

Attachment No. 1

Zoning Ordinance and Zoning Map

ORDINANCE NO. _____

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

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

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of a portion of Section 36, Township 17 South, Range 26 East, Mount Diablo Base and Meridian, being a subdivision of Part 282 of the Official Zoning Maps. A map showing Change of Zone No. PZC 24-005 approved for approximately 7.67-acres is attached hereto and incorporated herein by reference. The new zoning will be R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone.

Section 2. The property affected by the zoning reclassification from AE-20 (Exclusive Agricultural – 20 Acre Minimum Zone), is briefly described as follows: Being a 7.67-acre parcel, located on Tulare County Assessor Parcel Number (APN) 060-230-009. The subject property is located on the south side of Avenue 342 (W. Ropes Avenue), between S. Blair Road & S. Valencia Blvd. in the unincorporated area of Tulare County south of the City of Woodlake.

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

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the _____ day of _____, 2024, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

AYES:

NOES:

ABSENT:

Chairman, Board of Supervisors

Approved as to Form:

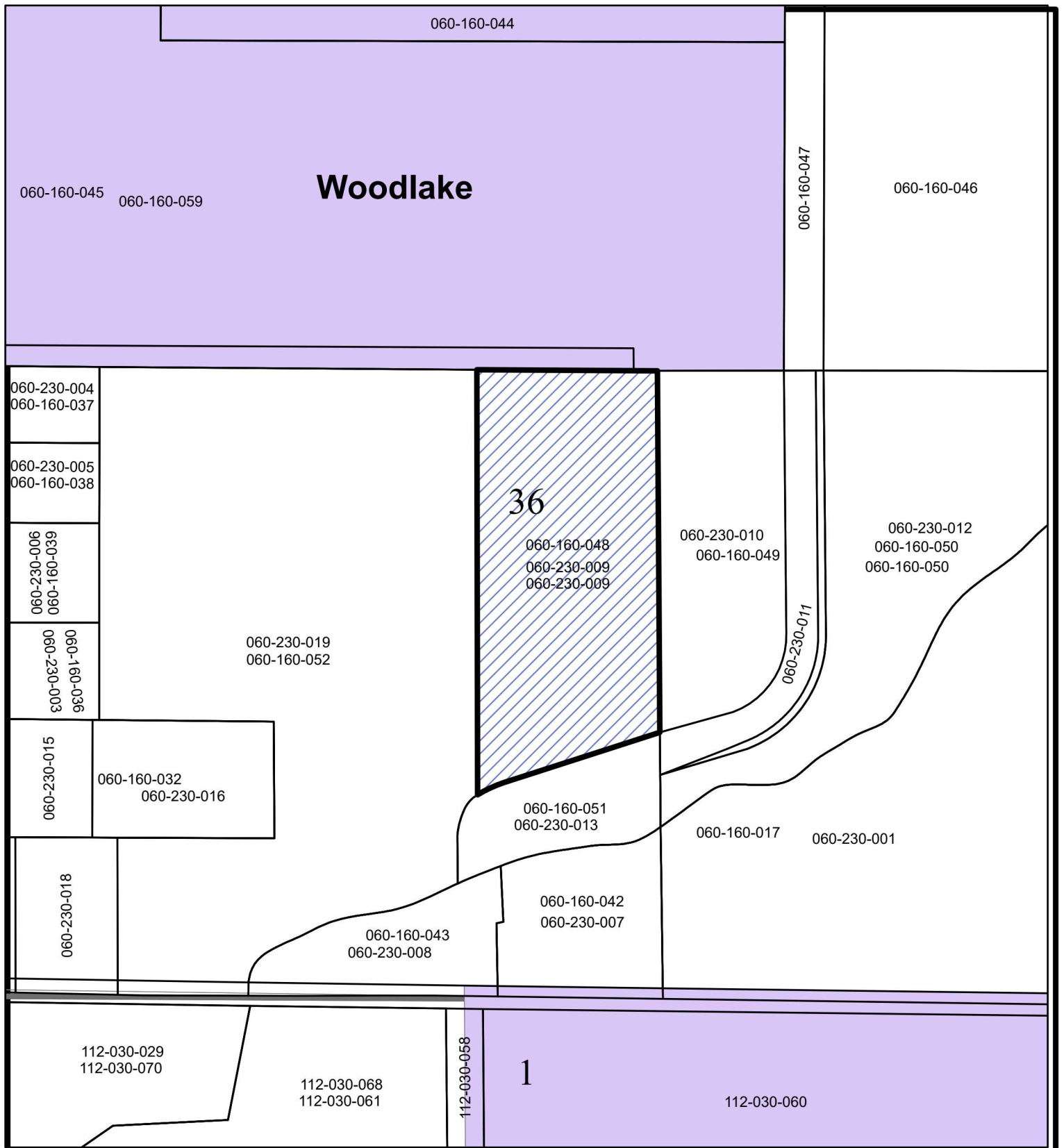
Matthew C. Pierce

Deputy County Counsel
Matter No. RMA-General

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

By: _____
Deputy

Exhibit "B"



Woodlake

36

1

APN: 060-230-009
 APROX. 7.67AC.
 Zone Change from AE-20(Exclusive
 Agricultural minimum 20-acres) to
 R-A-100(Rural Residential minimum
 100, 000 SQ. FT. zone) (PZC 24-005)

0 90 180 270 360 450 540 Feet



ORDINANCE NO. _____
 AMENDING A PORTION OF MAP PART 282
 PART OF SEC. 36, T 17 S, R 26 E, M.D.B.& M.
 OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.
 TULARE COUNTY BOARD OF SUPERVISORS
 ADOPTED: ____/____/____

Attachment No. 2

Copy of Planning Commission Resolution No. 10262

Attachment No. 2

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF ZONE CHANGE NO. PZC 24-05)
TO CHANGE THE ZONE FROM THE AE-20)
(EXCLUSIVE AGRICULTURAL – 20 ACRE MINIMUM))
ZONE TO THE R-A-100 (RURAL RESIDENTIAL WITH) RESOLUTION NO. 10262
A 100,000 SQUARE FOOT MINIMUM) ZONE)
(JESSE ALLEN WILLIAMS))

Resolution of the Planning Commission of the County of Tulare recommending that the Board of Supervisors accept the Categorical Exemption and approve Zone Change No. PZC 24-05 requested by Jesse Allen Williams, 810 W. Acequia Ave., Visalia, CA 93291 (Agent: AW Engineering) to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with 100,000 Square Foot Minimum) Zone to facilitate a division of 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)], located in the unincorporated area of Tulare County on Avenue 338 between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). The property is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport. It should be noted that this application has been filed in conjunction with Tentative Parcel Map No. 24-023.

WHEREAS, an application for a Zone Change has been filed pursuant to the regulations contained in Section 17 of Ordinance No. 352, the Zoning Ordinance; and

WHEREAS, the Planning Commission has given notice of its intention to consider the granting of a Zone Change as provided in Section 18 of said Ordinance No. 352 and as provided in Section 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report and recommended approval of this application subject to certain conditions of approval; and

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

WHEREAS, on August 28, 2024, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in The Sun-Gazette, a newspaper of general circulation in Tulare County, and mailed to surrounding property owners to consider the proposed Project; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on September 11, 2024; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission recommends that the Board of Supervisors certify that the Board has reviewed and considered the information contained in the Categorical Exemption that was prepared for the proposed project and is applicable to the project site and the Change of Zone, 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 Commission recommends that the Board of Supervisors adopt the following findings of fact as to the reasons for approval of this application:

1. The applicant has requested a change in zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with 100,000 Square Foot Minimum) Zone to facilitate a division of 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres).
2. The project area is located within both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport.

Under the RVLP, if the lot is restricted by a California Land Conservation Act (“Williamson Act”) Contract, then it is restricted from zone changes. This parcel is not restricted by a Williamson Act Contract. RVLP-1.3 states “In order to protect and maintain the agricultural viability of the area, the County shall maintain several exclusive agricultural zones, each containing a different minimum parcel size. The County shall apply such zones to lands located outside adopted UDBs and HDBs, where such boundaries have been adopted, generally below and west of the 600-foot elevation contour line as it occurs in Tulare County...” In this case, the Project site is located within both the UAB and UDB for the City of Woodlake.

PF-4.19 states “As an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CACUDBs and is only advisory within CACUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the current land use designation or zoning classification of any parcel within a CACUAB unless appropriate under the requirements of the Rural Valley Lands Plan (RVLP) or similar checklist or unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning classification. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new UDB, an HDB, or Corridor Plan area that may fall within a CACUDB area. This policy shall not apply within a County unincorporated UDB, an HDB, or Corridor Plan area where that area overlaps a CACUAB area. Development of County corridor development nodes in an affected city’s UAB would only occur after the County has provided written consultation and has allowed for a reasonable timed response from the affected city prior to decision making and before the adoption of the Corridor Plan. New development in a city’s UAB would be subject to adopted plan lines and setback standards. Adopted facility plans and legally adopted General Plans will be considered during the development review process. Small “stand alone,” non urban projects which are defined as residential projects

of four or fewer lots or non-residential projects smaller than two acres do not need city standards but shall respect city utility and street master plans for setbacks. Large urban-style projects include residential projects of five or more lots averaging less than one acre per lot and non-residential projects two acres or larger will use uniform urban development standards, financing mechanisms, consent to annexation, application of reciprocal development impact fees and city streets/utility setbacks/disclosure requirements unless the County and the city have identified and structured acceptable alternatives that will reasonably ensure that these projects should conform to city development standards upon future annexation.”

Based on PF-4.19 a RVLP doesn’t apply to the proposed Project because the Project is within a UDB. Therefore, a RVLP analysis is not required. In addition, a Project Review – Consultation Notice for PZC 24-005 & PPM 24-023 was distributed on July 22, 2024, to the City of Woodlake. On July 23, 2024, Emmanuel Llamas, Community Development Director for the City of Woodlake, provided comments for PZC 24-005 & PPM 24-023 and the comments didn’t request that a RVLP analysis be prepared.

The City of Woodlake Land Use Map 7/13/2023 shows the land use designation as Agricultural. The proposed subdivision would be allowed with the proposed Zone Change. The proposed project needs to comply with Tulare County Agreement No. 25995 between the City of Woodlake and Tulare County. Based on the information above, the requested change of zone has been found to be compatible with established land uses in the surrounding area and is not in conflict with the furtherance of overall County development strategies, plans, and policies.

3. Proposed Parcel 1 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the northeast 2.25-acres (98,010.00 square feet) of Proposed Parcel 2 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the southwest 1.59-acres (69,059.00 square feet) of Proposed Parcel 2 is within Safety Zone 3 of the Woodlake Municipal Airport. Table 3-1 Tulare County Airport Land Use Compatibility lists Single Family Residential as Prohibited in Safety Zone 3.

Note 1 of the Land Use Compatibility Matrix states that Land uses are identified as being “C” – compatible, or “P” – prohibited based upon the following interpretations:

Compatible - Compatible land uses are designated by the symbol “C”. This designation means associated land use groups are at a level of intensity or density, or location, which does not present a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, nor is the land use type sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Prohibited - Prohibited land uses are designated by the symbol “P”. The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Note 3 of the Land Use Compatibility Matrix states that Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by Federal Aviation Regulations (FAR) Part 77 imaginary surfaces. A Federal Aviation Administration (FAA) aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

Note 4 of the Land Use Compatibility Matrix states that Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.

Note 10 of the Land Use Compatibility Matrix states that as a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the Airport Land Use Commission (ALUC) to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected.

Note 11 of the Land Use Compatibility Matrix states that in areas where aircraft noise is expected to exceed 60 decibel (dB) Community Noise Equivalent Level (CNEL); inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.

The proposed Project is consistent with the Tulare County Comprehensive Airport Land Use Plan, provided that 1) single family residences are prohibited from being constructed within the portion of Proposed Parcel 2 that is within Safety Zone 3 of the Woodlake Municipal Airport and 2) All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

4. If the proposed change from the AE-20 Zone to the R-A-100 Zone is approved, then Section 4.A.1 of the Tulare County Zoning Ordinance ("TCZO") lists one-family dwellings as permitted uses that don't require a special use permit in the R-A-100 Zone.
5. This Project will not have a significant effect on the environment and has been determined to be exempt consistent with the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of the California Environmental Quality Act of 1970

(CEQA Guidelines) pursuant to Title 14, Cal. Code Regulations, Section 15061(b)(3). Pursuant to Section 15061(b)(3) of the CEQA Guidelines, a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Section 15061(b)(3) is applicable and appropriate for PZC 24-005 & PPM 24-023 because the proposed Zone Change and proposed land division will not make any physical changes to the environment and will only establish an imaginary line on the ground.

6. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Development Impact Fees. New Development may be subject to County Development Impact fees.

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

AND, BE IT FURTHER RESOLVED as follows:

D. This Commission recommends that the Board of Supervisors find Zone Change No. PZC 24-05 to be exempt, consistent with the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of the California Environmental Quality Act of 1970 (CEQA Guidelines) pursuant to Title 14, Cal. Code Regulations, Section 15061(b)(3), pertaining to the common sense exemption.

E. This Commission recommends that the Board approve Zone Change No. PSP 24-05.

The foregoing resolution was adopted upon motion of Commissioner Aguilar, seconded by Commissioner Aleman, at a regular meeting of the Planning Commission on September 11, 2024, by the following roll call vote:

AYES:	Aguilar; Aleman, Whitlatch; Millies; Dias; Lehman; Launer
NOES:	None
ABSTAIN:	None
ABSENT:	Brown

TULARE COUNTY PLANNING COMMISSION



Michael Washam, Secretary

Attachment No. 2
Exhibit "A"

ORDINANCE NO. _____

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

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

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of a portion of Section 36, Township 17 South, Range 26 East, Mount Diablo Base and Meridian, being a subdivision of Part 282 of the Official Zoning Maps. A map showing Change of Zone No. PZC 24-005 approved for approximately 7.67-acres is attached hereto and incorporated herein by reference. The new zoning will be R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone.

Section 2. The property affected by the zoning reclassification from AE-20 (Exclusive Agricultural – 20 Acre Minimum Zone), is briefly described as follows: Being a 7.67-acre parcel, located on Tulare County Assessor Parcel Number (APN) 060-230-009. The subject property is located on the south side of Avenue 342 (W. Ropes Avenue), between S. Blair Road & S. Valencia Blvd. in the unincorporated area of Tulare County south of the City of Woodlake.

