
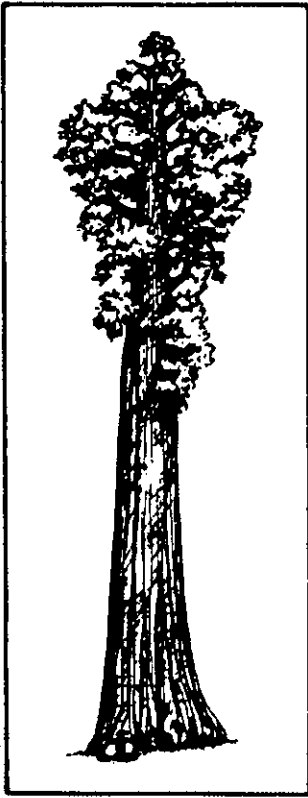






# MOUNTAIN PLAN

## GREAT WESTERN DIVIDE (N1/2)

<p>S I E R R E S</p>		
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<p>P O S E Y</p>		<p>K E E N D O W S</p>
		
<p>G R E A T W E S T E R N D I V I D E (N 1 / 2)</p>		

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An Amendment to the Land Use, Circulation,  
and Open Space Elements of Tulare County



# **MOUNTAIN PLAN**

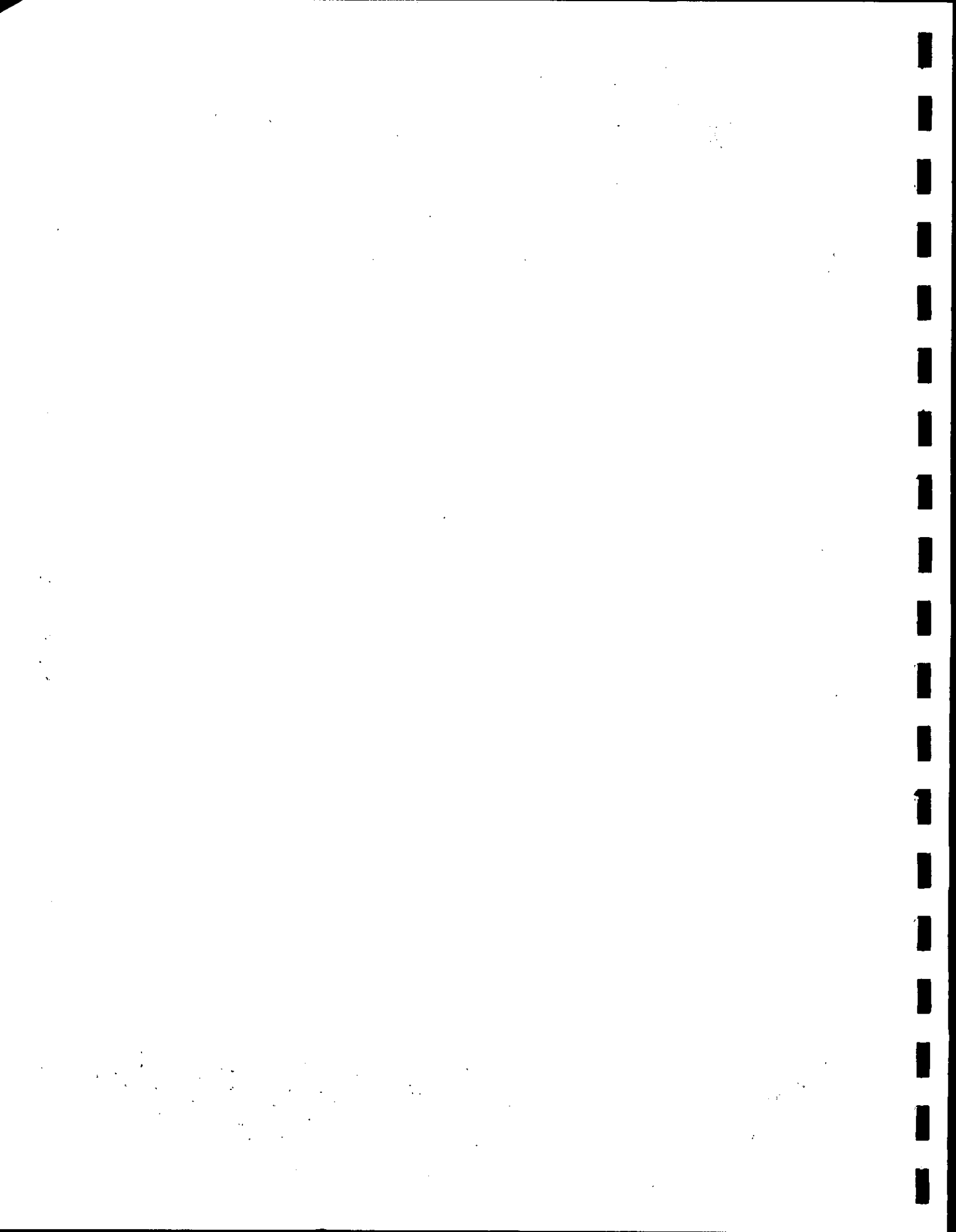
## **GREAT WESTERN DIVIDE (N1/2)**

PREPARED BY THE TULARE COUNTY PLANNING AND DEVELOPMENT DEPARTMENT  
FOOTHILL AND MOUNTAIN PLANNING DIVISION  
August, 1990

Approved: Tulare County Planning Commission  
Resolution No. 6820, October 10, 1990

Adopted: Tulare County Board of Supervisors  
Resolution No. 90-1410, November 20, 1990

**An Amendment to the Land Use, Circulation,  
and Open Space Elements of Tulare County**



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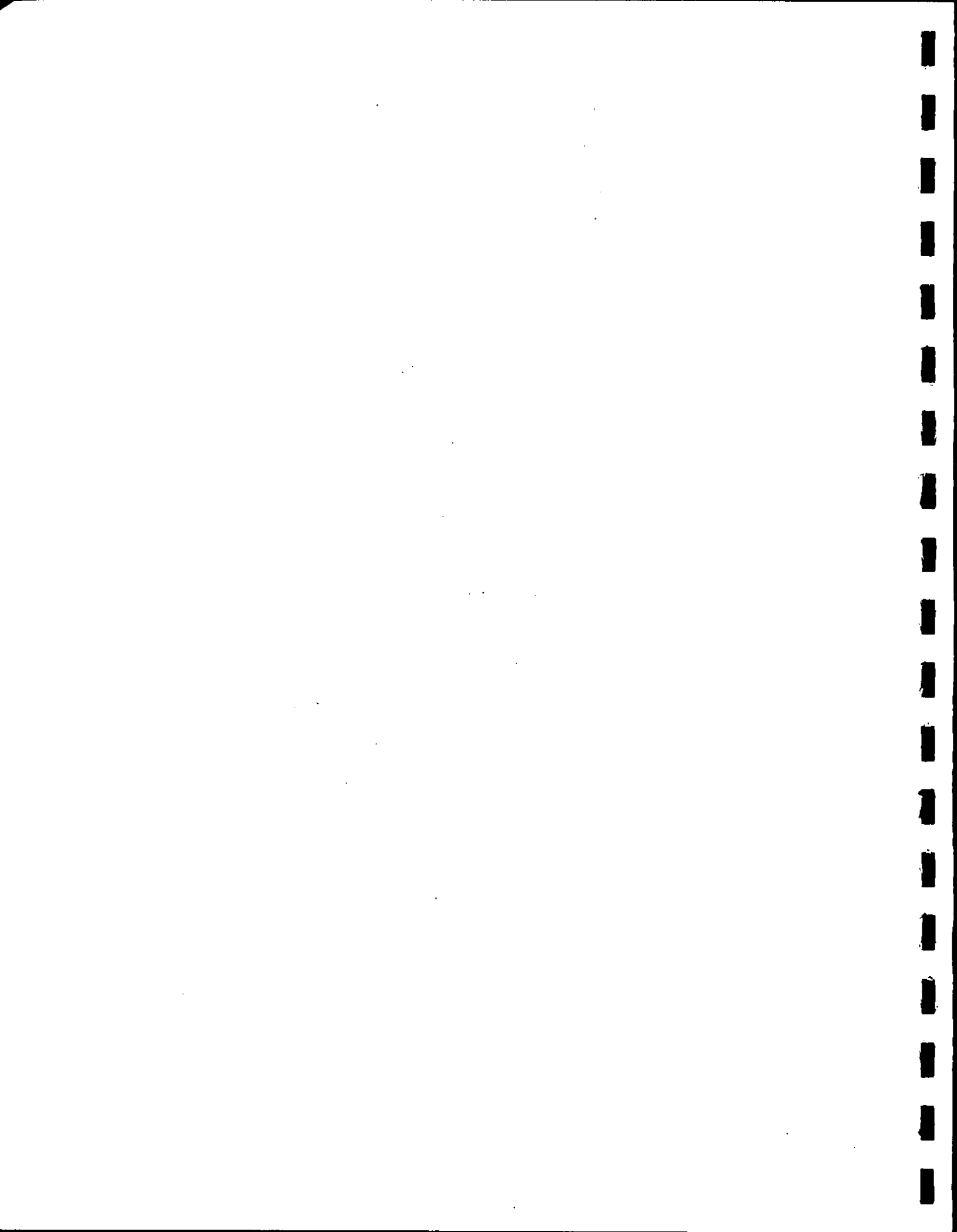
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## PREFACE - INTRODUCTION TO MOUNTAIN PLAN

The Great Western Divide (N 1/2) Plan is the second of seven "sub-area" plans proposed to complete the Mountain Plan, an amendment to the Tulare County General Plan. The Mountain Plan will establish planning policy for all privately owned lands within the mountain region of the County.

The mountain planning region includes all lands in Tulare County east of the most easterly boundary of the Foothill Growth Management Plan, which generally coincides with the westerly boundary of Federal lands in Tulare County, including lands under the jurisdiction of the Sequoia National Park, the Sequoia National Forest, and the Bureau of Land Management.

The private lands in this region approximate 40,000 acres and include 7 separate geographical locations or "sub-areas" with distinguishing characteristics. The geographical locations have been identified as:

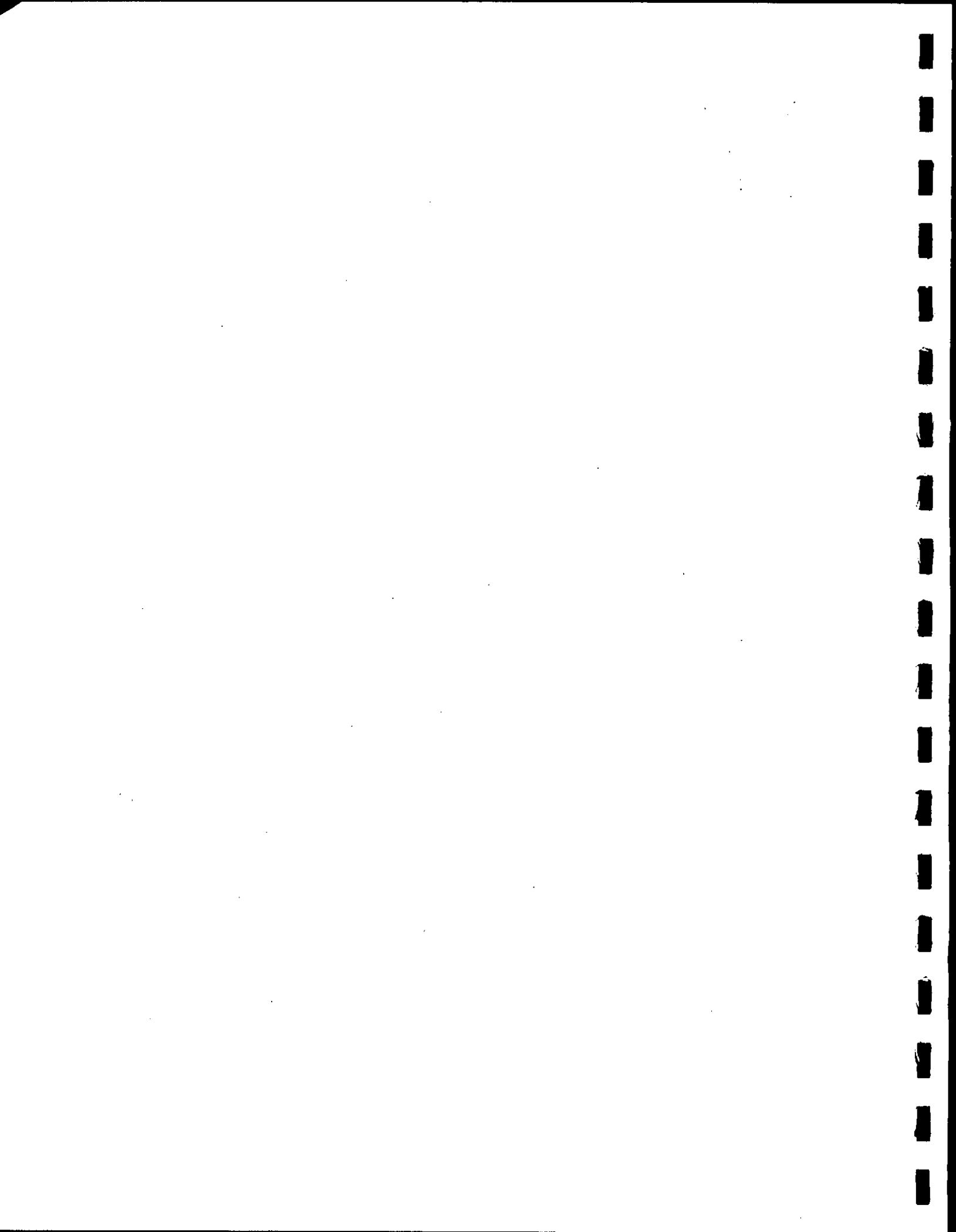
- Kennedy Meadows
- Great Western Divide (N 1/2)
- Great Western Divide (S 1/2)
- Redwood Mountain
- Posey
- Upper Balch Park
- South Sierra

and include such communities and development enclaves known as Wilsonia, Silver City, Camp Nelson, Sequoia Crest, Alpine Village, Quaking Aspen, Ponderosa, Johnsondale, Monache Meadows, Kennedy Meadows, Chimney Peak, California Hot Springs, Pine Flat, Idlewild, Panorama Heights, Balance Rock, Posey, Fairview-on-the-Kern, and Corral Creek.

When complete, the sub-area plans will serve to update and contemporize policies, in particular, land use and circulation policies pertaining to the mountain regions, set forth in the 1964 Area General Plan for Tulare County. Boiled down, the 1964 Area General Plan provides that:

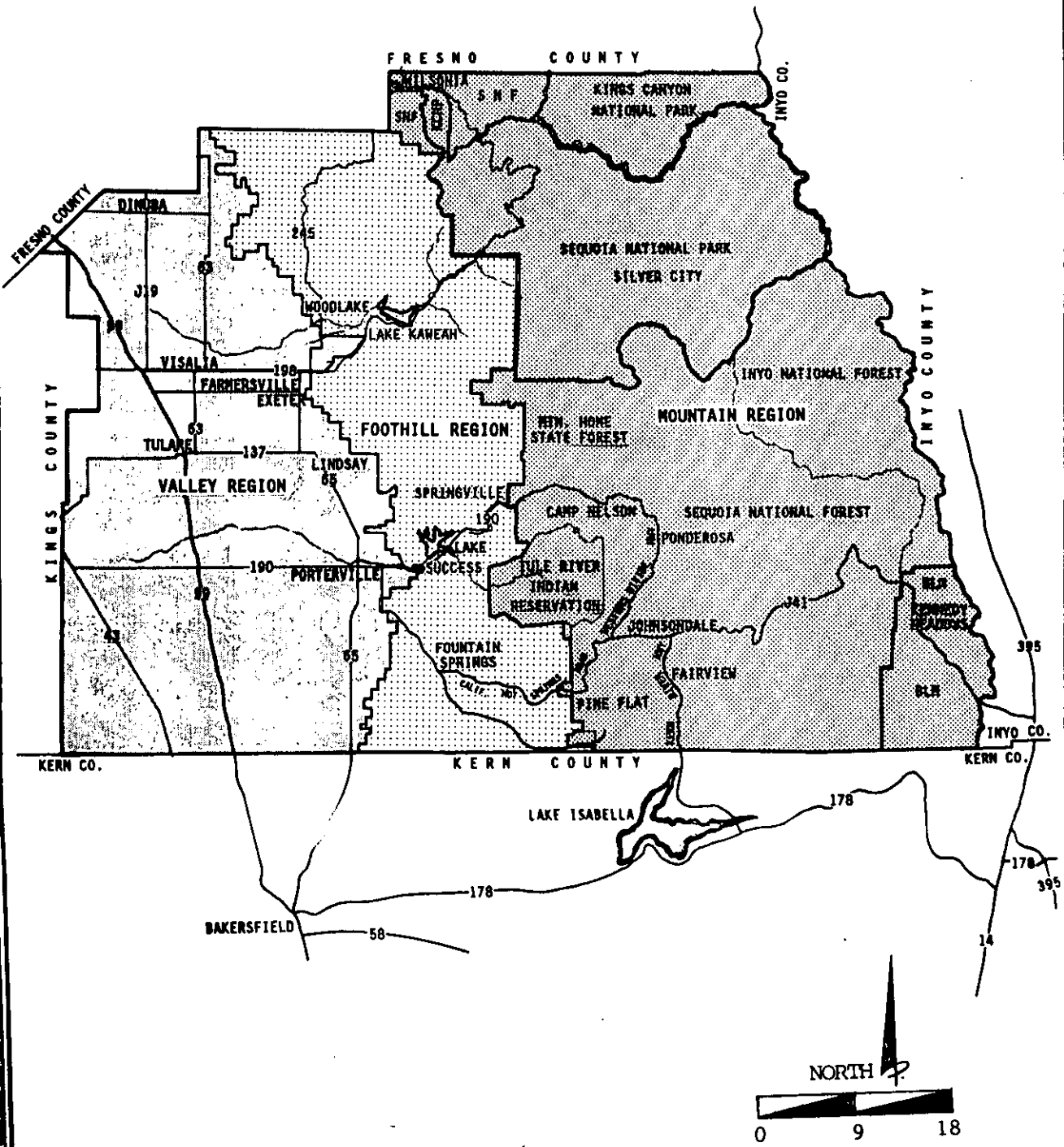
No new communities would be planned for in the mountain area. Development would be encouraged within existing developed areas. All development occurring in the mountain area should be constrained by careful protection of the environment. The primary thrust behind development would be to realize the economic potential of recreation. Recreation-oriented housing would be encouraged but should be balanced against the need to conserve soil and water. Highway (and road) extensions would be encouraged where appropriate and necessary for improved circulation within the mountain area. The designation and treatment of scenic highways would be encouraged.

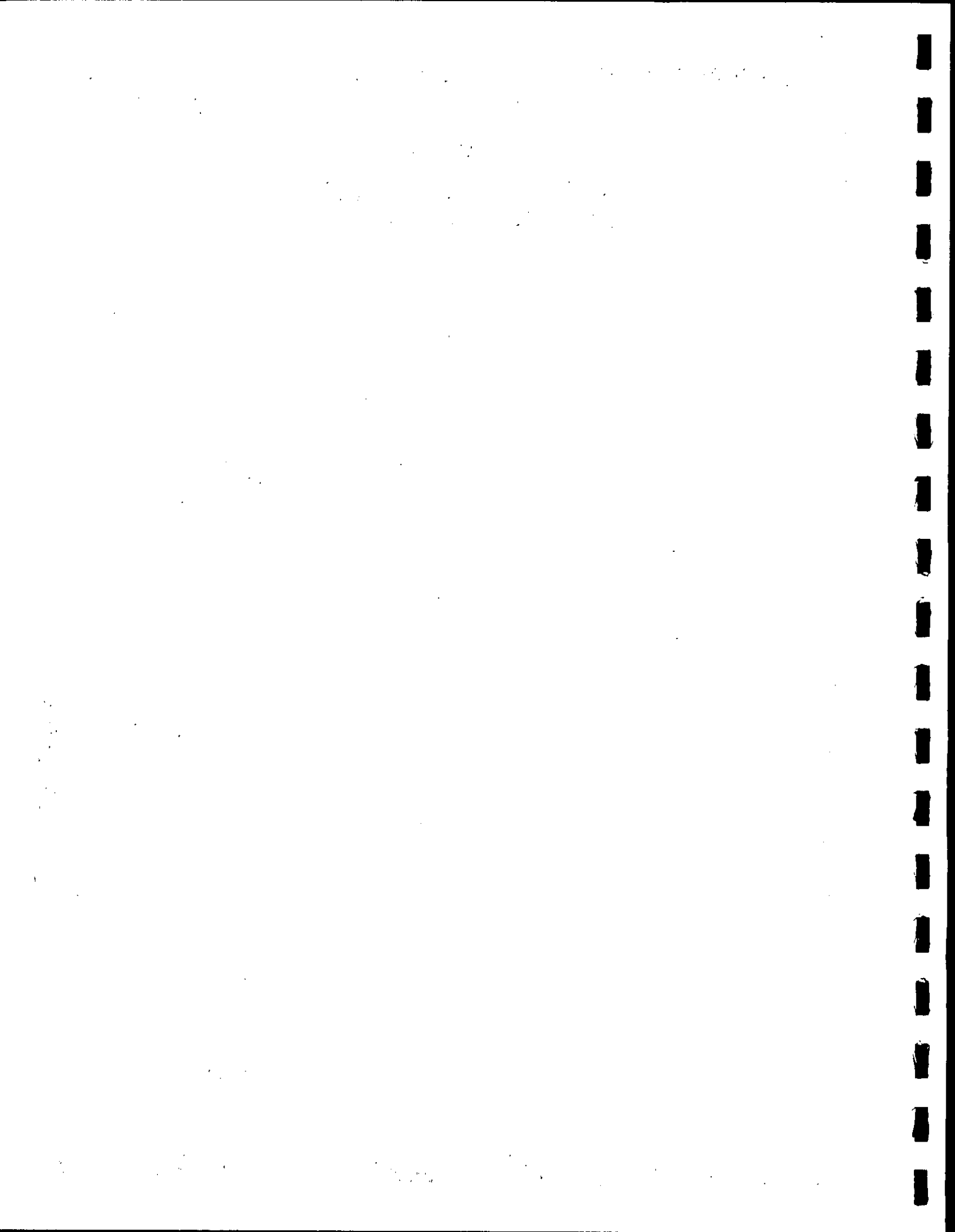
The sub-area plans will provide more specific and concise policy guidance in order to respond to the unique characteristics of each planning area, while at the same time reinforcing principles from the 1964 Area General Plan which are applicable to the mountain region. The sub-area plans will also amend, if necessary or appropriate, other elements of the Tulare County General Plan.



# GENERALIZED PLANNING REGIONS

Exhibit A

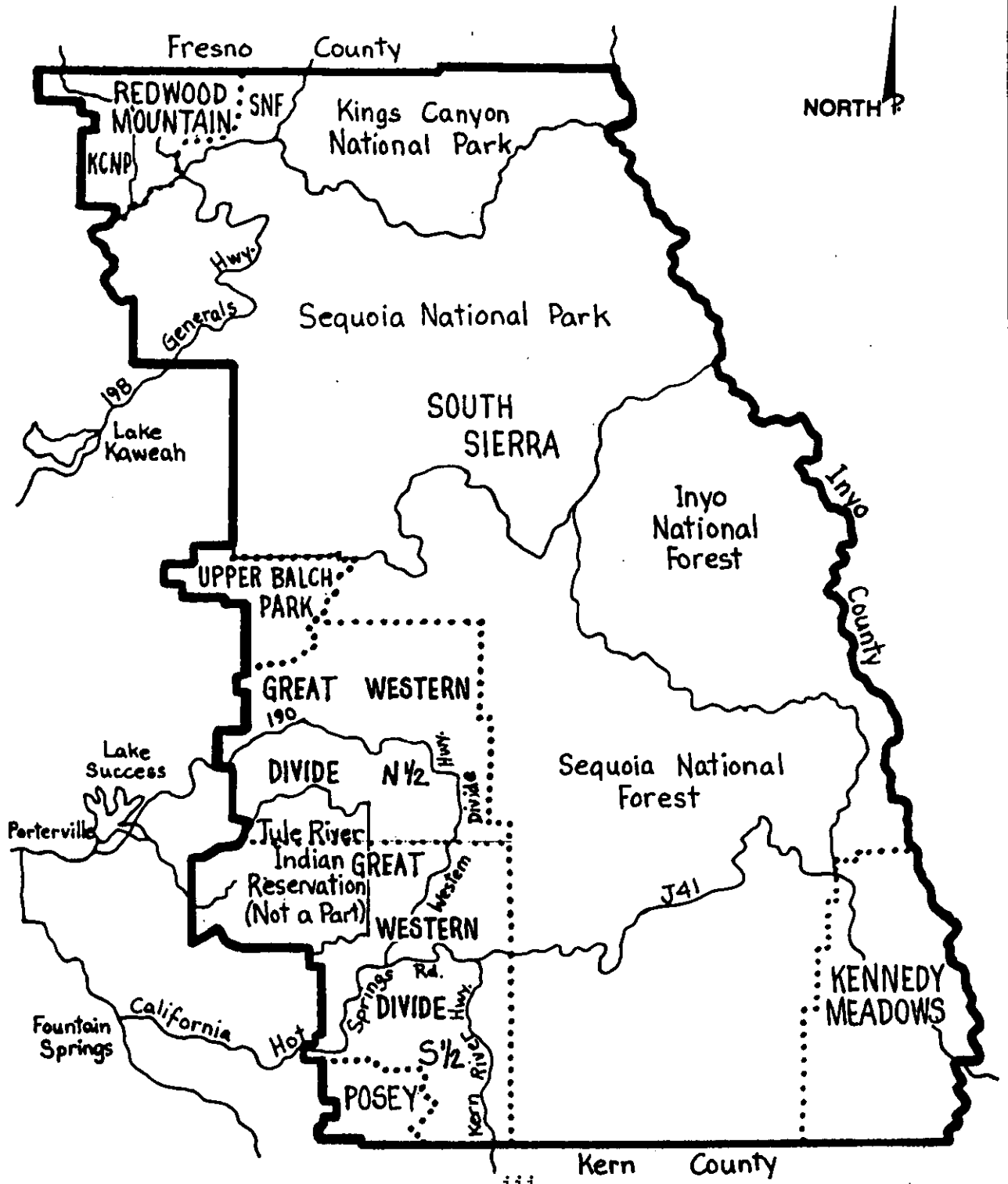


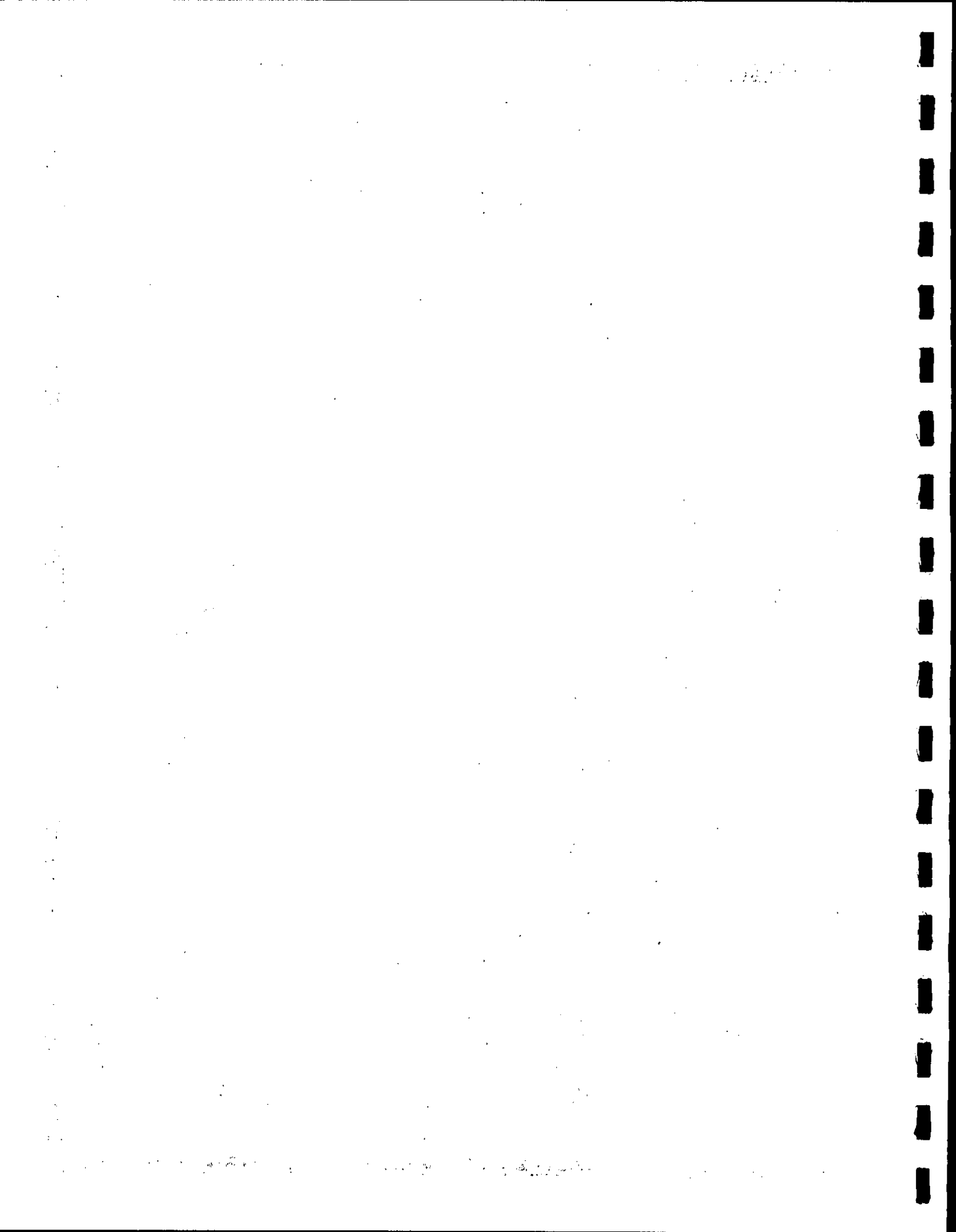


# MOUNTAIN REGION

Exhibit B

## TULARE COUNTY





## TABLE OF CONTENTS

### GREAT WESTERN DIVIDE (N 1/2) PLAN

	<u>Page</u>
PREFACE	INTRODUCTION TO THE MOUNTAIN PLAN..... 1
CHAPTER 1	INTRODUCTION TO THE GREAT WESTERN DIVIDE (N 1/2) PLAN..... 1
	Authority and Scope of the Great Western Divide (N 1/2) Plan. 2
	Relationship to Other Tulare County General Plan Elements.... 4
	Planning Period..... 4
	Relationship to Other Agency Plans and Projects..... 4
	Use of the Great Western Divide (N 1/2) Plan..... 6
CHAPTER 2	THE GREAT WESTERN DIVIDE (N 1/2) STUDY AREA..... 8
	Regional Setting..... 8
	Historical Perspective and Emerging Concerns..... 8
	Environmental Setting
	- Introduction..... 11
	- Individual Locales..... 13
CHAPTER 3	GROWTH/DEVELOPMENT ASSUMPTIONS AND CONSIDERATIONS..... 25
CHAPTER 4	GOALS AND POLICIES..... 28
CHAPTER 5	IMPLEMENTATION STRATEGIES..... 35
CHAPTER 6	PLAN DESCRIPTION..... 50
	Resource Conservation/Management..... 50
	Mountain Residential-5 acre minimum..... 51
	Mountain Residential-20,000 square foot minimum..... 52
	Multiple Family Residential..... 53
	Neighborhood Commercial..... 54
	General Commercial..... 54
	Quasi-Public..... 56
	Traffic and Circulation..... 56
	Open Space..... 57
	Population Density and Building Intensity..... 58
CHAPTER 7	IMPLEMENTATION..... 60
CHAPTER 8	PROPOSED LAND USE MAPS..... 65
GREAT WESTERN DIVIDE (N 1/2) PLAN APPENDIX	
	A. Natural Diversity Data Base (DF&G) Priority Codes..... A-1
	B. Slope Area Diagram..... B-1
	C. Seismic Safety Zones..... C-1





D. Resolutions.....D-1

ENVIRONMENTAL IMPACT REPORT.....Volume II


**LIST OF TABLES**

<u>Table Number</u>		<u>Page</u>
1	Pierpoint Acreage By Zone.....	14
2	Camp Nelson Acreage By Zone.....	17
3	Alpine Village Acreage By Zone.....	20
4	Ponderosa Acreage By Zone.....	23
5	Zoning Compatibility Matrix.....	62

**LIST OF MAPS**

<u>Exhibit</u>		<u>Page</u>
A	Generalized Planning Regions.....	ii
B	Mountain Plan Sub-Area Regions.....	iii
C	Study Area Location Map.....	9



	<p><b>Chapter 1</b></p> <p><b>Introduction</b></p>
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## CHAPTER 1

### INTRODUCTION TO THE GREAT WESTERN DIVIDE (N 1/2) PLAN

The preparation of the Great Western Divide (N 1/2) Plan was authorized by the Tulare County Board of Supervisors in response to an increasing need for a plan for the Great Western Divide area that accurately reflects the current needs and priorities of the area's residents and property owners and the County as a whole. This Plan supersedes the 1964 Tulare County Area General Plan and amends the 1972 Open Space Element and thereby provides a contemporary framework for continuing growth within the Great Western Divide (N 1/2) area.

To identify local issues and concerns relative to the long range planning of the area, a Citizen's Advisory Committee, consisting of interested residents and property owners within the communities, was appointed by the Board of Supervisors to assist in the preparation of this Plan. A public opinion survey was also conducted within the Planning Area as a means of identifying local values and preferences.

A draft Plan prepared with the assistance of the Citizen's Advisory Committee was circulated along with a Draft Environmental Impact Report (DEIR) on that plan, for public review and comment. During three separate meetings of the public hearing process on the draft Plan and EIR, it became evident to the Planning Commission that the proposed Plan was too permissive and that it could result in numerous environmental impacts. The Planning Commission directed Planning and Development Department staff to revise the proposed plan and more specifically directed that the plan be a scaled-back version which better recognized the following:

- Historical development trends,
- Existing environmental constraints, and
- Development opportunities within each of the communities or locales in order to maintain a degree of market flexibility or choice beyond historical trends within each community or locale

Thus, the Plan has been formulated to reflect the unique character of the Planning Area in conjunction with the values, desires, and needs of the local residents and property owners.

As with any plan, the contents of this Plan are not considered to be absolute. Planning is a continuous process and, to be effective, requires periodic re-evaluation and revision to reflect changing needs and priorities. Once adopted, this Plan should, therefore, be reviewed on a regular basis with the assistance and participation of local citizens and groups. It is recognized that it is difficult to satisfy each and every property owner's desires under the General Plan development process. It is also difficult to pin-point which properties will be first proposed for development and which will fulfill a recognized need in the Planning Area, if developed.

It is an adopted policy of the Tulare County Board of Supervisors to allow landowners, developers, residents, and other interested parties or agencies to request, from time to time, that the County amend its general plan in order to:

- "(1) Permit the approval of amendments to the County Zoning Map which would otherwise be inconsistent with the County's general plan; or
- (2) Allow subdivision maps to be approved which would otherwise be inconsistent with the County's general plan; or
- (3) Establish revised land use planning rules, objectives, and standards in particular areas of the County which more closely reflect the aspirations and desires of residents and landowners in the community; and

In deciding whether or not to initiate the amendment, the Board shall, among other considerations, give consideration as to the public need or necessity of the proposed amendment, and whether the proposed amendment would further the goals, objectives, and policies of the general plan and not obstruct their attainment."

By following this policy, it is anticipated that the Great Western Divide (N 1/2) Plan can continue to provide meaningful and necessary guidance for the development of the community in the foreseeable future.

#### AUTHORITY AND SCOPE OF THE GREAT WESTERN DIVIDE (N 1/2) PLAN.

California Government Code Section 65300 et seq. requires that each local agency (county or city) prepare and adopt a comprehensive long-term general plan for the physical development of the lands within its boundaries. A general plan must function as "a statement of development policies" and must include a text and diagram(s) setting forth goals, policies, standards, and plan proposals. A local government's general plan document must include all of the following elements: land use, circulation, housing, conservation, open space, noise, and safety. In addition, State law provides that a local agency may include one or more of several optional elements, depending upon the needs and characteristics of the jurisdiction.

