

# MATHENY TRACT LEGACY PLAN 2017

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Funded by Strategic Growth Council



Tulare County Resource Management Agency  
Economic Development and Planning Branch



# MATHENY TRACT LEGACY PLAN

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## Matheny Tract Legacy Plan

Adopted: October 17, 2017

Tulare County Board of Supervisors  
Resolution No. 2017-0868

Tulare County Planning Commission  
Recommendations: September 27, 2017  
Resolutions No. 9342, 9343, 9344, 9345, and 9346

General Plan Amendment: GPA 17-033  
Section 16 Zoning Ordinance (Mixed-Use): PZC 17-032  
Section 18.9 Zoning Ordinance (By-Right Uses): PZC 17-031

Matheny Tract Legacy Plan: GPA 17-029  
Zoning District Map: PZC 17-029



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## Introduction

An important objective in preparing a Legacy Plan for Matheny Tract is to develop a plan which can accurately reflect the needs and priorities of the Matheny Tract community. Matheny Tract is not currently designated as a legacy area in the 2030 Tulare County General Plan (2012) Planning Framework Element since legacy areas have not been formally established to date. It has become apparent that a more precise plan is needed to increase the availability of infrastructure funding (for things such as wastewater improvements [for example wastewater distribution piping], curbs, gutters, sidewalks, etc.) and to stimulate economic development within the community.

Matheny Tract is located adjacent to the city of Tulare (**see Figure 1**) generally located south of Avenue 216 (Paige Avenue), east of Road 96 (Pratt Street) and west of I Drive and State Route 99. Matheny Tract is located just west of industrial land uses and a Union Pacific Railroad (formerly Southern Pacific Transportation Company) line running through Tulare County. Physically, the Community of Matheny Tract (**see Figure 2**) is physically divided into a north and south area by agricultural land uses that separate approximately 256 households in North Matheny from 80 households in South Matheny Tract. The Matheny Tract Community is predominantly surrounded by agricultural land.

Along the eastern boundary, running parallel to South “I” Drive is an irrigation ditch, above ground power lines and the Union Pacific Railroad (formerly Southern Pacific Transportation Company) tracks. Also visible to the east is the city of Tulare corporation yard. Above ground power lines run parallel to Pratt Road that acts as the western boundary. The City of Tulare’s Wastewater Treatment and Reclamation facility is located about  $\frac{3}{4}$  miles northwest of Matheny Tract. In addition, an industrial area is located immediately northeast of the Community.

There is a canal within Tulare Irrigation District (IID) service area that bisects North and South Matheny Tract. The Oakland Colony Ditch runs in a north south direction through North Matheny Tract along the Canal Street corridor and extends in an east-west direction between North and South Matheny Tract. There are two east-west crossings of the Oakland Colony Ditch - one along Wade Avenue and the other along Addie Avenue - in North Matheny Tract.

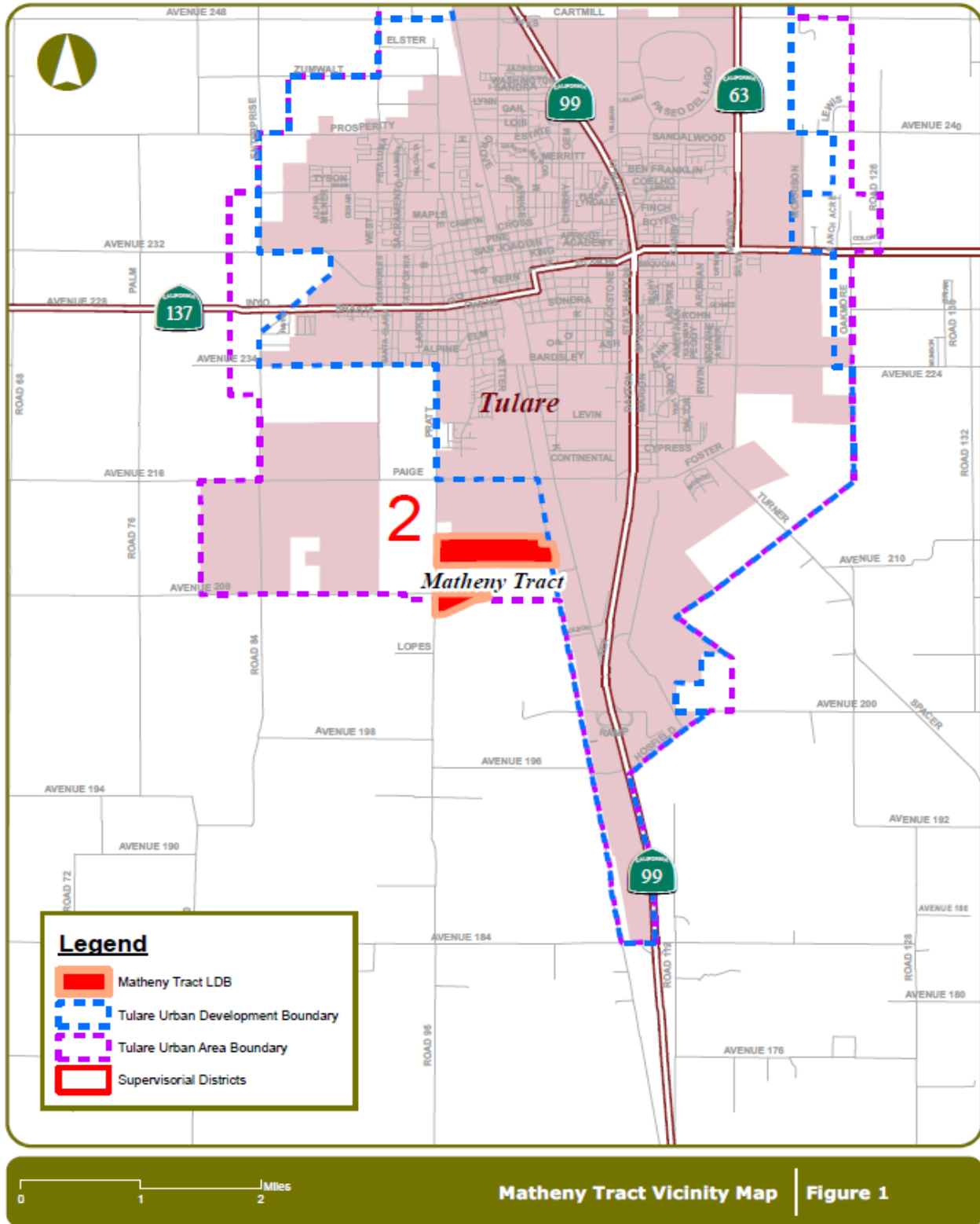
Matheny Tract is an aging unincorporated Tulare County subdivision. As indicated above, there are two parts to Matheny Tract, the southern and smaller portion laid out as Tulare County Tract 53 in 1946 and the northern portion laid out as Tract 104 in 1947 by E.S. Matheny and Grace L. Matheny with a population of approximately 1,043 and 280 households. Matheny Tract is also designated as a disadvantaged community, which is, “a census designated place that has household median incomes that are less than 80% of the statewide household median income.

## Location

The Tulare County community of Matheny Tract is comprised of two groupings of dwellings located south of the City of Tulare just east of Pratt Road and adjacent to the city of Tulare. Matheny Tract is in Section 22, 23, & 27, Township 20 South, Range 24 East, MDB&M, and can be found within the Page, United States Geological Survey 7.5 Minute topographic quadrangle. Matheny Tract is located at an elevation of 269 feet above sea level, National Geodetic Vertical Datum. The coordinates of Matheny Tract are: Latitude: 36.172179 and Longitude: -119.351606.

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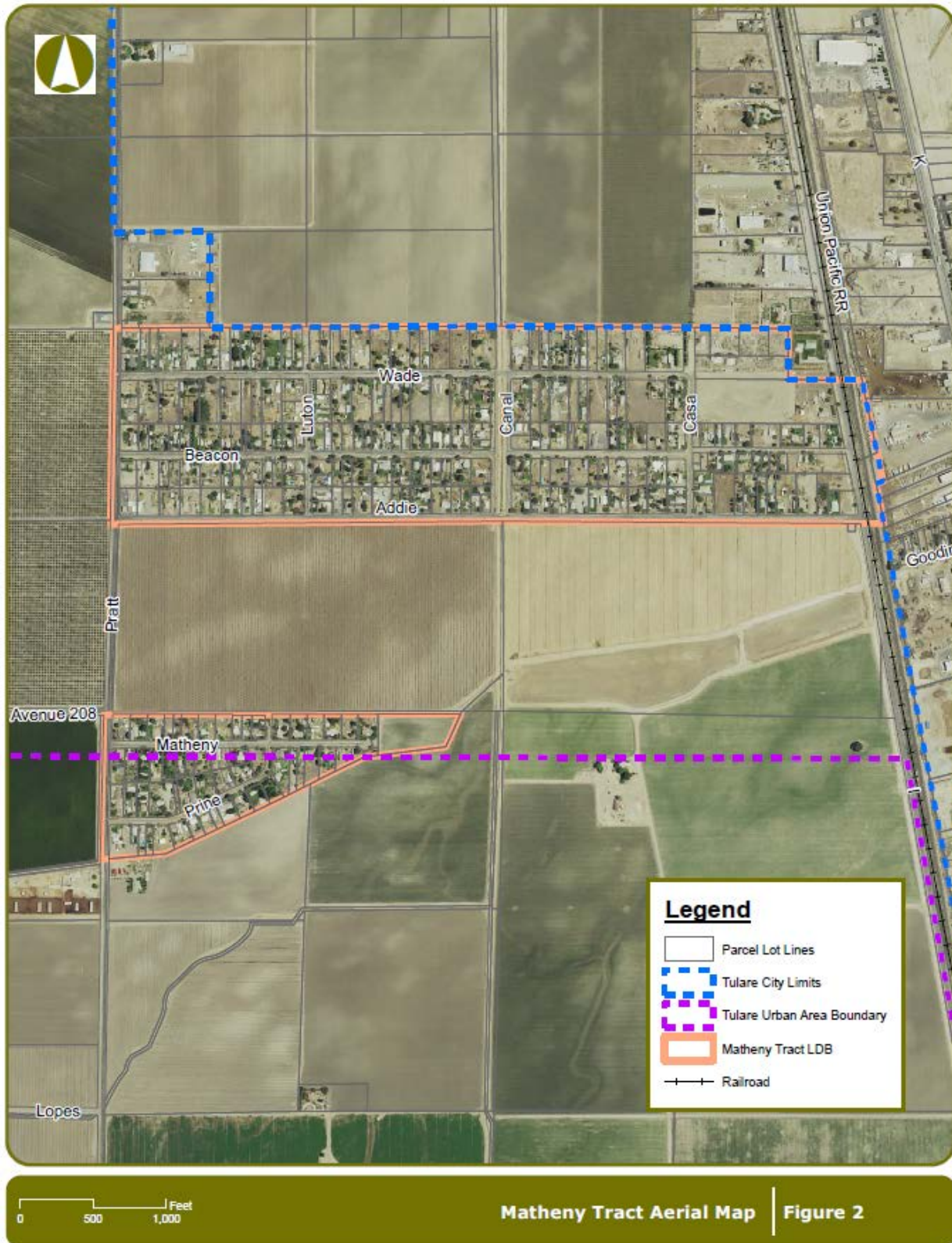
Figure 1 - Vicinity Map





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Figure 2 - Matheny Tract Aerial



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## Planning Area

The Matheny Tract Legacy Development Boundary (HDB) area consists of 187.8 acres (see **Figure 3**). The Land Uses within the HDB are described as follows. Agricultural activities, including orchards and pasture, currently occupy 1.54 percent of the 187.8 acres. Urban development, including urbanized uses such as residential and commercial development occupy 80.77 percent of the 187.8 acres. The remaining 17.5 percent are lands dedicated for Right-of-way (See **Table 1**).

<b>Land Use</b>	<b>Acres</b>
Residential	145.3
Commercial	2.5
Agricultural	2.9
Non Zoned Parcels	0.2
Z	2.9
Rights-of-way	32.9
<b>Total</b>	<b>187.8</b>

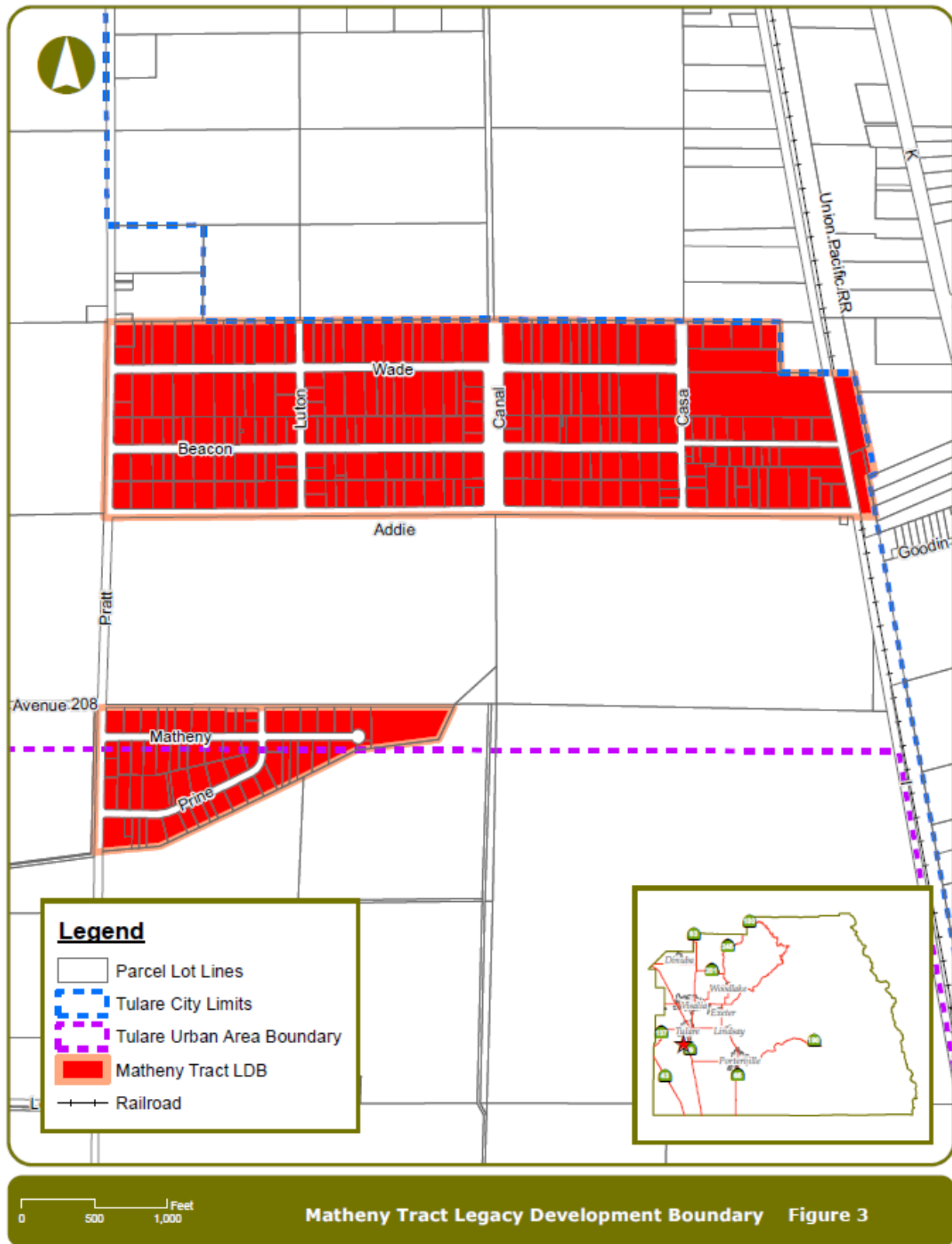
No change is proposed to the Hamlet Development Boundary.

## City of Tulare's Sphere of Influence (SOI)

The community is located adjacent to the Tulare city limits and outside the city's 2035 Urban Development Boundary. Although Matheny Tract is within the city's Sphere of Influence (SOI) (see **Figure 4**), the city's General Plan map does not designate the area. Many residents have lived in Matheny Tract for many years; a 2012 survey found that 51% had lived there longer than ten years. Thirty-four percent had lived in Matheny Tract for more than twenty years. Most children attend Palo Verde School, which is not part of the Tulare City School District, and many of their parents attended Palo Verde as well.

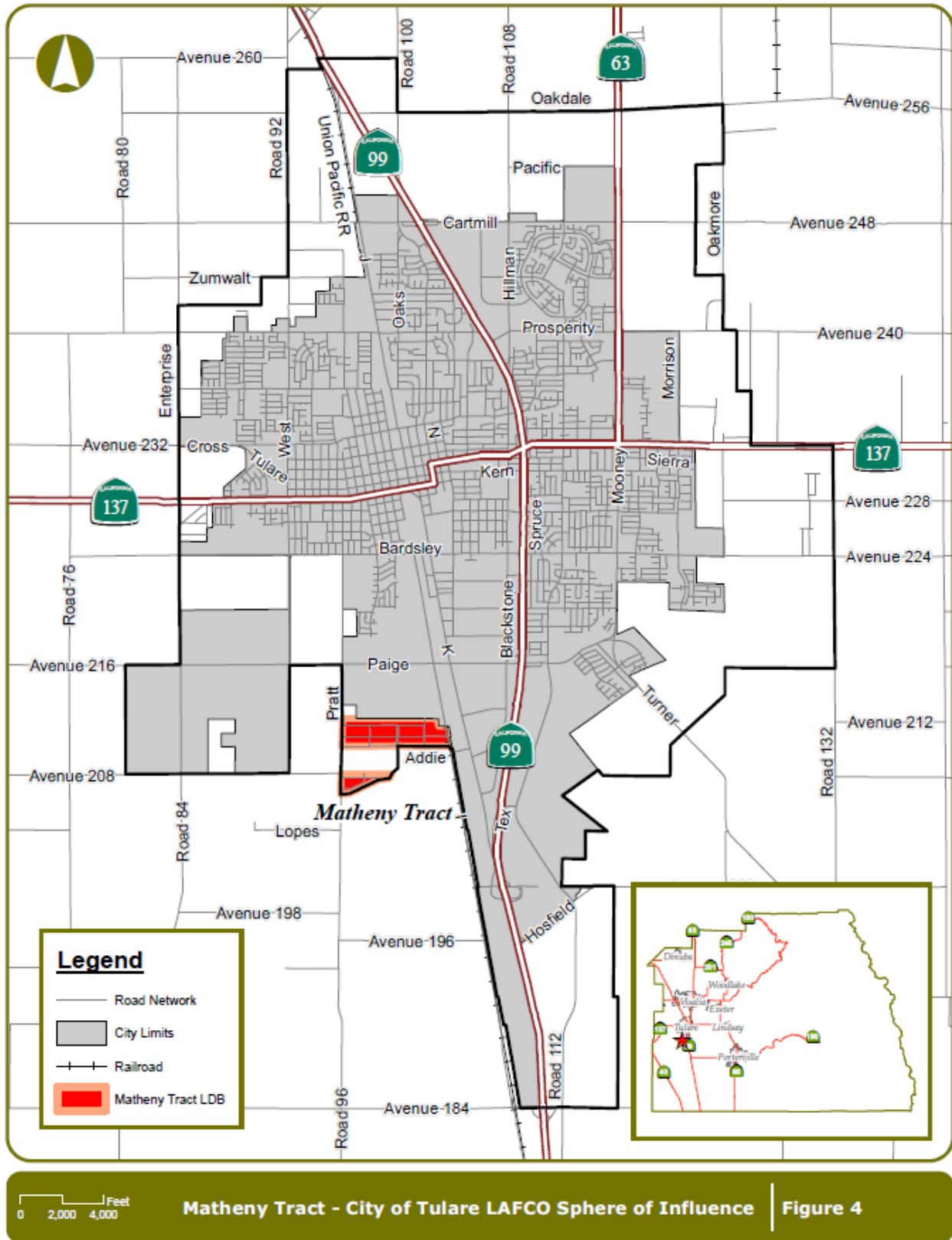
# MATHENY TRACT LEGACY PLAN

Figure 3 - Matheny Tract HDB



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Figure 4 – City of Tulare SOI



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## SUSTAINABLE COMMUNITIES STRATEGY OUTREACH REPORT

### Community Description

Matheny Tract is a disadvantaged unincorporated community located immediately adjacent to the City of Tulare's southwestern boundary. It is a community that is considered a Census Designated Place (CDP) by the 2010 U.S. Census. This means that it is a place where there is a settled concentration of population that is identifiable by name, but is not legally incorporated under the laws of the state in which it is located and is delineated to provide data.<sup>1</sup>

This report is based on data from the American Community Survey (ACS), Matheny Tract residents' testimony through surveys, and informal residents' testimony collected via community canvassing. The observations made by Leadership Counsel for Justice and Accountability (Leadership Counsel) and the Matheny Tract Committee (MTC) is also included. Leadership Counsel is a 501(c)3 non-profit organization that helps disadvantaged communities with infrastructure needs and MTC is a group of Matheny Tract residents that volunteer their time to work towards improving their community. MTC and Leadership Counsel conducted canvassing and door-to-door outreach in Matheny Tract to create this report.

The ACS estimates that Matheny Tract's total population in 2014 was 1,098 residents with 305 households.<sup>2</sup> The age breakdown is as follows: 38.8% of the population in Matheny Tract is between the ages 0 to 19, 36.3% are between 20 to 44 years of age, 18.1% are between 45 to 59 years of age, and 11.9% are over 60 years of age.<sup>3</sup>

The male and female population makes up 49.2% and 50.8%, respectively.<sup>4</sup> In Matheny Tract, residents of Hispanic or Latino background make up 63.4% of the population. Additionally, of the population that identified as "Not Hispanic," 33.8% identified themselves as White and 2% identified themselves as Black or African American.<sup>5</sup>

Additionally, Matheny Tract has many infrastructure needs. Notably, the residents have stated that their current water servicer, the Pratt Mutual Water Company, has tested the drinking water in Matheny Tract and confirmed that it is contaminated with arsenic, nitrates, and leaching septic tanks. Attaining clean drinking water is a top priority for residents, and for many years, the community has worked towards securing their right to potable water.<sup>6</sup>

Heading this movement is the Matheny Tract Committee. As mentioned, MTC's purpose is to advocate for improved conditions and quality of life in the Matheny Tract. MTC and Leadership Counsel for Justice and Accountability have secured an agreement by the City of Tulare to consolidate its water system with Matheny Tract's new water system constructed with Proposition 84 funds.

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<sup>1</sup> [https://www.census.gov/geo/reference/gtc/gtc\\_place.html](https://www.census.gov/geo/reference/gtc/gtc_place.html)

<sup>2</sup> <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>

<sup>3</sup> Id.

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> <http://www.theatlantic.com/politics/archive/2015/10/california-drought-towns-without-drinking-water/409930/>

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In 2011, the City of Tulare signed an agreement with Pratt Mutual Water Company, the water company that serves Matheny Tract, to provide potable water to Matheny Tract and consolidate its water system with the community's water system, which would be constructed with Proposition 84 funding. In June 2015, the City of Tulare initiated a lawsuit to alter the terms of the agreement, and MTC counter-sued to seek the City's compliance with the agreement. The City, MTC, and Pratt Mutual arrived at an agreement in April 2016, prior to trial and after the State Water Resources Control Board (SWRCB) ordered the City of Tulare to initiate potable water service to Matheny Tract and consolidate its water system with the community's pursuant to the authority granted to it under SB 88. SB 88 grants the SWRCB authority to require local governments such as Tulare, to consolidate their water systems with adjacent disadvantaged communities when those communities have high levels of contamination in their drinking water that exceed public health thresholds.

## Community Outreach and Invitation Process

Leadership Council met with MTC on two occasions to discuss dates for outreach and whether or not we should have a large-scale workshop at Palo Verde Elementary School. The group decided to schedule the first workshop for January 9, 2016, at 10:00 am. The group usually meets outdoors at Reina Palma's house on 256 East Beacon Avenue on Reina's driveway. However, the group informed us that the workshop should not be outdoors during that time of the year, because it was too cold in the evenings, and no one would attend.

Also, because MTC has had large meetings at the Palo Verde Elementary cafeteria in the past, we contacted Mr. Manning, Palo Verde's principal, who agreed to allow us to use the Palo Verde Cafeteria for the workshop location and agreed to have someone there to help us open the gate for a small fee, at first. Later, he decided to sponsor us and did not charge a fee.

For outreach for the workshop, we worked alongside MTC members, Tim Denney, Reina Palma, and Leadership Counsel Employees, Ashley Werner, Merced C. Barrera, and Robert Fuentes. Together we canvassed all of Matheny Tract by dividing up into teams (See "Outreach Dates" listed above and the flyer). On average, we spoke to fifteen to twenty residents per team per day.

During outreach, team members had to contend with threatening and stressful encounters with stray dogs. Tim, Reina, and Merced, for example, were approached by hostile stray dogs but fortunately were not bitten. However, there was one day in which Reina was chased by a dog. Residents of Matheny Tract must deal with the stray dogs that roam the community's streets on a daily basis. The residents stated that this is because animal control does not frequent Matheny Tract.

As described above, MTC and Leadership Counsel conducted extensive outreach for the SGC workshop. Nevertheless, just 13 residents attended the workshop on January 9th, fewer than hoped for and expected. During outreach, we received feedback from various residents that they did not plan to attend the workshop, because after so many years of neglect, broken promises and discriminatory actions and statements by their own representatives and the City of Tulare, the residents didn't believe anything could come of it. However, MTC did not give up. Together with MTC, we planned an additional meeting to get more resident input.

In addition to the workshop, we held a follow-up meeting with MTC where residents that did not attend the workshop completed the surveys. This additional meeting was held at MTC's usual place of convening, Reina Palma's house, on January 21, 2016 at 6 pm. We also did outreach for this meeting

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by calling our list of residents that have been involved in MTC at some point in the past; this is a list of approximately 155 residents. Additionally, MTC leaders informed their neighbors and relatives that live in Matheny Tract of the additional opportunity to provide input. Please see list below for more details:

1. 11/19/15, 6:00 pm:
  - a. Matheny Tract Committee (MTC) Meeting - introduction to SGC Workshops and RMA, dates for workshop suggested
2. 12/13/16:
  - a. Matheny Tract Committee Meeting- setting dates for SGC workshop in Matheny Tract and outreach dates
3. 1/4/16:
  - a. Phone calls to MTC members re outreach for 1/5/16
4. 1/5/16, 2:00 pm- 5:00 pm:
  - a. Door-to-door flyer (300)
5. 1/7/16:
  - a. Phone calls to MTC members re outreach for 1/8/16
6. 1/8/16, 2:00 pm-5:00 pm
  - a. Door-to-door flyer (300)
7. 1/9/16- Workshop at Palo Verde Elementary School Cafeteria
8. 1/14/16-
  - a. Completed survey with residents (Mr. Vance and Mrs. Andrade)
9. 1/20/16-
  - a. Phone calls to MTC members re meeting for 1/21/16
10. 1/21/16- Meeting at MT resident's house (Reina Palma)

Lastly, the educational materials and outreach flyer included Tulare Resource Management's logo, Leadership Counsel's logo, and phone numbers for Leadership Counsel, date, location, time, and purpose of the workshop. The educational materials were copies of the survey, a PowerPoint printout, and easel boards. We used a survey to review with the residents and for discussion groups. All materials and flyers were in both, English and Spanish.

## Community Meeting

The workshop was held as planned on January 9th and began at 10am in Palo Verde Elementary new cafeteria. As mentioned above, 13 residents attended the workshop. We gave a brief presentation in which we explained the types of infrastructure and services relevant to the workshop, the purpose of collecting surveys to determine residents' priorities for improvements in the community, and the role of the County of Tulare in the planning process and project application process. We also emphasized the importance of public participation in the planning process, and why their engagement in these types of infrastructure needs assessment workshops for Matheny Tract is one way to contribute to the improvement of their community.

We provided the residents with a printout of the presentation (see Attachment A). The presentation was in English and Spanish because there were five English-speaking residents and eight Spanish-speaking residents in attendance. Childcare was not provided, and none of the participants brought children to the workshop.

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After the presentation, we broke out into two groups, a Spanish-speakers group and an English-speakers group, to complete the surveys. Ashley Werner facilitated the English group and Merced C. Barrera facilitated the Spanish group. Once the groups completed the surveys, they numbered their improvement needs priorities on page 6 of the survey. Their priorities are tallied on the attached Excel spreadsheet, which shows the group's order of priorities (see Attachment B).

Please note that three residents forgot to sign the sign-in sheet, but as you can see in our workshop picture and the attached surveys, they attended the workshop and completed the survey (see Attachment C).



*Pictures of Matheny Tract community meeting and outreach.*

## Community Survey

A survey was developed as a tool to gather a variety of information from the community about multiple topics (see Attachment D). It was 6 pages in length and was provided in both English and Spanish. On average, it took about 30 to 40 minutes for residents to complete. The survey asks about the following community-related topics: Schools, Libraries, Housing, Zoning, Parks, Shopping Opportunities, and Access to Gas Stations, Access to Medical Facilities, Natural Gas, Internet Access, Transportation Options, Walkability, Roads, Street Safety, Flooding, Fire, Safety, Infrastructure, Water Quality & Quantity, Wastewater, Storm Water Drainage, Multimodal Opportunities, and the priority of various improvement needs.

Residents were encouraged to add information and comments to the survey. There were only two translations that were confusing to the Spanish-speaking residents. The first was under the topic of “Gas Stations:” the residents did not understand the difference between “estacion de servicio” and “gasolinera.” Second, under “Fire and Safety,” residents needed some explanation about the meaning of “hidrantes de bomberos.” We discussed residents’ questions to ensure that they fully understood and could complete the survey.

