

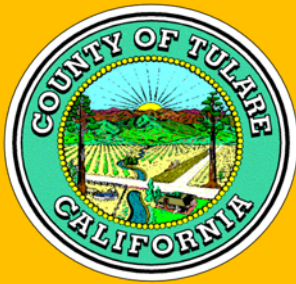
# HYPERICUM LEGACY PLAN 2017

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Funded by Strategic Growth Council



Tulare County Resource Management Agency  
Economic Development and Planning Branch



# HYPERICUM LEGACY PLAN

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The work upon which this publication is based was funded in whole or in part through a grant awarded by the Strategic Growth Council, for the Sustainable Communities Grant and Incentives Program, under Proposition 84 (2006) in order to integrate infrastructure analysis within rural disadvantaged community's needs (Senate Bill 244). The intent is to reduce greenhouse gas emissions, promote equity, strengthen the economy, protect the environment and promote healthy and safe communities.

## **Disclaimer**

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# Hypericum Legacy Plan

Adopted: October 17, 2017

Tulare County Board of Supervisors  
Resolution No. 2017-0866

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 17-033  
Section 18.9 Zoning Ordinance (By-Right Uses): PZC 17-031

Hypericum Legacy Plan: GPA 17-026  
Zoning District Map: PZC 17-026



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Amy Shuklian – District 3  
Steve Worthley – District 4 (Vice Chairman)  
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Ed Dias – At Large  
Gil Aguilar – District 2 (Alternate) (Vice Chair)

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## INTRODUCTION

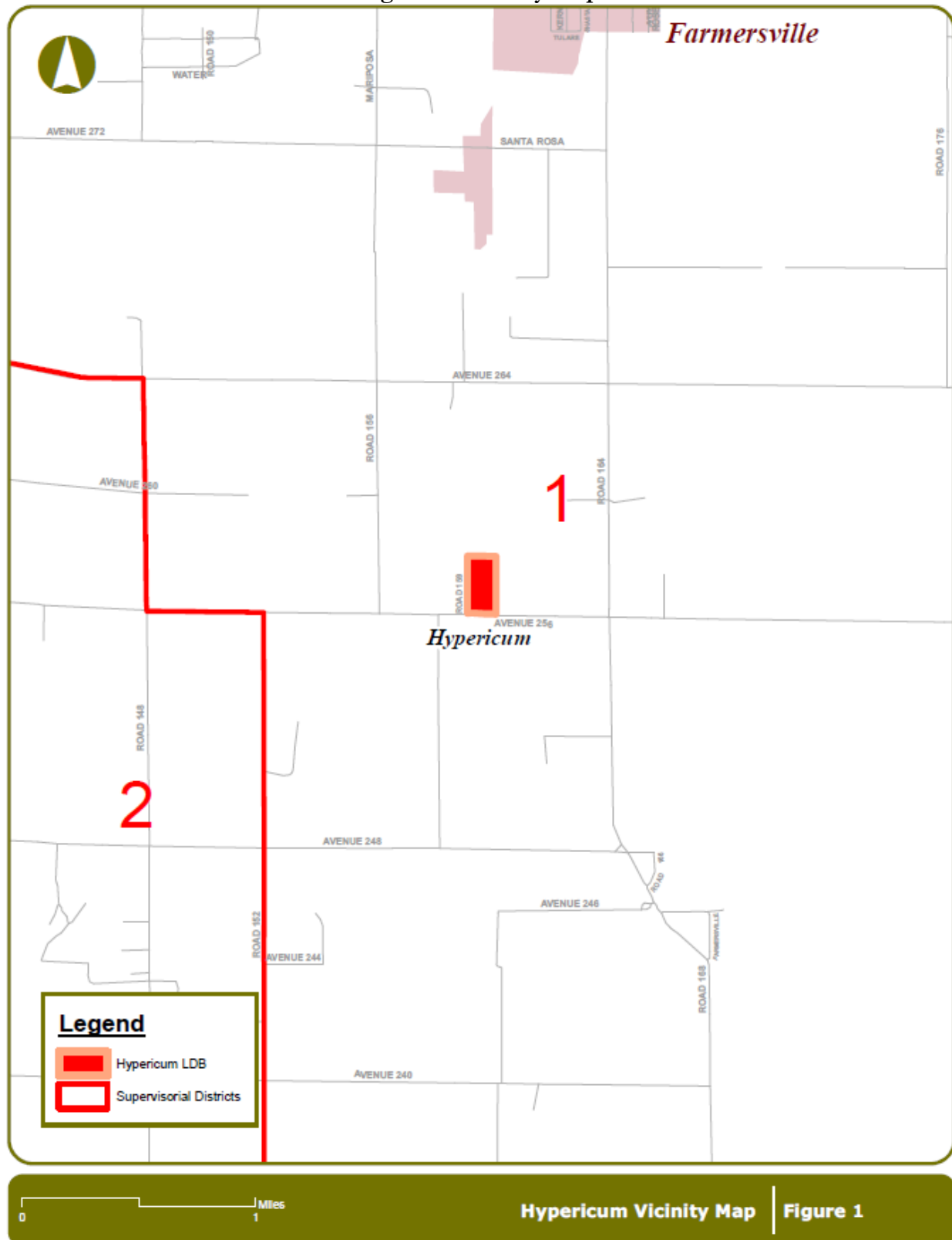
An important objective in preparing a Legacy Plan for Hypericum is to develop a plan which can accurately reflect the needs and priorities of this community. Hypericum was designated in the 2030 Tulare County General Plan (2012) through the SB 244 Study under GPA 2015-D. It has become apparent that a more precise plan is needed to increase the availability of infrastructure funding (for things such as drinking water system improvements [for example wells, water distribution piping, and storage tanks], curbs, gutters, sidewalks, etc.) and to stimulate economic development within the community.

### Location

Hypericum (**see Figure 1**) is located on the western part of Tulare County on the valley floor. Hypericum also known as “Dog-town” is a small community comprised of two residential roads and approximately 40 parcels of land. Hypericum (**see Figure 2**) is located approximately 3 miles south of the City of Farmersville, in an unincorporated area of Tulare County. Hypericum is in Section 24, Township 19 South, Range 25 East, MDB&M and can be found within the Exeter, United States Geological Survey 7.5 minute topographic quadrangle. Hypericum is 340 feet above sea level. Coordinates of Hypericum are: Latitude: 36.256397 and Longitude: -119.216734. Hypericum is located in Census Tract 16.02, Block Group 3. The population is 161 people, Medium Household Income is \$31,156, and is comprised of approximately 43 residences.

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Figure 1 - Vicinity Map



# HYPERICUM LEGACY PLAN

Figure 2 - Hypericum Aerial Map





# HYPERICUM LEGACY PLAN

Figure 3 - Hypericum LDB



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## COMMUNITY OUTREACH AND INVITATION PROCESS

The County of Tulare received a grant from the Strategic Growth Council (SGC) to assist in the preparation of this plan. In efforts to invite and make local residents aware of the Strategic Growth Council (SGC) projects, Self-Help Enterprises (SHE) staff performed various outreach methods to promote community participation and make local residents aware of the SGC project.

- 1.) SHE staff developed an informational flyer.
- 2.) SHE staff went door to door to distribute flyers to every home on February 13 and February 19, 2016.
- 3.) During the community outreach process, SHE staff explained the goals of the project and talked with residents about the importance and the community benefits of participating in the SGC community meeting.
- 4.) SHE partnered with the Outside Creek School District to spread the word about the meeting; meeting flyers were sent home from school with each student.
- 5.) SHE partnered with a community resident who helped to distribute flyers to his neighbors and allowed us to have the community meeting at his home.

### Community Meeting

Self-Help Enterprises conducted a community meeting (with two SHE staff members present) in Hypericum on Sunday, February 21, 2016, at 3:00 pm. The meeting was scheduled on a weekend to make it easier for working residents to attend. The meeting was held at 25649 Hypericum Road, the home of a local resident. This is an ideal meeting location because the community of Hypericum does not have a community meeting space and because most residents feel welcome and comfortable with their neighbors. The purpose of the meeting was to discuss Hypericum improvement needs, gather community data, and report the findings of the meeting in a final report. Nine (9) Hypericum residents attended the meeting. Eight (8) community surveys were collected.



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## Community Survey

A survey was developed as a tool to gather a variety of community information about multiple topics. The survey asks about the following community related topics: Schools, Libraries, Housing, Zoning, Parks, Shopping Opportunities, Access to Gas Stations, Access to Medical Facilities, Natural Gas, Internet Access, Flooding, Fire, Safety, Infrastructure, Water Quality & Quantity, Waste Water, Storm Water Drainage, Complete Streets, and the priority of various improvement needs. Residents were encouraged to add information and comments to the survey.

After careful discussion at the Hypericum SGC community input meeting, residents concluded that the following is a list of Hypericum priority improvement needs:

## Priority Improvements:

- Energy/Natural Gas
- Water System
- Sewer System
- Storm water drainage
- Road Conditions
- Street Lights
- Sidewalks
- Transportation
- Internet
- Community Park

**Natural Gas** - Residents report that they do not have natural gas in their homes and that they use propane as their source of fuel. This is concerning to them because propane is more expensive than natural gas and the cost to heat their homes with propane is more than they can afford. Survey results show that Hypericum residents would like to have natural gas but cannot afford the cost of extending gas lines to their homes. The community is open to any option of converting to natural gas.

**Water** - Hypericum does not have a community water system, as such, residents own and maintain individual wells. Over the last year many wells have gone dry in this community. Through the help of Self Help Enterprises and Tulare County, residents whose wells have gone dry have been connected to temporary water tanks as an interim solution. Residents are receiving an allocated amount of water per month. Resident expressed that they are interested in exploring their options for connecting to a neighboring community water system, they understand that this may include an initial cost and would result in paying a monthly water bill.

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Residents are concerned with their water quality and perceive their water to be unsafe to drink. Most families do not drink the water from their tap. In 2014, SHE tested three wells in Hypericum, test results show that two of the three wells tested positive for total coliform and the Nitrate levels are as follows:

- Well 1 - 47ppm
- Well 2 - 65ppm
- Well 3 - 47ppm

**Sewer System** - The community is dependent on individual septic tank systems for sewage disposal. Many residents would prefer to be part of a community wide sewer system, they understand that this may include an initial cost and would result in paying a monthly sewer bill.

**Storm Water Drainage** - Residents report that large puddles form when it rains and the water does not drain because there is nowhere for the water to go. Residents report that street flooding occurs during the rainy season and the stagnant water afterwards attracts insects and breeds mosquitos.

**Road Improvements** - The community of Hypericum is comprised of two main roads, Hypericum Road and Road 159. Road conditions are a major concern to Hypericum residents. It is reported that road conditions are poor and the roads need work, most streets have potholes, cracks and bumps. Drivers feel unsafe and are constantly worried about damage to their vehicles while driving on that road. Residents report that roads are narrow and that two cars barely fit on one road at the same time. According to residents, Hypericum roads are not regularly maintained.

**Street Lights** - Residents report dark streets at night because the streets do not have lighting. People stay indoors at night because they do not feel safe walking on a dark street. At night, one cannot see down the street; this is a major safety concern for them, especially since the sheriff's department patrols in this area are limited due to the large geographic area of the County. Residents are especially concerned about how this affects the safety of local children. Residents said that their streets do not have light poles.

**Sidewalks** – There are currently no street walks located within Hypericum. Residents report that this is a problem for children and parents who push a stroller through the area. The lack of sidewalks becomes an even bigger problem during the rainy season as residents and children are forced to walk in the mud and through big puddles.

## **Transportation**

Hypericum lacks access to public transportation. Hypericum residents that do not drive find it hard to travel outside of town. Residents often need to travel to Visalia or Farmersville for doctors' appointments and shopping needs. Many residents expressed the need for a bus route that goes out to Hypericum. Bus transportation to and from Hypericum would help many residents with their daily travel needs.

**Internet Access** - Most families in Hypericum 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

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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 Hypericum.

**Neighborhood Park** - In the community of Hypericum there is no safe open green space for children to play and adults to be physically active. The nearest park is located 4 miles away in the city of Farmersville, survey results show that in Hypericum, children play in the street or do not play outside. Hypericum residents are concerned about the health and safety of their children, they are concerned that the safety of their kids is at risk when they play on the street and for the health of their children from lack of physical activity that comes from not having a safe place to be physically active.

## 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 Hypericum.

### Population

Hypericum is located within Census Tract 16.02, Block Group 3. The population for Census Tract 16.02 was 2,088 people respectively 161 of the people in Hypericum (**Census data: ACS 2015 5-year**).

### Median Age

Hypericum's median age of 33 is lower than the median age of the State of California (**Census data: ACS 2015 5-year**) (see Table 1).

Table 1 - Median Age	
Geography	Median Age (years)
California	35.6
Tulare County	30.1
Hypericum	33

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## ECONOMIC CONDITIONS

### Employment in Hypericum

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.

