
SECTION 10 - MOUNTAIN PLAN

INTRODUCTION

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.

GREAT WESTERN DIVIDE NORTH HALF AREA PLAN

General Land Use

Goal 10GWN.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.

Policies:

- 10GWN.A.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.
- 10GWN.A.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.
- 10GWN.A.3. The amount and type of new commercial development shall be that necessary to satisfy local residential and recreational-visitor (tourist) needs and demands.
- 10GWN.A.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.
- 10GWN.A.5. Implementation strategies shall be formulated to assure that the goals and policies of this plan are effectively implemented.
- 10GWN.A.6. Land use patterns shall promote compatibility of land uses and minimize future potential land use and environmental conflicts.
- 10GWN.A.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.
- 10GWN.A.8. Land 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.

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- 10GWN.A.9. Land use designations adjacent to the 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.
- 10GWN.A.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.

Implementation Programs:

- 10GWN.AI.1. Areas appropriate for single and multiple family residential, commercial, recreation, and open space uses shall be established on the Land Use Plan with provisions for integration of uses.
- 10GWN.AI.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 plan.
- 10GWN.AI.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.
- 10GWN.AI.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.

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- 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.

10GWN.AI.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:

- a. Architectural
- b. Exterior Finishes (i.e., materials)
- b. Landscaping
- d. Aesthetic compatibility in the neighborhood

10GWN.AI.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 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.

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- 10GWN.AI.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.
- 10GWN.AI.8. Front yard setbacks shall be measured from the edge of the planned ultimate road rights-of-way.
- 10GWN.AI.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.
- 10GWN.AI.10. Primary access to non-single family land uses shall not be allowed from minor streets serving single family residential areas.
- 10GWN.AI.11. 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.

Commercial Land Use

Goal 10GWN.B. To promote an adequate distribution of commercial facilities that will satisfy the local/visitor needs in the planning area and be function, safe, attractive, and compatible with other land uses.

Policies:

- 10GWN.B.1. General and recreation-oriented commercial uses shall primarily locate in the communities of Pierpoint, Camp Nelson, and Ponderosa.
- 10GWN.B.2. Neighborhood commercial nodes may be permitted in appropriate areas to satisfy basic needs of neighborhood residents.
- 10GWN.B.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.

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- 10GWN.B.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.
- 10GWN.B.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.
- 10GWN.B.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.
- 10GWN.B.7. Home occupations shall be permitted as a means to satisfy the commercial demands for goods and services within the mountain communities.
- 10GWN.B.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.
- 10GWN.B.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.

Implementation Programs:

- 10GWN.BI.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.

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- e. The property contains or is adjacent to existing commercially developed properties.
- 10GWN.BI.2. As a means of minimizing aesthetic and environmental concerns, maximum land area developed with structures shall not exceed 20% of total parcel area.
- 10GWN.BI.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.
- 10GWN.BI.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.
- 10GWN.BI.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.
- 10GWN.BI.6. Low intensive, open space-oriented, recreation commercial uses, such as RV parks, campgrounds and similar uses shall be established with t 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.
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- 10GWN.BI.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.
- 10GWN.BI.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.
- 10GWN.BI.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.
- 10GWN.BI.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 not permissible.)

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- 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 the one (1) non-illuminated name plate not to exceed two (2) square feet in area mounted flat against the dwelling.
 - e. The uses 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.

10GWN.BI.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.

10GWN.BI.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.

10GWN.BI.13. 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.

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- 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.

10GWN.BI.14. 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:

- a. Architectural
- b. Exterior Finishes (i.e., materials)
- b. Landscaping
- d. Aesthetic compatibility in the neighborhood

10GWN.BI.15. 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.

Residential Land Use

Goal 10GWN.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.

Policies:

10GWN.C.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.

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- 10GWN.C.2. Single family residential opportunities may be made available to recreational users of the area through the provision of vacation/rental housing.
- 10GWN.C.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.
- 10GWN.C.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.
- 10GWN.C.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.
- 10GWN.C.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.
- 10GWN.C.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.

Implementation Programs:

- 10GWN.CI.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 become 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.
- 10GWN.CI.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.

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- 10GWN.CI.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.
- 10GWN.CI.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.
- 10GWN.CI.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.
- 10GWN.CI.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.
- 10GWN.CI.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 and 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.
- 10GWN.CI.8. The maximum density in multiple family residential areas shall be one dwelling unit per 3000 square feet of net lot area.
- 10GWN.CI.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.

10GWN.CI.10. 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.

10GWN.CI.11. 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:

- a. Architectural
- b. Exterior Finishes (i.e., materials)
- b. Landscaping
- c. Aesthetic compatibility in the neighborhood

Resource Conservation/Management

Goal 10GWN.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:

10GWN.D.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.

Implementation Programs:

10GWN.DI.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.

10GWN.DI.2. Lands not appropriate for development during the planning period shall be held until future demand for private development can be addressed with future plans.

Traffic and Circulation

Goal 10GWN.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.

Policies:

10GWN.E.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.

10GWN.E.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.

10GWN.E.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.

- 10GWN.E.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.
- 10GWN.E.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.
- 10GWN.E.6. All development occurring along public and private roads in the Planning Area shall be designed so as to minimize potential traffic safety hazards.
- 10GWN.E.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.
- 10GWN.E.8. Future development projects shall provide sufficient off-street parking to satisfy anticipated demands.
- 10GWN.E.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.

Implementation Programs:

- 10GWN.EI.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.
- 10GWN.EI.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.

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- 10GWN.EI.3. Primary access to non-single family land uses shall not be allowed from minor streets serving single family residential areas.
- 10GWN.EI.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.
- 10GWN.EI.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.
- 10GWN.EI.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 hazards, that through traffic along the roadway will not be impeded, and that other applicable provisions of this plan have been complied with.
- 10GWN.EI.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.

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- e. With regard to PVAEs:
 - 1) Distance from public road to which access is proposed;
 - 2) Disposition of any off-side 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.

10GWN.EI.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.

10GWN.EI.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.f; 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.

10GWN.EI.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.

10GWN.EI.11. Design and construction of new road, 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.

- 10GWN.EI.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.
- 10GWN.EI.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.
- 10GWN.EI.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.
- 10GWN.EI.15. 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.

Open Space/Recreation

Goal 10GWN.F. Support and enhance the open space and recreation opportunities in the Great Western Divide (N 1/2) Area.

Policies:

- 10GWN.F.1. Allow activities and amenities that support the variety of recreational opportunities available in the Great Western Divide (N 1/2) Study Area.
- 10GWN.F.2. Development projects should be designed to include open space so as to enhance the projects compatibility with the local mountain environment.

Implementation Programs:

- 10GWN.FI.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.
- 10GWN.FI.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.

10GWN.FI.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.

10GWN.FI.4. 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 alternations. 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.

Essential Services

Goal 10GWN.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.

Policies:

Water – Domestic and Fire Flow

10GWN.G.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

10GWN.G.2. New Development projects shall not be approved unless necessary improvements are provided to reduce the potential for wildland fire.

Sewage Disposal

10GWN.G.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.

10GWN.G.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

10GWN.G.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

10GWN.G.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

10GWN.G.7. Schools should be available to and have sufficient capacity for an increasing student population in the Planning Area.

Snow Removal

10GWN.G.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.

10GWN.G.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

10GWN.G.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

10GWN.G.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.

Implementation Programs:*Water – Domestic and Fire Flow*

- 10GWN.GI.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.
- 10GWN.GI.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.
- 10GWN.GI.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.
- 10GWN.GI.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.

Fire Protection

- 10GWN.GI.5. All new development projects shall comply with the standards of 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.
- 10GWN.GI.6. 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.

10GWN.GI.7. 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.

Sewage Disposal

10GWN.GI.8. 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.

10GWN.GI.9. 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.

10GWN.GI.10. 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.

Police and Medical Emergency Services

10GWN.GI.11. 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
- b. Crime rate
- d. Accident rate
- e. Medical emergency incidents

10GWN.GI.12. All requests for discretionary permits shall be referred to the County

Sheriff and other appropriate emergency response agencies for review and comment.

- 10GWN.GI.13. 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.

Storm Water Drainage

- 10GWN.GI.14. 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.
- 10GWN.GI.15. 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.

Schools

- 10GWN.GI.16. 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.
- 10GWN.GI.17. Requests for discretionary permits shall be referred to the applicable school districts that would serve the proposed project for their review and comment.

Snow Removal

- 10GWN.GI.18. 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.
- 10GWN.GI.19. 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.

10GWN.GI.20. 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.

Solid Waste

10GWN.GI.21. 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.

All Services – General

10GWN.GI.22. 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.

Environmental Considerations

Goal 10GWN.H. Promote a balanced and environmentally sensitive approach to development.

Policies:

10GWN.H.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.

10GWN.H.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.

10GWN.H.3. Land alteration (grading and excavation) shall conform to the surrounding natural terrain to the extent practicable.

10GWN.H.4. Development activities shall include adequate provisions for sediment and erosion control.

10GWN.H.5. The quality of natural drainage channels and local water courses and their associated riparian areas shall be maintained.

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- 10GWN.H.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.
- 10GWN.H.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.
- 10GWN.H.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 requirement of the State of California Department of Forestry and the goals, policies, and implementation strategies of this Plan.

Implementation Programs:

- 10GWN.HI.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 alternations. 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.
- 10GWN.HI.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 justified the utilization of steeper slopes.
- 10GWN.HI.3. Grading for structures and building pads must be in accordance with the Uniform Building Code (maximum 2:1 for cut and fill).
- 10GWN.HI.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.

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- 10GWN.HI.5. Development projects shall be designed in a manner that does not require excessive grading.
- 10GWN.HI.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.
- 10GWN.HI.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.
- 10GWN.HI.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.
- 10GWN.HI.9. Fill slopes and/or excavated material shall not encroach into natural watercourses.
- 10GWN.HI.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.
- 10GWN.HI.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.
- 10GWN.HI.12. Timber harvesting shall be conducted in accordance with the requirements of the California Department of Forestry Forest Practice Act.
- 10GWN.HI.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.
- 10GWN.HI.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.