After careful discussion at the Matheny Tract SGC community input meeting, residents concluded that the following list represents Matheny Tract priority improvement needs.



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## Priority Improvements

1. Water Quality/ Water Quantity
2. Sewer System
3. Storm Water Drainage/ Street Flooding
4. Road Improvements
5. Street lights
6. Sidewalks
7. Trash Service
8. Community Safety
9. Fresh food availability/Market
10. Community Park

## **Water Quantity**

Matheny is comprised of approximately 305 residential units and a local store.<sup>7</sup> Currently, Pratt Mutual Water Company and septic tanks serve all of the residential lots. Pratt Mutual Water Company serves the local store as well. The residents also mentioned that the water pressure is very low sometimes.

## **Water Quality**

Pratt Mutual's wells were drilled several decades ago. The residents report that all of the wells are contaminated with Arsenic. Residents strongly desire access to potable drinking water, consistent with Pratt Mutual's agreement with the City of Tulare.

During outreach calls to residents for the workshop, one resident stated that they had been denied building permits to construct a single-family resident on a vacant lot that they owned due to inability to demonstrate a source of potable water.

Also, while canvassing, one resident asked whether she could boil her water to eliminate arsenic from her tap water; we informed the residents that boiling water would not address arsenic contamination.

## **Sewer System**

Matheny Tract is presently unsewered, with wastewater disposal provided via individual septic systems that date to the 1960's. Based on visual inspection there are approximately 305 dwellings within the community on 290 residential lots; approximately one-third of the dwellings are mobile homes. Some residents report that the septic systems are failing due to age, lack of maintenance and insufficient percolation capacity of the underlying soils.

In the recent "Wastewater System Project Feasibility" survey, all of the residents voted in favor of the Alternative # 2 presented by the County's report, which is application for a state grant to construct a waste water system in Matheny Tract and consolidation of that system with the City of Tulare's system. This seems especially relevant given that the wastewater treatment plant is less than a mile away from Matheny Tract and continues to impact the community with foul odors despite years of complaints by residents.

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<sup>7</sup> <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>

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## **Storm Water Drainage**

The lack of storm water drainage was the second highest concern for the residents. At the workshop, 2 out of 13 participants identified drainage and sewer as their top priority and 4 out of 13 residents named this their second priority on the survey.

This is of great concern for the community because Matheny Tract experiences heavy flooding during the rainy season. This flooding greatly reduces walkability in the community, as residents must walk through muddy, flooded streets that lack sidewalks. These conditions pose special risks to children and the elderly who are more vulnerable to the wetness and cold. During the outreach conducted in December and January, one of the issues that MTC and Leadership Counsel encountered while canvassing was that there were many large puddles of dirty water that blocked driveways that led to the front doors of homes.

## **Road Improvements**

There are many potholes in Matheny Tract, and some of the residents stated that the pavement cracks. Also, the roads do not have a lane-dividing line or a boundary line for the residential sides of the streets. There are no bike lanes. Most of the residents stated that vehicles that pass through the community, especially on Addie Avenue, do so at extremely fast and dangerous speeds.

## **Street Lights**

There are very few streetlights in Matheny Tract, and several of the streetlights in the community do not work well or at all. One streetlight is located at the intersection of West Beacon Avenue and Luton Street. The residents stated that having more street lights are imperative for the safety in their community, as it is now, without much lighting, none of the survey participant felt safe walking or being outdoors in their neighborhood at night.

In 2012, MTC secured a community-benefits agreement with Colony Energy LLC -- which plans to build an anaerobic co-digester facility upwind of the community by the City of Tulare's Waste Water Treatment Plant -- which provides that Colony Energy will work with Southern California Edison to install approximately 17 street lights in Matheny Tract and pay for their operation for ten years. Colony Energy's duty to do so is triggered when it secures financial close. Colony Energy representatives report that it has not yet secured financial close.

## **Speed Limit Signs**

The community needs traffic calming signs throughout and enforcement by patrol officers.

## **Public Transportation**

TCAT's South County Route #20 is scheduled to stop at the corner of Pratt Street and Addie Avenue approximately five times a day. However, many of the survey participants said that they have only seen the bus pass by once a day.

## **Fire Hydrants**

The majority of the residents stated that they did not know how many fire hydrants are in Matheny Tract. One resident said there weren't any fire hydrants, two others said there were several, and three residents respectively said there were more than fifty, two, and two. Also, while canvassing, we only saw one fire hydrant on Wade Street, but we were not sure whether it was operating. The point here

# MATHENY TRACT LEGACY PLAN

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is that there seems to be a lot of confusion as to whether residents are safe in case of a fire in their community.

## **Flooding**

Almost all of the participants answered yes to this question. Two participants did not answer this question and two others said that their particular driveway did not flood, but that others on their street did. However, the majority of the participants said that flooding is an issue on all of the streets of Matheny Tract. Some of the streets that were identified by the participants were Prine Drive, Beacon Ave, and Addie Ave.

Some explained that this is due to lack of concern and maintenance by the county. Another pointed out that none of the streets have curbs. Also, some residents blame the flooding on the lack of storm water drains, as noted above. One other participant said that this was due to the many potholes on the streets as well.

## **Zoning**

Most residents reported that they did not have limitations building a home or starting a business in Matheny Tract or stated that this issue was not applicable. One resident reported that it was a problem, because she did not have money to start a business. We recommend that this question be amended in the future to account for resident's financial ability to build on their lots or start a business to better reflect how zoning can affect a resident under these circumstances. Residents may have been concerned about exposing themselves to zoning violation citations if he or she already made changes to their homes without consulting the proper permitting agencies as a result of answering the question.

## **Community Based Officer**

Additionally, some residents expressed concern about security in their neighborhoods. They would like to see the Tulare County Sheriff do more surveillance rounds, so that they can "catch" a group of motorcyclist that speed on their extremely loud motorcycles at late hours of the night, which is disturbs the many residents who work or go to school early in the morning. Some residents have seen or heard these motorcyclists as early as 4 a.m.

While canvassing for outreach in the afternoon, we also witnessed at least four motorcycles and four-wheelers speeding past us on the streets.

## **Internet**

Lastly, some residents stated that they have Comcast as their Internet and cable provider, but also stated that this service is very costly.

## **Public Services**

The nearest library for Matheny Tract residents is the City of Tulare's library, which is located four miles away. There is no direct bus route to the library. In fact, only one route services Matheny Tract, TCAT's South County Route #20, which stops at the corner of Pratt Street and Addie Avenue.

Most Matheny Tract residents reported that they have access to an electricity provider for their homes.

# MATHENY TRACT LEGACY PLAN

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## Local Market

The local market is a small gas and liquor store. It does not offer fresh produce for Matheny Tract residents. Most of the residents travel to R&N Market or Vallarta Supermarket in Tulare, which are five to eight miles from Matheny Tract.

## Medical Clinic

Matheny Tract does not have a medical clinic. Some residents travel three miles to Hillman Clinic or Family Healthcare Network. Others travel six miles to the Community Health Clinic on the North side of Tulare.

## Follow Up Meeting

County staff and Self Help Enterprises had a follow up meeting on January 9<sup>th</sup>, 2017 to discuss the results of the outreach from Leadership and the Surveys taken at the previous meeting. The citizens remained concerned about sewer for the community. They were pleased to hear about roadway improvements along Pratt Street.



# MATHENY TRACT LEGACY PLAN

## DEMOGRAPHICS

An important part of planning is having information that describes the characteristics of a Legacy’s population. Collectively, these characteristics are known as “demographics” which is data typically consisting of the age, gender (i.e., male or female), income, race, employment, and other characteristics of a community. This data, and looking at historical trends of this data, allows a reasonable way to project what may occur in the future and thereby provides a guide to which issues need to be addressed in a Legacy plan. For example, knowing the age and percentage of a population allows proper planning for school needs for school-age children; knowing how many people may eventually live in a Legacy allows for proper planning to meet housing needs and the amount of land needed to provide housing for a growing population. If a population can be estimated, it is possible to project how much water and/or sewer service may be needed for a Legacy. The following information provides a summary of some of the more important demographic data needed to craft a plan that can realistically address the needs of smaller Legacy such as Matheny Tract.

The 2015 United States Census reported that Matheny Tract had a population of 1,043. The racial makeup of Matheny Tract was (33.8%) White, (2.0%) African American, (0.0%) Native American, (0.0%) Asian, (0.5%) some other race, and (0.3%) from two or more races. Hispanic or Latino of any race were 345 persons (88.5%). The average renting household size was 4.35. There were 295 housing units, of which (43.6%) were owner-occupied, and (56.4%) were occupied by renters.

### Population

In 2015, Matheny Tract’s population was 1,043, (see **Table 2**).

	<b>California</b>	<b>%</b>	<b>Tulare County</b>	<b>%</b>	<b>Matheny Tract</b>	<b>%</b>
Male	18,911,519	49.68%	225,881	50.07%	449	43.0%
Female	19,155,401	50.32%	225,227	49.93%	594	57.0%
Total	38,066,920		451,108		1,043	

2011-2015 American Community Survey 5-Year Estimates

### Median Age

Matheny Tract’s population is younger than the median age throughout all of Tulare County. Matheny Tract’s median age of 27 is lower than the median age of the State of California (see **Table 3**).

<b>Geography</b>	<b>Median Age (years)</b>
California	35.8
Tulare County	30.3
Matheny Tract	27

2011-2015 American Community Survey 5-Year Estimates

# MATHENY TRACT LEGACY PLAN

## ETHNICITY AND RACE

In 2015, approximately 33.8% of Matheny Tract’s population was White, 0.0% was African American, 0.0% was Native American, 0.0% was Asian, 0.5% some other race alone, and 0.3% was two races or more (see Table 4). Approximately 63.4% was Hispanic (of any race). This statistic is important because persons of Hispanic origin may speak a language other than English (in this case, likely to be Spanish) and the needs of the Spanish-speaking community should be considered in order to reach out to persons on issues which may affect their community.

Table 4 - Race & Ethnicity						
	California	%	Tulare County	%	Matheny Tract	%
Total	38,421,464		454,033		1,043	
Hispanic or Latino (of any race)	14,750,686	38.4 %	283,533	62.4 %	696	63.4%
White (Not Hispanic)	14,879,258	38.7 %	139,581	30.7 %	371	33.8%
Black or African American (Not Hispanic)	2,160,795	5.7%	6,448	1.3%	6	2.0%
American Indian and Alaska Native (Not Hispanic)	142,191	0.4%	3,069	0.7%	0	0%
Asian (Not Hispanic)	5,192,548	13.5 %	14,546	3.2%	0	0%
Some other race (Not Hispanic)	84,477	0.2%	288	0.1%	6	0.5%
Two or more races (Not Hispanic)	1,072,500	2.8%	6,304	1.4%	3	0.3%

2011-2015 American Community Survey 5-Year Estimates

## ECONOMIC CONDITIONS

### Employment in Matheny Tract

According to the Tulare County 2030 General Plan Update, the County’s economy has historically been driven by agriculture and has had one of the largest agricultural outputs of any county in the US. Despite this, the Tulare County unemployment rate has remained consistently higher than the State average, which can be largely attributed to the seasonal nature of agricultural production (see Table 4).

According to the California Department of Finance, the 2011-2015 American Community Survey indicated that the unemployment rate for Matheny Tract was about 9.1% while the rate for Tulare County was 7.2%. The unemployment rate for the State of California was 6.2%. Keeping in mind that the 9.1% includes only the employable labor force (that is, not every person of the population) results in about 67 unemployed persons of Matheny Tract’s person labor force of 390.

# MATHENY TRACT LEGACY PLAN

<b>Employment Status</b>	<b>California</b>	<b>Tulare County</b>	<b>Matheny Tract</b>
Population 16 years & over	30,312,429	325,404	733
In labor force	19,269,449	194,420	390
Civilian labor force	19,137,441	194,102	390
Employed	17,246,360	170,780	323
Unemployed	1,891,081	23,322	67
Armed Forces	132,008	318	0
Not in labor force	11,042,980	130,984	343

2011-2015 American Community Survey 5-Year Estimates

## Median Household Income

In 2015, Matheny Tract’s median household income was \$30,565 whereas the State of California’s median household income was \$61,818. Therefore, based upon Matheny Tract’s median household income of \$30,565 (which is about 49% of the State of California’s median household income), it is considered a severely disadvantaged community (see Table 6).

<b>Geography</b>	<b>Median household income (dollars)</b>	<b>Median family income (dollars)</b>	<b>Per capita income (dollars)</b>
<b>California</b>	\$61,818	\$70,720	\$30,318
<b>Tulare County</b>	\$42,031	\$44,814	\$17,876
<b>Matheny Tract CDP</b>	\$30,565	\$30,450	\$10,660

## Severely Disadvantaged Community:

Matheny Tract is a severely disadvantaged community based upon household income. As defined by the State of California Public Resources Code 75005. (g), a "[d]isadvantaged community" means a community with a median household income less than 80% of the statewide average. "Severely disadvantaged community" means a community with a median household income less than 60% of the statewide average."

## HOUSING CHARACTERISTICS

### Tenure

As the community grows, it will be important to provide new housing and commercial opportunities, allow expansion of the size of existing housing (for example, increase a unit by an additional bedroom),

	<b>California</b>	<b>Tulare County</b>	<b>Matheny Tract</b>
Occupied housing units	12,717,801	133,570	280
Owner-occupied	6,909,176	75,685	122
Renter-occupied	5,808,625	57,885	158

2011-2015 American Community Survey 5-Year Estimates

# MATHENY TRACT LEGACY PLAN

and allow various housing types (such as mobile homes). According to the California Department of Finance, the 2011-2015 American

	California	Tulare County	Matheny Tract
Owner-occupied	54.8%	57.2%	43.6%
Renter-occupied	45.2%	42.8%	56.4%

Community Survey data indicated 43.6% of the housing units in Matheny Tract was owner-occupied (see Table 8). Similarity, 57.2% of housing units were owner occupied in Tulare County and 54.8% of the housing units were owner occupied in the State of California.

## Housing Conditions

Survey Area	Sound		Deteriorated						Dilapidated		Total Units
	Units	%	Minor		Moderate		Substantial		Units	%	
			Units	%	Units	%	Units	%			
<b>Matheny Tract</b>	27	14	23	12	58	29	28	14	63	32	199

Source: Tulare County 2015 Housing Element

The condition of housing is typically categorized as sound, deteriorated, or dilapidated. A “sound” housing unit (house) is one that is in good-to-excellent condition requiring no structural or other improvements. Deteriorated housing means a housing unit may need some level of maintenance/repair to improve the condition of the housing. Deterioration is classified as minor, moderate, or substantial. Dilapidated means a unit is not considered suitable for living. There may be structural, electrical, plumbing or other conditions that could endanger the well-being and safety of persons living in dilapidated housing. Housing condition is an indicator of a person’s ability to afford maintenance/repair of the house they live in. Without income to pay for maintenance/repair, it is likely that a house, as it ages, will continue to deteriorate over time.

According to the 2015 Tulare County Housing Element, a sampling of housing conditions in Matheny Tract indicated that approximately 14% of the housing units were sound. Approximately 55% of Matheny Tract's housing units were deteriorated and 32% were dilapidated (see Table 9).

## Age of Structures

Most of the homes in Tulare County were built between 1940 and 1989 (see Table 10). The total number of housing units in Matheny Tract is 295.



# MATHENY TRACT LEGACY PLAN

<b>Year Structure Built</b>	<b>California</b>	<b>Tulare County</b>	<b>Matheny Tract</b>
Total housing units	13,845,790	144,792	295
Built 2014 or later	10,183	196	0
Built 2010 to 2013	129,453	2,114	11
Built 2000 to 2009	1,646,490	25,997	6
Built 1990 to 1999	1,495,571	21,767	14
Built 1980 to 1989	2,117,819	22,733	49
Built 1970 to 1979	2,503,688	27,111	69
Built 1960 to 1969	1,871,029	15,500	42
Built 1950 to 1959	1,907,512	13,694	42
Built 1940 to 1949	865,607	7,494	43
Built 1939 or earlier	1,298,438	8,186	19

2011-2015 American Community Survey 5-Year Estimates

## Household Size (Overcrowding)

In 2014 the average renter occupied household size in Matheny Tract was 4.10 persons per household (see Table 11). The average owner occupied household size is 3.24.

<b>Geography</b>	<b>Average Household size (Owner Occupied)</b>	<b>Average Household size (Renter Occupied)</b>
<b>California</b>	2.99	2.01
<b>Tulare County</b>	3.23	3.52
<b>Matheny Tract</b>	3.24	4.10

2010-2014 American Community Survey 5-Year Estimates

By definition, the most common measure of overcrowding is persons per room in a dwelling unit.<sup>8</sup> More than one person for each room of a dwelling unit is considered overcrowding. It is important to note that the measure is based on all rooms of a dwelling unit, not just the number of bedrooms. It is not uncommon for persons to share a bedroom, for example siblings or adults.

## Vacancy Rate

Vacancy rate is important as it provides an indicator of unoccupied housing units. Vacancies may occur as people move away from a housing unit and it remains vacant until the next person/family moves in. Vacancy allows persons to decide whether to choose owning or renting housing based on their need and income. Typically, a vacancy rate of about 5-6% is considered normal; however, vacancy rates above 6% can be a reflection of affordability or housing condition. In 2015, the rental vacancy rate in Matheny Tract was 0.0%, the rental vacancy rate for Tulare County at 3.7% and the State of California at 4.1%. The homeowner vacancy rate for Matheny Tract was 5.4%, the homeowner vacancy rate for Tulare County at 1.4% and the State of California at 1.4%, (see Table 12).

<b>Geography</b>	<b>Homeowner vacancy rate</b>	<b>Rental vacancy rate</b>
<b>California</b>	1.4%	4.1%
<b>Tulare County</b>	1.7%	3.7%
<b>Matheny Tract</b>	5.4%	0.0%

2011-2015 American Community Survey 5-Year Estimates

<sup>8</sup> U.S. Department of Housing and Urban Development, "Measuring Overcrowding in Housing" 2007. Page 2 See: [http://www.huduser.org/publications/pdf/Measuring\\_Overcrowding\\_in\\_Hsg.pdf](http://www.huduser.org/publications/pdf/Measuring_Overcrowding_in_Hsg.pdf)

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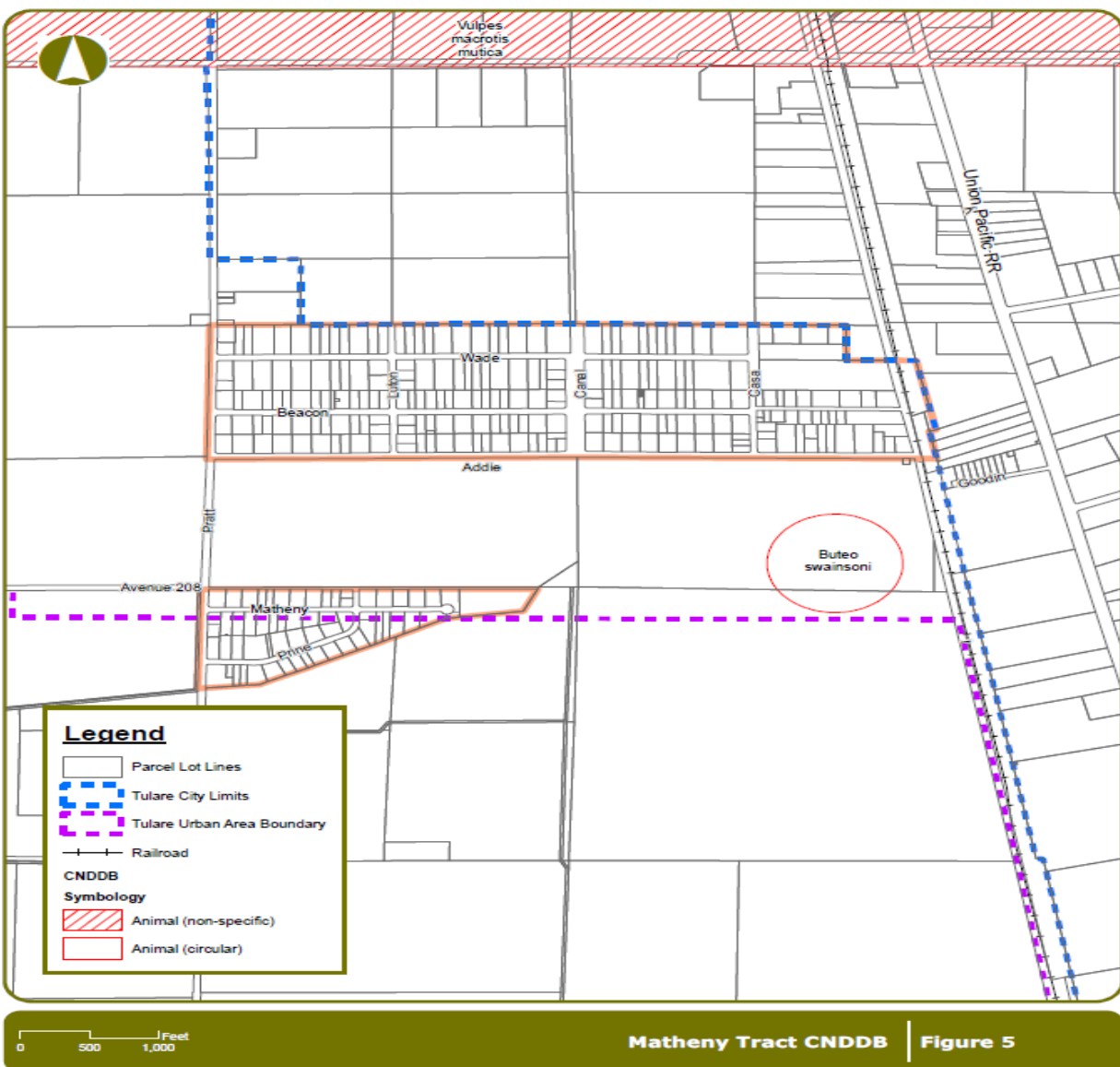
## ENVIRONMENTAL CONDITIONS

### Natural Conditions

#### Wildlife

A California Natural Diversity Database (CNDDDB) search conducted on November 1, 2016 (see **Figure 5**), indicates there are special status species within the Tulare Quadrant Species List (which includes the Matheny Tract Planning Study Area) consisting of two animal species and two plant species: San Joaquin kit fox (*Vulpes macrotis mulica*, federal endangered); Swainson's hawk (*Buteo swainsoni*, state threatened); San Joaquin adobe starburst (*Pseudobahia peirsonii*, federal threatened); and California jewelflower (*Caulanthus californicus*, federal and state endangered). The California Department of Fish and Wildlife (CDFW) Occurrence Reports indicate a last sighting of kit fox in 1975.

Figure 5 – CNDDDB Map – Tulare Quad



# MATHENY TRACT LEGACY PLAN

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## Geology & Seismic Hazards

“The Official Maps of Earthquake Fault Zones delineated by the California Geological Survey (CGS), State of California Department of Conservation, through December 2010, under the Alquist-Priolo Earthquake Fault Zoning Act, indicate that there are no substantial faults known to occur in Tulare County. The nearest known faults likely to affect Matheny Tract are the San Andreas Fault (approximately 75 miles to the west), the Owens Valley Fault (approximately 65 miles to the northeast), and the Pond Fault (approximately 25 miles southwest). According to the Five County Seismic Safety Element (FCSSE) and (Seismic/Geologic Hazards and Microzone) of the Tulare County 2030 General Plan Health and Safety Element (GPHSE), the Project area, [Matheny Tract] is located in the V-1 zone, characterized as a moderately thick section of marine and continental sedimentary deposits overlying the granitic basement complex. The FCSSE further states that, “Amplification of shaking that would affect low to medium-rise structures is relatively high, but the distance to either of the faults that are expected sources of the shaking [the San Andreas and Owens Valley Faults] is sufficiently great that the effects should be minimal. The requirements of Zone II of the Uniform Building Code should be adequate for normal facilities.”

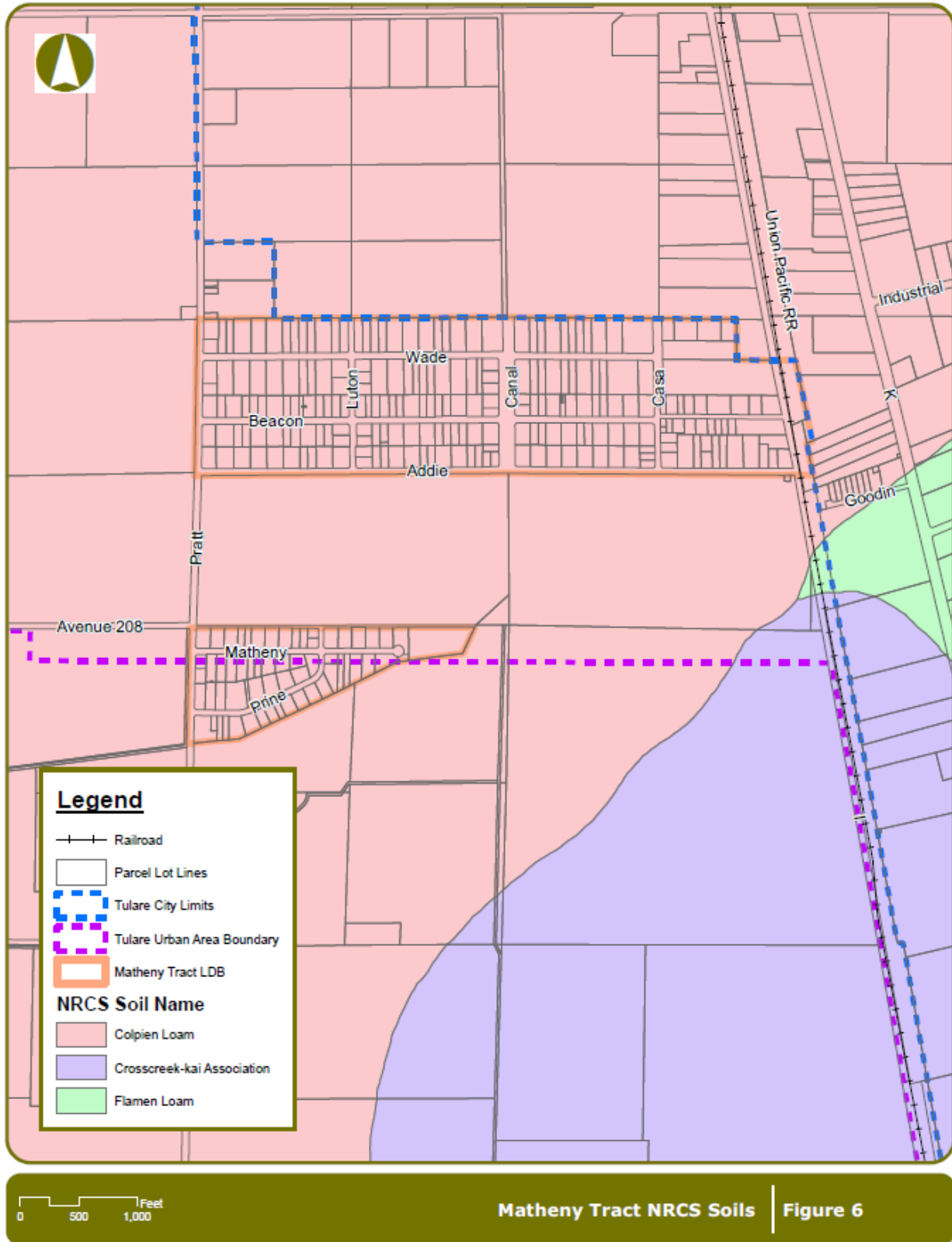
## Soils

According to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), and the Soil Survey of Tulare County (**see Figure 6**), the following soil types are located in Matheny Tract. The following descriptions are provided for the above soil types:

**Copien loam soil 0 to 2 percent slopes**, consists of very deep, moderately well drained soil on terraces that formed in alluvium derived mainly from granitic rocks.

# MATHENY TRACT LEGACY PLAN

Figure 6 – NRCS Soils Map



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## Physical Conditions

### Air Quality

The Matheny Tract Plan Area is within the San Joaquin Valley Air Basin (SJVAB) and under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAB is classified non-attainment/severe for the State O<sub>3</sub> 1-hour standard, non-attainment for the State O<sub>3</sub> 8-hour standard, non-attainment for the State PM<sub>10</sub> standard, non-attainment for the federal and State PM<sub>2.5</sub> standards, and attainment and/or unclassified for the remaining federal and State air quality standards. According to the Tulare County General Plan, the San Joaquin Valley has some of the worst air quality in the nation. The CO and NOX emissions are typically generated by motor vehicles (mobile sources). The ROG emissions are generated by mobile sources and agriculture. Although emissions have been shown to be decreasing in recent years, the SJVAB continues to exceed state and federal air quality emission standards.

Executive Order S-3-05, issued by Governor Schwarzenegger in 2005, established targets for greenhouse gas (GHG) emissions for the State. The Global Warming Solutions Act of 2006 (or Assembly Bill (AB) 32) directed the California Air Resources Board (CARB) to develop and adopt statewide GHG emission limits in order to reduce emission levels to those experienced in 1990, by the year 2020. In order to achieve those targets, CARB adopted the Climate Change Scoping Plan in December 2008.

Sustainable Communities and Climate Protection Act of 2008, also known as Senate Bill (SB) 375, builds upon AB 32 by requiring CARB to develop regional GHG emissions reduction targets for passenger vehicles. Then each Metropolitan Planning Organization (MPO) must prepare a Sustainable Communities Strategy (SCS) to demonstrate how the region will meet its targets. The SCS will be incorporated into the Regional Transportation Plan (RTP).

