# Attachment No. 1

Planning Commission Resolution No. 10038 for PZC 22-006

#### BEFORE THE PLANNING COMMISSION

#### COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF ZONE CHANGE NO. PZC 22-006 ) TO CHANGE THE ZONE FROM R-1 (SINGLE-FAMILY ) RESIDENTIAL) TO R-2-MU (TWO-FAMILY ) RESIDENTIAL WITH A MIXED-USE OVERLAY) ) (GURPRETT THANDI) )

**RESOLUTION NO. 10038** 

Resolution of the Planning Commission of the County of Tulare recommending that the Board of Supervisors accept the Categorical Exemption and approve Zone Change No. PZC 22-006 requested by Gurprett Thandi, 3015 Scoon Place, Tulare, CA 93274 (Agent: N/A) to change the zone from R-1 (Single-Family Residential) Zone to R-2-MU (Two-Family Residential with a Mixed-Use Overlay Combining) Zone for Assessor's Parcel Numbers ("APNs"): 075-120-047, -048, -049, -051, -052, -053, -056, -057, -058, and -059 to facilitate the construction of eleven (11) two-story duplexes, with one duplex on each of the eleven (11) existing parcels. The project site is located within the Visalia Urban Area Boundary ("UAB") and the Goshen Urban Development Boundary ("UDB"). Figure 2-3 of the Land Use Element of the Visalia General Plan Updated adopted October 14, 2014, shows that the project site is not within the Sphere of Influence ("SOI") for the City of Visalia. Figure 21 of the Goshen Community Plan 2018 Update designates the project site as "Medium Density Residential."

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

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

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

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

WHEREAS, on December 28, 2022, 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; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on January 11, 2023; and

WHEREAS at that meeting of the Planning Commission, public testimony was received and recorded from nobody in support of the proposal, and nobody spoke in opposition to the proposal; and

#### NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that the Commission has reviewed and considered the information contained in the Categorical Exemption that was prepared for the proposed project and is applicable to the project site and the Change of Zone, together with any comments received during the public review process, in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Quality Act of 1970 prior to taking action on the project.

B. This Planning Commission hereby recommends that the Board of Supervisors adopt the following findings of fact as to the reasons for approval of this application:

- 1. The applicant has requested a change in zone from R-1 (Single-Family Residential) Zone to R-2-MU (Two-Family Residential with a Mixed-Use Overlay Combining) Zone for Assessor's Parcel Numbers ("APNs"): 075-120-047, -048, -049, -051, -052, -053, -055, -056, -057, -058, and -059 to facilitate the construction of eleven (11) two-story duplexes, with one duplex on each of the eleven (11) existing parcels.
- 2. The project site is located within the Visalia Urban Area Boundary ("UAB") and the Goshen Urban Development Boundary ("UDB"). The Land Use Designation is "Medium Density Residential." If a PZC is approved, changing the Zone from R-1 (Single-Family Residential) Zone to R-2 (Two-Family Residential) Zone for APNs: 075-120-047, -048, -049, -051, -052, -053, -055, -056, -057, -058, and -059, then the proposed project would be consistent with relevant policies of the Tulare County General Plan: (a) PF-1.3 Land Uses in UDBs/HDBs; (b) LU-3.1 Residential Developments; (c) LU-1.10 Roadway Access; (d) Housing Guiding Principle 1.1; (e) Housing Guiding Principle 2.2; (f) Housing Policy 2.21; (g) TC-1.2 County Improvement Standards; (h) AG-1.14 Right-to-Farm Noticing; (i) WR-3.3 Adequate Water Availability; (j) PFS-1.4 Standards of Approval; (k) PFS-2.4 Water Connections; (l) PFS-3.2 Adequate Capacity; and (m) PFS-3.3 New Development Requirements.

It is noted that the County has a drastic shortage of housing within the Unincorporated portions of the County under the 2012 General Plan Update (2030), and cannot meet the requirements of the Housing Element Update's (2015) housing attainment goals for the Regional Housing Needs Assessment.

Table 15 on Page 47 of the Goshen Community Plan 2018 Update indicates that the total housing units was 1,041. The projected housing need for Single-Family Housing Units is 2,541 by the year 2040.

Staff Comment: This Project's eleven duplexes will provide 22 dwelling units, which will provide approximately 1% of the projected housing need for the Community of Goshen by 2040.

