



**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:** August 11, 2020

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

**SUBJECT:** Tentative Subdivision Map No. TSM 20-002 Smee Homes, Inc./Porterville

**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 and approve Tentative Subdivision Map No. TSM 20-002 to subdivide 10.04 acres into eight (8) parcels that range in size from 49,155 to 52,776 square feet, located in the Rural Residential – 43,000 square foot minimum (R-A-43) Zone, with two exceptions for length of cul-de-sac and gutter requirements, located approximately 634 feet north of Linda Vista Avenue and approximately 700 feet east of Dillon Court, north of the City of Porterville, as set forth in Planning Commission Resolution No. 9747.
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 Environmental Assessment Officer, or designee, of the Tulare County Resource Management Agency to file a Notice of Exemption with the Tulare County Clerk.

**SUMMARY:**

The Tulare County Resource Management Agency (RMA) has received a request from Smee Homes, Inc. 444 N. Prospect, #A, Porterville, CA, 93257 (Agent: Forester, Weber & Associates, 1620 W. Mineral Kings Avenue, Visalia, CA 93291). The Planning Commission recommended approval of this Project on July 8, 2020 to

**SUBJECT:** Tentative Subdivision Map No. TSM 20-002 Smee Homes, Inc./  
Porterville

**DATE:** August 11, 2020

subdivide 10.04 acres into eight (8) parcels that range in size from 49,155 to 52,776 square feet, located in the Rural Residential – 43,000 square foot minimum (R-A-43) Zone, located approximately 634 feet north of Linda Vista Avenue and approximately 700 feet east of Dillon Court, north of the City of Porterville (APN: 243-150-087). An exception has been requested from the requirement to install curbs and gutters under Section 7-01-1235 of the Tulare County Subdivision Ordinance. An exception has also been requested to exceed the 660-foot maximum length of a cul-de-sac in non-mountainous areas under Section 7-01-1280(a) of the Tulare County Subdivision Ordinance. Regardless, a final map is required.

The Planning Commission found that this Project is consistent with the County's General Plan for the City of Porterville's Urban Area Boundaries, and specifically for the City of Porterville's Area Plan (General Plan Amendment 14-008 (approved by resolution 2015-0136)). This required that the City of Porterville was noticed for the Project, and the City's standards were applied to the Project for a Project larger than 4 lots. Moreover, the City stated they did not want to stand in the way of the Project, and would apply their water requirements if the Project was annexed, which is not possible given its over 700 feet away from the City Limits. The City's General Plan considers the area include single-family residential development, which is consistent with our Area Plan's Very Low Density Residential Standards.

The Project is consistent with the Zoning, as the property is zoned Rural Residential 43,000 square foot Minimums (R-A-43) and each lot is greater than 43,000 square feet. It is also consistent with the septic, water, and fire requirements of the County, and the Public Works Department agreed with the recommendation to grant the exceptions under the Subdivision Code.

**FISCAL IMPACT/FINANCING:**

No Net County Cost to the General Fund. The applicants cost for a Tentative Subdivision Map was an initial deposit of \$5,732 to the RMA. Additional fees of \$100 per hour are charged if actual cost of processing the Tentative Subdivision Map application exceeds the deposit. CEQA documentation and compliance for the project is \$58 because the project is exempt from CEQA.

**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 tentative subdivision map will help encourage growth consistent with the County General Plan.

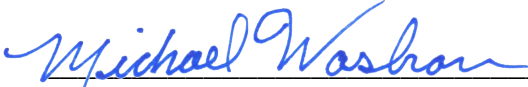
**SUBJECT:** Tentative Subdivision Map No. TSM 20-002 Smee Homes, Inc./  
Porterville

**DATE:** August 11, 2020

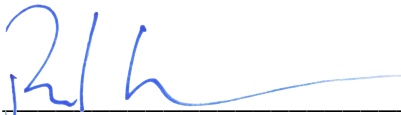
**ADMINISTRATIVE SIGN-OFF:**



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  
Smee Homes, Inc., 444 No. Prospect, #A, Porterville, CA 93257  
Forester, Weber & Assoc., LLC, 1620 W. Mineral King Ave., Visalia, CA 93291

**Attachments:**

- Attachment No. 1 – Planning Commission TSM 20-002 Resolution No. 9747
- Attachment No. 2 – Maps and Graphics
- Attachment No. 3 – Notice of Exemption

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

IN THE MATTER OF TENTATIVE ) Resolution No. \_\_\_\_\_  
SUBDIVISION MAP NO. TSM 20-002 )  
SMEE HOMES INC./PORTERVILLE )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE BOARD  
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD ON AUGUST 11, 2020, 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 and approved Tentative Subdivision Map No. TSM 20-002 to subdivide 10.04 acres into eight (8) parcels that range in size from 49,155 to 52,776 square feet, located in the Rural Residential – 43,000 square foot minimum (R-A-43) Zone, with two exceptions for length of cul-de-sac and gutter requirements, located approximately 634 feet north of Linda Vista Avenue and approximately 700 feet east of Dillon Court, north of the City of Porterville, as set forth in Planning Commission Resolution No. 9747.
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 Environmental Assessment Officer, or designee, of the Tulare County Resource Management Agency to file a Notice of Exemption with the Tulare County Clerk.

