
SECTION 1 - LAND USE AND URBAN BOUNDARIES

LAND USE INTRODUCTION

This Policy document summarizes policy proposals of the Tulare County General Plan are urban and rural-resource in character and orientation. Policies related to the seven cities (the City of Porterville did not participate in the 1964 Area Plan process) have been linked and integrated by a highway transportation network which together constitute the major urban land use and circulation elements of the Plan. Rural service centers and recreation-oriented development comprise the remaining urban land use elements.

Rural-resource elements of the Plan include agriculture, water resources and conservation and recreation *and are covered in Section 6*. Transportation *policies* relate to both urban and resource elements and have been related and integrated where required *and are included in Section 8*. While *policies* are separated into various subject areas, it should be noted that separation is for convenience of description because of the considerable overlap among various elements.

Major Urban Elements – The Cities

The area wide significance of anticipated urban growth of the seven cities is shown on the Area Plan diagram. Residential, commercial and industrial areas, major transportation and area wide public facilities are shown as to general, location, scale and integration. The scale of urban development as a whole is particularly significant.

Rural Service Centers

With few exceptions, rural service centers shown on the *Area* plan diagram will be limited almost exclusively to functions of service to surrounding farm areas and highway travelers in keeping with their historical and current functions. The economic forces, which were responsible originally for their creation will, with little change, remain the primary cause for their continued existence. Development within most rural service centers will be relatively static, some will actually lose population, and a few may become “ghost” towns. Modest growth has occurred in a few centers within recent years, and is more the result of changes in the availability of farm labor housing within rural areas than because of increased economic opportunity.

At the present time, little basis can be found to anticipate additional population and urban growth *in their rural service center* and therefore do not warrant the immediate preparation of plans for its accommodation. The principal planning task is to seek and develop ways and means to overcome existing problems within rural centers in order to provide the best possible environment for their residents. Existing problems are centered largely on poor housing, inadequate public facilities and services and incompatible land use arrangements. Their solution will require a sensitive approach by the Board of Supervisors and County Planning Commission and will not be possible without the organized interest of local residents. Through its continuing planning program, the County should develop plans for the small rural communities, which will be in scale with current problems and extreme limitations on economic and physical growth.

Special attention has been focused on the Goshen and Cutler-Orosi areas because of their location, recent growth patterns and growth potentials. Goshen's relationship to the Visalia urban area and to the expanding industrial complex along Goshen Avenue places it as a small center which may figure prominently as a housing area for semi-skilled industrial employees of modest income. This community's relationship to Highway 99 and the Visalia airport and its position within the San Joaquin Valley region also add to its attraction as a center for highway commercial development.

With a combined population of nearly 3,500, the Cutler-Orosi area has shown a steady growth pattern in recent years. The close proximity of these two centers is attracting development between them, which raises serious questions of efficiency, and cost in meeting public facility and service requirements. From center to center, these communities are only a mile and one-half apart. Urban encroachment on agricultural land between them threatens their community identity as well as the capacity to maintain agricultural operations without urban conflict. The problem is further complicated by the realization that their long-term growth potentials are not sufficiently great to cause much of the agricultural land between them to urbanize.

Plans have been prepared for the Goshen and Cutler-Orosi areas, which identify basic land requirements in keeping with major urban-agricultural land use policies of the Area General Plan. While not reproduced in this report, these plans will provide guidance to the County Planning Commission and local residents, permitting further study and refinement as part of the county's continuing planning program. Other service centers requiring early attention are Ivanhoe, Pixley, Earlimart and Poplar.

Recreation-Oriented Development

The Lemon Cove, Three Rivers and Success areas have been designated for special study as areas of considerable potential for the location of recreation-oriented residential and commercial development. Their highly attractive physical settings coupled with their relation to Kaweah and Success reservoirs and mountain recreation areas will bring increasing demands for new development to tap the growing recreation market. There is, however, a growing conflict developing between such private development and water resource and conservation programs which can be reconciled only by plans based on detailed planning and engineering analyses of these areas. The conflict already is becoming acute in the Three Rivers area where the private use of land is becoming more intense because of limited conditions of terrain. At Lemon Cove and Success, flood plain policies, traffic carrying capacity of the state highways, productive citrus groves and scenic quality become important considerations. Private development will have to be coordinated with plans for the development of the proposed Hungry Hollow reservoir if resource questions are to be answered satisfactorily in the public interest.

Goal 1LU.A. Retention of community identity, preservation of the agricultural economic base and control of urban sprawl.

Policies:

1LU.A.1. New urban development should be an extension of existing urban areas.

- 1LU.A.2. Scattered urban development should be discouraged.
- 1LU.A.3. The development of new communities should be discouraged, at least to the extent that haphazard attempts at community development away from established urban centers should be discouraged. However, should circumstances appear to justify development of a “planned” community with its own complex of residential, commercial, industrial, public use areas and related facilities, it would have to be judged on its individual merits and functions as it would affect the area as a whole and other policies and proposals of the General Plan.
- 1LU.A.4. The predominant agricultural character of land between communities should be preserved.
- 1LU.A.5. Weight should be given to agricultural land quality and productivity in determining areas of urban expansion. Special emphasis should be given to the preservation of Class I soils and lands which produce or are capable of producing high value specialty crops by encouraging urban extensions into less productive areas where such opportunities are present.

Goal 1LU.B. City-County coordination in controlling fringe development and improving general living environment.

