

---

## SECTION 11 - RURAL VALLEY LANDS PLAN

### INTRODUCTION

The Rural Valley Lands Plan was initiated in order to establish minimum parcel sizes for areas zoned for agriculture and to develop a policy that is fair, logical, legally supportable, and which consistently utilizes resource information to determine the suitability of rural lands for nonagricultural uses. The policy statement will act as a guide to the Planning Commission and Board of Supervisors in determining appropriate minimum parcel sizes and areas where nonagricultural use exceptions in the rural areas of the County may be allowed.

Tulare County is the third largest producer of agricultural products in the nation. In the most recent annual Tulare County Crop Report, the total value of all agricultural products was listed as \$682,545,000. In addition, agriculture produces income for other areas of the economy, including farm equipment assembly, maintenance and sales as well as banking and the building industry.

Urban and suburban development in Tulare County is intruding into prime rural agricultural lands at an increasing rate. Each year hundreds of acres of prime agricultural lands are being taken out of production in order to make way for suburban “ranchettes” or parceled into small lots for investment purposes. Once this is done, it is virtually impossible to reassemble the land into viable agricultural units. According to the Agricultural Census, Tulare County lost 66,000 acres of farm land between 1964 and 1969. Prime agricultural land is an irreplaceable natural resource, and its wise use is of as much importance as other natural resources such as coal and oil.

The effects of piecemeal urbanization on agricultural fringes and the costs of public services to such development should also be understood. In a report prepared by the Ventura County Planning Department in 1970, their findings show that from a property tax standpoint, agriculture is the only land use that pays for itself when industrial and commercial property is given a cost based on total urban expenditures by government.

In spite of the efforts of local government to protect agricultural land through protective taxation or zoning, much of the blame for wasteful checkerboard sprawl lies with the lack of an effective system to direct new development into better patterns.

It is important that land to be developed for nonagricultural uses be programmed in a gradual outward extension of present nonagricultural areas in order that agricultural lands will not be unnecessarily fragmented and that service costs will be kept at an economic level. Where possible, nonagricultural uses should be directed to less desirable soils where conflicts with agriculture and impacts on the County’s future agricultural productivity will be minimized. In addition, such uses should be directed to areas where groundwater level and soil suitability permit building without substantial public safety hazards or critical environmental disturbances.

**Goal 11.A. To sustain the viability of Tulare county agriculture by restraining division and use of land which is harmful to continued agricultural use of non replaceable land resources.**

---

**Policies:**

- 11.A.1. In order to protect and maintain the agricultural viability of rural valley areas, it shall be the policy of the County of Tulare to develop several exclusive agricultural zones, each containing a different minimum parcel size. In addition, it shall be the policy of the County to apply such zones to lands located outside adopted Urban Development Boundaries, where such boundaries have been adopted, and outside Urban Improvement Boundaries, where no Urban Development Boundary has been adopted, generally below and west of the six hundred foot (600') elevation contour line as it occurs in Tulare County (see Attachment No. 1), except where otherwise designated by the Land Use Element of the Tulare County General Plan. It is recognized that there may be unique circumstances under which parcels as small as five (5) acres in size may be agricultural in nature. It is further recognized, that ten (10) acre, twenty (20) acre, forty (40) acre and eighty (80) acre minimum parcel sizes are necessary to maintain and protect the agricultural viability of significant portions of the County. A determination as to the most appropriate minimum parcel size for a particular area shall be made on the basis of factors relevant to the protection and maintenance of existing and/or potential agricultural uses of land including, but not limited to, factors such as existing land use patterns, land capability ratings for agriculture, and the occurrence of agricultural preserves. Nothing herein is intended to prevent the application of exclusive agricultural zones developed pursuant to this policy to lands located outside the above described area.
- 11.A.2. All lands to be more suitable for nonagricultural zoning by means of this system may be zoned for urban/suburban types of uses. The application of zoning to implement this policy, however, is discretionary and the County is not compelled to grant such zoning.
- 11.A.3. If the number of points accumulated [according to the RVLP Attachment No. 2] is seventeen (17) or more, then the parcel shall remain agriculturally zoned. If the number of points accumulated is eleven (11) or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system.

Rural Valley Lands Plan - GIS Area Map

---

**KINGS RIVER PLAN****Agricultural and Rural-Residential Areas**

**Goal 11.B.** Assure that new residential development in the Kings River Plan area is balanced with the need to protect agricultural resources.