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

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the _____ day of _____, 2024, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

AYES:

NOES:

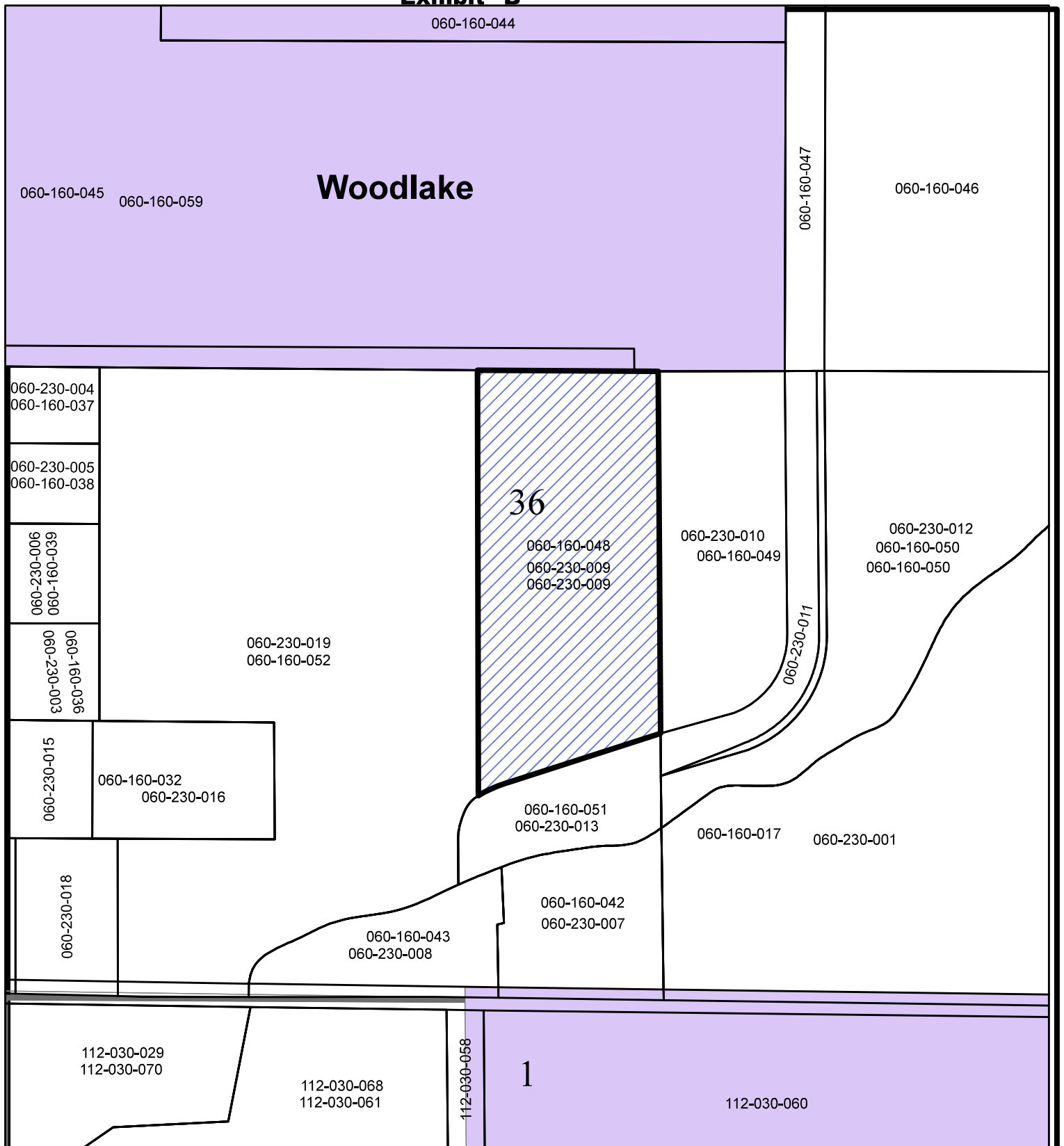
ABSENT:

Chairman, Board of Supervisors

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

By: _____
Deputy

Attachment No. 2 Exhibit "B"



APN: 060-230-009
 APROX. 7.67AC.
 Zone Change from AE-20(Exclusive
 Agricultural minimum 20-acres) to
 R-A-100(Rural Residential minimum
 100, 000 SQ. FT. zone) (PZC 24-005)

0 90 180 270 360 450 540 Feet



ORDINANCE NO. _____
 AMENDING A PORTION OF MAP PART 282
 PART OF SEC. 36, T 17 S, R 26 E, M.D.B.& M.
 OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.
 TULARE COUNTY BOARD OF SUPERVISORS
 ADOPTED: ____/____/____

Attachment No. 3

Copy of Planning Commission Resolution No. 10263

Attachment No. 3

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF TENTATIVE PARCEL)	
MAP NO. PPM 24-023)	RESOLUTION NO. 10263
JESSE ALLEN WILLIAMS)	

Resolution of the Planning Commission of the County of Tulare approving Tentative Parcel Map No. PPM 24-023, submitted by Jesse Allen Williams, 810 W. Acequia Ave., Visalia, CA 93291 (Agent: AW Engineering) to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)], located in the unincorporated area of Tulare County on Avenue 338 between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). The property is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport. It should be noted that this application has been filed in conjunction with Zone Change No. PZC 24-005.

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, staff has performed necessary investigations, prepared a written report and recommended approval of this application subject to certain conditions of approval; 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, on August 28, 2024, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in The Sun-Gazette, a newspaper of general circulation in Tulare County, and mailed to surrounding property owners to consider the proposed Project; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on September 11, 2024; and

WHEREAS at that meeting of the Planning Commission, public testimony was 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 as follows:

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

Attachment No. 3

Resolution No. 10263
Planning Commission
Page 2

B. This Planning Commission, after considering all the evidence presented, hereby determines that the following findings are relevant in evaluating this application:

1. The applicants have proposed Tentative Parcel Map No. PPM 24-023 to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres). The property is located in the unincorporated area of Tulare County on Avenue 338 between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). It should be noted that this application has been filed in conjunction with Tentative Parcel Map No. 24-023.
2. The project area is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport.

Under the RVLP, if the lot is restricted by a California Land Conservation Act (“Williamson Act”) Contract, then it is restricted from zone changes. This parcel is not restricted by a Williamson Act Contract. RVLP-1.3 states “In order to protect and maintain the agricultural viability of the area, the County shall maintain several exclusive agricultural zones, each containing a different minimum parcel size. The County shall apply such zones to lands located outside adopted UDBs and HDBs, where such boundaries have been adopted, generally below and west of the 600-foot elevation contour line as it occurs in Tulare County...” In this case, the Project site is located within both the UAB and UDB for the City of Woodlake.

PF-4.19 states “As an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CACUDBs and is only advisory within CACUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the current land use designation or zoning classification of any parcel within a CACUAB unless appropriate under the requirements of the Rural Valley Lands Plan (RVLP) or similar checklist or unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning classification. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new UDB, an HDB, or Corridor Plan area that may fall within a CACUDB area. This policy shall not apply within a County unincorporated UDB, an HDB, or Corridor Plan area where that area overlaps a CACUAB area. Development of County corridor development nodes in an affected city’s UAB would only occur after the County has provided written consultation and has allowed for a reasonable timed response from the affected city prior to decision making and before the adoption of the Corridor Plan. New development in a city’s UAB would be subject to adopted plan lines and setback standards. Adopted facility plans and legally adopted General Plans will be considered during the development review process. Small “stand alone,” non urban projects which are defined as residential projects of four or fewer lots or non-residential projects smaller than two acres do not need city standards but shall respect city utility and street master plans for setbacks. Large urban-style projects include residential

Attachment No. 3

Resolution No. 10263
Planning Commission
Page 3

projects of five or more lots averaging less than one acre per lot and non-residential projects two acres or larger will use uniform urban development standards, financing mechanisms, consent to annexation, application of reciprocal development impact fees and city streets/utility setbacks/disclosure requirements unless the County and the city have identified and structured acceptable alternatives that will reasonably ensure that these projects should conform to city development standards upon future annexation.”

Based on PF-4.19 a RVLP doesn’t apply to the proposed Project because the Project is within a UDB. Therefore, a RVLP analysis is not required. In addition, a Project Review – Consultation Notice for PZC 24-005 & PPM 24-023 was distributed on July 22, 2024, to the City of Woodlake. On July 23, 2024, Emmanuel Llamas, Community Development Director for the City of Woodlake, provided comments for PZC 24-005 & PPM 24-023 and the comments didn’t request that a RVLP analysis be prepared.

The City of Woodlake Land Use Map 7/13/2023 shows the land use designation as Agricultural. The proposed subdivision would be allowed with the proposed Zone Change. The proposed project needs to comply with Tulare County Agreement No. 25995 between the City of Woodlake and Tulare County. Based on the information above, the requested change of zone has been found to be compatible with established land uses in the surrounding area and is not in conflict with the furtherance of overall County development strategies, plans, and policies.

3. Proposed Parcel 1 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the northeast 2.25-acres (98,010.00 square feet) of Proposed Parcel 2 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the southwest 1.59-acres (69,059.00 square feet) of Proposed Parcel 2 is within Safety Zone 3 of the Woodlake Municipal Airport. Table 3-1 Tulare County Airport Land Use Compatibility lists Single Family Residential as Prohibited in Safety Zone 3.

Note 1 of the Land Use Compatibility Matrix states that Land uses are identified as being “C” – compatible, or “P” – prohibited based upon the following interpretations:

Compatible - Compatible land uses are designated by the symbol “C”. This designation means associated land use groups are at a level of intensity or density, or location, which does not present a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, nor is the land use type sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Prohibited - Prohibited land uses are designated by the symbol “P”. The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Note 3 of the Land Use Compatibility Matrix states that Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or

Attachment No. 3

Resolution No. 10263

Planning Commission

Page 4

visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by Federal Aviation Regulations (FAR) Part 77 imaginary surfaces. A Federal Aviation Administration (FAA) aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

Note 4 of the Land Use Compatibility Matrix states that Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.

Note 10 of the Land Use Compatibility Matrix states that as a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the Airport Land Use Commission (ALUC) to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected.

Note 11 of the Land Use Compatibility Matrix states that in areas where aircraft noise is expected to exceed 60 decibel (dB) Community Noise Equivalent Level (CNEL); inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.

The proposed Project is consistent with the Tulare County Comprehensive Airport Land Use Plan, provided that 1) single family residences are prohibited from being constructed within the portion of Proposed Parcel 2 that is within Safety Zone 3 of the Woodlake Municipal Airport and 2) All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

4. If the proposed change from the AE-20 Zone to the R-A-100 Zone is approved, then Section 4.A.1 of the Tulare County Zoning Ordinance (“TCZO”) lists one-family dwellings as permitted uses that don’t require a special use permit in the R-A-100 Zone.
5. This Project will not have a significant effect on the environment and has been determined to be exempt consistent with the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of the California Environmental Quality Act of 1970 (CEQA Guidelines) pursuant to Title 14, Cal. Code Regulations, Section 15061(b)(3). Pursuant to Section 15061(b)(3) of the CEQA Guidelines, a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Section

Attachment No. 3

Resolution No. 10263
Planning Commission
Page 5

15061(b)(3) is applicable and appropriate for PZC 24-005 & PPM 24-023 because the proposed Zone Change and proposed land division will not make any physical changes to the environment and will only establish an imaginary line on the ground.

6. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Development Impact Fees. New Development may be subject to County Development Impact fees.

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

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

AND, BE IT FURTHER RESOLVED as follows:

E. This Commission hereby recommends that the Board of Supervisors find the Categorical Exemption is the appropriate environmental determination and approve Tentative Parcel Map No. PPM 24-023 subject to the following conditions:

GENERAL CONDITIONS

1. Failure to cause the recording of a Parcel Map, an approved or conditionally approved Tentative Parcel Map within two (2) years after the date of its approval or conditional approval shall cause the Tentative Parcel Map to expire, in accordance with the Tulare County Subdivision Ordinance. However, upon application by the owner or his authorized agent, the time at which the approval of Tentative Parcel Map expires may be extended for a period or periods not exceeding a total of five years by the Planning Commission.
2. 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 24-023 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.

PLANNING CONDITIONS

3. In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, the content of the Right to Farm Notice (Exhibit “B”) shall be placed in a prominent location on the Parcel Map for acknowledgment by the subdivider; or, the Notice itself shall be signed by the subdivider and recorded as a separate sheet to accompany the Parcel Map.
4. Liquid waste disposal is by means of individual septic systems. Existing septic system will be subject to the Local Agency Management Program requirements per Part VII, Chapter 1, Articles 1-9, Ordinance of Tulare County, pertaining to Sections 7-01-1320 through 7-15-1575. Installation of new, on-site septic systems will require a site evaluation and soils testing. This evaluation must be done by a Qualified Professional, with the appropriate licensure (PE, PG, CHG, REHS, or CPSS). The report of this evaluation must be submitted to Tulare County Environmental Health Services Division (TCEHSD) for review, before approval can be granted for any building permits.
5. If, during construction or grading activities on the site, any resources of an historic or prehistoric nature are discovered, the applicant, his heirs and assigns shall ensure that all construction or grading is immediately ceased, and the Tulare County Resource Management Agency Director is immediately notified of the discovery. Further development shall not continue until the Tulare County Resource Management Agency Director determines that appropriate and necessary recovery measures have been completed.
6. Single family residences are prohibited from being constructed within the portion of Proposed Parcel 2 that is within Safety Zone 3 of the Woodlake Municipal Airport.
7. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.
8. In areas where aircraft noise is expected to exceed 60 decibel (dB) Community Noise Equivalent Level (CNEL); inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.
9. Prior to recording the Parcel Map for PPM 24-023 the Board of Supervisors shall approve PZC 24-005.

FIRE CONDITIONS (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.)

10. All future projects, Tulare County Fire Department will impose the current adopted Title 24 Codes at time of permit.
11. California Fire Code and NFPA standards specifically will be imposed for future projects.
12. When the project is submitted to PRC. We may require a Fire Protection Engineer to design any, and all fire protection features needed shall be based on Title 24 codes.

Attachment No. 3

Resolution No. 10263
Planning Commission
Page 7

PUBLIC WORKS CONDITIONS (These conditions are required to be completed before the recording of the parcel map or before the recording of the resolution for a waived parcel map, unless specified otherwise in the wording of the condition.)

13. The Private Vehicular Access Easement (PVAE) serving Parcels 1 and 2 shall be improved to a 2-parcel standard pursuant to Section 7-01-2230 of the Ordinance Code. The width and surface improvements of the PVAE shall be in accordance with Plate A-17B of the Tulare County Improvement Standards. Plate A-17B also identifies the requirements for the drive approach that will connect the PVAE to Avenue 204 and the requirements for providing a turnaround bulb at the end of the PVAE.
14. An improvement plan with profile shall be prepared for the PVAE. The improvement plan shall be designed and stamped by a licensed civil engineer or a licensed architect and shall show detailed information on the construction of the PVAE including curve radii, drainage facilities and erosion control measures as needed. The improvement plan shall be approved by the Tulare County RMA – Engineering Branch before construction of the PVAE improvements.
15. The applicant or the applicant’s contractor shall obtain the necessary encroachment permits from the Tulare County Resource Management Agency before starting any construction within the right of way of a county-maintained road. The applicant may contact the Resource Management Agency – Encroachment Permit Section at 624-7000 for information on the requirements for encroachment permits in order to avoid unexpected delays. Improvements that typically require encroachment permits are drive approaches, curb and gutter, sidewalk, paveout and utilities.

ENVIRONMENTAL HEALTH SERVICES DIVISION CONDITIONS

16. New on-site septic system installations will require submission of a site evaluation report. The report shall be submitted to the Tulare County Environmental Health Services Division for review, before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate State licensure (PE, PG, CHG, REHS or CPSS).
17. Sizes for individual parcels, which are served by on-site septic systems, shall be 1.0 acres minimum, each.
18. If the parcel(s) will be served by a community source: The applicant shall provide a ‘will-serve’ authorization for provision of water & sewer service, from the City of Porterville.

CITY OF WOODLAKE CONDITIONS

19. If access to the property is going to be from avenue 338, the section of road within City limits needs to meet City Standards.

B. The Secretary of the Planning Commission is hereby directed to file this resolution, along with the site plan (attached as Exhibit “A”) and the Right to Farm Notice (attached as Exhibit “B”) for Tentative Parcel Map No. PPM 24-023, for the record with the Recorder of the County of Tulare, pursuant to Section 7-01-2365.

Attachment No. 3

Resolution No. 10263
Planning Commission
Page 8

The foregoing resolution was adopted upon motion of Commissioner Aguilar, seconded by Commissioner Aleman, at a regular meeting of the Planning Commission on September 11, 2024, by the following roll call vote:

AYES: Aguilar; Aleman; Whitlatch; Millies; Dias; Lehman; Launer
NOES: None
ABSTAIN: None
ABSENT: Brown

TULARE COUNTY PLANNING COMMISSION



Michael Washam, Secretary

Exhibit " A "



No Scale

Site Plan Illustration

PZC 24-005 & PPM 24-023

Attachment No. 3

Exhibit "B"

RIGHT TO FARM NOTICE

RE: Use Permit No. _____

or

Parcel Map No. PZC 24-005 & PPM 24-023

or

Subdivision Map No. _____

or

Mining and Reclamation Plan No. _____

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

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

Dated: _____

(Signature)

(Print Name)

Dated: _____

(Signature)

(Print Name)

Attachment No. 4

Notices

Attachment No. 4

NOTICE OF PUBLIC HEARING AND AVAILABILITY OF ENVIRONMENTAL DOCUMENT

A **Common Sense Exemption** for **Zone Change No. PZC 24-005** and **Tentative Parcel Map No. PPM 24-023** 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 **Sandy Roper at (559) 624-7101** or email him at SRoper@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: PZC 24-005 and PPM 24-023

APPLICANT/AGENT: Jessie Allen Williams

LOCATION: Located in the unincorporated area of Tulare County on the south side of Avenue 342 (W. Ropes Avenue) between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009).

PROJECT DESCRIPTION: The request is to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone. Tentative Parcel Map No. PPM 24-023 requests to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)].

ENVIRONMENTAL DOCUMENT: Common Sense Exemption consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code of Regulations Section 15061(b)(3), of the Guidelines for Environmental Quality Act (CEQA Guidelines).

REVIEW PERIOD: 10 days until Monday, September 9, 2024, at 5:00 p.m.

PUBLIC HEARING: Planning Commission on Wednesday, September 11, 2024, at 9:00 a.m.

All meetings are held at the Board of Supervisors Chambers, 2800 West Burrel 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

=====

TO BE PUBLISHED ONCE ONLY ON: September 11, 2024

SEND BILL AND TEAR SHEET TO:

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

SEND TO: Sun Gazette on August 22, 2024

Attachment No. 4

NOTICE OF PUBLIC HEARING JESSIE ALLEN WILLIAMS ZONE CHANGE

NOTICE IS HEREBY GIVEN that the Tulare County Board of Supervisors will hold a public hearing on Tuesday, October 22, 2024, at 9:30 a.m., or as soon thereafter as it can be heard, in the Chambers of the Board of Supervisors, Administration Building, County Civic Center, 2800 West Burrel, Visalia, California.

The hearing pertains to a Categorical Exemption for Zone Change No. PZC 24-005 (Jessie Allen Williams) for a request is to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone to facilitate the division of 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)] for Assessor's Parcel Number ("APN") 060-230-009 on property located in the unincorporated area of Tulare County on the south side of Avenue 342 (W. Ropes Avenue) between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake.

The appropriate environmental determination is an exemption for PZC 24-005, consistent with the California Environmental Quality Act (CEQA) and the CEQA Guidelines pursuant to Title 14, Cal. Code of Regulations Section 15061(b)(3). For further information regarding this project, please call Sandy Roper (559) 624-7101 or email him at SRoper@tularecounty.ca.gov.

All interested parties may appear and be heard at said time and place.

To view the live stream of the Board of Supervisors meetings, please visit <https://tularecounty.ca.gov/board/board-meetings/board-of-supervisors-meetings/> or <https://www.youtube.com/channel/UCtio73xNL9t2b8Aq-R84abg>

If you challenge the decision of the Board of Supervisors on the foregoing matter 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 Board of Supervisors of the County of Tulare at, or prior to, the public hearing. Judicial review of this Board of Supervisors decision is appealable pursuant to §1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting contact Tulare County Resource Management Agency by telephone at (559) 624-7000, 48-hours in advance of this meeting.

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

TO BE PUBLISHED ONLY ONCE ON October 9, 2024

BY:

Send to: The Sun-Gazette

SEND BILL AND TEAR SHEET TO:

Tulare County Resource Management Agency
Economic Development & Planning Branch
5961 South Mooney Blvd.
Visalia, CA 93277-9394

Attachment No. 5

Notice of Exemption

Attachment No. 5

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 Planning Commission
C/O Tulare County Resource Management Agency
5961 South Mooney Blvd
Visalia, CA 93277 (559) 624-7000
Attn: GMills@tularecounty.ca.gov and JWillis@tularecounty.ca.gov

DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

Applicant(s): Jessie Allen Williams
810 W. Acequia Avenue
Visalia, CA 93291 (559) 967-8089

Project Title: Zone Change No. PZC 24-005 and Tentative Parcel Map No. PPM 24-023

Project Location - Specific: Located in the unincorporated area of Tulare County on the south side of Avenue 342 (W. Ropes Avenue) between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009).

Project Location- Section, Township, Range: Section 36, Township 17S, Range 26E

Project Location - City: N/A

Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: The request is to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone. Tentative Parcel Map No. PPM 24-023 requests to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)].

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Common Sense Rule: CEQA guidelines 15061(b)(3)
- ☐ Categorical Exemption: CEQA Guidelines Class 3 Section 15303 New Construction or Conversion of Small Structures
- ☐ Statutory Exemptions: CEQA Guidelines Section 15262 Feasibility and Planning Studies

Reasons why project is exempt: Section 15061(b)(3) is applicable and appropriate for PZC 24-005 & PPM 24-023 because the proposed Zone Change and proposed land division will not make any physical changes to the environment and will only establish an imaginary line on the ground.

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

Project Planner/Representative: Project Planner/Sandy Roper, Chief Planner **Telephone:** (559) 624-7101

Signature: _____ Date: _____ Title: Chief Environmental Planner
Gary Mills

Signature: _____ Date: _____ Title: Environmental Assessment Officer
Reed Schenke, P.E. RMA Director

☒ Signed by Lead Agency Date submitted to the OPR/SCH: _____

Attachment No. 6

**PZC 24-005 & PPM 24-023 Signed Planning Commission
Agenda Item & Attachments**

TULARE COUNTY PLANNING COMMISSION

Board of Supervisors Chambers

2800 W. Burrell Avenue

Visalia, CA 93291

NOTE: Information concerning the following agenda items is available for public consideration during normal working hours at the Resource Management Agency, Permit Center, 5961 S. Mooney Blvd., Visalia, California. The staff will assist in answering questions. For further information about the Planning Commission see last page.

All public hearings are scheduled for certain times, or as soon thereafter as the matter can be heard. All nontimed items will be considered following the public hearings or when time permits. Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.

As a courtesy to those in attendance, please turn off or place in alert mode all cell phones and pagers.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Resource Management Agency at (559) 624-7000 AGENDA March 25, 2020 09:00 AM Planning Commission Convenes

AGENDA MINI-PACKET

September 11, 2024

9:00 AM Planning Commission Convenes

(A) Zone Change No. PZC 24-005 & Tentative Parcel Map PPM 24-023

Jessie Allen Williams /AW Engineering

Common Sense for Zone Change No. PZC 24-005 to requests to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone. Tentative Parcel Map No. PPM 24-023 requests to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)]. The site is in the unincorporated area of Tulare County on the south side of Avenue 342 (W. Ropes Avenue) between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). The property is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport. Contact Sandy Roper at (559) 624-7000 or email at SRoper@tularecounty.ca.gov. (TWO MOTIONS)

Approve: Recommend that the Board of Supervisors approve a Common Sense Exemption consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code

Attachment No. 6

Regulations Section 15061(b)(3); and recommend the Board of Supervisors approve Change of Zone No. PZC 24-005.

Approve: Common Sense 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); and approve Tentative Parcel Map No. PPM 24-023, subject to a condition of approval requiring that the Board of Supervisors approve Zone Change No. PZC 24-005 prior to recording the Parcel Map for PPM 24-023.



RESOURCE MANAGEMENT AGENCY COUNTY OF TULARE PLANNING COMMISSION SUMMARY

5961 S. Mooney Blvd
Visalia, CA 93277
(559) 624-7000 Phone
(559) 615-3002 Fax

PLANNING COMMISSION

CHAIRMAN: Wayne O. Millies (At Large)
VICE-CHAIR: Carlos Aleman (Three Rivers – District 1)

COMMISSIONERS:

Gil Aguilar (Tulare - District 2)
Bill Whitlatch (Visalia - District 3)
Christopher Launer (Dinuba-District 4)
Terren Brown (Porterville– District 5)
Ed Dias (Visalia – At Large)
Dennis Lehman (Visalia – At Large Alternate)

AIRPORT LAND USE COMMISSIONERS (ALUC)

Bill Whitlatch
Matthew Stoll
Vacant

Project Number: Zone Change No. PZC 24-005 and Tentative Parcel Map No. PPM 24-023	Agenda Date:	9/11/2024
Applicant: Jessie Allen Williams, 810 W. Acequia Ave., Visalia, CA 93291	Agenda Item Number:	4a
Agent: AW Engineering, 810 W. Acequia Avenue, Visalia, CA 93291	AGENDA ITEM TYPE	
Subject: Zone Change No. PZC 24-005 requests to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone. Tentative Parcel Map No. PPM 24-023 requests to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)], located in the unincorporated area of Tulare County on the south side of Avenue 342 (W. Ropes Avenue) between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). The property is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport. Exceptions: N/A Waiver: N/A Environmental Review: Common Sense 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). Motion(s): Two Motions Contact Person: Sandy Roper	Presentation	
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	✓
	Continued Public Hearing	
	Discussion	
	ACTION REQUESTED	
	Resolution – Board of Supervisors	
	Resolution – Planning Commission	✓
	Decision - Director	

RECOMMENDATIONS:

That the Planning Commission:

1. Hold a public hearing.
2. Recommend that the Board of Supervisors approve a Common Sense 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); **and** recommend the Board of Supervisors approve Change of Zone No. PZC 24-005.
3. Approve a Common Sense 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); **and** approve Tentative Parcel Map No. PPM 24-023, subject to a condition of approval requiring that the Board of Supervisors approve Zone Change No. PZC 24-005 prior to recording the Parcel Map for PPM 24-023.

PLANNING COMMISSION ALTERNATIVES:

Alternative No. 1: Move to: 1) recommend that the Board of Supervisors approve PZC 24-005, subject to modifications as discussed by the Planning Commission and 2) approve PPM 24-023, subject to modifications as discussed by the Planning Commission.

SUBJECT: PZC 24-005 and PPM 24-023 (Allen Williams)

Alternative No. 2: Move to: 1) recommend that the Board of Supervisors deny PZC 24-005 and 2) deny PPM 24-023 and direct staff to prepare findings for denial, as required by Section 66474 of the Subdivision Map Act, to be brought back at a subsequent hearing.

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

PROJECT OVERVIEW:

Zone Change No. PZC 24-005 requests to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with 100,000 Square Foot Minimum) Zone. Tentative Parcel Map No. PPM 24-023 requests to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)], located in the unincorporated area of Tulare County on the south side of Avenue 342 (W. Ropes Avenue) between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). The property is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport.

ENVIRONMENTAL SUMMARY:

This Project will not have a significant effect on the environment and has been determined to be exempt consistent with the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of the California Environmental Quality Act of 1970 (CEQA Guidelines) pursuant to Title 14, Cal. Code Regulations, Section 15061(b)(3). Pursuant to Section 15061(b)(3) of the CEQA Guidelines, a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Section 15061(b)(3) is applicable and appropriate for PZC 24-005 & PPM 24-023 because the proposed Zone Change and proposed land division will not make any physical changes to the environment and will only establish an imaginary line on the ground.

ENTITLEMENT(S):

The existing zoning for APN: 060-230-009 is in AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone and is intended for intensive agricultural uses and for those uses which are a necessary and integral part of the agricultural operation. The requested R-A-100 (Rural Residential with a 100,000 square foot minimum parcel size) Zone is intended for single family residential uses.

General Plan - The property is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport. For a project site to be rezoned to a non-agricultural use, the Rural Valley Lands Plan (“RVLP”) policies and checklist are used to determine the agricultural viability of the site. The project site is zoned AE-20 (Exclusive Agriculture - 20 acre minimum); therefore, the parcel should not be rezoned, unless it meets the criteria of the RVLP checklist.

Under the RVLP, if the lot is restricted by a California Land Conservation Act (“Williamson Act”) Contract, then it is restricted from zone changes. This parcel is not restricted by a Williamson Act Contract. RVLP-1.3 states “In order to protect and maintain the agricultural viability of the area, the County shall maintain several exclusive agricultural zones, each containing a different minimum parcel size. The County shall apply such zones to lands located outside adopted UDBs and HDBs, where such boundaries have been adopted, generally below and west of the 600-foot elevation contour line as it occurs in Tulare County...” In this case, the Project site is located within both the UAB and UDB for the City of Woodlake.

PF-4.19 states “As an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CACUDBs and is only advisory within CACUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the current land use designation or zoning classification of any parcel within a CACUAB unless appropriate under the requirements of the Rural Valley Lands Plan (RVLP) or similar checklist or unless the County has worked with the city to identify and

SUBJECT: PZC 24-005 and PPM 24-023 (Allen Williams)

structure an acceptable alternative General Plan land use designation or zoning classification. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new UDB, an HDB, or Corridor Plan area that may fall within a CACUDB area. This policy shall not apply within a County unincorporated UDB, an HDB, or Corridor Plan area where that area overlaps a CACUAB area. Development of County corridor development nodes in an affected city's UAB would only occur after the County has provided written consultation and has allowed for a reasonable timed response from the affected city prior to decision making and before the adoption of the Corridor Plan. New development in a city's UAB would be subject to adopted plan lines and setback standards. Adopted facility plans and legally adopted General Plans will be considered during the development review process. Small "stand alone," non urban projects which are defined as residential projects of four or fewer lots or non-residential projects smaller than two acres do not need city standards but shall respect city utility and street master plans for setbacks. Large urban-style projects include residential projects of five or more lots averaging less than one acre per lot and non-residential projects two acres or larger will use uniform urban development standards, financing mechanisms, consent to annexation, application of reciprocal development impact fees and city streets/utility setbacks/disclosure requirements unless the County and the city have identified and structured acceptable alternatives that will reasonably ensure that these projects should conform to city development standards upon future annexation."

Based on PF-4.19 a RVLP doesn't apply to the proposed Project because the Project is within a UDB. Therefore, a RVLP analysis is not required. In addition, a Project Review – Consultation Notice for PZC 24-005 & PPM 24-023 was distributed on July 22, 2024, to the City of Woodlake. On July 23, 2024, Emmanuel Llamas, Community Development Director for the City of Woodlake, provided comments for PZC 24-005 & PPM 24-023 and the comments didn't request that a RVLP analysis be prepared.

The City of Woodlake Land Use Map 7/13/2023 shows the land use designation as Agricultural. The proposed subdivision would be allowed with the proposed Zone Change. The proposed project needs to comply with Tulare County Agreement No. 25995 between the City of Woodlake and Tulare County. Based on the information above, the requested change of zone has been found to be compatible with established land uses in the surrounding area and is not in conflict with the furtherance of overall County development strategies, plans, and policies.

Tulare County Comprehensive Airport Land Use Plan - Proposed Parcel 1 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the northeast 2.25-acres (98,010.00 square feet) of Proposed Parcel 2 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the southwest 1.59-acres (69,059.00 square feet) of Proposed Parcel 2 is within Safety Zone 3 of the Woodlake Municipal Airport. Table 3-1 Tulare County Airport Land Use Compatibility lists Single Family Residential as Prohibited in Safety Zone 3.

Note 1 of the Land Use Compatibility Matrix states that Land uses are identified as being "C" – compatible, or "P" – prohibited based upon the following interpretations:

Compatible - Compatible land uses are designated by the symbol "C". This designation means associated land use groups are at a level of intensity or density, or location, which does not present a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, nor is the land use type sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Prohibited - Prohibited land uses are designated by the symbol "P". The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Note 3 of the Land Use Compatibility Matrix states that Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying

SUBJECT: PZC 24-005 and PPM 24-023 (Allen Williams)

criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by Federal Aviation Regulations (FAR) Part 77 imaginary surfaces. A Federal Aviation Administration (FAA) aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

Note 4 of the Land Use Compatibility Matrix states that Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.

Note 10 of the Land Use Compatibility Matrix states that as a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the Airport Land Use Commission (ALUC) to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected.

Note 11 of the Land Use Compatibility Matrix states that in areas where aircraft noise is expected to exceed 60 decibel (dB) Community Noise Equivalent Level (CNEL); inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.

The proposed Project is consistent with the Tulare County Comprehensive Airport Land Use Plan, provided that 1) single family residences are prohibited from being constructed within the portion of Proposed Parcel 2 that is within Safety Zone 3 of the Woodlake Municipal Airport and 2) All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

Zoning – If the proposed change from the AE-20 Zone to the R-A-100 Zone is approved, then Section 4.A.1 of the Tulare County Zoning Ordinance (“TCZO”) lists one-family dwellings as permitted uses that don’t require a special use permit in the R-A-100 Zone.

PROJECT SUMMARY:

Zone Change No. PZC 24-005 requests to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with 100,000 Square Foot Minimum) Zone. Tentative Parcel Map No. PPM 24-023 requests to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)], located in the unincorporated area of Tulare County on Avenue 338 between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). The site is not restricted by a California Land Conservation Act (“Williamson Act”) Contract.

The proposed parcels lie along a dirt road approximately 500’ east of Road 204 and 500’ north of Avenue 336. With no frontage on a county-maintained road.

Liquid waste disposal is by means of individual septic systems. Existing septic system will be subject to the Local Agency Management Program requirements per Part VII, Chapter 1, Articles 1-9, Ordinance of Tulare County, pertaining to Sections 7-01-1320 through 7-15-1575. Installation of new, on-site septic systems will require a site evaluation and soils testing. This evaluation must be done by a Qualified Professional, with the appropriate licensure (PE, PG, CHG, REHS, or CPSS). The report of this evaluation must be submitted to Tulare County Environmental Health Services Division (TCEHSD) for review, before approval can be granted for any building permits.

