



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

5961 S. Mooney  
Blvd  
Visalia, CA 93277  
624-7000 Phone  
615-3002 Fax

**PLANNING COMMISSION**

**CHAIRMAN:** Wayne O. Millies  
**VICE-CHAIR:** Carlos Aleman

**COMMISSIONERS:**

Carlos Aleman  
Gil Aguilar  
Bill Whitlatch  
Wayne O. Millies  
Christopher Launer  
Ed Dias  
Terren Brown  
Dennis Lehman

**AIRPORT LAND USE COMMISSIONERS  
(ALUC)**

Bill Whitlatch  
Matthew Stoll

|  |                                   |                  |
|--|-----------------------------------|------------------|
| <b>Project Number:</b> Zone Variance PZV 24-029 and Tentative Parcel Map No. PPM 24-006.   | <b>Agenda Date:</b>               | <b>6/26/2024</b> |
| <b>Applicants:</b> LK Ranches, a California General Partnership.   | <b>Agenda Item Number:</b>        | <b>4B</b>        |
| <b>Agent:</b> 4-Creeks, Incorporated.  | <b>AGENDA ITEM TYPE</b>           |                  |
| <b>Subject:</b> Zone Variance PZV 24-029 & Tentative Parcel Map No. PPM 24-006 to divide one parcel containing 99.77 acres into two parcels: Parcel 1 = 7.95± acres and Parcel 2 = 91.47 acres in the AE-40 (Exclusive Agricultural – 40 acres minimum) Zone, located on the east side of Road 52, approximately 1,300 feet north of Avenue 280 (Caldwell Avenue), west of Visalia. Zone variance is requested to allow a homesite parcel larger than the 4 acres maximum size allowed.<br><br><b>Waiver of the Final Map:</b> Recommended.<br><br><b>Exceptions:</b> None.<br><br><b>Environmental Review:</b> Categorical Exemption Consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines Pursuant to Title 14, Cal. Code Regulations Section 15301, Class 1, Pertaining to Existing Facilities and Section 15061 (b) (3), Common Sense Rule.<br><br><b>Motion(s):</b> Two (2) Motions<br><br><b>Contact Person:</b> Nebeyu Menkir | Presentation                      |                  |
|  | Consent Calendar                  |                  |
|  | Unfinished Business               |                  |
|  | New Business                      |                  |
|  | Public Hearing                    | X                |
|  | Continued Public Hearing          |                  |
|  | Discussion                        |                  |
| <b>ACTION REQUESTED</b>  |                                   |                  |
|  | Resolution – Board of Supervisors |                  |
|  |                                   |                  |
|  | Resolution – Planning Commission  | X                |
|  | Decision - Director               |                  |

**RECOMMENDATIONS:**

**That the Planning Commission:**

1. Hold a public hearing.
2. 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 15301, class 1, pertaining to existing facilities; **and** conditionally approve Zone Variance No. PZV 24-029.
3. 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 15061 (b) (3) pertaining to the Commonsense Rule; **and** conditionally approve Tentative Parcel Map No. PPM 24-006 and waiver of the final map.

**PLANNING COMMISSION ALTERNATIVES:**

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

**SUBJECT:** PZV 24-029 & PPM 24-006 LK Ranches, a California General Partnership

**Alternative No. 2:** Move to deny.

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

**Alternative No. 4:** Continue the public hearing to a date certain

**PROJECT OVERVIEW:**

A Categorical Exemption and conditional approval of Zone Variance PZV 24-029 to allow a Homesite larger than the allowed 4-acres maximum in AE-40 (Exclusive Agricultural Minimum 40-acres) zone and Tentative Parcel Map No. PPM 24-006 with a waiver of final map, requested by LK Ranches, a California General Partnership, 28476 Road 52, Visalia, CA 93277 (agent: 4-Creeks, Incorporated, 324 S. Santa Fe, Suite A, Visalia, CA 93292) to allow the division of one parcel containing 99.77-acres into two parcels: Parcel 1 = 7.95-acres and Parcel 2 = 91.47-acres in the AE-40 (Exclusive Agricultural – 40 acre minimum) Zone, located on the east side of Road 52, approximately 1,300 feet north of Avenue 280 (Caldwell Avenue), west of Visalia.

**ENVIRONMENTAL SUMMARY:**

Categorical Exemption consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15301, class 1, pertaining to existing facilities and Section 15061 (b) (3) pertaining to the Commonsense Rule. This parcel map is compatible with this exemption because the site is being divided into two parcels with several existing residences, both proposed parcels with public road frontage. The parcel map is only creating a homesite parcel.

**ENTITLEMENT(S):**

**Division of Land Exceptions**, Section 15.D.2.g of Ordinance No. 352, the Zoning Ordinance, allows the creation of homesite parcels for the purpose of separating an existing residence or mobilehome from the remaining agricultural portion of the site in all agricultural zones.

**A Variance and Special Use permit**, Section 16: I. “When practical difficulties, unnecessary hardships or results inconsistent with the general purpose of this Ordinance result through the strict and literal interpretation and enforcement of the provisions thereof, the Planning Commission of the County of Tulare, upon the receipt of a verified application from the owner of the property affected, stating fully the grounds for the application and the facts relied upon, or upon the motion of said Commission, shall have authority as an administrative act, to grant, upon such conditions and safeguards as it may determine, such variances to the provisions of this Ordinance as may be in harmony with its general purpose and intent, so that the spirit of this Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Except, certain variances to the terms set forth in Subsection E of Part 15 of this Ordinance needed to obtain a building permit may be granted in the manner provided in Subsection B of this Part I.”

**GENERAL PLAN CONSISTENCY:**

The subject site is located within the Rural Valley Lands Plan (RVLP) and the Land Use Designation is “Valley Agriculture.” The following General Plan 2030 policies are relevant to this project: (1) AG-1.3 Williamson Act; (2) AG-1.14 Right-to-Farm Noticing.

**PROJECT SUMMARY:**

This division of land would create two parcels from the original 99.77-acre site: Proposed Parcel 1 = 7.95-acres and Proposed Parcel 2 = 91.47-acres. Zone Variance is associated with Tentative Parcel Map No. PPM 24-006 to allow a homesite parcel 7.95-acres larger than the 4-acres maximum size allowed

**SUBJECT:** PZV 24-029 & PPM 24-006 LK Ranches, a California General Partnership

for homesites in Agricultural zones. Section 15.D.2.g of the Tulare County Zoning Ordinance allows the creation of a homesite parcel for the purpose of separating an existing residence from the remaining agricultural portion of the site. The proposal shall comply with the following provisions: (1) the parcel of record contains the minimum acreage required in the AE-40 Zone; (2) the property contains a residence that was legally established for a minimum of 5 years; (3) the minimum homesite parcel shall be 12,500 sq. ft.; (4) the maximum homesite parcel shall be determined by the existing use lines, not to exceed 20 percent of the size parcel to be divided, or four acres, whichever is less; (5) the parcel of record is at least 10 acres gross.

A Waiver of Final Parcel Map was requested. Section 7-01-2360 of the Subdivision Ordinance allows the waiver of a final map if the project falls within any of the following categories: (a) Any parcel or parcels of land to be divided into four or less parcels, each area of ten acres or more; (b) Any parcel or parcels of land to be divided into parcels, each of a gross area of forty acres or more; (c) Any parcel of land which is being divided into two parcels, regardless of size, when the original parcel has frontage on an existing public road and no portion of the parcel is located within the Urban Area Boundary of a city or unincorporated area as established by the Urban Boundaries Element of the General Plan; (d) Any parcel which is being divided for the sole purpose of conveying property to an adjoining property owner. The proposed parcel map complies with category "c" because the site is being divided into two parcels, with public road frontage to Road 52. The parcel map is only creating a homesite parcel.

The property owner wishes to encompass the shop within the Proposed Parcel 1 – homesite parcel. The existing shop is located 600 feet north of the existing Home. To avoid practical difficulties and unnecessary hardships such as creating an irregular shape-lots of the type commonly known as panhandle, flag, and dumbbell lots or other lots with extreme variances in width or depth a zone-variance is requested to allow 7.95 -acres larger than 4-acres maximum allowed for a homesite parcel.

The subject site is under the Williamson Act: Agricultural Preserve No. 1848 and Land Conservation Contract No. 4897. A condition of approval will require a partial non-renewal for the homesite parcel and an amended contract for the agricultural parcel.

Both proposed parcels have direct access to Road 52. The preliminary geological/hydrological report has been waived. There are no proposed improvements at this time. The subject site lies within a FEMA Flood Zone X. Construction of buildings within a Flood Zone X requires no specific flood mitigation measures.

**MANDATORY FINDINGS FOR APPROVAL OF A ZONE VARIENCE:**

a. That there are special circumstances applicable to the property involved including size, shape, topography, location or surroundings, so that the strict application of the zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

**Staff Response:** *The strict application of the zoning ordinance deprives the property of creating a homesite parcel that includes the existing shop building located 600 feet to the North of the existing Home. If the property owner creates a homesite parcel using the strict zoning ordinance the parcel would be irregular shape-lots of the type commonly known as panhandle, flag, and dumbbell lots or other lots with extreme variances in width or depth.*

**SUBJECT:** PZV 24-029 & PPM 24-006 LK Ranches, a California General Partnership

b. That the granting of the variance will be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

**Staff Response:** *This Zone Variance will not constitute a grant of special privilege because the Tulare County Ordinance code, Division of Land Exceptions, Section 15.D.2.g of Ordinance No. 352, allow the creation of a home site parcel in Agricultural zones and this zone variance is to avoid hardship from creating an irregular shaped parcels which the sub-division law recommends to avoid if possible.*

c. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

**Staff Response:** *The Tulare County Zoning Ordinance Section 15.D.2.g of Ordinance No. 352, allows the creation of homesite parcels for the purpose of separating an existing residence or mobile home from the remaining agricultural portion of the site in all agricultural zones. This zone variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulation.*

d. That the granting of the variance is consistent with the General Plan.

**Staff Response:** *The granting of the variance is consistent with the Rural Valley Lands Plan (RVLP). Staff has researched and find the following General Plan 2030 policies are relevant to this project: (1) AG-1.3 Williamson Act; (2) AG-1.14 Right-to-Farm Noticing.*

The proposal has met the required findings for approval of the zone variance. Staff recommends approval of the zone variance.

**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."



Nebeyu Menkir, Planner I  
Project Processing Division  
Economic Development & Planning Branch



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



Gary Mills, Chief Planner  
Environmental Planning Division  
Economic Development & Planning Branch



Michael Washam, ACE  
Associate Director  
Resource Management Agency

**SUBJECT:** PZV 24-029 & PPM 24-006 LK Ranches, a California General Partnership

**ATTACHMENTS:**

- Attachment No. 1 – Draft Resolution approving PZV 24-029
  - Exhibit “A” – Legal Description
  - Exhibit “B” – Site Plan
  - Exhibit “C” – Right to Farm Notice (PZV 24-029).
- Attachment No. 2 – Draft Resolution approving PPM 24-006
  - Exhibit “A” – Legal Description
  - Exhibit “B” – Site Plan
  - Exhibit “C” – Right to Farm Notice (PPM 24-006)
- Attachment No. 3 – Staff Report and Fact Sheet
- Attachment No. 4 – Agriculture Preserve Check List
- Attachment No. 5 – Graphics
- Attachment No. 6 – Consulting Agency List and Correspondence
- Attachment No. 7 – Location and Property Ownership Map for Hearing Notification
- Attachment No. 8 – Public Hearing Notice
- Attachment No. 9 – PZV 24-029 Notice of Exemption
- Attachment No. 10 – PPM 24-006 Notice of Exemption

## COUNTY OF TULARE, STATE OF CALIFORNIA

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 and the State Guidelines for the Implementation of the California Quality Act of 1970 prior to taking action on the project.

B. This Planning Commission hereby adopts the following findings of fact as to the reasons for approval of this application:

1. The applicant has requested a variance from Section 9.55.D., Division of Land, to allow the division of a 99.77-acres into two parcels: Parcel 1 = 7.95-acres and Parcel 2 = 91.47-acres in the AE-40 (Exclusive Agricultural – 40 acre minimum) Zone, located on the east side of Road 52, approximately 1,300 feet north of Avenue 280 (Caldwell Avenue), west of Visalia. (APN(s): 118-010-018 and 118-010-021).
2. The subject site is located within the Rural Valley Lands Plan and the Land Use Designation is “Valley Agriculture.” The following General Plan 2030 policies are relevant to this project: (1) AG-1.3 Williamson Act; (2) AG-1.14 Right-to-Farm Noticing. The proposal is consistent with the applicable GP 2030 policies.
3. In order to approve this variance, the following finding shall be made: Practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of this Article would result through the strict and literal interpretation and enforcement of this Article with respect to the proposed improvements. Factors that support this finding are as follows:
  - a. That there are special circumstances applicable to the property involved including size, shape, topography, location or surroundings, so that the strict application of the zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

***Staff Response:** The strict application of the zoning ordinance deprives the property of creating a homesite parcel that includes the existing shop building located 600 feet to the North of the existing Home. If the property owner creates a homesite parcel using the strict zoning ordinance the parcel would be irregular shape-lots of the type commonly known as panhandle, flag, and dumbbell lots or other lots with extreme variances in width or depth.*

- b. That the granting of the variance will be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

***Staff Response:** This Zone Variance will not constitute a grant of special privilege inconsistent with the zone because the Tulare County Zoning Ordinance*

*code, Division of Land Exceptions, Section 15.D.2.g of Ordinance No. 352, allow the creation of a home site parcel in Agricultural zones and this zone variance is to avoid a hardship from creating an irregular shaped parcels which the subdivision law recommends to avoid if possible.*

- c. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

**Staff Response:** *This Tulare County Zoning Ordinance Section 15.D.2.g of Ordinance No. 352, allows the creation of homesite parcels for the purpose of separating an existing residence or mobile home from the remaining agricultural portion of the site in all agricultural zones. This zone variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulation.*

- d. That the granting of the variance is consistent with the General Plan.

**Staff Response:** *The granting of the variance is consistent with the Rural Valley Lands Plan (RVLP). Staff has researched and find the following General Plan 2030 policies are relevant to this project: (1) AG-1.3 Williamson Act; (2) AG-1.14 Right-to-Farm Noticing.*

The proposal has met the required findings for approval.

4. 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 15301, Class 1, pertaining to Existing Facilities and Section 15061 (b) (3) pertaining to the Commonsense Rule. The project is compatible with this exemption because the zone Variance will not change the land use or intensity of use.
5. The subject site is under the Williamson Act: Agricultural Preserve No. 1848 of Land Conservation Contract No. 4897. A Partial Non-Renewal of the 7.95-acre homesite parcel and an amended contract for the 91.47-acre agricultural parcel would be required as a condition of approval, prior to the recording of this resolution. An Agricultural Preserve Checklist was conducted for the project. The project complies with the Agricultural Preserve Regulations.
6. The property owners shall sign and return to the Tulare County Resource Management Agency the Right to Farm Notice so this office can record the Notice along with the Resolution (Exhibit "C").
7. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Developer Impact Fees. Future Development may be subject to County Development Impact fees.



8. The Planning Commission, after considering all the evidence presented, found that the establishment, maintenance, and operation of the use or land applied for 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.

C. This Planning Commission hereby approves Zone Variance No. PZV 24-029, subject to the following conditions:

1. The proposed project shall be in accordance with the legal description and site plan as submitted by the applicant and/or as modified by the Planning Commission (legal description as Exhibit “A”, and site plan as Exhibit “B”) and in accordance with County-adopted Development Standards.
2. This Zone Variance may not become effective until after the appeal period, which is ten (10) days after the date the action taken by the planning Commission. During the ten-day appeal period, County staff will mail, to the applicant’s most recent known address, an acceptance letter including an “Acceptance” of conditions of approval and a “Right to Farm” notice (Exhibit “C”). Upon receipt, Staff shall file all appropriate documents with the County Recorder. Failure to sign all required documents may cause the application to be considered null and void.
3. This Zone Variance will not be effective until ten (10) days after the date upon which it is granted by the Planning Commission and until the applicant, at his own expense, has executed and filed with the County Recorder, a certified copy of the Resolution of the Planning Commission granting said variance with a duly authorized acceptance, in the form approved by the County Counsel, endorsed thereon.
4. 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 Zone Variance No. PZV 24-029; 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.

5. In accordance with Section 7-29-1070 (a) of the Tulare County Ordinance Code, the attached Right to Farm Notice (Exhibit “C”), shall be file with the Zone Variance and signed for acknowledgement by the subdivider; and recorded as a separate sheet to accompany this resolution.

#### **ENVIRONMENTAL HEALTH AND SAFETY SERVICES DEPARTMENT CONDITIONS**

6. The Applicant shall ensure that any and all septic system components (septic tanks, leach lines, etc.) remain on the same parcels as the existing structures the systems serve.

#### **PUBLIC WORKS/ENGINEERING BRANCH CONDITIONS**

7. Flood Information: The following flood zone information is based on our interpretation of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map for Community Number 065066 dated June 16, 2009, Panel No. 0915. The subject site is located within Zone A.
8. An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within FEMA Zone A.
9. Right-of-way Information: The proposed parcels lie on the east side of Road 52 and west of Road 56. The existing right of way on Road 52 is 50 feet (25 feet on the west side and 25 feet on the east side) and on Road 56 is 40 feet (20 feet on the west side and 20 feet on the east side). No additional right-of-way dedications are required pursuant to Ordinance Code section 7-01-2215 for any parcel to be created which will have an area of ten acres or more.
10. Road Information: According to the county’s-maintained mileage maps, Road 52 and Road 56 are county-maintained roads. Based on the 2024 Pavement Management System database, the existing pavement width on Road 52 is 18.1 feet and on Road 56 is 20.2 feet. The pavement type on Road 52 and Road 56 is asphalt concrete.

#### **FIRE DEPARTMENT CONDITIONS**

11. Address posted, minimum 4"x3"x ½" line width permanent numbers visible from the street.
12. All-weather (2" crushed rock, road base, or DG) 20 feet Fire Dept. access road, with a maintained 13 feet 6 inches vertical clearance.
13. Any existing structures must adhere to the minimum separation of buildings as the Ca. Building code 705.2.3 & 705.5.
14. Any new commercial or residential construction permits in the future. Tulare County Fire Department will impose the current adopted Title 24 Code requirements at time of

building permit.

15. Any new commercial or residential constructed in the future will have to meet 2022 or newer California Fire Code, Appendix B requirements for fire flow or NFPA 1142 standard for urban water supply.

The foregoing resolution was adopted upon motion of Commissioner [Name], seconded by Commissioner [Name], at a regular meeting of the Planning Commission on June 26, 2024, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

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Michael Washam, Secretary

## Exhibit "C"

### RIGHT TO FARM NOTICE

RE: Use Permit No. PZV 24-029

or

Parcel Map No. \_\_\_\_\_

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)

Recording Requested by  
And Return to:

Tulare County Resource Management Agency  
Planning Branch  
5961 South Mooney Boulevard  
Visalia, CA 93277-9394  
ATTN: Planning Commission

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

|                            |   |                      |
|----------------------------|---|----------------------|
| IN THE MATTER OF TENTATIVE | ) | RESOLUTION NO. draft |
| PARCEL MAP NO. PPM 24-006  | ) |                      |
| WITH A WAIVER OF FINAL MAP | ) |                      |
| LK RANCHES                 | ) |                      |

Resolution of the Planning Commission of the County of Tulare accepting the Categorical Exemption as the appropriate environmental determination, conditionally approving Tentative Parcel Map No. PPM 24-006 with a waiver of final map, requested by LK Ranches, a California General Partnership, 28476 Road 52, Visalia, CA 93277 (agent: 4-Creeks Incorporated, 324 S. Santa Fe, Suite A, Visalia, CA 93292) to allow the division of 99.77-acres into two parcels: Parcel 1 = 7.95-acres and Parcel 2 = 91.47-acres in the AE-40 (Exclusive Agricultural – 40 acre minimum) Zone, located on the east side of Road 52, approximately 1,300 feet north of Avenue 280 (Caldwell Avenue), west of Visalia. (APN(s): 118-010-018 and 118-010-021).

WHEREAS, the Planning Commission has given public notice of the proposed tentative parcel map as provided in Section 7-01-2305 of the Ordinance Code of Tulare County; and

WHEREAS, a waiver of the requirement that a final map be filed has been requested; and

WHEREAS, the Planning Commission considered the staff report and found the facts and findings contained therein to be essentially true and correct; and

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

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission June 26, 2024; and

WHEREAS, at that meeting of the Planning Commission, public testimony [was/ was not] received and recorded from {no one} in support of the proposal and {no one} spoke in opposition to the proposal; and

WHEREAS, the Planning Commission reviewed said parcel map for conformity to the regulations contained in Sections 7-01-1000 to 7-01-2855 of the Ordinance Code of Tulare County.

NOW, THEREFORE, BE IT RESOLVED that this Commission hereby adopts the following findings with regard to this matter:

1. The Planning Director has waived the requirement for a preliminary geological-hydrological report pursuant to Section 7-01-2295 of the Ordinance Code.
2. 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 15061(b) (3) pertaining to the Commonsense Rule. This parcel map is compatible with this exemption because the site is being divided into two parcels with several existing residences, both with public road frontage. The parcel map is only creating a homesite parcel.
3. Entitlement is found in Section 15.D.2.g, Division of Land Exceptions within Agricultural Zones, which allows the creation of homesite parcels in the AE-40 Zone. The homesite shall comply with all of the following provisions: (1) The parcel of record shall contain the minimum acreage required in the zone; (2) The property contains a residence established at least 5 years; (3) The minimum size homesite parcel shall be 12,500 sq. ft. (with off-site water or sewer) or one acre; (4) The maximum size homesite parcel shall be 4 acres; (5) No homesite parcel shall be created if the parcel of record is less than 10 acres gross. The proposal is in compliance with Items 1 – 5 of this section. The proposed division of land is in compliance with Ordinance No. 352. Zone Variance PZV 24-029 is associated with Tentative Parcel Map No. PPM 24-006 to allow a homesite parcel larger than the 4 acres maximum size allowed for homesites in Agricultural zones. The Zone Variance must be approved before the Tentative Parcel Map PPM 24-006 approval.
4. A Waiver of Final Parcel Map was requested. Section 7-01-2360 of the Subdivision Ordinance allows the waiver of a final map if the project falls within any of the following categories: (a) Any parcel or parcels of land to be divided into four or less parcels, each area of ten acres or more; (b) Any parcel or parcels of land to be divided into parcels, each of a gross area of forty acres or more; (c) Any parcel of land which is being divided into two parcels, regardless of size, when the original parcel has frontage on an existing public road and no portion of the parcel is located within the Urban Area Boundary of a city or unincorporated area as established by the Urban Boundaries Element of the General Plan; (d) Any parcel which is being divided for the sole purpose of conveying property to an adjoining property owner. The proposed parcel map complies with category “c”. The site is

being divided into two parcels, both with public road frontage. The parcel map is only creating a homesite parcel.

