



# RESOURCE MANAGEMENT AGENCY COUNTY OF TULARE PLANNING COMMISSION SUMMARY

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## PLANNING COMMISSION

CHAIRMAN: Gil Aguilar

VICE-CHAIR: Ed Dias

COMMISSIONERS:

Ed Dias

Gil Aguilar

Maria McElroy

Wayne Millies

Bill Whitlatch

Terren Brown

Dennis Lehman Alternate

Carlos Aleman

AIRPORT LAND USE

COMMISSIONERS (ALUC)

Bill Whitlatch

vacant

<b>PROJECT NO:</b> PPM 22-008	<b>AGENDA DATE:</b>	09/28/22
<b>APPLICANT:</b> Brian Nix	<b>AGENDA ITEM NO.:</b>	5A
<b>AGENT(S):</b> QK-Barry Lindner / Briana Groves		
<b>SUBJECT:</b> Divide a 9.66 +/- acre parcel (APN 320-340-014) into two parcels (7.66-acres Parcel No.1 and 2-acres Parcel No.2), with a final parcel map required, in the AE-10 Zone (Exclusive Agricultural-10 Acre Minimum), on a property located on the south side of Avenue 74 and the west side of Road 228, at 22696 Avenue 72, Terra Bella, CA 93270.  <b>Exception:</b> Not applicable.  <b>Waiver:</b> Not applicable.  <b>Motions:</b> One (1)  <b>Environmental Review:</b> Categorical Exemption, Section 15301, pertaining to Existing Facilities and Section 15303, pertaining to New Construction or Conversion of Small Structures.  <b>CONTACT PERSON:</b> Tim Chi	<b>AGENDA ITEM TYPE</b>	
	Presentation	
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	X
	Continued Public Hearing	
	Discussion	
	Other:	
	<b>ACTION REQUESTED</b>	
	Resolution-Planning Commission	X

## RECOMMENDATION(S):

That the Planning Commission:

- (1) Hold a public hearing
- (2) Approve Categorical Exemptions, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15301, Class 1, pertaining to Existing Facilities, and Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures, **and** conditionally approve Tentative Parcel Map No. PPM 22-008 with a final parcel map required.

**SUBJECT:** Tentative Parcel Map PPM 22-008 (Brian Nix / QK-Barry Lindner & Briana Groves)

**PLANNING COMMISSION ALTERNATIVES:**

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

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

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

**PROJECT OVERVIEW:**

A Categorical Exemption, Tentative Parcel Map No. PPM 22-008, requested by Brian Nix, P.O. Box 10885, Terra Bella, CA 93270 (QK-Barry Lindner / Briana Groves), to allow the division of a 9.66 +/- acre parcel (APN 320-340-014) into two parcels (7.66-acres Parcel No.1 and 2-acres Parcel No.2), with a final parcel map required, on property located in the AE-10 Zone on the south side of Avenue 74 and the west side of Road 228, at 22696 Avenue 72, Terra Bella, CA 93270.

The Tentative Parcel Map proposes to divide the property into two parcels for existing residence and agriculture.

**ENVIRONMENTAL SUMMARY:**

This project will not have a significant effect on the environment and has been determined to be categorically exempt, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14, Cal. Code Regulations, Section 15301, Class 1, pertaining to Existing Facilities and Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures. No new construction is proposed. The project will not result in significant impacts and will not require additional public services. Conditions of approval are included to reduce impacts.

**ENTITLEMENT(S):**

The project is consistent with applicable elements of the County General Plan and the Zoning Ordinance.

**General Plan** - The subject site is located outside of any urban boundaries and is subject to the Rural Valley Lands Plan, with a land use designation of Valley Agriculture. The existing land use would not change with this division of land. The project, together with the provisions for its design and improvements, is consistent with relevant policies of the Tulare County General Plan, including Planning Framework Goal No. 1, Land Use Goal No. 2, Agriculture Goal No. 1 and Agricultural Policies AG-1.1 (Primary Land Use), AG-1.7 (Preservation of Agricultural Lands), and AG-1.14 (Right-to Farm Noticing).

**Zoning** – The subject site is zoned AE-10 (Exclusive Agricultural-10 Acre Minimum) and is subject to the Rural Valley Lands Plan, with a land use designation of Valley Agriculture.

**PROJECT SUMMARY:**

The site contains a residence, septic system, domestic well, a pool, and agriculture. Surrounding properties are zoned AE-10 and contain vacant lands, agriculture, and scattered rural residences.

The County Public Works/Engineering Branch, Environmental Health Services Division, County Surveyor, County Assessor's Office, and County Fire Department were contacted for consultations.

According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map, the subject site is located within Zone X. Construction within Zone X requires no specific flood mitigation measures.

**SUBJECT:** Tentative Parcel Map PPM 22-008 (Brian Nix / QK-Barry Lindner & Briana Groves)

County Public Works/Engineering Branch recommends obtaining a separate instrument granting the applicant / owners legal access to the proposed homesite parcel (proposed parcel 2) prior to the final parcel map stage (The applicant needs to submit a separate document to legitimize the 25' access easement connecting proposed parcel 2 and going through proposed parcel 1 as shown on the submitted site plan).

County Fire Department requires the following:

1. Address displays with a minimum of 4" in height, 3" in width and a ½" permanent number visible from the street.
2. 20-foot width all-weather access in accordance with 2019 California Fire Code Appendix D and Tulare County regulations.
3. The subject site is located within the Local Responsibilities Area (LRA). Thus, a 30 feet clearance must be provided from all flammable vegetation.
4. Any new residences constructed in the future must meet 2019 or newer California Fire Code Appendix B requirements for fire flow or NFPA 1142 standard for urban water supply.
5. More conditions of approval are included.

**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 project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the County of Tulare at, or prior to, the public hearing."



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Tim Chi, Planner II  
County of Tulare  
Resource Management Agency



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



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Hector Guerra, Chief Planner  
Environmental Planning Division  
Economic Development & Planning Branch



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Michael Washam, Associate Director  
Resource Management Agency

**SUBJECT:** Tentative Parcel Map PPM 22-008 (Brian Nix / QK-Barry Lindner & Briana Groves)

**ATTACHMENTS:**

Attachment No. 1 – Fact sheet

Attachment No. 2 - Draft Resolution - Tentative Parcel Map No. PPM 22-008

Exhibit A – Site Plan

Attachment No. 3 – Consulting Agency List and Correspondence

Attachment No. 4 – Graphics

Attachment No. 5 – Notice of Exemption

Attachment No. 6 – Location and Property Ownership Map for Hearing Notification

Attachment No. 7 – Public Hearing Notice



**TENTATIVE PARCEL MAP FACT SHEET****PPM 22-008 –Brian Nix / OK-Barry Lindner & Briana Groves**

Divides 9.66+/-acre APN 320-340-014 into two parcels (7.66-acres Parcel No.1 and 2-acres Parcel No.2), with a final parcel map required, on a property located on the south side of Avenue 74 and the west side of Road 228, at 22696 Avenue 72, Terra Bella, CA 93270.

**I. General Plan**

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

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

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

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

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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**II. Zoning** (Note: special overlay i.e., PD, SR, Airport Impact, Etc.)

1. Site: AE-10 Zone (Exclusive Agricultural-10 Acre Minimum) with one residence, septic system, domestic well, a pool, and agriculture.
2. Surrounding Area: AE-10 Zone and contain vacant lands, agriculture, and scattered rural residences.
3. Compliance:
 

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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The project proposes to divide the subject site into two parcels with one parcel containing an existence residence, and the division will separate the homesite parcel from citrus grove. Such proposal is in accordance with the County' Zoning Code Section 15.D.2.g.

**III. Subdivision Ordinance**

1. Exception:
 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
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If Yes: Section(s) \_\_\_\_\_ pertaining to \_\_\_\_\_
- Meets Findings for Approval:
 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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2. Final Map Waiver:
 

Not Applicable	<input type="checkbox"/>	Recommended	<input type="checkbox"/>	Meets Findings for Approval	<input type="checkbox"/>
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**IV. Environmental Setting**

1. Topographical Features:
 

Slope: <10%	<input checked="" type="checkbox"/>	10% - 20%	<input type="checkbox"/>	20% - 30%	<input type="checkbox"/>	>30%	<input type="checkbox"/>
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2. Water Courses: None
3. Flood Zone: Zone X
4. Soil(s): Centerville clay, 2 to 5% slopes, (107—Map Unit, USDA Web Soil Survey), well drained.
5. Biotic Conditions: CNDDB San Joaquin kit fox was once sighted in the vicinity (within a mile).
6. Ground Water Table: N/A
7. Archaeological: Not likely

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

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

**VI. Agricultural Preserve**

- Agricultural Preserve ~Yes ☒ No ☐
- AP No. 2537 Contract No. 7451
- Partial Non-Renewal Required ~Yes ☒ No ☐ ~ \_\_\_\_\_
- Partial Non-Renewal Previously Filed ~Yes ☐ No ☐ (Expiration Date \_\_\_\_\_)