Within the County of Tulare, the General Plan has historically been developed on a county-wide basis; with policies emphasizing issues and concerns on a county-wide level. More recently, however, in developing land use planning policies, the Tulare County Board of Supervisors has recognized that most of the unincorporated communities and development enclaves (such as the Great Western Divide (N 1/2) Planning Area) have localized and unique land use needs and problems which should be addressed in a specific manner. Therefore, sub-area plans are being prepared for individual communities or sub-areas, with emphasis directed to land use and circulation planning. Consequently, this Plan constitutes an amendment to the 1964 Tulare Area General Plan (covering land use and circulation) and the 1972 Open Space Element of the Environmental Resources Management Element. The amendments contained herein, therefore, are specifically applicable to the Great Western Divide (N 1/2) Planning Area.

General Plan law (specifically Government Code 65302) requires that a local government agency's land use element shall designate the proposed general distribution and general location and extent of the uses of the land for housing, business, industry and open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. Section 65302 of the Government Code indicates, however, that each state-mandated element need be addressed only to the

extent it is relevant to the jurisdiction's planning area. As an example, just as a discussion of agricultural lands might be irrelevant to a completely urbanized area, the discussion of industrial lands is similarly irrelevant to this planning area since no such uses are proposed. As such, all other uses not specifically planned for the area are not discussed.

In amending the Land Use, Circulation and Open Space Elements of the County General Plan, the Great Western Divide (N 1/2) Plan will present the following information:

#### Land Use

The "Land Use" portion of the Plan designates the proposed general distribution and general location and extent of the uses of the land for housing, business, open space, recreation, and other categories of public and private uses of land. The land use plan includes a statement of the standards of population density and building intensity recommended for the various segments of the Planning Area. The land use component of this Plan supersedes the land use component of the 1964 Tulare County Area General Plan for the Great Western Divide (N 1/2) Planning Area.

#### Circulation

The "Circulation" portion of the Plan shows the general location and extent of the existing publicly maintained major road network and establishes use classifications for existing and potential roads within the Planning Area. In addition, the Plan sets forth parameters within which access by new development to publicly maintained roads will be allowed and when access by private vehicular easements will otherwise be required. The circulation component of this Plan supersedes the circulation component of the 1964 Tulare County Area General Plan for the Great Western Divide (N 1/2) Planning Area.

#### Open Space

The 1972 Open Space Element of the Tulare County General Plan designates the federal lands within the Study Area as "National and State Open Space Lands," however, the Element does not currently apply an open space use designation on the privately owned lands within the boundaries of the federal lands in the mountainous area of the County. Since the purpose of the Open Space Element is to formulate and execute policies and programs which will assure the protection and management of the natural environment, this Plan extends and continues the emphasis of the Open Space Element by creating a new open space use designation not previously utilized in the Element. The "Mountain Recreation/Resource Management" designation is hereby created and included in the Open Space Element for application to all private lands within the Great Western Divide (N 1/2) Planning Area. The Mountain Recreation/Resource Management designation identifies private lands lying within National and State Open Space lands that have potential for development to recreation-oriented commercial, residential, and other related uses. Such uses may include, but are not limited to, primary and secondary/vacation residential uses and commercial uses which serve the needs of both tourists and local residents. In those cases where development of such properties is not anticipated to occur in the immediate future, the Mountain Recreation/Resource Management designation permits these properties to be maintained in open space or utilized for

timber production/harvesting, cattle grazing, or other similar uses until such time as development occurs. The Open Space Plan Map and the text of the Open Space Element are hereby superseded to include the Mountain Recreation/Resource Management designation and to apply the new designation to all private lands within the Great Western Divide (N 1/2) Planning Area.

#### RELATIONSHIP TO OTHER TULARE COUNTY GENERAL PLAN ELEMENTS

The County of Tulare has adopted all of the general plan elements required by State law (Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety) and has also adopted optional elements (Urban Boundaries, Recreation, Water and Liquid Waste Management, Scenic Highways, and Public Buildings). Even though this plan constitutes a more narrowly-focused description of land use, circulation, and open space policies for a specific planning area of the County jurisdiction, it is nonetheless an adjunct to the land use element of the County's General Plan and therefore has equal status under the law with all other elements of the County's General Plan. To the extent that this Great Western Divide (N 1/2) Plan does not propose to amend other elements of the County's General Plan, the policies and directives of those other elements that are applicable to the Great Western Divide (N 1/2) Planning Area must still be followed.

The Great Western Divide (N 1/2) Plan refines the County's general plan policies to reflect the Planning Area conditions and needs specific to its citizens. As mentioned earlier, this refinement will primarily focus upon land use and circulation issues.

#### PLANNING PERIOD

To provide a definitive tool for guiding future growth, an area plan must be designed to be implemented within a realistic time frame, which is termed the "planning period." For the Great Western Divide (N 1/2) Plan, the planning period encompasses a time frame of approximately 20 years. This does not mean, however, that the area plan will remain static during this period. As conditions and needs within the Planning Area change during the planning period, the area plan must be periodically reviewed so that appropriate modifications can be made. In this way, the Plan will continue to serve the Planning Area in an effective manner throughout the planning period.

#### RELATIONSHIP TO OTHER AGENCY PLANS AND PROJECTS

The Sequoia National Forest and the Tule River Indian Reservation are both in the process of preparing long-range plans affecting lands in the vicinity of or adjacent to private lands within the Great Western Divide (N 1/2) Planning Area. In addition to long-range planning, the Forest Service has determined the feasibility of, and is soliciting proposals for, a regional recreation resort, called Peppermint Mountain Resort at Slate Mountain, and near Ponderosa, that could accommodate about 10,500 people including 8,000 alpine and nordic skiers on peak winter days at buildout.



## Sequoia National Forest

The Sequoia National Forest Land and Resource Management Plan and Environmental Impact Statement (EIS), as published in March 1988, establishes the management direction for the Sequoia National Forest for the next 10-15 years, although, amendments to this plan are possible from time-to-time during this period. The Forest Plan emphasizes multiple use of National Forest lands, providing a management program which sets a course of balanced use to provide increased public benefit while maintaining the long-term productivity of the land.

The Plan, as published, emphasizes timber, range, habitat protection, and dispersed recreation. Most of the Forest area surrounding the Great Western Divide (N 1/2) Planning Area is assigned a management emphasis of either general dispersed recreation, developed recreation, or saw timber. In addition, a new botanical area was established on Slate Mountain. The Forest Plan also gave consideration to the needs of private development enclaves such as Camp Nelson, Ponderosa, and Sequoia Crest/Alpine Village. As private land owners within the Forest are indirectly affected by the policies of the Forest, the continued maintenance or increase of the activities, as prescribed by the Forest Plan, will be to the economic benefit of the communities within the Planning Area. Continued resource management will ensure the availability of jobs while enhancement of the Forest lands will attract additional recreation users.

**Peppermint Mountain Resort:** In December of 1985, a Final Environmental Impact Statement (FEIS) assessing the potential impacts of a projected year-round resort at Slate Mountain, currently referred to as Peppermint Mountain Resort, was distributed by the U.S. Forest Service. While the FEIS evaluated alternative resort developments ranging from a 500 person at one time day use winter sports facility to a 10,500 person at one time year-round destination resort, the Forest Service did identify a "Preferred Alternative" of a year-round resort accommodating 10,500 people at one time during winter and 3,300 people at one time during the non-winter months.

Though the conclusion of the FEIS and the Sequoia National Forest Supervisor that the Slate Mountain site has the potential to be developed in a manner suggested by the "Preferred Alternative" was appealed at all two available levels, the Chief of the U.S. Forest Service in Washington, D.C. denied the final appeal. Forest Service Chief F. Dale Robertson, in his decision of December 1987 regarding the final appeal, concluded that the only activities which may occur (as a result of the "development potential" decision) are issuance of a prospectus and evaluation of any proposals received. He further determined that "... a subsequent decision to issue a special-use permit to build and operate a ski area must be supported by full NEPA (National Environmental Policy Act) compliance in the form of a site specific supplement to the existing EIS, or a new EIS depending on the magnitude and effect of the actual proposed development."

At this point in time, the Sequoia National Forest Service Porterville Office has prepared a prospectus, as authorized, and is currently reviewing development proposals. At the time of writing this Plan, a developer for the project has not been selected and it is not known whether the project in fact will be constructed.

Since a precise development plan for the Peppermint Mountain Resort was not known at the time of the writing of this Plan, specific land use needs/demands on private inholdings that might be generated by the resort development could not be accurately forecasted. Therefore, in lieu of making potentially inaccurate speculations about land use needs and demands resulting from the resort development, this Plan provides, in Chapter 7 (Implementation), for a comprehensive review of this Plan to take place, with subsequent initiation by the County of amendments to the Plan which are identified as being necessary to accommodate the Peppermint Resort development. The comprehensive review will be conducted at such time as the specific characteristics of the final approved project are released by the Forest Service to the County and to the general public. This general plan amendment process to be initiated by the County will be subject to environmental assessment procedures required by the California Environmental Quality Act (CEQA) and to the public hearing process required by State law.

**Tule River Indian Reservation:** The Reservation is not under the land use jurisdiction of the County, and is therefore not a part of this Plan. In 1974, the Tribal Council adopted the Comprehensive Development Plan which was amended in 1979 and annually updates the Overall Economic Development Plan as required by the Federal Economic Development Administration under the Department of Commerce. Currently, the Reservation is in the process of adopting an interim land use Ordinance. It is expected that this action will govern land use decisions until such time as other Reservation Plans and documents are synthesized into a detailed land use ordinance. (Source: Mark Greenfield, Natural Resources Manager, Tribal Council, July 10, 1990.)

There are approximately 236 acres of privately owned lands in the Study Area, which are surrounded by Tule River Indian Reservation lands in the northeast area of the Reservation. While the Reservation is excluded from this Plan, the privately owned properties are part of the Planning Area and are subject to all applicable Plan provisions. Access to these properties is by the Tule River Indian Reservation Road from the west. Coy Flat Road (Forest Service Road 20S94) only leads to the boundary of the Reservation on the north. The Reservation will not likely be affected by other areas of the Planning Area due to the remoteness and the lack of common access. For example, the watershed of the Reservation is completely separate from other parcels in the Planning Area - except for the properties noted above.

#### **USE OF THE GREAT WESTERN DIVIDE (N 1/2) PLAN AND ENVIRONMENTAL IMPACT REPORT**

The Great Western Divide (N 1/2) Plan prescribes the manner in which the Planning Area will develop and grow in the foreseeable future. Its policies will form the basis for future decisions by the County of Tulare regarding requests for building permits, zone changes, divisions of land, and other development review processes. In addition, as the Plan establishes development densities and prescribes land uses, it will undoubtedly influence private decisions pertaining to land purchases and development proposals within the Great Western Divide (N 1/2) Planning Area. Finally, as the Plan contains standards for the development of property, in conjunction with various State laws and County ordinances, it provides the authority for requiring necessary physical improvements in conjunction with private development projects such as private road improvements, which enhance the physical, social, and economic environment of the area while protecting the health, safety, and welfare of its citizens.

An Environmental Impact Report (EIR) has been prepared to assess potential adverse impacts to the environment that might result from the implementation of this Plan in accordance with the California Environmental Quality Act (CEQA) and the State and County Guidelines implementing CEQA.

CEQA Guidelines Section 15152 provides that agencies are encouraged to "tier" EIRs which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach is intended to be utilized by the County for discretionary actions by the County subsequent to the adoption of this Plan since tiering, as pointed out in the Guidelines, can eliminate repetitive discussions of the same issues and focus the subsequent environmental documents (Negative Declarations or EIRs) on the actual issues ripe for decision at each level of project and environmental review.





## **Chapter 2**

### **Environmental Setting**



## CHAPTER 2

### THE GREAT WESTERN DIVIDE (N 1/2) STUDY AREA

#### INTRODUCTION

Since the Great Western Divide (N 1/2) Planning Area is located within the Sequoia National Forest, a definition of terms used in the Plan is necessary. Tulare County's land use jurisdiction is limited to privately owned lands within the Forest. However, for purposes of planning and environmental assessment it is necessary to look at these inholdings within the context of their surroundings. The term "Study Area" will be used when referring to both the Sequoia National Forest and private lands within the boundary of the Great Western Divide (N 1/2) Plan Area. The term "Planning Area" is used when referencing those inholdings over which the County has land use and zoning jurisdiction.

#### REGIONAL SETTING

The Great Western Divide (N 1/2) Study Area is situated in the west-facing slopes of the Sierra Nevada mountain range within the Tule River and Kern River watersheds and lies west of the North Fork Kern River. Access to the Planning Area is provided by State Highway 190, which enters from the west at the northerly end of the Planning Area, Western Divide Highway (M107), and Kern River Highway (M99) and Parker Pass Road (M50) via Hot Springs Road, which enter the Planning Area from the southeast and southwest respectively. The Planning Area is approximately a two to two-and-one-half hour drive from the Tulare County seat of Visalia and is about a one-half to one hour drive from Springville, the nearest community along State Highway 190 outside the Planning Area. (Refer to Exhibit C, Study Area Location Map.)

#### HISTORICAL PERSPECTIVE AND EMERGING CONCERNS

The development pattern within the Great Western Divide (N 1/2) area has generally resulted in the establishment of several identifiable communities, which, while having similar environmental settings and sharing common general interests respective to mountainous regions, also exhibit a certain degree of autonomy and a distinctive identity unique to each area. Development has typically occurred first on privately owned lands most favorable for development, such as areas with reasonable slopes, easy access, available essential services, and within close proximity to commercial services. Commercial development is generally located near well-traveled roadways and areas having adequate vehicular access. Residential development initially clusters near established commercial areas and then radiates outward as development continues. The Camp Nelson locale demonstrates this type of development with the Camp Nelson Lodge as the historical commercial center encircled by single family residential development.

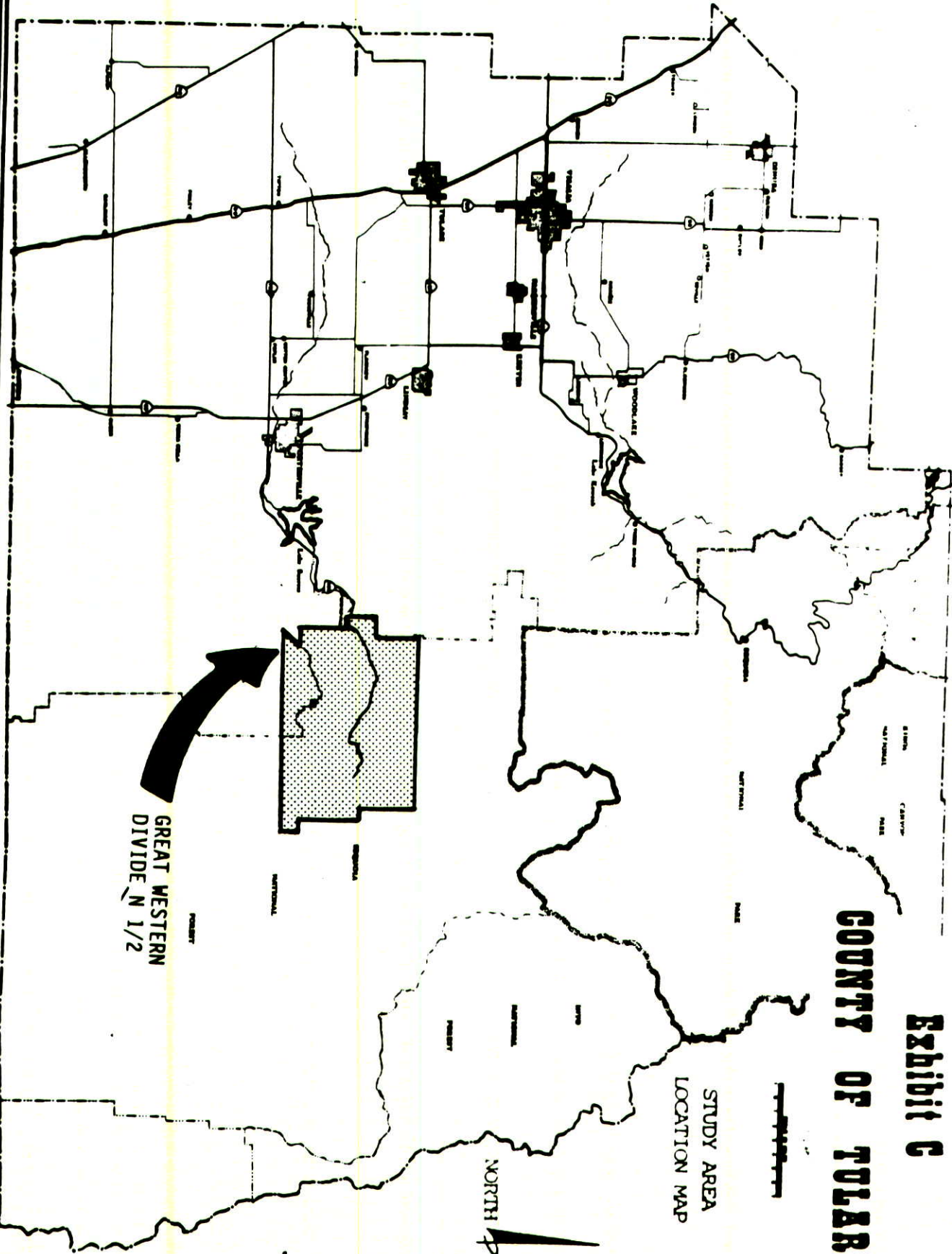
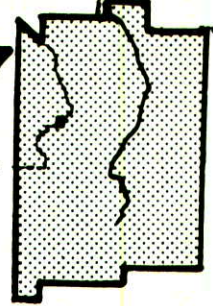
Due to its unique mountain environment, its relative remoteness, and the abundance of surrounding National Forest lands, the Planning Area has historically experienced a significant amount of tourist activity. While a substantial number of persons reside in the area on a full time basis, most homes in the Planning Area are second-home vacation cabins. Because employment opportunities in this area will likely continue to be limited, it is anticipated that

# Exhibit C COUNTY OF TULARE

STUDY AREA  
LOCATION MAP



GREAT WESTERN  
DIVIDE N 1/2





use of the lands in the Planning Area will continue to follow the historical pattern.

In recent years, as interest has been demonstrated for further development of this area, current development density has increased, creating pressure for additional residential, commercial, and recreational development. As present land use policies and regulations currently in effect for the Planning Area are inadequate to deal effectively with the land use and circulation issues confronting the Great Western Divide (N 1/2) area, a more contemporary and specific policy framework is needed. Therefore, the Great Western Divide (N 1/2) Plan is being prepared to:

1. Address land use and circulation issues in a comprehensive fashion (as set forth in State law).
2. More specifically meet the current needs and address the issues particular to the Great Western Divide (N 1/2) Planning Area.
3. Assure that development in the Great Western Divide (N 1/2) area occurs in a manner consistent with other County general plan elements.
4. Assure that development in the Great Western Divide (N 1/2) area occurs in a manner consistent with prevailing local opinions and values.
5. Promote land use activities consistent with the level of service that can reasonably and cost effectively be provided by public and private agencies.
6. Recognize current market demand for development while ensuring that it occurs in a fashion consistent with the precepts of planning practice and within the parameters established by existing constraints in the Planning Area.
7. Establish an up-to-date land use plan that strikes an acceptable balance between possible competing public interests.

In support of the above goals, research of the historic development of the area was conducted to provide a basis for establishing land use patterns for the future. Research demonstrated that, a low rate of growth in the Planning Area reflects a steady but limited demand for development in the Great Western Divide (N 1/2) area. Evaluation of historical development activity identified two distinct types of land use demand: the development of existing parcels (i.e., construction activity) and the creation of new parcels through the land division process.

Research of building permit activity revealed that an average of about 8 new homes are constructed in the Planning Area each year. Research of land divisions in the Planning Area through review of parcel map and subdivision activity revealed approximately 99 newly created parcels since 1975, or an average of 7 new parcels each year. (These new parcels ranged in size from 0.25 acres to 179 acres, with the bulk of the parcels averaging 1/2 to 5 acres in size.) Research of the 99 parcels also revealed that, in the 14 year period since 1975, 13 of the 99 parcels had been issued building permits for new

dwellings, which averages 1 newly created parcel each year being developed. Therefore, of the average 7 parcels created each year, 6, or about 86%, have continued to be vacant, which means that about 86% of the parcels created since 1975 (or about 85 parcels) have remained undeveloped. In addition, 620 undeveloped residential lots created prior to 1975 also exist in the Planning Area. Combining the two figures indicates that a total of approximately 706 undeveloped residential lots exist in the Planning Area.

Comparing the average number of annual housing starts (8) to the average number of new lots created annually (7) indicates that single family residential lots are being developed at a faster rate than they are being created. While this appears to be the situation existing at the time of formulation of this Plan, it is not cause for immediate concern. An abundant supply of vacant residential lots (706) are known to exist within the Planning Area that can effectively absorb anticipated housing demands during the 20-year planning period without significantly limiting the supply of vacant lots.

This examination of parcelization activity indicates that a unique demand exists in the Planning Area whereby individuals purchase residential land with the anticipation of constructing residences in the distant, rather than the immediate, future. Thus, it appears that parcels are being purchased and held, for various reasons, with construction delayed on these parcels for an indefinite period. Reasons for delaying construction are undoubtedly varied, but may include the need to accumulate funds for constructing a vacation or retirement residence, or, simply, the desire to have a piece of mountain property as a family keepsake.

#### ENVIRONMENTAL SETTING

*(Please refer to Chapter 3 of the Environmental Impact Report for a complete description of the environmental setting of the Planning Area.)*

Introduction: The Planning Area lies east of the easterly-most boundary of the County adopted Foothill Growth Management Plan and within the Sequoia National Forest. The Planning Area encompasses the privately owned lands which are situated generally within the following areas and communities:

Biedebach Ranch	Alpine Village
Doyle Springs	Sequoia Crest
Moorehouse Springs	Cedar Slope
Pierpoint Springs	Quaking Aspen
Camp Nelson	Ponderosa
Rogers Camp	Freeman Grove
Red Hill Grove	Lands in Tule Indian Reservation

The private inholdings contained in these areas, and to which this plan is directed, comprise approximately 4,580 acres. Lands under the jurisdiction of the National Forest will not be subject to land use and circulation planning set forth by this plan, except to the extent that existing and planned land uses for these surrounding lands, as established by the Sequoia National Forest, have been taken into consideration in the development of this plan. As the matter of jurisdiction over privately owned lands situated within the exterior boundary of the Tule River Indian Reservation has not been finally resolved at the time of writing of this plan, this plan does provide land use designations for these privately owned lands. Existing and planned land uses

on the Reservation have also been taken into consideration in the development of this plan.

The following section describes in some detail land use, zoning, housing, environmental elements, and other background information in relation to identified "locales" or groupings of the various communities or areas listed above. The dominant community within each locale is used as the identifying name for the entire locale. The following is a description of the geographic context of the locales as they are used in this next section of the generalized environmental setting description:

- Pierpoint: Biedebach Ranch and other lands just east of Springville inside the Planning Area boundary, Moorehouse Springs, and Pierpoint Springs
- Camp Nelson: Rogers Camp, Red Hill Grove, lands in the Tule Indian Reservation, and Camp Nelson
- Alpine Village: Doyle Springs, Sequoia Crest, and Alpine Village
- Ponderosa: Cedar Slope, Quaking Aspen, and Ponderosa

The majority of the policies established in the plan address area-wide issues assuring the comprehensiveness of the general plan document for the entire Planning Area. However, as each locale has its own identity and associated degree of autonomy, some policies were needed which addressed issues unique to a locale to retain and encourage the distinctive identity of the respective communities.

The information below presented for each locale describes in general terms existing conditions and past trends. Existing conditions manifest as either opportunities or constraints for future planning decisions. For example, existing soils, steep slopes, or limited availability of water may constrain development in specific areas. On the other hand, vacant land without these types of limitations present an opportunity for development of a range of land uses. General plan policies provide the framework for establishment of appropriate or desired land uses in each community. The policies in this plan set forth appropriate or desired land use for each community, taking into consideration the existing opportunities and constraints that may influence or impact potential development.

**PIERPOINT LOCALE:**

**LAND USE**

**Acreege/Zoning:** The Pierpoint locale contains approximately 1,753 acres, consisting of 155 lots. Of those 1,753 acres, approximately 1,608 acres are comprised of 19 lots which are ten acres in size or larger. The remaining 145 acres contain 135 lots, each under ten acres in size.

The zoning in the locale includes: Agriculture (A-1), Rural Residential (R-A), Light Manufacturing (M-1), and Recreation ("O"). The acreage total that each zone represents are as follows: A-1 = 1,714 acres, R-A-16.5 = 16.6 acres, R-A-14 = 17.5 acres, M-1 = 1 acre, and "O" = 3 acres.

**TABLE 1**

**PIERPOINT ACREAGE BY ZONE**

	<u>Zoning</u>	<u>Acreege</u>	<u>Lots</u>
East Springville	A-1 < 10 acres	32	7
	A-1 > 10 acres	612	6
		<u>644 acres</u>	<u>13 lots</u>
Moorehouse Springs	A-1 > 10 acres	984 acres	12 lots
Pierpoint	A-1 < 10 acres	74	86
	A-1 > 10 acres	12	1
	R-A-16.5 < 10 acres	16.6	34
	R-A-14 < 10 acres	17.5	5
	M-1 < 10 acres	1	2
	"O" < 10 acres	3	2
		<u>124.1 acres</u>	<u>130 lots</u>
<b>TOTAL:</b>		<b>1,752.1 acres</b>	<b>155 lots</b>

Source: Tulare County Planning and Development Department

**Housing:** The entire locale contains 68 single-family residences, 2 mobilehomes, and 1 travel trailer. The locale also contains 63 vacant lots. The East Springville area contains 7 single-family residences, and 7 vacant lots. The Moorehouse Springs area contains 2 single-family residences and 10 vacant lots. The area of Pierpoint contains 59 single-family residences, 2 mobilehomes, one travel trailer, and 46 vacant lots.

**Commercial Services:** The Pierpoint locale contains one commercial center that provides services for the area. The center, known as Pierpoint Springs Resort, contains a seven-unit motel, restaurant/bar, cafe, grocery store, post office, real estate office, and gasoline services.

## ENVIRONMENTAL ELEMENTS

**Wildlife and Vegetation:** The Pierpoint locale lies within the designated boundary of the Tule River Deer Herd habitat. This particular locale is situated within the herd's migration routes and critical winter habitation areas. Both the southern portion of the Moorehouse Springs subdivision and the private inholdings along Highway 190, just east of Springville, occur within the known critical winter habitation areas.

The Natural Diversity Data Base (NDDB) Inventory has indicated that the locale occurs within the known boundaries of a number of special plants and wildlife species. The special wildlife known to occur in this locale are the wolverine (*Gulo gulo*) and the black swift (*Cypseloides niger*).

The special plants known to occur in the locale are the Kaweah brodiaea (*Brodiaea insignis*), Springville clarkia (*Clarkia springvillensis*), Yosemite ivesia (*Ivesia unguiculata*), and spiny sepaled coyote thistle (*Eryngium spinosepalum*).

The protection provided to these special plants and wildlife are outlined below. The wolverine species is State listed as Threatened and is ranked as a Candidate 2 for potential Federal listing. It is also prioritized by the NDDB as A2.1. The Springville clarkia is State listed as Endangered, and ranked as a Candidate 2 for potential Federal listing. The clarkia is also prioritized by the NDDB as A2.1. The Yosemite ivesia is prioritized by the NDDB as B2.1. The spiny sepaled coyote thistle is ranked as a Candidate 2 for potential Federal Listing, and prioritized A2.1 by the NDDB. (See Appendix A for NDDB classifications.)

**Seismic Safety:** Most of the Pierpoint locale lies within the seismic safety zone of S1. The eastern portion of the locale, from the middle of Moorehouse Springs - east, lies within the seismic safety zone of S2. The S1 and S2 seismic safety zones require compliance with the Uniform Building Code Zone II and III, respectively.

**Hydrology:** The major watershed for this locale feeds the South Fork of the Middle Fork of the Tule River. This particular fork of the Tule River originates at the base of Slate Mountain.

## CONSTRAINTS AND OPPORTUNITIES

This locale is severely restricted by steep slopes. Significant development, residential or commercial, is not practical at any of the sites represented by this locale, with the exception of perhaps Banjo Flat and Mohogany Flat in Moorehouse Springs..

At the western edge of the locale, near Springville, 414 acres of the 644 acres in this vicinity are committed to agricultural preserve. The Springville clarkia, which is State listed as endangered, occurs in this area. In addition, the area is critical winter habitat for the Tule River Deer Herd.

At the Moorehouse Springs property, approximately 90 percent of the area consists of slopes greater than 30 percent, with a majority of the slopes being over 50 percent. The portion of the site which does have developable slopes is located within critical winter deer habitat.

At Pierpoint Springs, significant areas exist with a slope of less than 30 percent, but these areas are already developed. Commercial services are probably limited to the existing commercial area with minimal room for expansion.

**CAMP NELSON LOCALE:**

**LAND USE**

**Acreage/Zoning:** The Camp Nelson locale contains approximately 1,015 acres, consisting of 637 lots. Of those 1,015 acres, approximately 650 acres contain 8 lots over ten acres in size. The remaining 365 acres contain 629 lots under ten acres in size.

The zoning in the locale includes Agriculture (A-1), Rural Residential (R-A), Single Family Estate (R-0), and Recreation ("0"). The acreage total that each zone represents are as follows: A-1 = 923 acres, R-A-12.5 = 7 acres, R-A-20 = 12 acres, R-0-20 = 63 acres, and "0" = 10 acres.

**TABLE 2**

**CAMP NELSON ACREAGE BY ZONE**

	<u>Zoning</u>	<u>Acreage</u>	<u>Lots</u>
Camp Nelson	A-1 < 10 acres	187	370
	R-A-12.5 < 10 acres	7	2
	R-A-20 < 10 acres	12	4
	R-0-20 < 10 acres	63	125
	"0" < 10 acres	10	5
		<u>279 acres</u>	<u>506 lots</u>
Rogers Camp and other areas	A-1 > 10 acres	650	8
	A-1 < 10 acres	86	123
		<u>736 acres</u>	<u>131 lots</u>
<b>TOTAL:</b>		<u>1,015 acres</u>	<u>637 lots</u>

Source: Tulare County Planning and Development Department

**Housing:** The entire locale contains 373 single family residences, 6 mobilehomes and 4 travel trailers. The locale also contains 234 vacant lots. The Camp Nelson area contains 360 single-family residences, 6 mobilehomes, 4 travel trailers, and 117 vacant lots. The Rogers Camp area contains 13 single family residences and 117 vacant lots.

**Commercial Services:** The community of Camp Nelson contains the only commercial center within the locale. The commercial center consists of a real estate office, grocery store, deli, bookstore, and resort facilities. The center also contains a restaurant/bar and 10-unit motel facility. The area known as Rogers Camp contains no commercial services.

**ENVIRONMENTAL ELEMENTS**

**Wildlife and Vegetation:** The Camp Nelson locale lies within the designated boundary of the Tule River Deer Herd habitat. The community of Camp Nelson

lies within the herd's major summer to winter migration corridor. Rogers Camp lies within the path of several winter to summer migration routes.

Both Camp Nelson and Rogers Camp are situated entirely within the known summer range of the herd. In the Rogers Camp area, the 160 acre parcel in Section 9 has a key fawning area within and adjacent to it.

The Natural Diversity Data Base (NDDB) Inventory indicates that the locale contains several special plants and wildlife species. The Rogers Camp area contains two specific boundaries for the spotted owl (*Strix occidentalis*). The northern edge of the locale, just above Camp Nelson, contains one specific boundary for the owl.

The generalized boundaries of both the Kaweah brodiaea (*Brodiaea insignis*) and the Yosemite ivesia (*Ivesia unguiculata*) habitats cover the entire locale. The Big Tree Forest (*Sequoiadendron giganteum*) habitat occurs in several places within the locale. On the eastern edge of Camp Nelson, the Big Tree Forest "Belknap Camp Grove" exists. In the Rogers Camp area, the Big Tree Forest "Black Mountain Grove" covers nearly two-thirds of the area. In the southeast corner of the locale, the Big Tree Forest "Red Hill Grove" occurs near Crawford Camp.

The protection provided to these special plants and wildlife are as follows: The spotted owl is prioritized by the NDDB as B2.1. The Kaweah Brodiaea is State listed as Endangered and ranked as a Candidate 1 for potential Federal listing. The species is also prioritized A2.1 by the NDDB. The Yosemite ivesia is prioritized B2.1 by the NDDB. The Big Tree Forest habitat is prioritized by the NDDB as B2.1. (See Appendix A for NDDB classifications.)

**Seismic Safety:** The Camp Nelson locale contains all three of the seismic safety zones that occur in the planning area. The parcels west of Rogers Camp are within Zone S1. Camp Nelson and Rogers Camp are within Zone S2. The private inholding known as Red Hill Grove, adjacent to the southern boundary of the Planning Area, lies within the S2S Zone. Zone S1 is characterized by shaking that should be minimal, due to the hard granitic and metamorphic rock and distance from active faults. The S2 and S2S Zones are characterized by shaking that is known to be minimal to moderate on hardrock. Shaking is more intense on alluvium in valleys, or on thick sections of weathered bedrock in mountain meadows. The S1 Zone requires compliance with the Uniform Building Code Zone II. Both the S2 and S2S Seismic Safety Zones require compliance with the Uniform Building Code Zone III. (See Appendix C for seismic classifications.)

**Hydrology:** The major watershed for the locale is the South Fork of the Middle Fork of the Tule River. This fork of the river originates at the base of Slate Mountain.

## CONSTRAINTS AND OPPORTUNITIES

Development on the private lands that are accessed by Coy Flat Road (Forest Service 20S94) are constrained by inadequate access. Currently, the Forest Service closes the road for approximately six months of the year. The road is not surfaced and is less than two lanes in width. The Forest Service has indicated they are unwilling to improve this road and it is unlikely the County will improve this road within the twenty-year period of the Plan. Future



development in the Rogers Camp area appears to be limited to residential construction on existing lots for recreational purposes due to the seasonal nature of access.

In Camp Nelson, the less steep areas have been residentially developed, except for the meadow areas. This relatively undeveloped area within Camp Nelson consists of approximately 10 acres of recreationally zoned property. It contains a limited amount of commercial recreation development, which basically includes the general store, lodge, and restaurant.

Factors which favor commercial development at this location include a central location to other inholdings within the Forest, vacant lands with slopes of less than 15 percent, existing commercial development, good access, highest concentration of houses, and nearby campgrounds.

Development in that portion of Camp Nelson which is upslope from Highway 190 is constrained by severe slopes.

**ALPINE VILLAGE LOCALE:**

**LAND USE**

**Acreage/Zoning:** The Alpine Village locale contains approximately 1,129 acres, comprising a total of 342 lots. Of those 1,129 acres, approximately 950 acres contain 12 lots over ten acres in size. The remaining 179 acres contain 330 lots under ten acres in size.

The zoning in the locale includes Agriculture (A-1), Rural Residential (R-A), and Recreation ("O"). The acreage total that each zone represents are as follows: A-1 = 708 acres, R-A = 390 acres, R-A-12.5 = 20 acres, R-A-20 = 5 acres, and "O" = 6 acres.

**TABLE 3**

**ALPINE VILLAGE ACREAGE BY ZONE**

	<u>Zoning</u>	<u>Acreage</u>	<u>Lots</u>
Doyle Springs	A-1 > 10 acres	200 acres	2 lots
Sequoia Crest	A-1 > 10 acres	228	1
	R-A > 10 acres	307	2
	R-A < 10 acres	73	206
		<u>808 acres</u>	<u>211 lots</u>
Upper Alpine Village	A-1 > 10 acres	161	3
	A-1 < 10 acres	26	6
		<u>177 acres</u>	<u>9 lots</u>
Lower Alpine Village	A-1 > 10 acres	63	4
	A-1 < 10 acres	60	82
	R-A < 10 acres	10	20
	R-A-12.5 < 10 acres	20	11
	R-A-20 < 10 acres	5	4
	"O" < 10 acres	6	6
	<u>164 acres</u>	<u>127 lots</u>	
<b>TOTAL:</b>		<u><u>1,159 acres</u></u>	<u><u>347 lots</u></u>

Source: Tulare County Planning and Development Department

**Housing:** The entire locale contains 172 single family residences, no mobilehomes, and no travel trailers. The locale also contains 211 vacant lots. The Doyle Springs parcel contains 51 single family residences; all 51 residences occur on the one parcel. The Sequoia Crest area contains 82 single family residences on individually owned parcels, and 145 vacant lots. The Upper Alpine Village private inholding contains one single family residence and 8 vacant lots. The Lower Alpine Village area contains 38 single family residences and 63 vacant lots.