5. The property owner wishes to encompass the shop within the Proposed Parcel 1 – homesite parcel. The existing shop is located 600 feet north of the existing Home. To avoid practical difficulties and unnecessary hardships such as creating an irregular shape-lots of the type commonly known as panhandle, flag, and dumbbell lots or other lots with extreme variances in width or depth a zone-variance is requested to allow larger than 4-acres maximum allowed for a homesite parcel. The Zone Variance request must be approved before the tentative parcel Map approval.
6. The subject site is located within the Rural Valley Lands Plan and the Land Use Designation is “Valley Agriculture.” The following General Plan 2030 policies are relevant to this project: (1) AG-1.3 Williamson Act; (2) AG-1.14 Right-to-Farm Noticing. The proposal is consistent with the applicable GP 2030 policies.
7. This division of land would create two parcels from the original 99.77-acre site: Proposed Parcel 1 = 7.95 acres and Proposed Parcel 2 = 91.47 acres. The subject site is currently a dairy site and contains three single-family dwellings, a detached garage, two shops, seventeen shade covers, a free stall barn, two milking barns, propane tanks, several septic tank-leach line systems, a domestic well, and agriculture (row crops). The site plan submitted does not indicate the location of all of the structures and the current use of each structure (Ref: PSP 80-007 (ZA)). The subject site had three additional single-family dwellings; these single-family dwellings have been demolished and a shop has been installed without building permits, where these dwellings were once located on Proposed Parcel 1. As a condition of approval, the property owner shall obtain three demolition permits and a building permit for the shop on Proposed Parcel 1. A final inspection will be required for the building permits to bring the subject site into compliance.
8. The AE-40 zoning was applied to the site in 1977 with the adoption of the Rural Valley Lands Plan rezoning study. This tentative parcel map would create a homesite parcel and an agricultural parcel.
9. On May 8, 1980, by Zoning Administrator Decision No. 175, the Zoning Administrator conditionally approved Special Use Permit No. PSP 80-007 (ZA) to allow the expansion of an existing dairy by allowing the addition of a new milking barn on a 99.77-acre parcel in the AE-40 (Exclusive Agricultural – 40 acre minimum) Zone. As a condition of approval, the conditions of approval for Special Use Permit No. PSP 80-007 (ZA) shall remain in effect.
10. The subject site is under the Williamson Act: Agricultural Preserve No. 1848 of Land Conservation Contract No. 4897. A Partial Non-Renewal of the 7.95-acre



homesite parcel and an amended contract for the 91.47-acre agricultural parcel would be required as a condition of approval, prior to the recording of this resolution. An Agricultural Preserve Checklist was conducted for the project. The project complies with the Agricultural Preserve Regulations.

11. The Planning Commission, after consideration of all evidence presented, found that approval of 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.
12. 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.
13. The applicant(s), at their sole cost and expense, shall defend, indemnify and hold harmless the County of Tulare, its agents, legislative body, officers or employees in any legal or administrative action, claim or proceeding concerning approval of Tentative Parcel Map No. PPM 24-006; 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 finds said parcel map to be categorically exempt from 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 15061 (b) (3) pertaining to the Common Sense Rule.

B. The Planning Commission hereby approves the requested exception pertaining to Section 7-01-1355 (e) of the Subdivision Ordinance, pertaining to irregular shape-lots of the type commonly known as panhandle, flag, and dumbbell lots or other lots with extreme variances in width or depth.

C. Tentative Parcel Map No. PPM 24-006 be approved without the requirement to file a final map pursuant to Sections 7-01-2360 and 7-01-2365, subject to the following conditions:

1. Failure to cause the recording of this Resolution of the Planning Commission within two years after the date of conditional approval of the waiver of the final parcel map shall automatically revoke said approval, and a resolution approving a waiver of final parcel map shall not be recorded until a new tentative parcel map has been filed and approved 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 the waiver of final parcel map expires may be extended by applying for a time extension as provided by Tulare County Zoning Ordinance and California State Law.
2. The property owners shall sign and return to the Tulare County Resource Management Agency the Right to Farm Notice so this office can record the Notice along with the Resolution (Exhibit "C").
3. A Notice of Partial Non-Renewal for Parcel 1 within Agricultural Preserve No. 1848 of Land Conservation Contract No. 4897, along with an Amended Williamson Act Contract, shall be filed with the Tulare County Resource Management Agency, prior to the recording of this resolution.
4. The applicant shall ensure that all septic system components (septic tank, leach field area) are fully contained within the proposed boundary of Proposed Parcel 1.
5. The existing shop has been constructed on the subject site without a building permit. Three single-family dwellings were demolished without demolition permits to allow the construction of the shop. The property owner shall obtain three demolition permits and a building permit for the shop, prior to the recording of this resolution. A final inspection will be required for the building permits to bring the subject site into compliance.
6. All new construction to be done in the future, building plans must be submitted to the Tulare County Building Department and building permits must be obtained prior to construction.
7. The conditions of approval for Special Use Permit No. PSP 80-007 (ZA) shall remain in effect.

#### ENVIRONMENTAL HEALTH AND SAFETY SERVICES DEPARTMENT CONDITIONS

8. The Applicant shall ensure that any and all septic system components (septic tanks, leach lines, etc.) remain on the same parcels as the existing structures the systems serve.

PUBLIC WORKS/ENGINEERING BRANCH CONDITIONS

9. Flood Information: The following flood zone information is based on our interpretation of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map for Community Number 065066 dated June 16, 2009, Panel No. 0915. The subject site is located within Zone A.
10. An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within FEMA Zone A.
11. Right-of-way Information: The proposed parcels lie on the east side of Road 52 and west of Road 56. The existing right of way on Road 52 is 50 feet (25 feet on the west side and 25 feet on the east side) and on Road 56 is 40 feet (20 feet on the west side and 20 feet on the east side). No additional right-of-way dedications are required pursuant to Ordinance Code section 7-01-2215 for any parcel to be created which will have an area of ten acres or more.
12. Road Information: According to the county's-maintained mileage maps, Road 52 and Road 56 are county-maintained roads. Based on the 2024 Pavement Management System database, the existing pavement width on Road 52 is 18.1 feet and on Road 56 is 20.2 feet. The pavement type on Road 52 and Road 56 is asphalt concrete.

FIRE DEPARTMENT CONDITIONS

13. Address posted, minimum 4"x3"x ½" line width permanent numbers visible from the street.
14. All-weather (2" crushed rock, road base, or DG) 20 feet Fire Dept. access road, with a maintained 13 feet 6 inches vertical clearance.
15. Any existing structures must adhere to the minimum separation of buildings as the Ca. Building code 705.2.3 & 705.5.
16. Any new commercial or residential construction permits in the future. Tulare County Fire Department will impose the current adopted Title 24 Code requirements at time of building permit.
17. Any new commercial or residential construction permits in the future will have to meet 2022 or newer California Fire Code Appendix B requirements for fire flow or NFPA 1142 for urban water supply.

D. The Secretary of the Planning Commission is hereby, directed to file this resolution and the legal descriptions of each of the parcels shown on said Tentative Parcel Map, which are attached hereto as Exhibit “A” and site plan as Exhibit “B” for the record with the Recorder of the County of Tulare, pursuant to Section 7-01-2365.

The foregoing resolution was adopted upon motion of Commissioner [ Name], seconded by Commissioner [Name], at a regular meeting of the Planning Commission on June 26, 2024, by the following roll call vote:

AYES: ~

NOES: None

ABSTAIN: None

ABSENT: None

TULARE COUNTY PLANNING COMMISSION

---

Micheal Washem, Secretary

EXHIBIT A

LEGAL DESCRIPTION

SUBJECT PARCEL

The Southeast quarter of the Northwest quarter of Section 2, Township 19 South, Range 23 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Tulare, State of California, according to the Official Plat thereof, and the Southwest quarter of the Northwest quarter, and the North half of the Northwest quarter of the Southwest quarter of Section 2, Township 19 South, range 23 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Tulare, State of California, according to the Official Plat thereof.

(Containing approximately 99.42 acres)

EXHIBIT A

LEGAL DESCRIPTION

PROPOSED PARCEL 1

The West 410.00 feet of the North 845.00 feet of the Southwest quarter of the Northwest quarter of Section 2, Township 19 South, Range 23 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Tulare, State of California, according to the Official Plat thereof;

(Containing approximately 7.95 acres)

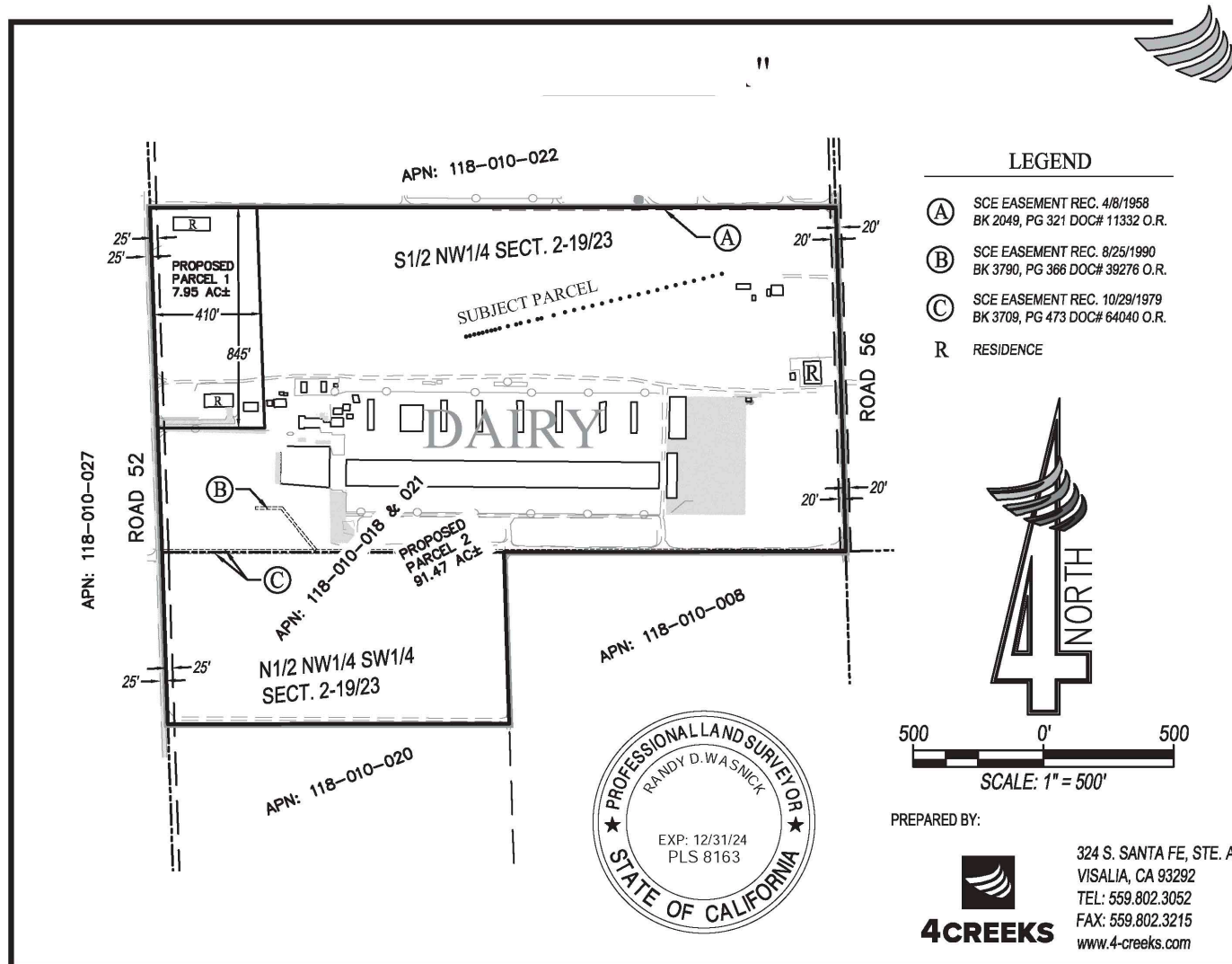
PROPOSED PARCEL 2

The Southwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, and the North half of the Northwest quarter of the Southwest quarter of Section 2, Township 19 South, range 23 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Tulare, State of California, according to the Official Plat thereof;

