
SECTION 9 - FOOTHILL GROWTH MANAGEMENT PLAN

INTRODUCTION

In September, 1976, the Tulare County Board of Supervisors directed the Planning Department to prepare a plan that would formulate land use policy for future development activity in the foothill region. The objectives of the Board of Supervisors were outlined in the following directive:

“ . . . formulate (a) land use policy for the foothill region which 1) rationally directs urban growth into specific areas of the foothills in order to protect its fragile environment; 2) maintains the agricultural viability of the foothills by identifying areas to be maintained or encouraged for intensive and extensive agricultural use; and 3) accommodates urban/rural growth in the areas serviceable by public agencies in a safe and cost-efficient manner.”

Concurrently, the Board formed a fourteen member Foothill Study Citizens Advisory Committee. Through the efforts of the Foothill Committee and the Tulare County Planning Department, a Foothill Growth Management Study was prepared. The study, funded by the U.S. Department of Housing and Urban Development (CPA/1008.121, California State Office of Planning and Research) provided an inventory of socioeconomic, environmental, circulation and public services/ utilities data for the foothill region. This information was used by the Foothill Committee in the formulation of the development corridor concept, a critical component of the Foothill Growth Management Plan.

The Foothill Growth Management Plan (FGMP), an element of the Tulare County General Plan, evolved following the completion of the Foothill Growth Management Study. The FGMP is the culmination of several years' work by the Tulare County Planning Department and the Foothill Citizens Advisory Committee. The FGMP provides a comprehensive statement of the development policies and standards that set forth land use and circulation patterns for the foothill region of Tulare County. The FGMP was prepared to specifically meet the Board of Supervisors' objectives of rationally directing growth in the foothill areas of the County, maintaining the viability of foothill agriculture, and reducing County expenditures through a more efficient means of delivering services.

Following the adoption of the FGMP, other general plan elements including the Land Use, Open Space, Recreation, Urban Boundaries and Scenic Highways Element will be amended in order to maintain internal consistency among the various general plan elements. Further, as an element of the Tulare County General Plan, all future development decisions, as required by State law, must be consistent with the objectives, policies and standards of the FGMP.

Community Identity

Goal 9.A. Retain and strengthen community identity in Springville, Three Rivers and Lemon Cove.

Policies:

- 9.A.1. Develop an Urban Area Boundary for the community of Three Rivers.
- 9.A.2. Develop an Urban Improvement Boundary (twenty-year growth line) for the community of Springville.
- 9.A.3. The location of new commercial development should initially be considered for those areas of Springville, Three Rivers, and Lemon Cove, which are suitable for commercial development.
- 9.A.4. Existing, legally conforming commercial uses not located in the communities of Springville, Three Rivers, and Lemon Cove may be recognized with an appropriate use designation, providing the recognized use is consistent with other policies in the Foothill Growth Management Plan.
- 9.A.5. Prepare a Springville Community Plan with emphasis on land use and circulation.

Implementation Programs:

- 9.AI.1. Amend the Urban Boundaries Element of the Tulare County General Plan.
- 9.AI.2. Under Level III of the Foothill Growth Management Plan, the land use and circulation plan for a development corridor will preclude retail commercial development designations outside Three Rivers, Springville, and Lemon Cove.
- 9.AI.3. Under Level III of the Foothill Growth Management Plan, existing commercial uses may be shown as commercial on the land use map.
- 9.AI.4. Substantial improvement or expansion to existing zoned commercial uses not located in Three Rivers, Springville, and Lemon Cove shall conform to the development standards contained in the Foothill Growth Management Plan.
- 9.AI.5. Add this project to the County Planning Department's work program for Fiscal Year 1981/82.

Goal 9.B. Assure the existing community values and identity, are properly addressed as development proceeds in established areas.**Policies:**

- 9.B.1. When circumstances warrant, specific plans, pursuant to the California Government Code, shall be undertaken for identifiable community areas.
- 9.B.2. A citizens advisory committee representative of the affected area shall be utilized in any specific plan undertaken which impacts an established community.

Implementation Programs:

- 9.BI.1 The Government Code and established Planning Department procedures already provide for development of such plans upon direction by the Board of Supervisors.
- 9.BI.2. When the Board of Supervisors determines a Specific Plan is necessary for an identifiable community area, a committee will be appointed by Board members from interested area residents.

New Development

Goal 9.C. Insure that new development be designed in a manner which minimizes grading, vegetation disturbance, and intrusion onto natural watercourses, canyons and prominent landmarks, or rare and endangered species sites.

Policies:

- 9.C.1. Development proposals shall conform to all development standards.
- 9.C.2. Innovatively designed residential development (planned unit or cluster development) should be encouraged, thereby conserving and preserving surrounding open space from unnecessary disturbances.
- 9.C.3. New development shall be designed in a manner, which preserves the visual quality of the foothill setting by encouraging the use curvilinear streets, vegetation reestablishment on cuts and fills, cluster development, and housing site locations which blend into the landscape rather than becoming a focal point.
- 9.C.4. In reference to water needs (domestic and fire fighting) and wastewater generation, new development shall not exceed the maximum physical holding capacity (based on water availability and soils) of the parcel in question.
- 9.C.5. To the greatest extent possible, new residential development should be compatible with existing residential development patterns.
- 9.C.6. Neighborhood commercial centers shall be allowed in designated areas of the development corridor and shall only include uses of a type and size of service a neighborhood (i.e., grocery store, laundromat, real estate office, etc.). Criteria for location and design of this type of commercial use are as follows:
- a. The architectural and landscaping design of the neighborhood center shall be compatible with surrounding residential uses.
 - b. The major tenant of the complex shall be a grocery store.
 - c. The maximum size of the commercial center shall be five acres.

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- d. The commercial center may be considered as a part of a planned residential development.
 - e. The center shall meet the policies and development standards of the Foothill Growth Management Plan.
 - f. The center shall not have direct access from State Highway 190 and 198.
 - g. The general areas where neighborhood commercial centers should be located because of distance from existing shopping areas and future supporting populations are the Globe Drive/Pleasant Valley, Upper Balch Park Road and Frazier Valley areas.
- 9.C.7. Commercial recreation uses shall be located in close proximity to unique natural features, thus enabling the visiting public to enjoy the recreational and visual amenities the area has to offer. Criteria for the location and approval of commercial recreation are as follows:
- a. The use shall have access from a State Highway.
 - b. The use shall meet the policies and development standards of the Foothill Growth Management Plan.
 - c. The use shall not detract from the visual amenities of the foothills. Landscaping, sufficient setback distances, and well designed buildings and signs are tools that shall be used to protect the visual environment.
 - d. Proposed commercial recreation shall be consistent with uses outlined in the Planned Development-Foothill zone.
- 9.C.8. To provide for the integration of efficient road systems, existing community values, infrastructural improvements and open space patterns, development projects within a definable geographic area of a development corridor shall be encouraged to comply with a common development or Specific Plan designed for that area.
- 9.C.9. Mobile home projects shall be located and designed in a manner, which is compatible with existing development patterns and does not detract from the visual amenities of the foothill environment.
- 9.C.10. Light industrial uses (as described in the Tulare County Zoning Ordinance) may be allowed in a development corridor subject to a conditional use permit. A decision on said use shall be based on, but not limited to, criteria such as land use conflicts, water requirements, design/location and liquid waste disposal.
- 9.C.11. Rock, sand and gravel excavation operations shall be allowed in the foothills with a conditional use permit. A decision on said use shall be based on, but not limited
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to, criteria such as irreversible environmental impacts, reclamation measures and procedures, which mitigate the short-term environmental, social and economic impacts.

Implementation Programs:

- 9.CI.1 Adopt by Ordinance the Foothill Development Standards which are now included as a subsection of the Foothill Growth Management Plan.
- 9.CI.2. Amend the Improvement Standards document of Tulare County to reflect a change in street and grading standards.
- 9.CI.3. Amend the Zoning Ordinance to include a Planned Development-Foothill Zone, which will be applied to properties in a development corridor, which are suited for development.
- 9.CI.4. Amend the Subdivision Ordinance to reflect the standards adopted in the Foothill Growth Management Plan.
- 9.CI.5. The Site Plan Review Committee shall insure that the design of the proposal meets the policies and development standards of the Foothill Growth Management Plan.
- 9.CI.6. The Site Plan Review Committee shall insure that the design of the proposal meets the policies and development standards of the Foothill Growth Management Plan.
- 9.CI.7. The Tulare County Health Department and the Fire Warden shall determine the minimum water requirement for the project to insure that the magnitude of the project does not exceed the amount of water available to the subject site.
- 9.CI.8. A registered civil engineer or sanitarian along with a representative of the Tulare County Health Department shall insure that the magnitude of the project does not exceed the physical holding capacity of the on-site soils to accept the estimated waste effluent.
- 9.CI.9. The Site Plan Review Committee shall forward written findings to the appropriate decision-making body if the project is inconsistent with this policy statement.
- 9.CI.10. The Site Plan Review Committee shall evaluate the design of the proposed project to insure its compatibility with surrounding development.
- 9.CI.11. The Site Plan Review Committee shall determine the consistency of the project with the location, type and design criteria of the policy. Should the project not meet the intent of the above policy, findings to that effect shall be forwarded to the appropriate decision-making body.

- 9.CI.12. The Site Plan Review Committee shall determine the consistency of the project with the location, type and design criteria of the policy. Should the project not meet the intent of the above policy, findings to that effect shall be forwarded to the appropriate decision-making body.
- 9.CI.13. Implementation of this policy statement is based on the Planning Department's ability to convince landowners that it will be to their long-term benefit, in addition to the public benefit, to develop a common place.
- 9.CI.14. The County shall explore the legality of voluntary contract cancellation on lands that are within a Development Corridor and under a Planned Development-Foothill Zone.
- 9.CI.15. The Site Plan Review Committee shall review mobile home parks and subdivisions to encourage designs that "fit" into existing development patterns.
- 9.CI.16. The environmental impact report process is the mechanism, which will provide specific data both to Site Plan Review Committee and the Planning Commission for purposes of determining a decision on the conditional use permit.
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Recreation/Open Space

Goal 9.D. Provide recreational and open space opportunities both for local residents and for the visiting public.

Policies:

- 9.D.1. Identify those environmentally sensitive areas within the development corridors which should be maintained as open space such as areas characterized by floodplains, steep slopes (30 percent or greater), unstable geology, unique archaeological/historical sites, special wildlife habitats, and scenic vistas.
- 9.D.2. Protection of unique open space areas such as riparian woodlands, oak groves, interesting rock formations, and scenic vistas, shall be encouraged.
- 9.D.3. Private recreational areas should be encouraged for purposes of helping meet the future demand for recreational activities, providing they meet the development standards and other county policies.
- 9.D.4. Common open space areas shall not be subject to access by the general public except as provided by the developer or owners of the property.

Implementation Programs:

- 9.DI.1 Level II of the Foothill Growth Management Plan maps environmentally sensitive areas with the development corridor.
- 9.DI.2. Level III of the Foothill Growth Management Plan excludes environmentally sensitive areas from the development corridors or designates them on the land use plan as open space.
- 9.DI.3. Level III designates riparian woodlands on the corridors' land use plan as open space.
- 9.DI.4. The Site plan Review Committee shall review proposed projects to determine if on-site environmentally sensitive areas are protected.
- 9.DI.5. The Planned Development-Foothill Zone shall contain a list of recreational uses that are allowed without a conditional use permit and a list of uses that will require a use permit. The EIR and site plan review processes shall provide information to the Planning Commission for the decision on the use permit.
- 9.DI.6. Those environmentally or archaeologically sensitive areas on a project site, which are to remain in common open space will most likely be fenced and posted against unauthorized encroachment.

Agricultural Lands

Goal 9.E. Maintain and preserve extensive and intensive agricultural uses in the foothill area.

Policies:

- 9.E.1. Protective extensive and intensive agricultural areas, as identified by the Foothill Growth Management Plan from encroachment of non-agricultural uses, through the use of large lot exclusive agricultural zoning.
- 9.E.2. Assure that the Tulare County Zoning Ordinance contains agricultural zones that will protect and enhance the viability of foothill agricultural through the provision of adequate minimum parcel sizes.
- 9.E.3. Limit residential development densities within the "Planned Development-Foothill" areas of Success Valley in order to avoid conflicts with intensive agricultural uses in the Valley.