SUBJECT: PZC 24-005 and PPM 24-023 (Allen Williams)

A 0.581 acre portion of the project site located at the northwest corner of APN: 060-230-009 is within Zone X (0.2 percent Annual Chance Flood Hazard) as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06107C0688E, for Community Number 065066 (Tulare County Unincorporated Areas), dated June 16, 2009. Construction of buildings within a Zone X (0.2 percent Annual Chance Flood Hazard) requires no specific flood mitigation measures; however, it is recommended that all finished floor levels be elevated one (1) foot above adjacent natural ground.

A 7.089 acre portion of the project site is within Zone AH (Special Flood Hazard Area), with a Base Flood Elevation (BFE) of 427 Feet, as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06107C0688E, for Community Number 065066 (Tulare County Unincorporated Areas), dated June 16, 2009. An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within a FEMA Zone AH. The subject parcel is located in a federally identified Special Flood Hazard Area as depicted on said plat. Individual site plan approval is required for any parcel located within or partially within a special flood hazard area prior to the issuance of any permits. The location of a structure within the special flood hazard area shall require compliance with the National Flood Insurance Program under the Federal Emergency Management Agency (FEMA) and the special provisions of the Tulare County Flood Damage Prevention Ordinance.

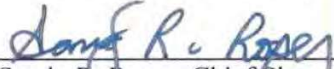
- Soils on approximately 0.015-acres (692.29 square feet), at the southwest corner of APN: 060-230-009 of the Project site, are San Joaquin Loam, 2 to 9 Percent Slopes, [Class Wet IIIe-3 (17) and Class Dry IVE-3 (17)], not Prime, which is rated severe for sewage disposal with a low shrink-swell potential.
- Soils on approximately 0.518-acres (22,564.08 square feet), on the east side of APN: 060-230-009 of the Project site, are San Joaquin Loam, 2 to 9 Percent Slopes, [Class Wet IIIe-3 (17) and Class Dry IVE-3 (17)], not Prime, which is rated severe for sewage disposal with a low shrink-swell potential.
- Soils on approximately 0.019-acres (848.03 square feet), at the southeast corner of APN: 060-230-009 of the Project site, are Grangeville Silt Loam, Drained [Class Wet I (17) and Class Dry IVc-1 (17)], Prime Land, which is rated moderate for sewage disposal with a low shrink-swell potential.
- Soils on the remainder of APN: 060-230-009 are San Joaquin Loam, 0 to 2 Percent Slopes, [Class Wet IIIs-3 (17) and Class Dry IVs-3 (17)], Prime (P3), which is rated severe for sewage disposal with a low shrink-swell potential.
- Kingsburg Joint Union High School District and Traver Joint Elementary School District.
- Located within a Local Responsibility Area.
- Proposed Parcel 1 is within Airport Safety Zone 6. Approximately the northeast 2.25-acres (98,010.00 square feet) of Proposed Parcel 2 is within Airport Safety Zone 6. Approximately the southwest 1.59-acres (69,059.00 square feet) of Proposed Parcel 2 is within Safety Zone 3.
- There are no Code Cases on the Project site.

A Project Review – Consultation Notice for PZC 24-005 & PPM 24-023 was distributed on July 22, 2024, to the County Public Works/Engineering Department, Environmental Health Services Division, Fire Department, Environmental Planning, Building Division, Code Compliance, Airport Land Use Commission, Assessor, County Surveyor, and the City of Woodlake. The County Public Works/Engineering Department, Environmental Health Services Division, Fire Department, Assessor, and the City of Woodlake responded to a consultation request Project Review – Consultation Notice.

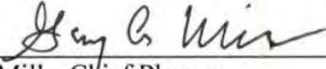
SUBJECT: PZC 24-005 and PPM 24-023 (Allen Williams)

PUBLIC HEARING NOTICE:

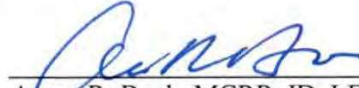
Gov. Code Section 65009(b) requires the County to include in any public notice issued pursuant to Government Code, Title 7, Planning and Land Use, a notice substantially stating all of the following: "If you challenge the acceptance of the Categorical Exception and approval of the project, you may be 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."



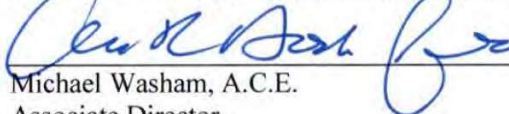
Sandy R. Roper, Chief Planner
Special Projects Division
Economic Development & Planning Branch



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



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



Michael Washam, A.C.E.
Associate Director
Resource Management Agency

ATTACHMENTS:

- Attachment No. 1 – PZC 24-005 Draft Resolution
 - Exhibit "A" – Draft Ordinance
 - Exhibit "B" – Draft Official Zoning Map
- Attachment No. 2 – PPM 24-023 Draft Resolution
 - Exhibit "A" – Site Plan
 - Exhibit "B" – Right to Farm Notice
- Attachment No. 3 – Consulting Agency List and Correspondence
- Attachment No. 4 – Graphics
- Attachment No. 5 – Location and Property Ownership Map for Hearing Notification
- Attachment No. 6 – Woodlake Municipal Airport Safety Zones
- Attachment No. 7 – Land Use Compatibility Matrix
- Attachment No. 8 – Public Hearing Notice
- Attachment No. 9 – Notice of Exemption

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF ZONE CHANGE NO. PZC 24-05)
TO CHANGE THE ZONE FROM THE AE-20)
(EXCLUSIVE AGRICULTURAL – 20 ACRE MINIMUM))
ZONE TO THE R-A-100 (RURAL RESIDENTIAL WITH) RESOLUTION NO. _____
A 100,000 SQUARE FOOT MINIMUM) ZONE)
(JESSE ALLEN WILLIAMS))

Resolution of the Planning Commission of the County of Tulare recommending that the Board of Supervisors accept the Categorical Exemption and approve Zone Change No. PZC 24-05 requested by Jesse Allen Williams, 810 W. Acequia Ave., Visalia, CA 93291 (Agent: AW Engineering) to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with 100,000 Square Foot Minimum) Zone to facilitate a division of 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)], located in the unincorporated area of Tulare County on Avenue 338 between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). The property is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport. It should be noted that this application has been filed in conjunction with Tentative Parcel Map No. 24-023.

WHEREAS, an application for a Zone Change has been filed pursuant to the regulations contained in Section 17 of Ordinance No. 352, the Zoning Ordinance; and

WHEREAS, the Planning Commission has given notice of its intention to consider the granting of a Zone Change as provided in Section 18 of said Ordinance No. 352 and as provided in Section 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report and recommended approval of this application subject to certain conditions of approval; and

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

WHEREAS, on August 28, 2024, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in The Sun-Gazette, a newspaper of general circulation in Tulare County, and mailed to surrounding property owners to consider the proposed Project; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on September 11, 2024; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission recommends that the Board of Supervisors certify that the Board has reviewed and considered the information contained in the Categorical Exemption that was prepared for the proposed project and is applicable to the project site and the Change of Zone, 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 Commission recommends that the Board of Supervisors adopt the following findings of fact as to the reasons for approval of this application:

1. The applicant has requested a change in zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with 100,000 Square Foot Minimum) Zone to facilitate a division of 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres).
2. The project area is located within both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport.

Under the RVLP, if the lot is restricted by a California Land Conservation Act (“Williamson Act”) Contract, then it is restricted from zone changes. This parcel is not restricted by a Williamson Act Contract. RVLP-1.3 states “In order to protect and maintain the agricultural viability of the area, the County shall maintain several exclusive agricultural zones, each containing a different minimum parcel size. The County shall apply such zones to lands located outside adopted UDBs and HDBs, where such boundaries have been adopted, generally below and west of the 600-foot elevation contour line as it occurs in Tulare County...” In this case, the Project site is located within both the UAB and UDB for the City of Woodlake.

PF-4.19 states “As an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CACUDBs and is only advisory within CACUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the current land use designation or zoning classification of any parcel within a CACUAB unless appropriate under the requirements of the Rural Valley Lands Plan (RVLP) or similar checklist or unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning classification. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new UDB, an HDB, or Corridor Plan area that may fall within a CACUDB area. This policy shall not apply within a County unincorporated UDB, an HDB, or Corridor Plan area where that area overlaps a CACUAB area. Development of County corridor development nodes in an affected city’s UAB would only occur after the County has provided written consultation and has allowed for a reasonable timed response from the affected city prior to decision making and before the adoption of the Corridor Plan. New development in a city’s UAB would be subject to adopted plan lines and setback standards. Adopted facility plans and legally adopted General Plans will be considered during the development review process. Small “stand alone,” non urban projects which are defined as residential projects

of four or fewer lots or non-residential projects smaller than two acres do not need city standards but shall respect city utility and street master plans for setbacks. Large urban-style projects include residential projects of five or more lots averaging less than one acre per lot and non-residential projects two acres or larger will use uniform urban development standards, financing mechanisms, consent to annexation, application of reciprocal development impact fees and city streets/utility setbacks/disclosure requirements unless the County and the city have identified and structured acceptable alternatives that will reasonably ensure that these projects should conform to city development standards upon future annexation.”

Based on PF-4.19 a RVLP doesn’t apply to the proposed Project because the Project is within a UDB. Therefore, a RVLP analysis is not required. In addition, a Project Review – Consultation Notice for PZC 24-005 & PPM 24-023 was distributed on July 22, 2024, to the City of Woodlake. On July 23, 2024, Emmanuel Llamas, Community Development Director for the City of Woodlake, provided comments for PZC 24-005 & PPM 24-023 and the comments didn’t request that a RVLP analysis be prepared.

The City of Woodlake Land Use Map 7/13/2023 shows the land use designation as Agricultural. The proposed subdivision would be allowed with the proposed Zone Change. The proposed project needs to comply with Tulare County Agreement No. 25995 between the City of Woodlake and Tulare County. Based on the information above, the requested change of zone has been found to be compatible with established land uses in the surrounding area and is not in conflict with the furtherance of overall County development strategies, plans, and policies.

3. Proposed Parcel 1 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the northeast 2.25-acres (98,010.00 square feet) of Proposed Parcel 2 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the southwest 1.59-acres (69,059.00 square feet) of Proposed Parcel 2 is within Safety Zone 3 of the Woodlake Municipal Airport. Table 3-1 Tulare County Airport Land Use Compatibility lists Single Family Residential as Prohibited in Safety Zone 3.

Note 1 of the Land Use Compatibility Matrix states that Land uses are identified as being “C” – compatible, or “P” – prohibited based upon the following interpretations:

Compatible - Compatible land uses are designated by the symbol “C”. This designation means associated land use groups are at a level of intensity or density, or location, which does not present a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, nor is the land use type sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Prohibited - Prohibited land uses are designated by the symbol “P”. The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Note 3 of the Land Use Compatibility Matrix states that Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by Federal Aviation Regulations (FAR) Part 77 imaginary surfaces. A Federal Aviation Administration (FAA) aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

Note 4 of the Land Use Compatibility Matrix states that Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.

Note 10 of the Land Use Compatibility Matrix states that as a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the Airport Land Use Commission (ALUC) to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected.

Note 11 of the Land Use Compatibility Matrix states that in areas where aircraft noise is expected to exceed 60 decibel (dB) Community Noise Equivalent Level (CNEL); inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.

The proposed Project is consistent with the Tulare County Comprehensive Airport Land Use Plan, provided that 1) single family residences are prohibited from being constructed within the portion of Proposed Parcel 2 that is within Safety Zone 3 of the Woodlake Municipal Airport and 2) All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

4. If the proposed change from the AE-20 Zone to the R-A-100 Zone is approved, then Section 4.A.1 of the Tulare County Zoning Ordinance (“TCZO”) lists one-family dwellings as permitted uses that don’t require a special use permit in the R-A-100 Zone.
5. This Project will not have a significant effect on the environment and has been determined to be exempt consistent with the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of the California Environmental Quality Act of 1970

(CEQA Guidelines) pursuant to Title 14, Cal. Code Regulations, Section 15061(b)(3). Pursuant to Section 15061(b)(3) of the CEQA Guidelines, a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Section 15061(b)(3) is applicable and appropriate for PZC 24-005 & PPM 24-023 because the proposed Zone Change and proposed land division will not make any physical changes to the environment and will only establish an imaginary line on the ground.

6. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Development Impact Fees. New Development may be subject to County Development Impact fees.

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

AND, BE IT FURTHER RESOLVED as follows:

D. This Commission recommends that the Board of Supervisors find Zone Change No. PZC 24-05 to be exempt, consistent with the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of the California Environmental Quality Act of 1970 (CEQA Guidelines) pursuant to Title 14, Cal. Code Regulations, Section 15061(b)(3), pertaining to the common sense exemption.

E. This Commission recommends that the Board approve Zone Change No. PSP 24-05.

The foregoing resolution was adopted upon motion of Commissioner _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on September 11, 2024, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

TULARE COUNTY PLANNING COMMISSION

Michael Washam, Secretary

Exhibit "A"

ORDINANCE NO. _____

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

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

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of a portion of Section 36, Township 17 South, Range 26 East, Mount Diablo Base and Meridian, being a subdivision of Part 282 of the Official Zoning Maps. A map showing Change of Zone No. PZC 24-005 approved for approximately 7.67-acres is attached hereto and incorporated herein by reference. The new zoning will be R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone.

Section 2. The property affected by the zoning reclassification from AE-20 (Exclusive Agricultural – 20 Acre Minimum Zone), is briefly described as follows: Being a 7.67-acre parcel, located on Tulare County Assessor Parcel Number (APN) 060-230-009. The subject property is located on the south side of Avenue 342 (W. Ropes Avenue), between S. Blair Road & S. Valencia Blvd. in the unincorporated area of Tulare County south of the City of Woodlake.

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

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the _____ day of _____, 2024, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

AYES:

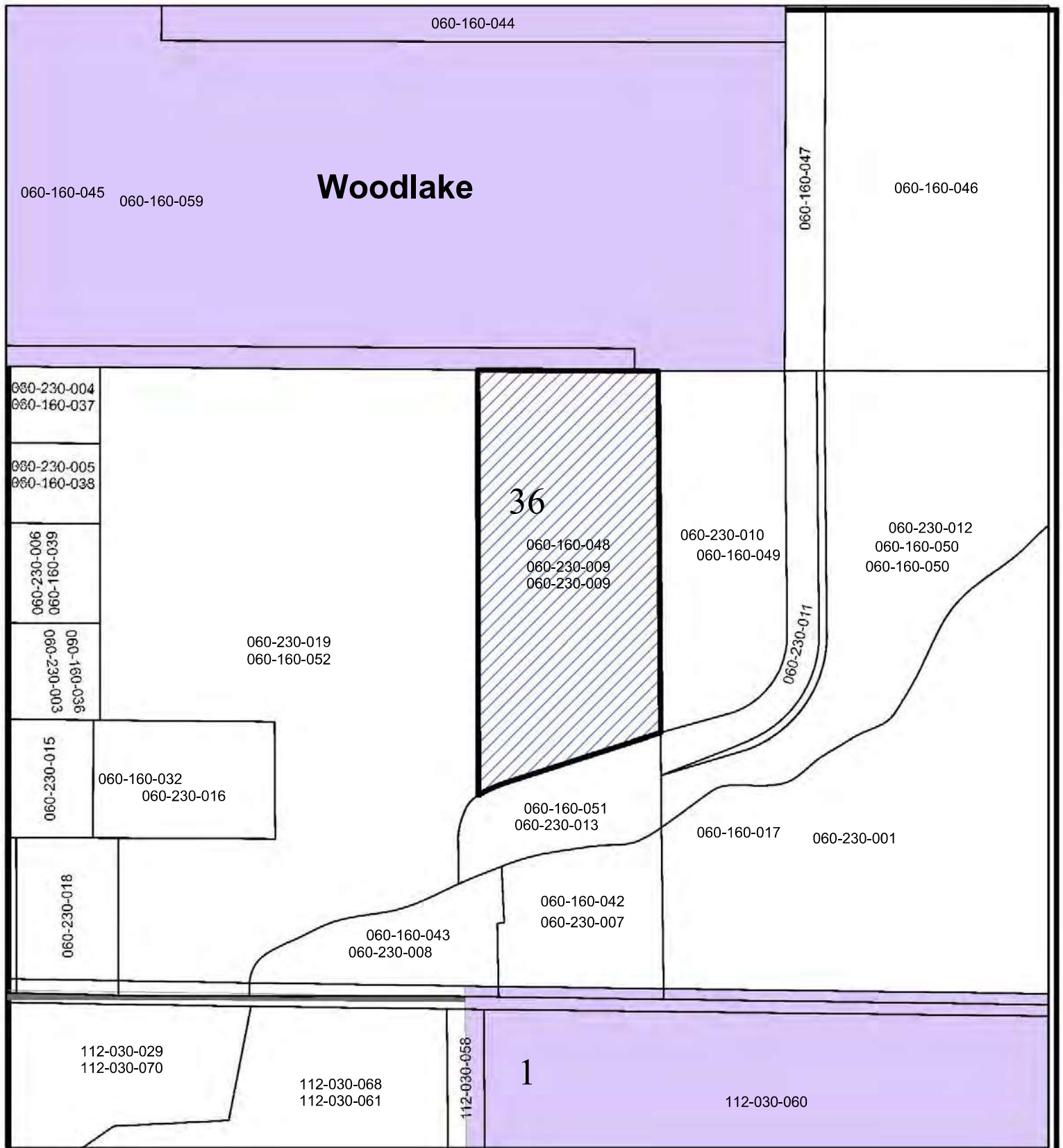
NOES:

ABSENT:

Chairman, Board of Supervisors

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

By: _____
Deputy



APN: 060-230-009
APROX. 7.67AC.
Zone Change from AE-20(Exclusive Agricultural minimum 20-acres) to R-A-100(Rural Residential minimum 100, 000 SQ. FT. zone) (PZC 24-005)

0 90 180 270 360 450 540 Feet



ORDINANCE NO. _____
AMENDING A PORTION OF MAP PART 282
PART OF SEC. 36, T 17 S, R 26 E, M.D.B.& M.
OF
OFFICIAL ZONING MAP
COUNTY OF TULARE, CA.
TULARE COUNTY BOARD OF SUPERVISORS
ADOPTED: ____/____/____

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF TENTATIVE PARCEL)
MAP NO. PPM 24-023)
JESSE ALLEN WILLIAMS)

RESOLUTION NO. _____

Resolution of the Planning Commission of the County of Tulare approving Tentative Parcel Map No. PPM 24-023, submitted by Jesse Allen Williams, 810 W. Acequia Ave., Visalia, CA 93291 (Agent: AW Engineering) to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)], located in the unincorporated area of Tulare County on Avenue 338 between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). The property is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport. It should be noted that this application has been filed in conjunction with Zone Change No. PZC 24-005.