EXCEPTING therefrom the West 410.00 feet of the North 845.00 feet of the Southwest quarter of the Northwest quarter of Section 2, Township 19 South, Range 23 East, Mount Diablo Base and Meridian, in the unincorporated area, County of Tulare, State of California, according to the Official Plat thereof;

(Containing approximately 91.47 acres)

# Exhibit " B "



No Scale

Site Plan Illustration  
PZV24-029 & PPM 24-006



## EXHIBIT "C"

### **RIGHT TO FARM NOTICE**

Parcel Map No. PPM 24-006 LK Ranches, a California General Partnership

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)

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

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

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

**TENTATIVE PARCEL MAP FACT SHEET**  
**PZV 24-029 & PPM 24-006 – LK Ranches, a California General Partnership**  
ATTACHMENT NO. 2

**I. General Plan**

1. Land Use Element: Rural Valley Lands Plan
2. Land Use Designation: "Valley Agriculture"
3. Compliance:

|                         |     |                                     |    |                          |     |                                     |
|-------------------------|-----|-------------------------------------|----|--------------------------|-----|-------------------------------------|
| a. Land Use Element     | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/>            |
| b. Circulation Element  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/>            |
| c. Noise Element        | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/>            |
| d. Open Space Element   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/>            |
| e. Safety Element       | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| f. Housing Element      | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| g. Conservation Element | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
4. Urban Boundaries Element:

|                 |                                     |            |                          |            |                          |
|-----------------|-------------------------------------|------------|--------------------------|------------|--------------------------|
| Outside UAB/UDB | <input checked="" type="checkbox"/> | Inside UAB | <input type="checkbox"/> | Inside UDB | <input type="checkbox"/> |
|-----------------|-------------------------------------|------------|--------------------------|------------|--------------------------|
5. Airport Land Use Area

|  |                          |    |                                     |     |                                     |
|--|--------------------------|----|-------------------------------------|-----|-------------------------------------|
| Yes  | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/>            |
| Consistent with the policies of the Tulare County "Comprehensive Airport Land Use Plan." |                          |    |                                     |     |                                     |
| Yes  | <input type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input checked="" type="checkbox"/> |

**II. Zoning** (Note: special overlay i.e., PD, SR, Airport Impact, Etc.)

1. Site: AE-40 (Exclusive Agricultural – 40 acre minimum) Zone: 99.77 acres; The subject site is currently a dairy site and contains three single-family dwellings, a detached garage, two shops, seventeen shade covers, free stall barn, two milking barns, propane tanks, several septic tank-leach line systems, a domestic well and agriculture (row crops). The site plan submitted does not indicate the location of all of the structures and the current use of each structure (Ref: PSP 80-007 (ZA)).

Note: Per the site plan for Special Use Permit No. PSP 80-007 (ZA), this site plan indicated that the subject site had three additional single-family dwellings. After discussion with the agent for the property owner, the agent stated these single-family dwellings have been demolished and a shop has been installed where these dwellings were located on Proposed Parcel 1. As a condition of approval, the property owner shall obtain three demolition permits and a building permit for the shop on Proposed Parcel 1. A final inspection will be required for the building permits to bring the subject site into compliance.

APN(s): 118-010-018 & 118-010-021

Note: Assessor's Parcel Numbers 118-010-018 & 118-010-021 are not separate legal parcels, they are assessment parcels only.

2. Surrounding Area: The surrounding area is zoned AE-40; contains scattered rural residences and agriculture (row crops/orchard/open space).
3. Compliance: Yes ☒ No ☐  
This division of land would create two parcels from the original 99.77-acre site: Proposed Parcel 1 = 7.95± acres and Proposed Parcel 2 = 91.47 acres. A Zone Variance has been filed pursuant to the regulations contained in Section 16 of Ordinance No. 352, the Zoning Ordinance. The Zone Variance is associated with Tentative Parcel Map No. PPM 24-006 to allow a homesite parcel larger than the 4 acres maximum size allowed for homesites in Agricultural zones. Section 15.D.2: Division of Land Exceptions allows the creation of homesite parcels when (1) the original parcel contains the minimum acreage required in the zone; (2) the property contains a residence that was legally established; (3) the minimum homesite parcel size is one acre (onsite well and septic); (4) the maximum size is 4 acres; (5) no homesite parcel can be created from less than 10 acres. The proposal is in compliance with zoning pursuant to Section 16:1. A variance due to practical difficulties for creation of homesite parcels on the subject site.

**III. Subdivision Ordinance**

1. Exception: Yes ☐ No ☒ N/A ☐

Exception is not required.

Meets Findings for Approval: Yes ☐ No ☒

Zone Variance application is required because the property owner wishes to encompass the shop within the Proposed Parcel 1 – homesite parcel. The existing shop is located 600 feet north of the existing Home. The homesite parcel is fully developed with an existing residence and accessory structures. There will be no change in use.

2. Final Map Waiver:

Not Applicable ☐ Recommended ☒ Meets Findings for Approval ☒

Final Map Waiver requested. In accordance with Section 7-01-2360 of the Tulare County Subdivision Ordinance, the Final Map may be waived if it complies with any of the following: (a) Any parcel or parcels of land to be divided into four (4) or less parcels, each area of ten (10) acres or more; (b) Any parcel or parcels of land to be divided into two parcels, each of a gross area of forty acres or more and (c) Any parcel of land which is being divided into two parcels, regardless of size, when the original parcel has frontage on an existing public road and no portion of the parcel is located within the Urban Area Boundary of a city or unincorporated area as established by the Urban Boundaries Element of the General Plan; (d) Any parcel which is being divided for the sole purpose of conveying property to an adjoining property owner. The proposed division of land complies with requirement (c) for approval of the Waiver of the Final Map.

**IV. Environmental Setting**

1. Topographical Features:

Slope: <10% ☒ 10% - 20% ☐ 20% - 30% ☐

2. Water Courses: \_\_\_\_\_

3. Flood Zone: According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map for Community Number 065066 dated June 16, 2009, Panel No. 0915, the subject site is located within Flood Zone X. Construction of buildings within a Flood Zone X require no specific flood mitigation measures.

4. Ground Water Table: N/A

5. Archaeological: N/A

**V. Reports/Studies** (If required, see attached)

|                             |  |                                   |
|-----------------------------|--|-----------------------------------|
| 1. Geological/Hydrological: | Waived <input checked="" type="checkbox"/> | Required <input type="checkbox"/> |
| 2. Biotic:                  | N/A <input checked="" type="checkbox"/>    | Required <input type="checkbox"/> |
| 3. Traffic:                 | N/A <input checked="" type="checkbox"/>    | Required <input type="checkbox"/> |
| 4. Archaeological: Required | N/A <input checked="" type="checkbox"/>    | Required <input type="checkbox"/> |
| 5. Other: _____             | N/A <input checked="" type="checkbox"/>    | Required <input type="checkbox"/> |

**VI. Agricultural Preserve:**

APN: 118-010-018 & 118-010-021

Agricultural Preserve

Yes ☒ No ☐

AP No. 1848

Contract No. 4897

FNR Required

Yes ☐ No ☒

PNR Previously Filed

Yes ☐ No ☒

Contract Amendment

Yes ☒ No ☐

(Expiration Date \_\_\_\_\_)

**VII. Parcel Information:**

Parcel Creation (when/how existing parcels were created):

The AE-40 zoning was applied to the site in 1977 with the adoption of the Rural Valley Lands Plan rezoning study.

On May 8, 1980, by Zoning Administrator Decision No. 175, the Zoning Administrator conditionally approved Special Use Permit No. PSP 80-007 (ZA) to allow the expansion of an existing dairy by

allowing the addition of a new milking barn on a 99.77-acre parcel in the AE-40 (Exclusive Agricultural – 40 acre minimum) Zone.

Note: As a condition of Approval, the conditions of approval for Special Use Permit No. PSP 80-007 (ZA) shall remain in effect.

1. Were Parcels created inside or outside UDB/UAB? ☐ Inside ☒ Outside
2. Previous Parcel Activity/Permits: Building Permits: A9503904 – 100 amp electrical meter, and A1603926 – replace 200 amp electrical panel to ag pump.
3. Access to Parcels: ☒ Direct: Both proposed parcels have direct access to Road 52.  
☐ Indirect: \_\_\_\_\_
4. Water Source: ☒ Domestic Well: Existing domestic well located on Proposed Parcel 1 (not shown on the site plan submitted).  
☒ Irrigation Well: Existing agricultural well located on Proposed Parcel 2 (not shown on the site plan submitted).  
☐ District: \_\_\_\_\_ Will Serve Letter on File ☐  
☐ Community System:  
☐ Private Water Co. \_\_\_\_\_
5. Sewage Disposal: ☒ Septic Tank-Leach Line System: Existing septic tank-leach line systems (not shown on existing site plan submitted).  
☐ District \_\_\_\_\_ Will Serve Letter on File ☐  
☐ Other \_\_\_\_\_
6. Fire Protection: Tulare County Fire Station – Goshen Substation.
7. Police Protection: Tulare County Sheriff – Visalia Substation
8. Public Utilities: N/A
9. Environmental Determination: ☒ Exempt: (Section 15061 (b) (3))

#### **VIII. SUBSEQUENT ACTIONS:**

##### **1. Appeals:**

The Planning Commission's decision for approval or denial of the Tentative Parcel Map is final unless the decision is appealed to the Board of Supervisors within ten (10) calendar days after the decision. Said appeal shall be in writing and shall specifically set forth the project case number and the reasons for the appeal and shall be accompanied by the appropriate appeals filing fee. The appeal letter should be sent to the Tulare County Board of Supervisors, 2800 West Burrell Avenue, Visalia, CA. 93291.