- 10GWN.HI.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 façade.
- 10GWN.HI.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.
- 10GWN.HI.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.
- 10GWN.HI.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.
- 10GWN.HI.19. In order to protect the character and integrity of the Tulare 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 elevation 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.
- 10GWN.HI.20. Implementing zoning applied to creeks and meadow areas shall be such to limit parcel sizes and land divisions and shall provide for set backs to

preserve natural character of these areas while still providing reasonable use of these properties for residential purposes.

- 10GWN.HI.21. Regulation of land development shall be through the application of zoning classifications consistent with the land use designations established in the Plan.
- 10GWN.HI.22. Control of land division and infrastructural improvements shall be through the application of requirements of the Tulare County Subdivision Ordinance and the Improvement Standards of Tulare County.
- 10GWN.HI.23. Control of site development shall be through the site plan/design review process and review of special use permits, planned unit developments, and other development standards.
- 10GWN.HI.24. Control of local environmental conditions shall be through the implementation of the California Environmental Quality Act.
- 10GWN.HI.25. Provide attractive conditions to the private sector as a means of allowing reasonable development and growth within the Planning Area.
- 10GWN.HI.26. Generate support by local organizations, governmental entities, and private citizens.
- 10GWN.HI.27. Provide for future amendments to the Great Western Divide (N 1/2) Plan.

Great Western Divide North Half - GIS Map

GREAT WESTERN DIVIDE SOUTH HALF AREA PLAN

GOAL 10GWS.A

Great Western Divide South Half - GIS Area Map

KENNEDY MEADOWS AREA PLAN

Goal 10KM.A. Encourage a balanced and orderly land use pattern within the community consistent with the nature and intensity of development in the region.

Policies:

- 10KM.A.1. Establish land uses that are compatible with the historical land use pattern, are consistent with limitations of existing circulation network, and are consistent with public and utility service levels available in the Planning Area..
- 10KM.A.2. No industrial or manufacturing uses of any kind shall be permitted in the Planning Area except those activities which may be permitted in accordance with the Tulare County Home Occupation Ordinance.
- 10KM.A.3. Preserve the integrity of past development patterns and uses which were legally established even though these uses might be at variance with subsequently adopted general plan policy

Implementation Programs:**General**

- 10KM.AI.1. Areas appropriate for residential, retail commercial, light service commercial, and recreation/open space uses shall be established in the Land Use Plan with provisions for certain integration of uses.
- 10KM.AI.2. Higher intensity uses should be restricted to an area within Kennedy Meadows Proper, where the highest concentration of small parcels, residential and commercial development, and private road network already exists, and along Kennedy Meadows Road where adequate access can be assured.
- 10KM.AI.3. Areas outside the Kennedy Meadows Proper area and at the periphery of the Planning Area adjacent to or surrounded by federally owned land shall be restricted to lower intensity and resource conservation uses.
- 10KM.AI.4. Appropriate zoning shall be established within the Planning Area that more precisely reflects characteristics unique to the Mountainous areas.
- 10KM.AI.5. The Plan Map shall designate an area within Kennedy Meadows proper to be called the Primary Development Area, suitable for five acre minimum parcel sizes based on the characteristics unique to the Kennedy Meadows

proper area as set forth in Chapter 2 of the Plan on the basis of the following criteria:

- a. The general area and concentration of existing small parcels
- b. The location, alignment, or extension of property lines
- c. The location, alignment, or extension of township and range sectional break lines
- d. Areas of existing zoning for small parcels (less than five acres)
- e. Natural slopes generally less than 30 percent and physical features, such as creeks

10KM.AI.6. The Land Use Plan Map shall establish three “Commercial Nodes” within the Primary Development Area generally within the vicinity of the three existing commercial uses, namely the Kennedy Meadows General Store, the Ireland’s Café and the Grumpy Bear Restaurant.

10KM.AI.7. Mixed use recreation and commercial development projects, including RV parks, campgrounds and similar developments containing land uses which compliment each other and are compatible with land uses in the vicinity of the development site, shall be allowed within the planning area by the Special Use Permit procedure established in the Tulare County Zoning Ordinance to assure project compatibility with surrounding land uses.

10KM.AI.8. High intensive commercial or recreation uses shall not be permitted in the planning area.

10KM.AI.9. Home occupations, recreational vehicles, and other uses of a temporary nature, shall be permitted within the Planning Area in accordance with the provisions of the Tulare County Zoning Ordinance.

Residential

10KM.AI.10. Except as otherwise provided herein below, the maximum density in each land use category created by this plan shall be one single-family dwelling structure for each legally created parcel. In addition to this one signal-family dwelling, one (1) additional dwelling or mobilehome 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) such additional residence or mobilehome may be placed on the property with the approval of a Special Use Permit. All residences and mobilehomes shall be occupied only by the

owner, relatives of the owner or lessee, or by employees who work on the property.

10KM.AI.11. For purposes of all land divisions the following are the minimum parcel sizes in each land use category:

- a. Mountain Residential – 5 acre minimum
- b. Mountain Residential – 40 acre minimum
- c. Resource Conservation – 160 acre minimum

It shall be general principle that all requests for divisions of land shall be in compliance with the residential density provisions as set forth in this Plan. However, where there are special circumstances applicable to the property including size, shape, topography, location, surroundings, or ownership that may provide the basis for approving the division of land, in spite of the fact that an increase in density might result, a Special Use Permit shall be secured pursuant to the Tulare County Zoning Ordinance prior to the fining for the division of land. Conditions of approval may be imposed to assure compliance with all other provisions of the Plan.

