



5961 S. Mooney
Blvd
Visalia, CA 93277
624-7000 Phone
730-2653 Fax

RESOURCE MANAGEMENT AGENCY COUNTY OF TULARE PLANNING COMMISSION SUMMARY

PLANNING COMMISSION

CHAIRMAN: Gil Aguilar
VICE-CHAIR: Ed Dias
COMMISSIONERS:
Terren Brown
Carlos Aleman
Bill Whitlatch
Wayne Millies
Maria McElroy

AIRPORT LAND USE COMMISSIONERS
(ALUC)

Bill Whitlatch
Steve Dwelle

Project Number: EOT 22-005 for PPM 20-019 & PSR 20-002	Agenda Date:	09/28/22
Applicant: Badger Creek Development LLC.	Agenda Item Number:	4C
Agent: A.W. Engineering	AGENDA ITEM TYPE	
Subject: Request for a two-year extension of time for Tentative Parcel Map No. 20-019 and Final Site Plan No. 20-002, to August 12, 2024, requested by Badger Creek Development, LLC., 50616 State Route 245, Badger, CA 93603, to allow the division of a 370± acre parcel assigned two Assessor Parcel Numbers into four parcels plus a remainder parcel (Parcel No. 1=71 acres, Parcel No. 2=15 acres, Parcel No. 3=18 acres, Parcel No. 4=68 acres, and Remainder Parcel=198 acres), with a final map required, located in the PD-F-M (Planned Development Zone, at 50616 Highway 245, Badger CA 93603, between State Route 235 and Hogback Drive (D-254), north of Whitaker Forest Road, near Badger. (APNs 007-050-083 and 007-060-073) Environmental Review: Previously approved Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for PPM 20-019 & PSR 20-002.	Presentation	
	Consent Calendar	X
	Unfinished Business	
	New Business	
	Public Hearing	
	Continued Public Hearing	
	Discussion	
	ACTION REQUESTED	
	Resolution – Board of Supervisors	
Motion(s): One	Resolution – Planning Commission	X
Contact Person: David Alexander	Decision - Director	

RECOMMENDATIONS:

That the Planning Commission:

Approve a TWO-Year Extension of Time for the conditionally approved Tentative Parcel Map No. 20-019 and Final Site Plan No. 20-002, to August 12, 2024, requested by Badger Creek Development, LLC., 50616 State Route 245, Badger, CA 93603, to allow the division of a 370± acre parcel assigned two Assessor Parcel Numbers into four parcels plus a remainder parcel (Parcel No. 1=71 acres, Parcel No. 2=15 acres, Parcel No. 3=18 acres, Parcel No. 4=68 acres, and Remainder Parcel=198 acres), with a final map required, located in the PD-F-M (Planned Development Zone, at 50616 Highway 245, Badger CA 93603, between State Route 235 and Hogback Drive (D-254), north of Whitaker Forest Road, near Badger. (APNs 007-050-083 and 007-060-073)

PLANNING COMMISSION ALTERNATIVES:

Alternative No. 1: Move to approve, subject to modifications through addition or deletion of conditions as discussed.

Alternative No. 2: Move to deny and direct staff to prepare findings for denial to be brought back at a subsequent hearing.

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SUBJECT: Extension of Time No. EOT 22-005 for PPM 20-019 & PSR 20-002

PROJECT OVERVIEW:

The applicant is requesting an extension of time for Tentative Parcel Map No. 20-019 and Final Site Plan No. 20-002, which was conditionally approved by the Planning Commission on August 12, 2020, by Resolution No. 9757 and 9758 respectively. An Initial Study/Environmental Checklist resulted in the determination that an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was the appropriate environmental document for the project.

Staff has reviewed the proposal, recent aerial photos available on Google, and the environmental documents to ensure that the facts are still relevant to the proposed projects and that there are no new issues to address.

ENVIRONMENTAL SUMMARY:

A previously approved Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for PPM 20-019, Resolution No. 9757 and PSR 20-002, Resolution No. 9758.



David Alexander, Planner III
Project Processing Division
Economic Development & Planning Branch



Aaron Bock, MCRP, JD, LEED AP
Assistant Director
Resource Management Agency

ATTACHMENTS:

Attachment No. 1 – Draft Resolution

Attachment No. 2 – Approved Special Use Permit No. PPM 20-019 and PSR 20-002

BEFORE THE PLANNING COMMISSION
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF EXTENSION OF)	
TIME NO. EOT 22-005 FOR TENTATIVE)	RESOLUTION NO. DRAFT
PARCEL MAP NO. 20-019 AND FINAL SITE)	
PLAN NO. 20-002)	
BADGER CREEK DEVELOPMENT, LLC.)	

Resolution of the Planning Commission of the County of Tulare granting a Two-Year Extension of Time for the conditionally approved Tentative Parcel Map No. 20-019 and Final Site Plan No. 20-002, to August 12, 2024, requested by Badger Creek Development, LLC., 50616 State Route 245, Badger, CA 93603, to allow the division of a 370± acre parcel assigned two Assessor Parcel Numbers into four parcels plus a remainder parcel (Parcel No. 1=71 acres, Parcel No. 2=15 acres, Parcel No. 3=18 acres, Parcel No. 4=68 acres, and Remainder Parcel=198 acres), with a final map required, located in the PD-F-M (Planned Development Zone, at 50616 Highway 245, Badger CA 93603, between State Route 235 and Hogback Drive (D-254), north of Whitaker Forest Road, near Badger. (APNs 007-050-083 and 007-060-073)

WHEREAS, on August 12, 2020, the Tentative Parcel Map No. 20-019 and Final Site Plan No. 20-002 was Approved by the Tulare County Planning Commission, and

WHEREAS, on August 3, 2022, the applicant submitted an application for a two-year extension of time for the project, and

WHEREAS, said Use for which the Tentative Parcel Map and Final Site Plan was obtained, has not begun, and

WHEREAS, said Tentative Parcel Map and Final Site Plan would become null and void after August 12, 2022, unless an extension of time is granted, and

WHEREAS, Staff has recommended that a two-year extension of time would be appropriate, and

WHEREAS, the Planning Commission determined, after considering all the evidence presented, that extending the Tentative Parcel Map and Final Site Plan for two years would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County of Tulare, and

WHEREAS, on September 28, 2022, at a regular meeting, the Planning Commission determined, after considering all the evidence presented, that extending the expiration date of Tentative Parcel Map No. 20-019 and Final Site Plan No. 20-002 for two additional years would

not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County of Tulare.

NOW, THEREFORE, BE IT RESOLVED THAT a two-year extension of time, to August 12, 2024, for Tentative Parcel Map No. 20-019 and Final Site Plan No. 20-002, requested by Badger Creek Development, LLC., 50616 State Route 245, Badger, CA 93603, to allow the division of a 370± acre parcel assigned two Assessor Parcel Numbers into four parcels plus a remainder parcel (Parcel No. 1=71 acres, Parcel No. 2=15 acres, Parcel No. 3=18 acres, Parcel No. 4=68 acres, and Remainder Parcel=198 acres), with a final map required, located in the PD-F-M (Planned Development Zone, at 50616 Highway 245, Badger CA 93603, between State Route 235 and Hogback Drive (D-254), north of Whitaker Forest Road, near Badger. (APNs 007-050-083 and 007-060-073)

The foregoing resolution was adopted upon motion of Commissioner ~, seconded by Commissioner ~, at a regular meeting of the Planning Commission on September 28, 2022 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

Michael Washam, Secretary



2021-0037572

Recorded
Official Records
County of
Tulare
TARA FREITAS, CPA
CLERK RECORDER

REC FEE

51.00

LC

02:17PM 20-May-2021 | Page 1 of 11

RECORDING REQUESTED BY:

Tulare County Resource Management Agency

AND WHEN RECORDED MAIL TO:

Tulare County Resource Management Agency
Project Review Planning Division
5961 South Mooney Blvd.
Visalia, CA 93277-9394

THIS SPACE FOR RECORDER'S USE ONLY

Please record attached PPM 20-019 Resolution No. 9757

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(ADDITIONAL RECORDING FEE APPLIES)

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF TENTATIVE
PARCEL MAP NO. PPM 20-019

)
)