**VII. Parcel Information:**

1. Parcel Creation (when/how existing parcels were created): Several old deeds, including one recorded on July 27, 1953 along with Chain of Title Guarantee provided by Stewart, were sent to me through email August 21, 2022 to prove the subject site is a legal parcel.  
Were Parcels created inside or outside UDB/UAB? ☐ Inside ☒ Outside
2. Previous Parcel Activity/Permits: \_\_\_\_\_
3. Access to Parcels: ☒ Direct – Proposed parcel 1 has frontages on Avenue 74 and Road 228.  
☒ Indirect – Proposed parcel 2 needs to have a separate document showing the legitimization of the 25' access easement connecting to it and going through proposed parcel 1 as shown on the submitted site plan.
4. Water Source: ~☒ Domestic Well ~☐ Irrigation Well  
☐ District: Will Serve Letter on File ☐  
☐ Community System  
☐ Private Water Co. \_\_\_\_\_
5. Sewage Disposal: ~☒ Septic Tank-Leach Line System  
☐ District \_\_\_\_\_ Will Serve Letter on File ☐  
☐ Other \_\_\_\_\_
6. Fire Protection: Fire Station # 21 – Terra Bella Fire Station
7. Police Protection: Porterville Substation
8. Public Utilities: SCE
9. Response from other Agencies: (see attached)
10. Correspondence received: (see attached)
11. Environmental Determination: ~☒ Exempt  
☐ Negative Declaration

☐ Mitigated Negative Declaration

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

1. **Appeals:** The Planning Commissions decision for approval or denial of the Tentative Parcel Map is final unless the decision is appealed to the Board of Supervisors within ten (10) calendar days after the decision. Said appeal shall be in writing and shall specifically set forth the project case number and the reasons for the appeal and shall be accompanied by the appropriate appeals filing fee. The appeal letter should be sent to the Tulare County Board of Supervisors, 2800 West Burrel Avenue, Visalia, CA. 93291.
2. **Fish and Wildlife Fee:** The project qualifies for a Categorical Exemption from the California Environmental Quality Act and will not be required to pay State Fish and Wildlife fees. However, the Fish and Game Code requires that the applicant pay to the Tulare County Clerk's office a \$58 document handling fee for the required filing of the Notice of Exemption. The Notice of Exception is required to be filed within five (5) days of project approval. The applicant shall pay the fee to the Tulare County Resource Management Agency. Checks shall be made payable to: "Tulare County RMA". Applicants cannot avoid payment of the required Department of Fish and Wildlife fee since a provision of AB 3158 declares that decisions on private projects are not "operative, vested, or final" until the fee is paid to the County Clerk. A Negative Declaration prepared for this project would indicate that there will be minor impacts, either individually or cumulatively, on wildlife resources, and as such, Section 711.4 of the Fish and Wildlife Code would require that the applicant pay a fee of \$2,548 as a user fee (effective January 1, 2022) to allocate the transactional costs of fish and wildlife protection to those who consume those fish and wildlife resources through urbanization and development. A Mitigated Negative Declaration prepared for a project would indicate that the project was determined to not have a significant effect on the environment if mitigation measures were incorporated that could reduce the potential environmental impacts to a level of insignificance.
3. **Taxes:** The final map or the resolution of the Planning Commission approving the tentative parcel map and waiving the requirement for the filing and approval of the final parcel map cannot be recorded to divide the property for which taxes or special assessments are due and payable and/or are delinquent. In such cases, the taxes or special assessments must be paid before the map or resolution can be recorded. In addition, please be advised that the Tulare County Subdivision Ordinance, pursuant to the State Map Act, prohibits the recording of the map or resolution until the applicant files with the County Tax Collector a security deposit for the payment of property taxes or special assessments which are not yet due and payable.
4. **School Impact Fees:** The subject site is located within the Terra Bella Union Elementary School District and Porterville Unified School District, which has/have implemented developer's fees for all assessable space for new residences and expansions to existing residences; and for chargeable covered and enclosed space for new commercial and industrial development pursuant to Government Code Section 53080. These fees are required to be paid prior to the issuance of any permit for the construction of new commercial or industrial structures, and/or installation or construction of new or expanded residential structures. [Please contact the TCRMA-Permits Center or the applicable school district(s) for the most current school fee amounts.] **NOTICE:** Pursuant to Government Code Section 66020(d)(1), this will serve to notify you that the 90-day approval period, in which you may protest to the school district the imposition of fees or other payment identified above, will begin to run from the date on which they are paid to the school district(s) or to another public entity authorized to collect them on the district(s) behalf, or on which the building or installation permit for this project is issued, whichever is earlier.

5. **Right to Farm Notice:** In accordance with Section 7905(a) of the Tulare County Ordinance Code, and as a condition of approval of the parcel map, a Right to Farm Notice shall be placed on the face of the final map, or a separate sheet shall be signed by the vested owners of the property and shall be returned to be recorded with the resolution approving a waiver of final map.
6. **Construction Storm Water Permit:** Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity [Construction General Permit Order 2009-0009-DWQ](#). Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The SWPPP must list Best Management Practices (BMPs) the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP. A complete Notice of Intent package (Notice of Intent, site map, and fee) and Notice of Termination (upon completion of each section), shall be obtained from and returned to: State Water Resources Control Board, Division of Water Quality, ATTN: Storm Water Permit Unit, P. O. Box 1977, Sacramento, CA 95812-1977 along with the appropriate annual fee. Permits shall be required until the construction is completed.

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF TENTATIVE	)	RESOLUTION NO. ~XXXX
PARCEL MAP	)	
APPLICATION NO. PPM 22-008	)	
WITH FINAL PARCEL MAP REQUIRED	)	
Nix	)	

Resolution of the Planning Commission of the County of Tulare accepting the categorical exemption as the appropriate environmental determination and conditionally approving Tentative Parcel Map (No. PPM 22-008) requested by applicant Brian Nix, P.O. Box 10885, Terra Bella, CA 93270, owner Krista Nix, P.O. Box 10885, Terra Bella, CA 93270 (Agent: QK-Barry Lindner, 150 W. Morton Avenue, Porterville, CA 93257), to allow the division of a 9.66 +/- acre parcel (APN 320-340-014) into two parcels (7.66-acres Parcel No.1 and 2-acres Parcel No.2), with a final parcel map required, on a property located in the AE-10 (Exclusive Agricultural-10 Acre Minimum) Zone, on the south side of Avenue 74 and the west side of Road 228, at 22696 Avenue 72, Terra Bella, CA 93270.

WHEREAS, the Planning Commission has given public notice of the tentative parcel map as provided in Section 7-01-2305 of the Ordinance Code of Tulare County; 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 September 14, 2022, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Exeter – Sun Gazette, a newspaper of general circulation in Tulare County, 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 28, 2022; and

WHEREAS, at that meeting of the Planning Commission, ~no one spoke in favor of or in opposition to the proposal~

WHEREAS, the Board of Supervisors adopted Resolution No. 2009-0091 on February 10, 2009, which established new policies regarding new Williamson Act Contracts or Amendments as follows:

1. Adopted policy applicable to actions involving Williamson Act Contracts occurring after July 22, 2008, including but not limited to new Williamson Act Contracts, amendment to an existing Williamson Act Contract, Partial Non-Renewals, adding of additional lands to an existing contract,

or other modifications to an existing contract requiring Tulare County administrative or discretionary action for an entitlement for any portion of the lands within contracted lands. This policy requires that when taking the above actions, the Williamson Act Contract will include, or be amended to include:

- a. Language giving the Tulare County Board of Supervisors authority to unilaterally declare the contract terminated as null and void should the State of California fail to pay subvention funds off-setting property tax loss required by the Open Space Subvention Act; and
  - b. Language suggested from the County of Humboldt vs. McKee (165 Cal App. 4<sup>th</sup> 1476 (CA 1<sup>st</sup> Dist. 2008) requiring compliance with new land use regulations and policies upon annual renewal of existing contracts, such as: “All uses of and actions regarding the Subject Property shall comply with all applicable local ordinances, regulations, resolutions and state laws, as adopted or amended from time to time.”
2. Approved a new or amended Williamson Act Contract, at a minimum with the language indicated in Request No. 1.

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 of fact as to the reasons for approval of this application:

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. The Rural Valley Lands Plan (RVLP) is the applicable Land Use & Circulation Element for the project and the Land Use Designation is “Valley Agriculture.” The existing land use would not change with this division of land. The proposed project, together with the provisions for its design and improvements, is consistent with the relevant policies of the County’s General Plan Elements, including Agricultural Element Policy AG-1.14 Right-to Farm Noticing; Land Use Element Policies LU-1.10 Roadway Access, and LU-2.2 Agricultural Parcel Splits; Health and Safety Element Policies HS-1.9 Emergency Access and HS-6.5 Fire Risk Recommendations; Water Resources Element Policy WR-2.9 Private Wells; Public Facilities & Services Element Policies PFS-2.5 New Systems or Individual Wells, PFS-3.1 Private Sewage Disposal Standards, and PFS-7.2 Fire Protection Standards.