Implementation Programs:

- 9.EI.1. Level I delineate those areas outside development corridors that should, through traditional zoning, be protected for intensive and extensive agricultural uses.
- 9.EI.2. Level III designates appropriate lands inside the development corridors for intensive agriculture.
- 9.EI.3. Extensive agricultural lands that are in a development corridor and the Planned Development-Foothill Zone may be required to remain as extensive agriculture, if, under the site plan review process, an inadequate amount of water or improper soils for waste water disposal exists.
- 9.EI.4. Amend the Tulare County Zoning Ordinance to add a zone that protects and maintains extensive agriculture. This zone shall insure that the minimum parcel size is adequate to protect foothill grazing. The zone shall also be flexible enough to allow for intensive agricultural uses to be divided from larger extensive agricultural uses.
- 9.EI.5. The two areas within Success Valley, which are designated “Planned Development-Foothill” on the Land Use/Circulation Plan for the Tule River Corridor shall be zoned to a classification, which prohibits any residential densities greater than one unit per five acres.

Scenic Corridors**Goal 9.F Provide local protection of scenic highways and roads within the foothills.****Policies:**

- 9.F.1. Insure that the visual qualities of State Highways 190 and 198 and scenic County roads are maintained and protected against obtrusive development improvements.
- 9.F.2. Identify county roads, which due to their scenic and rural characteristics, should receive a county “scenic road” designation.
- 9.F.3. Require that development along all scenic highways and roads meet the development standards of the Foothill Growth Management Plan.
- 9.F.4. Projects located within a scenic corridor shall be designed in a manner, which does not detract from the visual amenities of that thoroughfare.
- 9.F.5. Projects proposed on lands inside a scenic corridor with a non-agricultural or non-open space land use designations shall be encouraged to use a cluster development concept. Appropriate land uses for the open space areas shall include, but will not be limited to, public or private open space, wildlife habitat or agriculture.

Implementation Programs:

- 9.FI.1. The development standards contain requirements for a new development along scenic highways and roads.
- 9.FI.2. The Site Plan Review Committee shall review new development along scenic highways and roads to insure that the visual qualities of the thoroughfare are not blighted.
- 9.FI.3. Level III of the Foothill Growth Management Plan provides for circulation patterns for each of the development corridors. Those roads with unique visual qualities are shown as scenic roads.
- 9.FI.4. The Site Plan Review Committee shall insure that the new development adjacent to scenic highways and roads meets the requirements set forth in the development standards.
- 9.FI.5. There are numerous design tools – cluster development, greater setback distances, landscaping and proper lot design – which can be used by the developer to meet the intent of the above policy. Some of the above tools are required standards for development.
- 9.FI.6. Design analysis of the project by the Site Plan Review Committee.

Historical and Archaeological Sites**Goal 9.G. Protect Historical/Archaeological sites located in the foothills.****Policies:**

- 9.G.1. Request the Tulare County Historical Society to inventory historical sites and buildings worthy of historical preservation.
- 9.G.2. Prepare an Archaeological Sensitivity Map of Tulare County for purposes of environmental impact review of foothill projects.
- 9.G.3. Significant historical or archaeological sites, such as the one located on Rocky Hill, shall be protected from development through maintenance of the site in open space. This policy shall not preclude development on adjacent property even though such property may be under the same ownership as the site to be protected.

Implementation Programs:

- 9.GI.1. An archeological sensitivity map has been prepared for Tulare County by the Anthropology Department, California State University Fresno. This map is for general use to determine areas of the foothills that have the potential of

encompassing archaeological sites. If a project is within a sensitive area, a more thorough on-site investigation by a qualified archaeologist should be undertaken.

- 9.GI.2. The site plan review process will insure that significant historical and archaeological sites will remain protected through provision for open space easements on such sites.

Environmental Protection

Goal 9.H Protect the natural features of the foothills by directing development to selected areas.