**Commercial Services:** The Alpine Village locale contains one commercial center, which currently provides services for the area. The Doyle Springs parcel contains no commercial services. The USFS Camp Wishon area, south of Doyle Springs, at one time contained commercial services that included a restaurant/bar, store, and gas station. During the preparation phase of this Plan these services have been discontinued and the structures dismantled. However, the USFS Wishon campground is still in operation, which consists of a restaurant and a four-unit motel facility. Upper Alpine Village contains no commercial facilities. The Sequoia Crest subdivision contains a restaurant facility that is currently closed.

## ENVIRONMENTAL ELEMENTS

**Wildlife and Vegetation:** The Alpine Village locale lies within the designated boundary of the Tule River deer herd habitat. This particular locale lies within the path of several of the herd's summer to winter migration routes. The southern half of the Doyle Springs parcel is situated within the herds known winter range; the northern half occurs in the summer range.

The Natural Diversity Data Base (NDDB) Inventory indicates that the locale occurs within the boundary of one special concern wildlife species, the spotted owl, and within the boundaries of several special plant species. The specific boundary of the spotted owl (*Strix occidentalis*) occurs in the southern end of the locale. The generalized boundaries of both the Kaweah brodiaea (*Brodiaea insignis*) and the Yosemite ivesia (*Ivesia unquiculata*) cover nearly the entire locale. In the Sequoia Crest subdivision, approximately two-thirds of the area lies within the boundary of the Big Tree Forest habitat (Alder Creek Grove.)

The protection provided to these special plants and wildlife area as follows: The spotted owl is prioritized by the NDDB as B2.1. The Kaweah brodiaea is State listed as Endangered, and ranked as a Candidate 1 for potential Federal listing. The species is also prioritized A2.1 by the NDDB. The Yosemite ivesia is prioritized B2.1 by the NDDB. The Big Tree Forest habitat is prioritized by the NDDB as B2.1. (See Appendix A for NDDB classifications.)

**Seismic Safety:** The entire locale occurs in the seismic safety zone of S2. The S2 Zone is characterized by shaking that is known to be minimal to moderate on hard rock. Shaking is more intense on alluvium in valleys, or on thick sections of weathered bedrock in mountain meadows. The S2 Zone requires compliance with the Uniform Building Code Zone III, with normal facilities. (See Appendix C for seismic classifications.)

**Hydrology:** The major watershed for the locale is both the North Fork of the Middle Fork and the South Fork of the Middle Fork of the Tule River. The Doyle Springs parcel and the Sequoia Crest subdivision lie within the watershed of the North Fork of the Middle Fork of the Tule River; Alpine Village lies within the watershed of the South Fork of the Middle Fork of the Tule River.

## CONSTRAINTS AND OPPORTUNITIES

The private inholdings within the Alpine Village locale share the common factor of not being located on a through road. This factor, in combination with

others (i.e., road closures due to heavy snow, small population), significantly limit commercial opportunities within the locale.

The potential for additional second-home development exists at each of the separate areas within the locale, except Doyle Springs as it is already developed. Both Alpine Village and the areas east of the existing Sequoia Crest subdivision have slopes that exceed 30 percent.

Sequoia Crest and Alpine Village also have a community water system, both of which can probably be expanded. However, the undeveloped area east of Sequoia Crest is part of the Alder Creek Sequoia Grove, which contains several "specimen" trees. Although a portion of the Grove has already been subdivided, the appropriateness of further subdivision is still questionable. The Department of Fish and Game has listed the habitat of the big trees as uncommon and threatened. The fact that the specimen trees are still standing, despite logging of other species, is testament of the current owners' awareness of the value of the trees. However, future owners of the property may not care to be as sensitive, and therefore, policies may be needed for the protection of the trees.

**PONDEROSA LOCALE:**

**LAND USE**

**Acreage/Zoning:** The Ponderosa locale contains approximately 580 acres, consisting of 418 lots. Of those 580 acres, approximately 300 acres contain 10 lots over ten acres in size. The remaining 280 acres contain 408 lots under ten acres in size.

The zoning in the locale includes Agriculture (A-1), Rural Residential (R-A), and Recreation ("O"). The acreage total that each zone represents are as follows: A-1 = 350 acres, R-A-20 = 213 acres, and "O" = 17 acres.

**TABLE 4**

**PONDEROSA ACREAGE BY ZONE**

	<u>Zoning</u>	<u>Acreage</u>	<u>Lots</u>
Cedar Slopes	A-1 > 10 acres	43	3
	A-1 < 10 acres	112	110
		<u>155 acres</u>	<u>113 lots</u>
Quaking Aspen	A-1 > 10 acres	100	3
	A-1 < 10 acres	4	1
		<u>104 acres</u>	<u>4 lots</u>
Ponderosa	A-1 > 10 acres	77	1
	A-1 < 10 acres	4	1
	R-A-20 > 10 acres	70	2
	R-A-20 < 10 acres	143	282
	"O" < 10 acres	17	14
	<u>311 acres</u>	<u>300 lots</u>	
Freeman Grove	A-1	10 acres	1 lot
<b>TOTAL:</b>		<u><u>580 acres</u></u>	<u><u>418 lots</u></u>

Source: Tulare County Planning and Development Department

**Housing:** The entire locale contains 153 single family residences, no mobilehomes, and no travel trailers. The locale also contains 237 vacant lots. The Cedar Slope area contains 61 single family residences and 42 vacant lots. The Quaking Aspen area contains four vacant lots. The Ponderosa area contains 92 single family residences and 190 vacant lots. In addition, there is a 10-acre vacant lot near Freeman Creek, called Freeman Grove, in the northeast corner of the locale.

**Commercial Services:** The Ponderosa locale contains two commercial centers, which currently provide services to the area. In Cedar Slope, the commercial service provided is a cafe/bar along Highway 190. The Ponderosa commercial center provides the following services: restaurant, coffee shop, general store, real estate office, one two-unit motel accommodation, gasoline service,

and snowmobile repair service. These services are located near the frontage of the Ponderosa subdivision on the Western Divide Highway.

## ENVIRONMENTAL ELEMENTS

**Wildlife and Vegetation:** The Ponderosa locale occurs within the boundary of the Kern River Deer Herd habitat. The Cedar Slope subdivision, Quaking Aspen, Freeman Grove, and the Ponderosa subdivision occur in the herd's summer range. An area located between Ponderosa and Quaking Aspen serves as a key fawning area for the herd.

The Natural Diversity Data Base (NDDB) Inventory indicates that the locale contains several special plants and wildlife species. The specific boundary of the spotted owl (*Strix occidentalis*) occurs adjacent to Quaking Aspen.

The generalized boundaries of both the Kaweah brodiaea (*Brodiaea insignis*) and Yosemite ivesia (*Ivesia unguiculata*) occur within the locale. The Big Tree Forest (*Sequoiadendron giganteum*) habitat occurs in several places within the locale. On the eastern edge of the locale, the Freeman Grove Big Tree Forest covers the 10-acre parcel. The Wheel Meadow Grove Big Tree Forest surrounds the Quaking Aspen parcels. The McIntyre Grove Big Tree Forest occurs within the Cedar Slope area.

The protection provided to these special plants and wildlife are as follows: The spotted owl is prioritized by the NDDB as B2.1. The Kaweah Brodiaea is State listed as Endangered, and ranked as a Candidate 1 for potential Federal listing. The species is also prioritized A2.1 by the NDDB. The Yosemite ivesia is prioritized B2.1 by the NDDB. The Big Tree Forest habitat is prioritized by the NDDB as B2.1. (See Appendix A for NDDB classifications).

**Seismic Safety:** This locale occurs in Seismic Safety Zone S2. The S2 Zone is characterized by shaking that should be minimal to moderate on hardrock. The shaking is known to be more intense on alluvium in valleys, or on thick sections of weathered bedrock in mountain meadows. The S2 Zone requires compliance with the Uniform Building Code Zone III, with normal facilities. (See Appendix C for seismic classifications.)

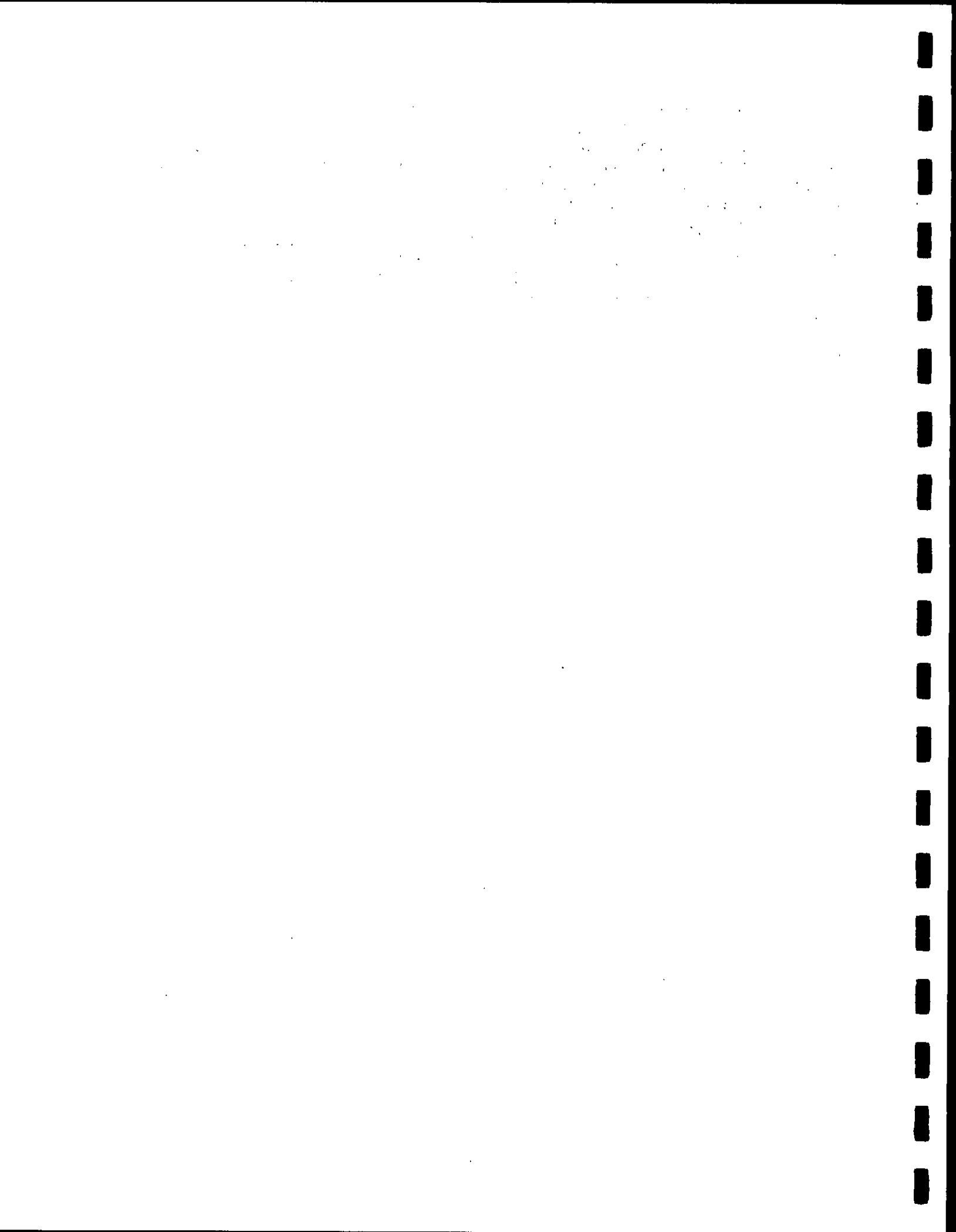
**Hydrology:** The two major watersheds in this locale are both the South Fork of the Middle of the Tule River and the North Fork of the Kern River. The Cedar Slope area is situated in the Tule River watershed. Freeman Grove, Quaking Aspen, and Ponderosa are all situated in the Kern River watershed.

## CONSTRAINTS AND OPPORTUNITIES

Cedar Slope is, for the most part, fully developed. Commercial development along Highway 190 is further constrained by steep slopes adjacent to Highway 190. Frontage development could not provide adequate parking and would likely result in hazardous access problems.

In Quaking Aspen, approximately 100 acres of private land exists about one-half mile northwest of the U.S. Forest Service Quaking Aspen campground. This land fronts on both sides of Highway 190 and approximately 20 to 25 acres may be suitable for moderate development. The lack of developed water at the site presents a development constraint.

Ponderosa is constrained by a high water table in the meadow areas. As a result, some existing residential lots cannot be developed using conventional septic disposal systems. Otherwise, Ponderosa has no site specific environmental concerns, has good access, favorable slopes, and an existing community water system. Most of Ponderosa has been subdivided for residential purposes, with 17 acres currently zoned for commercial recreation. The existing commercially zoned property is ideal for intense development provided liquid waste can be disposed safely. As outlined previously, a 0.67 acre parcel is fully developed for commercial. There are 81 acres that are currently within agricultural preserve, although a Notice of Non-Renewal has been filed for 77 acres, for which the Agricultural Preserve Contract will expire January 1, 1996.







## **Chapter 3**

# **Growth / Development Assumptions**



## CHAPTER 3

### GROWTH/DEVELOPMENT ASSUMPTIONS AND CONSIDERATIONS

1. Even though at the time of formulation of this Plan the Forest Service had concluded that the Peppermint Mountain Resort project is feasible and had begun soliciting specific project proposals from prospective developers, a precise development proposal for an anticipated regional recreational resort on Slate Mountain within the Sequoia National Forest was not available during the formulation of this Great Western Divide (N 1/2) Plan. Therefore, specific land use needs/demands on private inholdings that could be generated by Peppermint Mountain Resort could not be accurately forecasted. Further, a specific schedule for the development of the resort was also not available, rendering it difficult to assess the impact of the proposed resort within the planning period. For these reasons, this plan is not premised upon the anticipated development of the Peppermint Mountain Resort but is instead based upon historical development patterns and trends which have occurred in the area. Nonetheless, it is expected that the resort, if constructed, will have a growth inducing impact and will increase commercial/recreation and residential demands in the Planning Area. Such demands generated by Peppermint Mountain Resort can be accommodated by Plan modification(s) at the time that a precise development proposal for the project is approved by the U. S. Forest Service. In the event that Peppermint Mountain Resort becomes a reality during the planning period, the Plan will provide measures to facilitate necessary plan modifications once the specific characteristics of the project become known.
2. A mix of land uses will be necessary to support the day to day needs of residents and typical recreational users during the twenty year planning period based upon past development trends. Demand for new commercial development is expected to be low. New housing starts will also be limited, estimated at 10-15 dwellings per year.
3. Pierpoint, Camp Nelson, and Ponderosa will continue to retain their status as commercial nodes within the Planning Area. As deemed necessary, other areas may be suitable for additional or new commercial development.
4. There exists a limited desire within the Planning Area for multiple family residential development.
5. Area residents and property owners have given high priority to controlling new development so that it does not adversely impact natural resources within the Planning Area. Environmental features in general (e.g. vegetation, wildlife, archaeological resources, etc.) will not pose any significant barriers to low intensity development, but may be factors to consider in identifying ultimate development densities.
6. Significant interest exists within the Planning Area to develop guidelines for the manner in which new commercial and multiple family development occurs.

7. Limited employment opportunities will be available within the Planning Area.
8. The nature of recreation activities in the Planning Area will continue to be generally of low intensity (i.e. hiking, hunting, fishing, camping, horseback riding, cross country skiing, and snowmobiling).
9. While maximum land use densities will be set forth in the Plan, actual densities should be based on such physical factors as topographical conditions, availability of ground water, suitability of soils for sewage disposal, site access, surrounding land uses, unique environmental concerns and other similar conditions.
10. The basic framework of the major traffic circulation system within the Planning Area will remain unchanged. It is anticipated that no new major access routes will be developed in the Planning Area; primary access to newly developing areas will be from existing major routes, such as State Highway 190, Western Divide Highway, Wishon Drive, Nelson Drive, Redwood Drive, Aspen Drive, etc.
11. Given the significant amount of land controlled by the federal government, the predominant land use within the Study Area will continue to be resource conservation/open space/recreation; these federal lands will continue to be available and accessible to the public during the planning period.
12. Demand for privately owned mountain land will continue.
13. The Great Western Divide (N 1/2) Planning Area is, and will continue to be, throughout the planning period, a predominantly second home, recreation-oriented area.
14. Inter-agency cooperation between the County of Tulare, the U.S. Forest Service, and the Tule River Indian Reservation will be maintained so as to facilitate congruity in the implementation of long term plans for each respective jurisdiction.
15. Certain existing uses within the Planning Area may be rendered by this Plan and, eventually, under County Zoning Ordinances, as nonconforming. The Plan will recognize the appropriateness of maintaining these uses despite their acquired nonconforming status.
16. Sewage disposal is currently provided by individual septic tank/leach line systems throughout the Planning Area. No significant concerns regarding sewage disposal by individual on-site systems are known to exist in the Planning Area at the time of the formulation of this Plan. Therefore, individual septic tank/leach line systems will continue to be the predominant form of sewage disposal for new development during the twenty-year planning period. Further, while community sewer systems can be proposed for new developments or may be desirable or necessary due to on-site conditions, no new community sewer systems within the Planning Area will be proposed by this Plan.

17. Domestic water is currently provided by both individual wells and private water companies. This trend is expected to continue through the planning period. New residential subdivisions will likely utilize new private community water systems, where physical and economic opportunities are suitable. Limited expansion of existing private water systems might occur, but is not expected to be significant. Water quality should remain adequate.

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## **Chapter 4**

### **Goals and Policies**





## CHAPTER 4

### GOALS AND POLICIES

#### GENERAL LAND USE

**GOAL A:** TO PROVIDE A BALANCED AND ORDERLY LAND USE PATTERN WITHIN THE PLANNING AREA AND WITHIN INDIVIDUAL COMMUNITIES AND LOCALES CONSISTENT WITH THE MOUNTAIN-FOREST SETTING AND ENVIRONMENT OF THE REGION.

- POLICY 1.** Establish land uses and development densities that are consistent with available or assured public facilities including, but not necessarily limited to, water, sewage disposal, vehicular access, and fire protection.
- POLICY 2.** Development in environmentally sensitive areas, such as, but not limited to, areas characterized by slopes in excess of 30%, unstable geology, flood prone areas, special wildlife habitats, unique archaeological/historical sites, and scenic vistas, shall be precisely planned.
- POLICY 3.** The amount and type of new commercial development shall be that necessary to satisfy local residential and recreational-visitor (tourist) needs and demands.
- POLICY 4.** The integrity of any use, building, or parcel previously and legally established that may not be expressly permitted by this plan in any given land use designation or the implementing zoning shall be allowed to be continued in accordance with the County Zoning Ordinance.
- POLICY 5.** Implementation strategies shall be formulated to assure that the goals and policies of this plan are effectively implemented.
- POLICY 6.** Land use patterns shall promote compatibility of land uses and minimize future potential land use and environmental conflicts.
- POLICY 7.** Historical land use patterns within the Planning Area shall be generally maintained so as to avoid disruption of existing viable residential and commercial areas.
- POLICY 8.** Mixed use developments containing land uses which complement each other and are compatible with land uses in the vicinity of the development site, shall be allowed within the Planning area as Planned Unit Developments through the Special Use Permit procedure established in the Tulare County Zoning Ordinance to assure project compatibility with surrounding land uses.
- POLICY 9.** Land use designations adjacent to Sequoia National Forest and Tule River Indian Reservation lands shall be compatible with the planned land uses designated by the National Forest and Tribal Council within their respective jurisdictions.

**POLICY 10.** Quasi-public facilities that existed at the time of Plan formulation shall be recognized by the Plan, however new public and quasi-public uses shall be permitted in any area of the Plan subject to approval of a special use permit.

### COMMERCIAL LAND USE

**GOAL B:** TO PROMOTE AN ADEQUATE DISTRIBUTION OF COMMERCIAL FACILITIES THAT WILL SATISFY THE LOCAL/VISITOR NEEDS IN THE PLANNING AREA AND BE FUNCTIONAL, SAFE, ATTRACTIVE, AND COMPATIBLE WITH OTHER LAND USES.

**POLICY 1.** General and recreation-oriented commercial uses shall primarily locate in the communities of Pierpoint, Camp Nelson, and Ponderosa.

**POLICY 2.** Neighborhood commercial nodes may be permitted in appropriate areas to satisfy basic needs of neighborhood residents.

**POLICY 3.** Commercial uses and facilities should be made compatible with adjacent residential areas by means of adequate design features through established County Site Plan/Design Review, and, in some instances, Special Use Permit procedures.

**POLICY 4.** Tourist-oriented commercial uses shall be situated along established paths of tourist traffic, such as Highway 190, Western Divide Highway, Redwood Drive, Nelson Drive, and Aspen Drive, unless the character of the proposed uses warrants a location off these roadways.

**POLICY 5.** Development of commercial strips along major roads shall be discouraged; grouping of commercial uses into compact, well organized, and accessible centers shall be encouraged.

**POLICY 6.** Additional commercial uses may be established on appropriate properties outside areas shown on the Plan Map for commercial centers in order to accommodate future commercial demand.

**POLICY 7.** Home occupations shall be permitted as a means to satisfy the commercial demands for goods and services within the mountain communities.

**POLICY 8.** Short term lodging facilities, such as motels, bed and breakfast inns, and recreational vehicle parks, shall be permitted within the Planning Area as a means of satisfying recreational user housing needs.

**POLICY 9.** Open-space oriented, recreation/commercial uses of a low-intensive nature, such as campgrounds, cross-country ski facilities, hiking or pack stations, etc., shall be considered in appropriate locations throughout the Planning Area.

## RESIDENTIAL LAND USE

**GOAL C: TO PROVIDE ADEQUATE RESIDENTIAL OPPORTUNITIES FOR PERMANENT RESIDENTS AND RECREATIONAL USERS WHICH ARE COMPATIBLE WITH THE MOUNTAIN-FOREST SETTING AND WHICH CAN BE ACCOMMODATED BY AVAILABLE ESSENTIAL SERVICES.**

- POLICY 1.** Residential densities shall not exceed the type and level of essential services such as sewage disposal, domestic water supply, and fire protection, and shall be compatible with site specific physical features such as topography, drainage, access, and soil and geologic conditions.
- POLICY 2.** Single family residential opportunities may be made available to recreational users of the area through the provision of vacation/rental housing.
- POLICY 3.** Limited multiple family residential uses shall be allowed in specific areas having direct access to a major thoroughfare and offering adequate accessibility to commercial centers, and where the design features of such development blend with surrounding single family neighborhoods.
- POLICY 4.** Multiple family residential development shall provide the full range of necessary essential services in compliance with the applicable policies of the plan, and shall be controlled through the Site Plan/Design Review procedures established in the Tulare County Zoning Ordinance.
- POLICY 5.** Mobilehome parks shall be permitted in accordance with State law and County ordinances, and in accordance with the policies and implementation strategies of this plan.
- POLICY 6.** Mobilehomes on individual lots will be allowed in the manner permitted by law; mobilehome subdivisions will be considered on a case-by-case basis where such use is found to be physically and aesthetically compatible with surrounding land uses.
- POLICY 7.** Private lands on the periphery of developed lands may be placed in a low density residential designation to provide a logical transition from standard residential densities to the surrounding public lands and to serve as a holding zone for pending future conversion of these private lands to residential lots.

## RESOURCE CONSERVATION/MANAGEMENT

**GOAL D: TO IDENTIFY AND PRESERVE UNDEVELOPED OR INACCESSIBLE PRIVATE INHOLDINGS FOR CONTINUED RESOURCE MANAGEMENT AS A MEANS OF "BANKING" SUCH LANDS FOR POTENTIAL DEVELOPMENT UNDER FUTURE PLANS FOR THE PLANNING AREA.**

- POLICY 1:** Undeveloped inholdings and remote properties within the Planning Area shall continue to be available for resource management but shall not be designated for development under the current plan; such lands shall instead be placed in a "holding" designation for future development consideration.

## TRAFFIC AND CIRCULATION

**GOAL E:** TO PROVIDE FOR EFFICIENT, SAFE, AND CONVENIENT TRAFFIC CIRCULATION WITHIN AND THROUGH THE GREAT WESTERN DIVIDE (N 1/2) PLANNING AREA CONSISTENT WITH THE NATURE AND INTENSITY OF DEVELOPMENT IN THE REGION.

- POLICY 1.** State Highway 190 and Western Divide Highway shall continue to serve as the principle access and transportation routes both through and within the Planning Area and shall be designated as "Arterials" on the Plan Map.
- POLICY 2.** Wishon Drive, Redwood Drive, Coy Flat Drive, Nelson Drive, and Aspen Drive shall be maintained as the major collectors, providing access to interior inholdings not accessed directly by Highway 190 and Western Divide Highway; new development utilizing these roads shall occur only when it is found that existing and/or future improvements to the roads can accommodate anticipated traffic increases.
- POLICY 3.** Where direct access to a publicly maintained paved road is not otherwise available, private vehicular access easements (PVAEs) shall be made available from any new development and/or every new parcel created by a division of land within the Planning Area to a publicly maintained, all-weather surfaced road.
- POLICY 4.** Future vehicular access systems, whether public or private, shall be compatible with and protect the aesthetic qualities of the Planning Area and the mountain environment, and should not result in significant adverse environmental changes.
- POLICY 5.** Traffic circulation systems and improvements for both public and private roads within newly developing areas shall be designed to facilitate ingress and egress by emergency vehicles.
- POLICY 6.** All development occurring along public and private roads in the Planning Area shall be designed so as to minimize potential traffic safety hazards.
- POLICY 7.** The County shall consider modified road standards where publicly and privately maintained roads are proposed in newly developing areas, and where it is found that such modifications provide safe and efficient circulation and where such access complies with other goals and policies set forth in this plan.
- POLICY 8.** Future development projects shall provide sufficient off-street parking to satisfy anticipated demands.
- POLICY 9.** Present County road standards for mountainous areas shall be re-evaluated by the County to determine if modifications to said standards should be incorporated into the appropriate County Ordinances and General Plans that would reduce the economic burden of constructing roads and lessen the environmental damage resulting from road construction in the Planning Area.

## OPEN SPACE/RECREATION

### GOAL F: SUPPORT AND ENHANCE THE OPEN SPACE AND RECREATION OPPORTUNITIES IN THE GREAT WESTERN DIVIDE (N 1/2) AREA.

- POLICY 1. Allow activities and amenities that support the variety of recreational opportunities available in the Great Western Divide (N 1/2) Study Area.
- POLICY 2. Development projects should be designed to include open space so as to enhance the projects compatibility with the local mountain environment.

## ESSENTIAL SERVICES

### GOAL G: ENSURE THAT DEVELOPMENT IS MANAGED TO A LEVEL AT WHICH THE HEALTH AND SAFETY NEEDS OF THE GREAT WESTERN DIVIDE (N 1/2) RESIDENTS CAN BE MET BY AVAILABLE FACILITIES AND SERVICES.

#### WATER - Domestic and Fire Flow:

- POLICY 1. No new development projects nor significant expansions to existing developments shall be allowed until it is demonstrated that an adequate and safe supply of water will be made available to the site for domestic and fire flow purposes.

#### FIRE PROTECTION:

- POLICY 2. New development projects shall not be approved unless necessary improvements are provided to reduce the potential for wildland fires.

#### SEWAGE DISPOSAL:

- POLICY 3. New development projects and significant expansions to existing projects shall not be approved unless appropriate provisions are made for adequate and safe disposal of sewage effluent.
- POLICY 4. Use of community sewer systems shall be encouraged where practical and feasible in accordance with policies of the Tulare County General Plan.

#### POLICE AND MEDICAL EMERGENCY SERVICES:

- POLICY 5. Law enforcement and medical emergency services shall be provided in the Planning Area at a level commensurate with population growth, development, and public use of the area.

#### STORM WATER DRAINAGE:

- POLICY 6. New development projects shall contain adequate facilities for collection and disposal of storm water run-off with minimal effects to nearby properties and the environment.

**SCHOOLS:**

- POLICY 7.** Schools should be available to and have sufficient capacity for an increasing student population in the Planning Area.

**SNOW REMOVAL:**

- POLICY 8.** The Board of Supervisors shall appoint a committee to conduct a detailed study and assessment of snow removal needs within the Planning Area, and to make a recommendation to the Board of Supervisors as to the feasibility of forming an area-wide snow removal district, and/or other options the committee may determine are feasible or appropriate.

- POLICY 9.** In the interim, snow removal services shall be provided within the Planning Area at a level commensurate with increasing demands for year round access to developing areas, and within the financial limitations placed upon those who presently provide such services.

**SOLID WASTE REMOVAL:**

- POLICY 10.** New development projects shall dispose of solid waste in a manner and at a location acceptable to the County Public Works and Health Departments.

**ALL SERVICES - GENERAL:**

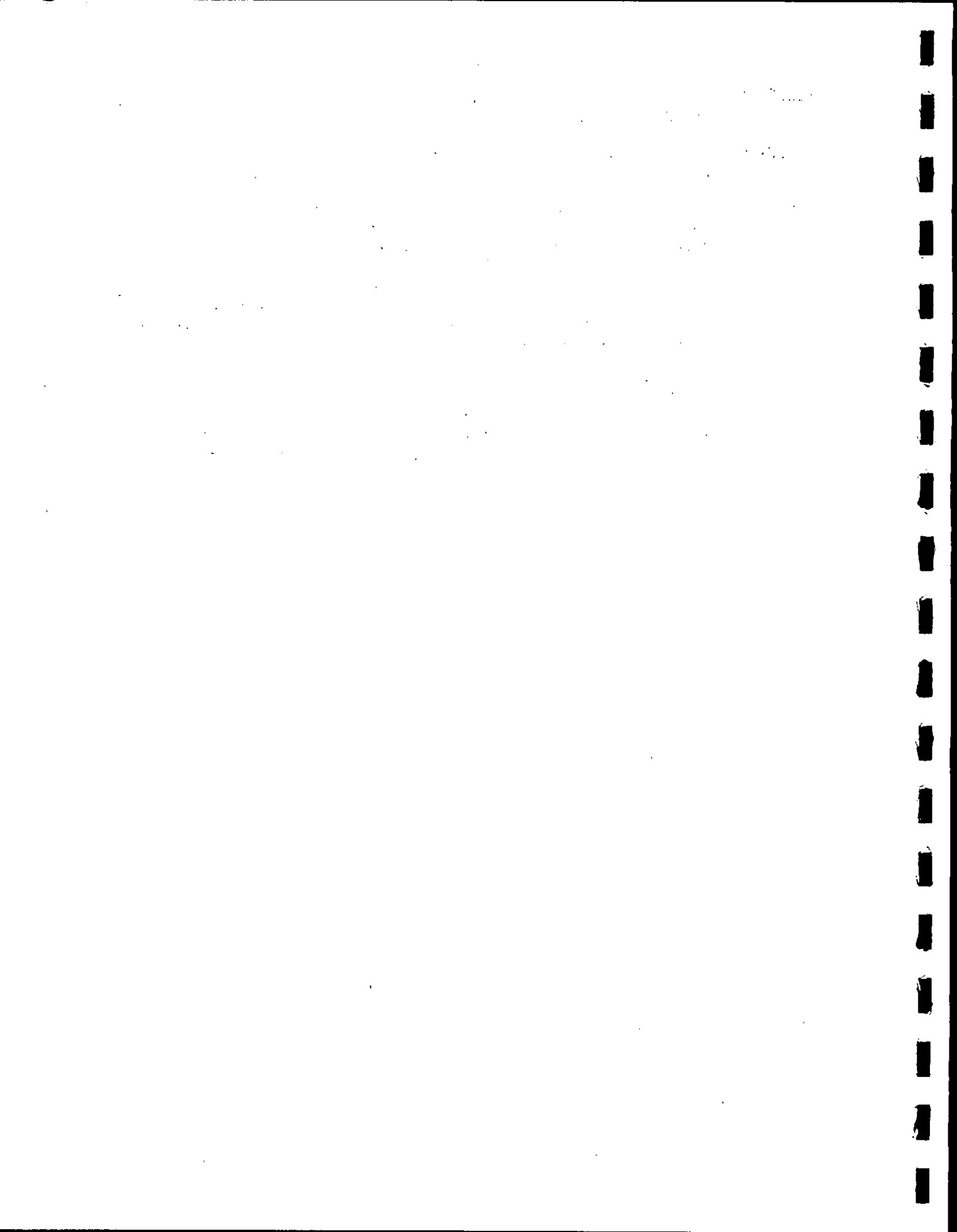
- POLICY 11.** Alternative financing methods to provide necessary essential services shall be considered by Tulare County when public funds are unavailable or insufficient to finance expanding or new public facilities and services.

**ENVIRONMENTAL CONSIDERATIONS**


**GOAL H: PROMOTE A BALANCED AND ENVIRONMENTALLY SENSITIVE APPROACH TO DEVELOPMENT.**

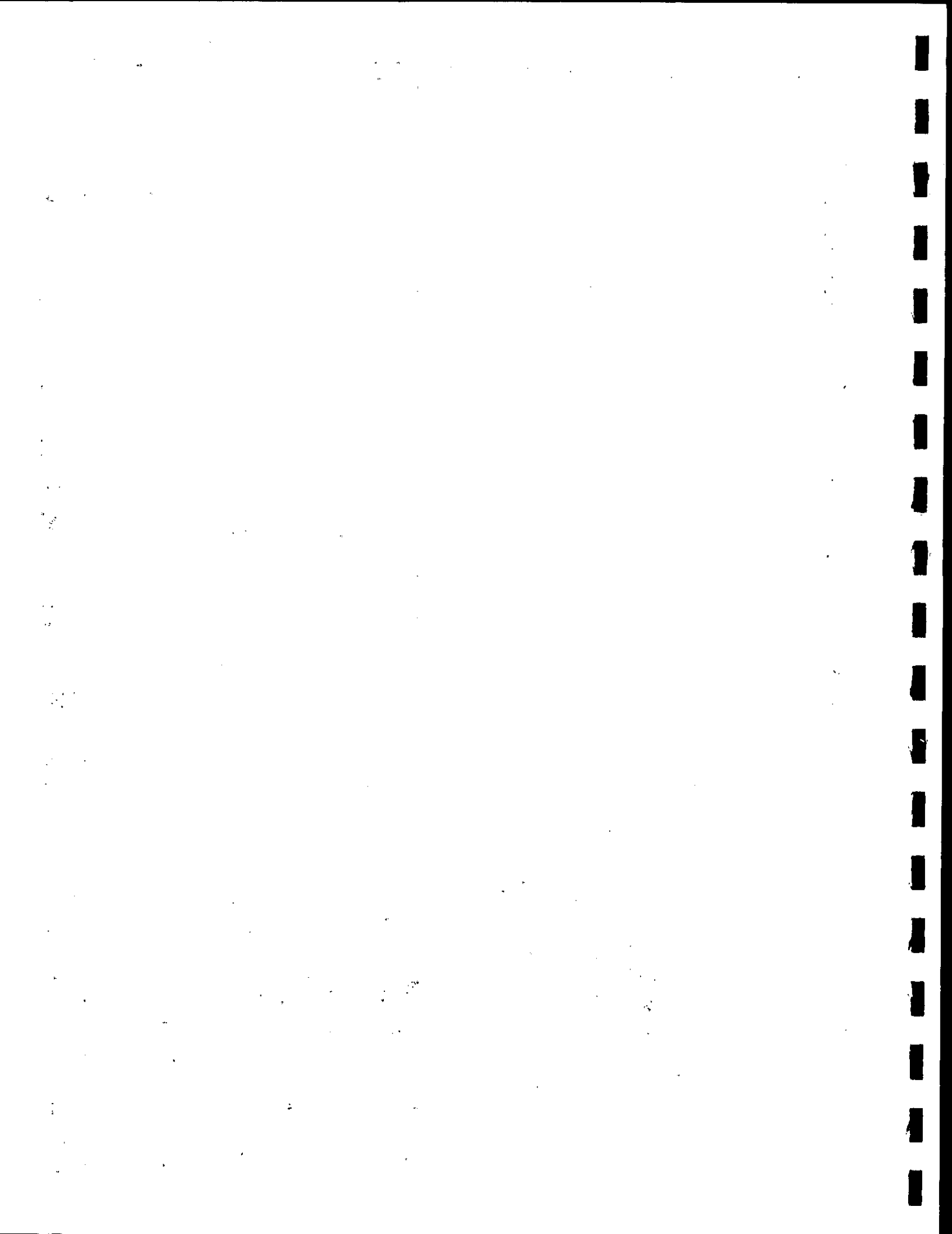
- POLICY 1.** The Plan shall recognize unique natural features such as the meadows in Camp Nelson and Ponderosa, the riparian areas associated with major drainage channels, such as the Nelson Creek and the Tule River, and groves of specimen giant sequoia trees, and shall provide for their protection.
- POLICY 2.** Provisions shall be incorporated into development projects to protect environmentally sensitive areas, such as areas characterized by marshes, meadows, riparian areas, slopes in excess of 30%, unstable geology, flood prone areas, water courses, special wildlife habitats, mineral springs, giant sequoia groves, and unique archaeological/historical sites.
- POLICY 3.** Land alterations (grading and excavation) shall conform to the surrounding natural terrain to the extent practicable.

