



Resource Management Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

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District One

PETE VANDER POEL
District Two

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District Four

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District Five

AGENDA DATE: July 9, 2024

Public Hearing Required	Yes
Scheduled Public Hearing w/Clerk	Yes
Published Notice Required	Yes
Advertised Published Notice	Yes
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: General Plan Amendment No. GPA 24-003 & Zone Change No. PZC 24-001, Pinnacle Investments LLC

REQUEST(S):

That the Board of Supervisors:

1. Hold a Public Hearing at 9:30 a.m. or shortly thereafter.
2. Approve General Plan Amendment No. GPA 24-003, Pinnacle Investments LLC, to change the County's land use designation, on approximately 1.17-acres, from "Valley Agriculture" to "Mixed Use", located at 20440 Avenue 256 on the northeast corner of Avenue 256 and Road 204 (Spruce Road), APNs 141-040-024 & 026, south of Exeter.
3. Adopt the findings of approval, as recommended and set forth by the Planning Commission and approve Zone Change No. PZC 24-001.
4. Adopt an ordinance amending Paragraph B of Section 3 of Ordinance No. 352, the Tulare County Zoning Ordinance, for Change of Zone No. PZC 24-001 to change the zone on approximately 1.17 acres from the AE-20 (Exclusive Agriculture, 20-Acre Minimum) Zone to the C-2-MU (General Commercial - Mixed Use Overlay) Zone at 20440 Avenue 256, Visalia, CA. (APNs:141-040-024 & 026).
5. Find that this ordinance by statute can only be passed after notice and a public hearing, so it is exempt from the usual requirements that an ordinance be read in full and adopted over two regular meetings.
6. Direct the Clerk of the Board to publish the full text of the adopted Ordinance and Amended Zoning Map for PZC 24-001, as required by law.
7. Authorize the Environmental Assessment Officer, or their designee, to file the Notice of Exemption (NOE) with the County Clerk-Recorder and the State Office of Planning and Research.

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8. Adopt the findings recommended and set forth by the Planning Commission and find that the Project is exempt from review under the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to § 15303 New Construction or Conversion of Small Structures.

SUMMARY:

The Tulare County Resource Management Agency (RMA) has received a request from Pinnacle Investments LLC for a General Plan Amendment on a total of 1.17-acres for two (2) parcels, APNs 141-040-024 and 141-040-026, to change the land use designation from Valley Agriculture to Mixed Use. Concurrently, there is a request to amend the zoning designation from AE-20 (Exclusive Agriculture, 20-Acre Minimum) Zone to the C-2-MU (General Commercial - Mixed Use Overlay) Zone. APN 141-040-024 contains a boarded-up structure, and APN 141-040-026 contains a single-family residence. There are no active Code Violations on the site. The applicant proposes constructing a convenience store and gas station. The proposed project is located at the intersection of Ave 256 and Rd 204 (Spruce). The intersection is currently controlled by a four-way stop. RMA is in the progress of developing a traffic signal with turn lanes at this intersection. As part of this project, adequate right of way and setbacks from the properties in question will be established to allow for the signal's construction.

Environmental Summary:

A Categorical Exemption was prepared by the Tulare County Environmental Planning and Processing Division and approved by the Environmental Assessment Officer. The proposed General Plan Amendment and Zone Change is considered Exempt under Categorical Exemption pursuant to Article 19 Section 15303, New Construction or Conversion of Small Structures.

Location: The subject site is located at 20440 Avenue 256, on the northeast corner of Avenue 256 and Road 204, south of Exeter. Surrounding parcels on the north, east, south, and west are zoned AE-20 (Exclusive Agriculture – 20 Acre Minimum), parcels to the southwest are zoned C-2 (General Commercial) and contain agriculture and scattered rural residences, and the Los Arbolitos restaurant in the C-2 zoned lot.

Project Analysis/Findings

The project area is located within the Rural Valley Lands Plan (RVLP), Land Use Element of the Tulare County General Plan and the Land Use Designation for the project site is "Valley Agriculture." Valley Agriculture is designed for intensive agricultural use with a minimum 20-acre parcel size.

Under the Rural Valley Lands Plan Analysis, the parcel would receive five (5) RVLP points (see Attachment 3, RVLP checklist). A parcel receiving 12 to 16 points shall be determined to have fallen within a "gray" area 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. This amendment is approvable under the RVLP analysis as the project scored less than 12 points (5 points).

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General Plan Consistency

Based on factors shown above, and the recommendations from the planning commission (Attachment 3), it can be concluded that the proposed General Plan Amendment and Zone Change will be consistent with the Rural Valley Lands Plan and will further the goals, objectives, and policies of the Tulare County General Plan. Accordingly, it is recommended that the proposed General Plan Amendment and Zone Change should be approved.

Zoning

The subject site is zoned AE-20 (Exclusive Agricultural - 20-acre minimum) and gas stations/convenience stores are not an allowed use in agricultural zones, therefore, this proposed project will require a zone change from agricultural zoning to commercial zoning. In addition to the General Plan Amendment, this proposal includes a zone change request from AE-20 to C-2-MU (General Commercial – Mixed Use Overlay) Zone to allow for a gas station/convenience store.

FISCAL IMPACT/FINANCING:

No Net County Cost to the General Fund.

The applicant cost is an initial deposit of \$10,000 for a General Plan Amendment, \$6,000 for a Zone Change to the Tulare County RMA. Additional fees of \$115 per hour may be charged, if the actual cost of processing the application exceeds the deposits. CEQA documentation and compliance for the project is also charged at a full cost recovery basis.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County’s five-year strategic plan includes the “Economic Well Being Initiative - to encourage growth consistent with the County General Plan”. The requested General Plan Amendment and Zone Change help encourage growth consistent with the County General Plan. Providing effective growth management by allowing existing parcels that are too small to be viable for agriculture to update the land use and be rezoned with potential future development of a convenience store and gas station.

ADMINISTRATIVE SIGN-OFF:

/s/ Aaron R. Bock

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

/s/ Michael Washam

Michael Washam, ACE
Associate Director

/s/ Reed Schenke

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Director, P.E.

Cc: County Administrative Office

Attachment 1 – General Plan Amendment Maps

Attachment 2 – Ordinance and Zoning Map

Attachment 3 – Planning Commission Resolutions, Fact Sheet, & RVLP Checklist

Attachment 4 – Graphics and Public Notice

Attachment 5 – Notice of Exemption