

Tulare County General Plan

PART II

AREA PLAN POLICIES

January 2008

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Chapter 1. Rural Valley Lands Plan

Rural Valley Lands Plan (RVLP)

This chapter incorporates the RVLP adopted by the County in 1975. The RVLP applies to the Central Valley below the 600-foot elevation contour line along the foothills of the Sierra Nevada outside the County's Urban Development Boundaries (UDBs), Hamlet Development Boundaries (HDBs) and Urban Area Boundaries (UABs) for cities. (Figure 1-1).

The RVLP was initiated in order to establish minimum parcel sizes for areas zoned for agriculture and to develop a policy that is fair, logical, legally supportable and which consistently utilizes resource information to determine the suitability of rural lands for nonagricultural uses. The policies in this chapter will act as a guide to the Planning Commission and Board of Supervisors in determining appropriate minimum parcel sizes and areas where nonagricultural use exceptions in the rural areas of the County may be allowed.

Policy Development Background

Tulare County is the third largest producer of agricultural products in the nation. In the 2006 Tulare County Annual Crop and Livestock Report, the gross production value of all agricultural products was listed as 3,872,059,700. Of a total of 130 commodities produced in the agricultural sector, the dairy industry is the leading commodity, with a total value of \$1,179,394,000, followed by fruit and nut commodities (\$1,591,539,000), field crops (\$357,796,000) and nursery products (\$88,253,000). In addition, agriculture produces income for other areas of the economy, including farm equipment assembly, maintenance and sales as well as the banking and building industries.

Urban and suburban development in Tulare County is intruding into prime rural agricultural lands at an increasing rate. Each year hundreds of acres of

prime agricultural lands are being taken out of production in order to make way for suburban "ranchettes" or parceled into small lots for investment purposes. Once this is done, it is virtually impossible to reassemble the land into viable agricultural units. According to the Agricultural Census, Tulare County lost 66,000 acres of farmland between 1964 year and 1969 year. Prime agricultural land is an irreplaceable natural resource, and its wise use is of as much importance as other natural resources such as coal and oil.

The effects of piecemeal urbanization on agricultural fringes and the cost of public services to such development should also be understood. In a report prepared by the Ventura County Planning Department in 1970, their findings show that from a property tax standpoint, agriculture is the only land use that pays for itself when industrial and commercial property is given a cost based on total urban expenditures by government.

In spite of the efforts of local government to protect agricultural land through protective taxation or zoning, much of the blame for wasteful checkerboard sprawl lies with the lack of an effective system to direct new development into better patterns.

It is important that land to be developed for non-agricultural uses be programmed in a gradual outward extension of present non agricultural areas such that agricultural lands will not be unnecessarily fragmented and that service costs will be kept at an economic level. Where possible, non-agricultural uses should be directed to less desirable soils where conflicts with agriculture and impacts on the County's future agricultural productivity can be minimized. In addition, such uses should be directed to areas where groundwater level and soil suitability permit building without substantial

public safety hazards or critical environmental disturbances.

Policy Analysis

The “A” portion of the policy permits the County to establish minimum parcel sizes (i.e. 20, 40, 80 acres) that are necessary to preserve agricultural lands in increments large enough to support commercial agriculture and discourage the generation of urban land uses in predominantly agricultural areas. This policy will have the effect of slowing the dilution of required public services and diminish land use incompatibilities associated with non-agricultural uses interspersed with agricultural operations.

The “B” portion of the policy permits the County to zone parcels of land in an agricultural zone (for example, A-1, AE, AE-20, AE-80) to non-agricultural zoning classifications (for example, R-A, R-O, R-1, R-2, R-3, O, P-O, R-1, C-1, C-2, M-1, M-2, M) if it is found that the parcel is better suited for a nonagricultural zone classification by means of the system of selection set forth in the policy.

The “C” portion of the policy permits the County to apply the system of selection set forth in the policy to rezoning applications which change the zoning classification from one agricultural zone to another agricultural zone and which have the effect of reducing the minimum parcel size limitation below those set forth in the Williamson Act.

Such a policy does away with the need to amend the General Plan each time a proposed zone change comes before the Planning Commission and Board of Supervisors. This policy allows for a more orderly and efficient review of those parcels zoned for agriculture which are proposed for a zone other than agriculture, because it eliminates the need to prepare specific plans for many small geographic areas.

1.1 Rural Valley Lands Plan Policies

RVLP-1

To sustain the viability of Tulare County’s agriculture by restraining division and use of land which is harmful to continued agricultural use of non-replaceable resources. [New Goal]

RVLP-1.1 Development Intensity

The County shall limit non-agricultural development in the unincorporated portions of the valley area designated for agriculture, outside of established HDBs, UDBs, and UABs, as follows: The County shall maintain a minimum parcel size large enough to sustain agricultural use outside UDBs.

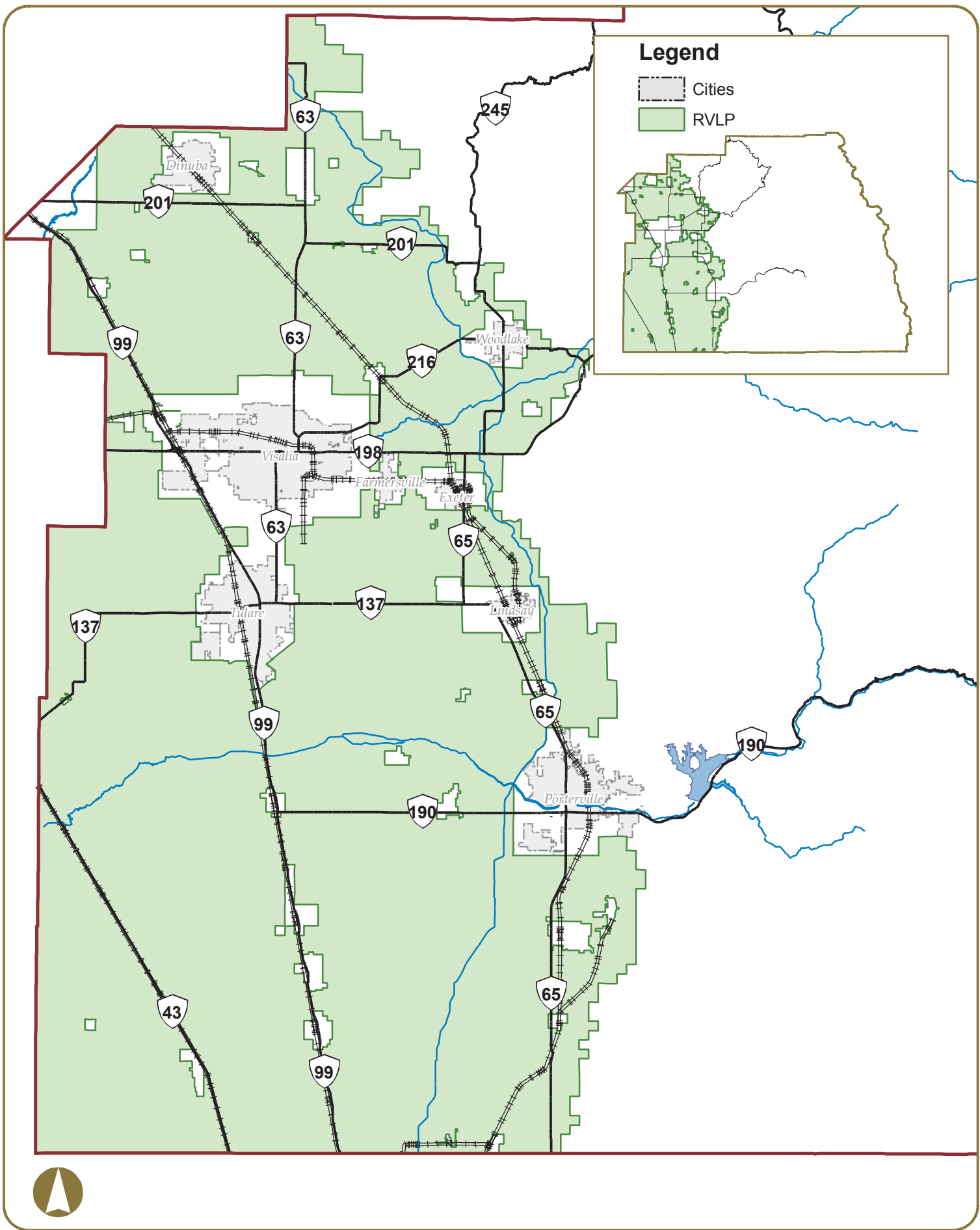
The County’s rules for parcel sizes shall be based on zoning, slope, local agricultural conditions, and the need to ensure the viability of agricultural operations, and residential uses in support of agricultural operations are allowed if appropriate buffers from agricultural uses are provided. [New Policy]

RVLP-1.2 Existing Parcels and Approvals

The County shall consider the development of existing parcels less than the minimum required by agricultural zoning, if found to not be viable for agricultural purposes and if such development would not impinge upon current or future agricultural uses in the area. [New Policy]

RVLP-1.3 Tulare County Agriculture Zones

In order to protect and maintain the agricultural viability of the valley area, the County shall maintain several exclusive agricultural zones, each containing a different minimum parcel size. The County shall apply such zones to lands located outside adopted regional growth corridors, and UDBs, HDBs, where such boundaries have been adopted, generally below and west of the six hundred foot (600’) elevation contour line as it occurs in Tulare County, except where otherwise designated by the Land Use Element of the Tulare County General Plan (Figure 1.1). The County recognizes that there may be unique circumstances under which parcels as small as ten (10) acres in size may be agricultural in nature. The County further



recognizes that twenty (20) acre, forty (40) acre, and eighty (80) acre minimum parcel sizes are necessary to maintain and protect the agricultural viability of significant portions of the County. A determination as to the most appropriate minimum parcel size for a particular area shall be made on the basis of factors relevant to the protection and maintenance of existing and/or potential agricultural uses of land including, but not limited to, factors such as existing land use patterns, land capability ratings for agriculture, and the occurrence of agricultural preserves. Nothing herein is intended to prevent the application of exclusive agricultural zones developed pursuant to this policy to lands located outside the above described area. *[Existing policy 11.A.1]*

RVLP-1.4 Determination of Agriculture Land

The County shall not allow development of parcels that accumulate 17 or more points according to the RVLP Development Criteria (contained in the Implementation section of this chapter). If the number of points accumulated is 11 or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12 to 16 points shall be determined to have fallen within a “gray” area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system. *[Existing policy 11.A.3]*

RVLP-1.5 Non Conforming Uses

Irrespective of other policies or designations contained in the various elements of the Tulare County General Plan, zoning necessary to make a use conforming, which legally existed in the A-1 (Agricultural) Zone before January 11, 1973, is deemed to be consistent with the General Plan for purposes of Section 65860 of the Government Code. This opportunity will expire on January 11, 2013. *[GPA 74-1B to the Tulare County Area General Plan Land Use Element]*

1.2 Acronyms

HDBs	Hamlet Development Boundaries
ISO	Insurance Service Office
RVLP	Rural Valley Lands Plan
UABs	Urban Area Boundaries
UDBs	Urban Development Boundaries

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1.3 Implementation Measures

The following table documents the implementation measures included with the General Plan to implement the goals and policies included in this chapter.

Implementation	Implements What Policy	Who is Responsible	Timeframe			On-Going
			2007-2010	2010-2015	2015-2030	
1. The County shall continue to work with the Agricultural Advisory Committee or successor in interest ensure maintenance of the RVLP Criteria and Evaluation Procedures to identify parcels appropriate for non-agricultural zoning in areas designated as “agricultural” (see Land Use Diagram). The County shall periodically review the criteria and evaluation procedures and revise them as necessary. <i>[Revised based on existing Implementation Measure 11.BI.4]</i>	RVLP-1.4	RMA; Agricultural Advisory Committee				■
2. The County shall maintain zoning to conform with RVLP and shall consider initiating rezoning actions where necessary to correct inadvertent application of exclusive agricultural zoning to areas that qualify for non-agricultural zoning under the exception procedure (16 points or less). <i>[New Implementation Measure]</i>	RVLP-1.5	RMA				■

1.4 Rural Valley Land Plan Criteria and Evaluation Matrix

Definitions, Justifications, and Weighting of Factors

A. RESTRICTED TO AGRICULTURE VALUES

1. Agricultural Preserve Status
 - a. Definition: Determine if the site is within an agricultural preserve.
 - b. Justification: To prevent conflict between agricultural preserve rules and regulations and use of the land.
 - c. Weighting Criteria:
 - 1) Restricted to Agriculture - site is within an agricultural preserve.
 - a) Importance - the Board of Supervisors has determined that these lands should be maintained in commercial agricultural production.
 - 2) Not Restricted to Agriculture - site is not within an agricultural preserve.
 - a) Importance - these lands have other land use alternatives available to them.
2. Limitations for Individual Waste Disposal Facilities
 - a. Definition: Determine by conferring with the Tulare County Health Department if individual waste disposal facilities can be permitted on the parcel under review.
 - b. Justification: The Tulare County Health Department may determine that employing an individual waste disposal facility for the disposal of liquid waste will be in violation of County ordinances and/or State and federal laws or regulations.
 - c. Weighting Criteria:
 - 1) Restricted to Agriculture - employing an individual waste disposal facility is prohibited by law or regulation.
 - a) Importance - prevent the contamination of the ground water table.
 - 2) Not Restricted to Agriculture - employing an individual waste disposal facility is not prohibited by law.
 - a) Importance - to direct nonagricultural development into areas where employing an individual waste disposal system will not result in the contamination of the groundwater table.

B. VARIABLE POINT VALUE

1. Land Capability
 - a. Definition: Determine the predominant land capability of the site for agricultural purposes.
 - b. Justification: To preserve prime agricultural lands for agricultural production.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - lands which are of a Class I, II, III, or IV land capability. Their point values are as follows:
 - Class I, II, or III - 4-point value
 - Class IV - 2-point value
 - a) Importance - to preserve lands with agricultural capability by discouraging nonagricultural development.
 - 2) Lowest Relative Suitability - lands which are not of Class I, II, III, or IV capability.
 - a) Importance - direct nonagricultural development into areas that are not suited

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for agricultural purposes.

C. FOUR POINT VALUES

1. Existing Parcel Size

- a. Definition: Determine the parcel size of the applicant's entire contiguous ownership.
- b. Justification: To provide for development of nonagricultural uses on those parcels which are less than five acres (gross) in size. This will prevent the division of lands into smaller parcels.
- c. Weighting Criteria:
 - 1) Highest Relative Suitability - the site is five acres (gross) or larger in size.
 - a) Importance - to prevent further division of large agricultural parcels into smaller parcels, thus limiting their value for agricultural purposes.
 - 2) Lowest Relative Suitability - the site is less than five acres (gross) in size.
 - a) Importance - to allow development of nonagricultural uses to occur on those parcels where most agricultural uses would be economically infeasible.

2. Existing Land Use/Suitability for Cultivation

- a. Definition: Determine present use of the site and its suitability for the commercial cultivation, growing and harvesting of field crops, fruit and nut trees, vines, vegetables, and horticultural specialties.
- b. Justification: To identify and protect existing and potential agricultural lands, while also allowing nonagricultural uses to locate on those lands not suitable for agriculture.
- c. Weighting Criteria:
 - 1) Highest Relative Suitability - the land is in agricultural use or has the potential for cultivation. Things to be considered are as follows: Is the site presently being used for commercial agriculture? What is the land's cropping history? Is the site suitable for cultivation? Have adjacent properties been successfully farmed? (For factors to consider in judging suitability see lowest relative suitability.)
 - a) Importance - to preserve land in agricultural use and to discourage nonagricultural use of land with the potential for cultivation.
 - 2) Lowest Relative Suitability - the land is not in agricultural use and is not suitable for cultivation as determined by a professional agronomist. Examples of conditions to take into consideration in determining that the site is not suitable for cultivation are as follows: cold spots in thermal areas, sand streaks covering a majority of the site, high concentration of salts or alkali, and areas of extremely rocky soil. The opinion of the appropriate professional, such as testing by a soil scientist, may be required as proof of the existence of any impeding condition.
 - a) Importance - to encourage nonagricultural development to occur on lands which are not in agricultural use or are less suitable for cultivation.

D. THREE POINT VALUE CATEGORY

1. Surrounding Parcel Size (Do not evaluate if the site received "0" points for Existing Land Use/Suitability for Cultivation. Enter a "0" for this factor in such cases.)

- a. Definition: Determine the percentage of final subdivision lots in the area devoted to parcels less than five acres (gross) in size within one-quarter mile (1,320 feet) of the perimeter of the subject site.
 - b. Justification: To provide for development of nonagricultural uses in areas where there is
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already a high percentage of parcels that are less than five acres (gross) and to protect large-parcel areas from further breakdown.

c. Weighting Criteria:

- 1) Highest Relative Suitability - within one-quarter mile (1,320 feet) of the perimeter of the site, 35 percent or less of the area is devoted to parcels smaller than five acres (gross) in size.
 - a) Importance - to discourage nonagricultural land uses in areas where land is essentially in agriculture.
- 2) Lowest Relative Suitability - within one-quarter mile (1,320 feet) of the perimeter of the site, more than 35 percent of the area is devoted to parcels smaller than five acres (gross) in size.
 - a) Importance - allow nonagricultural development on the site, if within the surrounding area a high percentage of the area is devoted to parcels of less than five acres.

2. Surrounding Land Use

- a. Definition: Determine the various land uses that are abutting and within one-quarter mile (1,320 feet) of the site. In determining land use, nonagricultural uses shall include schools and farm labor camps. Rights of way, including irrigation canals, rivers, roads and transmission lines, should not be included in the calculations described below. Agricultural uses include land that is fallow and has been under cultivation and shall also include uses that are compatible in agricultural areas, such vacant lands (improved or unimproved) and open space lands (including parks and golf courses). Tentative subdivision or parcel map approval shall not be considered a nonagricultural use until the final map has been recorded.
- b. Justification: To prevent the close association of agricultural uses and nonagricultural uses, which may have the potential to adversely affect one another and to not encourage the establishment of nonagricultural uses in agricultural areas.
- c. Weighting Criteria:
 - 1) Highest Relative Suitability - none of the standards that have been set for nonagricultural value have been met. However, for proposed heavy industrial zone changes, the lowest relative suitability criterion set forth below shall not consider residential uses to be nonagricultural uses.
 - a) Importance - to eliminate conflicts with adjacent land uses and protects agricultural land uses (and residential land uses, in the case of proposed heavy industrial zone changes) from intrusion of inharmonious uses.
 - 2) Lowest Relative Suitability
 - a) The site is not abutted by nonagricultural uses, but within one-quarter mile (1,320 feet) of the perimeter of the site, at least 35 percent of the area is devoted to nonagricultural uses.
 - b) The site is abutted on one side with nonagricultural uses and within one-quarter mile (1,320 feet) of the perimeter of the site; at least 25 percent of the area is devoted to nonagricultural uses.
 - c) The site is abutted on two sides with nonagricultural uses and within one-quarter mile (1,320 feet) of the perimeter of the site; at least 20 percent of the area is devoted to nonagricultural uses.
 - d) The site is abutted on three sides with nonagricultural uses and within one-quarter mile (1,320 feet) of the perimeter of the site; at least 15 percent of the area

- c) The site is abutted on two sides with agricultural preserves, and within one-quarter mile (1,320 feet) of the perimeter of the site at least 35 percent of the area is land that is in agricultural preserves.
 - d) The site is abutted on three sides with agricultural preserves, and within one-quarter mile (1,320 feet) of the perimeter of the site at least 20 percent of the area is land that is in agricultural preserves.
 - e) The site is abutted on four sides with agricultural preserves.
 - f) Importance - to eliminate conflicts with adjacent land uses and to protect agricultural land uses from intrusion of inharmonious uses.
- 2) Lowest Relative Suitability - none of the above criteria have been met.
- a) Importance - to encourage nonagricultural uses to develop in those areas where such uses will not conflict with lands committed to long-term agricultural uses.
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E. TWO POINT VALUE CATEGORY

1. Level of Groundwater and Soil Permeability

- a. Definition: Determine the groundwater level and the soil permeability rating for the site. Highly permeable is defined as a percolation rate greater than five inches per hour. Groundwater shall be the highest recorded groundwater level in unrestricted aquifers as shown on the U.S.D.I. Bureau of Reclamation "Lines of Equal Depth to Ground Water" map or the California Department of Water Resources "Lines of Equal Depth to Water in Wells" or "Lines of Equal Elevation of Water in Wells" maps, provided that the groundwater maps to be used are based on data that is not more than 25 years old.
 - b. Justification: To preserve in agriculture or open space those areas characterized by a high groundwater table and highly permeable soil.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - site has highly permeable soil and a groundwater table within twenty (20) feet of the ground surface.
 - a) Importance - those lands that have highly permeable soil and a water table higher than twenty feet should be maintained in agriculture or open space because such lands are not suitable for the installation of domestic, commercial, and industrial waste disposal systems.
 - 2) Lowest Relative Suitability - site has a water table lower than twenty (20) feet from the ground surface, and does not have highly permeable soil.
 - a) Importance - such lands are more suitable for installation of domestic, commercial and industrial waste disposal systems.
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F. ONE POINT VALUE CATEGORY

1. Proximity to Fire Protection Facilities

- a. Definition: Determine the distance to the nearest fire protection facilities from the site.
 - b. Justification: To enable fire protection facilities to provide adequate services for all nonagricultural land uses in the County within the requirements of established Fire Code Standards and to protect the County's Insurance Services Office (I.S.O.) ratings.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - site is not within a five-mile response distance from fire protection facilities. For proposed industrial or commercial zone changes, three (3) points shall be awarded for highest relative suitability.
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- a) Importance - this land should be maintained in agriculture in order to conform to fire safety standards.
- 2) Lowest Relative Suitability - site is within a five-mile response distance from fire protection facilities.
 - a) Importance - land which has accessibility to fire protection facilities is more suitable for nonagricultural uses.
2. Access to a Paved County and/or State Maintained Road
 - a. Definition: Determine if the site has access to a paved County and/or State maintained road.
 - b. Justification: Protect agriculture from problems of dust and pollution created by increased vehicular traffic on unpaved minor roads, and to discourage the creation of new roads that may have to be maintained by the County or State.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - the site does not have direct access to a paved road.
 - a) Importance - those areas that do not have accessibility to paved roads may be better suited for agricultural uses.
 - 2) Lowest Relative Suitability - the site has access to a paved road.
 - a) Importance - those areas that have accessibility to a paved road may be better suited for nonagricultural uses than areas that do not have such access.
3. Historical, Archaeological, Wildlife Habitat, and Unique Natural Features
 - a. Definition: Determine if within the boundaries of the subject site there are any historical, archaeological, wildlife habitat, and/or unique natural features (as defined in ERME) which should be preserved.
 - b. Justification: To preserve and protect historical and archaeological sites, wildlife habitats, and unique natural features.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - located on the site is a historical or archaeological site, wildlife habitat, and/or unique natural feature.
 - a) Importance - to discourage encroachment of nonagricultural development, which could seriously damage or alter historical or archaeological sites, wildlife habitats, and/or unique natural features.
 - 2) Lowest Relative Suitability - no historical or archaeological site, wildlife habitat, and/or unique natural features exist on the site.
 - a) Importance - to direct nonagricultural uses into those areas in which there exists no historical or archaeological sites, wildlife habitats, and/or unique natural features, which may be destroyed by such activity.
4. Flood Prone Areas
 - a. Definition: Determine if the site is subject to 100-year frequency floods.
 - b. Justification: To preserve in open space or agricultural use those areas subject to flooding.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - site is subject to 100-year frequency floods.
 - a) Importance - to prevent nonagricultural uses from establishing in areas where severe flooding presents a hazard to public health, safety or welfare.
 - 2) Lowest Relative Suitability - site is not subject to 100-year frequency floods.

- a) Importance - to direct nonagricultural uses into areas where flooding is not a problem.
5. Availability of Community Domestic Water
- a. Definition: For residential zone changes, determine if community domestic water can be obtained. In the case of proposed industrial or commercial zone changes, determine instead if the requirements of the Tulare County Fire Flow Ordinance can be met.
 - b. Justification: To consolidate nonagricultural development where water services are already available in order to maximize use of existing systems and prevent proliferation of new systems in rural areas.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - for residential zone changes, site does not have accessibility to community domestic water. In the case of proposed industrial or commercial zone changes, the requirements of the Tulare County Fire Flow Ordinance cannot be met.
 - a) Importance - to discourage the creation of additional community domestic water systems in agricultural areas and assure that the requirements of the Tulare County Fire Flow Ordinance are met.
 - 2) Lowest Relative Suitability - for residential zone changes, site has access to community domestic water. In the case of proposed industrial or commercial zone changes, the requirements of the Tulare County Fire Flow Ordinance can be met.
 - a) Importance - to encourage nonagricultural uses to locate in areas where community domestic water systems have already been established and assure that the requirements of the Tulare County Fire Flow Ordinance are met.
6. Surface Water Irrigated Lands (enter a "1" for this factor)
- a. Definition: Determine if the site has rights to surface irrigation water.
 - b. Justification: To preserve in agriculture those lands irrigated by surface water sources.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - site has rights to surface irrigation water.
 - a) Importance - to maintain in-agriculture those lands that can be irrigated by surface water sources and are not totally dependent on groundwater for irrigation.
 - 2) Lowest Relative Suitability - site does not have rights to surface irrigation water.
 - a) Importance - such lands are less suitable for agricultural use since their only source of irrigation water would be groundwater.
7. Groundwater Recharge Potential (Do not evaluate if the site received "0" points for Surface Water Irrigated Lands'; enter a "0" for this factor in such cases.)
- a. Definition: Determine the soil permeability rating for the site. For highest groundwater recharge potential, the site should be irrigated by surface water sources and onsite soils should be in a permeability class that is rated at least moderately slow (have a projected vertical conductivity/percolation rate of at least 0.20 inch of water per hour) and must lack a restrictive layer (a soil or rock layer that inhibits the movement of water and/or roots through the soil) so as to provide continuity to groundwater. Groundwater shall be the highest recorded groundwater level in unrestricted aquifers as shown on the U.S.D.I. Bureau of Reclamation "Lines of Equal Depth to Ground Water" map or the California Department of

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Water Resources “Lines of Equal Depth to Water in Wells” or “Lines of Equal Elevation of Water in Wells” maps, provided that the groundwater maps to be used are based on data that is not more than 25 years old.

- b. Justification: To preserve in agriculture (or open space) those lands with the highest potential for groundwater recharge.
 - c. Weighting Criteria:
 - 1) Highest Relative Suitability - site has soils that are of at least moderately slow permeability (percolation rate of at least 0.20 inch per hour) and lack a restrictive layer (a soil or rock layer that inhibits the movement of water and/or roots through the soil).
 - a) Importance - to maintain in agriculture those lands irrigated by surface water sources and containing permeable soils, as they account for significant amounts of groundwater recharge from irrigation water that percolates below the crop root zone and into the unconfined aquifer.
 - 2) Lowest Relative Suitability - site does not contain permeable soils or contains an impediment to recharge, such as a restrictive layer that would inhibit the movement of water and/or roots through the soil (the latter factor to be determined by the opinion of the appropriate professional, such as a soil scientist, engineer, or geologist).
 - a) Importance - such lands are less suitable for groundwater recharge.
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Chapter 2. Corridors

This chapter sets out area plan policies for development within corridors adjacent to transportation routes in the County. While many of the goals and policies of Part I of the General Plan are applicable to all regions, the policies contained in this chapter are specific to the County's corridors.

Corridors

The Corridors chapter provides guidance in the unincorporated portions of the County that are adjacent to major transportation routes outside of adopted Urban Area Boundaries (UABs), Urban Development Boundaries (UDBs) and Hamlet Development Boundaries (HDBs). This plan provides framing policies for future corridor plans to be adopted.

2.1 Corridor Policies

C-1

To provide an economically viable and balanced land use pattern along major transportation corridors in Tulare County. [New Goal]

C 1.1 Corridor Plans – Defined

The County may adopt corridor plans for the corridor types and locations identified below (Figure 2.1).

- **Urban Corridors** along major transportation routes within urban boundaries, such as Mooney Boulevard,
- **Scenic Highway Corridors** along eligible State Highways, such as State Highways 190 and 198, and
- **Regional Growth Corridors**, along the major regional transportation arterials in the County, such as State Highways 99 and 65.

C-1.2 Urban Corridor Plans

The County shall support the development and adoption of urban corridor plans that include goals,

policies, and implementation programs that encourage the development of commercial and industrial uses within an adopted UAB or UDB. [New Policy]

C 1.3 Scenic Corridor Protection Plans

The County shall support the development and adoption of scenic corridor protection plans that protect and enhance the scenic qualities of major transportation routes. [New Policy]

C-1.4 Regional Growth Corridor Plans

The County shall support the development and adoption of regional growth corridor plans to maximize the economic development potential of areas located along major transportation routes for uses such as: intensive agricultural related industrial employers, major industrial employers, regional retail, office parks, and highway commercial. [New Policy]

C-1.5 Agricultural Enterprises

The County shall support the development of agricultural enterprise zones along rural arterials in the County to encourage agriculturally related industries to cluster near transportation and shipping routes. [New Policy]

C-1.6 Regional Growth Corridor Opportunity Areas – Interim Policy

Pending adoption of regional growth corridor plans, the County may approve highway oriented commercial, industrial, and mixed-use development if all of the following criteria are met:

- The development is within one-quarter mile of the right of way of a rail-stop or State Highways 99 and 65,
- The majority of the site has soils with an agricultural capability of Class III or lower,

- Under the Rural Valley Land Plan (RVLP) point evaluation, the property is determined not to meet the values that would render the property “restricted to agriculture”,
- The property must not have been used for commercial agriculture for the last five years, and
- The property must have access to a publicly maintained road adequate to serve the development or be located within 1/8 mile of access to State Highways 99 or 65.

Notwithstanding the foregoing criteria, a highway or rail oriented proposal for commercial, industrial, or mixed-used development may be approved if the proposal qualifies as a “regionally significant proposal,” which means that the proposal must demonstrate “special significance” to Tulare County based on any of the following factors:

1. The proposed land uses will be consistent with innovative land use planning and design principles in addition to those in this plan;
2. Significant habitat or agricultural resources will be addressed through on-site preservation or through the acquisition of off-site resources and/or fees in lieu thereof;
3. Substantial financial benefits will be conferred on countywide operations; or
4. Any other relevant factor considered on a case-by-case basis.

This policy shall be applicable until such time as a regional growth corridor plan is adopted for those segments of State Highways 99 and 65 located outside an HDB, UDB, or UAB. *[New Policy]*

C-1.7 Highway 99 Valley Corridor

The County shall support and participate in regional efforts to develop and implement corridor plans for State Highways 65 and 99. This plan shall incorporate an appropriate strategy for maximizing industrial, commercial, and tourism opportunities. *[New Policy]*

C-1.8 Commercial and Industrial Highway Growth

The County shall encourage commercial and industrial growth to locate within UDBs, HDBs, and designated regional growth corridors along State Highways 65 and 99. *[New Policy]* *[Added per Board of Supervisors November 2005]*

2.2 Acronyms

HDB(s)	Hamlet Development Boundary(ies)
RVLP	Rural Valley Land Plan
UAB(s)	Urban Area Boundary(ies)
UDB(s)	Urban Development Boundary(ies)

2.3 Implementation Measures

The following table documents the implementation measures included with the General Plan to implement the goals and policies included in this chapter.

Implementation	Implements What Policy	Who is Responsible	Timeframe			
			2007-2010	2010-2015	2015-2030	On-Going
1. The County shall establish a committee of community residents, businesses, and County staff to develop corridor plans, including phasing and financing measures that is coordinated with valley-wide efforts by Caltrans and the Great Valley Center. <i>[New Program]</i>	C-1.2	RMA	■			
2. When preparing regional growth corridor plans, the following shall be considered and addressed: <ul style="list-style-type: none"> ▪ Corridors may be identified as part of existing community plans or be qualified exceptions to the RVLDP, ▪ Urban separators between communities will be maintained; ▪ Corridors shall be located at or near highway interchanges that meet specified criteria (see Policy C-1.6). These criteria could be met with new investment, ▪ A special use permit would be required, ▪ Address what to do if infrastructure is lacking in a corridor area, ▪ Prohibit new frontage roads, like the Golden State Highway in Fresno, within half a mile of freeways, as they create sprawl; ▪ Establish separation criteria for appropriate spacing of gas stations and other uses at commercial interchanges, ▪ Provide a master circulation plan demonstrating arterial road access, a cohesive and integrated access road network and the potential for future transit service, ▪ Ensure reasonable proximity to police and fire protection, ▪ Corridors will run perpendicular, not parallel to the adjacent highway, ▪ Maintain nodal concentrations as part of existing communities and include open space and agriculture community separators, ▪ Build on valley-wide efforts by 	C-1.4	RMA	■			

Tulare County General Plan

Implementation	Implements What Policy	Who is Responsible	Timeframe			
			2007-2010	2010-2015	2015-2030	On-Going
<p>Caltrans and the Great Valley Center,</p> <ul style="list-style-type: none"> ▪ Implement best management practices for highway oriented development, ▪ Ensure quality development, ▪ Ensure that business frontages are showing; not backyard storage areas, and ▪ Develop outdoor storage and landscaping requirements. [<i>New Program</i>] (BoS 08/08/06) 						
<p>3. <u>A proposal submitted under C-1.6 may be</u> submitted in the form of an application for a general plan amendment, specific plan, change of zone, use permit tentative subdivision map, or the necessary entitlement for use. The proposal should be subject to appropriate environmental and fiscal review; and before making a decision on the proposal, the County should solicit and consider the input of any affected public entities. In rendering a decision on a regionally significant proposal, the County should consider and balance countywide and local interests. [<i>New Implementation</i>]</p>	C-1.6	County				
<p>4. The County shall establish a committee of community residents, businesses, and County staff to develop corridor plans for State Highways 65 and 99, including phasing and financing measures that builds on valley-wide efforts by Caltrans and the Great Valley Center. (New Program). [<i>New Program</i>]</p>	C-1.7 C-1.8	RMA				■



Chapter 3. Foothill Growth Management Plan

This chapter sets out area plan policies for the Foothill Growth Management Plan. While many of the goals and policies of Part I of the General Plan are applicable to all regions, the policies contained in this chapter are specific to the foothills.

Foothill Growth Management Plan

The Foothill Growth Management Plan (FGMP) was originally adopted in 1981 and includes a comprehensive statement of the development policies and standards that prescribe land use and circulation patterns for the foothill region of Tulare County, generally above the 600-foot elevation line (Figure 3.1). The FGMP covers about 675,641 acres of land bounded on the east by the federally-owned parks in the Sierra Nevada Mountains and privately-owned lands on the San Joaquin Valley floor. The plan's policies set out guidelines for community identity, new development, recreation/open space, agriculture, environmental protection, scenic corridors protection, history/archaeology, infrastructure facilities, and public services. The communities of Springville and Three Rivers, each with their own community plans, lie within the FGMP boundaries. The FGMP utilizes four development types that are geographically limited to two areas outside the communities of Three Rivers and Springville. These development types include:

- **Development Corridors.** Areas in the foothills where development may occur provided it meets the development standards of this FGMP. Lands identified as development corridors are designated on the Land Use Diagram as Foothill Mixed-Use,
- **Extensive Agriculture.** Areas in the foothills where development may not occur due to access constraints, emergency response time, slope, and other biological or archeological factors that prohibit safe development. Lands identified as

extensive agriculture are designated Foothill Agriculture on the Land Use Diagram;

- **Foothill Extensions.** Areas that would be considered a part of the valley where extensions of the foothills (buttes, mountains, foothill extensions) warrant identifying the land as part of the FGMP. Lands identified as Foothill Extensions are designated Foothill Agriculture on the Land Use Diagram; and
- **Valley Agriculture Extensions.** Areas that would be considered a part of the FGMP where extensions of the valley (small inlet-valleys, hollows, or other flat shallow inclusions into the foothills) warrant identifying the land as part of the valley. Lands identified as Valley Extensions are designated Valley Agriculture on the Land Use Diagram.

Background

The objectives of the FGMP are to:

1. Rationally direct urban/suburban growth into specific areas of the foothills in order to protect the fragile environment,
2. Maintain the agricultural viability of the foothills by identifying areas to be maintained or encouraged for intensive and extensive agricultural uses, and
3. Accommodate urban/rural growth in the areas serviceable by the State and/or County agencies in a manner which is cost efficient, safe and consistent with the environmental constraints.

The Plan

To achieve the above objectives, a four level planning strategy was developed. This methodology is a step-down process whereby each

level of analysis continues to focus in on more specific areas (and level of detail) of the foothills. The **first level** involves the demarcation of lands that are potentially suitable for development. These areas are designated as development corridors. Inclusion of properties in a development corridor is generally dependent upon meeting all of the following requirements:

1. The property has reasonable access to publicly maintained road or highway (i.e., within one mile),
2. The property is within a reasonable “response time” (15 minute attack time) of the Tulare County fire station,
3. The property has a slope less than 30 percent, and
4. The property does not contain any unique physical, biological, archaeological or land use factors, which, if included in a development corridor, would be inconsistent with certain policies of the FGMP.

The original corridor lines were established in 1977 by the Foothill Growth Management Study. Present corridor lines include less area than the 1977 lines, because many of the properties did not meet the level one criteria.

In total, four development corridors were identified: 1) Badger/Elderwood; 2) Kaweah River; 3) Tule River; and 4) Round Valley.

In the future, should the service area of a County fire station expand or a County road be extended, properties that are presently outside of a designated development corridor may be appropriate for inclusion where it can be demonstrated that the four criteria either are or can be met.

Also contained in the 1977 FGMP Study level one analysis, was the identification of those areas that had land use and topographic characteristics similar to valley floor agriculture, yet extended into the foothills. These areas are termed “valley agricultural extensions.” This plan addresses these

agricultural areas differently than typical foothill lands in that agricultural zones to be applied to these lands are similar to those applied to adjacent valley floor agriculture, as determined by the Rural Valley Lands Plan (RVLP). Should a valley agriculture extension be proposed for rezoning to a non-agricultural zone, the RVLP point system will be used to evaluate the agricultural value of the property. If the property receives a nonagricultural evaluation and is within the development corridor, it shall be re-designated Foothill Mixed Use and zoned to the Planned Development Foothill (PD-F) Zone. If the parcel is outside a development corridor, zones other than the PD-F may be utilized.

Foothill lands which extend onto the valley floor are labeled “foothill extensions” and are treated in a manner similar to foothill lands considered for inclusion in a development corridor.

The **second level** of analysis utilizes a sensitivity mapping concept whereby factors of special concern are mapped. These factors generally ~~fall~~ fall into five basic categories: physical (soil, water, topography), biological (wildlife habitat, Rare and Endangered Species), aesthetic (vistas), cultural (land use, archaeological/historical sites) and governmental (zoning, governmental jurisdiction, agricultural preserves). The objective of this mapping process is to determine which areas should be maintained for open space and agricultural uses, and which areas should be considered for uses other than open space or agriculture. For example, physical factors which warrant an open space designation include areas that have slopes greater than 30 percent, lands inside a 100-year floodplain, soils with rock outcrops, soils that exhibit a very slow percolation rate or soils with very rapid percolation rate and a corresponding shallow water table where well and septic are proposed.

Level three includes the preparation of a General Plan map which identifies the location of ~~for~~ each development corridor and the specific locations of agriculture and open space land uses. Land use and circulation patterns are shown for the remaining lands within the development corridor. Development on these lands is to be accordance with the PD-F Zone of the Tulare County Zoning Ordinance.

3. Foothill Growth Management Plan

The FGMP policies, in conjunction with the PD-F Zone, will be used to determine the location and intensity of various permitted uses in the development corridors. FGMP policies preclude some land uses from locating in the PD-F Zone. For example, it is the policy of the FGMP to strengthen the community identity of Springville, Lemon Cove and Three Rivers; therefore, most retail commercial is limited to those existing communities rather than areas outside these communities.

The circulation system for each corridor is also provided on the General Plan map. This circulation system identifies roads and highways which have scenic significance and proposed primary road systems which are necessary to serve future development lands.

The primary road system for properties contained in the development corridors: 1) connects various properties slated for potential development both to each other and to a publicly maintained road system; 2) ensures adequate access to each property both for the benefit of the property owner and public service vehicles; and 3) is designed to consider existing natural and physical features in order to maintain the environmental hazards associated with road building activities.

The **fourth level** of analysis provides standards for the development in the foothills. In the foothills, topography can change abruptly, water availability and safe and efficient disposal of liquid waste are always a concern and the danger of fire increases during the dry season. Because of these factors, each development proposal will be required to undergo an initial site plan review process to determine if: 1) sufficient water is available for domestic and fire fighting purposes, 2) soil conditions are appropriate for liquid waste disposal, 3) the property is free of geological hazards, and 4) the development proposal is consistent with the General Plan of the development corridor and the policies of the FGMP. Once the project has received initial site plan review and the required conditions and consistency determinations have been made, the final step of the review procedure is to meet the development standards outlined in the Appendix to this Chapter. These standards pertain to erosion protection,

grading and landscaping requirements, setbacks, etc. It is at this step that the developer will be working in close cooperation with the Site Plan Review Committee to arrive at a project plan that meets the intent of the FGMP.

The site plan review process is a critical component to the implementation of the FGMP. It is through this process that problems associated with the project will be solved by alternative project designs and/or mitigation measures. It is anticipated that the project resulting from the site plan review process will be relatively free of environmental and design problems and, therefore, a better development product. This product will reduce the amount of time spent at the Site Plan Review Committee and Planning Commission both by staff and decision-makers.

The Non-corridor Areas

Non-corridor areas of the foothill region represent lands which do not have development potential at this time because of factors such as physical features, lack of access, service response times, or land ownership. Non-corridor areas are used primarily for livestock grazing, wildlife habitat, watershed protection and intensive agricultural uses. It is the intent of the FGMP to encourage the development of a zoning designation which will ensure that these properties be maintained in agricultural operations and open space uses.

Regarding existing non-agricultural uses outside established development corridors, it shall be the policy of the FGMP to recognize such uses as existing, nonconforming uses, as defined in the General Plan Amendment 74-1B (See Chapter 2, Planning Framework, Policy PF-1.10, Non Conforming Uses).

Valley Agricultural and Foothill Extension

Contained within the study area of the FGMP are lands that are more closely associated with the San Joaquin Valley floor than the foothills. These lands are relatively level, have a Class I, II, III soil, contain an intensive agricultural use, and are located adjacent to the valley floor, as defined by the RVLP. In most cases, they are simply an extension of the valley floor. Rather than tread these lands

differently than properties on the valley floor, the FGMP specifies that they be treated in a manner similar to the RVLP. For example, there are properties that contain citrus groves which are adjacent to valley agriculture, but are located within the FGMP study area. It is the intent of the FGMP that valley agricultural extensions be zoned consistently with the agricultural zones found on the adjacent valley floor. In the case of a parcel containing orange groves, the appropriate zoning would probably be AE-20 or AE-40 (Exclusive Agriculture, minimum parcel size 20 or 40 acres).

Conversely, there are lands with typical foothill characteristics which extend out onto the valley floor. Once identified, project proposals on these lands will be processed as though they were in a development corridor.

Plan Discussion

The establishment of development corridor lines sets aside land outside these lines, but within the foothill region, for foothill agriculture. The FGMP reserves approximately 80 percent of the region for such activities, and within these areas traditional agricultural land use activities will be encouraged and strengthened by the FGMP. Land use controls will be of a variety which makes it possible for foothill agriculture activities to function and prosper without undue interference. County land use regulations which do not further these ends will be considered inconsistent with the purposes of the FGMP.

The development corridor concept is consistent with the primary objectives of the FGMP. It is recognized that some currently viable agricultural lands within development corridors will eventually be lost to nonagricultural uses. However, it is also recognized that planned growth is necessary and desirable, and that in the context of Tulare County, land located in the development corridors is less significant to agriculture than land that might otherwise be lost without such a plan. The FGMP recognizes that there is a continuing demand for rural residential development as well as other more dense forms of development in the foothill region. The FGMP attempts to direct that growth in such a manner that the total County region benefits.

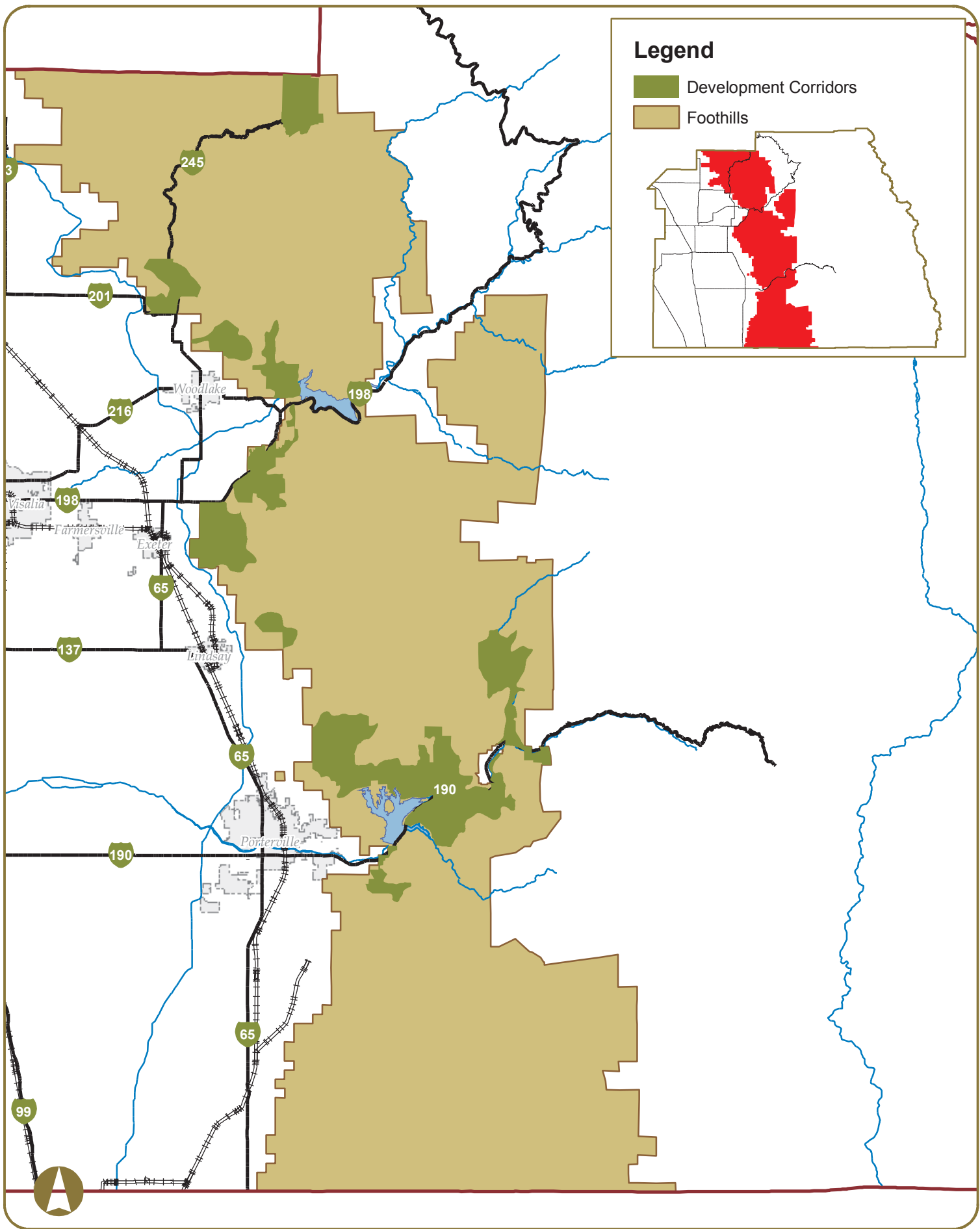
Within each development corridor there are lands which are under an agricultural preserve contract or are presently located in a nonagricultural zone on the County Zoning Map. Lands in agricultural preserves must be zoned to an exclusive agricultural zone in order to maintain consistency with the requirements of the Williamson Act. When a preserve within a corridor is disestablished it must be zoned consistent with the requirements of the Williamson Act. Existing non-agriculturally zoned land within corridors will also be zoned to the PD-F Zone unless the property has been truly developed. If such development exists, the zoning on the property should remain unchanged, unless the County finds that retention of the present zoning will be adverse to the public health, safety and welfare or harmful to the environment.

The corridor concept will retain and strengthen community identity in Springville, Lemon Cove and Three Rivers. These communities lie within development corridors and it is readily apparent that denser development should and will occur as logical infilling or extension of these three communities.

State Highways 190, 198 and 245 serve as the major arterials for the Tule River, Kaweah River and Badger/Elderwood Development Corridors, respectively. For the circulation of traffic in these corridors to flow effectively it is critical that the State Highways continue to serve as arterial routes free of future unnecessary intersections and traffic overloads. In order to assure that the overall circulation of the foothills operates efficiently, the FGMP ensures that the collector routes of each corridor intersects with the arterials and that the minor roads intersect with the collectors. This hierarchy of roads allows the traveler to drive from a smaller and shorter thoroughfare with slower speed limits and narrower pavement standards to a larger thoroughfare with faster speed limits, greater pavement widths and destination points of greater distances.

Summary

The General Plan map for each development corridor, along with the policies, development




standards, and site plan review process, constitute the FGMP. These three elements should be viewed as a package – each functioning in concert with the others. A complete picture of the FGMP can only be gained after thorough reading of the policies which direct and shape development inside and outside the development corridors. The site plan review process and development standards will control development on a site-specific basis. The implementation strategies will give the County the tools needed to guide development in a manner consistent with the FGMP.

3.1 Foothill Growth Management Plan Policies

This section sets out policies for unincorporated lands outside Urban Development Boundaries (UDBs) within the County’s foothills, as defined on Figure 3.1.

FGMP-1 To maintain the natural beauty of the foothills region while allowing focused growth in identified growth areas. [New Goal]

 For descriptions of land use designations applicable to the FGMP, see Chapter 5, Land Use, Table LU-5.1 and the descriptions following the table.

FGMP-1.2 Rural Agricultural Land Densities

The County shall require 40 acre minimum parcel sizes if average slopes are 30 percent or greater, especially in areas identified as being within a high wildland fire severity area. Acreage minimums in excess of 40 acres shall be required on parcels with average slopes exceeding 35 percent, with lower densities required based on road conditions and distance to the nearest fire station. [FGMP; New Development; Goal 3; Policy 3-4] [FGMP (1981); Page 13 Modified]

FGMP-1.3 Identity of Foothill Places

The County shall assure the existing values and identity of unincorporated areas in the foothills are properly addressed as development proceeds.

[Foothill Growth; Community Identity; Goal 2] [FGMP (1981); Page 12]

FGMP-1.4 Grading

The County shall ensure that new development is designed in a manner that minimizes grading, vegetation disturbance, and intrusion onto natural watercourses, canyons and prominent landmarks, or rare and endangered species sites. [Foothill Growth; New Development; Goal 3] [FGMP (1981); Page 13]

FGMP-1.5 Preparation of Specific Plans

When circumstances warrant, specific plans, pursuant to the California Government Code, shall be undertaken for identifiable community areas. [FGMP, Community Identity, Goal 2; Policy 2-1] [FGMP (1981); Page 12]

FGMP-1.6 Establish Citizens Advisory Committee

A citizen’s advisory committee representative of residents of the affected area shall be utilized in any specific plan undertaken which impacts an established community. [FGMP, Community Identity, Goal 2; Policy 2-2] [FGMP (1981); Page 12]

FGMP-1.7 Preserving Visual Resources

The County shall encourage new development be designed in a manner that preserves the visual quality of the foothill setting by encouraging the use of curvilinear streets, vegetation reestablishment on cuts and fills, cluster development, and housing site locations that blend into the landscape rather than becoming a focal point. [FGMP; New Development; Goal 3; Policy 3-3] [FGMP (1981); Page 13]

FGMP-1.8 Commercial Neighborhood Centers

The County shall allow neighborhood commercial centers in designated areas of a development corridor and shall only include land uses that provide neighborhood-related services (i.e., local markets, video rental, etc.). Criteria for location and design of this type of commercial use are as follows:

- The architectural and landscaping design of the neighborhood center shall be compatible with surrounding residential uses,
- The major tenant of the complex shall be a grocery store,

3. Foothill Growth Management Plan

- The maximum size of the commercial center shall be 10 acres,
- The commercial center may be included as a part of a planned residential development,
- The center shall meet the policies and development standards of this FGMP,
- The center shall not have direct access from State Highway 190 and 198,
- The general areas where neighborhood commercial centers should be located because of distance from existing shopping areas and future supporting populations are the Globe Drive/Pleasant Valley, Upper Balch Park Road, and Frazier Valley areas, and
- Uses proposed for a neighborhood commercial center shall be consistent with uses outlined in the Planned Development-Foothill Zone [FGMP; *New Development; Goal 3; Policy 3-6*] [FGMP (1981); Page 13]

FGMP-1.9 Commercial Recreation

The County shall encourage commercial recreation uses near unique natural features, thus enabling the visiting public to enjoy the recreational and visual amenities the area has to offer. Criteria for the location and approval of commercial recreation are as follows:

- The use shall have access from a State Highway,
- The use shall meet the policies and development standards of this FGMP,
- The use shall not detract from the visual amenities of the foothills. Landscaping, sufficient setback distances, and well designed buildings and signs are tools that shall be used to protect the visual environment, and
- Proposed commercial recreation shall be consistent with uses outlined in the Planned Development-Foothill Zone. [FGMP; *New Development; Goal 3; Policy 3-7*] [FGMP (1981); Page 14].

FGMP-1.10 Mobile Homes

The County shall encourage mobile home projects to locate and be designed in a manner that is compatible with existing development patterns and does not detract from the visual amenities of the foothill environment. [FGMP; *New Development; Goal 3; Policy 3-9*] [FGMP (1981); Page 14]

FGMP-1.11 Light Industrial Uses

The County shall allow light industrial uses in a development corridor subject to a special use permit. A decision on these uses shall be based on, but not limited to, criteria such as land use conflicts, water requirements, design/location and liquid waste disposal. [FGMP; *New Development; Goal 3; Policy 3-10*] [FGMP (1981); Page 14]

FGMP-1.12 Development in Success Valley

The County shall limit residential development densities within the “Planned Development-Foothill” areas of Success Valley in order to avoid conflicts with intensive agricultural uses in the Valley. [FGMP; *Agricultural Lands; Goal 5; Policy 5-3*] [FGMP (1981); Page 15]

FGMP-1.13 Hillside Development

The County shall require that hillside development be designed so as to preserve the skyline and maintain an unobstructed scenic panorama of the foothills. [FGMP; *Environmental Protection; Goal 8; Aesthetics; Policy 8-21*] [FGMP (1981); Page 19]

FGMP-1.14 Legally Conforming Commercial Uses

The County shall designate existing, legally conforming commercial uses not located in the communities of Springville, Three Rivers, and Lemon Cove with an appropriate use designation, providing the use is consistent with other policies in this FGMP. [FGMP; *Community Identity; Goal 2; Policy 2-4*] [FGMP (1981); Page 12]

3.2 Foothill Area Communities

FGMP-2 To strengthen and ensure the existing community values and identity in Springville, Three Rivers, Lemon Cove and the Badger Development Corridor, as development proceeds. *[Existing Goal, Modified]*

FGMP-2.1 Community Commercial Development

The County shall encourage new commercial development to first consider the communities of Springville, Three Rivers, and Lemon Cove, which are suitable for commercial development. *[FGMP; Community Identity; Goal 2; Policy 2-3] [FGMP (1981); Page 12]*

FGMP-2.2 Badger Development Corridor

The County shall maintain appropriate zoning within the Badger Development Corridor in order to promote residential densities compatible with established land use patterns. *[FGMP; New Development; Amendment 83-03; Policy III, Modified]*

FGMP-2.3 Badger Density

The County shall limit the maximum residential density of areas within the Badger Development Corridor to one (1) dwelling unit per five (5) acres. *[FGMP; New Development; Amendment 83-03; Implementation Measure I]*

3.3 Development

FGMP-3 To ensure that new development be designed in a manner which minimizes impact to foothill areas including grading, vegetation disturbance, and intrusion onto natural watercourses, canyons, and prominent landmarks, or rare and endangered species sites. *[FGMP; New Development; Goal 3] [FGMP (1981); Page 13]*

FGMP-3.1 Innovative Residential Design

The County shall encourage innovatively-designed residential development in the foothills, such as planned unit or cluster development that conserves

and preserves surrounding open space from unnecessary disturbances. *[FGMP; New Development; Goal 3; Policy 3-2] [FGMP (1981); Page 13]*

FGMP-3.2 Excavation Operations

The County shall allow rock, sand and gravel excavation operations in the foothills upon approval of a mining permit. A decision on said use shall be based on, but not limited to, criteria such as irreversible environmental impacts, reclamation measures and procedures, that mitigate the environmental impacts. *[FGMP; New Development; Goal 3; Policy 3-11] [FGMP (1981); Page 14]*

3.4 Recreation/Open Space

FGMP-4 To provide recreational and open space opportunities both for local residents and for the visiting public. *[FGMP; Recreation/Open Space; Goal 4] [FGMP (1981); Page 15]*

FGMP-4.1 Identification of Environmentally Sensitive Areas

The County shall identify and protect those environmentally sensitive areas in the foothill development corridors which should be maintained as open space, such as areas characterized by floodplains, steep slopes (30 percent or greater), unstable geology, unique archaeological/historical sites, habitat of special status species, and scenic vistas. *[FGMP; Recreation/Open Space; Goal 4; Policy 4-1] [FGMP (1981); Page 15]*

FGMP-4.2 Private Recreational Uses

The County shall encourage private recreational uses in the foothills to help meet future demand for recreational activities, provided they meet the development standards of this FGMP and other County policies. *[FGMP; Recreation/Open Space; Goal 4; Policy 4-3] [FGMP (1981); Page 15]*

FGMP-4.3 Common Open Space Areas

The County shall not require common open space areas in the foothills to maintain access for the general public except as provided by the developer or owners of the property or where otherwise required by the General Plan. *[FGMP; Recreation/Open Space; Goal 4; Policy 4-4] [FGMP (1981); Page 15]*

3.5 Foothill Agriculture

FGMP-5 To maintain and preserve extensive and intensive agricultural uses in the foothill area. [FGMP; *Agricultural Lands; Goal 5*] [FGMP (1981); Page 15]

FGMP-5.1 Protect Agricultural Lands

The County shall maintain and preserve extensive and intensive agricultural uses in the foothills. [FGMP; *Agricultural Lands; Goal 5; Policy 5-1*] [FGMP (1981); Page 15]

3.6 Scenic Corridors

FGMP-6 To provide local protection of scenic highways and routes within the foothills. [FGMP; *Scenic Corridors; Goal 6*] [FGMP (1981); Page 15]

FGMP-6.1 Preservation of Scenic Highways

The County shall ensure that the visual qualities of State Highways 190 and 198 and County scenic routes are maintained and protected against obtrusive development improvements. [FGMP; *Scenic Corridors; Goal 6; Policy 6-1*] [FGMP (1981); Page 15]

FGMP-6.2 Identification of Scenic Highways

The County shall continue to seek and identify County routes, which due to their scenic and rural characteristics, should receive a County “scenic routes” designation. [FGMP; *Scenic Corridors; Goal 6; Policy 6-2*] [FGMP (1981); Page 16]

FGMP-6.3 Development Along Scenic Highways

The County shall require that development along all scenic highways and routes meet the development standards of this FGMP. [FGMP; *Scenic Corridors; Goal 6; Policy 6-3*] [FGMP (1981); Page 16]

FGMP-6.4 Development Within Scenic Corridors

The County shall require that projects located within a scenic corridor be designed in a manner, which does not detract from the visual amenities of that thoroughfare. [FGMP; *Scenic Corridors; Goal 6; Policy 6-4*] [FGMP (1981); Page 16]

FGMP-6.5 Cluster Development

The County shall encourage projects proposed on lands within a scenic corridor with a non-agricultural or non-open space land use designations, to use a cluster development concept. Appropriate land uses for the open space areas shall include, but will not be limited to, public or private open space, wildlife habitat or agriculture. [FGMP; *Scenic Corridors; Goal 6; Policy 6-5*] [FGMP (1981); Page 16]

3.7 Historical and Archaeological Sites

FGMP-7 To protect Historical/Archaeological sites located in the Foothill Area. [FGMP; *Historical and Archaeological Sites; Goal 7*] [FGMP (1981); Page 16]

FGMP-7.1 Inventory of Historical Sites

The County shall request the Tulare County Historical Society to inventory historical sites and buildings worthy of historical preservation. [FGMP; *Historical and Archaeological Sites; Goal 7; Policy 7-1*] [FGMP (1981); Page 16]