- POLICY 4. Development activities shall include adequate provisions for sediment and erosion control.
- POLICY 5. The quality of natural drainage channels and local water courses and their associated riparian areas shall be maintained.
- POLICY 6. Advertising signs within the Great Western Divide (N 1/2) area shall be regulated to avoid sign clutter and ensure that future signs will be compatible with the mountain environment.
- POLICY 7. In order to achieve compatibility with the County Scenic Highway Element, the Plan shall designate State Highway 190 and the Western Divide Highway as scenic roads, and shall include provisions for maintaining scenic quality along these roads.
- POLICY 8. The Plan shall recognize and support the economic benefits of timber harvesting on private lands provided said harvesting is conducted in a manner consistent with the requirements of the State of California Department of Forestry and the goals, policies, and implementation strategies of this Plan.





	<p><b>Chapter 5</b> <b>Implementation</b> <b>Strategies</b></p>
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## CHAPTER 5

### IMPLEMENTATION STRATEGIES

#### A. GENERAL LAND USE:

1. Areas appropriate for single and multiple family residential, commercial, recreation, and open space uses shall be established on the Land Use Plan Map with provisions for integration of uses. (POLICIES: A.1, A.2, A.3, A.6, A.7, A.8)
2. Parcels legally created prior to the adoption of this plan but containing less area than the minimum parcel size specified for the particular land use designation applicable to those parcels shall be recognized by this plan as legally non-conforming and developable in accordance with this plan. (POLICIES: A.4, A.7)
3. Any use or building that was legally established but is not expressly permitted by this plan, in any given land use designation or the implementing zoning, will be allowed to continue on a permanent basis as a "non-conforming use" in accordance with the provisions of the Tulare County Zoning Ordinance for Non-Conforming Buildings and Uses. (POLICIES: A.4, A.7)
4. Development projects and substantial expansions/modifications of existing developments shall be required to undergo Site Plan/Design Review and possibly Use Permit procedures. In addition to the items required by the Site Plan/Design Review procedures of the County Zoning Ordinance, the following criteria shall also be considered during the review of site plans for land division projects:
  - a. Measures proposed to stabilize slopes and prevent soil erosion and sedimentation of nearby waterways.
  - b. Potential impacts to wildlife, particularly, those species of plants or animals unique to the area, as may be identified by such agencies as the California Department of Fish and Game and U.S. Fish and Wildlife Service.
  - c. Potential impacts to archaeological resources, as may be identified by the District Archaeologist or other State agencies that may have concerns over protection and recordation of historic or prehistoric resources.
  - d. The provision of adequate and practical fire protection measures based upon the individual needs of each specific proposal.

However, these procedures shall not apply to new single family dwellings or expansion/modification to existing single family dwellings, so long as said dwellings are used exclusively for single family purposes. (POLICIES: A.2, A.5, B.3, C.1, C.6, C.7)
5. The Site Plan Review Procedures as set forth in the Tulare County Zoning Ordinance shall be amended to include "Design Review," which will be used to evaluate the architectural and aesthetic qualities of

commercial, multiple family, and other high intensity land uses. Design review considerations shall include but not necessarily be limited to the following:

1. Architectural style
2. Exterior Finishes (i.e., materials)
3. Landscaping
4. Aesthetic compatibility in the neighborhood

(POLICIES: A.2, A.5, B.3, C.6, C.7)

6. The minimum parcel size for any new parcel created within the Planning Area shall be 20,000 square feet, provided, however, that the appropriate minimum parcel size allowed to be created by a division of land proposal may need to be greater than 20,000 square feet based upon the evaluation of the following criteria:
  - a. Availability of water in sufficient quantity and quality for domestic and fire protection purposes.
  - b. Availability of suitable soils or facilities on-site or off-site for sewage disposal.
  - c. Physical site characteristics such as steep slopes, flood prone areas, drainage courses, archaeological resources, rock outcroppings, or other sensitive environmental features.
  - d. In the case of non-single family developments, the provision of adequate off-street parking, efficient on-site circulation, and safe ingress/egress for vehicular traffic.
  - e. Conformance of the proposed development project with other goals, policies, implementation strategies, and development standards set forth in this Plan.
7. Lot sizes shall be subject to the Slope Area Diagram set forth in attached Appendix C, provided, however, that lot sizes less than that prescribed in said Slope Area Diagram may be approved by the appropriate decision-making body, when justified based on a detailed evaluation of the above items, 6.a., 6.b., and 6.c., by a registered Civil Engineer, provided however, that said lot sizes shall not be less than 20,000 square feet. (POLICIES: A.1, A.2)
8. Front yard setbacks shall be measured from the edge of the planned ultimate road rights-of-way. (POLICIES: A.1, A.2, A.6)
9. The Sequoia National Forest and Tule River Indian Reservation Tribal Council shall be consulted regarding all development proposals that may affect lands within their respective jurisdictions; the recommendations of these agencies shall be submitted to and considered by decision-making bodies. (POLICIES: A.9)

## B. COMMERCIAL LAND USE

1. Areas within the communities of Pierpoint, Camp Nelson, Ponderosa, and other appropriate outlying areas shall be identified on the Plan Map as General Commercial uses; such areas shall exhibit the following minimum characteristics:
  - a. The property shall have direct access to a major publicly maintained paved road or can gain reasonable access to such roads through other commercially designated property; primary access will not be allowed from minor streets except as provided in No. 4 below.
  - b. The property shall have adequate area of gentle slopes to accommodate off-street parking demands with minimum land disturbances.
  - c. The property has a sufficient amount of frontage to allow safe ingress/egress of vehicles.
  - d. Commercially designated areas shall be compatible with adjacent surrounding land uses.
  - e. The property contains or is adjacent to existing commercially developed properties.

(POLICIES: B.1, B.3, B.5)
2. As a means of minimizing aesthetic and environmental concerns, maximum land area developed with structures shall not exceed 20% of total parcel area.
3. Maximum height of structures shall not exceed 35 feet as measured from the average level of the highest and lowest point of that portion of the site covered by the building to the upper-most part of the roof and except as provided in the Tulare County Zoning Ordinance.
4. High intensity, tourist-oriented, commercial uses, such as motels, restaurants, lodges, and other high traffic generating uses shall locate on properties with direct access on Highway 190, Great Western Divide Highway, Redwood Drive, Nelson Drive, Aspen Drive, or those portions of Linder Drive abutting commercially designated lands in Camp Nelson. (POLICIES: B.4)
5. Low intensity, open-space oriented, recreation commercial uses may be located away from a major publicly maintained road, if the decision making body finds that the nature of the site or characteristics of the proposed use justify a location off a publicly maintained paved road. (POLICIES: B.4, B.9, E.1)
6. Low intensive, open space-oriented, recreation commercial uses, such as RV parks, campgrounds and similar uses shall be established with a Special Use Permit in accordance with the following criteria:

- a. The maximum density of RV spaces, campsites, or comparable units shall be five (5) per each one (1) acre in the entire parcel.
- b. The property upon which the use is to be located has frontage on a publicly maintained, paved road, unless the nature of the site and characteristics of the proposed use justify location off a publicly maintained, paved road.
- c. The property can provide adequate domestic water and sewage disposal for the proposed use.
- d. The development can be adequately screened and otherwise buffered from adjacent land uses.
- e. The development can comply with all other applicable provisions of this Plan and County Ordinances.

(POLICIES: B.9)

- 7. The Land Use Plan Map shall identify specific properties within the Planning Area for neighborhood commercial uses, in accordance with the following criteria:
  - a. The property has direct access to a major street or can access such major streets through adjacent commercial property.
  - b. The commercial designation will fulfill an anticipated demand for neighborhood commercial uses satisfying the daily needs of community residents.
  - c. The use of the commercial property shall not be primarily directed at attracting tourist traffic to the area.
  - d. The property can be developed without creating conflicts of use with adjacent property.

(POLICIES: B.2, B.3, B.7)

- 8. Low intensive service commercial uses may be established in residential areas in accordance with the Home Occupation provisions of the Tulare County Zoning Ordinance. Generally, home occupations shall be incidental to the residential use, however, the Plan recognizes that those uses may have seasonal fluctuations and are acceptable in the Great Western Divide (N 1/2) area, providing the activity will not be a nuisance to surrounding uses during its peak period of use. Conditions may be established for these uses to ensure their compatibility with surrounding land uses. (POLICIES: B.7)
- 9. All new commercial uses or significantly expanded/modified commercial uses shall be required to undergo Site Plan/Design Review in the case of minor retail uses, and Special Use Permit in the case of general or service commercial uses. Consideration will be given in either case to provisions for adequate parking, vehicular and pedestrian circulation within and onto the site, building location and setbacks, landscaping, signs, exterior lighting, noise, and other factors

depending on the nature and intensity of the proposed use. (POLICIES: B.9)

10. The Site Plan Review Committee shall approve traditional Bed and Breakfast facilities offering one or two bedrooms for short-term, overnight lodging, through the Site Plan/Design Review process, so long as the request for Bed and Breakfast facilities comply with the following:
  - a. One parking space shall be available for each bedroom rented, in addition to one space for the resident. (Tandem parking is not permissible.)
  - b. The owner of the residence shall be the operator of the Bed and Breakfast facility, and shall reside in the dwelling on a full-time basis while the facility is in operation.
  - c. There shall be no employees other than the owner or members of the owner's family.
  - d. There shall be no visible evidence of the conduct of a home occupation other than one (1) non-illuminated name plate not to exceed two (2) square feet in area mounted flat against the dwelling.
  - e. The use is compatible in the neighborhood in which it is located.

Requests for all other types of Bed and Breakfast facilities shall be subject to a Special Use Permit. (POLICIES: B.8)

11. High traffic-generating, short-term lodging facilities other than Bed and Breakfast facilities, such as motels and RV parks, shall be permitted anywhere in the Planning Area designated for major commercial or recreational uses, except in areas zoned Neighborhood Commercial. (POLICIES: B.8)
12. Commercially designated lands shown on the Land Use Plan Map shall, to the extent feasible, incorporate site area dimensions that facilitate the development of compact and accessible commercial nodes. To accommodate commercial designations with considerable depth, shared driveways and private vehicular access easements across other commercial developments may be considered, in conjunction with applications for Site Plan/Design Review and Special Use Permits. (POLICIES: B.5)

#### C. RESIDENTIAL LAND USE:

1. The maximum density in single family residential designated areas shall be one single family dwelling unit for each parcel. In addition to this one single family dwelling, one additional dwelling for each 40 acres in the entire property will also be allowed. However, if the property is less than forty acres, but greater than ten acres in area, and was of record at the time the zoning which implements this Plan becomes applicable to the property, one such additional residence may be placed on the property with the approval of a Special Use Permit. All residences shall be occupied only by the owner,

lessee of the entire property, relatives of the owner or lessee, or by employees who work on the property. (POLICY: C.1)

2. To the extent feasible the second dwelling permitted in No. 1 above should be situated on the lot in a manner that would enable future land division to separate both dwellings onto individual parcels. Each resulting parcel shall conform to existing applicable lot design standards of the County Subdivision Ordinance and all applicable requirements of this Plan.
3. Regardless of the above criteria, a second dwelling established in conformance with the Second Unit provision of Section 15 of the County Zoning Ordinance shall be allowed on any properties designated and zoned for residential uses. (POLICIES: A.1, A.2, A.6, B.8, C.1, C.4, C.5)
4. Mobilehome subdivisions will be considered on a case-by-case basis where the proposed use is found to be physically and aesthetically compatible with surrounding land uses. (POLICIES: C.4, C.9)
5. Mobilehome parks shall be permitted in all areas planned and zoned for residential purposes subject to Site Plan/Design Review and the approval of a Special Use Permit. (POLICIES: C.8)
6. Multiple family residential uses shall have adequate and convenient access to commercial centers, provided, however, that access shall not be via minor residential streets. (POLICIES: C.5)
7. Areas designated for multiple family uses shall exhibit the following characteristics:
  - a. The property shall have direct frontage on or have direct access to a major, public, all-weather improved road; provided, however, that access to such road may be obtained via an all-weather improved private vehicular access easement through an existing commercial or multiple family development.
  - b. The property shall have adequate area to accommodate off-street parking demands without necessitating significant cut and fill activity.
  - c. Multiple family residential areas shall be compatible with adjacent and surrounding land uses.(POLICIES: C.3)
8. The maximum density in multiple family residential areas shall be one dwelling unit per 3000 square feet of net lot area.
9. The development of multiple family residential uses shall be required to undergo Site Plan/Design Review in the manner prescribed by implementing zoning. In addition to the items required by Site Plan/Design Review procedures of the County Zoning Ordinance, the following shall also apply:



- a. Land area developed with structures shall not exceed 20% of the total parcel area.
- b. Maximum height of structures shall not exceed 35 feet as measured from the average level of the highest and lowest point of that portion of the site covered by the building to the uppermost part of the roof and except as provided in the Tulare County Zoning Ordinance.

(POLICIES: C.6, C.7)

**D. RESOURCE MANAGEMENT/CONSERVATION:**

1. Lands not considered suitable or necessary for development shall be zoned to allow continued management of resources while restricting development during the planning period. (POLICY: D.1)
2. Lands not appropriate for development during the planning period shall be held until future demands for private development can be addressed with future plans. (POLICY: D.1)

**E. TRAFFIC AND CIRCULATION:**

1. Off-street parking shall be provided for all new development in accordance with the Planning Commission-adopted Development Standards. Existing uses, when expanding, shall provide off-street parking as required to accommodate the expanded use. This latter requirement may be modified by the decision-making body if it is determined that said requirement will result in practical difficulties or unnecessary hardships, and if modifying the requirement will not jeopardize public health and safety. (POLICIES: E.8)
2. Commercial and other high intensity land uses shall minimize access points onto the public road. Such access points shall be a minimum of 30 feet in width when providing two-way traffic flow. Facilities designed to channel traffic to established access points may be required to prevent indiscriminate access to and from the public roadway. (POLICIES: B.4, E.5, E.6)
3. Primary access to non-single family land uses shall not be allowed from minor streets serving single family residential areas. (POLICIES: A.6, E.6)
4. Parking areas for new non-single family residential developments shall be designed such that direct access from individual parking spaces onto a County road or State highway is prohibited. (POLICIES: E.4, E.6)
5. Encroachment permits shall be secured from the appropriate jurisdiction prior to any private road work taking place within the public road rights-of-way. Caution shall be taken at the site plan review stage to ensure that no permanent structures will be placed within the existing public road rights-of-way and that any proposed improvements do not conflict with planned ultimate road rights-of-way. (POLICIES: A.6, E.1, E.2, E.6)

6. All applications for Site Plan Review and Special Use Permits, for projects utilizing direct access to publicly-maintained roads, shall contain detailed plans for ingress/egress, internal circulation, and off-street parking. Development projects shall be approved only after the decision-making body is satisfied that adequate off-street parking is provided, that the method of access onto the public roadway will not create a potential traffic hazard, that through traffic along the roadway will not be impeded, and that other applicable provisions of this plan have been complied with. (POLICIES: E.5, E.8)
7. New public and private roads, including PVAEs subject to the Subdivision Ordinance Section 7103.4, shall be built to standards set forth in the County Subdivision Ordinance. However, in recognition of diverse circumstances from property to property, the decision-making body may consider road designs that deviate from County standards, provided that proposals for alternative road design are included in the application submittal. Approval of alternative road designs shall be subject to provisions of Article 8 (Exceptions) of the Subdivision Ordinance, and shall include the examination of such factors including, but not limited to, the following:
  - a. Provisions for adequate drainage of storm-water run-off.
  - b. Provisions for stabilization of cut and fill slopes and minimization of soil erosion.
  - c. Provisions for safe and efficient use by emergency vehicles.
  - d. The capability of the proposed road design to adequately and safely serve the type and volume of traffic expected to be generated by the project together with additional traffic volumes anticipated to be generated by planned land uses along the road.
  - e. With regard to PVAEs:
    - Distance from public road to which access is proposed;
    - Disposition of any off-site easement (e.g., recorded or prescriptive).

In making this determination, decision-making bodies shall consider the recommendation of the Public Works Department regarding the proposed alternative road design. (POLICIES: E.3, E.4, E.5, E.7)

8. Private vehicular access easements (PVAEs) serving single family residential areas shall be subject to all applicable requirements and standards contained in the Tulare County Subdivision Ordinance, provided that paving may not be required where imported or native materials provide for a stable and adequate road base, where provisions for drainage and erosion control are incorporated into the road design, and where it can be demonstrated that the PVAE does not have the potential to serve more than 8 parcels, now or in the future. (POLICIES: E.4, E.5, E.7)
9. Where PVAEs are proposed for new parcel map projects, the minimum easement width shall be as set forth in the Tulare County Subdivision

Ordinance Section 7103.4; however, where it is determined that the easement may potentially serve more than 4 parcels, now or in the future, the minimum easement width within the confines of the property proposed for development project shall be 50 feet. (POLICIES: E.5, E.6, E.7)

10. In addition to the County adopted PVAE Maintenance Agreement, PVAEs shall be maintained in accordance with the following:
  - a. Provisions for permanent maintenance of either new or existing PVAEs, situated within the confines of the property that is the subject of a development project, shall be incorporated into the conditions of approval for all development projects.
  - b. PVAE maintenance agreements will not be required to extend off-site from a development project unless there is mutual consensus between on-site and off-site property owners to extend the agreement to include off-site PVAEs.

(POLICIES: E.4)

11. Design and construction of new roads, either public or private, on irregular terrain shall include measures to alleviate potential problems associated with road construction on steep slopes. Where roads will traverse areas of natural slopes (before grading) of 30% or greater, the application shall include a detailed description of the measures to control storm water run-off and stabilize cut and fill banks. (POLICIES: E.4)
12. All new development proposals shall be reviewed by the appropriate agencies to determine if the individual proposal will provide for safe and efficient access for emergency equipment and personnel during emergency situations. (POLICIES: E.1, E.5)
13. All new vehicular water crossings shall have a minimum load capacity of 20 tons (40,000 pounds) gross vehicle weight to ensure safe crossing by emergency equipment. (POLICIES: E.5)
14. The Planning and Development and Public Works Departments shall work together, in conjunction with the Great Western Divide (N 1/2) Citizen Advisory Committee, to evaluate various modifications to the County road standards for mountainous areas in effect at the time of preparation of this Plan, and shall make recommendations to the Board of Supervisors as to whether appropriate and feasible alternative mountain road standards should be adopted. (POLICIES: E.9)

**F. OPEN SPACE/RECREATION:**

1. Due consideration shall be given to proposals for recreation development. Such consideration shall include the examination of the environmental, social, and economic implications of such proposed projects. (POLICY: F.1)

2. Preservation of scenic vistas shall be given consideration during the review of development projects. Development projects shall be examined with regard to maximizing scenic views from within the development and minimizing the degradation of such views from surrounding developed areas. (POLICIES: F.2)
3. Environmentally unique or sensitive areas, including natural drainage courses, rock outcroppings, marshy areas, significant archaeological sites, and areas of botanical and/or biological significance, located on sites proposed for development, should be maintained in open space. The location of such sites, and the specific measures for preserving them, shall be precisely identified during the discretionary application review phase of development projects. (POLICIES: F.2)

**G. ESSENTIAL SERVICES:**

**WATER - Domestic and Fire Flow:**

1. Preliminary and final geological/hydrological reports, submitted pursuant to the procedures set forth in the Tulare County Subdivision Ordinance, shall contain sufficient information to verify that water for domestic and fire suppression purposes shall be available in adequate quantity and quality to serve the project under consideration. (POLICIES: G.1)
2. When water is proposed to be supplied by a private water company, a letter shall be submitted by an authorized representative of the water company indicating whether said company has the necessary water supply to serve the proposed development, or that appropriate improvements will be made to provide adequate water to the project. (POLICIES: G.1)
3. In accordance with County Ordinance Section 7034.1.a., new residential development projects creating any parcel less than 5 acres in size shall receive domestic water service from a public or private community water system (subject to the County Health Department's and Fire Department's approval of the quality and quantity of the water supply), unless the decision-making body determines that unique circumstances exist which make this requirement unreasonable. (POLICIES: G.1)
4. Adequate water for fire suppression purposes shall be provided for each development project. Methods of providing such water may include bulk storage of water within the development or on each individual parcel, the installation of a fire hydrant system in compliance with the Tulare County Improvement Standards, the installation of an automatic fire sprinkler system within each single family dwelling unit or main structure, or some other method acceptable to the decision-making body. (POLICIES: G.1)

**FIRE PROTECTION:**

1. All new development projects shall comply with the standards as adopted by California Department of Forestry, along with state and local

ordinances including such regulations as set forth in the Uniform Fire Code, the County Fire Flow Ordinance, and other fire safe standards. (POLICIES: G.2)

2. The Tulare County Fire Department shall be consulted during the review of discretionary projects to assist in determining fire protection needs. The recommendations of the Fire Warden shall include but not necessarily be limited to considerations for house numbering, fuel modification/clearance areas, and roofing materials. Said recommendations shall be considered by the decision-making body prior to taking action on any discretionary project. (POLICIES: G.2)
3. As population growth and development occurs in the Great Western Divide (N 1/2) Planning Area, the County of Tulare, with assistance from the County Fire Department, shall evaluate the need and feasibility for constructing additional fire stations and/or providing additional personnel and equipment to adequately serve the area. (POLICIES: G.2)

#### SEWAGE DISPOSAL:

1. All subsurface waste water disposal systems shall be designed to meet the requirements of the Tulare County Health Department and, if applicable, the State Regional Water Quality Control Board, provided, however, that where soils are not conducive to conventional septic tank-leach line disposal systems, other site-specific engineer-designed systems may be submitted by the applicant for consideration by the Health Department and the decision-making body. (POLICIES: G.3)
2. The preliminary and final geological-hydrological report, if required pursuant to the procedures set forth in Tulare County Ordinance Code Section 7105.1, shall be used as the basis for evaluating the capability of the soil for sewage disposal, and determining the appropriate method of sewage treatment and disposal. (POLICIES: G.3, G.4)
3. All applications for new development projects shall be submitted to the County Health Department and, if applicable, the State Water Quality Control Board for review and comment. The recommendations of those bodies shall be considered by the decision-making body prior to their taking action on such projects. (POLICIES: G.3, G.4)

#### POLICE AND MEDICAL EMERGENCY SERVICES:

1. The County of Tulare shall evaluate on a regular basis the feasibility of expanded law enforcement and medical emergency service to the Planning Area based on factors including but not limited to the following:
  - a. population
  - b. distance and response time within the area
  - c. crime rate
  - d. accident rate
  - e. medical emergency incidents

(POLICIES: G.5)

2. All requests for discretionary permits shall be referred to the County Sheriff and other appropriate emergency response agencies for review and comment. (POLICIES: G.5)
3. The County of Tulare shall encourage and assist, as appropriate, the continued provision of medical-evacuation services to the Planning Area, whether provided by the California Highway Patrol and/or some other future medi-vac organization. (POLICIES: G.5)

**STORM WATER DRAINAGE:**

1. The review of new projects shall include consideration of the applicant's proposal for such items as the means of collection and disposal of storm water and the environmental consequences of disposal into natural drainage channels. (POLICIES: G.6)
2. A Storm Water Drainage and Erosion Control Plan shall be required for all new development projects, and shall be submitted to the Public Works Department for review for adequacy and completeness. The Plan shall be prepared by a registered Civil Engineer. (POLICIES: G.6)

**SCHOOLS:**

1. The County of Tulare shall encourage, and if possible, assist in the provision of additional school services and facilities necessary to serve an increasing student population in the Planning Area. (POLICIES: G.7)
2. Requests for discretionary permits shall be referred to the applicable school districts that would serve the proposed project for their review and comment. (POLICIES: G.7)

**SNOW REMOVAL:**

1. 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. (POLICIES: G.8)
2. Until the Board of Supervisors adopts a new method or means of snow removal, the County of Tulare shall periodically monitor the adequacy of the existing (at the time of adoption of this plan) Board of Supervisors-adopted Snow Removal Resolution and, if appropriate, modify the resolution to provide additional services. (POLICIES: G.9)
3. The Public Works Department should review new development projects to determine if measures to facilitate effective snow removal are necessary, including, but not limited to, the establishment of easements for the storage of snow removed from the roadways. (POLICIES: G.9)

**SOLID WASTE:**

1. Development projects subject to discretionary review by the County shall include provisions for the removal of solid waste in accordance with the requirements of the County Public Works and the Environmental Health Departments. (POLICY: G.10)

**ALL SERVICES - GENERAL:**

1. The County of Tulare shall encourage the establishment of home owner's associations, special districts, zones of benefit under the adopted County Service Area, or other available means to finance services or facilities necessary to adequately serve new or existing developed areas. (POLICIES: G.11)

**H. ENVIRONMENTAL CONSIDERATIONS:**

1. All new development projects shall be required to submit a detailed Storm Water Drainage and Erosion Control Plan to the County of Tulare for review and approval prior to initiating site alterations. Said plan shall set forth the provisions for:

- a. collection and disposal of stormwater run-off,
- b. stabilization of cut and fill banks,
- c. control of sedimentation,

for all land alterations proposed for the subject property.  
(POLICIES: F.6, H.2, H.4)

2. The slope of exposed cuts and fills for roads constructed under County Improvement standards, with the exception of those composed of rock, shall meet the standards established in the Improvement Standards of Tulare County, as follows: Cut banks - 1:1 and Fill banks - 1-1/2:1.

The above standards may be modified by the Public Works Department, based upon engineering data submitted by the project proponent which justifies the utilization of steeper slopes.  
(POLICIES: H.2, H.3)

3. Grading for structures and building pads must be in accordance with the Uniform Building Code (maximum 2:1 for cut and fill). (POLICY: H.2)
4. All ground disturbances shall be contoured to harmonize and blend with surrounding natural topography, provided, however, that this standard shall not pertain to cut or fill slopes composed of rock. (POLICIES: H.3)
5. Development projects shall be designed in a manner that does not require excessive grading. (POLICIES: H.2, H.3, H.4)
6. Denuded or soil-exposed slopes caused by construction activities shall require immediate and long-term slope stabilization measures to protect exposed slopes from erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the

materials, such protection may be waived by the County. (POLICIES: H.2, H.3)

7. Slope stabilization and erosion prevention shall be completed immediately after grading. Grading shall not occur during the wet period of the year, unless the drainage and erosion control plan demonstrates that proposed slope stabilization and erosion prevention techniques will overcome potential problems associated with grading during this period. (POLICIES: H.3)
8. Development occurring on slopes of 30% or greater shall contain sufficient measures to mitigate problems that may be encountered when developing on steep slopes. (POLICIES: H.3)
9. Fill slopes and/or excavated material shall not encroach into natural watercourses. (POLICIES: H.4)
10. Adequate setbacks for all new sewage disposal systems from intermittent and perennial watercourses or marsh areas shall be established during the review stage of discretionary development projects. The Health Department shall be consulted during the review period to assist in identifying adequate separation areas. (POLICIES: H.4)
11. Building improvements shall be adequately separated from any watercourse or drainage channel so as to prevent obstruction of water flow and to maintain the integrity of channel banks. (POLICIES: H.4)
12. Timber harvesting shall be conducted in accordance with the requirements of the California Department of Forestry Forest Practice Act. (POLICIES: H.7)
13. Development plans subject to discretionary review shall show the location of all Giant Sequoia trees and shall also indicate any that are proposed for removal. Loss of Giant Sequoia trees shall be evaluated as part of the environmental review process required by CEQA. (POLICIES: H.1, H.2)
14. Consultation with appropriate Federal, State, and local agencies and organizations who have jurisdiction or responsibility for unique or special concern environmental resources, such as historical or archaeological resources, and plants, wildlife and their habitats, etc., will be conducted for new development projects in accordance with the California Environmental Quality Act of the Public Resources Code and the State and County Guidelines implementing the Act. Specific measures for minimizing impacts to these resources shall be identified through this consultation process during case-by-case review of development projects. (POLICIES: H.1)
15. New integrated commercial projects within the Planning Area consisting of two or more businesses shall be subject to the following:
  - a. One free standing sign advertising the name of the commercial center, and which may list the businesses included therein, may be permitted.



- b. One sign each advertising the name of an individual business shall be permitted at each business in the commercial center so long as said sign is attached to and flat against the primary building facade.

(POLICIES: H.5)

16. In the Planning Area, new free-standing advertising signs shall require discretionary approval by the Site Plan Review Committee, based on design, setback, size, architectural compatibility, traffic safety, and visibility. (Policies: H.5)
17. To the extent practical, utility improvements for new or significantly expanding development projects shall be located underground, if the property fronts along State Highway 190 or Western Divide Highway. (POLICIES: H.6)
18. A minimum setback of 25 feet from the upper-most edge of the banks of all intermittent and perennial water courses shall be maintained. In the case of commercial development, it shall be a general rule that the minimum setback shall be at least 50 feet, with the precise setback to be determined through the Site Plan Review and Special Use Permit processes in order to consider site specific conditions. POLICIES: H.1, H.2, H.5)
19. In order to protect the character and integrity of the Tule River in the East Springville and Moorehouse Springs locales, development shall generally be held back at least 100 feet from the high water mark of the river, with more precise setback distances to be determined through the Site Plan Review and Special Use Permit process to allow consideration of site specific conditions. As a general exception, where bluff conditions exist, and where buildable sites would exist at elevations of 25 feet or higher above the high water mark, then setbacks shall generally be at least 25 feet from the edge of the bluff, with more precise setbacks to be determined through the Site Plan Review and Special Use Permit process to allow consideration of site specific conditions.
20. Implementing zoning applied to creeks and meadow areas shall be such to limit parcel sizes and land divisions and shall provide for setbacks to preserve natural character of these areas while still providing reasonable use of these properties for residential purposes. (POLICIES: H.1, H.2, H.5)





## **Chapter 6**

### **Plan Description**



## CHAPTER 6

### PLAN DESCRIPTION

The Great Western Divide (N 1/2) Planning Area contains several, somewhat autonomous, private development enclaves within Forest Service lands, each of which can expect to be subject to growth pressures, to one degree or another, during the planning period. The general principle in preparing the Great Western Divide (N 1/2) Plan was to provide more precise and contemporary land use policies to facilitate and respond to such development. The individual communities within the Planning Area each demonstrate a unique land use pattern; this plan recognizes such differences, and the land use designations, as described below, were applied in such a manner as to reflect historical development trends as well as to give consideration to environmentally sensitive areas.

Any parcel of land that was legally created prior to the adoption of this Plan, but containing less area than the minimum parcel size specified for the particular land use designation, shall be recognized by this Plan as legally non-conforming and developable in accordance with this Plan. Any use or building which was legally established, but which is not expressly permitted by this Plan, will be allowed to continue as a non-conforming use, in accordance with the provisions of the Tulare County Zoning Ordinance for Non-Conforming Buildings and Uses.

#### Resource Management/Conservation

The Resource Management/Conservation designation is primarily applied to private inholdings that are remote and/or generally undeveloped or are presently in agricultural use where it is desirable or necessary to manage commodity or amenity resources. These areas are generally inappropriate for development because services cannot be reasonably provided and because development of these properties would not fulfill any presently demonstrated demand. The Resource Management/Conservation designation is secondarily intended to "hold" these lands for potential development to standard residential densities (i.e. 20,000 square-foot lots) or for other higher intensity land use designations which may be applied in future plans given changes in development trends and/or improved access routes. The minimum parcel size shall be 160 acres and the height of structures shall not exceed 35 feet as measured in accordance with the provisions of this Plan and except as provided in the Tulare County Zoning Ordinance.

The Resource Management/Conservation designation will permit a variety of open space and resource management uses, including growing and harvesting of timber, animal grazing, fish farming, game preserves, and other similar uses. Limited numbers of single family dwellings and accessory uses are also allowed. Mobilehomes will be permitted in lieu of on-site built residential structures in accordance with applicable County and/or State laws. Certain types of uses including outdoor educational facilities, mineral exploration and mining, commercial energy resource development, public utility transmission stations, and other similar uses can be considered for areas designated as Resource Management/Conservation through the special use permit process. The range of uses allowed in this designation will be specified in the implementing zoning.

### Mountain Residential-5 Acre Minimum

The Mountain Residential-5 Acre Minimum designation is intended to accommodate low density single family residential development. The minimum parcel size for this land use designation shall be 5 (five) acres gross.

The Mountain Residential-5 Acre Minimum designation will permit single family residences and accessory uses on relatively large lots. Mobilehomes will be permitted in lieu of on-site built residential structures in accordance with applicable County and/or State laws. Certain types of agricultural uses will also be permitted, including the raising of limited numbers of poultry, fur-bearing animals, and domesticated quadrupeds (sheep, goats, horses, bovine animals, etc.). Certain types of uses including guest ranches, mobilehome parks public works maintenance facilities, sewage treatment plants and disposal areas, churches, power generating facilities, and other similar uses can be considered for properties designated as Mountain Residential-5 Acre Minimum through the special use permit process. The specific range of uses allowed in this designation will be specified in the implementing zoning.

The Mountain Residential-5 Acre Minimum designation is primarily applied in areas surrounding established single family neighborhoods or lands previously subdivided to accommodate small-lot single family development. In addition, the Mountain Residential-5 Acre Minimum designation is utilized adjacent to established single family areas where the adjacent existing parcel sizes are generally in the 5-10 acre range. This land use designation will serve as a residential holding zone by limiting the land division potential consistent with historical demand. The Mountain Residential-5 Acre Minimum designation is utilized in these areas instead of the Resource Management/Conservation designation because the latter designation would allow for potentially incompatible land uses adjacent to established Mountain Residential-20,000 square foot minimum development, and which would restrict more severely future land division potential in already developed areas.

The Mountain Residential-5 Acre Minimum designation is also applied in areas which the Plan identifies as unique, environmentally-sensitive areas, specifically, riparian and meadow areas within Camp Nelson and Ponderosa. The Plan acknowledges that these environmental features serve as important natural areas and landmarks within the respective communities and therefore applies the Mountain Residential-5 Acre Minimum designation as a means to preserve and protect these features by limiting potential land use and land division opportunities. It is intended that the implementing zoning for these areas will contain appropriate development standards that will provide for continued protection of these areas.

The maximum density in Mountain Residential-5 Acre Minimum areas is to be one single family dwelling per each legally created parcel. However, if the property is less than forty acres, but greater than ten acres in area, and was of record at the time the zoning which implements this Plan becomes applicable to the property, one additional residence may be placed on the property with the approval of a Special Use Permit. In addition, an attached second dwelling may be allowed in residential areas as provided in the Second Unit provision of Section 15 of the Tulare County Zoning Ordinance, and when in conformance with the criteria established in the Plan.

To assure orderly development within the Planning Areas, it is intended that land division proposals within the Mountain Residential-5 Acre Minimum designation shall be designed in such a way that the proposed parcel and access layout could be converted in the future to the Mountain Residential-20,000 Square Foot Minimum type density (i.e., a convertible lot design that shows how the site could accommodate future access to and layout for 20,000 square-foot lots or other minimum lot size as determined by the Slope Area Diagram contained in Appendix B). This provision will enable future plans for the area to utilize these lands to satisfy long term housing needs.

