



**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: October 9, 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: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZC 17-045 – Kaur/Lemon Cove

REQUEST(S):
That the Board of Supervisors:

1. Hold a Public Hearing at 9:30 a.m., or shortly thereafter, to receive public comment and testimony on the proposed Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance, for Change of Zone No. PZC 17-045 to change the zone on approximately 0.8 acres (34,000 sq. ft.) from AE-40 (Exclusive Agriculture – 40 acre minimum) to “O” (Commercial Recreation), on property located on the south side of State Route 216, approximately 40 feet west of State Route 198, north of Lemon Cove.
2. Accept the Categorical Exemption as the appropriate environmental determination, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14, Cal. Code Regulations Section 15303, pertaining to New Construction or Conversion of Small Structures.
3. Direct the Environmental Assessment Officer, or designee, to file a Notice of Exemption with the Tulare County Clerk as provided by CEQA.
4. Adopt the findings of approval, as set forth in Planning Commission Resolution No. 9508 for Zone Change No. PZC 17-045.
5. Adopt the Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance for Zone Change No. PZC 17-045.
6. Direct the Clerk of the Board to publish the adopted Ordinance and Amended Zoning Map.

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZC 17-045 – Kaur/Lemon Cove

DATE: October 9, 2018

SUMMARY:

The Tulare County Resource Management Agency has received a request from Harinderpal Kaur for a change the zone on a ±34,000 sq. ft. (0.8 acres) parcel from AE-40 (Exclusive Agriculture – 40 acre minimum) to O (Recreation), on property located on the south side of State Route 216, approximately 40 feet west of State Route 198, north of Lemon Cove (APN 113-160-026). The adjacent parcel to the east is also owned by the applicant and is already zoned for recreational uses (O). The applicant proposes to merge the two parcels and develop a motel on the southern portion of the site. Since this parcel is only ±34,000 sq. ft. (0.8 acres), it is not suitable for farming and this change of zone would allow the applicant to provide the highest and best use for the property.

ENVIRONMENTAL SUMMARY:

The environmental determination is a Categorical Exemption in accordance with the California Environmental Quality Act and the State CEQA 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 use of Section 15303 is applicable and appropriate because the proposal is to build a motel not exceeding 10,000 sq. ft. in floor area on a site zoned for such use.

ENTITLEMENT(S):

Section 9.7 “AE-40”: The existing zoning for APN 113-160-026 is AE-40 and is intended for agricultural operations. The Exclusive Agricultural – 40 acre minimum zone is an exclusive zone for intensive and extensive agricultural uses and for those uses which are a necessary and integral part of intensive and extensive agricultural operations. This zone also allows growing and harvesting of fruit and nut trees, vines, vegetables, horticultural specialties, and timber, as well as the raising and slaughter of poultry, rabbit and other furbearing animals and the raising of sheep, goats, horses, swine and bovine animals.

Section 8.05 “O” Recreation Zone: The requested O Zone allows the following uses by-right: Any use permitted in the R-3, Multiple Family Zone; Growing and harvesting of field crops, fruit and nut trees; Raising and slaughter of rabbits and other fur-bearing animals; Raising and slaughter of poultry; Raising of sheep, goats, horses, mules, bovine animals, and other similar domesticated Quadrupeds; Apartment Hotel; Grocery store; Motel; Restaurant; Identification signs; and more.

GENERAL PLAN CONSISTENCY:

The County’s General Plan Amendment Policy provides that *the Board shall, among other considerations give consideration as to the public need or necessity of the amendment and whether the proposed amendment would further the goals, objectives, policies and the general plan and not obstruct their attainment* (Policies and Procedures 391).

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZC 17-045 – Kaur/Lemon Cove

DATE: October 9, 2018

The project site is located within the Rural Valley Lands Plan (RVLP) and outside of a County adopted Urban Boundary. The General Plan land use designation for the project site is “Valley Agriculture” and zoned AE-40 (Exclusive Agriculture – 40 acre minimum). Valley Agriculture is designed for intensive agricultural use with a minimum 10-acre parcel size.

Policy PF 1.2: Location of Urban Development. In order for an area to be rezoned to a non-agricultural use, the RVLP policies and checklist are used to determine the agricultural viability of the site. If the parcel does not meet the criteria of the RVLP Checklist, it should not be rezoned.

Outside of an UAB if the number of points accumulated is 17 or more, then the parcel shall remain agriculturally zoned. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a “gray” area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors may make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by the system.

A detailed evaluation of the parcel under the RVLP was completed for the project on July 26, 2018. Under the RVLP evaluation system, the subject site received 4 points, indicating that the site may be considered for non-agricultural zoning (Attachment No. 3).

The proposed change in zone designation from AE-40 to O is consistent with General Plan 2030 policy as determined by the RVLP analysis.

PROJECT HISTORY:

The Planning Commission recommended the Board of Supervisors approve a categorical exemption and Change of Zone No. PZC 17-045 by Resolution No. 9508 on August 22, 2018 (Attachment 2). Zone Change Initiation No. PZC 17-044 was approved by the Board of Supervisors on April 3, 2018 by Resolution No. 2018-0218. Two Code Violations have been issued on the parcel (2003 & 2016), which were remediated and closed; otherwise, there has been no activity. This parcel was created with Certificate of Compliance No. PCC 18-008, approved by the Director on July 30, 2018.

The Farm Bureau was noticed and did not provide any comment.

FISCAL IMPACT/FINANCING:

No Net County Cost. The applicant cost for a zone change was an initial deposit of \$6,451 to the Tulare County Resource Management Agency. Additional fees of \$100 per hour are charged if actual cost of processing the Zone Change application exceeds the deposit. CEQA documentation and compliance for the project is also

SUBJECT: Amendment to the Tulare County Zoning Ordinance No. 352 for Zone Change No. PZC 17-045 – Kaur/Lemon Cove

DATE: October 9, 2018

charged at a full cost recovery basis.

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 requested zone change amendment helps encourage growth consistent with the County General Plan.

ADMINISTRATIVE SIGN-OFF:



Aaron R. Bock, MCRP, JD, LEED AP
Interim Assistant Director
Economic Development & Planning



Michael Washam
Associate Director



Reed Schenke, P.E.
Director

cc: County Administrative Office

Attachment 1 – Ordinance and Zoning Map

Attachment 2 – Copy of Planning Commission Resolution No. 9508

Attachment 3 – RVLP Analysis

Attachment 4 – Planning Commission Staff Report for PZC 17-045

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

IN THE MATTER OF AMENDMENT TO THE) Resolution No. _____
TULARE COUNTY ZONING ORDINANCE) Ordinance No. _____
NO. 352 FOR ZONE CHANGE NO.)
PZC 17-045 – KAUR/LEMON COVE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD ON OCTOBER 9, 2018 BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

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

BY: _____
Deputy Clerk

* * * * *

That the Board of Supervisors:

1. Held a Public Hearing at 9:30 a.m., or shortly thereafter, to receive public comment and testimony on the proposed Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance, for Change of Zone No. PZC 17-045 to change the zone on approximately 0.8 acres (34,000 sq. ft.) from AE-40 (Exclusive Agriculture – 40 acre minimum) to “O” (Commercial Recreation), on property located on the south side of State Route 216, approximately 40 feet west of State Route 198, north of Lemon Cove.
2. Accepted the Categorical Exemption as the appropriate environmental determination, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14, Cal. Code Regulations Section 15303, pertaining to New Construction or Conversion of Small Structures.

3. Directed the Environmental Assessment Officer, or designee, to file a Notice of Exemption with the Tulare County Clerk as provided by CEQA.
4. Adopted the findings of approval, as set forth in Planning Commission Resolution No. 9508 for Zone Change No. PZC 17-045.
5. Adopted the Amendment to Ordinance No. 352, the Tulare County Zoning Ordinance for Zone Change No. PZC 17-045.
6. Directed the Clerk of the Board to publish the adopted Ordinance and Amended Zoning Map.

Attachment 1
Ordinance and Zoning Map

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ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, BEING AN ORDINANCE ESTABLISHING AND REGULATING LAND USES WITHIN CERTAIN ZONES IN THE COUNTY OF TULARE.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE DO ORDAIN AS FOLLOWS:

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of the Northwest ¼ of Section 2, Township 18 South, Range 27 East, Mount Diablo Base and Meridian, being a subdivision of Part 373 of the Official Zoning Maps. A map showing the O (Recreation) zoning approved for approximately 0.8 acres of the property is attached hereto and incorporated herein by reference.

Section 2. The property affected by the zoning reclassification from AE-40 and O, filed as Change of Zone Case No. PZC 17-045 is briefly described as follows: Being approximately 0.8 acres, located on the south side of State Route (SR) 216, approximately 40 feet west of SR 198, north of Lemon Cove (APN 113-160-026).

Section 3. This Ordinance shall take effect thirty (30) days from the date of the passage hereof, or if published more than 15 days after the date of passage, then 30 days after publication, whichever is later, and, shall be published once in the Visalia Times Delta, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the day of , 2018, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

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AYES:

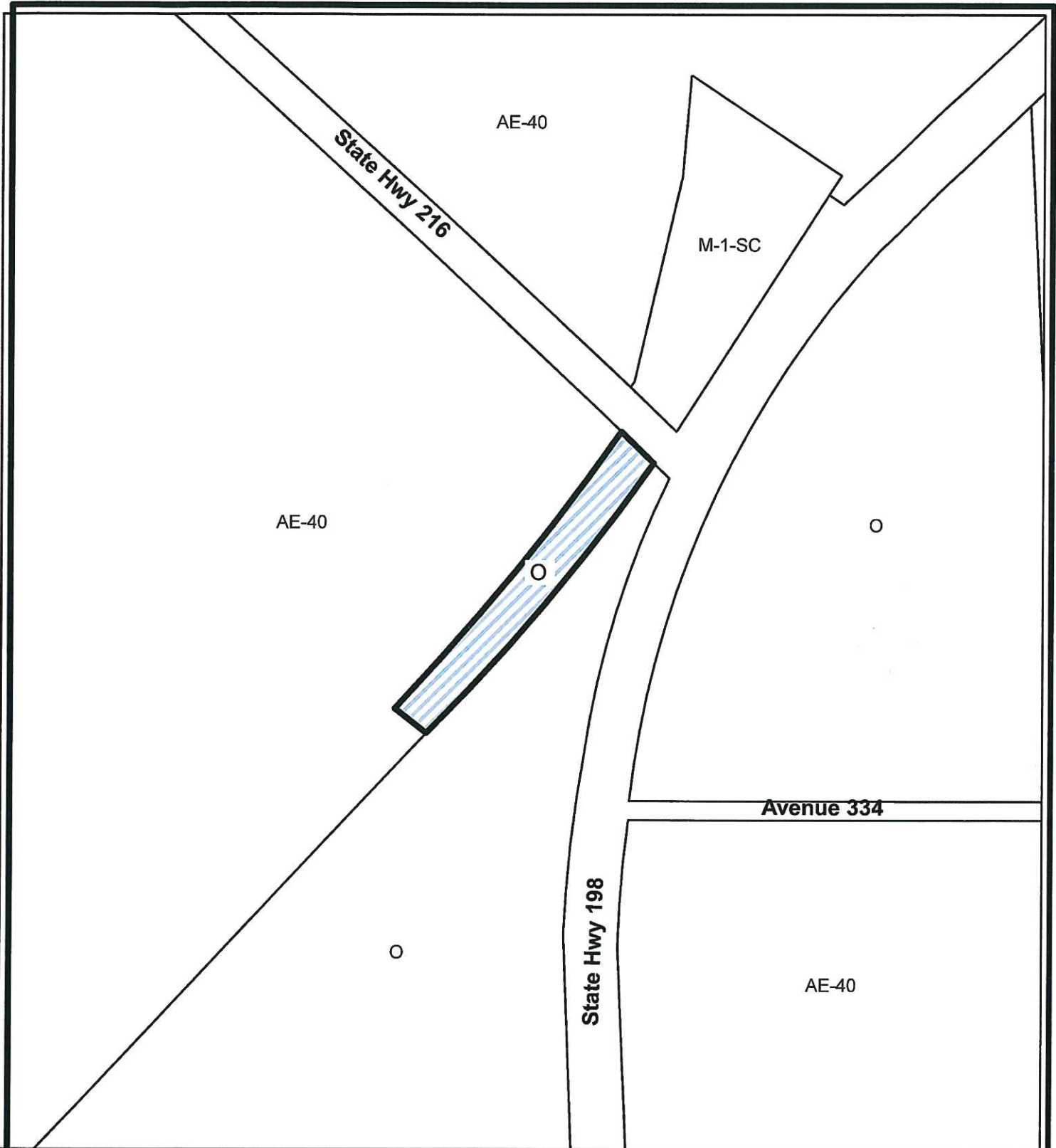
NOES:

ABSENT:

Chairman, Board of Supervisors

ATTEST: Michael C. Spata
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy



APN: 113-160-026,
APROX. 0.78 AC.

Zone Change from AE - 40 to O
(PZC 17-045)



ORDINANCE NO. _____
AMENDING A PORTION OF PART 373
SEC. 2, T 18 S, R 27 E, M.D.B.& M.

OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.

TULARE COUNTY BOARD OF SUPERVISORS
ADOPTED: ____ / ____ / ____

Attachment 2

Planning Commission Resolution No. 9508

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE)
ZONING REGULATIONS, CASE NO. PZC 17-045) RESOLUTION NO. 9508
KAUR)

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a categorical exemption and a petition by Harinderpal Kaur, PO Box 44209, Lemon Cove, CA 93244 (Property Owner: Same) for a requested change of zone from the AE-40 (Exclusive Agriculture – 40 acre minimum) Zone to the O (Recreation) Zone, on a 0.8-acre parcel, located on the south side of State Route (SR) 216, approximately 40 feet west of SR 198, north of Lemon Cove (APN 113-160-026; Section 2, Township 18 South, Range 27 East, MDB&M) .

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of Ordinance No. 352, the Zoning Ordinance, and

WHEREAS, the Planning Commission has given notice of the Ordinance amendment as provided in Section 18 of said Ordinance No. 352 and Section 65854 of the Government Code of the State of California, and

WHEREAS, staff has performed necessary investigations, prepared a written report (made a part hereof), and recommended approval of this Ordinance amendment, and

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

WHEREAS, on August 9, 2018, 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, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on August 22, 2018, and

WHEREAS, at that meeting of the Planning Commission public testimony was received and recorded from no one who spoke in support of the project, and no one spoke in opposition to the project.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Categorical Exemption that was prepared for the project and is applicable to the project site and the Change of Zone, together with any comments received during the public review process, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, prior to taking action on the Change of Zone.