##### **2. Taxes:**

The final map or the resolution of the Planning Commission approving the tentative parcel map and waiving the requirement for the filing and approval of the final parcel map cannot be recorded to divide the property for which taxes or special assessments are due and payable and/or are delinquent. In such cases, the taxes or special assessments must be paid before the map or resolution can be recorded. In addition, please be advised that the Tulare County Subdivision Ordinance, pursuant to the State Map Act, prohibits the recording of the map or resolution until the applicant files with the County Tax Collector a security deposit for the payment of property taxes or special assessments which are not yet due and payable.

##### **3. School Impact Fees:**

The subject site is located within the Visalia Unified School District, which have 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.

**4. Right to Farm Notice:**

In accordance with Section 7905(a) of the Tulare County Ordinance Code, and as a condition of approval of the parcel map, a Right to Farm Notice shall be placed on the face of the final map, or a separate sheet shall be signed by the vested owners of the property and shall be returned to be recorded with the resolution approving a waiver of final map.

**5. 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 five acres or which is less than five acres 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.

*Oct. 2010/CB*

Attachment No. 3  
AGRICULTURAL PRESERVE CHECKLIST

PROJECT NO: PPM 24-006 LK Ranches, a California General Partnership

AGRICULTURAL PRESERVE NO: 1848

Has Land Conservation Contract been executed?..... ( ) No (X) Yes

(X) Project complies with Uniform Rules.

( ) Project does not comply with Uniform Rules. Explain:

Rating of agricultural lands: (X) Prime ( ) Non-Prime

For prime agricultural lands, all parcels are at least  
10 acres in size ..... ( ) No ( ) Yes

For nonprime lands, all parcels are at least 40 acres in size ..... ( ) No ( ) Yes

If the parcels are less than the 10/40 acre size requirement:

Can the parcels sustain an agricultural use  
Permitted under the contract ..... ( ) No ( ) Yes

OR

Are the parcels subject to a written joint management  
agreement and those parcels that are to be jointly managed  
are at least 10 acres in size for prime land  
(at least 40 acres in size for nonprime land)?..... ( ) No ( ) Yes

OR     Are all of the following conditions met:

One of the parcels contains a residence and is subject to  
Section 428 of the Revenue and Taxation Code, ..... ( ) No (X) Yes

And residence has existed on the property for at least 5 years ... ( ) No (X) Yes

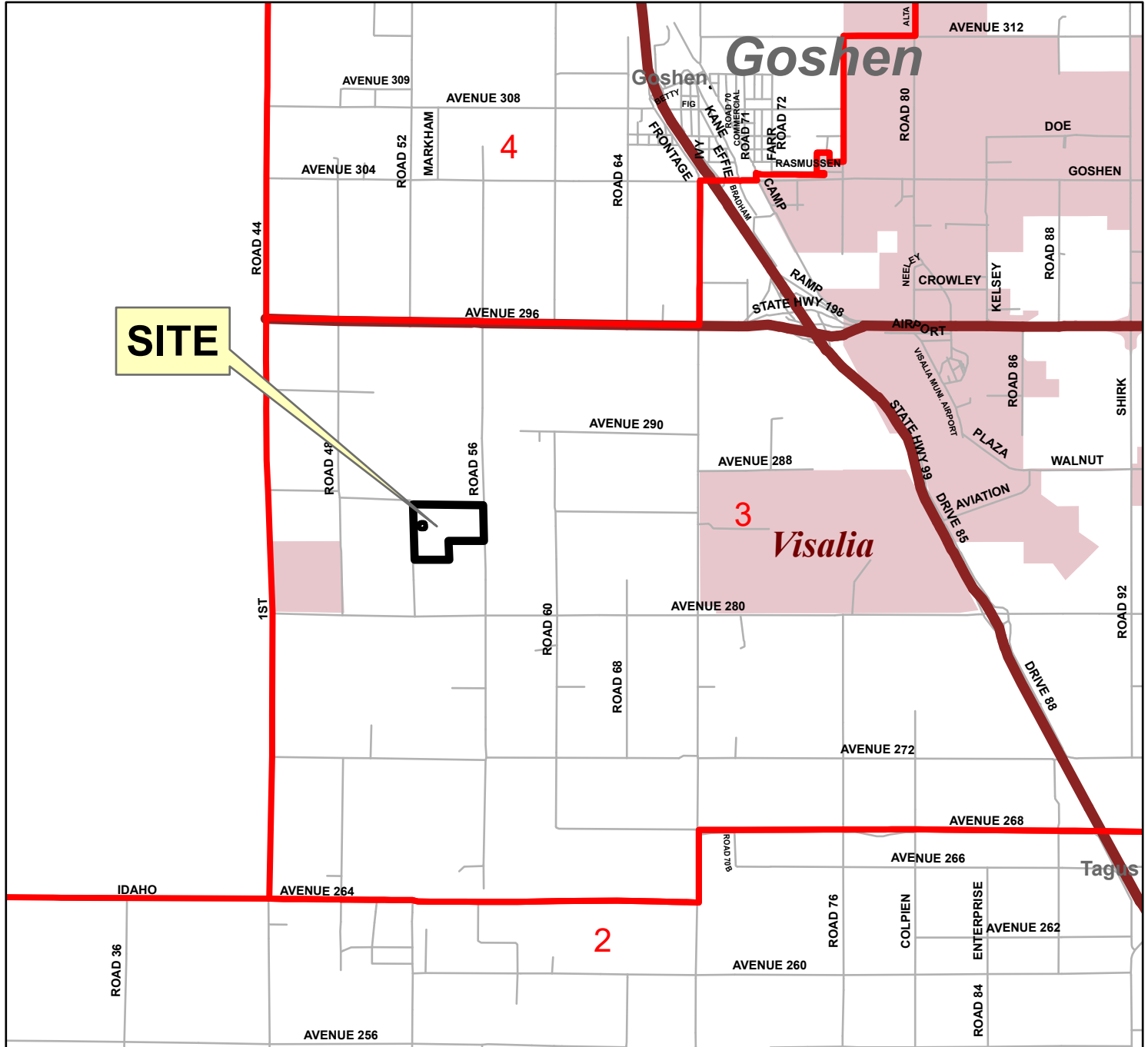
And landowner has owned the parcels for at least 10 years..... ( ) No (X) Yes

And all remaining parcels are at least 10 acres in size if  
the land is prime or all remaining parcels are at least 40 acres  
in size if the land is nonprime land..... ( ) No (X) Yes

Note: No other homesite parcel as described above can be created on any remaining parcels under Williamson Act Contract for at least 10 years following the creation of this homesite parcel.



# Vicinity Map for PZV 24-029 & PPM 24-006



## Legend

- |                         |                 |                              |
|-------------------------|-----------------|------------------------------|
| Supervisorial Districts | Place Names     | Urban Area Boundaries        |
| hwy/merg                | Cities          | Urban Development Boundaries |
| Streets                 | County Boundary | PPM 24-006                   |

Supervisorial District: 2

0 0.38 0.75 1.5  
Miles









# Aerial Photograph for PZV 24-029 & PPM 24-006



Owner: LK RANCHES  
Address: 2530 E Main St  
City, State, ZIP: Visalia, CA, 93277  
Applicant: Same  
Assessors Parcel #: 118-0  
IO-021 ,118-021-018  
Supervisor District: 3