The SJVAPCD provides a list of potential air quality mitigation measures that are applicable to General Plan updates and community plans:

- Adopt air quality element/general plan air quality policies/specific plan policies.
- Adopt Local Air Quality Mitigation Fee Program.
- Fund TCM program: transit, bicycle, pedestrian, traffic flow improvements, transportation system management, rideshare, telecommuting, video-conferencing, etc.
- Adopt air quality enhancing design guidelines/standards.
- Designate pedestrian/transit oriented development areas on general plan/specific plan/planned development land use maps.
- Adopt ordinance limiting wood burning appliances/fireplace installations.
- Fugitive dust regulation enforcement coordinated with SJVUAPCD.
- Energy efficiency incentive programs.
- Local alternative fuels programs.
- Coordinate location of land uses to separate odor generators and sensitive receptors.

Air quality is directly related to land use; it is also related to the configuration of land, vegetation, climate, wind direction and velocity, and production of man-made impurities which change the natural

# MATHENY TRACT LEGACY PLAN

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qualities of the air. Because Matheny Tract is located near the central portion of the Valley with prevailing winds from the northwest, it is in a vulnerable position for the accumulation of adversely modified air, particularly when a temperature inversion occurs which holds down surface air along with its pollutants.

Local air pollution sources within the general vicinity of Matheny Tract include agricultural activities.

## Flooding<sup>9</sup>

“According to the Federal Emergency Management Agency (FEM\_A) Flood Insurance Rate Map, Community-Panel Number 06107C1275E (see **Figure 7**). Matheny Tract is located within Flood Zone X – areas of 0.2% annual chance flood; area of 1% annual chance flood with average depths of less than 1 square mile; and areas protected by levees from 1% annual chance flood. Structures located in a shaded X zone are recommended to be elevated one foot above natural ground. Elevation certificates not required unless property owner wishes to use them for insurance rating purposes; for example, a preferred risk policy.

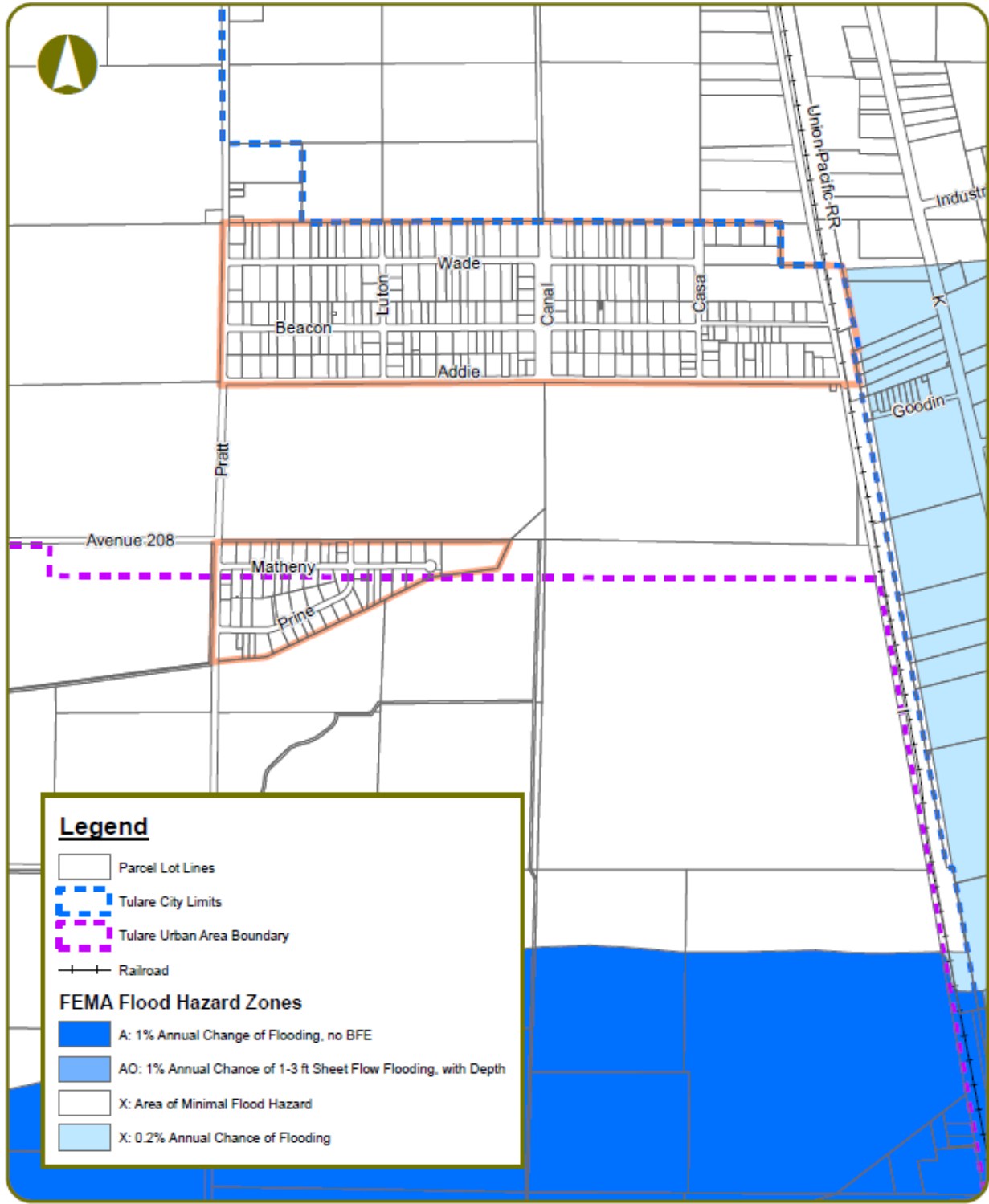
The County of Tulare has taken steps to be a part of the National Flood Insurance Program (NFIP), which means the County of Tulare agreed to manage flood hazard areas by actively adopting minimum regulatory standards as set forth by Federal Emergency Management Agency (FEMA). The National Flood Insurance Program (NFIP) is administered by the (FEMA) to offer flood insurance to properties located in special flood hazard areas (SFHAs). Information about the NFIP, is available at the following website: [www.fema.gov](http://www.fema.gov). As part of the county’s participation in the NFIP, individuals are eligible to obtain flood insurance. Further flood information is available on Tulare County Resource Management Agency website at: <http://tularecounty.ca.gov/rma/index.cfm/public-works/flood-hazard-information/flood-control-information/>. On June 16, 2009, Tulare County adopted the new Digital Flood Insurance Rate Maps (DFIRMs). Information is available to determine if a property is located in a SFHA by using the following FEMA Map Service Center link as follows: <https://msc.fema.gov/portal>

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<sup>9</sup> Federal Emergency Management Agency, 2009. National Flood Insurance Rate Map, Map Number 06107C1275E, Panel Number 1275 of 2550, June 16, 2009. <https://msc.fema.gov/portal/>

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Figure 7 - FEMA Flood Map



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## Noise

Tulare County adopted a new noise element as part of the Health and Safety Chapter of the 2030 General Plan Update. The noise contours were prepared in terms of day-night average decibel level (Ldn), which are descriptive of the total noise exposure at a given location for an annual average day.

The Noise Element identifies noise-impacted areas throughout Tulare County. These areas include lands which have existing or projected noise levels exceeding 60 decibels (dBA) Ldn. This decibel figure is considered to be the maximum normally acceptable noise level for single family residential areas. Roadways and traffic noise are the dominant source of ambient noise in the County. According to summarized daily traffic volumes in the General Plan Background Report, the predicted Ldn noise level at the distance from the SR 99 centerline to the 60 dB-Ldn contour between Airport Avenue and Paige Avenue is 1,545 feet. The Matheny Tract lies outside of the 60 dB-Ldn contour line.

Operations along the Union Pacific Railroad line are another dominant source of noise in Matheny Tract. According to the Tulare County General Plan EIR, there are more than twenty (20) freight train operations per day along the Union Pacific Railroad line in Tulare County and may occur at any time of day or night. According to the Wyle methodology, the type and frequency of rail operation results in noise exposures of 65 and 60 dB Ldn at approximately 335 and 660 feet, respectively, from the center of the tracks for present operations, and at approximately 440 and 800 feet, respectively, from the center of the tracks for estimated future operations. There are areas in the east side of the Matheny Tract LDB that are located within 335 feet of the Union Pacific Railroad line. Noise levels are higher at grade crossings due to the warning horn. The Paige Avenue (Avenue 216) and Avenue 200 grade crossings are over one (1) mile from the Community of Matheny Tract.

## Airport Safety Tulare County Comprehensive Airport Land Use Plan (CALUP)

The purpose of the CALUP is to promote the safety and well-being of the public by ensuring adoption of land use regulations which minimize exposure of persons to hazards associated with the operation of these airports including aircraft accidents and aircraft noise. The Matheny Tract is located within safety zones 4 (Outer Approach/Departure Zone) and 6 (Traffic Pattern Zone) of the Tulare Municipal Airport (Mefford Field) which is classified as a “general transport” facility. Future development is regulated by land use and airport compatibility requirements are determined by the CALUP and regulations found in General Plan, Improvement Standards and the *Tulare County Zoning Ordinance*. Residents of Matheny Tract may experience some noise related to aircraft operations from this airport, although it is not considered to be extreme as the area is located outside of the 60 dB CNEL airport noise contour. (Please see extensive discussion regarding Mefford Field beginning on page 44).

## INFRASTRUCTURE

Infrastructure is defined as “the basic physical and organizational structures needed for the operation of a society or enterprise or the services and facilities.” In regards to Matheny Tract, this Legacy Plan is intended to address deficiencies and the need for improvements to the wastewater system improvements, (for example wastewater distribution piping), curbs, gutters, streets, sidewalks, etc.). The prioritized concerns of the Community include:



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1. Water Supply
2. Sewer System
3. Storm Water Drainage
4. Road Improvements
5. Street Lights
6. Sidewalks
7. Solid Waste
8. Community Safety
9. Community Park
10. Fresh food availability/Market

## Water Supply

In 2016, the State Water Board exercised its power and directed the city of Tulare to accept Matheny Tract as water customers. Water supply for Matheny Tract is provided by City of Tulare's Water Division. As per the city of Tulare's MSR update, August 2013 The Water Division is responsible for providing water that is of safe and sanitary quality for the citizens of Tulare and an adequate water supply for fire protection. "Tulare's water supply source consists of a 30 domestic wells that are scattered throughout the city, extracting water from the city's underground aquifer. Newer wells drilled by the city over the past thirty-five years are gravel packed and have been drilled to approximately 700 feet. The older wells, and wells purchased by the city are generally around 350 feet deep. The city has one elevated water storage tank with a capacity of 150,000 gallons, and several hydro-pneumatic pressure tanks that are used for storage."<sup>10</sup>

"The Water Division operates under the direction of the Board of Public Utilities. The quality of water is maintained through monitoring and proper maintenance of the system. State regulations require the city test the entire system, from wells to service connections, and that data is then reported to the State."<sup>11</sup>

## Sewer System

There is no community wide sewer system in Matheny Tract. The community depends on individual on-site septic tank systems for wastewater disposal. In wet years, the combination of a perched water table and tight soils creates problems for effective leaching of septic tank effluent. SGC survey results indicate that the Matheny Tract residents are in favor of creating a community wide sewer system. No public sewer facilities are available in Matheny Tract. Each land owner relies on septic systems for wastewater.

The City of Tulare and the County of Tulare are in the process of identifying/discussing specifics to allow connection to the city of Tulare's Wastewater Treatment System.

## Storm Water Drainage

"A storm drainage system is designed to drain excess rain and groundwater (from roads, sidewalks, etc.) to some point where it is discharged into a channel, ponding basin, or piped system. The system itself typically consists of pipes connecting inlets and is facilitated by curbs and gutters,

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<sup>10</sup> City of Tulare Final Municipal Service Review August 2013, page 34

<sup>11</sup> ID

# MATHENY TRACT LEGACY PLAN

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manholes, and sumps. The operation of the system consists of runoff being collected in the inlets and transported by pipes to a discharge location. Manholes provide access to storm drain pipes for inspection and cleanout. A sump is a shallow, artificial pond designed to infiltrate storm water through permeable soils into the groundwater aquifer. It does not typically discharge to a detention basin.

Storm drainage systems should be designed so they have adequate capacity to accommodate runoff that enters the system for the design frequency and should also be designed considering future development. An inadequate roadway drainage system could result in the following:

- ✓ Water overflowing the curb and entering adjacent property leading to damage.
- ✓ Accelerated roadway deterioration and public safety concerns may occur due to excessive water accumulation on roadways.
- ✓ Over saturation of the roadway structural section due to immersion will lead to pavement deterioration.

Matheny Tract currently has a limited storm water system, which is served by Tulare Irrigation District (TID). The purpose of TID is to obtain and deliver surface water supplies for the purpose of agricultural irrigation in the District and for groundwater recharge efforts within the basin underlying the District. The District must also operate and maintain 330 miles of canal and approximately 30 miles of pipeline along with 1,110 acres of groundwater recharge/regulation basins.

In Matheny Tract (northern portion), the Oakland Colony Ditch bisects the Community running in a north- south direction between Ruth Street and Canal Street. **Figure 8** identifies Matheny Tract, the Oakland Colony ditch, a groundwater recharge basin, TID service area and the City of Tulare limits. According to TID, the Oakland Colony Ditch is used primarily for irrigation and flood control purposes. An existing pump station is located the northeast corner of Addie Avenue/Canal Street that pumps surface water into the ditch.

Excessive runoff from the Oakland Colony Ditch is directed to a groundwater recharge basin located south of North Matheny Tract. An additional basin is located to the east of the current basin for large flood events.

Tulare County has completed initial base mapping for Matheny Tract. Files obtained from RMA include surveying data with bench mark locations and top of curb or pavement elevations in North Matheny Tract. In addition, existing concrete pipes and directional flow arrows are mapped as shown in **Figure 8**.<sup>12</sup>

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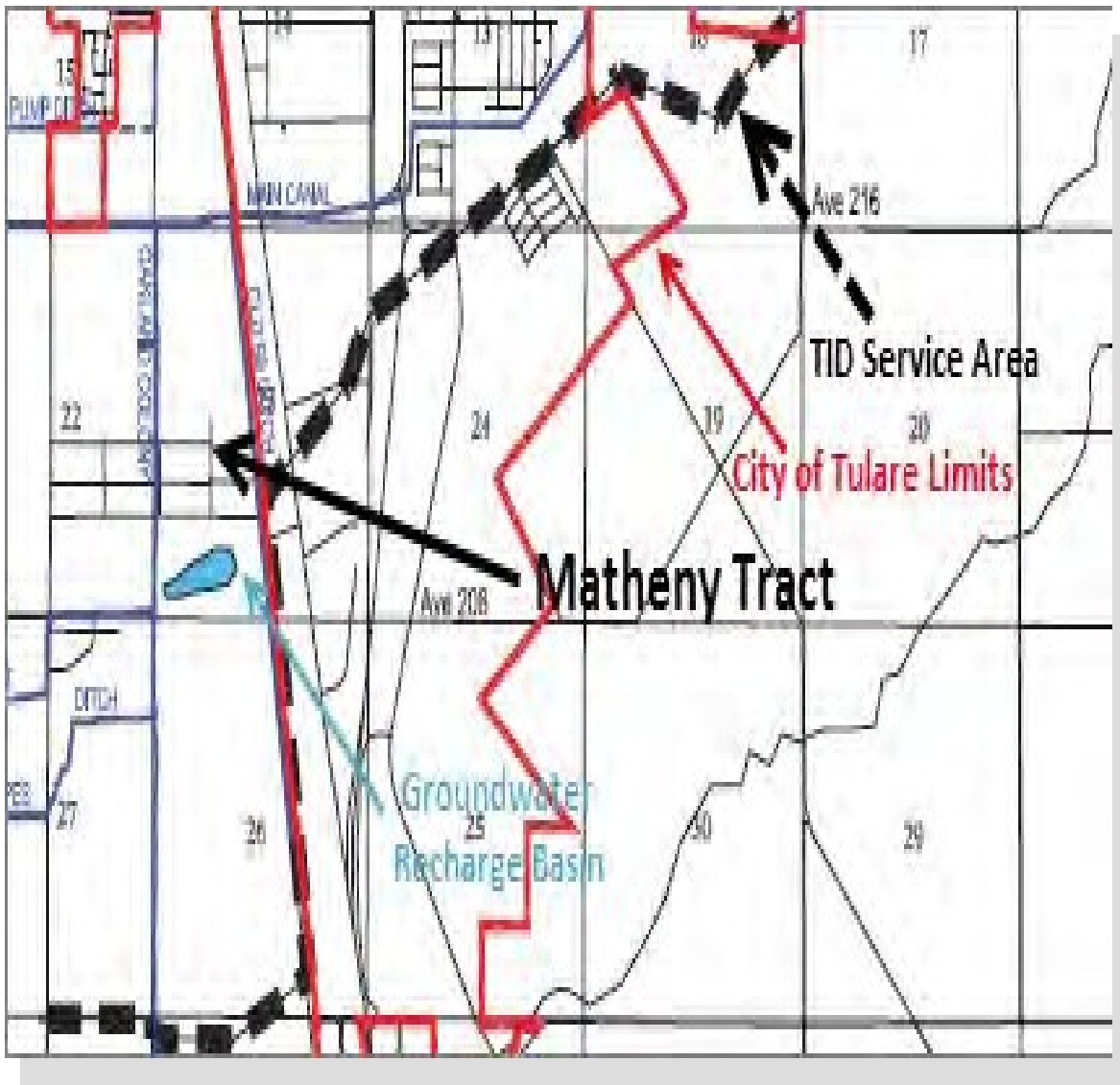
<sup>12</sup> Action Program 9, Tulare County 2015 Housing Element page 33-5

# MATHENY TRACT LEGACY PLAN

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It was also indicated by TID that trash accumulation in and around Oakland Colony Ditch in the Matheny Tract Community is a serious concern. Any future efforts to underground the ditch with a grate to exclude trash and other debris would be a maintenance issue to prevent obstruction of water flow. Additional costs would have to be offset with a maintenance agreement between the property owners and the beneficiaries of such improvements to safety and aesthetics, if desired.

**Figure 8 - Tulare Irrigation District Map**

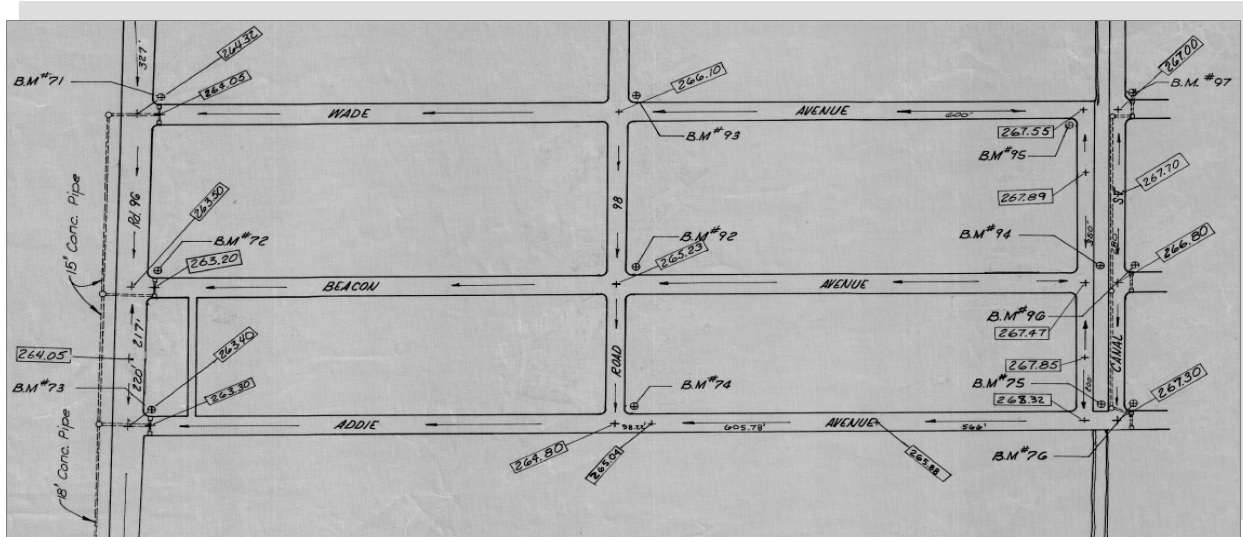


# MATHENY TRACT LEGACY PLAN

## Road Conditions

“Tulare County also has road classifications that are used to determine how the road is constructed, i.e., typical cross section (median, travel lanes, curb, gutter, sidewalk, shoulder, etc.), pavement structure, design speeds, grades, super elevation, sight distance, horizontal alignments, intersections, etc.. Tulare County has four road classifications as summarized below:

**Figure 9 - Matheny Tract Transportation and Infrastructure Plan**



(Source: Matheny Tract Transportation and Infrastructure Plan, Omni Means September 2014)

**Class 1 Roads:** a cul-de-sac or minor residential street so designed that it cannot serve more than 50 lots, the primary function of which is to provide access to abutting property.

**Class 2 Roads:** a minor residential street so designed that it cannot serve more than 120 lots, the primary function of which is to provide access to abutting property.

**Class 3 Roads:** a minor residential collector street that has one is expected to have the dual purpose of providing access to abutting property and of carrying traffic from Class 1 and Class 2 Roads to roads in the County Select System.

**Select System Roads:** All State Highways, Federal Aid Secondary Routes, arterials and collector roads existing or unconstructed, that are designated for inclusion in the Select System by the Board of Supervisors with the approval of the State Department of Transportation.

Currently in Matheny Tract, there are only roads that are built within a two-lane right-of-way for Class 1, 2 and 3 Roads.

Based upon field reviews, the roads in Matheny Tract are generally in poor to fair condition, lack continuous curbs, gutters and sidewalks, are poorly lit at night, lack crosswalks, are susceptible to flooding i.e., lack drainage and provide limited opportunity for walking and bicycling beyond the vehicle travel surface.

# MATHENY TRACT LEGACY PLAN

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There are several roadways in Matheny Tract that are in need of repair. Over time, roadway pavement can become damaged or begin to fail due to fatigue, aging, or surface abrasion. The binding agent within road pavement becomes rigid and less flexible as time passes and the surface of the pavement may start losing aggregates. If timely maintenance does not occur, potholes will start to occur within the road.

If the road is still structurally sound, a bituminous surface treatment, such as a chip seal or surface dressing can prolong the life of the road at low cost. Such repairs are considered medium if the maintenance strategy consists of:

- ✓ Chip seal - surface treatment in which the pavement is sprayed with asphalt and then immediately covered with aggregate and rolled. Chip seals are used primarily to seal the surface of a pavement with cracks not associated with heavy loads.

Some roadways require more extensive repairs such as resurfacing, grinding, remix and or reconstruction. These repairs are considered major if the maintenance strategy consists of:

- ✓ Grind and remix - process by which construction materials are recycled and reused to add structure to roadways.
- ✓ Overlay resurfacing operation - consists of grinding off selected areas of old asphalt, patching any potholes, placing a fabric (in some cases), placing and compacting hot mix asphalt pavement, and adjusting any street hardware.
- ✓ Asphalt reconstruction - consists of excavating the entire roadway, placing and compacting rock beneath the roadway, and placing and compacting hot mix asphalt.
- ✓ Cold mix reconstruction - similar to asphalt reconstruction except cold mix asphalt is used. It is commonly used as patching material and on lower volume service roads.”<sup>13</sup>

## Street Lights

“Street lights are typically located at the edge of roadways on top of utility poles. They are illuminated at night and improve the visibility and safety of the roadway and sidewalk by increasing motorist visibility and improving nighttime pedestrian security. They can also reduce nighttime pedestrian crashes by increasing the awareness of drivers relative to pedestrians.

The County typically provides street lighting at major road intersections in the communities but does not provide mid-block lighting as is typical within cities. Matheny Tract has street lighting at 10 locations. Overhead utility poles are prevalent in Matheny Tract. These utility poles provide electricity and telephone service to residences and businesses in Matheny Tract and are located within the County right-of-way. **Figures 10, 11, and 12** display Existing Utilities Poles, Fire Hydrants and Street Lights in three sub-areas in Matheny Tract (Northwest Area, Northeast Area and Southwest Area). *[Note: New fire hydrants were being installed at various locations in 2014 that are not shown in these Figures].*<sup>14</sup>

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<sup>13</sup> Ibid. 33-7

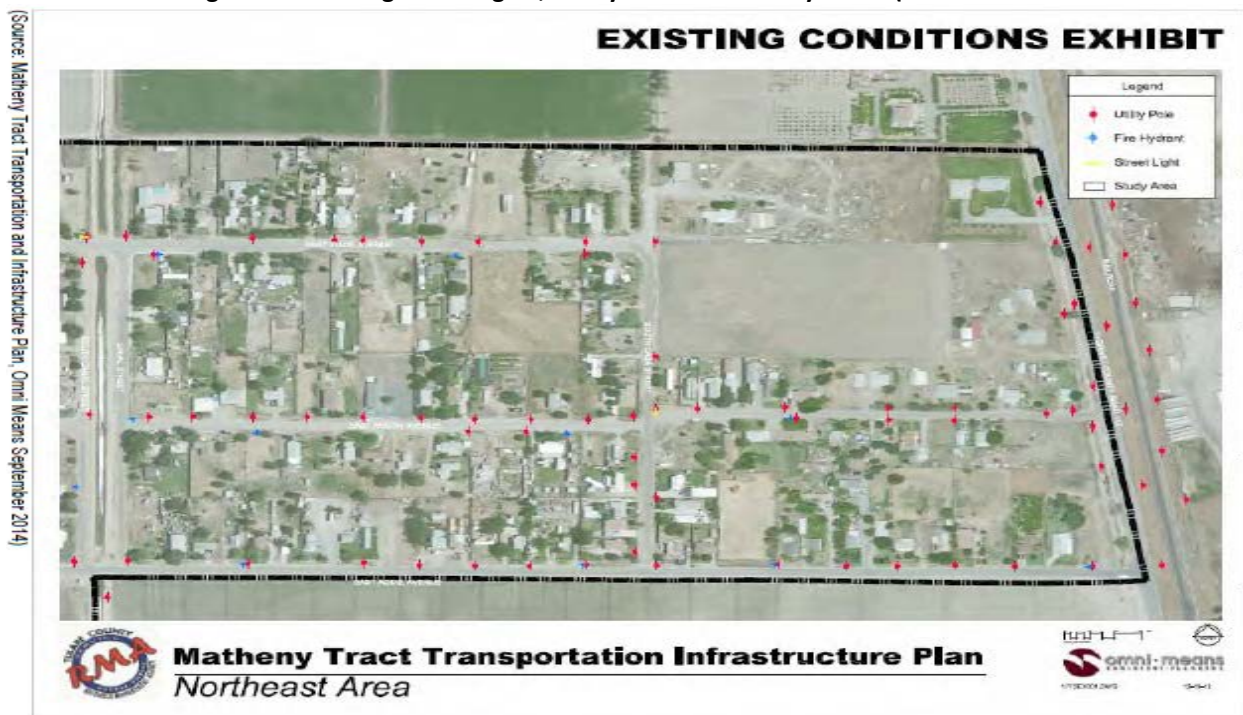
<sup>14</sup> Op. Cit.

# MATHENY TRACT LEGACY PLAN

Figure 10 - Existing Street Lights, Utility Poles and Fire Hydrants (Northwest Area)



Figure 11 - Existing Street Lights, Utility Poles and Fire Hydrants (Northeast Area)



(Source: Matheny Tract Transportation and Infrastructure Plan, Omni Means, September 2014)

# MATHENY TRACT LEGACY PLAN

Figure 12 - Existing Street Lights, Utility Poles and Fire Hydrants of Matheny Tract (Southwest Area)



## Sidewalks

“Sidewalks are typically separated from a roadway by a curb and accommodate pedestrian travel. They improve mobility for those with disabilities and are also an important part of walking routes to schools. They provide the space for pedestrians to travel within the public right-of-way while being separated from vehicles and bicycles.

The 2010 California Building Code identifies a clear width minimum of 48 inches for sidewalks. This clear width minimum is the walkway width that is completely free of obstacles and not necessarily the sidewalk width. However, the 48-inch minimum does not provide sufficient passing space or space for two-way travel. Therefore, the guidelines state that for sidewalks less than 5 feet in clear width, passing lanes (wide enough for wheelchairs) shall be provided at 200-foot intervals. However, the clear width may be reduced to 3 feet if the enforcing agency determines that compliance with the 4-foot clear sidewalk width would create an unreasonable hardship due to right-of-way restrictions, natural barriers, or other existing conditions.

The presence of curbs, gutters and sidewalks (CG&S) varies significantly between the communities in Tulare County. Some street segments within the Matheny Tract have curbs and fewer segments have sidewalks; however, several segments have no curbs, gutters or sidewalks. **Figures 13, 14, and 15** display existing curbs and sidewalks in three sub-areas in Matheny Tract (Northwest Area, Northeast Area and Southwest Area). As indicated in the Figures, many gaps and non-contiguous sections for both curbs and sidewalks exist.