As an option to creating 5 acre parcels in the area so designated on the land use map for the Moorehouse Springs locale, it is the intention of this plan to allow "planned unit residential development" within the 100 acre area identified on the north side of State Highway 190. The maximum density that will be allowed in a planned unit residential development for this 100 acres would be one unit per each five acres. The intended purpose of a Planned Unit Residential Development would be to cluster building sites in locations where slope conditions do not exceed 30 percent. This land use designation would be implemented by attaching the PD overlay to the implementing zoning.

#### Mountain Residential-20,000 Square Foot Minimum

The Mountain Residential-20,000 Square Foot Minimum designation is intended primarily to accommodate small-lot mountain residential development for both year-round and seasonal or second-home residents. The minimum parcel size for any new parcel in the Planning Area shall generally be 20,000 square feet. However, variations from this 20,000 square feet standard is to be used as a minimum, and may be increased for specific projects based on a detailed evaluation of the property in question in relation to considerations such as the availability of water, on-site soil types, and other physical site-specific characteristics which may have a bearing on the project. Parcel sizes for new lots are also subject to the Slope Area Diagram as set forth in the Plan (see Appendix B, Slope Area Diagram.) Parcel sizes for new lots less than the minimum size prescribed in the Slope Area Diagram (but greater than 20,000 square feet) may be approved when justified based on a detailed evaluation of site characteristics and appropriate mitigation measures developed through the environmental review process.

The Mountain Residential-20,000 Square Foot Minimum designation will permit generally the same range of uses as the Mountain Residential-5 Acre Minimum designation, with the major distinction being the allowable minimum lot area. The primary use within this designation will be Mountain Residential-20,000 square foot minimum. Accessory structures and limited agricultural uses (including the raising of limited agricultural uses (including the raising of limited numbers of poultry, fur-bearing animals and domesticated quadrupeds) will also be permitted. Mobilehomes will be permitted in lieu of on-site built residential structures in accordance with applicable County and/or State laws. Certain types of uses including guest ranches, public works maintenance facilities, sewage treatment plants and disposal areas, churches, and power generating facilities can be considered for properties designated as Mountain Residential-20,000 Square Foot Minimum through the special use permit process. The range of uses allowed in this designation will be specified in the implementing zoning.

The maximum density in Mountain Residential-20,000 Square Foot Minimum areas is to be one single family dwelling per each legally created parcel. However,

if the property is less than forty acres, but greater than ten acres in area, and was of record at the time the zoning which implements this Plan becomes applicable to the property, one additional residence may be placed on the property with the approval of a Special Use Permit. In addition, an attached second dwelling may be allowed in residential areas as provided in the Second Unit provision of Section 15 of the Tulare County Zoning Ordinance, and when in conformance with the criteria established in the Plan.

The establishment of mobilehomes on individual lots shall be allowed to the extent provided by State law and Tulare County Ordinances. Mobilehome parks are permitted in the Planning Area in all areas planned and zoned for residential purposes, subject to the Site Plan/Design Review process and the approval of a Special Use Permit. Mobilehome subdivisions may be considered on a case-by-case basis when found to be compatible with surrounding land uses.

The Mountain Residential-20,000 Square Foot Minimum designation is also intended to allow for opportunities for recreational users of the area through the provision of vacation/rental housing. Additionally, accessory and non-residential uses that complement single family neighborhoods are allowed in residential areas when in accordance with the policies as outlined in this Plan and the provisions of the Tulare County Zoning Ordinance.

The Mountain Residential-20,000 Square Foot Minimum designation is primarily applied in areas within and adjacent to established single family neighborhoods within the Planning Area. Factors taken into consideration in applying the Mountain Residential-20,000 Square Foot Minimum designation were those of existing and/or potentially available vehicular access, type and level of existing and/or assured essential services, such as sewage disposal and domestic water supply, and consideration of environmentally sensitive characteristics of the site, such as topography, drainage, and other site-specific physical features unique to mountain areas.

#### Multiple Family Residential

The Multiple Family Residential designation is intended to provide an alternative to Mountain Residential-20,000 square foot minimum development in the Planning Area by allowing a higher density of development in designated areas. As with the Mountain Residential-20,000 Square Foot Minimum classification, the minimum parcel size is 20,000 square feet; however, the maximum development density may not be greater than one dwelling unit per 3000 square feet of net area. Land area developed with structures shall not exceed 20% of the total parcel area. The maximum height of structures shall not exceed 35 feet as measured from the average level of the highest and lowest point of that portion of the site covered by the building to the uppermost part of the roof.

The Multiple Family Residential designation will permit the establishment of structures housing multiple families on a single lot, in the form of duplexes, apartments and group houses, subject to a maximum allowable density. Standard single family residences will also be permitted; provided, however, that mobilehomes may be utilized in lieu of on-site built single family structures. Certain types of uses, including, but not limited to mobilehome parks, public utility structures, nursery schools, churches and public parks may be considered on property designated as Multiple Family Residential through the special use permit process. The range of uses allowed in this designation will be specified in the implementing zoning.



Multiple Family Residential development will be monitored through the Site Plan/Design Review process, as set forth in the Tulare County Zoning Ordinance, ensuring development is consistent with surrounding areas and compatible with the mountain environment.

In applying the Multiple Family Residential designation to areas within the Planning Area, certain criteria were utilized to identify the areas suitable for higher density residential development. The primary areas for this type of development are those having direct frontage on or adequate access to a major public thoroughfare, adequate area to meet off-street parking demands with minimal land disturbances, and compatibility with adjacent and surrounding land uses. Adequate access to commercial centers is also a consideration, with the intent of avoiding minor residential streets as primary access routes.

### Neighborhood Commercial

The Neighborhood Commercial designation is intended to satisfy the basic daily needs of the local residents. Such uses include book stores, apparel stores, grocery stores, bakeries, liquor stores, offices, shoe stores, and similar uses. Single and multiple family residential uses will also be permitted. Certain types of uses, such as alcoholic beverage sales, churches, nursery schools, public utility structures and recreation centers may be considered for property designated as Neighborhood Commercial through the special use permit process. The range of uses allowed in this designation will be specified in the implementing zoning.

Areas designated as Neighborhood Commercial are generally situated away from roads carrying tourist traffic. Neighborhood Commercial Nodes shall not be primarily directed toward attracting tourist traffic to the area, though some use by visitor/recreational users to the area will be expected. Areas appropriate for the Neighborhood Commercial designation exhibit characteristics similar to other commercially designated areas, such as direct access to a major street or access to such a major street through adjacent commercial property, the ability of the property to be developed without creating conflicts of use with adjacent property, and potential to fulfill an anticipated demand for neighborhood commercial uses satisfying the daily needs of local residents. The minimum parcel size for this designation is 20,000 square feet, however the appropriate minimum parcel size for any given site shall be determined subject to the Slope Area Diagram as set forth in Appendix B. Land area developed with structures shall not exceed 20% of the total parcel area. Maximum height of structures shall not exceed 35 feet as measured from the average level of the highest and lowest point of that portion of the site covered by the building to the uppermost part of the roof and except as provided in Sections 15 and 16 of the County Zoning Ordinance.

### General Commercial

The General Commercial designation is intended to satisfy the needs of both local residents and visitors. Such uses include antique stores, beauty shops, delicatessens, grocery stores, convenience markets, laundromats, recreational vehicle sales, restaurants, service stations, and other similar uses. Certain types of uses, including hotels, motels, bus depots, equipment sales and rental facilities, and resorts may be considered on property designated as General Commercial through the special use permit process. Single and multiple family residential uses will also be permitted in this designation. The range of

uses permitted in this designation will be specified in the implementing zoning.

General commercial and tourist-oriented recreational uses will primarily be located in the communities situated along Highway 190, including Pierpoint, Camp Nelson, and Ponderosa, in recognition of past development patterns. The General Commercial designation is applied to areas capable of accommodating high intensity and higher traffic-generating uses associated with commercial development. Areas considered appropriate for general commercial development exhibit characteristics such as having direct frontage onto a major County-maintained road, adequate area to accommodate off-street parking demands with minimal land disturbances, sufficient frontage for safe ingress/egress of vehicles, compatibility with surrounding land uses, and containing or proximate to existing commercial development. The minimum parcel size within the General Commercial designation is 20,000 square feet. Land area developed with structures shall not exceed 20% of the total parcel area. Maximum height of structures shall not exceed 35 feet as measured from the average level of the highest and lowest point of that portion of the site covered by the building to the uppermost part of the roof and except as provided in the Tulare County Zoning Ordinance.

All new commercial uses or significantly expanded/modified commercial uses are required to undergo Site Plan/Design Review for minor retail uses; more intense commercial uses will require the approval of a Special Use Permit. Evaluation of such proposed projects will be based on provisions for adequate parking, vehicular and pedestrian circulation within and onto the site, building location and setbacks, landscaping, signs, exterior lighting, noise attenuation, and other factors depending on the nature and intensity of the proposed use.

Generally, commercial development is encouraged to be grouped into compact, well-organized, and accessible centers; the development of commercial strips is discouraged. To accommodate properties with considerable depth, shared driveways and private vehicular access easements across other commercial developments may be considered, in conjunction with applications for Site Plan/Design Review and Special Use Permits.

High intensity, tourist-oriented commercial uses will primarily be located along established paths of tourist traffic such as Highway 190, Western Divide Highway, Redwood Drive, and Camp Nelson Drive. Low intensity, recreation commercial uses, such as campgrounds, cross country ski facilities, hiking or pack stations, etc., may be considered in appropriate locations throughout the Planning Area. These low intensity, recreation commercial uses may be located away from a major publicly maintained road, if the nature of the site or characteristics of the proposed use justifies a location off a publicly maintained road.

Low intensive, service commercial uses may be established in residential areas in accordance with the Home Occupation provisions of the Tulare County Zoning Ordinance. Generally, these uses shall be incidental to the residential use, and, recognizing that these uses may have seasonal fluctuations, the activity, during its peak period of use, shall not be a nuisance to surrounding uses. Conditions may be attached to these uses to ensure their compatibility with adjacent land uses.

Bed and Breakfast facilities, offering one or two bedrooms for short-term, overnight lodging, will be allowed in the Planning Area through the Site Plan/Design Review process, providing that the Bed and Breakfast facility complies with the criteria established in this Plan. Requests for all other types of Bed and Breakfast facilities shall be subject to a Special Use Permit. All other high traffic-generating, short-term lodging facilities, such as motels and RV parks, will be permitted anywhere in the Planning Area designated General Commercial.

### Quasi-Public

The Quasi-Public designation is applied to those uses associated with a government, public utility, or institutional use and in existence at the time that this plan was formulated. No attempt is made to speculate on potential future quasi-public uses that may be deemed appropriate given future development trends. Existing uses classified under the Quasi-Public designation are such uses as water and telephone company facilities and County fire stations and equipment yards. New or expanded quasi-public uses will be permitted in any land use classification contained in this plan, as long as the policies and standards contained herein are satisfied and potential adverse effects to surrounding properties are minimized and approval of a special use permit is obtained. The minimum parcel size shall generally be 20,000 square feet, however the appropriate parcel size shall be determined subject to the Slope Area Diagram contained in Appendix B. The intensity of development of quasi-public uses shall be in accordance with and as provided by the implementing zoning for the land uses designated by this Plan.

### Traffic and Circulation

The primary purpose of the Circulation Plan is to establish use classifications for existing and potential roads within the Planning Area. Policies and Implementation Strategies are directed toward maximizing efficient road usage and development while at the same time maintaining as much as possible the aesthetic qualities of the mountain environment.

The Plan acknowledges that State Highway 190 and Western Divide Highway will continue to serve as the principle access and transportation routes both through and within the Planning Area. Those roads are designated as "Arterials" on the Land Use and Circulation Plan Map, with the primary function of carrying traffic to the Planning Area and from one section of the area to another.

Redwood Drive, Wishon Drive, Coy Flat Drive, Nelson Drive, and Aspen Drive are designated as "Collectors," providing access to interior holdings not accessed directly by Highway 190 or Western Divide Highway. Any new development utilizing those roads shall occur only when it is found that existing and/or future improvements to the roads can accommodate anticipated traffic increases.

The minor residential streets located within subdivided residential areas are defined as being "Local" roads, with the primary function being to provide access to abutting property.

Commercial and other high intensity uses shall minimize access points onto the public road. Facilities designed to channel traffic to established access points may be required to prevent indiscriminate access to and from the public

roadways. All new development shall provide adequate off-street parking in accordance with the Planning Commission-adopted Development Standards. Existing uses, when expanding, shall provide additional off-street parking as necessary, in order to accommodate the increased traffic generated as a result of the expansion. The Development Standards for expanding uses may be modified by the decision-making body in specific cases, if it is determined that the standards will result in practical difficulties or unnecessary hardships, and if modifying the requirement will not jeopardize public safety.

When direct access to a publicly maintained road is not otherwise available, private vehicular access easements (PVAEs) may be utilized to provide access from any new development and/or parcel within the Planning Area to a publicly maintained paved road. Such PVAEs shall be subject to all applicable requirements and standards contained in the Tulare County Subdivision Ordinance and also those provisions established in this plan. PVAEs shall be maintained in accordance with the County adopted PVAE Maintenance Agreement, in addition to the provisions of this plan.

Traffic circulation systems and improvements for both public and private roads within newly developing areas shall be designed to facilitate ingress and egress by emergency vehicles and to minimize potential traffic safety hazards.

During the formulation of this plan, a recurring concern of the Great Western Divide (N 1/2) Citizen's Advisory Committee (CAC) was that the costs of constructing new roads which meet the current mountain road standards of Tulare County were so high as to constitute an obstacle to development. In addition, the CAC recognized that reduced road standards could also generate certain environmental benefits if such reduced standards resulted in decreased cut and fill activities. The Plan, therefore, directs that current County mountain road standards be evaluated, and, if found to be appropriate, recommended modifications to the standards shall be submitted to the Board of Supervisors for consideration.

### Open Space

The 1972 Open Space Element of the Tulare County General Plan designates the federal lands within the Study Area as "National and State Open Space Lands," however, the Element does not currently apply an open space use designation on the privately owned lands within the boundaries of the federal lands in the mountainous area of the County. Since the purpose of the Open Space Element is to formulate and execute policies and programs which will assure the protection and management of the natural environment, this Plan extends and continues the emphasis of the Open Space Element by creating a new open space use designation not previously utilized in the Element. The "Mountain Recreation/Resource Management" designation is hereby created and supersedes the Open Space Element as it applies to all privately owned lands within the Planning Area. The "Mountain Recreation/Resource Management" designation identifies private lands lying within National and State Open Space lands that have potential for development to recreation-oriented commercial, residential, and other related uses. Such uses may include, but are not limited to, primary and secondary/vacation residential uses and commercial uses which serve the needs of both tourist and local residents. In those cases where development of such properties is not anticipated to occur in the immediate future, the "Mountain Recreation/Resource Management" designation permits these properties to be maintained in open space or utilized for timber production/harvesting, cattle grazing, or other similar uses until such time

as development occurs. The text of the Open Space Element and the Open Space Plan Map are hereby superseded to include the "Mountain Recreation/Resource Management" designation to apply to all private lands within the Great Western Divide (N1/2) Planning Area.

### Population Density and Building Intensity

As required by State law, general plans are to include a statement of the standards of population density and building intensity recommended for the various land uses proposed by the Plan. Below is a brief summary of the density and intensity standards for each proposed land use designation as set forth in other sections of the Plan.

Resource Management/Conservation: The Plan proposes to designate 3098 acres of land to this land use category. The minimum parcel size is 160 acres (gross). One single family dwelling per each legally created parcel will be permitted. Additional single family dwellings will be allowed providing the resulting density will not exceed one dwelling unit per each 40 acres in the parcel unless otherwise authorized by the Special Use Permit or Zoning Variance procedures of this Plan and the Tulare County Zoning Ordinance. The maximum height of buildings shall not exceed 35 feet as measured in accordance with provisions of this Plan.

Mountain Residential-5 Acre Minimum: The Plan proposes to designate 413 acres of land to this land use category. The minimum parcel size is 5 acres (gross). One single family dwelling per each legally created parcel will be allowed. One (1) additional dwelling for each forty (40) acres in the entire property will also be allowed. However, if the property is less than forty (40) acres, but greater than ten (10) acres in area, and was of record at the time the zoning which implements this Plan becomes applicable to the property, one (1) additional residence may be placed on the property with the approval of a Special Use Permit. The maximum height of structures is 35 feet as measured in accordance with provisions of this Plan.

Mountain Residential-20,000 Square Foot Minimum: The Plan proposes to designate 981 acres of land to this land use category. The minimum parcel size is 20,000 square feet (net), however the appropriate minimum parcel size for any given site shall be determined subject to the Slope Area Diagram as set forth in Appendix B and the evaluation of factors set forth in the General Land Use Implementation Strategies of this Plan. One single family dwelling per each legally created parcel will be allowed. However, if the property is less than forty (40) acres, but greater than ten (10) acres in area, and was of record at the time the zoning which implements this Plan becomes applicable to the property, one (1) additional residence may be placed on the property with the approval of a Special Use Permit. The maximum height of structures is 35 feet as measured in accordance with provisions of this Plan.

Multiple Family: The Plan proposes to designate 23 acres to this land use designation. The minimum parcel size is 20,000 square feet (net), however the appropriate minimum parcel size for any given site shall be determined subject to the Slope Area Diagram as set forth in Appendix B and the evaluation of factors set forth in the General Land Use Implementation Strategies of this Plan. The maximum density shall be one dwelling unit per 3000 square feet of net lot area. Land area developed with structures shall not exceed 20% of the total parcel area. The maximum height of structures shall not exceed 35 feet as measured in accordance with the provision of this Plan.

Neighborhood Commercial: The Plan proposes to designate 2 acres to this land use category. The minimum parcel size is 20,000 square feet (net), however the appropriate minimum parcel size for any given site shall be determined subject to the Slope Area Diagram as set forth in Appendix B. Land area developed with structures shall not exceed 20% of the total parcel area. Maximum height of structures shall not exceed 35 feet as measured in accordance with provisions of this Plan. Given the 20% of lot area coverage restriction and assuming a 2-story structure, the maximum square footage of commercial floor area on a minimum 20,000 square foot parcel would be 8,000 square feet, or approximately 16,000 square feet per acre (43,560 square feet).

General Commercial: The Plan proposes to designate 33 acres to this land use category. The minimum parcel size is 20,000 square feet (net), however the appropriate minimum parcel size for any given site shall be determined subject to the Slope Area Diagram as set forth in Appendix B. Land area developed with structures shall not exceed 20% of the total parcel area. Maximum height of structures shall not exceed 35 feet as measured in accordance with the provisions of this Plan. Given the 20% of lot area coverage restriction and assuming a 2-story structure, the maximum square footage of commercial floor area on a minimum 20,000 square foot parcel would be 8,000 square feet, or approximately 16,000 square feet per acre (43,560 square feet).

Quasi-Public: The Plan proposes to designate 47 acres to this land use category. The minimum parcel size is 20,000 square feet (net), however the appropriate minimum parcel size for any given site shall be determined subject to the Slope Area Diagram as set forth in Appendix B. Intensity of development shall be in accordance with and as provided for by zoning implementing the land uses designated by this Plan. Maximum height of structures shall not exceed 35 feet as measured in accordance with the provisions of this Plan.

The Plan will provide for an additional 286 acres of undeveloped, unsubdivided land for mountain residential development and 168 acres for low density mountain residential development. Implementation of the Plan could generate approximately 500 new mountain residential lots, based on 20% of the land being utilized for roads, and 23 new low density mountain residential lots, based on 10% of the land being utilized for roads. Buildout of 23 acres of multiple family residential land could generate 300 multiple family units over the planning period. This potential for another 823 units would be added to the pool of 706 vacant residential lots. Assuming a household size of 2.3 persons, and assuming the potential number of new households could be 1529 (823 + 706), the additional population that could be added to the Planning area would be 3517 persons at maximum buildout.

When considering the information presented above it must be understood that the figures result from a largely mathematical analysis and do not reflect real-life factors that would likely limit the potential for this maximum buildout to actually occur. Many existing parcels that have enough acreage to subdivide further according to the required 20,000 square foot minimum lot size are already developed, and other potential new lots may never be realized due to on-site physical constraints or property owner preference not to further subdivide or develop property.



## **Chapter 7**

# **Implementation**





## CHAPTER 7

### IMPLEMENTATION

A general plan must identify the methods and techniques that will be utilized to implement its various goals, policies, and standards. These implementation methods must provide a realistic and practical framework for the achievement of the goals established in the general plan. Through the utilization of the techniques described below, the various provisions of the Great Western Divide (N 1/2) Plan will be gradually implemented over the planning period. However, the extent to which the Plan is eventually implemented is dependent upon certain economic and social conditions.

For the Great Western Divide (N 1/2) Plan, implementation will be primarily focused upon the following programs:

1. Regulation of land development through the application of zoning classifications consistent with the land use designations established in the Plan.

State law requires that local zoning be consistent with the adopted general plan. Thus, after the adoption of the Great Western Divide (N 1/2) Plan, it will be necessary for the Tulare County Planning Commission and Board of Supervisors to formulate a zoning scheme to implement the land use designations contained in the Plan. The close relationship between the Plan and the subsequent zoning will assure that the policies of the Plan are enforced and implemented, thereby maintaining the Plan as a viable management tool.

It is the intent of the Great Western Divide (N 1/2) Plan that the Tulare County Zoning Ordinance will be amended to incorporate new zoning categories which will be applied to such properties designated in the Plan as Single Family Residential and General Commercial.

To assist in identifying appropriate zoning categories that can effectively implement the various land use classifications contained herein, a Land Use/Zoning Compatibility Matrix has been formulated and is included in this chapter. The zoning categories identified in the matrix are considered to be suitable for application to properties within the Planning Area, in accordance with the directives in the Plan and shall therefore be incorporated into future zoning studies and zone change applications affecting the area. The matrix indicates that several new zones to be incorporated into the Tulare County Zoning Ordinance are to be developed to implement the Agriculture/Resource Management, Residential and General Commercial land use designations and site plan review processes set forth in the Plan.

The application of appropriate zoning to implement the Land Use Plan should, to the extent possible, follow available property lines, section lines, and other easily identifiable boundaries. Where zoning boundaries must divide properties, they should be situated in a manner that enables each specifically zoned area to be developed, and to function as an individual parcel in conformance with the new zoning classification.

**TABLE 5**

**GREAT WESTERN DIVIDE (N 1/2) PLAN  
Land Use/Zoning Compatibility Matrix\***

Zones & Minimum Lot Sizes	LAND USE PROPOSALS						
	Mountain Residential - 5 acre Minimum	Mountain Residential	Multiple Family Residential	General Commercial	Neighborhood Commercial	Resource Conservation/Management	Quasi Public
MR-5** (5 acre min., gross)	X						X
MR** (20,000 sq. ft., net)		X					X
R-2 (20,000 sq. ft. min.)			X				X
R-3 (20,000 sq. ft. min.)			X				X
O				X	X		X
CO (20,000 sq. ft. min.)				X			X
C-1 (20,000 sq. ft. min.)				X	X		X
C-2 (20,000 sq. ft. min.)				X			X
C-3 (20,000 sq. ft. min.)				X			X
RC** (160 acre min.)						X	X
AF (160. acre min.)						X	X
PD Planned Development <sup>1</sup>			X	X	X		
SR Site Plan Review <sup>1</sup>			X	X	X		
M Special Mobilehome	X	X					
Special Combining Zone <sup>2</sup>	X	X	X	X	X	X	X

\* "X" denotes zoning categories that are determined to be potentially compatible with GWD land use designations

\*\* Proposed Zoning Category

<sup>1</sup> Discretionary review processes that may be attached to any zone as a means of assuring that compliance with plan policies and development standards is achieved.

<sup>2</sup> Establishes a minimum lot area in any zone with which this classification is combined by the attachment of a numerical figure. This numerical figure sets forth a greater minimum lot area than the minimum lot area ordinarily required by the underlying zoning.

2. Control of land division and infrastructural improvements through the application of requirements of the Tulare County Subdivision Ordinance and the Improvement Standards of Tulare County.

Divisions of land for the purpose of sale, lease, or finance are subject to the requirements of the State Subdivision Map Act and the Tulare County Subdivision Ordinance. These laws control not only the design of land division projects, but also provide the basis for requiring the on-site and off-site improvements (pertaining to vehicular access, sewer and water, etc.) that are necessary to serve the newly created parcels, depending upon their intended use. Such improvements are, for the most part, identified and categorized in the Improvement Standards of Tulare County. However, while the Improvement Standards already contain the majority of the improvement requirements necessary to implement the Great Western Divide (N 1/2) Plan, certain additional or modified standards are established in this plan (see Chapter 4 & 5, Goals and Policies, and Implementation Strategies) that will complement or provide guidance to the implementation of the Improvement Standards. Thus, the improvement standards that are unique to the Great Western Divide (N 1/2) Planning Area will be implemented through the land division procedures (subdivision map, parcel map, lot line adjustment, and certificate of compliance) contained in the Subdivision Ordinance.

3. Control of site development through the site plan/design review process and review of special use permits, planned unit developments, and other development standards.

The land use directives and development standards contained in this plan will also be implemented by the County of Tulare during Site Plan/Design Review and review of Special Use Permits and other various development permits. These development permits must be reviewed at public hearings by such decision-making bodies as the Site Plan Review Committee, Zoning Administrator, Planning Commission, and Board of Supervisors. As part of their review, these bodies must ensure that new development proposals satisfy the land use and development criteria established in the Great Western Divide (N 1/2) Plan.

4. Control of local environmental conditions through the implementation of the California Environmental Quality Act.

The Great Western Divide (N 1/2) Plan contains several policies and development standards that are directed toward the maintenance of the quality of the local environment. While these policies and standards will be generally implemented through regular project review, the California Environmental Quality Act (CEQA) is another tool with which to assure that the plan directives are implemented. This tool will be particularly useful in the implementation of plan policies that are aimed at preserving the quality of the local environment. Development projects will be scrutinized as part of the CEQA process to ensure compliance with the goals, policies, and implementation strategies contained in the Great Western Divide (N 1/2) Plan, especially those emphasizing environmental protection.

5. The provision of attractive conditions to the private sector as a means of allowing reasonable development and growth within the Planning Area.

Growth within the Planning Area has been and will continue to be primarily dependent upon activity within the private sector. For the Great Western Divide (N 1/2) area to grow, not only must demand for new development exist, but the development conditions within the Planning Area must be conducive to attracting and accommodating growth. A major function of the Great Western Divide (N 1/2) Plan must, therefore, be to assure that appropriate conditions for development exist. This plan has attempted to assure such conditions in several ways, including the application of land use categories that respond to the unique characteristics of the Planning Area, the evaluation of road standards for new developments within the Planning Area, and realistic management of development densities and population distribution commensurate with the availability of public services which protect the health, safety, and welfare of persons and property in the Planning Area.

6. The generation of support by local organizations, governmental entities, and private citizens.

While not a specific program for applying plan policies, the existence of active and continued support for the implementation of the Plan by private citizens and businesses, local organizations, and governmental entities is crucial to the success of the Great Western Divide (N 1/2) Plan. Local organizations (such as the Ponderosa Community Service District and the Sequoia Crest/Alpine Village Community Service District) and private citizens must exercise and advocate continuing support for the Plan, so that the directives and policies contained herein will be actively enforced by local governmental entities. To encourage such support and to assure that local concerns are considered in future land use matters, the County of Tulare should refer new development proposals and applications for review and comments to affected Community Service Districts and other interested local governmental entities. Recognizing the desire of local residents to adhere strictly to plan objectives, decision-making governmental bodies having jurisdiction within the Planning Area will establish on-going programs of plan implementation and monitoring. Thus, through the cooperation of local interests and governmental bodies, the development of the community in the manner depicted in the Plan will be achieved to the greatest extent possible.

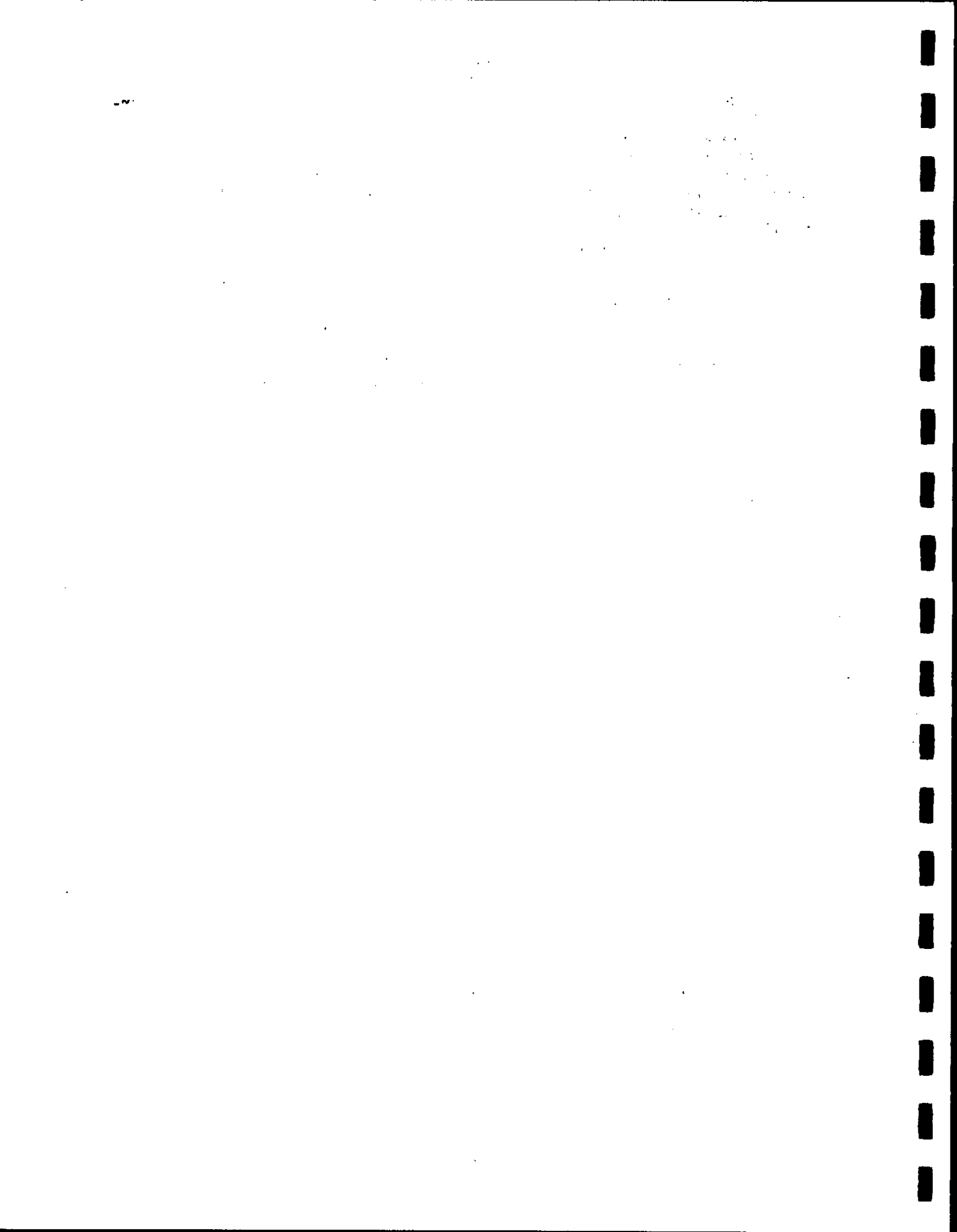
7. Future amendments to the Great Western Divide (N 1/2) Plan.

To provide a long term tool for implementing both the general public needs or desires and the goals, objectives, and policies of the County and this plan, this document may be amended from time to time during the 20 year planning period, as provided by and in accordance with State law and adopted policies of the Tulare County Board of Supervisors.

As a means to address the intended Peppermint Mountain Resort proposed by the Sequoia National Forest for Slate Mountain, it is the intent of the Plan that the County shall undertake a comprehensive review and evaluation of the policies, implementation strategies, and land use and circulation designations set forth herein at such time as a Use Permit to Construct is approved by the U.S. Forest Service for a precise development plan for the

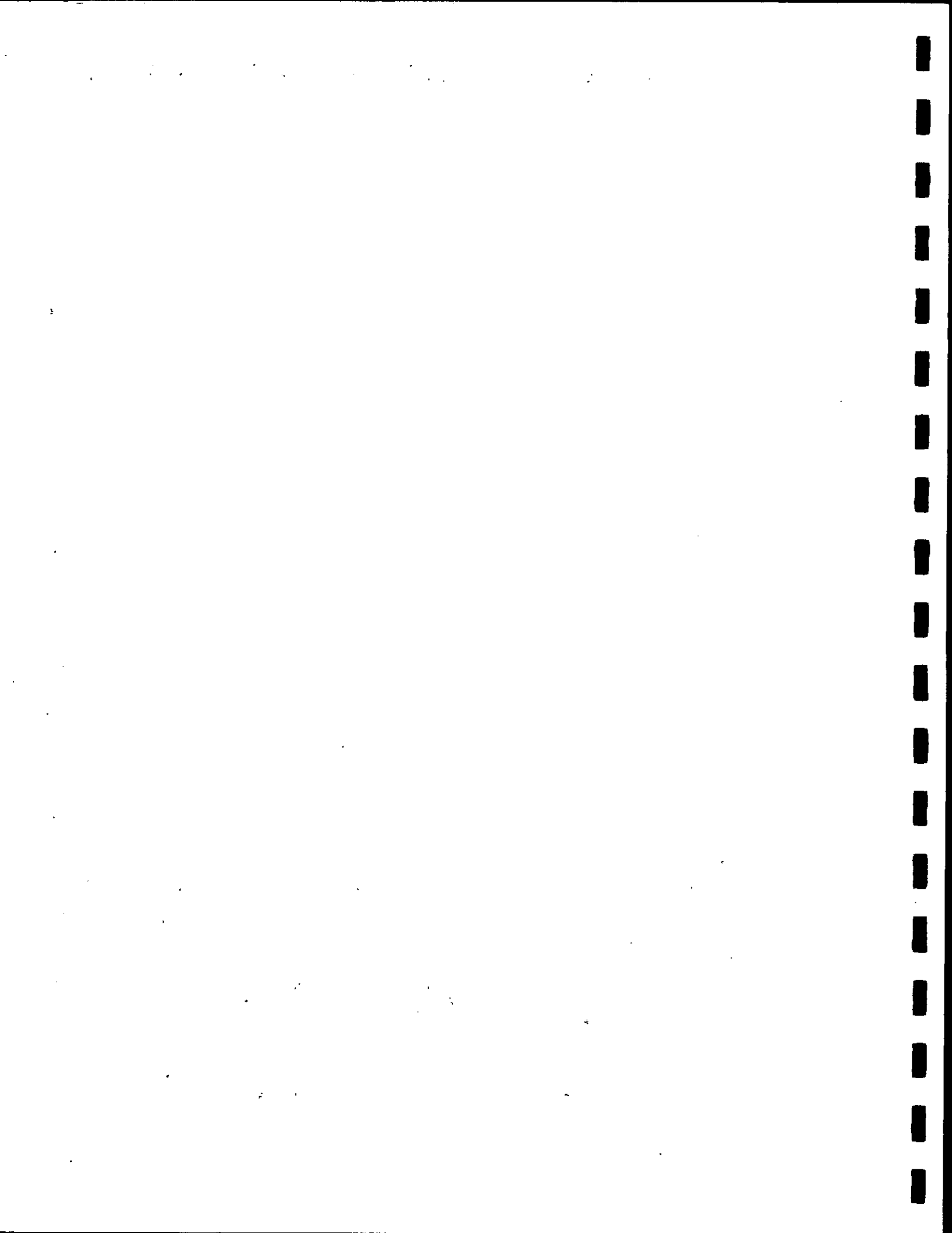
Peppermint Mountain Resort. The purpose of this review will be to determine the effects that the precise resort proposal will have on privately owned lands which might necessitate amendments to this plan. If it is apparent through the comprehensive review process that certain amendments are necessary, the Board of Supervisors should consider initiating the needed amendments to the Plan. In accordance with the California Environmental Quality Act (CEQA) and other administrative laws of the State of California, appropriate environmental review and public hearings will be conducted on the proposed amendments.