### Median Household Income

In 2015, Hypericum's median household income was \$31,156 whereas the State of California's median household income was \$61,818. **(Census data: ACS 2015 5-year) (see Table 2)** Therefore, based upon Hypericum's median household income of \$31,156 (which is about 51% of the State of California's median household income), it is considered a disadvantaged community.

Table 2 - Median Household Income			
Geography	Median household income (dollars)	Median family income (dollars)	Per capita income (dollars)
California	\$61,818	\$70,720	\$30,318
Tulare County	\$42,031	\$44,814	\$17,876
Hypericum	\$31,156		\$16,606

### Severely Disadvantaged Community

Hypericum 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

### Housing Conditions

Table 3 - 2015 Housing Conditions Survey											
Survey Area	Sound		Deteriorated						Dilapidated		Total Units
			Minor		Moderate		Substantial				
	Units	%	Units	%	Units	%	Units	%	Units	%	
Hypericum	0	0	43	100	0	0	0	0			43

Source: Tulare County 2015 Housing Element

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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.

As indicated by Tulare County Building Department approximately 100% of the housing units in Hypericum are in a minor deteriorated condition. **(see Table 3).**

## Household Size (Overcrowding)

In 2015 the average housing units and occupancy were 3.7 persons per household **(Census data: ACS 2015 5-year).**

By definition, the most common measure of overcrowding is persons per room in a dwelling unit.<sup>1</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.

## ENVIRONMENTAL CONDITIONS

### **Natural Conditions**

#### Wildlife<sup>2</sup>

A California Natural Diversity Database (CNDDB) search conducted on November 1, 2016 **(see Figure 4)** indicates there are special status species within the Exeter Quadrant Species List (which includes the Hypericum Planning Study Area) consisting of one animal species and no plant species: San Joaquin kit fox (*Vulpes macrotis mulica*, federal endangered). The California Department of Fish and Wildlife (CDFW) Occurrence Reports indicate a last sighting of kit fox in 1975.

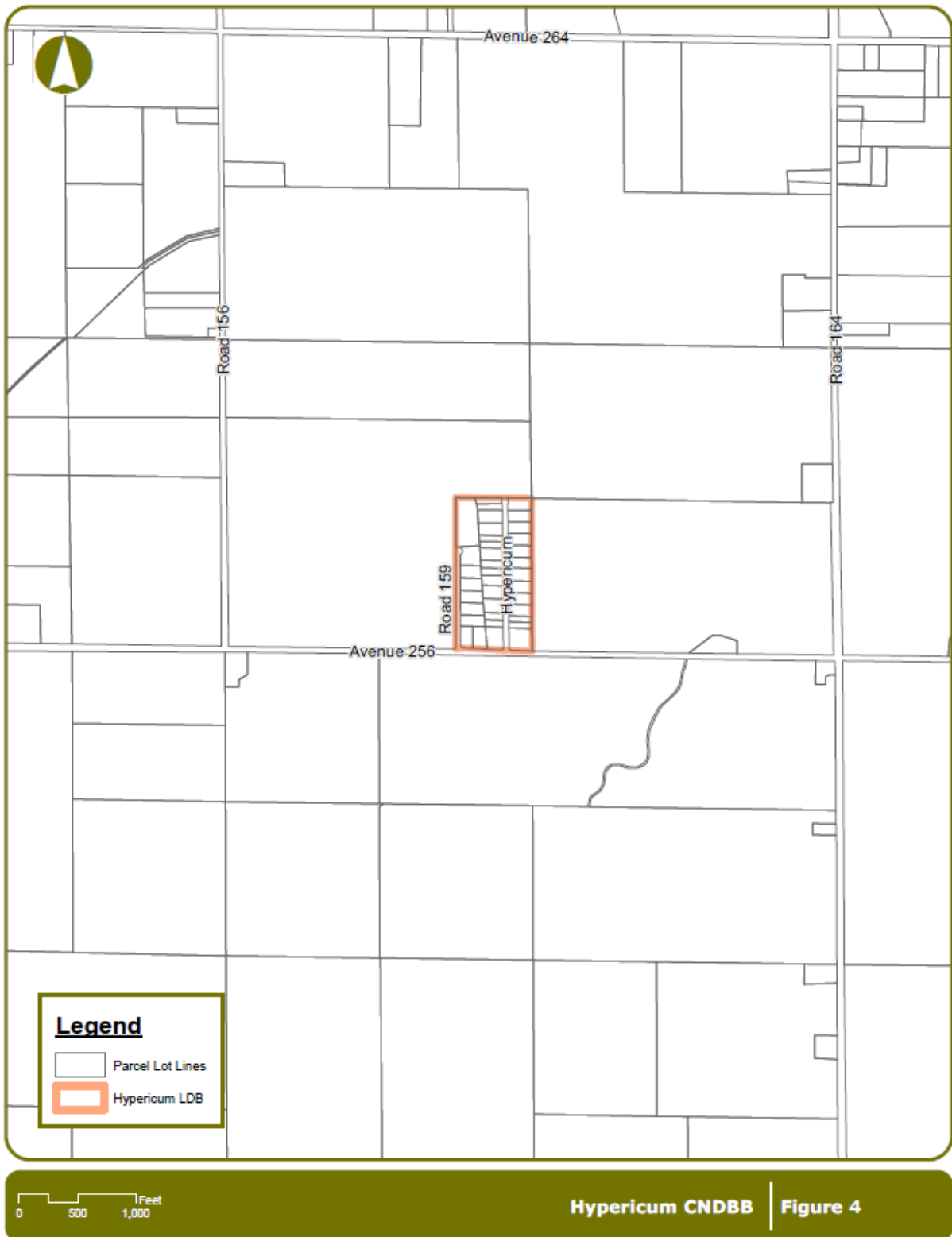
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<sup>1</sup> U.S. Department of Housing and Urban Development, “Measuring Overcrowding in Housing” 2007. Page 2 See: [http://www.huduser.org/publications/pdf/Measuring\\_Overcrowding\\_in\\_Hsg.pdf](http://www.huduser.org/publications/pdf/Measuring_Overcrowding_in_Hsg.pdf)

<sup>2</sup> California Department of Fish and Wildlife. Biogeographic Information & Observation System (BIOS). <https://www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data>; California Department of Fish and Wildlife. California Natural Diversity Database. CNDDB Maps & Data. <https://www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data> accessed November 1, 2016

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Figure 4 - CNDDDB Map Exeter Quad





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## Geology & Seismic Hazards<sup>3</sup>

“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 Hypericum 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 Figure 10-5 (Seismic/Geologic Hazards and Microzone) of the Tulare County 2030 General Plan Health and Safety Element (GPHSE), the Project area, [Hypericum] 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<sup>4</sup>

According to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), and the Soil Survey of Tulare County, the following soil types are located in Hypericum (**see Figure 5**). Generally, these soils are moderately to very deep, are well drained, and run in a northwest to southeast direction throughout the Legacy Development Boundary (LDB). The following description is provided for the above soil type:

**Nord Fine Sandy Loam, 0 to 2 percent slopes.** Consists of very deep, well drained; negligible to low runoff, moderate permeability. Nord soils are used for such crops as irrigated alfalfa, cotton, corn, milo, barley, wheat, sugar beets, tomatoes, grapes, walnuts, peaches, and other fruit and nut trees.