**Policies:**

- 11.B.1. Existing agricultural zoning of properties in agricultural preserves shall be retained regardless of the planned land use designation of such properties.
- 11.B.2. Areas reserved for residential development shall be limited to portions of the Kings River Plan area that are oriented to the Kings River Golf Course and Kings River School and which are characterized by Class III or poorer agricultural soils. In identifying such areas, emphasis shall also be given to areas which have historically been used or zoned for residential developments, are vacant or unused or are in-fill areas between clusters of existing development.
- 11.B.3. The Tulare County Rural Valley Lands Plan (RVLP) shall be applicable to all areas designated “agricultural” by the Kings River Plan.
- 11.B.4. The density of residential development in the Kings River Plan area shall not exceed four dwelling units per acre.

**Implementation Programs:**

- 11.BI.1. Maintain agricultural preserves in existing exclusive agricultural zones.
- 11.BI.2. Following adoption of the Kings River Plan the county zoning map will be amended in conformance with the plan.
- 11.BI.3. Existing exclusive agricultural zoning established pursuant to the RVLP shall be maintained in the Kings River Plan areas designated “Agricultural.”
- 11.BI.4. The evaluation procedure utilized in the RVLP to identify parcels appropriate for non-agricultural zoning shall continue to be applicable in areas designated as “Agricultural”; provided, however, that rezoning proposals within “opportunity areas” shall also be subject to the additional criteria set forth herein.
- 11.BI.5. Residential zoning which provides for minimum lot areas of less than 12,500 square feet shall be established in areas designated as “Residential”.

---

**Rural-Residential/Recreational Opportunity Area**

**Goal 11.C. Provide opportunities for low-intensity rural-residential and recreational development along the Kings River, provided such uses are compatible with the riverine environment.**

**Policies:**

- 11.C.1. In addition to areas specifically designated for residential use by the Plan, areas within one-quarter mile of the present Kings River channel and the Kings River Golf Course and Country Club may be approved for rural-residential development if all the following criteria are met:
- a. The majority of the site has soils with an agricultural capability of Class III or poorer.
  - b. Under a Rural Valley Lands Plan point evaluation, the property is determined to be “nonagricultural” (i.e., 16 points or less).
  - c. The property must not have been used for commercial agriculture for the last five years.
  - d. The property must have access to a publicly maintained road adequate to serve the development.
- 11.C.2. To meet the anticipated continued demand for golf course-associated residential development and to protect nearby producing agricultural lands from conversion to such residential uses, residential development on the Kings River Golf Course property shall be permitted. The total area of such development shall be limited to ten acres.
- 11.C.3. Private recreation uses or expansions of such uses within the agricultural land designation are compatible with this plan if the property meets all the following criteria:
- a. The property involved has frontage on the Kings River,
  - b. The site is not suitable for intensive agriculture due to sandy soils with an agricultural capability of Class III or poorer, flooding, and/or other constraints,
  - c. The property has access to a publicly maintained road adequate to serve the development, and
  - d. The private recreation uses and expansions of such uses are allowed in the AE-20 Zone.

- 11.C.4. Private recreation uses which existed at the time of the adoption of the Kings River Plan are consistent with said plan. Such existing uses include Lindy's Landing, the Kings River Golf and Country Club, Royal Oak Park, and the Kingsburg Gun Club.
- 11.C.5. The Riverland Resort property located in the southwest portion of the planning area along the east bank of the Kings River is designated for commercial-recreation use because the property has a history of such use, and because it has a high visibility and access from State Route 99.

**Implementation Programs:**

- 11.CI.1. Approval of rural-residential zoning shall be in accordance with case-by-case evaluation of requests for such zoning to determine conformity with rural-residential development criteria.
- 11.CI.2. Rural-residential zoning which provides for minimum lot areas not less than one acre shall be utilized for qualified properties.
- 11.CI.3. Following adoption of the Kings River Plan, the county zoning map will be amended to reclassify the zoning of the Kings River Golf course from agricultural zoning to Residential Planned Development zoning.
- 11.CI.4. Location of residential development areas within the Kings River Golf Course shall be determined following receipt of project plans in accordance with the procedures set forth in the Planned Development Zone.
- 11.CI.5. The residential density standards applicable to areas designated as "Residential" on the plan shall be equally applicable to residential development within the Kings River Golf course, provided that the entire golf course property (except that portion within the designated floodway) shall be utilized when determining compliance with density standards.
- 11.CI.6. Compliance with this policy will be achieved through evaluation of applications for private recreation developments to determine conformity. Failure to meet the criteria set forth in this policy would result in either denying the application or approving the application subject to conditions necessary to assure conformance with such criteria.
- 11.CI.7. No further action necessary as all these facilities are under existing, active special use permits.
- 11.CI.8. Any expansion of these existing facilities will be subject to compliance with the criteria set forth in policy 11.C.3.