FGMP-7.2 Preparation of an Archaeological Sensitivity Map

The County shall prepare an archaeological sensitivity map for purposes of environmental impact review of foothill projects. [FGMP; *Historical and Archaeological Sites; Goal 7; Policy 7-2*] [FGMP (1981); Page 16]

FGMP-7.3 Protection of Historical or Archaeological Sites

The County shall protect significant historical or archaeological sites, such as the one located on Rocky Hill, from development through maintenance of the site in open space. This policy shall not preclude development on adjacent property even though such property may be under the same ownership as the site to be protected. [FGMP; *Historical and Archaeological Sites; Goal 7; Policy 7-3*] [FGMP (1981); Page 16]

3.8 Environmental Protection

FGMP-8	<p>To protect the natural features of the foothills by directing development to selected areas. [FGMP; Environmental Protection; Goal 8; Policy 8-1] [FGMP (1981); Page 16]</p>
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FGMP-8.1 Riparian Area Development

The County shall discourage the location of development and improvements that are in close proximity to watercourse areas and riparian habitat, and prevent actual encroachment into those habitats. [FGMP; Environmental Protection; Goal 8; Policy 8-1] [FGMP (1981); Page 16]

FGMP-8.2 Development Drainage Patterns

The County shall assure that drainage patterns of foothill developments are designed to prevent contamination and sedimentation due to soil erosion. [FGMP; Environmental Protection; Goal 8; Policy 8-2] [FGMP (1981); Page 16]

FGMP-8.3 Development in the Floodplain

The County shall prohibit development of residences or permanent structures within the 100-year floodway. [FGMP; Environmental Protection; Goal 8; Policy 8-3] [FGMP (1981); Page 16]

FGMP-8.4 Development of Wastewater Systems

The County shall ensure that new wastewater systems meet the standards of the Regional Water Quality Control Board and Tulare County Health Department. [FGMP; Environmental Protection; Goal 8; Policy 8-4] [FGMP (1981); Page 17]

FGMP-8.5 Protection of Lakes

The County shall protect Lake Kaweah and Lake Success from contamination due to runoff from development, underground seepage of waste effluent, or intrusion of incompatible land uses by utilizing appropriate design and engineering concepts and adequately separating the project from the lake environment. [FGMP; Environmental Protection; Goal 8; Policy 8-5] [FGMP (1981); Page 17]

FGMP-8.6 Development in the Frazier Valley Watershed

The County shall ensure that projects proposed in the Frazier Valley watershed portion of the Tule River Development Corridor do not aggravate the downstream flooding problem by generating additional runoff from the project site. [FGMP; Environmental Protection; Goal 8; Policy 8-6] [FGMP (1981); Page 17]

FGMP-8.7 Minimize Soil Disturbances

The County shall encourage cluster-type development, narrower road widths, and minimized cut and fill projects to minimize soil disturbances. New roads in the foothills should, whenever possible, conform to the natural contours of the existing foothill landscape. [FGMP; Environmental Protection; Goal 8; Policy 8-7] [FGMP (1981); Page 18]

FGMP-8.8 Erosion Mitigation Measures

The County shall require erosion mitigation measures in new developments to prevent soil loss. [FGMP; Environmental Protection; Goal 8; Policy 8-8] [FGMP (1981); Page 18]

FGMP-8.9 Removal of Natural Vegetation


The County shall restrict the removal of natural vegetation, except for wildland fire prevention purposes. [FGMP; Environmental Protection; Goal 8; Policy 8-9] [FGMP (1981); Page 18]

FGMP-8.10 Development in Hazard Areas

The County shall prohibit development that is considered to be geologically hazardous (slides, earthquake faults, etc.). [FGMP; Environmental Protection; Goal 8; Policy 8-10] [FGMP (1981); Page 18]

FGMP-8.11 Development on Slopes

The County shall not allow development on slopes 30 percent or greater, unless the applicant can sufficiently mitigate the inherent problems associated with developing on steep slopes. [FGMP; Environmental Protection; Goal 8; Policy 8-11] [FGMP (1981); Page 18]

	<p>For additional policies relating to the treatment of slopes, see Chapter 5, Land Use, Policy LU-1.7, Development on Slopes; and Chapter 8, Environmental Resources Management, Protection of Soils on Slopes.</p>
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FGMP-8.12 Vegetation Removal

The County shall prohibit unnecessary removal of native trees on development sites prior to approval of development plans to control erosion, preserve wildlife habitat, and maintain the natural character of developing areas. [FGMP; Environmental Protection; Goal 8; Policy 8-12] [FGMP (1981); Page 18]

FGMP-8.13 Use of Native Landscaping

The County shall encourage developers to use landscaping plant materials that are compatible with the surrounding native foothill vegetation. [Existing policy 9.H.14]

FGMP-8.14 Identification of Wildlife

Where special status species have been identified, the County shall protect their habitat against encroachment by development. [Existing policy 9.H.15]

FGMP-8.15 Development in Chaparral

The County shall restrict development in chaparral since these areas present extreme wildland fire potential. [Existing policy 9.H.16]

FGMP-8.16 Proximity to Transportation

The County shall encourage the concentration of development along major travel routes to allow for future public transportation services and minimize travel distances to frequently used facilities.

FGMP-8.17 Reduce Vehicle Emissions

The County shall discourage the scattering of development throughout the foothills to reduce vehicular emissions by decreasing home to destination distances. [Existing policy 9.H.18]

FGMP-8.18 Maintenance of Scenic Vistas

The County shall ensure that hilltop development is designed to preserve the skyline and maintain an unobstructed scenic panorama of the foothills for residents and visitors to enjoy. [Existing policy 9.H.19]

FGMP-8.19 Preservation of Unique Features

The County shall encourage maintenance and protection of unique open space areas such as riparian woodlands, oak groves, interesting rock formations, and scenic vistas, shall be encouraged. [FGMP (1981); Page 15]

3.9 Water and Sewer Facilities

FGMP-9

To ensure that water and sewer facilities are constructed in a manner that protects the public health and safety and that the disposal of wastewater is done in a manner that does not degrade ground and/or surface waters. [FGMP; Water and Sewer Facilities; Goal 9] [FGMP (1981); Page 19]

FGMP-9.1 Infrastructure Capacity

In reference to water needs (domestic and fire fighting) and wastewater generation, the County shall not allow new development to exceed the maximum physical holding capacity (based on water availability and soils) of the parcel in question. [FGMP; New Development; Goal 3; Policy 3-4] [FGMP (1981); Page 13]

FGMP-9.2 Provision of Adequate Infrastructure

The County shall require evidence, prior to project approval, which (1) describes a safe and reliable method of wastewater treatment and disposal; and (2) substantiates an adequate water supply for domestic and fire protection purposes. [FGMP; Water and Sewer Facilities; Goal 9; Policy 9-1] [FGMP (1981); Page 19]

FGMP-9.3 Maintenance of Infrastructure

The County shall delegate the maintenance and operation of water and/or wastewater treatment facilities by a responsible entity, which shall be established prior to approval of the final subdivision map. [FGMP; Water and Sewer Facilities; Goal 9; Policy 9-2] [FGMP (1981); Page 19]

FGMP-9.4 Soil Conditions and Development Density

Based on existing soil conditions, types of land uses, effluent yield per land use, and the density of the proposed project, the County shall work with the Regional Water Quality Control Board and the Tulare County Health and Human Services Agency to review the adequacy of wastewater disposal areas. [FGMP; Water and Sewer Facilities; Goal 9; Policy 9-3] [FGMP (1981); Page 19]

FGMP-9.5 Alternate Sewage Disposal

The County may allow unconventional methods of disposing of sewage effluent, provided the system meets the performance standards of the Water Quality Control Board and the Tulare County Health and Human Services Agency. Such systems may include common leach field, soil absorption mounds, aerobic septic tanks, or evapotranspiration systems. [FGMP; Water and Sewer Facilities; Goal 9; Policy 9-4] [FGMP (1981); Page 19]

3.10 Public Services

FGMP-10 To accommodate development in the foothills that is serviceable by the various public agencies in a manner that does not become an economic burden on the County. [FGMP; Public Services; Goal 10] [FGMP (1981); Page 20]

FGMP-10.1 Compliance with Planning Policies

To provide for the integration of efficient road systems, existing community values, infrastructural improvements, and open space patterns, the County shall encourage development projects within a definable geographic area of a development corridor to comply with a common development or specific plan designed for that area. [FGMP; New Development; Goal 3; Policy 3-8] [FGMP (1981); Page 14]

FGMP-10.2 Provision of Safety Services

The County shall ensure that development is located in areas of the foothills that can be adequately served by existing Tulare County fire stations and the Sheriff's Department. [FGMP; Public Services; Goal 10; Policy 10-1] [FGMP (1981); Page 20]

FGMP-10.3 Fire and Crime Protection Plan

The County shall require that fire and crime protection plan considerations, including financing, be incorporated into all proposed developments to ensure adequate emergency services are available and able to serve new development. [FGMP; Public Services; Goal 10; Policy 10-2] [FGMP (1981); Page 20]

FGM-10.4 Financing Plan

Where a specific plan is to be prepared for a sub-area of a development corridor, the County shall require a financing plan for the installation,

operation, and ongoing maintenance of infrastructure resources to support growth in the specific plan area. The plan shall demonstrate no net cost to the County. [FGMP; Public Services; Goal 10; Policy 10-3] [FGMP (1981); Page 20]

3.11 Acronyms

FGMP	Foothill Growth Management Plan
GPA	General Plan Amendment
RVLP	Rural Valley Lands Plan
UDB(s)	Urban Development Boundary(ies)

3. Foothill Growth Management Plan

Implementation Measures

The following table documents the implementation measures included with the General Plan to implement the goals and policies included in this element.

Implementation	Implements What Policy	Who is Responsible	Timeframe			
			2007-2010	2010-2015	2015-2030	On-Going
1. The County shall concentrate rural and urban development in the development corridors. <i>[Existing FGMP Implementation Measure, Page 35] [FGMP, 1981]</i>	FGMP-1.3	RMA				■
2. The County shall amend the Tulare County's Improvement Standards to reflect changes in foothill, street and grading standards. <i>[Existing FGMP Implementation Measure, Page 23] [FGMP, 1981]</i>	FGMP-1.4	RMA		■		
3. The County shall require a grading and slope stabilization plan for that portion of the development exceeding slopes of greater than 15 percent. <i>[Existing FGMP Implementation Measure, Page 33] [FGMP, 1981]</i>	FGMP-1.4	RMA				■
4. The County shall require information in the site plan review process to delineate slopes 30 percent or greater on the development site. Review of the proposal by the Committee will prescribe a project design that will maintain 30 percent slopes generally free of improvements, unless the problems associated with steep slopes are sufficiently mitigated. <i>[Existing FGMP Implementation Measure, Page 33] [FGMP, 1981]</i>	FGMP-1.4	RMA				■
5. The County shall appoint a committee or interested community residents when the Board of Supervisors determines a specific plan is necessary for an identifiable community area. <i>[Existing FGMP Implementation Measure, Page 23] [FGMP, 1981]</i>	FGMP-1.6	RMA				■
6. The County shall use the Site Plan Review Committee to ensure that the new development adjacent to scenic highways and roads meets the requirements set forth in the development standards. <i>[Existing FGMP Implementation Measure, Page 30] [FGMP, 1981]</i>	FGMP-1.6	RMA				■
7. The Site Plan Review Committee shall review the consistency of the project with the location, type of design criteria of the County's policies. Should the project not meet the County's policies, findings to that effect shall be forwarded to the appropriate decision-making body. <i>[Existing FGMP Implementation Measure, Page 26] [FGMP, 1981]</i>	FGMP-1.8 FGMP-1.9	RMA				
8. Substantial improvement or expansion to commercial uses not located in Three Rivers, Springville, and Lemon Cove shall conform to the development standards contained in the FGMP. <i>[Existing FGMP Implementation Measure, Page 22] [FGMP, 1981]</i>	FGMP-1.14					

Tulare County General Plan

Implementation	Implements What Policy	Who is Responsible	Timeframe			On-Going
			2007-2010	2010-2015	2015-2030	
9. The County shall ensure that the land use and circulation plan for a development corridor will limit retail commercial development designations outside Three Rivers, Springville, and Lemon Cove. <i>[Existing FGMP Implementation Measure, Page 22] [FGMP, 1981]</i>	FGMP-2.1	RMA				■
10. The County shall apply appropriate zoning within the Badger Development Corridor which would establish a 5-acre minimum parcel size. <i>[New FGMP Implementation Measure]</i>	FGMP-3.1 FGMP-3.2	RMA				
11. The County shall initiate changes in this FGMP specifically for the Badger Development Corridor to accommodate uses of property and densities not presently reflected in this FGMP, so long as specific plans for development and densities have been prepared and are available for review at the time the Commission initiates consideration of the plan change. <i>[New FGMP Implementation Measure]</i>	FGMP-3.1 FGMP-3.2	RMA				
12. The County shall assure that the Tulare County Zoning Ordinance contains agricultural zones that will protect and enhance the viability of the foothill agriculture through the provision of adequate minimum parcel sizes. <i>[FGMP; Agricultural Lands; Goal 5; Policy 5-2] [FGMP (1981); Page 15]</i>	FGMP-3.1 FGMP-3.2 FGMP-6.1	RMA				
13. The County shall ensure that the design of subdivisions is reviewed by the Site Plan Review Committee to assure the visual impact to the foothills is minimal. <i>[Existing FGMP Implementation Measure, Page 35] [FGMP, 1981]</i>	FGMP-4.1	RMA				■
14. The County shall promote the use of cluster development, greater setback distances, landscaping, and innovative lot design to protect scenic corridors within the County. Provisions for the use of these tools shall be incorporated into the County's land development ordinances. <i>[Existing FGMP Implementation Measure, Page 30] [FGMP, 1981]</i>	FGMP-4.1	RMA				■
15. Those environmentally or archaeologically sensitive areas on a project site which are to remain in common open space will most likely be fenced and posted against unauthorized encroachment. <i>[Existing FGMP Implementation Measure, Page 28] [FGMP, 1981]</i>	FGMP-5.3	RMA				
16. The County shall explore the options for voluntary Williamson Contract cancellation on lands that are within a development corridor and under a Planned Development-Foothill Zone. <i>[Existing FGMP Implementation Measure, Page 27] [FGMP, 1981]</i>	FGMP-6.1	RMA	■			
17. The County shall amend the Tulare County Zoning Ordinance to add a zone that protects and maintains extensive agriculture. This zone	FGMP-6.1	RMA	■			

3. Foothill Growth Management Plan

Implementation	Implements What Policy	Who is Responsible	Timeframe			On- Going
			2007- 2010	2010- 2015	2015- 2030	
shall ensure that the minimum parcel size is adequate to protect foothill grazing. The zone shall also be flexible enough to allow for intensive agricultural uses to be divided from larger extensive agricultural uses. <i>[Existing FGMP Implementation Measure, Page 29] [FGMP, 1981]</i>						
18. The County shall identify and rezone extensive and intensive agricultural areas, as identified by the FGMP through the use of large lot exclusive agricultural zoning to reduce encroachment of non-agricultural uses. <i>[Existing FGMP Implementation Measure, Page 29] [FGMP, 1981]</i>	FGMP-6.1	RMA				■
19. The County may require agricultural lands that are in a development corridor and the Planned Development-Foothill Zone to remain in agricultural use, if, under the site plan review process, an inadequate amount of water or improper soils for waste water disposal exists. <i>[Existing FGMP Implementation Measure, Page 29] [FGMP, 1981]</i>	FGMP-6.1	RMA				■
20. The County shall promote the use of cluster development, greater setback distances, landscaping, and innovative lot design to protect scenic corridors within the County. Provisions for the use of these tools shall be incorporated into the County’s land development ordinances. <i>[Existing FGMP Implementation Measure, Page 30] [FGMP, 1981]</i>	FGMP-7.1	RMA				■
21. The County shall amend the Zoning Ordinance to include a Planned Development-Foothill Zone, which will be applied to properties in a development corridor, which are suited for development. <i>[Existing FGMP Implementation Measure, Page 23] [FGMP, 1981]</i>	FGMP-7.1 FGMP-7.2 FGMP-7.3 FGMP-7.4 FGMP-7.5	RMA	■			
22. The County shall zone the two areas within Success Valley, which are designated “Planned Development-Foothill” on the Land Use/Circulation Plan for the Tule River Corridor to a classification, which prohibits any residential densities greater than one unit per five acres. <i>[Existing FGMP Implementation Measure, Page 29] [FGMP, 1981]</i>	FGMP-7.1 FGMP-9.6	RMA		■		
23. An archeological sensitivity map has been prepared for Tulare County by the Anthropology Department, California State University Fresno. This map is for general use to determine areas of the foothills that have the potential of encompassing archaeological sites. If a project is within a sensitive area, a more thorough on-site investigation by a qualified archaeologist should be undertaken. <i>[Existing FGMP Implementation Measure, Page 31] [FGMP, 1981]</i>	FGMP-8.1 FGMP-8.2 FGMP-8.3	RMA	■			

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Implementation	Implements What Policy	Who is Responsible	Timeframe			On- Going
			2007- 2010	2010- 2015	2015- 2030	
24. The County shall ensure environmentally sensitive and riparian areas within development corridors are designated as open space on the County's Land Use Diagram. <i>[Existing FGMP Implementation Measure, Page 31] [FGMP, 1981]</i>	FGMP-9.1	RMA				■
25. Drainage plans shall be required for all projects within the "Planned Development-Foothill" areas of Frazier Valley. The Site Plan Review Committee shall not approve any project within Frazier Valley until the Resource Management Agency has reviewed said drainage plan and certified that the proposed drainage facilities will prohibit any additional storm water discharge from the project that would aggravate downstream flooding problems. <i>[Existing FGMP Implementation Measure, Page 32] [FGMP, 1981]</i>	FGMP-9.6	RMA				
26. The developer will be required to phase road construction to correspond with the phases of the development proposal. <i>[Existing FGMP Implementation Measure, Page 33] [FGMP, 1981]</i>	FGMP-9.7	RMA				
27. The County shall review landscaping plans through the site plan review process to ensure that areas to be landscaped are compatible with surrounding native vegetation. <i>[Existing FGMP Implementation Measure, Page 34] [FGMP, 1981]</i>	FGMP-9.14	RMA				
28. The Tulare County Health and Human Services Agency and the Fire Department shall determine the minimum water requirement for projects to ensure that the magnitude of the project does not exceed the amount of water available to the subject site. <i>[Existing FGMP Implementation Measure, Page 25] [FGMP, 1981]</i>	FGMP-10.1 FGMP-10.2	RMA				■
29. The County shall appoint a registered civil engineer or sanitarian along with a representative of the Tulare County Health Department to ensure that the magnitude of proposed projects do not exceed the physical holding capacity of the on-site soils to accept the estimated waste effluent. <i>[Existing FGMP Implementation Measure, Page 25] [FGMP, 1981]</i>	FGMP-10.1 FGMP-10.2	RMA				■
30. The County shall require submission of a drainage plan with development projects in conjunction with the site plan review. <i>[Existing FGMP Implementation Measure, Page 31] [FGMP, 1981]</i>	FGMP-10.1 FGMP-10.2	RMA				■
31. The County shall require a properly designed wastewater disposal system to prevent surface or groundwater contamination and a drainage plan which minimizes sedimentation and/or contamination of the lake environment are engineering measures capable of meeting the intent of this policy. Should there be some question regarding the reliability of the engineered systems, the Site Plan Review Committee shall condition the project to	FGMP-10.1 FGMP-10.2 FGMP-10.5	RMA				■

3. Foothill Growth Management Plan

Implementation	Implements What Policy	Who is Responsible	Timeframe			On- Going
			2007- 2010	2010- 2015	2015- 2030	
provide an adequate separation between the body of water and the development site. <i>[Existing FGMP Implementation Measure, Page 32] [FGMP, 1981]</i>						
32. The County shall ensure that unconventional disposal methods will be reviewed by the Tulare County Health and Human Services Agency to ensure that the standards of the Water Quality Control Board are met. <i>[Existing FGMP Implementation Measure, Page 32] [FGMP, 1981]</i>	FGMP-10.5	RMA				■
33. The County shall work with landowners and developers to promote coordinated master plans for multiple purposes. <i>[Existing FGMP Implementation Measure, Page 27] [FGMP, 1981]</i>	FGMP-11.1	RMA				■
34. The Planning Commission and the Board of Supervisors shall consider the financing plan during their review and consideration of the specific plan. The financing plan shall be used as a basis for establishing programs and standards within the specific plan which mitigate or avoid the adverse fiscal impact of development upon local public service agencies and County agencies. <i>[Existing FGMP Implementation Measure, Page 37] [FGMP, 1981]</i>	FGMP-11.4	RMA				

FGMP Appendix – Development Standards

The following conditions and standards shall be met by the new development.

