

NOTICE OF EXEMPTION

To: [x] Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

[x] Tulare County Clerk
Room 105, Courthouse
221 South Mooney Blvd.
Visalia, CA 93291

Lead Agency: County of Tulare c/o Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277 (559) 624-7000
Attn: gmills@tularecounty.ca.gov and jwillis@tularecounty.ca.gov

FILED
TULARE COUNTY
JUL 24 2024
ASSESSOR / CLERK-RECORDER
BY:
DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

Applicant(s): Moises Cadena
43 N. Villa St.
Porterville, CA 93257 559-310-9066

Project Title: Setback Variance - PSV 24-001- Cadena
Project Location - Specific: 17930 Road 232, Porterville, CA (APN: 243-081-018)
Project Location- Section, Township, Range: Section 10, Township 21S, Range 27E

Project Location - City: Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: The Applicant proposes to allow the construction of a 3-foot 6-inch block wall with 2-foot 6-inch wrought iron within the 50-foot setback in the R-A-43 (Rural Residential - 43 Acre Minimum) Zone. The wall will surround the entire property and will include a 6-foot tall wrought iron rolling gate for safety and security reasons. The beneficiaries of the project would be the applicant.

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)
[X] Categorical Exemption: CEQA Guidelines Section 15303(l)(4) Class 3 pertaining to New Construction
Statutory Exemptions: CEQA Guidelines

Reasons why project is exempt: Project is categorically exempt, consistent with the California Environmental Quality Act of 1970 (CEQA) and the State CEQA Guidelines, pursuant to Title 14, Cal. Code Regulations Section 15303(l)(4) New Construction or Conversion of Small Structures. The use of Section 15303(l)(4) is applicable and appropriate as the Zone Variance will allow for an accessory structure (fence). In accordance with Section 16.I of the Tulare County Zoning Ordinance, the Planning Commission of the County of Tulare may approve a variance when practical difficulties, unnecessary hardships or results inconsistent with the general purpose of this Ordinance result through the strict and literal interpretation and enforcement of the provisions thereof. Therefore, the lead agency concludes that the proposed project fits under the exemption as the project is consistent with the Tulare County Zoning Ordinance and State CEQA guidelines.

Name of Public Agency Approving Project: County of Tulare

Project Planner/Representative: Russell Kashiwa Telephone: (559) 624-7110

Signature: Gary A. Mills Date: 7/24/2024 Title: Chief Environmental Planner

Signature: Reed Schenke, P.E. Date: 7/24/24 Title: Environmental Assessment Officer RMA Director

[x] Signed by Lead Agency Date submitted to the OPR/SCH: