

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Roland Soltesz

COMMISSIONERS: Lawrence Segrue, Adam Peck, Roland Soltesz, Vincent Salinas, Brett Taylor

MONDAY JULY 28, 2014; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –

2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.

3. CHANGES OR COMMENTS TO THE AGENDA–

4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.

- No items on the Consent Calendar

5. PUBLIC HEARING – Josh McDonnell - *Continued from July 10, 2014*

City of Visalia General Plan Update: The City of Visalia is updating its General Plan, the policy document that guides future growth and development in the City. The State of California requires every city and county to have a comprehensive general plan, identifying current and future needs and establishing policy direction for the areas of land use, housing, transportation, open space, conservation, safety, and noise. Visalia's General Plan also covers issues of infrastructure, growth management, air quality and greenhouse gases, community facilities and utilities, and historic preservation. The purpose of this project is to update the existing General Plan to accommodate and guide growth and development through 2030. A Climate Action Plan has also been prepared to assist with enhancing and developing actions designed to reduce the City's greenhouse gas emissions. A Programmatic Environmental Impact Report and Statement of Overriding Considerations will be considered that addresses the environmental effects of the new General Plan and Climate Action Plan.

The Planning Commission will be requested to consider the following:

- a) A resolution recommending certification of the Final Environmental Impact Report for the new General Plan for the City of Visalia, adopting Findings of Fact, and adopting Statement of Overriding Considerations as required by the California

Environmental Quality Act

b) A resolution recommending adoption of the Visalia General Plan

c) A resolution recommending adoption of the Visalia Climate Action Plan

6. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, AUGUST 25, 2014

City of Visalia

Memo



To: Planning Commission
From: Planning Division
Date: July 28, 2014
Re: Follow-up to Issues Raised at the July 10, 2014 Special Planning Commission Meeting, General Plan Update, Final Environmental Impact Report, and Climate Action Plan

SUMMARY

At the public hearing conducted on July 10, 2014, the Planning Commission directed staff to provide additional information on several topical areas, or to respond to issues that were raised during the public hearing. The materials are organized into eight topic areas, and are analyzed in the order they were received during the public hearing. In addition, staff has identified one additional issue regarding the draft General Plan text for which it recommends a change be reviewed and considered by the Planning Commission.

All of the recommended changes to the General Plan text and the Final Environmental Impact Report (FEIR) are considered to be minor, in that they constitute clarifications of, or enhancements to existing information contained in the respective documents. Consequently, there is no requirement to re-circulate the documents for public review prior to the Planning Commission taking action on them.

Recommended revisions have been incorporated into amended resolutions for the three items (FEIR- Resolution No. 2014-34; GPU- Resolution No. 2014-36; CAP- Resolution No. 2014-35) and are attached to this staff report for review and consideration. The Planning Commission's motions to approve the actions can be tailored to reflect the consensus preferences on each of the topical areas.

RECOMMENDED MOTION

That the Planning Commission adopt Resolution No. PC 2014-34, as amended, recommending that the City Council certify the Final Program Environmental Impact Report (FEIR) (SCH2010041078), including a Statement of Overriding Considerations, for the City of Visalia Comprehensive General Plan Update; and,

That the Planning Commission adopt Resolution No. PC 2014-35, as amended, recommending that the City Council adopt the Climate Action Plan (CAP); and,

That the Planning Commission adopt Resolution No. PC 2014-36, as amended, recommending that the City Council adopt the Draft Visalia General Plan, incorporating the revisions to the Draft General Plan included in Appendix A of the Final Environmental Impact Report (EIR) to the General Plan Update, and as included in Exhibit A of the Resolution.

ISSUES RAISED, JULY 10, 2014

Topic 1: Revisit the Growth Boundaries, Including Consistent Triggers

Issue: Visalia has utilized growth boundaries to manage its growth for over 30 years and as a result has seen success in achieving a compact, concentric, and balanced urban form. The Draft General Plan continues this tradition, with three growth boundaries or “tiers” proposed.

Discussion:

Two-Tier Growth Boundaries.

The GPURC universally acknowledged the desire to utilize growth boundaries in the General Plan Update, with the first version of the document incorporating a two-tier system. The GPURC further expressed an interest for the triggers needing to be met for growth boundary expansion to be more defined and predictable than the triggers utilized in the current general plan. Instead of using a combination of population benchmarks and percentage of buildout, the new triggers would be based on issuance of building permits in the residential, commercial, and industrial sectors. The GPURC, in early 2012, agreed to a two-tier system (i.e. Tier I and II) and using building permits as the means for moving to the next growth ring. Under this concept, the initial Tier I that would take effect at General Plan adoption would open several new growth areas that were not previously eligible for development.

The GPURC agreed on the following thresholds, which takes into account a flex factor wherein 70% or 80% of the capacity of the Tier I area has been reached:

- Tier I would support a projected population of 178,000.
- Tier II would support buildout projected at 210,000.
- Expanding from Tier I to II would be based on meeting thresholds as follows:
 - Residential: issuance of permits for 12,800 units which is 80% of one-half of the total General Plan buildout of 32,000 units.
 - Commercial: issuance of permits totaling 960,000 sq. ft. which is 80% of one-half of 2,400,000 sq. ft., the total commercial and office space needed through 2030.
 - Industrial: issuance of permits totaling 2,800,000 sq. ft. which is 70% of one-half of 8,000,000 sq. ft., the total industrial space needed through 2030.

Three-Tier Growth Boundaries.

In early 2013, the City Council considered and favored a proposal for a three-tier system wherein an additional tier (a new Tier I) would be drawn mostly along the existing City limits and keeping the original two tiers (renamed as Tier II and III). The City Council further agreed that the trigger for expanding from Tier I to II be ensuring that annexation would not result in excess of a 10-year supply of undeveloped residential land within the new Tier I. The trigger for expanding from Tier II to III would be based on the same thresholds of issuance of building permits as described above.

The criterion for expanding from Tier I to II is explained in general terms in Policy LU-P-21 of the Draft General Plan. Following is an excerpt of the criteria:

“... Such annexation and development shall only occur if it does not result in excess of a 10-year supply of undeveloped residential land within the new Tier I.”

This methodology is modeled after factors to be considered when LAFCOs review changes in organization, namely the likelihood of significant growth in the area during the next 10 years. Ultimately, Tulare County LAFCO would be utilizing a similar methodology when the request for annexation is processed to determine if the request is premature. Multiple requests for proceeding to Tier II would be considered based on the order in which the annexation application is received.

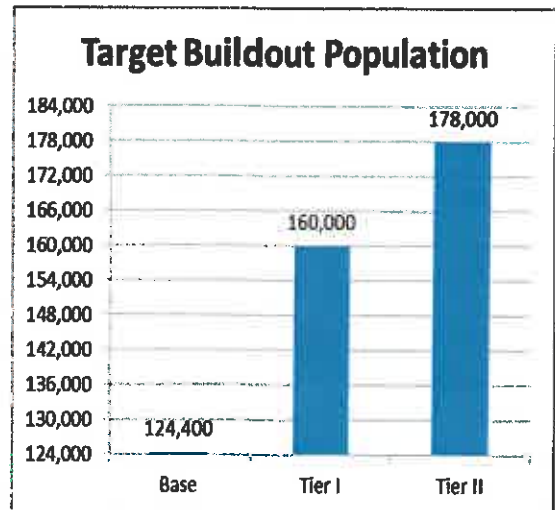
The Draft General Plan does not specify the methodology for determining a 10-year supply of undeveloped residential land. Subsequent to adoption of the Draft General Plan, a major implementing action would comprise formulating and adopting the process used to determine the availability of land.

Utilization of Consistent Triggers.

The Planning Commission remarked that there is ambiguity and potential inconsistency in the Policy LU-P-21 wording as it pertains to the expansion criteria from Tier I to II. There was additional concern that two separate approaches are being proposed for expansion between Tiers I and II and between Tiers II and III, which has the potential for causing confusion and inconsistency upon plan implementation. In addition, the criterion for not exceeding a 10-year supply of undeveloped residential land is also applied by LAFCO when considering an application for annexation. This could also lead to confusion wherein two separate jurisdictions can attempt to utilize a similar criterion but with different methodologies, and therefore come up with two different quantities for residential inventory.

One alternative expansion methodology for moving from Tier I to II would be to mirror the methodology used to determine when to move from Tier II to Tier III. Separate building permit levels would be utilized for residential and commercial uses; no building permit level would be established for industrial uses since no industrial uses are within Tier II.

Staff suggests that the triggers for moving from Tier I to II can be derived based on the target buildout population for Tier I which is approximately 160,000 (see Page 2-26 of the Plan). Deriving the triggers from the target population is recommended since the Tier I boundary was purposely drawn to follow mostly along the current City limits, and doesn't correspond with a certain percentage of total buildout under the Plan.



Issued building permits are counted starting from April 1, 2010 (census date) when Visalia's population was 124,400. The projected buildout population for Tier I (mostly corresponding to City limits) is 160,000, which represents an increase of 9,700 units. A "flex factor" would also be applied. If a 20% "flex factor" is applied as done with the Tier II boundary, this results in 7,800 permits needing to be issued commencing from April 1, 2010, before lands in Tier II would become available for development. It should be noted that since April 1, 2010, about 1,500

units have been permitted. Thus commencing from today, about 6,300 additional units would need to be permitted based on a 20% flex factor.

It should be noted that the permitting of 6,300 additional units to reach the 7,800 trigger could take 10 or more years based on current permit activity in the City. The last five years of growth, which were the most severely impacted by the Great Recession, have averaged only about 350 units per year, or 1.2% growth per year. Continuing at this rate, it would take approximately 18 years to reach 160,000 population. Conversely, if the General Plan's assumed average 2.6% growth rate were applied from this date forward (about 825 units per year), it would take about 7.5 years to reach 160,000 population.

Also, if the flex factor applied to the Tier II trigger is too small, then a higher number of building permits to need to be issued in proportion to the available supply of undeveloped land in Tier I, resulting in over-pressurizing buildout of the existing inventory of undeveloped land. This may have the effect of artificially increasing property process or potentially losing market share to neighboring jurisdictions due to a lack of developable land. Following is a comparison of different flex factors and resulting number of residential units for which permits would need to be issued:

<u>Flex Factor</u>	<u>Tier I Threshold [Tier I supply (9,700 units) * flex factor]</u>
20%	7,800 units
30%	6,800 units
40%	5,850 units
50%	4,850 units

To prevent the possible unintended effect of over-pressurizing buildout in the Tier I boundary, staff suggests that a higher flex factor such as 40% be used in the trigger for expanding from Tier I to II.

For non-retail commercial and office space development, the same methodology can be applied to the triggers. Based on the 160,000 population, approximately 800,000 square feet remains to be built out in Tier I. If a 40% flex factor is applied, then a trigger of 480,000 square feet of permitted non-retail commercial and office space construction is applied to move to Tier II.

Response: In summary there is no suggested change to the Tier I boundary itself; development of land in Tier I may occur at any time.

Development of Tier II land for residential uses would be permitted once the trigger for issued building permits is reached. Using a 40% flex factor, the trigger would be at issuance of 5,850 housing units (or about 4,300 additional units commencing from today).

Staff suggests that Policy LU-P-21 be revised to be consistent with the new triggers, shown here with a 40% flex factor. Following is the revised policy with additions in **bold** and deletions in ~~strikethrough~~:

~~LU-P-21~~ Allow annexation and development of residential, commercial, and industrial land to occur within the Urban Development Boundary (Tier II) and the Urban Growth Boundary (Tier III) consistent with the City's Land Use Diagram, according to the following phasing thresholds:

~~• “Tier II”: The expansion criteria for land in Tier II to become available for annexation and development is that such annexation and development shall only occur if it does not result in excess of a 10 year supply of undeveloped residential land within the new Tier I. This is intended to be consistent with LAFCO policies discouraging residential annexations exceeding a 10-year housing inventory. Thus, the “inner” tier is distinguished from the GPURC recommended Tier I in that it is not based on projected capacity and need, but rather on a requirement to be able to demonstrate that less than a ten year inventory of residential land exists.~~

• “Tier II”: Tier II supports a target buildout population of approximately 178,000. The expansion criteria for land in Tier II is that land would only become available for development when building permits have been issued in Tier I at the following levels, starting from April 1, 2010:

Residential: after permits for 5,850 housing units have been issued; and

Commercial: after permits for 480,000 square feet of commercial space have been issued

• “Tier III”: Tier III comprises full buildout of the General Plan. The expansion criteria for land in Tier III is that land would only become available for development when building permits have been issued in Tier I and Tier II at the following levels, **starting from April 1, 2010**:

Residential: after permits for 12,800 housing units have been issued, ~~resulting in a target City population in Tier I of 178,000~~;

Commercial: after permits for 960,000 square feet of commercial space have been issued; and

Industrial: after permits for 2,800,000 square feet of industrial space have been issued

To complement residential neighborhood development, the City also may allow small annexations for sites less than 30 acres in size that are contiguous to the City limits to allow for efficient development of a neighborhood, commercial area or employment center, provided no General Plan amendment is required and infrastructure is available or can be extended at no cost to the City.

Topic 2: Analyze County Policy Comments

1. (Economic Development Strategy) (5th bullet p. 2-12)

County Comment:

Providing utility connection incentive reductions is contrary to Policy LU-P-1 which promotes minimal public investment, thereby suggesting that there may be a funding gap in needed public infrastructure.

Staff Response

The economic development approach describe on Draft General Plan pages 2-11 and 2-12 call for the City to ensure the provision of land, infrastructure, and other services in an effort to promote the location of job generating development to the City. Policy LU-P-1 emphasizes working to capture emerging market sectors to enhance Visalia’s economic base through incentives and other business attraction strategies, with a focus on attracting businesses that require minimal public investment.

There does not appear to be an inherent inconsistency between the economic development approach and Policy LU-P-1. The approach provides a "menu" of strategies and incentives for enticing new business to the City and LU-P-1 focuses specifically on the attraction of emerging market sectors and technologies to the City that require minimal public investment. Offering public utility connection fees may be a useful incentive program for new businesses that require minimal public investment, for the specific reason that the businesses may not have the impact on public infrastructure that typical businesses in existing market sectors typically have, and on which connection fees are based .

No changes to either the economic development approach or LU-P-1 are recommended by staff at this time.

2. Policy LU-P-1 (Economic Development Strategy) (p.2-13)

County Comment

The requirement for minimal public investment is inconsistent with the 50% and 33% Transportation Impact Fee reductions listed in the Infill Incentive Program Priority 1 and 2 as listed on page 2-37.

Staff Response

Policy LU-P-1 does not "require" the City to only allow development of businesses that require minimal public investment. Instead, Policy LU-P-1 discusses working to capture emerging market sectors and technologies to enhance Visalia's economic base, with a focus on businesses that offer a variety of beneficial traits, including: provide opportunities for skill training, complement or expand existing goods and services, and *require minimal public investment*. Policy LU-P-1 does not restrict the City to allowing only businesses that offer these traits to develop. Rather, it notes that businesses offer these beneficial traits should be particularly encouraged to locate in Visalia.

Given that LU-P-1 does not include a "requirement" to allow only these types of businesses in Visalia, there is no conflict with the proposed Infill Incentive Program. No changes to LU-P-1 or the Infill Incentive Program are proposed by staff.

3. Density/Intensity Standards: Land Use Classification (Table 2-3, p. 2-19)

County Comment:

The Land Use Diagram (Figure 2-2) identifies a "Reserve" Land Use Classification which is not identified in this table.

Staff Response:

Table 2-3 includes density and intensity standards for all urban land use classifications proposed in the General Plan Update. Lands designated "Reserve" are to remain in agricultural zoning until they are designated and pre-zoned for an appropriate urban land use, as described in LU-P-33. The General Plan intentionally leaves out density or intensity standards for lands designated "Reserve" for the specific reason that it remains unknown/unclear what, if any, land use designations beyond agriculture will be applied to these lands in the future.

Staff recommends maintaining Table 2-3 in its current form, which does not include density/intensity standards for "Reserve" designated lands.

4. Public Land Use Designation Description (p. 2-22)

County Comment:

The "Reserve" Land Use Classification is not identified in Table 2-3 as a land use designation.

Staff Response:

Table 2-3 is not a comprehensive listing of all proposed land use classifications and is not intended to be one. For a description of the "Reserve" land use classification, please refer to Land Use Element policy LU-P-33 as well as the discussion on p. 2-22 of the General Plan.

5. Land Use Classifications (p. 2-24)

County Comment:

The Land Use Diagram identifies a "Reserve" Land Use Classification which is not identified in the land use classifications identified in this table.

Staff Response:

For a description of the "Reserve" land use classification, please refer to LU-P-33 as well as the discussion on p. 2-22 of the General Plan.

6. LU-P-26 (Urban Boundaries/Growth Management)

What is the "Referral Agreement" stated in this policy? The term "Visalia Urban Area Boundary" was superseded in the County's General Plan Update (2030) by the term "County Adopted City Urban Area Boundary."

The following statement is a more accurate reflection of the Memorandum of Understanding (MOU) between the Visalia and County: "The County will work with the City to manage urban development within the County Adopted City Urban Development Boundary and the County Adopted City Urban Area Boundary (CACUAB) (City Planning Area) for the City as provided through work programs as described in the County General Plan 2030 Update City Planning Framework policies set in Part 1 Chapter 2 Section 2.4." Please address.

Staff Response:

The "Referral Agreement" stated in this policy is the Memorandum of Understanding (MOU) between the City and County. The comment regarding County General Plan terms is noted and appreciated. Please note that the terms that are exclusive to the County General Plan are not always analogous with the terms used in the City General Plan. Notwithstanding, the City appreciates that key terminology used in the General Plan needs to be internally consistent and should be mutually understood by all. To this end, the City notes that the former Visalia 2020 General Plan term and map symbol "Urban Development Boundary (UDB)" has been replaced in the new General Plan text

and diagram in favor of the term and map symbol of "Planning Area Boundary (PAB)". The PAB is shown on Figure 2-3. LU-P-27 also contains several inadvertent errors resulting from the creation of the third (inner) growth ring and the subsequent re-naming of the three intended growth boundaries depicted in Figure 2-3 and on the draft Land Use diagram.

The term "Urban Development Boundary " is intended as a generic term meaning all lands inside of Tier 3. Similarly, the term "Urban Growth Boundary" and "UGB" should be replaced with the term "Tier 3".

Policy LU-P-26 was noted for correction in the FEIR document to replace the former General Plan term Urban Area Boundary with the new term "Planning Area Boundary (PAB)". The General Plan text will also be reviewed to be consistent with this discussion.

Noting the terminology clarifications above, the intent of Policy LU-P-26 is to ensure for close coordination between the City and County as stated: "work with the County to strengthen the implementation of the Visalia General Plan within the Visalia Planning Area Boundary. The proposed General Plan does not create policies committing the County to future actions. As discussed above and as noted below, the term Urban Area Boundary is not utilized or defined in the City General Plan and should be struck from this policy.

Staff recommends revising the language in LU-P-26 to read:

~~"Continue to follow the Referral Agreement Memorandum of Understanding with Tulare County, and work with the County to strengthen the implementation of the Visalia General Plan within the Visalia Planning Area Urban Area Boundary.~~

Staff further recommends revising the language in LU-P-27 as noted above, and to re-check the use of the terms throughout the General Plan text to ensure for internal consistency and accuracy of the terms' usage.

7. Policy LU-P-27 (Urban Boundaries/Growth Management) (p. 2-31)

County Comment:

There is no reference to a city and county cooperative process here. The Memorandum of Understanding (MOU) between the City and the County provides that the County will work with the City to manage urban development within the County Adopted City Urban Area Boundary (City Planning Area) for the City as provided through work programs as described in the County General Plan 2030 Update City Planning Framework policies set in Part 1 Chapter 2 Section 2.4. Please address.

Staff Response:

Land Use Policy LU-P-27 establishes the City's intent to initiate efforts to plan for future residential development north of the St. John's River and other City Council-directed locations when the City's residential buildout reaches 80 percent capacity. In essence, the City is committing to initiate a Land Use Element update when Tier III residential capacity reaches 80 percent. Staff anticipates that such an effort will not be necessary for at least another 15 years, at a minimum. Inserting a reference to the City/County MOU in this policy is not necessary, as LU-P-27 is intended as a trigger for the City to

initiate a City-driven Land Use Element update well in the future, not to serve as explicit policy direction for future planning boundary expansions on specific properties. In addition, as noted above, Land Use Policy LU-P-26, and LU-P-27, as revised, will clearly demonstrate the City's intent to work cooperatively with the County on land use planning matters.

8. Policy LU-P-28 (Rural Buffers/Edge Conditions) (p. 2-32)

County Comment:

The term "City Urban Area Boundary" is not indicated on the Land Use or Urban Boundaries Diagram Figures 2-2 or 2-3.

Staff Response:

The comment is appreciated and noted. The language in Policy LU-P-28 should be revised to read "City Urban Area Growth Boundary".

Staff recommends revising LU-P-28 as noted above.

9. Policy LU-P-31 (Rural Buffers/Edge Conditions) (p. 2-32)

The policy appears to be contradictory. How can permanent agricultural land preservation be promoted around the airport environs when industrial development is allowed around the airport? This policy also appears to conflict with the land use diagram in Figure 2-2 which designates the area around the airport as public/institutional as opposed to industrial or conservation.

Staff response:

The City has acquired significant lands in the area immediately surrounding the Water Conservation Plant and the Airport, particularly in the southern portion of the airport. Since the acquisition of these properties, the City has entered into leases on these lands with local farmers for the growing of a variety of crops and trees. This policy commits the City to continue promoting the preservation of open space in these environs. The term "promote" is not intended to be interpreted as "require". The policy also specifically notes that some of the lands near the airport may be converted to industrial use, but does not require the City to only allow industrial development in the future. The policy does not conflict with Figure 2-2, as agriculture is an allowed use in the Public/Institutional land use designation. Further, the Public/Institutional designation is appropriate for these lands as they are owned, managed and maintained by the City of Visalia, specifically through the Airport Manager and the Water Conservation Plant Manager, respectively.

No changes to Land Use Policy LU-P-31 are recommended.

10. Policy LU-P-34 (Rural Buffers/Edge Conditions) (p. 2-33)

County Comment:

What "growth boundaries" are being referenced here, UDB Tier I, Tier II, UBG or the Planning Area?

Staff Response:

The intent of Land Use Policy LU-P-34 is to prevent the premature conversion of agricultural land on the urban fringe. Thus, all of the growth boundaries are being referenced in this policy. The County likely agrees that development outside of areas planned for urban development constitutes poor land use planning practices, resulting in sprawl and unnecessary costs for the provision of additional public infrastructure and services. Policy LU-P-34 encourages the City to work with the County to prevent such practices from occurring in the future.

11. Policy LU-P-37 (Adoption of Specific Standards for Scenic Entryways (Gateways)) (p. 2-33)

County Comment:

This policy is contrary to Policy LU-P-15 which indicates... "update or repeal the West Visalia Specific Plan to eliminate unnecessary restriction and streamline the review and approval process. Since development plans and agreements for this area are in place and the updated General Plan and zoning will apply to all new development, a specific plan may no longer be needed." Please address.

Staff Response:

There does not appear to be a conflict between Land Use policies LU-P-15 and LU-P-34. LU-P-15 provides direction for a specific intersection in the City Hwy. 198 and Plaza Drive. The policy encourages high quality development at Hwy. 198 and Plaza Drive through master planning. The only corner of Hwy. 198/Plaza Drive that is either not already developed or has not been master planned is the northwest corner, and a master planned development application is currently being processed by the City for this property.

Land Use Policy LU-P-37 focuses on adopting specific development standards for scenic entryways (gateways) and roadway corridors into the City. This will entail a future work effort that will need to take into consideration existing and future development proposals at Hwy. 198/Plaza Drive, as well as all other Hwy. 198 gateway intersections.

Staff recommends maintain the current language as proposed in Land Use Policies LU-P-15 and LU-P-34.

12. Visalia's infill Incentive Program Priority 1 (p. 2-37)

County Comment:

This refers to transportation impact fee reductions appearing to be contrary to Policy LU-P-1 which promotes minimal public investment.

Staff Response:

Land Use Policy LU-P-1 emphasizes working to capture emerging market sectors to enhance Visalia's economic base through incentives and other business attraction strategies, with a focus on attracting businesses that require minimal public investment. The Infill Incentive Program provides incentives to develop in areas of the City that already have much of the required public infrastructure already in place and available to accommodate the newly proposed developments. Impact Fee reductions are an acknowledged and widely used method of encouraging development in specific

focus areas. Land Use Policy LU-P-1 and the Infill Incentive Program appear to be compatible, with LU-P-1 encouraging market sectors that require minimal public investment and the Infill Incentive Program further encouraging development in specific areas of the City through potential Impact Fee reductions, amid other incentives.

Staff recommends maintain the language as proposed in Land Use Policy LU-P-1 and the Infill Incentive Program.

13. Visalia's Infill Incentive Program Priority 2 (p. 2-37)

County Comment:

This refers to transportation impact fee reductions appearing to be contrary to Policy LU-P-1 which promotes minimal public investment.

Staff Response:

Please refer to the discussion noted in Item 12 above.

14. Objective LU-O-19 (Residential Neighborhoods) (p. 2-43)

County Comment:

This would provide for a citywide average gross density of .3 dwelling units per acre for new residential development. This density is typical of traditional business as usual low density residential development. The most important feature of TCAG's 2010 Regional Blueprint preferred growth scenario is a 25 percent increase in density for future residential development.

Essentially, TCAG determined that to preserve farmland, improve air quality, and make the most out of costly existing infrastructure, building more on less land is key. As such, Objective LU-O-19 is contrary to LU-P-34 which promotes prevention of urban development on agricultural land and OSC-O-2 to work with the County and other organizations to protect prime farmland and farmland of statewide importance outside the City's Urban Development Boundary for agricultural production, and to preserve areas for groundwater recharge.

Staff Response:

TCAG's 2010 Regional Blueprint establishes a goal for new residential development of 5.3 dwelling units per acre. Visalia's proposed General Plan achieves this goal. In point of fact, traditional residential development patterns in Visalia have resulted in an average density of about 4.3 dwelling units per acre. Thus, the Regional Blueprint's goal of 5.3 dwelling units per acre represents an almost exactly 25 percent increase in Visalia's business as usual residential development patterns.

Given that Land Use Objective LU-O-19 exactly mirror's TCAG's Regional Blueprint goal of 5.3 dwelling units per acre for new residential development, and land use capacity analyses indicate that the City's proposed General Plan in fact meets this density goal, staff concludes that LU-O-19 is consistent with TCAG's Regional Blueprint.

Staff recommends maintaining the language currently provided in LU-O-19.

15. Regional Coordination Policies (p. 4-48)

County Comment:

The Memorandum of Understanding (MOU) between the City and County in Section F indicates that the parties desire to work together to develop mutually beneficial and coordinated fiscal and land use planning practices. There is no reference in the GPU to the MOU or the cooperative policies located in Tulare County's General Plan Update (2030) Planning Framework Element Section 4-A in City Policies T-P-75 through T-P-79. Please address.

Staff Response:

Transportation Element policies T-P-75 through T-P-79 outline the City's intent to work with the regional agencies responsible for transportation planning efforts in the County of Tulare, namely the Tulare County Association of Governments, Caltrans and the federal government. All jurisdictions in the County, including the County itself, rely on these agencies for assistance and cooperation in regional transportation planning efforts. The County of Tulare does not serve as the region's primary transportation planning agency; this role is delegated to TCAG.

As recommended above, staff suggests revising Land Use Element policy LU-P-26 to specifically state "Memorandum of Understanding", and thus commit the City to following the MOU with Tulare County.

Staff recommends revising Land Use policy LU-P-26 as noted in comment #6 above, and maintaining the language proposed in Transportation Element policies T-P-75 through T-P-79 in their current form.

16. Policy OSC-P-1 (Open Space Resources) (p. 6-3)

County Comment:

The term "City Urban Area Boundary" is not indicated on the Land Use or Urban Boundaries Diagram Figures 2-2 or 2-3.

Staff Response:

This comment is acknowledged and appreciated. Please refer to the staff recommended changes regarding urban boundary nomenclature noted in Item 6, 7, and 8 above.

17. Policy AQ-P-16 (Climate Change and Greenhouse Gases) (p. 7-15)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

18. Policy S-P-12 (Flood Hazards) (p. 8-8)

County Comment:

This policy does not specifically address the impact of buildings that have been newly mapped into high-risk flood zones (i.e., labeled with "A" or "V" on the flood maps) stemming from a map revision on or after October 1, 2008 and before January 1, 2001. In addition, this policy does not include any programs to upgrade or mitigate flood control structures to meet FEMA standards and reduce or eliminate the flood risk for those properties. Please address.

Staff Response:

Safety Element policies S-P-8 through S-P-14 collectively provide the City's policy commitment to protecting the community from risks to life and property posed by flooding and stormwater runoff. These policies commit to activities such as reinforcing the City's transportation infrastructure for protection from flooding, implementing recommendations contained in the County Flood Control Master Plan that are within the City's jurisdiction, and increasing participation in the National Flood Insurance Program by enhanced floodplain management activities. Additionally, S-P-13 commits the City to working with State and federal agencies to create a program to acquire, relocate, or elevate critical facilities and residential structures, particularly those identified as Repetitive Loss properties located within the 100 year floodplain.

There is not a specific policy addressing the impact of buildings that were mapped into high-risk flood zones after January, 2001, just as there is no specific policy addressing the impact of buildings mapped prior to January, 2001. However, a series of policies address the issue of locating buildings in high-risk flood zones as well as upgrading flood control structures to meet FEMA standards, including S-P-8, S-P-11, S-P-12, S-P-13, and S-P-14.

19. Policy S-P-14 (Flood Hazards) (p. 8-8)

County Comment:

This policy does not specifically address the impact of buildings that have been newly mapped into high-risk flood zones (i.e., labeled with "A" or "V" on the flood maps) stemming from a map revision on or after October 1, 2008 and before January 1, 2001. In addition, this policy does not include any programs to upgrade or mitigate flood control structures to meet FEMA standards and reduce or eliminate the flood risk for those properties. Please address.

Staff Response:

Please refer to the discussion noted in Item 18 above.

20. Commercial Development Policies (pp. 2-47 – 2-50)

County Comment:

In connection with commercial development policies, Visalia's General Plan responds to a general community desire to maintain and strengthen Downtown (with its unique shopping character) and Mooney Boulevard, as well as providing flexibility for new regional retail sites elsewhere in the longer term. This approach, according to the city, also allows the city to respond to the market, capitalizing on opportunities in a proactive way.

In addition, Policy LU-P-62 promotes Regional Commercial areas at a limited number of highly visible freeway accessible locations as shown on the Land Use Diagram which, among other things, designates certain highway corridor area as "Reserve."

Moreover, LU-P-65 advocates that Visalia shall continue to require a master planning process for community and regional commercial development to ensure compatibility with surrounding residential areas, an attractive appearance from major roadways, and pedestrian accessibility and safety.