Policies:

- 1LU.B.1. The county and its cities should develop agreement on policies and standards relating to building construction, subdivision development, land use regulations, highway construction, public utility connections and other closely related matters affecting development of urban fringe areas. A continuous program of city-county coordination is most vital to achieving any reasonable success in city and county planning program
- 1LU.B.2. The cities and the county should cooperate in the development and encouragement of coordinated programs which seek the gradual improvement of blighted housing conditions within the county.
- 1LU.B.3. The cities and the county should participate in the development and encouragement of coordinated programs which seek a reduction in the inventory of blighted housing.
- 1LU.B.4. The cities and the county should participate in the development and encouragement of coordinated programs which seek to prevent the further extension of and to upgrade other existing conditions of urban blight.

Goal 1LU.C. Economic Development –Resource Development and Conservation**Policies:**

- 1LU.C.1. The cities and the county should attempt to capitalize on the economic potential of recreation as a major industry. Since the county must contend with recreation on a grand scale, every effort should be made to capitalize on the economic potential presented, consistent with other policies of the General Plan Program.
- 1LU.C.2. Industrial development policies of the cities and the county should seek to encourage only such “footloose” and “agriculturally oriented” industries which can demonstrate, whether by location and or controlled methods of operation, that they will not adversely affect urban development patterns, agricultural production or the county’s natural resources.
- 1LU.C.3. City and county policy should reflect the need for greater diversification in basic employment opportunities by: (a) reserving sufficient space for industry, recognizing industry’s need for greater land requirements due to new methods of operation and plant expansion; (b) recognizing the need for a variety of locations to avoid creation of a monopoly of the industrial land market and to reflect varying requirements for transportation facilities and utility services; and (c) developing policies and regulations which reserve land for exclusive industrial use to encourage development of a “community” of industries and to prevent encroachment of industrial areas by incompatible uses.
- 1LU.C.4. Every facet of resource development and conservation should be a conscious policy of the General Plan at both the city and county levels.
- 1LU.C.5. Highways should be planned to eliminate or at least minimize the breakdown of agricultural and urban land patterns.
- 1LU.C.6. Freeway alignments should reflect study of any possible agricultural and urban economic impact as well as other economic factors and benefits. This study approach should assure that important considerations beyond those dealing strictly with traffic data, construction cost and highway user benefits will not be ignored. Highways located within urban and rural areas should be accommodated in a manner which seeks a balanced relationship between the function of the highway and its locational effects on established patterns of urban and rural activity.

Goal 1LU.D. Recreation and Scenic Values**Policies:**

- 1LU.D.1. State highways of significant scenic value, in addition to those already identified by the state, should be identified for possible addition to the Preliminary Plan of Scenic Highways recently completed by the State.

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- 1LU.D.2. County highways of significant scenic importance should be identified and proposed for treatment as locally sponsored routes to complement the proposed State System.
- 1LU.D.3. New and extended highway facilities should be encouraged within mountain and foothill areas of scenic beauty and recreation potential to the extent possible recognizing such facilities must be located carefully in relation to the nature and function of the area affected, the impact such facilities might have on a particular area, and peculiar local conditions.
- 1LU.D.4. Areas which offer significant potential for the development of recreation-oriented housing and commercial development should be identified and encouraged by the General Plan. However, policy considerations should be given to their development in relation to problems of soil and water conservation.
- 1LU.D.5. Development of areas of recreation-park potential close to population centers should be encouraged by the General Plan.
- 1LU.D.6. Areas of significant recreation potential which might require a private enterprise or inter-governmental approach to their development should be identified and encouraged by the General Plan.
- 1LU.D.7. Areas along principal highway entrances to communities which lend themselves to treatment or preservation as scenic corridors should be identified and proposed for such treatment.

Implementation Programs:

- 1LU.DI.1. There are basically three types of agricultural zoning classifications which should be considered for application in the Valley:
- a. An extensive agricultural zone is needed for rural areas significantly removed from urban areas. Such rural areas generally are characterized by land ownerships involving extensive agricultural uses. Such uses as community facilities, institutions, public and private open recreation facilities, public utility and public service structures and agricultural service establishments could be located within such a zone by a conditional use permit. With few exceptions, urban-type uses would be prohibited.
 - b. An intensive agricultural zone is needed for areas of the county in reasonably close proximity to urban areas. Such rural areas generally are characterized by small-to-medium sized land ownerships involving intensive agricultural uses of land and an occasional small rural service center catering to the needs of the surrounding rural population. Uses of the kind described with reference to an extensive district, including cemeteries, would normally be listed as conditional uses. The principal difference between the intensive

and extensive zones would be the kinds of uses listed as permitted uses and conditional uses, with the intensive zone being more restrictive.