# MATHENY TRACT LEGACY PLAN

Matheny Tract currently consists of existing sidewalks within the Community; however, many of these existing sidewalks are fragmented or are in relatively poor condition and need to be replaced entirely because they have deteriorated past the point where spot repairs are feasible or cost effective. The photograph to the left shows an existing street with driveways and a partial sidewalk. Many of the existing non-contiguous sidewalks are proposed to be replaced entirely in order to have uniformity and to be in compliance with current County Standards.”<sup>15</sup>

## ADA Curb Ramps

“The Americans with Disabilities Act (ADA) of 1990 included design requirements for persons with disabilities in the public rights-of-way. Curb ramps are an important part of making sidewalks and street crossings accessible to people with disabilities (especially those who use wheelchairs). An ADA compliant curb ramp is a short ramp cutting through or built up to a curb. It consists of the ramp itself which is sloped to allow wheelchair access from the street to the sidewalk and flared sides that bring the curb to the level of the street.

Curb ramps are most typically found at intersections, but can also be located near on-street parking, transit stations and stops, and midblock crossings. Title II regulations require curb ramps at existing and new facilities.

The County of Tulare completed a survey of ADA compliant ramps within the communities in August 2012. According to the survey, there are no ADA compliant curb ramps located within Matheny Tract.”<sup>16</sup>

**Figure 13 - Existing Curbs and Sidewalks of Matheny Tract (Northwest Area)**



<sup>15</sup> Op. Cit.

<sup>16</sup> Op. Cit.



# MATHENY TRACT LEGACY PLAN

Figure 14 - Existing Curbs and Sidewalks of Matheny Tract (Northeast Area)

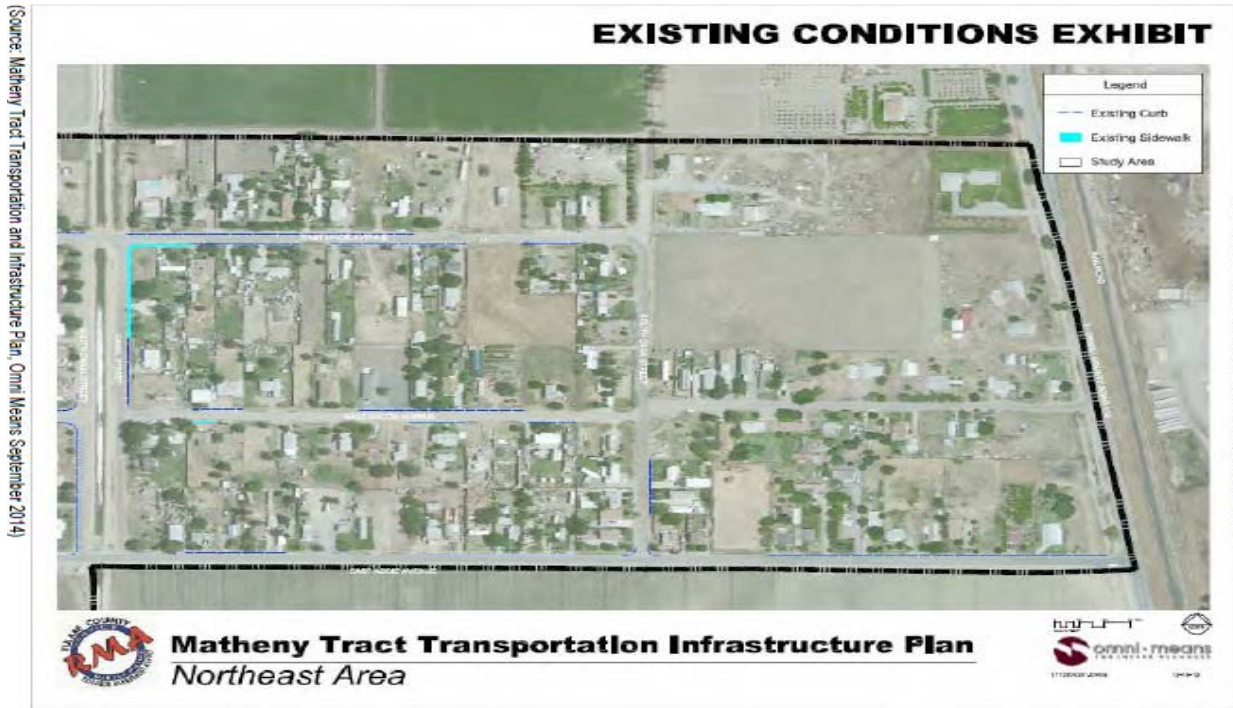


Figure 15 - Existing Curbs and Sidewalks of Matheny Tract (Southwest Area)



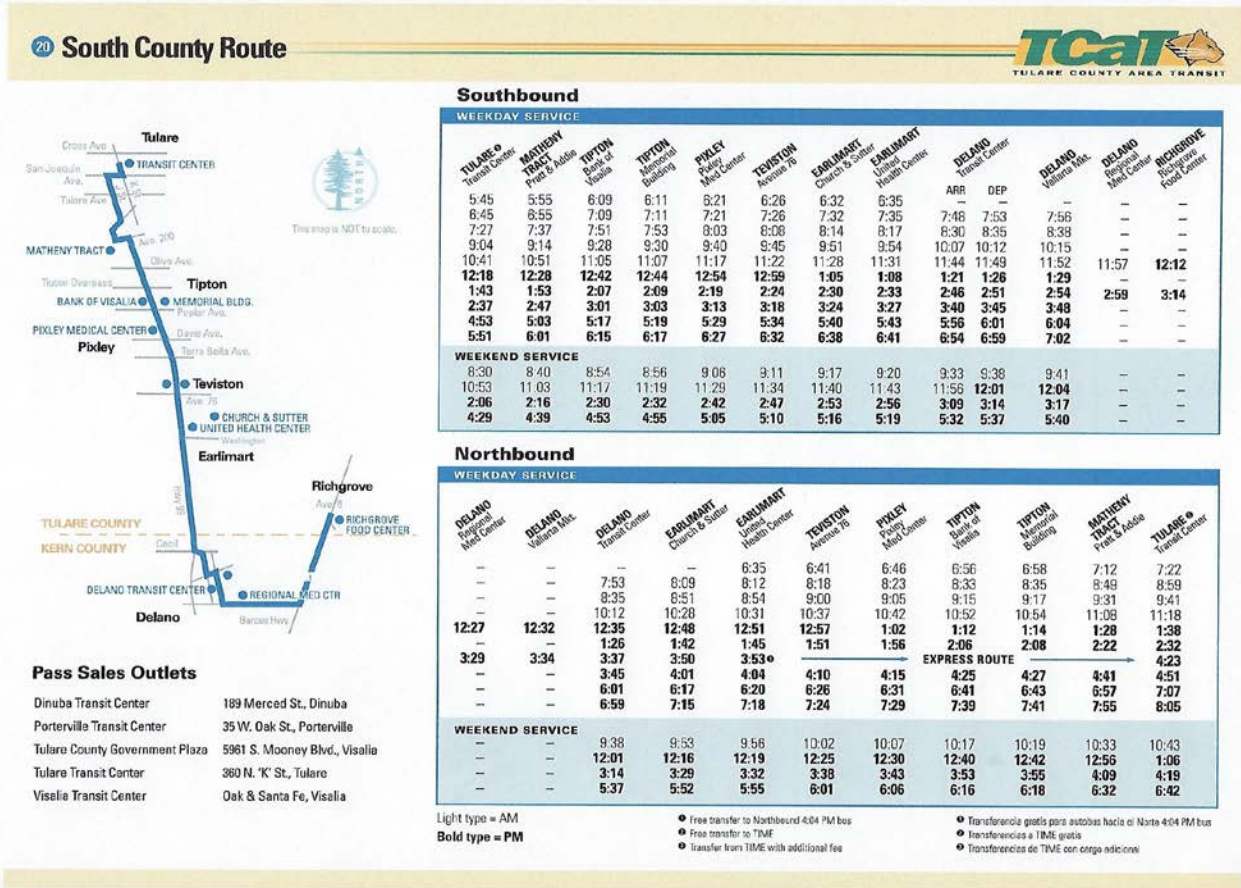
# MATHENY TRACT LEGACY PLAN

## Transit and Bus Stops

The Tulare County Transit Agency (TCaT) operates fixed-route services that link communities with each other and with Visalia and Tulare's urban transit systems. Matheny Tract is connected via TCAT Route 20 Southbound to Tulare (see Figure 16) and its transit center. TCaT also connects Delano (Kern County) in the south. Route 20 has ten northbound and southbound buses serving Matheny Tract on weekdays and four buses in each direction on Saturdays and Sundays. Stops are currently located at Pratt and Addie. In Tulare, transfers can be made to connect to Visalia (see TCAT website at: <http://www.tularecounty.ca.gov/rma/index.cfm/public-works/tulare-county-area-transit-tcat/>). TCAT vehicles are wheelchair accessible and all full size buses include bike racks. As such, public transit is likely to remain a limited option due to fiscal constraints and the high cost of providing services to a community of less than one thousand residents. The low level of auto congestion in Matheny Tract, now and as forecasted into the future, suggests that driving will continue to be more convenient in rural communities than the use of transit for those with access to a private car.

Beginning in August 2017, TCaT Bus Stops for Southbound Route 20 at Matheny Tract have been realigned so that Passengers getting on or off will not be required to cross Pratt Street or Addie Avenue.

Figure 16 - TCaT Route 20 Southbound



# MATHENY TRACT LEGACY PLAN

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## State Route 99

State Route (SR) 99 is the major highway between cities within the Central Valley and is the primary route between the City of Fresno to the north and the City of Bakersfield to the south. Matheny Tract is located approximately two (2) miles west of SR 99.

## AMTRAK

The Hanford AMTRAK station, located approximately 25 miles to the northwest in Kings County, is the closest station to Matheny Tract providing passenger rail service. The San Joaquin Joint Powers Authority (SJPPA) is comprised of ten agencies (including TCAG) currently oversees the operation of seven daily trains serving this station. Service is provided to points north including San Francisco and Sacramento and to points south including Bakersfield and the Los Angeles basin (via connecting Amtrak Thruway bus service).

## Mefford Field Airport

“The Tulare County General Plan Part I – Goals and Policies Report pertaining to Aviation is intended to guide the long-term development of the airport, including the compatibility of adjacent land uses. The principle concerns of the Tulare County Comprehensive Airport Land Use Plan (CALUP) fall into five categories

- *Height restrictions:* to enhance aircraft safety by protecting the navigable airspace around airports;
- *Safety of persons on the ground:* to reduce risks to the population from aircraft operations and accidents;
- *Noise compatibility:* to minimize the effects of aircraft noise on communities adjacent to airports;
- *Overflight:* to balance land development within traffic patterns of public use airports; and
- Any proposed public, private or charter school site, or community college site, within two miles of the airport runway.”<sup>17</sup>

Currently, the airport is primarily used for general aviation operations, including local and itinerant services. Other Airport activities include airtaxi services and government operations.

“The ALUC is responsible for airport land use planning that balances the safety risks inherent to an airport against unnecessarily restricting a property owner’s ability to develop or use his or her land. Issues such as bird strikes, pilot error, mechanical failure, and obstructions in navigable airspace, as well as large concentrations of people on the ground need to be considered in achieving this balance. Large land areas around airports are exposed to the possibility of aircraft accidents even with well-maintained aircraft and highly trained pilots. Despite stringent laws governing aircraft and airport maintenance and pilot training, history demonstrates that aircraft accidents are going to occur. Although the risk to persons on the ground being killed or injured in an aircraft accident is small, such an accident is a high-consequence event, and particularly so if the accident location coincides with a large concentration of persons on the ground. For this reason airport safety zones are needed to define the nature of the risk and to minimize the number of persons who may be exposed to air crash hazards.”<sup>18</sup>

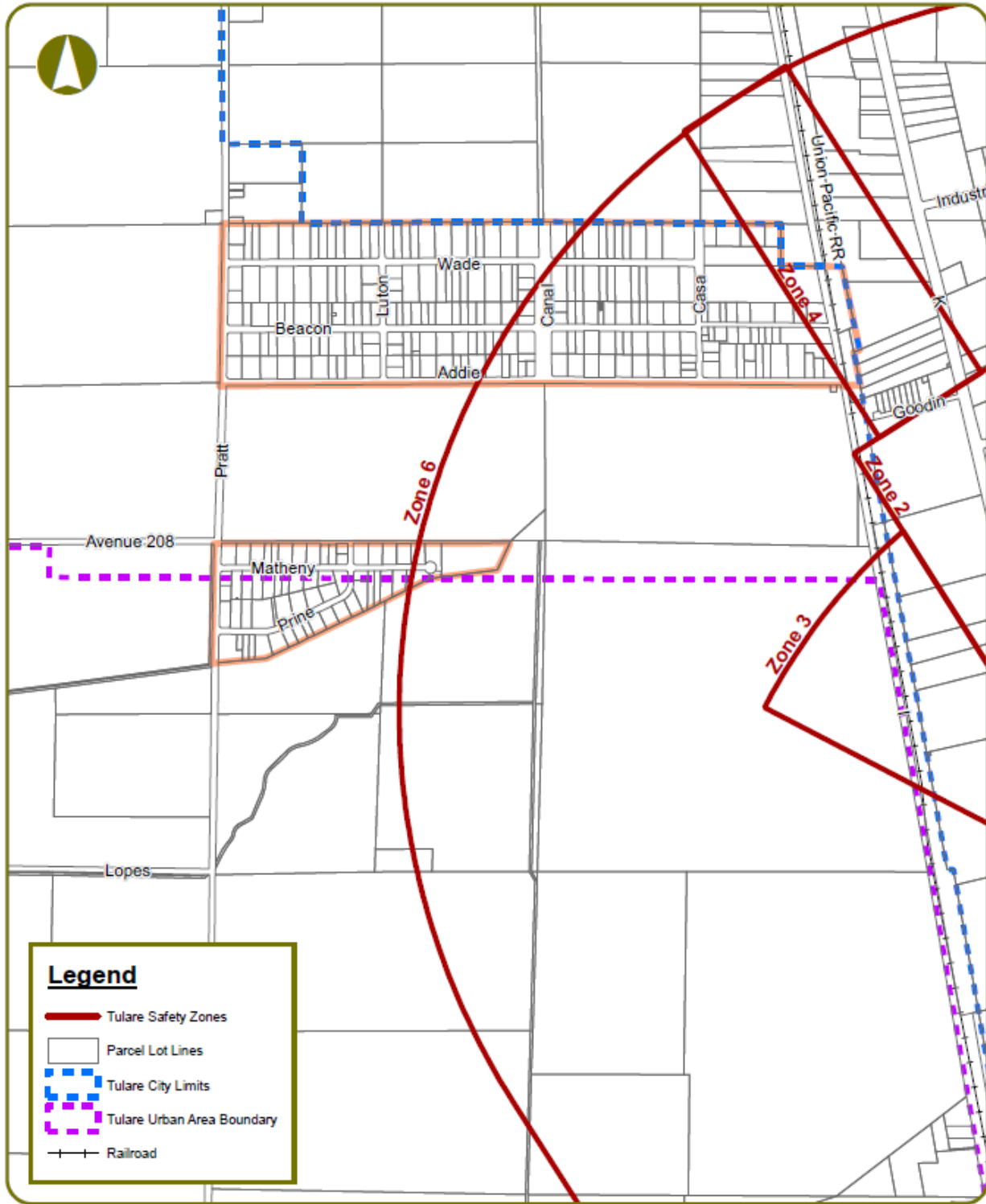
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<sup>17</sup> Tulare County Comprehensive Airport Land Use Plan, page 2-2

<sup>18</sup> Ibid. 2-8

# MATHENY TRACT LEGACY PLAN

Figure 17 - Mefford Field Airport Safety Zones



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## Airport Safety Zones

Six safety zones (see **Figure 17**) were identified to represent the relative safety risks. These safety zones and their respective risk factors are summarized below:

- ***“Safety Zone 1, Runway Protection Zone*** – The Runway Protection Zone (RPZ) is a trapezoidal area located immediately off each end of a runway. This area is defined by FAA who recommends it be a part of the airport property due to its very high risk factors. Aircraft over fly this area at altitudes below 200 feet. Caltrans research indicates that 20 to 21 percent of near-runway accidents occur in this zone.
- ***Safety Zone 2, Inner Approach/Departure Zone*** – The Inner Approach/ Departure Zone is a rectangular area located along the extended runway centerline immediately beyond the RPZ. Aircraft over fly this area at altitudes between 200 and 400 feet above the runway elevation. Caltrans research indicates that 8 to 22 percent of near-runway accidents occur in this zone.
- ***Safety Zone 3, Inner Turning Zone*** - The Inner Turning Zone is a cone shaped zone which lies on either side of the Inner Approach/Departure Zone. The sides of this zone are defined by a 20 or 30 degree angle, depending upon runway length, measured from the runway centerline. The apex of the cone is located on the runway at a distance from the runway end that is also dependent upon runway length. This zone encompasses locations where arriving aircraft are typically turning from the base to final approach legs of the standard traffic pattern and are descending from traffic pattern altitude or where departing aircraft normally complete the transition from takeoff power and flap settings to a climb mode and has begun to turn to their en route heading. Aircraft are less than 500 feet above the runway elevation. Caltrans research indicates that 4 to 8 percent of near-runway accidents occur in this zone.
- ***Safety Zone 4, Outer Approach/Departure Zone*** – is a rectangular are, which lies immediately beyond the Inner Approach/Departure Zones along the extended runway centerline. Particularly applicable for runways with straight-in instrument approach procedures, and other runways where straight-in or straight-out flight paths are common. Approaching and departing aircraft are usually at less than 1,000 feet above the runway elevation. Caltrans research indicates that 2 to 6 percent of near-runway accidents occur in this zone.
- ***Safety Zone 5, Sideline Zone*** - The Sideline Zone encompasses close-in areas lateral to the runway. These areas are typically within the airport property. The area is not normally over flown and the primary risk is from twin-engine aircraft losing directional control on takeoff. Caltrans research indicates that 3 to 5 percent of near-runway accidents occur in this zone.
- ***Safety Zone 6, Traffic Pattern Zone*** - The Traffic Pattern Zone is an oval shaped area centered on the extended runway centerline. This zone encompasses all other portions of the regular traffic patterns and pattern entry routes. This area generally has a low likelihood of accident occurrence at most airports, except where high concentrations of people present the potential for severe consequences. Caltrans

# MATHENY TRACT LEGACY PLAN

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research indicates that 18 to 29 percent of near- runway accidents occur in this zone, but that these numbers are misleading due to the large size of this zone.”<sup>19</sup>

Matheny Tract is located in portions of Safety Zones 4 and 6.

## Aircraft Noise

The most common public complaint regarding airports is the noise generated by aircraft operations. Most individuals can tolerate low levels of aircraft noise, but as the overall noise level rises and begins to interfere with conversation, sleep, business and other activities, the frequency of complaints increases. Complaints can also result from a single event in which the perception is held that an aircraft is too low or too noisy. Eventually, excess noise levels become detrimental to the public health, safety and welfare and, therefore, contrary to the public interest.

Noise restriction policies at Tulare County public-use airports are proposed to limit the number of people exposed to frequent and/or high levels of airport noise or to frequent and/or high cumulative noise levels of which airport noise is one component. The basic strategy for achieving noise compatibility is to limit the development of land uses that are particularly sensitive to noise and to obtain avigation easements for aircraft noise within all aircraft safety areas (defined in Section 2.4) and overflight areas (defined in Section 2.6). The following policies were established:

### **HS-3.1 Airport Land Use Compatibility Plan**

The County shall require that development around airports is consistent with the safety policies and land use compatibility guidelines contained in the adopted Tulare County Comprehensive Airport Land Use Plan (CALUP)

### **HS-3.2 Compliance with Federal Aviation Administration (FAA) Regulations**

The County shall ensure that development within the airport approach and departure zones is in compliance with Part 77 of the FAA Regulations (*FAA regulations that address objects affecting navigable airspace*).

### **HS-8.4 Airport Noise Contours**

The county shall ensure new noise sensitive land uses are located outside the 60 CNEL contour of all public use airports.

Matheny Tract is located outside of the 55 dB CNEL noise contour of the Tulare Municipal Airport (Mefford Field).

## Land Use Compatibility Matrix

“The Tulare County Airport Land Use Compatibility Matrix consists of two tables. Table 12 addresses land use compatibility in the safety and height restriction zones by land use type. Table 13 addresses the maximum residential densities in the safety and height restriction zones. Table 13 also addresses the maximum non-residential intensity in the safety and height restriction zones. Footnotes document the application of ALUC policy for specific categories of land use. It should be noted that land uses are subject to jurisdictional requirements and restrictions found in General and Specific Plans and

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<sup>19</sup> Op. Cit. 2-9

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zoning ordinances adopted by the various cities and Tulare County, some of which may be more restrictive than those presented in **Table 13.**<sup>20</sup>

<b>Table 13 - Tulare County Airport Land Use Compatibility</b>							
<b>Land Use Category</b>	<b>Safety Zone 1</b>	<b>Safety Zone 2</b>	<b>Safety Zone 3</b>	<b>Safety Zone 4</b>	<b>Safety Zone 5</b>	<b>Safety Zone 6</b>	<b>Remainder Areas within Airport Influence Area<sup>3</sup></b>

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

<b>Residential</b>
--------------------

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

<sup>20</sup> Op. Cit. 3-1

# MATHENY TRACT LEGACY PLAN

(Table 13 continued) - Tulare County Airport Land Use Compatibility

Land Use Category	Safety Zone 1	Safety Zone 2	Safety Zone 3	Safety Zone 4	Safety Zone 5	Safety Zone 6	Remainder Areas within Airport Influence Area <sup>3</sup>
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## Institutional, Public and Quasi-Public

Schools and Hospitals	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>	C <sup>18</sup>
Libraries, Day Care Centers, Social Clubs/Lodges, Churches	P	P	P	P	P	P	C
Parks, Playgrounds, Picnic Areas	P	C <sup>17</sup>	C <sup>17</sup>	C <sup>17</sup>	C <sup>17</sup>	C <sup>17</sup>	C <sup>17</sup>
Athletic Fields	P	C <sup>17</sup>	C <sup>17</sup>	C <sup>17</sup>	C <sup>17</sup>	C <sup>17</sup>	C <sup>17</sup>
Cemeteries - People or Pets	P	C	C	C	C	C	C
Public Utility Facilities (except Electric Plants)	P	C <sup>8</sup>	C <sup>8</sup>	C <sup>8</sup>	C	C	C
Electric Power Plants (including wind turbines and solar) and overhead transmission lines	P	P	P	P	P	C	C
Correctional Facilities	P	P	P	P	P	C	C

## Communications

Broadcast Studios	P	C	C	C	P	C	C
Transmission Stations, Towers, Antennas	P	P	P	P	P	C <sup>16</sup>	C

## Resource Extraction

Mining – Sand, Gravel, Fill Dirt	P	P	C	C	P	C	C
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## Commercial Recreational

Mining – Sand, Gravel, Fill Dirt	P	C	C <sup>17</sup>	C <sup>17</sup>	C	C <sup>17</sup>	C
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# MATHENY TRACT LEGACY PLAN

<b>(Table 13 continued) Tulare County Airport Land Use Compatibility</b>							
<b>Land Use Category</b>	<b>Safety Zone 1</b>	<b>Safety Zone 2</b>	<b>Safety Zone 3</b>	<b>Safety Zone 4</b>	<b>Safety Zone 5</b>	<b>Safety Zone 6</b>	<b>Remainder Areas within Airport Influence Area <sup>3</sup></b>

<b>Commercial Recreation (continued)</b>
--

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

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

<b>Service Commercial</b>
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Office Buildings, Public Buildings, Research Laboratories	P	C <sup>11</sup>	C <sup>11</sup>	C <sup>11</sup>	C <sup>11</sup>	C	C
Appliance and Equipment Repair, Car Wash	P	C	C	C	P	C	C

# MATHENY TRACT LEGACY PLAN

<b>(Table 13 continued) Tulare County Airport Land Use Compatibility</b>							
<b>Land Use Category</b>	<b>Safety Zone 1</b>	<b>Safety Zone 2</b>	<b>Safety Zone 3</b>	<b>Safety Zone 4</b>	<b>Safety Zone 5</b>	<b>Safety Zone 6</b>	<b>Remainder Areas within Airport Influence Area<sup>3</sup></b>

<b>Service Commercial (continued)</b>
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Personal Services, Health Clinics	P	C <sup>11</sup>	C <sup>11</sup>	C <sup>11</sup>	P	C <sup>11</sup>	C
Recycling	P	C <sup>8,13</sup>	C <sup>8,13</sup>	C <sup>8,13</sup>	P	C	C

<b>Transient Lodgings</b>
---------------------------

Hotels and Motels, Bed and Breakfast	P	P	C <sup>10</sup>	C <sup>10</sup>	C <sup>10</sup>	C <sup>10</sup>	C
RV Parks	P	P	C <sup>10</sup>	C <sup>10</sup>	C <sup>10</sup>	C <sup>10</sup>	C

<b>Wholesale &amp; Storage</b>
--------------------------------

Mini-Storage	P	P	P	P	C	C	C
Ammonium Nitrates	P	P	P	P	P	P	P
Warehouse, Wholesale and Distributing	P	C <sup>7</sup>	C	C <sup>7</sup>	C <sup>15</sup>	C	C
Landfills	P	P	P	P	P	P	P
Petroleum and Chemical Products – Bulk Storage	P	P	C <sup>13</sup>	C <sup>13</sup>	C	C	C

<b>Manufacturing &amp; Processing</b>
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Indoor Processes	P	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C
Industrial Manufacturing	P	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C
Warehousing & Distribution	P	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C <sup>14</sup>	C

<b>Transportation</b>
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Vehicle Storage and Parking	C <sup>7</sup>	C	C <sup>7</sup>	C	C	C	C
Taxi Stands, Bus Stations/Terminals	P	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>	C <sup>12</sup>	C	C
Truck Terminals	P	C	C	C	C <sup>15</sup>	C	C

## Notes

- Land uses are identified as being “C” – compatible, or “P” – prohibited based upon the following interpretations:

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

*Prohibited* - Prohibited land uses are designated by the symbol “P”. The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the

# MATHENY TRACT LEGACY PLAN

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safety of persons on the ground or to persons in aircraft over-flying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft over-flights.

2. The land use categories illustrated provide a representative sample of land uses found in Tulare County for the purpose of identifying any associated noise, safety, height, or overflight issues within the various zones of the Airport Influence Area. Other land use types that exhibit functional characteristics similar to the uses listed are likely to receive a similar compatibility rating. When it is not clear how a particular land use type might be rated for compatibility the referring agency, landowner or developer should contact ALUC Staff.
3. Safety Zones 1 through 5 represent areas of greatest risk with respect to aircraft accidents. All uses that constitute a hazard to flight, including physical objects in the navigable airspace, activities that create a glare or visual interference to a pilot, or electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. In locations under portions of established instrument approach or departure routes, object heights may be restricted to less than that indicated by FAR Part 77 imaginary surfaces. An FAA aeronautical study may be required. All new development within Safety Zones 1 through 6 must dedicate an aviation easement to the airport sponsor.
4. Safety Zone 6 includes considerable overflight activity and although safety concerns are diminished, aircraft noise and objects within the navigable airspace are of primary concern.
5. The Airport Influence Area is defined by the outer edge of the conical surface as described in FAR Part 77, plus aircraft noise areas outside the conical surface that exceed 60 dB CNEL.
6. The Remainder areas include portions of the FAR Part 77 horizontal surface not included within the safety zones, together with the conical surface and any 60 dB CNEL noise zones that project beyond the conical surface.
7. Allowed as a temporary use of Airport lands provided the activity does not attract birds or interfere with Airport operations.
8. No structures, congregations of equipment or vehicles, or public venues shall be located within 500 feet of runway centerline.
9. Land uses that incorporate the use of any weapons or implements that would launch a projectile into the air other than animal tranquilizers are prohibited.
10. As a general policy, new residential development is an undesirable land use within Safety Zones 1 to 5. It is the intent of the ALUC to prohibit further residential subdivision of land within these Safety Zones, or to allow changes to land use or zoning in a manner that would accommodate additional dwelling units. Dwelling units already approved in accordance with current General Plans or Zoning and property owners allowed development of a single family house by right are not affected
11. In areas where aircraft noise is expected to exceed 60dB CNEL; inhabited residential structures must meet California Noise Standards and be designed to achieve an interior noise level of 45 dB CNEL or less. Non-residential structures such as offices, restaurants and retail stores must meet an interior noise level of 50 dB CNEL or less.
12. Allowed only to the extent that such uses support the flow of passengers to and from the Airport.
13. For otherwise acceptable land uses, the limit for aboveground storage of hazardous materials is 2,000 gallons.

# MATHENY TRACT LEGACY PLAN

14. Allowed if dust, fumes, and other aspects of the process are carried out in a controlled environment.
15. A compatible use only when the activity is an integral part of an acceptable on-Airport use.
16. Subject to location and height limits.
17. Any activities located in Safety Zones 1 through 6 must meet nonresidential intensity standards – See Table 3-2 of this matrix.
18. No local schools (K-12) or hospitals are permitted in Safety Zones 1 to 6. School locations must meet California Education Code standards.
19. Retail Commercial (Aircraft Fuel, Aircraft Sales, Aircraft Repairs and Aircraft Flying Schools) are a compatible use on airport property within Safety Zone 6.