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, staff has performed necessary investigations, prepared a written report and recommended approval of this application subject to certain conditions of approval; 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, on August 28, 2024, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in The Sun-Gazette, a newspaper of general circulation in Tulare County, and mailed to surrounding property owners to consider the proposed Project; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on September 11, 2024; and

WHEREAS at that meeting of the Planning Commission, public testimony was 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 as follows:

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

B. This Planning Commission, after considering all the evidence presented, hereby determines that the following findings are relevant in evaluating this application:

1. The applicants have proposed Tentative Parcel Map No. PPM 24-023 to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres). The property is located in the unincorporated area of Tulare County on Avenue 338 between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009). It should be noted that this application has been filed in conjunction with Tentative Parcel Map No. 24-023.
2. The project area is inside both the Woodlake Urban Area Boundary (UAB) and the Woodlake Urban Development Boundary (UDB). The property is also inside Safety Zones 3 and 6 of the Woodlake Municipal Airport.

Under the RVLP, if the lot is restricted by a California Land Conservation Act (“Williamson Act”) Contract, then it is restricted from zone changes. This parcel is not restricted by a Williamson Act Contract. RVLP-1.3 states “In order to protect and maintain the agricultural viability of the area, the County shall maintain several exclusive agricultural zones, each containing a different minimum parcel size. The County shall apply such zones to lands located outside adopted UDBs and HDBs, where such boundaries have been adopted, generally below and west of the 600-foot elevation contour line as it occurs in Tulare County...” In this case, the Project site is located within both the UAB and UDB for the City of Woodlake.

PF-4.19 states “As an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CACUDBs and is only advisory within CACUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the current land use designation or zoning classification of any parcel within a CACUAB unless appropriate under the requirements of the Rural Valley Lands Plan (RVLP) or similar checklist or unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning classification. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new UDB, an HDB, or Corridor Plan area that may fall within a CACUDB area. This policy shall not apply within a County unincorporated UDB, an HDB, or Corridor Plan area where that area overlaps a CACUAB area. Development of County corridor development nodes in an affected city’s UAB would only occur after the County has provided written consultation and has allowed for a reasonable timed response from the affected city prior to decision making and before the adoption of the Corridor Plan. New development in a city’s UAB would be subject to adopted plan lines and setback standards. Adopted facility plans and legally adopted General Plans will be considered during the development review process. Small “stand alone,” non urban projects which are defined as residential projects of four or fewer lots or non-residential projects smaller than two acres do not need city standards but shall respect city utility and street master plans for setbacks. Large urban-style projects include residential

projects of five or more lots averaging less than one acre per lot and non-residential projects two acres or larger will use uniform urban development standards, financing mechanisms, consent to annexation, application of reciprocal development impact fees and city streets/utility setbacks/disclosure requirements unless the County and the city have identified and structured acceptable alternatives that will reasonably ensure that these projects should conform to city development standards upon future annexation.”

Based on PF-4.19 a RVLP doesn’t apply to the proposed Project because the Project is within a UDB. Therefore, a RVLP analysis is not required. In addition, a Project Review – Consultation Notice for PZC 24-005 & PPM 24-023 was distributed on July 22, 2024, to the City of Woodlake. On July 23, 2024, Emmanuel Llamas, Community Development Director for the City of Woodlake, provided comments for PZC 24-005 & PPM 24-023 and the comments didn’t request that a RVLP analysis be prepared.

The City of Woodlake Land Use Map 7/13/2023 shows the land use designation as Agricultural. The proposed subdivision would be allowed with the proposed Zone Change. The proposed project needs to comply with Tulare County Agreement No. 25995 between the City of Woodlake and Tulare County. Based on the information above, the requested change of zone has been found to be compatible with established land uses in the surrounding area and is not in conflict with the furtherance of overall County development strategies, plans, and policies.

3. Proposed Parcel 1 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the northeast 2.25-acres (98,010.00 square feet) of Proposed Parcel 2 is within Safety Zone 6 of the Woodlake Municipal Airport. Approximately the southwest 1.59-acres (69,059.00 square feet) of Proposed Parcel 2 is within Safety Zone 3 of the Woodlake Municipal Airport. Table 3-1 Tulare County Airport Land Use Compatibility lists Single Family Residential as Prohibited in Safety Zone 3.

Note 1 of the Land Use Compatibility Matrix states that Land uses are identified as being “C” – compatible, or “P” – prohibited based upon the following interpretations:

Compatible - Compatible land uses are designated by the symbol “C”. This designation means associated land use groups are at a level of intensity or density, or location, which does not present a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, nor is the land use type sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Prohibited - Prohibited land uses are designated by the symbol “P”. The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.

Note 3 of the Land Use Compatibility Matrix states that Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or

visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by Federal Aviation Regulations (FAR) Part 77 imaginary surfaces. A Federal Aviation Administration (FAA) aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

Note 4 of the Land Use Compatibility Matrix states that Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.

Note 10 of the Land Use Compatibility Matrix states that as a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the Airport Land Use Commission (ALUC) to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected.

Note 11 of the Land Use Compatibility Matrix states that in areas where aircraft noise is expected to exceed 60 decibel (dB) Community Noise Equivalent Level (CNEL); inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.

The proposed Project is consistent with the Tulare County Comprehensive Airport Land Use Plan, provided that 1) single family residences are prohibited from being constructed within the portion of Proposed Parcel 2 that is within Safety Zone 3 of the Woodlake Municipal Airport and 2) All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.

4. If the proposed change from the AE-20 Zone to the R-A-100 Zone is approved, then Section 4.A.1 of the Tulare County Zoning Ordinance (“TCZO”) lists one-family dwellings as permitted uses that don’t require a special use permit in the R-A-100 Zone.
5. This Project will not have a significant effect on the environment and has been determined to be exempt consistent with the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of the California Environmental Quality Act of 1970 (CEQA Guidelines) pursuant to Title 14, Cal. Code Regulations, Section 15061(b)(3). Pursuant to Section 15061(b)(3) of the CEQA Guidelines, a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Section

15061(b)(3) is applicable and appropriate for PZC 24-005 & PPM 24-023 because the proposed Zone Change and proposed land division will not make any physical changes to the environment and will only establish an imaginary line on the ground.

6. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Development Impact Fees. New Development may be subject to County Development Impact fees.

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

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

AND, BE IT FURTHER RESOLVED as follows:

E. This Commission hereby recommends that the Board of Supervisors find the Categorical Exemption is the appropriate environmental determination and approve Tentative Parcel Map No. PPM 24-023 subject to the following conditions:

GENERAL CONDITIONS

1. Failure to cause the recording of a Parcel Map, an approved or conditionally approved Tentative Parcel Map within two (2) years after the date of its approval or conditional approval shall cause the Tentative Parcel Map to expire, in accordance with the Tulare County Subdivision Ordinance. However, upon application by the owner or his authorized agent, the time at which the approval of Tentative Parcel Map expires may be extended for a period or periods not exceeding a total of five years by the Planning Commission.
2. 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 24-023 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.

PLANNING CONDITIONS

3. In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code, the content of the Right to Farm Notice (Exhibit “B”) shall be placed in a prominent location on the Parcel Map for acknowledgment by the subdivider; or, the Notice itself shall be signed by the subdivider and recorded as a separate sheet to accompany the Parcel Map.
4. Liquid waste disposal is by means of individual septic systems. Existing septic system will be subject to the Local Agency Management Program requirements per Part VII, Chapter 1, Articles 1-9, Ordinance of Tulare County, pertaining to Sections 7-01-1320 through 7-15-1575. Installation of new, on-site septic systems will require a site evaluation and soils testing. This evaluation must be done by a Qualified Professional, with the appropriate licensure (PE, PG, CHG, REHS, or CPSS). The report of this evaluation must be submitted to Tulare County Environmental Health Services Division (TCEHSD) for review, before approval can be granted for any building permits.
5. If, during construction or grading activities on the site, any resources of an historic or prehistoric nature are discovered, the applicant, his heirs and assigns shall ensure that all construction or grading is immediately ceased, and the Tulare County Resource Management Agency Director is immediately notified of the discovery. Further development shall not continue until the Tulare County Resource Management Agency Director determines that appropriate and necessary recovery measures have been completed.
6. Single family residences are prohibited from being constructed within the portion of Proposed Parcel 2 that is within Safety Zone 3 of the Woodlake Municipal Airport.
7. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.
8. In areas where aircraft noise is expected to exceed 60 decibel (dB) Community Noise Equivalent Level (CNEL); inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.
9. Prior to recording the Parcel Map for PPM 24-023 the Board of Supervisors shall approve PZC 24-005.

FIRE CONDITIONS (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.)

10. All future projects, Tulare County Fire Department will impose the current adopted Title 24 Codes at time of permit.
11. California Fire Code and NFPA standards specifically will be imposed for future projects.
12. When the project is submitted to PRC. We may require a Fire Protection Engineer to design any, and all fire protection features needed shall be based on Title 24 codes.

PUBLIC WORKS CONDITIONS (These conditions are required to be completed before the recording of the parcel map or before the recording of the resolution for a waived parcel map, unless specified otherwise in the wording of the condition.)

13. The Private Vehicular Access Easement (PVAE) serving Parcels 1 and 2 shall be improved to a 2-parcel standard pursuant to Section 7-01-2230 of the Ordinance Code. The width and surface improvements of the PVAE shall be in accordance with Plate A-17B of the Tulare County Improvement Standards. Plate A-17B also identifies the requirements for the drive approach that will connect the PVAE to Avenue 204 and the requirements for providing a turnaround bulb at the end of the PVAE.
14. An improvement plan with profile shall be prepared for the PVAE. The improvement plan shall be designed and stamped by a licensed civil engineer or a licensed architect and shall show detailed information on the construction of the PVAE including curve radii, drainage facilities and erosion control measures as needed. The improvement plan shall be approved by the Tulare County RMA – Engineering Branch before construction of the PVAE improvements.
15. The applicant or the applicant’s contractor shall obtain the necessary encroachment permits from the Tulare County Resource Management Agency before starting any construction within the right of way of a county-maintained road. The applicant may contact the Resource Management Agency – Encroachment Permit Section at 624-7000 for information on the requirements for encroachment permits in order to avoid unexpected delays. Improvements that typically require encroachment permits are drive approaches, curb and gutter, sidewalk, paveout and utilities.

ENVIRONMENTAL HEALTH SERVICES DIVISION CONDITIONS

16. New on-site septic system installations will require submission of a site evaluation report. The report shall be submitted to the Tulare County Environmental Health Services Division for review, before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate State licensure (PE, PG, CHG, REHS or CPSS).
17. Sizes for individual parcels, which are served by on-site septic systems, shall be 1.0 acres minimum, each.
18. If the parcel(s) will be served by a community source: The applicant shall provide a ‘will-serve’ authorization for provision of water & sewer service, from the City of Porterville.

CITY OF WOODLAKE CONDITIONS

19. If access to the property is going to be from avenue 338, the section of road within City limits needs to meet City Standards.

B. The Secretary of the Planning Commission is hereby directed to file this resolution, along with the site plan (attached as Exhibit “A”) and the Right to Farm Notice (attached as Exhibit “B”) for Tentative Parcel Map No. PPM 24-023, 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 _____, seconded by Commissioner _____, at a regular meeting of the Planning Commission on September 11, 2024, by the following roll call vote:

AYES:

NOES:

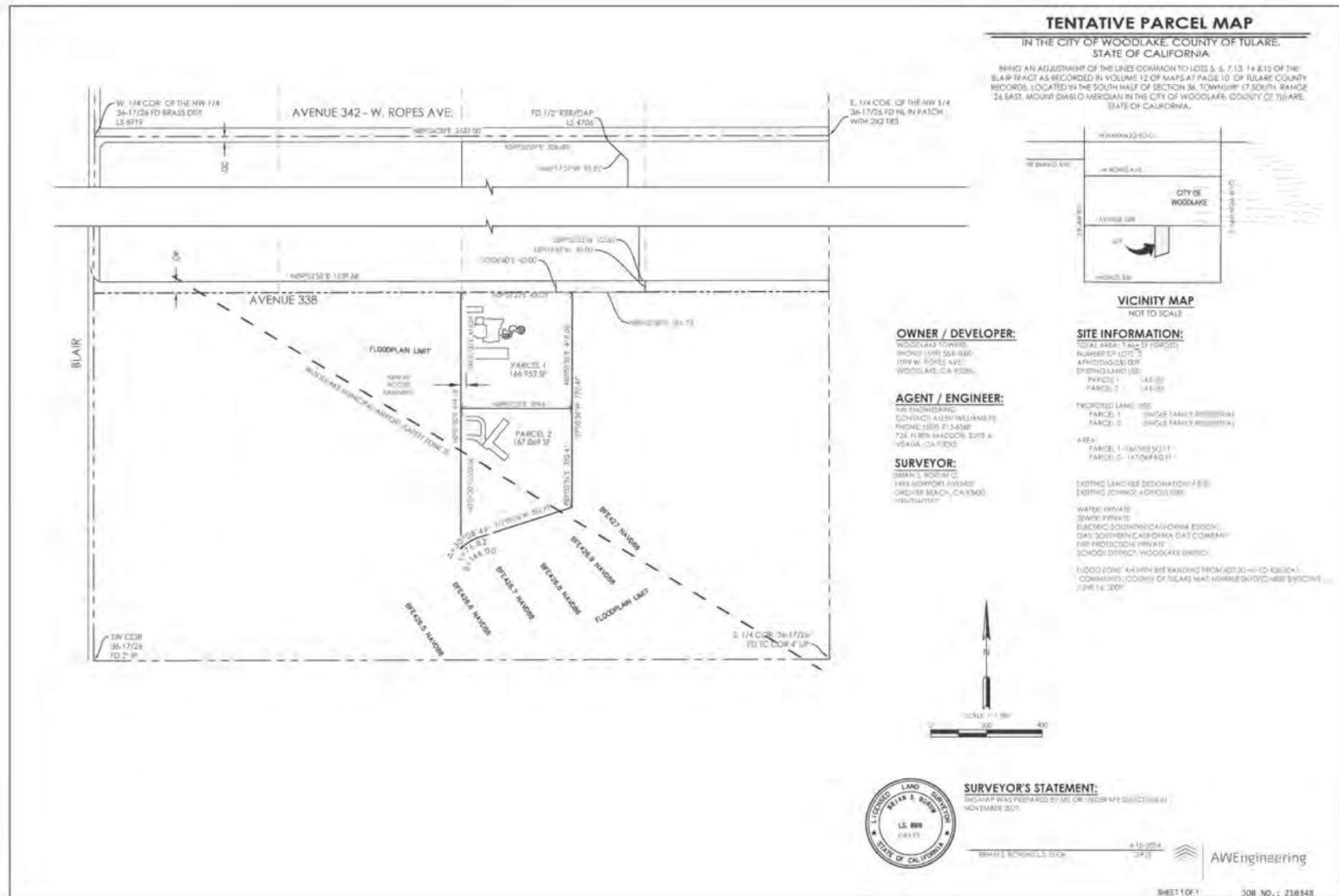
ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

Michael Washam, Secretary

Exhibit " A "



No Scale

Site Plan Illustration
PZC 24-005 & PPM 24-023

CASE NO. PZC 24-005 & PPM 24-023 (Allen Williams)
CONSULTING AGENCY LIST

TULARE COUNTY AGENCIES

- ☒ R.M.A. - Building Division (Kevin Sullivan)
- ☒ R.M.A. - Code Compliance Division (Hector Ramos)
- ☒ R.M.A. - Environmental Coordinator (Gary Mills)
- ☒ R.M.A. - Public Works
- ☒ R.M.A. - Flood/Permits/Subdivisions Division (Vannessa Sandoval)
- ☐ R.M.A. - Parks and Recreation Division
- ☐ R.M.A. - Building Services Division
- ☐ R.M.A. - General Services Division
- ☐ R.M.A. - Transportation/Utilities Division
- ☐ R.M.A. - Solid Waste Division
- ☒ H.H.S.A. - Environmental Health Services Division (Kevin Bangsund)
- ☐ H.H.S.A. - HazMat Division
- ☒ Fire Department (Mark Phillips)
- ☐ Sheriff's Department - Visalia Headquarters
- ☐ _____ Traver Substation
- ☐ _____ Orosi Substation
- ☐ _____ Pixley Substation
- ☐ _____ Porterville Substation
- ☐ Agricultural Commissioner
- ☐ Education Department
- ☒ Airport Land Use Commission (Jason Garcia-LoBue)
- ☐ Supervisor District _____
- ☒ Assessor
- ☒ County Surveyor (Rob Abrahamian)

LOCAL AGENCIES

- ☐ Levee Dist. No 1*
- ☐ Levee Dist. No 2*
- ☐ _____ Irrigation Dist.*
- ☐ _____ Pub Utility Dist.*
- ☐ _____ Comm. Service Dist.*
- ☐ _____ Town Council*
- ☐ _____ Elem. School Dist.*
- ☐ _____ High School Dist.*
- ☒ City of Woodlake (Emmanuel Llamas)
- ☐ County of _____ *
- ☐ Tulare Lake Basin Water Storage Dist.*
- ☐ _____ Advisory Council*
- ☐ _____ Fire District*
- ☐ _____ Mosquito Abatement*
- ☐ _____ Kaweah Delta Water Cons. District*
- ☐ San Joaquin Valley Air Pollution Control District
- ☐ _____ *

FEDERAL AGENCIES

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

STATE AGENCIES

- ☐ Dept. of Fish & Wildlife Dist. 4
- ☐ _____, DFG Area Biologist
- ☐ Alcoholic Beverage Control
- ☐ Housing & Community Development
- ☐ Reclamation Board
- ☐ Regional Water Quality Control Board - Dist. 5
- ☐ Caltrans Dist. 6*
- ☐ Dept. of Water Resources*
- ☐ Water Resources Control Board*
- ☐ Public Utilities Commission
- ☐ Dept. of Conservation
- ☐ State Clearinghouse (15 copies)
- ☐ Office of Historic Preservation
- ☐ Dept. of Food & Agriculture
- ☐ State Department of Health
- ☐ State Lands Commission
- ☐ State Treasury Dept. - Office of Permits Assist.
- ☐ _____.

OTHER AGENCIES

- ☐ U.C. Cooperative Extension
- ☐ Audubon Society - Condor Research
- ☐ 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)

RESOURCE MANAGEMENT AGENCY



INTEROFFICE MEMORANDUM

August 5, 2024

TO: Sandy Ropes, Project Planner
FROM: Vanesa Sandoval, Engineer I
SUBJECT: Case No. PZC 24-005 and PPM 24-023

OWNER: Bruce Kopitar
APN: 060-230-009

The subject Case No. PZC 24-005 and PPM 24-023 have been reviewed. The following comments and recommendations are submitted for consideration in processing these matters.

The subject site is located within the Woodlake Urban Development Boundary.

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

The division is of a 7.66-acre parcel into two parcels of 3.83 acres with a remainder parcel of 3.84 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. 0688. The subject site is located within Zone AE.

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

Right-of-way Information:

The proposed parcels lie along a dirt road approximately 500' east of Road 204 and 500' north of Avenue 336. With no frontage on a county-maintained road.

Memorandum
Page 2 of 2

The following conditions are recommended for the subject case.

These conditions are required to be completed before the recording of the parcel map or before the recording of the resolution for a waived parcel map, unless specified otherwise in the wording of the condition.

1. The Private Vehicular Access Easement (PVAE) serving Parcels 1 and 2 shall be improved to a 2-parcel standard pursuant to Section 7-01-2230 of the Ordinance Code. The width and surface improvements of the PVAE shall be in accordance with Plate A-17B of the Tulare County Improvement Standards. Plate A-17B also identifies the requirements for the drive approach that will connect the PVAE to Avenue 204 and the requirements for providing a turnaround bulb at the end of the PVAE.
2. An improvement plan with profile shall be prepared for the PVAE. The improvement plan shall be designed and stamped by a licensed civil engineer or a licensed architect and shall show detailed information on the construction of the PVAE including curve radii, drainage facilities and erosion control measures as needed. The improvement plan shall be approved by the Tulare County RMA – Engineering Branch before construction of the PVAE improvements.
3. The applicant or the applicant’s contractor shall obtain the necessary encroachment permits from the Tulare County Resource Management Agency before starting any construction within the right of way of a county-maintained road. The applicant may contact the Resource Management Agency – Encroachment Permit Section at 624-7000 for information on the requirements for encroachment permits in order to avoid unexpected delays. Improvements that typically require encroachment permits are drive approaches, curb and gutter, sidewalk, paveout and utilities.



Charlie Norman
FIRE CHIEF

Attachment No. 6

Attachment No. 3

TULARE COUNTY FIRE DEPARTMENT

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

July 29, 2024

Attn: Sandy Roper

Tulare County Fire Department has conducted a plan review on plans # PZC 24-005, the following is a check list of requirements for: Zone changes from AE-20 to R-1 REF: PPM 24-023.

FIRE REQUIREMENTS

- All future projects, Tulare County Fire Department will impose the current adopted Title 24 Codes at time of permit.
- California Fire Code and NFPA standards specifically will be imposed for future projects.
- When the project is submitted to PRC. We may require a Fire Protection Engineer to design any, and all fire protection features needed shall be based on Title 24 codes.

*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



Charlie Norman
FIRE CHIEF

Attachment No. 6

Attachment No. 3

TULARE COUNTY

FIRE DEPARTMENT

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

July 29, 2024

Attn: Sandy Roper

Tulare County Fire Department has conducted a plan review on plans # PPM 24-023, the following is a check list of requirements for: Land division into three (3) parcels in AE-20 Zone REF: PZC 24-005.

FIRE REQUIREMENTS

- All future projects, Tulare County Fire Department will impose the current adopted Title 24 Codes at time of permit.
- California Fire Code and NFPA standards specifically will be imposed for future projects.
- When the project is submitted to PRC. We may require a Fire Protection Engineer to design any, and all fire protection features needed shall be based on Title 24 codes.

*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



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

July 25, 2024

SANDY ROPER
RESOURCE MANAGEMENT AGENCY
5961 SOUTH MOONEY BLVD
VISALIA, CA 93277

Re: ZONE CHANGE AND TENTATIVE PARCEL MAP, PZC 24-005 AND PPM 24-023

This office has reviewed the above referenced matter. Based upon our review, we have no comments for this project at this time.

Regards,

A handwritten signature in blue ink, which appears to read "Kevin Bangsund".

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

From: [Mapping](#)
To: [Sandy Roper](#)
Cc: [Mapping](#)
Subject: RE: PZC 24-005 & PPM 24-023 (Allen Williams) Consultation Notice
Date: Tuesday, July 23, 2024 3:03:15 PM
Attachments: [image002.png](#)
[image003.png](#)

Sandy:

This E mail is being sent to you in response to your letter.

Assessor's Comments:

1) **Affected APNs:** 060-230-009

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) **Other Comments:** None

Lastly, thank you for asking for and giving us the opportunity to comment on the proposed project, which, if and when approved and recorded, will cause us to update our maps and records to reflect such approval. In replying to your request for comments in this matter, it is our intent to merely provide factual, objective information to you. And, therefore, these comments are not intended to be, nor should they be interpreted or misconstrued as being an opinion as to whether or not the proposed project warrants approval, since the authority to make such decisions rests with those county officials charged with administering and enforcing the land division and development laws applicable and pertinent to these kinds of projects.



Jared Fite
Cadastral GIS Technician III
Office of the Assessor
jfite@tularecounty.ca.gov
559-636-5121
221 South Mooney Boulevard
Room 102-E
Visalia, CA 93291

From: Sandy Roper <SRoper@tularecounty.ca.gov>

Sent: Monday, July 22, 2024 4:23 PM

Attachment No. 6
Attachment No. 3

To: Kevin Sullivan <ksullivan@tularecounty.ca.gov>; Hector Ramos Jr <HRamos@tularecounty.ca.gov>; Gary Mills <GMills@tularecounty.ca.gov>; Vanesa Sandoval <VSandoval@tularecounty.ca.gov>; TCSeptic <TCSeptic@tularecounty.ca.gov>; Mark Phillips <MPhillips@tularecounty.ca.gov>; Jason Garcia-LoBue <JGarcia-LoBue@tularecounty.ca.gov>; Mapping <Mapping@tularecounty.ca.gov>; Robert L Abrahamian <RAbrahamian@tularecounty.ca.gov>; Emmanuel Llamas <ellamas@ci.woodlake.ca.us>

Subject: PZC 24-005 & PPM 24-023 (Allen Williams) Consultation Notice

Please see the attached PZC 24-005 & PPM 24-023 (Allen Williams) Consultation Notice and return any comments that you may have to me by August 9, 2024.

Thank you,



Mr. Sandy Roper, Chief Planner

Special Projects Division
Economic Development & Planning
Tulare County Resource Management Agency
5961 S. Mooney Boulevard
Visalia, CA 93277

Phone: (559) 624-7101

Email: sroper@tularecounty.ca.gov

RMA Office Hours are Monday – Thursday 7:30 a.m. – 5:30 p.m. and Friday 8 a.m. – 12:00 p.m.

My Hours are Monday – Thursday 7 a.m. – 5:30 p.m.

Attachment No. 6
Attachment No. 3

From: [Emmanuel Llamas](#)
To: [Sandy Roper](#); [Kevin Sullivan](#); [Hector Ramos Jr](#); [Gary Mills](#); [Vanesa Sandoval](#); [TCSeptic](#); [Mark Phillips](#); [Jason Garcia-LoBue](#); [Mapping](#); [Robert L Abrahamian](#); [rlara@ci.woodlake.ca.us](#)
Subject: Re: PZC 24-005 & PPM 24-023 (Allen Williams) Consultation Notice
Date: Tuesday, July 23, 2024 3:34:31 PM
Attachments: [image001.png](#)
[Outlook-vxfoiidh.png](#)
[PZC 24-005 & PPM 24-023 Consultation Notice - Reduced Sized PDF.pdf](#)

This Message Is From an External Sender

This message came from outside your organization.

Hello Sandy,

Thank you for sending this over for comment.

What is the applicants plan for the sewer disposal and water supply? I noticed the box 'proposed' is checked but the service that will be utilized is unclear.

Will there be 3 lots with a SFH on each, or 2 lots only?

If access to the property is going to be from avenue 338, the section of road within City limits needs to meet City Standards.

Thank You,



Emmanuel Llamas

City of Woodlake

Community Development Director

Phone 559-564-8055

Cell Phone : 559-942-1881

Email ellamas@ci.woodlake.ca.us

350 N Valencia Blvd, Woodlake, CA 93286

From: Sandy Roper <SRoper@tularecounty.ca.gov>

Sent: Monday, July 22, 2024 4:22 PM

To: Kevin Sullivan <ksullivan@tularecounty.ca.gov>; Hector Ramos Jr <HRamos@tularecounty.ca.gov>; Gary Mills <GMills@tularecounty.ca.gov>; Vanesa Sandoval <VSandoval@tularecounty.ca.gov>; TCSeptic <TCSeptic@tularecounty.ca.gov>; Mark Phillips <MPhillips@tularecounty.ca.gov>; Jason Garcia-LoBue <JGarcia-LoBue@tularecounty.ca.gov>; Mapping <Mapping@tularecounty.ca.gov>; Robert L Abrahamian <RAbrahamian@tularecounty.ca.gov>; Emmanuel Llamas <ellamas@ci.woodlake.ca.us>

Subject: PZC 24-005 & PPM 24-023 (Allen Williams) Consultation Notice

Caution: This email originated from Outside of the organization. Do Not click links or Open attachments unless you recognize the sender and know the content is Safe!

Please see the attached PZC 24-005 & PPM 24-023 (Allen Williams) Consultation Notice and return any comments that you may have to me by August 9, 2024.

Thank you,



Mr. Sandy Roper, Chief Planner

Special Projects Division
Economic Development & Planning
Tulare County Resource Management Agency
5961 S. Mooney Boulevard
Visalia, CA 93277

Phone: (559) 624-7101

Email: sroper@tularecounty.ca.gov

RMA Office Hours are Monday – Thursday 7:30 a.m. – 5:30 p.m. and Friday 8 a.m. – 12:00 p.m.

My Hours are Monday – Thursday 7 a.m. – 5:30 p.m.