RESOLUTION NO. 9757

Resolution of the Planning Commission of the County of Tulare accepting an Addendum to a Negative Declaration Previously Prepared for Tentative Subdivision Map No. TSM 793/PSR as the appropriate environmental determination and conditionally approving Tentative Parcel Map/Final Site Plan No. PPM 20-019/PSR, with a final map required, requested by Badger Creek Development, LLC, 50616 Highway 245, Badger CA 93603 (Agent: AW Engineering, 724 North Ben Maddox Way, Suite A, Visalia CA 93292), to allow the division of a 370± acre parcel assigned two Assessor Parcel Numbers into four parcels plus a remainder parcel (Parcel No. 1=71 acres, Parcel No. 2=15 acres, Parcel No. 3=18 acres, Parcel No. 4=68 acres, and Remainder Parcel=198 acres), with a final map required, located in the PD-F-M (Planned Development Zone, at 50616 Highway 245, Badger CA 93603, between State Route 235 and Hogback Drive (D-254), north of Whitaker Forest Road, near Badger. (APNs 007-050-083 and 007-060-073)

WHEREAS, Staff has performed necessary investigations, prepared a written report (made a part hereof), and recommended approval of this application subject to conditions; and

WHEREAS, all attached exhibits are incorporated by reference herein; 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, the Planning Commission has given public notice of the proposed project, as provided in Section 7-01-2305 of the Ordinance Code of Tulare County, and on July 29, 2020, 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, to consider the proposed Project. No comments were received from the public; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on August 12, 2020; and

WHEREAS, at that meeting of the Planning Commission, the agent, Allen Williams, and applicant Reinhard Hesse, spoke in support of the proposal. No written or oral communications were received from the public during the public hearing. Commissioner Elliott suggested that the history of Synanon on the subject site be memorialized with a plaque or similar display. Assistant Resource Management Agency Director, Aaron Bock, explained that the previous Tentative Subdivision Map/Final Site Plan No. TSM 793/PSR was withdrawn because the Department of Real Estate asked that the applicant form a Community Services District rather than a Community Water System, which was considered to be burdensome; and

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

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

1. The Planning Director has waived the requirement for a preliminary geological-hydrological report pursuant to Section 7-01-2295 of the Ordinance Code, on the grounds that soil and groundwater information is available.
2. An Addendum to the Negative Declaration Previously Prepared for Tentative Subdivision Map No. TSM 793/PSR has been prepared for the subject parcel map and associated Final Site Plan/Special Use Permit No. PSR 20-002/PSP, as allowed by the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15164. The Planning Commission approved the Addendum via Resolution No. 9756.
3. Tentative Parcel Map/Final Site Plan No. PPM 20-019 qualifies for a minor revision to Tentative Subdivision Map No. TSM 793/PSR, because the number of lots was reduced from 74 to five (four plus a remainder) and the use changes from residential to short term residential /vacation rentals. The applicant did not request any exceptions or a waiver of the final map. The Board of Supervisors approved TSM 793/PSR on July 31, 2007, to divide the property into 74 lots, 68 of which were to be residential, one to be utilized for a common area, one for a County Fire Station, and four to be determined. Variance PSV 07-002 allowed smaller lot sizes than the 216,500 s.f. required in the Zone. A final map was submitted in 2018 before the expiration date. The applicant formally withdrew the final map and variance on March 18, 2020.
4. Associated Final Site Plan/Special Use Permit No. PSR 20-002/PSP was processed concurrently with the subject parcel map. On a 89,811 square feet portion of 71-acre Parcel 1 of PPM 20-019, the applicants propose constructing 63 new vacation rental units; a new office; a community building; a new outdoor swimming pool; a new swim house building with showers and changing facilities; one new septic tank/leach line system; 16 new propane tanks; and a modified driveway. Development will be in phases, with 25 new units to be constructed as soon as permitting is complete and 42 additional units built as demand dictates. Final Site Plan/Special Use Permit No. PSR 20-002/PSP was approved by the Planning Commission via Resolution No. 9758.
5. The Foothill Growth Management Plan (FGMP) is the applicable Land Use & Circulation Element for the project, which is in the Badger/Elderwood Development Corridor. The Land Use Designation is "Mixed Use." The existing land use would not change with this division of land. The project is consistent with relevant goals of the FGMP, including goals 1, 2, 3, 4, 6, 8, 9 and 10.
6. The proposed tentative parcel map, together with the provisions for its design and improvements, is consistent with the relevant policies of the County's General Plan Elements, including Planning Framework Element Goal 1; Land Use Element Goals 1, 2, and 4; Economic Development Element Goals 2 and 5; Scenic Landscapes Element Goals 1 and 2; Environmental Resources Management Element Goals 1, 5 and 6; Air

Quality Element Goals 1 and 4; Health and Safety Element Goals 1, 4, 6 and 8; Water Resources Element Goal 2; Transportation and Circulation Element Goal 1; Public Facilities and Services Element Goals 2, 3, 4, 5 and 7.

7. The site is zoned PD-F-M-217 (Planned Development-Foothill Combining-Special Mobilehome-217,000 Square Foot Minimum), which does not have a fixed minimum parcel size. Lot design is based on site-specific constraints. A Final Site Plan is required for a land division in the "F" Zone. The land division is defined as a "Tentative Parcel Map/Final Site Plan." Per Section 16.2, regarding the Site Plan Review process, before any site plan may be approved or recommended for approval, the Site Plan Review Committee [now the Planning Commission] shall find that the proposal is consistent with the following mandatory findings:
- a. **"That all the provisions and requirements of the Zoning Ordinance are complied with."** As stated earlier, the land division is defined as a "Tentative Parcel Map/Final Site Plan."
 - b. **"That all applicable provisions and requirements of the General Plan are complied with."** The proposal complies with the policies set forth in applicable elements of the Foothill Growth Management Plan and the General Plan.
 - c. **"That the following are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and surrounding property is not adversely affected:**
 - i. **Buildings, structures and improvements.** The proposed buildings do not impair traffic, pedestrian or vehicular safety. Surrounding property is not adversely affected.
 - ii. **Vehicular ingress and egress and internal circulation.** Vehicles enter and exit the site from State Route 245. The remainder parcel also has access to Hogback Drive (D254).
 - iii. **Setbacks.** The building line setbacks along State Route 245 and D254 are the standard 50 feet from the centerline of the right of way. Existing structures comply with the setbacks.
 - iv. **Height of buildings and other structures such as signs, towers, and airwave receiving antennae.** The applicant's structures comply with F Zone Development Standards that allow building heights 35 feet to the uppermost part of the roof.
 - v. **Location of service.** Utility services must abide by local and state regulations.
 - vi. **Walls and fences.** No walls are required for a commercial use unless it abuts property zoned for residential uses.
 - vii. **Landscaping.** Screening for a vacation rental use is not typically required in the foothill area.
 - d. **"That any proposed outdoor lighting is arranged so as to reflect the light away from adjoining properties and roadways."** A standard condition of approval has been included to ensure compliance with this requirement.
 - e. **"That proposed signs for outdoor advertising structures will not, by reason of size, location, color or lighting, interfere with safe traffic movement, limit visibility, or depreciate the value of adjoining property or the neighborhood."**

No billboards are proposed by the applicant. Any signage at the site shall be limited in number, size and design by condition of approval.

8. Badger Creek runs generally north to south through the middle of the subject parcel, into and out of a reservoir established over 40 years ago (Badger Lake), with an existing dam on the south side. In the F (Foothill Combining) Zone, no building improvements whatsoever, including but not limited to residences, accessory buildings, or any other activity associated with construction shall be permitted within fifty (50) feet of a bank of an intermittent water course and one-hundred (100) feet of a bank of a perennial water course. For purposes of applying this paragraph, the Health Department shall be responsible for determining the location of the banks of said watercourses
9. As noted earlier, a Final Site Plan is required for a land division in the "F" Zone. All real property, improved or unimproved, which is shown on the latest adopted county tax roll as a unit or as contiguous units and which is owned by the same person or persons shall not be divided, after F zoning is applied, unless a site plan for such division of land is first filed for review and recommendation by the Site Plan Review Committee [now the Planning Commission] in accordance with the procedure set forth in paragraphs 2, 3, and 4 of subsection G of Section 16.2 of this ordinance. The proposed Tentative Parcel Map is subject to this requirement and is not a type listed for exclusion. In addition to the findings required in Section 16.2 of this ordinance, the Site Plan Review Committee [now the Planning Commission] shall also make the following findings with regard to any site plan approved or recommended for approval for any project in the F Zone. In addition to the findings required in Section 16.2 of this ordinance, the Site Plan Review Committee [now the Planning Commission] shall also make the following findings with regard to any site plan approved or recommended for approval for any project in the F Zone:
 - a. That the proposed use of land is consistent with the land use and circulation plan as set forth in the Foothill Growth Management Plan.
 - b. That the density of uses delineated on the site plan do not exceed the holding capacity of the site as determined by the physical limitations described in the final geological-hydrological report.
 - c. That the proposed site plan conforms to all policies and development standards set forth in this Section and the Foothill Growth Management Plan
10. Remainder Parcel - Except as otherwise required by the Subdivision Map Act, local ordinance or other applicable law, Government Code Section 66424.6 shall apply to the remainder designated on this parcel map, including, but not limited to, the construction of improvements, or payment of fees associated with any deferred improvements, and the designated remainder or omitted parcel may be subsequently sold without any further requirement of the filing of a parcel map or final map, but the County may require a certificate of compliance or conditional certificate of compliance.
11. The site contains thirteen recreational vehicle spaces (approved by Special Use Permit No. PSP 18-025), four (4) vacation rental units, an office/manager building, private roads, parking areas, five domestic wells, five septic tank/leach line systems, fire hydrants, a water storage tank for fire suppression, three propane tanks, and open land.