**Attachment “1”**

**Planning Commission TSM 20-002  
Resolution No. 9747**

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF TENTATIVE )  
SUBDIVISION MAP NO. TSM 20-002 ) RESOLUTION NO. 9747  
FOR SMEE HOMES, INC. )

Resolution of the Planning Commission of the County of Tulare recommending that the Board of Supervisors approve Tentative Subdivision Map No. TSM 20-002, submitted by Smees Homes, Inc., 444 N. Prospect, #A, Porterville, CA, 93257 (Agent: Forester, Weber & Associates, 1620 W. Mineral Kings Avenue, Visalia, CA 93291) proposes to subdivide 10.04 acres into eight (8) parcels that range in size from 49,155 to 52,776 square feet, located in the Rural Residential – 43,000 square foot minimum (R-A-43) Zone, located approximately 634 feet north of Linda Vista Avenue and approximately 700 feet east of Dillon Court, north of the City of Porterville (APN: 243-150-087). An exception has been requested from the requirement to install curbs and gutters. An exception has also been requested exceed the 660-foot maximum length of a cul-de-sac in non-mountainous areas. A final map is required

WHEREAS, a tentative subdivision map was filed pursuant to the regulations contained in Sections 7-01-1000 to 7-01-2850 (formerly Sections 7000-7125) of the Ordinance Code of the County of Tulare pertaining to the subdivision of land; and

WHEREAS, staff has conducted such investigations and surveys of fact bearing upon the proposed subdivision to assure action consistent with the purposes of sections 7-01-1000 to 7-01-2850 (formerly Sections 7000-7125) of the Ordinance Code of Tulare County and the State Subdivision Map Act, and prepared a written report (made a part hereof); and

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

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

WHEREAS, on June 10, 2020, a Notice of Public Hearing for Tentative Subdivision Map No. TSM 20-002 was duly published in The Sun-Gazette, a newspaper of general circulation in Tulare County; and

WHEREAS, a public hearing was held and public testimony was received and recorded at a regular meeting of the Planning Commission on June 24, 2020; and

WHEREAS, at that meeting of the Planning Commission public testimony was received and recorded from Ken Turner in support of the project and from no one in opposition to the project; and

WHEREAS, after closing the public hearing the Planning Commission deliberated, requested that staff research the findings required by the Subdivision Map Act for denial of a subdivision map, and continued this item to the next Planning Commission meeting on July 9, 2020; and

WHEREAS, on July 9, 2020, the Planning Commission resumed the public hearing, received a staff report concerning the findings required by the Subdivision Map Act for denial of a subdivision map, received and recorded public testimony from Fred Weber and Ken Turner in support of the project and from no one in opposition to the project, and resumed deliberations.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby recommends that the Board of Supervisors certify that the Board 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 Tentative Subdivision Map, 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 Tentative Subdivision Map.

B. This Planning Commission, after considering all the evidence presented, hereby recommends that the Board of Supervisors determine that the following findings are relevant in evaluating this application:

1. The applicants have proposed Tentative Subdivision Map No. TSM 20-002 to subdivide 10.04 acres into eight (8) parcels that range in size from 49,155 to 52,776 square feet, located approximately 634 feet north of Linda Vista Avenue and approximately 700 feet east of Dillon Court, north of the City of Porterville (APN: 243-150-087). An exception has been requested from the requirement to install curbs and gutters. An exception has also been requested exceed the 660-foot maximum length of a cul-de-sac in non-mountainous areas. A final map is required.
2. The subject parcel, APN: 243-150-087, is presently zoned Rural Residential – 43,000 square foot minimum (R-A-43). The site is approximately 10.04-acres in size, vacant and level, and is not currently under cultivation. Surrounding properties are zoned Rural Residential (R-A-43 and R-A-87) and contain rural residences and vacant land. The site is not restricted by a California Land Conservation Act (Williamson Act) Contract. The site has access to Linda Vista Avenue, via an existing 60 foot wide private road that is paved. Linda Vista Avenue is a County maintained road.
3. 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 property is vacant. Limited numbers of residences are allowed by the Zoning Ordinance. The project will not result in significant impacts and will not require additional public services. The use of Section 15303 is applicable and appropriate because, upon project approval, only one by-right residential structure would be allowed on each of the eight (8) newly-created parcels without further review.
4. This tentative map will create eight (8) parcels that range in size from 49,155 to 52,776 square feet. The project site is currently zoned R-A-43. The Rural Residential Zone is 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 cars are allowed. The uses allowed by-right in the R-A Zone are: growing and harvesting of crops; raising and slaughter of fur bearing animals; raising and slaughter of poultry; raising of domesticated quadrupeds; keeping of household pets. The maximum building height is 2½ stories, or 35 feet to the uppermost part of roof. There shall be a front yard of not less than 25 feet; a side yard of not less than 5 feet; and a rear yard of not less than 25 feet. The minimum distance between a structure used for human habitation and a pen, coop, stable, barn, corral, or other structure housing livestock or poultry shall be 40 feet.

