

**AMENDMENT GPA 90-04**

# **LAND USE ELEMENT**

**EAST PORTERVILLE AREA**

Approved: Tulare County Planning Commission  
Resolution No. 6907 – June 21, 1991

Adopted: Tulare County Board of Supervisors  
Resolution No. 91-1164 – October 8, 1991



BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT TO THE )  
LAND USE ELEMENT OF THE TULARE )  
COUNTY GENERAL PLAN: GPA 90-004, )  
EAST PORTERVILLE AREA )

RESOLUTION NO. 6907

Resolution of the Planning Commission of the County of Tulare, recommending approval of an application requested by Joseph A. Davis to amend the East Porterville Land Use Plan.

WHEREAS, the Board of Supervisors, by Resolution No. 90-1044, authorized the applicant to request an amendment to the Land Use Element of the Tulare County General Plan, East Porterville Area; and

WHEREAS, the Planning Commission has given notice of the proposed amendment to the General Plan as provided in Section 65353 of the California Government Code, and

WHEREAS, staff has made such investigations of facts bearing upon the proposed amendment to assure action consistent with the procedures and purposes set forth in the Government Code and other Elements of the General Plan, and

WHEREAS, public hearings were held and public testimony was received by the Planning Commission at a regular meeting held on June 12, 1991.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The Planning Commission hereby determines the following findings were relevant in evaluating this proposed General Plan Amendment:

1. The East Porterville Land Use Plan (GPA 82-04) designates the site for Low Density Residential (2-7 D.U.'s per acre). The site is within the Porterville Urban Area Boundary and East Porterville Urban Development Boundary. The Open Space Element indicates the site as urban expansion. The Noise Element of the General Plan shows the subject site as not being within a noise-impacted area.
2. The site is located on the east side of Springville Drive south of Success Drive in East Porterville. Access to the site is provided from Springville Drive which is designated as a Collector Street on the Circulation Plan for East Porterville. The site (1.68 acres) is zoned R-A-M (Rural Residential - Special Mobilehome) and contains two residences, garage/shop, parking area and an office. The surrounding properties are zoned R-A-M, C-1, PD-C-2, and M-1 and consist of single family residences, an auto repair garage, commercial uses, and vacant land.



3. The applicant is requesting an amendment to change the General Plan designation from "Low Density Residential (2-7 D.U. per acre)" to "Community Commercial" on 1.68 acres consisting of 3 Assessor's parcels and a portion of one other parcel (APN 262-172-01, 02, 06 and a portion of 19). The proposal also includes a zoning reclassification of the 1.68 acre area from the R-A-M (Rural Residential - Special Mobilehome) Zone to the C-2 (General Commercial) Zone. The purpose of the amendment is to allow for the operation of a tire and auto shop and used car sale lot.
4. Policy 2 of Goal III of the East Porterville Land Use Plan indicates that "Where it is appropriate to approve linear commercial development to achieve other goals and policies of this plan, special care should be taken to control access and provide for off-street parking so that safety to the traveling public and welfare of the community are protected." The implementation measures would require that a PD overlay be attached to the C-2 zoning to insure that the proper improvement standards are applied to any new developments.

When the East Porterville Land Use Plan was adopted in September 1983, the Site Plan Review overlay Zoning had not been adopted at that time. Now that the Zoning Ordinance has an SR (Site Plan Review) overlay Zone, the Policy should be interpreted to allow the SR Overlay Zone as an alternative to the PD Zone to implement Policy 2 Goal III for those commercial areas where the PD Zone may not be as effective due to the small size of some commercial parcels. Therefore, the proposed C-2 zone should be combined with the SR (Site Plan Review Combining) zone to insure that the project complies with the intent of the Community Plan, until such time that a Specific Plan is developed for the area.

5. Policy 1 of Goal XII of the East Porterville Land Use Plan indicates that "The Recommendations of the City of Porterville shall be secured prior to making any major East Porterville land use and circulation decisions." The implementation measures require that the City of Porterville will be contacted for recommendations whenever a major discretionary project is under consideration in the area. The City of Porterville was contacted and has indicated that the proposed General Plan Amendment and Change of Zone is consistent with the City of Porterville's Land Use Plan.
6. The site lies within the Porter Vista Public Utility District service area and, as such, can be provided with sewer services. Water is provided by domestic well. Fire protection is provided by the California Division of Forestry Schedule "A" fire station located on Success Drive. Police protection is provided by the Sheriff's substation in Porterville.



7. The Environmental Assessment Officer has reviewed and approved a Negative Declaration for this project, indicating that it will not have a significant effect on the environment.
8. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Negative Declaration for the proposed General Plan Amendment in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970 prior to taking action on the General Plan Amendment.

AND, BE IT FURTHER RESOLVED, as follows:

This Planning Commission hereby recommends that the Board of Supervisors take the following action:

1. Find that said General Plan Amendment will not have a significant effect on the environment and certify that a Negative Declaration has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970.

2. Amend the Land Use Element of the Tulare County General Plan for the East Porterville Area, as shown on the attached Exhibit "A", and modify the Zoning Compatibility Matrix table to incorporate the SR (Site Plan Review) overlay zoning to be attached to the Community Commercial, Heavy Commercial and Neighborhood Commercial Zones where the PD Zone may not be as effective.

The foregoing resolution was adopted upon motion of Commissioner Millwee, seconded by Commissioner Brogan, at a regular meeting of the Planning Commission on the 21st day of June, 1991, by the following roll call vote:

AYES: Kirkpatrick, Huffman, Brogan, Jensen, Millwee

NOES: None

ABSTAIN: None

ABSENT: Tracy, Kapheim

TULARE COUNTY PLANNING COMMISSION



George E. Finney, Secretary

at

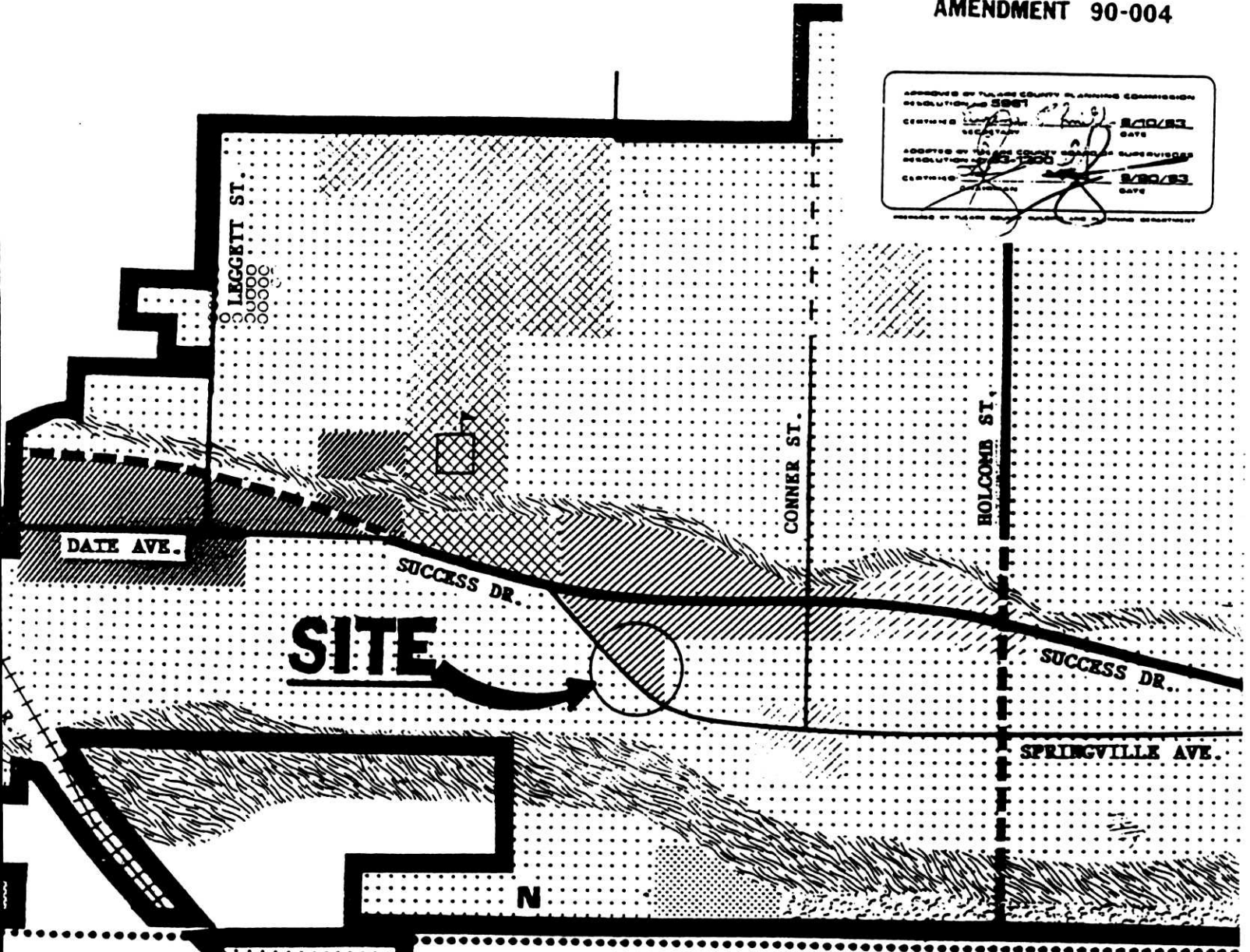













○ EAST PORTERVILLE ○

TULARE COUNTY GENERAL PLAN  
 LAND USE, CIRCULATION AND  
 URBAN BOUNDARIES ELEMENTS  
 AMENDMENT 90-004

APPROVED BY TULARE COUNTY PLANNING COMMISSION  
 RESOLUTION 90-004  
 CERTIFIED 8/10/83 DATE  
 SECRETARY  
 ADOPTED BY TULARE COUNTY BOARD OF SUPERVISORS  
 RESOLUTION 90-100  
 CERTIFIED 8/10/83 DATE  
 CLERK



STATE HIGHWAY 190

-  OPEN SPACE, RECREATION/AGRICULTURE
-  LOW DENSITY RESIDENTIAL  
(2-7 D.U. PER ACRE)
-  MEDIUM DENSITY RESIDENTIAL  
(8-14 D.U. PER ACRE)
-  HIGH DENSITY RESIDENTIAL  
(15-30 D.U. PER ACRE)
-  NEIGHBORHOOD COMMERCIAL
-  FUTURE NEIGHBORHOOD COMMERCIAL
-  COMMUNITY COMMERCIAL
-  COMMUNITY COMMERCIAL RESERVE
-  HEAVY COMMERCIAL