Regional Housing Needs Assessment: The current RHNA, adopted on June 30, 2014, is the fifth housing element cycle and covers a 9.75-year projection period (January 1, 2014 – September 30, 2023). The Tulare County RHNA Plan recommends that the County provide land use and zoning for approximately 7,081 units in the unincorporated portions of the County. The County administratively agreed to a housing share of 7,081 units (726 units per year over the 9.75-year RHNA planning period).

Staff Comment: This Project's eleven duplexes will provide 22 dwelling units, which will provide approximately 0.3% of the projected housing need for the County of Tulare by 2040.

3. The existing zoning for APNs: 075-120-047, -048, -049, -051, -052, -053, -055, -056, -057, -058, and -059 is R-1 (Single-Family Residential) Zone and is intended to provide living areas within the county were development is limited to concentrations of single-family dwellings.

The requested R-2 (Two-Family Residential) Zone is intended to provide the development of multi-family residential structures at densities consistent with the locations and character of the area.

Section 7.A.2.5 of the Tulare County Zoning Ordinance lists two-family dwellings as a permitted use that doesn't require a special use permit in the R-2 (Two-Family Residential) Zone.

The project will be consistent with the Tulare County Zoning Ordinance if PZC 22-006 is approved by the Board of Supervisors.

4. The environmental determination is a Categorical Exemption in accordance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970, pursuant to Title 14, Cal. Code Regulations Sections 15303 and 15332, Class 3 and 32, pertaining to New Construction or Conversion of Small Structures and In-Fill Development Projects. The use of Section 15303 is applicable and appropriate because, upon project approval, only one by-right duplex would be allowed on each of the eleven (11) existing parcels without further review. In addition, Section 15332 is applicable and appropriate because: (a) The project if approved will be consistent with the applicable general plan designation and all general plan policies as well as with applicable zoning designations and regulations; (b) The proposed development occurs within the community of Goshen on a project site of that is less than five acres that is substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

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

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

AND, BE IT FURTHER RESOLVED as follows:

D. This Planning Commission hereby recommends that the Board of Supervisors find Zone Change No. PZC 22-006 to be categorically exempt, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations Sections 15303 and 15332, Class 3 and 32, pertaining to New Construction or Conversion of Small Structures and In-Fill Development Projects.

E. This Planning Commission hereby recommends that the Board of Supervisors approve Zone Change No. PSP 22-006, subject to the following conditions:

#### **Standard Conditions of Approval:**

- 1. Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission/Board of Supervisors and with the Site Plan Development Standards pertaining to a use of this type adopted by the Planning Commission on February 20, 1970. (Exhibit "A")
- 2. Regardless of Condition No. 1 above, and in accordance with Section 18 (Minor Modifications-Director's Approval) of the Zoning Ordinance, 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. All exterior lighting shall be hooded and adjusted so as to deflect direct rays away from public roadways and adjacent properties.
- 4. 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.

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- 5. The conditions set down herein which require construction of improvements 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 Director may grant exceptions to this condition upon request by the applicant.
- 6. 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 <u>Zone Change No. PZC 22-006</u>, or at its election and in the alternative, shall relinquish such approval. The applicant(s) shall assume the defense of the County in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by the applicant(s), but subject to the County's reasonable approvals. The applicant shall also reimburse the County, its agents, its legislative body, officers or employees for any judgments, amounts paid in the settlements court costs and attorney's fees with the County, its agents, legislative body, officers or employees may be required to pay at court as a result of such action, claim or proceeding. The County may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve the applicant(s) of their obligations under this condition."

## **Planning Conditions:**

10. All on-site parking areas and driveways shall be surfaced for all-weather conditions and be maintained so that dust and mud do not create conditions detrimental to surrounding roadways.

## **Public Works/Engineering Conditions**

- 11. The subject site is located within the Goshen Urban Improvement Area or Urban Development Boundary whichever is applicable.
- 12. The subject site is not located within the boundaries of any Specific Plan.
- 13. 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. 910. The subject site is located within Zones AE and X (0.2 percent chance flood).
- 14. An elevation certificate and associated flood hazard mitigation measures will be required on all proposed buildings within a FEMA Zone A.
- 15. Construction of buildings within a shaded Zone X (0.2 percent chance flood) require no specific flood mitigation measures, however, it is recommended that all finished floor levels be elevated one foot above adjacent natural ground.