Trenched utilities (water, sewer and power lines), paved roads and graded building sites are in place. Some of the structures date back to the Synanon commune, which operated in Badger between the early 1970s and 1990s.

12. Surrounding properties include grazing land, scattered residences and commercial uses. To the north is the Fresno County/Tulare County line, with open space, and residences along Hogback Road in the PD-F-M-217 Zone. To the east are PD-F-M-217-Zoned properties in the Sierra Glen area, consisting of the Sierra Glen School, a mobilehome park, a gas station, a grocery store, a restaurant, post office, scattered residences and vacant land. Hartland Christian Camp is also located to the northeast. To the south are properties in the PD-F-M-217 Zone that contain residences, a motel/restaurant, convenience store and a gas station. To the west, across State Route 245 are properties zoned PD-F-M-217 that include the California Department of Forestry Badger Fire Station.
13. The proposal is in compliance with all zoning regulations applicable to the subject property.
14. The subject property lies between State Route 245 and Hogback Drive (D-254). The four parcels plus the remainder parcel have direct access to State Route 245. The remainder parcel also has access to D254, a 19-foot wide county-maintained road with road mix asphalt surfacing. The existing right of way on D254 is 60 feet (30 feet on the north side and 30 feet on the south side). No additional right of way dedications are required pursuant to Ordinance Code section 7-01-2215 for any parcel to be created which will have an area of ten acres or more.
15. State Route (SR) 245 is owned and maintained by the California Department of Transportation (Caltrans), which is the major arterial for the Badger/Elderwood Development Corridor. Caltrans responded to a consultation request on March 20, 2020. They commented that, during the encroachment permit review process to update the Project driveway accessing State Route 245, Caltrans determined that the culvert running under SR 245 needs to be extended beyond the edge of the pavement. The culvert extension is due to the necessary additional pavement for the driveway shoulder area. The extension of the culvert requires dedication from the property owner for Caltrans construction and maintenance of the culvert. If a driveway is to be shared by two or more property owners, an access easement (or an agreement acceptable to the State) needs to be executed between the parties and submitted to the Encroachment Permit office before a permit is issued for any work in the State right of way. A condition of approval is included for the applicant to comply with Caltrans regulations.
16. The Environmental Health Services Division (EHSD) approved the septic design for the proposed vacation rental units in June 2019, before the application for Tentative Parcel Map No. PPM 20-019. The EHSD noted that the new septic system for proposed development on Parcel No. 1 will be located on a different parcel (Parcel No. 4) than the structures that it will serve. If an off-site septic system is intended, then the EHSD recommends a maintenance easement and agreement for the off-site system. A condition of approval is included. Liquid waste disposal is by means of individual septic systems.

Existing and future septic systems 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 7-01-1740.

17. The subject property is within the State Responsibility Area (SRA), where wildland fire risks and hazards are substantial. The County Fire Department requires compliance with SRA requirements. Existing buildings must have a recent Fire-Life Safety Inspection to ensure that they meet code requirements, including fire flow, smoke and carbon monoxide alarms, sprinklers, lighting, egress, building materials, etc. Future building permits will be reviewed to determine the need for additional fire protection measures. Conditions of approval are included.
18. Regarding cultural/archaeological resources, the site is not on a bluff or hillside with rocky outcroppings; however, Badger Creek runs through the property, which might have made it attractive to indigenous peoples. The District Archaeologist was consulted, but did not respond. The subject site has been developed with various types of uses since prior to 1976. There is no evidence of buildings or landmarks of historical importance. The site is the location of the previous Synanon mixed-use development. The majority of the previous structures have been removed from the site, with a few remaining. The land division and subsequent development of the vacation rentals and accessory structures will take place in an area where previous development has occurred. The sites for the majority of the vacation rentals were previously graded and leveled. Grading for development will be minimal and located on ground that is already highly disturbed and relatively level.
19. The subject site is not located in an Agricultural Preserve.
20. The Planning Commission, after consideration of all evidence presented, found that approval of said parcel map will promote the orderly growth of the unincorporated portions of the County and will assure the health, safety, and welfare of the people of the County.
21. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Developer Impact Fees. New Development may be subject to County Development Impact fees.

AND, BE IT FURTHER RESOLVED THAT:

A. This Planning Commission hereby finds that said project qualifies for an Addendum to Negative Declaration Previously Prepared for Tentative Subdivision Map/Final Site Plan No. TSM 793/PSR. It does not qualify for a categorical exemption, as the project will result in an increase of more than 2,500 square feet of structures and may have effects on the environment. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary, or significant effects not discussed in the original document call for the preparation of a subsequent negative declaration. The 63 new vacation rentals and other structures will be constructed

on ground previously disturbed since the early 1970s with a private mixed use development. The Fire Department and Planning Branch require conditions of approval.

B. Tentative Parcel Map/Final Site Plan No. PPM 20-019/PSR be approved with an exception, subject to the following conditions, which apply to the applicant, his successors and assigns:

GENERAL CONDITIONS

1. Failure to cause the recording of a final 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 parcel map to expire, in accordance with the Tulare County Subdivision Ordinance. However, upon application by the owner or his authorized agent, the time at which the approval of final parcel map expires may be extended for a period or periods not exceeding a total of five years by the Planning Commission.
2. The applicant(s), at their sole cost and expense, shall defend, indemnify and hold harmless the County of Tulare, its agents, legislative body, officers or employees in any legal or administrative action, claim or proceeding concerning approval of PPM 20-019/PSR; 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.

FIRE DEPARTMENT CONDITIONS

3. The applicant shall comply with the State Responsibility Area (SRA) Site Plan requirements.
4. The applicant shall provide fire flow information at the building permit stage.
5. The applicant shall ensure that a Fire-Life Safety Inspection is arranged for existing buildings, to ensure that they meet code requirements, including fire flow, smoke and carbon monoxide alarms, sprinklers, lighting, egress, building materials, etc.

ENVIRONMENTAL HEALTH CONDITIONS

6. The applicant shall arrange for and note on the final map a maintenance easement for the septic system located on Parcel No. 4 and the existing and proposed structures on Parcel No. 1. The applicant shall ensure that an agreement allowing owners of Parcel No. 1 to utilize the off-site septic system on Parcel No. 4.

7. The applicant shall ensure that the existing and any future septic systems comply with 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 7-01-1740.

PLANNING CONDITIONS

8. The applicants shall ensure that, if any improvements are constructed on the Remainder Parcel, an application for a certificate of compliance of said parcel is submitted to the County beforehand.
9. The applicant shall ensure that, no building improvements (homes, fences, etc.), septic tank/leach line systems or other activities associated with construction (grading) are permitted within 50 feet of an intermittent watercourse or 100 feet of a perennial watercourse (Badger Creek).
10. The applicant shall ensure that, should any resources of an historic or prehistoric nature are discovered during construction or grading activities on the site, all construction or grading shall immediately cease and the Tulare County Resource Management Agency Director shall immediately be 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.
11. The applicant shall ensure that, should human remains be encountered within the project area, the County Coroner must be contacted immediately, per Section 7050.5 of the California Health and Safety Code. Construction or excavation in the vicinity of discovered human remains shall be stopped until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the Coroner must, as required by law (Public Resources Code Section 5097), contact the California Native American Heritage Commission (NAHC), which shall specify the procedures to be followed.
12. The applicant shall avoid and minimize impacts to known paleontological and tribal cultural resources. The owner shall include a standard "inadvertent discovery" clause in every construction contract to inform contractors of the above two conditions of approval (#10 and #11). If a qualified professional determines that the find is significant, the qualified professional shall design and implement a data recovery plan consistent with applicable standards. The plan shall be submitted to the Tulare County Resource Management Agency for review and approval.