- 
- 11.CI.9. Existing “O” Recreation zoning shall be maintained for the area designated on the plan as “Commercial-Recreation”. No expansion of such “O” zoning may be undertaken, however, without first securing an appropriate amendment to this plan.

### **SUB-AREA “A”**

#### **Goal 11.D. Provide for development of Sub-Area “A” of the Kings River Plan to help meet public recreation and residential needs.**

#### **Policies:**

- 11.D.1. The use of land within Sub-Area “A” shall be limited to public park, residential and private recreation development in conformance with the Kings River Plan.
- 11.D.2. To help meet the public need for park and recreation facilities, Tulare County will maintain a county park in Sub-Area “A” of the Kings River Plan. The park area shall not be fewer than ten acres.
- 11.D.3. In a single, comprehensive development project is proposed for the non-public park portion of Sub-Area “A”, it must be under a planned unit development in order to assure proper separation of uses and compatibility with the county park.

#### **Implementation Programs:**

- 11.DI.1. Existing exclusive agricultural zoning shall be maintained for the areas within Sub-Area “A” for “public Park” and “private recreation.”
- 11.DI.2. Following adoption of the Kings River Plan, the county zoning map will be amended to establish residential zoning for areas designated as “Residential”, subject to the density criterion in Policy 11.B.4.
- 11.DI.3. As an alternative to the above implementation measures, the county may consider establishing an appropriate Planned Development zone over the entire property if appropriate under Policy 11.D.3.
- 11.DI.4. Tulare County will prepare and adopt a park improvement plan for that portion of Sub-Area “A” which is designated as a public park.
- 11.DI.5. A commitment will be made by Tulare County to use a portion of the funds received from the sale of the adjacent property for park improvements.
- 11.DI.6. If it appears that a single, comprehensive development will be proposed in Sub-Area “A”, the county zoning map will be amended to designate an appropriate Planned Development Zone on the property.

**Circulation****Goal 11.E. Promote efficient and safe circulation of motor vehicles within the Kings River Planning Area.****Policies:**

- 11.E.1. Future roads or road extensions in the planning area shall be planned in accordance with the Kings River Circulation Plan.
- 11.E.2. Non-agricultural development projects shall not be approved unless adequate access for emergency vehicles can be provided.
- 11.E.3. Except for emergency access routes, streets serving recreation areas of Sub-Area "A" Shall not be directly connected with streets serving adjacent residential subdivisions.
- 11.E.4. Segregate residential traffic from recreation-oriented traffic.

**Implementation Programs:**

- 11.EI.1. Amend the County Select System Plan in conformance with the Kings River Plan.
- 11.EI.2. Assure that rights-of-way and street improvements in conjunction with private projects are in conformance with the plan through the normal design review process.
- 11.EI.3. Assure that the Fire Warden and Sheriff's Department have input in the design review process for private projects.
- 11.EI.4. Implement through the design review process.
- 11.EI.5. Assure that access to recreation areas is discouraged from passing through residential neighborhoods to minimize user conflicts.

**Water and Sewer Facilities****Goal 11.F. Assure that water and sewer facilities are constructed in a manner that enhances the public health and safety and protects ground and/or surface water quality.****Policies:**

- 11.F.1. No discretionary project in the Kings River Plan area shall be approved until the decision making body finds that: (a) the proposed method of wastewater treatment and disposal is safe, reliable, and will not degrade ground or surface water quality;



---

(b) a sanitary water supply exists for domestic purposes and (c) county fire flow standards are met.

- 11.F.2. The density of new residential development shall not exceed the ability of the site's soils to absorb sewage effluent without ground or surface water contamination. This policy may require a lower density standard than otherwise permitted by the zoning or land use plan designation of the site.
- 11.F.3. New wastewater systems in the Kings River Plan area shall meet the standards of the Regional Water Quality Control Board and the Tulare County Health Department.
- 11.F.4. Alternative methods of sewage disposal, such as the use of common leach fields, shall be encouraged providing the systems meet the performance standards of the Water Quality Control Board and the Tulare County Health Department.