5. The project site is located within the Porterville Urban Area Boundaries and Figure ES-5 of the Porterville Area Community Plan lists the Land Use Designation as Very Low Density Residential. PF-4.1 of the Tulare County General Plan (TCGP) states that the land lying between the Urban Development Boundary and the Urban Area Boundary will generally have an agricultural land use designation or rural residential land use designation in conformity with Land Use Policy LU 3.8: Rural Residential Interface.
6. Tulare County Agreement No. 26453 (Agreement No. 26453) with the City of Porterville requires the County to apply the policies under Goal PF-4A, in addition to the policies already in place under Goal PF-4, to the City and any land within the County Adopted City Area Urban Development Boundary (CACUDB) of Porterville and County Adopted City Area Urban Area Boundary (CACUAB) for Porterville. Section V.b.i. of Agreement No. 26453 requires the following:
  - a. The County shall not approve any development that is inconsistent or incompatible with the City Plan Lines. Staff's response is that the proposed project is consistent and compatible with the City Plan Lines.
  - b. In addition, the County will consider the City's General Plan and adopted facility plans during the development process. Staff's response is that the City's General Plan and adopted facility plans have been considered by the County during the development process. On January 16, 2020, a Project Review Committee Consultation and Fact Sheet was sent to the City of Porterville for PRC 19-068 for the proposed subdivision of 10.04 acres into eight (8) parcels that range in size from 49,155 to 52,776 square feet. The City of Porterville sent a letter commenting on PRC 19-068, stating that the City would not block or oppose the development of this subdivision in the County. The City's letter also stated that if the applicant desired connection to the City's water system, then annexation would be the way forward. TSM 20-002 proposes individual domestic wells for each of the proposed parcels. TSM 20-002 does not propose connection to the City's water system; therefore, annexation would not be required. On April 29, 2020, a Project Review – Consultation Notice for TSM 20-002 was sent to the City of Porterville. The City has not responded to the Project Review – Consultation Notice.



- c. The County will apply the County's Rural Valley Lands Plan checklist or something similar mutually agreed to by the County and City to proposed County General Plan Amendments or rezoning in the CACUAB for Porterville. Staff's response is that a RVLP analysis has been prepared for the proposed project. Staff initiated a RVLP Checklist and Backup Statement for the Board to consider, consistent with Agreement No. 26453 and PF-4.19, which resulted in a total of 13 points for the proposed project (see Exhibit B). RVLP-1.4 states that if the number of points accumulated is 11 or less, the parcel may be considered for non-agricultural zoning. A parcel receiving 12 to 16 points shall be determined to have fallen within a "grey" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system. It should be noted that a zone change is not needed for this application (TSM 20-002) since the existing zoning for the property is R-A-43. Consistent with PF-4.19, new development in a city's UAB would be subject to adopted plan lines and setback standards
    - d. Where small "stand-alone" nonurban projects are proposed, County need not apply City's Standards and Designations but will apply City utility and street master plan setbacks. For purpose of Agreement No. 26453, "stand-alone" nonurban projects are defined as residential projects of four or fewer lots or non-residential projects smaller than two acres. Staff's response is that the proposed project would result in eight parcels that are all smaller than two acres. Therefore, the project is not a small "stand-alone" nonurban project and the County is required to apply the City's Standards and Designations.
7. PF-4.21 of the TCGP states that as an exception to the County policies that the Rural Valley Lands Plan (RVLP) is only advisory within County Adopted Urban Area Boundaries (CACUABs), the County may work with an individual city to provide that the requirements of the RVLP will apply to applications for special use permits (including special use permits for the expansion of a non-conforming use), variances considered under Government Code § 65906, or to the extent allowed by law, divisions of land within a CACUAB except in those areas that overlap with a County unincorporated Urban Development Boundary (UDB), an Hamlet Development Boundary (HDB), or Corridor Plan area. Such a special use permit, variance, or division of land will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors.
  - a. Since the County and the City of Porterville have entered Agreement No. 26453, a RVLP analysis is required for the proposed project. Staff initiated a RVLP Checklist and Backup Statement for the Board to consider, consistent with Agreement No. 26453 and PF-4.19, which resulted in a total of 13 points for the proposed project (see Exhibit B). RVLP-1.4 states that if the number of points accumulated is 11 or less, the parcel may be considered for non-

agricultural zoning. A parcel receiving 12 to 16 points shall be determined to have fallen within a “grey” area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system. It should be noted that a zone change is not needed for this application (TSM 20-002) since the existing zoning for the property is R-A-43 Zone.

8. The Tentative Subdivision Map is consistent with relevant policies of the Tulare County General Plan, including Planning Framework Goal No. 1, Land Use Goal No. 1, LU-3.4, PF-4A, PF-4.1, PF4-19, PF-4.21, HS-6.8 (Private Water Supply), WR-2.9 (Private Wells), PFS-3.1 (Private Sewage Disposal Standards), RVLDP-1.6 (Checklist), and AG-1.14 (Right-to-Farm Noticing).
9. The subject site is zoned R-A-43. 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.
10. The applicant has requested an exception to Section 7-01-1235 of the Tulare County Subdivision Ordinance, pertaining to curbs and gutters. The applicant has also requested an exception to Section 7-01-1280(a) of the Tulare County Subdivision Ordinance pertaining to the maximum length of a cul de sac. Pursuant to Section 7-01-2645 of the Tulare County Subdivision Ordinance, an exception may be granted subject to any reasonable conditions, which are deemed necessary to effectuate the purposes of the Tulare County Subdivision Ordinance.
  - a. Section 7-01-1235 requires that subdivisions which are not in mountainous areas, shall have curbs and gutters on all lots if a majority of the lots in the subdivision contain less than two and one half (2 ½) acres and/or have average widths of less than two hundred (200) feet. All of the lots in the proposed subdivision would be less than 2 ½ acres in size and they would all have widths of less than 200 feet. Section 7-01-1280(a) requires that in subdivisions which are not in mountainous areas, shall have cul de sacs that do not exceed six hundred sixty (660) feet in length and shall terminate with a circular turnaround constructed in accordance with the Improvement Standards of Tulare County.
  - b. Granting the exception to the requirement for curbs and gutters is appropriate because there is no drainage outfall to direct stormwater runoff into. Granting the exception to maximum length of a cul de sac that is not in a mountainous area is appropriate because the cul de sac would never be extended to properties to the north or to any county Avenue. Therefore, granting the exceptions will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.