- c. An exclusive agricultural zone is the most restrictive of the three types and is needed primarily for rural areas where it is necessary and desirable to reserve appropriately located areas for exclusive purpose of raising crops or livestock because of high quality soils, scenic characteristics, existing or potential irrigation works or exclusive agricultural character of the area
- 1LU.DI.2. Residential, commercial and industrial zones recognizing the special land use development patterns and problems of small unincorporated communities such as Goshen, Cutler, Orosi, Ivanhoe, Ducor, Terra Bella, Strathmore, Pixley and Tipton, and rural service centers such as Monson, Sultana, Seville, Woodville, Cotton Center and Poplar are also needed.
- 1LU.DI.3. Commercial recreation and mountain residential classifications are needed for areas which offer significant opportunity for private recreation-oriented developments.
- 1LU.DI.4. A new county ordinance now is necessary to provide the flexibility and sensitivity necessary to advance the General Plan program. It is essential that city and county ordinances be carefully drawn and administered to meet changing physical and economic conditions. Subdivision regulations must reflect an understanding of not only what the community needs but also what it can pay for. Regulation of the development of land must reflect an understanding of the economics of land development -- that the higher improvement standards, while necessary, must be balanced with the opportunity for more flexible design and innovations in the creation of new neighborhoods.
- 1LU.DI.5. New fringe development must be required to make such connections. Connection policies must clearly establish a line of equity between city and private responsibility, recognizing such factors as connection distance, size and number of lots, pump station requirements, size of pipe, depth of line, additional capacity created, rebates, and related items affecting cost. The city must plan and construct main line facilities in advance of need. It must take this initiative or face the consequences.
- 1LU.DI.6. Three alternatives exist and are listed here in their order of importance: (1) a combination of dry lines and septic tanks, (2) independent sewage disposal plants, and (3) individual septic tanks (or seepage pits). The first alternative should be followed if sufficient capacity is not available in nearby municipal lines or if, through the application of established cost criteria, the construction of off-tract lines is not economically feasible. Dry lines should be engineered and inspected to municipal standards, with title to the lines given to the city because county government cannot maintain the lines and assure an eventual wet connection. The second alternative should apply only if the maintenance and operation of the plant can be handled by an appropriate public district. The third alternative should be applied only after exhausting all other possibilities and if conditions of soil and lot area permit.

- 1LU.DI.7. Greater attention should be given to providing a variety of housing types integrated within subdivisions in thoughtful patterns. Inflexible setback and yard requirements waste usable open space and prohibit variety in the placement of buildings. Development and maintenance costs rise because of standards which treat all residential streets the same, regardless of their length and the number of houses served. Only by encouraging new approaches to the design of residential areas will developers be able to provide park and playground areas, separated pedestrian and vehicle traffic and other amenities.
- 1LU.DI.8. Special standards must be developed to prevent the destruction of cover vegetation and natural contours so vital to soil and water conservation. In following the second alternative, lot size must be determined after a health-engineering analysis of local conditions; water supply by individual well and private sewage disposal may not even be possible on lots under five acres in area.
- 1LU.DI.9. Zone 1 boundaries should include all blocks in the central business district which are substantially commercial or which are becoming commercialized. Zone 1 standards assure high-type construction and generally rule out non-commercial uses even though they may be allowed under the zoning ordinance. Zone 1 boundaries should be expanded gradually to avoid premature application to areas where commercial expansion is not expected for several years.

URBAN BOUNDARIES INTRODUCTION

Decision-makers continually find themselves faced with the problem of determining appropriate policies for growth and attendant development standards within urban and non-urban areas. Until recently, however, there has been no attempt to officially identify and designate a rational interface between such areas. In response to a growing public concern regarding the ability of local government to properly plan and provide for the orderly growth of urban areas, the Tulare County Planning Department undertook a comprehensive study designed to delineate those areas of the County that will accommodate future urban growth.

The identification of Urban Boundaries is not specified as either a mandatory or permissive element of a General Plan in State Planning Law. The major function of the program will be its value in the decision-making process in solving land use controversies. The Urban Boundaries program graphically portrays the specific areas when and where urban development should logically take place; thus, it provides a base from which to evaluate land development proposals.

Urban Boundaries can provide decision makers with the most current and up-to-date information when making judgments regarding land use and zoning decisions, allocation of funds for public improvements, and similar functions. This is because Urban Boundaries provide a realistic framework within which data inventories for urban areas may be structured and maintained. The data generated from this process can also be utilized in the development of the general and precise planning programs now required by State Law.

Historical Perspective

Metropolitan Boundary Lines. In the early 1960's, the County delineated Metropolitan Boundary Lines around each incorporated city and some unincorporated communities in the County. These Metropolitan Boundaries were established for the sole purpose of providing a match line between City and County Street naming and house numbering systems and, hence, have no functional relationship to projected urban development. This last fact was unfortunate because, lacking any other official definition of the urbanizing area of the County, local agencies have in the past consistently misinterpreted the true function of the Metropolitan Boundary and used it as a basis for planning decisions.

The Metropolitan Boundaries provide a systematic solution to the problem of integrating house numbering and street names and, therefore, should not be abandoned.

However, it has become apparent in recent years that a functional definition of what is truly urban, and what is essentially rural, needs to be established.

Spheres of Influence. According to recent changes in State Law (1971- AB 2870) each Local Agency Formation Commission (LAFCo) in the State is required to determine the "sphere of influence" of each local governmental agency (including special districts) within its jurisdiction. A sphere of influence means a plan for the probable ultimate physical boundaries and service areas for each agency for a specified amount of time, usually 10 to 20 years. These spheres of influence are to be used as a basis for decisions on proposals, which have LAFCo jurisdiction (i.e., corporate annexations, deletions, dissolutions or formations).

At this time, the County Planning Department was developing a program for the identification of urban planning areas. It utilized a database and rationale comparable to that required for the establishment of spheres of influence for LAFCo (although the terminology used was "Urban Boundaries"). The Local Agency Formation Commission therefore authorized the development of spheres of influence based upon the material contained in the Urban Boundaries Study, with the assistance of the incorporated cities. These were adopted for each incorporated city in the County on March 15, 1972.