C. The Secretary of the Planning Commission is hereby directed to file this resolution and a site plan of each of the parcels shown on said Tentative Parcel Map, which is attached hereto as Exhibit "A", 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 Elliott, seconded by Commissioner Pearson, at a regular meeting of the Planning Commission on August 12, 2020, by the following roll call vote:

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

TULARE COUNTY PLANNING COMMISSION



Michael Washam, Secretary



2021-0037573

Recorded
Official Records
County of
Tulare
TARA FREITAS, CPA
CLERK RECORDER

REC FEE

90.00

LC

02:17PM 20-May-2021 | Page 1 of 24

RECORDING REQUESTED BY:

Tulare County Resource Management Agency

AND WHEN RECORDED MAIL TO:

Tulare County Resource Management Agency
Project Review Planning Division
5961 South Mooney Blvd.
Visalia, CA 93277-9394

THIS SPACE FOR RECORDER'S USE ONLY

Please record attached PSR 20-002/PSP Resolution No. 9758

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(ADDITIONAL RECORDING FEE APPLIES)

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF FINAL SITE PLAN/)	
SPECIAL USE PERMIT NO. PSR 20-002/PSP)	RESOLUTION NO. 9758
TO AUTHORIZE A SHORT-TERM VACATION)	
RENTAL FACILITY)	

Resolution of the Planning Commission of the County of Tulare accepting an Addendum to a Negative Declaration Previously Prepared for Tentative Subdivision Map No. TSM 793/PSR as the appropriate environmental determination and conditionally approving Final Site Plan/Special Use Permit No. PSR 20-002/PSP, requested by Badger Creek Development, LLC, 50616 Highway 245, Badger CA 93603 (Agent: AW Engineering, 724 North Ben Maddox Way, Suite A, Visalia CA 93292), to allow the further development of a Short-Term Vacation Rental facility, on an 89,811 square foot portion of a 71± acre portion of a legally-created parcel, located in the PD-F-M-217 (Planned Development-Foothill Combining-Special Mobilehome-217,500 Square Foot Minimum) Zone, at 50616 Highway 245, Badger CA 93603, on the east side of State Route 245 (Pinehurst Road), north of Mountain Road M-465 (Whitaker Forest Road) and the community of Badger and south of the Fresno/Tulare County Line. (Portion of APNs 007-050-083 and 007-060-073.)

WHEREAS, an application has been filed pursuant to the regulations contained in Section 16 of Ordinance No. 352, the Zoning Ordinance; and

WHEREAS, Staff has performed necessary investigations, prepared a written report (made a part hereof), and recommended approval of this application subject to conditions; and

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

WHEREAS, the Planning Commission has given notice of its intention to consider the granting of a Final Site Plan/Special Use Permit, 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 on July 29, 2020, 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, to consider the proposed Project. No comments were received from the public; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on August 12, 2020; and

WHEREAS, at the August 12, 2020 meeting of the Planning Commission, an opportunity to provide public testimony was offered.

WHEREAS, at that meeting of the Planning Commission, the agent, Allen Williams, and applicant Reinhard Hesse, spoke in support of the proposal. No written or oral communications were received from the public during the public hearing. Commissioner Elliott suggested that the history of Synanon on the subject site be memorialized with a plaque or similar display. Assistant Resource Management Agency Director, Aaron Bock, explained that the previous Tentative Subdivision Map/Final Site Plan No. TSM 793/PSR was withdrawn because the Department of Real Estate asked that the applicant form a

Community Services District rather than a Community Water System, which was considered to be burdensome; and

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the staff report for the project together with any comments received during the public review process.

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

1. An Addendum to the Negative Declaration Previously Prepared for Tentative Subdivision Map No. TSM 793/PSR has been prepared for the subject Final Site Plan/Special Use Permit No. PSR 20-002/PSP and associated Tentative Parcel Map/Final Site Plan No. PPM 20-019/PSR, as allowed by the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15164. The Board of Supervisors approved TSM 793/PSR on July 31, 2007, to divide the property into 74 lots, 68 of which were to be residential, one to be utilized for a common area, one for a County Fire Station, and four to be determined. Variance PSV 07-002 allowed smaller lot sizes than the 216,500 s.f. required in the Zone. A final map was submitted in 2018 before the expiration date. The applicant formally withdrew the final map and variance on March 18, 2020. The Planning Commission accepted and approved the Addendum via Resolution No. 9756.
2. The Final Site Plan/Special Use Permit will allow further development of a Short-Term Vacation Rental facility called "Sequoia Resort." The project utilizes existing infrastructure and building pads from a previous development, the Synanon commune, which operated in Badger between the early 1970s and 1990s, per a 2007 Visalia Times-Delta article. Up to 400 people lived at "The Strip" portion of the property. The applicant told the Tulare County Board of Supervisors that he removed most of the 140 or so mobilehomes used by Synanon. The majority of the previous structures (residences; dormitory/ies; a lodge; food preparation/ serving facilities; schools; recreation and meeting areas; offices, etc.) have been removed from the site. An office and four houses remain. There is a cleared and paved one-mile long private airstrip on the larger 377-acre property. Development that previously encroached upon the airstrip has been removed. Per the 2007 Negative Declaration for TSM 793/PSR, the air strip is not in use at this time. Use of the private airstrip is not part of this proposal. Future use of the airstrip will require appropriate licensing and permitting through the Federal Aviation Administration.
3. Surrounding properties include grazing land, scattered residences and commercial uses. To the north is the Fresno County/Tulare County line, with open space, and residences along Hogback Road in the PD-F-M-217 Zone. To the east are PD-F-M-217-Zoned properties in the Sierra Glen area, consisting of the Sierra Glen School, a mobilehome park, a gas station, a grocery store, a restaurant, post office, scattered residences and vacant land. Hartland Christian Camp is also located to the northeast. To the south are properties in the PD-F-M-217 Zone that contain residences, a motel/restaurant, convenience store and a gas station. To the west, across State Route 245, are properties zoned PD-F-M-217 that include the California Department of Forestry Badger Fire Station.

4. Existing on the subject site are thirteen recreational vehicle spaces, four (4) vacation rental units, an office manager building, private roads, parking areas, five domestic wells, five septic tank/ leach line systems, seven fire hydrants, a 50,000 gallon water storage tank for fire suppression, and three propane tanks. Trenched utilities (water, sewer and power lines), paved roads and graded building sites are in place. The four existing vacation rental units are in the eastern portion of the site, next to the water tank.
5. The applicants propose constructing 63 new 1,200 square foot (s.f.) vacation rental units; a new 2,700 s.f. office; a 3,000 s.f. community building; a new outdoor swimming pool; a new 2,000 s.f. swim house building with showers and changing facilities; a second 50,000 gallon water storage tank for fire suppression; one new septic tank/leach line system; 16 new propane tanks; and a modified driveway. The existing office will remain after the proposed new office is constructed. The new vacation rentals will be constructed on building pads that are already graded and established. Development will be in phases, with up to 21 new units to be constructed as soon as permitting is complete and 42 additional units built as demand dictates.
6. In the interim, the applicant will prepare 20 additional RV spaces where vacation rental units will later be installed, in order to generate income. Thirteen RV spaces were approved by Special Use Permit No. PSP 18-025 and will remain until vacation homes are constructed on those lots. A condition of approval required that RVs be limited to six months on the site and leave for at least 45 days before being allowed to return. The California Department of Housing and Community Development (HCD), Division of Codes and Standards, reviews and issues permits for RV parks under the Special Occupancy Parks Act (SOPA). HCD oversees all aspects of RV park operations, including swimming pools, building permits, layout, and design. The HCD permit requires an annual Emergency Preparedness Plan for guests.
7. The total square footage of structures at full buildout will be 89,911 s.f. on a 71± acre parcel to be created by Tentative Parcel Map No. PPM 20-019/PSR as Parcel 1. PPM 20-019/PSR revises Tentative Subdivision Map No. TSM 793 and is being processed concurrently. The Planning Commission approved Tentative Parcel Map No. PPM 20-019/PSR via Resolution No. 9757.
8. A full-time caretaker resides on the site. Office operating hours are 8:00AM-7:00PM, with 24 hour onsite management. The number of employees will increase from 3 to 6 full-time and 20-25 part-time over the next 4-5 years. The applicant anticipates daily trips to increase from 35 to 184 ($2.7/\text{unit} \times 68 = 183.6$ trips).
9. No active code violations exist on the property.
10. The Foothill Growth Management Plan (FGMP) is the applicable Land Use & Circulation Element for the project, which is in the Badger/Elderwood Development Corridor. The Land Use Designation is "Mixed Use." The existing land use would not change with this division of land. The project is consistent with relevant goals of the FGMP, including FGMP-1.2 Grading, FGMP-1.5 Preserving Visual Resources, FGMP-1.7 Commercial Recreation, FGMP-1.13 Land Use and Zoning, FGMP-2.3 Badger Density, FGMP-3.3 Development Compliance, FGMP-4.2 Private Recreational Uses, FGMP-6.3 Development Along Scenic Highways, FGMP-6.5 Cluster Development, FGMP-8.1 Riparian Area Development, FGMP-8.4 Development of

Wastewater Systems, FGMP-8.9 Removal of Natural Vegetation, FGMP-8.11 Development on Slopes, FGMP-8.16 Proximity to Transportation, FGMP-8.18 Maintenance of Scenic Vistas, FGMP-9.1 Infrastructure Capacity; FGMP-9.2 Provision of Adequate Infrastructure, and FGMP-10.2 Provision of Safety Services.