### **Implementation Programs:**

- 11.FI.1. Assure that the Water Quality Control Board, Health Department and Fire Warden have input in the design review process for private projects.
- 11.FI.2. Require geological-hydrological reports to be submitted for all projects in conformance with the requirements of the Subdivision Ordinance.
- 11.FI.3. Implement appropriate conditions and specifications through the design review process.
- 11.FI.4. Following review of the geological hydrological report, the County Health Department shall determine compliance with the policy and submit appropriate recommendations to the decision-making body.
- 11.FI.5. Enforcement of: Section 5411 of the State Health and Safety Code, Sections 7033-7034.2 of the Tulare County Government Code, and the Porter Cologne Act, and use of discretionary project conditions of approval.
- 11.FI.6. Enforcement of: Section 5411 of the State Health and Safety Code Section 7033-7034.2 of the Tulare County Government Code, and the Porter Cologne Act, and use of discretionary project conditions of approval.

### **Flooding**

- Goal 11.G. Minimize Kings River Flooding hazards through proper land use planning and zoning.**

**Policies:**

- 11.G.1. All areas within the State Reclamation Board's Kings River Designated Floodway shall be zoned in accordance with the county's Flood Plain Management Program.
- 11.G.2. Tulare County shall utilize the Flood Hazard Boundary Maps of the National Flood Insurance Program and shall regulate construction or development within the Special Flood Hazard Areas shown on said maps in accordance with the requirements of the Federal Emergency Management Agency.
- 11.G.3. Encroachments into the Kings River Designated Floodway must be approved by the State of California Reclamation Board.

**Implementation Programs:**

- 11.GI.1. Following adoption of the Kings River Area Plan, the county zoning map will be amended to designate as F-1 (Primary Flood Plain Zone) all areas within the designated flood way.
- 11.GI.2. The F-1 Zone will not be applicable, however, for any existing buildings in the designated floodway. In such cases, the building and a reasonable area around such a building shall be placed in the F-2 (Secondary Flood Plain) Combining Zone. The base zoning in combination with such F-2 combining zoning shall be that which conforms to the nearest land use designation outside the designated floodway.
- 11.GI.3. Assure that the County Flood Control District Engineer has input in the design review process for private projects within such areas.
- 11.GI.4. At such time as Flood Insurance Rate Maps are certified by the Federal Government for the Kings River area, adopt and implement additional flood protection regulations as may be necessary.
- 11.GI.5. Notify the State Reclamation Board as a CEQA responsible agency during the environmental consultation of the project review process for a discretionary project.
- 11.GI.6. Encourage compliance with Sections 8700 et. seq. of the State Water Code.

**Recreation**

- Goal 11.H. Provide for the recreation needs of county residents consistent with the Kings River area riparian and residential environment.**

**Policies:**

- 11.H.1. To help meet the needs for a public park, Tulare County will complete and maintain a county park in Sub-Area “A” of the Kings River Plan of not fewer than ten acres in area.
- 11.H.2. Private recreation facilities shall also be encouraged to meet the recreation needs of the public that cannot be met at the county park facility.

**Implementation Programs:**

- 11.HI.1. Tulare County will prepare and adopt a park improvement plan for that portion of Sub-Area “A” which is designated as a public park.
- 11.HI.2. A commitment will be made by Tulare County to use a portion of the funds received from the sale of the adjacent property for park improvements.
- 11.HI.3. Compliance with this policy will be achieved through evaluation of applications for private recreation developments to determine conformity. Failure to meet the criteria set forth in this policy would result in either denying the application or approving the application subject to conditions necessary to assure conformance with such criteria.

**Motor Boating**

**Goal 11.I. Avoid excessive motor boating activities on the Kings River to protect public safety.**

**Policies:**

- 11.I.1. Tulare County shall continue to regulate boating activities and motor boat noise associated with the Kings River recreation activities.
- 11.I.2. No more public motor boat launching sites shall be allowed along said river in Tulare County in addition to the existing public launch sites at Lindy’s Landing, Royal Oak Park and Riverland Resort.
- 11.I.3. In the event that any existing launch site is closed to the public or abandoned, one of comparable size may be developed as a replacement in an approved Kings River recreation area if it is determined that the river can safely handle the expected traffic. Any proposal to replace launch facilities will have to be approved under a special use permit.

**Implementation Programs:**

- 11.II.1. Continue boat patrolling of the Kings River waterway by the Tulare County Sheriff's Department.
- 11.II.2. Continue enforcement of Part IV, Chapter 3, Articles 7 and 8 of the Tulare County Ordinance Code.

**Kings River Riparian Habitat****Goal 11.J. Preserve as much of the Kings River Riparian Habitat as possible.****Policies:**

- 11.J.1. Designated floodway regulations shall be used to protect the major portion of the remaining riparian vegetation along Tulare County's portion of the Kings River.
- 11.J.2. To the extent possible, valley oaks shall be protected and preserved in all Kings River Plan area developments.
- 11.J.3. If riparian trees or shrubs exist on the site of a proposed development project, such projects shall be designed in such a manner that vegetation and habitat is protected to the extent possible.
- 11.J.4. As part of the maintenance of a county park in the Sub-Area "A", Tulare County shall include measures to protect and allow the regeneration of riparian vegetation (including valley oaks) that may be on the park site.