Against this background, it has been concluded that in keeping with the 2012 Visalia Regional Commercial Land Use Report, it is projected that there is a need for 1.9 million acre feet of regional retail building space, while only 1.3 million square feet of commercial space is planned within Visalia's Sphere of Influence, leaving approximately 600 thousand square feet of commercial space to be provided elsewhere in Tulare County. Accordingly, it is necessary and prudent to continue with a long term planning and development process to support commercial growth in Visalia and possibly elsewhere in Tulare County.

Staff Response:

County staff appears to be making a statement and drawing a conclusion in this comment. No response appears necessary, although it should be noted that staff neither agrees nor disagrees with County staff's statements and conclusion.

21. Implementation (p. 9-1)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

22. General Plan Land Use Diagram (GPLUD) (Figure 2.3-1, p. 2-10)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

23. General Plan Buildout Population Projections (p. 2-16)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

24. Highway Capacity Manual (2000) vs. (2010) (p. 3.2-2)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

25. Planned Improvements to the County (p.2-3)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

26. Highway 99 Improvements in Goshen (pp. 5-7)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

27. Climate Action Plan (p. 8)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

28. Air Quality (pp. 3.31 – 3.3-34)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

29. Hydrology, Flooding and Water Quality (pp. 3.6.1 – 3.6.25)

Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

30. Concluding Comments (GPU and Draft EIR)

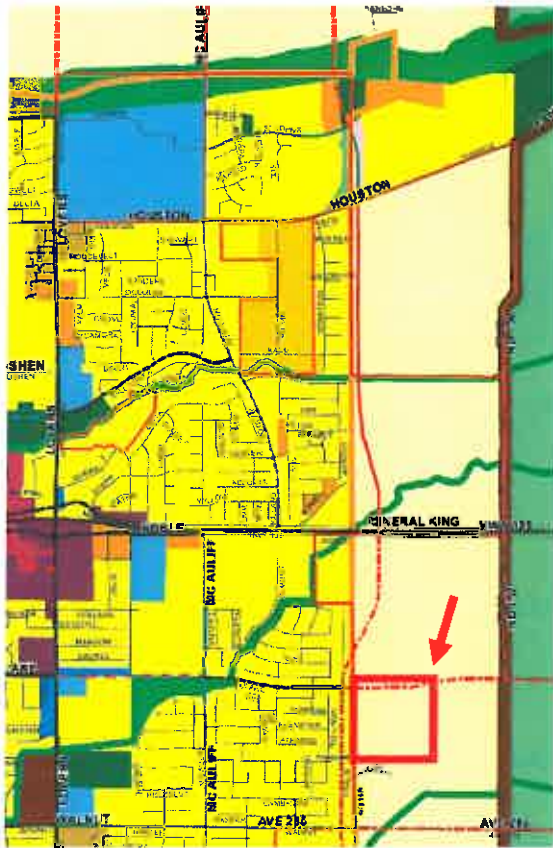
Please refer to the response to this comment provided in the FEIR. Responses to the County's comment letter begin on page 3-6 of the FEIR.

Topic 3: Whitendale Request to Expand Tier III Boundary to Include East Side of Road 148

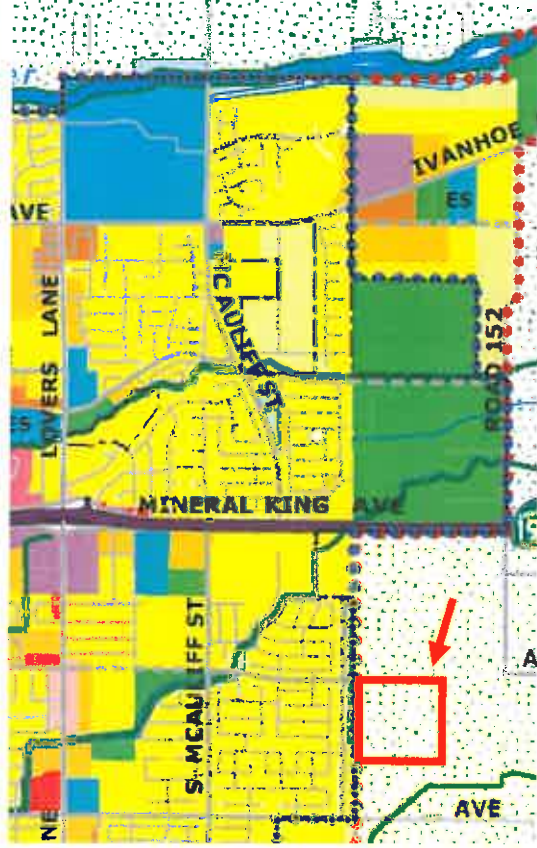
Issue: During public comment at the July 10, 2014 Planning Commission meeting, property owner Louis Whitendale spoke regarding his 40-acre parcel located on the southeast corner of Road 148 and Tulare Avenue. Mr. Whitendale expressed dissatisfaction that his property, located in the 165,000 Population Urban Development Boundary (UDB) of the current General Plan, is outside of any growth boundary in the Draft General Plan. He further requested that the draft growth boundary be moved easterly to include his property.

Portions of the current and draft General Plans are shown below, with Mr. Whitendale's property outlined in red. In the current General Plan, the 165,000 UDB boundary growth area spans between Road 148 and Road 152 north and south of Highway 198. In the Draft General Plan, the growth boundary extends to Road 152 north of Highway 198 but remains at Road 148 south of Highway 198.

Current General Plan



Draft General Plan



Discussion: The community explored options for Visalia's growth through the next 20 years through the three Growth Concept maps released in 2011. Growth Concept A (Neighborhood Nodes and Compact Growth) and Growth Concept B (Natural and Urban Corridors) proposed holding growth at Road 148, and Growth Concept C (Expanded Growth) proposed expanding growth to Road 152.

Through input given at outreach meetings and a community workshop, a hybrid preferred concept was selected and explored further in the Preliminary Preferred Plan Concept. The preferred concept proposed placing the growth boundary to Road 152 north of Highway 198 and at Road 148 south of Highway 198. This concept has remained into the Draft General Plan.

The Preferred Plan Concept and ultimately the Draft General Plan reflect ideas heard through the outreach process, which included orderly concentric growth and concern for premature conversion of agriculture land. These ideas were translated into an urban footprint with a focus

on infill development and land that is closer to existing services. As a result, the General Plan's ultimate growth boundary is pulled inward to correspond with these goals, and urban development is proposed for the previously-unplanned West Highway 198 corridor area.

The Draft General Plan's ultimate UDB is along Road 148 south of Highway 198, consistent with the current 129,000 Population UDB and in some places the existing City limits. North of Highway 198, the UDB is extended to Road 152 in order to include City-owned property planned for a large park and to square out development between the City property and Cutler Park.

Response: Staff recommends that no changes be made to the Draft General Plan growth boundaries with respect to Mr. Whitendale's request. Changing the proposed growth boundary only to include the 40-acre parcel owned by Mr. Whitendale would constitute a piece-meal change and would be inconsistent with General Plan Policy LU-P-19, which calls for compact and concentric growth. Also, staff would not support aligning the growth boundary with Road 152 south of Highway 198. Doing so would call for displacing an equal amount of planned land use designations from elsewhere in the planning area, which may pose more significant changes to the General Plan policies and its environmental impacts.

Topic 4: Blankenship Request to Eliminate School Designation From Property

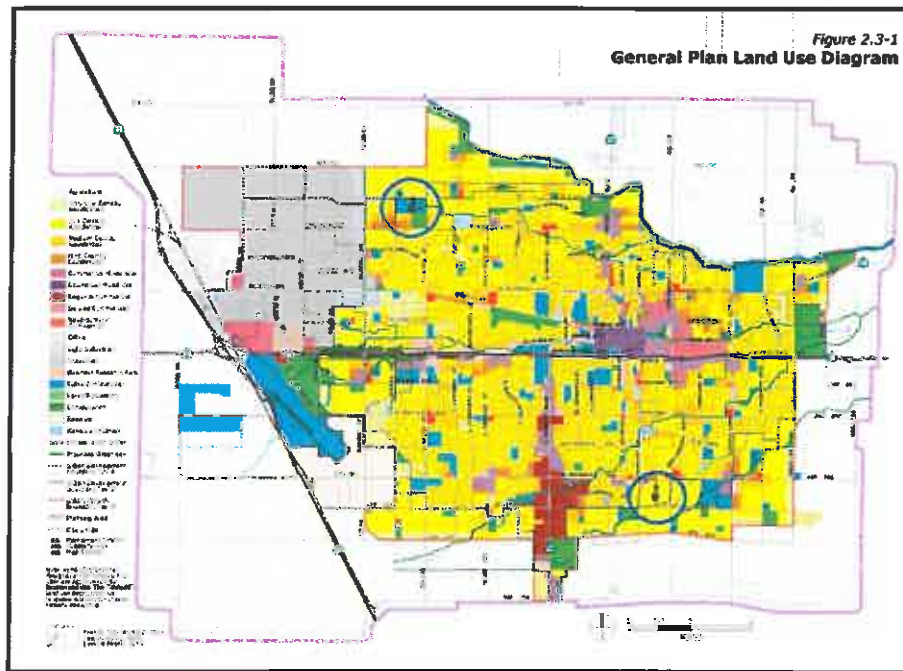
Issue: The owners of approximately 64 acres located at the southeast corner of Santa Fe St. and Caldwell Ave. submitted a comment letter and testified at the July 10th hearing regarding the General Plan designation of PI (Public Institution) shown on the draft Land Use diagram for the majority of their property. The PI designation denotes that the site is within an area that would be suitable for a new high school to serve the City's southeast quadrant. A margin note on the Land Use Diagram states that school locations are only approximate and that the default Land Use designation is low density residential.

The owners contend the PI designation has the effect of devaluing and encumbering the site's development potential and marketability. The owners request that the portion of their property depicted as PI be designated as LDR (Low Density Residential).

Discussion: Staff and the City Attorney believe the depiction of potential school sites as PI, in conjunction with the margin note that refers to the default LDR land use designation does not devalue or encumber the affected properties. However, staff recommends re-designating the property from PI to LDR, as the owner requests. This is in consideration of the fact that the proposed site at 54 acres in area is the largest of the 21 new school sites shown on the Land Use Diagram. The other high school location in the northwest quadrant (the northwest corner of Akers and Riggins) is comparable in size. That site is already owned by the VUSD. Consequently, the recommendation to provide the unique depiction of a potential high school site for the southeast quadrant does not conflict with the overall form of the Land Use Diagram.

In place of the PI land use designation, staff recommends placing a standard high school map symbol in the area generally southeast of the corner of Santa Fe St. and Caldwell Ave., to be placed in a location that does not identify applicability to any specific parcel.

All other depictions of future school locations, along with the margin note, can remain as shown on the map below.



Topic 5: Does the margin note on the Land use Diagram providing for the LDR default designation apply to all PI and PR (Parks/Recreation) designated lands?

Issue: Stemming from the discussion of the potential high school site (Topic 5), the Planning Commission asked whether the margin note is or should be applicable to other sites on the Land Use Diagram that are depicted as potential sites for parks and other public facilities.

Discussion: Staff recommends that the margin note be revised to be applicable to all PI, and P/R designated sites. This recommendation is based on the conclusion that the same variables that are evident for future school sites, such as the timing for the actual need for a given facility in that area, land purchase negotiations, and the suitability of a precise site over a nearby site, are potentially applicable to future park sites and similar public facilities.

Topic 6: Agriculture Easements as Raised by American Farmland Trust and BIA

Issue: Mr. Dan O'Connell from the American Farmland Trust provided testimony during the Planning Commission's July 19 Adoption Hearing in which he congratulated the City on a well-designed, compact land use diagram that focuses on avoiding pre-mature conversion of agricultural lands to urbanized uses. However, Mr. O'Connell also urged the City to consider the establishment of a farmland mitigation program similar to those adopted in the cities of Davis and Hughson. Conversely, the Building Industry Association provided correspondence to the Planning Commission noting the BIA's opposition to the establishment of farmland mitigation programs.

Discussion: Staff offers the following analysis and recommendations as a result of the above referenced testimony and correspondence.

AFT's document "*Saving Farmland, Growing Cities: A Framework for Implementing Effective Farmland Conservation Policies in the San Joaquin Valley*" outlines six key objectives linked together within a framework to realize farmland conservation in the region:

- (1) Avoid development of high quality farmland;
- (2) Minimize farmland loss with more efficient development;
- (3) Ensure stability of the urban edge;
- (4) Minimize rural residential development;
- (5) Mitigation the loss of farmland with conservation easements; and
- (6) Encourage a favorable agricultural business climate.

The Final EIR describes how five of the six objectives above are fully addressed through the development of a compact growth pattern and supporting General Plan policies. The City recognizes the importance of promoting compact development through sound land use planning, including planning for the preservation of agricultural lands. Proposed General Plan Policies LU-P-14, LU-P-19, LU-P-21, LU-P-24, LU-P-25, LU-P-26, LU-P-27, LU-P-30, LU-P-31, LU-P-32, LU-P-33, and LU-P-44 demonstrate policies to ensure phased growth.

The proposed General Plan does not specifically implement objective #5 – "Mitigating the loss of farmland with conservation easements". The Final EIR cites several potential concerns with such an approach:

1. "In Lieu" farmland mitigation programs may result in the creation of a patchwork of easements;
2. Payments may not cover the costs of land purchase at the price required to make the easement a meaningful mitigation measure;
3. Conservation easements or in-lieu fees can be economically prohibitive for development; and
4. Conservation easements may also result in the purchase of agricultural lands not subject to development pressures in the first place.

A conservation easement that successfully addresses these constraints is better implemented at a countywide or other regional scale; thus the City supports the development of a regional conservation program, such as the one proposed in the Tulare County General Plan. Creating a locally based agricultural conservation easement program can have the unintended effect of encouraging conversion of agricultural lands immediately outside of jurisdictional boundaries. The City is supportive of regional efforts to prevent urban development of agricultural lands, specifically at the county level.

Tulare County's General Plan 2030 Update Policy contains two policies (AG-1.6 Conservation Easements and AG-1.18 Farmland Trust and Funding Sources) that discuss establishing and implementing an Agricultural Conservation Easement Program (ACEP). The City supports the implementation of these measures by the County, in which the City may then participate. Such a regional program could include a fee to assist and support agricultural uses, and would be most feasibly and strategically developed on a countywide or other regional basis.

Topic 7: Better Define ‘Reserve’ Land Use Designation

Issue: This topic was raised in the review comments, and further questioned by two Commissioners. At issue is whether the Reserve lands could ultimately contain commercial developments. The concern also extends to whether there is a General Plan policy that contains specific criteria under which the Reserve lands could be developed.

Discussion: The City Council addressed these concerns during their deliberations on the Preferred Plan in March 2013. This was done in follow up to their determination to remove the Regional Commercial designation from the property generally located near the southeast corner of Highway 99 and Caldwell Ave., and to remove the “Airport Industrial” designation from the area generally surrounding the area to the southeast of the Visalia Airport. On March 22, 2013, the City Council accepted the definition of “Reserve” that is provided in the FEIR, and it also accepted criteria for potential development of all or part of the area. This is contained in Policy LU-P-33 (Draft General Plan pp 2-32 and 2-33).

Topic 8: Provide More Detail on Chapter 9 (Implementation)

Issue: The Planning Commission expressed concern ‘that the implementation plan as outlined in Chapter 9 of the GPU document contains some inadvertent errors. Further, it should more clearly identify specific tasks, priorities, and the parties responsible for implementing specific tasks.

