



**Resource Management  
Agency  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One  
PETE VANDER POEL  
District Two  
AMY SHUKLIAN  
District Three  
EDDIE VALERO  
District Four  
DENNIS TOWNSEND  
District Five

**AGENDA DATE:** November 19, 2019 – REVISED

Public Hearing Required	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Celeste Perez    PHONE: (559) 624-7010				

**SUBJECT:** General Plan Amendment No. GPA 19-001, Change of Zone No. PZC 19-003 and Tentative Parcel Map No. PPM 19-006 Lofstedt/Exeter

**REQUEST(S):**  
That the Board of Supervisors:

1. Hold a Public Hearing at 9:30 a.m. or shortly thereafter.
2. Adopt the Planning Commission’s recommendations and findings of approval for General Plan Amendment No. GPA 19-001, Change of Zone No. PZC 19-003 and Tentative Parcel Map No. PPM 19-006 to change the zone on one (1) 7.12-acre parcel from AE-10 (Exclusive Agriculture – 10 acre minimum) to R-A-87 (Rural Residential – 87,000 sq. ft. minimum), located at 851 & 939 S. Cornucopia Road, on the west side of S. Cornucopia Road (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter, as set forth in Planning Commission Resolutions No. 9656, 9657, and 9658.
3. 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, Class 3, pertaining to New Construction or Conversion of Small Structures.
4. Direct the Clerk of the Board to publish the adopted Ordinance and Amended Zoning Map for PZC 19-003.

**SUMMARY:**  
The Tulare County Resource Management Agency has received a request from the applicant, Eric Lofstedt, to change the County’s land use designation within the County Adopted Urban Area Boundary (CAUAB) of the City of Exeter, from

**SUBJECT:** General Plan Amendment No. GPA 19-001, Change of Zone No. PZC 19-003 and Tentative Parcel Map No. PPM 19-006 Lofstedt/Exeter  
**DATE:** November 19, 2019

“Agriculture” to “Rural Residential” on one 7.12-acre parcel. The applicant also requests a change of zone on the same 7.12-acre parcel from AE-10 (Exclusive Agriculture – 10 acre minimum) to R-A-87 (Rural Residential – 87,000 sq. ft. minimum). The applicant also requests a tentative parcel map to divide the 7.12-acre parcel into three (3) parcels: Parcel 1 = 3.12 acres, Parcel 2 = 2.00 acres, and Parcel 3 = 2.00 acres (APN 133-080-017).

**FISCAL IMPACT/FINANCING:**

No Net County Cost to the General Fund. The applicant cost for a general plan and zone change amendment was an initial deposit of \$10,321 to the Tulare County Resource Management Agency (TCRMA). Additional fees of \$100 per hour are charged if actual cost of processing the General Plan and Zone Change Amendment applications exceeds the deposit. The applicant cost for a tentative parcel map was \$2,974 to the TCRMA. CEQA documentation and compliance for the project is also 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 general plan, zone change amendment, and tentative parcel map help encourage growth consistent with the County General Plan.

**ADMINISTRATIVE SIGN-OFF:**



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



Michael Washam  
Associate Director



Reed Schenke, P.E.  
Director

cc: County Administrative Office

- Attachment No. 1 – Planning Commission GPA 19-001 Resolution 9656
- Attachment No. 2 – Planning Commission PZC 19-003 Resolution 9657
- Attachment No. 3 – Planning Commission PPM 19-006 Resolution 9658
- Attachment No. 4 – Maps and Graphics
- Attachment No. 5 – Notice of Exemption

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

IN THE MATTER OF GENERAL PLAN ) Resolution No. \_\_\_\_\_  
AMENDMENT NO. GPA 19-001, ) Ordinance No. \_\_\_\_\_  
CHANGE OF ZONE NO. PZC 19-003 AND )  
TENTATIVE PARCEL MAP NO. PPM 19-006 )  
LOFSTEDT / EXETER )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE BOARD  
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD ON NOVEMBER 19, 2019, BY  
THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Held a Public Hearing at 9:30 a.m. or shortly thereafter.
2. Adopted the Planning Commission’s recommendations and findings of approval for General Plan Amendment No. GPA 19-001, Change of Zone No. PZC 19-003 and Tentative Parcel Map No. PPM 19-006 to change the zone on one (1) 7.12-acre parcel from AE-10 (Exclusive Agriculture – 10 acre minimum) to R-A-87 (Rural Residential – 87,000 sq. ft. minimum), located at 851 & 939 S. Cornucopia Road, on the west side of S. Cornucopia Road (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter, as set forth in Planning Commission Resolutions No. 9656, 9657, and 9658.
3. 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, Class 3, pertaining to New Construction or Conversion of Small Structures.
4. Directed the Clerk of the Board to publish the adopted Ordinance and Amended Zoning Map for PZC 19-003.

# Attachment No. 1

Planning Commission GPA 19-001 Resolution No. 9656

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE )  
EXETER AREA LAND USE PLAN ) RESOLUTION NO. 9656  
CASE NO. GPA 19-001 )  
LOFSTEDT )

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve General Plan Amendment No. GPA 19-001, submitted by Eric Lofstedt, PO Box 556, Exeter, CA 93221 for a general plan amendment to amend the Exeter Area Land Use Plan, a component of the Tulare County Land Use Element of the General Plan, to change the land use designation from "Agriculture" to "Rural Residential" on a 7.12-acre parcel on property located at 851 & 939 S. Cornucopia Road, on the west side of S. Cornucopia Road (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter (Assessor Parcel Number (APN) 133-080-017; Sec. 9, T19S, R26E, MDB&M).

WHEREAS, the Planning Commission has given notice of the proposed General Plan Amendment as provided in Sections 65353 and 65090 of the Government Code of the State of California and as provided for in the County's California Environmental Quality Act Guidelines; and

WHEREAS, staff has made such investigation of fact bearing upon the proposed General Plan Amendment to assure action consistent with the procedures and purposes set forth in the California Government Code, the State General Plan Guidelines, and the Tulare County General Plan; and

WHEREAS, a public notice was printed in the Foothills Sun-Gazette on August 14, 2019, at least ten days prior to the public hearing before the Planning Commission on August 28, 2019; and

WHEREAS, staff has performed necessary investigations, prepared a written report (made a part hereof), and recommended approval of this proposed General Plan Amendment; and

WHEREAS, the Planning Commission recognizes the need and desirability to conduct reviews of, and consider amendments to, the General Plan to accommodate the changing needs of the County; 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 28, 2019; and

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare; and



WHEREAS, at the August 28, 2019, meeting of the Planning Commission, Eric Lofstedt spoke in support of the proposal and no one spoke in opposition to the project.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby adopts the following findings of fact as to the reasons for approval of this General Plan Amendment:

1. The applicant has requested a General Plan Amendment No. GPA 19-001 to reclassify a 7.12-acre parcel from "Agriculture" to "Rural Residential," located at 851 & 939 S. Cornucopia Road, on the west side of S. Cornucopia Road (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter (Assessor Parcel Number (APN) 133-080-017; Sec. 9, T19S, R26E, MDB&M).
2. The Board of Supervisors allowed the project to proceed as a General Plan Amendment, with the approval of General Plan Initiation No. GPI 18-003 on November 6, 2018 by Resolution No. 2018-0932.
3. The project was determined to be categorically exempt in accordance 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. This project is compatible with this section because the project would allow one additional single-family dwelling unit in a residential zone.
4. The Planning Commission recommended the Board of Supervisors approve Zone Change No. PZC 19-003 on a 7.12-acre parcel from the AE-10 (Exclusive Agriculture – 10 acre minimum) Zone to R-A-87 (Rural Residential – 87,000 sq. ft. minimum) Zone by Resolution No. 9657 on August 28, 2019.
5. The Planning Commission recommended the Board of Supervisors conditionally approve Tentative Parcel Map No. PPM 19-006, with the requirement to file a final map, by Resolution No. 9658 on August 28, 2019.
6. The project site is located within the County Adopted Urban Area Boundary (CAUAB) for the City of Exeter and the existing Land Use Designation is "Agriculture." This designation establishes areas for intensive agricultural activities on prime valley agricultural soils, and other productive or potentially productive valley lands where commercial agricultural uses can exist without conflicting with other uses, or where conflicts can be mitigated. The request is to change the Land Use Designation to "Rural Residential." This designation establishes areas for single family dwellings and farm worker housing located away from cities and communities in agricultural or rural areas where dispersed residential development on 1-5 acre parcels is set forth in community or sub-area plans. Typical allowed uses include: detached single-family dwellings and secondary

dwellings; agricultural uses such as crop production, orchards and vineyards, grazing, and animal raising; and necessary public utility and safety facilities. This designation is primarily located at the edges of UDBs in the lower foothill and valley regions. A consultation notice was sent to the City of Exeter, no response was received.

7. As noted in General Plan Policy PF 4.19, a project, within a UAB, may be suitable for a General Plan Amendment, if appropriate under the requirements of the Rural Valley Lands Plan (RVLP), or similar checklist, unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use or zoning classification. The project received an RVLP evaluation of thirteen (13) points. It is noted that if the number of points accumulated is eleven (11), or less, the parcel is automatically considered for nonagricultural zoning, if greater than 11 but less than 17, the Board of Supervisors is given discretion to approve non-agricultural zoning on a project by project basis.
8. The applicants also filed Change of Zone No. PZC 19-003 to change the existing AE-10 Zone to R-A-87 (Rural Residential – 87,000 sq. ft. minimum). This General Plan Amendment and Zone Change would enable the applicant to divide the property into three rural residential lots. Tentative Parcel Map No. PPM 19-006 is being processed concurrently with the GPA and PZC.
9. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Development Impact Fees. New Development may be subject to County Development Impact fees.

B. This Planning Commission, after considering all of the evidence presented, found that the proposed General Plan Amendment will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

AND, BE IT FURTHER RESOLVED as follows:

C. This Planning Commission hereby recommends the Board of Supervisors approve General Plan Amendment No. GPA 19-001 to change the land use designation from “Agriculture” to “Rural Residential” on a 7.12-acre parcel, on property located within the CAUAB of Exeter (Exhibit A, GPA 19-001).

The foregoing resolution was adopted upon motion of Commissioner Dias, seconded by Commissioner Whitlatch, at a regular meeting of the Planning Commission on August 28, 2019, by the following roll call vote:

AYES: Elliott, Aguilar, Whitlatch, Millies, McElroy, Dias, Pearson

NOES: None

ABSTAIN: None

ABSENT: None

TULARE COUNTY PLANNING COMMISSION

A handwritten signature in black ink, appearing to read "Michael Washam", written over a horizontal line.

Michael Washam, Secretary



EXHIBIT NO. A<sub>1</sub>

AMENDMENT GPA 19-001

**EXETER AREA LAND USE PLAN**

Approved and Adopted: Tulare County Board of Supervisors  
Resolution No. 2019-\_\_\_\_\_ -

**AMENDMENT TO THE  
TULARE COUNTY GENERAL PLAN  
LAND USE PLAN EXETER  
GPA 19-001**

**I. INTRODUCTION**

This document amends the Land Use Element of the Tulare County General Plan for the Exeter Area by adopting a revised general plan land use designation. The amendment will change the land use designation from “Agriculture” to “Rural Residential” on 7.12 acres of land.

**II. BACKGROUND**

The area was zoned AE-10 on May 25, 1978 during the blanket countywide rezoning from the grandfathered A-1 zone to Exclusive Agriculture Zones, as it was outside of any Urban Boundary at that time. The area remained in the Rural Valley Lands Plan (RVLP) plan area until it was included within the Urban Area Boundary (UAB) during the 1997 Exeter Land Use Plan Urban Boundaries update (GPA #97-002, adopted by BOS Resolution No. 98-0344 on 05/05/1998). As such, the General Plan Update and the Exeter Area Land Use Plan (GPA 97-002) provide the land use mechanism for development projects within this area. The Exeter Land Use Plan General Plan Land Use designation for the parcel is currently Agriculture and within the Exeter Urban Area Boundary (UAB).

General Plan Initiation No. GPI 18-003 was approved by the Board of Supervisors on November 6, 2018 by Resolution No. 2018-0932. No public comments were received at that time.

The general plan amendment request was made to allow the 7.12-acre site to be rezoned to R-A-87 (Rural Residential – 87,000 sq. ft. minimum) and to create three rural residential parcels, conforming to the Tulare County General Plan.

**III. SUPERSEDURE**

This plan amendment supersedes the Exeter Area Land Use Plan, adopted May 5, 1998, insofar as the General Plan Land Use Designation is concerned for the subject 7.12 acres. No other map changes are hereby made to the Exeter Area Land Use Plan.

**IV. LAND USE DESIGNATIONS**

This amendment changes the land use designation for the 7.12 acres located at 851 & 939 S. Cornucopia Road, on the west side of S. Cornucopia Road (Road 180) and

approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter (Assessor Parcel Number (APN) 133-080-017; Sec. 9, T19S, R26E, MDB&M.

#### **IV. POLICIES**

This amendment does not supersede any portion of the text of any policy in the Exeter Area Land Use Plan. Only the land-use designation for these 7.12 acres will be changed and all policies pertaining to rural residential are hereby applicable to the 7.12 acres subject to the amendment.

#### **V. REVIEW AND REVISION**

General Plan land use designations are subject to periodic review. Review of the land use designation adopted by GPA 19-001 will occur as a response to the growth of the community and as changing local conditions dictate.

#### **VI. IMPLEMENTATION**

Concurrent with this general plan amendment, zoning to implement the land use designation will be applied to the site as recommended and as adopted by the Board of Supervisors in Resolution No. 2019-\_\_\_\_\_, Ordinance No. \_\_\_\_\_ to R-A-87 (Rural Residential – 87,000 sq. ft. minimum). (Reference Case No. PZC 19-003)

Attachment No. 2

Planning Commission PZC 19-003 Resolution NO. 9657

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE ) RESOLUTION NO. 9657  
ZONING REGULATIONS CASE NO. PZC 19-003 )  
LOFSTEDT )

Resolution of the Planning Commission of the County of Tulare recommending the Board of Supervisors approve a petition submitted by Eric Lofstedt, PO Box 556, Exeter, CA 93221 for a requested change of zone from AE-10 (Exclusive Agriculture – 10 acre minimum) to R-A-87 (Rural Residential – 87,000 sq. ft. minimum) on a 7.12-acre parcel on property located at 851 & 939 S. Cornucopia Road, on the west side of S. Cornucopia Road (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter (Assessor Parcel Number (APN) 133-080-017; Sec. 9, T19S, R26E, 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 proposed change of zone boundaries or classifications as provided in Section 18 of said Ordinance No. 352 and as provided in 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, a public notice was printed in the Foothills Sun-Gazette on August 14, 2019, at least ten days prior to the public hearing before the Planning Commission on August 28, 2019; 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 28, 2019; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that the Commission has reviewed and considered the information contained in the Staff Report for the proposed project, together with any comments received during the public review process, in compliance 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 prior to taking action on the project, and

1. The applicant has requested a Change of Zone from AE-10 (Exclusive Agricultural – 10 acre minimum) to R-A-87 (Rural Residential – 87,000 sq. ft. minimum) on a 7.12-acre parcel located at 851 & 939 S. Cornucopia Road, on the west side of S. Cornucopia Road (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter (Assessor Parcel Number (APN) 133-080-017; Sec. 9, T19S, R26E, MDB&M).
2. The Board of Supervisors allowed the project to proceed with the approval of General Plan Initiation No. GPI 18-003 on November 6, 2018 by Resolution No. 2018-0932.
3. The project was determined to be categorically exempt in accordance 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. This project is compatible with this section because the project would allow one additional single-family dwelling unit in a residential zone.
4. The site is currently zoned AE-10 (Exclusive Agricultural – 10 acre minimum) and contains two residential units with accessory structures. The surrounding properties are all zoned AE-10. The properties to the north and west are parcels containing less than the 10-acres required in the zone and they contain rural residential uses. The properties to the west and south contain agriculture (orchards) and rural residences. Within this block of fifteen parcels, twelve are 5 acres or less, and only one is consistent with the existing AE-10 Zone classification. In addition, there is a full block of land on the north side of Avenue 276 (Firebaugh) that is zoned R-A-43, so this change of zone would not set a new precedent within this area.
5. The proposed zone is R-A-87 (Rural Residential – 87,000 sq. ft. minimum). The Rural Residential Zone is intended for one-family dwellings of a permanent character placed in permanent locations and one-family manufactured homes installed on a foundation system. Private garages to accommodate not more than three (3) cars. Transitional/Supportive Housing. Growing and harvesting of field crops and the raising of farm animals. The minimum parcel size permitted to be created in this zone is 87,000 sq. ft. (2 acres). Additional By-Right uses include growing and harvesting of field crops; raising and slaughter of rabbits and other fur bearing animals; raising and slaughter of poultry, raising of sheep, goats, horses, mules, swine, bovine animals and other similar domesticated quadrupeds;

one unlighted sign not exceeding six square feet in area; storage of petroleum products; the keeping of household pets; bed and breakfast home with one or two guest rooms; and a small family day care home. The R-A-87 Zone District would be consistent with the "Rural Residential" Land Use Designation.

6. The Zone Change would enable the applicants to divide the property into three rural residential lots.
7. The Planning Commission recommended the Board of Supervisors approve General Plan Amendment No. GPA 19-001 to change the land use from "Agriculture" to "Rural Residential" on a 7.12-acre parcel by Resolution No. 9656 on August 28, 2019.
8. The Planning Commission recommended the Board of Supervisors conditionally approve Tentative Parcel Map No. PPM 19-006, with the requirement to file a final map, by Resolution No. 9658 on August 28, 2019.
9. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Development Impact Fees. New Development may be subject to County Development Impact fees.

C. This Planning Commission, after considering all of the evidence presented, found that the proposed Zone Change will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

AND, BE IT FURTHER RESOLVED as follows:

D. This Planning Commission hereby recommends that the Board of Supervisors approve Amendment to the Tulare County Zoning Ordinance, No. 352 via Case No. PZC 19-006 to change the zone on a 7.12-acre parcel from AE-10 to R-A-87, on property located within the Exeter Urban Area Boundary (Exhibit "A," Official Zoning Map).

The foregoing resolution was adopted upon motion of Commissioner Dias, seconded by Commissioner Whitlatch, at a regular meeting of the Planning Commission on August 28, 2019, by the following roll call vote:

AYES: Elliott, Aguilar, Whitlatch, Millies, McElroy, Dias, Pearson

NOES: None

ABSTAIN: None

ABSENT: None

TULARE COUNTY PLANNING COMMISSION



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Michael Washam, Secretary

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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 Section 9, Township 19 South, Range 26 East, Mount Diablo Base and Meridian, being a subdivision of Part 322 of the Official Zoning Map. The map showing the R-A-87 Zone for a 7.12-acre parcel is attached hereto and incorporated herein by reference.

Section 2. The property affected by the zoning reclassification from AE-10 to R-A-87, as herein provided is briefly described as follows:

The 7.12-acre parcel is located on the west side of S. Cornucopia Road (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter; Assessor Parcel Number (APN) 133-080-017.

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     Foothills Sun-Gazette    , 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   , 2019, 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:

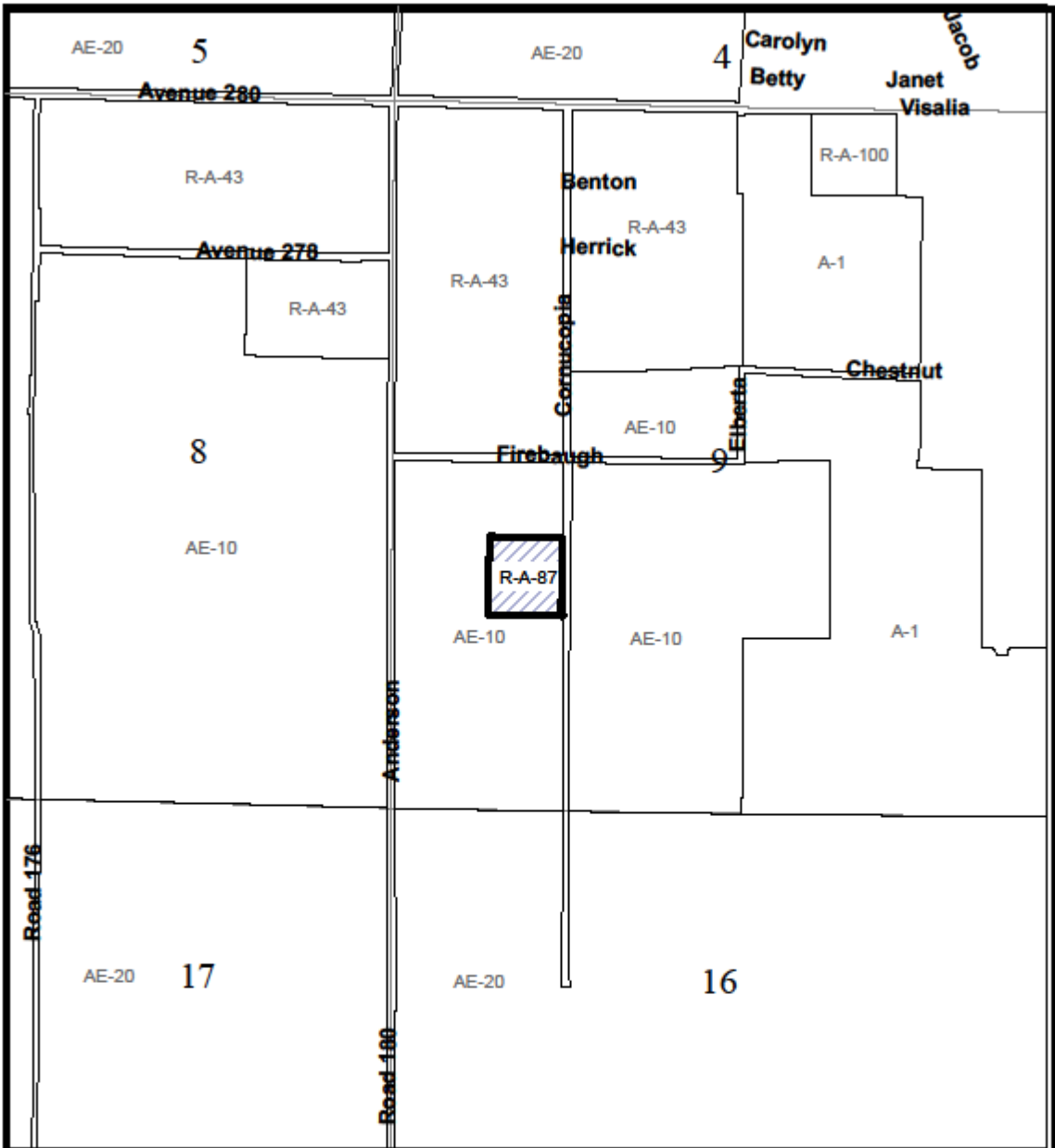
ABSENT:

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: Jason T. Britt  
County Administrative Officer/Clerk  
Board of Supervisors

By: \_\_\_\_\_  
Deputy





APN: 133-080-017,  
APROX. 7.12 AC.

Zone Change from AE-10 to R-A-87  
(GPA 19-001 and PZC 19-003)



ORDINANCE No. \_\_\_\_\_  
SEC. 9, T19 S, R26E, M.D.B. & M., MAP PART 322  
OF

**OFFICIAL ZONING MAP  
COUNTY OF TULARE, CA.**

TULARE COUNTY BOARD OF SUPERVISORS  
ADOPTED: \_\_\_\_/\_\_\_\_/\_\_\_\_

Attachment No. 3

Planning Commission PPM 19-006 Resolution No. 9658



New Construction or Conversion of Small Structures. This project is compatible with this section because the project would allow one additional single-family dwelling unit in a residential zone.

2. Entitlement is found in Section 4.D: R-A (Rural Residential Zone), which allows the creation of new parcels so long as they meet the minimum area requirement established in the zone. This division of land is consistent with Ordinance No. 352 in that all of the parcels being created meet the minimum 87,000 sq. ft. established in the R-A Zone (PZC 19-003).
3. This division of land will divide a 7.12-acre parcel into 3 parcels: Parcel 1 = 3.12 acres and would contain a single-family residence, shed, well, septic system, and a propane tank; Parcel 2 = 2.00 acres and would contain a mobilehome and septic system; and Parcel 3 = 2.00 acres and would be vacant for future development, on property located on the west side of S. Cornucopia Road (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter. If Parcel 2 utilizes the well on Parcel 1, a condition of approval will require a well/pipeline repair & maintenance easement in favor of Parcel 2.
4. The Planning Commission recommended the Board of Supervisors approve General Plan Amendment No. GPA 19-001 to change the land use from "Agriculture" to "Rural Residential" on the 7.12-acre parcel by Resolution No. 9656 on August 28, 2019.
5. The Planning Commission recommended the Board of Supervisors approve a Change of Zone from AE-10 (Exclusive Agricultural – 10 acre minimum) to R-A-87 (Rural Residential – 87,000 sq. ft. minimum) on the 7.12-acre parcel by Resolution No. 9657 on August 28, 2019.
6. The Planning Commission, after consideration of all evidence presented, found that a recommendation of approval to the Board of Supervisors for said parcel map will promote the orderly growth of the unincorporated portions of the County and will assure the health, safety, and welfare of the people of the County.
7. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Developer Impact Fees. New Development may be subject to County Development Impact fees.
8. The applicant(s), at their sole cost and expense, shall defend, indemnify and hold harmless the County of Tulare, its agents, legislative body, officers or employees in any legal or administrative action, claim or proceeding concerning approval of PPM 19-006; or, at its election and in the alternative, shall relinquish such approval. The

applicant(s) shall assume the defense of the County in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by the applicant(s), but subject to the County's reasonable approvals. The applicant shall also reimburse the County, its agents, its legislative body, officers or employees for any judgments, amounts paid in the settlements court costs and attorney's fees with the County, its agents, legislative body, officers or employees may be required to pay at court as a result of such action, claim or proceeding. The County may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve the applicant(s) of their obligations under this condition.

AND, BE IT RESOLVED THAT:

A. The Planning Commission hereby recommends the Board of Supervisors find the Categorical Exemption to be the appropriate environmental document, in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970, as amended, pursuant to Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures.

B. The Planning Commission hereby recommends the Board of Supervisors approve Tentative Parcel Map No. PPM 19-006, pursuant to Sections 7-01-2360 and 7-01-2365, subject to the following conditions:

**General Conditions:**

1. Failure to cause the recording of a final parcel map for an approved or conditionally approved vesting tentative parcel map (Exhibit A) within two (2) years after the date of its approval or conditional approval shall cause the parcel map to expire, in accordance with the Tulare County Subdivision Ordinance. However, upon application by the owner or his authorized agent, the time at which the approval of final parcel map expires may be extended for a period or periods not exceeding a total of five years by the Planning Commission.
2. In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, the content of the attached Right to Farm Notice (Exhibit "B") shall be placed in a prominent location on the final map for acknowledgement by the subdivider; or, the Notice itself shall be signed by the subdivider and recorded as a separate sheet to accompany the final map.
3. If Parcel 2 shall utilize the existing well located on Parcel 1, a ten foot (10') wide well and pipeline repair and maintenance easement, in favor of Parcel 2, shall be shown on the final map and incorporated into the legal description prepared for this division of land. However, Parcel 2 is large enough to drill a domestic well.