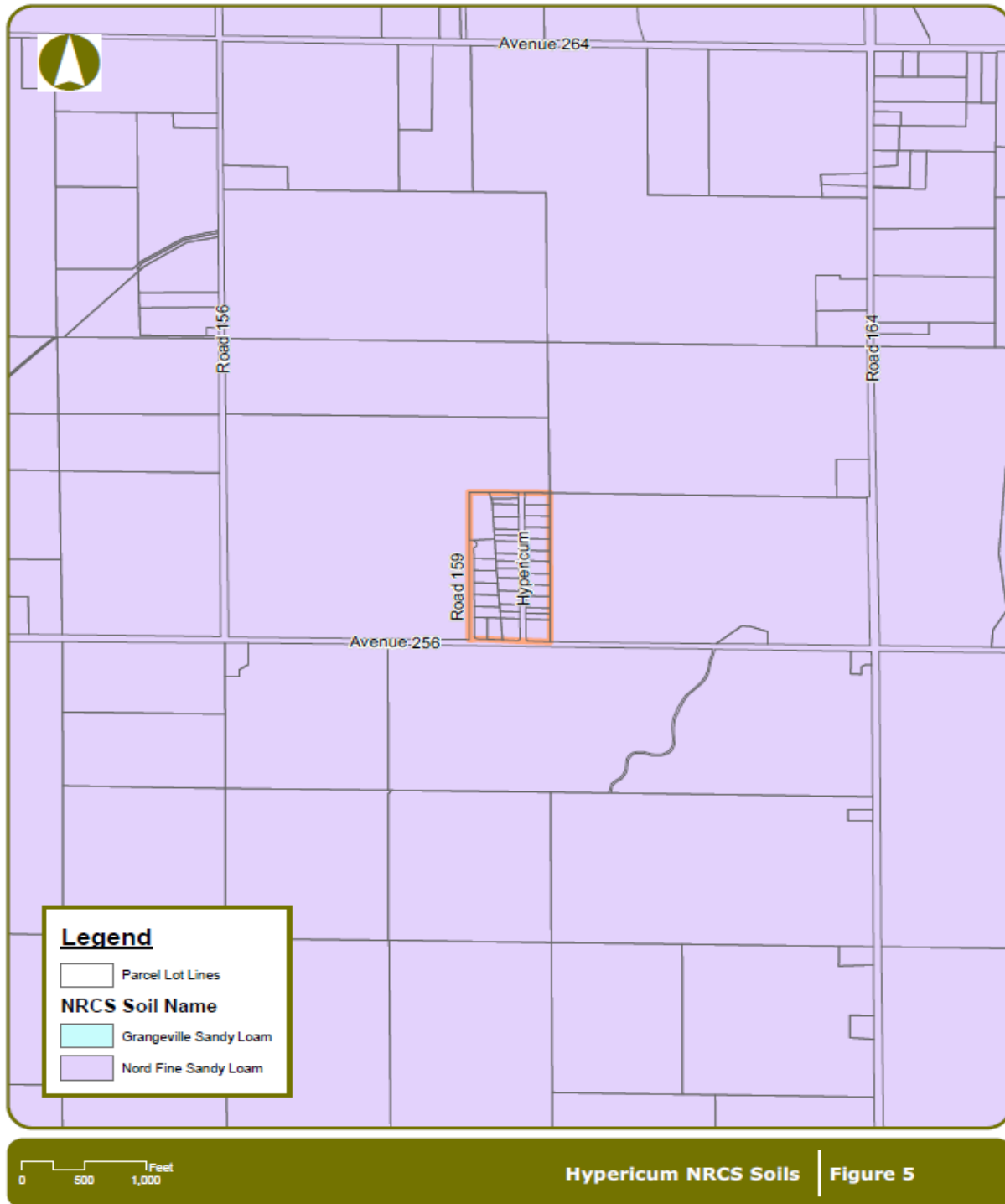
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<sup>3</sup> California Department of Conservation, California Geological Survey: Earthquake Shaking Potential for California, 2008. [http://www.conservation.ca.gov/cgs/information/publications/ms/Documents/MS48\\_revised.pdf](http://www.conservation.ca.gov/cgs/information/publications/ms/Documents/MS48_revised.pdf); California Department of Conservation, Official Maps of Earthquake Fault Zones delineated by the California Geological Survey through December 2010 under the Alquist-Priolo Earthquake Fault Zoning Act. [http://www.quake.ca.gov/gmaps/ap/ap\\_maps.htm](http://www.quake.ca.gov/gmaps/ap/ap_maps.htm)

<sup>4</sup> United States Department of Agriculture, Natural Resources Conservation Service, Soils Map for Central Tulare County, 2009 Database August 17, 2006.

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Figure 5 - NRCS Soils Map



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## Physical Conditions

### Air Quality

The Hypericum 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 qualities of the air. Because Hypericum is located near the central portion of the Valley with prevailing

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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 Hypericum include Avenue 256 and agricultural activities.

## Flooding<sup>5</sup>

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Community-Panel Number 06107C0965E, Hypericum 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 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood (see **Figure 6**). 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.