The comprehensive review of this General Plan component will be conducted immediately following the issuance of a Use Permit to Construct by the U.S. Forest Service. Prior to this permit being approved, the U.S. Forest Service will, by law, require completion of both financial arrangements and the National Environmental Quality Act (NEPA) process (i.e. preparation of a subsequent or new Environmental Impact Statement for the proposed resort development).





## Land Use Maps












# Great Western Divide (N1/2) Planning Area

## LAND USE MAP

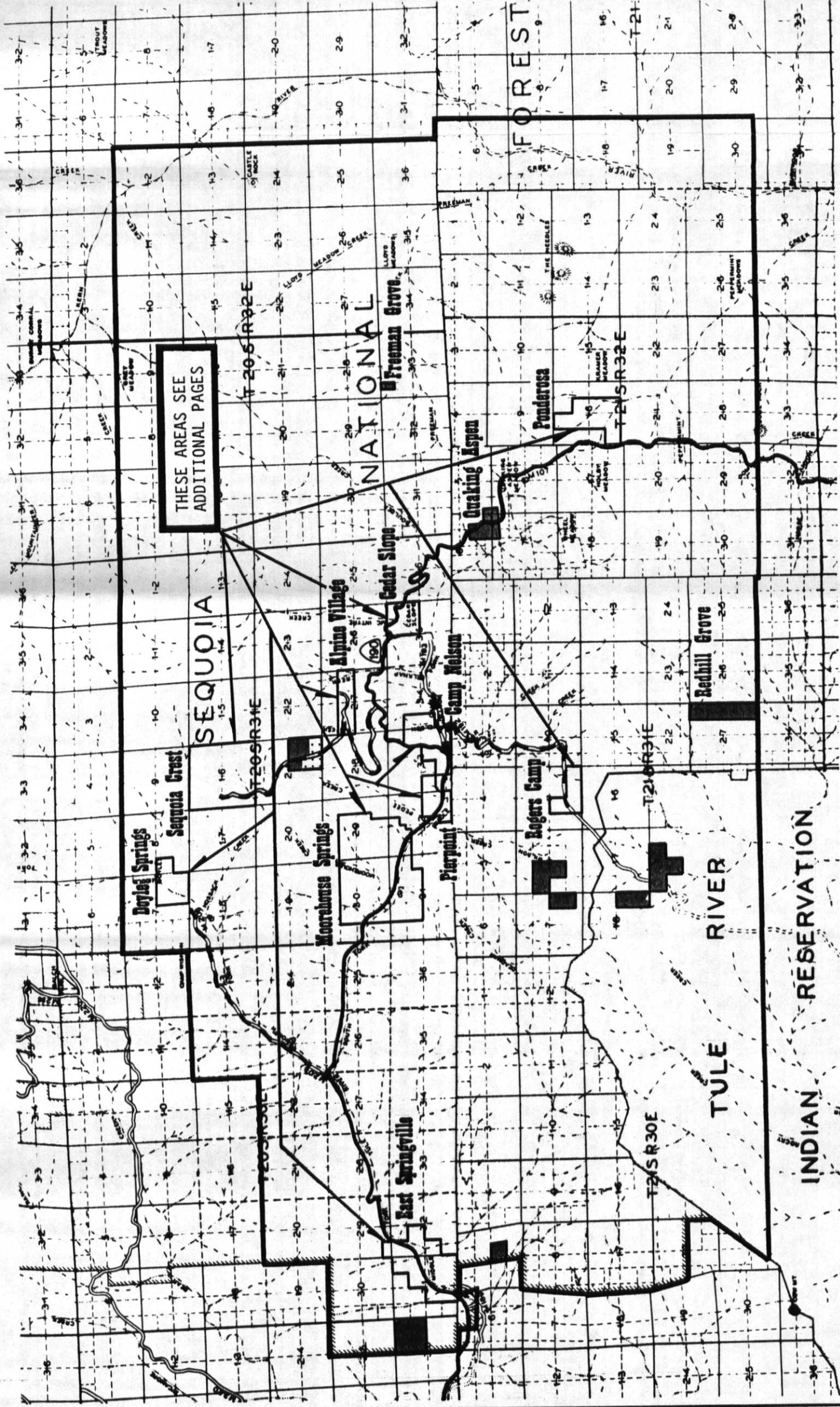
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MANAGEMENT (160 Ac.Min.)

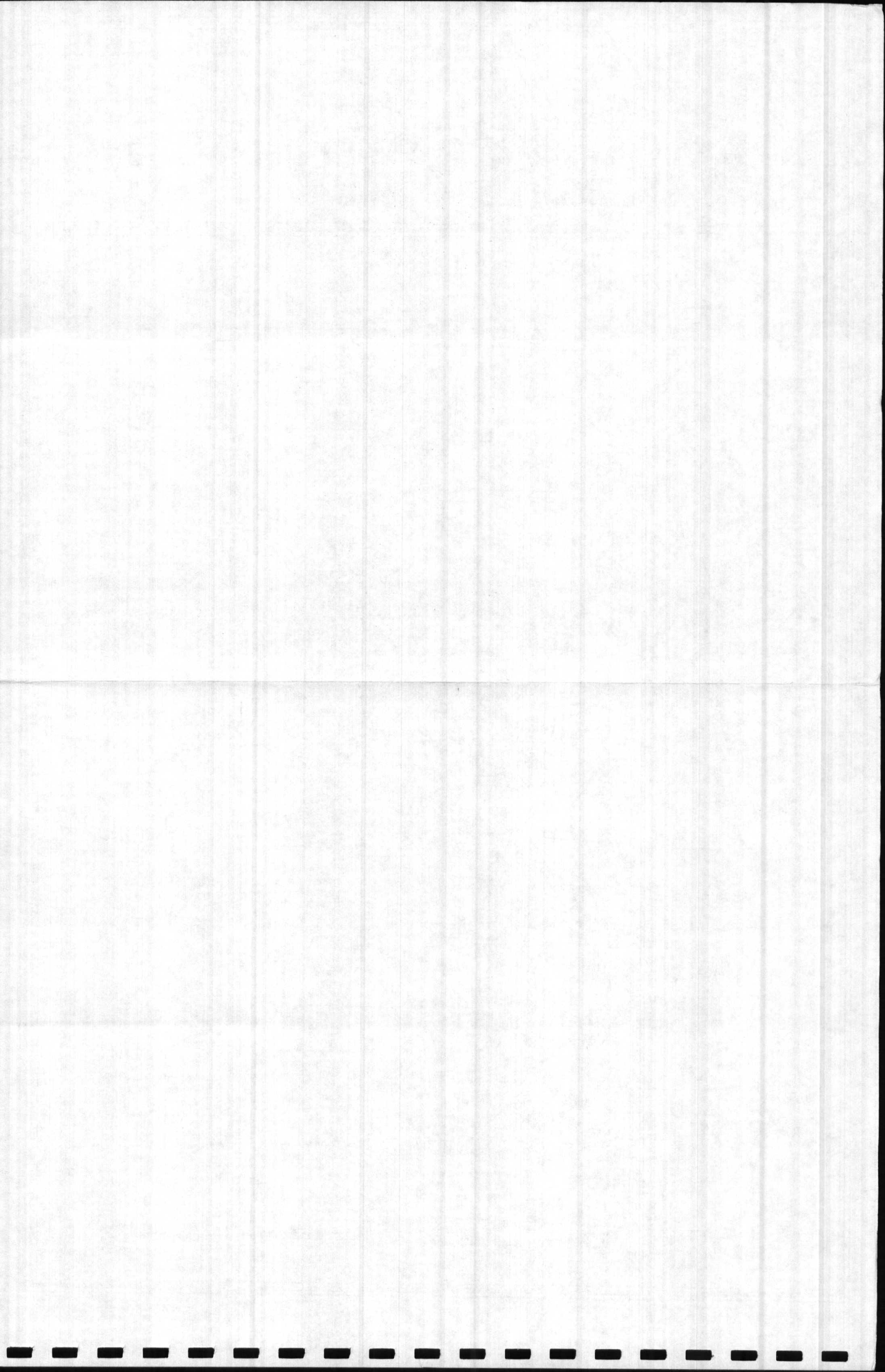
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-  MOUNTAIN RESIDENTIAL (20,000 Sq.Ft.Min.)
-  NEIGHBORHOOD COMMERCIAL (20,000 Sq.Ft.Min.)
-  GENERAL COMMERCIAL (20,000 Sq.Ft.Min.)
-  QUASI PUBLIC (20,000 Sq.Ft.Min.)

## ROAD DESIGNATIONS

-  ARTERIAL
-  COLLECTOR

NORTH





# East Springville

## LAND USE MAP

### LAND USE DESIGNATIONS

RESOURCE CONSERVATION/  
MANAGEMENT (160 Ac. Min.)



MOUNTAIN RESIDENTIAL  
(5 Ac. Min.)



MOUNTAIN RESIDENTIAL  
(20,000 Sq. Ft. Min.)



NEIGHBORHOOD COMMERCIAL  
(20,000 Sq. Ft. Min.)



GENERAL COMMERCIAL  
(20,000 Sq. Ft. Min.)



QUASI PUBLIC  
(20,000 Sq. Ft. Min.)

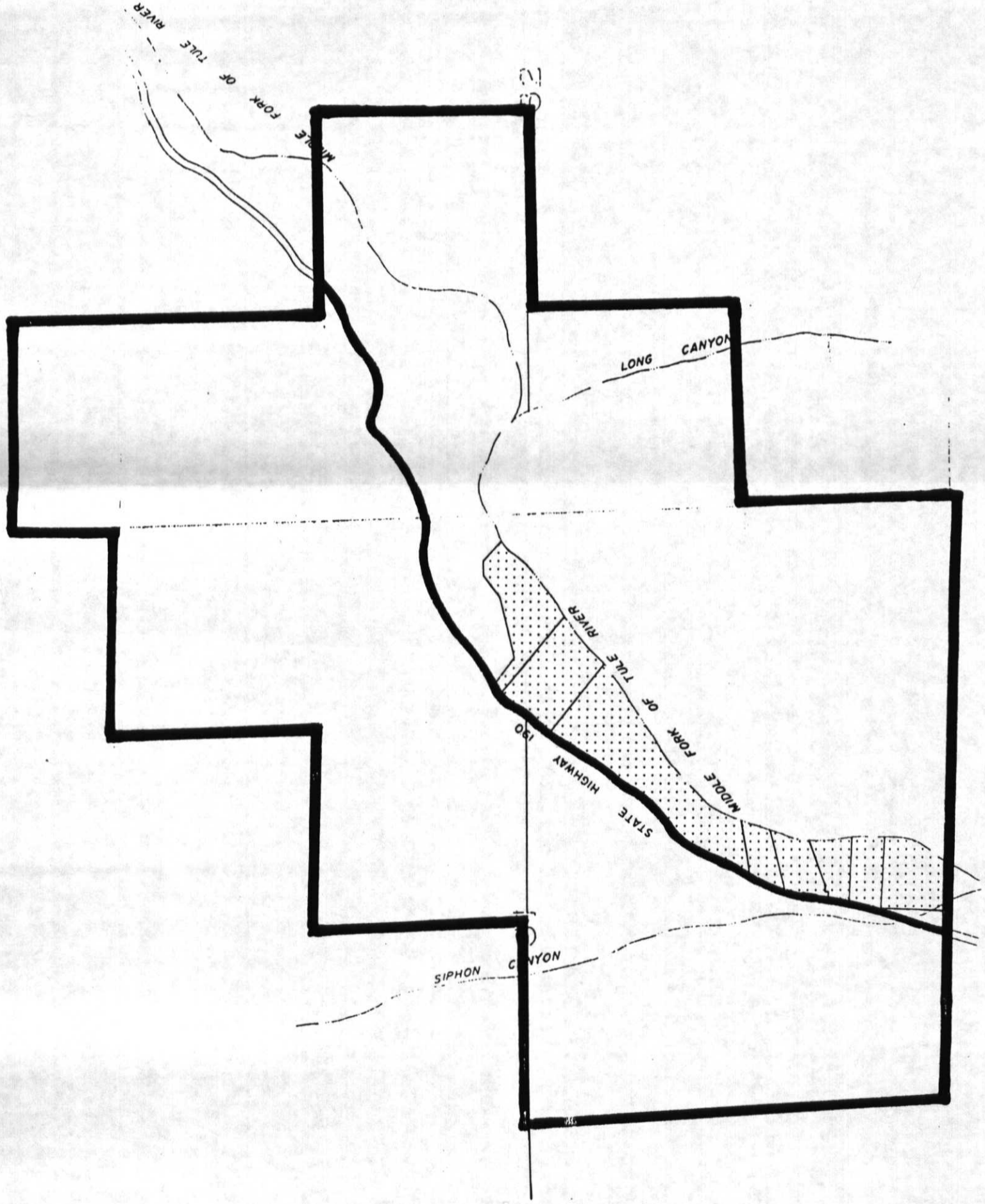
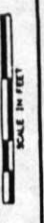


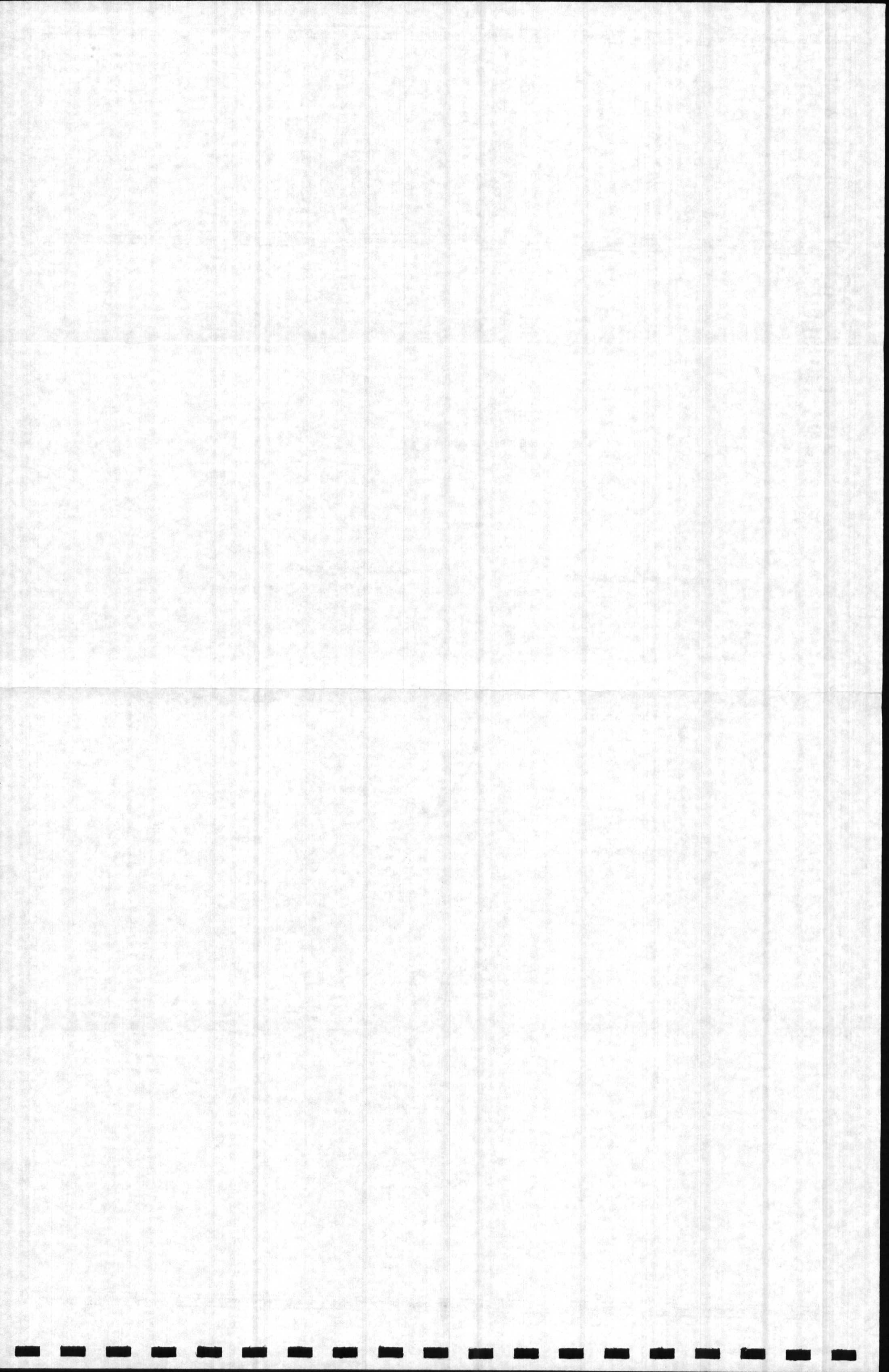
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ARTERIAL



COLLECTOR



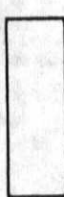


# Moorehouse Springs

## LAND USE MAP

### LAND USE DESIGNATIONS

RESOURCE CONSERVATION/  
MANAGEMENT (160 Ac. Min.)



MOUNTAIN RESIDENTIAL  
(6 Ac. Min.)



MOUNTAIN RESIDENTIAL  
(20,000 Sq. Ft. Min.)



NEIGHBORHOOD COMMERCIAL  
(20,000 Sq. Ft. Min.)



GENERAL COMMERCIAL  
(20,000 Sq. Ft. Min.)



QUASI PUBLIC  
(20,000 Sq. Ft. Min.)



### ROAD DESIGNATIONS

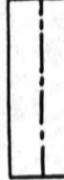
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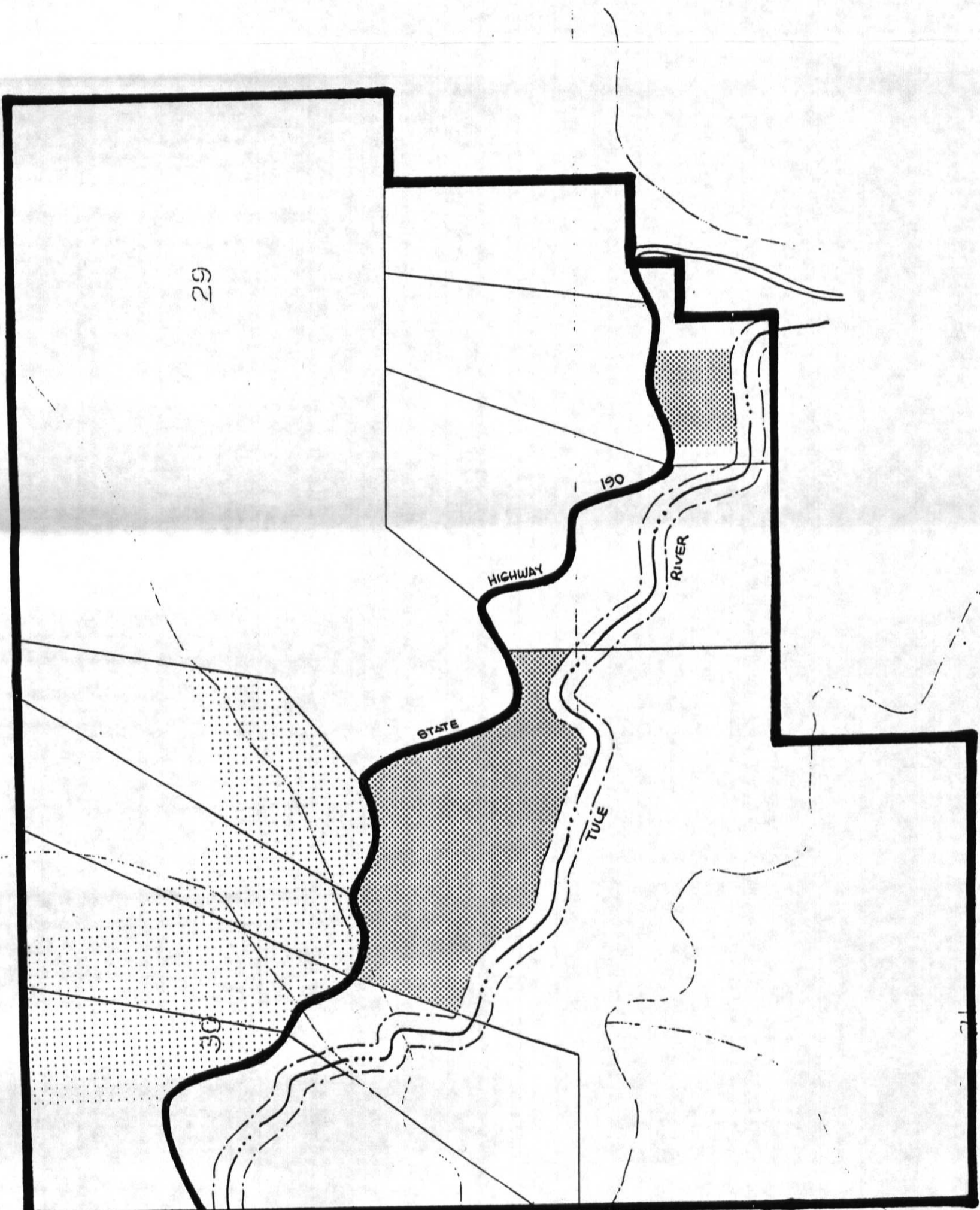
COLLECTOR

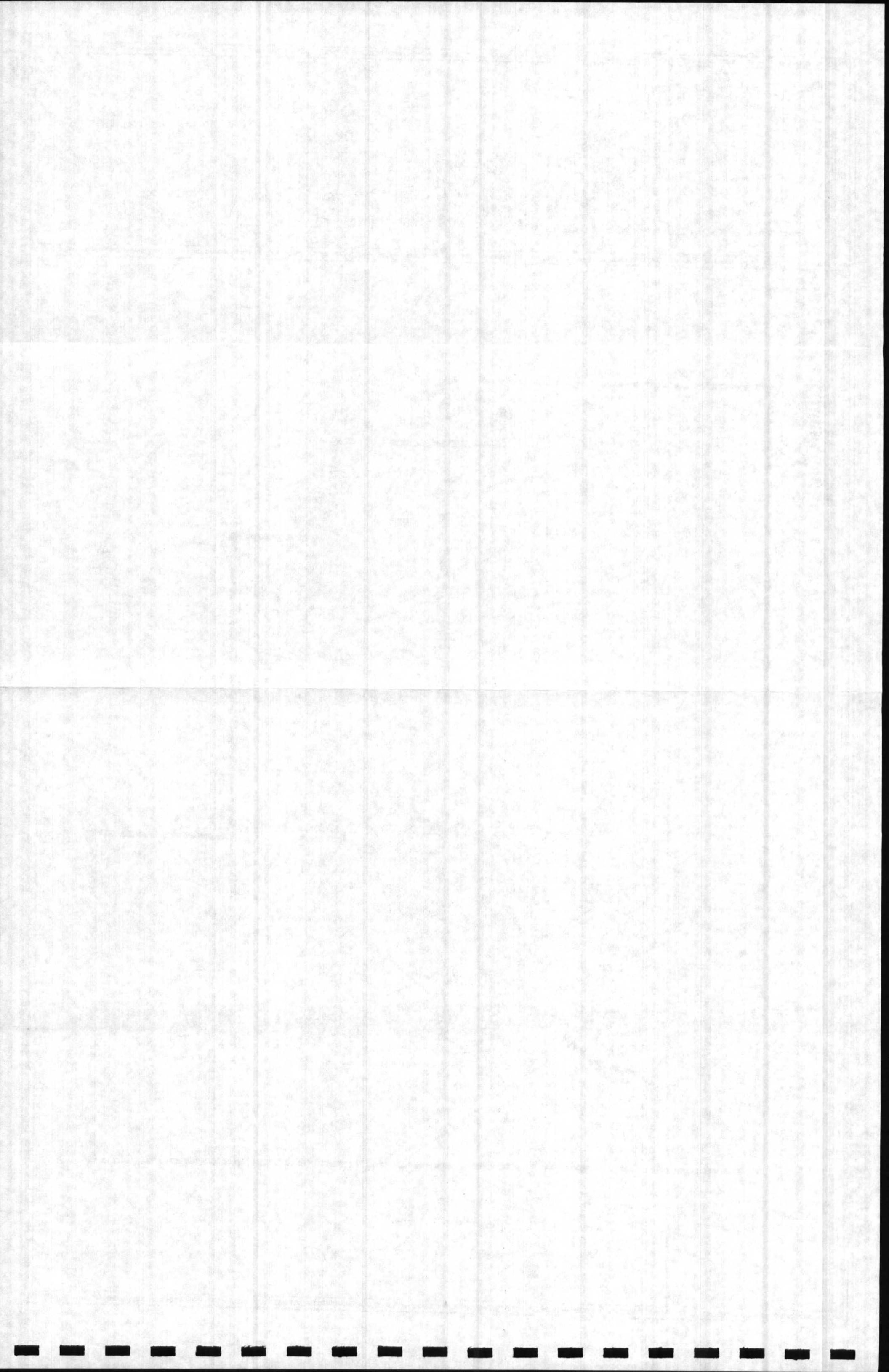


100' SETBACK-TULE RIVER



NORTH





# Pierpoint

## LAND USE MAP

### LAND USE DESIGNATIONS

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MANAGEMENT (160 Ac.Min.)



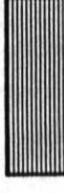
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MOUNTAIN RESIDENTIAL  
(20,000 Sq.Ft.Min.)



NEIGHBORHOOD COMMERCIAL  
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GENERAL COMMERCIAL  
(20,000 Sq.Ft.Min.)



QUASI PUBLIC  
(20,000 Sq.Ft.Min.)

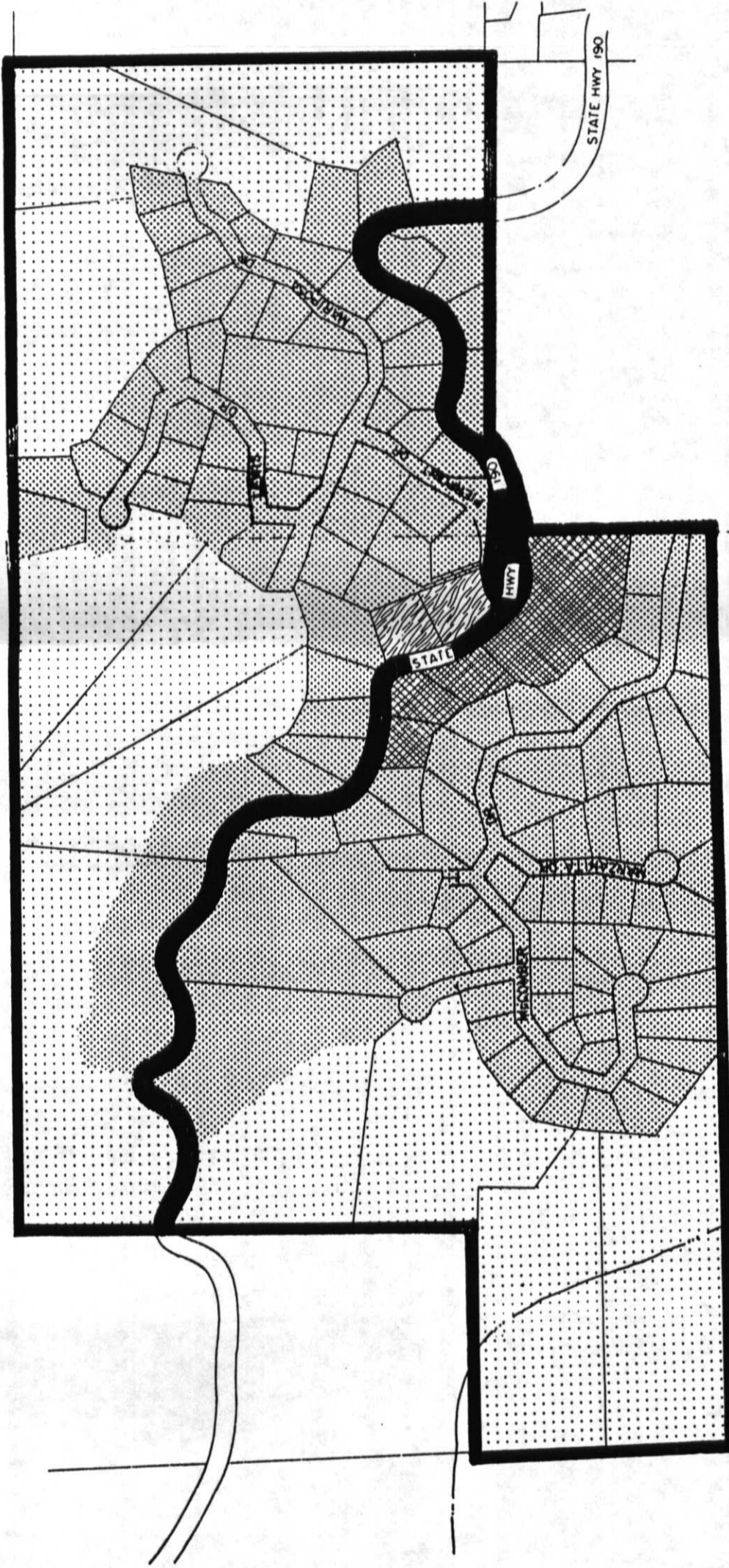


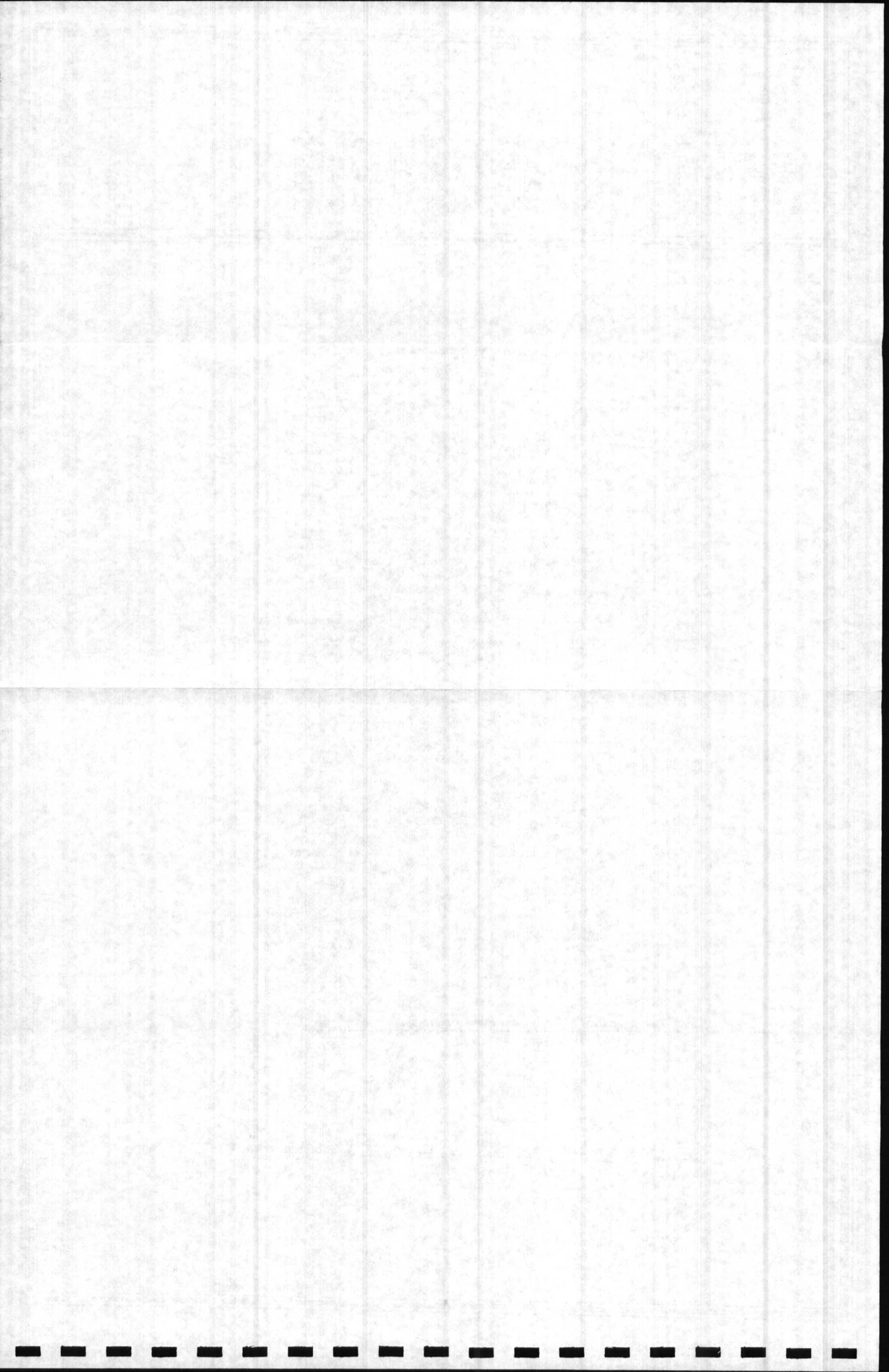
### ROAD DESIGNATIONS

ARTERIAL



COLLECTOR







# Camp Nelson

## LAND USE MAP

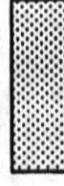
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RESOURCE CONSERVATION/  
MANAGEMENT (160 Ac. Min.)



MOUNTAIN RESIDENTIAL  
(5 Ac. Min.)



MOUNTAIN RESIDENTIAL  
(20,000 Sq. Ft. Min.)



NEIGHBORHOOD COMMERCIAL  
(20,000 Sq. Ft. Min.)



GENERAL COMMERCIAL  
(20,000 Sq. Ft. Min.)



QUASI PUBLIC  
(20,000 Sq. Ft. Min.)