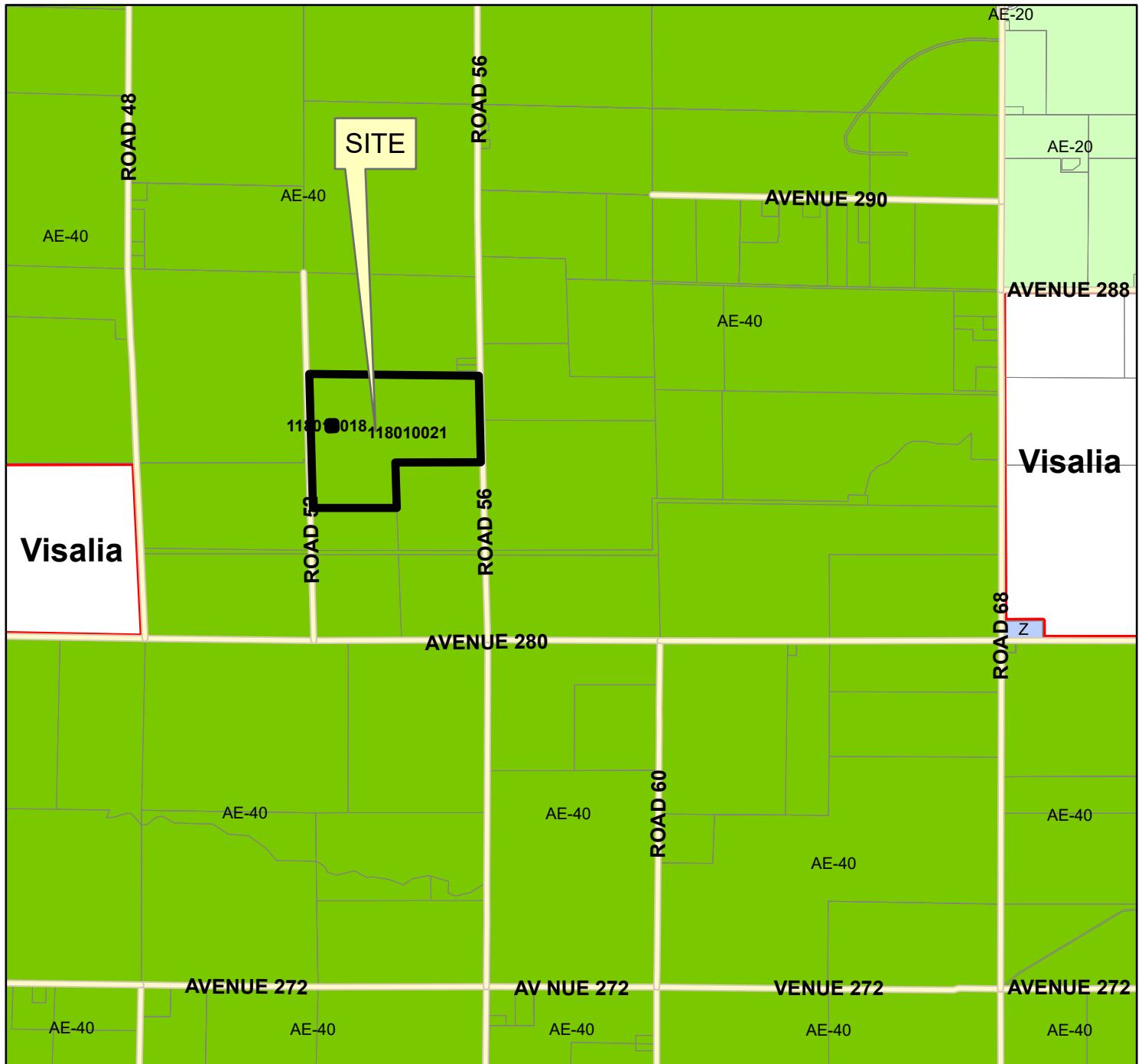
0 150 300 450 600 750 900  
Feet

 Parcels  
 PPM 24-006





# Existing Zoning Map for PZV 24-029 & PPM 24-006



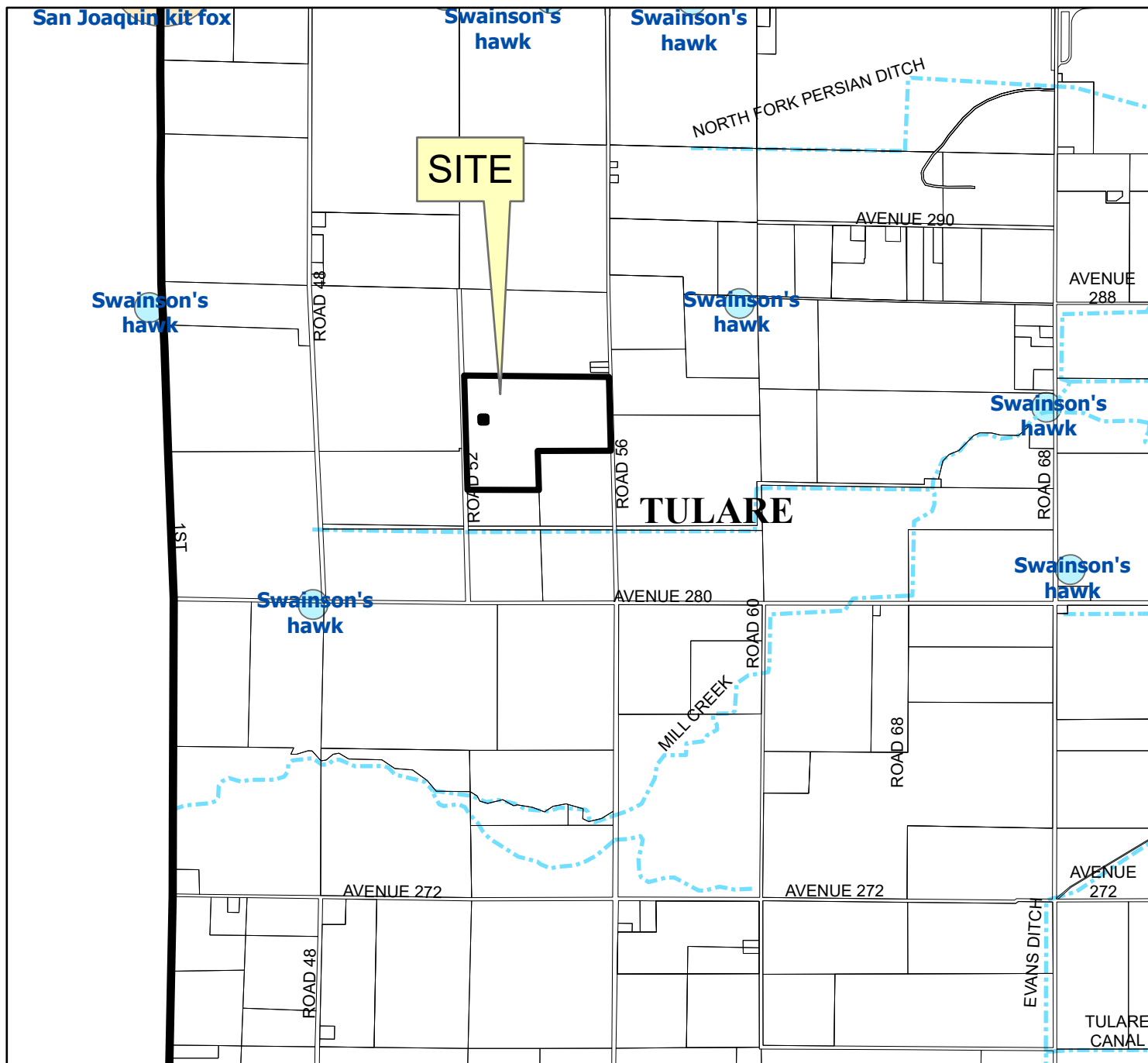
Owner: LK RANCHES  
Address: 2530 E Main St  
City, State, ZIP: Visalia, CA, 93277  
Applicant: Same  
Assessors Parcel #: 118-010-021, 118-021-018  
Supervisor District: 3

0 500 1,000 2,000 3,000 4,000 Feet

|             |            |             |
|-------------|------------|-------------|
| Parcels     | AE-40      | Streets_aux |
| <b>ZONE</b> | Z          | PPM 24-006  |
| AE-20       | TC Parcels |             |



# Species of Concern for PZV24-029 & PPM 24-006



## Legend

0 0.2 0.4 0.8 Miles

N

PZV 24-029 & PPM 24-006

SITE

streets

STREAMS

CNDDDB (Jan 2024)

CNAME

San Joaquin kit fox

Swainson's hawk

County\_bndy



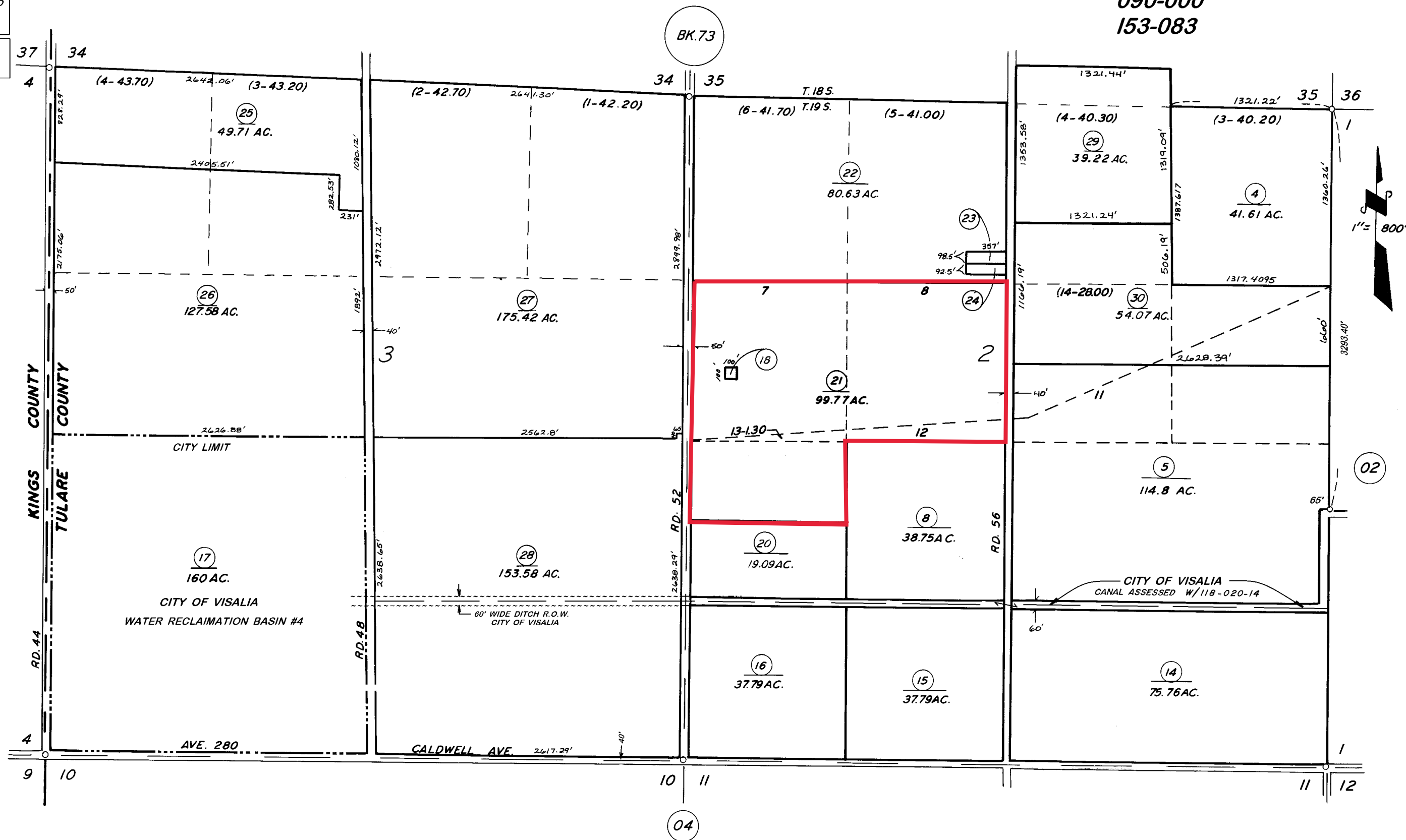
**DISCLAIMER**

THIS MAP WAS PREPARED FOR LOCAL  
PROPERTY ASSESSMENT PURPOSES  
ONLY. THE PARCELS SHOWN HEREON  
MAY NOT COMPLY WITH STATE AND  
LOCAL SUBDIVISION ORDINANCES. NO  
LIABILITY IS ASSUMED FOR THE USE  
OF THE INFORMATION HEREON.

REVISED: 07/25/2016  
REASON: 2004-0058119  
CAD TECH: KMS

SEC'S. 2&3, T.19S., R.23E., M.D.B. & M.

TAX CODE AREA **118-01**  
**006-235**  
**090-000**  
**153-083**



VICINITY OF VISALIA  
ASSESSOR'S MAPS BK. 118 , PG. 01 .  
COUNTY OF TULARE, CALIF.

NOTE — ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES  
ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES



# RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD

VISALIA, CA. 93277

PHONE (559) 624-7000

FAX (559) 615-3002

Aaron R. Bock

Reed Schenke

Sherman Dix

Economic Development & Planning

Public Works

Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

May 16, 2024

## PROJECT REVIEW - CONSULTATION NOTICE

To: Interested Agencies (see next page)

From: Nebeyu Menkir, Project Planner

Subject: Zone Variance & Tentative Parcel Map Case No. PZV 24-029 and PPM 24-006 – to divide a 7.95-acre homesite parcel from a 99.42± acre parcel in the AE-40 (Exclusive Agricultural – 40 acre minimum) Zone.

The Tulare County Resource Management Agency, Planning 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. The following information checked below is also applicable for your consideration regarding this project:

- ☐ (a) Please indicate in your response whether this department should prepare a Negative Declaration or Environmental Impact Report (EIR). In the event an EIR is prepared, I will be in further contact with you as to the scope and content of the environmental information pertinent to your agency's statutory responsibilities. Note that Public Resources Code Section 21080(c) requires substantial evidence in the record to show a significant effect on the environment. Any recommendation for preparation of an EIR requires submittal of such evidence with your comments. If there is no such evidence, a Negative Declaration may be prepared. Recommendations or suggestions for changes or mitigation measures requested by agencies having jurisdiction by law over natural resources affected by the project must be accompanied by a proposed reporting or monitoring program for those changes or measures in accordance with Public Resources Code Section 21081.6.
- ☒ (b) The Tulare County Guidelines for Implementing the California Environmental Quality Act (CEQA) indicate this project to be Categorically Exempt and therefore, the preparation of an environmental document is not necessary. However, if your organization has substantial evidence that would indicate to the contrary, please explain.

To all local agencies wishing to make recommendations, all comments must be received by our office by **May 31, 2024**, 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.