Discussion: Staff has completed re-editing Chapter 9 to correct several inaccuracies, and to better highlight the key tasks that will go into General Plan implementation in the coming months and years after Plan adoption. (Please see edited text version, Attachment A)

Topic 9: Revise Minimum Floor Area Ratio (FAR) for the CMU Land Use Designation

Issue: The proposed minimum floor area ratio (FAR) of .40 that is proposed for projects in the Commercial Mixed Use (CMU) land use district may be unrealistically high for facilitating the expected range of development.

Discussion: Planning staff re-examined the FARs proposed for the Commercial land use districts with particular attention to how they compare with those of the City’s existing commercial development inventory, and their potential for facilitating the types of future development envisioned for the new land use districts proposed in the General Plan.

Staff recommends that the maximum FARs proposed for all of the Commercial districts are both viable and desirable, given both current development patterns, and the higher multi-story (vertical mixed use projects) the City desires to facilitate in the future. However, the minimum density threshold of .40 in the new CMU land use district appears to be unrealistically high when considering the broad range of commercial projects that exist in the corresponding CSO Zone District, and for the types of new commercial developments the future amended Zoning Code will otherwise permit by right. Examples of typical developments in the CSO Zone District are listed below. All are single-story/single-use buildings, unless otherwise noted:

Supermarket = .25 FAR

Big-box retail (combined stand-alone and as part of a shopping center) = .23 FAR

Fastfood restaurant = .10 FAR
Sitdown restaurant = .17 FAR
New multi-tenant office = .35 FAR
Automotive Repair = .34 FAR
Multi-story, multi-tenant office = .26 FAR

Planning staff envisions that the allowable FAR ranges proposed for each Land Use district will be codified in the Zoning Ordinance Update that normally follows adoption of the new General Plan. Typically, existing developments are “grandfathered” for any zoning inconsistencies created by the adoption of a Zoning Code revision. It is envisioned that a similar “grandfather” provision or an administrative adjustment process will be included in the Zoning Code update for FARs and other Zoning Code standards that may arise from the new General Plan.

Consequently, staff recommends a minimum FAR of .25 for new commercial developments in the CMU land use district, with the maximum FAR to remain at 2.0. The FAR ranges proposed for all other Land Use districts are recommended to remain as proposed.

HEARING PROCESS

The Planning Commission's public hearing to consider recommending the Draft General Plan as a final, adopted policy document is one of the final steps toward adoption of the General Plan. In addition to the Draft General Plan, the Planning Commission will review the Final EIR and the Climate Action Plan. After considering any further public comment received on all documents, the Planning Commission will take one or more votes for the overall recommendation to the City Council and adopt resolutions. These resolutions, as amended to reflect the continued public hearing date and any newly proposed revisions for which the Planning Commission achieves a consensus, will be forwarded to the City Council.

When the items are forwarded to the City Council, public comment will again be invited and received by the City Council, after which final actions on the General Plan, the Program EIR and CAP may be taken. The City Council's review and hearing is tentatively planned to occur in September 2014.

ATTACHMENTS

Attachment A – Draft General Plan, Chapter 9 with proposed edits

Attachment B- Planning Commission Staff Report dated July 10, 2014 (previously distributed and incorporated by reference)

Attachment 1- Resolution No. PC 2014-34 (Revised), Recommending Certification of the Final Program EIR (SCH 2101041078) for the General Plan Update

2- Resolution No. PC 2014-35 (Revised), Recommending adoption of the City of Visalia Climate Action Plan (CAP)

3- Resolution No. PC 2014-36 (Revised), Recommending adoption of the Draft General Plan

9 IMPLEMENTATION



The 2030 General Plan provides specific policy guidance for the implementation of plan concepts in each of the Plan elements. This framework establishes a basis for coordinated action by the City, adjacent jurisdictions, Tulare County, and regional and State agencies. This chapter describes the implementation process in general terms and the major actions to be undertaken by the City; the implementing policies in each element of the Plan provide details that will guide program development.

The Annual Progress Report on the General Plan is the fundamental reference for monitoring the implementation of the General Plan, from the time of General Plan adoption through to City buildout. The Annual Progress Report, and its companion Five-year Progress Review serve as oversight documents for City leaders and stakeholders. Further, these reports serve as the vehicle for establishing priorities and for programming resources for continued implementation of the General Plan.

The first priority in major implementing the General Plan ~~on process for land use proposals~~ will be updating and administering the Zoning Ordinance through the Zoning Map and Text. The City's current Zoning Ordinance will need to be updated and amended to be consistent with the General Plan's policies and to add new zoning districts and modify existing districts to reflect designation on the Land Use Diagram. The Subdivision Ordinance also should be amended to add additional requirements for land dedication for schools and parks, trails and waterway corridors, and reservation of sites for the community facilities, consistent with current State law.

The Capital Improvement Program will be the primary means of scheduling and funding infrastructure improvements of citywide benefit. Based on the recommendations made in the General Plan for new streets, a new parks and recreation master plan, and updates to the City's master plans for waterways and trails, sewer, water, and stormwater management systems, the City's development and impact fees will need to be reviewed in order to determine whether any changes are necessary. Special assessment districts or other means of financing improvements benefiting specific areas, such as employment centers adjacent to the Airport and new neighborhoods may be established.

In many areas, General Plan implementation will depend on actions of other public agencies and of the private sector, which will fund most of the development expected to occur in the Planning Area. The General Plan will serve a coordinating function for private sector decisions; it also provides a basis for action on project master plans and individual development applications, found to be consistent with the General Plan. The City will adopt procedures for making findings for General Plan conformity decisions prior to adoption of new zoning regulations and a new Zoning Map. These may take the form of interim zoning regulations.

9.1 RESPONSIBILITIES

Implementing the General Plan will involve the City Council, the Planning Commission, other City boards, committees and commissions, and City departments. The City also will need to consult with Tulare County and other public agencies about implementation proposals that affect their respective areas of jurisdiction. The principal responsibilities that City officials and staff have for Plan implementation are briefly summarized below; details on their powers and duties are in the Visalia Municipal Code.

MEMO ATTACHMENT A

City Council

The City Council is responsible for the overall management of municipal affairs; it acts as the legislative body and is responsible for adoption of the General Plan and any amendments to the General Plan. The City Council is also responsible for approving and administering the zoning and subdivision ordinances to implement the General Plan. The Council also may adopt area plans and specific plans, as needed for General Plan implementation.

The City Council appoints the City Manager who is the chief administrator of the City and has overall responsibility for the day-to-day implementation of the Plan. The City Council also appoints members to the City's two standing commissions established under the Municipal Code and to advisory committees. The City Council's role in implementing the General Plan will be to set implementation priorities; approve zoning map and text amendments, and subdivision maps consistent with the General Plan; and approve a Capital Improvement Program and budget to carry out the Plan.

Planning Commission

The Planning Commission is responsible for preparing and recommending adoption or amendment of the General Plan, zoning and subdivision ordinances and other regulations, resource conservation plans, and programs and legislation needed to implement the General Plan. The Planning Commission also may prepare and recommend adoption of design guidelines and specific plans, developer-initiated master plans, neighborhood plans or special plans, as needed for Plan implementation. Finally, the Commission is responsible for development project review, as specified in the zoning ordinance, and for other implementation actions, as specified in *the General Plan* elements and ~~in~~ the Zoning Ordinance.

Community Development Department

The Community Development Department is responsible for the general planning, and development review functions undertaken by the City, *Affordable Housing and Administration of Community Development Block Grants (CDBG) and related state and federal grants and entitlements, and the Neighborhood Preservation Program*.

Specific duties related to General Plan implementation are primarily the responsibility of the Planning Division and include:

- o Preparing zoning and subdivision ordinance amendments and design guidelines for Council approval;
- o ~~Finally, The Department~~ *Planning Division* also has the primary responsibility for preparing the annual *progress* report on the General Plan and conducting the five-year *progress* review. ~~These reporting requirements are described in Chapter 1 of the General Plan.~~
- o Reviewing development applications, conducting investigations and making reports and recommendations on planning and land use, zoning, subdivisions, development plans and environmental controls. Engineering and building divisions also are within the Department, which ensures coordination among these functions.
- o The Department also coordinates activities with Visalia school districts related to school sites.

The Engineering Division of the Community Development Department is responsible for planning, design and development of public infrastructure projects; traffic and transportation engineering; providing engineering support to the Planning ~~Division Department~~ for private development project and subdivision infrastructure review, emergency management technical services, and surveying. The Department also handles the review of current development applications, subdivision maps, grading permits, public improvement plans, encroachment permits, development in the flood zone, and sewer permits. It also does construction inspection for permits it issues and is responsible for the design and construction of capital improvement projects.

The Building Division of the Community Development Department, under the supervision of the Building Official, administers the Building Code, issues building permits and inspects new construction for compliances with Code requirements.

Parks and Recreation Department

The Parks and Recreation Department is responsible for managing the City's recreation services as well as managing urban forestry, parks and open spaces, the golf course, library, and sports complexes. Specific implementing responsibilities are established in the Parks, Schools, Community Facilities & Utilities Element of the General Plan. The Department also will be preparing a Parks and Recreation Master Plan to implement the General Plan.

Housing and Economic Development

~~The Housing and Economic Development Department includes the Neighborhood Preservation Program and the Housing Program. The Department's work is largely governed by the Housing Element of the General Plan and other housing programs initiated and approved by the City Council.~~

Public Works Department

The Public Works Department provides Street Maintenance, Solid Waste, and Wastewater Services. The Streets Division is responsible for street sweeping, rehabilitation, and pavement management (repair and restoration). The Solid Waste Division manages household and municipal solid waste, recycling, household hazardous waste, and construction/demolition waste management, as well as site plan review regarding solid waste facilities. The Wastewater Division is responsible for the operation and administration of the city's wastewater treatment plant, as well as city storm drain maintenance. Specific implementing responsibilities are established in the Circulation; Parks, Schools, Community Facilities & Utilities; and Noise & Safety elements of the General Plan.

Police and Fire Departments

Within the City, responsibility for public safety is assigned to the Police and Fire Departments. The Police Department is responsible for preventing crime and maintaining law and order; while the Fire Department is responsible for fighting urban and wildland fires as well as emergency response and rescue. Both departments coordinate with the County and State on mutual aid. Specific implementing responsibilities under the General Plan are established in the Safety & Noise Element of the General Plan.

Other Commissions and Committees

The City has two standing commissions and six advisory committees to assist in General Plan implementation and other responsibilities assigned to them by the City Council. These include:

- *Citizen's Advisory Committee* – acts as a liaison between the general public and the City Council concerning community issues.
- *Disability Advocacy Committee* – advises the City on the needs of disabled people. The committee promotes physical, social, communication and attitudinal access for every citizen of Visalia.

- *Environmental Committee* – heightens environmental awareness and conservation in Visalia. Issues addressed include air quality, hazardous waste, recycling, water conservation and all other natural resources.
- *Historic Preservation Committee* – administers and carries out the standards and specifications of the Historic Preservation Ordinance. Promotes historic preservation including encouraging building owners to initiate preservation efforts. The Committee facilitates building identification and seeks to preserve Visalia’s historic structures.
- *North Visalia Neighborhood Advisory Committee* – serves as a liaison between the City and the North Visalia community. It is a forum for citizen complaints, problems and provides recommendations to the City Council.
- *Parks & Recreation Commission* – advises the City Council and City staff in matters pertaining to parks, playgrounds and recreation centers.
- *Transit Advisory Committee* – researches and analyzes the community’s continuing transit needs, reviews operations, markets the transit program and makes recommendations about the business affairs of the transit system.
- *Waterways and Trails Committee* – advises on matters related to the Bikeway Master Plan and the Waterway and Trail Master Plan. The Committee also advocates for policies, programs, and projects that enhance bicycle and pedestrian opportunities, reviews projects, and advocates to secure additional resources.

In addition, the City appoints one representative to the Delta Vector Control Board. The General Plan does not envision any substantive change in the responsibilities assigned to these committees.

9.2 THE PLAN & REGULATORY SYSTEM

The City will use a variety of regulatory mechanisms and administrative procedures to implement the General Plan. Overall responsibility for plan implementation is vested in the Planning Agency, consisting of the City Council and the Community Development Director. The General Plan requires consistency between the General Plan and the zoning ordinance to ensure that Plan policies will be implemented and that environmental resources earmarked for protection in the Plan will be preserved. Other regulatory mechanisms, including subdivision approvals, building and housing codes, capital improvement programs, and environmental review procedures also will be used to implement Plan policies. All project approvals should be found consistent with the General Plan.

Zoning Regulations

The City’s Zoning Ordinance will translate plan policies into specific use regulations, development standards, design standards and performance criteria that will govern development on individual properties and development sites. The Zoning Ordinance also includes citywide regulations for landscaping, on-site parking and loading, signs, ~~antennas and wireless communications facilities~~, riparian corridors and affordable housing density bonus provisions among other regulations. The General Plan establishes the policy framework, while the Zoning Ordinance prescribes standards, rules and procedures for development along with criteria and findings required for acting on project applications. The Zoning Map will provide more detail than the General Plan Land Use Diagram.

The General Plan calls for several new zoning districts. Regulations for these districts will be established as part of the comprehensive zoning update to be undertaken following adoption of the General Plan. The use regulations and development standards for existing zoning districts will need to be amended to conform to Plan policies. Density and intensity limits, consistent with the Plan's land use classifications, also will need to be updated. For purposes of evaluating General Plan consistency, the density of proposed projects will be rounded up or down to the nearest whole number, as appropriate.

The City will bring both the Zoning Ordinance and the Zoning Map into conformance with the General Plan ~~as the first priority task.~~—~~reasonable period of time.~~ When the General Plan is subsequently amended, the Zoning Ordinance and Zoning Map may also need to be amended to maintain consistency between the documents.

During the transition period while new zoning is being developed, the City will use “General Plan Conformity Findings” *(please see Table 9-1)* to provide criteria for determining whether a proposed project is consistent with the General Plan. Factors that will be evaluated to make General Plan Conformity determinations include: site suitability for the proposed use, compatibility with adjacent uses, neighborhood economic vitality and the need for the proposed use; and the proposed density and intensity of development.

Consistency Between the General Plan and the Zoning Ordinance

As mentioned above, Visalia will implement many General Plan policies through the City's Zoning Ordinance. Zoning must be consistent with the General Plan if the City's land use, housing, and open space policies are to be realized. A fundamental link between the General Plan and zoning is land use/zoning consistency. **Table 9-1** shows how zoning districts in Visalia are consistent with the land use designations of this General Plan. In some areas, new zoning districts are needed (shown in *italics*). In others, the existing zoning will need to be amended (*), as prescribed by the implementing policies in this Plan or may be eliminated as duplicative, such as the C-C, C-N, C-SO, C-CM, C-R, C-DT, C-H, C-S, OG, PA, ~~BRP~~, and OC.

The new districts include RN Residential Neighborhood, DMU Downtown Mixed Use District, CMU Commercial Mixed Use District, NC Neighborhood Commercial, RC Regional Commercial, SC Service Commercial, O Office, I Industrial, ~~IR&D Industrial/Research & Development~~, I-A Airport Industrial District, CO Conservation District, PR Parks and Recreation, and AHO Affordable Housing Overlay District. The City also may choose to consolidate the “planned zones” in the current zoning ordinance, integrating provisions into new districts that correspond with the Land Use Diagram designations, and create a separate streamlined procedures for planned development, or eliminate planned zones that are no longer needed, such as the P-C-C, P-C-SO, P-C-CM, P-C-DT, P-C-H, and P-C-S. This will facilitate administration and ensure a closer link with Plan policies because new zones will mirror classifications on the Land Use Diagram. Planned development still would be permitted, but with a more flexible process that would be “findings-driven” and have specific criteria for approval.