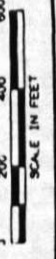
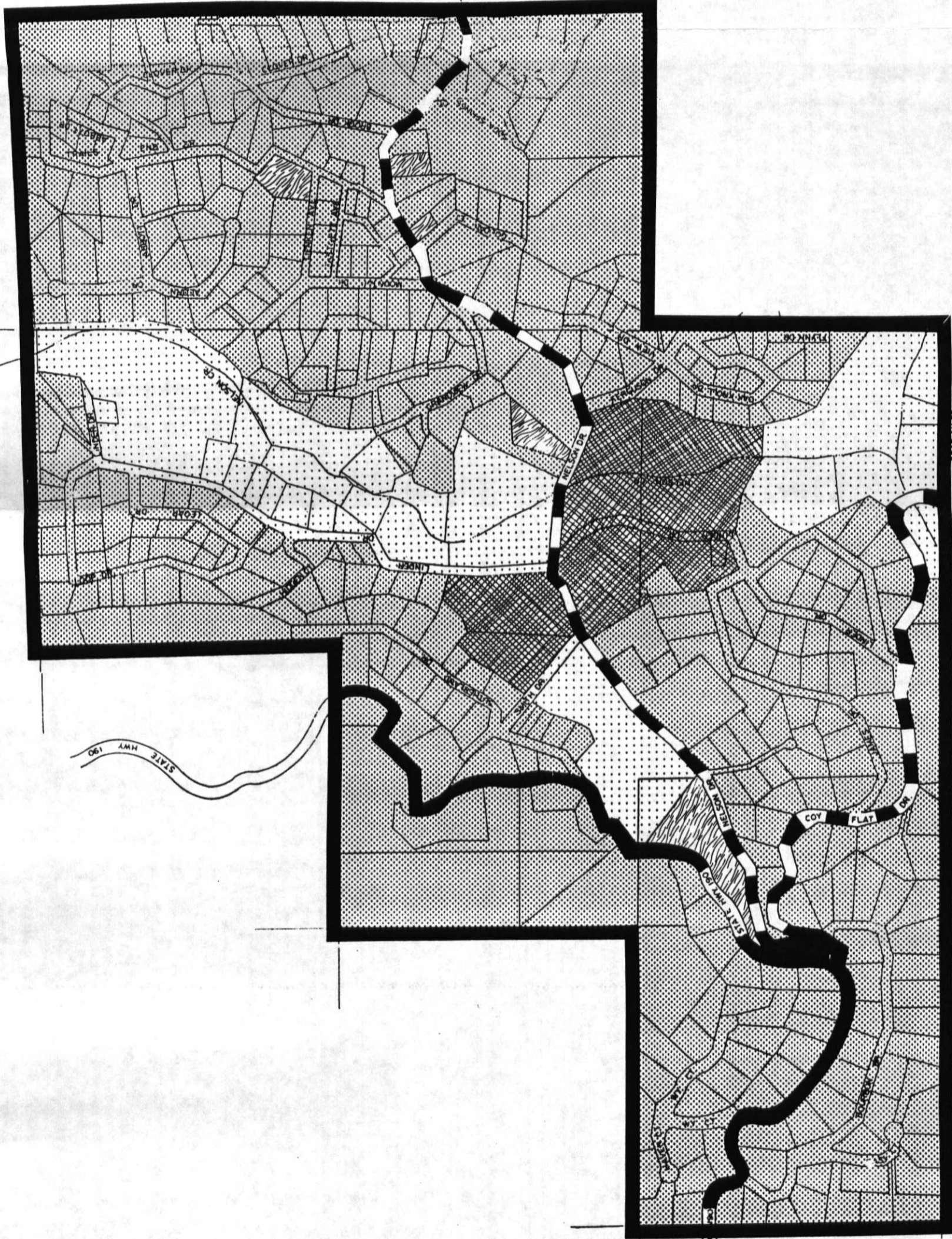


### ROAD DESIGNATIONS

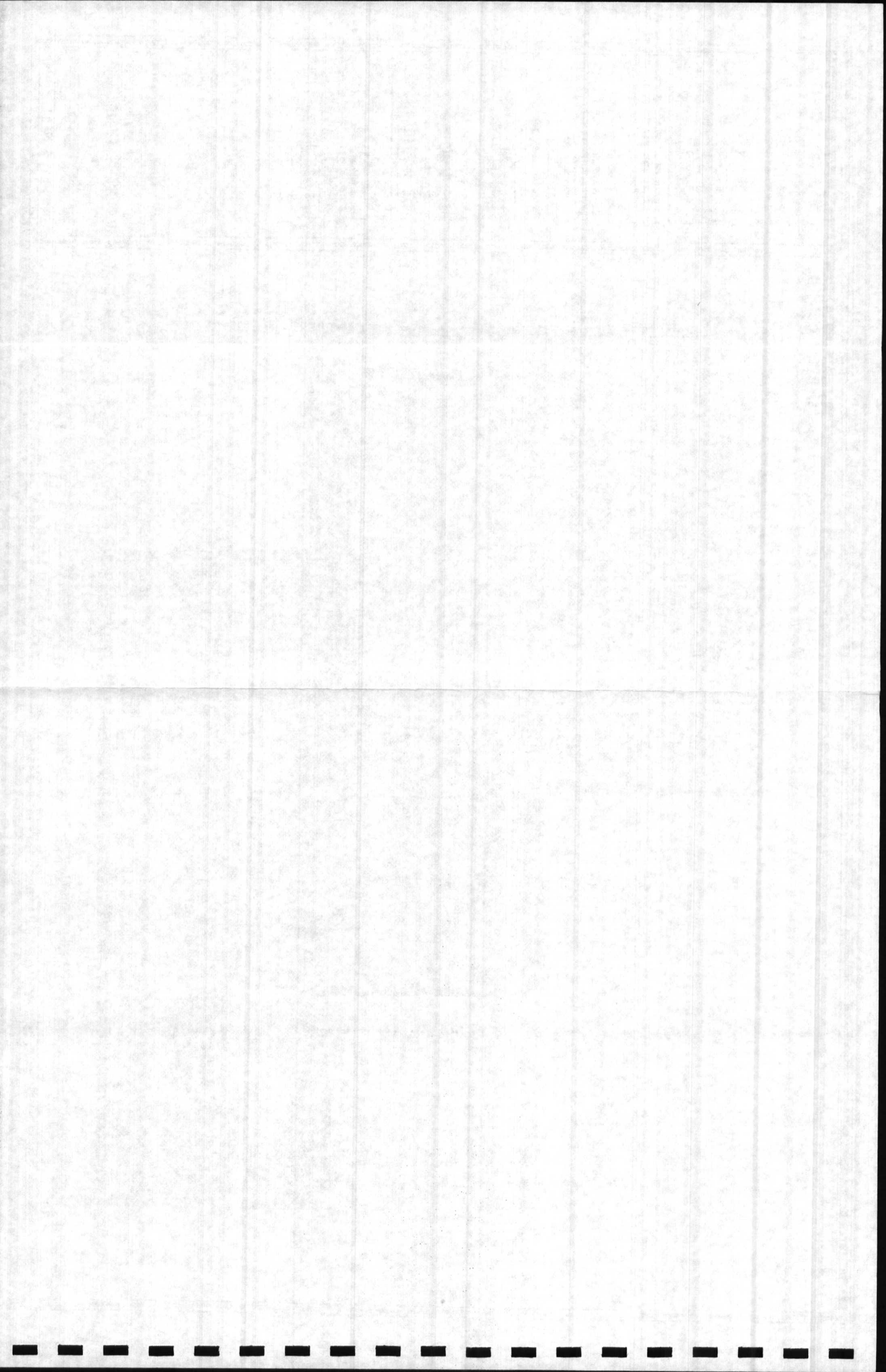
ARTERIAL



COLLECTOR



SECTION 14  
T20 S R 17 E



# Rogers Camp

## LAND USE MAP

### LAND USE DESIGNATIONS

RESOURCE CONSERVATION/  
MANAGEMENT (160 Ac. Min.)



MOUNTAIN RESIDENTIAL  
(6 Ac. Min.)



MOUNTAIN RESIDENTIAL  
(20,000 Sq. Ft. Min.)



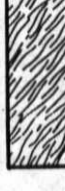
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QUASI PUBLIC  
(20,000 Sq. Ft. Min.)

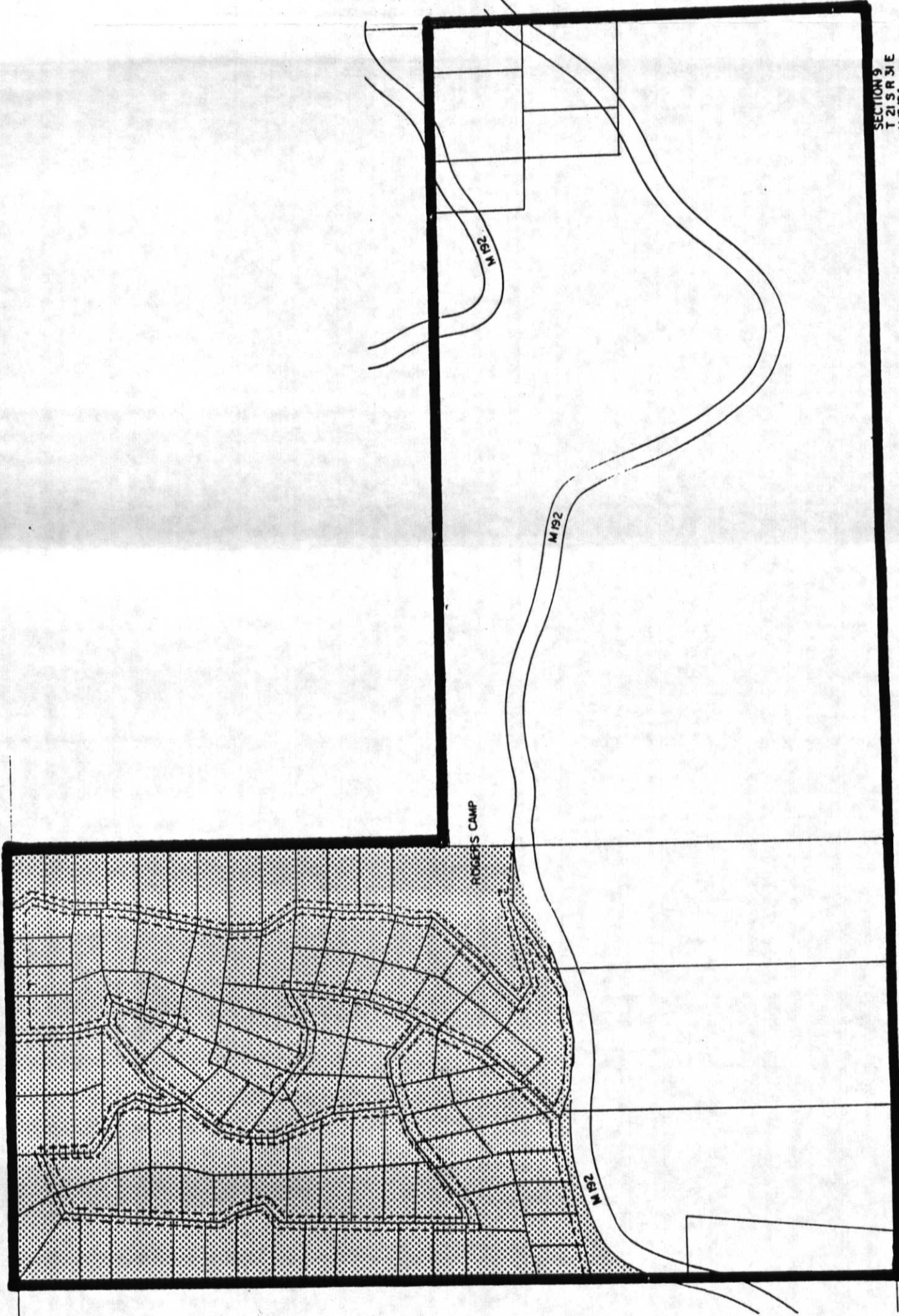


### ROAD DESIGNATIONS

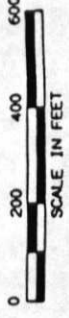
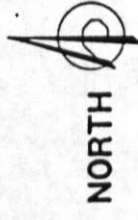
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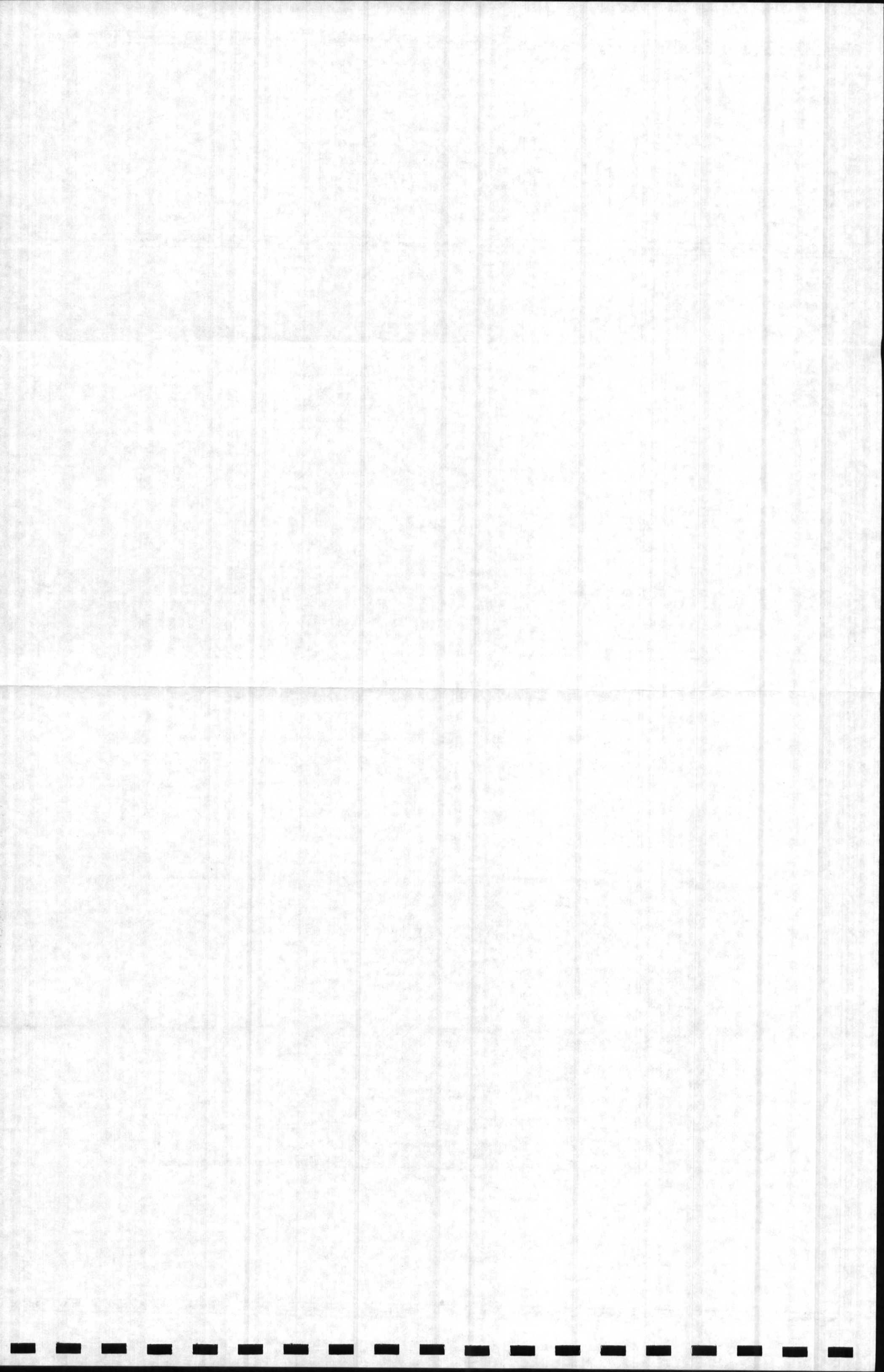


COLLECTOR



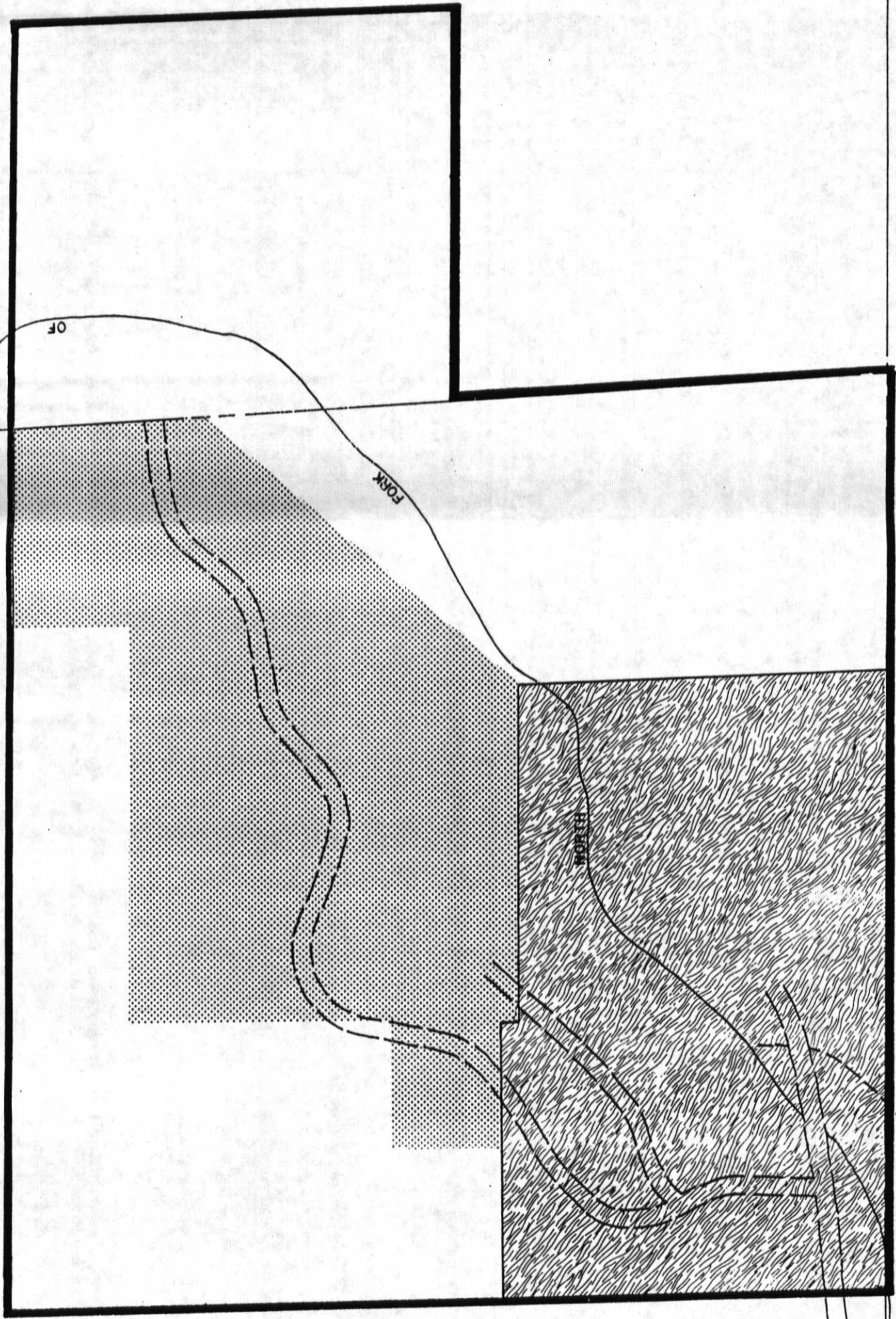
SECTION 9  
T 21 S R 31 E  
11/5/84





# Doyle Springs

2



## LAND USE MAP

### LAND USE DESIGNATIONS

RESOURCE CONSERVATION/  
MANAGEMENT (160 Ac.Min.)



MOUNTAIN RESIDENTIAL  
(5 Ac.Min.)



MOUNTAIN RESIDENTIAL  
(20,000 Sq.Ft.Min.)



NEIGHBORHOOD COMMERCIAL  
(20,000 Sq.Ft.Min.)



GENERAL COMMERCIAL  
(20,000 Sq.Ft.Min.)



QUASI PUBLIC  
(20,000 Sq.Ft.Min.)



### ROAD DESIGNATIONS

ARTERIAL



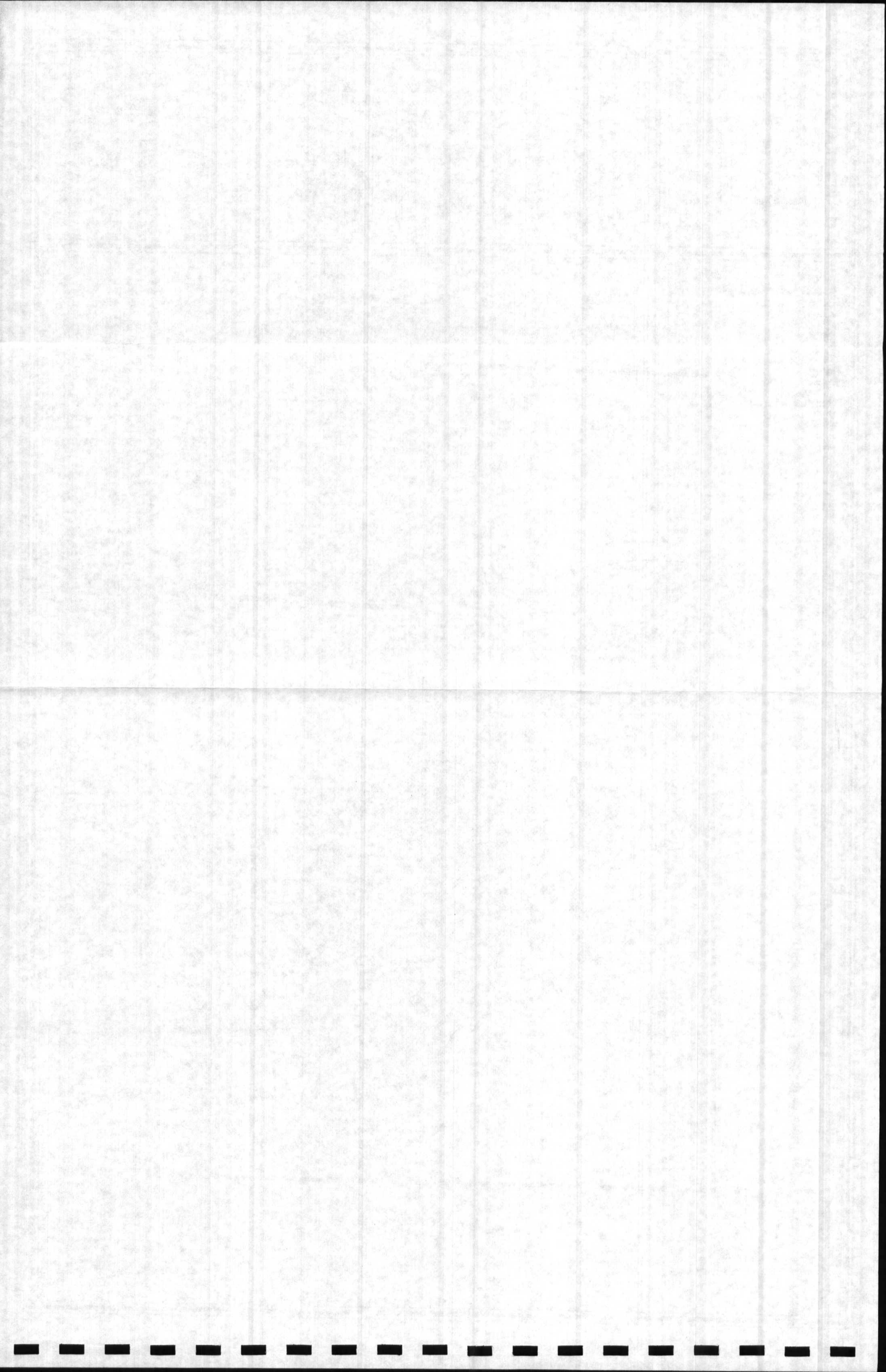
COLLECTOR



NORTH

SCALE IN FEET





# Sequoia Crest

## LAND USE MAP

### LAND USE DESIGNATIONS

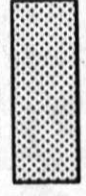
RESOURCE CONSERVATION/  
MANAGEMENT (160 Ac.Min.)



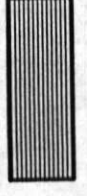
MOUNTAIN RESIDENTIAL  
(6 Ac.Min.)



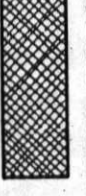
MOUNTAIN RESIDENTIAL  
(20,000 Sq.Ft.Min.)



NEIGHBORHOOD COMMERCIAL  
(20,000 Sq.Ft.Min.)



GENERAL COMMERCIAL  
(20,000 Sq.Ft.Min.)



QUASI PUBLIC  
(20,000 Sq.Ft.Min.)

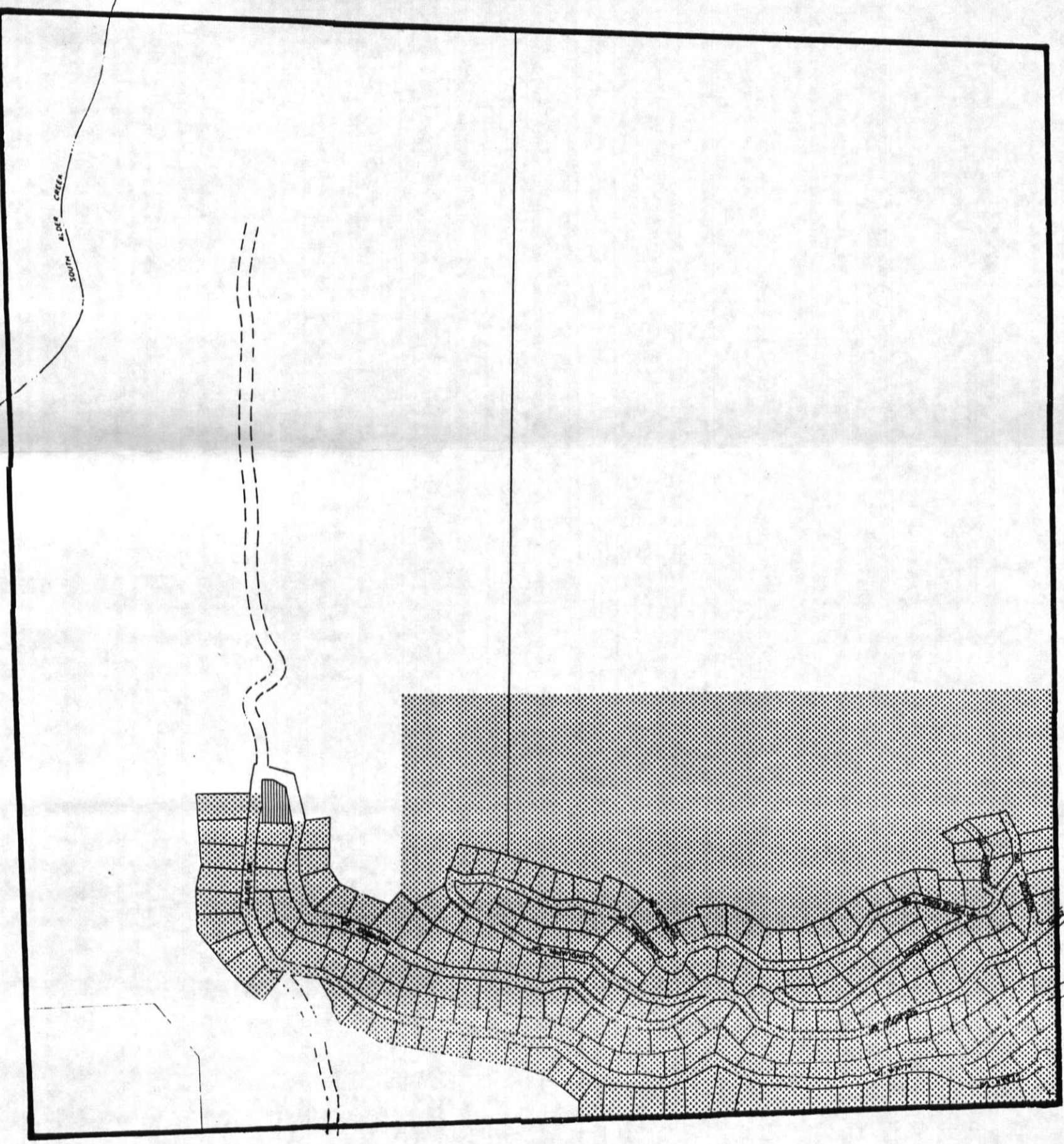
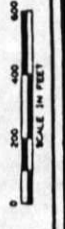


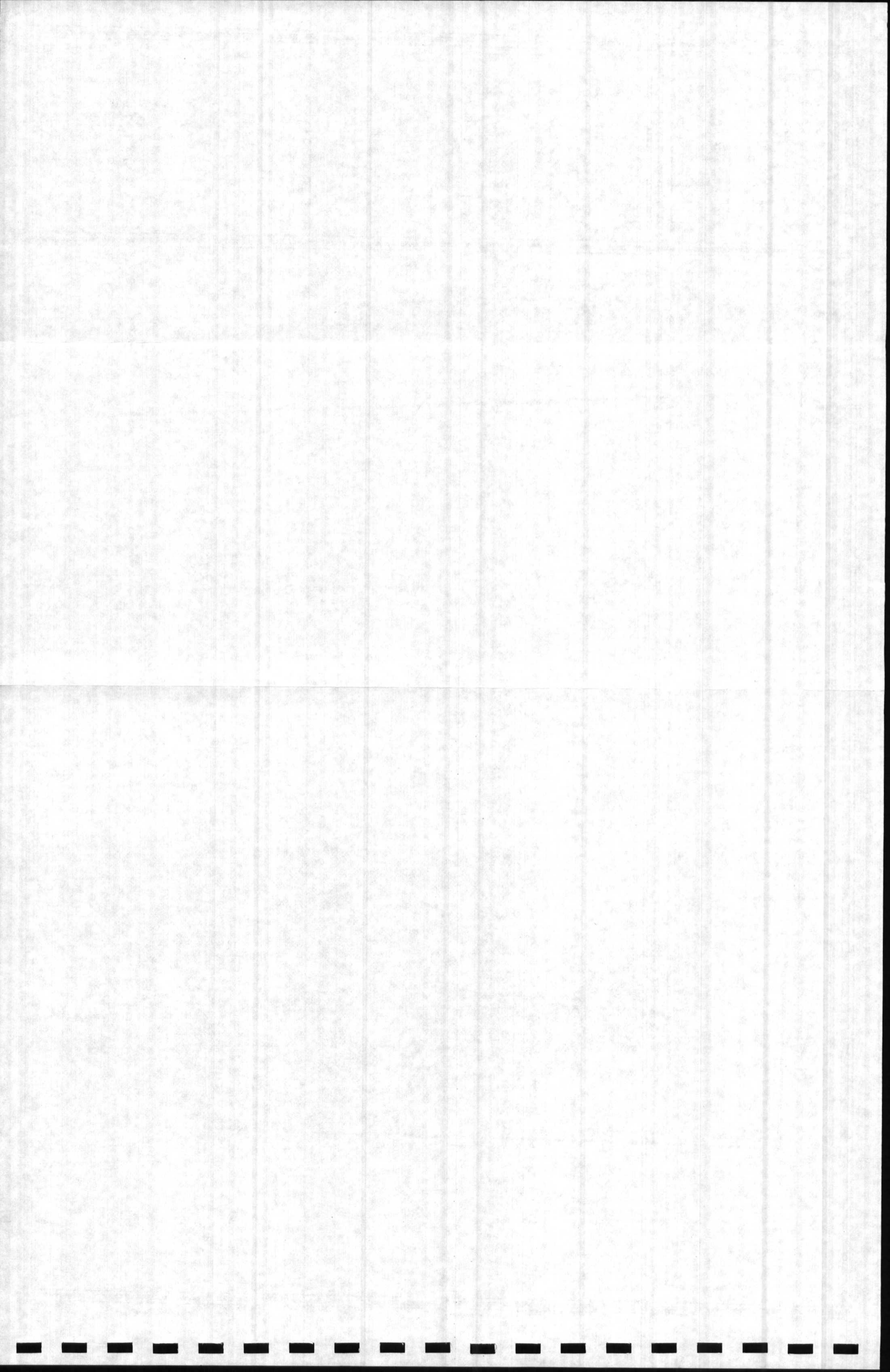
### ROAD DESIGNATIONS

ARTERIAL



COLLECTOR







# Lower Alpine Village

## LAND USE MAP

### LAND USE DESIGNATIONS

MANAGEMENT (160 Ac. Min.)



MOUNTAIN RESIDENTIAL (5 Ac. Min.)



MOUNTAIN RESIDENTIAL (20,000 Sq. Ft. Min.)



NEIGHBORHOOD COMMERCIAL (20,000 Sq. Ft. Min.)



GENERAL COMMERCIAL (20,000 Sq. Ft. Min.)



QUASI PUBLIC (20,000 Sq. Ft. Min.)



### ROAD DESIGNATIONS

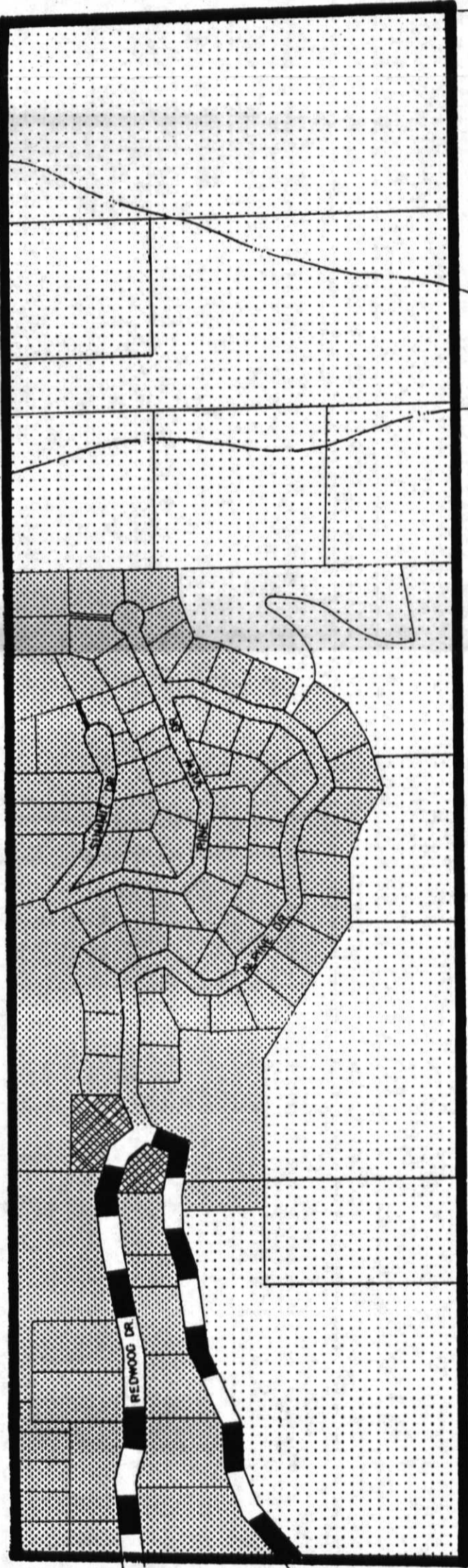
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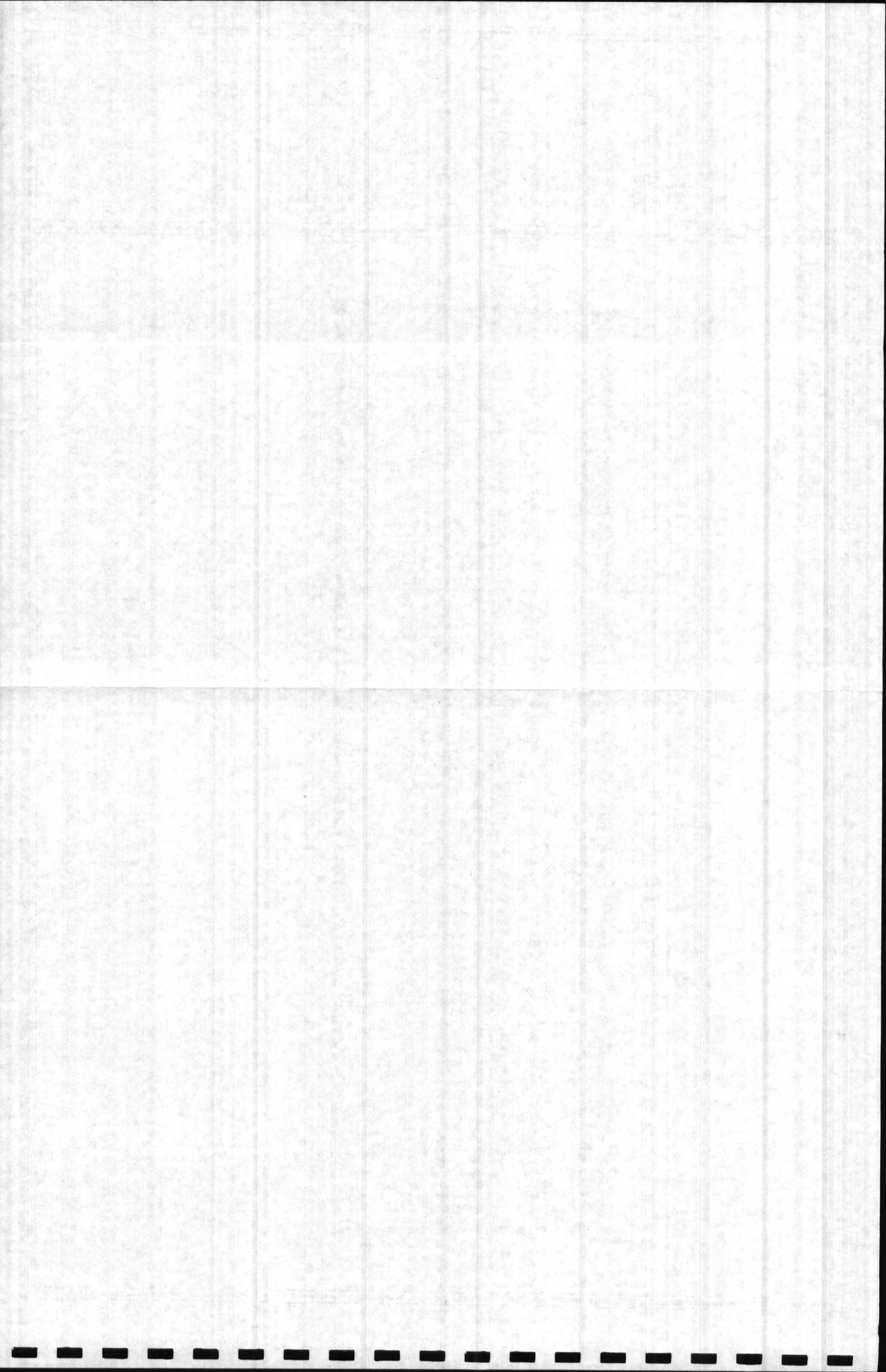


COLLECTOR



ALPINE VILLAGE





# Cedar Slope

## LAND USE MAP

### LAND USE DESIGNATIONS

RESOURCE CONSERVATION/  
MANAGEMENT (160 Ac.Min.)