- c. The Planning Commission considered applicant's request for an exception to Section 7-01-1235 of the Tulare County Subdivision Ordinance, pertaining to curbs and gutters and an exception to Section 7-01-1280(a) of the Tulare County Subdivision Ordinance pertaining to the maximum length of a cul de sac.

C. This Planning Commission further recommends that the Board of Supervisors determine that the proposed subdivision project, together with the provisions for its design and improvements, is consistent with the Tulare County General Plan and the Tulare County Zoning Ordinance, as amended, and

D. This Planning Commission, after considering all evidence presented, recommends that the Board of Supervisors find that approval of said tentative subdivision map will promote the orderly growth of the County and will assure the health, safety and welfare of the people of the County.

AND, BE IT FURTHER RESOLVED as follows:

E. This Commission hereby recommends that the Board of Supervisors find the Categorical Exemption is the appropriate environmental determination and approve Tentative Subdivision Tract No. TSM 20-002 subject to the following conditions:

**GENERAL CONDITIONS**

1. Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission (Exhibit "A") and with the Site Plan Development Standards pertaining to a use of this type adopted by the Planning Commission on February 20, 1970.
2. Regardless of Condition No. 1 above, the Planning Director is authorized to approve minor modifications to the approved plans upon a request by the applicant, or his successors, as long as said modifications do not materially affect the determination of the Planning Commission. Such modifications shall be noted on the approved plans and shall be initialed by the Planning Director.
3. All exterior lighting shall be so adjusted as to deflect direct rays away from public roadways and adjacent properties.
4. Any structures built shall conform to the building regulations and the building line setbacks of the Ordinance Code of Tulare County insofar as said regulations and setbacks are applicable to such structures.
5. If there are conditions set down herein which require construction of improvements, they shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning Commission may grant exceptions to this condition upon request by the applicant.

6. 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 TSM 20-002: 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."
7. Failure to cause the recording of a final map within two (2) years after the date of its approval or conditional approval shall cause the tentative subdivision 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 tentative subdivision map expires may be extended for a period or periods not exceeding a total of five years by the Board of Supervisors.

**Engineering Conditions:**

8. All improvements serving this subdivision shall be constructed in accordance with the Tulare County improvement standards, unless and except as such standards are modified herein.
9. All utility easements shall be shown on the final map.
10. All water, sewer, gas, electric, telephone, cable television, storm drain, and related infrastructure to be extended along any road in the subdivision, or adjacent to the subdivision, shall be constructed prior to surfacing of roads.
11. The subdivider shall make all necessary arrangements for the relocation of all overhead and underground utility facilities that interfere with any improvement work required of this subdivision. In addition, the subdivider shall make all necessary arrangements with the public utility company for the cost of relocating such facilities, as no relocation costs will be borne by the County.
12. A registered civil engineer shall prepare improvement plans. The improvement plans shall address all aspects of constructing the public improvements and shall identify existing topography, lot grading and proposed contours for the development, road improvement details, drop inlets, top of curb elevations, storm drain lines and storm drainage system details, sewer and water system details, street sign locations, utility relocations and any other details relevant to constructing the public improvements. All water lines, sewer lines and storm drain lines and related infrastructure shall be located within public road rights-of-way. Hydraulic

calculations shall be submitted with the improvement plans justifying the drainage design. The improvement plans shall be submitted to and approved by the Tulare County RMA before initiation of construction.

13. Road improvements for this subdivision are required to consist of a 56-foot right-of-way constructed to a width of 32 feet in conformance with a Class 1 county road improvement standard.
14. The subdivider or his contractor shall obtain all necessary encroachment permits from the Tulare County RMA before performing work within the County road right-of-way.
15. The subdivider shall submit an application and pay the required fee to the Tulare County RMA for the formation of an assessment district for the maintenance of the public streets and roadways within the boundary of the subdivision. Formation of the assessment district must be completed before the recordation of the final map. The formation process will begin at the time the application and fee are received. The subdivider may also submit proof to the Tulare County RMA of another means of providing for permanent, long-term maintenance of the public streets and roadways such as a homeowners association. This other means will need to be approved by the Tulare County RMA and the process completed before the recordation of the final map.

**TC Fire Department Conditions:**

16. Improvements/development or construction must meet current fire and building codes.
17. Addresses shall be posted with 4 inch by 3 inch by ½ inch permanent numbers that are visible from the street.
18. All weather Fire Department access shall be provided with a minimum width of 20 feet and with a 400,000 pound weight limit.
19. Current fire flow/water supply must be met before construction begins.
20. Water storage tanks and Fire Department connections shall comply with NFPA 1142 and 22 Standards.
21. A pressurized community fire hydrant system shall be installed and shall comply with NFPA 24 standards and California Fire Code Appendixes B and C.
22. All single family residences shall have a fire suppression system designed and installed by a licensed professional.

**Environmental Health Services Conditions:**

23. New septic system installations will require submission of a site evaluation report. The report shall be submitted to the Tulare County Environmental Health Services Division (TCEHSD) for review, before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate licensure (PE, PG, CHG, REHS or CPSS).
24. If the City of Porterville will provide water service for the proposed parcels, the applicant shall provide 'will-serve' authorization for service.


**Planning Conditions:**

25. In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, the content of the Right to Farm Notice shall be placed in a prominent location on the final map for acknowledgment by the subdivider; or, the Notice itself shall be signed by the subdivider and recorded as a separate sheet to accompany the final map (Exhibit C).
26. If, during construction or grading activities on the site, any resources of an historic or prehistoric nature are discovered, the applicant, his heirs and assigns shall ensure that all construction or grading is immediately ceased and the Tulare County Resource Management Agency Director is immediately notified of the discovery. Further development shall not continue until the Tulare County Resource Management Agency Director determines that appropriate and necessary recovery measures have been completed.
27. All exterior lighting shall be so adjusted as to deflect direct rays away from public roadways and adjacent properties.

The foregoing resolution was adopted upon motion of Commissioner Aguilar, seconded by Commissioner Whitlatch, at a regular meeting of the Planning Commission on July 8, 2020, by the following roll call vote:

AYES: Aguilar; Whitlatch; Millies; Dias  
NOES: McElroy  
ABSTAIN: Pearson; Elliott  
ABSENT: None

TULARE COUNTY PLANNING COMMISSION

  
\_\_\_\_\_  
Michael Washam, Secretary

# **Attachment “2”**

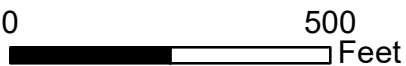
## **Maps and Graphics**



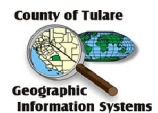
# Aerial Photograph for TSM 20-002



Owner: Thomas O'Sullivan  
 Address: 1279 W. Henderson Avenue, #340  
 City, State, ZIP: Porterville, CA 93257  
 Applicant: Smee Homes, Inc.  
 Agent: Forester, Weber & Associates, LLC  
 Supervisorial District: 5  
 Assessors Parcel: 243-150-087



 SITE  
 Parcels





# Tentative Subdivision Map No. TSM 20-002

Smee Homes, Inc.

A proposal to subdivide 10.04 acres into eight (8) parcels that range in size from 49,155 to 52,776 square feet, located in the Rural Residential – 43,000 square foot minimum (R-A-43) Zone, located approximately 634 feet north of Linda Vista Avenue and approximately 700 feet east of Dillon Court, north of the City of Porterville (APN: 243-150-087).