**CASE NO. PZV 24-029 & PPM 24-006 LK Ranches, a California General Partnership**  
**CONSULTING AGENCY LIST**

**TULARE COUNTY AGENCIES**

- ☒ Env Coordinator
- ☐ Airport Land Use Commission
- ☒ Co. Fire Chief
- ☒ H.H.S.A. - Environmental Health Services Division
- ☐ H.H.S.A. - HazMat Division
- ☒ R.M.A. - Building Division/Code Division
- ☒ R.M.A. - Building Services Division
- ☐ R.M.A. - Community Dev./Redevelopment Division
- ☒ R.M.A. - Engineering-Flood Control/Permits Division
- ☐ R.M.A. - Engineering-Solid Waste Division
- ☐ R.M.A. - General Services Division
- ☐ R.M.A. - Parks and Recreation Division
- ☐ R.M.A. - Transportation/Utilities Traffic Division
- ☐ Sheriff's Department - Visalia Headquarters
- ☐ Sheriff's Department -Orosi Substation
- ☐ Sheriff's Department -Pixley Substation
- ☐ Sheriff's Department -Porterville Substation
- ☐ Sheriff's Department-Traver Substation
- ☐ Supervisor \_\_\_\_\_.
- ☐ Tulare Co. Agricultural Commissioner
- ☒ Tulare Co. Assessor
- ☐ Tulare Co. Education Department
  
- ☒ \_\_\_\_\_ Tulare County Surveyors \_\_\_\_\_.

**LOCAL AGENCIES**

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

**FEDERAL AGENCIES**

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

**STATE AGENCIES**

- ☐ Caltrans Dist. 6\*
- ☒ Dept of Fish & Game
- ☐ \_\_\_\_\_, DFG Area Biologist
- ☐ State Clearinghouse (15 copies)
  
- ☐ Alcoholic Beverage Control
- ☐ Housing & Community Development
- ☐ Reclamation Board
- ☐ Public Utilities Commission
- ☐ Dept. of Water Resources\*
- ☐ Regional Water Quality Control Board - Dist. 5
- ☐ Water Resources Control Board\*
- ☐ Dept. of Food & Agriculture
- ☐ State Lands Commission
- ☐ State Treasury Dept. - Office of Permits Assist.
- ☐ \_\_\_\_\_.
- ☐ State Department of Health
- ☐ U.C. Cooperative Extension
  
- ☐ Audubon Society - Condor Research

**OTHER AGENCIES**

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



**TULARE COUNTY  
HEALTH & HUMAN SERVICES AGENCY**

Donna Ortiz  
Agency Director

Karen M. Elliott, MBA • Director • Public Health Branch  
Nilsa Gonzalez, REHS • Public Health Branch Deputy Director • Environmental Health Director

May 29, 2024

NEBEYU MENKIR  
RESOURCE MANAGEMENT AGENCY  
5961 SOUTH MOONEY BLVD  
VISALIA, CA 93277

**Re: ZONE VARIANCE AND TENTATIVE PARCEL MAP, PZV 24-029 AND PPM 24-006**

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

1. Applicant shall ensure that any and all septic system components remain within the boundaries of the parcel(s) the systems are to serve.

Regards,

A handwritten signature in blue ink, reading "Kevin Bangsund".

Kevin Bangsund, REHS  
Environmental Health Specialist III  
Environmental Health Services Division





# TULARE COUNTY FIRE DEPARTMENT

835 S Akers St, Visalia, CA 93277 - Phone (559) 802-9800 - Fax (559) 747-8242

**Charlie Norman**  
FIRE CHIEF

May 29, 2024

Attn: Nebeyu Menkir <NMenkir@tularecounty.ca.gov>

Tulare County Fire Department has conducted a plan review on plans # PZV 24-029, the following is a check list of requirements for: Create a 7.95 acre homesite parcel in the AE-40 Zone - Ref: PPM 24-006.

## FIRE REQUIREMENTS

- Address posted, minimum 4"x3"x ½" line width permanent numbers visible from the street
- All-weather (2" after compact- crushed rock, road base, or DG) 20 feet Fire Dept. access road, with a maintained 13 feet 6 inches vertical clearance.
- Any existing structures must adhere to the minimum separation of buildings as the Ca. Building code 705.2.3 & 705.5.
- Any new commercial or residential construction permits in the future. Tulare County Fire Department will impose the current adopted Title 24 Code requirements at time of building permit.
- Any new commercial or residential construction permits in the future will have to meet 2022 or newer California Fire Code Appendix B requirements for fire flow or NFPA 1142 for urban water supply.

\*Note, this checklist does not exclude builder /owner from all required applicable codes. If something was missed in the plan check process, the owner /builder will be expected to comply with the applicable code, regulation, or ordinance.

Respectfully submitted.

Mark Phillips  
Fire Inspector – Plans Examiner  
Tulare County Fire Department  
(559)624-7074

# RESOURCE MANAGEMENT AGENCY



## INTEROFFICE MEMORANDUM

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May 29, 2024

**TO:** Nebeyu Menkir, Project Planner  
**FROM:** Vanesa Sandoval, Engineer I  
**SUBJECT:** Case No's. PPM 24-006 & PZV 24-029

**OWNER:** LK Ranches  
**APN:** 118-010-018 & 118-010-021

The subject Case No.'s PPM 24-006 & PZV 24-029 have been reviewed. The following comments and recommendations are submitted for consideration in processing this matter.

The subject site is not located within any Urban Development Boundary.

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

The division is of a 99.42-acre parcel into two parcels of 3.99 acres with a remainder parcel of 95.43 acres.

### **Flood Information:**

The following flood zone information is based on our interpretation of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map for Community Number 065066 dated June 16, 2009, Panel No. 0915. The subject site is located within Zone A.

An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within a FEMA Zone A.

### **Right-of-way Information:**

The proposed parcels lie on the east side of Road 52 and west of Road 56. The existing right of way on Road 52 is 50 feet (25 feet on the west side and 25 feet on the east side) and on Road 56 is 40 feet (20 feet on the west side and 20 feet on the east side). Ultimate right of way on Road 52 is 60 feet.

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

**Road Information:**

According to the county's maintained mileage maps, Road 52 and Road 56 are county maintained roads.

Based on the 2024 Pavement Management System database, the existing pavement width on Road 52 is 18.1 feet and on Road 56 is 20.2 feet. The pavement type on Road 52 and Road 56 is asphalt concrete.

We have no recommended conditions for the subject case.



# RESOURCE MANAGEMENT AGENCY

## INTEROFFICE MEMORANDUM

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May 29, 2024

**TO:** Nebeyu Menkir, Project Planner

**FROM:** Abraham Folk, Engineering Technician II  
County Surveyor's Office, Public Works Branch

**SUBJECT:** Case No. PPM 24-006 & PZV 24-029  
Owner: LK Ranches  
Agent: 4 Creeks Engineering  
APN: 118-010-018 & 118-010-021

In response to your request on May 16, 2024, the parcel map has been reviewed.

### **Road Right of way:**

The right of way on Road 52 is 25' per Volume 1343 Page 43 of Official Records and is dimensioned correctly, not referenced.

The right of way on Road 56 is 20' per Book 13 Page 50 of Right of Way and is dimensioned correctly, not referenced.

### **Recommendations:**

Legal description must be signed and stamped before going to Planning Commission.

### **Comments:**

No comments on PZV 24-029.

**From:** [Mapping](#)  
**To:** [Nebeyu Menkir](#)  
**Cc:** [Mapping](#)  
**Subject:** RE: PZV 24-029 & PPM 24-006 Consultation  
**Date:** Thursday, May 16, 2024 3:54:41 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Nebeyu:

This E mail is being sent to you in response to your letter dated **05/16/2024**, received on **05/16/2024**, requesting the Assessor/Clerk/Recorder to make any pertinent comments in the above subject matter no later than **05/31/2024**.

**Assessor's Comments:**

**1) Affected APNs:** 118-010-018 & 021

**2) Applicants' Map:**

- ☐ Not received – Unable to Comment
- ☒ Received – No comments
- ☐ Received – See following comments:

**3) New Legal Descriptions:**

- ☐ Not received – Unable to Comment
- ☒ Received – No comments
- ☐ Received – See following comments:

**4) Application Questionnaire:**

- ☐ Not received – Unable to Comment
- ☒ Received – No comments
- ☐ Received – See following comments:

**5) Ag Preserve / Contract:** According to the County's recorded land records, one or more of the lots affected by this project are subject to an agricultural preserve zone and open space ("Williamson") land conservation contract, while one or more other lots affected are not located in an agricultural preserve zone and open space ("Williamson") land conservation contract. That being the case, we hope and presume that the Planning Director will give due consideration to Government Code Sections 51222 and 51257 of the Subdivision Map Act, which requires certain minimum lot sizes and permits and suggests that the necessary documents be drafted, approved and recorded amending any agricultural preserve and land conservation contracts to coincide with the newly adjusted legal lot lines. Otherwise, notwithstanding the fact that they are one legal lot, such differing areas must be separately assessed, mapped, valued, and taxed. [ R & T Code, §§ 421 to 430.5 ]

Thanks,



**Jasen Salas**  
Cadastral GIS Technician II  
Office of the Assessor

jsalas1@tularecounty.ca.gov  
559-636-5103  
221 South Mooney Boulevard  
Room 102-E  
Visalia, CA 93291

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**From:** Nebeyu Menkir <NMenkir@tularecounty.ca.gov>

**Sent:** Thursday, May 16, 2024 10:56 AM

**To:** Jason Hawes <JHawes1@tularecounty.ca.gov>; Vanesa Sandoval <VSandoval@tularecounty.ca.gov>; Kevin W Bangsund <KBangsund@tularecounty.ca.gov>; Mark Phillips <MPhillips@tularecounty.ca.gov>; Jorge Mora Martin <JMoramartin@tularecounty.ca.gov>; Carlos F Garcia <CGarcia1@tularecounty.ca.gov>; Lee L Moore Jr <LMoore@tularecounty.ca.gov>

**Subject:** PZV 24-029 & PPM 24-006 Consultation

Hello teams:

**Note:** The tentative parcel Map PPM 24-006 was sent for consultation previously, this consultation is for a revision map which require a zone -variance.

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. Zone Variance PZV 24-029 and Tentative Parcel Map No. PPM 24-006 was requested by property owner LK Ranches (Agent: 4 Creeks Engineering). The project creates a 7.95-acre homesite parcel from a 99.42-acre parcel in the AE-40 (Exclusive Agricultural-40 acres minimum) zone. The site is located at 28274 Road 52, Visalia CA (APNs: 118-010-018 and 118-010-021).

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. To all local agencies wishing to make recommendations, all comments must be received by our office by **\_06/03/2024\_**, to be considered during the review process.

**Attached document:**

- Consultation request.
- Application with a waiver.
- Grant Deed.
- Land Conservation contract.
- Exhibit A (New tentative parcel map with parcel description).
- Graphics.