4. New construction shall occur only during normal business hours, typically from 8:00 a.m. to 5:00 p.m.

The foregoing resolution was adopted upon motion of Commissioner Dias, seconded by Commissioner Whitlatch, at a regular meeting of the Planning Commission on August 28, 2019, by the following roll call vote:


AYES: Elliott, Aguilar, Whitlatch, Millies, McElroy, Dias, Pearson

NOES: None

ABSTAIN: None

ABSENT: None

TULARE COUNTY PLANNING COMMISSION



Michael Washam, Secretary



EXHIBIT B

RIGHT TO FARM NOTICE

RE: Use Permit No. \_\_\_\_\_  
or  
Parcel Map No. PPM 19-006  
or  
Subdivision Map No. \_\_\_\_\_  
or  
Mining and Reclamation Plan No. \_\_\_\_\_

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

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

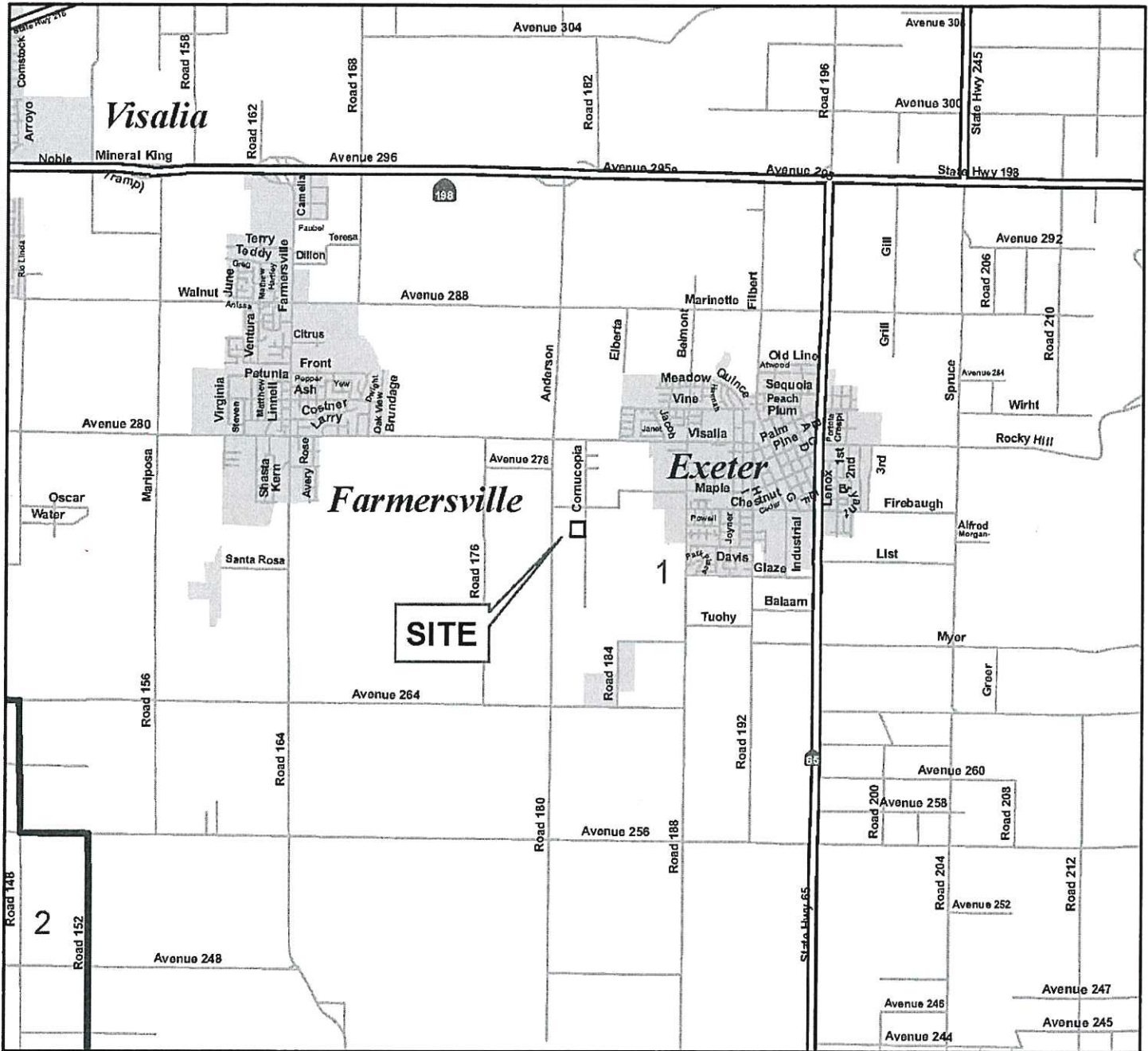
\_\_\_\_\_  
(Print Name)

# Attachment No. 4

## Maps and Graphics



# Vicinity Map for GPA 19-001, PZC 19-003 and PPM 19-006



Supervisory District: 1



N



- SITE
- Supervisory Districts







# Aerial Photograph for GPA 19-001, PZC 19-003 and PPM 19-006



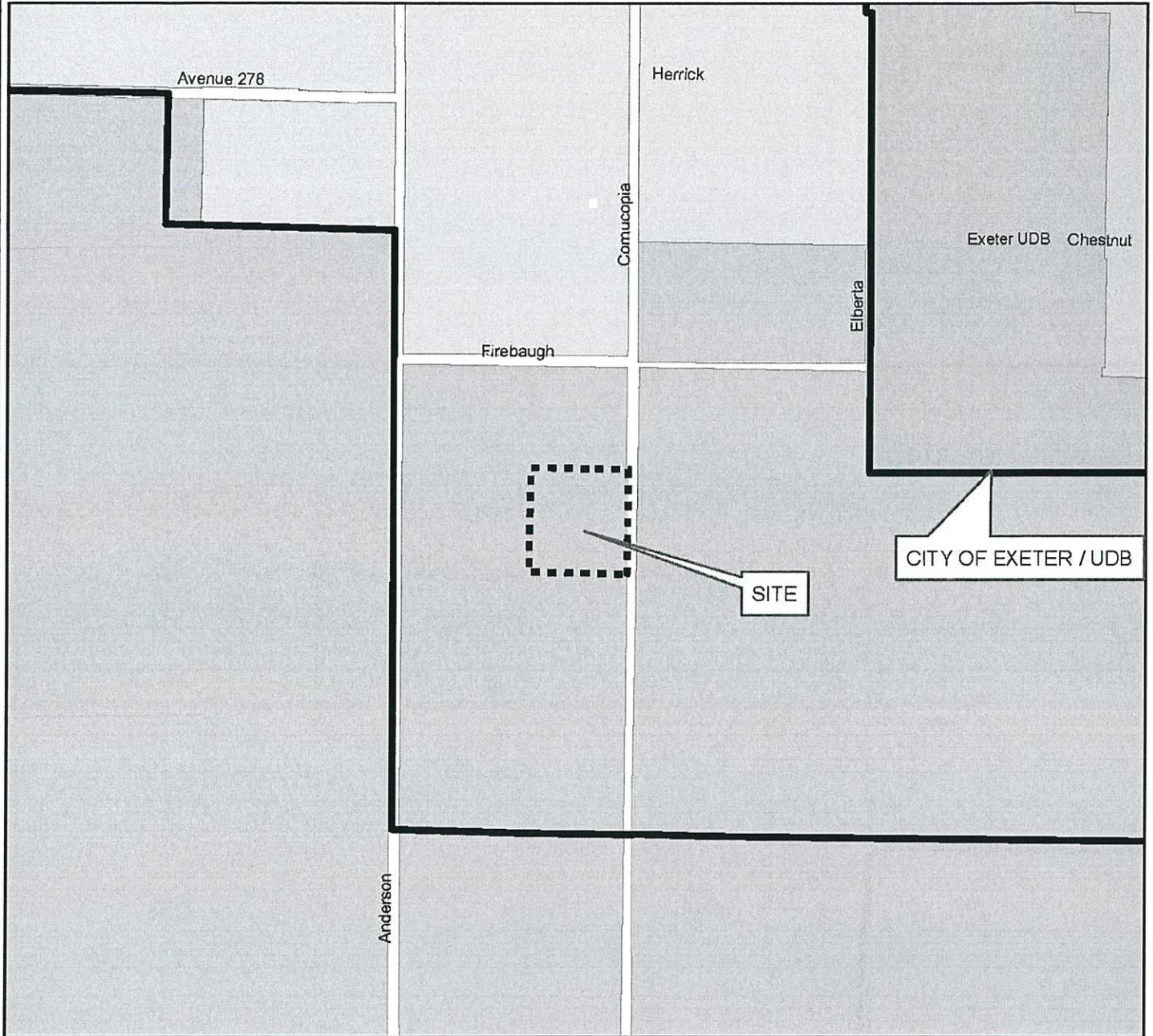
Owner: Eric & Shannon Lofstedt  
 Address: PO Box 556  
 City, State, ZIP: Exeter, CA 93221  
 Applicant: same  
 Agent: N/A  
 Supervisorial District: 1  
 Assessor's Parcel: 133-080-017