Subdivision Regulations

No subdivision of land may be approved under California law and the City's subdivision regulations unless its design and proposed improvements are found to be consistent with the General Plan, including the open space plan. Dedication of land for park facilities will be required for subdivisions above a certain size, consistent with the policies and standards prescribed by the General Plan. The subdivision regulations also can require dedication of land for elementary schools, riparian habitat and reservation of land for fire stations, libraries, bike paths, transit facilities, and other public facilities.

After adoption of the General Plan, the City's subdivision regulations will need to be amended to conform to Plan policies and explicitly require findings of consistency with the General Plan as a condition of approving parcel maps and tentative maps. Reservation requirements for bus turnout facilities and bike and pedestrian facilities also will need to be added to carry out Plan policies. The subdivision ordinance should require connection between new streets and existing streets and ensure right of way dimensions are provided, consistent with City standards. Facilitating use of solar energy with north-south lot layouts and roof orientations that enable installation of collector systems will also be encouraged. The ordinance update also should address State requirements for solar access easements as appropriate for Visalia.

Building and Housing Codes

No building permit may be issued under California law (Government Code Section 65567) unless the proposed development is consistent with the City's open space plan and conforms to the policies of the Parks, Schools and Public Facilities and the Open Space and Conservation Elements.

To provide an administrative mechanism to ensure consistency with the General Plan, the City may establish a requirement for zoning permits or other forms of zoning clearance before building and grading permits are issued. The City does not currently have this specific type of clearance.

9.3 CAPITAL IMPROVEMENT & PROGRAMMING

The Capital Improvements Program (CIP) includes a list of public works projects that the City intends to design and construct in coming years. Under California law, the City Council, acting as Planning Agency, has responsibility for reviewing the CIP to determine whether it conforms to the General Plan. Specifically, the Government Code requires the Council to review for conformity with the General Plan CIP projects requiring any of the following actions:

- Acquisition of land for public purposes;
- Disposition of land;
- Street vacations; and
- Authorization or construction of public buildings or structures.

The City Council also has the authority to comment on CIPs prepared by the Visalia Unified School District and other school districts, and utility providers. These CIPs, and any annual revision proposed to them, are to be forwarded to the City at least 60 days prior to adoption for the City's review for consistency with the General Plan.

Table 9-1: Consistency Between the Plan and Zoning		
<i>General Plan Land Use Designations</i>	<i>Current General Plan Land Use Designations</i>	<i>Consistent Zoning District</i>
Residential		
Very Low Density Residential	RA	*R-A, *R-20
Low Density Residential	RLD	RN, *R-1-12.5, *R-1-6
Medium Density Residential	RMD	*R-1-4.5, *R-M-2
High Density Residential	RHD	*R-M-3
Mixed Use		
Downtown Mixed Use	C-DT	DMU
Commercial Mixed Use	CSO	CMU
Neighborhood Commercial	NC	NC, *P-C-NC
Office, Commercial, Industrial		
Regional Commercial	RRC	RC, *P-C-R
Service Commercial	CS	SC, *P-C-S
Office		O, *P-PA, *P-OC, *P-OG
Light Industrial	I-L	*I-L, *P-I-L
Industrial	I-H	I; *P-I-H, *I-H
Business Research Park	BRP	IR&D- BRP*
Other		
Agriculture	A	A
Conservation	C	CO
Parks/Recreation	C	PR
Civic/Institutional- Public Institution	PI	QP
Reserve	R	
		Source: Dyett & Bhatia, 2012

RESOLUTION NO. PC 2014-34

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA
RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL
ENVIRONMENTAL IMPACT REPORT (SCH # 2010041078), AND ADOPT THE
STATEMENT OF OVERRIDING CONSIDERATIONS, FOR THE VISALIA
COMPREHENSIVE GENERAL PLAN UPDATE**

STATE CLEARINGHOUSE # SCH # 2010041078

WHEREAS, The Planning Commission of the City of Visalia has reviewed and considered the Final Program Environmental Impact Report (FEIR) prepared for the Comprehensive General Plan Update (GPU or Project). The GPU serves as a plan to assist the community in achieving a vision for the horizon year of 2030 and realizing values related to land use, growth, open space, recreation and transportation. In April 2013, the Visalia City Council, after receiving substantial public input, accepted the Draft General Plan Update and directed the preparation of an Environmental Impact Report to analyze the impacts to the environment that may occur through the adoption of the GPU.

WHEREAS, The FEIR also assesses impacts associated with the Visalia Climate Action Plan (CAP), created to develop and enhance actions designed to reduce Visalia's Greenhouse Gas emissions.

WHEREAS, The Draft Environmental Impact Report (Draft EIR) was released on March 31, 2014, for 45-day review and comment period; and,

WHEREAS, Written comments were received on the Draft EIR during the 45-day review period; and,

WHEREAS, the Planning Commission of the City of Visalia, after ten (10) days published notice did hold a public hearing for consideration of the Final Environmental Impact Report on July 10, 2014, and continued said hearing to a specific date, of July 28, 2014, time 7:00pm, and location of City Council chambers at 707 W. Acequia, Visalia, California; and,

WHEREAS, the Planning Commission of the City of Visalia concluded said public hearing on July 28, 2014; and,

WHEREAS, the Final Environmental Impact Report was released on June 30, 2014, and consists of the Draft EIR and the revisions of, and additions to the Draft EIR, the written comments and recommendations received on the Draft EIR, the written responses of the City of Visalia to public comments on the Draft EIR; errata to the foregoing; and other information added by the City of Visalia as specified in the record; and,

WHEREAS, the California Environmental Quality Act (CEQA) requires that, in connection with the approval of a project for which an EIR has been prepared that identified one or more significant effects, the decision making body makes certain findings regarding those effects.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds that the Project, Final Environmental Impact Report, SCH# 2010041078 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED, that the Planning Commission recommends certification of Final Environmental Impact Report, SCH# 2010041078, for the Project, based on the following specific findings and based on the evidence presented:

1. That a full, fair and duly noticed public hearing has been held on the Final Environmental Impact Report, and the Planning Commission having considered the Final EIR, including but not limited to all Draft EIR comments and written responses, said Final Environmental Impact Report, is hereby determined to be adequate and complete; and said Environmental Impact Report, SCH# 2010041078, is hereby incorporated herein by reference.
2. That the Planning Commission hereby determines that the Final Environmental Impact Report, SCH# 2010041078, for the Project has been prepared in compliance with the California Environmental Quality Act (CEQA) and the state and local environmental guidelines and regulations; that it has independently reviewed and analyzed the information contained therein, including the written comments received during the EIR review period and the oral comments received at the public hearing; and that the Final EIR represents the independent judgment of the City of Visalia, as Lead Agency for the project.
3. That the Planning Commission does hereby find and recognize that the Final Environmental Impact Report, SCH# 2010041078, contains additions, clarifications, modifications and other information in its responses to comments on the Draft EIR, and also incorporates text changes to the EIR based on information obtained by the City since the Draft EIR was issued. The Planning Commission does hereby find and determine that such changes and additional information are not significant new information as that term is defined under the provisions of the California Environmental Quality Act because such changes and additional information do not indicate that any new significant environmental impacts not already evaluated would result from the project and they do not reflect any substantial increase in the severity of any environmental impact; no feasible mitigation measures considerably different from those previously analyzed in the Draft EIR have been proposed that would lessen significant environmental impacts of the project; and no

feasible alternatives considerably different from those analyzed in the Draft EIR have been proposed that would lessen the significant environmental impacts of the project.

4. That the Planning Commission does hereby make findings with respect to the significant and unavoidable impacts and other environmental effects resulting from the project, as identified in the Final Environmental Impact Report, SCH# 2010041978, including; that changes or alterations were made to the project to avoid or substantially lessen the significant environmental effects as identified in the FEIR; and, that specific economic, legal, social, technological, or other considerations including provision of employment opportunities for highly trained workers, make infeasible the further mitigation or selection of the project alternatives identified in the Final Program EIR.

5. MITIGATION MONITORING PROGRAM:

The Mitigation and Monitoring Program for the Project, which is incorporated and adopted as part of this Resolution. The program identifies impacts of the Project and corresponding mitigation, which are identified as General Plan policies to be enacted by implementation of the Comprehensive General Plan Update (GPU). In all cases, the City of Visalia is the designated responsible party for implementation and monitoring of the mitigation measures to ensure they are carried out as intended.

BE IT FURTHER RESOLVED that the Planning Commission recommends adoption of the Statement of Overriding Considerations (SoOC) for the Project contained in Attachment "A" of this Resolution. In adopting the SoOC, the Planning Commission hereby finds that the Project has not eliminated or substantially lessened the significant impacts resulting from Air Quality (Mobile source emissions exceeding the significance threshold of PM 10 and PM 2.5); Transportation (Roads that may operate at LOS D or worse but for which the City lacks jurisdiction; Agriculture (Loss of agricultural land as a result of urban growth); Noise (resulting from mobile sources such as trucks, and stationary sources such as manufacturing processes are likely to increase, particularly along major roadways); Hydrology and Flooding (Inundation in the event of the failure of the Terminus Dam at Lake Kaweah).

Significant unavoidable impacts resulting from the Project are acceptable in light of the environmental, economic, social and other considerations set forth in the Final Program EIR, and in the administrative record as a whole, because the benefits of the project outweigh the significant and unavoidable impacts identified in the Final Environmental Impact Report, SCH# 2008121133 as discussed in Attachment "A" of this Resolution.

The Planning Commission has weighed the benefits of the proposed project discussed in Attachment "B" of this Resolution against its unavoidable impacts, and other environmental effects identified in the Final Program Environmental Impact Report, and hereby determines that those benefits outweigh the risks and adverse

environmental effects and further determines that those risks and environmental effects are acceptable.

BE IT FURTHER RESOLVED that the Planning Commission hereby determines that the Final Program Environmental Impact Report prepared for the Project is adequate and complete pursuant to the requirements of the California Environmental Quality Act, and so recommends its certification by the Visalia City Council.

CEQA Findings and Facts in Support of Findings and Statement of Overriding Considerations

CEQA requires the Visalia City Council (the Council) to balance the benefits of the City of Visalia General Plan Update (General Plan Update, or Project) against its significant and unavoidable environmental effects in determining whether to approve the Project. Since the EIR identifies significant impacts of the General Plan Update that cannot feasibly be mitigated to below a level of significance, the City must state in writing its specific reasons for approving the Project in a “statement of overriding considerations” pursuant to Sections 15043 and 15093 of the CEQA Guidelines. This Statement of Overriding Considerations sets forth the specific reasons supporting the City’s action in approving the General Plan Update, based on the Final Environmental Impact Report (Final EIR, which incorporates the Draft EIR by reference) and other information in the administrative record.

In making the statement of overriding considerations, “CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered ‘acceptable.’” (CEQA Guidelines, Section 15093, subd. (a).)

The following sections provide findings and statements of facts supporting the findings, describe the general Project benefits considered by decision makers in determining to adopt the proposed General Plan Update despite its potentially significant adverse environmental effects, and then provide conclusions.

Findings and Facts in Support of Findings

The following findings are hereby adopted by the Council pursuant to the requirements of CEQA California Public Resources Code Section 21000 et seq. and the Guidelines for California Environmental Quality Act, Title 14, California Code of Regulations Section 15000 et seq. (CEQA Guidelines).

These Findings and Facts in Support of Findings relate to the approval of the proposed General Plan. The Findings state the Council’s conclusions regarding the significance of the potential environmental impacts of the proposed Project after all feasible mitigation measures have been adopted. These findings have been prepared to comply with the requirements of CEQA and the CEQA Guidelines and are based on information in the Final EIR and on all other relevant information contained in the administrative record for the proposed General Plan Update.

CEQA requires agencies to identify mitigation measures that would avoid or substantially lessen a project’s significant impacts or potential significant impacts if such measures are feasible. The mitigating policies identified in the Final EIR mitigate the potential significant impacts of the proposed General Plan Update, to the extent feasible, as described in the

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ATTACHMENT A

Final EIR. All mitigating policies identified in the Final EIR (as listed in Table ES-3 of the Draft EIR) that are within the Council's authority to impose are hereby adopted by the Council. Future projects must comply with CEQA, including implementation of project-specific mitigation measures where applicable and feasible. Subsequent environmental review for specific projects identified in the Plan may tier off the programmatic analysis or incorporate information from this analysis by reference (CEQA Guidelines, Sections 15150, 15152, and 15168).

Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Emphasis added.) The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid or substantially lessen* such significant effects." (Emphasis added.) Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof." (Pub. Resources Code, Section 21002.)

The mandate and principles set forth in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, Section 21081, subd. (a); CEQA Guidelines, Section 15091, subd. (a).)

The Final EIR examined the environmental impacts of the General Plan Update in the areas of Land Use; Transportation; Air Quality; Greenhouse Gases and Climate Change; Agricultural Resources; Hydrology, Flooding, and Water Quality; Geology and Seismicity; Biological Resources; Public Services, Facilities, and Utilities; Noise; Hazards and Hazardous Materials; Cultural Resources; Visual Resources; Significant Irreversible Environmental Changes; Growth-Inducing Impacts; and Cumulative Impacts.

Despite identifying mitigation for each potentially significant impact, significant and unavoidable impacts were identified in the issue areas of Transportation, Air Quality, Agriculture, Noise, and Hydrology, Flooding and Water Quality. In determining the significance of the environmental effects, it is important to emphasize that in issue areas when uncertainty surrounds impacts at a program level, the EIR analysis uses a conservative approach to both assessment and conclusions. For instance, in noise analyses, traffic noises were modeled without taking into account roadway curvature, railroad grade, shielding from local topography or structures, or elevated roadways, all of which may affect actual sound propagation. The distances reported to the 60 dB, 65 dB, and 70 dB Ldn contours are considered to be conservative estimates of noise exposure along roadways in the city. Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impacts, so it is not possible to ascertain with certainty whether the identified mitigating policies for these impacts will reduce impacts to levels considered "less than significant." Future development will be subject to site-specific, project-level environmental analysis.

The following subsections list each significant or potentially significant environmental impact by issue area in the order it appears in the Draft EIR, the mitigation measures

identified for each impact in the EIR, the CEQA Finding or Findings applied by the Council as described above, and the Facts in Support of each Finding. This discussion does not attempt to describe the full analysis of each environmental impact contained in the EIR. A full documentation of the environmental analysis and conclusions is in the EIR and the record of proceedings for this project (described herein), which are incorporated by reference.

Transportation

Impact 3.2-2 Implementation of the proposed Visalia General Plan could conflict with the applicable Route Concept Reports for State highways, including but not limited to level of service standards.

Implementation of the proposed General Plan would allow State Route (SR) 198 to operate an unacceptable level of service (LOS) along State Route 198 along three segments: (1) State Route 99 to Akers Street (LOS E), (2) Akers Street to Mooney Boulevard (LOS F), and (3) Mooney Boulevard to Lovers Lane (LOS F), due to the ultimate SR 198 design condition being implemented by Caltrans beyond 2035, after General Plan buildout in 2030.