- 16. A portion of the subject site is located in a federally identified Special Flood Hazard Area (SFHA). Individual site plan approval is required for any lot located within or partially within an SFHA prior to the issuance of any permits. The identified parcels are located in a SFHA with an identified Base Flood Elevation (BFE) of 284 feet. The lowest floors of all structures within the SFHA shall be constructed at or above this identified BFE.
- 17. The location of a structure within the special flood hazard area shall require compliance with the National Flood Insurance Program under the Federal Emergency Management Agency (FEMA) and the provisions of the Tulare County Flood Damage Prevention Ordinance.
- 18. The subject site lies on the east and west sides of Robinson Road alignment. The existing right of way on Robinson Road is 60 feet (30 feet on the east side and 30 feet on the west side). Ultimate right of way on Robinson Road is 60 feet.
- 19. According to the county's maintained mileage maps, Robinson Road at the subject location is not a county maintained road.
- 20. The applicant shall improve Robinson Road from the existing cul-de-sac to Avenue 308 with a Class 1 county road standard consisting of curb, gutter and sidewalk within the existing 60-foot right-of-way. This condition shall be required at such time as specific development proposals are presented on the subject parcels.

## **Fire Department Conditions:**

- 21. Applicant shall provide an all-weather access to the project site that meets the Tulare County Standards.
- 22. Applicant shall post the address on the driveway, with a minimum of 4 inches tall by 3 inches wide by 0.5 inch line width permanent numbers visible from the street.
- 23. Applicant shall provide a 2A, 10BC fire extinguisher.
- 24. Fire sprinkler system (13D), deferred submittal.
- 25. CO/smoke detectors required in the hallways and smoke detectors required in each bedroom.
- 26. Verify nearest fire hydrants.
- 27. Blue reflective marker adjacent to Fire hydrant or Fire Department Connections. (NFPA 1142, sec. 8.4.7)
- 28. Fire final All fire protection features shall be installed and inspected before the final fire inspection.

\*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.

### **Building Division Conditions:**

- 29. Plans and specifications shall be prepared by a qualified licensed design professional.
- 30. Plans will need to show compliance with all California adopted codes at time of building permit submittal.
- 31. It is advised to contact the Building Department prior to permit submittal to check on any code changes or special requirements.

## **Code Compliance Conditions**

- 32. School Development Fees shall be paid at school district office, need proof of payment prior to issuance of building permits.
- 33. There are no active code violations on the parcels.
- 34. For all new construction to be done in the future, building plans must be submitted and permits obtained prior to construction.

The foregoing resolution was adopted upon motion of Commissioner Aleman, seconded by Commissioner Whitlatch, at a regular meeting of the Planning Commission on January 11, 2023, by the following roll call vote:

AYES:Aleman; Lehman; Aguilar; Whitlatch; Millies; BrownNOES:NoneABSTAIN:NoneABSENT:Dias; McElroy