- a. New development within established development corridors shall be located within a 15-minute attack time of a County fire station. However, this standard shall not apply to the Badger Development Corridor, where attack times may exceed 15 minutes. This limited exception is justified based upon established residential density limitations and unique fire protection service facilities and capabilities existing in the Badger area. [*General Plan Amendment (GPA) 83-03, 5/17/83*],
- b. Water for fire protection shall be available in sufficient quantity and pressure to serve the project in question,
- c. Fire retardant roofing materials shall be used in new foothill developments,
- d. Fire resistive construction elements shall be incorporated into stilt or cantilevered construction buildings,
- e. Street house numbers shall be clearly visible from the main traveled roadway,
- f. Sufficient clearance of flammable vegetation around buildings shall be maintained,
- g. Fuel breaks and greenbelts shall be used to protect both developing areas and adjacent wildlands,
- h. Where possible, take maximum advantage of planned or existing parks, golf courses, tennis courts, or other recreational areas to provide for a buffer zone between development and the wildland,
- i. Road systems, either public or private, shall provide for a safe evacuation of residents and adequate access for fire and other emergency equipment,
- j. Bridges shall have a minimum load limit of 40,000 lbs. (20 tons), and
- k. A fire protection plan shall be submitted on all new developments.



Chapter 4. Mountain Framework Plan

This chapter sets out area plan policies for the Sierra Nevada region. While many of the goals and policies of the Part I of the General Plan are applicable to all regions, the policies contained in this chapter are specific to the County's mountain areas.

Mountain Framework Plan

The Mountain Framework Plan chapter provides policy guidance in the unincorporated mountain area on the eastern side of the County (Figure 4-1). This area includes all land located east of the foothills, which generally coincides with the westerly boundary of federal lands (Figure 4-1). This includes lands under the jurisdiction of the National Park Service (Sequoia National Park), the U.S. Forest Service (USFS) (Sequoia National Forest and Giant Sequoia National Monument), and the Bureau of Land Management (BLM). The County has never adopted an overall plan for the mountain area. The private lands in this region amount to about 40,000 acres identified in the following seven separate geographical locations or "sub-areas:"

- Kennedy Meadows (1986)
- Great Western Divide - North ½ (1990)
- Great Western Divide - South ½ (unadopted)
- Redwood Mountain (unadopted)
- Posey (unadopted)
- Upper Balch Park (unadopted)
- South Sierra (unadopted)

Of the seven sub-areas identified above, only the Kennedy Meadows and Great Western Divide (North ½) Sub-areas have adopted plans. These two plans use unique land use designations that provide for the future growth of each sub-area. These two plans collectively cover about 50 percent of the privately held land in the mountain area.

4.1 Mountain Framework Plan Policies

M-1

To provide for a balanced and orderly land use pattern within the County's mountain area and within individual places consistent with the mountain-forest setting and environment of the region. [New Goal]

M-1.1 Sub-area Plans

The County shall prepare, adopt, and maintain land use plans for the following sub-areas within the Mountain Framework Plan:

- Kennedy Meadows
- Great Western Divide - North ½
- Great Western Divide - South ½
- Redwood Mountain
- Posey
- Upper Balch Park
- South Sierra.


The County shall develop and adopt a land use plan for each Sub-area specifying desired densities and land use categories (as defined in the land use element of the General Plan), defining suitable areas for a full range of urban and suburban development, and recognizing the short and long term ability for the County to provide necessary services to each community. These sub-area plans should be reviewed and updated as necessary every five years. [Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Public Lands, Goal B, Policy 5][New Policy]

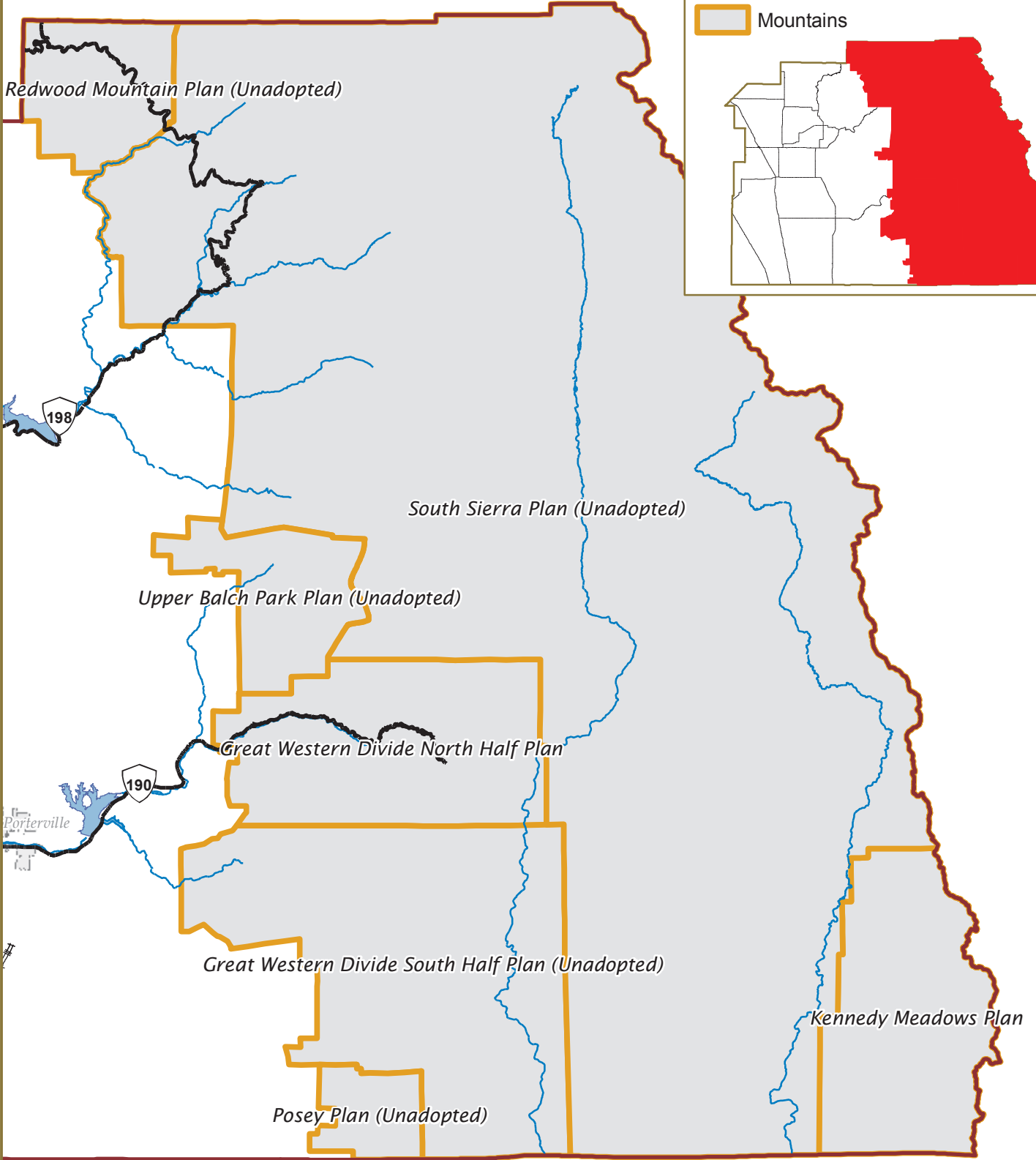
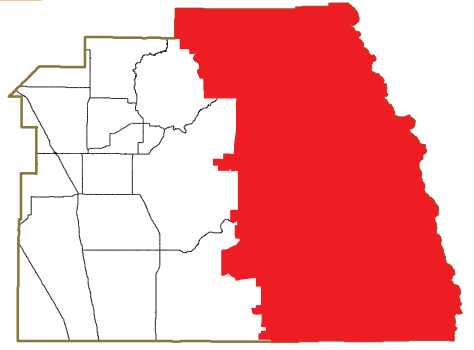
M-1.2 Plan Guidance

Given the environmental sensitivities and lack of infrastructure in the mountains, as necessary, the County shall allow only limited residential,

Legend

 Cities

 Mountains



commercial, and industrial growth in this area. New residential development in the area shall:

- Not be located on a ridgeline or otherwise disrupt the visual setting of the area,
- Be located on or near existing roadways, but not visible from the roadway where lot configurations allow, and

Be clustered whenever possible to minimize the footprint of development. [*New Policy*].

M-1.3 Mountain Area Zoning

Until such time as a sub-area plan is adopted for each of the areas, the County shall rezone all lands to reflect existing land uses that are consistent with the policies of this Mountain Framework Plan chapter. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 2*] [Can this be done?]

M-1.4 Citizens Advisory Group

The County shall establish a citizen's advisory committee, comprised of representatives from affected areas, appointed by the Board of Supervisors, to review and comment on each draft sub-area plan in the Mountain Framework Plan. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 3*]

M-1.5 Mountain Service Areas

Until such time as a Mountain Framework Plan sub-area plan is adopted, the County shall maintain in-holdings and remote properties outside of Mountain Service Centers as resource management uses. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 10*]

M-1.6 Mountain Service Areas

The County shall ensure that the land use plan for each Mountain Framework Plan sub-area establishes areas for resource conservation on properties which exhibit one or more of the following criteria:

- The land is subject to agricultural preserve contract,
- Land that exhibits characteristics which makes it unsuitable for intense development including but not limited to steep slopes (generally 30% or greater), soils poorly suited

to intense road, riparian, and wetland habitats and/other development construction,

- Land that is isolated and surrounded by federal lands, and
- Forested private land with approved Timber Harvesting Plan. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 12*]

M-1.7 Mountain Service Centers

The County shall designate areas identified in sub-area plans for development as Mountain service centers. Mountain service centers shall be located in existing developed communities or in areas adjacent to existing communities provided they meet the following criteria:

- The general area has a concentration of developed smaller parcels already existing,
- Topography consists of natural slopes that average less than 30%,
- Dependable domestic water supply is available or can be made available,
- Soils are suitable for individual sewage disposal system or served sewer system, and
- The area has existing developed publicly-maintained roads. [*New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)*]

M-1.8 Existing Mountain Service Centers

The County shall designate the following communities as mountain service centers: California Hot Springs/Pine Flat, Johnsondale, Fairview, Hart and, Posey/Idlewild, Sugarloaf Park, Sugarloaf Mountain Park, Sugarloaf Village, McClenney Tract, Balance Rock, Poso Park, Mineral King, Silver City, Blue Ridge, Ponderosa, Camp Nelson, Pine Flat, Balch Park, Coffee Camp, Wishon, Wilsonia, and Panorama Park. [*New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)*]

M-1.9 Agricultural Preserves

The County shall designate lands within mountain service centers that are within agricultural preserves or Williamson Act Contracts as Resource Conservation in order to maintain consistency with the requirements of the Williamson Act or preserve. When a preserve is disestablished it should be

immediately considered for a nonagricultural designation appropriate for the area. [New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)]

M-1.10 Mix of Uses

The County shall include, within a designated mountain service area, a mix of land uses, that reflect the individual housing, business, open space, recreation and other types of public and private development needs of new or updated sub-area plans. [New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)]

M-1.11 Resource Conservation Criteria

The County shall require that lands identified in mountain sub-areas be designated as Resource Conservation when the one or more of the following factors are present:

- Land is subject to agricultural preserve contract, Timber Production Zone (TPZ) or has an approved Timber Harvesting Plan,
- Land exhibits physical characteristics which makes it unsuitable for intense development such as steep slopes (generally 30% or greater slope) and soils are poorly suited to intense road and other development construction,
- Lands isolated and surrounded by federal lands,
- Lack of access, and/or
- Services cannot be reasonably provided to the area.

Resource Conservation areas are also intended to apply to areas that would not be used for development purposes and should be reserved for extensive agricultural uses, watershed protection and other open space and resource conservation purposes. [New Policy]

M-1.12 Resource Conservation Uses

The County shall allow a variety of open space and resource management uses, with the approval of a special use permit, on lands designated Resource Conservation, including growing and harvesting of timber, livestock grazing, game preserves and recreational uses such as outdoor educational activities, public and private hunting and fishing

clubs, guest ranches, camp grounds and summer camps. Other special uses include: mineral exploration and mining, commercial energy resource development, public utility transmission stations and other similar uses. [New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)]

M-1.13 Mountain Residential

The County shall ensure that mountain residential areas that are identified in the sub-area plan as unique and environmentally-sensitive are preserved and protected by limiting the potential land use and land division opportunities. [New Policy]

M-1.14 Minimum Parcel Sizes

The County shall evaluate proposals for projects with minimum parcel sizes smaller than the allowed minimum based on a detailed evaluation of the property, such as the availability of water, on-site soil types and other physical site-specific characteristics which may have a bearing on the project. [New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)]

M-1.15 Commercial Services

The County shall encourage retail and recreation-oriented commercial uses that provide for low intensity service related uses that serve the needs of both local residents and visitors in the Mountain Area. [New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)]

M-1.16 Outlying Commercial Uses

The County shall review developments for general and recreation commercial uses planned outside of a mountain service center only if the physical characteristics of the site do not prohibit development, the site has direct access to a publicly maintained road adequate to serve the proposed development, the property can be developed without adversely impacting surrounding environmental features, and the property can be developed without conflict of use with existing development or adjacent parcels. [New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)]

M-1.17 Commercial Design Review

The County shall require for all proposals, including expansions of minor retail uses and more intense commercial uses, site plan/design review. More intense commercial uses will also be required to obtain the approval of a special use permit. [*New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)*]

M-1.18 Low Intensity Recreation Uses

The County shall designate areas suitable for low intensity recreation commercial uses such as campgrounds, cross country skiing facilities, hiking or pack stations, etc. in the sub-area plans away from major publicly maintained roads provided the site or characteristics of the use justify a location away from a publicly maintained road. [*New Policy, based on information contained in the Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4)*]

M-1.19 USFS Support

The County shall continue to support federal agencies in the management of USFS lands for multiple uses (i.e., wildlife habitat, watershed management, timber harvesting, range land, wilderness recreational pursuits). [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Public Lands, Goal A, Policy 1*]

M-1.20 Adjacent Federal Use Compatibility

The County shall ensure that the use of private lands adjacent to and within Sequoia National Park, Sequoia National Forest, BLM, State Home Forest, and Tule River Indian Reservation are compatible with existing and planned land uses designated by said agencies. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Public Lands, Goal A, Policy 2*]

M-1.21 Federal Process Streamlining

The County shall support efforts to streamline and shorten the federal land exchange procedures in the mountains to ensure mutually beneficial consolidations are more attractive. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Public Lands, Goal B, Policy 1*]

M-1.22 Federal Real Estate Consolidation

The County shall support federal agency real estate consolidation efforts in the mountains provided the following results are accomplished:

- Better and more productive management of public lands,
- County is consulted and negative effects adequately mitigated,
- County revenues, including a long term 25% payment, are enhanced or where no harvesting takes place a per acre payment will be made to the County,
- Areas slated for disposal or exchanges are included in the County General Plan and classified as to probable use, and
- Land for land exchanges enhances the County. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Public Lands, Goal B, Policy 2*]

M-1.23 Federal and State Purchase Payment

The County shall support the California State Association of Counties continued efforts to ensure the federal and State agencies meet their statutory obligation to annually pay local agencies full in lieu fees for state and federal purchased properties in the mountains. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Public Lands, Goal B, Policy 3*] [Needed?]

M-1.24 Acquire Federal and State Lands

The County shall support legislation and land management policies to enable the County to acquire state and federal lands in the mountains for public purpose. [*Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Public Lands, Goal B, Policy 4*]

M-1.25 Low Density Areas

Privately-owned land adjacent to areas identified as mountain service centers shall be designated for low density residential uses. Factors to be analyzed when determining the location of low density uses includes the following:

- The property is not subject to agricultural preserve,
- The property is contiguous to existing urban development, and

- Urban service and infrastructure sufficient to serve a special development project that is either available or can be made available. [Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 5]

M-1.26 Recreation-Oriented Uses

The County shall ensure that general and recreation-oriented commercial uses are located in mountain service centers. General and recreational commercial uses (i.e., private guest ranches, campgrounds, RV parks) may be established outside mountain service centers if the property under consideration exhibits the following characteristics:

- The physical characteristic of the site do not prohibit development of the site,
- The property has direct access to a publicly maintained road adequate to serve the development,
- The property can be developed without adversely impacting surrounding environmental features, and
- The property can be developed without conflicts of use with existing development or adjacent parcels (per use permit findings). [Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 6]

M-1.27 Commercial Strips

The County shall discourage development of commercial strips along major roads. Grouping of commercial uses into compact well organized and accessible centers shall be encouraged within mountain service centers. [Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 7]

M-1.28 Mountain Service Areas

The County shall ensure that new commercial uses are compatible with adjacent areas through adequate design features, established County site plan/design review, and, as needed, special use permit procedures. [Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 8]

M-1.29 Privately-Owned Forest Lands

The County shall protect and maintain the County's privately-owned forest land by encouraging the state to implement existing policies or adopt new policies which accomplish the following:

- Provide new and innovative incentives that will encourage good management practices and timberland retention, and
- Require continued reforestation on private timberlands. [Mountain Framework Plan; Draft Goals and Policies; March 1995 (Draft #4); Land Use, Goal A, Policy 16]

4.2 Acronyms

BLM	Bureau of Land Management
TPZ	Timber Product Zone
USFS	U.S. Forest Service

4. Mountain Framework Plan

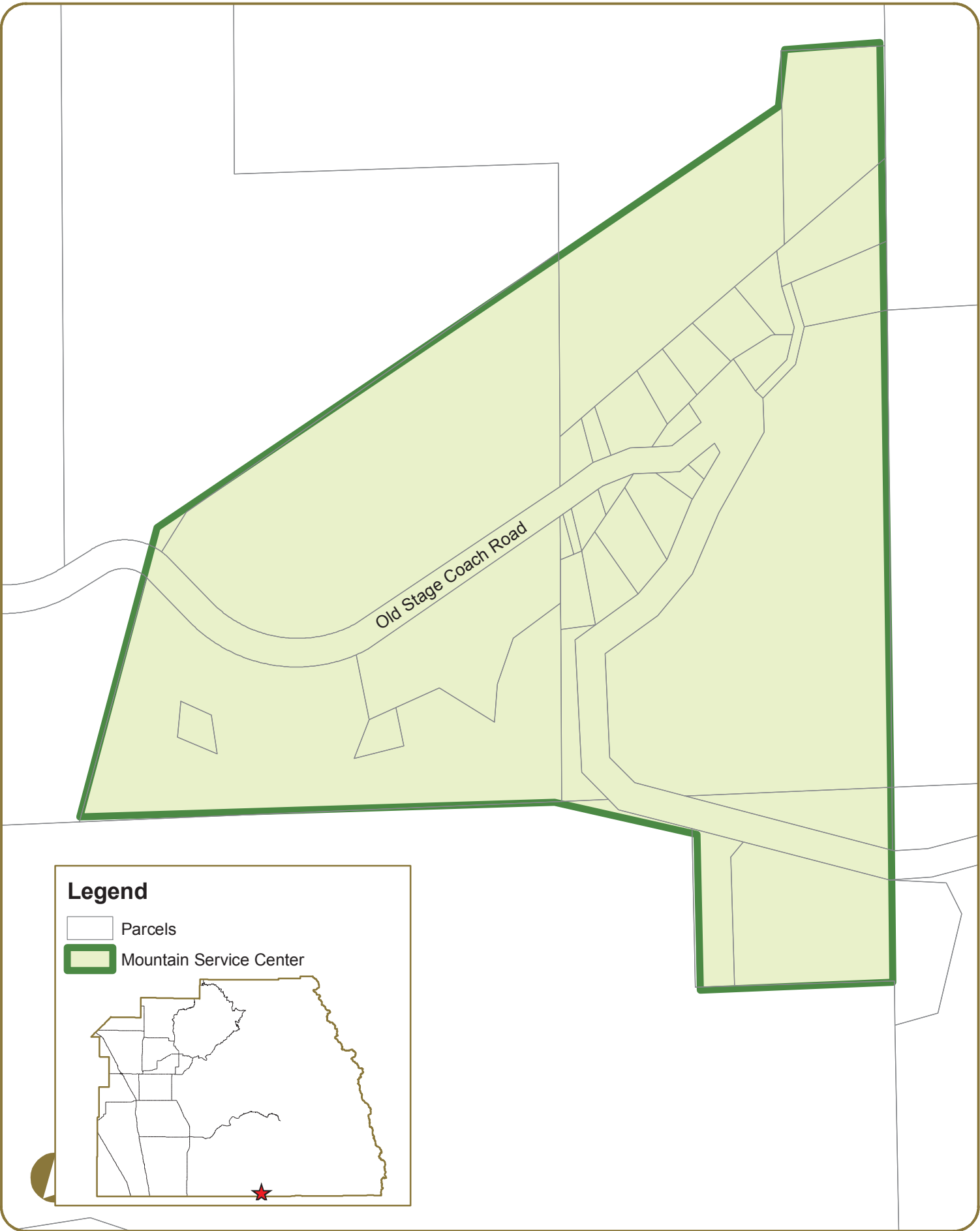
4.3 Implementation Measures

The following table documents the implementation measures included with the General Plan to implement the goals and policies included in the Mountains Area.