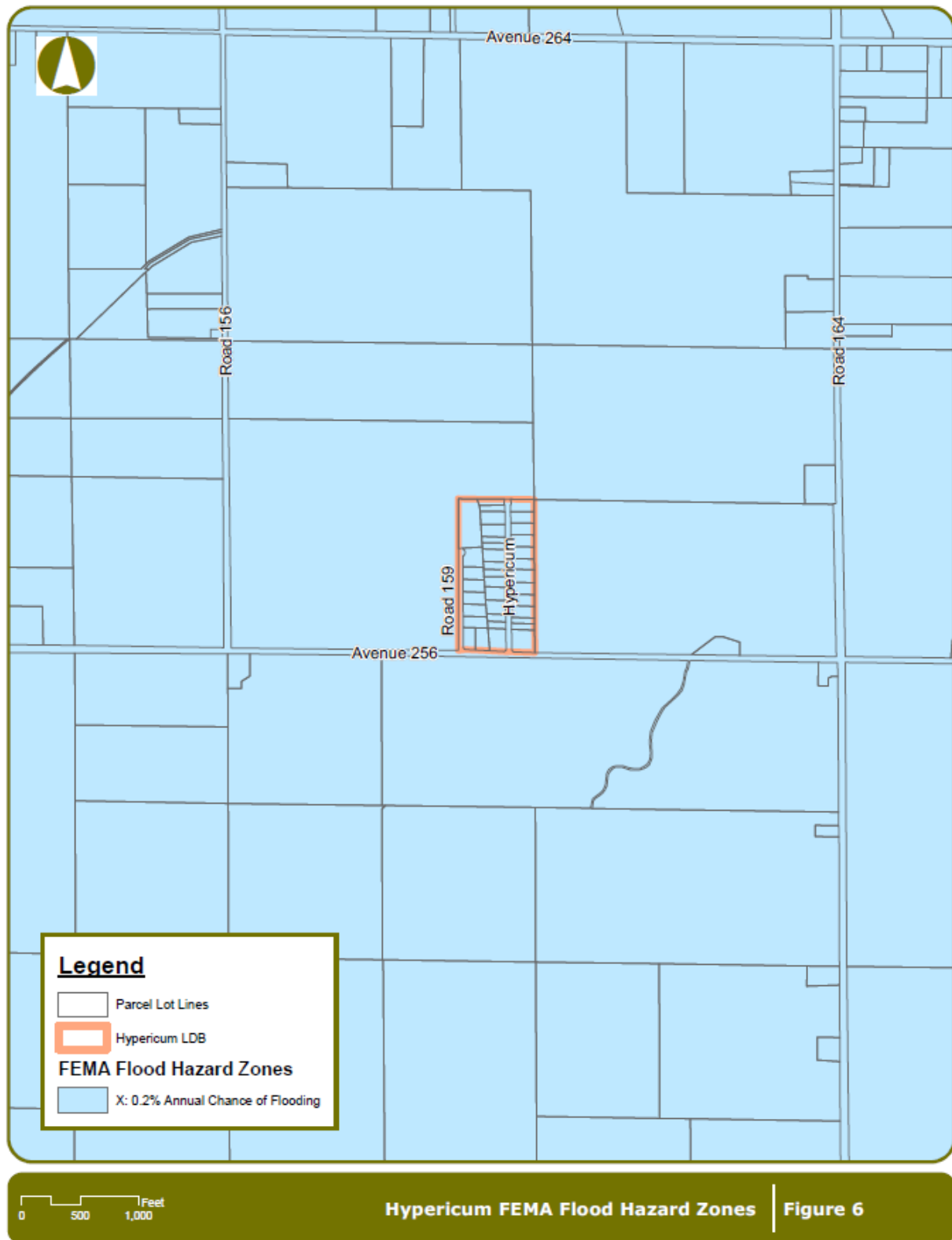
The County of Tulare has taken steps to be a part of the National Flood Insurance Program (NFIP), which means the County of Tulare agreed to manage flood hazard areas by actively adopting minimum regulatory standards as set forth by Federal Emergency Management Agency (FEMA). The National Flood Insurance 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>5</sup> Federal Emergency Management Agency, 2009. National Flood Insurance Rate Map, Map Number 06107C0965E, Panel Number 965 of 2550, June 16, 2009. <https://msc.fema.gov/portal/> accessed January 31, 2017

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Figure 6 - FEMA Flood Map



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## Noise<sup>6</sup>

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. (**Table 4**) summarizes the daily traffic volumes along Avenue 256 from State Route 99 to Road 216. Together, these noise sources place a portion of Hypericum's urbanized areas within the 60 dB Ldn noise contour. The Noise Element includes performance standards for new residential or other noise-sensitive land uses which are to be located near noise-impacted areas. The Element indicates that these uses will not be permitted unless effective design measures can be integrated into the development to mitigate the impact of noise.

Table 4 - Noise Levels					
Location	ADT	From Roadway Centerline			
		Distance (feet) to 70 Ldn Contour	Distance (feet) to 65 Ldn Contour	Distance (feet) to 60 Ldn Contour	Distance (feet) to 55 Ldn Contour
Avenue 256 from State Route 99 to Road 216	2,210	15	33	70	151

Source: 2010 General Plan Background Report

## 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 Hypericum, this Legacy Plan is intended to address deficiencies and the need for improvements to the drinking water system improvements, (for example wells, water distribution piping, and storage tanks), curbs, gutters, streets, sidewalks, etc.). The prioritized concerns of the Community include:

- Energy/Nature Gas
- Water System
- Sewer System
- Storm Water Drainage

<sup>6</sup> Tulare County General Plan 2030 Update, August 2012; United States Department of Transportation, Federal Transit Administration. Transit Noise and Vibration Impact Assessment, FTA-VA-90-1003-06; May, 2006. [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf); United States Department of Transportation, Federal Transit Administration. Construction Noise Handbook, 2006. [http://www.fhwa.dot.gov/environment/noise/construction\\_noise/handbook/handbook09.cfm](http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm) and [http://www.fhwa.dot.gov/environment/noise/construction\\_noise/special\\_report/hcn04.cfm#sou](http://www.fhwa.dot.gov/environment/noise/construction_noise/special_report/hcn04.cfm#sou)

# HYPERICUM LEGACY PLAN

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- Road Conditions
- Street Lights
- Sidewalks
- Transportation
- Internet
- Community Park

## 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 SCE has arrangements, and rolling blackouts.

## Water System

The drinking water is provided by private individual wells. Data related to any well monitoring in this area is unavailable. Therefore it is difficult to determine the availability of groundwater in the area as well as the water quality and potential deficiencies may exist.

## Sewer System

The community is dependent on individual septic tank systems for sewage disposal.

## Storm Water Drainage

Hypericum does not currently have a storm drainage system.

## Road Conditions

The community of Hypericum is comprised of two roads, Hypericum Road and Road 159.