B. This Planning Commission hereby determines the following findings were relevant in evaluating this application:

1. The applicant has requested a Change of Zone No. PZC 17-045 to reclassify 0.8 acres located on the south side of State Route (SR) 216, approximately 40 feet west of SR 198, north of Lemon Cove, from the AE-40 Zone to the O Zone.
2. Subject parcel APN 113-160-026 is presently zoned AE-40 and contains an old shed that is utilized for storage. The surrounding properties are zoned as follows: the property to the east is zoned O, is owned by the applicant, and contains a mini mart and gas station; the property across SR 198 is also zoned O and contains a restaurant and agriculture; the property to the south is zoned O and contains agriculture; the property to the north is zoned M-1-SC and contains an old recycling center; and the property to the west is zoned AE-40 and contains a canal and agriculture.
3. The site was created by Certificate of Compliance No. PCC 18-008, approved by the Director on July 30, 2018, and recorded on August 14, 2018 as Doc. #2018-0044352. Project Review Committee No. PRC 17-073 was approved on November 16, 2017 to allow the submission of the zone change initiation. PZC 17-044 (Initiation) was approved by the Board of Supervisors on April 3, 2018 by Resolution No. 2018-0218.
4. The project is a Change of Zone on a ±34,000 sq. ft. (0.8 acres) parcel from AE-40 (Exclusive Agriculture – 40 acre minimum) to O (Recreation). The adjacent parcel on the east is also owned by the applicant and is already zoned for recreational uses (O). The applicant proposes to merge the two parcels and develop a motel on the southern portion of the site. Since this parcel is only ±34,000 sq. ft. (0.8 acres) it is not suitable for farming and this change of zone would allow the applicant to provide the highest and best use for the property.
5. The requested “O” zoning allows any permitted use in the R-3 (Multiple-Family), R-2 (Two-Family), R-1 (Single-Family), as well as hotels/motels, grocery stores, guest ranches, resorts, restaurants, and other uses associated with recreation. The maximum building height is 35 feet, the front yard depth is 15 feet, minimum side yard is five feet, and rear yard depth is 20 feet. The minimum lot area is 10,000 sq. ft. and the maximum site area coverage by structures is 20 percent of the total area of the site.
6. Several comments were submitted by other agencies; however, since a change of zone cannot be conditioned, the following comments are for informational purposes only. Environmental Health: (1) The existing septic system may have sufficient capacity to support the proposed development. If it does not, then additional septic infrastructure may be required. New systems, or system expansions may require a site evaluation and submission of a design report. Site evaluations must be done by a Qualified Professional and reports are to be submitted to Tulare County environmental Health

Services Division (TCEHSD). (2) If the water from the well will be used for human consumption, by at least 25 individuals daily, for at least 60 days out of the year, then public water system registration/permitting may be required with the Regional Water Quality Control Board. (3) If food service will be a feature of the business and the operation will meet the definition of a food facility, then the site will be subject to the food facility requirements found in the California Retail Food Code. (4) If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 15825-116090). Fire Department: (1) Any new construction would require the submittal of plans for fire department review and would have to meet all current fire and life safety requirements. (2) The construction of a Motel would require water for fire department suppression operations in accordance with the current Fire Code or NFPA 1142. Caltrans: (1) Any proposed development on the site shall be submitted to Caltrans for review of potential impacts to the State Highway System. (2) The motel project may be required to dedicate right of way to Caltrans for future improvements to SR 216 and SR 198. (3) Construction of right turn lane(s) into the site may be needed to accommodate travel speeds, traffic volumes, and sight distance. (4) An encroachment permit will be required for any access to the State Highway System

7. The site is located inside the Rural Valley Lands Plan (RVLP) and the Land Use Designation is "Valley-Agriculture". A detailed evaluation of the parcel under the RVLP was completed for the project on July 26, 2018. Under the RVLP evaluation system, the subject site received 4 points, indicating that the site may be considered for non-agricultural zoning. The proposed change in zone designation from AE-40 to O is consistent with General Plan 2030 policy as determined by the RVLP analysis.
8. The environmental determination is a Categorical Exemption in accordance with the California Environmental Quality Act 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 use of Section 15303 is appropriate and compatible because the applicant proposes to build a motel not exceeding 10,000 sq. ft. in floor area on a site zoned for such use.
9. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution No. 2010-2927, a Notice of Intent to Collect Tulare County Public Facilities Fees, also known as Developer Impact Fees; therefore, new development may be subject to County Development Impact Fees.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Ordinance amendment (Exhibit A) and Zoning Map (Exhibit B) and Site Plan (Exhibit C) to be consistent with the purpose of Ordinance No. 352 and further finds the petition is in conformance with the adopted General Plan for the County of Tulare.

AND, BE IT FURTHER RESOLVED as follows:

D. This Commission hereby recommends that the Board of Supervisors find the Categorical Exemption is the appropriate environmental determination and approve Amendment to the Tulare County Zoning Ordinance, No. 352 via Case No. PZC 17-045 to O.

The foregoing resolution was adopted upon motion of Commissioner Whitlatch, seconded by Commissioner Dias, at a regular meeting of the Planning Commission on August 22, 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 A

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, BEING AN ORDINANCE ESTABLISHING AND REGULATING LAND USES WITHIN CERTAIN ZONES IN THE COUNTY OF TULARE.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE DO ORDAIN AS FOLLOWS:

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of the Northwest ¼ of Section 2, Township 18 South, Range 27 East, Mount Diablo Base and Meridian, being a subdivision of Part 373 of the Official Zoning Maps. A map showing the O (Recreation) zoning approved for approximately 0.8 acres of the property is attached hereto and incorporated herein by reference.

Section 2. The property affected by the zoning reclassification from AE-40 and O, filed as Change of Zone Case No. PZC 17-045 is briefly described as follows: Being approximately 0.8 acres, located on the south side of State Route (SR) 216, approximately 40 feet west of SR 198, north of Lemon Cove (APN 113-160-026).

Section 3. This Ordinance shall take effect thirty (30) days from the date of the passage hereof, or if published more than 15 days after the date of passage, then 30 days after publication, whichever is later, and, shall be published once in the Visalia Times Delta, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the ~ day of ~, 20187, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

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AYES:

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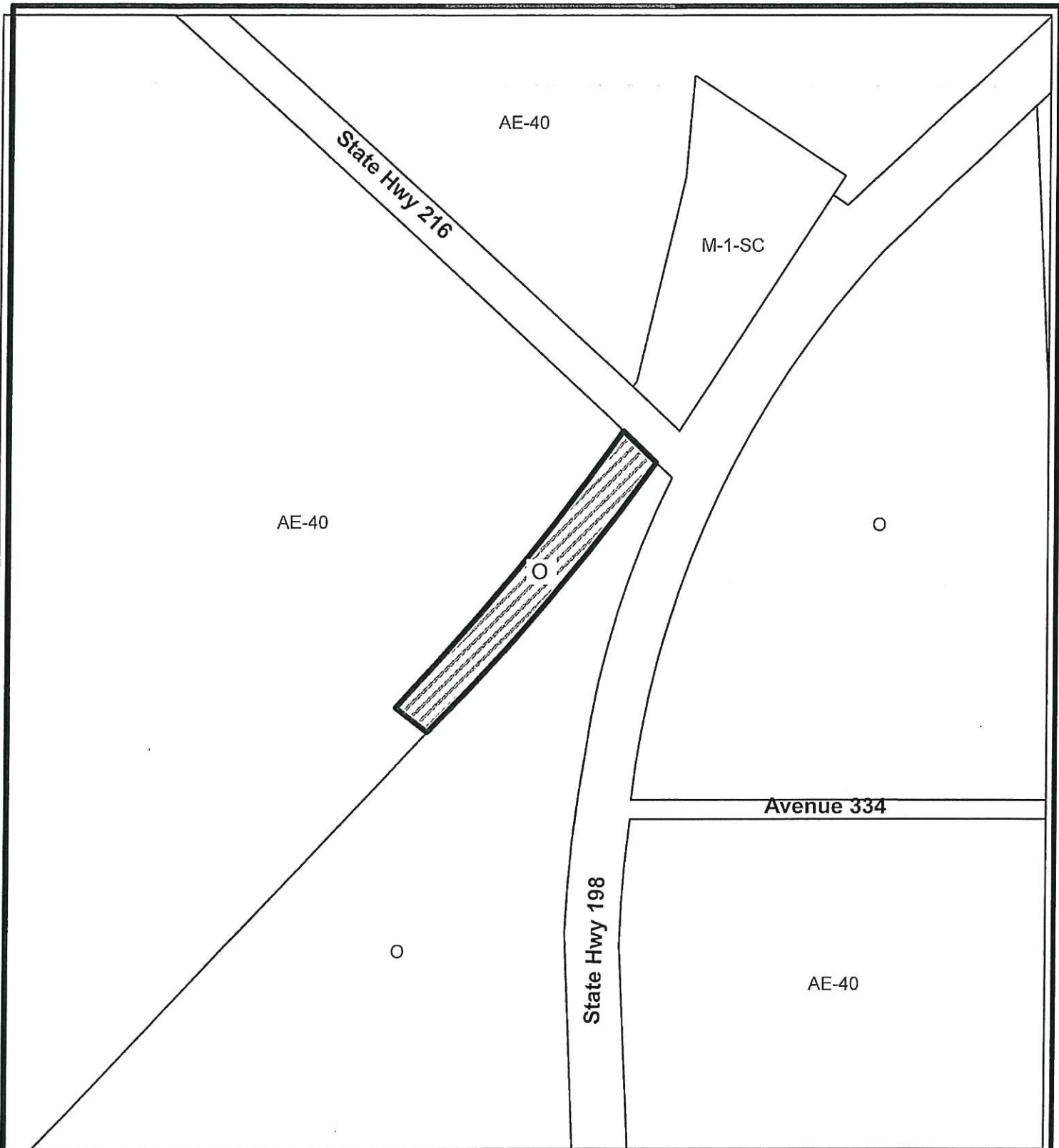
ABSENT:

Chairman, Board of Supervisors

ATTEST: Michael C. Spata
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy

EXHIBIT B



APN: 113-160-026,
APPROX. 0.78 AC.

Zone Change from AE - 40 to O
(PZC 17-045)

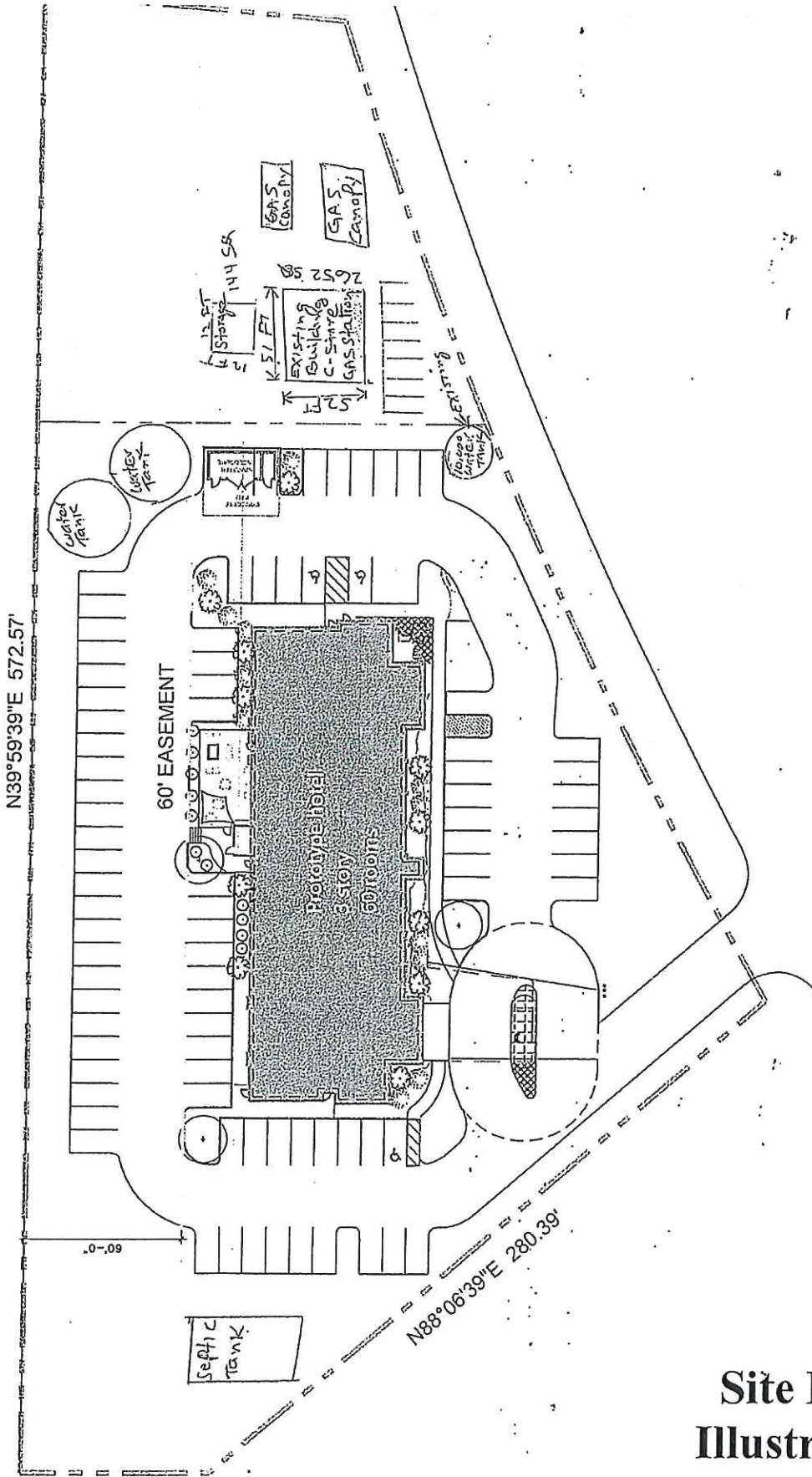
0 200 Feet



ORDINANCE NO. _____
AMENDING A PORTION OF PART 373
SEC. 2, T 18 S, R 27 E, M.D.B. & M.
OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.

TULARE COUNTY BOARD OF SUPERVISORS
ADOPTED: / /

Exhibit C



No Scale

Site Plan
Illustration
PZC 17-045

Attachment 3

RVLP Analysis

RURAL VALLEY LANDS PLAN -- PARCEL EVALUATION CHECKLIST

A. RESTRICTED TO AGRICULTURE VALUES

If a following factor meets the "Restricted to Agriculture" criteria, place an "R" in the value column and stop the evaluation; if the factor meets the "Nonagricultural" criteria, place a "0" in the value column and continue the evaluation.

	VALUE
1. Agricultural Preserve Status	[0]
2. Limitations for Individual Waste Disposal Facilities	[0]

B. VARIABLE POINT VALUE

Each of the following land capability ratings (as per USDA Soil Conservation Service data) have been awarded a number value, as follows:

LAND CAPABILITY	POINT VALUE	
Class I, II, or III	4 points	[0]
Class IV	2 points	[0]
Class V, VI, or VII	0 points	[0]

For the following factor, determine the land capability rating(s) of the parcel under review and award its corresponding point value.

Class I, II, or III	(4 points)	[4]
Class IV	(2 points)	[0]
Class V, VI or VII	(0 points)	[0]

C. POINT VALUES

If a following factor meets the highest relative suitability criteria, award the factor the number of points listed for the category; if the factor meets the lowest relative suitability criteria, award it a "0".

FOUR POINT VALUE CATEGORY

1. Existing Parcel Size (use gross acreage figure)	[0]
2. Existing Land Use/Suitability for Cultivation	[0]

THREE POINT VALUE CATEGORY

1. Surrounding Parcel Size (do not evaluate this factor if the site received "0" points for 'Existing Land Use/Suitability for Cultivation'; enter a "0" in such cases)	[0]
2. Surrounding Land Use	[0]
3. Proximity to Inharmonious Uses (NOTE: Flexible Point Value applicable in some cases)	[0]
4. Proximity to Lands in Agricultural Preserves	[0]

TWO POINT VALUE CATEGORY

1. Level of Ground Water and Soil Permeability	[0]
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ONE POINT VALUE CATEGORY

1. Proximity to Fire Protection Facilities (NOTE: Three Point Value applicable in some cases)	[0]
2. Access to Paved Roads	[0]
3. Historical Sites, Archaeological Sites, Wildlife Habitats, and/or Unique Natural Features	[0]
4. Flood Prone Areas	[0]
5. Availability of Community Domestic Water/Fire Flow Requirements	[0]
6. Surface Irrigation Water	[0]
7. Groundwater Recharge Potential (do not evaluate this factor if the site received "0" points for 'Surface Irrigation Water'; enter "0" in such cases)	[0]

BACK-UP STATEMENT FOR RVLP EVALUATION CHECKLIST
FOR
PZC 17-045 – Harinderpal Kaur

PARCELS EVALUATED: The 2.71-acre parcel was evaluated under the RVLP point evaluation checklist system. The parcel involved assessor parcel number (APN) 141-010-027.

A. RESTRICTED TO AGRICULTURAL VALUES

1. Agricultural Preserve Status:

The subject site is not under Williamson Act Contract.

2. Limitation for Individual Waste Disposal Facilities:

No limitations.

B. VARIABLE POINT VALUE

1. Land Capability:

The Soil Conservation Service has rated the agricultural capability of the soil, San Joaquin Loam, as Class IIIe-3 (irrigated) and Class IVe-3 (non-irrigated). This soil type is not considered Prime; it has severe limitations as to the choice of plants, or requires special conservation practices, or both. The site has met the Highest Relative Suitability; therefore, this factor received an allocation of 4 points.