Urban Boundaries. Following the lead of the Local Agency Formation Commission, in January 1973, the Board of Supervisors adopted Urban Area Boundaries around the eight incorporated cities as an Element of the County General Plan. In addition, the Tulare County Association of Governments adopted the same boundaries in June, 1972. (The Spheres of Influence were used to define the urban expansion areas which were delineated on the Open Space Element of the ERME). These urban boundaries were identical in all respects to the Spheres of Influence approved by LAFCo (There was one minor exception: a 20-acre subdivision located on the north side of Highway 137, east of Tulare was overlooked when the Spheres of Influence were adopted. This subdivision was included in the Tulare Urban Area Boundary). Action on proposed County policies that would be tied to urban boundaries was delayed.

A committee formulated to study various changes in the parcel map regulations submitted a report and recommendations to the Board of Supervisors in November 1972. The basic thrust

of the committee's recommendations was that all development of an urban character within the urbanizing areas of the County be required to meet certain urban improvement standards and regulations. The committee found that in order to make such regulations equitable for all persons affected, they should be made conditions of approval not only for parcel maps, but for any permit (including building permits) issued within the urbanizing areas. Furthermore, the committee determined that to stipulate such regulations for the Sphere of Influence/Urban Area Boundary (the ultimate growth parameter) would be unrealistic, too restrictive, and difficult to enforce. Instead, the committee recommended a second boundary within the ultimate growth line, which would be more realistically defined in terms of each community's twenty-year growth potential.

Toward a Comprehensive Growth Policy

An Urban Area Boundary is the final interface line which separates future urban and rural land uses, as well as the application of standards and regulations, which govern these uses. The identification of the Urban Area Boundary amounts to a recognition of an official urban planning area around each community in the County. To date, Urban Area Boundaries have been officially adopted around the cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia and Woodlake. It is essential that similar planning areas be adopted around all viable communities within Tulare County. These planning areas are needed in order to define a region within which urban land use planning programs and policies may be applied.

The Urban Area Boundaries will establish those areas around the incorporated cities where the County and cities will coordinate plans, policies and standards relating to building construction, parcel mapping, subdivision development, land use and zoning regulations, street and highway construction, public utility systems and other closely related matters affecting the orderly development of urban fringe areas. Thus, it is anticipated that this plan element will pave the way for more specific plans, policies and ordinance changes which serve these purposes.

Urban Improvement Areas establish the spatial limits around communities within which it will be the policy of the County to ensure development to full urban standards including curbs, gutters, sidewalks, streets, and community water and sewer systems. These Urban Improvement Areas are generally defined on the basis of that area which will probably be subject to urbanization, or will have an urban character within a twenty-year period. Since Urban Area Boundaries are intended to define ultimate urban expansion areas, it is logical to assume that Urban Improvement Areas will never be required outside Urban Area Boundaries.

The area, which lies between the Urban Improvement Area and the Urban Area Boundary, is essentially a "holding zone" or "transitional area." Although it is the policy of the County that this area will at sometime become appropriate for urban development, no public purpose could be served at present by permitting intensive development therein. As communities grow and expand, it is logical to assume the Urban Improvement Areas will be correspondingly expanded, until they coincide with the ultimate Urban Area Boundary.

The Urban Area Boundary lines should not be considered as the final limitation of urban development, although they approximate the probable ultimate configuration of the community. In fact, a vital ingredient of the program will be to reevaluate and (if justified) revise the Urban

Area Boundaries at appropriate intervals. They may be expanded or reduced in area. However, the negative effects of expansion of other uses into prime agricultural land should not be ignored. The County and cities should endeavor to encourage a gradual increase in the density of urban activities within Urban Improvement Areas and to avoid “premature” extensions into viable agricultural areas. “Leapfrog” development should be discouraged, even within the Urban Area Boundaries.

A secondary function of Urban Boundaries is to preserve and protect the agricultural economic base of the County by identifying the breakpoint between authentic rural economic areas and potential urban development areas. A negative by-product of the horizontal expansion of urban places is its impact upon the agricultural industry of the County. It is estimated that Tulare County contains 685,000 acres of prime soils within its boundaries. However, it is a true, if unfortunate, fact that nearly all of the eight incorporated cities and most of the unincorporated communities are located on these prime soils (approximately 23,000 acres). Therefore, the gradual expansion of urban areas invariably results in the loss of a vital economic resource to the County.

Goal 1UB.A. The retention of community identity and enhancement of efficiencies in the provision of essential services by means of a framework of urban-related programs and policies designed to serve specific urban planning areas.

Policies:

1UB.A.1. Urban Development Policies:

- a. This plan element establishes Urban Development Boundaries which define twenty-year planning areas around incorporated cities in which the County and cities will coordinate plans, policies, and standards relating to building construction, subdivision development, land use and zoning regulations, street and highway construction, public utility systems, environmental studies, and other closely related matters affecting the orderly development of urban fringe areas. Within these boundaries, the cities and the County may also establish planning areas representative of shorter time periods in order to assist in more precise implementation of community plans and policies. It is recognized that these boundaries provide an official definition of the interface between future urban and agricultural land uses.
- b. This plan element establishes Urban Area Boundaries, which define the area where land uses are presumed to have an impact upon the adjacent incorporated city, and within which the cities’ concerns are to be given serious consideration as part of the land use review process. The Urban Area is considered to be the next logical area in which urban development may occur and the area within which Urban Development Boundaries may ultimately be expanded. Modification of Urban Development Boundaries will be considered at such time as the land use plan for a community is revised to reflect changing needs and circumstances or an extended time frame. Preservation of productive agricultural lands shall be of the highest priority when considering such modifications, and expansion of Urban

Development Boundaries to include additional agricultural land shall only occur as a last resort.