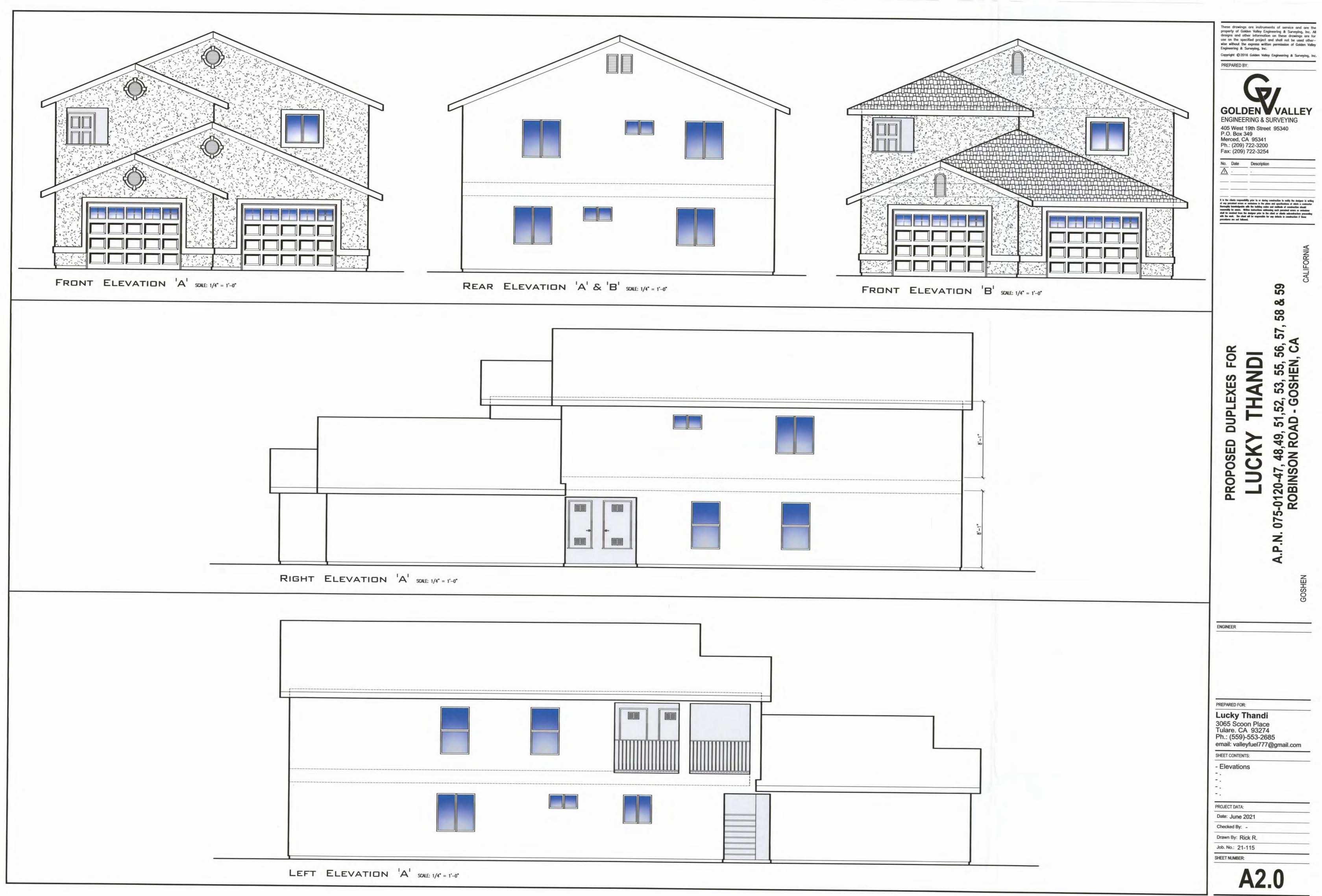
TULARE COUNTY PLANNING COMMISSION

Michael Washon

Michael Washam, Secretary



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RD 70			PROPOSED DUPLEXES FOR LUCKY THANDI A.P.N. 075-0120-47, 48,49, 51,52, 53, 55, 56, 57, 58 & 59 ROBINSON ROAD - GOSHEN, CA ROBINSON ROAD - GOSHEN, CA
			ENGINEER
	$0 \frac{15}{30}$ SCALE: 1" = 30	60	Tulare. CA 93274 Ph.: (559)-553-2685 email: valleyfuel777@gmail.com SHEET CONTENTS: - LIMITED SITE PLAN          



#### ORDINANCE NO.

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

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

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of a portion of Section 19, Township 18 South, Range 24 East, Mount Diablo Base and Meridian, being a subdivision of Part 302 of the Official Zoning Maps. A map showing Change of Zone No. PZC 22-006 approved for approximately 1.59 acres is attached hereto and incorporated herein by reference. The new zoning will be R-2-MU (Two-Family Residential with a Mixed-Use Overlay Combining Zone).

Section 2. The property affected by the zoning reclassification from R-1 (Single-Family Residential), is briefly described as follows: Being a 1.59-acres, located on Tulare County Assessor Parcel Numbers (APNs) 075-120-047, -048, -049, -051, -052, -053, -055, -056, -057, -058, and -059. The subject property is located on the east and west side of Robinson Road, approximately 150 feet north of Avenue 308, in the unincorporated Tulare County community of Goshen.

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

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

AYES: NOES: ABSENT:

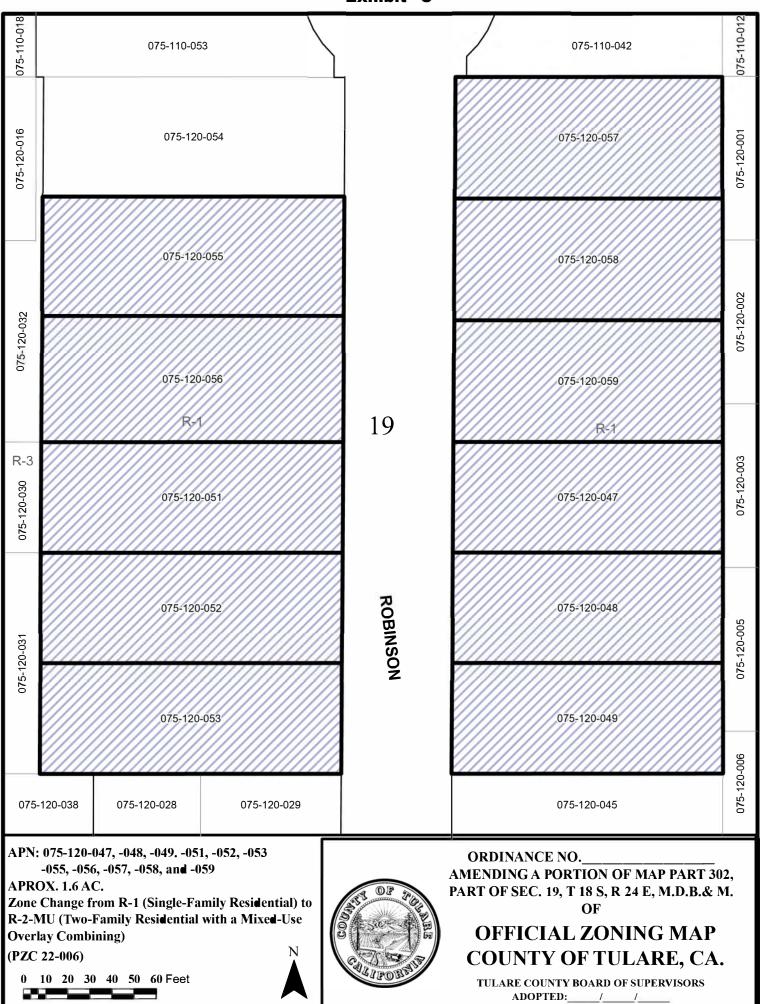
Chairman, Board of Supervisors

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