3. Several old deeds, including one recorded on July 27, 1953 along with Chain of Title Guarantee provided by Stewart, were sent to me through email August 21, 2022 to prove the subject site is a legal parcel.
4. The subject site is in accordance with Section 15.D.1.b of the County's Zoning Ordinance as in 10 acres refers to ¼ of ¼ of ¼ of a section.
5. The tentative parcel map qualifies for a waiver, but the agent (QK-Briana Groves) for the project stated in her May 16, 2022, email that the project intends to pursue a final parcel map in the future.
6. County Public Works/Engineering Branch recommends obtaining a separate instrument granting the applicant / owners legal access to the proposed homesite parcel (proposed parcel 2) prior to the final parcel map stage (The applicant needs to submit a separate document to legitimize the 25' access easement connecting proposed parcel 2 and going through proposed parcel 1 as shown on the submitted site plan).
7. The subject site is under the Williamson Act Land Conservation Contract No. 7451 and Agricultural Preserve No. 2537. The property meets the Agricultural Preserve requirements to create a homesite, because it contains a residence that has existed for at least five years (per Google Aerial), the property owners have owned the property for at least ten years (per the grant deed from May 2011 included in the application), and per Item E. of the County's Uniform Rules for Agricultural Reserves (Resolution No. 89-1275, recorded on October 6, 1989).
8. The Fire Department requires address displays with a minimum of 4" in height, 3" in width and a ½" permanent number be visible from the street, 20-foot width all-weather access in accordance with 2019 California Fire Code Appendix D and Tulare County regulations, any new residences constructed in the future must meet 2019 or newer California Fire Code Appendix B requirements for fire flow or NFPA 1142 standard for urban water supply, and a 30' clearance provided from all flammable vegetation. More conditions of approval are included.
9. According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map, the subject site is located within Zone X. Construction within Zone X requires no specific flood mitigation measures.
10. Conditions of approval included in the project resolution require all grading or excavation within 50'-100' of the discovery area to cease if, however unlikely, any archaeological resources or human remains are discovered. The conditions of

approval also require the project proponent to inform the Resource Management Agency Planning Director of the discovery, at which time no further development shall take place until appropriate recovery measures, if necessary, have been completed. In addition, the Owner/Applicant shall include a standard “inadvertent discovery” clause in every construction contract to inform contractors of the conditions of approval.

11. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted by Resolution No. 2010-2927 a Notice of Intent to Collect Tulare County Public Facilities Fees, also known as Developer Impact Fees; therefore, new development may be subject to County Development Impact Fees.

AND, BE IT FURTHER RESOLVED as follows:

A. This project will not have a significant effect on the environment and has been determined to be categorically exempt, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15301, Class 1, pertaining to Existing Facilities, and Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures. No additional public services are required.

B. This Planning Commission hereby approves Tentative Parcel Map Application No. PPM 22-008, subject to the following 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 Tentative Parcel Map No. PPM 22-008; 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.

3. The subject site is under the Williamson Act Land Conservation Contract No. 7451 and Agricultural Preserve No. 2537. Before the resolution of this tentative parcel map can get recorded, the applicant shall submit all relevant Williamson Act related documents, such as Partial Williamson Act Non-Renewal (WAN) and signed contract amendment containing project's legal descriptions as revisions to the contract's original legal descriptions etc. The WAN application and contract amendment shall be deemed complete for processing before the resolution can record.
4. In accordance with Government Code Section 66474.4, following the creation of this homesite parcel the applicant, together with his successors and assigns, shall not apply to create another homesite parcel on any remaining parcels for at least 10 years following this homesite parcel creation at the subject site.
5. The applicant, his successors and assigns shall ensure that occupants of the residences on the subject site are restricted to the owner or lessee and their relatives, farmworkers or employees who work on the property.
6. The applicant shall ensure that address(es) are posted with a minimum of 4" in height, 3" in width and a 1/2" permanent number, in contrast with their background, and are visible from the street.
7. The applicant shall provide the Fire Department 20' width all-weather access in accordance with 2019 California Fire Code Appendix. D and Tulare County regulations.
8. The subject site is located within the Local Responsibilities Area (LRA). The applicant shall ensure the provision of a 30' clearance from all flammable vegetation. Vegetation must be disposed of prior to the start of construction.
9. For any new residences constructed in the future, the applicant shall comply with 2019 or newer California Fire Code Appendix B requirements for fire flow or NFPA 1142 standard for urban water supply. More conditions of approval are included in the attachment.

10. No landlock lot shall be allowed. Before moving to the final parcel map stage, the applicant needs to submit a separate document to legitimize the 25' access easement connecting proposed parcel 2 and going through proposed parcel 1 as shown on the submitted site plan.
11. The applicant shall ensure that, should any resources of an historic or prehistoric nature be discovered during construction or grading activities on the site, all construction or grading within 50'-100' of the discovery area 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.
12. 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 and or excavation within 50'-100' 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.
13. 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 previous two conditions of approval before this one. 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.

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

**CASE NO. PPM 22-008**  
**CONSULTING AGENCY LIST**

**TULARE COUNTY AGENCIES**

- ☐ R.M.A. - Building Division  
☐ R.M.A. - Code Compliance Division  
☐ R.M.A. - Environmental Coordinator  
☐ R.M.A. - Community Dev./Redevelopment Division  
☒ R.M.A. - Engineering-Flood Control /Permits/Division  
☐ 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  
☐ H.H.S.A. - HazMat Division  
☒ Fire Chief (2 copies)  
☐ Sheriff's Department - Visalia Headquarters  
☐                                      Traver Substation  
☐                                      Orosi Substation  
☐                                      Pixley Substation  
☐                                      Porterville Substation  
☐ Agricultural Commissioner  
☐ Education Department  
☐ Airport Land Use Commission  
☐ Supervisor District  
☒ Assessor  
☒ County Surveyor (Don Dwyer)

**LOCAL AGENCIES**

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

**FEDERAL AGENCIES**

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

**STATE AGENCIES**

- ☐ Dept. of Fish & Wildlife District 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 Governments)  
☐ 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)

**From:** [Mapping](#)  
**To:** [Cheng Chi](#); [Craig Anderson](#); [Ted Martin](#); [Gilbert Portillo](#); [Donn Dwyer](#); [Mapping](#)  
**Subject:** RE: PPM 22-008 APN: 320-340-014 Consultation Request  
**Date:** Wednesday, May 18, 2022 10:20:09 AM

---

Good morning, Tim,

This Email is being sent to you in response to your email dated **May 16, 2022** requesting the Assessor/Clerk/Recorder to make any pertinent comments in the above PPM 22-008 no later than **May 27, 2022**.

**Assessor's comments:**

**1) Affected APN:** 320-340-014

**2) Applicants' Map:**

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

**3) New Legal Descriptions:**

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

**4) Application Questionnaire:**

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

**5) Ag Preserve / Contract:** According to the County's recorded land records, the original parcel affected by this project is subject to an agricultural preserve zone and open space ("Williamson") land conservation contract. That being the case, we hope and presume that the Planning Director will give due consideration to Government Code Sections 51222 and 51257 of the Subdivision Map Act, which requires certain minimum lot sizes and permits and suggests that the necessary documents be drafted, approved, and recorded amending any agricultural preserve and land conservation contracts to coincide with the newly adjusted legal lot lines; requiring appropriate Cancellations or Full or Partial Non-renewals be required as a condition of approval.

**6) Other:** None

Lastly, thank you for asking 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, our comments, or no 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 those

responsibilities.

---

**From:** Cheng Chi <CChi@tularecounty.ca.gov>

**Sent:** Monday, May 16, 2022 5:26 PM

**To:** Craig Anderson <canderso@tularecounty.ca.gov>; Ted Martin <TMartin1@tularecounty.ca.gov>; Gilbert Portillo <GPortillo@tularecounty.ca.gov>; Donn Dwyer <ddwyer@tularecounty.ca.gov>; Mapping <Mapping@tularecounty.ca.gov>

**Subject:** PPM 22-008 APN: 320-340-014 Consultation Request

Hi all,

Attached are the tentative parcel map application, the environmental assessment questionnaire, and its site plan.

After checking with the QK-agent Briana Groves, I got a confirmation that they will go for a final parcel map on this in the future.

Please review and provide any pertinent comments on or before May 27, 2022.

Thank you.

Best Regards,

Cheng (Tim) Chi  
Planner II  
County of Tulare  
Resource Management Agency  
5961 South Mooney Blvd.  
Visalia, CA 93277  
**(559) 624-7086**  
[cchi@tularecounty.ca.gov](mailto:cchi@tularecounty.ca.gov)

# RESOURCE MANAGEMENT AGENCY



## INTEROFFICE MEMORANDUM

---

May 17, 2022

**TO:** Tim Chi, Project Planner  
**FROM:** Craig Anderson, Engineer III  
**SUBJECT:** Case No. PPM 22-008

**OWNER:** Brian Nix  
**APN:** 320-340-014

The subject Case No. PPM 22-008 has been reviewed. The following comments and recommendations are submitted for consideration in processing this matter.

The subject site is not located within any Urban Improvement Area or Urban Development Boundary whichever is applicable.

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

The division is of a 10.26-acre parcel into two parcels.

### **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. 1975. The subject site is located within Zone X.

Construction within Zone X requires no specific flood mitigation measures.

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

The proposed parcels lie on the south side of Avenue 74 and the west side of Road 228. The existing right of way on Avenue 74 is 40 feet (20 feet on the north side and 20 feet on the south side) and on Road 228 is 40 feet (20 feet on the west side and 20 feet on the east side). Ultimate right of way on Avenue 74 is 60 feet and on Road 228 is 60 feet.

**Road Information:**

According to the county's maintained mileage maps, Avenue 74 is not a county maintained road. Road 228 is not a county maintained road.

The existing access easement meets or exceeds the standards for a one-parcel PVAE. No further improvements are recommended. A legal access to proposed Parcel 2 should be perfected.

