation of Meredith Drive

Between Avenue 200 and Avenue 204

Tulare County  
Resource Management Agency

Presentation to: Tulare County Board of Supervisors

July 17, 2018

## Overview of Proposed Road Vacation

□ Request:

A portion of Meredith Drive between Avenue 200 and Avenue 204 to be vacated.

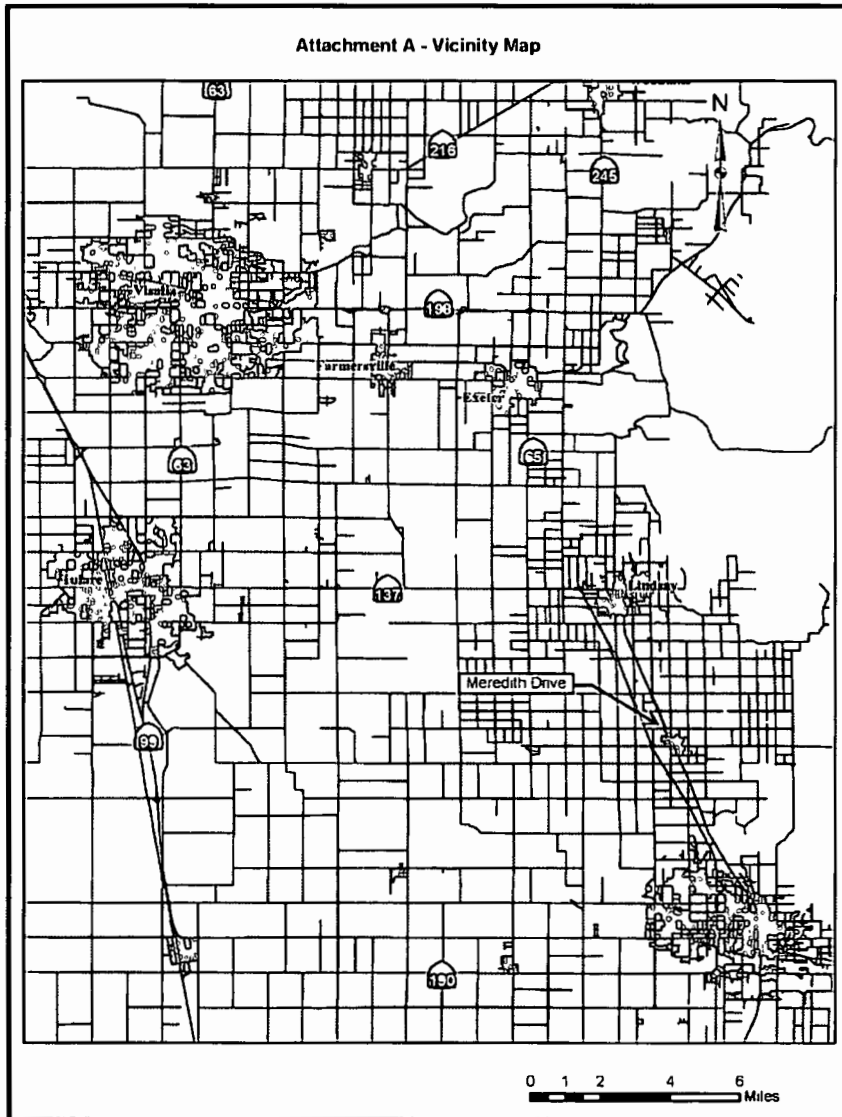
□ Purpose:

Safety of employees during farming operations related to harvest;  
Reduce vandalism.