Legend



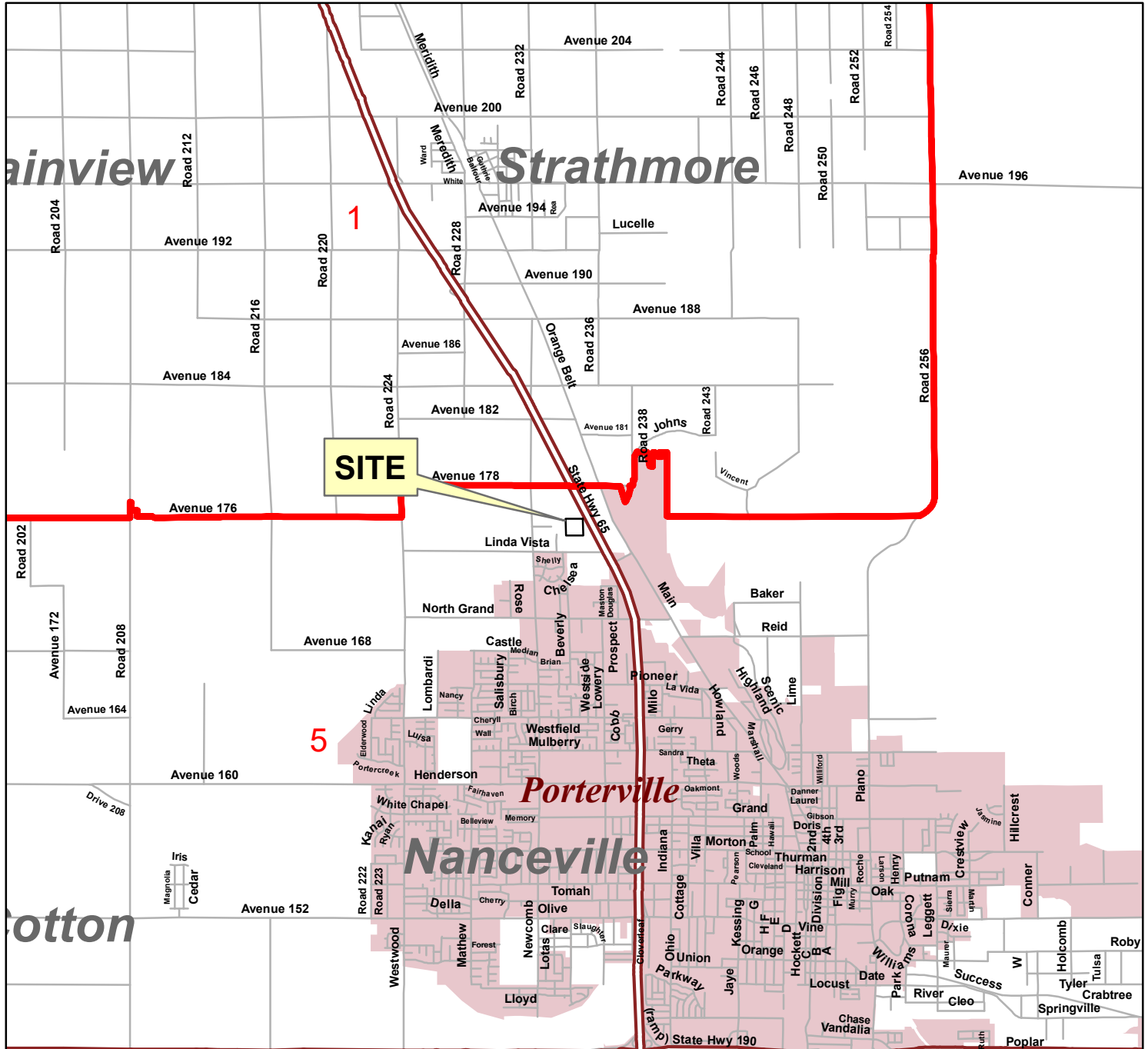
Google Earth

© 2020 Google

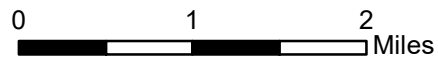
1000 ft





# Vicinity Map for TSM 20-002



Supervisorial District: 5

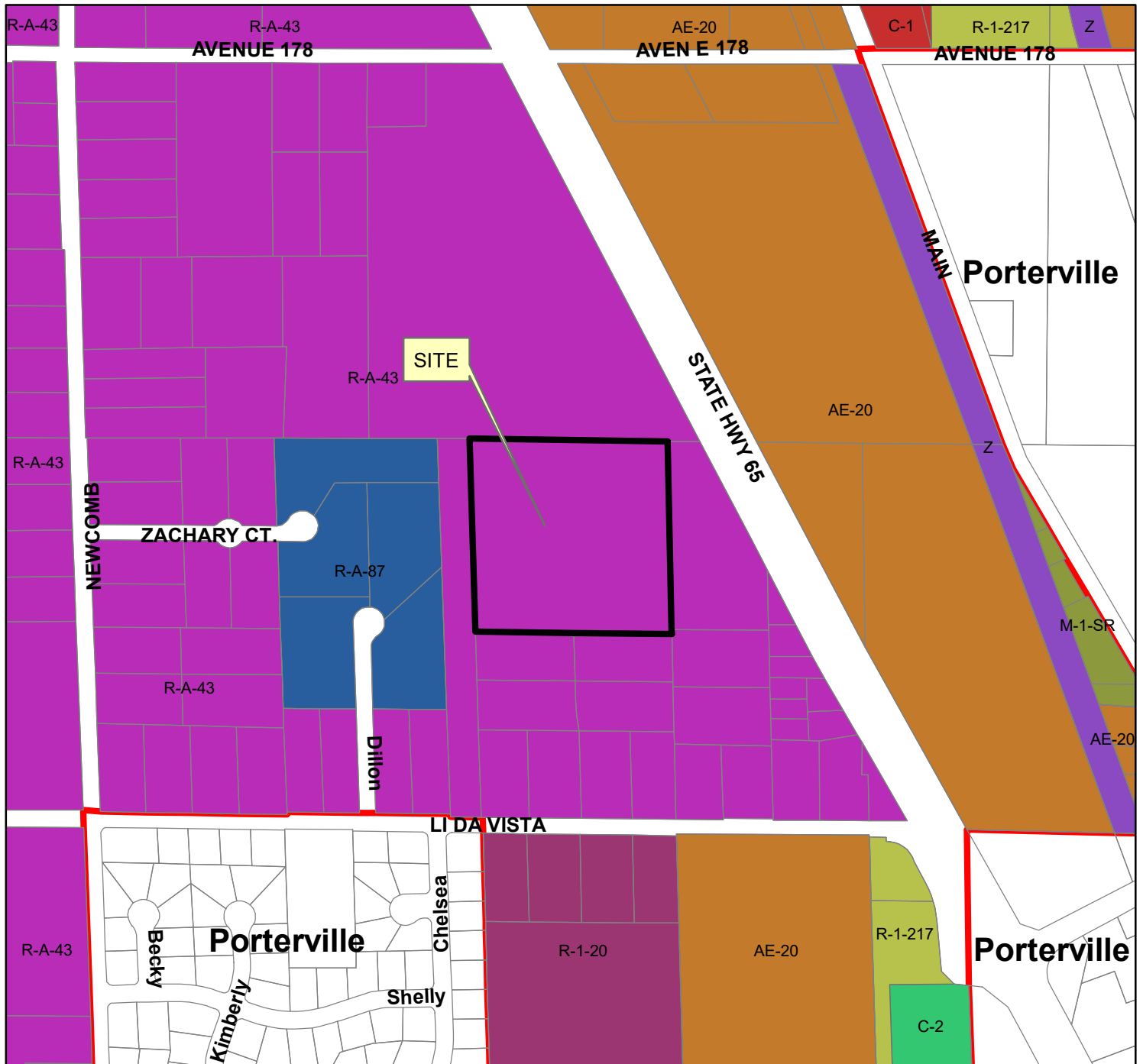


-  SITE
-  Supervisorial Districts

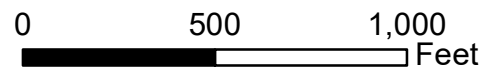