Mitigation Measures

Caltrans' 2012 Transportation Concept Report for SR 198 identifies a four-lane freeway to meet the year 2035 LOS "D" within the Planning Area, with an ultimate design (beyond 2035) being a six-lane freeway. As a six-lane freeway, SR 198 would provide acceptable LOS on these roadway segments. However, per the current Transportation Concept Report, the ultimate design condition for SR 198 would be implemented beyond 2035, after General Plan buildout in 2030. The widening is feasible—the right of way will accommodate an additional travel lane in each direction—but the timing of the improvement may need to be reconsidered as Visalia grows under the proposed General Plan. Implementation of the improvements to SR 198 (a Caltrans facility) is the primary responsibility of Caltrans. The City will work with Caltrans to modify the SR 198 Transportation Concept Report to schedule needed improvements prior to General Plan buildout (Policy T-P-27), assuming that the forecasted growth and development in the Planning Area occurs and necessitates the widening within the planning period. However, because Caltrans has exclusive control over state route improvements, the City cannot guarantee that these improvements will be completed prior to General Plan buildout. No feasible mitigation measures have been identified that would reduce this impact.

General Plan Policies that Reduce the Impact

T-P-27 Work with Caltrans to modify the State Route 198 Route Concept Report to ensure that the facility is designated as a six-lane freeway from Downtown Visalia east to Lovers Lane

Findings

Based upon the EIR and the entire record before the Council, the Council finds that there are no feasible mitigation measures that would reduce the LOS impacts along SR 198. Although there are policies in the General Plan to work with Caltrans to modify the State Route 198 Route Concept Report, the Council finds the impact significant and unavoidable.

Air Quality

Impact 3.3-2 Implementation of the proposed Visalia General Plan could violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Implementation of the proposed General Plan Update would cause increased ROG and NO_x emissions due to construction, and increased PM_{2.5} and PM₁₀ emissions associated with General Plan buildout, in excess of SJVAPCD thresholds.

Mitigation Measures

The City will implement a variety of policies designed to address air quality issues, described below. Future compliance with SJVAPCD Rules and Regulations as part of environmental review for new master plan or specific plan areas, or for proposed development that is not consistent with earlier EIRs covering specific plan areas will also help to reduce air quality emissions associated with individual projects. However, total emissions associated with development of the proposed General Plan would still exceed SJVAPCD thresholds during construction from ROG and NO_x emissions, and PM₁₀ and PM_{2.5} associated with buildout. No additional feasible mitigation measures are currently available to reduce this impact to a less-than-significant level. Consequently, the impact remains significant and unavoidable.

General Plan Policies that Reduce the Impact

The following policies from the *Air Resources Element* will help directly reduce area and mobile sources in the Planning Area.

- AQ-P-2 Require use of Best Management Practices (BMPs) to reduce particulate emission as a condition of approval for all subdivisions, development plans and grading permits, in conformance with the San Joaquin Valley Air Pollution Control District Fugitive Dust Rule.

- AQ-P-3 Support implementation of the San Joaquin Valley Air Pollution Control District's regulations on the use of wood-burning fireplaces, as well as their regulations for the installation of EPA-certified wood heaters or approved wood-burning appliances in new residential development and a "No Burn" policy on days when the air quality is poor.

- AQ-P-4 Support the San Joaquin Valley Air Pollution Control District's "change-out" program, which provides incentives to help homeowners replace old wood-burning fireplaces with EPA-certified non wood-burning appliances.

- AQ-P-7 Be an active partner with the Air District in its "Spare the Air" program. Encourage businesses and residents to avoid pollution-producing activities such as the use of fireplaces and wood stoves, charcoal lighter fluid, pesticides, aerosol products, oil-based paints, and automobiles and other gasoline engines on days when high ozone levels are expected, and promote low-emission vehicles and alternatives to driving.

- AQ-P-8 Update the Zoning Ordinance to strictly limit the development of drive-through facilities, only allowing them in auto-oriented areas and prohibiting them in Downtown and East Downtown.
- AQ-P-9 Continue to mitigate short-term construction impacts and long-term stationary source impacts on air quality on a case-by-case basis and continue to assess air quality impacts through environmental review. Require developers to implement Best Management Practices (BMPs) to reduce air pollutant emissions associated with the construction and operation of development projects.
- AQ-P-11 Continue to work in conjunction with the San Joaquin Valley Air Pollution Control District and others to put in place additional Transportation Control Measures that will reduce vehicle travel and improve air quality and to implement Air Quality Plans.
- AQ-P-12 Where feasible, replace City vehicles with those that employ low-emission technology.
- AQ-P-13 Promote and expand the trip-reduction program for City employees to reduce air pollution and emissions of greenhouse gas.

The following policies from the *Land Use Element* and *Parks, Schools, Community Facilities, and Utilities Element* support energy conservation, which will help reduce building energy consumption and associated area source emissions: LU-P-38 and PSCU-P-14.

The policies described under Impact 3.3-1 in the Draft EIR from the *Land Use Element, Parks, Schools, Community Facilities, and Utilities Element*, and *Circulation Element* would reduce VMT and associated mobile source emissions.

Findings

The City finds that total emissions associated with development of the proposed General Plan would still exceed SJVAPCD thresholds for ROG, NO_x, PM₁₀ and PM_{2.5}. The SJVAPCD has developed and the State and EPA have reviewed and adopted a series of air quality plans for ozone and particulate matter. The plans feature strict rules for stationary sources, and rely on State and federal actions to reduce emissions from mobile sources. The proposed General Plan Update would not conflict with the policies in these plans or the ability of relevant agencies to carry them out. However, new development under the General Plan Update is projected to result in emissions that exceed significance thresholds for certain criteria pollutants.

The proposed General Plan Update would result in an increase in criteria pollutant emissions primarily due to local and regional vehicle emissions and vehicle travel generated by future population growth associated with buildout of the proposed Plan. The proposed General Plan is being offered despite these significant impacts because the City is in need of an updated land use plan that can thoughtfully and creatively accommodate projected population growth, as well as provide for jobs and economic development through General Plan buildout. Full buildout of the proposed General Plan would result in a significant, unavoidable, and cumulatively considerable increase of criteria pollutants, which

significantly impact air quality. The City finds no additional feasible mitigation measures are currently available to reduce this impact to a less-than-significant level.

Impact 3.3-3 Implementation of the proposed Visalia General Plan could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

Implementation of the proposed General Plan Update would cause increased ROG and NO_x emissions due to construction, and increased PM_{2.5} and PM₁₀ emissions associated with General Plan buildout, in excess of SJVAPCD thresholds.

Mitigation Measures

The City will implement a variety of policies designed to address air quality issues, described below. Future compliance with SJVAPCD Rules and Regulations as part of environmental review for new master plan or specific plan areas, or for proposed development that is not consistent with earlier EIRs covering specific plan areas will also help to reduce air quality emissions associated with individual projects. However, total emissions associated with development of the proposed General Plan would still exceed SJVAPCD thresholds during construction from ROG and NO_x emissions, and PM₁₀ and PM_{2.5} associated with buildout. No additional feasible mitigation measures are currently available to reduce this impact to a less-than-significant level. Consequently, the impact remains significant and unavoidable.

General Plan Policies that Reduce the Impact

The following policies from the *Air Resources Element* will help directly reduce area and mobile sources in the Planning Area.

- AQ-P-2 Require use of Best Management Practices (BMPs) to reduce particulate emission as a condition of approval for all subdivisions, development plans and grading permits, in conformance with the San Joaquin Valley Air Pollution Control District Fugitive Dust Rule.

- AQ-P-3 Support implementation of the San Joaquin Valley Air Pollution Control District's regulations on the use of wood-burning fireplaces, as well as their regulations for the installation of EPA-certified wood heaters or approved wood-burning appliances in new residential development and a "No Burn" policy on days when the air quality is poor.

- AQ-P-4 Support the San Joaquin Valley Air Pollution Control District's "change-out" program, which provides incentives to help homeowners replace old wood-burning fireplaces with EPA-certified non wood-burning appliances.

- AQ-P-7 Be an active partner with the Air District in its "Spare the Air" program. Encourage businesses and residents to avoid pollution-producing activities such as the use of fireplaces and wood stoves, charcoal lighter fluid, pesticides, aerosol products, oil-based paints, and automobiles and other

gasoline engines on days when high ozone levels are expected, and promote low-emission vehicles and alternatives to driving.

- AQ-P-8 Update the Zoning Ordinance to strictly limit the development of drive-through facilities, only allowing them in auto-oriented areas and prohibiting them in Downtown and East Downtown.
- AQ-P-9 Continue to mitigate short-term construction impacts and long-term stationary source impacts on air quality on a case-by-case basis and continue to assess air quality impacts through environmental review. Require developers to implement Best Management Practices (BMPs) to reduce air pollutant emissions associated with the construction and operation of development projects.
- AQ-P-11 Continue to work in conjunction with the San Joaquin Valley Air Pollution Control District and others to put in place additional Transportation Control Measures that will reduce vehicle travel and improve air quality and to implement Air Quality Plans.
- AQ-P-12 Where feasible, replace City vehicles with those that employ low-emission technology.
- AQ-P-13 Promote and expand the trip-reduction program for City employees to reduce air pollution and emissions of greenhouse gas.

The policies described above under Impact 3.3-2 from the *Land Use Element, Parks, Schools, Community Facilities, and Utilities Element*, and *Circulation Element* would help reduce cumulative construction and operational emissions associated with the buildout of the proposed General Plan.

Findings

The City finds that total emissions associated with development of the proposed General Plan would still exceed SJVAPCD thresholds for ROG, NO_x, PM₁₀ and PM_{2.5}. The SJVAPCD has developed and the State and EPA have reviewed and adopted a series of air quality plans for ozone and particulate matter. The plans feature strict rules for stationary sources, and rely on State and federal actions to reduce emissions from mobile sources. The proposed General Plan Update would not conflict with the policies in these plans or the ability of relevant agencies to carry them out. However, new development under the General Plan Update is projected to result in emissions that exceed significance thresholds for certain criteria pollutants.

The proposed General Plan Update would result in an increase in criteria pollutant emissions primarily due to local and regional vehicle emissions and vehicle travel generated by future population growth associated with buildout of the proposed Plan. The proposed General Plan is being offered despite these significant impacts because the City is in need of an updated land use plan that can thoughtfully and creatively accommodate projected population growth, as well as provide for jobs and economic development through General Plan buildout. Full buildout of the proposed General Plan would result in a significant, unavoidable, and cumulatively considerable increase of criteria pollutants, which

significantly impact air quality. The City finds no additional feasible mitigation measures are currently available to reduce this impact to a less-than-significant level.

Agriculture

Impact 3.5-1 Buildout of the proposed General Plan would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

Buildout of the proposed General Plan Update would result in conversion of farmland, including Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

Mitigation Measures

No feasible mitigation measures have been identified that would reduce the impacts on agricultural land conversion. The Visalia General Plan reflects a policy determination to allow a certain amount of growth to occur in the Planning Area, which necessitates conversion of farmland to urban uses. Development of the Visalia General Plan will result in the loss of 14,265 acres (or 33 percent) of the existing Important Farmland within the Planning Area to urban uses. Multiple policies are identified in the proposed General Plan to prevent excessive agricultural land conversion, including prioritizing infill development within the existing city limits, clear phasing of growth, compact development in new growth areas, and the continuation of most agricultural activities in the Planning Area.

General Plan Policies that Reduce the Impact

Land Use Element Policies

- LU-P-14 Recognize the importance of agriculture-related business to the City and region, and support the continuation and development of agriculture and agriculture-related enterprises in and around Visalia by:
- Implementing growth boundaries and cooperating with the County on agricultural preservation efforts;
 - Accommodating agriculture-related industries in industrial districts;
 - Facilitating successful farmers' markets;
 - Helping to promote locally-grown and produced agricultural goods, and the image of Visalia and Tulare County as an agricultural region.
- LU-P-19 Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy.

The General Plan Land Use Diagram establishes three growth rings to accommodate estimated City population for the years 2020 and 2030. The Urban Development Boundary I (UDB I) shares its boundaries with the 2012

city limits. The Urban Development Boundary II (UDB II) defines the urbanizable area within which a full range of urban services will need to be extended in the first phase of anticipated growth with a target buildout population of 178,000. The Urban Growth Boundary (UGB) defines full buildout of the General Plan with a target buildout population of 210,000. Each growth ring enables the City to expand in all four quadrants, reinforcing a concentric growth pattern...

LU-P-21 Allow annexation and development of residential, commercial, and industrial land to occur within the Tier II UDB and the Tier III Urban Growth Boundary consistent with the City's Land Use Diagram, according to the following phasing thresholds:

Tier II: The expansion criteria for land in Tier II to become available for annexation and development is that such annexation and development shall only occur if it does not result in excess of a 10-year supply of undeveloped residential land within the new Tier I. This is intended to be consistent with LAFCO policies discouraging residential annexations exceeding a 10-year housing inventory. Thus, the "inner" tier is distinguished from the GPURC-recommended Tier I in that it is not based on projected capacity and need, but rather on a requirement to be able to demonstrate that less than a ten year inventory of residential land exists.

Tier III: Tier III comprises full buildout of the General Plan. The expansion criteria for land in Tier III is that land would only become available for development when building permits have been issued in Tier I and Tier II at the following levels:

- Residential: after permits for 12,800 housing units have been issued, resulting in a target City population in Tier I of 178,000;
- Commercial: after permits for 960,000 square feet of commercial space have been issued; and
- Industrial: after permits for 2,800,000 square feet of industrial space have been issued

To complement residential neighborhood development, the City also may allow small annexations for sites less than 30 acres in size that are contiguous to the City limits to allow for efficient development of a neighborhood, commercial area or employment center, provided no General Plan amendment is required and infrastructure is available or can be extended at no cost to the City.

LU-P-24 Periodically adjust, no less frequently than once every five years, the land use and economic demand projections used to determine population estimates, needed land supply and amendments to Urban Development Boundaries.

This will be done as part of the General Plan Report

LU-P-25 Provide planning and technical support for the relocation of agricultural operations currently located in the City to compatible locations in the Planning Area or the County.

LU-P-26 Continue to follow the Referral Agreement with Tulare County, and work with the County to strengthen the implementation of the Visalia General Plan within the Visalia Urban Area Boundary.

LU-P-27 Initiate planning for post-2030 urban land needs in the area north of St. Johns River that is within the City's Sphere of Influence, and other areas as may be identified by the City Council, when residential development with the Urban Development Boundary reaches 80 percent of capacity, or earlier, at the initiative of the City Council.

This long-term Planning Area is outside of the Urban Growth Boundary established for this General Plan, and a General Plan amendment adding it to the UGB will require detailed studies of infrastructure needs, financing options for extension public facilities and services, and environmental resources and a determination by the City Council that the City's long term interests are best served by sensitively planned, appropriately timed development north of the St. Johns River, that development will provide a net fiscal benefit to the City, and that infill development opportunities within the City have been fully realized.

LU-P-30 Maintain greenbelts, or agricultural/open space buffer areas, between Visalia and other communities by implementing growth boundaries and working with Tulare County and land developers to prevent premature urban growth north of the St. Johns River and in other sensitive locations within the timeframe of this General Plan.

Techniques to be applied selectively at appropriate locations in consultation with landowners with the objective of preserving agricultural lands and open space around the City could include voluntary programs for establishing open space and conservation easements, purchasing development rights, support for agricultural land trusts and "land banking" and, if feasible, establishing a program for transfer of development rights. This program will need to be coordinated with post-2030 planning to avoid creating the potential for "leapfrog" development. See policy LU-P-27.

LU-P-31 Promote the preservation of permanent agricultural open space around the City by protecting viable agricultural operations and land within the City limits in the airport and wastewater treatment plant environs.

Land around the Airport may be developed with site-appropriate industrial uses during the planning period, providing it conforms to the land use compatibility requirements for the Visalia Municipal Airport environs established by the City.