We have no recommended conditions for the subject case.

CA



**From:** [Craig Anderson](#)  
**To:** [Cheng Chi](#)  
**Subject:** RE: PPM 22-008 APN: 320-340-014 Consultation Request  
**Date:** Tuesday, May 17, 2022 12:57:28 PM

---

The applicant will need to supply some instrument to us. A statement on the tentative map mentions that a separate document will be submitted legitimizing the access.

---

**From:** Cheng Chi <[CChi@tularecounty.ca.gov](mailto:CChi@tularecounty.ca.gov)>  
**Sent:** Tuesday, May 17, 2022 12:28  
**To:** Craig Anderson <[canderso@tularecounty.ca.gov](mailto:canderso@tularecounty.ca.gov)>  
**Subject:** RE: PPM 22-008 APN: 320-340-014 Consultation Request

Good afternoon Craig.  
Thank you for your feedback on this.

Please allow me to check with you, you mentioned about obtaining a separate instrument granting the applicant/owners legal access to the proposed homesite parcel (parcel 2) before the final map. How should it be done?  
Does that mean they need to submit a separate application of some kind?  
Thank you.

Best Regards,

---

**From:** Craig Anderson <[canderso@tularecounty.ca.gov](mailto:canderso@tularecounty.ca.gov)>  
**Sent:** Tuesday, May 17, 2022 11:47 AM  
**To:** Cheng Chi <[CChi@tularecounty.ca.gov](mailto:CChi@tularecounty.ca.gov)>  
**Subject:** RE: PPM 22-008 APN: 320-340-014 Consultation Request

My comments. I would recommend obtaining a separate instrument granting the applicant/owners legal access to the proposed homesite parcel before the final map.

---

**From:** Cheng Chi <[CChi@tularecounty.ca.gov](mailto:CChi@tularecounty.ca.gov)>  
**Sent:** Monday, May 16, 2022 17:26  
**To:** Craig Anderson <[canderso@tularecounty.ca.gov](mailto:canderso@tularecounty.ca.gov)>; Ted Martin <[TMartin1@tularecounty.ca.gov](mailto:TMartin1@tularecounty.ca.gov)>; Gilbert Portillo <[GPortillo@tularecounty.ca.gov](mailto:GPortillo@tularecounty.ca.gov)>; Donn Dwyer <[ddwyer@tularecounty.ca.gov](mailto:ddwyer@tularecounty.ca.gov)>; Mapping <[Mapping@tularecounty.ca.gov](mailto:Mapping@tularecounty.ca.gov)>  
**Subject:** PPM 22-008 APN: 320-340-014 Consultation Request

Hi all,

Attached are the tentative parcel map application, the environmental assessment questionnaire, and its site plan.

After checking with the QK-agent Briana Groves, I got a confirmation that they will go for a final parcel map on this in the future.



**TULARE COUNTY  
HEALTH & HUMAN SERVICES AGENCY**

Timothy W. Lutz, MBA  
Agency Director

---

Nilsa Gonzalez • Public Health Branch Deputy Director • Environmental Health Director

May 19, 2022

TIM CHI  
RESOURCE MANAGEMENT AGENCY  
5961 SOUTH MOONEY BLVD  
VISALIA CA 93277

**RE: TENTATIVE PARCEL MAP, PPM 22-008**

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Ted Martin".

Ted Martin  
Registered Environmental Health Specialist  
Environmental Health Services Division



# TULARE COUNTY FIRE DEPARTMENT

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

**Charlie Norman**  
FIRE CHIEF

June 1, 2022

Attn: Cheng Chi,

Tulare County Fire Department has conducted a plan check on plans # PPM 22-008, the following is a check list of requirements.

Please advise if you would like to schedule a meeting to discuss one or more of the line items below.

## **PPM**

- Address posted 4" by 3" by ½" permanent numbers visible from the street
- Provide Fire Department 20' width all weather access in accordance with 2019 California Fire Code Appx. D and Tulare County regulations.
- Any new residences constructed in the future will have to meet 2019 or newer California Fire Code Appendix B requirements for fire flow or NFPA 1142 standard for urban water supply.

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

Respectfully,

*Gilbert R. Portillo*

Gilbert Portillo  
Fire Inspector – Plans Examiner  
Tulare County Fire Department  
(559)624-7003



**Charlie Norman**  
FIRE CHIEF

# TULARE COUNTY FIRE DEPARTMENT

835 S Akers St, Visalia, CA 93277 - Phone (559) 802-9800 - Fax (559) 687-6919

## ADDRESSES

Any building situated on premises fronting any public thoroughfare in the County of Tulare shall, within 30 days after issuance of a house number, shall install permanently on such premises the number issued, subject to the following provisions (as per Tulare County 1995 Ordinance Sec. 7- 19-1530/7-19-1535 (SRA) & Current Fire and Building Codes.

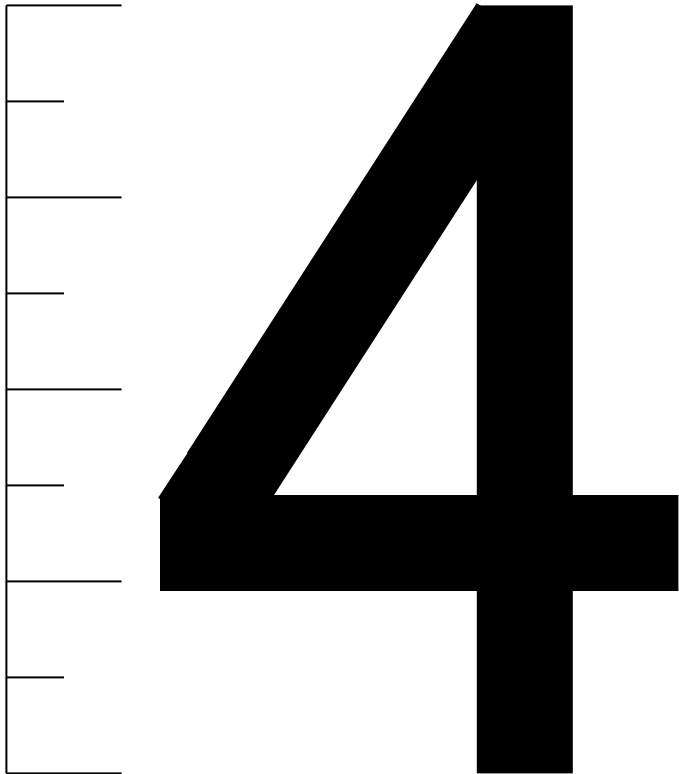
1. Numbers shall be made of a **durable material**.
2. All numbers shall be easily **visible** and **legible** from the roadway. If the structure is located more than 100' from a public roadway, the numbers shall be placed upon a non-flammable sign and posted at intersection(s) of the driveway and/or the public road.

Note: *Remember* that most Fire Engines and Ambulances sit higher than a car or pick-up, make sure that the numbers are visible under eaves or overhangs!

3. Numbers shall be a **Minimum of 4" in height, 3" in width and a 1/2" stroke**, shall be in **contrast** with their background. The numbers can be larger and is recommended (Remember that it may be foggy and/or dark when the equipment is responding). Recommend white on black or black on white. Do not use gold or put numerals on glass.
4. If your building is more than 100' from the roadway, the numbers shall be posted at the driveway entrance, on a post, sign or fence. In all cases, the objective is to be able to see the numbers easily and quickly.
5. Addresses need to be **actual numerical address**. Not Rd. & Ave. intersections. If you do not know your numerical address, contact Planning department at Tulare County Resource Management Agency, 559-624-7000. Planning will need to know the exact location and measurements from the closest intersecting roadway.
6. Commercial / Industrial properties may require 6" (or larger) numbers due to size of buildings and distances.

Any further questions, please feel free to contact us at 559-802-9807.

# We cannot help you if we cannot find you!!



”

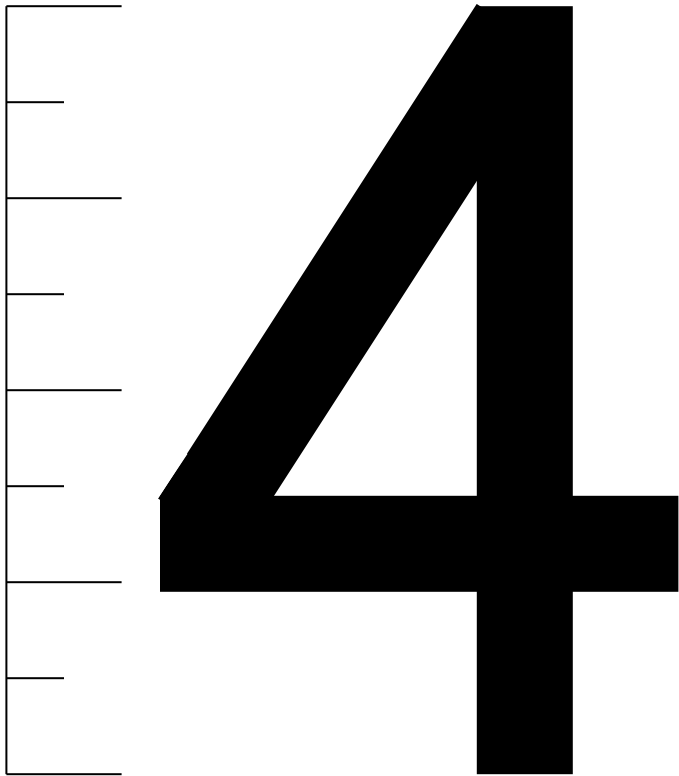
**4 INCH REFLECTORIZED ADDRESS  
NUMBERS AGAINST A CONTRAST-  
ING BACKGROUND ARE WHAT  
EMERGENCY SERVICES PREFER.  
POST YOUR ADDRESS NUMBER AT  
THE END OF YOUR DRIVEWAY OR AT  
ANY FORK IN THE ROAD.**



Rev date:  
03/19/2020

Tulare County Fire Department  
835 S. Akers St, Visalia, CA 93277  
(559) 802-9800

# No podemos ayudarlo si no podemos encontrarle!!



”

Los servicios de emergencia prefieren que usted coloque los numeros de domicilio que midan 4” pulgadas y reflecten contra el transfondo. Ponga sus numeros de domicilio a la entrada de su camino, ó si el camino se divide, ponga los numeros de domicilio en la cerca ó en un poste al punto donde el camino se divide.