Implementation	Implements What Policy	Who is Responsible	Timeframe			
			2007-2010	2010-2015	2015-2030	On-Going
1. The County shall prepare, adopt, and maintain sub-area plans for the adopted areas within the Mountain Framework Plan. These plans shall be reviewed and updated as necessary every five years to ensure that appropriate land is designated and available for single and multiple family residential, commercial, recreation, and open space uses to meet the needs of existing and future residents and tourists. <i>[Existing Mountain Implementation Measure 10GWN.AI.1]</i>	M-1.1	RMA				■
2. The County shall establish appropriate zoning within the Mountain Framework Plan that more precisely reflects characteristics unique to the Mountains. <i>[Existing Mountain Implementation Measure 10KMA.AI.4]</i>	M-1.3	RMA		■		
3. The County shall establish large minimum parcel zoning similar to the County's Foothill Agricultural Zone, to protect those areas that exhibit characteristics suitable for grazing activities. <i>[Existing Mountain Implementation Measure 10KMA.EI.1]</i>	M-1.3	RMA		■		
4. The County shall adopt fencing standards consistent with those the State Department of Fish and Game recommends to permit deer movement: "Fences that have a high ground wire distance, 18" to 24" off the ground, or low top wire distance, 36" to 42", utilizing barbed-less wire on top or bottom wires (chain link fencing is extremely detrimental to deer movement)."	M-1.3	RMA		■		
5. The County shall require electric generators to be equipped with appropriate muffling devices and shall be housed or enclosed in a sound attenuating structure. <i>[Existing Mountain Implementation Measure 10KMA.EI.6]</i>	M-1.3	RMA	■			
6. The County shall establish appropriate conditions of approval in conjunction with those uses which are significant noise generators that establish standards for setbacks, hours of operation, landscaping and other types of buffers. <i>[Existing Mountain Implementation Measure 10KMA.EI.7]</i>	M-1.3	RMA	■			
7. The County shall amend the site plan review procedures as set forth in the Tulare County Zoning Ordinance to include "mountain area design review," which will be used to evaluate the architectural and aesthetic qualities of commercial, multiple family, and other high intensity land uses in the mountain environment. Design review considerations shall include but not necessarily be limited to the following:	M-1.3 M-1.17	RMA			■	

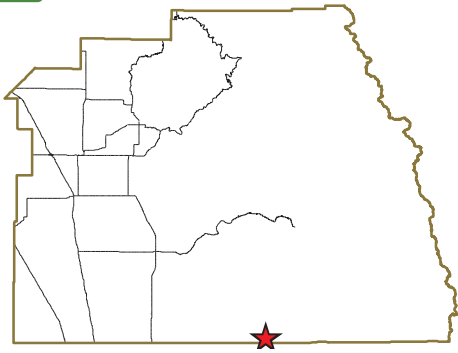
Tulare County General Plan

Implementation	Implements What Policy	Who is Responsible	Timeframe			
			2007- 2010	2010- 2015	2015- 2030	On- Going
<ul style="list-style-type: none"> ▪ Architectural, ▪ Exterior finishes (i.e., materials), ▪ Landscaping, and ▪ Aesthetic compatibility in the environment [Existing Mountain Implementation Measure 10GWN.AI.5] 						
<p>8. If the alternative methods for snow removal suggested by the proposed snow removal committee are beyond what is presently taking place, and determined to be appropriate by the Board of Supervisors, the Board of Supervisors shall take necessary steps to allow the property owners within the affected areas to have the opportunity to approve or deny the proposed alternative for their particular community. [Existing Mountain Implementation Measure 10GWN.GI.18]</p>	M-1.4	RMA	■			
<p>9. The County shall monitor the adequacy of the existing snow removal practices and, if appropriate, modify such practices to provide additional services to areas in need. [Existing Mountain Implementation Measure 10GWN.GI.19]</p>	M-1.4	RMA	■			

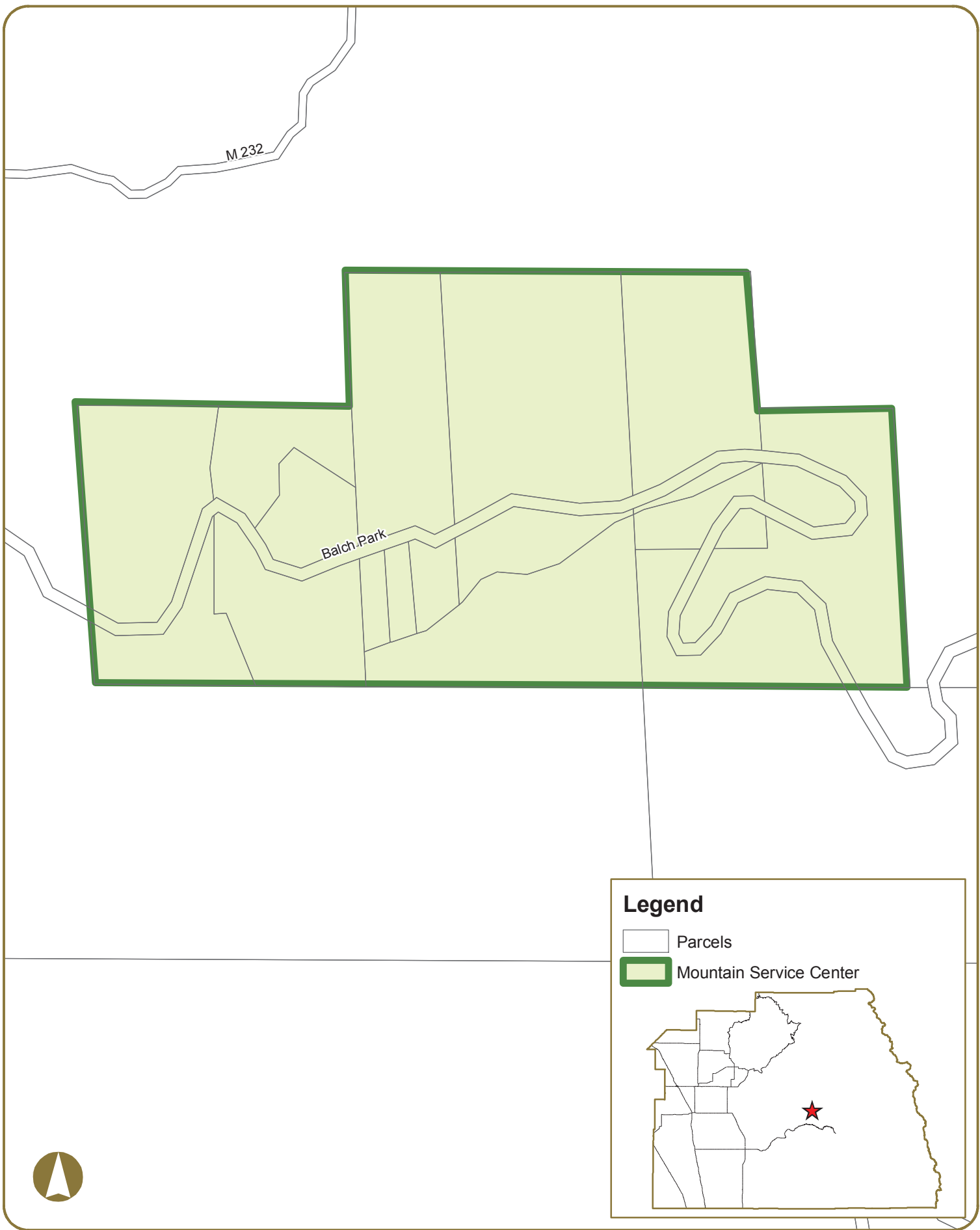


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- Mountain Service Center

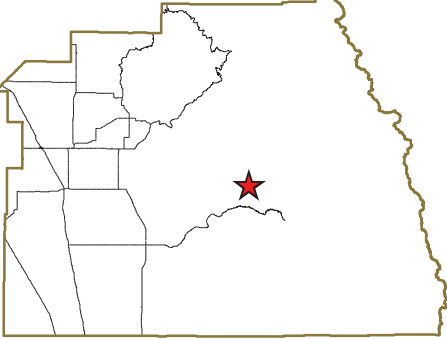


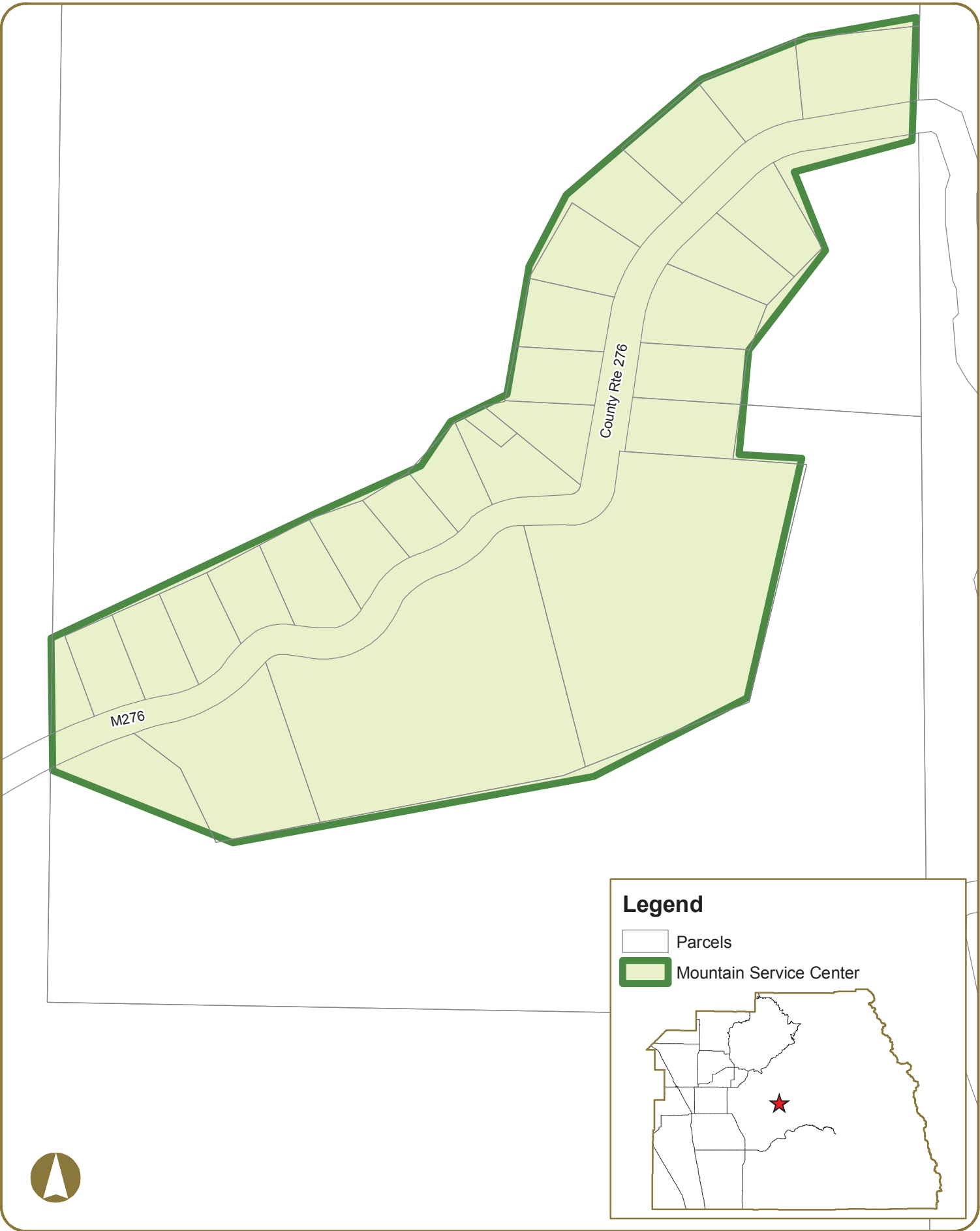
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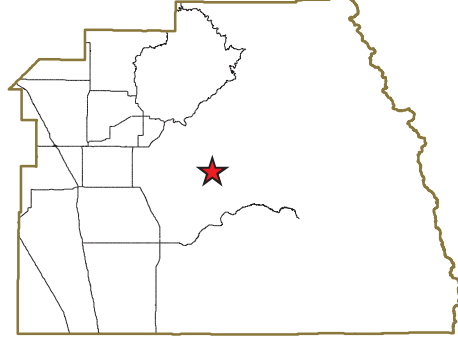
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-  Mountain Service Center



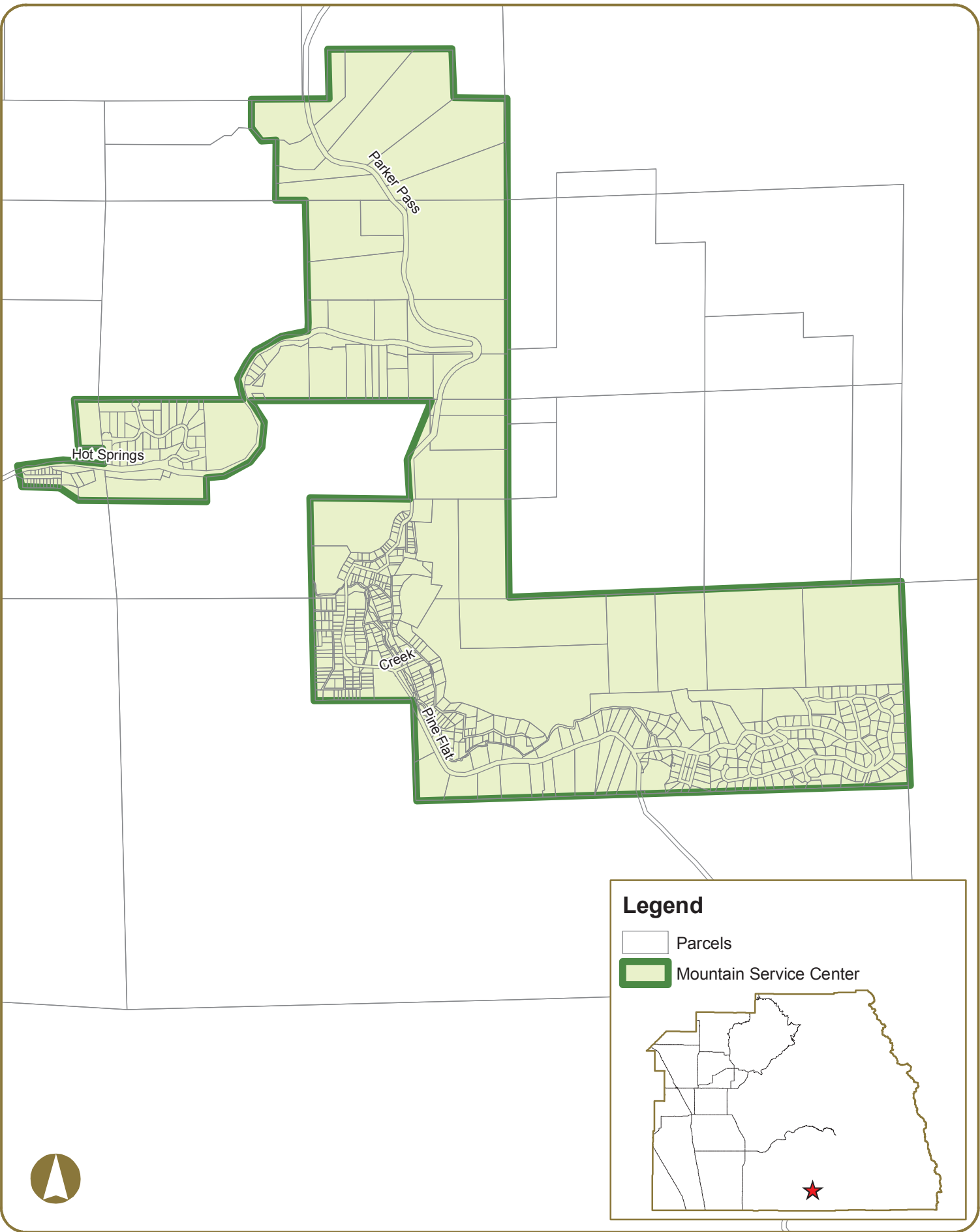


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- Parcels
- Mountain Service Center

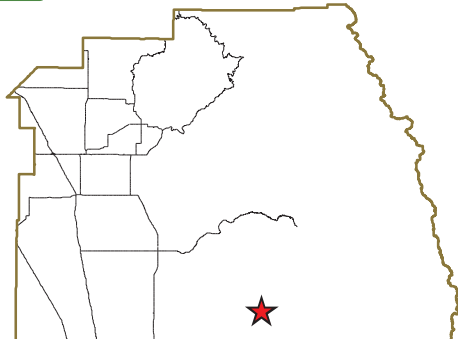


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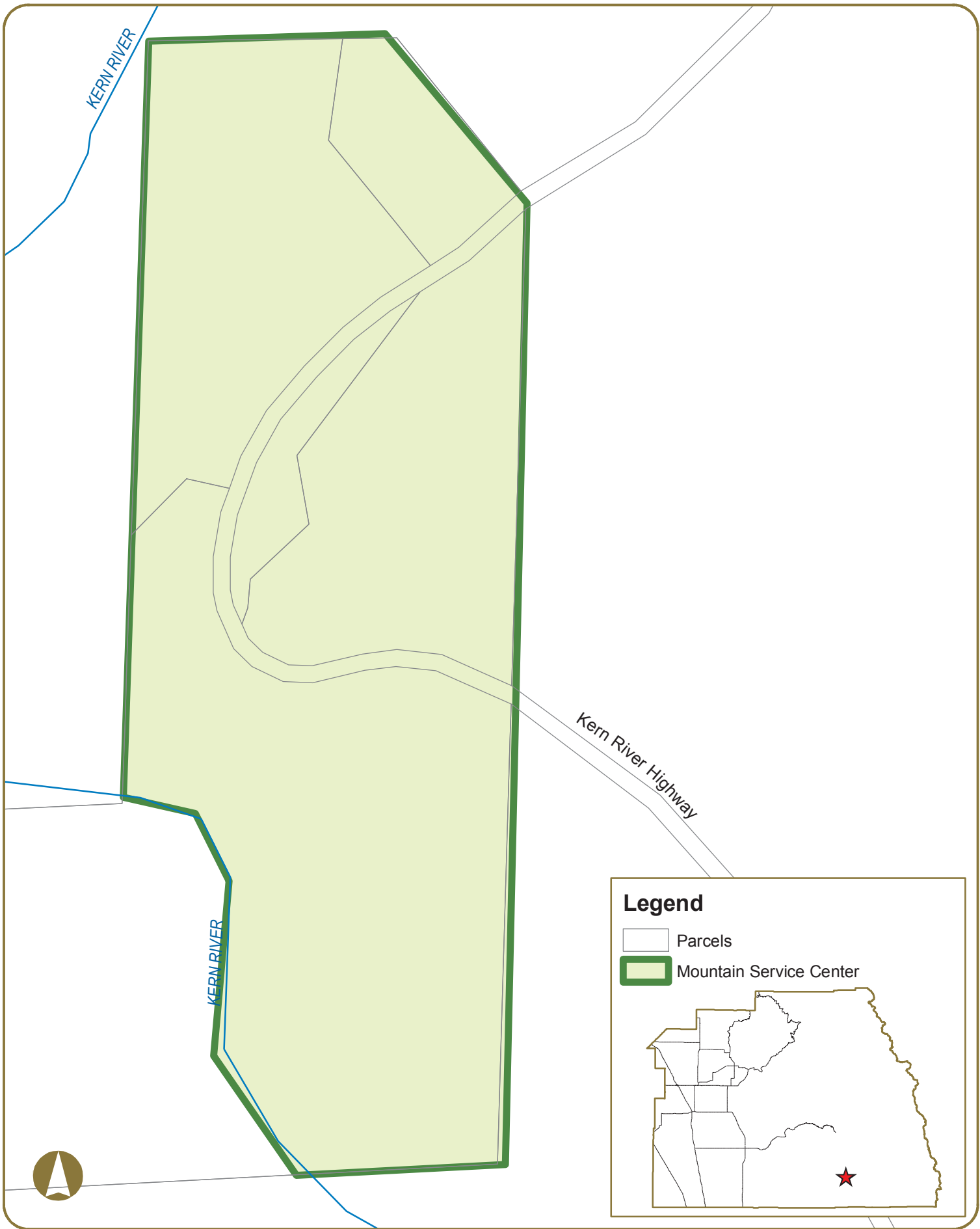