LU-P-32 Continue to maintain a 20-acre minimum for parcel map proposals in areas designated for Agriculture to encourage viable agricultural operations in the Planning Area.

LU-P-33 Work with Tulare County to prevent urban development of agricultural land outside of the current Urban Development Boundary and to promote the use agricultural preserves, where they will promote orderly development.

LU-P-44 Promote development of vacant, underdeveloped, and/or redevelopable land within the City limits where urban services are available and adopt a bonus/incentive program to promote and facilitate infill development in order to reduce the need for annexation and conversion of prime agricultural land and achieve the objectives of compact development established in this General Plan.

Techniques to be used include designation of infill opportunity zones as part of the implementation process and provision of incentives, such as reduced parking and streamlined review, and residential density bonuses, and floor area bonuses for mixed use and/or higher-density development, subject to design criteria and findings of community benefit.

Findings

Based upon the EIR and the entire record before the Council, the Council finds that there are no feasible mitigation measures that have been identified that would reduce the impacts on Important Farmland. The City finds a certain amount of growth to occur in the Planning Area necessitates conversion of farmland to urban uses. The proposed General Plan Update and Draft EIR take steps in addressing farmland conservation by:

- (1) Avoid development of high quality farmland;
- (2) Minimize farmland loss with more efficient development;
- (3) Ensure stability of the urban edge;
- (4) Minimize rural residential development;
- (5) Encourage a favorable agricultural business climate.

The first objective of avoiding development of high quality farmland is addressed by a number of proposed General Plan Policies. The proposed General Plan provides multiple policies to avoid development of high quality farmland, including prioritizing infill development within existing city limits, clear phasing of growth through the establishment of three growth rings, compact development in new growth areas, and the continuation of most agricultural activities in the Planning Area. The City recognizes the importance of promoting compact development through sound land use planning, including planning for the preservation of agricultural lands. Proposed General Plan Policies LU-P-14, LU-P-19, LU-P-21, LU-P-24, LU-P-25, LU-P-26, LU-P-27, LU-P-30, LU-P-31, LU-P-32, LU-P-33, and LU-P-44 demonstrate policies to ensure phased growth.

The second objective of minimizing farmland loss with more efficient development is realized through the land use policies stated above and the concentric growth pattern established under the proposed General Plan.

The third objective of stabilizing of the urban edge is exemplified by Policies LU-P-19 and LU-P-21, which describe the sequencing of development through a phased growth strategy. The "Saving Farmland, Growing Cities" report suggests that "areas around cities designated for future development should not expand more than necessary to accommodate reasonable future growth." The tiered growth system under Policies LU-P-19 and LU-P-21 allow land to become available for annexation and development only when specific criteria are met.

The fourth objective of minimizing rural residential development is covered by the policies described in the third objective, designed to prevent “leapfrogging” development.

The fifth objective of encouraging a favorable agricultural business climate is addressed directly by Policy LU-P-14, to recognize the importance of agriculture-related business to the City and region, and cooperate with the County on agricultural preservation efforts.

In addition to the above policies promoting farmland conservation, it is important to note that the ultimate buildout under the proposed General Plan has a reduced urban footprint relative to the current (existing) General Plan.

A number of comments during the Draft EIR and Final EIR suggested adoption of a farmland mitigation “in-lieu” fee program. This approach is problematic for a number of reasons:

1. “In Lieu” farmland mitigation programs may result in the creation of a patchwork of easements;
2. Payments may not cover the costs of land purchase at the price required to make the easement a meaningful mitigation measure;
3. Conservation easements or in-lieu fees can be economically prohibitive for development; and;
4. Conservation easements may also result in the purchase of agricultural lands not subject to development pressures in the first place.

Each of these four limitations is described in more detail below.

The EIR explains that a program consisting of the required purchase of agricultural easements on other land is inherently dependent upon voluntary agreements by farm owners to sell easements over their property at an agreed price. If agricultural land is subject to development pressures, landowners likely would oppose efforts to “target” their area for the purchase of easements, or will only sell them at a very high cost. The most likely result will be a patchwork of easements, which may or may not constitute enough contiguous farmland to be economically viable and which produce a questionable mitigation benefit.

Payments into agricultural mitigation “in-lieu” funds are generally based on rough estimates of the cost of farmland conservation easements, without specific information about actual costs. As with other real estate transactions, the cost of farmland conservation easements are highly variable. Mitigation fees on a per-acre basis may not be sufficient to cover actual costs of purchasing a set amount for off-site mitigation, raising questions regarding the effectiveness of such a program.

Fees charged under mitigation programs may be economically prohibitive for development in the planning area. Conservation easements can be approximately between 40 and 60 percent of the property’s value. The expense of conservation easements can render future development economically infeasible.

Development pressure on agricultural lands within the Planning Area would result in the vast majority of property owners selling conservation easements at higher rates. The areas

that would be most financially feasible for the purchase of conservation easements would likely be substantially disconnected from the Planning Area and under very little pressure to develop. These properties would likely remain in agricultural use for the duration of the General Plan timeframe, and purchasing conservation easements will not make the conservation any less likely. As such, the mitigation benefit of purchasing conservation easements on these properties would be remote and speculative. While conservation easements may be appropriate and provide tangible benefits in other settings, the likelihood that agricultural easements purchased on areas not subject to development pressures would not produce mitigation that meets CEQA criteria because the mitigation effect would be speculative, remote, and uncertain.

A conservation easement that successfully addresses these constraints is better implemented at a countywide or other regional scale; thus the City, supports the development of a regional conservation program, such as the one proposed in the Tulare County General Plan. Creating a locally based agricultural conservation easement program can have the unintended effect of encouraging conversion of agricultural lands immediately outside of jurisdictional boundaries. The City is supportive of regional efforts to prevent urban development of agricultural lands, specifically at the county level. Tulare County's General Plan 2030 Update Policy contains two policies and an implementation measure relating to agricultural lands, which are reproduced below:

AG-1.6 Conservation Easements.

The County may develop an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conversion of important agricultural land to nonagricultural use. If available, the ACEP shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation.

AG-1.18 Farmland Trust and Funding Sources.

The in-lieu fees collected by the County may be transferred to the Central Valley Farmland Trust or other qualifying entity, which will arrange the purchase of conservation easements. The County shall encourage the Trust or other qualifying entity to pursue a variety of funding sources (grants, donations, taxes, or other funds) to fund implementation of the ACEP.

Agricultural Element Implementation Measure #15.

The County shall consider the implementation of an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in Policy AG-1.6

The City supports the implementation of these measures by the County, in which the City may then participate. Such a regional program could include a fee to assist and support agricultural uses, and would be most feasibly and strategically developed on a countywide or other regional basis.

Therefore, the Council finds there are no feasible mitigation measures to agricultural land conversion that would also fulfill the objectives of and implement the General Plan as proposed. Although there are policies in the proposed General Plan to reduce this impact, the City finds the potential conversion of agricultural land—which will affect some agricultural activities and prime agricultural soils—is significant and unavoidable.

Impact 3.5-2 Buildout of the proposed General Plan would conflict with existing zoning for agricultural use, or a Williamson Act contract.

Under the proposed General Plan's policies, 511 acres of land currently under active Williamson Act contracts would be converted to non-agricultural use, which represents 2.3 percent of the total acreage under Williamson Act contract within the Planning Area. The new growth areas in the proposed General Plan aim to minimize impacts on Williamson Act contracts, and 57 percent of Williamson Act lands to be converted are already in non-renewal, so this project has no impact on these lands relative to agricultural use over the long term.

Mitigation Measures

This General Plan reflects a policy determination to allow a certain amount of growth to occur in the Planning Area, which necessitates conversion of farmland to urban uses. To the greatest extent feasible, future urban growth has been allocated to areas either without Williamson Act contracts, or to areas with contracts in non-renewal. Avoidance of Williamson Act parcels altogether would create a non-contiguous, "patchwork" development pattern that does not meet the Plan's objectives of concentric, compact, and logical growth. In addition, the City has no authority to force termination of Williamson Act contracts on a given property. Proposed General Plan policies provide a framework for limiting conversion of farmland to the minimum extent needed to accommodate long-term growth, and phasing development in such a way that prevents "leap-frogging" or otherwise reducing the viability of remaining farmland. No further mitigation, besides preventing development, would reduce the impact to active Williamson Act parcels.

General Plan Policies that Reduce the Impact

In addition to the policies listed under Impact 3.5-1, the following policy helps reduce the impact.

OSC-P-1 Conduct an annual review of cancelled Williamson Act contracts and development proposals on agricultural land within the Urban Area Boundary to foresee opportunities for acquisition, dedication, easements or other techniques to preserve agricultural open space or for groundwater recharge.

Findings

Based upon the EIR and the entire record before the Council, the Council finds that there are no feasible mitigation measures that have been identified that would reduce the impacts on Williamson Act parcels. The City finds a certain amount of growth to occur in the Planning Area necessitates conversion of farmland to urban uses. Please see Findings under Impact 3.5-1.

Impact 3.5-3 Buildout of the proposed General Plan would result in changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

Urban development has the potential to result in conflicts with adjacent agricultural practices, and lead to restrictions on the use of agricultural chemicals, complaints regarding noise, dust and odors, trespassing, and vandalism. These conflicts may increase costs of agricultural operations, and together with other factors encourage the conversion of additional farmland to urban uses.

Mitigation Measures

No feasible mitigation measures have been identified that would reduce the impacts on agricultural land conversion. The Visalia General Plan reflects a policy determination to allow a certain amount of growth to occur in the Planning Area, which necessitates conversion of farmland to urban uses. Multiple policies are identified in the proposed General Plan to prevent excessive agricultural land conversion, including prioritizing infill development within the existing city limits, clear phasing of growth, compact development in new growth areas, and the continuation of most agricultural activities in the Planning Area.

General Plan Policies that Reduce the Impact

In addition to Policies LU-P-14, LU-P-25, LU-P-30, LU-P-31, LU-P-32, LU-P-33, and LU-P-44 listed under Impact 3.1-1, the following policies will help to reduce this impact to a less than significant level.

Land Use Element Policies

LU-P-34 *Adopt the County's Right-to-Farm ordinance to support continued agricultural operations at appropriate locations within the City limits, with no new provisions.

This ordinance should not limit urban development contemplated by the General Plan.

LU-P-35 *Adopt an Urban Agriculture Ordinance, reflecting "best practices," to support community gardens and other activities.

This ordinance will be prepared in consultation with the Farm Bureau and other interested organizations and individuals.

Open Space and Conservation Element Policies

OSC-P-27 To allow efficient cultivation, pest control and harvesting methods, require buffer and transition areas between urban development and adjoining or nearby agricultural land.

OSC-P-28 Require new development to implement measures, as appropriate, to minimize soil erosion related to grading, site preparation, landscaping, and construction.

Findings

Based upon the FEIR and the entire record before the Council, the Council finds that there are no feasible mitigation measures that have been identified that would reduce the impacts on changes to the existing environment that could result in conversion of Farmland to non-agricultural use. The City finds a certain amount of growth to occur in the Planning Area necessitates conversion of farmland to urban uses. Please see Findings under Impact 3.5-1.

Hydrology, Flooding, and Water Quality

Impact 3.6-4 Implementation of the proposed Visalia General Plan could expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, sea level rise, or inundation by seiche, tsunami, or mudflow.

Implementation of the proposed Visalia General Plan could result in the exposure of people or structures to a significant risk of loss, injury or death involving flooding as the result of a failure of Terminus Dam.

Mitigation Measures

No feasible mitigation measures have been identified that would reduce the impacts from the potential failure of Terminus Dam. The Terminus Dam is owned and operated by the U.S. Army Corps of Engineers. It is therefore not feasible for the proposed General Plan Update to completely address improvements to the Terminus Dam to the extent necessary to eliminate risk from dam failure.

General Plan Policies that Reduce the Impact

The following policies will help to reduce this impact, but not to a less than significant level. In addition to these Visalia General Plan policies, the County of Tulare maintains the Tulare County Hazard Mitigation Plan and a Mass Evacuation Plan for the entire county that also serve to reduce this impact.

S-O-6 Provide comprehensive emergency response and evacuation routes for Visalia area residents.

S-P-40 Continue to rely on the Tulare County Office of Emergency Services to maintain inventories of available resources to be used during disasters.

S-P-41 Continue to upgrade preparedness strategies and techniques in all departments so as to be prepared when disaster, either natural or man-made, occurs.

Findings

Based upon the EIR and the entire record before the Council, the Council finds that there are no feasible mitigation measures have been identified that would reduce the impacts of flooding from a potential failure of the Terminus Dam.

Noise

Impact 3.10-3 Exposure of existing noise sensitive land uses to an increase in noise that results in noise in excess of standards found in the existing Visalia General Plan Noise Element.

Exposure of existing noise sensitive land uses to an increase in noise that results in noise in excess of standards found in the existing Visalia General Plan Noise Element. There are 11 roadway segments where existing traffic noise levels are less than 65 Ldn and implementation of the proposed plan will increase traffic noise to be in excess of 65 Ldn. Residences or other noise-sensitive uses along these roadways would be exposed to significant noise impacts because traffic noise would increase to a level that is in excess of the City's 65 Ldn land use compatibility standard.

Mitigation Measures

Although implementation of Policy N-P-2 (below) would reduce this impact by reducing or preventing significant increases in ambient noises for sensitive land uses, it would not be feasible in all situations to reduce this impact to a less-than-significant level. For example, noise attenuation measures such as sound walls and berms would be infeasible or inappropriate in locations where sensitive land uses already exist. Factors that would render these and other noise attenuation measures infeasible include but are not limited to property access, cost, aesthetic considerations, and negative impacts to pedestrian and bicycle connectivity, and impacts to driver visibility. This impact, therefore, is significant and unavoidable.

General Plan Policy that Reduces the Impact

N-P-2 Promote the use of noise attenuation measures to improve the acoustic environment inside residences where existing residential development is located in a noise-impacted environment such as along an arterial street or adjacent to a noise-producing use.

Findings

The City finds that noise resulting from vehicles and stationary operations is expected to increase as a result of the proposed General Plan. Increases are expected to occur both along existing roadways in developed areas and along new roadways in future growth areas, and in the vicinity of new stationary operations, particularly industrial uses. The City finds that additional vehicles traveling along local roadways outweighs potential impacts on existing and future land use resulting from noise. The actual level of impact will depend on the presence and location of existing or proposed land uses or barriers in relation to the noise source. The City will continue to implement its Noise Ordinance. In addition, the City will ensure that noise analysis and mitigation be conducted for individual projects (with project-specific data) that will, if possible, mitigate potential noise impacts to a less-than-significant level. However, given the uncertainty as to whether future noise impacts could

be adequately mitigated for all individual projects, the City finds that potential impacts related to substantial permanent increases in ambient noise related to traffic and stationary sources are considered significant and unavoidable.

The following sections describe the Council's reasoning for approving the proposed General Plan Update, despite these potentially significant unavoidable impacts.

Proposed General Plan Update Benefits

CEQA does not require lead agencies to analyze “beneficial impacts” in an EIR. Rather, EIRs focus on potential “significant effects on the environment” defined to be “adverse” (Public Resources Code Section 21068). Nevertheless, decision makers may be aided by information about project benefits. These benefits can be cited, if necessary, in a statement of overriding considerations (CEQA Guidelines Section 15093). The Council’s decision to adopt the proposed General Plan Update rather than any of the alternatives is based on considering the balance of these benefits of the proposed Project against its identified unavoidable environmental impacts.

Each benefit of the proposed Project, as stated below, is determined to be a basis for overriding all unavoidable adverse environmental impact identified above. The Council has independently verified the key initiatives reflected in the proposed General Plan Update, stated below to justify the Statement of Overriding Consideration.