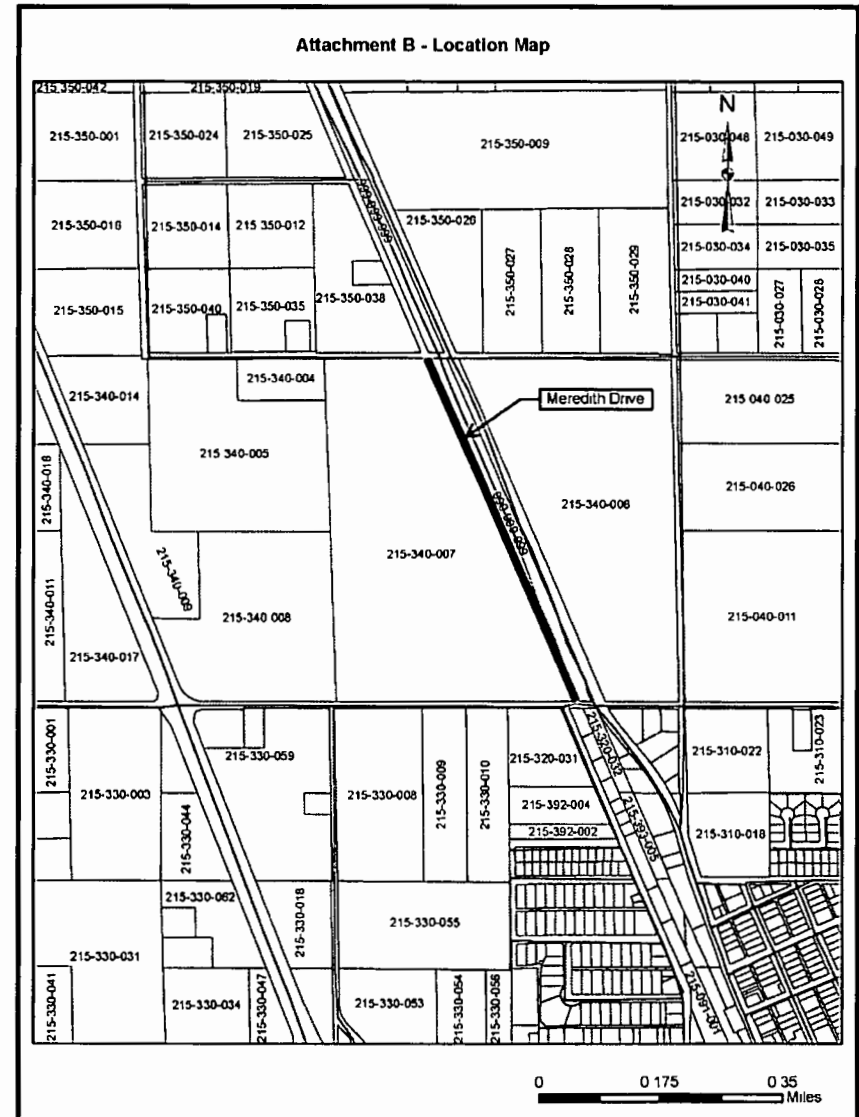
- *Vacation of Meredith Drive, also designated as County Road D228A, will exclude 0.54 miles from the Tulare County Maintained Mileage System.*
- *Traffic circulation will not be impacted.*