- c. The cities shall examine existing Urban Area Boundary and Urban Development Boundary lines and recommend changes to the Board of Supervisors as appropriate in light of amendments to the goals and policies contained in the Urban Boundaries Element. Emphasis shall be placed upon reasonable expectations for the provision of urban services within the next twenty years when determining the location of Urban Development Boundaries.
- d. This plan element establishes the policy that Urban Development shall only take place in the following areas:
 - 1) Within incorporated cities. As an exception to this policy, the County may consider proposals for urban development within Urban Development Areas adjacent to cities if all of the following criteria are met:
 - a) One of the following has occurred:
 1. The adjacent city does not consent to annex the property for development purposes (as evidenced through rezoning, development agreements, etc.); or
 2. Annexation is not possible under the provisions of State law, but it is determined by the County that development of the site does not constitute leapfrog or noncontiguous development; and
 - b) The County finds that the public service impacts of the development are within the service capabilities of the County and affected special districts; and
 - c) The use and density proposed are determined to be consistent with the adopted general plan of the County and compatible with the adopted general plan of the affected city;

This policy shall become effective for each city at such time as the city and County have reviewed that city's Urban Development Boundary and Urban Area Boundary and reached agreement pursuant to policy 1UB.F.2.b.
 - 2) Within the urban development boundaries of unincorporated communities;

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- 3) Within Foothill Development Corridors; and
 - 4) Within other areas suited for nonagricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan.
- e. Urban Development Boundaries identify areas which are hereby set aside for those types of urban land uses which benefit from urban services. Conversely, those types of permanent uses which do not benefit from such services should be discouraged within those areas. This is not intended to apply to the cultivation of land or other uses accessory to the cultivation of land, provided that such accessory uses are time-limited through conditional use procedure.
 - f. To the extent possible, any conversion of agricultural or open land to urban development within Urban Development Boundaries should be as an extension of the existing urbanized area of the community. Urban Boundaries shall not be used as justification for leapfrog development.
 - g. The goals and policies contained in this element shall be referred to the respective city councils for adoption.

Goal 1UB.B. The preservation of the agricultural economic base and open space resources of the County through the implementation of resource management programs within authentic agricultural areas and the identification of maximum growth parameters for all urban settlements located within the County.

Policies:

1UB.B.1. Agricultural Preserves Policies

- a. The County should grant approval of individual applications for agricultural preserves located outside Urban Development Boundaries assuming the area involved is consistent with the intent of the Williamson Act. This policy also carries with it the understanding that applications for preserves within Urban Development Boundaries should not be approved unless it is demonstrated that:
 - 1) A comprehensive review of contracted agricultural preserves located within Urban Development Boundaries of unincorporated communities shall be conducted at five year intervals. The purpose of the review is to determine whether any unincorporated community in the County is unduly constrained or confined by lands contracted under the Williamson Act. It should be the responsibility of the County to initiate nonrenewal procedure for any contracted

preserve which is found to inhibit the growth of a community. The Williamson Act review should be closely coordinated with the review of Urban Boundaries.

- 2) The Local Agency Formation Commission should continue its present policy that agricultural preserves located outside Urban Area Boundaries shall not be subject to protest by individual cities, and that protests against agricultural preserves within Urban Area Boundaries should be upheld unless it is found that a preserve is consistent with the publicly desirable future use and control of the land in question.
- b. A comprehensive review of contracted agricultural preserved located within Urban Development Boundaries of unincorporated communities shall be conducted at five year intervals. The purpose of the review is to determine whether any unincorporated community in the County is unduly constrained or confined by lands contracted under the Williamson Act. It should be the responsibility of the County to initiate nonrenewal procedure for any contracted preserve which is found to inhibit the growth of a community. The Williamson Act review should be closely coordinated with the review of Urban Boundaries.

Goal 1UB.C. The designation of realistic planning areas around cities and unincorporated communities which could be used to help determine boundaries for community service districts and County service areas, in areas where differing levels of service are required, and within which corporate annexations may take place.

Policies:

1UB.C.1. Unincorporated Communities Policies

- a. Urban Development Boundaries are established around the following unincorporated communities in the County to serve as official urban planning areas for these communities: Cutler-Orosi, Ducor, Earlimart, East Orosi, Goshen, Ivanhoe, Lemon Cove, London, Pixley, Plainview, Poplar-Cotton Center, Richgrove, Strathmore, Terra Bella, Tipton, Traver, Woodville, Alpaugh and Springville.
- b. At some future date, Urban Development Boundaries are to be adopted around the communities of Three Rivers, Sultana, and the Allensworth State Historical Park site with the understanding the standards relating to the growth and development of Three Rivers should be related to mountain conditions.
- c. A land use plan is to be developed for each community with an Urban Development Boundary, specifying desired densities and land use categories,

with particular attention to defining suitable areas for the full range of urban development and rural residential development. Such plans shall include the entire area within the Boundary and shall recognize the short and long term ability of each community to provide necessary urban services within its Urban Development Boundary.