**Implementation Programs:**

- 11.JI.1. Amend the Tulare County zoning map by classifying properties within the Kings River Designated Floodway in the F-1 (Primary Flood Plain) Zone or F-2 (Secondary Flood Plain) Combining Zone.
- 11.JI.2. Applicants for private projects should be required to show the locations of any valley oaks (of a specific minimum size) on the preliminary project plans.
- 11.JI.3. During the project review process, care will be taken to assure that site development plans are adjusted to avoid unnecessary removal of valley oaks.
- 11.JI.4. Applicants for private projects should be required to show the location of riparian vegetation on the preliminary project plans.
- 11.JI.5. During the project review process, care will be taken to assure that site development plans are adjusted to avoid unnecessary removal of riparian vegetation and habitat.

- 
- 11.JI.6. The park improvement plan will be designed to avoid unnecessary disturbance to natural vegetation.

### **Inter-County Cooperation**

#### **Goal 11.K. Coordinate land use and circulation planning with neighboring Kings and Fresno Counties.**

##### **Policies:**

- 11.K.1. Tulare County shall notify and seek the recommendations of Fresno and/or Kings Counties regarding major Kings River land use and circulation decisions having impacts beyond Tulare County's boundaries.
- 11.K.2. Tulare County shall consider the consistency of its Kings River land use and circulation decisions with the applicable General Plans of Fresno and/or Kings Counties prior to making such decisions.

##### **Implementation Programs:**

- 11.KI.1. All concerned agencies will be contacted for recommendations whenever a major discretionary project is under consideration in the area.
- 11.KI.2. All agency comments received during the Planning Commission and/or Board of Supervisors public hearings for discretionary projects shall be considered before a decision is rendered on the project.

### **Vector Abatement**

#### **Goal 11.L. Protect the public health by facilitating abatement of vectors.**

##### **Policy:**

- 11.L.1. Appropriate vector abatement requirements shall be considered in conjunction with any discretionary project which has the potential to create a vector source or hinder vector abatement.

##### **Implementation Programs:**

- 11.LI.1. Assure that the Health Department and the Delta Vector Control District have input in the design review process for private projects.
- 11.LI.2. Implement appropriate conditions and specifications during the project review process.

**Archaeology****Goal 11.M. Encourage protection of archaeological resources in the Kings River planning area.****Policies:**

11.M.1. During the project review phase of a discretionary project, initial consultation requests shall be referred to the Area Archaeological Site Survey Office if the project site is within one mile of the Kings River, or the project site is on vacant ground or range land that has not been graded or has not been otherwise used in a way that has altered the landscape from its natural configuration.

This policy shall not apply to projects when it is readily apparent that the project will not have any measurable impact on archaeological resources.

11.M.2. If during the project review phase it is discovered that an archaeological site will be disrupted by a proposed project, appropriate conditions of project approval shall be adopted that require archaeological surveys, studies and/or protection measures.

**Implementation Programs:**

11.MI.1. Assure that the Area Archaeological Site Survey Office has input on the design review process for private projects located within the described area.

11.MI.2. Implementation measures will be developed on a case-by-case basis following report and recommendations by a qualified archaeologist. Examples of implementation measures range from avoidance requirements (open space easements) to full excavation of archaeological resources.

**Use of Prior Environmental Impact Reports for Residential Projects****Goal 11.N. Streamline the environmental review process for residential projects proposed in the Kings River Plan area.****Policies:**

11.N.1. It is intended that the Kings River Plan constitute a “Community Plan” within the meaning and intent of Section 21083.3 of the Public Resources Code of the State of California.

11.N.2. In addition to the special provisions for residential projects contained in Section 21083.3 of the Public Resources Code, the Kings River Plan Environmental Impact Report shall be used as the environmental document for all proposed rezoning

actions, subdivisions and other proposed projects consistent with the Kings River Plan. The procedures set forth in said Section 21083.3 for residential projects shall also be applicable to non-residential projects.

**Implementation Programs:**

- 11.NI.1. No future action necessary. Section 21083.3 will be applicable by operation of law to all residential projects in conformance with the plan.
- 11.NI.2. If necessary, the county's CEQA guidelines should be amended to allow section 21083.3 to be applicable to non-residential projects if in conformance with the Kings River Plan.

Kings River Plan - GIS Map