Rev date:  
03/19/2020

Departamento de bomberos del Condado De Tulare  
835 S. Akers St Visalia, CA 93277  
(559) 802-9800

# Minutes Matter

**We Can't Help You, If we Can't Find You**

## **Post your Address with 4" Numbers**

**Numbers must be at least 4 inches tall, 3 inches wide, and ½ inch stroke**

**Numbers visible from the road to vehicles coming from either direction**

**Reflective sign surface with a contrasting color to the numbers**

**Signs should be mounted between 4 and 7 feet above the ground**



**Tulare County Fire Department  
835 South Akers Street  
Visalia, CA 93277  
(559) 802-9800**





**Charlie Norman**  
FIRE CHIEF

# TULARE COUNTY FIRE DEPARTMENT

835 S Akers St, Visalia, CA 93277 - Phone (559) 802-9800 - Fax (559) 687-6919

## Local Responsibility Area (LRA)

### **SITE PLAN REQUIREMENTS:**

A 30-ft. clearance must be provided from all flammable vegetation. Vegetation must be disposed of prior to the start of construction. Disposal may be accomplished by chipping, discing and removal to a County waste disposal facility.

### **Private Road Standards:**

Private roads shall have a minimum of 20 ft. wide all weather surface traffic lane, not including shoulder and striping. Private roads that can not meet this standard, shall meet the turnout requirements set forth for a driveway. Private roads shall be constructed with an all weather surface **(crushed rock, road base, or DG – compacted to a Min. 2 inches)** capable of supporting a minimum load of 75,000 pounds and provide an aggregate base. Roads should not exceed a 16% grade. Private roads that exceed 16% grade shall be in accordance with the Tulare County road improvement standards which require 2 inches of asphalt concrete over 4 inches of aggregate base material.

### **Driveway Standards:**

Driveways are limited to 16% grade with an all weather surface that can sustain a load tolerance of 75,000 lbs. Driveways that are 20 ft. or wider with all weather access do not have to provide turnouts. A minimum of a 10 ft. wide all weather surface for residential driveway shall be provided and a minimum of a 20ft. wide all weather surface for commercial driveways shall be provided. A minimum of 15 ft. vertical clearance shall be provided the length of both a driveway and a private road.

### **Turnouts:**

- 1) Driveways exceeding 150 ft., but less than 800 ft., shall provide a turnout midpoint.
- 2) Driveways in excess of 800 ft. shall provide an approved turnout every 400 ft.
- 3) Turnouts shall be a minimum of 10 ft. wide and 30 ft. long with a minimum of 25 ft. taper on each end.
- 4) A bulb turnaround (40 ft. unobstructed turn radius) or hammerhead "T" shall be provided at all building sites. Driveways in excess of 300 ft. shall provide a turnaround within 50 ft. of the proposed structure.



**Gate Entrances:**

Driveway gates shall be 2 feet wider than the access lane and be set back a minimum of 30 ft. to allow a fire engine to stop and open the gate without blocking the street. The gate swing direction must be taken into account. A Knox padlock or gate override shall be required at all gates. Where the gate services a 10 ft. driveway, a 40 ft turning radius shall be used.

**Premises identification:**

1. House numbers / structure numbers shall be provided. The numbers shall be a minimum of 4 inches high with a ½ inch line width. The numbers shall be placed so that they are clearly visible from an adjacent public roadway and shall be of a reflective color that contrasts sharply with the background. If the structure is located more than 100 ft. from a public roadway, the numbers shall be placed upon a non-combustible sign and posted at the intersection of the driveway and the public road.

**Fire Protection:**

Install an automatic fire sprinkler system within each dwelling unit as per standards set forth in NFPA 13D. Three (3) copies of said sprinkler plans shall be submitted to the Fire Department for review and approval prior to construction. The contractor for the system must be appropriately licensed.

The applicant **shall** select one of the following as a means of providing fire flow protection:

1. Install a pressurized fire hydrant (system) in compliance with NFPA 24 Standards. Copies of improvement plans shall be submitted to the Fire Department and the Public Works Department (3 copies each) for review prior to construction.
2. Install a fire suppression water storage tank meeting NFPA 1142 & NFPA 22 requirements. The locations shall be designated by the Fire Department. The tank shall be equipped with a valved 4-1/2" (National Hose Thread) connection (Also see Tank Standard). Plans for said system shall be reviewed and approved by the Fire Department prior to the start of any construction.




# RESOURCE MANAGEMENT AGENCY

## INTEROFFICE MEMORANDUM

---

May 18, 2022

**TO:** Tim Chi, Project Planner

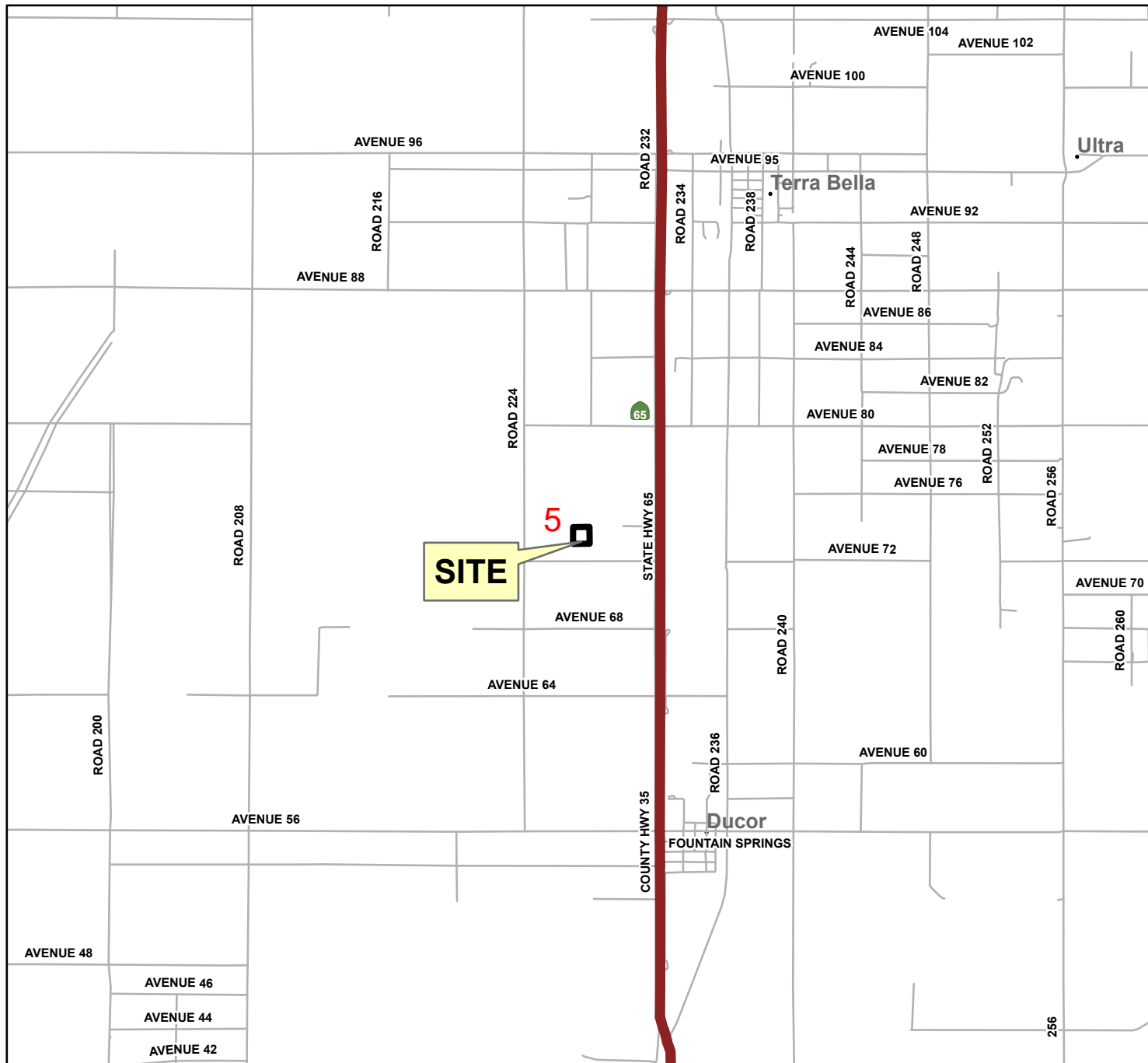
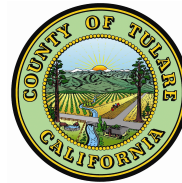
**FROM:** Donn Dwyer, Land Surveyor III  
County Surveyor's Office, Public Works Branch 

**SUBJECT:** Case No. PPM 22-008  
Owner: Nix  
Agent: QK  
APN: 320-340-014



In response to your request on May 16, 2022, the parcel map has been reviewed.