C. POINT VALUES

4 POINT VALUE

1. Existing parcel size:

The whole project area is 0.8 acres. Justification for determining this factor is to allow development of nonagricultural uses on those parcels which are less than five acres (gross) in size. Since this parcel is less than 5 acres, this factor meets the criteria for lowest relative suitability: 0 points allocated.

2. Existing Land Use/Suitability for Cultivation:

The subject parcel is not in agricultural production. Historically, the 0.8-acre site was former railroad right of way and was only deeded over to the previous owner in 1989. This property has never been in agricultural production since the previous owner's acquisition and is unsuitable for commercial cultivation; therefore, this factor meets the criteria for lowest relative suitability: 0 points allocated.

3 POINT VALUE

1. Surrounding Parcel Size:

Since the site received 0 points for Existing Land Use/Suitability for Cultivation, this criterion is not evaluated and a factor of 0 points is allocated.

2. Surrounding Land Uses:

The site is abutted on two sides with non-agricultural uses and within one-quarter mile of the perimeter of the site, less than 20% of the area is devoted to nonagricultural uses. However, the shape of the parcel, limitation in size, and the fact that it is bound on the west side by a canal, the north side by a highway, and the west side by commercial, is significant evidence to indicate that the parcel is unsuitable for agriculture. Therefore, the site meets the criteria for the lowest relative suitability factor: 0 points allocated.

3. Proximity to Inharmonious Uses:

The subject site is not within one-half mile of any of the inharmonious uses listed. The sand and gravel operation to the west of the subject site is greater than one-half mile distant. Therefore, lowest relative suitability has been met: 0 points allocated.

4. Proximity to Lands Within Agricultural Preserves:

The site is abutted one side by an Agricultural Preserve and within one-quarter mile of the perimeter of the subject site, less than 50% of the area (approximately 30%) is in agricultural preserve. The parcel does not meet any of the criteria for highest relative suitability. Therefore, lowest relative suitability has been met: 0 points allocated.

2 POINT VALUE

1. Level of Groundwater and Soil Permeability:

The site contains San Joaquin Loam (moderate permeability) soil and the water table is greater than 20 feet of the ground surface. The Groundwater Information Center Interactive Map Application, accessed on July 26, 2018, does not have data regarding the exact water depth for this location. In 1995, the high groundwater level was approximately 60 feet at this location. Lowest relative suitability has been met: 0 points allocated.

1 POINT VALUE

1. Proximity to Fire Protection Facilities:

The subject site is provided fire protection services from Station No. 13, Lemon Cove, approximately 2 miles south, which is within the five-mile response distance from fire protection facilities. Lowest relative suitability has been met: 0 points allocated.

2. Access to a Paved County and/or State Maintained Road:

The site has direct access to SR 216 and once the parcel is merged to the adjacent parcel to the east, it will also have direct access to SR 198, both of which are State highways. Lowest relative suitability has been met: 0 points allocated.

3. Historical, Archaeological, Wildlife Habitat, and Unique Natural Features:

None of the aforementioned features exist on site. Lowest relative suitability has been met: 0 points allocated.

4. Flood Prone Areas:

The site is located within FEMA Flood Zone X. The site is not subject to 100-year frequency floods. Lowest relative suitability has been met: 0 points allocated.

5. Availability of Community Domestic Water:

The zone change is for commercial uses; the requirements of the Tulare County Fire Flow Ordinance can be met. Lowest relative suitability has been met: 0 points allocated.

6. Surface Water Irrigated Lands:

The site does not have rights to surface irrigation water. Lowest relative suitability has been met: 0 points allocated.

7. Groundwater Recharge Potential:

Because the site received 0 points for Surface Water Irrigated Lands, this criterion is not to be evaluated: 0 points allocated.

Attachment 4

Planning Commission Staff Report for PZC 17-045



**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
PLANNING COMMISSION
SUMMARY**

PLANNING COMMISSION

CHAIRMAN: Gil Aguilar
VICE-CHAIR: Wayne Millies

COMMISSIONERS:
Melvin Gong
Ed Dias
John Elliott
Bill Whitlatch
Nancy Pitigliano
Vacancy

**AIRPORT LAND USE COMMISSIONERS
(ALUC)**

Bill Whitlatch
Vacancy

5961 S. Mooney
Blvd
Visalia, CA 93277
624-7000 Phone
730-2653 Fax

Project Number: Zone Change PZC 17-045	Agenda Date:	08/22/2018
Applicant: Harinderpal Kaur	Agenda Item Number:	6C
Agent: N/A	AGENDA ITEM TYPE	
Subject: Petition for a change of zone on Assessor's Parcel Number 113-160-026, an approximate 0.80 acre parcel, from AE-40 (Exclusive Agriculture – 40 acre minimum) to "O" (Recreation) on property located on the south side of SR 216, approximately 40 feet west of SR 198, north of Lemon Cove.	Presentation	
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	X
	Continued Public Hearing	
	Discussion	
Exceptions: N/A	ACTION REQUESTED	
	Recommendation to Board of Supervisors	X
Waiver: N/A		
Environmental Review: Categorical Exemption per Title 14, Cal. Code Regulations Section 15303, Class 3		
Motion(s): One Motion	Resolution – Planning Commission	X
Contact Person: Dana Mettlen	Decision - Director	

RECOMMENDATIONS:

That the Planning Commission:

1. Recommend the Board of Supervisors approve a Categorical Exemption 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 New Construction or Conversion of Small Structures; **and** recommend the Board of Supervisors approve Change of Zone No. PZC 17-045.

PLANNING COMMISSION ALTERNATIVES:

Alternative No. 1: Move to recommend approval, subject to modifications as discussed by the Planning Commission

Alternative No. 2: Move to recommend denial

Alternative No. 3: Refer back to Staff for further study and report

PROJECT OVERVIEW:

PZC 17-044 (Initiation) was approved by the Board of Supervisors on April 3, 2018 by Resolution No. 2018-0218. Categorical exemption and Change of Zone No. PZC 17-045 requested by Harinderpal Kaur, PO Box 44209, Lemon Cove, CA 93244 to allow a change of zone on one 0.80-acre parcel, from

SUBJECT: PZC 17-045 - Kaur

AE-40 (Exclusive Agriculture – 40 acre minimum) to O (Recreation) located on the south side of State Route (SR) 216, approximately 40 feet west of SR 198, north of Lemon Cove (APN 113-160-026).

The applicant also owns APN 113-160-003, the adjacent property to the east. This APN -003 is currently zoned “O” and contains a gas station and a small market. If the zone change is approved, the applicant will apply for a merger of the two parcels. The plan is for the construction of a motel on the southern portion of the two merged parcels.

ENVIRONMENTAL SUMMARY:

The environmental determination is a Categorical Exemption in accordance with the California Environmental Quality Act 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 motel will not exceed 10,000 sq. ft. in floor area and is located on a site where the O (Recreation) zone would be compatible with adjacent uses. Section 15030 clearly specifies that motels qualify for this exemption. As such, the use of Section 15303 is applicable and appropriate.

ENTITLEMENT(S):

Section 9.7 “AE-40”: The existing zoning for APN 113-160-026 is AE-40 and is intended for agricultural operations. The Exclusive Agricultural – 40 acre minimum zone is an exclusive zone for intensive and extensive agricultural uses and for those uses which are a necessary and integral part of intensive and extensive agricultural operations. This zone also allows growing and harvesting of fruit and nut trees, vines, vegetables, horticultural specialties, and timber, as well as the raising and slaughter of poultry, rabbit and other furbearing animals and the raising of sheep, goats, horses, swine and bovine animals.

Section 8.05 “O” Recreation Zone: The requested O Zone allows the following uses by-right: Any use permitted in the R-3, Multiple Family Zone; Growing and harvesting of field crops, fruit and nut trees; Raising and slaughter of rabbits and other fur-bearing animals; Raising and slaughter of poultry; Raising of sheep, goats, horses, mules, bovine animals, and other similar domesticated Quadrupeds; Apartment Hotel; Grocery store; Motel; Restaurant; Identification signs; and more.

GENERAL PLAN CONSISTENCY:

The County’s General Plan Amendment Policy provides that *the Board shall, among other considerations give consideration as to the public need or necessity of the amendment and whether the proposed amendment would further the goals, objectives, policies and the general plan and not obstruct their attainment* (Policies and Procedures 391).

The project site is located within the Rural Valley Lands Plan (RVLP) and outside of a County adopted Urban Boundary. The General Plan land use designation for the project site is “Valley Agriculture” and zoned AE-40 (Exclusive Agriculture -40 acre minimum). Valley Agriculture is designed for intensive agricultural use with a minimum 10 acre parcel size.

Policy PF 1.2: Location of Urban Development, urban development within the RVLP plan area may occur only if the area is found to be suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan. In order for an area to be rezoned to a non-

SUBJECT: PZC 17-045 - Kaur

agricultural use, the RVLP policies and checklist are used to determine the agricultural viability of the site. If the parcel does not meet the criteria of the RVLP Checklist, it should not be rezoned.

The RVLP was adopted in order to establish minimum parcel sizes for areas zoned for agriculture outside of urban boundaries to develop a policy that is fair, logical, legally supportable, and consistent in the utilization of resource information in determining the suitability of rural lands for nonagricultural uses. A point evaluation system, which places a point value on 15 factors, is used to determine a site's suitability for nonagricultural zoning. After all the factors have been applied, the number of points the parcel has accumulated are totaled. Outside of an UAB if the number of points accumulated is 17 or more, then the parcel shall remain agriculturally zoned. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors may make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by the system.

A detailed evaluation of the parcel under the RVLP was completed for the project on July 26, 2018. Under the RVLP evaluation system, the subject site received 4 points, indicating that the site may be considered for non-agricultural zoning (Attachment No. 3).

The proposed change in zone designation from AE-40 to O is consistent with General Plan 2030 policy as determined by the RVLP analysis.

PROJECT SUMMARY FOR CHANGE OF ZONE:

Project History: PZC 17-044 (Initiation) was approved by the Board of Supervisors on April 3, 2018 by Resolution No. 2018-0218 (Attachment No. 2). Two Code Violations have been issued on the parcel (2003 & 2016), which were remediated and closed; otherwise, there has been no activity. This parcel was created with Certificate of Compliance No. PCC 18-008, approved by the Director on July 30, 2018.

Project Facts: The project is a Change of Zone on a ±34,000 sq. ft. (0.8 acres) parcel from AE-40 (Exclusive Agriculture – 40 acre minimum) to O (Recreation). The adjacent parcel on the east is also owned by the applicant and is already zoned for recreational uses (O). The applicant proposes to merge the two parcels and develop a motel on the southern portion of the site. Since this parcel is only ±34,000 sq. ft. (0.8 acres) it is not suitable for farming and this change of zone would allow the applicant to provide the highest and best use for the property.

The requested "O" zoning allows any permitted use in the R-3 (Multiple-Family), R-2 (Two-Family), R-1 (Single-Family), as well as hotels/motels, grocery stores, guest ranches, resorts, restaurants, and other uses associated with recreation. The maximum building height is 35 feet, the front yard depth is 15 feet, minimum side yard is five feet, and rear yard depth is 20 feet. The minimum lot area is 10,000 sq. ft. and the maximum site area coverage by structures is 20 percent of the total area of the site.

The ten acres directly east, across SR 198, underwent a change of zone to "O" in 2014 (Griggs). The 2-acre parcel directly north, across SR 216 is zoned M-1-SC and the 26-acre parcel directly south is zoned "O", and 750 feet south of that is the Urban Development Boundary of Lemon Cove. This change of zone would not set a new precedent for non-agricultural zoning within this area.

SUBJECT: PZC 17-045 - Kaur

Several comments were submitted by other agencies; however, since a change of zone cannot be conditioned, the following comments are for informational purposes only.

Environmental Health:

1. Existing septic systems will be subject to the Local Agency Management Program requirements per Part VII, Chapter 1, Articles 1-9, Ordinance of Tulare County, pertaining to Sections 7-01-1320 through 7-15-1575.
2. The existing septic system may have sufficient capacity to support the proposed development. If it does not, then additional septic infrastructure may be required. New systems, or system expansions may require a site evaluation and submission of a design report. Site evaluations must be done by a Qualified Professional and reports are to be submitted to Tulare County environmental Health Services Division (TCEHSD).
3. If the water from the well will be used for human consumption, by at least 25 individuals daily, for at least 60 days out of the year, then public water system registration/permitting may be required with the Regional Water Quality Control Board.
4. If food service will be a feature of the business, and the operation will meet the definition of a food facility, then the site will be subject to the food facility requirements found in the California Retail Food Code.
5. If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 15825-116090).

Fire Department:

1. Any new construction would require the submittal of plans for fire department review and would have to meet all current fire and life safety requirements.
2. The construction of a Motel would require water for fire department suppression operations in accordance with the current Fire Code or NFPA 1142.

Department of Transportation (Caltrans):

1. Any proposed development on the site shall be submitted to Caltrans for review of potential impacts to the State Highway System.
2. The motel project may be required to dedicate right of way to Caltrans for future improvements to SR 216 and SR 198.
3. Construction of right turn lane(s) into the site may be needed to accommodate travel speeds, traffic volumes, and sight distance.
4. An encroachment permit will be required for any access to the State Highway System.

No response from the Farm Bureau.

PUBLIC NOTICE:

Government Code §65009(b) requires the County to include in any public notice pursuant to Government Code, Title 7, Planning and Land Use, a notice substantially stating all of the following: "If you challenge the project 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 County of Tulare at, or prior to, the public hearing."

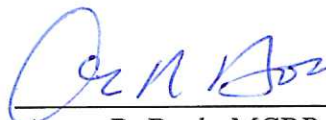
SUBJECT: PZC 17-045 - Kaur

PROJECT PROCESSING



Dana Mettlen, Planner III

ECONOMIC DEVELOPMENT & PLANNING



Aaron R. Bock, MCRP, JD, LEED AP
Interim Assistant RMA Director

ENVIRONMENTAL PLANNING



Hector Guerra
Chief Environmental Planner

RESOURCE MANAGEMENT AGENCY



Michael Washam
Associate Director

ATTACHMENTS:

- Attachment No. 1 – Resolution Recommending Approval of PZC 17-045
 - Exhibit “A” – Draft Ordinance
 - Exhibit “B” – Official Zoning Map
 - Exhibit “C” – Site Plan
- Attachment No. 2 – BOS Reso #2018-0218 approving Zone Change Initiation PZC 17-044
- Attachment No. 3 – Staff Report – Zone Change
- Attachment No. 4 – RVLP Checklist
- Attachment No. 5 – Consulting Agency List and Correspondence
- Attachment No. 6 – Graphics
- Attachment No. 7 – Location and Property Ownership Map for Hearing Notification
- Attachment No. 8 – Public Hearing Notice Information
- Attachment No. 9 – Notice of Exemption

Attachment 1

Resolution Recommending Approval of
Zone Change No. PZC 17-045

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE)
ZONING REGULATIONS, CASE NO. PZC 17-045) RESOLUTION NO.
KAUR)

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a categorical exemption and a petition by Harinderpal Kaur, PO Box 44209, Lemon Cove, CA 93244 (Property Owner: Same) for a requested change of zone from the AE-40 (Exclusive Agriculture – 40 acre minimum) Zone to the O (Recreation) Zone, on a 0.8-acre parcel, located on the south side of State Route (SR) 216, approximately 40 feet west of SR 198, north of Lemon Cove (APN 113-160-026; Section 2, Township 18 South, Range 27 East, MDB&M) .

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of Ordinance No. 352, the Zoning Ordinance, and

WHEREAS, the Planning Commission has given notice of the Ordinance amendment as provided in Section 18 of said Ordinance No. 352 and Section 65854 of the Government Code of the State of California, and

WHEREAS, staff has performed necessary investigations, prepared a written report (made a part hereof), and recommended approval of this Ordinance amendment, and

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

WHEREAS, on ~, 2018, 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, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on ~, 2018, and

WHEREAS, at that meeting of the Planning Commission public testimony was received and recorded from ~ who spoke in support of the project, and ~ spoke in opposition to the project.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Categorical Exemption that was prepared for the project and is applicable to the project site and the Change of Zone, together with any comments received during the public review process, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, prior to taking action on the Change of Zone.