**Table 14 - Maximum Allowed Densities**

<b>Current Setting</b>	<b>Safety Zone 1</b>	<b>Safety Zone 2</b>	<b>Safety Zone 3</b>	<b>Safety Zone 4</b>	<b>Safety Zone 5</b>	<b>Safety Zone 6</b>	<b>Remainder Areas within Airport Influence Area<sup>3</sup></b>
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**Maximum Residential Densities (average number of dwelling units per gross acre)**

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

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

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

**Maximum Single Gross Acre Intensity (numbers of people)**

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

# MATHENY TRACT LEGACY PLAN

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

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

## Aircraft Overflight Areas

Matheny Tract is located within the Airport Influence Area of Mefford Field. “Current California Law requires residential property owners to disclose to prospective buyers that the property is in the “vicinity” of an airport.”<sup>21</sup> “To ensure that potential and prospective land users within an Airport Influence Area are provided with sufficient information regarding the presence of, and activities at, the nearby airport the following overflight policies are adopted:

- a. Avigation easements shall be obtained and recorded for all properties to be developed within Safety Zones 2 to 6 (See Policy 2.4.3.g. earlier), and in those portions of Safety Zone 1 that are not owned by the Airport Sponsor.
- b. Deed notices describing the potential for airport impacts shall be required as a condition of development in those areas of the Airport Influence Area outside designated Safety Zones.
- c. All real estate transfers within the Airport Influence Area shall include the following Notice of Airport in Vicinity in the Real Estate Transfer Disclosure Statement:

### ***Notice of Airport in Vicinity***

*This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.’<sup>22</sup>*

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<sup>21</sup> Op. Cit. 2-18

<sup>22</sup> Op. Cit. 2-19

# MATHENY TRACT LEGACY PLAN

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Visalia Municipal Airport, is located approximately 15 miles northeast of Matheny Tract, offers passenger service to Los Angeles. Fresno Yosemite International Airport (FAT), approximately 70 miles northeast of Matheny Tract, is the principal passenger and airfreight airport in the central San Joaquin Valley. Meadows Field, Bakersfield's principal commercial airport, is approximately 70 miles southeast of Matheny Tract and offers direct flights to several destinations.

## Union Pacific Railroad

Matheny Tract is bound on the east side by the Union Pacific Railroad (formerly Southern Pacific Transportation Company) line running through Tulare County. "According to the Trainmaster's office in Fresno, there are more than 20 freight train operations per day in the Tulare County Area. Passenger trains presently do not operate on Union Pacific tracks in Tulare County"<sup>23</sup> Train speeds on the mainline are generally 45-65 mph and train movements may occur at any time during the night or day.

According to the Wyle methodology, the type and frequency of rail operation results in noise exposures of 65 and 60 dB Ldn at approximately 335 and 660 feet, respectively, from the center of the tracks for present operations, and at approximately 440 and 800 feet, respectively, from the center of the tracks for estimated future operations. There are areas in the east side of the Matheny Tract LDB that are located within 335 feet of the Union Pacific Railroad line. Noise levels are higher at grade crossings due to the warning horn. The Paige Avenue (Avenue 216) and Avenue 200 grade crossings are over one (1) mile from the Community of Matheny Tract.

The Union Pacific Railroad tracks are elevated approximately 10-feet above natural ground surface; these tracks serve as a physical boundary between the commercial and industrial areas located in the City of Tulare to the east and the Matheny Tract.

## Energy: Natural Gas/Electricity

Southern California Edison (SCE) is the main provider of electrical power in Tulare County, which maintains an extensive network of high-voltage and low-voltage electrical lines, substations, natural gas mains, and related facilities. In addition to power produced by its plants, SCE purchases power from other producers for use within its service area.

On a region wide basis, electrical demand has increased while the available power supply has remained fairly constant. As a result, during peak demand periods, the reserve capacity of the overall system has dropped at times to under 3%. In response, SCE has planned for more stringent measures as reserve capacity diminishes. These measures include voluntary cutbacks, cutbacks for major users with whom PG&E has arrangements, and rolling blackouts.

The Southern California Gas Company provides gas service to Matheny Tract.

## Solid Waste

Solid waste disposal services for Matheny Tract is provided by Waste Management, a private company. Solid waste generated in Matheny Tract can be disposed of at Visalia Landfill, located at 8614 Avenue 328.

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<sup>23</sup> Tulare County General Plan Background Report, page 8-61

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## Internet Access

Most families in Matheny Tract do not have internet access at their homes. Any available internet service is unreliable and expensive. Residents are told by internet providers that there is not a tower in their area and that is why internet service is either unreliable or very expensive compared to what it costs in nearby cities. This is a major problem to residents, without access to the internet, they are unable to do very basic things such as online job hunting, applying for resources, and providing homework help to their kids. Internet access ranked as a high priority improvement need in Matheny Tract.

## PUBLIC SERVICES

### Sheriff

Police protection services are provided in Matheny Tract by the Tulare County Sheriff's Department main Sheriff Office located at 2404 W. Burrel Avenue, in Visalia, approximately 20 miles northeast of Matheny Tract.

### Fire

Tulare County and all of the incorporated cities have a mutual-aid agreement for fire protection services. The proximity of the nearest City or County fire station varies significantly between the unincorporated communities. There are three City fire stations and one County fire station in the Tulare area. County Fire Station #25 is within Tulare City limits. County Fire Station #25, located at Foster Drive/Turner Drive, is the closest station to Matheny Tract (two miles) and is shown in Figure 33-6.

Eleven fire hydrants are found within Matheny Tract. These fire hydrants are located within the County right-of-way. Emergency Services are located in the City of Tulare (**see Figure 18**).

### Parks:

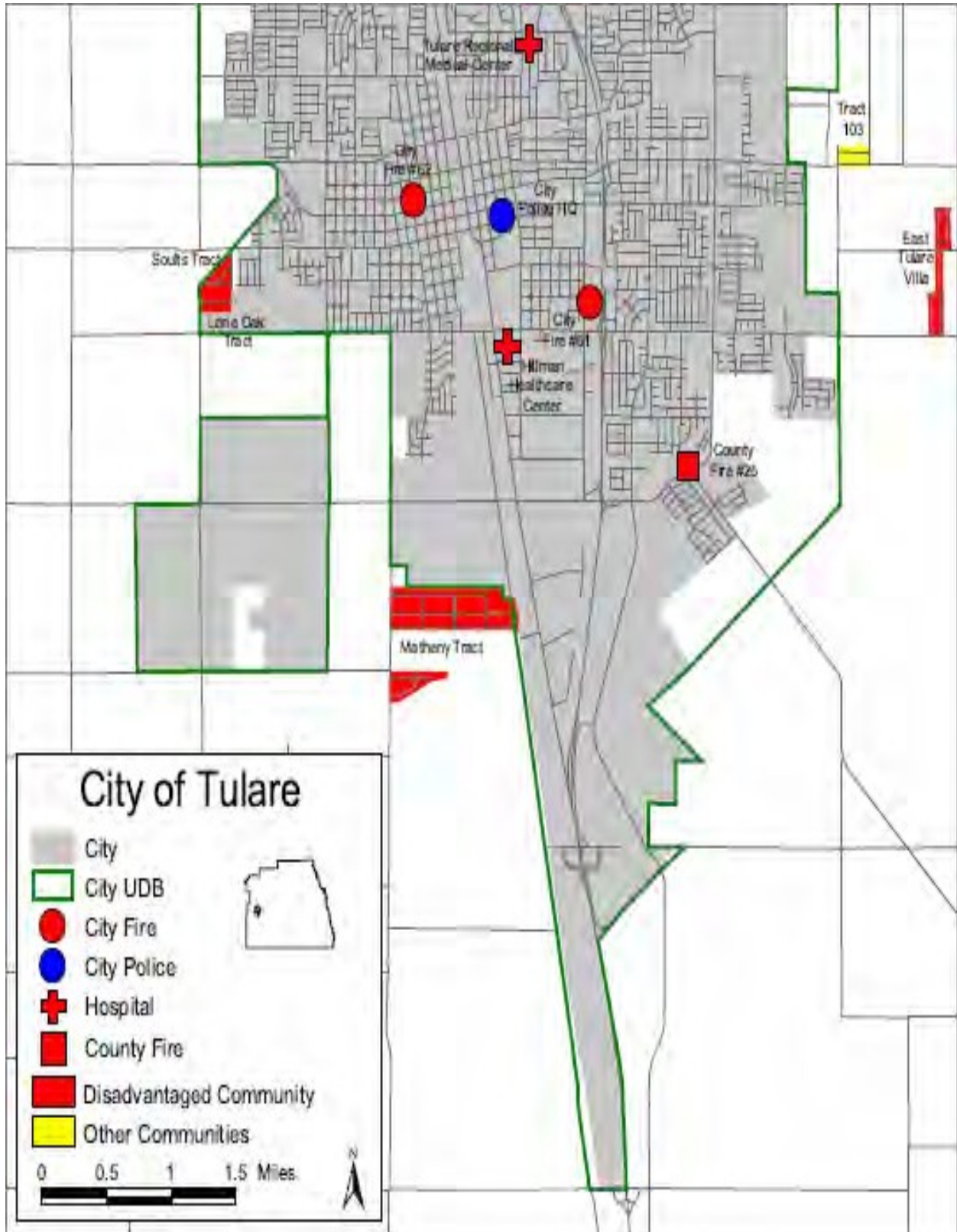
There are no County owned/operated public parks in Matheny Tract. In the community of Matheny Tract there is no safe open green space for children to play and adults to be physically active. The nearest park is located approximately two (2) miles away in the City of Tulare.

### Schools

Schools are an especially important component of a community. The quality of residential development is often measured by whether schools exist in close proximity to the neighborhood. As a result, schools are often a gravitational factor in attracting residential development to certain areas of a community. Most children attend Palo Verde Union School District (not part of the Tulare City School District). The District provides Preschool -8<sup>th</sup> grade education. High School students attend high school in the City of Tulare, approximately two (2) miles away.

# MATHENY TRACT LEGACY PLAN

Figure 18 - Emergency Services - City of Tulare





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## Library

“The Tulare County Public Library System is comprised of interdependent branches, grouped by services, geography and usage patterns to provide efficient and economical services to the residents of the county. At present, there are 14 regional libraries and one main branch.”<sup>24</sup> The Visalia Branch Library

Table 15 - Library Location & Hours		
	Address	Service Hours (2017)
Tulare Public Library	Main Branch 200 W. Oak Ave Visalia, CA 93291	Tuesday – Friday: 10:00 am – 7:00 pm Saturday 10:00 am – 5:00 pm

Library hours current as of August 2017

is located in the City of Visalia approximately 20 mile to the northeast. The Tulare Public Library is located approximately five miles northeast in the City of Tulare (see Table 15).

## CIRCULATION AND TRAFFIC

“For a land use plan to operate effectively, it is imperative that a comprehensive circulation plan be prepared. Existing roadways must have the capacity to expand as traffic counts increase, and new roads must be planned so that one part of the community can be connected to another.

Tulare County’s relationship to the State Route system, nearby counties, cities, and communities

“The purpose of the highway, streets and roads section is to identify the existing regional circulation system and determine both feasible short-term and long-range improvements. Tulare County's planned circulation system consists of an extensive network of regional streets and roads, local streets and State Highways. The system is designed to provide an adequate [Level of Service] LOS that satisfies the transportation needs of County residents. However, Tulare County has experienced a large increase in population and is beginning to outgrow portions of the circulation system. The need for major improvements to the State Highways, streets and roads network is an important issue.

The existing State Highway system was completed in the 1950's and 60's. The average design life of a State Highway is approximately 20 years and many Tulare County's highways were constructed 50 years ago. The Agricultural and commercial industry continue to utilize the circulation system to get products to market. With industry intensification and other development, many facilities are beginning to show structural fatigue (e.g., surface cracks, potholes, and broken pavement).”<sup>25</sup>

## Traffic

“Tulare County is linked to Fresno County and Kern County principally by State Route 99. This route provides the only continuous north-south route through the County and is heavily used for regional travel. The entire length of State Route 99 in Tulare County and State Route 198 through Visalia and

<sup>24</sup> General Plan Background Report, page 7-96

<sup>25</sup> 2014-2040 Regional Transportation Plan & Sustainable Communities Strategy, Tulare County Association of Governments (TCAG), June 2014. Page 3-54.

# MATHENY TRACT LEGACY PLAN

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a portion of State Route 65 in Porterville are constructed to freeway standards.”<sup>26</sup>

**Freeways** provide for the ability to carry large traffic volumes at high speeds for long distances. Access points are fully controlled. Freeways connect points within the County and link the County to other parts of the State.

**Arterials** provide for mobility within the County and its cities, carrying through traffic on continuous routes and joining major traffic generators, freeways, and other arterials. Access to abutting private property and intersecting local streets shall generally be restricted.

**Collectors** provide for internal traffic movement within communities, and connect local roads to arterials. Direct access to abutting private property shall generally be permitted.

**Local Roads** provide direct access to abutting property and connect with other local roads, collectors, and arterials. Local roads are typically developed as two-lane undivided roadways. Access to abutting private property and intersecting streets shall be permitted.

## Existing Circulation

Matheny Tract is a small agricultural community located adjacent to Pratt Street (Road 90). The internal traffic circulation system for the Matheny Tract Legacy Plan is comprised of Matheny Avenue, Wade Avenue, Beacon Avenue, Addie Avenue, Pratt Street, Lutton Street, Canal Street, Casa Street, and Prine Drive. There are no proposed major streets as part of this Legacy Plan.

## Patterns of Blocks and Streets

The prominent grid pattern of County roads provides efficient and direct collector routes that provide ease of travel from place to place.

## Complete Streets

The California Complete Streets Act (AB 1358) of 2008 was signed into law on September 30, 2008. Beginning January 1, 2011, AB 1358 requires circulation elements to address the transportation system from a multimodal perspective. The bill states that streets, roads, and highways must “meet the needs of all users in a manner suitable to the rural, suburban, or urban context of the general plan.” The Complete Street roadway typically includes sidewalks and sidewalk amenities, transit shelters and facilities whenever there is a route along the corridor, and provisions for bicycle facilities.

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<sup>26</sup> Tulare County General Plan Background Report, page 5-7.

# MATHENY TRACT LEGACY PLAN

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## GOALS, OBJECTIVES AND POLICIES

This Section of the Matheny Tract Legacy Plan prescribes the land use policy framework which will govern the development of the community through the year 2030. It includes text, which sets out explicit policy statements about the quality, character, and manner in which development in the community will take place. The land uses in all the Legacy Boundaries were updated in 2012 to reflect a “mixed use land use designation.” The following land use designations and descriptions, with densities and intensities are recommended for Matheny Tract to address land demand needs through the 2030 planning horizon year.

Goals, objectives and policies are the fundamental building blocks of the planning process. Goals describe the desirable results to which the plan is committed while objectives describe the intermediate steps or achievements which must be taken to reach the goals. Policies describe more specific actions or processes which must be undertaken in order to achieve objectives. The goals, objectives and policies of this community plan are based on those contained in the Tulare County 2030 General Plan,

Matheny Tract Legacy Plan, and input received from Matheny Tract citizens during the public outreach process. The goals, objectives and policies are divided into four categories: Community Development, Housing, Economic Base, and Environmental Quality.

### Community Development

#### **GOAL I: Foster a cohesive community with easy access to necessary services and support facilities**

Objective: Prevent premature urban-type development on agriculturally productive lands.

#### Policies:

1. Encourage in-filling of vacant land and compatible development on underdeveloped land as a priority before development of agriculturally productive lands.

#### **GOAL II: Avoid land use conflicts through planning separation of uses.**

Objective: Promote concentrations of similar or compatible uses.

#### Policies:

1. Establish areas zoned exclusively for commerce and residences consistent with the policies in this plan.
2. Phase-out existing nonconforming concerns within planned residential areas through appropriate zoning amortization procedures.
3. Locate high density residential uses in close proximity to planned commercial areas.
4. Require public, quasi-public and high density residential uses to locate where direct access to major streets is available.
5. The County shall cooperate with all affected school districts to provide the highest quality educational services and school facilities possible.
6. The County shall work with the Schools to provide safe routes to school.

# MATHENY TRACT LEGACY PLAN

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7. The County of Tulare will solicit recommendations from all interested public agencies on matters regarding the Matheny Tract Legacy Plan.
8. The Matheny Tract Legacy Plan should be reviewed every five years to determine if amendments are appropriate.
9. When considering any land use proposal, capital expenditure or other matters of community importance, the County of Tulare will request input from the local service district and other affected agencies.

Objective: Provide for appropriate buffers between areas set aside for commercial activities and single family residential uses.

Policies:

1. Require adequate setbacks, side and rear yards, landscaping and screening between living and working areas.
2. Utilize roadways, railroad right of ways and other physical features to separate planned living and working areas.

***Housing***

**GOAL I: Provide safer and adequate housing for all citizens within the community.**

Objective: Reduce deficiencies in existing housing stock.

Policies:

1. Apply the health, safety and welfare standards of the Tulare County Ordinance Code, which may require demolition of vacant substandard housing units.
2. Encourage relocation of families from substandard housing units by expanding affordable housing opportunities within the community.

3. Inform potential rehabilitators of substandard housing that incentives such as reduced building permit fees are available.
4. Encourage housing advocacy groups, such as Habitat for Humanity and Self-Help Enterprises, to initiate home maintenance/repair programs in Matheny Tract.

Objective: Encourage new housing construction within the community to meet the needs of low and moderate income residents.

Policies:

1. Enable the housing industry to proceed with construction in a timely and cost-efficient fashion by providing adequate amounts of residential zoning.
2. Assure that the housing industry is made aware of residential development potentials in Matheny Tract.
3. Coordinate residential zoning with availability of utilities and community services.
4. Provide adequate amounts of residential zoning to encourage the housing industry to proceed with construction of residential development in a timely and cost-efficient fashion.
5. Encourage housing advocacy groups, such as Habitat for Humanity and Self-Help Enterprises, to construct new housing.

Objective: Provide a role for mobile homes in satisfying community housing needs.

Policies:

1. Allow for development of mobilehome parks in appropriate locations.
2. Permit mobilehomes to be installed on residentially designated lots within the original townsite; however, mobilehomes shall not be allowed to occupy more than 25% of such lots.

# MATHENY TRACT LEGACY PLAN

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3. Discourage mobilehomes on individual lots outside the original townsite, except when necessary for caretaker use in conjunction with commercial activities.
4. Require skirting or some other type of architectural screening to improve mobilehome appearance and safety.
5. Provide a role for mobilehomes and travel trailers in satisfying the seasonal housing needs of migrant populations.

## *Economic Base*

### **GOAL I: Develop a strong and diversified economy.**

Objective: Provide sufficient land for commercial development to meet the needs of the community and region and strengthen and maintain a viable community economy.

#### Policies:

1. Promote a concentration of commercial activities within selected areas to allow for cost efficient provision of necessary services and to protect residential neighborhoods.
2. Reserve areas with convenient highway access for highway-oriented commercial development, thereby encouraging outside cash flow into the community.

Objective: Provide the services necessary to support new commercial development.

#### Policies:

1. Encourage the Matheny Tract to give priority to community service development in the areas reserved for commercial growth on the plan.
2. Place emphasis on development and upgrading of water supply facilities to meet fire protection standards in planned commercial areas.

Objective: Provide the necessary safe guards to attract quality commercial development to the community.

#### Policies:

1. Assure that commercial developments are designed so that traffic will not impact upon residential areas.
2. Develop standards for signs, landscaping, and fencing to improve the attractiveness of commercial areas.

## *Environmental Quality and Public Safety*

### **GOAL I: Preserve and enhance the quality of life for present and future generation of Matheny Tract citizens.**

Objective: Upgrade the level of community health, sanitation and safety.

#### Policies:

1. Encourage capital improvements (curbs, gutters, streets paving, lighting, etc.) within existing developed areas which will upgrade the community image and improve safety.
2. Tulare County shall, within its authority, protect the public from danger to life and property caused by fire.
3. Tulare County shall, within its authority, protect the public against crime against people and property.

Objective: Provide sufficient open space for community recreation needs.

#### Policies:

1. Encourage reservation of open space for recreational purposes in conjunction with future residential developments.
2. Facilitate innovation in housing and subdivision design so that private recreation and open space areas can be accommodated.

# MATHENY TRACT LEGACY PLAN

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Objective: Prohibit to the extent allowed by law activities that will have a significant adverse effect on the environmental quality of Matheny Tract.

Policies:

1. Prohibit to the extent allowed by law residential development in excess of seven families per acre, until a sewage collection system is constructed.

2. Require a sufficient lot area for all new residential development to ensure an adequate area for on-site sewage disposal until a sewage collection system is constructed.

3. Prohibit to the extent allowed by law new intensive animal raising operations within the "windshed" area of Matheny Tract.

## ECONOMIC DEVELOPMENT

Tulare County's current Economic Development Strategy focuses on the agricultural industry and pursuing grants. In rural areas, elimination of all barriers to economic development is the foundation for growth. This Plan addresses the following four potential barriers to Economic Development.

Infrastructure: In order for more development to occur, service levels for water to be expanded. Grant funding is needed to increase service levels.

Use Permits: There are a number of uses that currently require Planning Commission approval. In many cases, these uses are beneficial for the community and do not necessarily need discretionary review. In order to reduce the cost of and length of time to obtain entitlements, use permit requirements are being reduced.

Education: Tulare County has five satellite campuses for four year universities: California State University-Fresno, University of California- Davis, Fresno Pacific University, Brandman University, and the University of Phoenix. Community Colleges in Tulare County include the College of the Sequoias, Porterville College, and San Joaquin Valley College. Workforce Development Partners include Proteus Inc., and CSET.

Health Care: Health care is important for economic development as businesses need healthy employees. The nearest medical offices are locate in the City of Tulare.

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## LAND USE AND ZONING ACREAGES

### Land Use and Zoning District Updates

As suggested earlier, and based on the forecasted growth and the recommended Legacy Development Boundary, the Land Use Plan (see **Table 15**) and Zoning Districts Plan (see **Table 16**) has been updated.

<b>Table 16 - Proposed Land Use Plan</b>	
Proposed Land Use	Acres
Mixed Use	154.9
Right-of Ways	32.9
Matheny Tract HDB	187.8

<b>Table 17 - Proposed Zoning District</b>	
Proposed Zones Districts	Acres
AE-20	2.9
C-2-MU	16.3
M-1	3.1
R-2	1.0
R-A	131.6
Unclassified (Right-of Ways)	32.9
Matheny Tract HDB	187.8

## IMPLEMENTATION STRATEGY

The purpose of this section is to prescribe a proposed approach to implement the General Plan recommendations contained in the Matheny Tract Legacy Plan. The following components comprise the Matheny Tract Community Plan implementation strategy:

**Limitation of the A-1 Zoning District.** Zoning Code Changes (changes to Use Permit issuance, eliminating the SR Combining Zone, Mixed-Use Overlay District, Zoning Map Update), Complete Streets/Safe Routes to School

**Zoning District Changes:** As part of this Implementation Program for the Matheny Tract Legacy Plan, there are a variety of changes to existing zoning districts. These changes are described below.

**Chapter 16 of the Zoning Code:** Revise Chapter 16 of the Zoning Code to limit the uses that require a Use Permit. As part the Economic Development Strategy, use permit requirements are streamlined to allow for uses to be developed without discretionary review. That is, proposed uses will not have to undergo an approval process that involves a decision making action by the Tulare County Planning Commission or Board of Supervisors. Project design features and Administrative approval will serve as the mechanism to allow (regulate) land uses, activities, densities, and other conditions typically applied through the special use permit process.

**Mixed Use Overlay District:** This alternative involves the creation of a Mixed Use Zoning Designation for the Community of Matheny Tract.

# MATHENY TRACT LEGACY PLAN

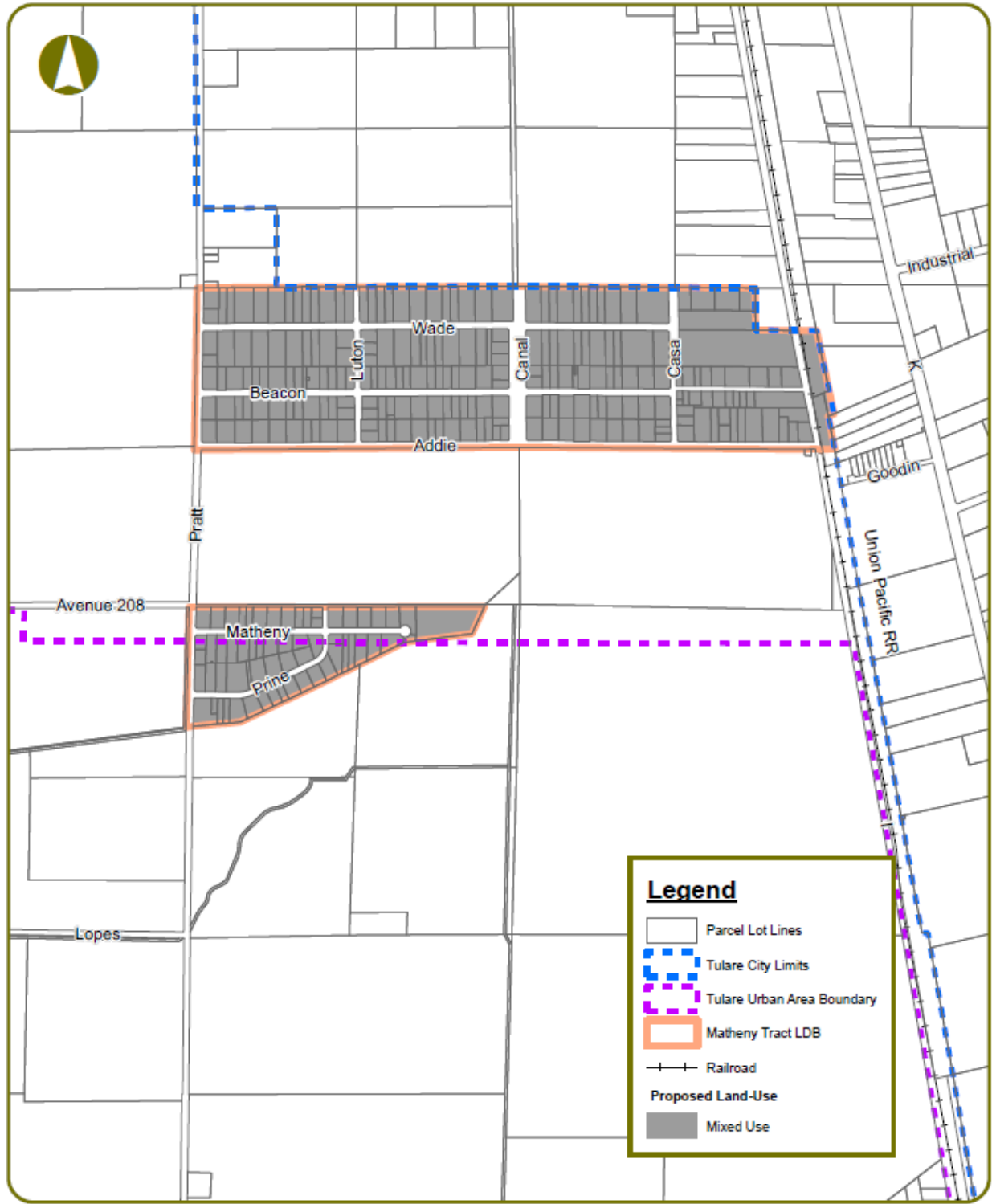
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Zoning Map Update: The current Zoning Map for Matheny Tract (**see Figure 20**) will be amended to be compatible with the Land Use Map outlined in the General Plan (**see Figure 19**). There are a couple of zoning district changes that are proposed to allow the General Plan and Zoning Ordinance to be in conformity with each other (**see Figure 21**) Matheny Tract Proposed Zoning).