No comments. Will review at final map stage.

Attachment No. 4  
**Vicinity Map**  
for  
**PPM 22-008**



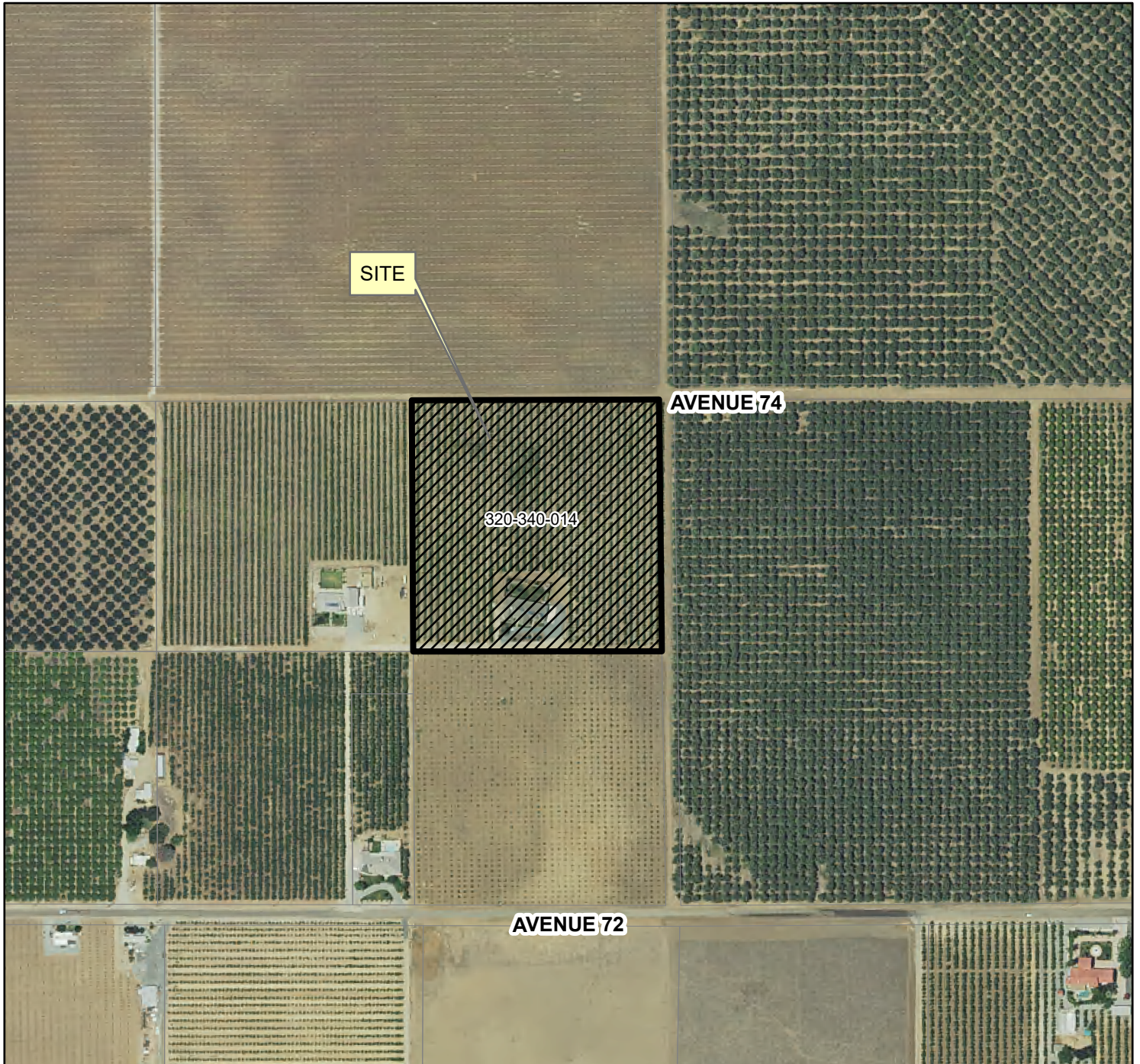
Supervisory District: 5

-  Supervisory Districts
-  SITE





# Aerial Photograph for PPM 22-008



Owner: Jack Wheat  
Address: 2167 Kimberly Place  
City, State, ZIP: Porterville, California 93257  
Applicant: Brain Nix  
Agent(s): QK -Barry Lindner / Briana Groves  
Supervisory District: 5  
Assessors Parcel: 320-340-014