Respectfully:

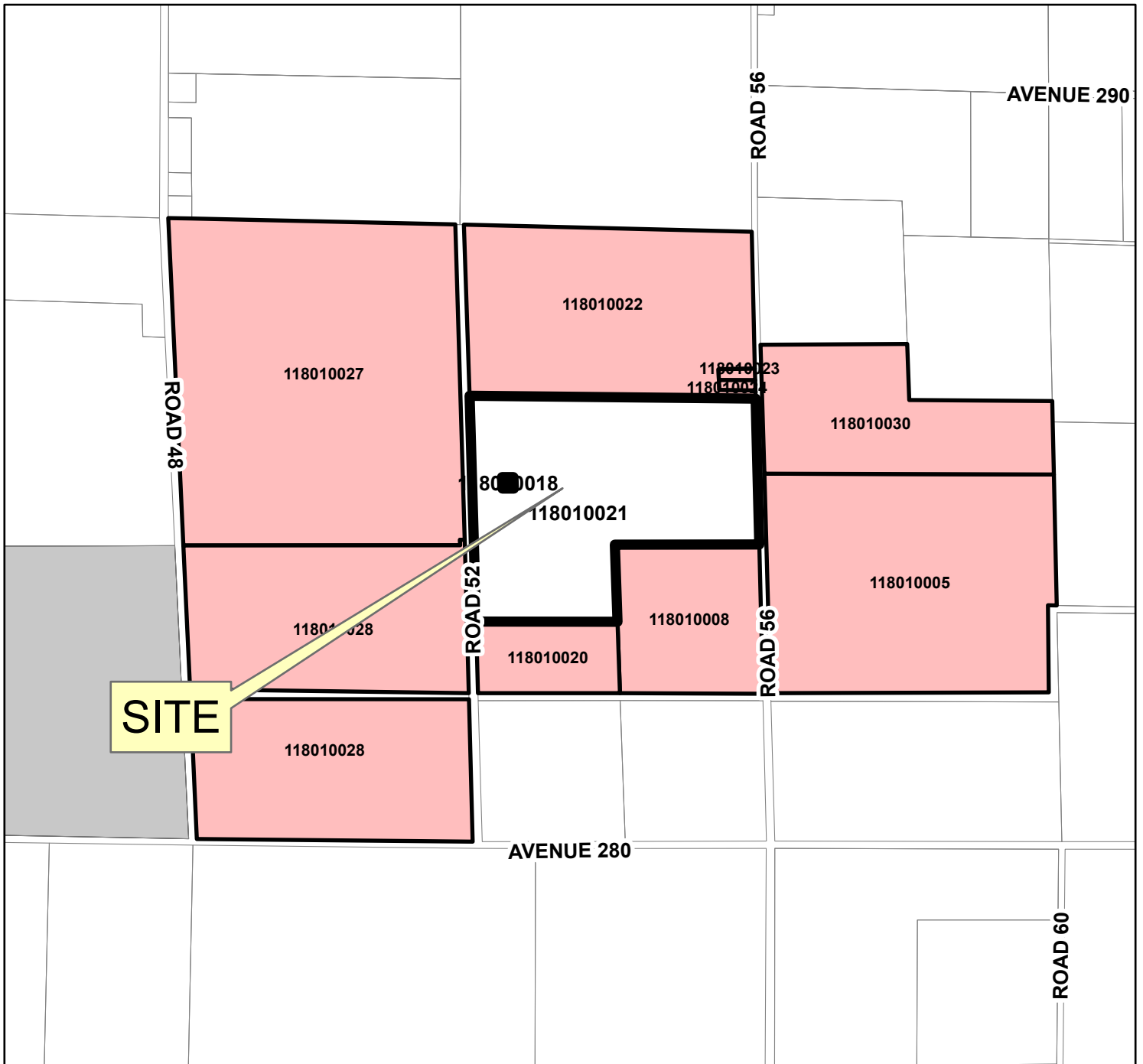
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**Nebeyu Menkir**



Planner I  
Project Processing Department  
**Phone:** 559-624-7183  
**Email:** [NMenkir@tularecounty.ca.gov](mailto:NMenkir@tularecounty.ca.gov)  
Tulare County RMA  
5961 S. Mooney Boulevard, Visalia, CA  
**Work hours: Mon-Thurs 7:00 a.m-  
5:30p.m.**  
**Fri: 8 a.m -12:00 p.m.**

# Location and Property Ownership Map for Hearing Notification for PZV 24-029 & PPM 24-006



Owner: LK RANCHES  
Address: 2530 E Main St  
City, State, ZIP: Visalia, CA, 93277  
Applicant: Same  
Assessors Parcel #: 118-0  
10-021 ,118-021-018  
Supervisor District: 3

0 350 700 1,400 2,100 2,800  
Feet

Parcels  
APN 237-124-004  
Adjacent Properties





NOTICE OF PUBLIC HEARING AND AVAILABILITY  
OF ENVIRONMENTAL DOCUMENT

A **Categorical Exemption** for **ZONE VARIANCE No. PZV 24-029** and **TENTATIVE PARCEL MAP No. PPM 24-006** 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 (559) 624-7000, (Monday – Thursday: 9:00 am to 4:30 pm and Friday: 9:00 am to 11:00 am). For further information regarding this project, please call **Nebeyu D. Menkir** at **(559) 624-7183** or email at [NMenkir@tularecounty.ca.gov](mailto:NMenkir@tularecounty.ca.gov) 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 Variance PZV 24-029 and Tentative Parcel Map No. PPM 24-006

**APPLICANT/AGENT:** LK Ranches, a California General Partnership/4-Creeks, Incorporated

**LOCATION:** on the east side of Road 52, approximately 1,300 feet north of Avenue 280 (Caldwell Avenue), west of Visalia.

**PROJECT DESCRIPTION:** Zone Variance PZV 24-029 to create a homesite parcel larger than 4-acres maximum allowed for a homesite parcel in Agricultural zones and Tentative Parcel Map No. PPM 24-006 for a division of 99.77-acres into two parcels: Parcel 1 = 7.95-acres and Parcel 2 = 91.47-acres in the AE-40 (Exclusive Agricultural – 40-acre minimum) 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 15301, class 1, pertaining to existing facilities and Section 15061 (b) (3), pertaining to the Common Sense Rule; and conditionally approve Zone variance PZV 24-029 and Tentative Parcel Map No. PPM 24-006.

**REVIEW PERIOD:** 10 days until Monday, June 24, 2024, at 5:00 p.m.

**PUBLIC HEARING:** Planning Commission on Wednesday, June 26, 2024, at 9:00 a.m.

All meetings are currently held at the Board of Supervisors Chambers, 2800 West Burrell Avenue, Visalia, California 93291. PLANNING COMMISSION meetings start at 9:00 a.m. All interested parties are invited to attend and be heard. Meeting Agendas, Documents, Live Broadcasts and Archived Recordings are available at the following link:

<https://tularecounty.ca.gov/rma/planning-building/planning-commission/>

For environmental questions, please call Gary Mills, Chief Environmental Planner at 624-7000. 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.

GARY MILLS, CHIEF ENVIRONMENTAL PLANNER

REED SCHENKE, ENVIRONMENTAL ASSESSMENT OFFICER

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TO BE PUBLISHED ONCE ONLY ON: June 12, 2024

SEND BILL AND TEAR SHEET TO:

TUL. CO. RESOURCE MGMT., 5961 SOUTH MOONEY BLVD., VISALIA, CA 93277-9394

SEND TO: Sun Gazette

# 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 Blvd.  
Visalia, CA 93291

**Lead Agency:** Tulare County c/o Resource Management Agency  
5961 South Mooney Blvd  
Visalia, CA 93277 (559) 624-7000

Attn: [gmills@tularecounty.ca.gov](mailto:gmills@tularecounty.ca.gov) and [jwillis@tularecounty.ca.gov](mailto:jwillis@tularecounty.ca.gov)

DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

**Applicant(s):** LK Ranches, a California General Partnership  
28476 Road 52  
Visalia, CA 93277 (559) 786-8701

**Project Title:** Zone Variance Map No. PZV 24-029

**Project Location - Specific:** APN(s): 118-010-018 & 118-010-021; The site is located on the east side of Road 52, approximately 1,300 feet north of Avenue 280 (Caldwell Avenue), west of Visalia.

**Project Location- Section, Township, Range:** Section 2, Township 19S, Range 23E

**Project Location - City:** Visalia, CA **Project Location - County:** Tulare (unincorporated area)

**Description of Nature, Purpose, and Beneficiaries of Project:** This project is a Zone Variance No. PZV 24-029 associated with a Tentative Parcel Map PZV 24-006 requested by LK Ranches, a California General Partnership, 28476 Road 52, Visalia, CA 93277 (agent: 4-Creeks, Incorporated, 324 S. Santa Fe, Suite A, Visalia, CA 93292) to allow a homesite parcel 7.95-acres larger than the 4-acres maximum size allowed for homesites in the AE-40 (Exclusive Agricultural - 40 acre minimum) 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));
- ☒ Categorical Exemption: CEQA Guidelines Class 1 Section 15301 pertaining to Existing Facilities
- ☒ Categorical Exemption: 15061 (b) (3) pertaining to the Common Sense Rule.
- ☐ Statutory Exemptions:

**Reasons why project is exempt:** The project is compatible with this exemption because the site is being divided into two parcels, both with public road frontage. The parcel map is only creating a homesite parcel. Therefore, the use of Section 15301 is applicable and appropriate.

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

**Project Planner/Representative:** Nebeyu D. Menkir

**Telephone:** (559) 624-7000

Signature: \_\_\_\_\_  
Gary A. Mills

Date: \_\_\_\_\_

Title: Chief Environmental Planner

Signature: \_\_\_\_\_  
Reed Schenke, P.E.

Date: \_\_\_\_\_

Title: Environmental Assessment Officer  
RMA Director

☒ Signed by Lead Agency

Date submitted to the OPR/SCH: \_\_\_\_\_

## 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 Blvd.  
Visalia, CA 93291

**Lead Agency:** Tulare County c/o Resource Management Agency  
5961 South Mooney Blvd  
Visalia, CA 93277 (559) 624-7000  
*Attn:* [gmills@tularecounty.ca.gov](mailto:gmills@tularecounty.ca.gov) and [jwillis@tularecounty.ca.gov](mailto:jwillis@tularecounty.ca.gov)

DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

**Applicant(s):** LK Ranches, a California General Partnership  
28476 Road 52  
Visalia, CA 93277 (559) 786-8701

**Project Title:** Tentative Parcel Map No. PPM 24-006

**Project Location - Specific:** APN(s): 118-010-018 & 118-010-021; The site is located on the east side of Road 52, approximately 1,300 feet north of Avenue 280 (Caldwell Avenue), west of Visalia.

**Project Location- Section, Township, Range:** Section 2, Township 19S, Range 23E

**Project Location - City:** Visalia, CA **Project Location - County:** Tulare (unincorporated area)

**Description of Nature, Purpose, and Beneficiaries of Project:** This project is a Tentative Parcel Map No. PPM 24-006 requested by LK Ranches, a California General Partnership, 28476 Road 52, Visalia, CA 93277 (agent: 4-Creeks, Incorporated, 324 S. Santa Fe, Suite A, Visalia, CA 93292) to allow the division of 99.77-acres into two parcels: Proposed Parcel 1= 7.95± acres and Proposed Parcel 2= 91.47± acres in the AE-40 (Exclusive Agricultural - 40 acre minimum) 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));
- ☒ Categorical Exemption: CEQA Guidelines Class 1 Section 15301 pertaining to Existing Facilities
- ☒ Categorical Exemption: 15061 (b) (3) pertaining to the Commonsense Rule.
- ☐ Statutory Exemptions:

**Reasons why project is exempt:** The project is compatible with this exemption because the site is being divided into two parcels, both with public road frontage. The parcel map is only creating a homesite parcel. Therefore, the use of Section 15061 (b) (3) is applicable and appropriate.

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

**Project Planner/Representative:** Nebeyu D. Menkir

**Telephone:** (559) 624-7000

Signature: \_\_\_\_\_  
Gary A. Mills

Date: \_\_\_\_\_

Title: Chief Environmental Planner

Signature: \_\_\_\_\_  
Reed Schenke, P.E.

Date: \_\_\_\_\_

Title: Environmental Assessment Officer  
RMA Director

☒ Signed by Lead Agency

Date submitted to the OPR/SCH: \_\_\_\_\_