B. This Planning Commission hereby determines the following findings were relevant in evaluating this application:

1. The applicant has requested a Change of Zone No. PZC 17-045 to reclassify 0.8 acres located on the south side of State Route (SR) 216, approximately 40 feet west of SR 198, north of Lemon Cove, from the AE-40 Zone to the O Zone.
2. Subject parcel APN 113-160-026 is presently zoned AE-40 and contains an old shed that is utilized for storage. The surrounding properties are zoned as follows: the property to the east is zoned O, is owned by the applicant, and contains a mini mart and gas station; the property across SR 198 is also zoned O and contains a restaurant and agriculture; the property to the south is zoned O and contains agriculture; the property to the north is zoned M-1-SC and contains an old recycling center; and the property to the west is zoned AE-40 and contains a canal and agriculture.
3. The site was created by Certificate of Compliance No. PCC 18-008, approved by the Director on July ~, 2018. Project Review Committee No. PRC 17-073 was approved on November 16, 2017 to allow the submission of the zone change initiation. PZC 17-044 (Initiation) was approved by the Board of Supervisors on April 3, 2018 by Resolution No. 2018-0218.
4. The project is a Change of Zone on a ±34,000 sq. ft. (0.8 acres) parcel from AE-40 (Exclusive Agriculture – 40 acre minimum) to O (Recreation). The adjacent parcel on the east is also owned by the applicant and is already zoned for recreational uses (O). The applicant proposes to merge the two parcels and develop a motel on the southern portion of the site. Since this parcel is only ±34,000 sq. ft. (0.8 acres) it is not suitable for farming and this change of zone would allow the applicant to provide the highest and best use for the property.
5. The requested “O” zoning allows any permitted use in the R-3 (Multiple-Family), R-2 (Two-Family), R-1 (Single-Family), as well as hotels/motels, grocery stores, guest ranches, resorts, restaurants, and other uses associated with recreation. The maximum building height is 35 feet, the front yard depth is 15 feet, minimum side yard is five feet, and rear yard depth is 20 feet. The minimum lot area is 10,000 sq. ft. and the maximum site area coverage by structures is 20 percent of the total area of the site.
6. Several comments were submitted by other agencies; however, since a change of zone cannot be conditioned, the following comments are for informational purposes only. Environmental Health: (1) The existing septic system may have sufficient capacity to support the proposed development. If it does not, then additional septic infrastructure may be required. New systems, or system expansions may require a site evaluation and submission of a design report. Site evaluations must be done by a Qualified Professional and reports are to be submitted to Tulare County environmental Health

Services Division (TCEHSD). (2) If the water from the well will be used for human consumption, by at least 25 individuals daily, for at least 60 days out of the year, then public water system registration/permitting may be required with the Regional Water Quality Control Board. (3) If food service will be a feature of the business and the operation will meet the definition of a food facility, then the site will be subject to the food facility requirements found in the California Retail Food Code. (4) If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 15825-116090). Fire Department: (1) Any new construction would require the submittal of plans for fire department review and would have to meet all current fire and life safety requirements. (2) The construction of a Motel would require water for fire department suppression operations in accordance with the current Fire Code or NFPA 1142. Caltrans: (1) Any proposed development on the site shall be submitted to Caltrans for review of potential impacts to the State Highway System. (2) The motel project may be required to dedicate right of way to Caltrans for future improvements to SR 216 and SR 198. (3) Construction of right turn lane(s) into the site may be needed to accommodate travel speeds, traffic volumes, and sight distance. (4) An encroachment permit will be required for any access to the State Highway System

7. The site is located inside the Rural Valley Lands Plan (RVLP) and the Land Use Designation is "Valley-Agriculture". A detailed evaluation of the parcel under the RVLP was completed for the project on July 26, 2018. Under the RVLP evaluation system, the subject site received 4 points, indicating that the site may be considered for non-agricultural zoning. The proposed change in zone designation from AE-40 to O is consistent with General Plan 2030 policy as determined by the RVLP analysis.
8. The environmental determination is a Categorical Exemption in accordance with the California Environmental Quality Act 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 use of Section 15303 is appropriate and compatible because the applicant proposes to build a motel not exceeding 10,000 sq. ft. in floor area on a site zoned for such use.
9. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution No. 2010-2927, a Notice of Intent to Collect Tulare County Public Facilities Fees, also known as Developer Impact Fees; therefore, new development may be subject to County Development Impact Fees.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Ordinance amendment (Exhibit A) and Zoning Map (Exhibit B) and Site Plan (Exhibit C) to be consistent with the purpose of Ordinance No. 352 and further finds the petition is in conformance with the adopted General Plan for the County of Tulare.

AND, BE IT FURTHER RESOLVED as follows:

D. This Commission hereby recommends that the Board of Supervisors find the Categorical Exemption is the appropriate environmental determination and approve Amendment to the Tulare County Zoning Ordinance, No. 352 via Case No. PZC 17-045 to O.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

Michael Washam, Secretary

Exhibit A

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 352, THE ZONING ORDINANCE OF TULARE COUNTY, BEING AN ORDINANCE ESTABLISHING AND REGULATING LAND USES WITHIN CERTAIN ZONES IN THE COUNTY OF TULARE.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE DO ORDAIN AS FOLLOWS:

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of the Northwest ¼ of Section 2, Township 18 South, Range 27 East, Mount Diablo Base and Meridian, being a subdivision of Part 373 of the Official Zoning Maps. A map showing the O (Recreation) zoning approved for approximately 0.8 acres of the property is attached hereto and incorporated herein by reference.

Section 2. The property affected by the zoning reclassification from AE-40 and O, filed as Change of Zone Case No. PZC 17-045 is briefly described as follows: Being approximately 0.8 acres, located on the south side of State Route (SR) 216, approximately 40 feet west of SR 198, north of Lemon Cove (APN 113-160-026).

Section 3. This Ordinance shall take effect thirty (30) days from the date of the passage hereof, or if published more than 15 days after the date of passage, then 30 days after publication, whichever is later, and, shall be published once in the Visalia Times Delta, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the day of , 20187, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

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AYES:

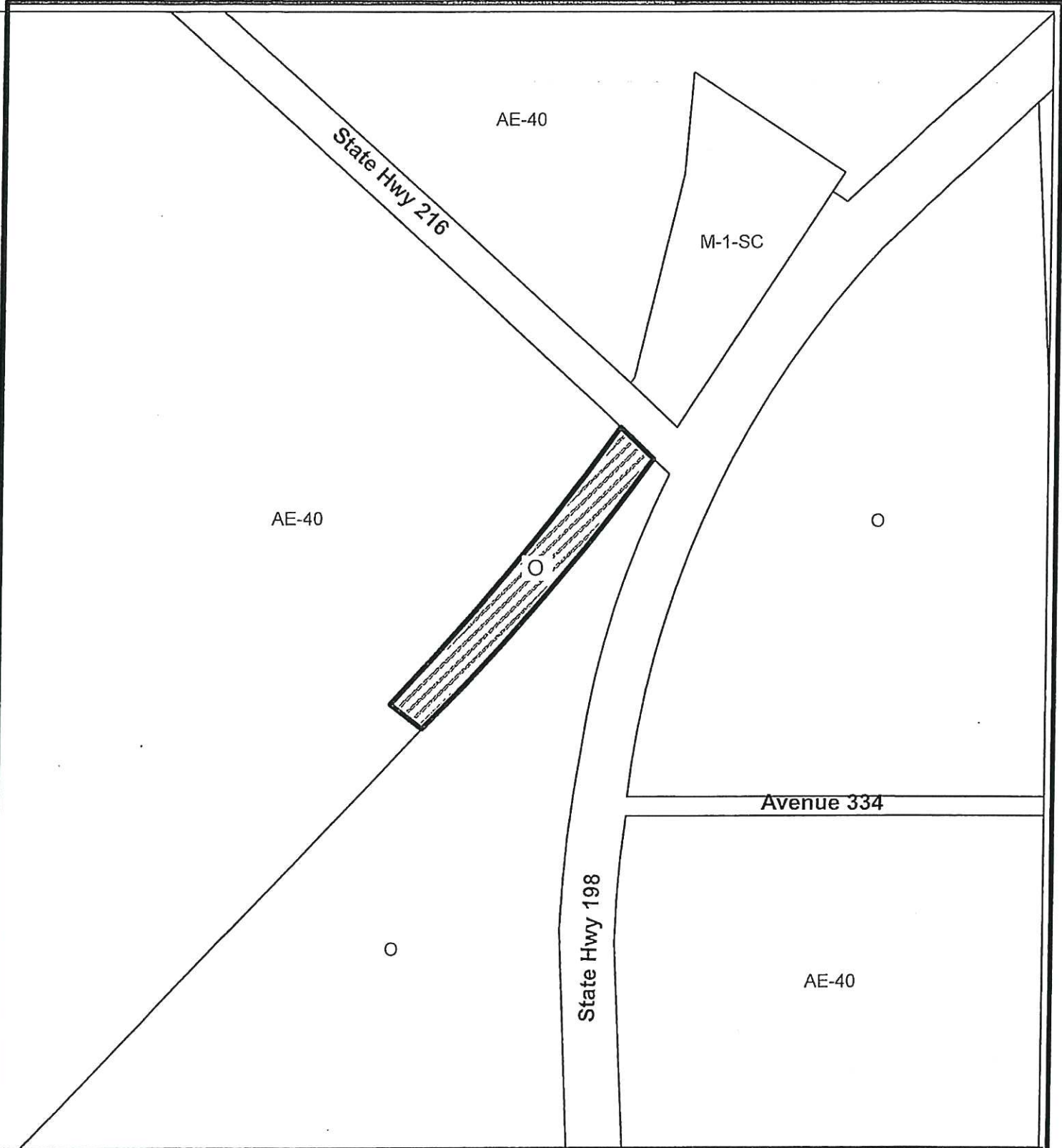
NOES:

ABSENT:

Chairman, Board of Supervisors

ATTEST: Michael C. Spata
County Administrative Officer/Clerk
Board of Supervisors

By: _____
Deputy



APN: 113-160-026,
APROX. 0.78 AC.

Zone Change from AE - 40 to O
(PZC 17-045)

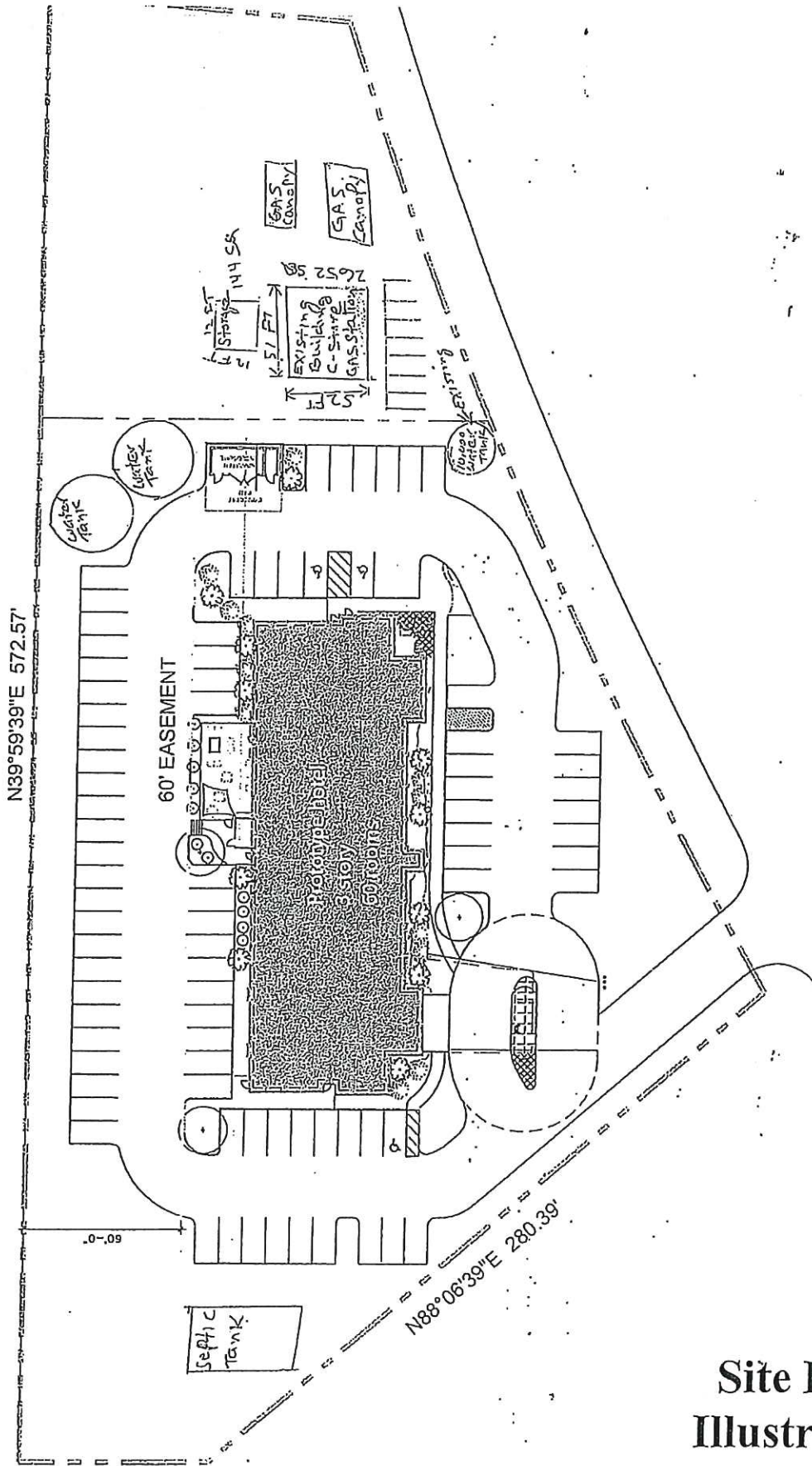


ORDINANCE NO. _____
AMENDING A PORTION OF PART 373
SEC. 2, T 18 S, R 27 E, M.D.B. & M.

OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.

TULARE COUNTY BOARD OF SUPERVISORS
ADOPTED: ____ / ____ / ____

Exhibit C



No Scale

Site Plan
Illustration
PZC 17-045

Attachment 2

BOS Resolution No. 2018-0218
Approving Zone Change Initiation PZC 17-044

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

IN THE MATTER OF ZONE CHANGE)
INITIATION NO. PZC 17-044 KAUR/LEMON) Resolution No. 2018-0218
COVE)

UPON MOTION OF SUPERVISOR ENNIS, SECONDED BY SUPERVISOR CROCKER, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD APRIL 3, 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: Mary Ravello
Deputy Clerk

* * * * *

That the Board of Supervisors:

Authorized Zone Change Initiation No. PZC 17-044 (Kaur/Lemon Cove) to proceed as a Zone Change from AE-40 (Exclusive Agriculture - 40 acre minimum) to "O" (Recreation) for the ±34,000 sq. ft. site, Assessors Parcel Number 113-160-026, located on the south side of State Hwy 216, approximately 50 feet west of the intersection with State Hwy. 198, one-half mile north of Lemon Cove.

Attachment 3

Staff Report for Zone Change No.
PZC 17-045

**TULARE COUNTY RESOURCE MANAGEMENT AGENCY
- ECONOMIC DEVELOPMENT & PLANNING BRANCH -
Staff Report
Zone Change No. PZC 17-045**

I. GENERAL:

1. **Applicant/
Owner:** Harinderpal Kaur
PO Box 44209
Lemon Cove, CA 93244

2. **Requested Action:** The Tulare County Resource Management Agency has received a request from the property owner to apply for a change of zone on a ±34,000 sq. ft. parcel (0.8 acres), from AE-40 (Exclusive Agriculture – 40 acre minimum) to “O” (Recreation).

3. **Location:** On the south side of State Hwy. 216, approximately 40 feet west of the intersection with State Hwy. 198, one-half mile north of Lemon Cove.

Assessor Parcel Number: 113-160-026

Section 2, Township 18 South, Range 27 East, MDB&M

4. Zone Change Initiation No. PZC 17-044 was approved by the Board of Supervisors on April 3, 2018 by Resolution No. 2018-0218.

II. COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES:

1. **Zoning and Land Use:**

Site – AE-40: The 34,000 sq. ft. parcel contains an old shed and is being utilized for storage

North – M-1-SC (Light Manufacturing – Scenic Corridor) and AE-40: An old Disposal Service and recycling facility and Agriculture

East – O: This property contains a food mart and a service station; it is owned by the applicant. If the zone change is approved, the plan is to merge the two parcels and construct a motel on the southern portion of the property. Across State Hwy. 198 is the Rustic Orchard Restaurant, also zoned O.

West – AE-40: This property contains agriculture and beyond that, Foothill Ditch.

South – O and AE-40: This property contains an orchard

2. Zoning, Entitlement, and Other Ordinance Characteristics:

The existing zoning, AE-40, is intended for agricultural operations. The Exclusive Agricultural – 40 acre minimum zone is an exclusive zone for intensive and extensive agricultural uses and for those uses which are a necessary and integral part of intensive and extensive agricultural operations.

This zone also allows growing and harvesting of fruit and nut trees, vines, vegetables, horticultural specialties, and timber, as well as the raising and slaughter of poultry, rabbit and other furbearing animals and raising of sheep goats, horses, swine and bovine animals.

The requested O zoning allows recreational commercial uses such as restaurants, service stations, recreational retail sales office and parking lots among other uses (Tulare County Zoning Ordinance Section 8.05, page 1, Uses A.); as well as those uses allowed in the R-3 (Multiple-Family), R-2 (Two-Family), and R-1 (Single-Family) Zones.

The Tulare County Building Line Setback Ordinance requires that all above and below ground facilities be constructed at least 50 feet from the centerline of the right-of-way of State Hwy 198 and 60 feet from the centerline of the right-of-way of State Hwy 216.

2. **Access/Circulation:** Direct access to State Route 216 (SR 216), a State maintained road. Applicant plans to build a motel on the subject site and the adjoining parcel to the east. The project may be required to dedicate right-of-way to Caltrans for future improvements to SR 216 and SR 198. Construction of right turn lane(s) into the site may be needed to accommodate travel speeds, traffic volumes, and sight distance. An encroachment permit will be required for any access to the State Highway System.

4. General Plan Elements:

General Plan: The County's General Plan Amendment Policy provides that *the Board shall, among other considerations give consideration as to the public need or necessity of the amendment and whether the proposed amendment would further the goals, objectives, policies and the general plan and not obstruct their attainment* (Policies and Procedures 391).

The project site is located within the Rural Valley Lands Plan and outside of a County adopted Urban Boundary. The General Plan land use designation for the project site is "Valley Agriculture" and zoned AE-40 (Exclusive Agriculture -40

acre minimum). Valley Agriculture is designed for intensive agricultural use with a minimum 10 acre parcel size. According to the Tulare County General Plan 2030, Policy PF 1.2: Location of Urban Development, urban development shall only take place within certain areas (see below). For a project site to be rezoned to a non-agricultural use, the RVLP policies and checklist are used to determine the agricultural viability of the site. Therefore, the parcel should not be rezoned unless it meets the criteria of the RVLP checklist.

PF-1.2 Location of Urban Development

The County shall ensure that urban development only takes place in the following areas:

1. Within incorporated cities and CACUDBs;
2. Within the UDBs of adjacent cities in other counties, unincorporated communities, planned community areas, and HDBs of hamlets;
3. Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan;
4. Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub-area plans; and
5. Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan.

The RVLP was adopted in order to establish minimum parcel sizes for areas zoned for agriculture outside of urban boundaries to develop a policy that is fair, logical, legally supportable, and consistent in the utilization of resource information in determining the suitability of rural lands for nonagricultural uses. A point evaluation system, which places a point value on 15 factors, is used to determine a site's suitability for nonagricultural zoning. After all the factors have been applied, the number of points the parcel has accumulated are totaled. Outside of an UAB if the number of points accumulated is 17 or more, then the parcel shall remain agriculturally zoned. If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors may make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by the system.

A detailed evaluation of the parcel under the RVLP was completed for the project. Under the RVLP evaluation system, the subject site received 4 points (see Attachment 3: Parcel Evaluation Checklist), indicating the site may be considered for non-agricultural zoning.

RVLP-1.4: Determination of Agriculture Land, permits the County to zone parcels of land in an agricultural zone (for example: A-1, AE, AE-20, AE-80) to non-agricultural zoning classifications (for example: R-A, R-O, R-1, R-2, R-3, O, P-O, R-1, C-1, C-2, M-1, M-2) if it is found that the parcel is better suited for a non-agricultural zone classification by means of the system of selection set forth in the policy.

The proposed change in zone designation from AE-40 to O is consistent with the General Plan 2030 policy as determined by the RVLP analysis.

Land Use Chapter: Designated as “Valley Agriculture.” If the zone change is approved, the land use will be re-designated “Non-Agriculture.”

Planning Framework Chapter: The subject site is outside of a development boundary.

5. Planning Commission Development Standards:

The Tulare County Development Standards have been adopted by the Planning Commission and utilized by the Board of Supervisors as policy to guide the development of property in Tulare County and to provide safeguards for health, safety and general welfare. For a use not specified, the same standards shall be provided as are required for the most similar specified use, as determined by the Director of the Tulare County Resource Management Agency-Development Services Division.

III. ENVIRONMENTAL SETTING:

1. Topographical Setting:

Terrain is level, typical of most valley lands.

2. Flooding Potential:

The site is within FEMA Zone X according to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 065066, Panel No. 695F, dated December 12, 2012.

3. Soils:

<u>Type</u>	<u>Capability Class</u>	<u>Shrink/Swell Potential</u>	<u>Septic Tank Absorption</u>	<u>Prime</u>
San Joaquin Loam (2-9% slope)	IIIs-3 (irrigated) IVe-3 (non-irrigated)	Moderate	Severe	No

4. Biotic Conditions:

The proposed project is located within the Woodlake USGS Quad. According to the California Natural Diversity Data Base (CNDDDB) (accessed on 06/05/2018), the California tiger salamander (*Ambystoma californiense*) is listed as Federal “Threatened and State “Threatened”; the foothill yellow-legged frog (*Rana boylei*) is listed as State “Candidate Threatened”; the tricolored blackbird (*Agelaius tricolor*) is listed as State “Candidate Endangered”; the vernal pool fairy shrimp (*Branchinecta lynchi*) is listed as Federal “Threatened”; the San Joaquin kit fox (*Vulpes macrotis mutica*) is listed as Federal “Endangered” and State “Threatened”; the San Joaquin adobe sunburst (*Pseudobahia peirsonii*) is listed as Federal “Threatened” and State “Endangered”; the San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*) is listed as Federal “Threatened”; and State “Endangered”; the Greebe’s tuctoria (*Tuctoria greenei*) is listed as Federal “Endangered” and State “Rare; and the Kaweah Brodiaea (*Brodiaea insignis*) is listed as State “Endangered.” The properties to the east and north are built-up and the properties to the west and south have been intensively farmed and cultivated for decades. In addition, this parcel is former railroad right of way. It is highly unlikely that any of these species would be present on the subject site.

5. Water Table: The Groundwater Information Center Interactive Map possessed no data regarding this location. In 1995, the high groundwater level was approximately 60 feet at this location.

6. Agricultural Preserves: The subject site is not within an agricultural preserve.

IV. HISTORY AND PROJECT FACTS:

1. Project History: PZC 17-044 (Initiation) was approved by the Board of Supervisors on April 3, 2018 by Resolution No. 2018-0218. Two Code Violations have been issued on the parcel (2003 & 2016), which were remediated and closed; otherwise, there has been no activity. This parcel was created by Certificate of Compliance No. PCC 18-008, approved by the Director on July ~, 2018.

2. Project Facts: The project is a Change of Zone on a ±34,000 sq. ft. (0.8 acres) parcel from AE-40 (Exclusive Agriculture – 40 acre minimum) to O (Recreation). The adjacent parcel on the east is also owned by the applicant and is already zoned for recreational uses (O). The applicant proposes to merge the two parcels and develop a motel on the southern portion of the site. Since this parcel is only ±34,000 sq. ft., it is not suitable for farming and this change of zone would allow the applicant to provide the highest and best use for the property.

The ten acres directly east, across SR 198, underwent a change of zone to “O” in 2014 (Griggs). The 2-acre parcel directly north, across SR 216 is zoned M-1-SC and the 26-acre parcel directly south is zoned “O”, and 750 feet south of that is the Urban

Development Boundary of Lemon Cove. This change of zone would not set a new precedent for non-agricultural zoning within this area.

Several comments were submitted by other agencies; however, since a change of zone cannot be conditioned, the comments below are for informational purposes only.

Environmental Health:

1. The existing septic system may have sufficient capacity to support the proposed development. If it does not, then additional septic infrastructure may be required. New systems, or system expansions may require a site evaluation and submission of a design report. Site evaluations must be done by a Qualified Professional and reports are to be submitted to Tulare County environmental Health Services Division (TCEHSD).
2. If the water from the well will be used for human consumption, by at least 25 individuals daily, for at least 60 days out of the year, then public water system registration/permitting may be required with the Regional Water Quality Control Board.
3. If food service will be a feature of the business and the operation will meet the definition of a food facility, then the site will be subject to the food facility requirements found in the California Retail Food Code.
4. If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 15825-116090).

Fire Department:

1. Any new construction would require the submittal of plans for fire department review and would have to meet all current fire and life safety requirements.
2. The construction of a Motel would require water for fire department suppression operations in accordance with the current Fire Code or NFPA 1142.

Department of Transportation (Caltrans):

1. Any proposed development on the site shall be submitted to Caltrans for review of potential impacts to the State Highway System.
2. The motel project may be required to dedicate right of way to Caltrans for future improvements to SR 216 and SR 198.
3. Construction of right turn lane(s) into the site may be needed to accommodate travel speeds, traffic volumes, and sight distance.
4. An encroachment permit will be required for any access to the State Highway System.

V. ENVIRONMENTAL DETERMINATION:

The environmental determination is a Categorical Exemption in accordance with the California Environmental Quality Act 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 use of Section 15303 is appropriate and compatible because approval of the project would allow the property owner to construct a new motel, being less than 10,000 sq. ft. in an urbanized area.

VI. SUBSEQUENT ACTIONS:

1. Appeals:

All Planning Commission actions on Special Use Permits 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.

2. School Impact Fees:

The subject site is located within the Exeter Union High School District which has implemented developer's fees for all assessable space for new residences and expansions to existing residences; and for chargeable covered and enclosed space for new commercial and industrial development pursuant to Government Code Section 53080. These fees are required to be paid prior to the issuance of any permit for the construction of new commercial or industrial structures, and/or installation or construction of new or expanded residential 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.

3. Storm Water Permit:

A General Construction Activity Storm Water Permit CAS000002 shall be required (prior to commencement of the construction) for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of more than one acre or which is less than one acre but is part of a larger common plan of development or sale. And, depending on the Standard Industrial Classification (SIC) Code of the final project, a General Permit No. CAS000001 for Discharges of Storm Water Associated with Industrial Activities may be required. A Notice of Intent (NOI) shall be obtained from and returned to: State Water Resources Control Board, Division of Water Quality,

ATTN: Storm Water Permit Unit, P. O. Box 1977, Sacramento, CA 95812-1977 along with the appropriate annual fee. Permits shall be required until the construction is completed.

4. Air Impact Assessment:

The San Joaquin Valley Air Pollution Control District (District) has adopted the Indirect Source Review (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.

5. Water Impact Assessment:

If your activities or discharges from your property or business affect California’s surface, coastal, or ground waters, you will need to apply for a permit from the Regional Water Quality Control Board (RWQCB). If you are discharging pollutants (or proposing to) into surface water, you must file a complete National Pollutant Discharge Elimination System (NPDES) with the RWQCB. Other types of discharges, such as those affecting groundwater or from diffused sources (e.g., erosion from soil disturbance or waste discharges to land) are handled by filing a Report of Waste Discharge with the RWQCB. For specified situations, some permits may be waived and some discharge activities can be handled through enrollment in an existing general permit. For assistance in determining whether or not your project requires a discharge permit call the Fresno Branch Office at 559-445-5116 or visit www.waterboards.ca.gov/centralvalley.

Attachment 4
RVLP Checklist

RURAL VALLEY LANDS PLAN -- PARCEL EVALUATION CHECKLIST

A. RESTRICTED TO AGRICULTURE VALUES

If a following factor meets the "Restricted to Agriculture" criteria, place an "R" in the value column and stop the evaluation; if the factor meets the "Nonagricultural" criteria, place a "0" in the value column and continue the evaluation.

	VALUE
1. Agricultural Preserve Status	[0]
2. Limitations for Individual Waste Disposal Facilities	[0]

B. VARIABLE POINT VALUE

Each of the following land capability ratings (as per USDA Soil Conservation Service data) have been awarded a number value, as follows:

LAND CAPABILITY	POINT VALUE	
Class I, II, or III	4 points	[0]
Class IV	2 points	[0]
Class V, VI, or VII	0 points	[0]

For the following factor, determine the land capability rating(s) of the parcel under review and award its corresponding point value.

Class I, II, or III	(4 points)	[4]
Class IV	(2 points)	[0]
Class V, VI or VII	(0 points)	[0]

C. POINT VALUES

If a following factor meets the highest relative suitability criteria, award the factor the number of points listed for the category; if the factor meets the lowest relative suitability criteria, award it a "0".

FOUR POINT VALUE CATEGORY

1. Existing Parcel Size (use gross acreage figure)	[0]
2. Existing Land Use/Suitability for Cultivation	[0]

THREE POINT VALUE CATEGORY

1. Surrounding Parcel Size (do not evaluate this factor if the site received "0" points for 'Existing Land Use/Suitability for Cultivation'; enter a "0" in such cases)	[0]
2. Surrounding Land Use	[0]
3. Proximity to Inharmonious Uses (NOTE: Flexible Point Value applicable in some cases)	[0]
4. Proximity to Lands in Agricultural Preserves	[0]

TWO POINT VALUE CATEGORY

1. Level of Ground Water and Soil Permeability	[0]
--	-------

ONE POINT VALUE CATEGORY

1. Proximity to Fire Protection Facilities (NOTE: Three Point Value applicable in some cases)	[0]
2. Access to Paved Roads	[0]
3. Historical Sites, Archaeological Sites, Wildlife Habitats, and/or Unique Natural Features	[0]
4. Flood Prone Areas	[0]
5. Availability of Community Domestic Water/Fire Flow Requirements	[0]
6. Surface Irrigation Water	[0]
7. Groundwater Recharge Potential (do not evaluate this factor if the site received "0" points for 'Surface Irrigation Water'; enter "0" in such cases)	[0]

TOTAL POINTS [4]

BACK-UP STATEMENT FOR RVLP EVALUATION CHECKLIST
FOR
PZC 17-045 – Harinderpal Kaur

PARCELS EVALUATED: The 2.71-acre parcel was evaluated under the RVLP point evaluation checklist system. The parcel involved assessor parcel number (APN) 141-010-027.

A. RESTRICTED TO AGRICULTURAL VALUES

1. Agricultural Preserve Status:

The subject site is not under Williamson Act Contract.

2. Limitation for Individual Waste Disposal Facilities:

No limitations.

B. VARIABLE POINT VALUE

1. Land Capability:

The Soil Conservation Service has rated the agricultural capability of the soil, San Joaquin Loam, as Class IIIe-3 (irrigated) and Class IVe-3 (non-irrigated). This soil type is not considered Prime; it has severe limitations as to the choice of plants, or requires special conservation practices, or both. The site has met the Highest Relative Suitability; therefore, this factor received an allocation of 4 points.

C. POINT VALUES

4 POINT VALUE

1. Existing parcel size:

The whole project area is 0.8 acres. Justification for determining this factor is to allow development of nonagricultural uses on those parcels which are less than five acres (gross) in size. Since this parcel is less than 5 acres, this factor meets the criteria for lowest relative suitability: 0 points allocated.

2. Existing Land Use/Suitability for Cultivation:

The subject parcel is not in agricultural production. Historically, the 0.8-acre site was former railroad right of way and was only deeded over to the

previous owner in 1989. This property has never been in agricultural production since the previous owner's acquisition and is unsuitable for commercial cultivation; therefore, this factor meets the criteria for lowest relative suitability: 0 points allocated.