10KM.AI.12. The Land Use Plan shall designate a Primary Development Area where the land use designation shall be Mountain Residential – five acre minimum. Land division projects in this area may create five acre parcels providing the following criteria can be met:

- a. All parcels resulting after the proposed division are at least five acres gross in size.
- b. The land proposed for division does not lie within an agricultural preserve.
- c. The proposed division of land complies with all other provisions of the Tulare County Subdivision Ordinance and other goals, policies, and implementation strategies of this Plan.

10KM.AI.13. The Land Use Plan shall establish areas outside the Primary Development Area that are potentially suitable for five acre mountain residential development.

10KM.AI.14. Land division projects outside the Primary Development Area may create five acre parcels providing the following criteria can be met:

- a. Parcels of a proposed land division shall be served by a private access easement that does not exceed 1,000 feet in length as

measured from its intersection with the centerline of a publicly maintained paved road.

- b. The land proposed for division does not lie within an agricultural preserve (Williamson Act Contract).
- c. A remainder parcel that does not meet the criteria of (1) above shall be at least 40 acres in size. Otherwise, any remaining acreage less than 40 acres shall be made a part of parcels that can be served by the 1,000 foot private access easement.
- d. That the proposed division of land complies with all other provisions of the Tulare County Subdivision Ordinance and other goals, policies, and implementation strategies of this Plan.

10KM.AI.15. The Land Use Plan shall establish areas suitable for 40 acre minimum parcel sizes based on the following criteria:

- a. Lands that do not have the ability to be served by a private access easement less than 1,000 cubic feet in length as measured from the intersection with publicly maintained paved road.
- b. Lands that are not in agricultural preserve (Williamson Act Contract).

10KM.AI.16. The Land Use Plan shall establish areas suitable for 160 acre minimum parcel sizes for properties which exhibit one or more of the following criteria:

- a. The land is not adjacent to the Primary Development Area.
- b. The land is within an agricultural preserve (Williamson Act Contract).
- c. The land exhibits characteristics which makes it unsuitable for intense development including but not to steep slopes (generally 30 percent or greater), soils poorly suited to intense road and other development construction, and unproven history of water availability.
- d. The land is at the periphery of the Planning Area or is surrounded by Bureau of Land Management territory.
- e. BLM territory is used for all or a portion of access to the property.

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- 10KM.AI.17. New mobilehomes on individual lots shall be permitted in accordance with State Law.
- 10KM.AI.18. The one single-family dwelling structure allowed by these implementation strategies may be a conventionally built dwelling, a manufactured dwelling which complies with the standards of the Uniform Building Code of California, or a mobilehome.
- 10KM.AI.19. The minimum parcel sizes of each land use category will be allowed for a new land division projects only when all the following criteria can be met:
- a. The provisions for quantity of water available for domestic purposes as set forth in State and County Ordinances.
 - b. On-site soils are suitable to provide proper leaching of residential and commercial liquid wastes in accordance with State and County ordinances.
 - c. Physical site limitations, such as steep slopes, flood prone areas, drainage courses, or rock outcroppings, etc., do not pose hazards to life or property on-site or off-site or significantly reduce the usage area of the site.
 - d. Conformance of the proposed development project with other goals, policies, implementation strategies, and development standards.

Commercial

- 10KM.AI.20. Nodes of commercial development shall be designated “Mountain Commercial” by the Plan and shall be located in the areas defined as follows:
- a. That land located in the vicinity of the Grumpy Bear Restaurant being south of Goman Avenue and west of Kennedy Meadows Road which is presently zoned “O” (Recreation), and comprising approximately 50.37 acres.
 - b. That land located in the vicinity of the Kennedy Meadows General Store being east of Pinyon Village Road, north of Sherman Pass Road, and west of Kennedy Meadows Road, and comprising approximately 9.42 acres. The north end of Pinyon Village Road is defined by extending the north property line of lot four of Tract 482 in a westerly direction.
 - c. That land located in the vicinity of the Irelan’s Café being south of Deodar Road (Private) which is currently zoned “PD-C-2: and

fronts on Kennedy Meadows Road, and comprising approximately 5.2 acres. This property is more commonly known as the location of “Irelan’s Café” and the 2.94 acre property opposite the Irelan’s Café across Kennedy Meadows Road.

- 10KM.AI.21. Additional “Mountain Commercial” may be established only if the property under consideration exhibits all of the following characteristics:
- a. The property has a minimum of 96 feet of frontage on a publicly maintained paved road.
 - b. The property is contiguous to land designated “Mountain Commercial”.
 - c. The property can be developed without creating conflicts of use with adjacent parcels.
 - d. The property will fulfill a need for a demonstrated demand of additional commercially designated land.
- 10KM.AI.22. For purposes of new land divisions within commercial nodes, the minimum parcel size shall be five acres.
- 10KM.AI.23. Parcels less than five acres within the Commercial nodes which were legally established before the adoption of this Plan may be developed commercially in accordance with policies and implementation strategies of this Plan.
- 10KM.AI.24. Residential development will be allowed on properties within the Commercial Nodes in accordance with provisions for Mountain Residential – five-acre minimum, and other provisions of this Plan for additional dwellings.
- 10KM.AI.25. Retail commercial uses permitted outright may be established in conjunction with a site plan review. Other service related uses may be permitted with approval of a Special Use Permit. Consideration will be given in either case to provisions for adequate parking and vehicular and pedestrian circulation within an onto the site, building location and setbacks, landscaping, signs and nose and other factors depending on the nature and intensity of the proposed use.
- 10KM.AI.26. Where temporary residential uses of a primarily commercial nature, such as overnight rental cabins or motels, are proposed in the Commercial Nodes, the basic density of one unit per five acres as set fort in this plan may be exceeded, provided the project is developed in accordance with all other policies and implementation strategies contained in the Plan.