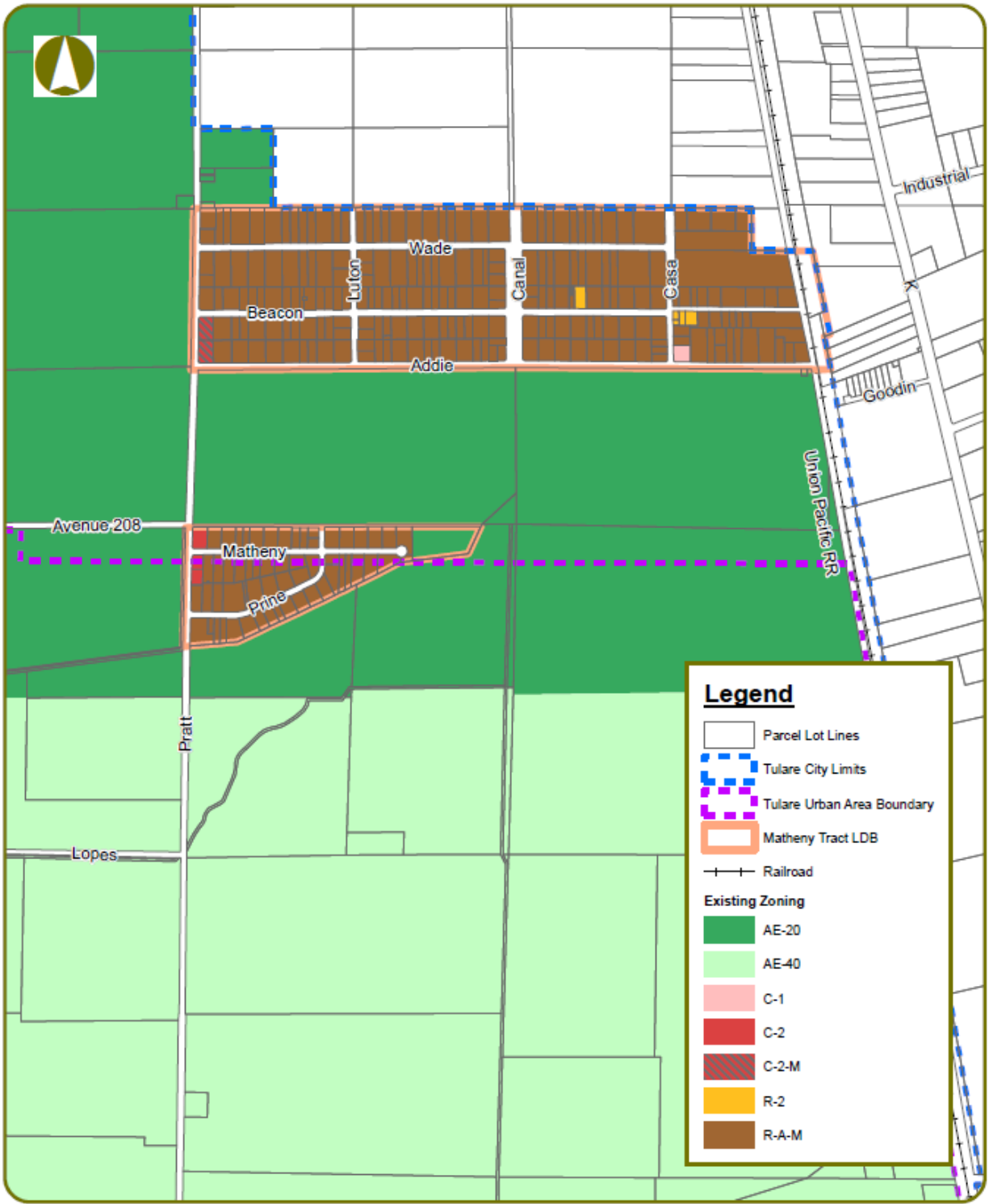
# MATHENY TRACT LEGACY PLAN

Figure 19 - Proposed Land Use Plan



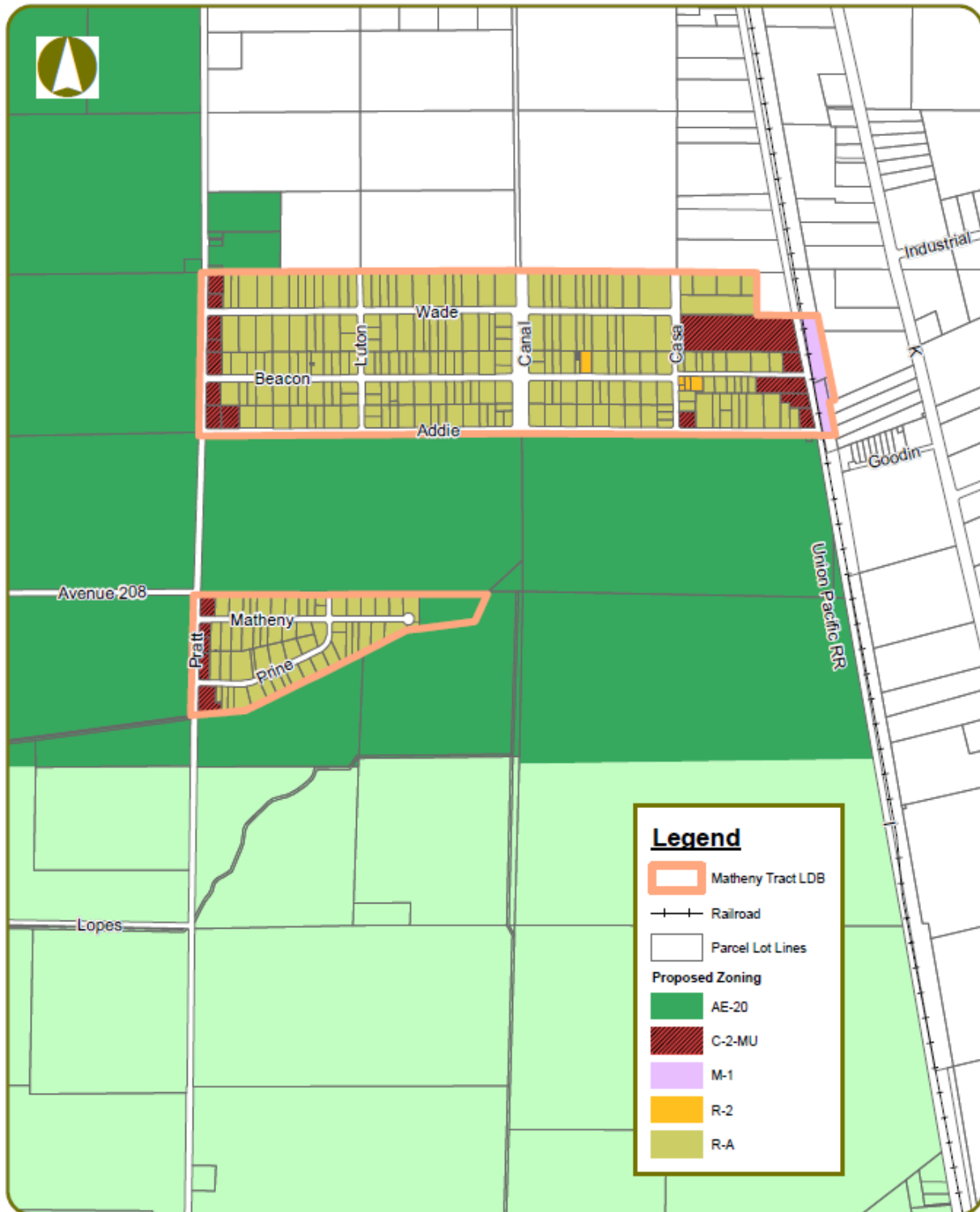
# MATHENY TRACT LEGACY PLAN

Figure 20 - Existing Zoning Districts



# MATHENY TRACT LEGACY PLAN

Figure 21 - Proposed Zoning Districts



0 1,000 2,000 Feet

Matheny Tract Proposed Zoning Districts

Figure 21

# MATHENY TRACT LEGACY PLAN

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## **ATTACHMENTS**

- A-1 – Use Permit Requirement Changes (Zone Change Text)
- A-2 – Mixed Use Overlay District (Zone Change Text)
- A-3 – Matheny Tract Community Outreach Flyers

# MATHENY TRACT LEGACY PLAN

## *A-1 Use Permit Requirement Changes (Zone Change Text)*

### **Additional By-Right Uses**

All of the following, and all structures and accessory uses directly related thereto in this section are entitled without a Special Use Permit (Conditional Use Permit). The following is allowed only in the various zones indicated below and within a community plan that adopted development standards for such entitled use. The proposed use must adhere to the adopted development standards of the community. The proposed use must also qualify for an exemption under the California Environmental Quality Act as determined by the Permit Center. The Permit Center will review the project for General Plan Policy, Community Plan Policy and development standard consistency and determine which environmental document is appropriate. Projects where the Permit Center is unable to make an immediate determination will be required to go through the Project Review Committee (PRC).

Uses that have an environmental effect on adjacent properties or necessitate mitigation measures through the California Environmental Quality Act will be required to apply for a PRC and a traditional use permit and legislative process through the County. These uses may have environmental or land use issues that may not be compatible with adjacent uses. These impacts may include but are not limited to; hours of operation (night time), noise (i.e. power tools such as impact drivers, or loudspeaker, etc) air quality (idle running vehicles) traffic, (number of vehicles) and odor. The Permit Center process is to determine the whether the use is by right or must go through the traditional use permit process. The following uses and zones shall be considered:

Permitted Uses		
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Animal hospital, clinic, and veterinarian office wherein only small/domestic animals (i.e. dogs, cats, etc.) are treated. Structure < 10,000 sq. ft.	C-1, C-2, C-3, M-1, M-2	
Antique and art store. Structure < 10,000 sq. ft.	C-2, C-3, M-1, M-2, R-3	C-2, C-3, M-1
Antique store containing less than one thousand (1,000) square feet of floor area	C-1, C-2, C-3, M-1, R-2, R-3	C-1, C-2, C-3, M-1
Apartment Hotel Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	O
Apparel stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Arcades, including video. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Assemblage of people for educational or entertainment purposes. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, M-2	

# MATHENY TRACT LEGACY PLAN

Assembly of electric appliances such as lighting fixtures, irons, fans, toasters and electric toys, refrigerators, washing machines, dryers, dishwashers and similar home appliances. Structure < 10,000 sq. ft.	C-2, C-3, M-1, M-2	M-1
Assembly of small electrical equipment such as home and television receivers. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	M-1
Assembly of typewriters, business machines, computers, and similar mechanical equipment. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, M-2, R-3	M-1
Automated car wash (coin operated only). Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, M-2, R-3, AP	C-2, C-3, M-1
Automobile parking lots, public parking areas or storage garages. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, M-2, R-3, AP	
Automobile supply stores.	O, CO, C-1, C-2, C-3, M-1, R-3	C-2, C-3, M-1
Automobile washing, including the use of mechanical conveyors, blowers and steam cleaning.	C-2, C-3, M-1, M-2	C-3, M-1
Bakery [employing not more than five (5) persons on premises].	O, CO, C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Bakery goods store.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Banks and financial institutions.	C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Barber shop or beauty parlor.	C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Bed and Breakfast Home with three or more guests rooms (Up to 5). Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-3, R-2	R-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Bicycle shops. Structure.	CO, C-1, C-2, C-3, M-1, R-3	C-2, C-3, M-1
Billiard or Pool hall Structure	C-2, C-3, M-1	C-2, C-3, M-1
Bird store or pet shop.	O, CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Blueprinting and Photostatting shop.	CO, C-1, C-2, C-3, M-1, AP	C-2, C-3, M-1
Boat sales and service. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1	C-3, M-1
Book binding. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	C-3, M-1
Book or stationary store. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1, R-3	C-1, C-2, C-3, M-1
Business and professional schools and colleges. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Business, professional and trade schools and colleges. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1

# MATHENY TRACT LEGACY PLAN

Catering Shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Ceramic shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Christmas tree sales lots as a temporary use.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Church. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Clothes cleaning and pressing establishment. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Clothing and costume rental. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Confectionery store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Conservatory of Music. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Contractor's Storage Yards.	CO, C-1, C-2, C-3, M-1, AP	
Dairy products store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Department store Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Digesters	M-1	
Drug store or pharmacy. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Dry goods or notions store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Electric appliance stores and repairs Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Expansion, Alteration or Replacement of non-conforming buildings and uses. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-1, R-2, R-3, R-A	
Family Day Care Home, Large (Up to CA State maximum).	CO, C-1, C-2, R-1, R-2, R-3, RA	
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Family Day Care Home, small.	CO, C-1, C-2, R-1, R-2, R-3, RA	R-1, R-2 R-3, C-1, C-2, C-3, M-1
Feed and seed stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, AP	C-3, M-1
Fire Station.	CO, C-1, C-2, C-3, M-1, AP	
Firewood sales yard.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Florist shop. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-1, R-2, R-3, RA	C-1, C-2, C-3, M-1
Furniture store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Furniture warehouses for storing personal household goods, provided ground floor front is devoted to stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Gasoline filling station. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1

# MATHENY TRACT LEGACY PLAN

Gift, novelty or souvenir. Structure < 10,000 sq. ft.	CO, C-1 ,C-2, M-1, R-2, R-3, RA	C-2, C-3, M-1
Glass shop, retail, excluding major service activities. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-2, C-3, M-1
Grocery store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Grocery store, fruit store or supermarket. Structure < 10,000 sq. ft.	C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Gunsmith shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Hobby and art supply store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Hospital, sanitarium and nursing home. Structure < 10,000 sq. ft.	C-1, C-2, C-3, M-1, PO	
Household and office equipment and machinery repair shops. Structure < 10,000 sq. ft.	C-2, C-3, M-1, PO	C-3, M-1
Household appliance stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Ice storage house of not more than 5-ton storage capacity.	CO, C-1, C-2, C-3, M-1, AP	
Incidental manufacturing, processing and treatment of products. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-2, C-3, M-1
Interior decorating store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Jail or correctional (public facilities only).	C-2, C-3, M-1, M-2	
Jewelry store, including clock and watch repair. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Laundries. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Laundry, coin operated machines only. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Leather goods and luggage stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Linen supply services. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Liquor store. Structure < 10,000 sq. ft. Not within 300' of residential/School Site.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Locksmiths. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Massage or physiotherapy establishment Structure < 10,000 sq. ft.	CO, C-1 ,C-2, C-3, M-1	C-2, C-3, M-1
Meat market or delicatessen store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Medical and orthopedic appliance stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, PO	C-2, C-3, M-1
Medical laboratory. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, PO	C-2, C-3, M-1
Memorial building, theatre, auditorium. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-3	



# MATHENY TRACT LEGACY PLAN

Micro-brewery. Structure < 10,000 sq. ft. *Allowed in C-1 and C-2 in conjunction with a restaurant.	M-1, M-2, C-3,*C-2, *C-1	M-2
Mini-warehouses. Structure < 10,000 sq. ft.	C-2, C-3, M-1, AP	C-3, M-1
Mobilehome for use by caretaker or night watchman.	CO, C-1, C-2, C-3, M-1	O, C-2, C-3, M-1
Motorcycle sales and service. Structure < 10,000 sq. ft.	C-2, C-3	C-3, M-1
Musical instrument repair shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Name plates. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-3	R-3, C-1, C-2, C-3, M-1
Nursery school. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-1, R-2, RA, R-3, R-A	
Office, business or professional. Structure < 10,000 sq. ft.	CO, C-1, C-2, M-1, R-1, R-2, R-3, PO	C-1, C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Opticians and optometrists shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, PO	C-2, C-3, M-1
Paint and wallpaper stores. Structure < 10,000 sq. ft.	C-1, C-2, C-3, M-1	C-2, C-3, M-1
Pet shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Photo processing pick-up and delivery outlets. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Photographic and blueprint processing and printing. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Photographic developing and printing. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Photographic supply stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Picture framing shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Plumbing fixtures for retail sales. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Plumbing shops. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Police station.	O, CO, C-1, C-2, C-3, M-1, M-2	
Post Office.	CO, C-1, C-2, C-3, M-1, R-1, R- 2, R-3, PO	O, C-1, C-2, C-3, M-1
Pressing establishments. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Printing, lithography, engraving. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Private club, fraternity, sorority and lodge. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Private greenhouses and horticultural collections. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A	R-1, R-2 R-3, C-1, C-2, C-3, M-1

# MATHENY TRACT LEGACY PLAN

Public library.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A	R-3, C-1, C-2, C-3, M-1
Public Park or playground.	O, MR, CO, C-1, C-2, C-3, M-1, M-2 R-1, R-2, R-3, R-A, AP	
Public utility structure.	CO, C-1, C-2, C-3, M-1, MR, RO, R-1, R-2, R-3, R-A, PO, O, AP	
Radio and television broadcasting studios. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Radio and television repair shops. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Radio, microwave and television towers (Over 75 feet or within 2 miles of an airport).	C-2, C-3, M-1, M-2	
Real Estate Offices. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A	
Recreation center. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Repairing and altering of wearing apparel. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Resort Structure. < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Restaurant. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Restaurant, tea room or cafe. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1, R-1, R-2, R-3, R-A	C-1, C-2, C-3, M-1
Retail office equipment sales. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Retail sales of sporting goods, boats, boat motors, boat trailers, trailer coaches and their repair, rental and storage. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1	
Retail stores and offices incidental to and located on the site of a hotel, motel, resort, restaurant or guest ranch. Structure < 10,000 sq. ft.	O, CO, C-1, C-2, C-3, M-1	
Rug and carpet cleaning and dyeing. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Satellite antenna sales. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Satellite television antennas.	CO, C-1, C-2, C-3, M-1	
School, private.	CO, C-1, C-2, C-3, M-1, PO	
School, public.	CO, C-1, C-2, C-3, M-1, PO	
Scientific instrument stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Secondhand stores, pawn shops and thrift shops. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Shoe repair shop. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone

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Shoe store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Sign painting shops. Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-3, M-1
Small appliance sales and service. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Soda fountains. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Sporting goods store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Stamp and coin stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Storage of petroleum products for use on the premises.	CO, C-1, C-2, C-3, M-1	
Studios (except motion picture). Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Tinsmith Structure < 10,000 sq. ft.	C-2, C-3, M-1	C-2, C-3, M-1
Tire sales (no retreading or recapping). Structure < 10,000 sq. ft.	C-2, C-3	C-2, C-3, M-1
Tobacco and cigar stores. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Tourist Court. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	
Toy store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M1	C-2, C-3, M-1
Zoning District Uses	New Entitled Zone	Prior Entitled Zone
Trailer and recreation vehicle sales, service and rentals. Structure < 10,000 sq. ft.	C-2, C-3, M-1, M-2, AP	C-3, M-1
Travel agencies. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Variety store. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Video machine and tape sales/rental. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-1, C-2, C-3, M-1
Warehouses except for the storage of fuel or flammable liquids and explosives. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-3, M-1
Watch and clock repair shop. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1
Wedding chapel. Structure < 10,000 sq. ft.	CO, C-1, C-2, C-3, M-1	C-2, C-3, M-1

# MATHENY TRACT LEGACY PLAN

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## *A-2 Mixed Use Overlay District (Zone Change Text)*

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The following regulations shall apply in the community of Matheny Tract, unless otherwise provided in this Ordinance.

**A. PURPOSE**

The purpose of this zone is to allow for mixed uses. Allowing a mix of uses promotes flexibility in the types of entitlements that can be issued. Economic Development can be pursued with a wide variety of development potential. In addition, mixed use can allow for decreased vehicles miles traveled if residential uses are mixed with uses for employment.

**B. APPLICATION**

This overlay zone only applies to the communities of Ducor, Terra Bella, Traver, Strathmore, Pixley, Tipton, Matheny Tract, Jovista, Matheny Tract and Tooleville..

**C. USE**

No building or land shall be used and no building shall be hereafter erected or structurally altered, except for one or more of the following uses allowed in this this overlay zone are outlined in the community plan for Matheny Tract.

Within the Mixed Use Zoning District, all uses outlined in the M-1, C-3, C-2, C-1, R-1, R-2 and R-3 uses are allowed. Uses and activities that are found by the Planning Director to be similar to and compatible with those specific zoning districts are also allowed. In addition, use and activities determined to be compatible by the Planning Commission and the Board of Supervisors with the above mentioned zoning districts are also allowed.

All conditional uses allowed in these zoning districts shall also be allowed by right with exception of the following combination of uses: All uses shall not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, or to the general welfare of the county. All uses shall limit impacts related to smoke, fumes, dust, gas, noise, odor, vibrations and other hazards to be considered an allowed use without the need for a special use permit. All allowed uses are subject to the determination of appropriateness by the Director of Planning.

<b>Uses/Combination of Uses reviewed by Planning Commission</b>
Auto wrecking and Residential
Battery Manufacture and Residential or Commercial
Biomass Fuel Production and Residential
Flammable Liquids over 10,000 gallons
Hazardous Waste Facility
Planning Mills and Residential or Commercial
Sand blasting
Slaughterhouse and Residential
Solid Waste Recycling and Residential
Super service stations and Residential
Airport
Heliport

# MATHENY TRACT LEGACY PLAN

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The Director of Planning has the option of deferring any land use application allowed in this district to the Planning Commission for review and decision.

## D. DEVELOPMENT STANDARDS

1. Height: No building or structure hereafter erected or structurally altered shall exceed six (6) stories or seventy five (75) feet to uppermost part of roof.
2. Front Yard: 0 Feet
3. Side Yard: Where a lot abuts upon the side of a lot in any "R" Zone (R-A, R-O, R-1, R-2 and R-3), there shall be a side yard of not less than five (5) feet. Where a reversed corner lot rears upon a lot in any "R" Zone, the side yard on the street side of the reversed corner lot shall be not less than fifty (50) percent of the front yard required on the lots in the rear of such corner lot. In all other cases, a side yard for a commercial building shall not be required.
4. Rear Yard: Where a lot abuts upon the rear of a lot in any "R" Zone (R-A, R-O, R-1, R-2 and R-3), there shall be a rear yard of not less than fifteen (15) feet. In all other cases, a rear yard for a commercial building shall not be required.
5. Lot Area: The minimum lot area shall be ten thousand (10,000) square feet; provided, however, that where a lot has less area than herein required and was of record at the time this paragraph became effective, said lot may be occupied by not more than one (1) main building subject to the provisions of this Section.
6. Floor Area Ratio: The maximum Floor Area Ratio is 2. The Floor Area Ratio is the amount of square feet of all structure allowed on a parcel based on parcel size.
7. Distance between structures: The minimum distance between structures is 10 feet.
8. Parking: Off-street parking and loading shall be required in conformance with Section 15.
9. Fences, Walls, and Screening: Where the side or rear lot line of a site adjoins or is located across an alley from any "R" Zone (R-A, R-O, R-1, R-2, and R-3), there shall be a solid wall, fence or equivalent landscaping screening at least six (6) feet in height located along the common lot line, except in the required front or side yard. Open storage of materials and equipment shall be permitted only within an area surrounded and screened by a solid wall or fence or compact evergreen hedge (with solid gates where necessary), not less than six (6) feet in height, provided that no materials shall be stored to a height greater than that of the wall, fence, or hedge. Fulfillment of the requirement of this paragraph shall not be required for buildings and uses which were established in accordance with all applicable buildings and zoning regulations and which were existing in a commercial or manufacturing zone on the effective date of this paragraph, until such time as a permit or other grant of approval for expansion, alteration or development of property is approved by Tulare County.

# MATHENY TRACT LEGACY PLAN

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## E. ALL OTHER DEVELOPMENT STANDARDS

All other Development Standards are included below and in the Community Plans for Ducor, Terra Bella, Traver, Strathmore, Pixley, and Tipton, and the Legacy Plans for Matheny Tract, Jovista, Matheny Tract and Tooleville. Conformance to development standards is required for all development; however, the Planning Director, Planning Commission, or Board of Supervisors may provide exemptions to particular development standards when deemed appropriate. Conformance to development standards is required for all development; however, the Planning Director, Planning Commission, or Board of Supervisors may provide exemptions to particular development standards when deemed appropriate

### ARCHITECTURE

A-1 Entries to buildings should be individualized and clearly identifiable.

A-2 Retail spaces should be accessed directly from the sidewalk, rather than through lobbies or other internal spaces.

A-3 Entrances to upper story uses should not be as prominent as the primary entrances to first story uses.

A-4 The height of first floor commercial should have a minimum ceiling height of 12 feet.

A-5 Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building. Create an intimate scale for the pedestrian environment.

A-6 Each building should have a defined base, body, and cap segment

A-7 Blank walls on ground floor facades adjacent to public sidewalks, public right-of-ways, and public spaces are prohibited.

A-8 Ground floor window openings should range between fifty (50) to eighty (80) percent of the ground floor façade adjacent to sidewalks and private and public plazas, patios, and courtyards. These window openings should consist of transparent “storefront” windows. Second story windows should not exceed fifty (50) percent of the total exterior wall surface.

A-9 Three-dimensional cornice lines, parapet walls, and/or overhanging eaves should be used to enhance the architectural character of the building.

A-10 Wall surfaces should not exceed 250 square feet without including some form of articulation. Acceptable forms of articulation include use of windows, varied reveal patterns, change in material, texture, color, or detail; and a change in wall plane location or direction.

A-11 Openings in the façade should be accentuated with paint, tile, shutters, awnings, planters, and/or other appropriate architectural features in order to create varied shadows and a rich visual texture.

A-12 Articulation and detailing of the exterior walls at the ground level, should be integrated with landscape features (trees, plants, walls, trellises, and unique land forms) to ensure an appropriate transition from ground to wall plane.

# MATHENY TRACT LEGACY PLAN

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A-13 An equal level of architectural detail and landscaping should be incorporated into all sides of freestanding buildings, because they are generally visible from all sides.

A-14 Architectural details should be fully integrated into the design of the building to avoid the appearance of afterthought elements or elements that are “tacked on” to a building.

A-15 Finish materials that give a feeling of permanence and quality should be used at ground level facades.

A-16 A consistent use of window style, size, trims, and accents should be used to ensure a consistent character along the building façade.

A-17 Exposed structural elements (beams, trusses, frames, rafters, etc.) are acceptable when appropriately designed to complement the over design of the façade.

A-18 Tilt-up buildings should incorporate decorative trim, recessed/projecting panels, recessed windows/doors, accent materials, and varied roof height to increase visual interest.

A-19 New buildings located at the corner of the block may be more massive in scale than adjacent buildings to better define the street intersection.

A-20 Corner buildings should have a strong relationship to the corner of the intersection by incorporating a unique architectural element or detail at the corner, such as a tower or primary building entrance.

A-21 Corner buildings should present equally important facades of similar appearance on both streets.

A-22 Articulate side and rear facades in a manner compatible with the design of the front façade. Avoid large blank wall surfaces on side and rear facades which are visible from public areas. In these locations, display windows, store entrances, and upper windows are encouraged. When this is not feasible, consider the use of ornament, murals, or landscaping along large blank walls.

A-23 Remove alterations whose design and/or materials are not consistent with the overall character of the building.

A-24 Where off-street parking or an alley is provided behind a building, a secondary entrance to both first floor and upper floor uses should be provided at the rear of the building.

A-25 Locate and design required vents and access doors to minimize their visibility from public spaces.

A-26 Use high quality detailing for new buildings and replacement elements. For example, new or replacement windows should have sash and frame thicknesses and window depths which are similar to those of original or historic windows. Such level of detailing provides an interplay between light and shadow which adds interest and visual depth to the façade.

A-27 Loading docks, storage areas, and service facilities should be located at the rear of the building and screened from the street as necessary.

A-28 Conceal all electrical boxes and conduits from view, and position light sources to prevent glare for pedestrians and vehicles.

# MATHENY TRACT LEGACY PLAN

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## **ROOFS AND AWNINGS**

RA-1 Awnings should be compatible with other awnings nearby, particularly those on the same building, when these awnings complement the architectural character of the building.

RA-2 Canopies and awnings should be compatible with the style and character of the structure on which they are located.

RA-3 Use matte canvas fabric for awnings; not vinyl, fiberglass, plastic, wood or other unsuitable materials. Glass and metal awnings may be appropriate for some buildings, but must be consistent with the architectural style of the building.

RA-4 Include architectural features such as awnings, canopies, and recessed entries that can protect pedestrians from inclement weather. Design these features as integral parts of the building.

RA-5 Awnings and canopies should not hang below the top of the first floor storefront window. In addition, awnings and canopies should be at least ten (10) feet above the sidewalk.

RA-6 Canopies and awnings should not project more than seven (7) feet from the surface of the building.

RA-7 Awnings and canopies that project into the public right-of-way should not impede pedestrian or vehicular movement.

RA-8 Roof forms, lines, masses, and materials should be continuous and consistent with the overall style, character, scale, and balance of the building.

RA-9 Roof overhangs and exposed structural elements should be designed to be consistent with the overall style and character of the building.

RA-10 Roof mounted HVAC equipment, ducts, vents, and other equipment should be screened from public view.

RA-11 Mansard roofs are prohibited.

RA-12 All flat roofs should have 90% of the roof area covered by solar panels. All sloped roofs should have 50% of the roof area covered by solar panels. Roofs should be painted or colored with a bright white (or similar color) with a reflective glossy finish.

## **SITE PLANNING**

SP-1 Place entrances to storefronts and other ground floor uses so that they are accessible directly from the public sidewalk, not internal lobbies.

SP-2 On corner sites, a prominent streetscape presence should be established and visual interest should be created by either locating buildings near the intersection to enliven the streetscape or using landscaping to frame the intersection. Parking areas immediately adjacent to intersections are discouraged.

SP-3 Structures and site improvements should be located and designed to avoid conflict with adjacent uses.

SP-4 Gates to parking areas should be designed with materials and color that are compatible with the site.

SP-5 Multi-story buildings that overlook private or common area open space of adjacent residences should be designed to protect privacy of these spaces.



# MATHENY TRACT LEGACY PLAN

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SP-6 Gates to parking areas should be located to prevent vehicle stacking or queuing on the street.

SP-7 Primary site and building entry points are strongly encouraged to generate visual interest with special design features such as decorative or textured paving, flowering accents, special lighting, monuments, walls, shrubs, water features, and the use of sizeable specimen trees.

SP-8 To the extent feasible and practicable, parcels should share access driveways to minimize curb cuts and traffic congestion.

SP-9 Cul-de-sacs are inappropriate except when a freeway, railroad, or canal prevents connectivity.

SP-10 Block lengths should be short, averaging 200 to 300 feet. Maximum block length is be 500 feet.

## **LANDSCAPING**

LA-1 Projects should provide, and maintain, landscaped buffers between commercial uses and low-density residential uses, between industrial and residential uses, and between commercial and industrial uses. Plant material will be placed in a manner to suggest natural growth as opposed to a rigid barrier.

LA-2 A predominance of deciduous tree species is encouraged to shade western, southern, and southwestern exposures.

LA-3 The parking lot should not be the dominant visual element of the site as viewed from the street. Locate or place parking lots at the side and rear of buildings or use parking lot screening to soften their appearance. Screen parking lots: Utilize a hedge (recommended height of 36 inches) with a rolling berm to

screen parking at the street periphery (Minimum shrub container size should be 5 gallons.)

LA-4 Project sites should be designed so that areas used for outdoor storage, and other potentially unsightly areas are screened from public view. All service yards and outdoor storage areas should be enclosed or screened from view.

LA-5 Loading areas, access and circulation driveways, trash, and storage areas, and rooftop equipment should be adequately screened from the street and adjacent properties, as deemed necessary. To the fullest extent possible, loading areas and vehicle access doors should not be visible from public streets.

LA-6 Loading driveways should not back onto streets or encroach into landscaped setback areas.

LA-7 Loading doors should be integrated into building elevations and given the same architectural treatment where feasible.

LA-8 Utility equipment such as electric and gas meters, electrical panels, and junction boxes should be screened from view or incorporated into the architecture of the building.

LA-9 Utility devices, such as transformers and backflow preventers, should not dominate the front landscape area.

LA-10 All utility lines from the service drop to the site should be located underground.