11. The project is consistent with relevant elements of the General Plan, as follows: Planning Framework Element Policies PF-1.2 Location of Urban Development and PF-6.2 Intergovernmental Coordination; Land Use Element Policies LU-1.10 Roadway Access, LU-2.3 Open Space Character, and LU-4.4 Travel Oriented Tourist Commercial Uses; Economic Development Element Policies - ED-2.5 Small Business, ED-5.1 Recreational Accommodations, ED-5.4 Recreational Accommodations and ED-5.7 Foothills; Scenic Landscapes Element Policies SL-1.1 Natural Landscapes and SL-2.1 Designated Scenic Routes and Highways; Environmental Resources Management Element (ERME) Policies ERM-1.1 Protection of Rare and Endangered Species, ERM-1.4 Protect Riparian Areas, ERM-1.8 Open Space Buffers, ERM-1.15 Minimize Lighting Impacts, ERM-5.9 Encourage Development of Private Recreation Facilities and ERM-6.1 Evaluation of Cultural and Archaeological Resources; Air Quality Element Policies AQ-1.5 California Environmental Quality Act (CEQA) Compliance and AQ-4.2 Dust Suppression Measures; Health and Safety Element Policies HS-1.9 Emergency Access, HS-4.4 Contamination Prevention, HS-6.1 New Building Fire Hazards, HS-6.2 Development in Fire Hazard Zones, HS-6.5 Fire Risk Recommendations, HS-6.7 Water Supply System, HS-6.10 Fuel Breaks, HS-6.8 Private Water Supply, HS-8.6 Noise Level Criteria, and HS-8.18 Construction Noise; Water Resources Element Policy WR-2.9 Private Wells; Transportation and Circulation Element Policy TC-1.15 Traffic Impact Study; Public Facilities & Services Element Policies PFS-2.3 Well Testing, PFS-3.1 Private Sewage Disposal Standards, PFS-3.3 New Development Requirements, PFS-4.2 Site Improvements (stormwater drainage), PFS-5.3 Solid Waste Reduction, and PFS-7.2 Fire Protection Standards.
12. As noted earlier, the subject site is located in the PD-F-M-217 (Planned Development-Foothill Combining-Special Mobilehome-217,500 Square Foot Minimum) Zone. The "F" Zone requires a Planning Commission-approved Special Use Permit for Private or commercial recreation uses, businesses and associated facilities ..., including but not limited to resorts, overnight lodging facilities, tourist-related eating and drinking establishments, entertainment establishments and various types of outdoor recreation activities. The "PD" Zone requires an approved Final Site Plan for any Special Use Permit. The project is defined as a "Final Site Plan/Special Use Permit."
13. Unless otherwise specified in a zone combined with the PD Zone, no building or relocation permit shall be issued or tentative subdivision map, tentative parcel map or special use permit approved, nor shall any final surveys of streets and lots or any grading or construction work be allowed until a final site plan has been reviewed and approved or recommended for approval by the Site Plan Review Committee [now the Planning Commission] in accordance with the procedures set forth in Section 16.2 of this ordinance. Per Section 16.2, regarding the Site Plan Review process, before any site plan may be approved or recommended for approval, the Site Plan Review Committee [now the Planning Commission] shall find that the proposal is consistent with the following mandatory findings:

- a. **"That all the provisions and requirements of the Zoning Ordinance are complied with."** The F Combining Zone requires an approved Special Use Permit for a commercial recreation facility. PSR 20-002/PSP is defined as a "Final Site Plan/Special Use Permit." As stated earlier, the land division is defined as a "Tentative Parcel Map/Final Site Plan." The proposed development adheres to all other provisions of the PD, F Combining Zone and M Combining Zone, such as structure height, yards, lot areas, parking, signs, fences and landscaping.
- b. **"That all applicable provisions and requirements of the General Plan are complied with."** The proposal complies with the policies set forth in applicable elements of the Foothill Growth Management Plan and the General Plan.
- c. **"That the following are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and surrounding property is not adversely affected:**
 - i. **Buildings, structures and improvements.** The proposed buildings do not impair traffic, pedestrian or vehicular safety. Surrounding property is not adversely affected.
 - ii. **Vehicular ingress and egress and internal circulation.** Vehicles enter and exit the site from State Route 245. The remainder parcel also has access to Hogback Drive (D254).
 - iii. **Setbacks.** The building line setbacks along State Route 245 and D254 are the standard 50 feet from the centerline of the right of way. Existing structures comply with the setbacks. The proposed project is located approximately 180 feet from the centerline of SR 245.
 - iv. **Height of buildings and other structures such as signs, towers, and airwave receiving antennae.** The applicant's structures comply with F Zone Development Standards that allow building heights 35 feet to the uppermost part of the roof.
 - v. **Location of service.** Electrical service is provided by PG&E, which must abide by local and state regulations. The three propane tanks existing on the site and the one more proposed are also subject to safety regulations.
 - vi. **Walls and fences.** No walls are required for a commercial use unless it abuts property zoned for residential uses. Fences are not required between the parcels resulting from associated Tentative Parcel Map No. PPM 20-019. Condition of approval #45, carried forward from TSM 793/PSR, states that new fencing shall be constructed in such a way as to allow the passage of deer.
 - vii. **Landscaping.** Screening for a vacation rental use is not typically required in the foothill area.
- d. **"That any proposed outdoor lighting is arranged so as to reflect the light away from adjoining properties and roadways."** A standard condition of approval has been included to ensure compliance with this requirement.
- e. **"That proposed signs for outdoor advertising structures will not, by reason of size, location, color or lighting, interfere with safe traffic movement, limit visibility, or depreciate the value of adjoining property or the neighborhood."** No billboards are proposed by the applicant. Any signage at the site shall be limited in number, size and design by condition of approval.

14. The Commission shall not approve or conditionally approve a use permit for a planned development unless on the basis of the evidence submitted, the Commission makes the following findings:
 - a. The planned development, together with the provisions for its design and improvement, is consistent with the general plan and the objectives of this ordinance.
 - b. The planned development would not be detrimental to the public health, safety or welfare, or materially injurious to property or improvements in the vicinity.
 - c. The planned development will not result in any significant environmental effects or any significant environmental effects thereof have been reduced to an acceptable level.
15. Section F of the PD Zone Development Standards states that, if the PD Zone is combined in the Zoning Map with the "F" Foothill Combining Zone, the development standards in that Zone shall be applicable to development projects within the PD Zone. Development standards for the F Zone include a front yard of not less than 25% of the depth of the lot, but no more than 25 feet; a side yard of not less than 10% of the width of the lot, not less than three feet and no more than 5 feet; and a rear yard of not less than five feet. No building improvements whatsoever, including but not limited to residences, accessory buildings, or any other activity associated with construction shall be permitted within fifty (50) feet of a bank of an intermittent water course and one-hundred (100) feet of a bank of a perennial water course. For purposes of applying this paragraph, the Health Department shall be responsible for determining the location of the banks of said watercourses. A condition of approval requires a 100 foot development setback along Badger Creek and around Badger Lake.
16. Mobilehomes are allowed by right in the "M" Special Mobilehome Combining Zone, where a mixture of conventional housing and individual mobilehomes for residential use is desirable. As noted earlier, an approved Special Use Permit is required for a mobilehome park.
17. In addition to the findings required in Section 16.2 of this ordinance, the Site Plan Review Committee [now the Planning Commission] shall also make the following findings with regard to any site plan approved or recommended for approval for any project in the F Zone:
 - a. That the proposed use of land is consistent with the land use and circulation plan as set forth in the Foothill Growth Management Plan.
 - b. That the density of uses delineated on the site plan do not exceed the holding capacity of the site as determined by the physical limitations described in the final geological-hydrological report.
 - c. That the proposed site plan conforms to all policies and development standards set forth in this Section and the Foothill Growth Management Plan.
18. Tulare County Development Standards have been adopted by the Planning Commission and utilized by the Board of Supervisors as policy to guide the development of property in Tulare County to provide safeguards for health, safety and general welfare. The development standards which most closely apply to this type of use are for a hotel/motel use. Standards require one parking space for each sleeping room. For mobile home parks, 1-1/2 spaces per dwelling unit are recommended. There appears to be ample space on the site to accommodate employees and guests. No walls are required for a commercial use unless it abuts property zoned for residential uses. Landscape screening for a vacation rental use is not typically required in the foothill area.