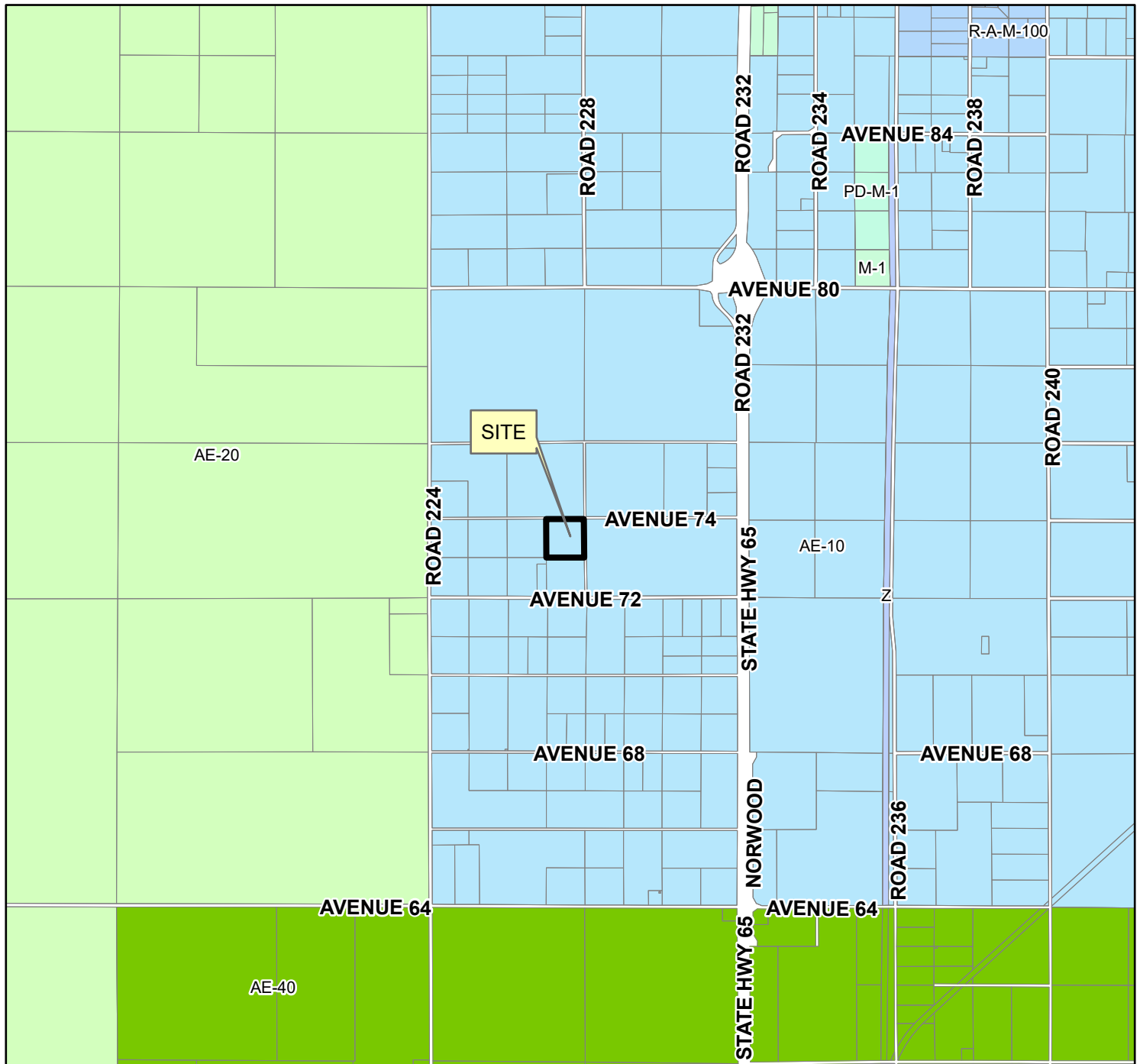
0 200 400 600 800 Feet

 Parcels  
 SITE

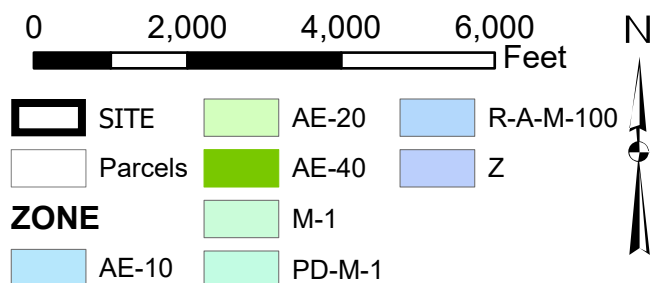




# Existing Zoning Map for PPM 22-008



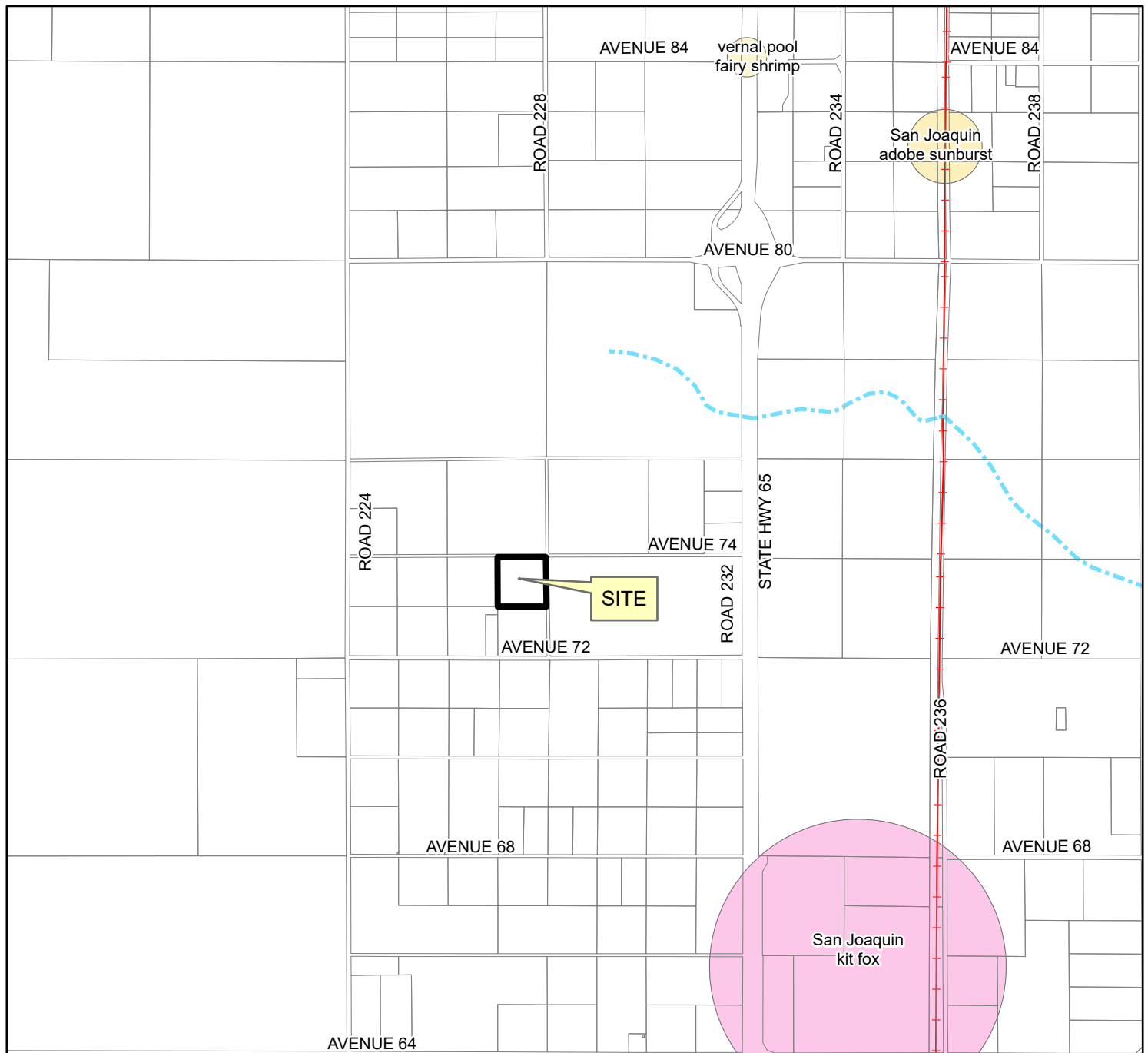
Owner: Jack Wheat  
Address: 2167 Kimberly Place  
City, State, ZIP: Porterville, California 93257  
Applicant: Brain Nix  
Agent(s): QK -Barry Lindner / Briana Groves  
Supervisory District: 5  
Assessors Parcel: 320-340-014







# Species of Concern for PPM 22-008



CNDDDB (data file last updated on 05/03/2021)

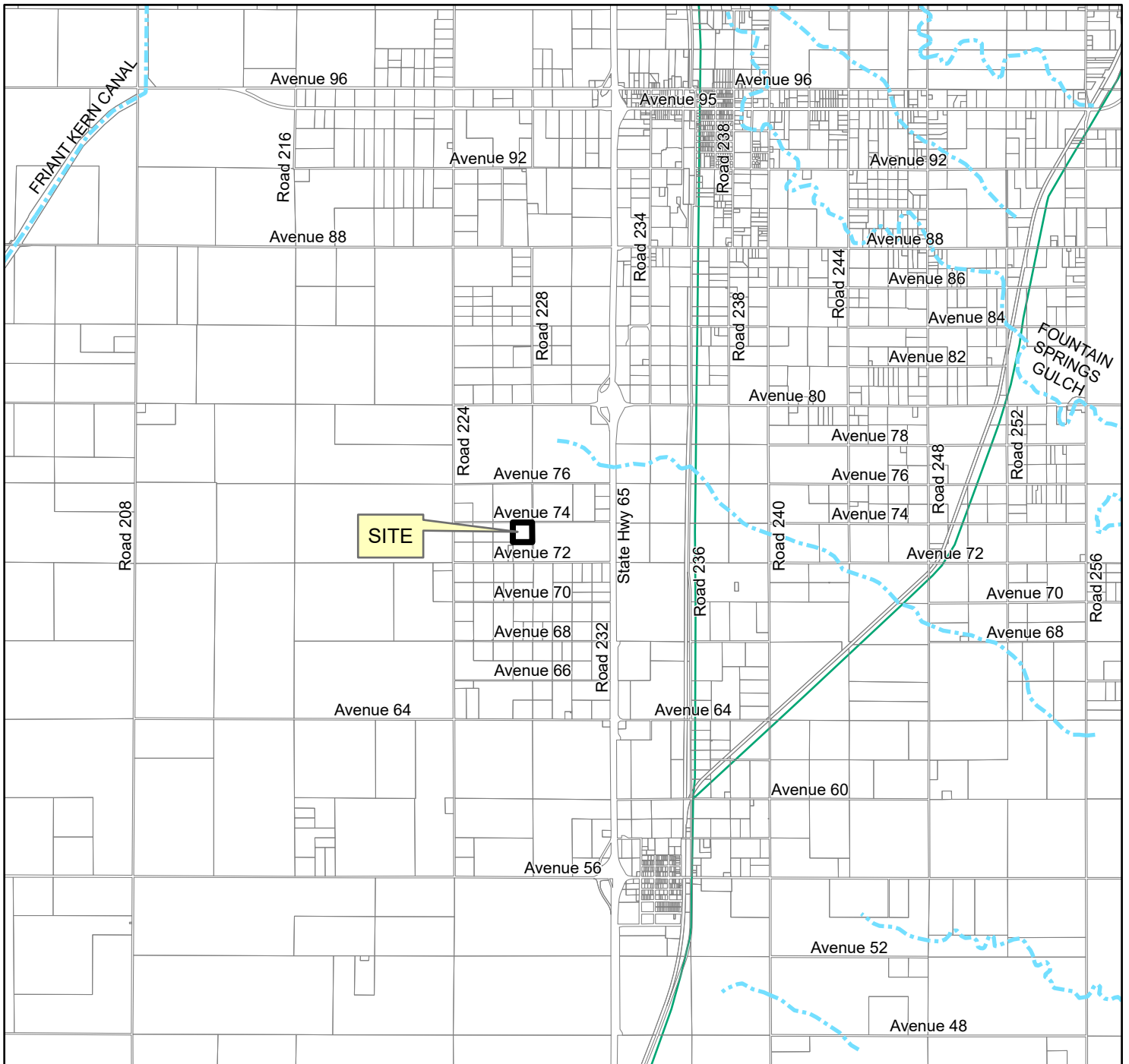
0 1,000 2,000 3,000 4,000 Feet



- |         |                                    |                          |
|---------|------------------------------------|--------------------------|
| Parcels | <b>Species of Concern (CNDDDB)</b> | San Joaquin kit fox      |
| SITE    | San Joaquin adobe sunburst         | vernal pool fairy shrimp |



# Waterways Map for PPM 22-008



- Waterways
- Parcels
- SITE

0 4,000 8,000 12,000 Feet





# Wetlands Map For PPM 22-008




 SITE

 Parcels

## National Wetlands Inventory

 Palustrine

 Uplands (No Wetlands)

0 1,000 2,000 Feet





# 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 Resource Management Agency  
5961 South Mooney Blvd  
Visalia, CA 93277 (559) 624-7000  
*Attn:* [hguerra@tularecounty.ca.gov](mailto:hguerra@tularecounty.ca.gov) and [jwillis@tularecounty.ca.gov](mailto:jwillis@tularecounty.ca.gov)

DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

**Applicant:** Brian Nix, P.O. Box 10885, Terra Bella, CA 93270, Ph: (559) 333-6208

**Project Title:** Tentative Parcel Map No. PPM 22-008

**Project Location - Specific:** 22696 Avenue 72, Terra Bella, CA (APN 320-340-014)

**Project Location- Section, Township, Range:** Section 16, Township 23S, Range 27E

**Project Location - City:** N/A

**Project Location - County:** Tulare

**Description of Nature, Purpose, and Beneficiaries of Project:** A Tentative Parcel Map, to allow the division of a 9.66 +/- acre parcel (APN 320-340-014) into two parcels (7.66-acres Parcel No.1 and 2-acres Parcel No.2.), with a final parcel map required, in the AE-10 Zone (Exclusive Agricultural-10 Acre Minimum). The subject site contains a residence, septic system, domestic well, a pool, and agriculture. Surroundings contain vacant lands, agriculture, and scattered rural residences.

**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 Section 15301 - Existing Facilities & Section 15303 – New Construction or Conversion of Small Structures.**

**Reasons why project is exempt:** This action is consistent with Section 15301, Class 1, Existing Facilities and Section 15303, Class 3, New Construction or Conversion of Small Structures. The ground on the subject site has been previously disturbed by agriculture (open land) and structures for several decades. Operations must comply with applicable state and local regulations. The project will not result in significant impacts and will not require additional public services. Conditions of approval are included as part of the project. Therefore, the uses of CEQA Section 15301 and Section 15303 are applicable and appropriate for this project.

The subject site is located outside of any urban boundaries and is subject to the Rural Valley Lands Plan, with a land use designation of Valley Agriculture. The existing land use would not change with this division of land. The project, together with the provisions for its design and improvements, is consistent with relevant policies of the Tulare County General Plan, including Planning Framework Goal No. 1, Land Use Goal No. 2, Agriculture Goal No. 1 and Agricultural Policies AG-1.1 (Primary Land Use), AG-1.7 (Preservation of Agricultural Lands), and AG-1.14 (Right-to Farm Noticing).

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

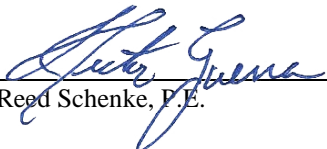
**Project Planner/Representative:** Tim Chi, Planner II

**Telephone:** 559-624-7086

Signature: \_\_\_\_\_  
Hector Guerra

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

Title: Chief Environmental Planner

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

Date: 09/01/22

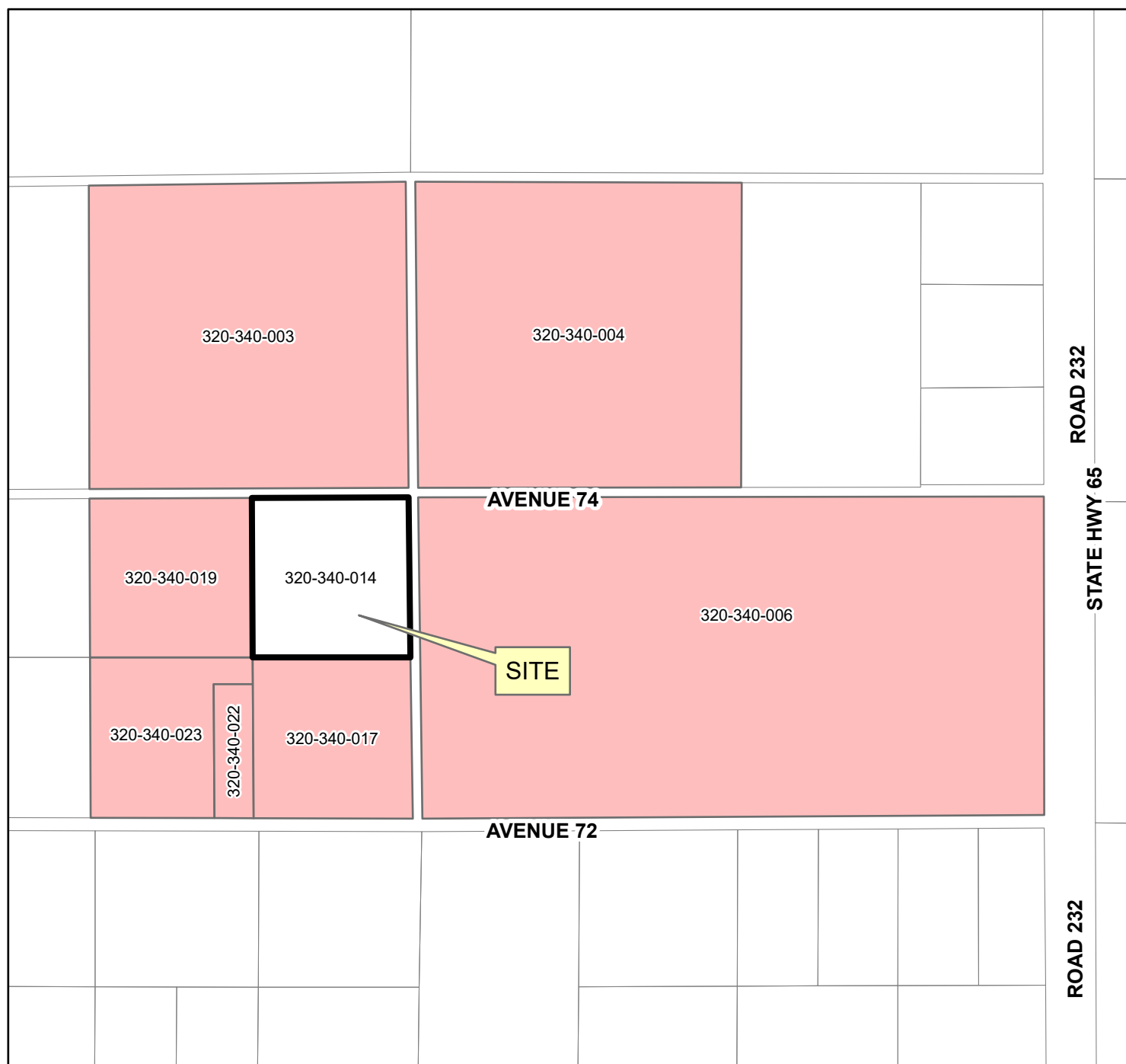
Title: Environmental Assessment Officer  
RMA Director

☒ Signed by Lead Agency

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






# Location and Property Ownership Map for Hearing Notification for PPM 22-008



Owner: Jack Wheat  
 Address: 2167 Kimberly Place  
 City, State, ZIP: Porterville, California 93257  
 Applicant: Brain Nix  
 Agent(s): QK -Barry Lindner / Briana Groves  
 Supervisorial District: 5  
 Assessors Parcel: 320-340-014

0 400 800 1,200 Feet

 SITE  
 Prop within 300'  
 Parcels



NOTICE OF PUBLIC HEARING AND AVAILABILITY  
OF ENVIRONMENTAL DOCUMENT

A **Categorical Exemption** for **Tentative Parcel Map No. PPM 22-008** 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 **Tim Chi at (559) 624-7086** or email at **[cchi@tularecounty.ca.gov](mailto:cchi@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:** Tentative Parcel Map No. PPM 22-008

**APPLICANT/AGENT:** Brian Nix/QK-Barry Lindner & Briana Groves

**LOCATION:** 22696 Avenue 72, Terra Bella, CA 93270

**PROJECT DESCRIPTION:** Categorical Exemption and Tentative Parcel Map No. PPM 22-008 to divide 9.66 +/- acre parcel (APN 320-340-014) into two parcels (7.66-acres Parcel No.1 and 2-acres Parcel No.2), with a final parcel map required, in the AE-10 Zone (Exclusive Agricultural-10 Acre Minimum). The subject site contains a residence, septic system, domestic well, a pool, and agriculture.

**ENVIRONMENTAL DOCUMENT:** Categorical Exemptions, per Section 15301, Class 1, pertaining to Existing Facilities, and Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures.

**REVIEW PERIOD:** 13 days until Monday, September 26, 2022, at 5:00 p.m.

**PUBLIC HEARING:** Planning Commission on Wednesday, September 28, 2022, at 9:00 a.m.

All meetings are currently held at the Human Resources and Development Department, Innovation Conference Room, 2500 West Burrell Avenue, Visalia, California 93291. PLANNING COMMISSION meetings start at 9:00 a.m. Based on guidance from the California Department of Public Health and the California Governor's Office, to minimize the spread of the COVID-19 virus, members of the public are encouraged to participate in the Planning Commission meetings in the following ways: Remote Viewing – Listen to the live audio stream of the Planning Commission meetings at <https://tularecounty.ca.gov/rma/planning-building/planning-commission/>. Instructions on how to participate in the live meeting can be found in the link above.

For environmental questions please call Hector Guerra, Chief Environmental Planner at 624-7121. 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.

HECTOR GUERRA, CHIEF ENVIRONMENTAL PLANNER  
REED SCHENKE, ENVIRONMENTAL ASSESSMENT OFFICER

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TO BE PUBLISHED ONCE ONLY ON: 9/14/2022

SEND BILL AND TEAR SHEET TO:

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

SEND TO: Sun Gazette