## Street Lights

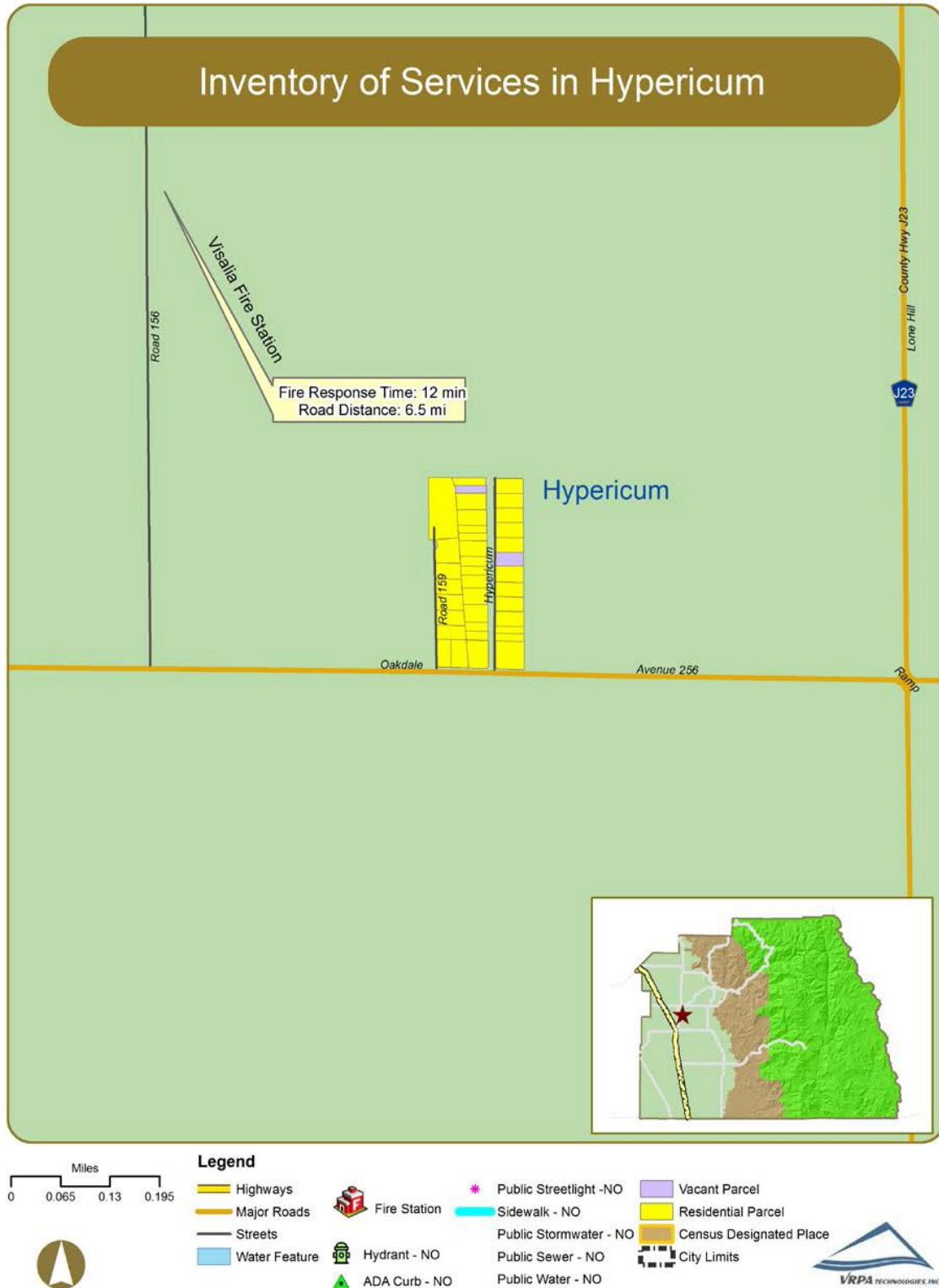
There are currently no street lights located within Hypericum.

## Sidewalks

There are currently no sidewalks located within Hypericum.

# HYPERICUM LEGACY PLAN

Figure 7 - Inventory of Services – Hypericum





# HYPERICUM LEGACY PLAN

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## 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.

There are currently no ADA compliant curb ramps located in Hypericum.

## **Public Transportation**

### Transit/Bus Stop

Hypericum lacks access to public transportation. Hypericum residents that do not drive find it hard to travel outside of town. Residents often need to travel to Visalia or Farmersville for doctors' appointments and shopping needs. Many residents expressed the need for a bus stop. Bus transportation to and from Hypericum would help many residents with their daily travel needs. The nearest bus stop is 4 miles away in Farmersville.

### AMTRAK

The Hanford AMTRAK station, located approximately 30 miles to the west in Kings County, is the closest station to Hypericum providing passenger rail service. The San Joaquin Joint Powers Authority (SJJPA) 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).

### Aviation

The nearest operational general aviation airport is Visalia Municipal Airport, approximately 20 miles west, offers passenger service to Los Angeles. A community general aviation airport is located in Exeter (formerly known as Thunderhawk Field), approximately 10 miles east of Hypericum.

Fresno Yosemite International Airport (FAT), approximately 65 miles northwest of Hypericum, is the principal passenger and airfreight airport in the central San Joaquin Valley. Meadows Field, Bakersfield's principal commercial airport, is approximately 75 miles southwest of Hypericum and offers direct flights to several destinations.

### Solid Waste

Solid waste disposal services for the Community of Hypericum is provided by USA Waste, a private company. Solid waste generated in Hypericum can be disposed of at Road 80 Landfill, located at 8614 Avenue 328.

# HYPERICUM LEGACY PLAN

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## Internet Access

Most families in Hypericum 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 Hypericum.

## Parks

There are no County owned/operated public parks in Hypericum. The nearest park is located approximately four (4) miles away in the City of Farmersville.

## PUBLIC SERVICES

### Sheriff

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

### Fire

Tulare County and all of the incorporated cities have a mutual-aid agreement for fire protection services. The closest station to Hypericum (approximately 6.5 miles) is in the City of Visalia, California.

There are currently no fire hydrants are found in Hypericum.

### 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. The Hypericum Area is within the Exeter Union School District Area 4 (10 miles away). The District provides K-8 grade education at Outside Creek Elementary School. High School students attend high school at the Exeter Union High School.

# HYPERICUM LEGACY PLAN

## 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>7</sup> The Exeter Branch Library is located in Exeter 10 miles to the east (see Table 5).

Table 5 - Library Location & Hours		
Branch	Address	Service Hours (2017)
Exeter	Exeter Branch 230 East Chestnut Exeter, CA 93221-1712	Tuesday – Wednesday: 11:00 am – 5:00 pm 6:00 pm – 8:00 pm Thursday - Friday: 9:00 am – 1:00 pm 2:00 pm – 6:00 pm

Library hours current as of May 2017

## 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>8</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 a portion of State Route 65 in Porterville are constructed to freeway standards.”<sup>9</sup>

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

<sup>8</sup> 2014-2040 Regional Transportation Plan & Sustainable Communities Strategy, Tulare County Association of Governments (TCAG), June 2014. Page 3-54.