Signage for residential uses such as motels or RV parks is limited to one sign not exceeding 32 square feet in area, containing only the name and address of the residential development. The sign may be freestanding.

19. Section 16 of Ordinance No. 352, as amended, the Zoning Ordinance, states the following: "A Special Use Permit shall be granted only if it is found that the establishment, maintenance, and operation of the use of the building or land applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County. Special Use Permits may be granted subject to such conditions as will insure compliance with the aforementioned standards."
20. The proposal complies with Zoning, as it meets the Site Plan Review Committee [now the Planning Commission] Mandatory Findings and policies and regulations of the Zoning Ordinance, with a Final Site Plan and a Special Use Permit approved by the Planning Commission.
21. The subject property lies between State Route (SR) 245 and Hogback Drive (D-254). Access is direct to SR 245 for the Short-Term Vacation Rental Facility. SR 245 is the major arterial for the Badger/Elderwood Development Corridor. The California Department of Transportation (Caltrans) responded to a consultation request on March 20, 2020 and on July 28, 2020. They noted that SR 245 is ultimately planned as a 2-lane conventional highway. Caltrans requires the applicant to schedule a "Pre-Submittal" meeting with the District 6 Encroachment Permit Office to discuss a proposed driveway. They commented that, during the encroachment permit review process to update the Project driveway accessing State Route 245, Caltrans determined that the culvert running under SR 245 needs to be extended beyond the edge of the pavement. The culvert extension is due to the necessary additional pavement for the driveway shoulder area. The extension of the culvert requires dedication from the property owner for Caltrans construction and maintenance of the culvert. The exact area for the dedication will be verified by Caltrans permit and design engineers. The applicant was advised to call the Caltrans Encroachment Permit Office District 6 to locate the existing encroachment permit or file a new encroachment permit authorizing access for the new and existing parcels to the State Highway System. The proposed driveway and sight distance for the driveway shall meet the current Caltrans standards. As a point of information, Caltrans commented that, if a driveway is to be shared by two or more property owners, an access easement (or an agreement acceptable to the State) needs to be executed between the parties and submitted to the Encroachment Permit office before a permit is issued for any work in the State right of way.
22. Caltrans stated that dust control measures shall be implemented on the site in a manner to prevent dust from entering the State right-of-way. No water from the proposed project shall flow into the State right-of-way without approval from the District Hydraulic Engineer.
23. A condition of approval is included for the applicant to comply with Caltrans requirements for the property owner's dedication of ground needed to extend the culvert running under SR 245, proposed driveway and sight distance for the driveway, an access easement (or an agreement acceptable to the State) needs to be executed between the parties for any shared driveway, and measures to prevent dust or water from entering the State right-of-way.

24. The applicant estimates that current traffic for the existing four vacation rental units and 13 RV spaces totals 35 daily trips. The applicant-estimated 184 daily trips for vacation rentals will be less than the estimated 650 total daily vehicle trips estimated for the Tentative Subdivision Map/Final Site Plan TSM 793/PSR, which proposed 68 single family dwellings. Vehicle Miles Traveled (VMT) will be less for the vacation rentals facility than for the proposed residential subdivision. As vacation rentals, peak hour trips would be fewer than the 100 trips that would require a detailed traffic analysis as specified by County General Plan 2030 Update, Transportation and Circulation Element Policy TC-1.15. The County General Plan Environmental Impact Report classifies the subject segment of State Route 245 between the Fresno County Line and State Route 201 is a two-lane Arterial with a "B" Level of Service and 670 average annual daily trips (AADT.)
25. The local segment of State Route 245 is a designated noise corridor with a 60 Ldn distance of 40 feet to the centerline of the road. The existing facilities and proposed vacation rentals are set back more than 100 feet from State Route 245, outside the noise corridor. The project is not noise sensitive, but generates noise similar to residences. Normally acceptable noise levels for transient lodging is between 50 Ldn and 65 Ldn, per the State of California OPR, Table 2, page 250 (2003). As the TSM 793/PSR Initial Study noted, nuisance noise levels which may be generated by the project cannot be predicted, but if they occur, are subject to enforcement by the County through all reasonable means, including but not limited to the County Nuisance Ordinance and a Noise Ordinance proposed in 2020. The applicant does not propose any assemblages of people or special events.
26. The site is in the State Responsibility Area (SRA), where wildland fire risks and hazards are substantial. The County Fire Department requires compliance with the SRA Site Plan requirements. The SRA handout is included in the agenda packet. Seven fire hydrant locations have been identified on the site plan. The applicant installed a 50,000 gallon water storage tank for fire suppression in 2018, per building permit records. They plan to install a second 50,000 gallon water tank. The Fire Department requires that the site and structures meet 2019 California Fire and Building Codes, meet Appendix B of the 2019 California Fire Code (CFC) for fire flow, and 2019 Chapter 7A of the current California Building Code (CBC) in the SRA lands. Vegetation shall be cleared at least 100 feet around all structures and 10 feet on each side of the access driveway. The applicant shall submit a set of fire suppression plans prepared by a California Licensed Professional, including, but not limited to the water tanks, fire pump, fire sprinklers and fire hydrants meeting current CFC, CBC, NFPA 13D. Blue reflective markers shall be installed adjacent to fire hydrants or Fire Department connections, per NFPA 1142, Section 8.4.7. The subject site shall have an on-site manager or caretaker. The applicant shall provide Fire Department access and fire lanes. A secondary access is required. The address shall be posted in a location visible from the road with 4" x 3" x 1/2" thick numbers. Each unit shall be numbered separately. Each unit shall have a fire extinguisher. The applicant shall install a Knox Box with keys to gates and structures. A final fire inspection will be required. Fire flow information will be needed at the building permit stage. Existing buildings must have a recent Fire-Life Safety Inspection to ensure that they meet code requirements, including fire flow, smoke and carbon monoxide alarms, sprinklers, lighting, egress, building materials, etc. Conditions of approval are included.

27. As noted earlier, the subject site contains five domestic wells. The Tulare County Environmental Health Services Division (TCEHSD) staff was informed that the applicant or agent had contacted the Central Valley Regional Water Quality Control Board (Water Board) about the new/expanded usage of the on-site wells. A condition of approval is included for the applicant to comply with Water Board regulations.
28. As noted earlier, the subject site contains five septic tank/leach line systems and plans to install a sixth septic system. Existing and future 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 7-01-1740. Each of the systems have less than the threshold wasteflow amount (3500 GPD) for coverage under Tulare County's Local Agency Management Plan (LAMP) policy. Additionally each of the systems are standard/conventional ones, with no pre-treatment options specified by the designer. Tulare County EH and RMA are able to permit the proposed systems and system expansions under the Tulare County LAMP policy. The Water Board e-mailed a response to a consultation request on June 24, 2020 and agreed with TCEHSD that the owner need not apply for coverage under the Water Board's Small Domestic General Order (Order 2014-0153-DWC).
29. The TCEHSD approved the septic design for the proposed vacation rental units in June 2019, before the application for Tentative Parcel Map No. PPM 20-019 was submitted. The EHSD noted that the new septic system for proposed development on Parcel No. 1 will be located on a different parcel (Parcel No. 4) than the structures that it will serve. If an off-site septic system is intended, then the EHSD recommends a maintenance easement and agreement for the off-site system. A condition of approval is included in PPM 20-019 for the applicant to note on the final map a maintenance easement for the septic system located on Parcel No. 4 and the existing and proposed structures on Parcel No. 1. The applicant shall also ensure that an agreement allowing owners of Parcel No. 1 to utilize the off-site septic system on Parcel No. 4. The existing and any future septic systems 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 7-01-1470. A condition of approval is included.
30. A note on the applicant's site plan for the project states that all existing storm drain pipes and conduits have been observed and deemed adequately sized for expected runoff flows. An increase in stormwater runoff flow due to the proposed development is not anticipated.
31. Regarding cultural resources, the site is not on a bluff or hillside with rocky outcroppings; however, Badger Creek runs through the property, which might have made it attractive to indigenous peoples. The District Archaeologist was consulted, but did not respond. The subject site has been developed with various types of uses since prior to 1976. There is no evidence of buildings or landmarks of historical importance on the property. The site is the location of the previous Synanon development. The majority of the previous structures have been removed from the site, with a few remaining. The land division and subsequent development of the vacation rentals and accessory structures will take place in an area where previous development has occurred. The pads for the majority of the residences are in place. Construction-related earthmoving activities shall cease within 50'-100' of the discovery area. Grading for development will be minimal and located on ground that is already highly disturbed and

relatively level. Standard conditions of approval require construction to cease if artifacts or human remains are found.