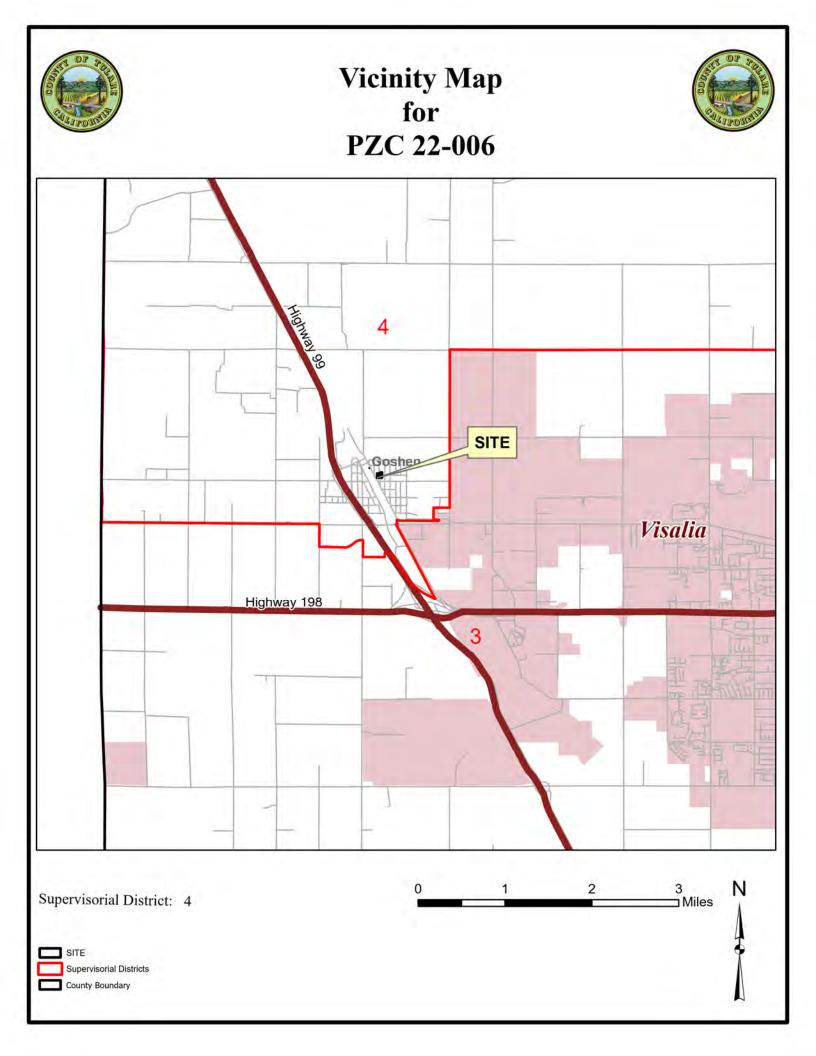
By: \_\_\_\_\_

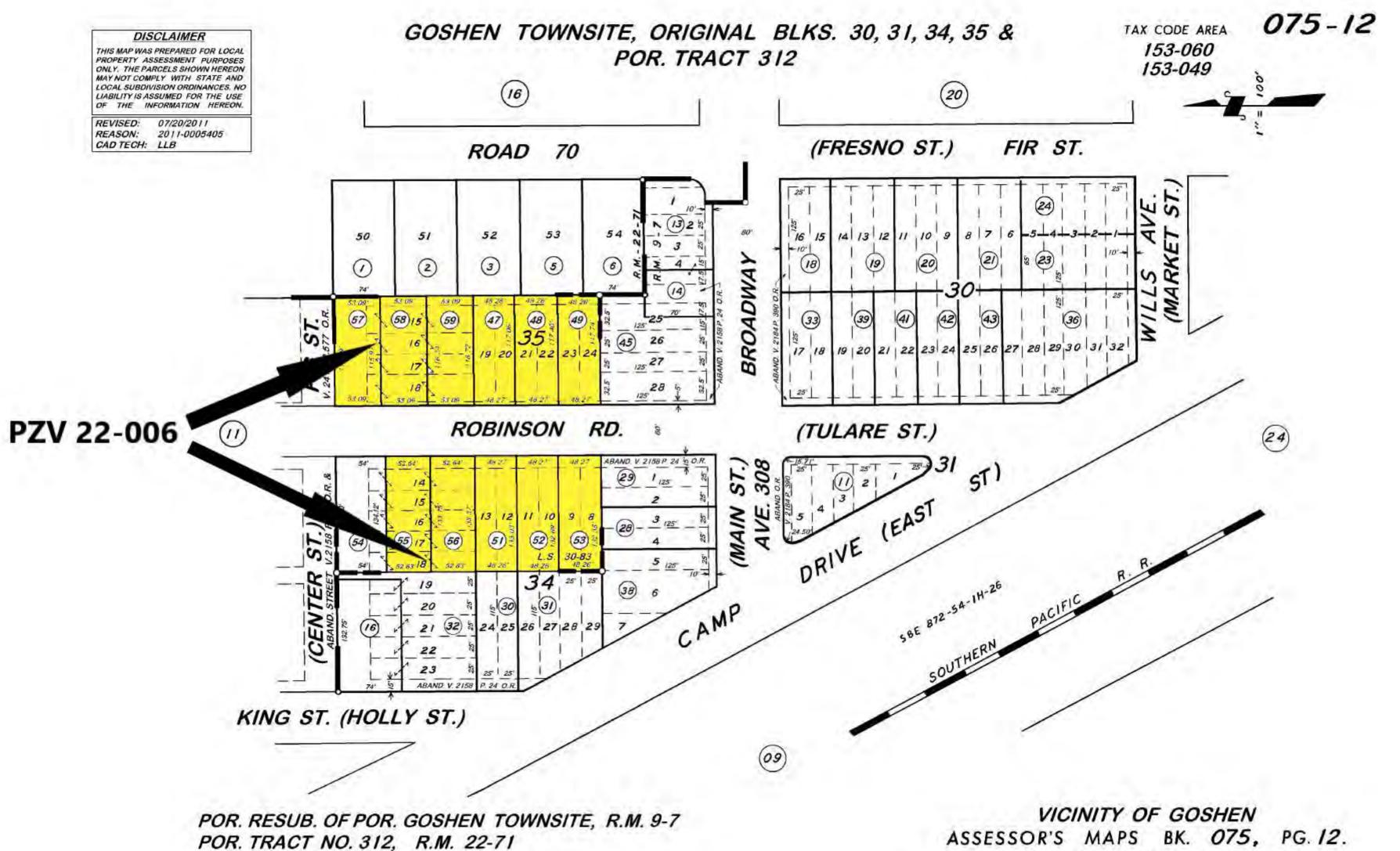
Deputy

Exhibit "C"