Mixed Use

- 10KM.AI.27. In addition to permitted commercial uses, permanent residential uses shall be permitted in Commercial Nodes in accordance with the policies and implementation strategies for Mountain Residential - five-acre minimum parcel size.
- 10KM.AI.28. Low intensive service commercial uses may be established in Mountain Residential designated 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 these uses may have seasonal fluctuations and are acceptable in the Kennedy Meadows setting 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 uses.
- 10KM.AI.29. Low intensive, open space-oriented, recreation commercial uses, such as RV parks, campgrounds and similar uses should be encouraged to locate in the Primary Development Area (in Mountain Residential or Mountain Commercial designated areas). These uses shall be established with Special Use Permit in accordance with the following criteria:
- a. The maximum density of RV spaces, campsites, or comparable uses shall be five (5) per each one (1) gross acre on the site.
 - b. The property upon which the use is to be located had 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 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 the Plan and County Ordinances.
- 10KM.AI.30. Low intensive, open space-oriented recreation commercial uses, such as those listed above may be established in Mountain Residential and Resource Conservation areas outside the Primary Development Area with Special Use Permit, in accordance with the following criteria:

- a. The maximum density of RV spaces, campsites, or other comparable use shall be one (1) per each one (1) gross acre in the site.
- 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 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 the Plan and County Ordinances.

10KM.AI.31. Parcels less than the minimum parcel size specified for the particular land use designation over that parcel, which were legally created prior to the adoption of this plan, shall retain their legal status.

10KM.AI.32. Dwelling units legally established beyond the density allowed by this Plan for any given parcel of land will be allowed to continue on a permanent basis as a legal “non-conforming use.”

10KM.AI.33. Any use or building which was legally established but which 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.

Goal 10KM.B. Provide for efficient, safe, and convenient traffic circulation within and through the Kennedy Meadows Planning area, consistent with the nature and intensity of development in the region.

Policies:

10KM.B.1. No new publicly maintained roadways shall be developed in the Kennedy Meadows Planning Area during the planning period.

10KM.B.2. Kennedy Meadows Road and Sherman Pass Road shall continue to serve as the principle access and transportation routes both through and within the Planning Area.

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- 10KM.B.3. New development should be concentrated in “Kennedy Meadows Proper”, where efficient and convenient access to public facilities and services and existing commercial uses can be afforded to the growing community.
- 10KM.B.4. New higher density residential development (5 acre minimum) should be planned in Kennedy Meadows Proper and in areas which front on or are proximate to publicly maintained and improved roadways.
- 10KM.B.5. 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, paved road.
- 10KM.B.6. All development occurring along publicly maintained roads in the planning area shall be designed so as to minimize potential traffic safety hazards.
- 10KM.B.7. Future development projects shall provide sufficient off-street parking to satisfy anticipated demands.
- 10KM.B.8. Future private road designs and alignments shall be compatible with existing topography and physical conditions to ensure that such roads can provide safe and permanent access to developing areas.
- 10KM.B.9. Private roads shall be designed to provide safe and efficient access for emergency equipment.

Implementation Programs:

- 10KM.BI.1. Adequate maintenance programs should continue on these roadways to assure that the multiple uses and activities that they serve will be sustained.
- 10KM.BI.2. Snow removal services on the maintained public roadways should be upgraded in the future, consistent with the level of growth which occurs in the planning area and increases in road usage.
- 10KM.BI.3. New land development projects with frontage on Kennedy Meadows Road will not be required to provide additional dedications or improvements beyond the existing 60-foot right of way. In addition, no exception request to ordinance requirements will be necessary to effectuate this implementation strategy.
- 10KM.BI.4. The provisions of Policies 10.B.3. and 10.B.4. should be reflected in the Land Use Plan Map.