# Existing Zoning Map for TSM 20-002



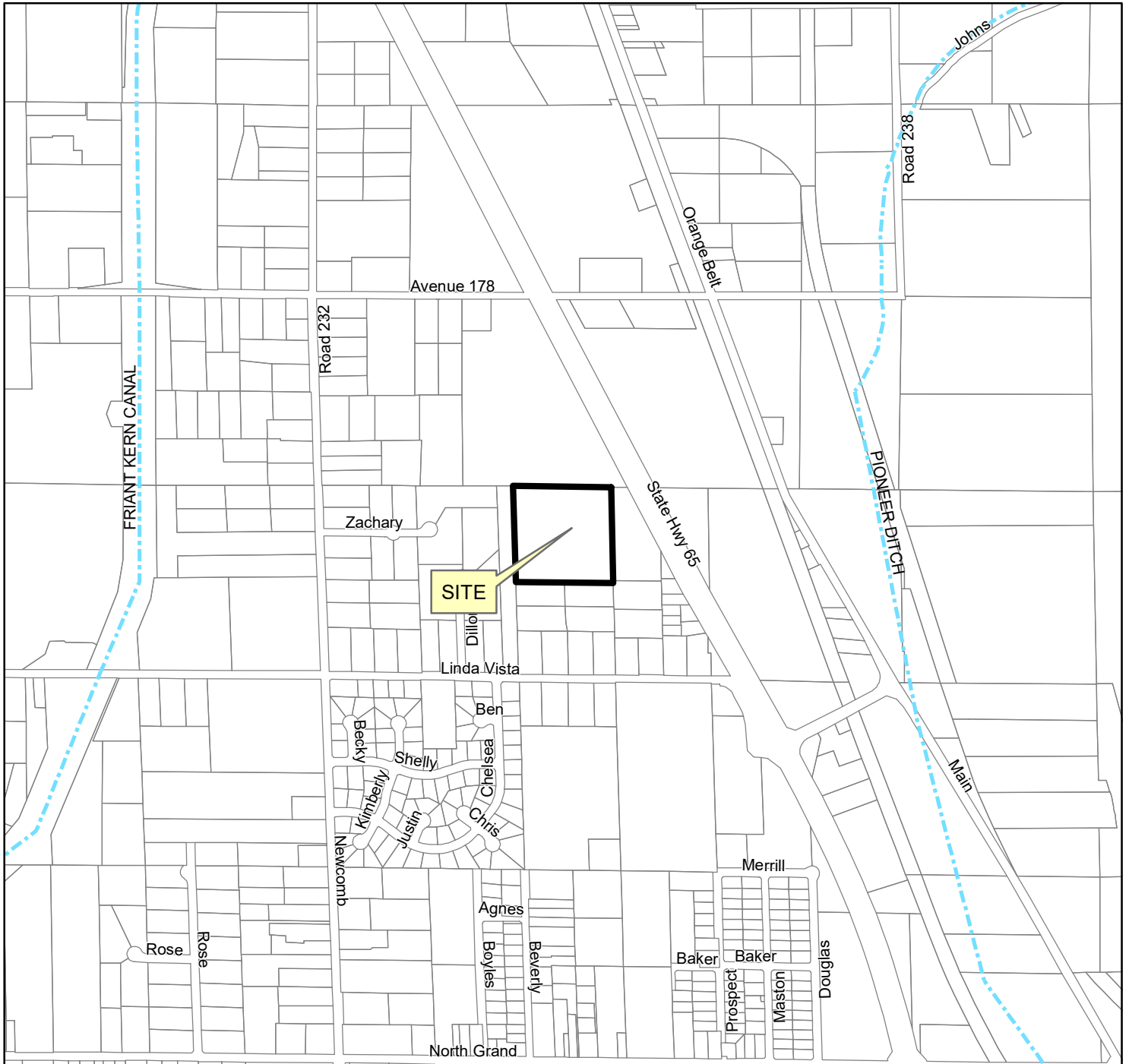
Owner: Thomas O'Sullivan  
 Address: 1279 W. Henderson Avenue, #340  
 City, State, ZIP: Porterville, CA 93257  
 Applicant: Smee Homes, Inc.  
 Agent: Forester, Weber & Associates, LLC  
 Supervisorial District: 5  
 Assessors Parcel: 243-150-087