Maps and Graphics

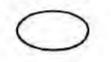


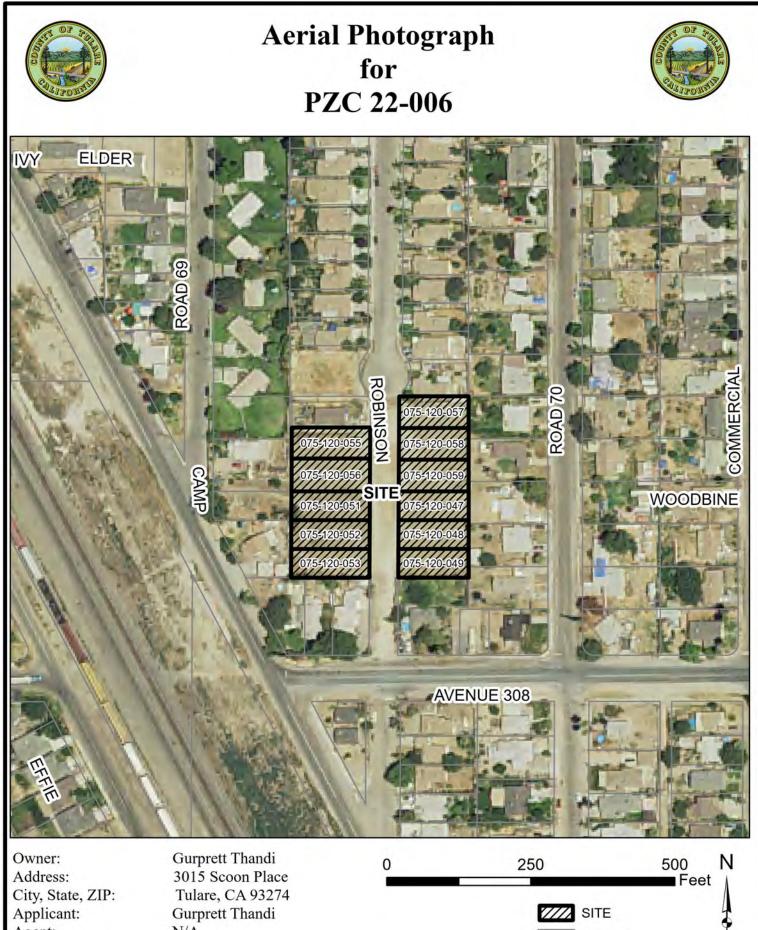


RECORD OF SURVEY, L.S. 30-83

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

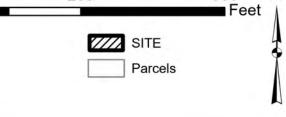
ASSESSOR'S MAPS BK. 075, PG. 12. COUNTY OF TULARE, CALIF.



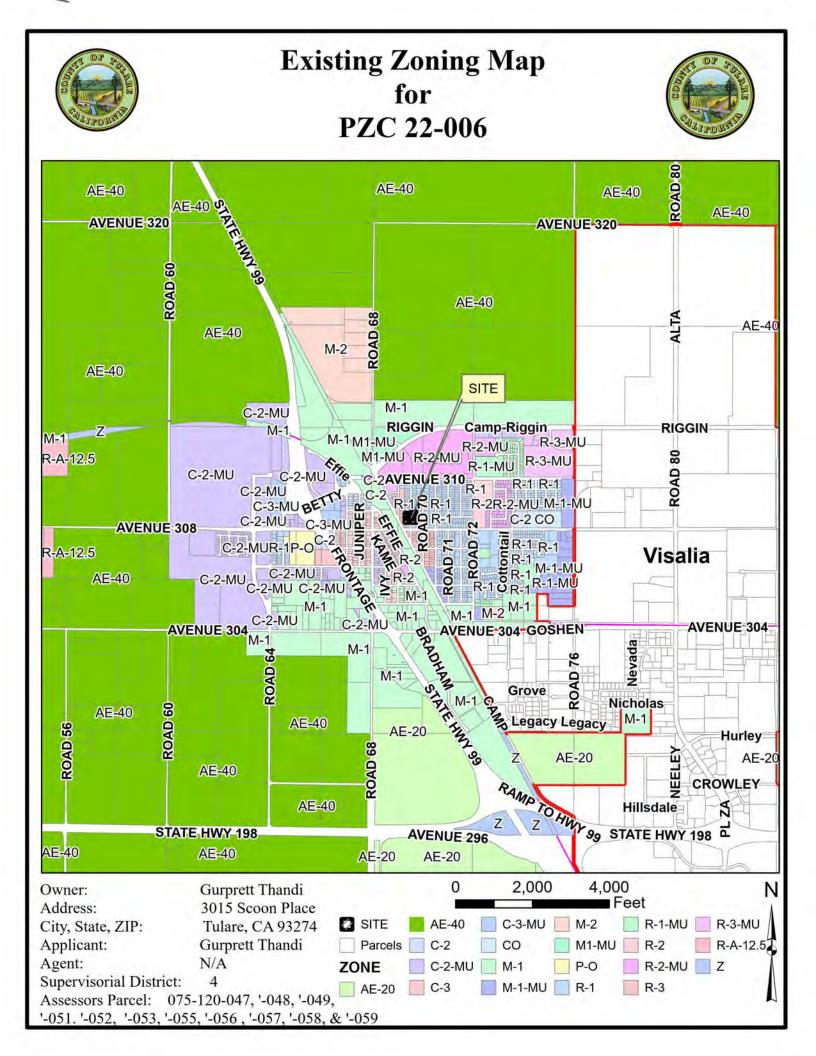


Agent: Supervisorial District: Assessors Parcel:

N/A 4 075-120-047, '-048, '-049, '-051. '-052, '-053, '-055, '-056 , '-057, '-058, & '-059







## Attachment No. 3

Notice of Exemption

То:		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 Ag	gency:	Tulare County Resource Manage 5961 South Mooney Blvd Visalia, CA 93277 (559) <i>Attn: hguerra@tularecounty.ca.</i>	624-7000	DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE
Applica	nt(s):	Gurprett Thandi 3015 Scoon Place Tulare, CA 93274 (559)	553-2685	

Project Title: Zone Change No. PZC 22-006

**Project Location - Specific:** The project site is located on the east and west side of Robinson Road, approximately 150 feet north of Avenue 308, in the unincorporated Tulare County community of Goshen (APNs: 075-120-047, -048, -049, -051, -052, -053, -056, -057, -058, and -059).

Project Location- Section, Township, Range: Section 19, Township 18 S., Range 24 E., M. D. B. & M.

Project Location - City: Goshen, CA

Project Location - County: Tulare

**Description of Nature, Purpose, and Beneficiaries of Project:** The request is to allow a Zone Change from R-1 (Single-Family Residential) Zone to R-2-MU (Two-Family Residential with a Mixed-Use Overlay Combining) Zone for Assessor's Parcel Numbers ("APNs"): 075-120-047, -048, -049, -051, -052, -053, -056, -057, -058, and -059 to facilitate the construction of eleven (11) two-story duplexes, with one duplex on each of the eleven (11) existing parcels.

#### Exempt Status: (check one)

- □ Ministerial (Sec. 21080(b)(1); 15268);
- $\Box$  Declared Emergency (Sec. 21080(b)(3); 15269(a));
- □ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- $\Box$  Common Sense Rule: CEQA guidelines 15061(b)(3)
- ☑ Categorical Exemption: CEQA Guidelines Class 3 and 32, Sections 15303 New Construction or Conversion of Small Structures and Section 15332 In-Fill Development Projects.
- □ Statutory Exemptions:

**Reasons why project is exempt:** The use of Section 15303 is applicable and appropriate because, upon project approval, only one byright duplex would be allowed on each of the eleven (11) existing parcels without further review. In addition, Section 15332 is applicable and appropriate because: (a) The project if approved will be consistent with the applicable general plan designation and all general plan policies as well as with applicable zoning designations and regulations; (b) The proposed development occurs within the community of Goshen on a project site of that is less than five acres that is substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

#### Name of Public Agency Approving Project: <u>Tulare County Resource Management Agency</u>

Project Planner/Representative: Project Planner/Sand	dy Roper, Chief Planner	Teleph	one: (559) 624-7101
Signature:	Date:	Title:	Chief Environmental Planner
Hector Guerra			

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

 $\boxtimes$  Signed by Lead Agency

Date submitted to the OPR/SCH:

Attachment No. 4

Ordinance

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

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:

Section 1. Paragraph B of Section 3 of Ordinance No. 352 of the County of Tulare is hereby amended by the adoption of an amended map of a portion of Section 19, Township 18 South, Range 24 East, Mount Diablo Base and Meridian, being a subdivision of Part 302 of the Official Zoning Maps. A map showing Change of Zone No. PZC 22-006 approved for approximately 1.59 acres is attached hereto and incorporated herein by reference. The new zoning will be R-2-MU (Two-Family Residential with a Mixed-Use Overlay Combining Zone).

Section 2. The property affected by the zoning reclassification from R-1 (Single-Family Residential), is briefly described as follows: Being a 1.59-acres, located on Tulare County Assessor Parcel Numbers (APNs) 075-120-047, -048, -049, -051, -052, -053, -055, -056, -057, -058, and -059. The subject property is located on the east and west side of Robinson Road, approximately 150 feet north of Avenue 308, in the unincorporated Tulare County community of Goshen.

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

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at a regular meeting of said Board, duly and regularly convened on said day, by the following roll call vote:

Approved as to Form:

Matthew Pierce

Deputy County Counsel Matter No. RMA-General

AYES: NOES: ABSENT:

Chairman, Board of Supervisors

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

By: \_\_\_\_\_ Deputy