1UB.C.2. Application of Zoning Policies

- a. The County and each city shall continue to determine appropriate zoning for unincorporated areas within city Urban Area Boundaries. Such a program shall be consistent with County adopted land use plans for each city. To the extent possible, County zoning should be compatible with, and convertible to, municipal zoning.
- b. County zoning consistent with adopted land use plans is to be applied to all unincorporated communities with Urban Development Boundaries.
- c. Policies (a) and (b) above do not preclude the use of agricultural zoning as a holding zone until demand and changing conditions warrant application of other zoning categories.
- d. The Tulare County Zoning Ordinance shall be amended to make the following uses conditional in agricultural zones within Urban Area Boundaries of cities:
 - 1) Agricultural service establishments primarily engaged in performing agricultural animal husbandry services or horticultural services to farmers.
 - 2) Services to farmers or farm-related activities in planting, harvesting, storage, hauling and equipment repair and maintenance.
 - 3) The curing, processing, packaging, packing storage and shipping of agricultural products.
- e. Urban Area Boundaries and Urban Development Boundaries shall be delineated on the base of the County Zoning Map for reference purposes.

Goal 1UB.D. The provision of an orderly framework within which communication may take place between the County and the cities regarding projects of mutual concern.

Policies:

1UB.D.1. Communication and Project Review Policies

- a. Lines of communication are to be maintained so that each city will keep the County informed of changes in municipal plans, policies and land use regulations.
- b. A city shall be afforded the right of review and comment whenever the County Planning Commission or Board of Supervisors considers matters affecting the unincorporated areas within each city's Urban Area Boundary. Opinions and recommendations voiced by the city on such referral matters should be given serious consideration in rendering final decisions.

Goal 1UB.E. The provision of a mechanism for developing appropriate matching physical systems, such as streets, sidewalks, sewer, water, gas, electric circulation, and appearance factors within urbanizing areas.

Policies:

1UB.E.1. Subdivision and Development Standard Policies

- a. A Uniform Improvement Standards Committee, composed of representatives of all cities and the County, shall work to develop mutually agreed upon major development standards to be applied to approved developments within all Urban Development Boundaries.
- b. Where the Planning Commission and Board of Supervisors find that it is consistent with General Plan objectives to approve development within the Urban Development Boundaries of incorporated cities, it shall be the policy of the County to ensure development to full urban standards. The Uniform Improvement Standards Committee shall work to formulate recommendations for:
 - 1) Development standards for parking, landscaping and sign control for application within city Urban Development Boundaries.
 - 2) Appropriate standards for mobilehome parks and subdivisions for application within city Urban Development Boundaries.
 - 3) Appropriate standards for the placement of individual mobilehomes, for application within city Urban Development Boundaries.
- c. Where the decision-making body of the County approves development within the Urban Development Boundaries of those unincorporated communities with adopted Urban Development Boundaries it shall be the policy of the County to ensure development to full urban standard. Typical improvements may include curbs, gutters, sidewalks, and community sewer and water systems.

- d. Tulare County subdivision and parcel map regulations shall require that all subdivision and parcel maps within Urban Development Areas be developed consistent with urban standards and densities.
- e. Parcel map requirements shall provide for the full range of improvements as a condition of approval for certain categories of new parcels, as specified by ordinance, located within Urban Development Areas. Typically, the improvements specified should be installed at the time that building permits for development are issued, unless such improvements are deemed necessary for the protection of public health and safety or for the orderly development of the area.
- f. All new parcels created under parcel map procedure within Urban Development Areas shall meet the same standards of access as required for subdivisions of five or more parcels.
- g. In cases where a subdivision, parcel map or use permit is not involved, the Tulare County Ordinance Code shall require road improvements, including curbs and gutters, to be installed as a condition of the issuance of a building permit for development, including permits for mobilehomes, on any property located within Urban Development Area.

Goal 1UB.F. The maintenance of consistency among the goals and policies of the Urban Boundaries Element and those contained in other General Plan elements adopted by the County and the cities.

Policies:

1UB.F.1. Boundary Consistency Policies

- a. City Urban Development Boundaries and the Spheres of Influence as administered by the Local Agency Formation Commission should be consistent at all times insofar as it is administratively feasible to do so.
- b. In areas where special districts provide rural as well as urban services, LAFCo should distinguish between “urban” and “rural” service areas for the purpose of establishing Spheres of Influence for such districts. If an unincorporated community is served by a special district, the Urban Development Boundary should be consistent with the district’s “urban” Sphere of Influence.
- c. County census boundaries should be as consistent as possible with Urban Development Boundaries.

1UB.F.2. Review and Revision of Boundaries Policies

- a. Urban Area Boundaries and Urban Development Boundaries shall be reviewed at least once every five years to determine if boundary changes are justified, or if additional boundaries are needed for communities not considered herein. However, a review may be conducted at any time on request of the affected city or agency.
- b. In order to officially alter an Urban Development Boundary or Urban Area Boundary, all the agencies which administer policies and programs related to the boundaries shall agree on the change. These agencies include the Tulare County Board of Supervisors, the affected city council, and the Local Agency Formation Commission. In cases where these agencies cannot reach agreement, a committee composed equally of representatives of the affected city and the county shall be formed to make recommendations to resolve the conflict.