3 POINT VALUE

1. Surrounding Parcel Size:

Since the site received 0 points for Existing Land Use/Suitability for Cultivation, this criterion is not evaluated and a factor of 0 points is allocated.

2. Surrounding Land Uses:

The site is abutted on two sides with non-agricultural uses and within one-quarter mile of the perimeter of the site, less than 20% of the area is devoted to nonagricultural uses. However, the shape of the parcel, limitation in size, and the fact that it is bound on the west side by a canal, the north side by a highway, and the west side by commercial, is significant evidence to indicate that the parcel is unsuitable for agriculture. Therefore, the site meets the criteria for the lowest relative suitability factor: 0 points allocated.

3. Proximity to Inharmonious Uses:

The subject site is not within one-half mile of any of the inharmonious uses listed. The sand and gravel operation to the west of the subject site is greater than one-half mile distant. Therefore, lowest relative suitability has been met: 0 points allocated.

4. Proximity to Lands Within Agricultural Preserves:

The site is abutted one side by an Agricultural Preserve and within one-quarter mile of the perimeter of the subject site, less than 50% of the area (approximately 30%) is in agricultural preserve. The parcel does not meet any of the criteria for highest relative suitability. Therefore, lowest relative suitability has been met: 0 points allocated.

2 POINT VALUE

1. Level of Groundwater and Soil Permeability:

The site contains San Joaquin Loam (moderate permeability) soil and the water table is greater than 20 feet of the ground surface. The Groundwater Information Center Interactive Map Application, accessed on July 26,

2018, does not have data regarding the exact water depth for this location. In 1995, the high groundwater level was approximately 60 feet at this location. Lowest relative suitability has been met: 0 points allocated.

1 POINT VALUE

1. Proximity to Fire Protection Facilities:

The subject site is provided fire protection services from Station No. 13, Lemon Cove, approximately 2 miles south, which is within the five-mile response distance from fire protection facilities. Lowest relative suitability has been met: 0 points allocated.

2. Access to a Paved County and/or State Maintained Road:

The site has direct access to SR 216 and once the parcel is merged to the adjacent parcel to the east, it will also have direct access to SR 198, both of which are State highways. Lowest relative suitability has been met: 0 points allocated.

3. Historical, Archaeological, Wildlife Habitat, and Unique Natural Features:

None of the aforementioned features exist on site. Lowest relative suitability has been met: 0 points allocated.

4. Flood Prone Areas:

The site is located within FEMA Flood Zone X. The site is not subject to 100-year frequency floods. Lowest relative suitability has been met: 0 points allocated.

5. Availability of Community Domestic Water:

The zone change is for commercial uses; the requirements of the Tulare County Fire Flow Ordinance can be met. Lowest relative suitability has been met: 0 points allocated.

6. Surface Water Irrigated Lands:

The site does not have rights to surface irrigation water. Lowest relative suitability has been met: 0 points allocated.

7. Groundwater Recharge Potential:

Because the site received 0 points for Surface Water Irrigated Lands, this criterion is not to be evaluated: 0 points allocated.

Attachment 5

Consulting Agency List and Correspondence



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD.
VISALIA, CA. 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Reed Schenke Public Works
Sherman Dix Fiscal Services
Michee Washam Ec. Dev. & Planning

REED SCHENKE, P.E., DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

DATE: 06/05/2018

PROJECT REVIEW - CONSULTATION NOTICE

To: Interested Agencies (see next page)

From: Dana Mettlen, Project Planner

Subject: Case No. _____ Change of Zone No. PZC 17-045 – Harinderpal, Ref: PZC 17-044 & PRC 17-073

The Tulare County Resource Management Agency, Development Services Branch, has received an application for a land development permit. A copy of the application package is attached for your information.

Please review this project and provide any comments and/or recommendations that you feel are appropriate including any scientific or factual information that would be useful in our evaluation. Please indicate in your response which CEQA document this department should prepare:

Categorical Exemption: Class 15303

Negative Declaration:

Mitigated Negative Declaration

Environmental Impact Report

Other: _____

To all local agencies wishing to make recommendations, all comments must be received by our office 06/19/2018, in order to be considered during the review process.

Special Notice to Agencies: Notice of a public hearing for this project will be mailed at least ten (10) days prior to the hearing. If your agency will be significantly affected by this project with respect to your ability to provide essential facilities and/or services, and you wish to receive notice of the public hearing, please state this in your response.

Our office appreciates your time and assistance with this project review. Please direct all correspondence to the Project Planner and Case Number referenced above for this project.



TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY
Public Health Branch

Jason T. Britt, M.S.
Agency Director

June 13, 2018

DANA METTLEN
RESOURCE MANAGEMENT AGENCY
5961 SOUTH MOONEY BLVD
VISALIA CA 93277

RE: Change of Zone, PZC 17-045

Dear Ms. Mettlen:

This office has reviewed the above referenced matter. Based upon our review, we have the following comments for this project:

1. The existing septic system may have sufficient capacity to support the proposed development. If it does not, then additional septic infrastructure may be required. New systems, or system expansions may require a site evaluation and submission of a design report. Site evaluations must be done by a Qualified Professional and reports are to be submitted to Tulare County Environmental Health Services Division (TCEHSD).
2. If the water from the well will be used for human consumption, by at least 25 individuals daily, for at least 60 days out of the year, then public water system registration/permitting may be required with the Regional Water Quality Control Board.
3. If food service will be a feature of the business and the operation will meet the definition of a food facility, then the site will be subject to the food facility requirements found in the California Retail Food Code.
4. If a recreational pool will be part of the development plans, the site may be subject to regulations for pool construction and operation (Health & Safety Code Sections 115825-116090).

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: Dana Mettlen
CC: Samantha Meza
Date: 11/08/2017 4:15 PM
Subject: PRC 17-073 Harinderpal Kaur

Dana,

In regards to PRC 17-073 (Harinderpal Kaur), the Tulare County Fire Department has the following recommendations:

- 1) Any new construction would require the submittal of plans for fire department review and would have to meet all current fire and life safety requirements.
- 2) The construction of a Motel would require water for fire department suppression operations in accordance with the current Fire Code or NFPA 1142.

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


RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

June 13, 2018

TO: Dana Mettlen, Project Planner

FROM: Craig Anderson, Engineer III 

SUBJECT: PZC 17-044 and PZC 17-045 – Harinderpal Kaur APN 113-160-026

No adverse impacts to the County road system are anticipated by the proposed action. However, as specific development proposals are presented in the plan area, we will reserve comment and recommendations for improvements or dedications at that time.

We recommend that the applicant be authorized to initiate a zone change initiation or other action to be determined by the applicant.

CA

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 488-7396

FAX (559) 488-4088

TTY 711

www.dot.ca.gov

*Making Conservation a
California way of life.*

June 18, 2018

06-TUL-198-27.92
2135-IGR/CEQA
PZC 17-045

Ms. Dana Mettlen, Project Planner
Tulare County - Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

Dear Ms. Mettlen:

Thank you for the opportunity to review PZC 17-045 proposing to re-zone a vacant 0.80-acre (34,000 square-foot) parcel from Agriculture (AE-40) to Recreation (O). The site is located approximately 100 feet east of the State Route (SR) 198 and SR 216 intersection. The application indicates that a motel is proposed to be constructed on the subject 0.80-acre site and on the parcel to the east of the proposed site which is directly adjacent to SR 198.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network. Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. Caltrans recommends that a condition of approval be imposed on the PZC 17-045 that any proposed development on the site be submitted to Caltrans for review of potential impacts to the State Highway System.
2. Caltrans is unable to complete a review of the proposed motel because the application and site plan are incomplete. The application did not include a site map showing the configuration of the proposed motel, location of on-site parking, or proposed access to SR 216 or SR 198.
3. Therefore, only the following general observations can be offered: the motel project may be required to dedicate right-of-way to Caltrans for future improvements to SR 216 and SR 198; construction of right turn lane(s) into the site may be needed to accommodate travel speeds, traffic volumes, and sight distance; an encroachment permit will be required for any access to the State Highway System.

If you have any other questions, please call me at (559) 488-7396.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Deel", with a stylized flourish at the end.

DAVID DEEL

Associate Transportation Planner
Transportation Planning - North

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 488-7307

FAX (559) 445-5875

TTY 711

www.dot.ca.gov

*Making Conservation a
California way of life.*

November 15, 2017

TUL-198-27.915

PRC 17-073

Kaur Motel

Ms. Dana Mettlen
Planner III
Tulare County
5961 South Mooney Boulevard
Visalia, California 93277

Dear Ms. Mettlen:

Thank you for including the California Department of Transportation (Caltrans) in the review process for project PRC 17-073, proposing to construct a motel with parking on an approximately 0.8 acre parcel. The project is located on the southwest corner of the intersection of State Route (SR) 216 and SR 198 near Lemon Cove. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development - Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system Caltrans provides the following comments:

Caltrans is unable to complete a review of the proposed project because the application is incomplete. The application did not include a site map showing the configuration of the proposed motel, location of on-site parking, or the proposed access points to the State Route(s). Therefore, only general considerations can be offered, at this time. Due to the projects proximity to both SR 216 and SR 198, the applicant may be required to dedicate right of way to Caltrans. Furthermore, dedicated turn lanes may need to be constructed on the SR to accommodate travel speeds, traffic volumes, and sight distance, among other variables. Additionally, any and all access to the State Routes will require applying for permits at Caltrans' Encroachment Permit Office.

Caltrans recommends the application be resubmitted to our office, complete with site plan, so our staff can provide a more specific analysis of the project.

If you have any questions, please contact me at (559) 488-7307.

Sincerely,

JAMAICA GENTRY,
Transportation Planner
Planning North Branch

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Michael Washam Economic Development and Planning
Reed Schenke Public Works
Sherman Dix Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

Date: November 13, 2017
PRC 17-073

Planner: Dana Mettlin

- Submit 3 sets of engineered plans and 2 sets of calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- Meet state requirements for accessibility for persons with disabilities.
- Submit 3 sets of plans signed by an architect or engineer. Must comply with 2013 California Building Code Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Maintain fire-resistive requirements at property lines.
- Obtain required permit from San Joaquin Valley Air Pollution Board.
- Calculations of free-standing carport
- Must comply with state energy requirements.
- Plans must be approved by the Tulare County Health Department.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- Project is located in the flood zone _____ *Minimum finished floor elevations requires _____.

*Flood Zone determination and finished floor elevation are based on the official FEMA NAVD 88 elevation converted to the equivalent NGVD 29 elevation using FEMA's established conversion factor of 2.73.

- All accessible units required to be adaptable for the physically handicapped.
 - Acceptable as submitted Arrange for an on-site inspection
 - Hazardous materials report A demolition permit & deposit is required.
- School Development to be paid at school district office, need proof of payment prior to issuance.

Additional Comments:

1. No active code violations exist on parcel, although for over ten (10) years the property along with Parcel #113-160-003 has provided storage for vehicles, vessels and trailers. If new construction is to be done in the future, building plans must be submitted and permits obtain prior to construction.
Michael Grove 11/13/2017.

**PROJECT REVIEW COMMITTEE
CONSULTATION AND FACT SHEET**

Project Number: PRC 17-073		Today's Date: 11/02/2017
Applicant/Address: Harinderpal Kaur, 31245 Dahlem Drive, Exeter, CA 93221		PRC Date: 11/16/2017
APN 113-160-026; 33423 Sierra Drive, Lemon Cove		
Agent: N/A		
Planner: Dana Mettlen	Email: dmettlen@co.tulare.ca.us	Phone: 559-624-7106

Consultation List:

A Categorical Exemption would be appropriate for this project. D 11/02/17

- Craig Anderson, Public Works/Eng.
- Hernan Beltran, Public Works
- Environmental Health Division
- Dennis Lehman, Building Division
- Jimmy Herrera, Fire Department
- Other (City, Town Council, etc.): Caltrans
- Michael Washam, Associate Director
- Aaron Bock, Project Processing
- Hector Guerra, Chief Environmental Planner

Project Description: The project is a Change of Zone from AE-40 (Exclusive Agriculture – 40 acre minimum) to "O" (Recreation) on a 0.80-acre parcel located on the south side of SR 216, approximately 40 feet northwest of SR 198, north of Lemon Cove. Applicant also owns APN 113-160-026, the adjacent property to the east. This APN -026 is currently zoned "O". There exists a gas station and a small market on the adjacent property. The site plan and application indicate that there would be the construction of a motel on a portion of these two parcels. Therefore, an application for a Zone Change Initiation would be required (\$3,333 deposit). An application for a Zone Change (\$6,451 deposit); and a lot line adjustment or perhaps a merger, depending upon how the applicant wants to proceed.

Location: 33423 Sierra Drive, Lemon Cove

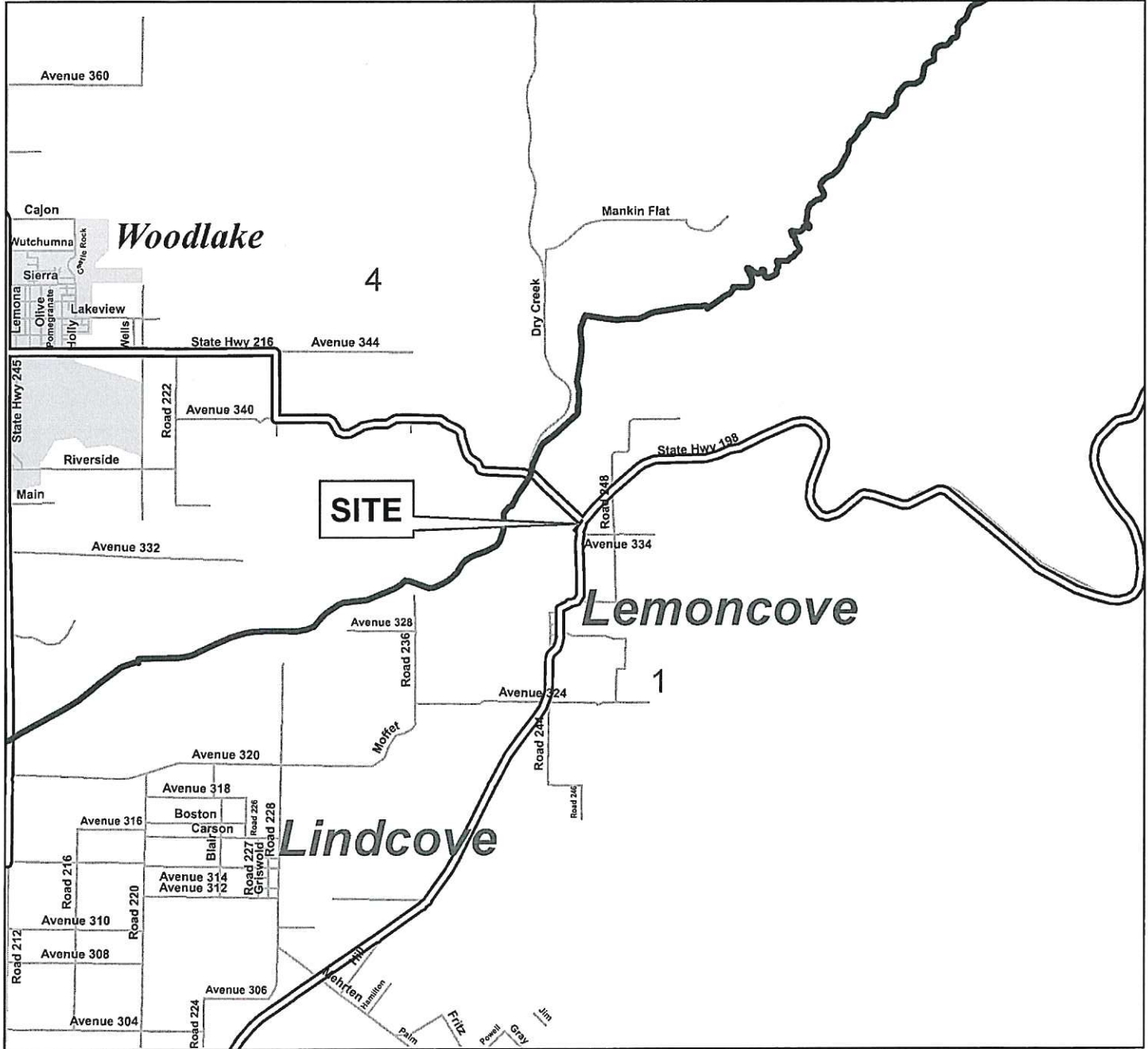
General Plan Designation and Consistency Finding	Land Use Designation: "Agriculture"
Plan Area and Boundary Type:	Rural Valley Lands Plan
Development subject to MOU with city?	No
Entitlement, Zoning Designation and Consistency Finding:	<p>Section 9.7 "AE-40": The AE-40 Zone is an exclusive zone for intensive and extensive agricultural uses and for those uses which are a necessary and integral part of intensive and extensive agricultural operations.</p> <p>Section 8.05 "O" Recreation Zone: The following uses are permitted by-right: Any use permitted in the R-3, Multiple Family Zone; Growing and harvesting of field crops, fruit and nut trees; Raising and slaughter of rabbits and other fur-bearing animals; Raising and slaughter of poultry; Raising of sheep, goats, horses, mules, bovine animals, and</p>