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- 10KM.BI.5. PVAEs shall be a minimum of 50 feet in width within the confines of the property being the subject of a development project.
- 10KM.BI.6. Except as provided below, where new development must utilize an existing, off-site private roadway/easement for vehicular access to the subject property, it shall be a general principle that such easement shall be at least 20 feet in width. However, in recognition of diverse circumstances which may exist from property to property, where the minimum standard as set forth above cannot be satisfied, and unless the County determines that a reduced standard is contrary to the public health and safety, a reduced standard may be allowed following public health and safety, a reduced standard may be allowed following consideration of factors, including but not necessarily limited to:
- a. Size of parcels to be served
 - b. Number of parcels to be served
 - c. Nature of use of the parcels to be served
 - d. Existing travelway width
 - e. Existing easement width
 - f. Distance from county road to which access is proposed
 - g. Future land division potential along easement
 - h. Future land division potential along easement
 - i. Number of intervening parcels for which legal access would be necessary
 - j. Availability of alternative access to any of the parcels being served
 - k. Disposition of the easements (e.g., recorded or prescriptive)
- 10KM.BI.7. Where it can be demonstrated that a PVAE does not have the potential to serve more than four (4) parcels, now or in the future, the easement width may be reduced in accordance with Article 7 of the Tulare County Subdivision Ordinance.
- 10KM.BI.8. Surfacing shall not be required where native materials provide for a stable and otherwise adequate road base and where provisions for drainage and erosion control are incorporated into the road design.
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- 10KM.BI.9. PVAEs shall be improved to a minimum width of 24 feet within the confines of the property being the subject of a development project.
- 10KM.BI.10. Where new development must utilize an existing, off-site travel way to gain access to the subject development site, the improvement width for the off-site portion of the easement may be reduced in accordance with Article 7 of the Tulare County Subdivision Ordinance, unless to do so would be contrary to the public health and safety. In no instance will an improvement width of less than 10 feet off-site be allowed.
- 10KM.BI.11. PVAEs may exceed 1,000 feet in length due to the low-intensive nature of the planned land uses for the Kennedy Meadows area, provided the development is otherwise consistent with the provisions of the land use plan.
- 10KM.BI.12. Newly created parcels within the Primary Development Area may be served by PVAEs in excess of 1,000 feet in length.
- 10KM.BI.13. Provisions for permanent maintenance of either new or existing PVAEs situated within the confines of the property which is the subject of a development project, shall be incorporated into the conditions of approval for all development projects.
- 10KM.BI.14. 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 off-site.
- 10KM.BI.15. Regardless of the above implementations strategies regarding maintenance agreements, owners of any easements or any land to which any such easement is attached are responsible under the California Civil Code Section 845 to maintain it in repair.
- 10KM.BI.16. When there are special circumstances or conditions that affect a proposed division of land, exceptions to ordinance requirements may be requested and shall be evaluated in accordance with the exception procedures set forth in Article 8 of the Tulare County Subdivision Ordinance.
- 10KM.BI.17. Encroachment permits shall be secured from the appropriate jurisdiction prior to any private roadwork taking place within public road rights-of-way.
- 10KM.BI.18. New commercial and other higher intensity land uses should develop in nodes to minimize the number of ingress-egress points along Kennedy Meadows Road.

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- 10KM.BI.19. All applications for commercial and other higher intensity uses utilizing direct access to publicly-maintained roads shall contain detailed plans for ingress-egress, internal circulation and off-street parking. A development project 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 highway will not create a potential traffic hazard, and that through traffic along the highway will not be impeded.
- 10KM.BI.20. Commercial and other non-residential land uses, except home occupation uses, shall have direct access to a public road, unless the decision-making body determines that, based upon unique circumstances; a private road can adequately serve the proposed project.
- 10KM.BI.21. Commercial and other higher intensity land uses, except home occupation uses, should 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 shall be provided to prevent indiscriminate access to and from the public roadway.
- 10KM.BI.22. Off-street parking shall be provided in conjunction with all new development projects. Existing uses, when expanding, shall provide off-street parking as required to accommodate the expanded use. This 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.
- 10KM.BI.23. Off-street parking and loading requirements for all development projects shall be provided in accordance with the Site Plan Development Standards adopted by the Planning Commission.
- 10KM.BI.24. Private access easements and driveways shall be prohibited on slopes exceeding 30 percent unless the development proposal contains specific measures to avoid or alleviate potential problems associated with situating new roads on such steep slopes.
- 10KM.BI.25. All new private roads shall contain sufficient improved width to permit the efficient maneuvering of emergency vehicles and equipment.
- 10KM.BI.26. All new vehicular water crossings shall have a minimum load limit of 20 tons (40,000 lbs.).
- 10KM.BI.27. All new development proposals shall be reviewed by the appropriate protection agency and the County Sheriff's Office to obtain a professional evaluation of the proposal regarding access in emergency situations.
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Goal 10KM.C. Ensure that development is managed to a level at which the health and safety needs of Kennedy Meadows residents can be met by available community facilities and services.

Policies:

- 10KM.C.1. Development projects shall provide an adequate and safe supply of domestic water and proper facilities for the disposal of sewage effluent.
- 10KM.C.2. Future developments shall contain adequate facilities for collection and disposal of storm water run-off with minimal effects to nearby properties and the environment.
- 10KM.C.3. Future development shall contain adequate provisions for protecting residents and property from the hazards of wildland and structural fires.
- 10KM.C.4. Law enforcement service shall be provided in the Kennedy Meadows Planning Area at a level commensurate with the rate of population growth, development and public use of the area.
- 10KM.C.5. As a practical and effective means of providing education to the small school age population of Kennedy Meadows, Tulare County school districts shall continue the practice of inter-district agreements with Kern County school districts.
- 10KM.C.6. Tulare County should maintain its cooperative relationship with the BLM in the provision of fire protection service.