# Location

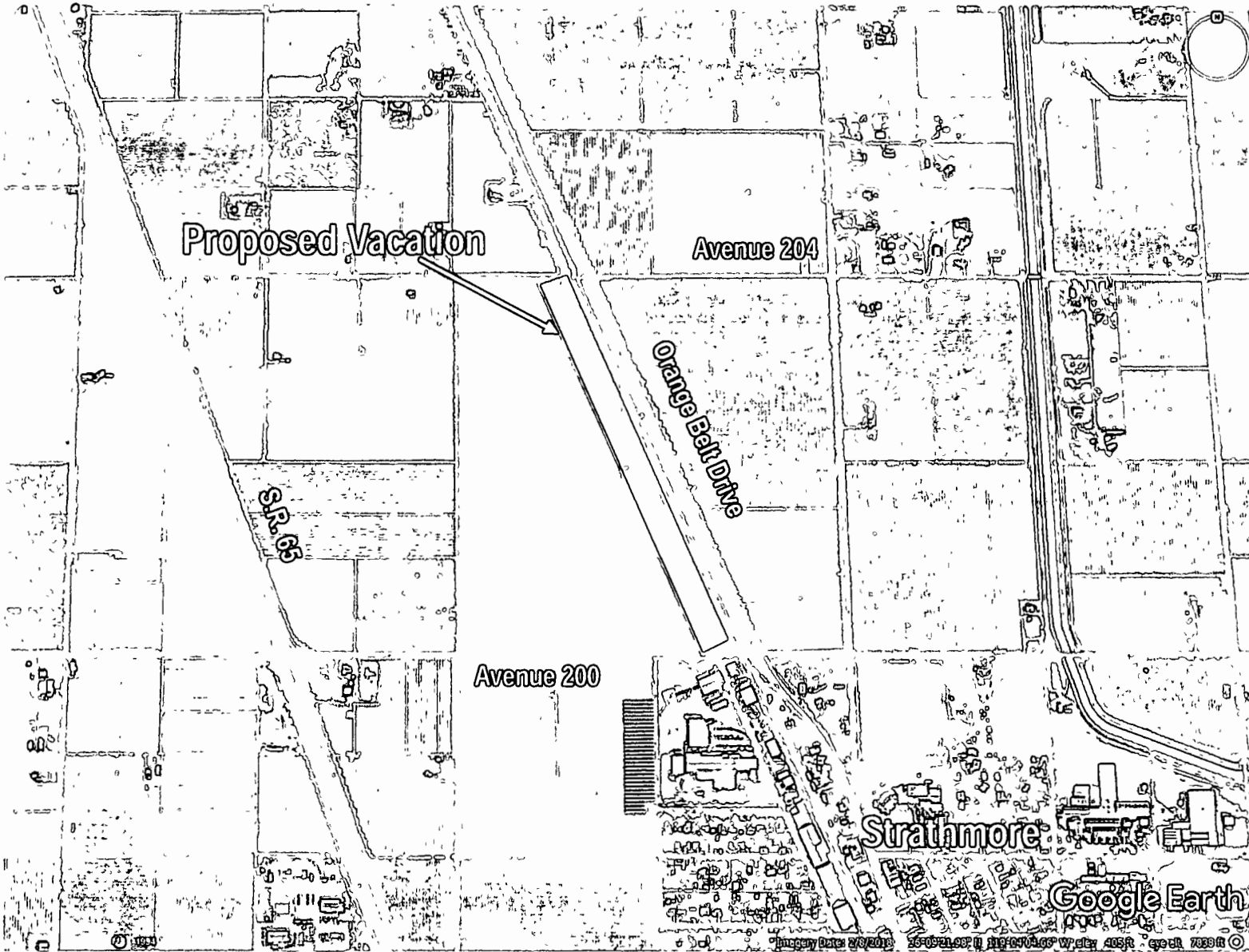
Attachment A - Vicinity Map



Attachment B - Location Map



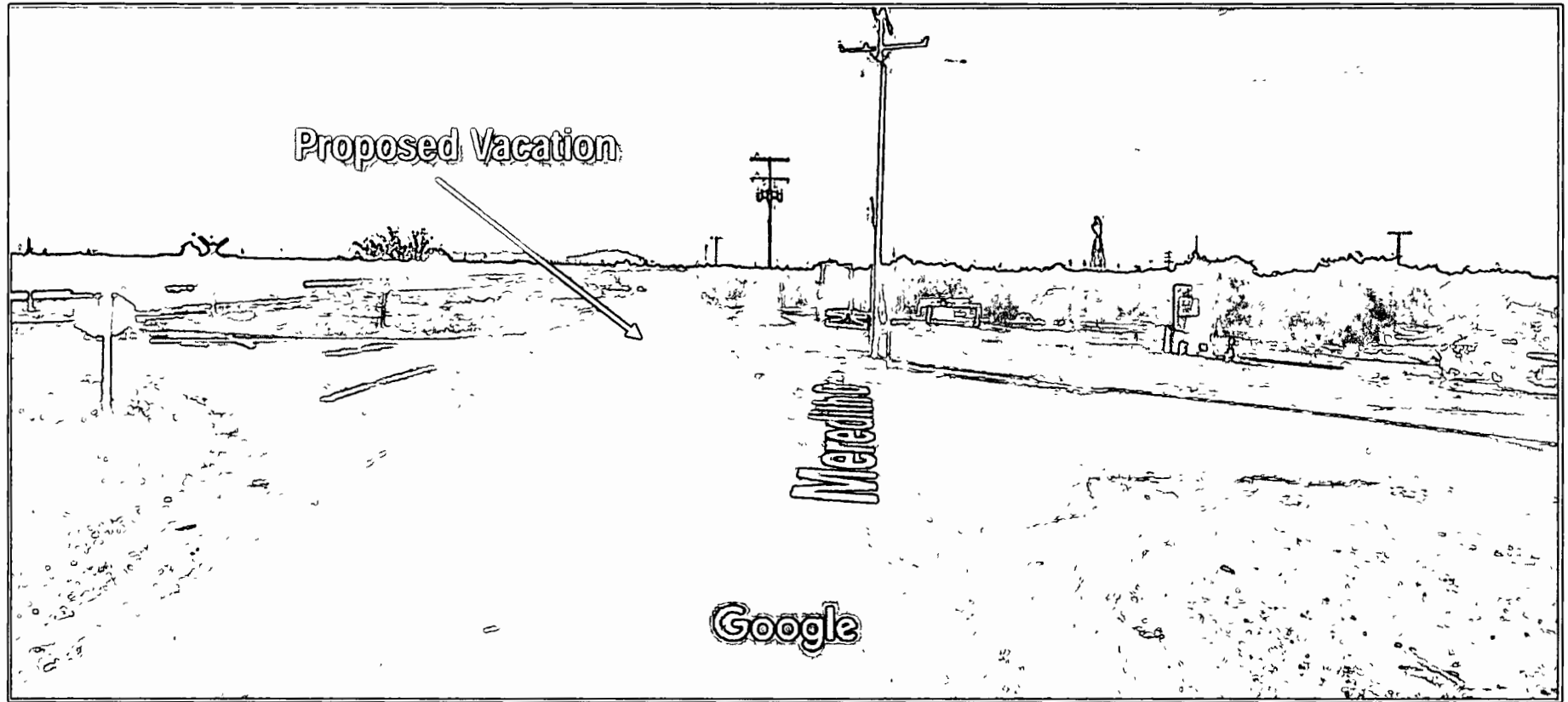
# Aerial View (view to north)



View (view to north)  
from Avenue 200



View (view to south)  
from Avenue 204



## Summary of Request

1. Conduct public hearing.
2. Determine the subject excess right of way is unnecessary for present or prospective use and the vacation is in the public interest.
3. Order the subject right of way be vacated, reserving and excepting an easement and right for public utilities.
4. Determine the vacation is Exempt from CEQA.
5. Direct the Clerk of the Board to cause a certified copy of the Resolution to be recorded.