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-  Parcels
-  Mountain Service Center



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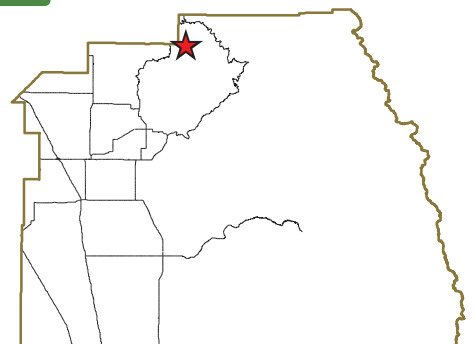
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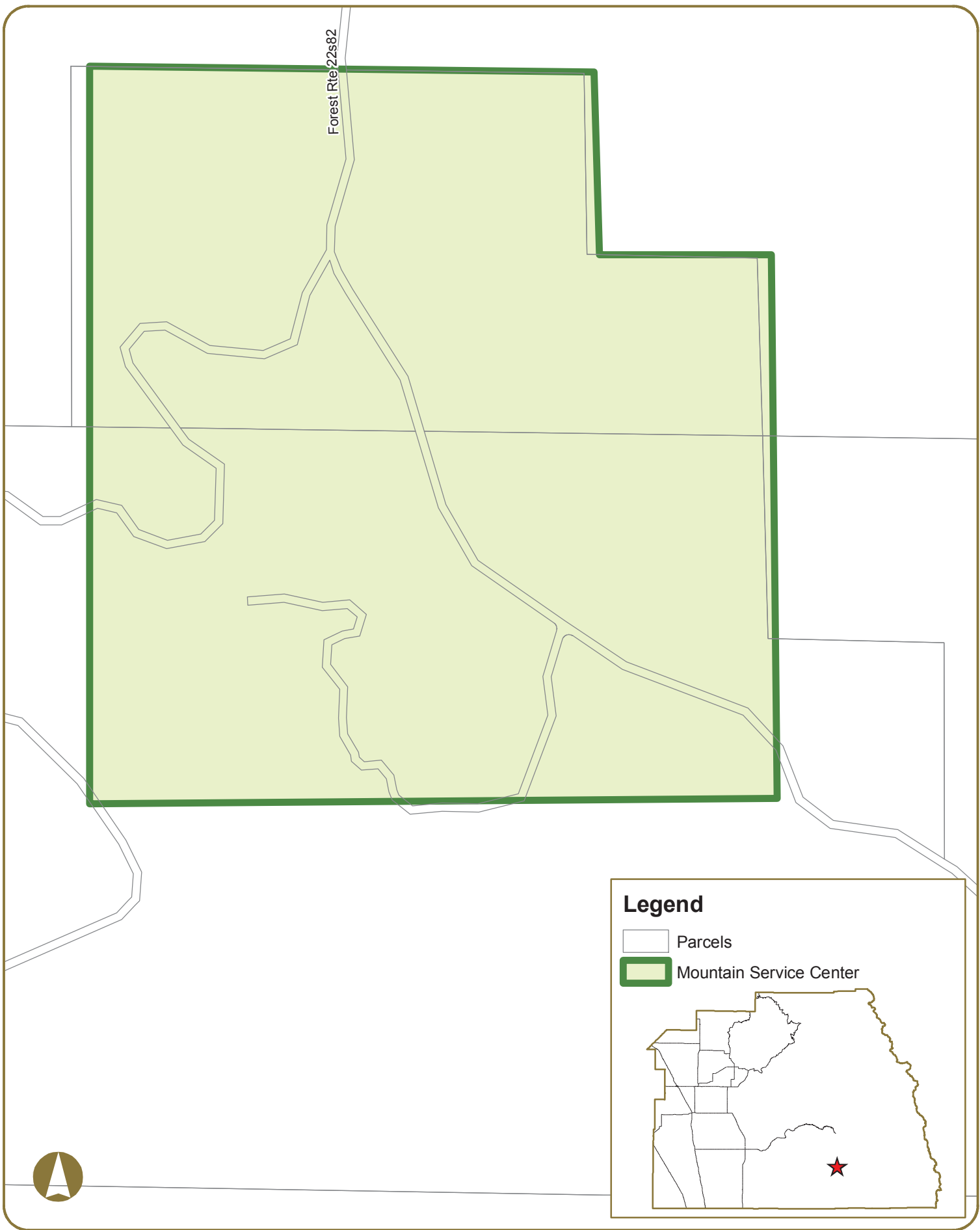
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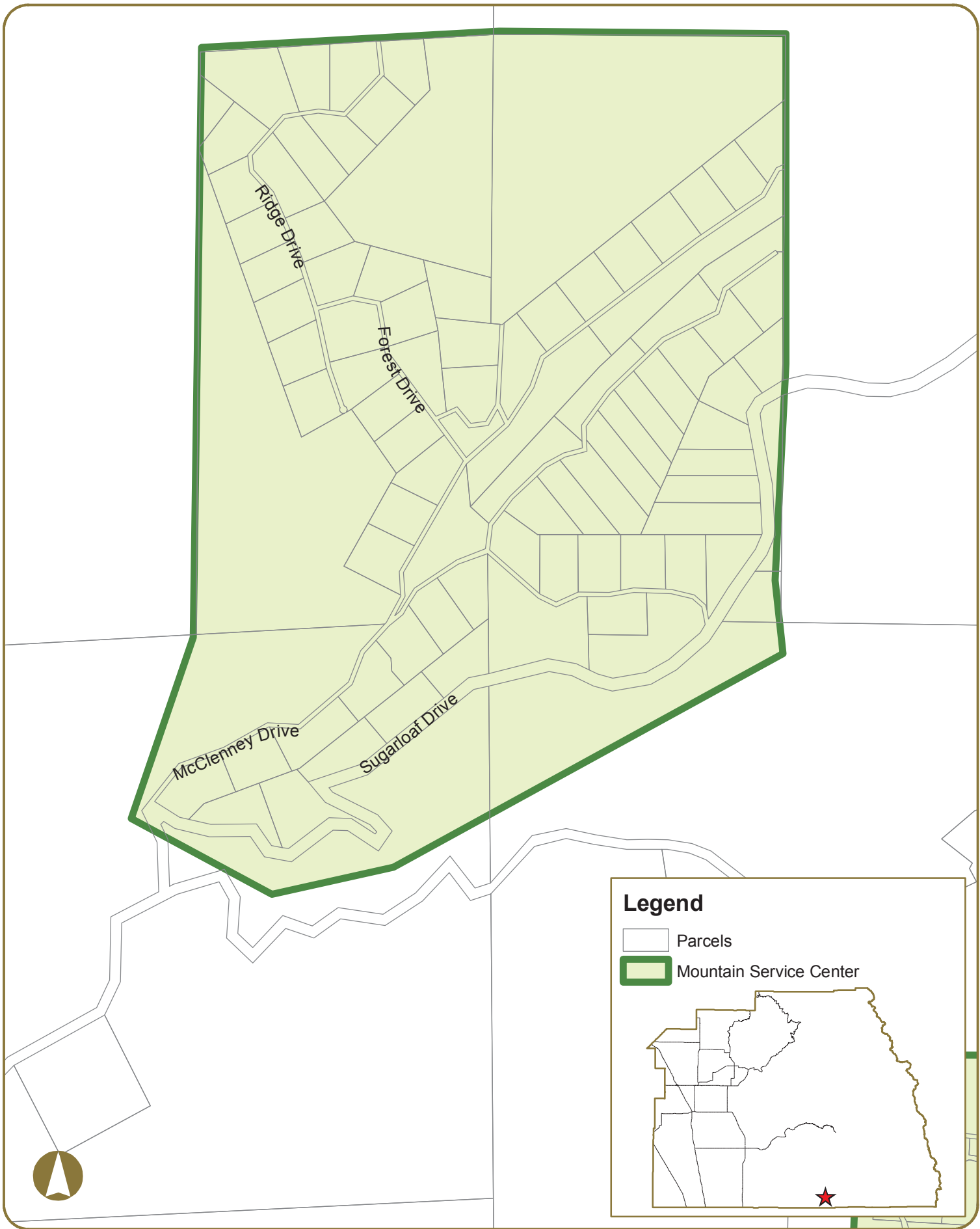


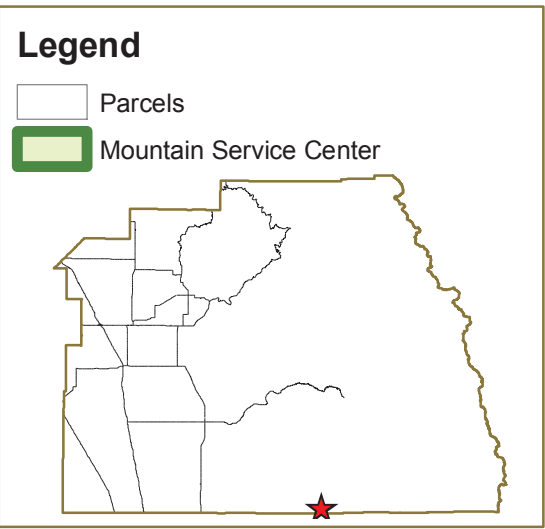
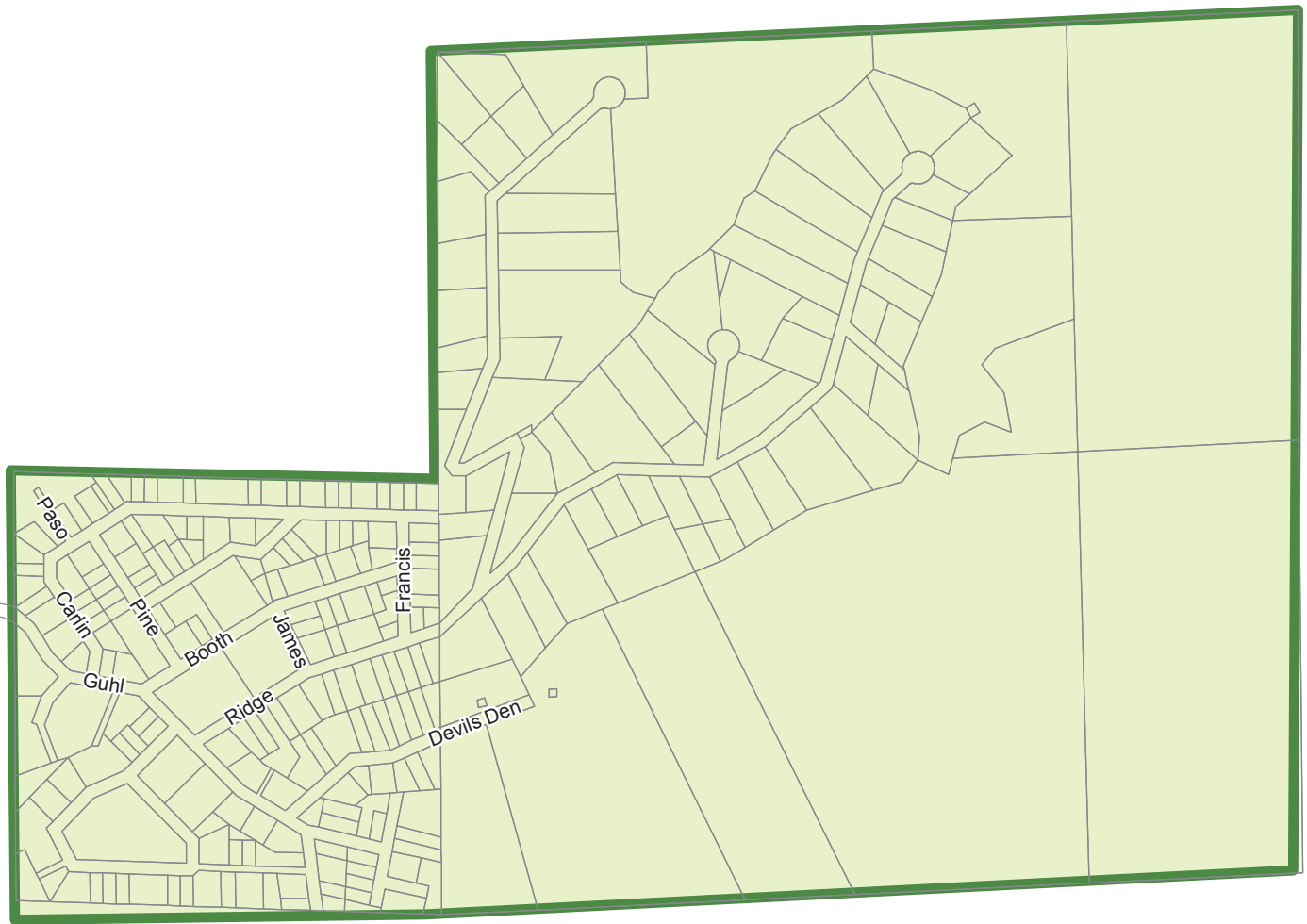
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-  Parcels
-  Mountain Service Center



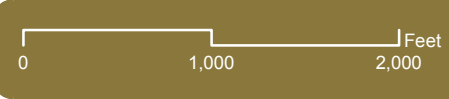
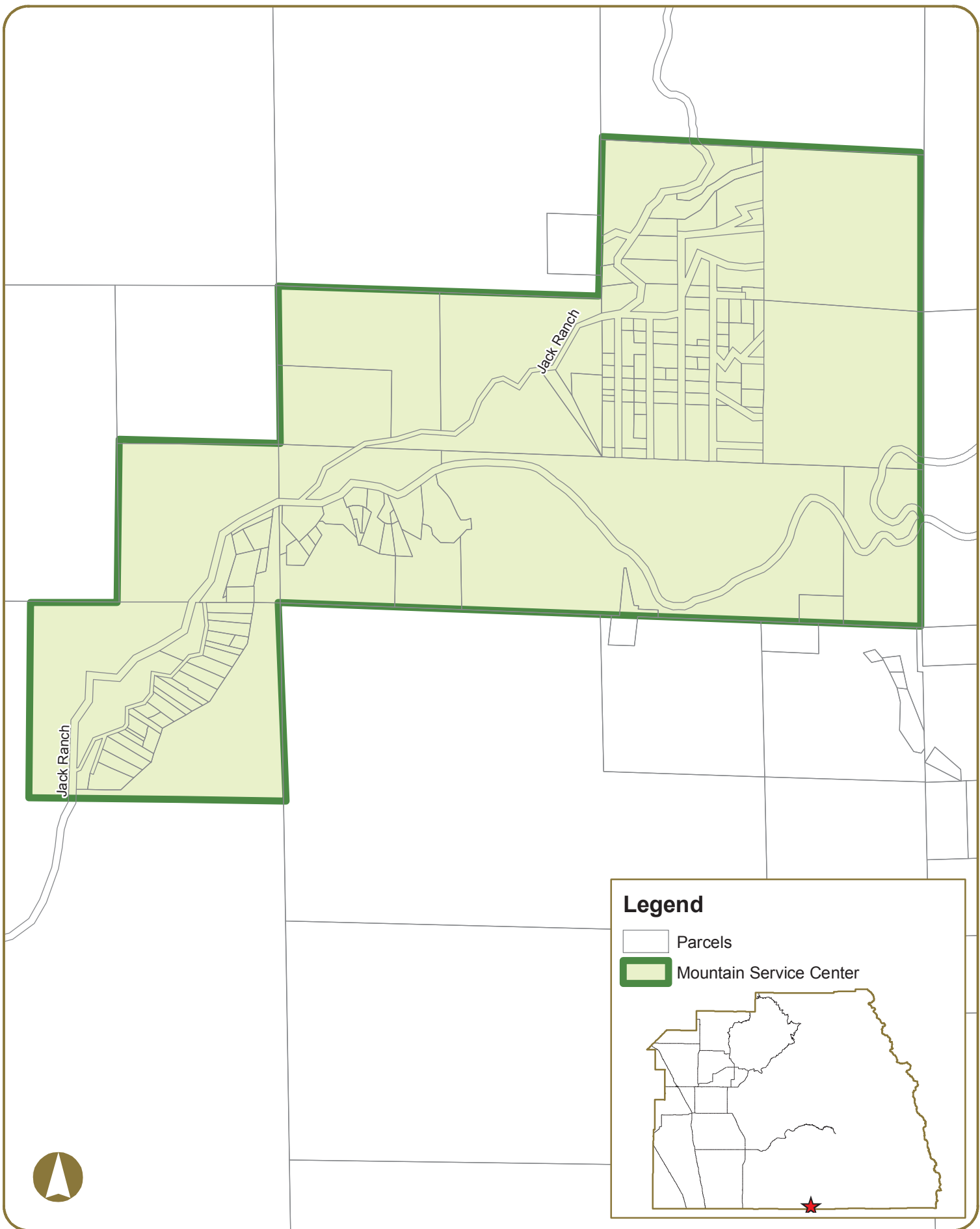