# Existing Land Use Plan Map for GPA 19-001, PZC 19-003 and PPM 19-006



## Legend

-  Site
-  Urban Area Boundaries
-  City Limits
-  Urban Development Boundaries

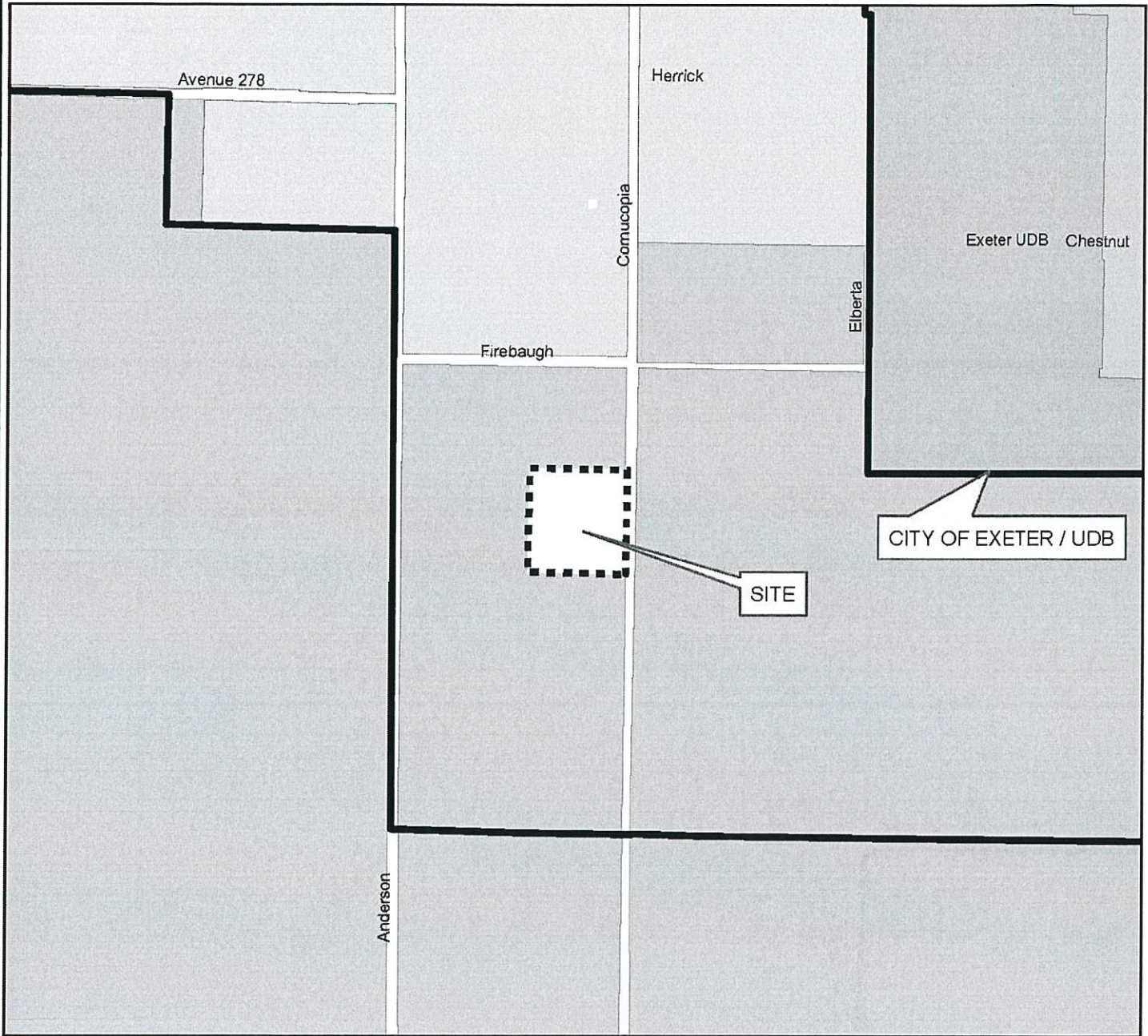
- Land Use (Gen. Zoning)**
-  Agriculture
  -  Commercial
  -  Manufacturing
  -  Residential
  -  Mooney Corridor