32. The County Building Department requires that, for all new construction to be done in the future, building permit applications are submitted with three sets of engineered plans and two sets of calculations. Permits shall be obtained prior to construction. The applicant shall comply with state requirements for accessibility for persons with disability, including parking spaces, a path of travel, and common area.
33. The County of Fresno responded to a consultation request via e-mail on July 13, 2020. They noted that construction permits should be subject to assurance that the community water system has the capacity and quality to serve this project and that septic disposal systems have capacity. They advised that concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). As a measure to protect groundwater, all water wells (not intended for use) and septic systems within the project area shall be properly destroyed by an appropriately licensed contractor. *Staff note: The applicant noted the subject site has five domestic water wells and plans to drill a sixth well. The TCEHSD had no comments requiring the water supply to be regulated by the RWQCB. The RWQCB responded to a consultation request and agreed that TCEHSD approval of the septic system design for the short-term vacation rental facility was appropriate.* The County of Fresno also commented that, if any underground petroleum storage tank(s) are discovered during construction/grading activities, the property owner should apply for and secure an Underground Storage Tank Removal Permit from the Tulare County Environmental Office. The applicant stated that there are no underground fuel tanks on the site.
34. 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.
35. This Planning Commission, after considering all of the evidence presented, found that the establishment, maintenance, and operation of the use of building or land applied for PSR 20-002/PSP would not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

AND, BE IT FURTHER RESOLVED as follows:

C. This Planning Commission hereby finds that said project qualifies for an Addendum to Negative Declaration Previously Prepared for Tentative Subdivision Map/Final Site Plan No. TSM 793/PSR. It does not qualify for a categorical exemption, as the project will result in an increase of more than 2,500 square feet of structures and may have effects on the environment. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary, or significant effects not discussed in the original document call for the preparation of a subsequent negative declaration. The 63 new vacation rentals and other structures will be constructed on ground previously disturbed since the early 1970s with a private mixed use development. Conditions of approval are included.

D. This Planning Commission hereby approves Final Site Plan/Special Use Permit No. PSR 20-002/PSP, subject to the following conditions, which apply to the applicant, his successors and assigns:

GENERAL CONDITIONS

1. Development shall be in accordance with the plan as submitted by the applicant and/or as modified by the Planning Commission (Exhibit "A") and in accordance with County-adopted Development Standards.
2. Regardless of Condition No. 1 above, the Planning Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his successors, as long as said modifications do not materially affect the determination of the Planning Commission. Such modifications shall be noted on the approved plans and shall be initialed by the Planning Director.
3. A Compliance Reporting and Monitoring Schedule (Exhibit "B") has been established for this project pursuant to Section 22 of the Tulare County Zoning Ordinance.
4. All exterior lighting shall be so adjusted as to deflect direct rays away from public roadways and adjacent properties.
5. Any structures built shall conform to the building regulations and the building line setbacks of the Ordinance Code of Tulare County insofar as said regulations and setbacks are applicable to such structures.
6. If there are conditions set down herein which require construction of improvements, they shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning Commission may grant exceptions to this condition upon request by the applicant.
7. This Final Site Plan/Special Use Permit may not become effective until after the appeal period, which is ten (10) days after the action taken by the Planning Commission. During the ten day appeal period, County staff will mail, to the applicant's most recent known address, the following forms to sign - an "Acceptance" of conditions of approval and, if applicable, a Right to Farm Notice. Within ten (10) days of the action taken by the Planning Commission, the applicant shall be required to sign and return all documents related to the Final Site Plan. Upon receipt, Staff shall file all appropriate documents with the County Recorder. Failure to sign all required documents may cause the application to be considered null and void.
8. This Final Site Plan/Special Use Permit shall automatically become null and void two (2) years after the date upon which it is granted by the Planning Commission, unless the applicant, or his/her successor, has actually commenced the use authorized by the permit within said two year period. The Planning Commission may grant one or more extensions of said two year time, upon request by the applicant.

9. All standard conditions and all special conditions of approval of this Final Site Plan must be complied with at all times in order to continue the use allowed. Compliance with such conditions is subject to review at any time. Normally, an initial review of compliance shall be conducted by the Tulare County Planning Commission twelve months after the granting of said permit; however, the Planning Commission may schedule the review sooner under certain circumstances. Additional reviews may be undertaken at the discretion of the Planning Commission. Fees as established by the County shall be paid in advance to offset the costs for the required reporting.
10. This Final Site Plan/Special Use Permit shall automatically expire and become null and void two years after the use for which it was granted is discontinued or abandoned. However, upon application by the applicant, or his/her successor, the Planning Commission may extend the expiration date in accordance with the procedures set forth in the Zoning Ordinance.
11. 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 Final Site Plan/Special Use Permit No. PSR 20-002/PSP; 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.

FIRE DEPARTMENT CONDITIONS

12. The applicant shall comply with the State Responsibility Area (SRA) Site Plan requirements.
13. The applicant shall provide fire flow information at the building permit stage.
14. The applicant shall ensure that a Fire-Life Safety Inspection is arranged for existing buildings, to ensure that they meet code requirements, including fire flow, smoke and carbon monoxide alarms, sprinklers, lighting, egress, building materials, etc.
15. The applicant shall ensure that the site and structures meet 2019 California Fire and Building Codes.
16. The applicant shall meet ensure that the requirements are met for fire flow, per Appendix B of the 2019 California Fire Code (CFC).

17. The applicant shall ensure that the site and structures comply with 2019 Chapter 7A of the current California Building Code (CBC) in the SRA lands.
18. The applicant shall ensure that vegetation is cleared at least 100 feet around all structures and 10 feet on each side of the access driveway.
19. The applicant shall ensure that fire suppression plans are prepared by a California Licensed Professional, including, but not limited to the water tanks, fire pump, fire sprinklers and fire hydrants meeting current CFC, CBC, NFPA 13D.
20. The applicant shall ensure that blue reflective markers are installed adjacent to fire hydrants or Fire Department connections, per NFPA 1142, Section 8.4.7.
21. The applicant shall ensure that the subject site has an on-site manager or caretaker.
22. The applicant shall ensure that Fire Department access and fire lanes are provided.
23. The applicant shall ensure that secondary access is provided.
24. The applicant shall ensure that the address is posted in a location visible from the road with 4" x 3" x 1/2" thick numbers.
25. The applicant shall ensure that each vacation rental unit is numbered separately.
26. The applicant shall ensure that each structure has a fire extinguisher installed.
27. The applicant shall ensure that a Knox Box with keys to gates and structures is installed.

BUILDING DEPARTMENT CONDITIONS

28. If new construction is to be done in the future, the applicant shall ensure that building permit applications are submitted with three sets of engineered plans and two sets of calculations.
29. The applicant shall comply with state requirements for accessibility for persons with disability, including parking spaces, a path of travel, and common area.

ENVIRONMENTAL HEALTH CONDITIONS

30. The applicant shall ensure that new sewage disposal systems are designed by a qualified individual (Registered Civil Engineer, Registered Environmental Health Specialist, or Registered Engineering Geologist) and comply with the requirements of 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 7-01-1740.

31. The applicant shall contact the Central Valley Regional Water Quality Control Board (Water Board) about new/expanded usage of the on-site wells and comply with Water Board regulations.

PLANNING DEPARTMENT CONDITIONS

32. The applicant shall ensure that the intensity and nature of the use as a Short Term Vacation Rental Facility shall not be expanded or modified beyond the 89,811 square foot of 71-acre Parcel 1 of PPM 20-019 approved herein, unless the applicant applies for and receives approval of a minor modification or amendment to this Final Site Plan/Special Use Permit.
33. The applicant shall comply with Caltrans requirements for the property owner's dedication of ground needed to extend the culvert running under SR 245. Plans for the proposed driveway shall be depicted on a site plan and submitted to Caltrans for review. An encroachment permit must be obtained for all proposed activities in the State highway right of way. The applicant shall schedule a "Pre-Submittal" meeting with Caltrans. An access easement (or an agreement acceptable to the State) needs to be executed between the parties for any shared driveway, and measures to prevent dust or water from entering the State right-of-way.
34. The applicant shall ensure that no building improvements, residences, accessory buildings, or any other activity associated with construction is permitted within one-hundred (100) feet of a bank of perennial water course, Badger Creek, and around Badger Lake.
35. While recreational vehicle spaces remain on the subject site, the applicant shall comply with requirements of the State Department of Housing and Community Development (HCD), including but not limited to an annual Emergency Preparedness Plan for guests.
36. The applicant shall ensure that, if any underground petroleum storage tank(s) are discovered during construction/grading activities, the property owner shall apply for and secure an Underground Storage Tank Removal Permit from the Tulare County Environmental Office.
37. The applicant shall provide and maintain a minimum of one on-site parking space for each sleeping room, or 1.5 spaces per rental unit.
38. The applicant shall ensure that signage is limited to one sign not exceeding 32 square feet in area, identifying the name and address of the on-site use.
39. The applicant shall comply with the San Joaquin Valley Air Pollution Control District's Regulation VIII - Fugitive Dust Rule and Rule 4102 - Nuisance.
40. The applicant shall ensure that all waste products are removed from the site on a regular basis and disposed of at an approved solid waste disposal facility.