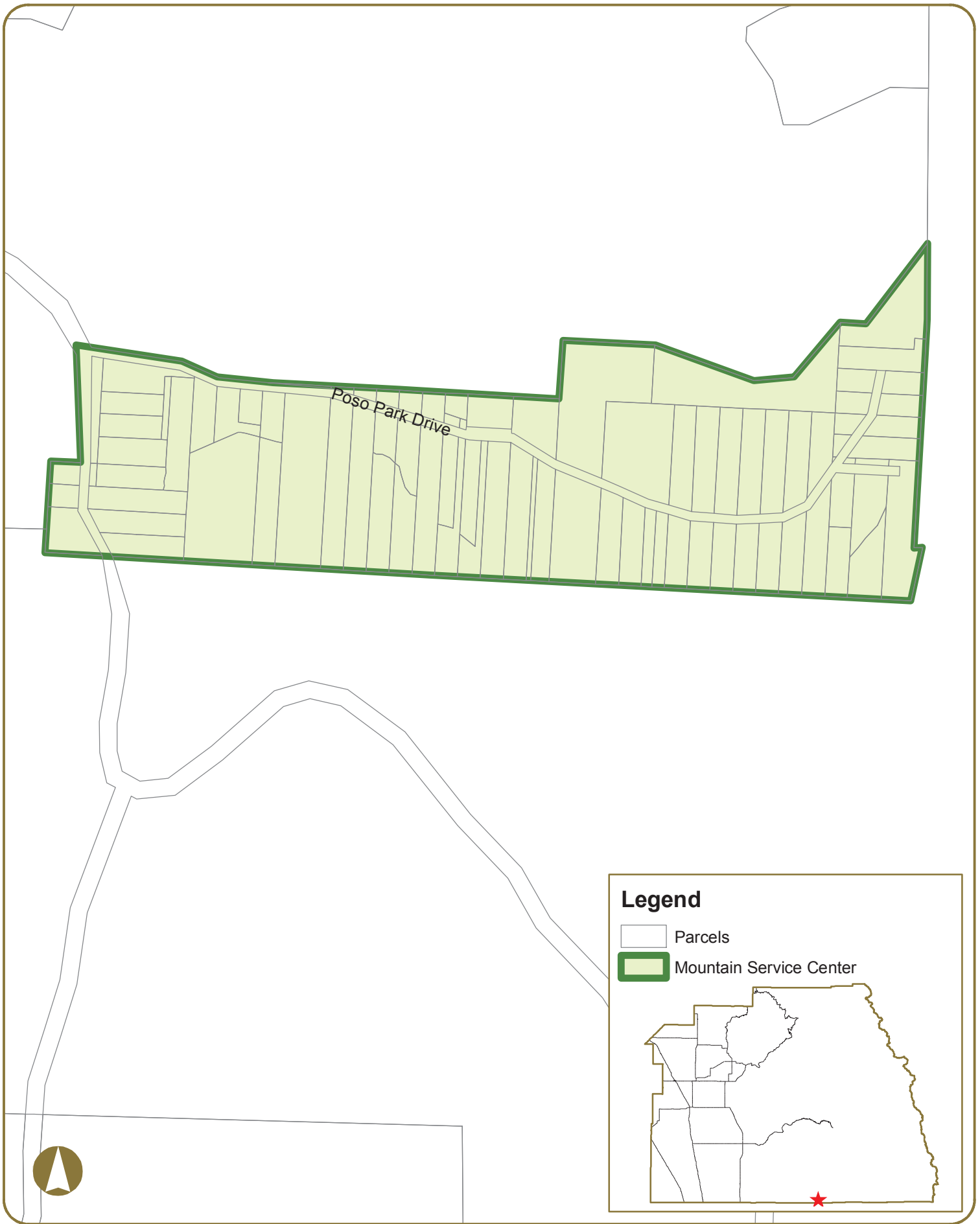




Panorama Heights Mountain Service Center

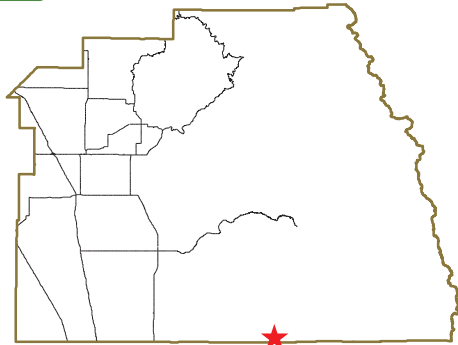
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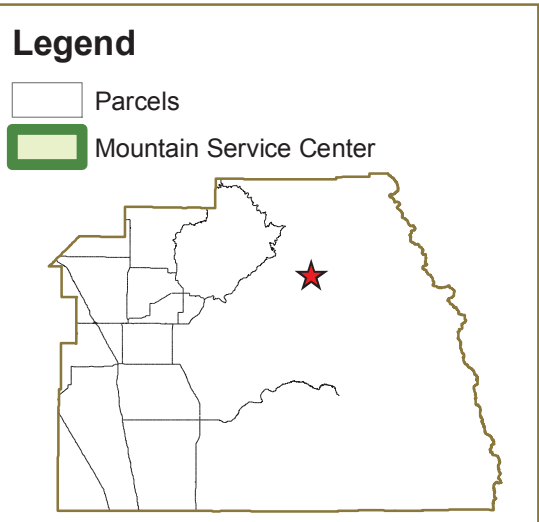
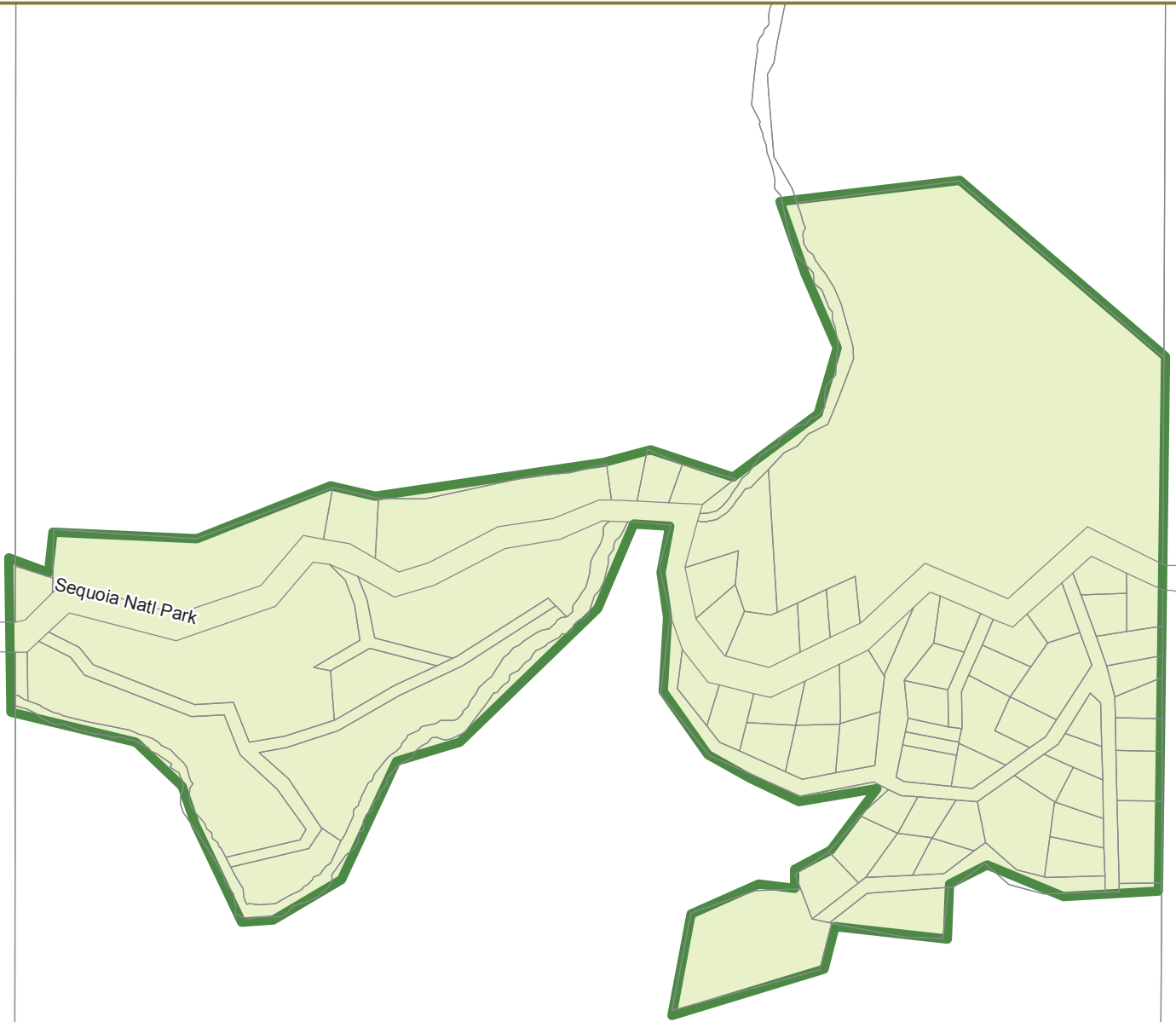
- Parcels
- Mountain Service Center

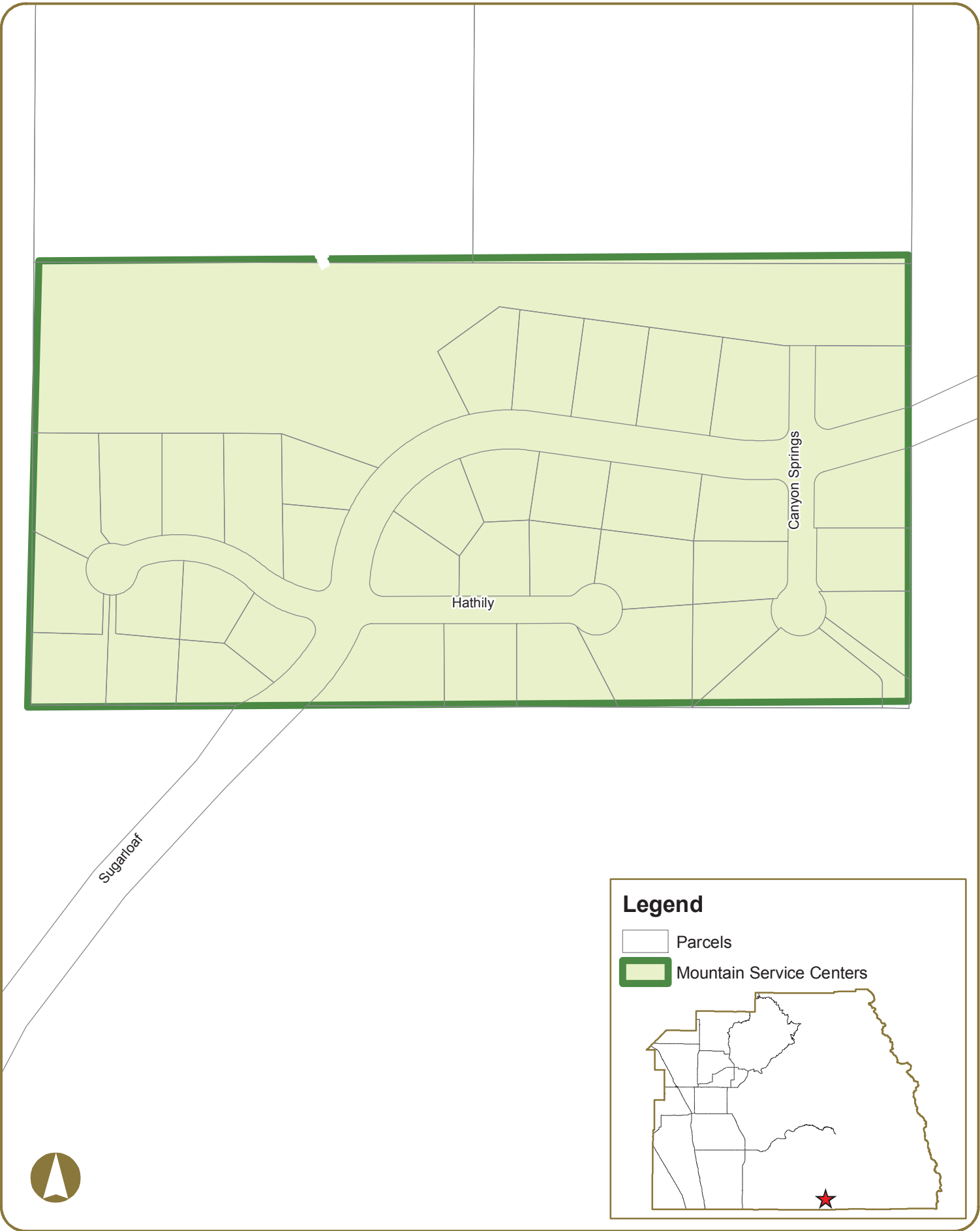


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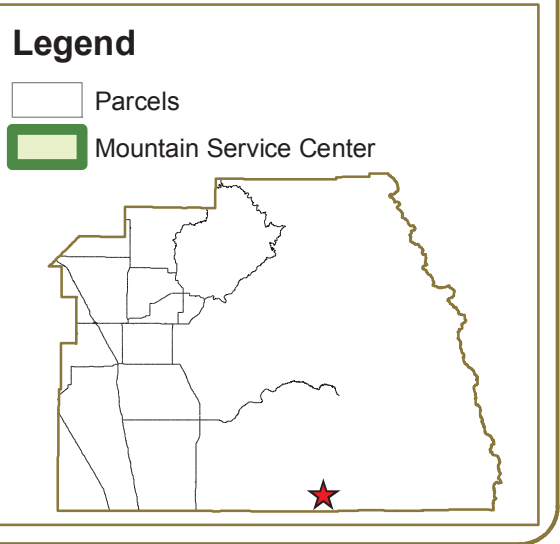
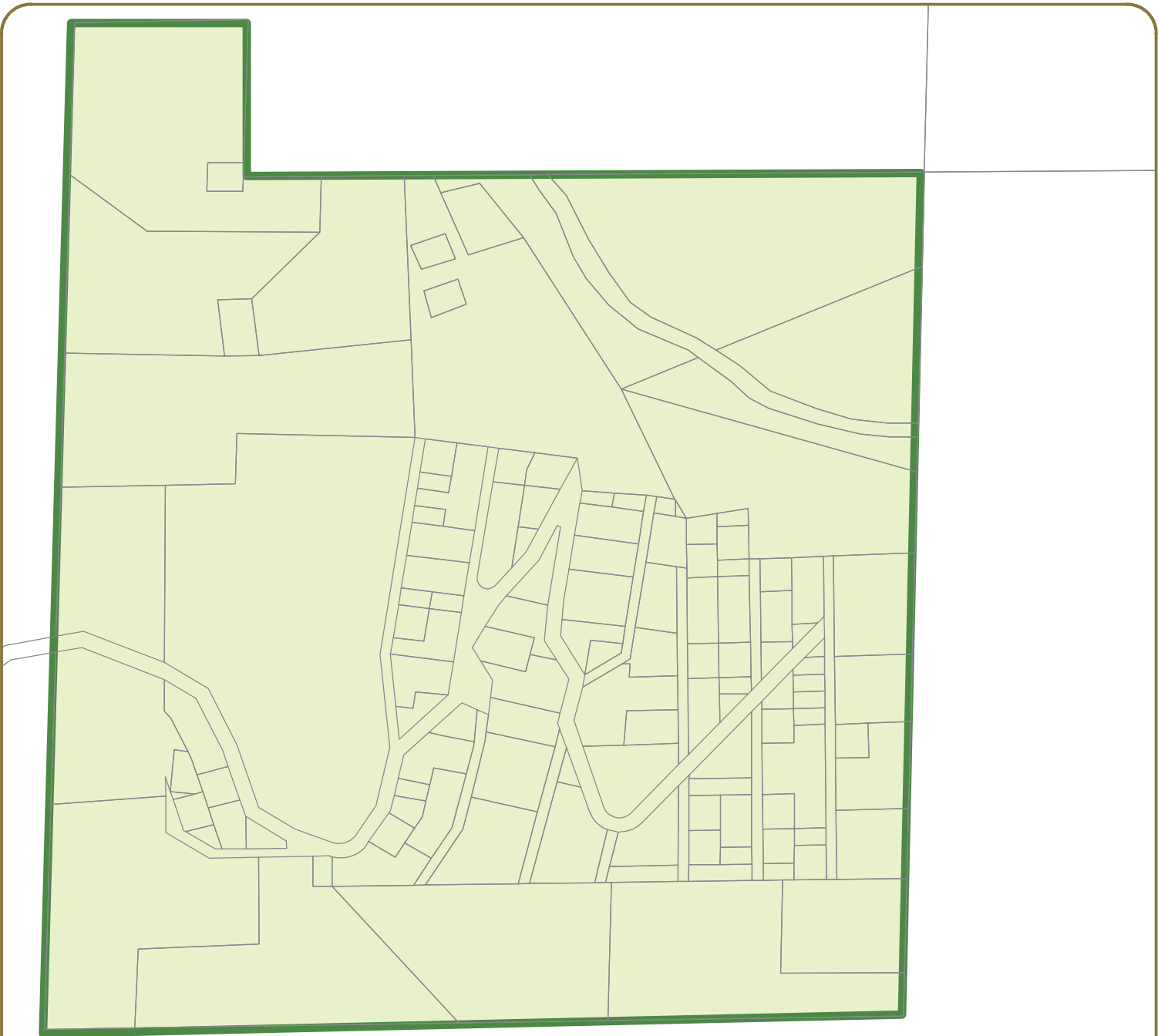
Poso Park Mountain Service Center

Figure 4.1-12







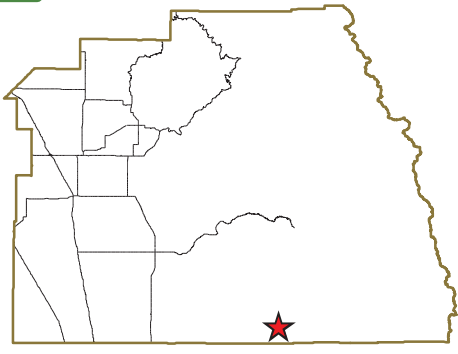
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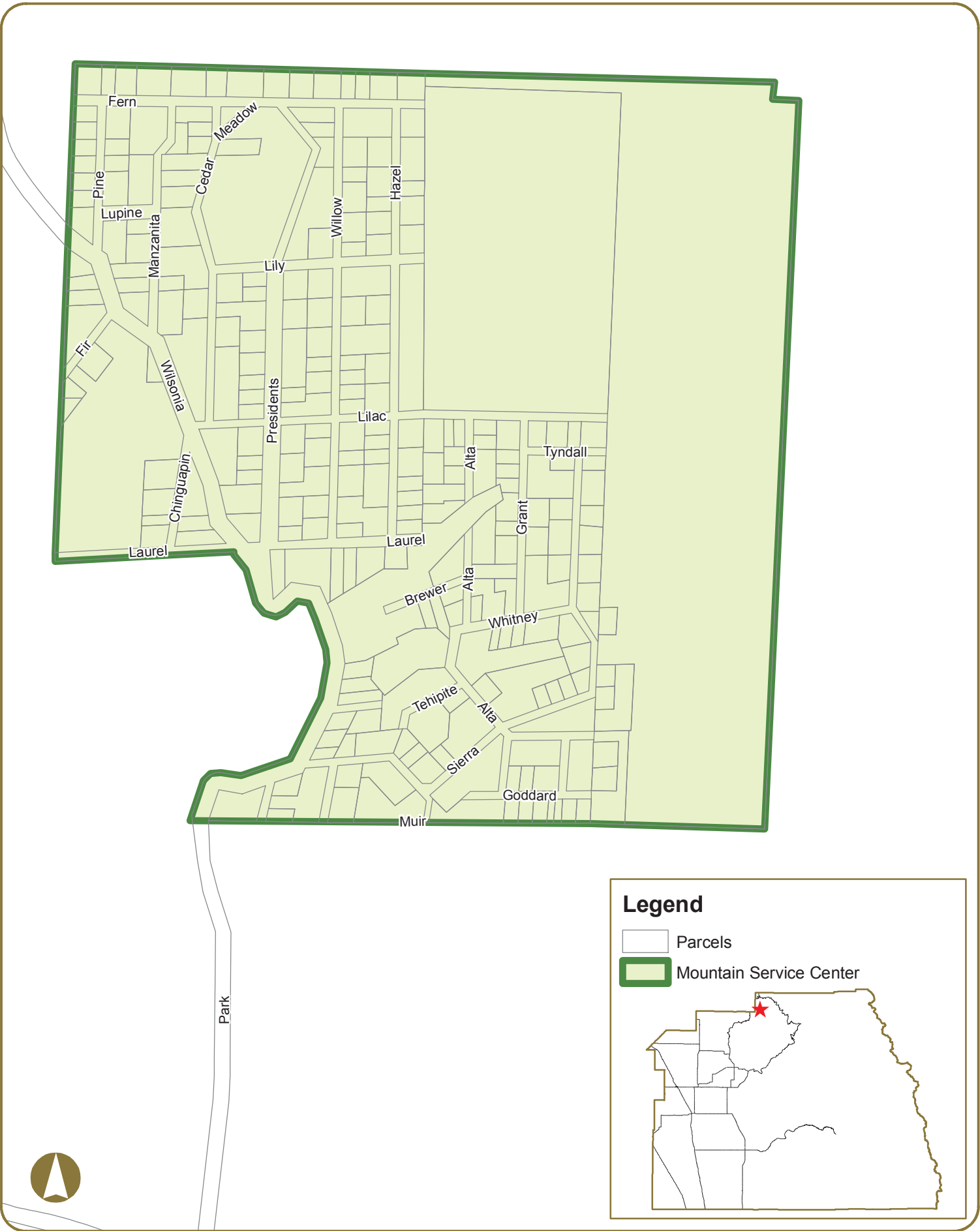






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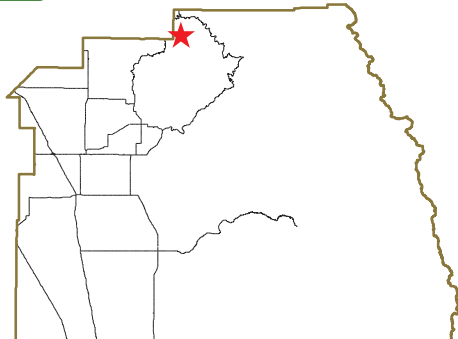
-  Parcels
-  Mountain Service Center





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-  Parcels
-  Mountain Service Center



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Tulare County General Plan

PART III

COMMUNITY PLANS

KINGS RIVER PLAN

MOUNTAIN SUB-AREA PLANS

CORRIDOR PLANS

COUNTY ADOPTED CITY GENERAL PLANS

January 2008

Please see the next page.