Attachment 6

Graphics



Vicinity Map for PZC 17-045



Supervisorial District: 1

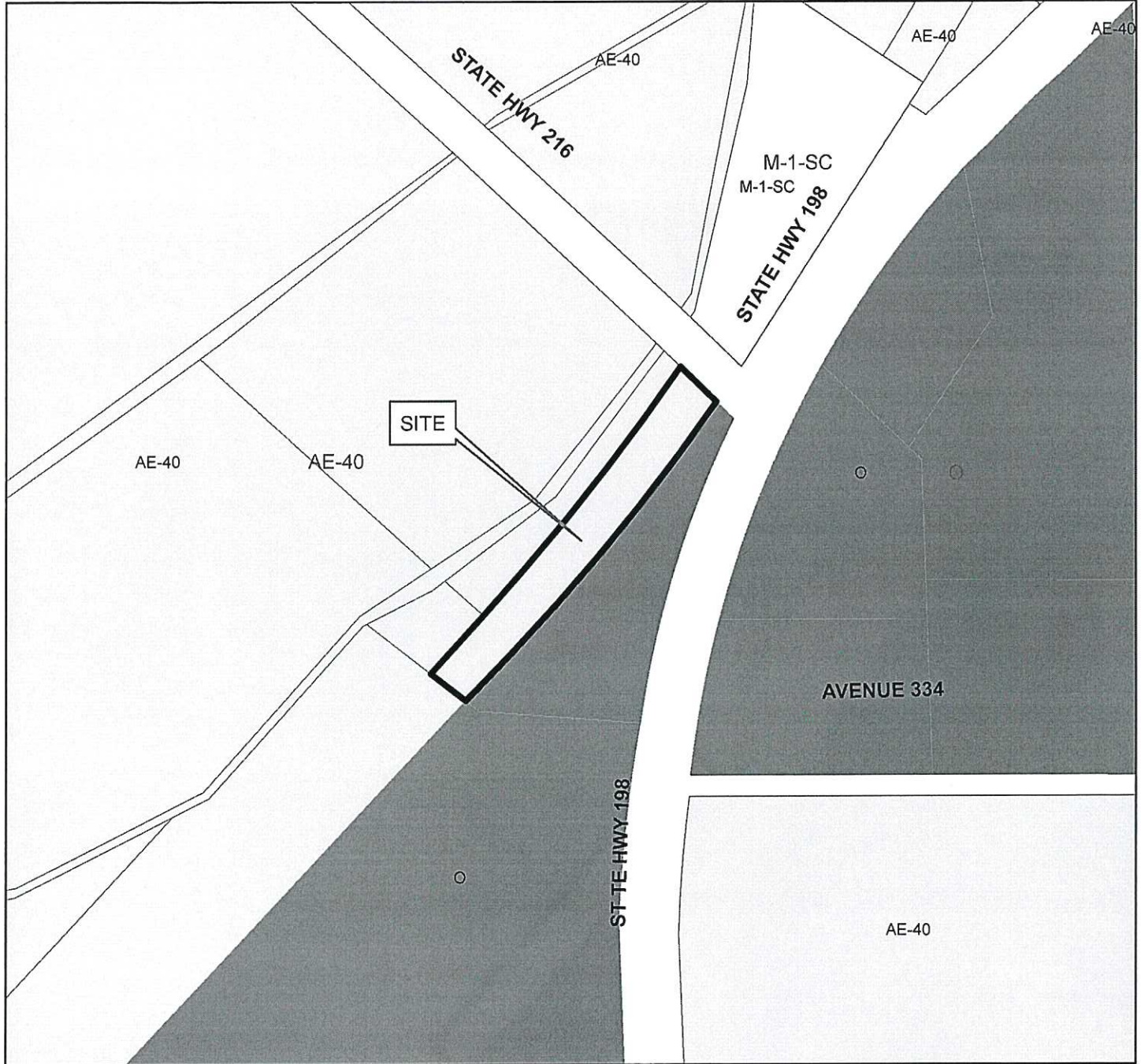


-  SITE
-  Supervisorial Districts





Existing Zoning Map for PZC 17-045

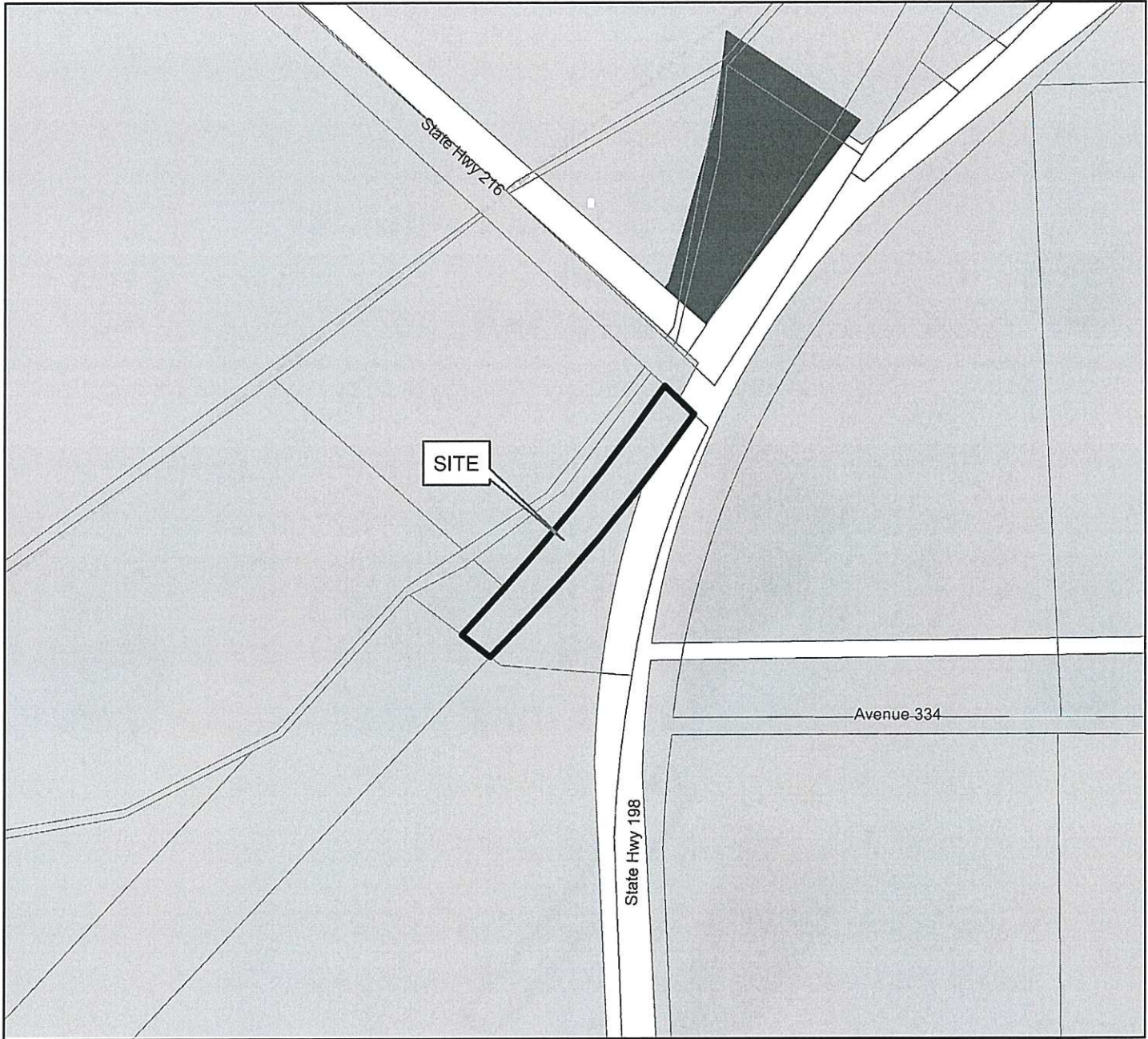


Owner: Harinderpal Kaur
 Address: PO Box 44209
 City, State, ZIP: Lemon Cove, CA 93244
 Applicant: Same
 Agent: N/A
 Supervisorial District: 1
 Assessor's Parcel: 113-160-026





Existing Land Use Plan Map for PZC 17-045



Legend



Site

Land Use (Gen. Zoning)



Agriculture



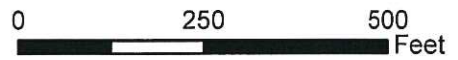
Commercial



Manufacturing

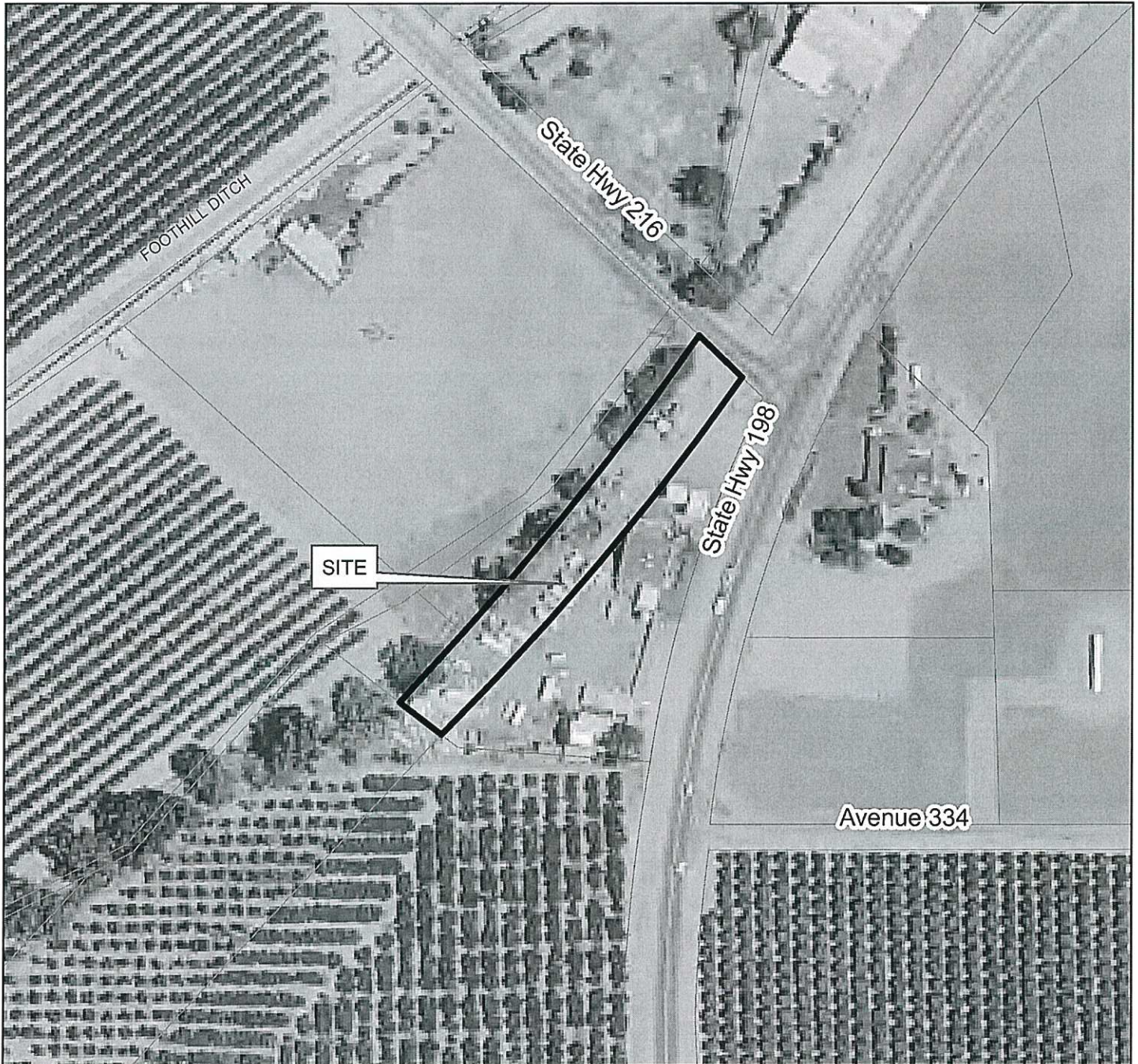


Residential

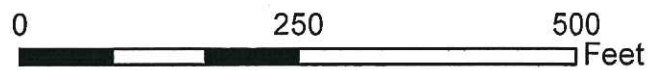




Aerial Photograph for PZC 17-045



Owner: Harinderpal Kaur
 Address: PO Box 44209
 City, State, ZIP: Lemon Cove, CA 93244
 Applicant: Same
 Agent: N/A
 Supervisorial District: 1
 Assessors Parcel: 113-160-026



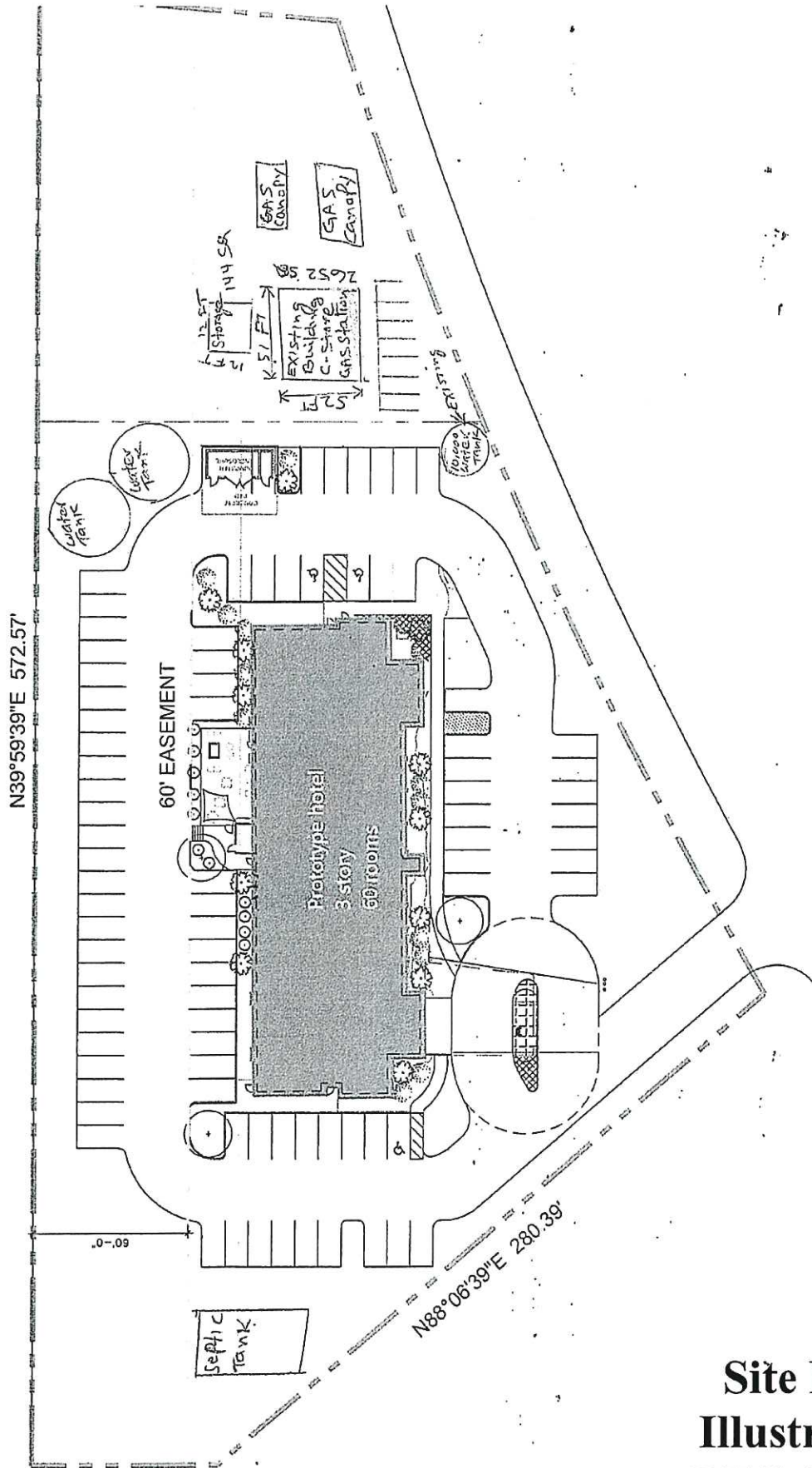
 SITE
 Parcels TCIM_PROD



Exhibit "A"