41. The applicant shall ensure that, should any resources of an historic or prehistoric nature are discovered during construction or grading activities on the site, all construction or grading shall immediately cease and the Tulare County Resource Management Agency Director shall immediately be 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.
42. The applicant shall ensure that, should human remains be encountered within the project area, the County Coroner must be contacted immediately, per Section 7050.5 of the California Health and Safety Code. Construction or excavation in the vicinity of discovered human remains shall be stopped until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the Coroner must, as required by law (Public Resources Code Section 5097), contact the California Native American Heritage Commission (NAHC), which shall specify the procedures to be followed.
43. The applicant shall avoid and minimize impacts to known paleontological and tribal cultural resources. The owner shall include a standard "inadvertent discovery" clause in every construction contract to inform contractors of the above two conditions of approval (#41 and #42). If a qualified professional determines that the find is significant, the qualified professional shall design and implement a data recovery plan consistent with applicable standards. The plan shall be submitted to the Tulare County Resource Management Agency for review and approval.

FOOTHILL COMBINING ZONE LAND ALTERATION CONDITIONS

44. The applicant shall ensure that, where any portion of a development site is proposed to be graded, improved or otherwise disturbed by reason of construction activity, the following Foothill Combining Zone Grading Standards are complied with:
 - a. All disturbed slopes shall be graded so that they are contoured to harmonize and blend with the natural slopes remaining on the site and surrounding the development site.
 - b. The slope of exposed cuts and fills shall meet the standards established in the Improvement Standards of Tulare County as adopted pursuant to Section 7-01-2025 of the Ordinance Code of Tulare County and as said improvement standards are amended from time to time.
 - c. Where soil materials are remaining on any graded slope and stabilization is required on the slope stabilization plan, such soil areas shall be planted with vegetation types sufficient to stabilize slopes and prevent erosion. Plant materials natural to the site and surrounding areas shall be used wherever possible.
 - d. All slopes stabilization and erosion protection activities associated with the development project shall be completed immediately after grading has been concluded and before the first day of December of any calendar year. No grading activities associated with a development project shall be undertaken between December 1 and March 1 unless the applicant can demonstrate that the slope

- stabilization and erosion prevention methods to be utilized will be effective in eliminating any slope and erosion problems.
- e. All lots and parcels shall be designed in a manner that minimizes future grading or land disturbance.
 - f. Where two or more cut or fill slopes intersect, the area of intersection shall be graded and shaped to closely resemble natural topography. This requirement is not applicable to cut or fill slopes composed entirely of rock material.
 - g. Where any cut or fill slope intersects with the natural grade of the land, the area of intersection shall be graded and shaped to closely resemble natural topography. This standard is not applicable to cut or fill slopes composed entirely of rock material.
 - h. Fill slopes shall not extend into natural watercourses or constructed channels. Excavated materials shall not be stored in watercourses.
45. The applicant shall ensure that the following Foothill Combining Zone Erosion Control Requirements are complied with:
- a. Water borne sediment shall be retained on the site by means of facilities such as sediment basins and sediment traps. The drainage plan required under paragraph 2 of subsection D of this section shall set forth the proposed facilities for retaining water borne sediment on the subject site.
 - b. Immediately following completion of grading or excavation activities, temporary mulching, seeding or other suitable stabilization methods shall be undertaken to protect exposed critical areas.
 - c. Any denuded or exposed slopes caused by construction activities shall be planted with native plant material or similar climatically adapted vegetation which are determined suitable for protecting exposed slopes from erosion.
46. The applicant shall ensure that the following Foothill Combining Zone Drainage Requirement is complied with:
- a. For projects located on sites containing steep slopes or tight soils, drainage shall be designed to detain as much storm water run-off as possible on the site in order to prevent potential sedimentation and flooding off the site.
47. The applicant shall ensure that the following Foothill Combining Zone Vegetation Removal Requirements are complied with:
- a. Removal or grading around native trees with a trunk of six (6) inches or more in diameter measured at three (3) feet above ground surface shall not be permitted during construction unless the agency which is making the final decision on the development project finds that such tree removal or grading is necessary due to desirable circulation alignments or infrastructure requirements.
 - b. Removal of any native tree as defined in this paragraph which is located within areas restricted to open space under paragraph 2 of this subsection shall not be permitted unless the retention of such native trees would endanger the safety of residents within the development site.
 - c. Any native tree as defined in this paragraph which is proposed for removal must be indicated on or with the Site Plan and a statement shall accompany such site plan explaining why said tree or trees must be removed.

CONDITIONS OF APPROVAL FROM TSM 793/PSR

48. The proposed structures and any future development shall conform to the regulations of the PD-F-M Zone. The proposed structures shall also conform to the Building Line Setbacks of the Ordinance Code of Tulare County, insofar as said regulations and setbacks are applicable to said structures.
49. Any new roads, water system, fire hydrants, and other improvements serving this [site] shall be constructed in accordance with the Tulare County Improvement Standards.
50. All runoff generated from this subdivision shall be directed to natural drainage areas without adversely impacting adjacent property.
51. The applicant shall ensure that all on-site parking areas and driveways are surfaced for all-weather conditions and are continually maintained so that dust and mud do not create conditions detrimental to the surrounding roadways.
52. If hazardous materials are stored on site, the facilities may be subject to the California State Hazardous Material Laws. [If the quantities of hazardous materials or hazardous waste exceed thresholds,] a completed Hazardous Materials Business Plan shall be submitted to the TCEHSD.
53. All new construction, roadways and/or driveways shall comply with the Tulare County Fire Safe Regulations pertaining to driveways, gate entrances, defensible space, addresses identifying buildings, and fire safe standards. All building permit applications shall be reviewed and approved by the Tulare County Fire Department prior to their issuance of occupancy permits.
54. The applicant/property owner shall post the site identification along State Highway 245. The appropriate identification shall be designated and approved by the Tulare County Fire Department.
55. The applicant shall provide a surfaced year-round access for emergency Fire Department response.
56. The applicant/property owner shall provide unrestricted Fire Department access for emergency response.
57. The applicant/property owner shall provide a fire protection system in compliance with the Improvement Standards of Tulare County and as approved by the Fire Warden.
58. Provisions for Fire and Life Safety are to be completed by the applicant at the time of building permit issuance and inspected by the Fire Warden prior to Final Fire Clearance.
59. The applicant/property owner shall submit an Indirect Source Review (ISR) Rule 9510 application to the San Joaquin Valley Air Pollution Control District prior to recordation of [the resolution].

60. New fencing shall be constructed in such a way as to allow passage of deer as follows: Fences shall have a high ground wire distance, 18 inches to 24 inches off the ground or low top wire distance, 36 inches to 42 inches, utilizing barbless wire on top or bottom wires.
61. All landscaped area shall contain fertile, friable soils with adequate subsurface drainage, contain provisions for convenient irrigation in the form of hose bibs and/or sprinkler systems, and be permanently maintained in a neat and viable condition.
62. No landscape materials shall be used that constitute a threat to human safety, nor shall any landscape material be located in such a manner as to impair the vision of motorists or endanger the lives and safety of pedestrians.
63. A 10-foot riparian area shall be maintained along the banks of Badger Creek and Badger Lake and no development shall be allowed within the designated 10-foot riparian area, with the exception of the previously developed recreation areas adjacent to Badger Lake.
64. Residential-type fire sprinkler systems shall be installed in a new residential units. This condition applies to new, as well as, remodeled dwelling units.
65. No attic space shall be allowed in new residential units.
66. The applicant shall install enclosed hose boxes with 1 ½ inch hoses at strategic locations and close to existing hydrants to augment fire protection at the site. The locations shall be determined by the County Fire Department.

The foregoing resolution was adopted upon motion of Commissioner Elliott, seconded by Commissioner Pearson, at a regular meeting of the Planning Commission on August 12, 2020, by the following roll call vote:

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

TULARE COUNTY PLANNING COMMISSION



Michael Washam, Secretary

Exhibit "A" – Site Plan (two pages)

Exhibit "B" – Compliance Reporting and Monitoring Schedule