MOUNTAIN RESIDENTIAL  
(6 Ac.Min.)



MOUNTAIN RESIDENTIAL  
(20,000 Sq.Ft.Min.)



NEIGHBORHOOD COMMERCIAL  
(20,000 Sq.Ft.Min.)



GENERAL COMMERCIAL  
(20,000 Sq.Ft.Min.)



QUASI PUBLIC  
(20,000 Sq.Ft.Min.)

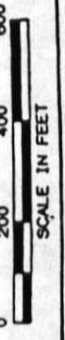


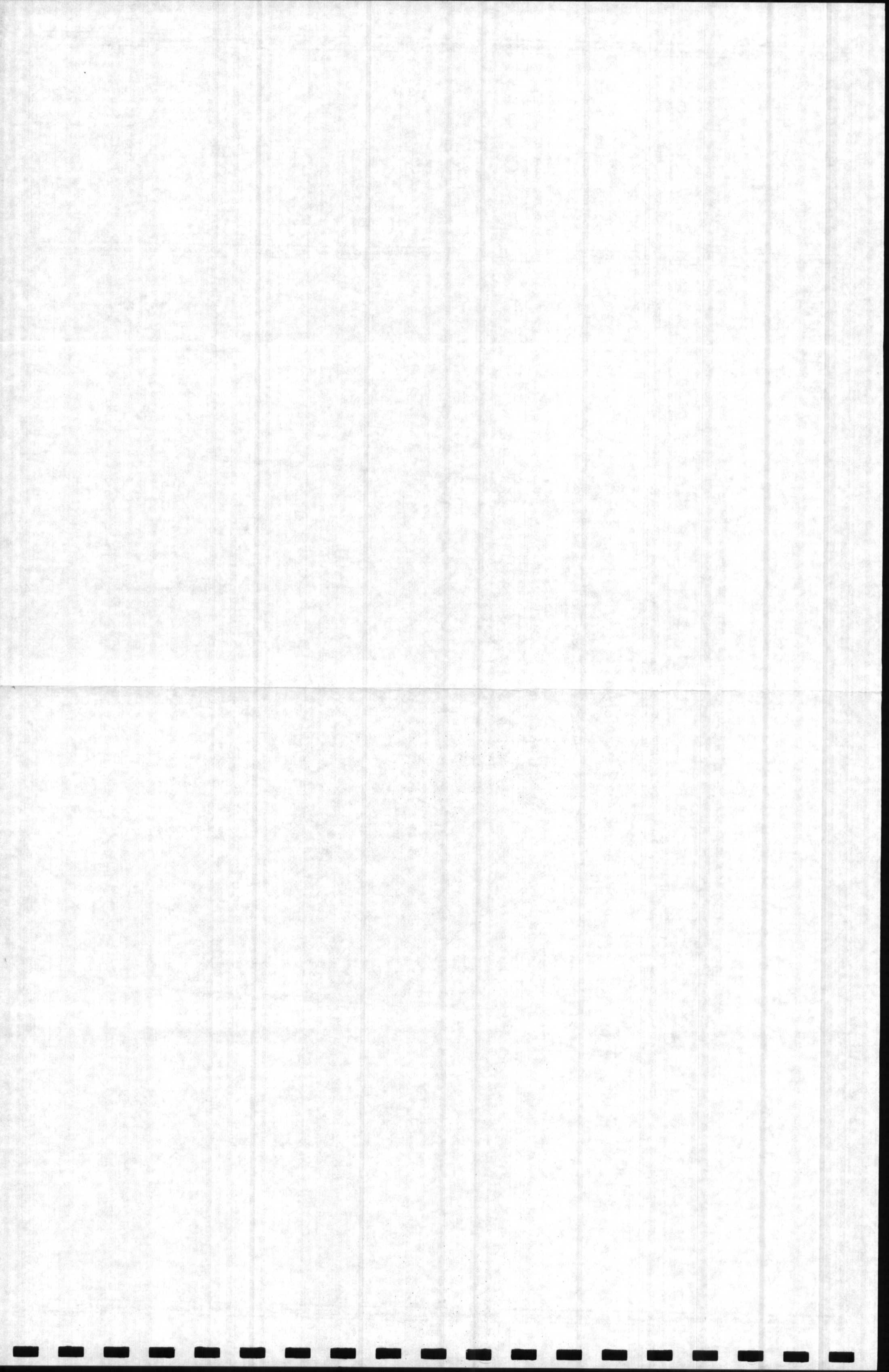
### ROAD DESIGNATIONS

ARTERIAL

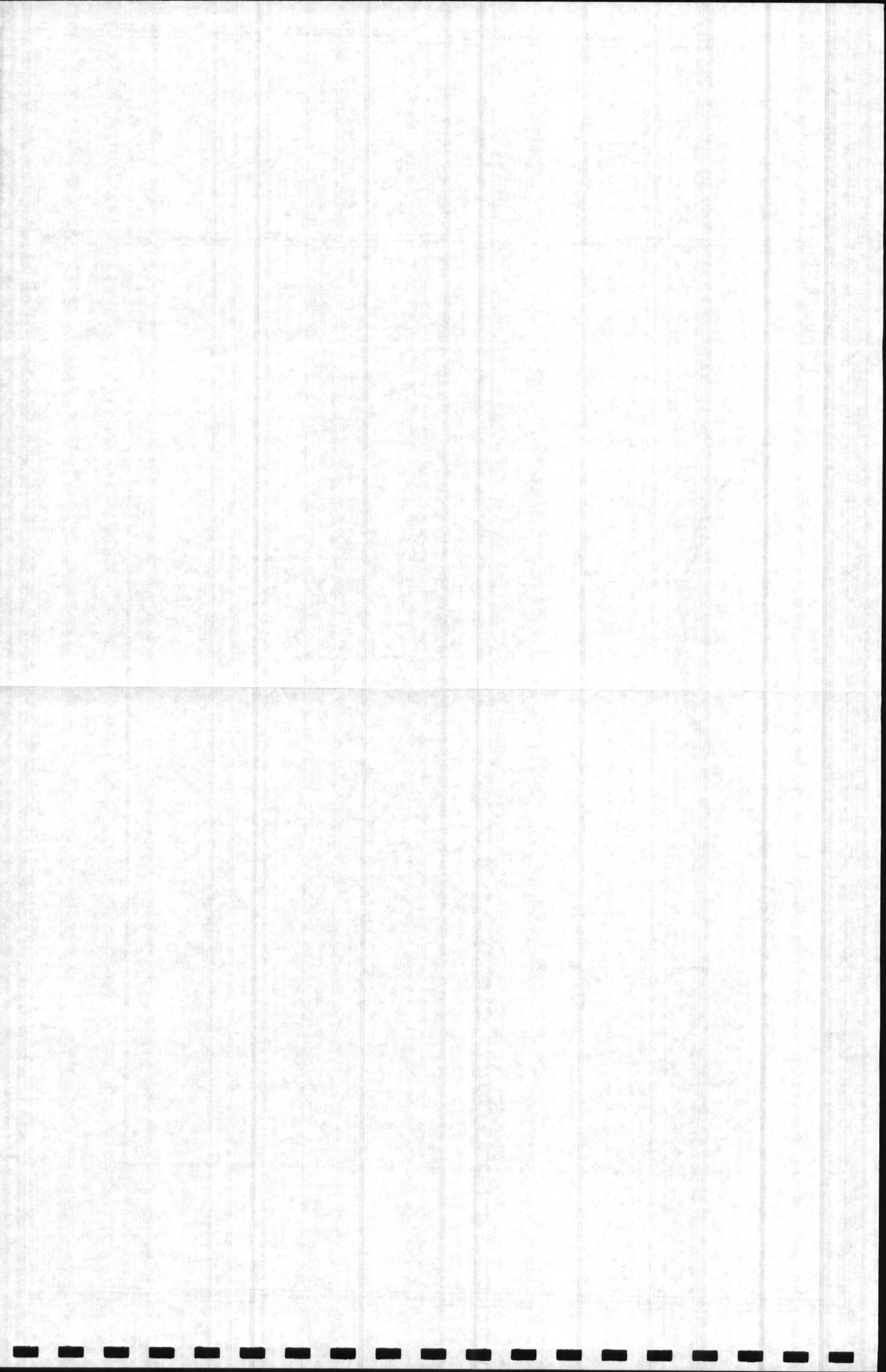


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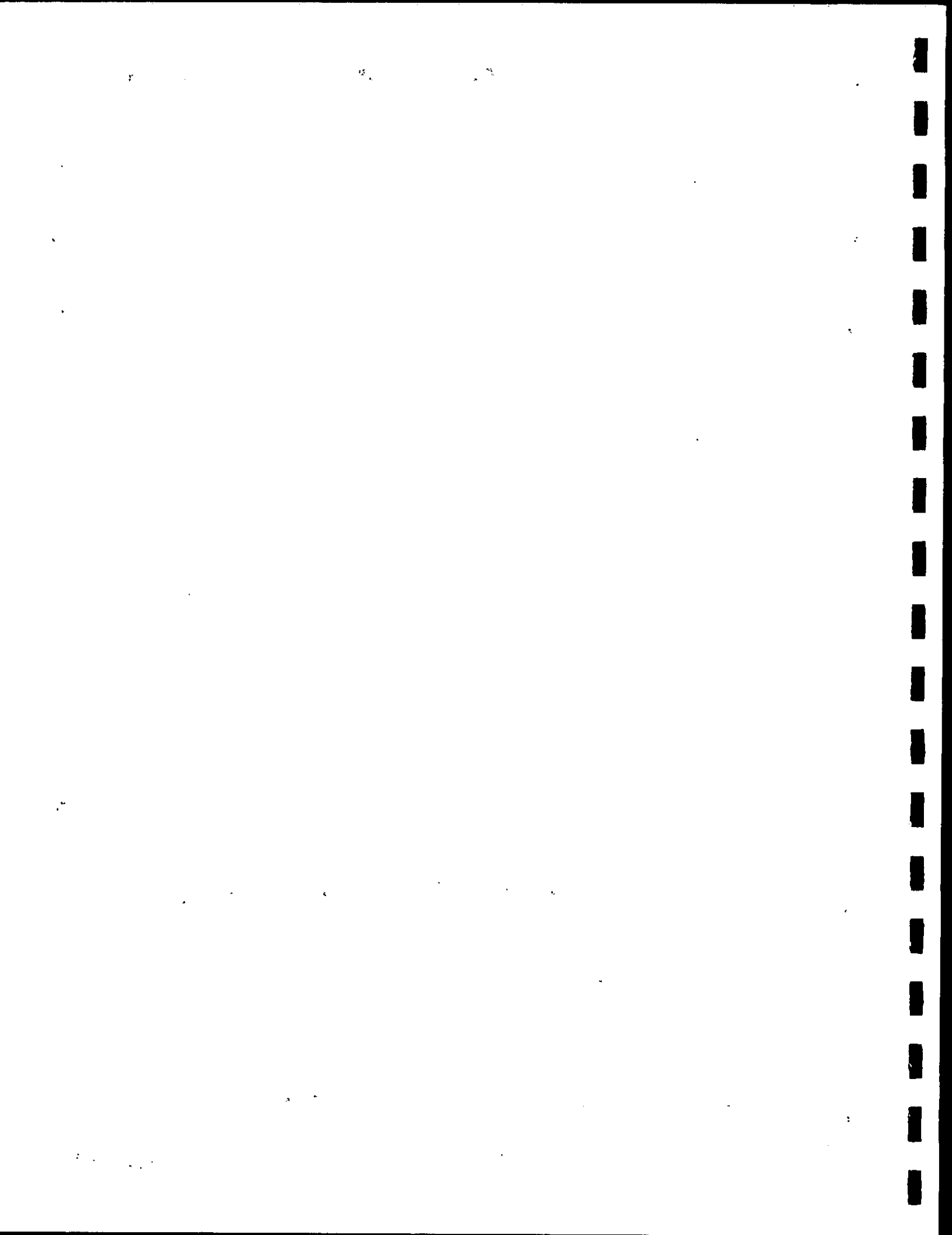








## Appendix





## APPENDIX A

### DATA BASE PRIORITY CODES

In order to fulfill its responsibilities to make recommendations on natural area identification and to direct its yearly work activities, the Data Base staff conducts a thorough analysis of the inventory once a year. Assigning a Data Base Priority is part of that analysis.

Data Base Priority is determined primarily by rarity and taxonomic distinctiveness. An extremely rare species or community (fewer than six populations) is ranked higher than a less rare one (fewer than 21 occurrences). Full species are ranked higher than subspecies and varieties.

Detailed documentation on the criteria used in determining Data Base Priority is available if you need it. For the purposes of this documentation, however, we have compiled the general definitions for each rank.

#### NDDB PRIORITY

- A1.1 Extremely rare, endangered, and unprotected species.
- A1.2 Extremely rare and threatened species.
- A2.1 Very rare, endangered, and unprotected species.
- A2.2 Very rare and threatened species.
- B1.1 Rare and endangered species or extremely rare, endangered, or threatened subspecies.
- B1.2 Rare and threatened species or very rare, endangered, or threatened subspecies.
- B2.1 Uncommon and threatened species or rare and endangered subspecies
- B2.2 Rare and not threatened, or peripheral and endangered in California only, species or rare and threatened subspecies.
- B3.1 Uncommon and declining, or peripheral and threatened in California only, species or uncommon and threatened, or peripheral and endangered in California only, subspecies.
- B3.2 Wide-spread and declining species or uncommon and declining, or peripheral and threatened in California only, subspecies.
- BU Possibly threatened, needs more information.

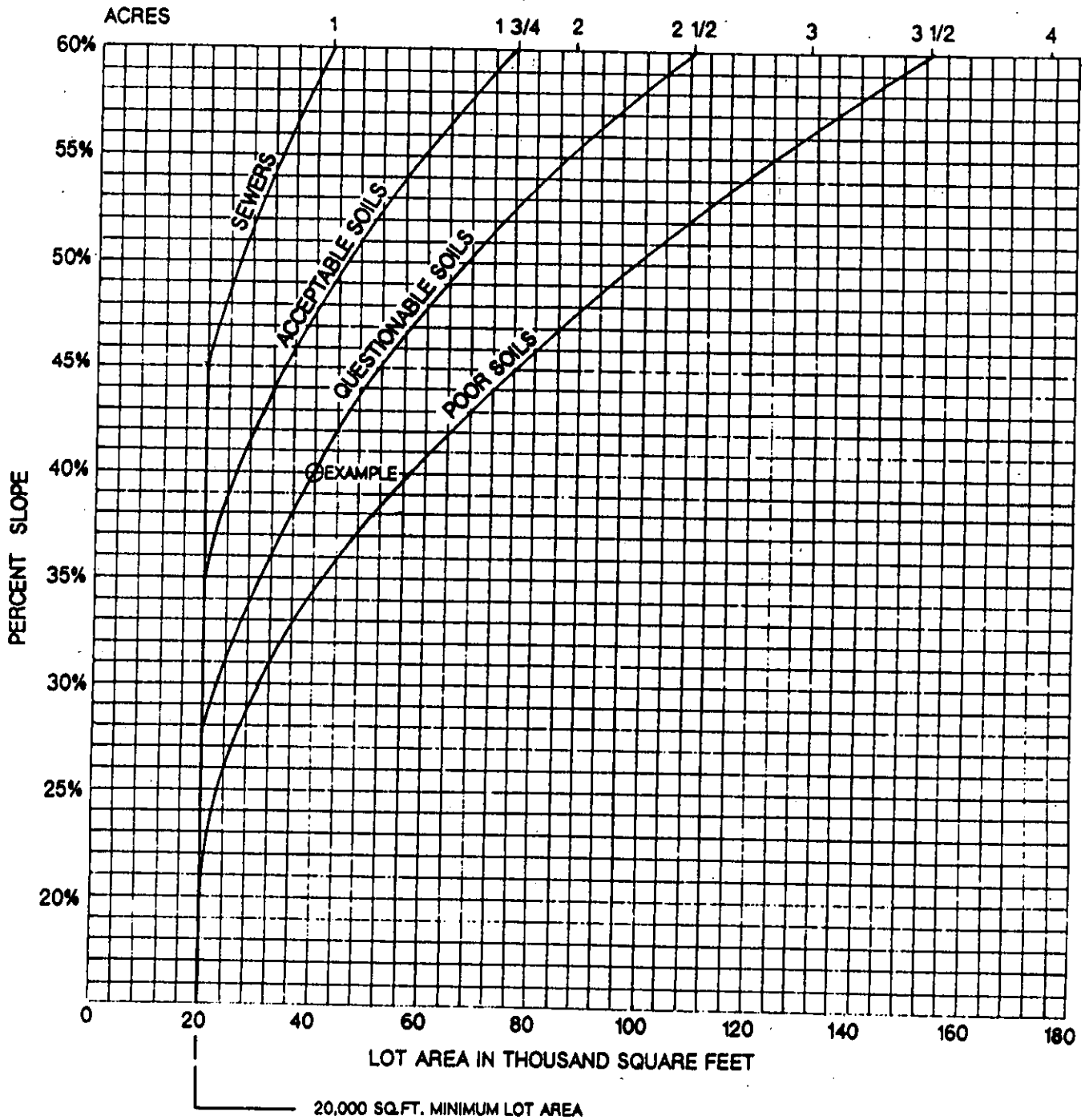
Natural Communities will be labeled as being either species or subspecies equivalents.

Source: California Department of Fish & Game, Natural Diversity Data Base, Non-Game Heritage Program

APPENDIX B

SLOPE AREA DIAGRAM

BASED ON SOIL, TOPOGRAPHICAL, HYDROLOGICAL, AND GEOLOGICAL CHARACTERISTICS



EXAMPLE: QUESTIONABLE SOILS WITH A 40% SLOPE WOULD REQUIRE A LOT OF 40,000 SQUARE FEET

Source: Tulare County Planning and Development Department

## APPENDIX C

### SEISMIC SAFETY ZONES

The Uniform Building Code (UBC) zones II and III refer to specific construction requirements for buildings and structures to resist stresses produced by lateral forces from earthquakes. The Uniform Building Code zone III would require structures to resist more lateral stress than structures in zone II.

The Seismic Safety Zones S1, S2, and S2S are referenced from the 1974 Five County, Seismic Safety Element. The three zones detail specific shaking characteristics (see page 18 for descriptions) that could occur from seismic activity with the known surrounding seismic faults. The Uniform Building Code zones utilized in the Seismic Safety Element were referenced from the 1973 Uniform Building Code. The specific construction requirements for Zones II and III are contained in the Earthquake Regulations (Sec. 2314) of the 1973 Uniform Building Code. The current earthquake regulations applied to construction requirements for Zones II and III are contained in Section 2312 of the 1982 Uniform Building Code. The following list details the definitions for the Uniform Building Code seismic zones.

\*Note: There has been no change in the definitions of Zone II and III between the 1973 and 1982 UBC editions.

#### SEISMIC ZONES REFERENCED FROM THE 1982 UNIFORM BUILDING CODE

ZONE 0 - No damage.

ZONE 1 - Minor damage; distance earthquakes may cause damage to structures with fundamental periods greater than 1.0 second; corresponds to intensities V and VI of the M.M.\* Scale.

ZONE 2 - Moderate damage; corresponds to intensity VII of the M.M.\* Scale.

ZONE 3 - Major damage; corresponds to intensity VII and higher of the M.M.\* Scale.

ZONE 4 - Those areas within Zone No. 3 determined by the proximity to certain major fault systems.

\*Modified Mercalli Intensity Scale of 1931

BEFORE THE PLANNING COMMISSION  
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF GENERAL PLAN  
AMENDMENT NO. GPA 86-11, GREAT  
WESTERN DIVIDE (NORTH 1/2) PLAN,  
AN AMENDMENT TO THE LAND USE,  
CIRCULATION & OPEN SPACE ELEMENTS  
OF THE TULARE COUNTY GENERAL PLAN

RESOLUTION # 6820

Resolution of the Planning Commission of the County of Tulare recommending adoption of General Plan Amendment GPA 86-11, the proposed Great Western Divide (N 1/2) Plan, which amends the Land Use, Circulation, and Open Space Elements of the Tulare County General Plan.

WHEREAS, the Planning Commission/Board of Supervisors initiated action by Resolution No. 6540 to amend the Tulare County General Plan, pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California; and

WHEREAS, the Planning Commission has given notice of the proposed Amendment to the General Plan as provided in Sections 65353 of the Government Code of the State of California; 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 California Government Code, the State General Plan Guidelines and other elements of the Tulare County General Plan; and

WHEREAS, public hearings were held at regular and special meetings of the Planning Commission on March 15, 1989, May 4, 1989, and June 14, 1989, at which meetings public testimony was recorded; and

WHEREAS, such public testimony indicated that the Plan would permit excessive growth and development which could result in numerous environmental impacts; and

WHEREAS, the Planning Commission subsequently referred the Plan back to staff with specific direction that it be re-written to include a general scaling back of land use designations to better recognize historical development trends and existing environmental constraints while still allowing some development opportunities within each of the communities or locales; and

WHEREAS, in recognition that the project proposal would change based upon Planning Commission direction for Plan revisions, the Planning Commission directed that the EIR also be re-written and that both the Plan and EIR be recirculated for public review and comment in accordance with the provisions of the California Environmental Quality Act (CEQA);

WHEREAS, the Plan and EIR were redrafted and recirculated to the public, all in accordance with Planning Commission direction; and

WHEREAS, public hearings were subsequently held on the redrafted Plan and EIR and public testimony recorded at regular and special meetings of the Planning Commission on September 12, 1990, and October 10, 1990;

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission, after considering all of the evidence presented, hereby determines the following findings to be relevant in evaluating the proposed Great Western Divide (N 1/2) Plan:

1. It is necessary and appropriate to adopt a comprehensive Plan for the Great Western Divide (N 1/2) Planning Area, as it has been identified as a Sub-Area component of an overall Mountain Plan which the Board directed on May 6, 1985 be prepared. The completion of the Mountain Plan is necessary as the third and final component in a comprehensive countywide update to the Land Use and Circulation Elements of the Tulare County General Plan; the first two components being the Rural Valley Lands Plan and the Foothill Growth Management Plan.
2. It is required by State law that the County's General Plan be internally consistent. Adoption of the proposed amendments to the County's Land Use, Circulation, and Open Space elements will assure that these elements are consistent with other elements of the Tulare County General Plan and in compliance with State law requirements regarding general plans.
3. During the public hearing process, proposals for changes in land use designations were presented to and considered by the Commission. Specifically the land use change proposals involved additional areas for General Commercial in Camp Nelson and Ponderosa, and the identification of an area in Moorehouse Springs for planned unit residential development. In addition, public comments indicated the Implementation Strategy for a 100 foot development setback for the Tule River was vague. As a result of these public comments, this Planning Commission has recommended several modifications to the general plan text and general plan land use maps; which recommended modifications are set forth in attached Exhibit B and C.
4. During the public hearing process, this Planning Commission received a request from the owner of the Camp Nelson Lodge to to consider a change in land use designation for a portion of the Camp Nelson Lodge property (locally known as "the meadow" and being more specifically that property lying north of Camp Nelson Drive, south of Highway 190, west of Smith Drive, and east of the CDF Fire Station). The request was to change the land use designation from "Mountain Residential-5 acre minimum parcel size" to "Mountain Residential-20,000 square foot minimum parcel size" for an area being approximately 100-150 feet in depth along the highway frontage between the fire station property on the west to the the most westerly lot fronting on Sutherland Drive. The property owner indicated that the balance of the meadow area would remain in open space uses. Following discussion by staff that the area had been designated for 5 acre minimum residential development due to

steep slopes in the area of the request and the environmental sensitivity and strong "community identity" nature of the flat meadow portion, the Planning Commission directed the requested change be made only if staff felt, following a more detailed evaluation of the slopes in the area, that the change as requested was warranted.

5. This Planning Commission received a request from a property owner in Ponderosa that the land use designation for property located at the northeast corner of Holby and Aspen Drives in Ponderosa be changed from "Neighborhood Commercial" to "Mountain Residential-20,000 square foot minimum parcel size". The individual felt the Neighborhood Commercial designation would reduce property values in the area considerably, that there is no need for additional commercial, that the proposed commercial designation breaks the continuity of the residential area, and that the current commercial use of the property is non-conforming. Further, the individual felt that if the property were changed to residential, that the current owner could be allowed to continue the existing business at that location until a change in ownership of the property or until the death of the current owner.

The Planning Commission noted that with regard to the issue of residential continuity, that properties across Aspen are presently developed and designated for commercial uses; there was no evidence presented that property values had declined as a result of the existing business being operated at the site and that the prediction of property values declining in the future is speculative; and there was no evidence presented to indicate that the business was established illegally and should therefore be denied a right to continue; and that there is no reasonable means for the County to be notified of a change of ownership or of a death of the owner in order to implement the suggested reversion to strictly residential use. The Planning Commission therefore declined to recommend the requested change.

B. This Planning Commission hereby certifies that it has reviewed and considered the information contained in the Draft Environmental Impact Report for the proposed Plan in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act, prior to taking action on the proposed Community Plan, and finds that the recommended modifications to the Plan will not alter the conclusions regarding impacts and mitigation measures contained in the EIR or require any additional environmental assessment, pursuant to Section 15162 or 15163 of the CEQA Guidelines.

C. The following are the potentially significant environmental impacts identified in the Draft EIR which were found to be insignificant in the Final EIR and their corresponding statement of written findings as required by Section 15091 of the CEQA Guidelines:

1. Surface and ground water contamination impacts will be mitigated by policies and implementation strategies which require review and approval of Storm Water Drainage and Erosion Control Plans by the County Public Works Department, for all new development projects, and through utilization of subsequent environmental documents tiered to the Great Western Divide (N 1/2) Plan EIR for further identification of site specific impacts and appropriate mitigation measures. Mitigation measures suggested in the EIR are hereby incorporated into the Plan.
2. Soil erosion impacts will be mitigated by development densities being limited in areas of steep slopes and highly erosive soils, by policies and implementation strategies which establish standards for cut and fill slopes, grading activities, setbacks from watercourses, revegetation of new cut and fill slopes, and the requirement that Storm Water Drainage and Erosion Control Plans demonstrate that proposed slope stabilization and erosion prevention techniques will overcome potential problems associated with grading activities. Further, subsequent environmental documents tiered to the Plan EIR will be utilized to identify site specific impacts and appropriate mitigation measures. Mitigation measures suggested in the EIR are hereby incorporated into the Plan.
3. Waste water disposal and septic tank failure related impacts will be mitigated by policies and implementation strategies requiring that septic tank/leach line sewage disposal systems meet the requirements of the County Health Department and, where applicable, the requirements of the Water Quality Control Board, requiring preliminary and final geological/hydrological reports for use in determining capability of soils for sewage disposal, and when practical and feasible, requiring the use of community sewage disposal systems. In addition, subsequent environmental documents tiered to the Plan EIR will be utilized to identify site specific impacts and appropriate mitigation measures. The mitigation measure in the EIR suggesting monitoring of septic system failures can be accomplished through the Mitigation Monitoring and Reporting Program required by Section 21081.6 of the California Environmental Quality Act.
4. Wildland Fire impacts will be mitigated by policies and implementation strategies which require all new development projects to comply with applicable state and local ordinances including Uniform Fire Code, Fire Flow Ordinance and other fire safe standards. In addition, the Plan requires special use permit or site plan review approval for all new commercial, multiple family and single family development projects (except the construction of one single family dwelling under a building permit) for which subsequent environmental assessments can be tiered to the Plan EIR. These subsequent environmental documents will be utilized to identify site specific impacts and appropriate mitigation measures. EIR mitigation suggesting development be precluded outside a 15 minute attack time is considered infeasible, since many developed areas

already exist outside this area, and the EIR provided no substantial evidence that wildland fire impacts are necessarily more significant outside the 15 minute area than within the 15 minute attack time. With regard to suggested mitigation requiring all commercial development to install sprinkler systems, the County/CDF has the discretion to require sprinklers through the means outlined in the Plan policies and implementation strategies, when deemed appropriate.

5. Biotic resource impacts will be mitigated by policies and implementation strategies which require consultation with appropriate trustee agencies over plant and animal wildlife resources during the review of new development projects, at which time site specific impacts and mitigation measures, as suggested in Section 4.065 of the EIR, can be determined to be appropriate for each site specific development proposal.
6. Cultural resource impacts will be mitigated by policies and implementation strategies which require consultation with appropriate trustee agencies over cultural resources during the review of new development projects, at which time site specific impacts and applicable feasible mitigation measures can be determined for each site specific development proposal. Mitigation measures identified in the EIR are hereby incorporated into the Plan policies and implementation strategies.
7. Increased demand for domestic water exceeding groundwater and surface water quantities will be mitigated by policies and implementation strategies which require preliminary and final geological/hydrological reports to be submitted with new development projects which contain sufficient information to verify that adequate quantity and quality of water for domestic purposes shall be available for the project under consideration, and that, unless unique circumstances can be demonstrated, community water systems shall be required for residential projects creating parcels less than 5 acres in size. The mitigation measure suggested in Section 4.143 of the EIR may be feasible to incorporate as a Policy in the Plan.

D. The Draft EIR identifies three alternatives (including the "no project" alternative) to the proposed project. This Commission hereby rejects those alternatives as follows:

1. No Project Alternative: This alternative is rejected because it would allow development in the planning area that is not coordinated in a regional sense or with regional goals in mind, and land use designations are not specific enough or located appropriately to minimize impacts on the environment.
2. Development Suitability Alternative: This alternative is rejected because it provides for more commercial, multiple family, and single family development than the proposed Plan and as such would have a greater long term impact on the natural and man-made environment.



3. Peppermint Mountain Ski Resort Alternative: This alternative was rejected because it would have fostered numerous environmental impacts on the physical and biotic environment. In addition, it would have provided for a development scenario that would have stressed the existing service and infrastructure systems in the Planning Area.

E. Although the draft Environmental Impact Report identifies certain significant effects of the proposed Great Western Divide (N 1/2) Plan which can only be partially mitigated and therefore cannot be mitigated to a level that is less than significant, the Planning Commission hereby finds the environmental effects to be acceptable because the benefits of the Community Plan outweigh its unavoidable adverse effects. The specific reasons for this finding are hereby adopted by this Planning Commission as set forth in the following Statement of Overriding Considerations:

#### STATEMENT OF OVERRIDING CONSIDERATIONS

Adoption of the Plan will result in unavoidable impacts to scenic resources, land use conflicts, and fire protection/medical aid. Additional development in the area will result in certain impacts including the loss of views, removal of trees, replacement of open areas with structures, and physical alteration of the landscape with road cuts, graded utility easements, driveways and building pads. New development in accordance with the Plan's land use designations could result in conflicts with existing land uses associated with parking, views, light and glare, aesthetics, or noise. Without the development of a new fire station in the Planning Area, some properties will be difficult to serve quickly from the one fire station in Camp Nelson.

The unavoidable impacts identified already have the potential to occur, (and likely already do occur) even if this Plan is not adopted. However under the present County land use element, the lack of precise land use designations and specific development standards severely limits opportunities to even partially mitigate these impacts. As such, the proposed Plan is viewed as providing necessary benefits toward improved protection of the general public health, safety and welfare. The Plan also affords more comprehensive protection of the natural and man-made environment, and as such, was viewed as the environmentally superior alternative. Inclusion of additional discretionary review and agency consultation processes into the Plan will provide numerous opportunities, subsequent to the Plan adoption, for review of site specific development proposals. This will allow for increased chances for detailed review and evaluation of site specific circumstances in order to determine appropriate mitigations to impacts, which under the present plan cannot be dealt with. For these reasons, adoption of the Great Western Divide (N 1/2) Plan will afford greater benefits to the Planning Area overall than if the Plan were rejected in favor of these three unavoidable impacts.

AND BE IT FURTHER RESOLVED as follows:

1. This Planning Commission hereby recommends that the Tulare County Board of Supervisors certify the adequacy of the Environmental Impact Report prepared for General Plan Amendment GPA 86-11, The Great Western Divide (N 1/2) Plan.

2. This Planning Commission hereby recommends that the Tulare County Board of Supervisors amend the Tulare County General Plan by adopting the Great Western Divide (N 1/2) Plan (Exhibit A), with modifications as set forth in Exhibit B1-B3 (Map Parts) and Exhibit C (Textual Parts) and including amendments to the Land Use, Circulation, and Open Space Elements of the Tulare County General Plan as follows:

- (a). Amendment of the Land Use Element of the General Plan to incorporate the land use designations contained in the Great Western Divide (N 1/2) Plan, as modified (see Exhibits B1-B3);
- (b). Amendment of the Circulation Element of the General Plan to incorporate circulation plan designations contained in the Plan;
- (c). Amendment of the Open Space Plan of the Environmental Resources Management Plan by identifying a new open space use category called the "Mountain Recreation/Resource Management" designation to identify the privately held lands lying within the "National and State Open Space" lands that have potential for development to recreation-oriented commercial, residential and other related uses, or which can be maintained in open space or used for resource conservation until such time as development occurs.

The foregoing resolution was adopted upon motion of Commissioner Huffman, seconded by Commissioner Millwee, at a regular meeting of the Planning Commission on the 10th day of October, 1990, by the following roll call vote:

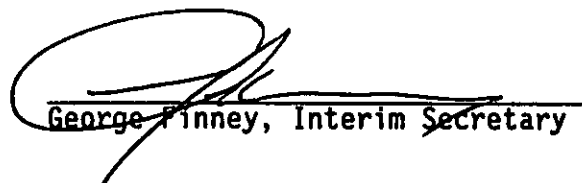
AYES: Tracey, Kirkpatrick, Brogan, Jensen, Tracey, Millwee

NOES: None

ABSENT: Kapheim

ABSTAIN: None

TULARE COUNTY PLANNING COMMISSISON

  
George Finney, Interim Secretary

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

\* \* \*

IN THE MATTER OF ADOPTION )  
OF THE GREAT WESTERN DIVIDE )  
SUBAREA PLAN )

RESOLUTION NO. 90-1410

UPON MOTION OF SUPERVISOR Mangine , SECONDED BY  
SUPERVISOR Gould , THE FOLLOWING WAS ADOPTED BY THE BOARD  
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD November 20, 1990 ,  
BY THE FOLLOWING VOTE:

AYES: Supervisors Gould, Conway, Mangine, Swiney and Reed  
NOES: None  
ABSTAIN: None  
ABSENT: None



ATTEST: LOUIS J. FERNANDEZ, ACTING  
COUNTY EXECUTIVE/CLERK  
BOARD OF SUPERVISORS

BY: *Lene Petersen*  
Deputy Clerk

\* \* \* \* \*

Approved adoption of the Great Western Divide Subarea Plan; General  
Plan Amendment GPA 86-11

Plng/Dev  
FN 6827

11/26/90  
ip

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

\*\*\*

RESOLUTION NO. 90-1410 )  
 ) IN THE MATTER OF ADOPTION  
 ) OF THE GREAT WESTERN DIVIDE  
 ) SUBAREA PLAN

UPON MOTION OF SUPERVISOR Mangine , SECONDED BY SUPERVISOR Gould , THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD November 20, 1990 BY THE FOLLOWING VOTE:

AYES: Supervisors Gould, Conway, Mangine, Swiney and Reed  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

ATTEST: LOUIS J. FERNANDEZ, ACTING  
 COUNTY EXECUTIVE/CLERK  
 BOARD OF SUPERVISORS

BY: *[Signature]*  
 Deputy Clerk



\*\*\*\*\*

Approved adoption of the Great Western Divide Subarea Plan; General  
 Plan Amendment GPA 86-11

Printed  
 FN 6827

11/26/90  
 ip