Policies:

Water

- 9.H.1. Discourage the location of development and improvements in close proximity to watercourse areas (riparian woodlands).
- 9.H.2. Assure that drainage patterns of foothill developments are designed to prevent contamination and sedimentation due to soil erosion.
- 9.H.3. Prohibit development of residences or permanent structures within the 100-year floodplain.
- 9.H.4. Insure that new wastewater systems meet the standards of the Regional Water Quality Control Board and Tulare County Health Department.
- 9.H.5. Kaweah and Success Lakes shall be protected from contamination due to runoff from development, underground seepage of waste effluent, or intrusion of incompatible land uses by utilizing appropriate design and engineering concepts and adequately separating the project from the lake environment.
- 9.H.6. Projects proposed in the Frazier Valley watershed portion of the Tule River Development Corridor shall not aggravate the downstream flooding problem by generating additional runoff from the project site.

Soils

- 9.H.7. Minimize soil disturbances by encouraging cluster-type development and narrower road widths, and minimizing cut and fill projects. New roads should, whenever possible, conform to the natural contours of the existing foothill landscape.
- 9.H.8. Require erosion mitigation measures in new developments to prevent soil loss after development of road building activity.

- 9.H.9. Restrict the removal of natural vegetation, except for wildland fire prevention purposes.
- 9.H.10. Prohibit development in areas that are considered to be geologically hazardous (slides, earthquake faults, etc.).
- 9.H.11. Development shall generally be precluded on slopes 30 percent or greater, unless the applicant can sufficiently mitigate the inherent problems associated with developing on steep slopes.

Flora and Fauna

- 9.H.12. Prohibit unnecessary removal of native trees on development sites prior to approval of development plans to control erosion, preserve wildlife habitat, and maintain the natural character of developing areas.
- 9.H.13. Prevent encroachment of development onto riparian woodland habitats.
- 9.H.14. Landscaping for developments should contain plant material compatible with the surrounding native vegetation.
- 9.H.15. Rare and Endangered Species and wildlife of special concern should be identified and their habitat protected against encroachment by development.
- 9.H.16. Restrict development in chaparral since these areas present extreme wildland fire potential.

Air Quality

- 9.H.17. Encourage the concentration of development along major travel routes to allow for future public transportation services and minimize travel distances to frequently used facilities.
- 9.H.18. Discourage the scattering of development throughout the entire foothill region to reduce vehicular emissions by decreasing home to destination distances.

Aesthetics

- 9.H.19. Hilltop development shall be designed so as to preserve the skyline and maintain an unobstructed scenic panorama of the foothills for residents and visitors to enjoy.

Implementation Programs:*Water*

- 9.HI.1. Adhere to development standard requirements pertaining to setbacks from water courses.
- 9.HI.2. Level III designates the major riparian areas of each development corridor as open space.
- 9.HI.3. The submission of a drainage plan as discussed in the site plan review process will mitigate contamination and sedimentation problems.
- 9.HI.4. Level II maps the 100-year floodplains within the development corridors.
- 9.HI.5. Level III designates the 100-year floodplain as an open space land use.
- 9.HI.6. Since the Site Plan Review Committee has a representative from the Health Department input from that individual will assure that the disposal of waste water is in accordance with the standards of the Regional Water quality Control Board.
- 9.HI.7. A properly designed wastewater disposal system to prevent surface or groundwater contamination and a drainage plan which minimizes sedimentation and/or contamination of the lake environment are engineering measures capable of meeting the intent of this policy. Should there be some question regarding the reliability of the engineered systems, the Site Plan Review Committee shall condition the project to provide an adequate separation between the body of water and the development site.
- 9.HI.8. Drainage plans shall be required for all projects within the “Planned Development-Foothill” areas of Frazier Valley. The Site Plan Review Committee shall not approve any project within Frazier Valley until the Public Works Department has reviewed said drainage plan and certified that the proposed drainage facilities will prohibit any additional storm water discharge from the project that would aggravate downstream flooding problems.

Soils

- 9.HI.9. The clustering of development will be encouraged by the development standards, which prescribe open space requirements and setback distances.
- 9.HI.10. Development standards require narrower road widths thus reducing overall soil disturbance.
- 9.HI.11. A grading and slope stabilization plan is required for that portion of the development exceeding slopes of 15 percent or greater.

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- 9.HI.12. The developer will be required to phase road construction of correspond with the phases of the development proposal.
- 9.HI.13. A grading and slope stabilization plan is required for that portion of the development exceeding slopes of 15 percent or greater.
- 9.HI.14. The site plan review process will insure that vegetation will not be removed unnecessarily.
- 9.HI.15. Information required under the site plan review process shall delineate slopes 30 percent or greater on the development site. Review of the proposal by the Committee will prescribe a project design that will maintain 30 percent slopes generally free of improvements, unless the problems associated with steep slopes are sufficiently mitigated.