LA-11 When security fencing is required, it should be a combination of solid walls with pillars and offsets, or short solid wall segments and segments with metal fencing. Chain-link fencing is strongly discouraged when facing public view and should only be used as interior

# MATHENY TRACT LEGACY PLAN

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fencing.

LA-12 Retaining walls at retention basins should utilize a stepped or terraced motif as a visual tool to maintain appropriate human scale.

LA-13 Retention basins visible to public view and common open spaces should be contoured and landscaped in a creative manner to minimize a harsh utilitarian appearance. When feasible, it is recommended to beneficially use the run-off storm water as supplemental watering for the landscape plants.

LA-14 Parking lot run-off should be routed through turf or other landscaping.

LA-15 Parking lots located adjacent to the sidewalks or right-of-ways should be screened to a height of thirty six (36) inches above the grade with landscaping and/or low high quality fencing.

## **REFUSE AND STORAGE AREAS**

R-1 Trash storage must be enclosed within or adjacent to the main structure or located within separate freestanding enclosures.

R-2 Trash enclosures should be unobtrusive and conveniently accessible for trash collection but should not impede circulation during loading operations.

R-3 Trash enclosures should be located away from residential uses to minimize nuisance to adjacent properties.

R-4 Trash and storage enclosures should be architecturally compatible with the project design. Landscaping should be incorporated into the design of trash enclosures to screen them and deter graffiti.

## **LIGHTING**

LI-1 Provide lighting at building entrances and for security at ground level.

LI-2 Lights should be shielded and point down toward the ground.

LI-3 Parking lot should have uniformly spaced night lighting.

LI-4 Well-lit sidewalks and/or pedestrian walkways should be located to provide safe access from the parking lot to the street sidewalk.

LI-5 Exterior architectural lighting should fully compliment a building's design and character. Light fixtures should work in conjunction (size, scale, and color) with the building's wall, roof.

LI-6 Street lighting features should be "pedestrian scale" at twelve (12) to eighteen (18) feet in height above the curb.

## **WALLS AND FENCES**

WF-1 Wall/fence design should complement the project's architecture. Landscaping should be used to soften the appearance of wall surfaces.

WF-2 Walls and fences within front and exterior side yards of commercial sites should be avoided.

WF-3 Unless walls are required for screening or security purposes they should be avoided.

WF-4 Security fencing should incorporate solid pilasters, or short solid wall segments and view fencing.

# MATHENY TRACT LEGACY PLAN

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WF-5 Front yard fences should not abut the sidewalk. The fence should be set back from the sidewalk at least 2 to 3 feet to allow room for landscape materials to soften the fence and to ensure pedestrian comfort.

WF-6 Walls and fences should be designed in such a manner as to create an attractive appearance to the street and to complement the architecture of the industrial park.

WF-7 Gates should be provided in walls or fences where necessary to allow emergency access.

WF-8 High perimeter walls and walls topped with barbed wire, razor wire, or broken glass are strongly discouraged.

WF-9 Inordinately long walls or fences should be broken up by landscaping, pilasters, offsets in the alignment of the wall or fence, and/or changes in materials and colors.

WF-10 Chain link fences should not be visible from streets.

WF-11 Long expanses of fence or wall surfaces should be offset and architecturally designed to prevent monotony. Landscape pockets (12-feet wide by 3- feet deep) should be provided at 70-foot minimum intervals along the wall.

## **STREETSCAPE**

ST-1 A consistent pavement material of varied texture and color should be applied to all crosswalks to clearly define pedestrian crossings, to slow down traffic.

ST-2 Sidewalks widths, excluding curbs, should be a minimum of five (5) feet.

ST-3 Curb and gutters should be constructed with all new development.

ST-4 A planting strip, or tree lawn, 3 to 5 feet wide should be located between the sidewalk and the curb of the street. Existing tree lawns should be preserved.

ST-5 New street trees should be planted on the curb edge of the sidewalk in front of all new development projects.

## **SIGNAGE**

SI-1 Sign letter and materials should be professionally designed and fabricated.

SI-2 Each storefront with a ground floor entrance should be allowed two signs that should be attached to the building.

SI-3 All electrical conduits should be concealed from public view.

SI-4 For commercial uses, the primary wall sign should be in the space above a storefront and visibly oriented towards the street.

SI-5 For commercial uses, a secondary sign should be smaller than the primary sign and be oriented towards passing pedestrians. It should extend out perpendicular to the building façade and be mounted or hung from the wall beneath an awning or above a first floor window. The bottom of the wall-mounted sign should be located at least eight (8) feet above the sidewalk. The outer face of the sign should not extend more than four (4) feet from the edge of the building surface, and the maximum area of the sign should have no more than six (6) square feet.

SI-6 Signs should be designed to be compatible with building design in terms of relative scale, overall size, materials, and colors. No sign should dominate the façade. Signage elements should incorporate materials colors, and shapes that appropriately reflect and compliment the building's architecture.

# MATHENY TRACT LEGACY PLAN

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SI-7 Large signs that dominate a building façade or the streetscape should not be permitted.

SI-8 Signage should be constructed of high quality, low maintenance, and long lasting materials. Except for banners, flags, temporary signs, and window signs, all signs should be constructed of permanent materials and should be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure.

SI-9 No more than twenty (20) percent of window area should be obstructed by signs, posters, advertisements, painted signs, and/or merchandise, and the top one half of the window should be permanently clear and free of obstructions. Awning signage should be of a replaceable-type to accommodate tenant turnover.

SI-10 Wall, canopy, under-canopy, and marquee signs should not exceed three-fourths (3/4) square foot of aggregated display area per lineal foot of frontage.

SI-11 Awning sign should be mounted on the hanging border of the awning and should not protrude beyond the awning surface.

SI-12 Wall signs or advertisements should not project more than twelve (12) inches from the wall face to which they are mounted, should not project beyond building eaves, and should be mounted flat throughout their length and height.

SI-13 Signs for individual tenants within a multiple-tenant, such as offices located above the ground floor, should be grouped together and appropriately scaled to a pedestrian-oriented retail environment.

SI-14 Fin signs or under marquee sign are permitted provided that they are installed with a minimum of eight (8) feet clearance from the lowest point on the sign and support to the top of the walking surface below it.

SI-15 Awning signs and face-mounted signs are permitted provided that the sign should have no more than one line of text and that maximum text height is twelve (12) inches.

SI-16 No signs should be erected in any manner in which the sign, in whole or in part, would create a hazardous condition to pedestrian or automobile traffic alike.

SI-17 Additional business signs should be permitted on windows and on the vertical face of awning valances provided that the signs are permanent in nature and of high quality.

SI-18 The following signs are strictly prohibited:

- Roof signs, signs located above the roof or parapet lines.
- Permanent banner signs.
- Posters.
- Painted window advertisements.
- Billboards
- Large auto-oriented pole-mounted or “lollipop signs.”
- Moving signs and flashing signs.

SI-19 Signs advertising an activity, business product, or service no longer conducted on the premises, and/or signs frames, structural members, or supporting poles remaining unused for a period of six (6) months should be removed from the site or building by the property owner.

SI-20 Address markers should be easily identifiable and readable from the street.

# MATHENY TRACT LEGACY PLAN

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SI-21 Freestanding, ground-mounted and monument signs should be not less than one (1) foot behind a property line or designated right-of-way for vehicular and pedestrian traffic, but in no case should be more than ten (10) feet behind a sidewalk and ten (10) feet from any vehicular entrance or driveway. These signs should not interfere with the safety of vehicular traffic entering or exiting the premises.

SI-22 The maximum height of monument signs should be five (5) feet above the top of concrete curb.

SI-23 One freestanding or monument sign with a maximum of thirty-two (32) square feet of display area should be allowed on each street frontage of more than fifty (50) feet. Where two (2) or more freestanding or monument signs are allowed on a single street frontage, one freestanding or monument sign with a maximum of fifty (50) square feet of display area may be used in lieu of several signs on the same frontage.

SI-24 All gateway signs should have a consistent character and style.

SI-25 A hierarchy of gateways signs should be established to differentiate between major and minor gateway entrances.

SI-26 Major gateway signs should be designed as visually prominent towers, monuments, or street spanning arches.

SI-27 Minor gateway signs should be visible to automobile traffic, but also be low enough to be visible to pedestrian traffic.

## SERVICE STATIONS AND CAR WASHES

SS-1 Service and carwash bays should not face residential properties or the public street. The visibility of service bays and carwash opening should be minimized.

SS-2 Gas pump canopies should be ancillary to the main building structure. The retail market/office building segment of the facility should be oriented along the street frontage, whenever possible.

SS-3 All structures on the site (including kiosks, carwash buildings, gas pump columns, etc.) should be architecturally consistent and related to an overall architectural theme.

SS-4 Canopy light fixtures should be recessed into the canopy.

SS-5 Outdoor equipment, such as vent risers and clean air separators, should be screened either with an enclosure or if site configuration topography permits, away from street view, screened with landscaping or located at a grade differential.

SS-6 Site-specific architectural design contextual to surroundings is strongly encouraged. Designs based solely on corporate or franchise models are strongly discouraged.

## AUTO REPAIR SERVICES

AR-1 Building design should be stylistically consistent, and compatible with surrounding buildings through use of similar scale, materials, colors, and/or detailing.

AR-2 Building materials should have the appearance of substance and permanency; lightweight metal or other temporary appearing structures are discouraged.

# MATHENY TRACT LEGACY PLAN

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AR-3 Vehicle drop-off areas should be provided to prevent vehicle overflow to adjacent streets.

## **CONTRACTOR, BUILDING SUPPLY, OR LANDSCAPING YARDS**

BS-1 The main office or building should be located along the street frontage to screen outdoor sales and minimize the visibility of storage of materials and vehicles.

BS-2 Customer parking should be provided close to the building and not interspersed in the yard.

BS-3 All outdoor contractor vehicle storage areas should be enclosed with a screen of sufficient height and constructed with durable and high-quality materials that are compatible with the building and site.

## **CONSUMER STORAGE FACILITIES**

SF-1 The administrative office should be located in a building or building element that is human scale and located in proximity to the street.

SF-2 Parking for visitors should be located near the administrative office, outside of any gated portion of the facility.

SF-3 A storage facility should be consistent with its surrounding area in scale and appearance, through the use of building size transitions, architecture, and landscaping.

SF-4 Loading doors for individual storage units should not face outward toward streets.

SF-5 In order to break up the mass of larger buildings which containing storage units, provide horizontal and vertical articulation through the use of building offsets, windows, and variations in colors and materials.

SF-6 Any area intended for the storage of automobiles and recreational vehicles should be located towards the rear of the site or screened with an enclosure of adequate height

## **SPECIAL CONDITIONS**

SC-1 The project should emit no smoke or should reduce the amount of smoke from an existing use.

SC-2 The project should emit no fumes or should reduce the amount of fumes from an existing use.

SC-3 The project should implement dust control measures sufficient to minimize or prevent dust emissions. Measures should be consistent with, or more effective than, those required by the Valley Air District.

SC-4 The project should emit no odors or should reduce the amount of odors from an existing use.

SC-5 The project should not create noticeable vibrations.

# MATHENY TRACT LEGACY PLAN

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## A-3 – Community Outreach Flyers

**Leadership Counsel for Justice & Accountability and TULARE COUNTY**

invite you to participate in a

## COMMUNITY MEETING

to

## DISCUSS IMPROVEMENT NEEDS

in

## Matheny Tract

*The Sustainable Communities Strategy Project (SCS) seeks to document the following needs: Sewer, Water, Water Quality & Quantity, Storm Water Drainage, Fire, Access to Transportation, Housing, Schools, Libraries, Parks, Access to Healthy Foods and Shopping Opportunities, Access to Medical Facilities, Internet Access and more.*

The information that you provide at this meeting will help Tulare County create a plan and identify resources for future infrastructure improvements, land use changes, and zoning changes where possible.

**When:** January 9<sup>th</sup>, 2016

**Location:** Palo Verde School, Old Cafeteria  
10369 Avenue 196, Tulare, CA  
93274

**Time:** 10am- 12pm



For more information please call: Merced at 310-499-8034 or Ashley at 415-686-1368

\*Refreshments and snacks will be provided.



# MATHENY TRACT LEGACY PLAN

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El Consejo de Liderazgo y el CONDADO DE TULARE

les invita a una

## JUNTA COMMUNITARIA

para

# Hablar de las necesidades de infraestructura en Matheny Tract

*El Proyecto de Estrategia de Comunidades Sostenibles (SCS) esta documentando las siguientes necesidades: alcantarillado, agua, calidad y cantidad del agua, drenaje pluvial, agua, fuego, el acceso al transporte, vivienda, escuelas, bibliotecas, parques, acceso a alimentos y tiendas, acceso a servicios médicos, acceso al internet y mucho más!*

La información que usted proporcione en esta junta ayudará al condado crear un plan e identificar recursos para mejorar la infraestructura de La Villa donde sea posible. También ayudara a planificar el uso de la tierra y los cambios de zonificación.



**When:** January 9<sup>th</sup>, 2016

**Location:** Palo Verde School, la Cafeteria pequeña  
10369 Avenue 196, Tulare, CA 93274

**Time:** 10am- 12pm

Para más información llame a: Merced al 310-499-8034 o Ashley al 415-686-1368

\*Refrescos y aperitivos serán proveídos.





# MATHENY TRACT LEGACY PLAN

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## **APPENDICES**

Appendix A: Planning Commission Resolutions

Appendix B: Board of Supervisors Resolution

**Appendix A – Planning Commission Resolutions**

Addendum Environmental Impact Report and MMRP-Resolution No. 9342

General Plan Amendment GPA 17-035-Resolution No. 9343

Section 18.9 Zoning Ordinance (Mixed Use)-Resolution No. 9344

Section 16 Zoning Ordinance (By Right Uses)-Resolution No. 9345

Zoning District Map-Resolution No. 9346

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF THE ADDENDUM EIR )  
AND MITIGATION MONITORING AND REPORTING )  
PROGRAM FOR THE LEGACY PLANS 2017 ) RESOLUTION NO. 9342  
UPDATE AND PROPOSED CHANGES TO THE )  
LAND USE MAPS AND ZONING CHANGES )  
THAT ARE NECESSARY FOR CONSISTENCY WITH )  
THE GENERAL PLAN PARTS I, II AND PART III )  
AMENDMENTS (GPA 17-033) )

Resolution of the Tulare County Planning Commission recommending to the Board of Supervisors adoption of the Addendum to the (2012) Tulare County 2030 General Plan Final Environmental Impact Report for the Legacy Plans 2017 Update set forth in attached Exhibit "A" and Mitigation Monitoring and Reporting Program (MMRP) set forth in Exhibit "B" for the entire Legacy Plans 2017 Update which consists of General Plan Amendment No. GPA 17-033 amendment to Part I General Plan Amendment to the Introduction, Component A, Planning Framework, Component B, Agriculture, Land Use, Component C, Scenic Landscapes, Environmental Resources Management, Air Quality, Component D, Public Facilities & Services Elements, and Part II Rural Valley Lands Plan, and Part III (El Monte Mobile Village GPA 17-025; Hypericum GPA 17-026; Jovista GPA 17-027; Matheny Tract GPA 17-029 and Tooleville GPA 17-030 amending the Tulare County General Plan to establish Legacy Plans and Legacy Development Boundaries, Change of Zones No. PZC 17-025 El Monte Mobile Village; PZC 17-026 Hypericum; PZC 17-027 Jovista; PZC 17-029 Matheny Tract and Tooleville PZC 17-030, PZC 17-032 for an amendment to Section 16 of Ordinance No. 352, to allow additional by-right uses within the El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville Legacy Development Boundary, and Zone Ordinance Amendment No. PZC 17-031 establishing a Mixed Use Combining Zone in El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, and Tooleville (incorporated by reference herein). The unincorporated Legacy Communities are located within the Mount Diablo Base & Meridian as follows: El Monte Mobile Village, Section 12, Township 16S, Range 23E, Hypericum, Section 24, Township 19S, Range 25E, Jovista, Section 32, Township 24S, Range 26E, Tooleville, Section 12, Township 19S, Range 26E, Matheny Tract Section 22, 23, & 27, Township 20 south, Range 24 East.

WHEREAS, the Tulare County Board of Supervisors, on April 4, 2017, approved General Plan Initiation (GPI 17-001) which initiated the action to amend the Tulare County General Plan pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California; and,

WHEREAS, the General Plan Amendment will accomplish the following: (1) update the Planning Framework Element, Land Use Element, Environmental Resources Management Element, Transportation & Circulation Element and the Public Facilities & Services Element; (2) add El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, and Tooleville to the Mixed-Use Combining Zone; (3) allow additional by-right uses within the aforementioned Legacy

Communities; and (4) rezoning of properties consistent with the Land Use Element, as amended; and,

WHEREAS, The County prepared a Final EIR for the 2010 draft Tulare County General Plan 2030 Update (SCH #2006041162) and released the Final EIR for public review on or about August 30, 2011. The FEIR for the General Plan 2030 Update was prepared in compliance with the CEQA (Public Resources Code Section 21000 et seq. and the CEQA Guidelines (California Code of Regulations, Title 14). The Final EIR was distributed on CD to the State Clearinghouse, and all agencies who commented on the RDEIR. Individual notices of the FEIR availability were sent to agencies, organizations, and individuals who commented on the RDEIR. The Final EIR was available in all Tulare County Libraries, at the Tulare County Resource Management Agency and the following website, <http://generalplan.co.tulare.ca.us>; and,

WHEREAS, The Board of Supervisors has given notice of the proposed amendment to the General Plan as provided in Sections 65355, 65090, and 65091 of the Government Code of the State of California. A public notice was printed in the Dinuba Sentinel on August 23, 2012 the Visalia Times Delta, Porterville Recorder, and the Tulare Advance Register on August 17, 2012 at least ten days prior to the public hearing before the Board of Supervisors on August 28, 2012.; and,

WHEREAS, this Addendum EIR and MMRP is for the Legacy Plans 2017 Update inclusive of: General Plan Amendment No. GPA 17-033 an amendment to the Planning Framework Element, Land Use Element, Environmental Resources Management and the Transportation and Circulation Element; Change of Zone No. PZC 17-031 an amendment to Section 18.9 the "MU" Mixed-Use Combining Zone; A Change of Zone for El Monte Mobile Village, Change of Zone No. PZC 17-025 (Zoning District Map); Hypericum Change of Zone No. PZC 17-026 (Zoning District Map); Jovista, Change of Zone No. PZC 17-027 (Zoning District Map); Matheny Tract, Change of Zone No. PCZ 17-029 (Zoning District Map) and Tooleville, Change of Zone No. PZC 17-030 (Zoning District Map) within the respective Legacy Development Boundaries in conformance with the updated Land Use Element; Change of Zone No. PZC 17-032 an amendment to Section 16 to allow additional by-right uses in the El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville Legacy Communities; and

WHEREAS, through a good faith and substantial analysis of environmental impacts from this Project in the Addendum EIR, staff found, and the Planning Commission agrees that a summary of impacts and potential mitigation measures is included in Table ES-4 of the RDEIR and contains: (1) environmental impacts; (2) mitigation measures; (3) significance before mitigation; and (4) significance after mitigation, and required additional mitigating policies and implementation measures are recommended for the following: (1) Land Use and Aesthetics; (2) Traffic and Circulation; (3) Energy and Global Climate Change; (4) Noise; (5) Geology, Soils, Seismicity, and Mineral Resources; (6) Hazardous Materials and Public Safety; (7) Public Services, Recreation Resource and Utilities; (8) Agricultural Resources; (9) Biological Resources; and (10) Cultural Resources; and; therefore, the Addendum EIR and MMRP were the appropriate level of environmental review under CEQA for this Project;

WHEREAS, the proposed Legacy Plans 2017 Update is consistent with the Tulare County General Plan and includes the following primary goals and objectives:

1. Land Use and Environmental Planning - Promote Economic Development within planning areas in order to implement the following General Plan goals:
  - a. Ensure that the text and mapping of the Community Plan Designations and Zoning Reclassifications address various development matters such as encouraging Agricultural Adaptive Reuse activities, recognizing Non-Conforming Use activities, and facilitating Ministerial Permit approvals through an amendment of the Land Use Element to incorporate use designations contained in the proposed Legacy Plans;
  - b. Encourage infill development within Legacy Development Boundaries, thereby discouraging leapfrog development within Tulare County;
  - c. Reduce development pressure on agriculturally-designated lands within the Valley Floor, thereby encouraging agricultural production to flourish;
  - d. Reduce vehicle miles travelled throughout the County, thereby reducing greenhouse gas emissions and positively affecting air quality;
  - e. Amend the Transportation and Circulation Element and incorporate circulation plan designations in the Legacy Plans. This will improve the community's circulation, transit and pedestrian transportation system by enabling the construction of key projects including Safe Routes to Schools, Complete Streets, and Bike Lanes/Pedestrian Paths; and
  - f. Promote Economic Development by reducing entitlement requirements and providing flexible land uses in a mixed use overlay zone, which will enable the County to adapt to current market conditions.
2. Improvements for a "disadvantaged community" - The legacy planning areas will be improved because of the following:
  - a. Faster project processing resulting in increased employment opportunities by the private sector, as proposed projects can be reviewed and approved expeditiously;
  - b. Increased housing grant awards that are consistent with the policies of the recently adopted General Plan Update and Housing Element; and
  - c. Enhanced infrastructure grant awards providing access to funding to upgrade road, water, wastewater, and storm water facilities.
3. Strengthening Relationship with TCAG - An important benefit of this expedited community plan process is the opportunity for RMA to strengthen the County's relationship with the Tulare County Association of Governments (TCAG), as this Community Plan will help to facilitate the funding and implementation of several key transportation programs such as Safe Routes to Schools, Complete Streets, and Bike/Pedestrian Projects. By pursuing these transportation programs through a collaborative process, there is greater probability of getting projects in the ground faster, thereby making the community safer and healthier by providing a more efficient transportation network.

WHEREAS, on September 15, 2017 a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Visalia Times-Delta, a newspaper of general circulation in Tulare County, to consider the Legacy Plans 2017 Update, 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 27, 2017, and

WHEREAS, at Tulare County Planning Commission meeting, public testimony was presented by Mel Meleka, Principal Planner with the City of Tulare, who confirmed the City's position regarding wastewater treatment which was received and recorded, and

WHEREAS, the Planning Commission is the advisory body to the Board of Supervisors with respect to the Addendum EIR, MMRP and the Legacy Plans 2017 Update; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This Planning Commission hereby recommends adoption based on the substantial evidence in the record that the analysis presented in the Addendum EIR and Mitigation Monitoring Reporting Program (MMRP) for the Legacy Plans 2017 Update General Plan Amendment 17-033; inclusive of El Monte Mobile Village General Plan Amendment No. GPA 17-025; Change of Zone No. PZC 17-025; Hypericum General Plan Amendment No. GPA 17-026; Change of Zone No. PZC 17-026; Jovista General Plan Amendment No. GPA 17-027; Change of Zone No. PZC 17-027; Matheny Tract General Plan Amendment No. GPA 17-029; Change of Zone No. PZC 17-029; Tooleville General Plan Amendment No. GPA 17-030; Change of Zone No. PZC 17-030; Change of Zone No. PZC 17-031 (Mixed-Use Combining Zone–Section 18.9); Change of Zone No. PZC 17-032 (By-Right Uses–Section 16); and Amendments to General Plan Elements Part I Introduction, Component A, Planning Framework, Component B, Agriculture, Land Use, Component C, Scenic Landscapes, Environmental Resources Management, Air Quality, Component D, Transportation & Circulation, Public Facilities & Services, and Part II Rural Valley Lands Plan has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970; and,
2. The Commission further finds that The County prepared a Final EIR for the 2010 draft Tulare County General Plan 2030 Update (SCH #2006041162) and released the Final EIR for public review on or about August 30, 2011. The FEIR for the General Plan 2030 Update was prepared in compliance with the CEQA (Public Resources Code Section 21000 et seq. and the CEQA Guidelines (California Code of Regulations, Title 14). The Final EIR was distributed on CD to the State Clearinghouse, and all agencies who commented on the RDEIR. Individual notices of the FEIR availability were sent to agencies, organizations, and individuals who commented on the RDEIR. The Final EIR was available in all Tulare County Libraries, at the Tulare County Resource Management Agency and the following website, <http://generalplan.co.tulare.ca.us>; and,
3. The findings made in regards to this Addendum EIR and Mitigation Monitoring and Reporting Program for the Project are recommended by the Planning Commission as the Lead Agency; and,

4. Consistent with Public Resource Code Section 21081 and Guidelines Sections 15091 through 15093 (including Public Resources Code section 21061.1 and Guidelines Section 15364 relating to the definition of "feasibility"), the Commission hereby makes various findings relating to the less than significant effects identified in the Project Addendum. Based on substantial evidence in the IS/MND and Pursuant to the discussion in each section of the Addendum EIR, and the Public Record of Proceedings, the Commission finds and declares that mitigation measures are required and that the Project will not cause a significant impact to the environment with adoption of these mitigation measures.

AND, BE IT FURTHER RESOLVED as follows:

A. The Planning Commission finds that Tulare County is required to undertake Mitigation Measures set forth in attached Exhibit "B" that are restrictive and applied only to the Legacy Plans 2017 Update. Therefore, the public will benefit from the Legacy Plans as it will implement the General Plan and advance socially desirable community improvements that are environmentally and economically sound.

B. This Planning Commission hereby recommends that the Tulare County Board of Supervisors adopt the Addendum EIR and Mitigation Monitoring Reporting Program (SCH #2006041162).

The foregoing was adopted upon motion of Commissioner Dias, seconded by Commissioner Whitlatch, at a regular meeting of the Planning Commission on October 27, 2017, by the following roll call vote:

AYES: Dias, Aguilar, Whitlatch, Millies, Gong, Pitigliano  
NOES: None  
ABSTAIN: None  
ABSENT: Elliot

TULARE COUNTY PLANNING COMMISSION

  
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Michael Washam, Secretary

Exhibits:

A – Addendum EIR

B – Mitigation Monitoring and Reporting Plan (MMRP)

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENTS TO THE PART I )  
PLANNING FRAMEWORK ELEMENT, ENVIRONMENTAL )  
RESOURCES MANAGEMENT ELEMENT, LAND USE ) RESOLUTION NO. 9343  
ELEMENT, TRANSPORTATION & CIRCULATION )  
ELEMENT AGRICULTURE ELEMENT, SCENIC )  
LANDSCAPES ELEMENT, AIR QUALITY ELEMENT, )  
PUBLIC FACILITIES & SERVICES ELEMENT, )  
INTRODUCTION, COMPONENTS A, B, C, AND D, AND )  
PART II RURAL VALLEY LANDS PLAN OF THE TULARE )  
COUNTY GENERAL PLAN FOR THE LEGACY PLANS )  
2017 UPDATE GPA 17-033 INCLUSIVE OF GPA's 17-025, )  
GPA 17-026, GPA 17-027, GPA 17-29, AND GPA 17-030 )

Resolution of the Tulare County Planning Commission recommending the adoption of the proposed amendments to Part I Introduction; Component A-Planning Framework Element; Component B-Agriculture and Land Use Elements, Component C-Scenic Landscapes, Environmental Resources Management and Air Quality Elements; Component D-Transportation & Circulation and Public Facilities & Services Elements; and Part II Rural Valley Lands Plan of the Tulare County General Plan as set forth in Exhibits "A-1 to A-13" and Part III Community Plan as set forth in Exhibits "B-F" for the Legacy Plans 2017 Update General Plan Amendment No. GPA 17-033; inclusive of El Monte Mobile Village General Plan Amendment No. GPA 17-025; Hypericum General Plan Amendment No. GPA 17-026; Jovista General Plan Amendment No. GPA 17-027; Matheny Tract General Plan Amendment No. GPA 17-029; and Tooleville General Plan Amendment No. GPA 17-030 by the Board of Supervisors.

WHEREAS, the Tulare County Board of Supervisors, on April 4, 2017, approved General Plan Initiation (GPI 17-001) which initiated the action to amend the Tulare County General Plan pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California, and

WHEREAS, the Planning Commission has given notice of the proposed amendment to the General Plan as provided in Section 65854 of the Government Code of the State of California, and

WHEREAS, staff has made such investigation of fact bearing upon the proposed amendments to assure the action is consistent with the procedures and purposes set forth in the California Government Code, the State General Plan Guidelines, and other elements of the Tulare County General Plan, and

WHEREAS, staff has conducted multiple public outreach meetings in the Legacy communities as part of the Legacy Plans 2017 Update to receive public participation in shaping the Update, and



WHEREAS, on September 15, 2017 a notice of Public Hearing by the Tulare County Planning Commission was duly published in the Visalia Times-Delta, a newspaper of general circulation in Tulare County, to consider the Legacy Plans 2017 Update, 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 27, 2017 and

WHEREAS, at Tulare County Planning Commission meeting, public testimony was presented by Mel Meleka, Principal Planner with the City of Tulare, who confirmed the City's position regarding wastewater treatment which was received and recorded.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) for compliance with the California Environmental Quality Act (CEQA), and the State Guidelines for the implementation of CEQA, prior to taking action on the proposed amendments to the Part I Introduction, Component A, Planning Framework, Component B, Agriculture, Land Use, Component C, Scenic Landscapes, Environmental Resources Management, Air Quality, Component D, Transportation & Circulation and Public Facilities & Services Elements, and Part II Rural Valley Lands Plan of the Tulare County General Plan for the Legacy Plans 2017 Update.