1UB.F.3. Urban Improvement Areas Policies

- a. This plan element recognizes the Urban Improvement Areas which were previously established around cities and unincorporated communities from 1974 to 1983, and which have not been subsequently superseded by Urban Development Boundaries. These Urban Improvement Areas shall remain in effect until superseded by adoption of new Urban Development Boundaries.
- b. All policies of this plan element which relate to Urban Development Boundaries shall apply equally to Urban Improvement Areas.

Implementation Programs:

Ordinance Revisions

Subdivision and Parcel Map Administration

- 1UB.IP.1 The conditions of approval of any subdivision or parcel map within Urban Improvement Areas shall include the installation of improvements appropriate for the community, such as curbs, gutters, sidewalks, community sewer systems, community water systems, storm drainage systems, dedication of park and school sites, etc. Land divisions of an urban character that are proposed in rural areas (outside Urban Area Boundaries) should be discouraged since they encroach upon the agricultural capabilities of the County.
- 1UB.IP.2 Urban improvements shall be required for all new parcels having a gross area of less than 2.5 acres, or less than 200 feet of frontage on a public right-of-way, located within Urban Improvement Areas. Parcels created within rural areas may be served by private road easements under certain circumstances, however, such easements should not be allowed within Urban Improvement Areas. All new parcels

created under parcel map procedure within Urban Improvement Areas should be served by public access. These requirements are based upon the philosophy that urban uses in publicly recognized urban areas ought to be designed and built according to publicly enforced urban standards. Such standards should be an absolute requirement no matter if the property in question is in the County or in a city.

Uniform Building Code

- 1UB.IP.3. It is desirable in many instances that the improvements required as a condition of approval of parcel maps be installed at the time the property is developed. This would be facilitated best by conditioning the issuance of building permits upon the installation of street improvements, as opposed to requiring such improvements at the time the parcel map is approved. Thus, the Urban Improvement Area identifies that area within which the County should require off-site improvements as a condition of building permits.
- 1UB.IP.4. Furthermore, in order to apply to those cases where a parcel map is not involved, the Uniform Building Code should be amended to require off-site improvements as a condition of the issuance of a building permit for any property located within Urban Improvement Areas. Most cities follow this particular procedure, and it is foreseen that the County will follow suit. Such a program would state that building permits falling within Urban Improvement Areas would have conditions attached requiring offsite improvements be installed to local urban standards; while those in rural areas would be exempt from most such requirements, with the possible exception of road paving and dedication.

Uniform Improvement Standards

- 1UB.IP.5. The shall establish a Uniform Improvement Standards Committee, composed of representatives of each City and County. The responsibility of the committee would be to develop a common set of major improvement standards to be applied uniformly in all areas within the Urban Improvement Areas.

Zoning

- 1UB.IP.6. Urban-type zoning (such as residential, manufacturing and commercial zones) should generally be concentrated within the Urban Area Boundaries and more specifically, within Urban Improvement Areas. Rural-type zoning (such as the A-1, AE, AE-20, and AE-80) should be applied in areas outside Urban Boundaries.
- 1UB.IP.7. Urban and rural zoning should be applied consistent with the Urban Area Boundaries as a logical method of making the boundaries a working tool of the General Plan.

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- 1UB.IP.8. The Zoning Ordinance shall be amended to require that the Urban Area Boundaries shall be officially used as a general guide for the application of urban and suburban-type zoning, as opposed to agricultural zoning. Preambles should be added to each zoning category which define the conditions under which the zone may be applied, recognizing certain exceptions which would justify deviations from this rule (as described above). Urban Boundaries shall be delineated on the County Zoning Map.
- 1UB.IP.9. Within Urban Boundaries the street naming and house numbering system of the adjacent municipality should be followed. Metropolitan Area Boundaries for house numbering purposes already exist within the County. If this house numbering plan is ever considered for amendment, it would be appropriate to make it contiguous with Urban Area Boundaries.

Planning Policies

Density Standards - General

- 1UB.IP.10. Subdivisions and parcel maps of an urban or suburban character should be approved only when they are situated within Urban Area Boundaries. For purposes of this policy, subdivision and parcel maps which show parcels less than five acres in size should be considered urban or suburban developments. Rural areas should be considered appropriate for parcel map activity only when the parcels to be created are greater than 5 acres in size (Five acres has been determined by the Board of Supervisors to be the minimum parcel size for a viable farming unit). An exception to the 5-acre rural minimum parcel size may be desirable when such parcels are located on non-prime soils in foothill and mountain areas, if physical factors do not preclude such development.

Density Standards – Urban Improvement Areas

- 1UB.IP.11. Urban Improvement Areas identify areas which are set aside for those type of urban uses which benefit from urban services. Generally, it is not considered economically feasible to provide community water and sewer service to developments that average one dwelling unit or less per acre. Thus, it should be basic planning policy that those types of uses which average less than one dwelling per acre, or are of such nature that they do not benefit from urban services, should be discouraged in Urban Improvement Areas. However, this would not preclude the use of these areas for temporary or time-limited types of developments. Furthermore, if for any reason the Planning Commission and Board of Supervisors finds that it is consistent with General Plan Objectives to approve developments in Urban Improvement Areas which result in rural or suburban densities, such developments should be designed in such a way that urban densities could be accommodated in the future. Techniques used to enforce convertible lot design standards consist of special building setback provisions, irrevocable offers of dedication for future streets, future lot lines, etc.