Flora and Fauna

- 9.HI.16. Requirements contained in the development standards and the site plan review process will insure vegetation protection.
- 9.HI.17. Level III designates the major riparian areas of each development corridor as open space.
- 9.HI.18. Review of landscaping plans through the site plan review process will insure that areas to be landscaped are compatible with surrounding native vegetation.
- 9.HI.19. Level I of the Foothill Growth Management Plan maintains large expanses of foothills as agriculture.
- 9.HI.20. Level II of the Foothill Growth Management Plan identifies wildlife habitats in each development corridor.
- 9.HI.21. Level III of the Foothill Growth Management Plan designates sensitive wildlife areas as open space in each development corridor.

Air Quality

- 9.HI.22. Level I of the Foothill Growth Management Plan delineates development corridors, which encompass the major travel routes in the foothills.
- 9.HI.23. Level I of the Foothill Growth Management Plan concentrates rural and urban development in the development corridors only.

Aesthetics

- 9.HI.24. The design of subdivisions will be reviewed by the Site Plan Review Committee to assure the visual impact to the foothills is minimal.

Water and Sewer Facilities

Goal 9.I. Insure that water and sewer facilities are constructed in a manner that protects the public health and safety and that the disposal of wastewater is done in a manner that does not degrade ground and/or surface waters.

Policies:

- 9.I.1. Require evidence, prior to project approval, which (1) describes a safe and reliable method of wastewater treatment and disposal; and (2) substantiates an adequate water supply for domestic and fire protection purposes.
- 9.I.2. The maintenance and operation of a community water and/or wastewater treatment facility shall be delegated to a responsible entity, which is established prior to approval of the final subdivision map.
- 9.I.3. Based on existing soil conditions, types of land uses, effluent yield per land use and the density of the proposed project, the Regional Water Quality Control Board and the Tulare County Health Department shall review the adequacy of the wastewater disposal area.
- 9.I.4. Unconventional methods of disposing of sewage effluent may be allowed, providing the system meets the performance standards of the Water Quality Control Board and the Tulare County Health Department. Such systems may include common leach field, soil absorption mounds, aerobic septic tanks, or evapotranspiration systems.

Implementation Programs:

- 9.II.1. The review process of a project's water supply and waste disposal method is outlined in the site plan review process.
- 9.II.2. This policy shall be implemented by requiring the establishment of this entity as a condition of approval.
- 9.II.3. A Health Department representative will serve on the Site Plan Review Committee to insure compliance with State water quality control standards. The review of the adequacy of the effluent disposal area will thus initially be the responsibility of the Health Department representative.

- 9.II.4. The unconventional disposal methods will be reviewed by the Tulare County Health Department to insure that the standards of the Water Quality Control Board are met.

Public Services

Goal 9.J. Accommodate development in the foothills that is serviceable by various public agencies in a manner that does not become an economic burden to the county.

Policies:

- 9.J.1. Development shall be located in areas of the foothills that can be adequately served by existing Tulare County fire stations and the Sheriff's Department.
- 9.J.2. Require that a fire and crime protection plan be incorporated into all new developments.
- 9.J.3. Where a specific plan is to be prepared for a sub-area of a Development Corridor, a Fiscal Impact Report, which analyzes the fiscal impacts of development upon local public agencies and the County shall be prepared as a part of this plan.

Implementation Programs:

- 9.JI.1. Level III of the Foothill Growth Management Plan determines what areas in the foothills, can be adequately served by the county fire department and sheriff's department. These lands are then considered for inclusion into a development corridor.
- 9.JI.2. The site plan review process attempts to insure that adequate fire and crime protection measures are built into the development proposals as outlined in the Development Standards section.
- 9.JI.3. The Planning Commission and the Board of Supervisors shall consider the Fiscal Impact Report during their review and consideration of the specific plan. The Fiscal Impact Report shall be used as a basis for establishing programs and standards within the specific plan, which mitigate or avoid the adverse fiscal impact of development upon local public service agencies and County agencies.