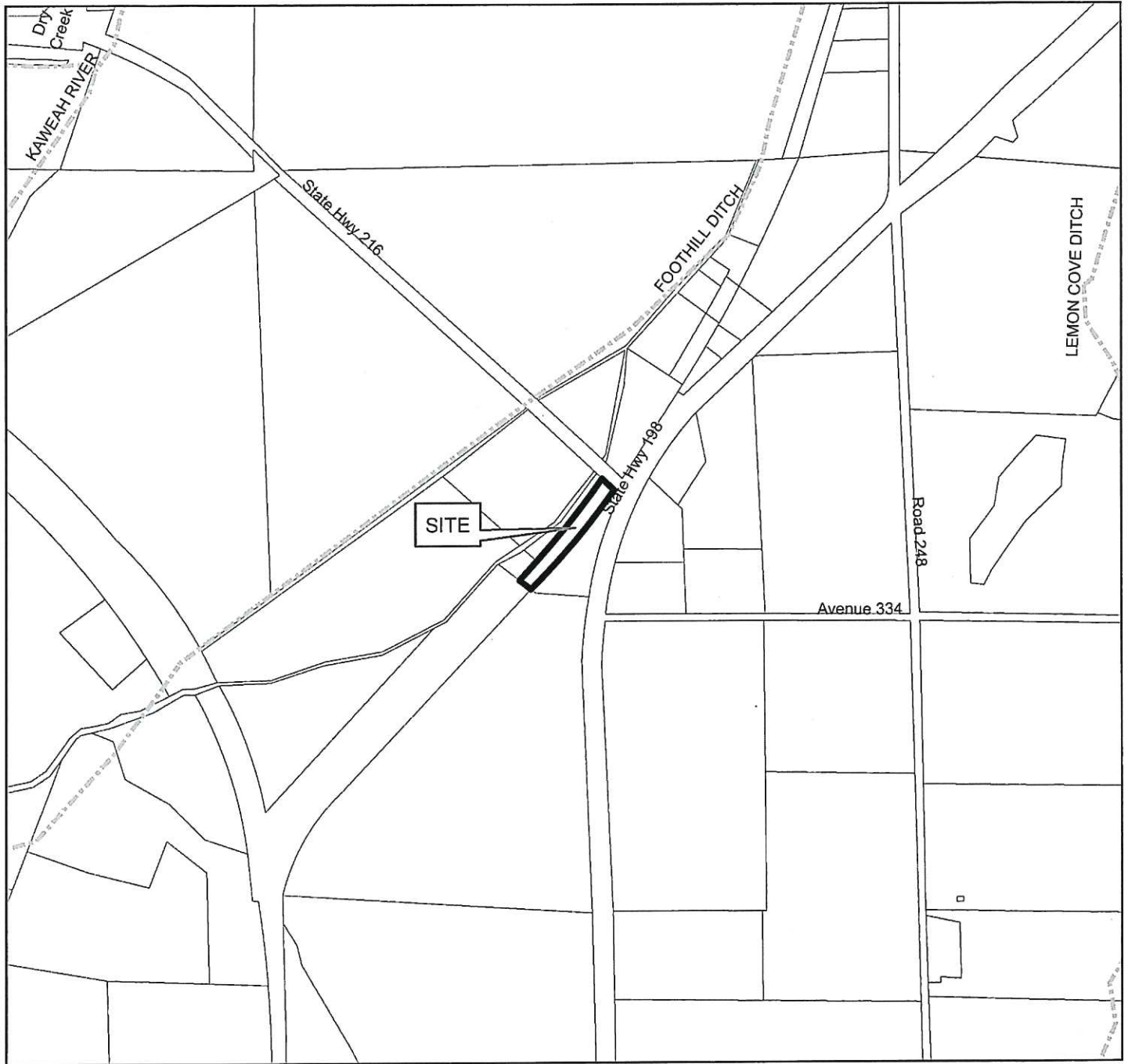
No Scale



Site Plan
Illustration
PZC 17-045



Waterways Map for PZC 17-045



-  Waterways
-  SITE
-  Parcels TCIM_PROD

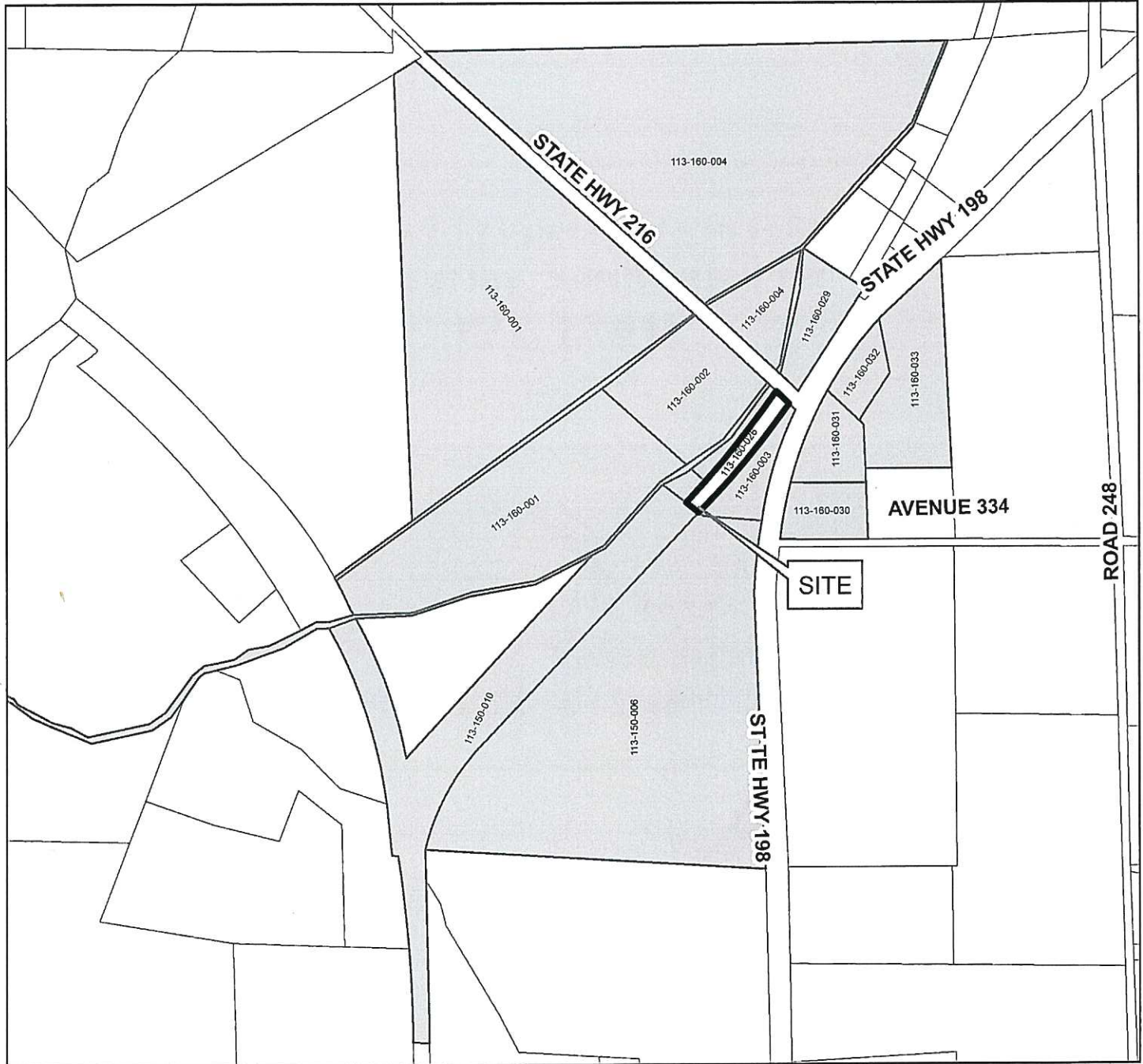


Attachment 7

Location and Property Ownership Map
for Hearing Notification



Location and Property Ownership Map for Hearing Notification for PZC 17-045



Owner: Harinderpal Kaur
 Address: PO Box 44209
 City, State, ZIP: Lemon Cove, CA 93244
 Applicant: Same
 Agent: N/A
 Supervisorial District: 1
 Assessor's Parcel: 113-160-026



- SITE
- Prop within 300'
- Parcels



Attachment 8

Public Hearing Notice Information

NOTICE OF PUBLIC HEARING AND AVAILABILITY
OF ENVIRONMENTAL DOCUMENT

A **Categorical Exemption** for **Zone Change PZC 17-045** has been approved for public review by the Tulare County Environmental Assessment Officer. Copies are available for review and comment at the Resource Management Agency, Permit Center, 5961 South Mooney Blvd., Visalia, California 93277-9394. Comments and recommendations on the adequacy of the environmental document may be filed at the aforementioned address during the public review period established for the project.

PROJECT: Zone Change PZC 17-045

APPLICANT/AGENT: Harinderpal Kaur

LOCATION: On the south side of SR 216, approximately 40 feet west of SR 198, north of Lemon Cove.

PROJECT DESCRIPTION: Categorical Exemption and Change of Zone No. PZC 17-045 to allow a change of zone on one 0.80-acre parcel, from AE-40 (Exclusive Agriculture – 40 acre minimum) to O (Recreation) Zone.

ENVIRONMENTAL DOCUMENT: Categorical Exemption 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 New Construction or Conversion of Small Structures.

REVIEW PERIOD: 10 days until Monday, August 20, 2018 at 5:00 p.m.

PUBLIC HEARING: Planning Commission on Wednesday, August 22, 2018, at 9:00 a.m.

All meetings are held at the Board of Supervisors Chambers, 2800 West Burrel Avenue, Visalia, California 93291.

All interested parties are invited to attend and be heard. For further information regarding this project, please call **Dana Mettlen (559) 624-7000** or for environmental questions please call Hector Guerra, Chief Environmental Planner at 624-7121.

If you challenge the decision on any of the foregoing matters 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 Tulare County Resource Management Agency, Economic Development and Planning Branch, within the review period described herein.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in meetings call (559) 624-7000 48-hours in advance of the meeting.

HECTOR GUERRA, CHIEF ENVIRONMENTAL PLANNER
REED SCHENKE, ENVIRONMENTAL ASSESSMENT OFFICER

TO BE PUBLISHED ONCE ONLY ON: Friday, August 10, 2018

SEND BILL AND TEAR SHEET TO:
TUL CO RESOURCE MGMT.
5961 SOUTH MOONEY BLVD.
VISALIA, CA 93277-9394

SEND TO: VTD

Attachment 9

Notice of Exemption

CERTIFICATE OF MAILING
HEARING NOTICE AND MAP

STATE OF CALIFORNIA)
)
COUNTY OF TULARE)

I am employed by the Tulare County Resource Management Agency and my business address is 5961 South Mooney Blvd., Visalia, California.

On the 9th of August, 2018, I mailed or caused to be mailed, Notice of Public Hearing by the Tulare County Planning Commission. A copy of said notice is attached hereto. Said notice was enclosed in a sealed envelope, with postage thereon fully prepaid, and deposited in the United States mail at Visalia, California, addressed to the persons listed on the attachment.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on August 9, 2018 at Visalia, California.

TULARE COUNTY Planning Commission
TULARE COUNTY ENVIRONMENTAL ASSESSMENT OFFICER

BY:  _____

PROJECT: Zone Change PZC 17-045
APPLICANT/AGENT: Harinderpal Kaur

NOTICE OF PUBLIC HEARING AND AVAILABILITY
OF ENVIRONMENTAL DOCUMENT

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ROCKY HILL INC PO Box 175 Exeter CA 93221-0175	113-160-001	JACK GRIGGS INC PO BOX 547 EXETER CA 93221-0547	113-160-031
JACK GRIGGS INC PO BOX 547 EXETER CA 93221-0547	113-160-032	JACK GRIGGS INC PO BOX 547 EXETER CA 93221-0547	113-160-033
RODRIGUEZ MARTIN R M 21213-B HAWTHORNE BLVD #5403 TORRANCE CA 90503	113-160-029	JACK GRIGGS INC PO BOX 547 EXETER CA 93221-0547	113-160-030
KAUR HARINDERPAL PO BOX 22409 LEMON COVE CA 93244	113-160-003		
BORGHILD CORPORATION 125 Carmel St San Francisco CA 94117-4334	113-150-010		
FOOTHILL DITCH CO PO Box 175 Exeter CA 93221-0175	113-160-016		
KAUR HARINDERPAL PO Box 44209 Lemon Cove CA 93244-0209	113-160-026		
BORGHILD CORPORATION 125 Carmel St San Francisco CA 94117-4334	113-150-006		
SMITH RICKY EUGENE (TR) 24879 Lomitas Dr Woodlake CA 93286-9641	113-160-002		
STILLWELL DONALD M (TR) 2001 E Marinette Ave Exeter CA 93221-9513	113-160-004		

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
Ph: 559-624-7000
Attn: hguerra@co.tulare.ca.us

Applicant(s): Harinderpal Kaur
PO Box 44209
Lemon Cove, CA 93244
Ph: 559-786-3578

Date Filed with Tulare County Clerk

Activity/Project Title: Zone Change No. PZC 17-045 from AE-40 to O.

Activity/Project Location: APN 113-160-026; on the south side of SR 216, approximately 40 feet west of SR 198, north of Lemon Cove.

Activity/Project Location- Section, Township, Range: Section 2, Township 18 South, Range 27 East, MDB&M

Project Location - City: N/A

Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: The project is a change of Zone from AE-40 (Exclusive Agriculture - 40 acre minimum) to O (Recreation). Applicant plans to build a motel on this parcel and the adjacent parcel, which he also owns.

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: Title 14, Cal. Code Regulations Guideline § 15303, Class 3 pertaining to New Construction or Conversion of Existing Structures
- Statutory Exemptions:

Reasons Why Activity/Project is exempt from CEQA: As noted above, the applicant proposes to build a motel that will not exceed 10,000 square feet in floor area. The applicant will consolidate this parcel with an existing, adjacent parcel currently classified as an "O" (Recreation) zone; reclassification to the "O" zone would allow compatibility between both parcels. As Section 15030 clearly specifies that motels qualify for this exemption, the use of this exemption is applicable and appropriate.

Name of Public Agency Approving Activity/Project: County of Tulare Resource Management Agency

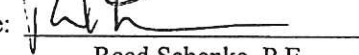
Activity/Project Representative Dana Mettlen

Area Code/Telephone: 559-624-7000

Signature: 
Hector Guerra

Date: 8/06/18

Title: Chief Environmental Planner

Signature: 
Reed Schenke, P.E.

Date: 8/6/18

Title: Environmental Assessment Officer

Signed by Lead Agency

Date received for filing at OPR: N/A