# Proposed Land Use Plan Map for GPA 19-001, PZC 19-003 and PPM 19-006



## Legend

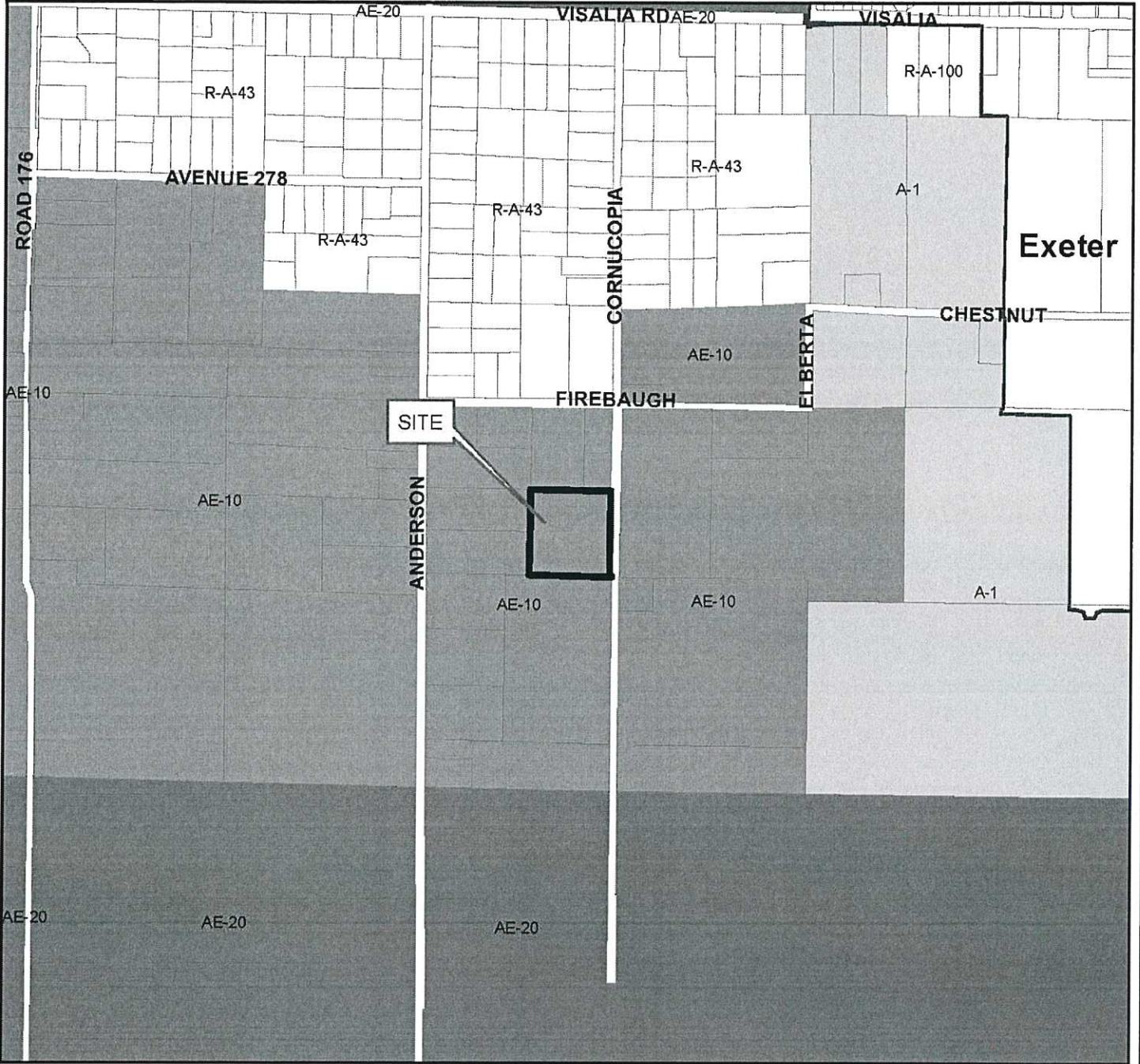
-  Site
-  Urban Area Boundaries
-  City Limits
-  Urban Development Boundaries

- |   |   |
|---|---|
|  Agriculture |  Manufacturing     |
|  Commercial  |  Residential       |
|   |  Rural Residential |

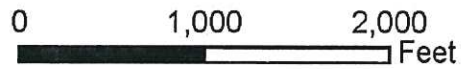


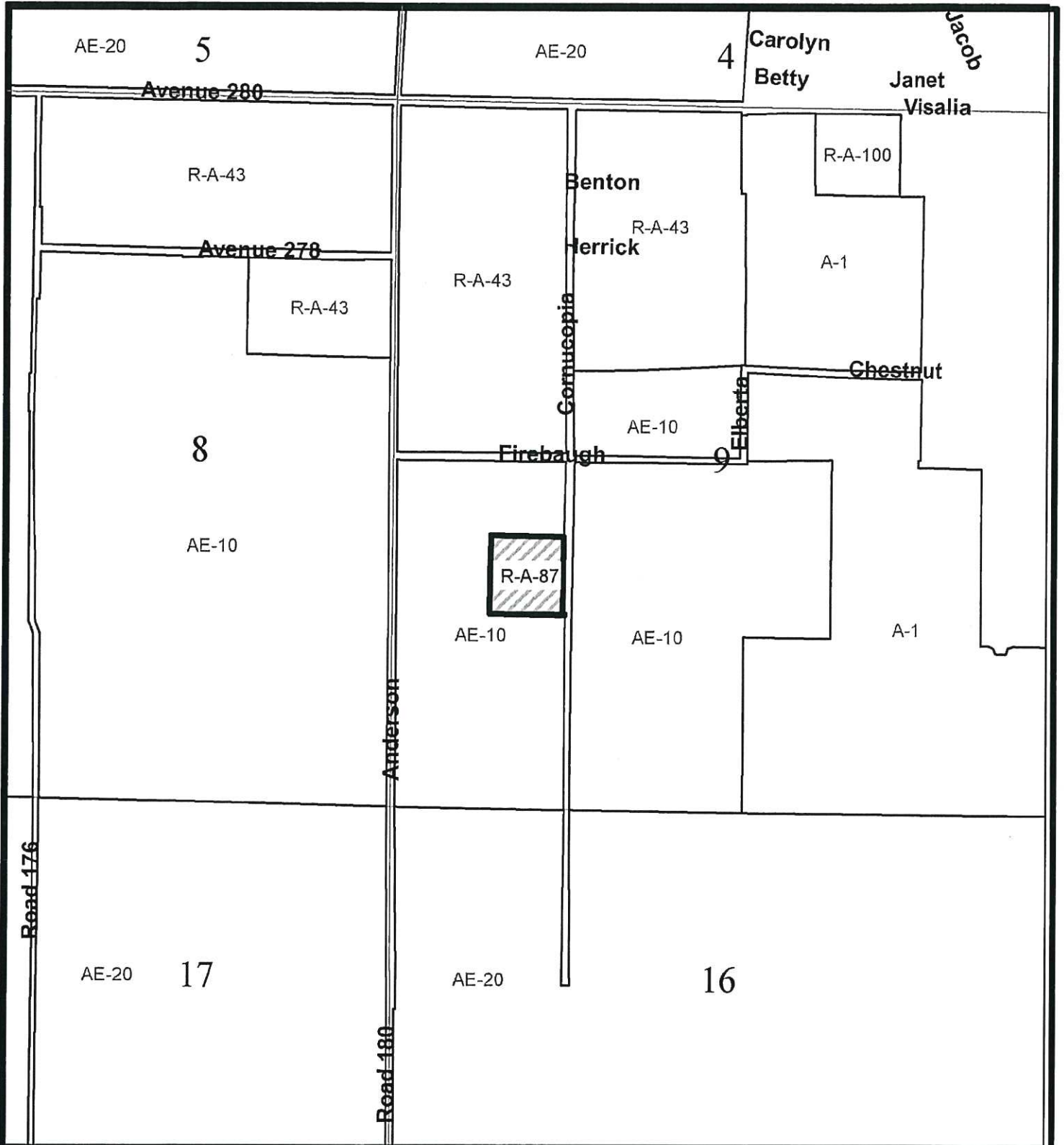


# Existing Zoning Map for GPA 19-001, PZC 19-003 and PPM 19-006



Owner: Eric & Shannon Lofstedt  
 Address: PO Box 556  
 City, State, ZIP: Exeter, CA 93221  
 Applicant: same  
 Agent: N/A  
 Supervisorial District: 1  
 Assessors Parcel: 133-080-017





APN: 133-080-017,  
 APROX. 7.12 AC.

Zone Change from AE-10 to R-A-87  
 (GPA 19-001 and PZC 19-003)

0 1,000 Feet



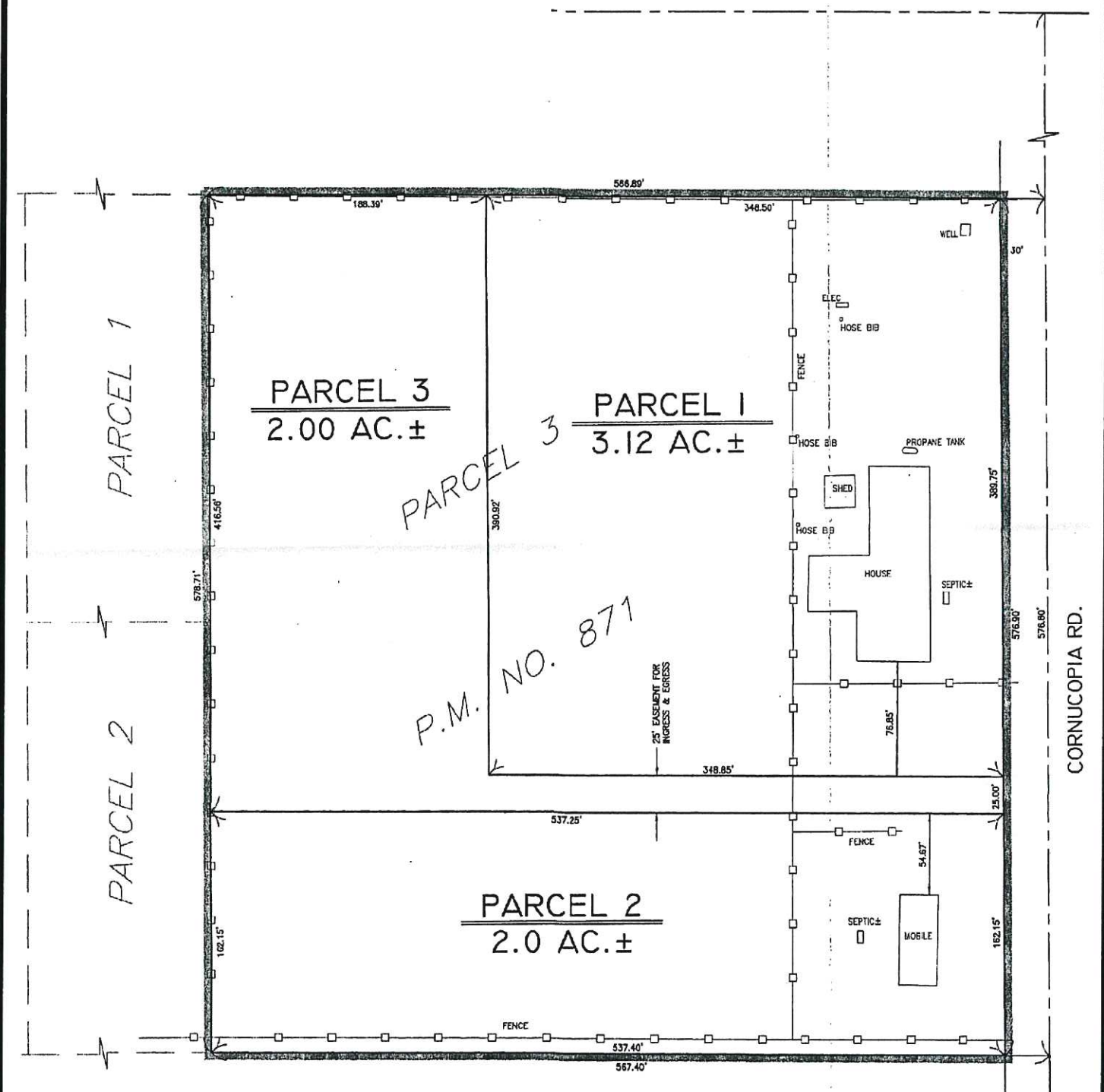
ORDINANCE No. \_\_\_\_\_  
 SEC. 9, T19 S, R26E, M.D.B. & M., MAP PART 322

OF  
**OFFICIAL ZONING MAP**  
**COUNTY OF TULARE, CA.**

TULARE COUNTY BOARD OF SUPERVISORS  
 ADOPTED: \_\_\_\_/\_\_\_\_/\_\_\_\_



# Exhibit "B"



No Scale

Tentative Parcel Map  
PPM 19-006

Attachment No. 5  
Notice of Exemption



Notice of Exemption

ATTACHMENT NO. 11

- 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

Date Filed with Tulare County Clerk

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): Eric Lofstedt  
 PO Box 556  
 Exeter, CA 93221  
 Ph: 559-967-4770

Activity/Project Title: General Plan Amendment No. GPA 19-001 & Zone Change No. PZC 19-003 & Tentative Parcel Map No. PPM 19-006

Activity/Project Location: on the west side of S. Cornucopia (Road 180) and approximately 1,100 feet south of Avenue 276 (Firebaugh), west of Exeter.

Activity/Project Location- Section, Township, Range: Assessor Parcel Number (APN) 133-080-017; Sec. 9, T19S, R26E, MDB&M

Project Location - City: N/A

Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: The project is (1) General Plan Amendment No. GPA 19-001 to change the land use designation from Agriculture to Rural Residential; (2) Change of Zone No. PZC 19-003 to change the zone from AE-10 to R-A-87; and (3) Tentative Parcel Map No. PPM 19-006 to divide a 7.12-acre parcel into three parcels: Parcel 1 = 3.12 acres, Parcel 2 = 2.00 acres, and Parcel 3 = 2.00 acres.

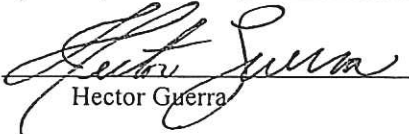
Exempt Status: (check one)

- 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

Reasons Why Activity/Project is exempt from CEQA: The use of Section 15303 is applicable and appropriate because the project would allow one additional single-family dwelling unit in a residential zone.

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

Activity/Project Representative Dana Mettlen Area Code/Telephone: 559-624-7106

Signature:  Date: 7/9/19 Title: Chief Environmental Planner

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: Environmental Assessment Officer  
 Reed Schenke, P.E.

Signed by Lead Agency

Date received for filing at OPR: N/A