Implementation Programs:

- 10KM.CI.1. All development projects shall be accompanied by a preliminary and final geological-hydrological report, if required, pursuant to the procedures set forth in the Tulare County Ordinance Code.
- 10KM.CI.2. Domestic water and wastewater disposal systems shall be provided to serve all new development in accordance with applicable State regulations and the design and improvement regulations as prescribed in Article 2 of the County Ordinance Code.
- 10KM.CI.3. In approving a development project, the decision-making body shall determine if the physical characteristics of the site necessitate the preparation of a Storm Water Drainage and Erosion Control Plan for that project. If required, the plan shall be prepared by a registered Civil Engineer or other qualified individual and submitted to and approved by the Public Works Department prior to initiating construction on the site.

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- 10KM.CI.4. The minimum parcel size for newly created parcels shall be 5 acres to avoid creating higher density developments where active fire protection improvements would be necessary.
- 10KM.CI.5. Large minimum parcel sizes shall be established in the isolated and peripheral areas of the Planning Area where fire response would be difficult due to poor access conditions.
- 10KM.CI.6. New and expanding commercial development shall be evaluated in conformance with Tulare County Ordinance No. 2447 (commonly referred to as the “Fire Flow Ordinance”) to ensure that appropriate fire protection measures are applied.
- 10KM.CI.7. All new development shall comply with the following “passive” fire protection measures:
- a. A thirty-foot (30’) clearance of flammable vegetation shall be provided and maintained around all new main structures.
 - b. Class A fire retardant roofing materials, as established in the Uniform Building Code, shall be provided on all new buildings.
 - c. Attic vent screens of corrosion-resistant wire mesh, with a mesh size of 1/4 inch, shall be provided for all vent openings. Chimney openings shall be equipped with a corrosion-resistant wire mesh screen with a mesh size of 1/2 inch. These provisions are applicable to all new buildings.
 - d. Street numbers and street names for public and private roads shall be established for each dwelling unit, business and/or other main use and shall be legible from the road for which the street number is assigned. The street numbers and names will be provided for locational purposes during emergency responses.
- 10KM.CI.8. The County of Tulare shall evaluate on a regular basis the feasibility of expanded law enforcement service to Kennedy Meadows based on factors including but not limited to:
- a. Population
 - b. Distance and response time within the area
 - c. Crime rate
- 10KM.CI.9. All requests for discretionary permits shall be referred to the County Sheriff.
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Goal 10KM.D. Support and enhance the open space and recreation opportunities in the Kennedy Meadows region.

Policies:

- 10KM.D.1. Identify, maintain, and encourage the use of those activities and amenities that promote the recreation qualities that are available in the Kennedy Meadows Planning Area.
- 10KM.D.2. Preserve the integrity of the Pacific Crest National Scenic Trail (PCNST), as jointly administered by the U.S. Bureau of Land Management, U.S. Forest Service, and the National Park Service.

Implementation Programs:

- 10KM.DI.1. The Plan shall make provision to accommodate such developments as recreation-oriented housing and retail uses, campgrounds, RV parks, and over-night lodging and other services benefiting the local residents, property owners and the visiting public.
- 10KM.DI.2. Contact the BLM or USFS in the early stages of project review whenever a site for a development project contains any segment of the PCNST to ensure its proper protection.
- 10KM.DI.3. Whenever possible, uses proposed for properties which contain segments of the PCNST shall be determined to be a compatible use with the purpose, function and usage of the Trail.
- 10KM.DI.4. Residential uses shall automatically be determined to be a compatible use with the PCNST.
- 10KM.DI.5. Enforce any necessary setbacks from the Trail as established by the administering Federal agency.
- 10KM.DI.6. Any lands currently in the Planning area under the jurisdiction of the BLM, which are anticipated for or undergo exchange for private ownership and which contain segments of the PCNST, shall be required to comply with the policies and implementation strategies set forth herein.

Goal 10KM.E. Promote a balanced and environmentally sensitive approach to development and the conservation of resources available in the planning area.

Policies:

- 10KM.E.1. Extensive agricultural uses will be encouraged in appropriate locations in the Planning Area.
- 10KM.E.2. Discourage development in environmentally sensitive areas which could be maintained as open space, such as areas characterized by flood plains, slopes in excess of 30 percent, unstable geology, special wildlife habitats, unique archaeological/historical sites, and scenic vistas.
- 10KM.E.3. In appropriate areas provide for the protection of both the range and migration routes of the Monache deer herd.
- 10KM.E.4. Require noise attenuation and other measure to reduce noise impacts for activities and uses which generate noise level incompatible with surrounding land uses.
- 10KM.E.5. No new wilderness designation shall be added within or surrounding the Planning Area unless it is supported by the local community and elected County officials.
- 10KM.E.6. Land alterations (grading and excavation) shall conform to the surrounding natural terrain to the extent practicable.
- 10KM.E.7. Development activities shall include adequate provisions for sediment and erosion control.
- 10KM.E.8. The quality and integrity of natural drainage channels and local water courses shall be maintained.

Implementation Programs:

- 10KM.EI.1. Large minimum parcel zoning shall be established similar to the County's Foothill Agricultural Zone, to protect those areas that exhibit characteristics suitable for grazing activities.
- 10KM.EI.2. Existing agricultural preserves established under the Williamson Act will be protected by zoning from encroachment by intensive non-agricultural uses.
- 10KM.EI.3. The Plan will designate an area for resource conservation where large minimum parcel sizes will be allowed around the periphery of the Planning Area and will allow only those uses which contribute to the retention of open space, preservation of wildlife habitats, scenic vistas and archaeological/historical sites.