SITE	AE-20	M-1-SR	R-A-43
Parcels	C-1	R-1-20	R-A-87
<b>ZONE</b>	C-2	R-1-217	Z

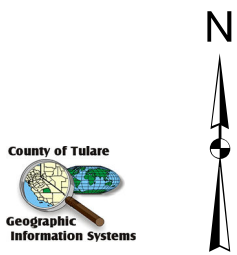


# Waterways Map for TSM 20-002



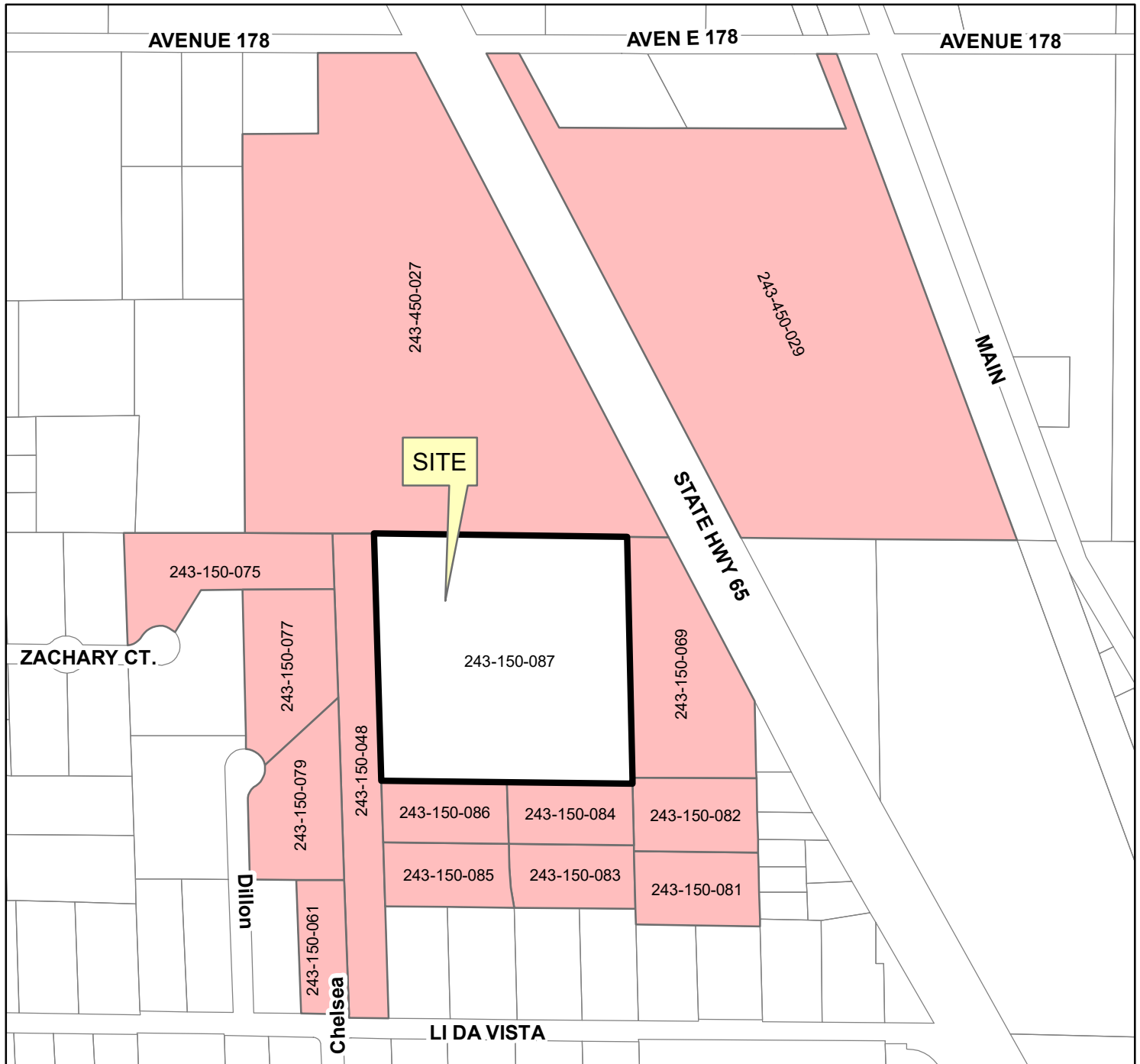
-  Waterways
-  SITE
-  Parcels
-  County Boundary

0 1,000  
Feet

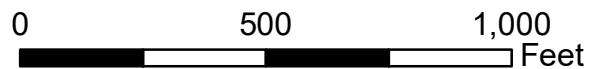







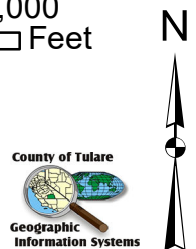
# Location and Property Ownership Map for Hearing Notification for TSM 20-002



Owner: Thomas O'Sullivan  
 Address: 1279 W. Henderson Avenue, #340  
 City, State, ZIP: Porterville, CA 93257  
 Applicant: Smee Homes, Inc.  
 Agent: Forester, Weber & Associates, LLC  
 Supervisorial District: 5  
 Assessor's Parcel: 243-150-087



-  SITE
-  Prop within 300'
-  Parcels



# **Attachment “3”**

## **Notice of Exemption**

# 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: [sroper@co.tulare.ca.us](mailto:sroper@co.tulare.ca.us)

**Applicant(s):** Smee Homes, Inc.  
444 N. Prospect, #A  
Porterville, CA 93257  
Ph: (559) 788-0525

Date Filed with Tulare County Clerk

**Activity/Project Title:** Tentative Subdivision Map No. TSM 20-002

**Activity/Project Location:** The project sited is located approximately 634 feet north of Linda Vista Avenue and approximately 700 feet east of Dillon Court, north of the City of Porterville (APN: 243-150-087).

**Activity/Project Location- Section, Township, Range:** Section 15, Township 21 South, Range 27 East, MDB&M

**Project Location - City:** Porterville

**Project Location - County:** Tulare

**Description of Nature, Purpose, and Beneficiaries of Project:** TSM 20-002 proposes to subdivide 10.04 acres into eight (8) parcels that range in size from 49,155 to 52,776 square feet, located in the Rural Residential – 43,000 square foot minimum (R-A-43) Zone.

**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:** The use of Section 15303 is applicable and appropriate because, upon project approval, only one by-right residential structure would be allowed on each newly-created parcel without further review. As such, the use of Section 15303 is applicable and appropriate.

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

**Activity/Project Representative** Sandy Roper Area Code/Telephone: (559) 624-7101

Signature: Aaron Bock Date: \_\_\_\_\_ Title: Assistant Director

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

Signed by Lead Agency

Date received for filing at OPR: N/A