<sup>9</sup> Tulare County General Plan, Background Report, page 5-7.

# HYPERICUM LEGACY PLAN

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**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

Hypericum is a small agricultural community located adjacent to Avenue 256. The community of Hypericum is comprised of two roads, Hypericum Road and Road 159. The major rural collector is Avenue 256. 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.

# HYPERICUM LEGACY PLAN

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## GOALS, OBJECTIVES AND POLICIES

This Section of the Hypericum 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 are proposed to reflect a “mixed use land use designation.” The following land use designations and descriptions, with densities and intensities are recommended for Hypericum 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, Hypericum Legacy Plan, and input received from Hypericum citizens during the public outreach process. The goals, objectives and policies are divided into four categories: Community Development, Housing, Economic Base, and Environmental Quality.

It is important to recognize that County policies reflect the unique attributes of the various locations and geographic areas in the County. As such, there are policies applicable to one area of the County that are not applicable to others based on natural setting, topography, habitat, existing development, or other attributes which are unique within the planning context of the County. The following planning goals, objectives, policies and standards reflect, as applicable, the rural, suburban, or urban contexts of the Legacy planning areas designated by the County.

### 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.

# HYPERICUM LEGACY PLAN

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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.
7. The County of Tulare will solicit recommendations from all interested public agencies on matters regarding the Hypericum Legacy Plan.
8. The Hypericum 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 Hypericum.

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 Hypericum.
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.

# HYPERICUM LEGACY PLAN

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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.
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 Hypericum 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 Hypericum 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.



# HYPERICUM LEGACY PLAN

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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.

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

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 Hypericum.

## 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 in the City of Farmersville and Visalia.



# HYPERICUM LEGACY PLAN

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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 in the Opportunities and Constraints Analysis, the Land Use Plan (**see Table 6**) and Zoning Districts Plan (**see Table 7**) have been updated.

<b>Table 6 - Proposed Land Use</b>	
Proposed Land Use	Acres
Mixed Use	17.1
Right-of Ways	2.4
Hypericum LDB	19.5

<b>Table 7 - Proposed Zoning</b>	
Proposed Zones	Acres
C-2-MU	2.5
R-A-43	14.7
Right-of Ways	2.4
Hypericum LDB	19.5

## IMPLEMENTATION STRATEGY

The purpose of this section is to prescribe a proposed approach to implement the general plan recommendations contained in the Hypericum Legacy Plan. The following components comprise the Hypericum 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 Hypericum 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 Hypericum.

**Zoning Map Update** The current Zoning Map (**see Figure 9**) for Hypericum will be amended to be compatible with the Land Use Map outlined in the General Plan (**see Figure 8**). 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 10**) Hypericum Proposed Zoning.