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- 10KM.EI.4. The Plan shall establish a minimum parcel size of at least 40 acres in areas where larger parcels presently exist, where residential development is less desirable due to poor access conditions, where agricultural preserve contracts are presently in effect, and, in those areas that are largely undeveloped.
- 10KM.EI.5. Fences shall be constructed in such a way as to allow passage of deer. The State Department of Fish and Game recommends the following criteria for fencing that would permit deer movement: “Fences that have a high ground wire distance, 18” to 24” off the ground, or low top wire distance, 36” to 42”, utilizing barbed-less wire on top or bottom wires (chain link fencing is extremely detrimental to deer movement).”
- 10KM.EI.6. Electric generators shall be equipped with appropriate muffling devices and shall be housed or enclosed in a sound attenuating structure.
- 10KM.EI.7. Appropriate conditions of approval shall be established in conjunction with those uses which are significant noise generators that establish standards for setbacks, hours of operation, landscaping and other types of buffers.
- 10KM.EI.8. Disturbed slopes shall be contoured to harmonize and blend with the natural slopes remaining on the site and surrounding the development site.
- 10KM.EI.9. The slope of exposed cuts and fills shall meet the standards established in the Improvement Standards of Tulare County.
- 10KM.EI.10. Where two cut or fill slopes intersect, the intersection shall be graded and shaped to closely resemble natural topography. (This standard does not pertain to cut or fill slopes composed of rock.)
- 10KM.EI.11. Lots shall be designed to fit the natural landscape in a manner that does not require extensive grading.
- 10KM.EI.12. Graded slopes consisting primarily of soil shall be planted with vegetation to stabilize slopes and prevent erosion. Native plant species shall be used wherever possible.
- 10KM.EI.13. Slope stabilization and erosion prevention shall be completed immediately after grading and before December 1 and March 1, unless the applicant demonstrates to the Public Works Department that slope stabilization and erosion prevention techniques will overcome potential problems.
- 10KM.EI.14. Development shall generally be precluded on slopes of 30 percent or greater, unless the project contains sufficient measures to mitigate the problems typically encountered when developing steep slopes.
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- 10KM.EI.15. Water-borne sediment generated by development projects shall be retained on the site by means of facilities such as sediment basins and sediment traps.
- 10KM.EI.16. Denuded or exposed slopes caused by construction activities shall be replanted 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 omitted.
- 10KM.EI.17. Where natural stormwater run-off channels are traversed by roads and driveways, fills shall be stabilized by the use of riprap or other effective measures to prevent erosion.
- 10KM.EI.18. Fill slopes and/or excavated material shall not encroach into natural watercourses or constructed water channels.
- 10KM.EI.19. All new septic tank/leach line systems shall be set back a minimum of fifty (50) feet from an intermittent watercourse and one hundred (100) feet from a perennial watercourse.
- 10KM.EI.20. All new structures, except fences, shall be set back a minimum of twenty-five (25) feet from any watercourse. This requirement may be waived by the decision-making body if it is determined to be inappropriate because of existing development patterns.
- Goal 10KM.F. Encourage the protection of historical/archaeological sites located in the Kennedy Meadows planning area.**

Policies:

- 10KM.F.1. Inventories of potentially sensitive sites shall be conducted by qualified individuals or organizations.

Implementation Program:

- 10KM.FI.1. Consultation with appropriate organizations who have jurisdiction or responsibility for historical or archaeological resources shall be required for new intensive development projects within the Planning Area.
- 10KM.FI.2. The provisions for the California Environmental Quality Act of the Public Resources Code and the Guidelines implementing the Act regarding assessment of archaeological impacts will be enforced through the various

project review processes required by this Plan and local ordinances adopted thereto.

Goal 10KM.G. Strive to maintain a spirit of cooperation between federal and state agencies and other public organizations with jurisdiction, responsibility, or concern over resources in and around the planning area.

Policy:

10KM.G.1. Require consultation with all federal, state and local agencies who have possible jurisdiction or responsibility over land or resources on or adjacent to private land developments.

Implementation Programs:

10KM.GI.1. Develop a comprehensive list of all federal, state and local agencies or organizations for use in the consultation process for proposed projects in the Kennedy Meadows Planning Area.

10KM.GI.2. Regulation of land development shall be through the initiation of zoning classifications consistent with the land use designations established in the Plan.

10KM.GI.3. Control of land division and infrastructural improvements shall be through the application of requirements of the Tulare County Subdivision Ordinance and the Improvement Standards of Tulare County.

10KM.GI.4. Control of site development shall be through the site plan review process and review of special use permits, planned unit developments, and other development standards.

10KM.GI.5. Control of local environmental conditions shall be through the implementation of the California Environmental Quality Control Act.

10KM.GI.6. Provide attractive conditions to the private sector as a means of allowing reasonable development and growth within the Planning Area.

10KM.GI.7. Provide for future amendments to the Kennedy Meadows Plan.

Kennedy Meadows - GIS Area Map