B. This Planning Commission, after considering all of the evidence presented, including all comments received during the public review process, hereby determines the following findings to be relevant in evaluating the proposed General Plan Amendment:

1. The amendment of the Land Use Element to incorporate the land use designations contained in the Legacy Plans 2017 Update is consistent with the Land Use Element of the Tulare County General Plan;
2. The amendment of the Transportation & Circulation Element to incorporate circulation plan designations contained in the Legacy Plans 2017 Update is consistent with the Transportation & Circulation Element of the Tulare County General Plan;
3. The Amendment of the Planning Framework Element to establish Legacy Development Boundaries as set forth in the Tulare County General Plan, Planning Framework Element, adopted by the Tulare County Board of Supervisors in August 2012;

4. The Amendment to the Environmental Resources Management Element to modify the urban expansion area in the open space element reflective of the establishment of legacy development boundaries consistent with the Planning Framework Element of the Tulare County General Plan;
5. The Amendment to Part I Introduction, Component A, Component B, Agriculture, Component C, Scenic Landscapes, Air Quality, Component D, Transportation & Circulation and Public Facilities & Services Elements, and Part II Rural Valley Lands Plan is necessary to maintain consistency and uniformity regarding the application of policies and procedures relative to Communities, Hamlets, and the newly established Legacy Communities.
6. Amendments to the Zoning Ordinance to implement the Legacy Plans 2017 Update will reflect and remain consistent with the Land Use Plan for the community;
7. The proposed amendments are internally consistent with the Tulare County General Plan. Specifically, Part I Introduction, Component A, Planning Framework, Component B, Agriculture, Land Use, Component C, Scenic Landscapes, Environmental Resources Management, Air Quality, Component D, Transportation & Circulation and Public Facilities & Services Elements, and Part II Rural Valley Lands Plan of the Tulare County General Plan;
8. The Environmental Assessment Officer approved the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) prepared for the project;
9. Based on substantial evidence, the analysis presented in the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) for GPA 17-033 have been completed in compliance with the California Environmental Quality Act and the State Guidelines for the implementation of the California Environmental Quality Act of 1970.

AND, BE IT FURTHER RESOLVED as follows:

C. This Planning Commission hereby recommends that the Tulare County Board of Supervisors adopt the Addendum EIR and Mitigation Monitoring Reporting Program (SCH #2006041162).

D. This Planning Commission hereby recommends that the Tulare County Board of Supervisors adopt General Plan Amendment No. GPA 17-033 the Legacy Plans 2017 Update set

forth in attached Exhibits “A-1 to A-13” and Part III Exhibits “B-F” which is incorporated by reference herein.

The foregoing was adopted upon motion of Commissioner Pitigliano, seconded by Commissioner Whitlatch, at a regular meeting of the Planning Commission on September 27, 2017, by the following roll call vote:

AYES: Dias, Aguilar, Whitlatch, Millies, Gong, Pitigliano

NOES: None

ABSTAIN: None

ABSENT: Elliot

TULARE COUNTY PLANNING COMMISSION

  
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Michael Washam, Secretary

Exhibits:

Exhibits “A-1 – A-13” – Part I General Plan Amendment to the Introduction, Component A, Planning Framework, Component B, Agriculture, Land Use, Component C, Scenic Landscapes, Environmental Resources Management, Air Quality, Component D, Transportation & Circulation and Public Facilities & Service Elements, and Part II Rural Valley Lands Plan.

Exhibit “B” – 2017 El Monte Mobile Home Park Legacy Plan (Part III)

Exhibit “C” – 2017 Hypericum Legacy Plan (Part III)

Exhibit “D” – 2017 Jovista Legacy Plan (Part III)

Exhibit “E” – 2017 Matheny Tract Legacy Plan (Part III)

Exhibit “F” – 2017 Tooleville Legacy Plan (Part III)

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AN AMENDMENT TO )  
SECTION 18.9 "MU" MIXED USE COMBINING )  
ZONE OF ORDINANCE NO. 352 CONSISTENT ) RESOLUTION NO. 9344  
WITH THE ADOPTED LEGACY PLANS 2017 )  
UPDATE, AS PROPOSED IN CHANGE OF ZONE )  
NO. PZC 17-031 )

Resolution of the Tulare County Planning Commission recommending that the Board of Supervisors amend Section 18.9 "MU" Combining Zone of Ordinance No. 352, the Zoning Ordinance set forth in attached Exhibit "A," to include the Communities of El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville, consistent with the adopted Legacy Plans 2017 Update.

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of the Tulare County Zoning Ordinance No. 352, and

WHEREAS, the Planning Commission has given notice of the Ordinance amendment as provided in Section 18 of Ordinance No. 352 and Section 65854 of the Government Code of the State of California, and

WHEREAS, staff has performed necessary investigations, prepared a written report made a part hereof, and recommended approval of this Ordinance amendment, and

WHEREAS, on September 15, 2017, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Visalia Times-Delta, a newspaper of general circulation in Tulare County, 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 27, 2017, and

WHEREAS, at Tulare County Planning Commission meeting, public testimony was presented by Mel Meleka, Principal Planner with the City of Tulare, who confirmed the City's position regarding wastewater treatment which was received and recorded, and

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that prior to taking action on the proposed amendment to Ordinance No. 352, it has reviewed and considered the information contained in the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) for compliance with the California Environmental Quality Act (CEQA), and the State Guidelines for the implementation of CEQA that were prepared for the Legacy Plans 2017 Update and is

applicable for the proposed amendment to Section 18.9 “MU” Mixed Use Combining Zone of Ordinance No. 352.

B. This Planning Commission, after considering all of the evidence presented, including all comments received during the public review process, hereby determines the following findings were relevant in evaluating the proposed Change of Zone:

1. The Tulare County Board of Supervisors, on April 4, 2017, approved General Plan Initiation (GPI 17-001) to prepare a General Plan Amendment for Unincorporated Community Plans, Hamlet Plans and Legacy Plans pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California;
2. The purpose of this proposal is to obtain the appropriate zoning consistent with the adopted Legacy Plans 2017 Update and to promote sustainability through mixed land uses while promoting economic development and prosperity in the Communities of El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville;
3. The purpose of this Mixed Use Combining Zoning District is to provide design flexibility, streamline the approval process, promote economic development, and reduce vehicle miles traveled by locating residential uses within proximity of employment areas;
4. This Mixed Use Combining Zone update currently only applies to the communities of Traver, Strathmore, Pixley, Tipton, Terra Bella and Ducor. The communities of El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville will be added;
5. Within the Mixed Use Combining Zone, all uses outlined in the M-1 (Light Manufacturing), C-3 (Service Commercial), C-2 (General Commercial), C-1 (Neighborhood Commercial), R-1 (Single Family Residential), R-2 (Two-Family Residential), and R-3 (Multiple Family Residential) uses are allowed. Uses and activities that are found by the Planning Director to be similar to, and compatible with, those specific zoning districts are also allowed. Uses and activities determined to be compatible by the Planning Commission and the Board of Supervisors with the above mentioned zoning districts are also allowed;
6. All conditional uses allowed in the M-1, C-3, C-2, C-1, R-1, R-2, and R-3 zoning districts shall also be allowed by right with the exception of the following uses and combination of uses: Auto Wrecking and Residential, Battery Manufacture and Residential or Commercial, Biomass Fuel Production and Residential, Flammable Liquids over 10,000 gallons, Hazardous Waste Facility, Planing Mills and

Residential or Commercial, Sand blasting, Slaughterhouse and Residential, Solid Waste Recycling and Residential, Super service stations and Residential, Airport, and Heliport;

7. All uses shall be non-detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the community, or to the general welfare of the County. All uses shall limit impacts related to smoke, fumes, dust, gas, noise, odor, vibrations and other hazards. All allowed uses are subject to the determination of appropriateness by the Director of Planning; and
8. The Planning Director has the option of deferring any land use application allowed in this district to the Planning Commission for review and decision.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Ordinance amendment 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 there is no substantial evidence that the amendment to Section 18.9 "MU" Mixed Use Combining Zone of Ordinance No. 352 will have a significant effect on the environment. And that the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) that were prepared for the Legacy Plans 2017 Update is applicable for the proposed amendment to Ordinance 352 and reflects the independent judgment of the County.

E. This Planning Commission hereby recommends that the Tulare County Board of Supervisors adopt the Addendum EIR and Mitigation Monitoring Reporting Program (SCH # State Clearinghouse No. 2006041162).

F. This Planning Commission hereby recommends that the Tulare County Board of Supervisors approve Change of Zone No. PZ 17-032, an amendment to Ordinance 352, Section 18.9 "MU" Mixed Use Combining Zone to include the communities of El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville, consistent with the adopted Legacy Plans 2017 Update.

The foregoing was adopted upon motion of Commissioner Whitlatch, seconded by Commissioner Pitigliano, at a regular meeting of the Planning Commission on September 27, 2017, by the following roll call vote:

AYES: Dias, Aguilar, Whitlatch, Millies, Gong, Pitigliano

NOES: None

ABSTAIN: None

ABSENT: Elliot

TULARE COUNTY PLANNING COMMISSION

  
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Michael Washam, Secretary

Exhibits:

A – Section 18.9 Mixed-Use Combining Zone

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AN AMENDMENT )  
TO SECTION 16.H OF ORDINANCE NO. 352 )  
TO ALLOW ADDITIONAL BY-RIGHT USES ) RESOLUTION NO. 9345  
CONSISTENT WITH THE ADOPTED LEGACY )  
PLANS, AS PROPOSED IN CHANGE )  
OF ZONE NO. PZC 17-032 )

Resolution of the Tulare County Planning Commission recommending that the Board of Supervisors amend Section 16.H of Ordinance No. 352, the Zoning Ordinance, to allow additional by-right uses set forth in attached Exhibit "A," to include the Communities of El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville, consistent with the adopted Legacy Plans 2017 Update.

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of the Ordinance No. 352, and

WHEREAS, the Planning Commission has given notice of the Zoning Ordinance Amendment as provided in Section 18 of Ordinance No. 352 and Section 65854 and of the Government Code of the State of California, and

WHEREAS, staff has performed necessary investigations, prepared a written report, made a part hereof, and recommended approval of the Ordinance amendment, and

WHEREAS, on September 15, 2017, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Visalia Times Delta, a newspaper of general circulation in Tulare County, 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 27, 2017, and

WHEREAS, at Tulare County Planning Commission meeting, public testimony was presented by Mel Meleka, Principal Planner with the City of Tulare, who confirmed the City's position regarding wastewater treatment which was received and recorded, and

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that prior to taking action on the proposed amendment to Section 16.H of Ordinance No. 352, it has reviewed and considered the information contained in the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) for compliance with the California Environmental Quality Act (CEQA), and the State Guidelines for the implementation of CEQA that were prepared for the Legacy Plans 2017 Update and is applicable for the proposed Change of Zone.



B. This Planning Commission, after considering all of the evidence presented, including all comments received during the public review process, hereby determines the following findings were relevant in evaluating the proposed Change of Zone:

1. The Tulare County Board of Supervisors, on April 4, 2017, approved General Plan Initiation (GPI 17-001) to prepare a General Plan Amendment for Unincorporated Community Plans, Hamlet Plans and Legacy Plans pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California;
2. The purpose of this proposal is to obtain the appropriate zoning consistent with the adopted Legacy Plans 2017 Update and to promote sustainability through the allowance of Additional By-Right Uses while promoting economic development and prosperity in the Communities of El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville;
3. The purpose of adding Additional By-Right Uses is to provide design flexibility, streamline the approval process, promote economic development, and reduce vehicles miles traveled by locating residential uses within proximity of employment areas; and
4. The allowance of Additional By-Right Uses currently only applies to the communities of Traver, Strathmore, Pixley, Tipton, Terra Bella and Ducor. The communities of El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville will be added.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Ordinance amendment 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 there is no substantial evidence that the amendment to Section 16.H of Ordinance No. 352 to allow Additional By-Right Uses will have a significant effect on the environment. And that the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) that were prepared for the Legacy Plans 2017 Update are applicable for the proposed amendment to Ordinance 352 and reflects the independent judgment of the County.

E. This Planning Commission hereby recommends that the Tulare County Board of Supervisors adopt the Addendum EIR and Mitigation Monitoring Reporting Program (SCH # State Clearinghouse No. 2006041162).

F. This Planning Commission hereby recommends that the Tulare County Board of Supervisors approve Change of Zone No. PZC 17-032 an amendment to Ordinance No. 352, Section 16.H to allow Additional By-Right Uses to include the communities of El Monte Mobile Village,

Hypericum, Jovista, Matheny Tract and Tooleville, consistent with the adopted Legacy Plans 2017 Update, consistent with the Legacy Communities 2017 Update including affirmation that Section 16 H. is applicable in the Matheny Tract.

The foregoing was adopted upon motion of Commissioner Dias, seconded by Commissioner Pitigliano, at a regular meeting of the Planning Commission on September 27, 2017, by the following roll call vote:

AYES: Dias, Aguilar, Whitlatch, Millies, Gong, Pitigliano

NOES: None

ABSTAIN: None

ABSENT: Elliot

TULARE COUNTY PLANNING COMMISSION

  
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Michael Washam, Secretary

Exhibits:

A – Section 16.H Additional By-Right Uses

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AN AMENDMENT TO )  
ORDINANCE NO. 352, ZONING ORDINANCE )  
DISTRICT MAPS TO REZONE PROPERTIES ) RESOLUTION NO. 9346  
IN THE LEGACY DEVELOPMENT BOUNDARIES )  
EL MONTE MOBILE VILLAGE, HYPERICUM, )  
JOVISTA, MATHENY TRACT, AND TOOLEVILLE )  
CONSISTENT WITH THE ADOPTED LEGACY )  
PLANS 2017 UPDATE (GPA 17-033), AS )  
PROPOSED INCHANGE OF ZONE NO. PZC's )  
17-025, 17-026, 17-027, 17-029, AND 17-030 )

Resolution of the Tulare County Planning Commission recommending that the Board of Supervisors amend Ordinance No. 352, the Zoning Ordinance as set forth in attached Exhibit "B" El Monte Mobile Village Rezoning Plan (PZC 17-025), to include the Legacy Community of El Monte Mobile Village, consistent with the adopted El Monte Mobile Village Legacy Plan 2017 Update, Exhibit "E" Hypericum Rezoning Plan (PCZ 17-026), to include the Legacy Community of Hypericum, consistent with the adopted Hypericum Legacy Plan 2017 Update, Exhibit "H" Jovista Rezoning Plan (PCZ 17-027), to include the Legacy Community of Jovista, consistent with the adopted Jovista Legacy Plan 2017 Update, Exhibit "K" Matheny Tract Rezoning Plan (PCZ 17-029), to include the Legacy Community of Matheny Tract, consistent with the adopted Matheny Tract Legacy Plan 2017 Update, Exhibit "N" Tooleville Rezoning Plan, to include the Legacy Community of Tooleville, consistent with the adopted Tooleville Legacy Plan 2017 Update.

WHEREAS, a petition has been filed pursuant to the regulations contained in Section 17 of the Tulare County Zoning Ordinance No. 352, and

WHEREAS, the Planning Commission has given notice of the Ordinance amendment as provided in Section 18 of Ordinance No. 352 and Section 65854 of the Government Code of the State of California, and

WHEREAS, staff has performed necessary investigations, prepared a written report made a part hereof, and recommended approval of this Ordinance amendment, and

WHEREAS, on September 15, 2017, a Notice of Public Hearing by the Tulare County Planning Commission was duly published in the Visalia Times-Delta, a newspaper of general circulation in Tulare County, 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 27, 2017, and

WHEREAS, at Tulare County Planning Commission meeting, public testimony was presented by Mel Meleka, Principal Planner with the City of Tulare, who confirmed the City's position regarding wastewater treatment which was received and recorded, and

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that prior to taking action on the proposed Change of Zone, it reviewed and considered the information contained in the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) for compliance with the with the California Environmental Quality Act (CEQA), and the State Guidelines for the implementation of CEQA that were prepared for the Legacy Plans 2017 Update and is applicable for the proposed amendment to Ordinance No. 352.

B. This Planning Commission, after considering all of the evidence presented, including all comments received during the public review process, hereby determines the following findings were relevant in evaluating the proposed Change of Zone:

1. The Tulare County Board of Supervisors, on April 4, 2017, approved General Plan Initiation (GPI 17-001) to prepare a General Plan Amendment for Unincorporated Community Plans, Hamlet Plans and Legacy Plans pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California;
2. The purpose of this proposal is to obtain the appropriate zoning consistent with the adopted Legacy Plans 2017 Update (GPA 17-033) and to promote sustainability through mixed land uses while promoting economic development and prosperity in the El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville Legacy Communities;
3. The proposed changes in zone district designations identified in the El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville Rezoning Plans are consistent with Tulare County General Plan policy.

C. This Planning Commission, after considering all of the evidence presented, hereby finds the proposed Ordinance amendment 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 there is no substantial evidence that the El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville Rezoning Plans will have a significant effect on the environment. And that the Addendum EIR and Mitigation Monitoring and Reporting Program (MMRP) that were prepared for the El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville Legacy Plans 2017 Update are applicable for the proposed amendment to Ordinance No. 352 and reflects the independent judgment of the County.

E. This Planning Commission hereby recommends that the Tulare County Board of Supervisors adopt the Addendum EIR and Mitigation Monitoring Reporting Program (SCH # No. 2006041162).

F. This Planning Commission hereby recommends that the Tulare County Board of Supervisors approve the El Monte Mobile Village Change of Zone No. PZC 17-025; Hypericum Change of Zone No. PZC 17-026; Jovista Change of Zone No. PZC 17-027; Matheny Tract Change of Zone No. PZC 17-029; and Tooleville Change of Zone No. PZC 17-030, an amendment to Ordinance No. 352, the Zoning Ordinance set forth in attached Exhibits "B" "E" "H" "K" and "N" Rezoning Plans consistent with the adopted El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville Legacy Plans 2017 Update (GPA 17-033).

The foregoing was adopted upon motion of Commissioner Whitlatch, seconded by Commissioner Dias, at a regular meeting of the Planning Commission on September 27, 2017, by the following roll call vote:


AYES: Dias, Aguilar, Whitlatch, Millies, Gong, Pitigliano

NOES: None

ABSTAIN: None

ABSENT: Elliot

TULARE COUNTY PLANNING COMMISSION



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Michael Washam, Secretary

Exhibits:

- El Monte Mobile Village
- Exhibit "A" – Proposed Zone Ordinance Map (PZC 17-025)
- Exhibit "B" – Proposed Zoning Map
- Exhibit "C" – List of Affected Properties/Map
- Hypericum
- Exhibit "D" – Proposed Zone Ordinance Map (PZC 17-026)
- Exhibit "E" – Proposed Zoning Map
- Exhibit "F" – List of Affected Properties/Map
- Jovista
- Exhibit "G" – Proposed Zone Ordinance Map (PZC 17-027)
- Exhibit "H" – Proposed Zoning Map
- Exhibit "I" – List of Affected Properties/Map
- Matheny Tract
- Exhibit "J" – Proposed Zone Ordinance Map (PZC 17-029)
- Exhibit "K" – Proposed Zoning Map
- Exhibit "L" – List of Affected Properties/Map
- Tooleville
- Exhibit "M" – Proposed Zone Ordinance Map (PZC 17-030)
- Exhibit "N" – Proposed Zoning Map
- Exhibit "O" – List of Affected Properties/Map

Appendix B – Board of Supervisors

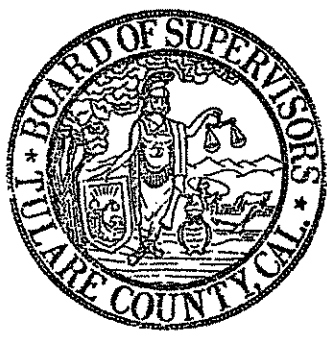
Resolution No. 2017-0868

# BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER LEGACY PLANS 2017 )  
UPDATE (GENERAL PLAN AMENDMENT 17- ) Resolution No. 2017-0868  
033) AND AMENDMENTS TO THE TULARE ) Ordinance No. 3508  
COUNTY ZONING ORDINANCE NO. 352 )

UPON MOTION OF SUPERVISOR WORTHLEY, SECONDED BY SUPERVISOR CROCKER, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD OCTOBER 17, 2017, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, WORTHLEY, AND ENNIS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE



ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: *Michael C. Spata*  
Deputy Clerk

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That the Board of Supervisors:

1. Held Public Hearing at 9:30 A.M. or shortly thereafter; and
2. Certified that the Board of Supervisors has reviewed and considered the information contained in the Addendum to the (2012) Tulare County 2030 General Plan Final Environmental Impact Report for the Legacy Plans 2017 Update is applicable to the General Plan Amendment and associated Zoning Ordinance Amendments for the Legacy Plans 2017 Update as being in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, including CEQA findings, and the Mitigation Monitoring Reporting Program for the Legacy Plans 2017 Update (GPA 17-033); and
3. Adopted one General Plan Amendment No. GPA 17-033, for the Legacy Plans 2017 Update inclusive of the El Monte Village (GPA 17-025); Hypericum (GPA 17-026); Jovista (GPA 17-027); Matheny Tract (GPA 17-029); Tooleville (GPA 17-030) and Amendments to Tulare County General Plan Part III to establish Legacy Plans and Legacy Development Boundaries; Part I Introduction, Component A, Planning Framework, Component B, Agriculture, Land Use, Component C, Scenic Landscapes, Environmental Resources Management, Air Quality, Component D,



Public Facilities and Services Elements, and Part II General Plan Rural Valley Lands Plan, consistent with the Legacy Plans 2017 Update; and

4. Waived the final reading and adopted Amendments to Section 18.9 and Section 16 of Tulare County Ordinance 352, the Zoning Ordinance, and Map Amendments to rezone properties consistent with the Legacy Plans as follows:
  - A. Zone Ordinance Amendment (PZC 17-031) to Section 18.9 to adopt a Mixed-Use Combining Zone within the El Monte Village, Hypericum, Jovista, Matheny Tract, and Tooleville Development Boundaries.
  - B. Zone Ordinance Amendment (PZC 17-032) to Section 16 to allow additional by-right uses within the El Monte Village, Hypericum, Jovista, Matheny Tract, and Tooleville Development Boundaries.
  - C. Zone Ordinance Amendments as set forth in the Zoning District Ordinance Maps for El Monte Village (PZC 17-025), Hypericum (PZC 17-026), Jovista (PZC 17-027), Matheny Tract (PZC 17-029), and Tooleville (PZC 17-030), consistent with the Legacy Plans 2017 Update; and
5. Adopted the findings of approval set forth in Planning Commission Resolution No. 9342 (Addendum to EIR), Planning Commission Resolution No. 9343 (Legacy Plans 2017 Update), Planning Commission Resolution No. 9344 (Section 18.9 Mixed Use), Planning Commission Resolution No. 9345 (Section 16 By-Right Uses), and Planning Commission Resolution No. 9346 (Zoning District Ordinance Maps); and
6. Authorized the Chairman to sign any and all necessary zoning changes under Ordinance 352, and specifically changes to Sections 18.9 and Section 16 to add the communities of El Monte Mobile Village, Hypericum, Matheny Tract, Jovista, and Tooleville to include the Mixed Use Combining Zone and additional by-right uses; and
7. Directed the Clerk of the Board to publish once in the Visalia Times-Delta newspaper the summary of the ordinance amendments and amended zoning map with the names of the Board of Supervisors voting for and against the amendment and to post a certified copy of the full ordinance amending the Tulare County Zoning Ordinance with the names of the Board of Supervisors voting for and against the amendment, within fifteen (15) days as required by Section 25124 et. seq; and
8. Directed the Environmental Assessment Officer, or designee, of the Tulare Resource Management Agency to file a Notice of Determination with the Tulare County Clerk; and
9. Authorized the Director of the Resource Management Agency, or designee, to make appropriate technical revisions to the General Plan Amendment, Legacy Plans, and associated project documents; and
10. Approved more detailed findings contained in Exhibit "A" incorporated by reference herein.

## **EXHIBIT "A"**

### **A. Legacy Plans 2017 Update (General Plan Amendment 17-033)**

WHEREAS, on September 27, 2017 the Planning Commission held a public hearing on the Legacy Plans 2017 Update (GPA 17-033), which included an application for El Monte Mobile Village General Plan Amendment No. GPA 17-025; Hypericum General Plan Amendment No. GPA 17-026; Jovista General Plan Amendment No. GPA 17-027; Matheny Tract General Plan Amendment No. GPA 17-029; and Tooleville General Plan Amendment No. GPA 17-030, El Monte Mobile Village Change of Zone No. PZC 17-025 (Zoning District Map); Hypericum Change of Zone No. PZC 17-026 (Zoning District Map); Jovista Change of Zone No. PZC 17-027 (Zoning District Map); Matheny Tract Change of Zone No. PZC 17-029 (Zoning District Map); and Tooleville Change of Zone No. PZC 17-030 (Zoning District Map), Change of Zone No. PZC 17-031 (Mixed-Use Combining Zone—Section 18.9) and Change of Zone No. PZC 17-032 (By-Right Uses—Section 16), collectively referred to as the Legacy Plans 2017 Update (GPA 17-033); and

WHEREAS, upon conclusion of the public hearing, the Planning Commission recommended the Board of Supervisors certify and adopt the Addendum to the (2012) Tulare County 2030 General Plan Final Environmental Impact Report for the Legacy Plans 2017 Update, as being in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, including CEQA findings, and adopt the Mitigation Monitoring and Reporting Program and approve the Legacy Plans 2017 Update; and

WHEREAS, the Board of Supervisors held a public hearing on October 17, 2017 to consider the proposed Legacy Plans 2017 Update; and

WHEREAS, the Board of Supervisors finds the public hearing for the Legacy Plans 2017 Update was properly noticed in accordance with state law and the Tulare County Ordinance Code.

WHEREAS, the Board of Supervisors finds the Legacy Plans 2017 Update is compatible, integrated and internally consistent with the existing policies of and with the Tulare County General Plan.

WHEREAS, the Board of Supervisors accepts and incorporates by reference herein, the findings of facts and recommendations adopted by the Planning Commission as follows:

1. Planning Commission Resolution No. 9342, in the matter of the Certification and adoption of the Addendum to the (2012) Tulare County 2030 General Plan Final Environmental Impact Report for the Legacy Plans 2017 Update (PC Package Attachment 1 – CEQA Resolution).

2. Planning Commission Resolution No. 9343, to adopt General Plan Amendment No. GPA 17-033 for the Legacy Plans 2017 Update inclusive of El Monte Mobile Village (GPA 17-025); Hypericum (GPA 17-026); Jovista (GPA 17-027); Matheny Tract (GPA 17-029) and Tooleville (GPA 17-030) and Amendments to Part III of the Tulare County General Plan to establish Legacy Plans and Legacy Development Boundaries, to the Part I General Plan Amendment to the Introduction, Component A, Planning Framework, Component B, Agriculture, Land Use, Component C, Scenic Landscapes, Environmental Resources Management, Air Quality, Component D, Public Facilities and Services Elements, and Part II Rural Valley Lands Plan, consistent with the Legacy Plans 2017 Update (PC Package Attachment 2 – GPA Resolution).
3. Planning Commission Resolution No. 9344, in the matter of an Amendment to Section 18.9 of Ordinance No. 352, the Zoning Ordinance, and establish the Mixed Use Combining Zone within the El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, and Tooleville Legacy Development Boundaries (PC Package Attachment 3 – Section 18.9 Resolution).
4. Planning Commission Resolution No. 9345, in the matter of an Amendment to Section 16 of Ordinance No. 352, the Zoning Ordinance, to allow additional by-right uses within the El Monte Mobile Village, Hypericum, Jovista, Matheny Tract, and Tooleville Legacy Development Boundaries (PC Package Attachment 4 – Section 16 Resolution).
5. Planning Commission Resolution No. 9346, in the matter of an Amendment to Ordinance No. 352, the Zoning Ordinance, as set forth in the Zoning District Ordinance Maps for El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville, consistent with the Legacy Plans 2017 Update to rezone certain properties within El Monte Mobile Village, Hypericum, Jovista, Matheny Tract and Tooleville. (PC Package Attachment 5 – Rezoning Plan Resolution).

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The Board of Supervisors hereby certifies and adopts the Addendum to the (2012) Tulare County 2030 General Plan Final Environmental Impact Report for the Legacy Plans 2017 Update, as being in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, including CEQA findings, and adopts the Mitigation Monitoring Reporting Programs.

NOW BE IT FURTHER RESOLVED as follows:

B. The Board of Supervisors adopts the entirety of all of the above findings and actions as one General Plan Amendment No. GPA 17-033.

C. The Board of Supervisors hereby waives the final reading of Change of Ordinance 352 and adopts amendments to the Tulare County Zoning Ordinance 352 pertaining to Section 18.9 - Mixed-Use Combining Zone, to Section 16 - Variances and Special Uses, and Zoning District Map Changes.

D. The Board of Supervisors authorizes the Chairman to sign any and all necessary zoning changes under Ordinance 352, and specifically changes to Sections 18.9 and Section 16 to add the communities of Legacy Plans 2017 Update to include Mixed Use Combining Zone and additional "By-Right" uses.

E. The Board of Supervisors directs the Clerk of the Board to publish once in the Visalia Times-Delta newspaper the summary of the ordinance amendments and amended zoning map with the names of the Board of Supervisors voting for and against the amendment and to post a certified copy of the full ordinance amending the Tulare County Zoning Ordinance with the names of the Board of Supervisors voting for and against the amendment, within fifteen (15) days as required by Section 25124 et. seq.

F. The Board of Supervisors directs the Environmental Assessment Officer, or designee, of the Tulare Resource Management Agency to file Notices of Determination with the Tulare County Clerk.

G. The Board of Supervisors authorizes the Director of the Resource Management Agency, or designee, to make appropriate technical revisions to the General Plan Amendment, Legacy Plans, and associated project documents.