Aerial Photograph for PZC 23-005 & PPM 24-023

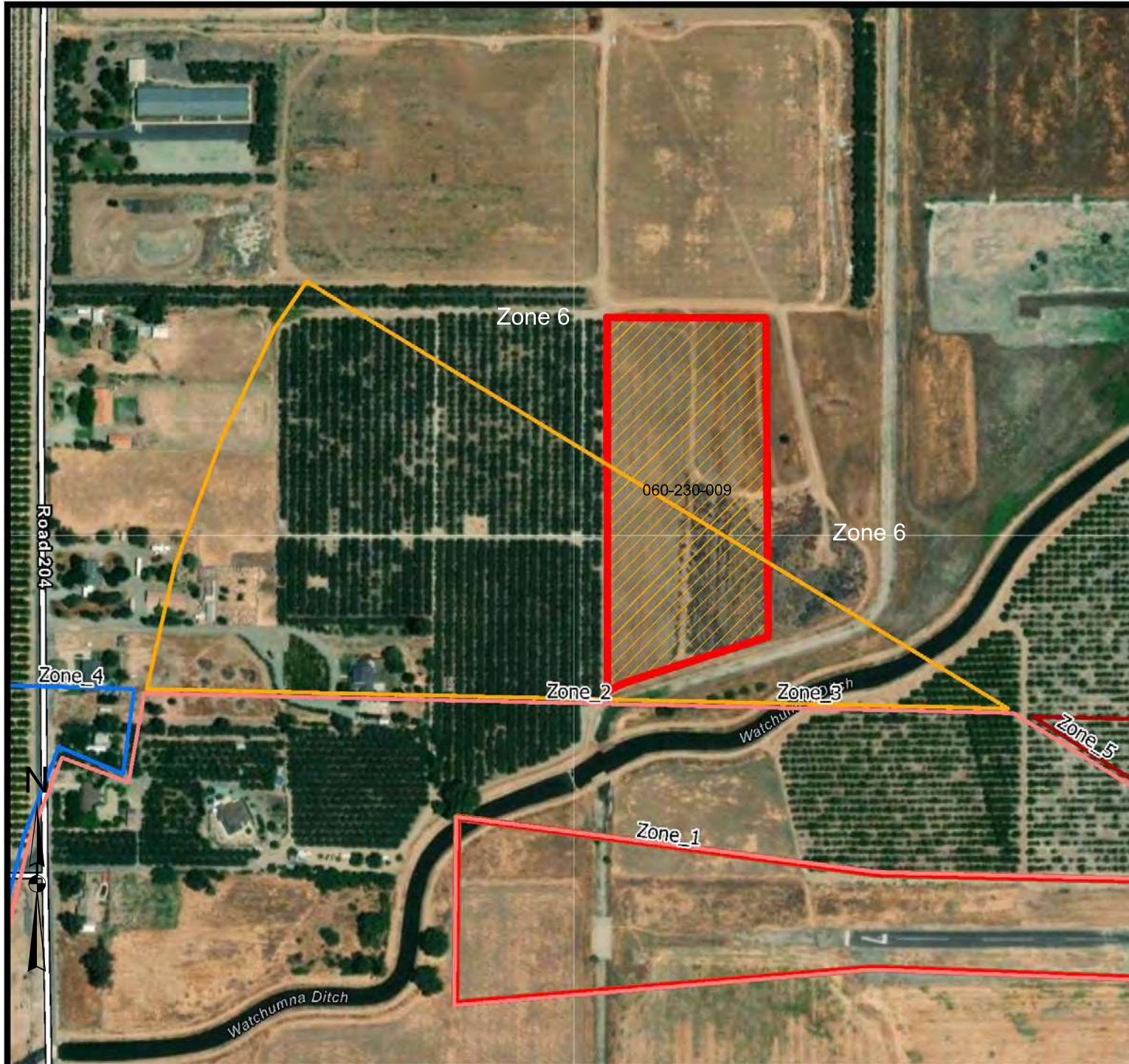


Owner: BRUCE KOPITAR
Applicant: ALLEN WILLIAMS
Address: 1099 W. ROPES AVENUE
City, State, ZIP: WOODLAKE, CA 93286
Supervisory District: 4
Assessors Parcel: 060-230-009

0 120 240 360 480 600 720 Feet

 Parcels
 PZC 24-005 & PPM 24-023



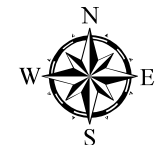


PARCEL NUMBER
060-230-009
SAFETY ZONES

Legend

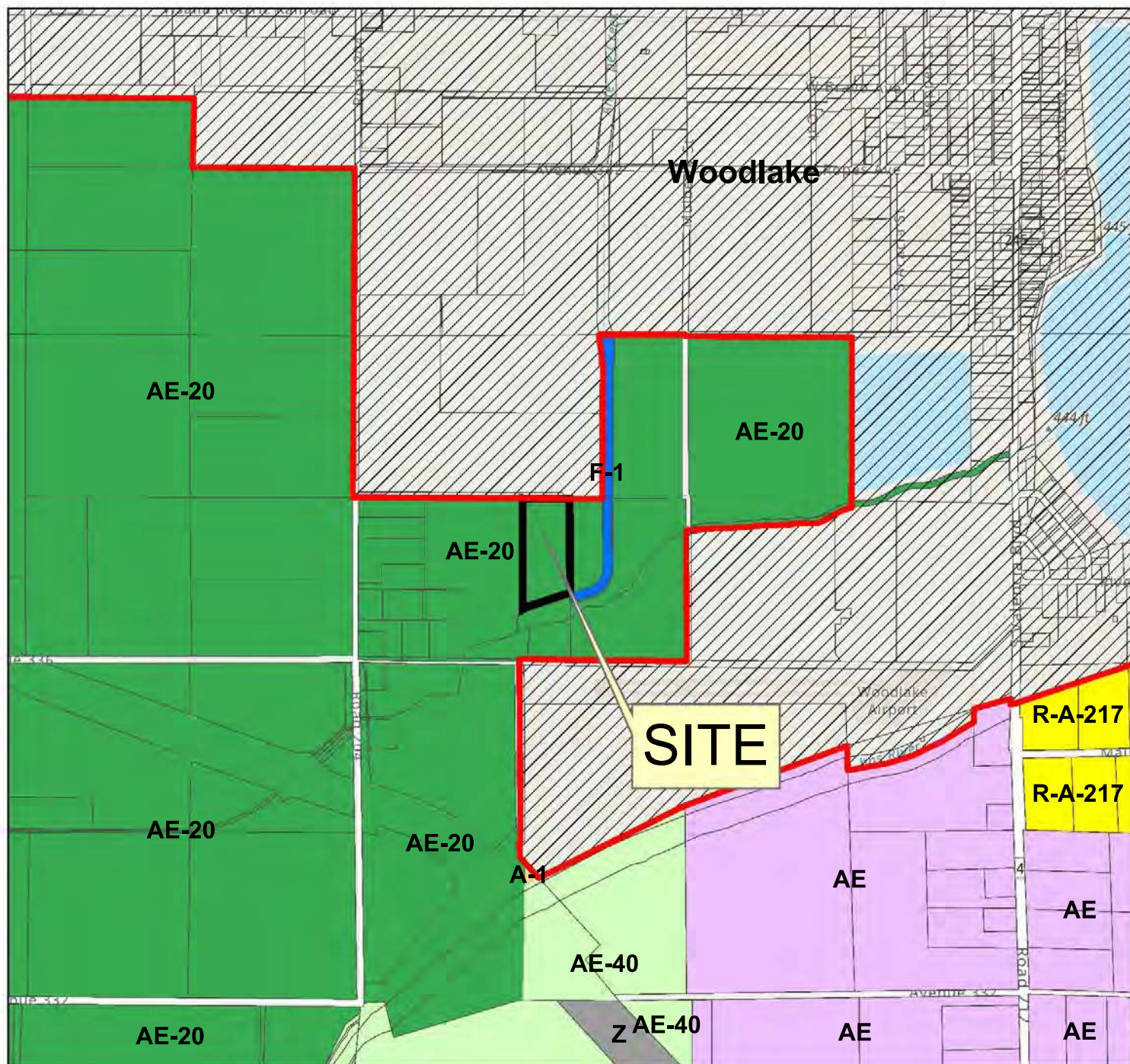
**Airport Safety
Zone**

- Influence_Area
- Zone_1
- Zone_2
- Zone_3
- Zone_4
- Zone_5
- Zone_6
- PZC 24-005 & PPM 24-023



0 237.5 475
Feet

Existing Zoning Map for PZC 24-005 & PPM 24-023

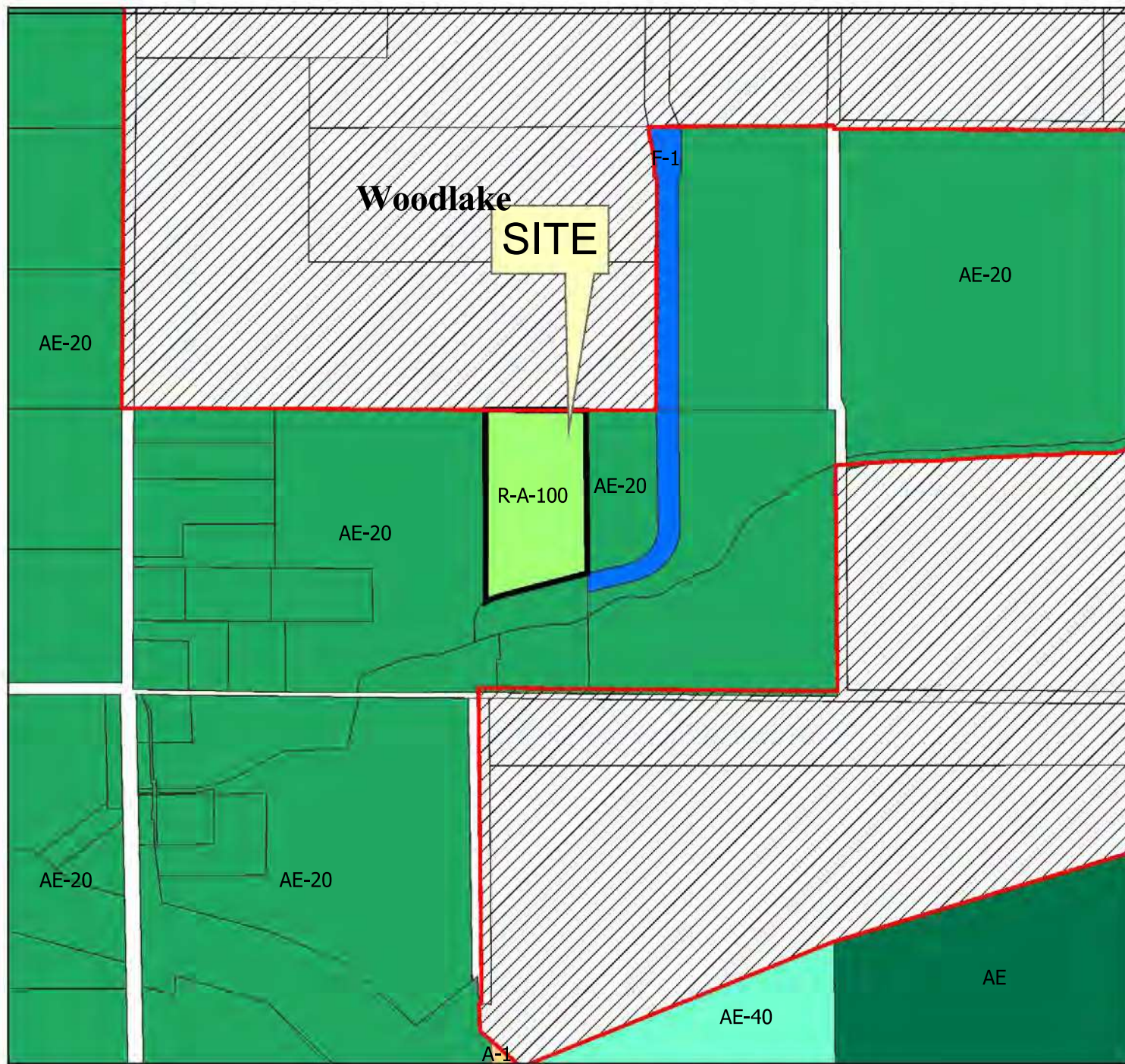


Owner: BRUCE KOPITAR
 Address: 1099 W. ROPES AVENUE
 City, State, ZIP: WOODLAKE, CA 93286
 Applicant: SAME
 Agent: AW ENGINEERING
 Supervisorial District: 4
 Assessors Parcel: 060-230-009

0 310620 1,240 1,860 2,480 Feet

<p>ZONE</p> <p>— SITE</p> <p>— A-1</p> <p>— AE</p> <p>— AE-20</p>	<p>— AE-40</p> <p>— F-1</p> <p>— R-A-217</p> <p>— Z</p> <p>— PZC 24-005 & PPM 24-023</p>
--	--

Proposed Zoning Map for PZC 24-005 & PPM 24-023



Owner: BRUCE KOPITAR
 Address: 1099 W. ROPES AVENUE
 City, State, ZIP: WOODLAKE, CA 93286
 Applicant: SAME
 Agent: AW ENGINEERING
 Supervisorial District: 4
 Assessors Parcel: 060-230-009

0 50 100 200
 Feet

City Limits
 PZC 24-005
 Parcels
 Zoning Districts
 A-1
 AE
 AE-20
 AE-40
 F-1
 R-A-100



Location and Property Ownership Map for Hearing Notification for PZC 24-005 & PPM 24-023

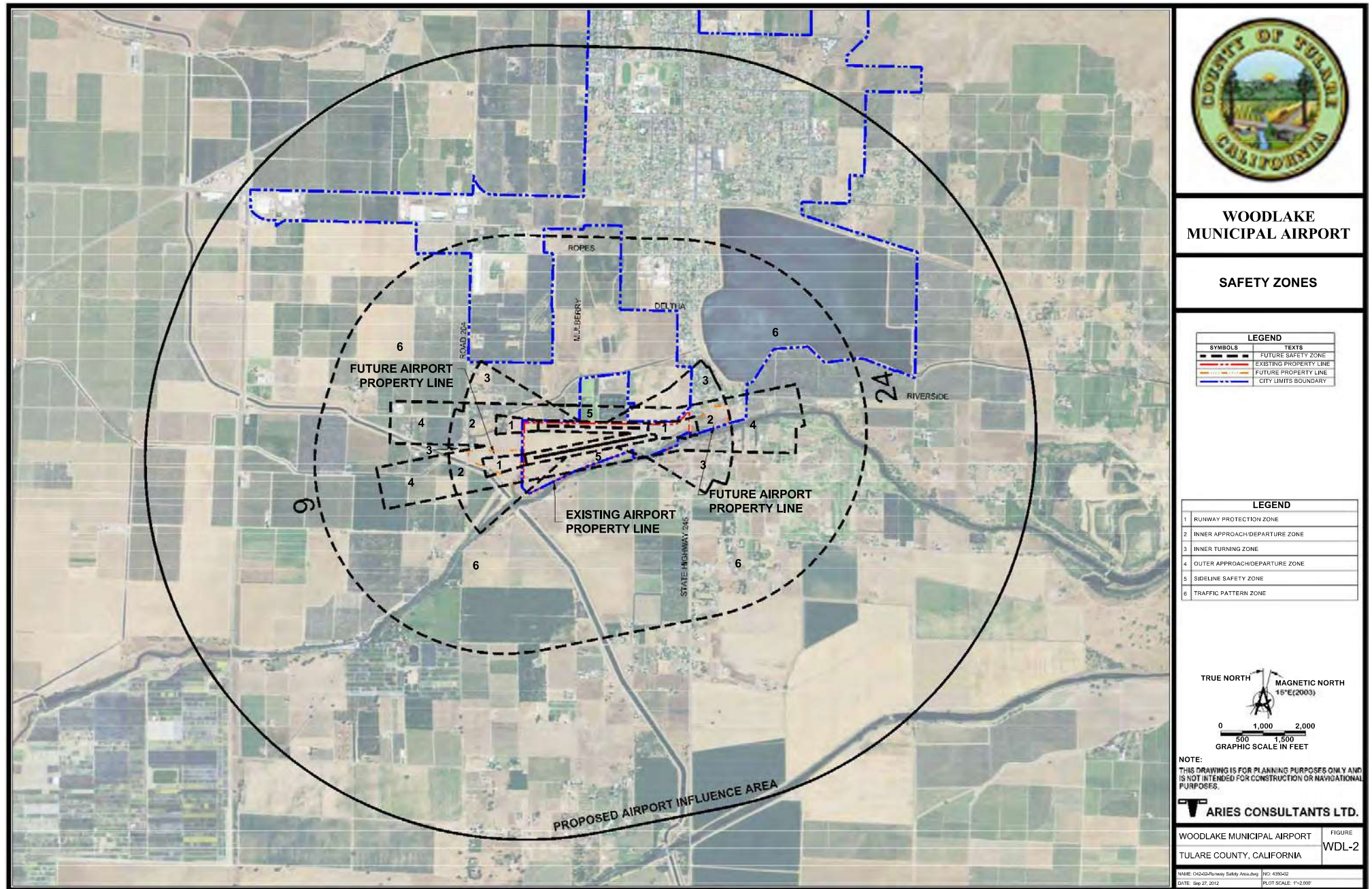


Owner: BRUCE KOPITAR
 Address: 1099 W. ROPES AVENUE
 City, State, ZIP: WOODLAKE, CA 93286
 Applicant: SAME
 Supervisorial District: 4
 Assessors Parcel: 060-230-009

0 260 520 1,040 Feet

- SITE
- Parcels
- PZC 24-005 & PPM 24-023
- City-Int
- 300' Radius Parcels





SECTION 3

LAND USE COMPATIBILITY MATRIX

The Tulare County Airport Land Use Compatibility Matrix consists of two tables. Table 3-1 addresses land use compatibility in the safety and height restriction zones by land use type. Table 3-2 addresses the maximum residential densities in the safety and height restriction zones. Table 3-2 also addresses the maximum non-residential intensity in the safety and height restriction zones. Footnotes document the application of ALUC policy for specific categories of land use. It should be noted that land uses are subject to jurisdictional requirements and restrictions found in General and Specific Plans and zoning ordinances adopted by the various cities and Tulare County, some of which may be more restrictive than those presented in Table 3-1.

Table 3-1 is not intended to be the last word with regard to land use compatibility. Rather it provides a guide for the different land use categories and the types of compatibility issues likely associated with that land use.

Policy matters that are unique to a specific airport are documented with the airport in Section 5. For example, at Sequoia Field a portion of the airport area is a registered, and thus protected, historical site. Policy decisions that may pertain to a specific project that is unique to a particular airport are documented in the same way.

Table 3-1

TULARE COUNTY AIRPORT LAND USE COMPATIBILITY¹

Land Use Category ²	Safety Zone 1 ³	Safety Zone 2 ³	Safety Zone 3 ³	Safety Zone 4 ³	Safety Zone 5 ³	Safety Zone 6 ⁴	Remainder Areas within Airport Influence Area ^{5,6}
--------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	--

Agriculture & Animal Keeping

Crop production including dry and irrigated farming	C ⁸	C ⁸	C	C	C ⁸	C	C
Truck Farming, Specialty Crops, Orchards, Vineyards, Landscape Nurseries, Greenhouses	P	C	C	C	P	C	C
Crop Processing and Packaging, Wineries	P	C	C	C	P	C	C
Pasture and Rangeland Grazing	P	C	C	C	C ⁸	C	C
Hogs, Dairies, Bee Keeping	P	C	C	C	P	C	C
Commercial Poultry	P	P	P	P	P	P	C
Fish Farms, Game Preserves	P	C ^{8,9}	C ^{8,9}	C ^{8,9}	P	C	C
Feed Lots, Stockyards, Sales Yards	P	C ^{8,9}	C ^{8,9}	C ^{8,9}	P	C	C
Animal Hospital, Veterinary Clinic, Kennels, Pet Boarding, Equestrian Facilities, Exotic Animals	P	C ^{8,9}	C ^{8,9}	C ^{8,9}	P	C	C
Roadside Stands, Farmers Markets	P	C	C	C	P	C	C

Residential ¹⁰

Single Family Residential	P	P	P	P	P	C ¹¹	C ¹¹
Multi-Family Residential, Mobile Home Parks	P	P	P	P	P	P	C ¹¹
Group Homes, Convalescent Facilities, Nursing Homes	P	P	P	P	P	P	C ¹¹
Granny Flat (1,200 s.f. or less)	P	P	P	P	P	P	C ¹¹
Caretaker Residence (1,200 s.f. or less)	P	C ¹¹	C ¹¹	C ¹¹	C ¹¹	C ¹¹	C ¹¹

C¹ = CompatibleP¹ = Prohibited

Table 3-1 (continued)

TULARE COUNTY AIRPORT LAND USE COMPATIBILITY

Land Use Category	Safety Zone 1	Safety Zone 2	Safety Zone 3	Safety Zone 4	Safety Zone 5	Safety Zone 6	Remainder Areas within Airport Influence Area ³
Institutional, Public and Quasi-Public							
Schools and Hospitals	p ¹⁸	p ¹⁸	p ¹⁸	p ¹⁸	p ¹⁸	p ¹⁸	C ¹⁸
Libraries, Day Care Centers, Social Clubs/Lodges, Churches	P	P	P	P	P	P	C
Parks, Playgrounds, Picnic Areas	P	C ¹⁷	C ¹⁷	C ¹⁷	C ¹⁷	C ¹⁷	C ¹⁷
Athletic Fields	P	C ¹⁷	C ¹⁷	C ¹⁷	C ¹⁷	C ¹⁷	C ¹⁷
Cemeteries - People or Pets	P	C	C	C	C	C	C
Public Utility Facilities (except Electric Plants)	P	C ⁸	C ⁸	C ⁸	P	C	C
Electric Power Plants (including wind turbines and solar) and overhead transmission lines	P	P	P	P	P	C	C
Correctional Facilities	P	P	P	P	P	C	C
Communications							
Broadcast Studios	P	C	C	C	P	C	C
Transmission Stations, Towers, Antennas	P	P	P	P	P	C ¹⁶	C
Resource Extraction							
Mining – Sand, Gravel, Fill Dirt	P	P	P	P	P	C	C
Commercial Recreational							
Arcades, Bowling Alleys, Skating Rinks, Dance and Pool Halls, Card Rooms, Gaming Facilities, Gyms, Health Spas, Indoor Theaters and Auditoriums, Go-cart track, Dirt track	P	P	C ¹⁷	C ¹⁷	P	C ¹⁷	C

Table 3-1(continued)

TULARE COUNTY AIRPORT LAND USE COMPATIBILITY

Land Use Category	Safety Zone 1	Safety Zone 2	Safety Zone 3	Safety Zone 4	Safety Zone 5	Safety Zone 6	Remainder Areas within Airport Influence Area ³
-------------------	------------------	------------------	------------------	------------------	------------------	------------------	--

Commercial Recreational (continued)

Outdoor Theaters, Amusement Parks, Carnivals, Fairs	P	P	C ¹⁷	C ¹⁷	P	C ¹⁷	C
Golf Courses, Tennis Courts	P	C	C	C	C	C	C
Multi-Use Stadium/Motor Speedway	P	P	P	P	P	C ¹⁷	C
Swimming Pools, Water Slides	P	P	C ¹⁷	P	P	C	C

Retail Commercial

Aircraft Fuel, Aircraft Sales, Aircraft Repairs and Aircraft Flying Schools	P	P	P	P	C	P ¹⁹	C
Vehicles and Parts Sales, Building Materials, Food and Beverage Sales	P	C ¹¹	C ¹¹	C ¹¹	P	C ¹¹	C
Shopping Centers	P	P	P	P	P	C ¹¹	C
Banks	P	P	P	P	P	C ¹¹	C
Small Retail Commercial Center	P	P	C ¹¹	C ¹¹	P	C ¹¹	C
Gasoline Service Stations	P	P	C	C	P	C	C
Restaurant and Food Take-Out, General Retail Stores, Tasting Rooms	P	P	C ¹¹	C ¹¹	P	C ¹¹	C
Convention and Conference Centers	P	P	C ¹¹	P	P	C ¹¹	C
Fuel Dealers, Fuel Storage	P	C ¹³	C ¹³	C ¹³	P	C ¹³	C

Service Commercial

Office Buildings, Public Buildings, Research Laboratories	P	C ¹¹	C ¹¹	C ¹¹	C ¹¹	C	C
Appliance and Equipment Repair, Car Wash	P	C	C	C	P	C	C

Table 3-1 (continued)
TULARE COUNTY AIRPORT LAND USE COMPATIBILITY

Land Use Category	Safety Zone 1	Safety Zone 2	Safety Zone 3	Safety Zone 4	Safety Zone 5	Safety Zone 6	Remainder Areas within Airport Influence Area ³
Service Commercial (continued)							
Personal Services, Health Clinics	P	C ¹¹	C ¹¹	C ¹¹	P	C ¹¹	C
Recycling	P	C ^{8,13}	C ^{8,13}	C ^{8,13}	P	C	C
Transient Lodgings							
Hotels and Motels, Bed and Breakfast	P	P	C ¹⁰	C ¹⁰	C ¹⁰	C ¹⁰	C
RV Parks	P	P	C ¹⁰	C ¹⁰	C ¹⁰	C ¹⁰	C
Wholesale & Storage							
Mini-Storage	P	P	P	P	C	C	C
Ammonium Nitrates	P	P	P	P	P	P	P
Warehouse, Wholesale and Distributing	P	C ⁷	C	C ⁷	C ¹⁵	C	C
Landfills	P	P	P	P	P	P	P
Petroleum and Chemical Products – Bulk Storage	P	P	C ¹³	C ¹³	C	C	C
Manufacturing & Processing							
Indoor Processes	P	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴	C
Industrial Manufacturing	P	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴	C
Warehousing & Distribution	P	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴	C ¹⁴	C
Transportation							
Vehicle Storage and Parking	C ⁷	C	C ⁷	C	C	C	C
Taxi Stands, Bus Stations/Terminals	P	C ¹²	C ¹²	C ¹²	C ¹²	C	C
Truck Terminals	P	C	C	C	C ¹⁵	C	C

Table 3-1 (continued)**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY****Notes:**

- 1 Land uses are identified as being “C” – compatible, or “P” – prohibited based upon the following interpretations:
Compatible - Compatible land uses are designated by the symbol “C”. This designation means associated land use groups are at a level of intensity or density, or location, which does not present a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, nor is the land use type sensitive to anticipated aircraft noise or frequent aircraft over-flights.
Prohibited - Prohibited land uses are designated by the symbol “P”. The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.
- 2 The land use categories illustrated provide a representative sample of land uses found in Tulare County for the purpose of identifying any associated noise, safety, height, or overflight issues within the various zones of the Airport Influence Area. Other land use types that exhibit functional characteristics similar to the uses listed are likely to receive a similar compatibility rating. When it is not clear how a particular land use type might be rated for compatibility the referring agency, landowner or developer should contact ALUC Staff.
- 3 Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by FAR Part 77 imaginary surfaces. An FAA aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.
- 4 Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.
- 5 The Airport Influence Area is defined by the outer edge of the conical surface as described in FAR Part 77, plus aircraft noise areas outside the conical surface that exceed 60 dB CNEL.
- 6 The Remainder areas include portions of the FAR Part 77 horizontal surface not included within the safety zones, together with the conical surface and any 60 dB CNEL noise zones that project beyond the conical surface.
- 7 Allowed as a temporary use of Airport lands provided the activity does not attract birds or interfere with Airport operations.
- 8 No structures, congregations of equipment or vehicles, or public venues shall be located within 500 feet of runway centerline.
- 9 Land uses that incorporate the use of any weapons or implements that would launch a projectile into the air other than animal tranquilizers are prohibited.
- 10 As a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the ALUC to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected.

Table 3-1 (continued)**TULARE COUNTY AIRPORT LAND USE COMPATIBILITY****Notes (continued):**

- 11 In areas where aircraft noise is expected to exceed 60dB CNEL; inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.
- 12 Allowed only to the extent that such uses support the flow of passengers to and from the Airport.
- 13 For otherwise acceptable land uses, the limit for aboveground storage of hazardous materials is 2,000 gallons.
- 14 Allowed if dust, fumes, and other aspects of the process are carried out in a controlled environment.
- 15 A compatible use only when the activity is an integral part of an acceptable on-Airport use.
- 16 Subject to location and height limits.
- 17 Any activities located in Safety Zones 1 through 6 must meet nonresidential intensity standards – See Table 3-2 of this matrix.
- 18 No local schools (K-12) or hospitals are permitted in Safety Zones 1 to 6. School locations must meet California Education Code standards.
- 19 Retail Commercial (Aircraft Fuel, Aircraft Sales, Aircraft Repairs and Aircraft Flying Schools) are a compatible use on airport property within Safety Zone 6.

Table 3-2

MAXIMUM ALLOWED DENSITIES

Current Setting	Safety Zone 1	Safety Zone 2	Safety Zone 3	Safety Zone 4	Safety Zone 5	Safety Zone 6	Remainder Areas within Airport Influence Area
-----------------	---------------	---------------	---------------	---------------	---------------	---------------	---

Maximum Residential Densities (average number of dwelling units per gross acre)

Rural	0	Note A	Note A	Note A	Note A	No Limit Note B	No Limit Note B
Suburban	0	1 per 10-20 ac	1 per 2-5 ac	1 per 2-5 ac	1 per 1-2 ac	No Limit Note B	No Limit Note B
Urban	0	0	Note C	Note C	Note C	No Limit Note B	No Limit Note B
Dense Urban	0	0	Note C	Note C	Note C	No Limit Note B	No Limit Note B

Maximum Nonresidential Intensities (average number of people per gross acre)

Rural	0 Note D	10-40	50-70	70-100	50-70	150-200	No Limit
Suburban	0 Note D	40-60	70-100	100-150	70-100	200-300	No Limit
Urban	0 Note D	60-80	100-150	150-200	100-150	No Limit Note E	No Limit
Dense Urban	0 Note D	Note F	Note F	Note F	Note F	No Limit Note E	No Limit

Maximum Single Gross Acre Intensity (numbers of people)

Rural	0	50-80 Note G	150-210 Note H	210-300 Note H	150-210 Note H	600-800 Note I	No Limit
Suburban	0	80-120 Note G	210-300 Note H	300-450 Note H	210-300 Note H	800-1200 Note I	No Limit
Urban	0	120-160 Note G	300-450 Note H	450-600 Note H	300-450 Note H	No Limit Note E	No Limit
Dense Urban	0	Note F	Note F	Note F	Note F	No Limit Note E	No Limit

- Notes:**
- A Maintain current zoning if less than density criteria for suburban setting.
 - B Noise and overflight should be considered. Affected jurisdictions may impose greater density restrictions through their general plan and/or zoning.
 - C Allow infill at up to the average density of surrounding residential area.
 - D Exceptions can be permitted for agricultural activities, roads and automobile parking provided that FAA criteria are satisfied.
 - E Large stadiums and similar uses should be prohibited.
 - F Allow infill at up to the average intensity of comparable surrounding uses.
 - G Based on 2x the Maximum Nonresidential Density.
 - H Based on 3x the Maximum Nonresidential Density.
 - I Based on 4x the Maximum Nonresidential Density.

Source: Derived from Figures 4B through 4G, *California Airport Land Use Planning Handbook*, State of California, Department of Transportation, Division of Aeronautics, October 2011.

NOTICE OF PUBLIC HEARING AND AVAILABILITY
OF ENVIRONMENTAL DOCUMENT

A **Common Sense Exemption** for **Zone Change No. PZC 24-005** and **Tentative Parcel Map No. PPM 24-023** 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 **Sandy Roper at (559) 624-7101** or email him at SRoper@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: PZC 24-005 and PPM 24-023

APPLICANT/AGENT: Jessie Allen Williams

LOCATION: Located in the unincorporated area of Tulare County on the south side of Avenue 342 (W. Ropes Avenue) between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009).

PROJECT DESCRIPTION: The request is to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone. Tentative Parcel Map No. PPM 24-023 requests to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)].

ENVIRONMENTAL DOCUMENT: Common Sense Exemption consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code of Regulations Section 15061(b)(3), of the Guidelines for Environmental Quality Act (CEQA Guidelines).

REVIEW PERIOD: 10 days until Monday, September 9, 2024, at 5:00 p.m.

PUBLIC HEARING: Planning Commission on Wednesday, September 11, 2024, at 9:00 a.m.

All meetings are held at the Board of Supervisors Chambers, 2800 West Burrel 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

=====

TO BE PUBLISHED ONCE ONLY ON: September 11, 2024

SEND BILL AND TEAR SHEET TO:

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

SEND TO: Sun Gazette on August 22, 2024

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 Planning Commission
C/O Tulare County Resource Management Agency
5961 South Mooney Blvd
Visalia, CA 93277 (559) 624-7000
Attn: GMills@tularecounty.ca.gov and JWillis@tularecounty.ca.gov

DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

Applicant(s): Jessie Allen Williams
810 W. Acequia Avenue
Visalia, CA 93291 (559) 967-8089

Project Title: Zone Change No. PZC 24-005 and Tentative Parcel Map No. PPM 24-023

Project Location - Specific: Located in the unincorporated area of Tulare County on the south side of Avenue 342 (W. Ropes Avenue) between S. Blair Road & S. Valencia Blvd., south of the City of Woodlake (APN: 060-230-009).

Project Location- Section, Township, Range: Section 36, Township 17S, Range 26E

Project Location - City: N/A

Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: The request is to change the zone from the AE-20 (Exclusive Agriculture – 20 Acre Minimum) Zone to the R-A-100 (Rural Residential with a 100,000 Square Foot Minimum) Zone. Tentative Parcel Map No. PPM 24-023 requests to divide 7.67-acres into two parcels [Parcel No. 1 = 166,952 Square Feet (3.83 Acres) and Parcel No. 2 = 167,069 Square Feet (3.84 Acres)].

Exempt Status: (*check one*)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Common Sense Exemption: CEQA guidelines 15061(b)(3)
- ☐ Categorical Exemption: CEQA Guidelines Class 3 Section 15303 New Construction or Conversion of Small Structures
- ☐ Statutory Exemptions: CEQA Guidelines Section 15262 Feasibility and Planning Studies

Reasons why project is exempt: Section 15061(b)(3) is applicable and appropriate for PZC 24-005 & PPM 24-023 because the proposed Zone Change and proposed land division will not make any physical changes to the environment and will only establish a new property boundary.

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

Project Planner/Representative: Project Planner/Sandy Roper, Chief Planner **Telephone:** (559) 624-7101

Signature: _____ Date: _____ Title: Chief Environmental Planner
Gary Mills

Signature: _____ Date: _____ Title: Environmental Assessment Officer
Reed Schenke, P.E. RMA Director

☒ Signed by Lead Agency Date submitted to the OPR/SCH: _____