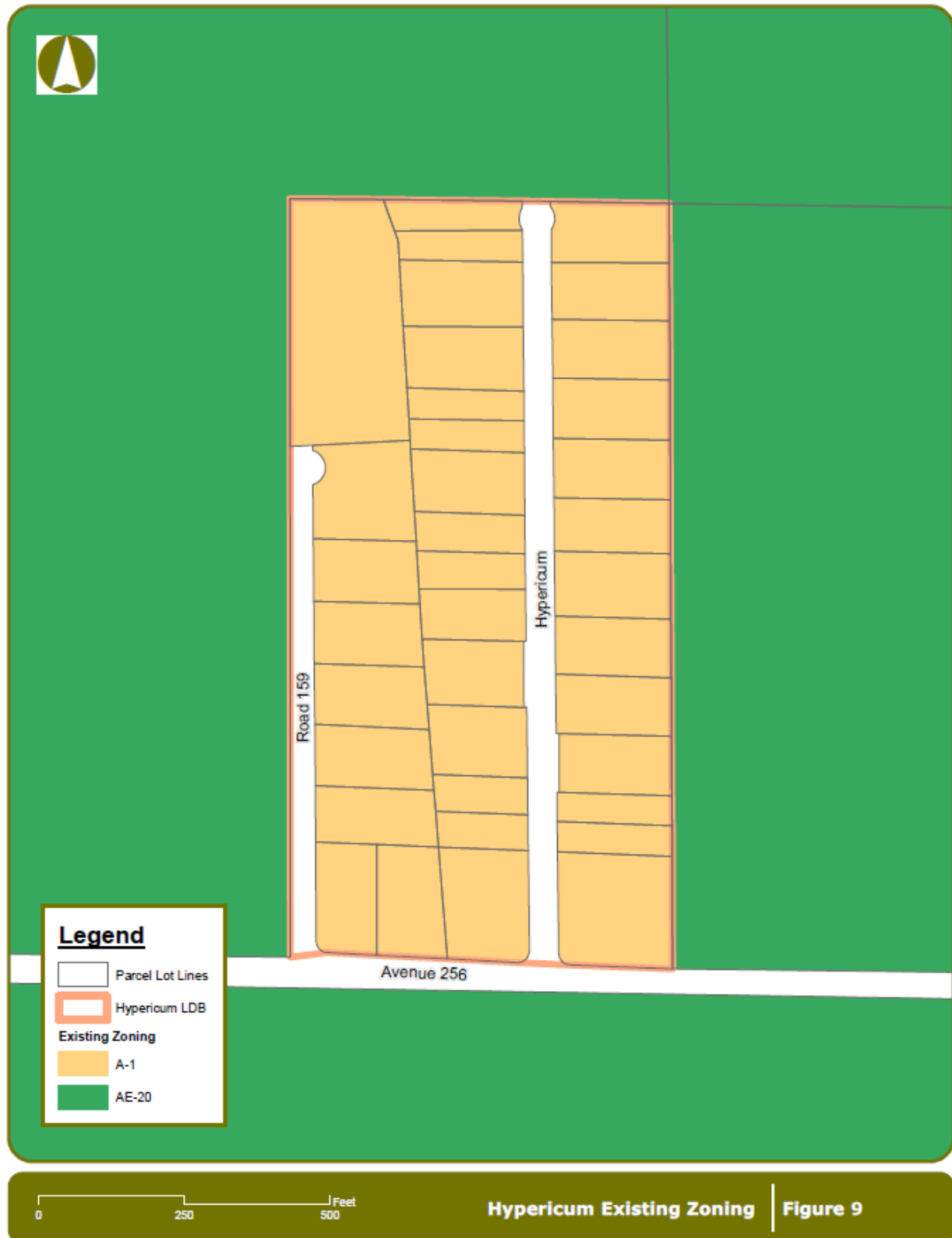
# HYPERICUM LEGACY PLAN

Figure 8 - Proposed Land Use Plan



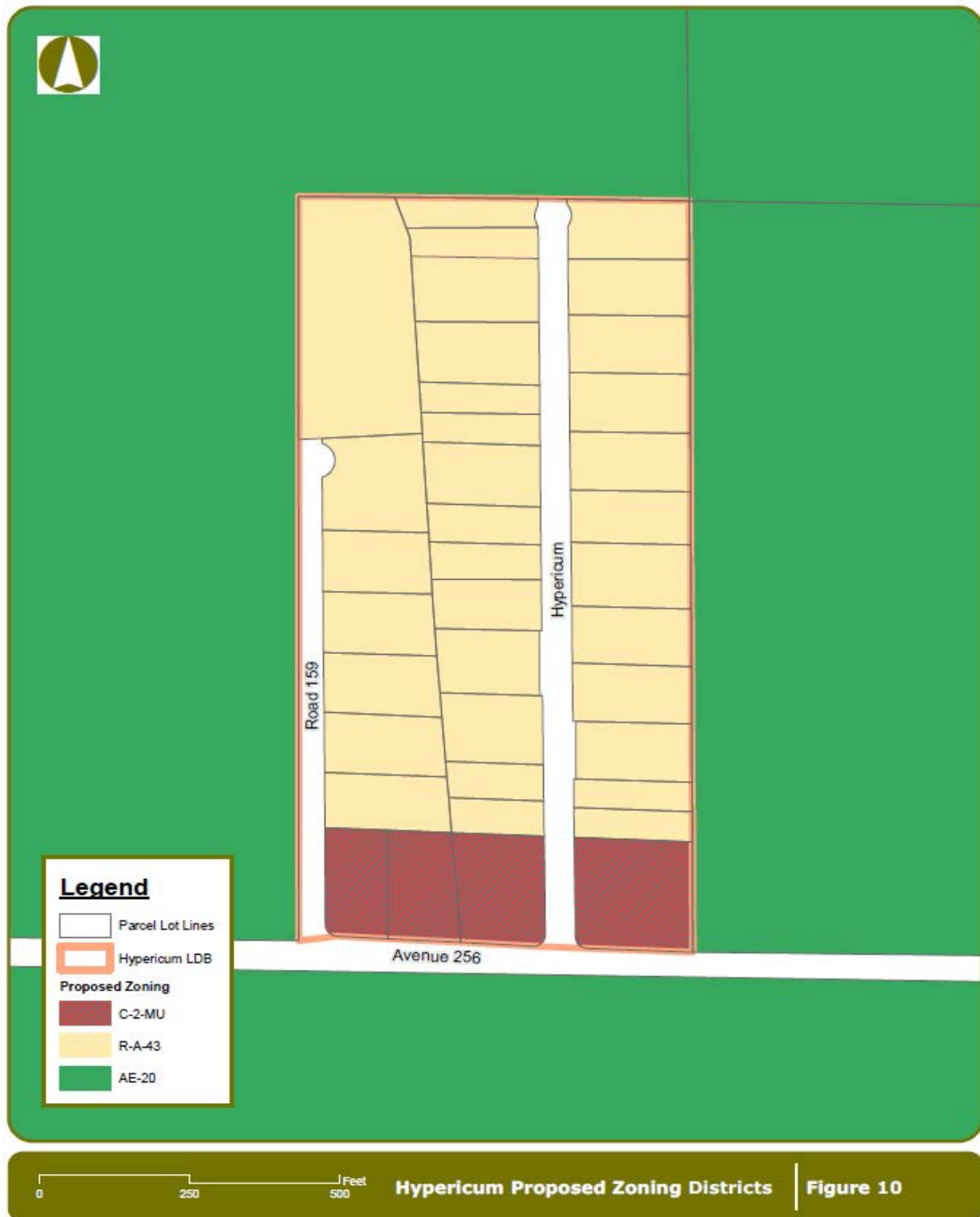
# HYPERICUM LEGACY PLAN

Figure 9 – Existing Zoning Plan



# HYPERICUM LEGACY PLAN

Figure 10 - Proposed Zoning Districts



# HYPERICUM LEGACY PLAN

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## **ATTACHMENTS**

A-1 – Section 16: Use Permit Requirement Changes (Zone Change Text)

A-2 – Section 18: Mixed Use Overlay District (Zone Change Text)

# HYPERICUM LEGACY PLAN

## A-1 Section 16 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.	O, CO, C-1, C-2, C-3,	

# HYPERICUM LEGACY PLAN

Structure < 10,000 sq. ft.	M-1, M-2	
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

# HYPERICUM LEGACY PLAN

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
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



# HYPERICUM 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	

# HYPERICUM 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

# HYPERICUM 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

# HYPERICUM LEGACY PLAN

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

# HYPERICUM LEGACY PLAN

## A-2 Section 18 Mixed Use Overlay District (Zone Change Text)

The following regulations shall apply in the community of Hypericum, 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, Hypericum, 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 Hypericum.

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.

Uses/Combination of Uses reviewed by Planning Commission
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

# HYPERICUM 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.

# HYPERICUM 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 Hypericum, 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.

# HYPERICUM 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.



# HYPERICUM 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.

# HYPERICUM 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 fencing.

# HYPERICUM LEGACY PLAN

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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.

# HYPERICUM 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.

# HYPERICUM 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.

# HYPERICUM 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.



# HYPERICUM 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.

# HYPERICUM 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

  
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

  
\_\_\_\_\_  
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

  
\_\_\_\_\_  
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

  
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

  
\_\_\_\_\_  
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

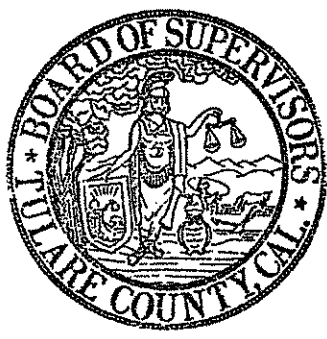
Appendix B – Board of Supervisors  
Resolution No. 2017-0868

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

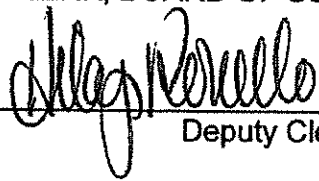
IN THE MATTER LEGACY PLANS 2017 )  
UPDATE (GENERAL PLAN AMENDMENT 17- ) Resolution No. 2017-0868  
033) AND AMENDMENTS TO THE TULARE ) Ordinance No. 3508  
COUNTY ZONING ORDINANCE NO. 352 )

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:   
Deputy Clerk

\*\*\*\*\*

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.