Holding and Transitional Zones

- 1.UB.IP.12. Where there is a gap between the Urban Improvement Area and the Urban Area Boundary, the land lying therein is considered to be either in a holding zone (awaiting the time when more intensive development may be justified), or is designated as appropriate for large-lot, suburban development (1 to 5 acres). Suburban development zones could be applied at the outer reaches of Urban Area Boundaries to provide a transition between urban and rural uses, where such uses are compatible with the land use plan of the community. However, if the land use plan designates the area for more intensive use in the future, then agricultural zoning should be employed to “hold” the land for more appropriate use.

Boundary Changes

- 1.UB.IP.13. Because one of the fundamental objectives of Urban Area Boundaries protection of the agricultural economic base from urban encroachment, significant expansion shall not be permitted without extensive justification. The city or community should demonstrate that such expansion is consistent with County agricultural policies. Consideration of any expansion of Urban Boundaries should include proposals to remove other areas from within the boundaries so that the total area within Urban Boundaries remains the same. Boundary changes may be permitted where the city can prove without doubt that their growth rate substantially exceeds that projected in this Plan Element.
- 1.UB.IP.14. Urban Improvement Areas should be reviewed and modified at least every five years to reflect changes in growth and development patterns.

Current and Advance Planning

Land Use Plans

- 1.UB.IP.15. Since the Urban Boundaries establish official urban planning areas it is appropriate that a land use plans be prepared for each of the affected communities. Such land use plans would specify the desired densities and land use categories, with particular attention to defining suitable areas for the full range of urban and suburban development. The plans should also recognize the short and long term ability of each community to provide necessary urban services within its Urban Boundaries. Since State law now mandates that the implementation of zoning and land use controls be consistent with the comprehensive plan, it is imperative that such plans be prepared. The 1963 Land Use Plan for the County is no longer considered applicable in many areas, and needs to be revised and updated.

Specific Plans

- 1.UB.IP.16. Specific plans are deemed to include all detailed regulations, conditions, programs and proposed legislation which are necessary for the systematic implementation

of each element of the General Plan. The Urban Boundary Element is considered the first step toward the completion of this program since it essentially identifies the “break-point” between areas where specific urban and rural area planning is to occur.

Zoning Coordination

- 1.UB.IP.17. Within the context of Urban Boundaries it would be the responsibility of each city, in coordination with the County, to conduct rezoning studies within the limits of their respective Urban Area Boundaries. Once municipal rezoning is established, it becomes the responsibility of the County to reinforce the city program with comparable County zoning. Thus, the County and cities shall, in effect, coordinate their programs of land use controls and guidelines within the Urban Area Boundaries.

Interfacing with other Plan Elements

- 1.UB.IP.18. The Urban Boundaries should be used to provide a definition of urban area which can be useful to other planning programs. For example, the designated urban area can be considered as the same area for which water and sewer system planning has been accomplished; and the Urban Boundaries can be the “cordon lines” which are used in determining traffic patterns in an areawide Transportation Plan program. They reinforce land use policies adopted in Environmental Resources Management Elements.

California Land Conservation Act

- 1.UB.IP.19. The County, through its administration of the California Land Conservation Act (Williamson Act), should establish a policy which reinforces the concept that “automatic approval” be given to individual applications for agricultural preserves located outside Urban Area Boundaries. Applications for preserves within Urban Area Boundaries should not be approved unless it is demonstrated that the effective restriction of such land would not detrimentally affect the growth of the community involved for the succeeding 10 years, or that the property in question has special public values for open space, conservation, etc., or that the contract is consistent with the publicly desirable future use and control of the land in question. The County would review every preserve located within Urban Area Boundaries at 5-year intervals. At that time the County should determine whether those properties under land preserve contracts unduly confine or restrict the growth of any community in the County. If this has occurred, it would be the responsibility of the County to issue a notice of nonrenewal to land owners so that the contract on the property could be terminated ten years from that date.

Data Inventories

- 1.UB.IP.20. The Urban Boundaries shall be used to provide a framework for inventories on growth and development, as well as socio-economic data, for both the urban and rural segments of the society

Management***Metropolitan Planning***

- 1.UB.IP.21. Urban Area Boundary lines would establish an area within which the subject municipalities' interests would be of paramount concern. Ultimately there may be a legal mechanism short of annexation which would allow cities to take over some administrative responsibility for areas within Urban Area Boundaries. The use of the boundaries for taxing entities for the provision of urban services would be a step in this direction.

Referrals

- 1.UB.IP.22. The County Planning Department shall notify a city whenever matters affecting the land use within three miles of a city's boundaries fall under planning jurisdiction.
- 1.UB.IP.23. The Urban Area Boundaries serve to reinforce this referral process. Cities will be promptly notified whenever activities requiring County action in unincorporated areas fall within the city's Urban Area Boundary. Furthermore, the opinions and recommendations voiced by the city should be given strong weight in rendering the final decision.
- 1.UB.IP.24. Cities should keep the County abreast of recent changes in municipal land use regulations, policies, etc. Such a procedure ensures that the County will have all facts available necessary for the rendering of informed decisions on planning matters within the Urban Area Boundaries.
- 1.UB.IP.25. Referrals shall be made for areas which lie outside Urban Area Boundaries, when city boundaries coincide with Urban Area Boundaries, or where a particular land use could adversely affect the city's environmental quality (air, water, noise, etc.).