- Implementation of the proposed General Plan Update will ensure orderly and balanced growth, by emphasizing concentric development and infill opportunities to strengthen Downtown, revitalize existing commercial centers and corridors, and fill in gaps in the city fabric, balanced by moderate outward expansion and protection of agricultural lands.
- Implementation of the proposed General Plan Update will support and enhance a high quality of life by building on Visalia’s small-town feel and ensuring that each neighborhood is a complete, walkable area with a full range of housing types, a discernable center, and a unique sense of place. At a citywide scale, this unique sense of place is preserved by keeping Downtown vital and accentuating the city’s natural creek system.
- Implementation of the proposed General Plan Update will create and enhance mobility and connectivity, by improving connectivity at the neighborhood, city, and regional scales; by improving key corridors; completing missing links in the roadway network; and ensuring that new neighborhoods accommodate and connect to the City’s existing street grid. Consistent with new State requirements, the proposed General Plan will create “complete streets” amenable to walking, biking, and transit use, anticipating robust transit service within the City and beyond.
- Implementation of the proposed General Plan Update will provide broad economic opportunities and a diverse economic base by supporting Visalia’s economic vitality, including higher-intensity development Downtown, the creation of a new urban district in East Downtown, the revitalization of the Mooney Boulevard corridor, the facilitation of expanded medical and educational facilities, and attractive locations for new and expanding businesses.
- Implementation of the proposed General Plan Update will support a forward-looking retail strategy, by providing for new neighborhood commercial uses throughout the City and regional retail development along South Mooney Boulevard to be staged over time in order to support the City’s existing regional base.
- Implementation of the proposed General Plan Update will maintain and strengthen Visalia’s identity as a free-standing City, by working with the County and the community to maintain a physical separation between Visalia and neighboring

communities and limiting the timing and amount of conversion of farmland to urban uses through a tiered growth management system.

- Implementation of the proposed General Plan update will continue to place Visalia as a leader in land conservation, green building, recycling, and stewardship, by promoting waste collection, recycling, development patterns that foster non-automobile travel, clean air and water, as well as reuse of older buildings.

These key goals and initiatives were developed through an extensive public outreach process that accompanied the General Plan Update, which engaged stakeholders, decision-makers, the General Plan Update Review Committee, and members of the general public in discussion and debate over priorities for Visalia's future. Members of the public as well as elected officials were consulted and engaged at each key decision point in the update process, ensuring that the proposed General Plan reflects the community's priorities to the greatest extent possible. During this public process, the Council examined alternatives to the proposed General Plan Update, none of which meet the stated project objectives to the same extent as the proposed Project.

Overriding Considerations Conclusions

The Council finds that the proposed General Plan Update has been carefully reviewed and that mitigating policies have been included in the Final EIR to be certified by the Council. Nonetheless, the proposed General Plan Update may have certain environmental effects that cannot be avoided or substantially lessened. As to these significant environmental effects that are not avoided or substantially lessened to a point less than significant, the Council finds that specific fiscal, economic, social, technological, or other considerations make additional mitigation of those impacts infeasible, in that all feasible mitigation measures have been incorporated into the proposed General Plan.

The Council has carefully considered all of the environmental impacts that have not been mitigated to a less than significant level, as listed above. The Council has also carefully considered the fiscal, economic, social, and environmental benefits of the proposed General Plan Update, as listed above, and compared these with the benefits and impacts of the alternatives, which were evaluated in the Final EIR. The Council has balanced the fiscal, economic, social, and environmental benefits of the proposed Plan against its unavoidable and unmitigated adverse environmental impacts and, based upon substantial evidence in the record, has determined that the benefits of the proposed General Plan Update outweigh, and therefore override, the remaining adverse environmental effects. Such benefits provide the substantive and legal basis for this Statement of Overriding Considerations.

In approving the proposed General Plan Update, the Council makes the following Statement of Overriding Considerations pursuant to Public Resources Code Section 21081 and State CEQA Guidelines Section 15093 in support of its findings on the Final EIR:

The Council has considered the information contained in the Final EIR and has fully reviewed and considered all of the public testimony, documentation, exhibits, reports, and presentations included in the record of these proceedings. The Council specifically finds and determines that this Statement of Overriding Considerations is based upon and supported by substantial evidence in the record.

The Council has carefully weighed the benefits of the proposed General Plan Update against any adverse impacts identified in the Final EIR that could not be feasibly mitigated to a level of insignificance, which are enumerated below. While the Council has required all feasible mitigation measures, such impacts remain significant for purposes of adopting this Statement of Overriding Considerations:

- Impact 3.2-2 (Implementation of the proposed Visalia General Plan could conflict with the applicable Route Concept reports for State highways, including but not limited to level of service standards.)

Finding: Such changes or alterations are within the responsibility and jurisdiction of another public agency (Caltrans) and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. This finding is made pursuant to CEQA Guidelines section 15091(a)(2).

- Impact 3.3-2 (Implementation of the proposed Visalia General Plan could violate any air quality standard or contribute substantially to an existing or projected air quality violation.)
- Impact 3.3-3 (Implementation of the proposed Visalia General Plan could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors.)
- Impact 3.5-1 (Buildout of the proposed General Plan would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agriculture use.)
- Impact 3.5-2 (Buildout of the proposed General Plan would conflict with existing zoning for agriculture use, or a Williamson Act contract.)
- Impact 3.5-3 (Buildout of the proposed General Plan would result in changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use.)
- Impact 3.6-4 (Implementation of the proposed Visalia General Plan could expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, sea level rise, or inundation by seiche, tsunami, or mudflow.)
- Impact 3.10-3 (Exposure of existing noise sensitive land uses to an increase in noise that results in noise in excess of standards found in the existing Visalia General Plan Noise Element.)

Findings: Pursuant to CEQA Guidelines section 15091(a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. These specific considerations have been analyzed in the context of the proposed

Visalia General Plan and the project alternatives. Based on the evidence in the record, the Planning Commission finds as follows:

- The proposed Visalia General Plan is critical in achieving the City's economic development and job creation goals by fostering a positive and predictable climate for public and private investment, providing a supply of land that is appropriately located and designated for urban uses that are essential for a sustainable quality of life for the City's current population and that of its future buildout population.
- The proposed Visalia General Plan promotes social equity by ensuring adequate housing for all income, age, and lifestyle preferences; providing open government that values public participation; promoting local goods, services, and diverse cultures; promoting community health through a safe, multi-modal transportation system, along with accessible parks and open space areas, and public services arrayed throughout the Planning Area accessible to all members of the community.
- Implementation of the proposed Visalia General Plan will serve as the foundation in making land use decisions based on goals and policies related to land use, transportation routes and modes, population growth and distribution, development, open space, resource preservation and utilization, air and water quality, noise impacts, safety, provision of public services and infrastructure, economic development, and other associated physical and social factors in a holistic and integral manner as to be mutually supportive and internally consistent.
- Implementation of the proposed Visalia General Plan will comply with State requirements and, more importantly, will provide the City, its residents, land owners and businesses, staff and policy makers and all stakeholders with a comprehensive, long-range policy reference for future development.
- The City finds that this level of comprehensive planning is desirable and that it provides a more environmentally sustainable vision and development plan than the previously adopted General Plan Elements for which this proposed Visalia General Plan would supersede, and that it is more capable of achieving the City's community goals and sustainable population buildout expectations.

This Statement of Overriding Considerations applies specifically to those impacts found to be significant and unavoidable as set forth in the Final EIR and the record of these proceedings. In addition, this Statement of Overriding Considerations applies to those impacts that have been substantially lessened but not necessarily lessened to a level of insignificance.

Based upon the goals and objectives identified in the proposed General Plan Update and the Final EIR, following extensive public participation and testimony, and notwithstanding the impacts that are identified in the Final EIR as being significant and potentially significant and which arguably may not be avoided, lessened, or mitigated to a level of insignificance, the Council, acting pursuant to Public Resources Code Section 21081 and Section 15093 of the State CEQA Guidelines, hereby determines that specific economic, legal, social, environmental, technological, and other benefits and overriding considerations of the proposed

General Plan Update sufficiently outweigh any remaining unavoidable, adverse environmental impacts of the proposed General Plan Update and that the proposed General Plan Update should be approved.

Based on the foregoing and pursuant to Public Resources Code section 21081 and State CEQA Guidelines Section 15093, the Council further determines that the unavoidable adverse environmental effects of the proposed General Plan Update are acceptable, and that there are overriding considerations that support the Council's approval of the proposed General Plan Update, as stated in the above sections.

The Council believes that it is prudent to select the proposed General Plan Update over the alternatives because it provides dramatic improvements over the continuation of the existing General Plan, and most closely embodies the project objectives. In making this determination, the Council incorporates by reference all of the supporting evidence cited within the Draft and Final EIR, and in the administrative record.

RESOLUTION NO. PC 2014-35

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA
RECOMMENDING THAT THE CITY COUNCIL ADOPT THE CITY OF VISALIA
CLIMATE ACTION PLAN (CAP)**

WHEREAS, The Planning Commission of the City of Visalia on July 10, 2014, conducted a duly noticed public hearing to consider Final Program Environmental Impact Report

WHEREAS, the Planning Commission of the City of Visalia, after ten (10) days published notice did hold a public hearing on July 10, 2014, for consideration of the Final Environmental Impact Report (FEIR) (SCH2010041078) and the Climate Action Plan (CAP) for the City of Visalia; and, and continued said hearing to a specific date, of July 28, 2014, time 7:00pm, and location of City Council chambers at 707 W. Acequia, Visalia, California; and,

WHEREAS, the Planning Commission of the City of Visalia concluded said public hearing on July 28, 2014; and,

WHEREAS, The Planning Commission of the City of Visalia has reviewed and considered the Final Program Environmental Impact Report (FEIR) (SCH2010041078) prepared for the Climate Action Plan (CAP), and has determined the FEIR adequately addresses the potential environmental impacts resulting from implementation of the CAP; and,

WHEREAS, The CAP serves as a plan to assist with enhancing and developing actions designed to reduce the City's greenhouse gas (GHG) emissions to comply with all applicable State, Regional, and City standards as contained in the CAP document, and is hereby incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds that the Final Environmental Impact Report, SCH# 2010041078 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED, that the Planning Commission recommends certification of Final Environmental Impact Report, SCH# 2010041078, for the CAP based on the findings contained in Resolution No. 2014-34, recommending certification of FEIR (SCH2010041078), and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the Planning Commission recommends adoption of the CAP because it establishes strategies and actions for achieving reductions in GHG emissions, consistent with all State, Regional, and City policies and performance standards, including the current and draft Comprehensive General Plan.

RESOLUTION NO. 2014-36

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA
RECOMMENDING THAT THE CITY COUNCIL ADOPT THE CITY OF VISALIA
DRAFT GENERAL PLAN**

WHEREAS, The City of Visalia ("City") initiated a comprehensive update of its General Plan; and,

WHEREAS, The City of Visalia conducted an extensive public outreach effort in association with the General Plan update effort, wherein community members participated through community workshops, town-hall meetings, and other methods to share ideas and visions which led to the overall themes of the General Plan and the selection of a favored growth concept plan from which the General Plan Land Use Diagram was derived; and,

WHEREAS, The Draft General Plan for the City of Visalia was first circulated in March 2014; and,

WHEREAS, The Draft General Plan, upon adoption, will serve as the City of Visalia's General Plan which is required for each city and county in the State of California in accordance with Government Code Section 65300. The Elements of the Draft General Plan consist of Land Use, Circulation, Open Space, Conservation, Noise, Safety, Air Quality and Greenhouse Gasses (GHG), and Housing (previously adopted). The Draft General Plan is composed of objectives, policies, a land use diagram, and other graphic figures and maps to guide future development of the City of Visalia through the year 2030; and,

WHEREAS, An Environmental Impact Report (SCH #2010041078) has been prepared for the Draft General Plan pursuant to the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental guidelines; and,

WHEREAS, The Planning Commission of the City of Visalia, after ten (10) days published notice did hold a public hearing for consideration of the Draft General Plan for the City of Visalia on July 10, 2014, and continued said hearing to a specific date, of July 28, 2014, time 7:00pm, and location of City Council chambers at 707 W. Acequia, Visalia, California; and,

WHEREAS, the Planning Commission of the City of Visalia concluded said public hearing on July 28, 2014; and,

WHEREAS, The Planning Commission of the City of Visalia has reviewed and considered for approval the Final Program Environmental Impact Report (FEIR) (SCH #2010041078), prepared for the Draft General Plan, and has determined the FEIR adequately addresses the potential environmental impacts resulting from implementation of the Draft General Plan; and,

WHEREAS, the Planning Commission has reviewed and considered the Draft General Plan, its policies, and land use diagram, including the "Revisions to the Draft General Plan" included as Appendix A of the FEIR and "Revisions to the Visalia General Plan" included as Exhibit "B" of this Resolution (No. 2014-36) that will be integrated into the Draft General Plan; and,

WHEREAS, The Planning Commission of the City of Visalia, after conducting said public hearing, has considered all comments received on the Draft General Plan and the FEIR; and,

WHEREAS, The Planning Commission of the City of Visalia has determined that the proposed Draft General Plan will contribute to the orderly and planned growth of the community as indicated under the individual text and map of the Draft General Plan herein incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds that the Final Environmental Impact Report, SCH #2010041078 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED, that the Planning Commission recommends certification of Final Environmental Impact Report, SCH# 2010041078, for the Draft General Plan based on the findings contained in Resolution No. 2014-34, recommending certification of FEIR (SCH #2010041078), and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the City Council adopt the Draft General Plan, including "Revisions to the Draft General Plan" included as Appendix A of the FEIR hereto attached as Exhibit "A" of Resolution No. 2014-36.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the City Council adopt the Draft General Plan, incorporating:

- the revisions to the Visalia General Plan hereto attached as Exhibit "B" of Resolution No. 2014-36; and
- the revisions to Chapter 9: Implementation of the General Plan included as Exhibit "A" of the Memo to Planning Commission dated July 28, 2014.

Appendix A: Revisions to the Draft General Plan

This appendix includes revisions to the Draft General Plan drafted in response to the comments received on the Draft EIR.

A new policy AQ-P-12, was added to page 7-10:

AQ-P-12 Support the implementation of Voluntary Emissions Reduction Agreements (VERA) with the San Joaquin Valley Air Pollution Control District (the District) for individual development projects that may exceed District significance thresholds.

A VERA is a voluntary mitigation measure where a project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emissions reduction projects, with the District serving a role of administrator of emissions reductions programs and verifier of successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's Strategies and Incentives Program. These funds are disbursed in the form of grants for projects that achieve emission reductions.

Policies AQ-P-12 to AQ-P-16 on page 7-15 were renumbered to AQ-P-13 to AQ-P-17.

Pg. 2-22 ("Reserve" definition added)

Reserve. The Reserve designation applies to lands that are outside of the Urban Growth Boundary (UGB) for which future planned development may be appropriate under criteria as stated in LU-P-26. Use of lands in the Reserve designation is anticipated to remain in agriculture.

Pg. 2-31

LU-P-26 Continue to follow the Referral Agreement with Tulare County, and work with the County to strengthen the implementation of the Visalia General Plan within the Visalia ~~Urban Planning Area~~ Boundary.

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ATTACHMENT A

Appendix A: Revisions to the Draft General Plan

Pg. 6-3

OSC-P-1 Conduct an annual review of cancelled Williamson Act contracts and development proposals on agricultural land within the ~~Urban Planning~~ Area Boundary to foresee opportunities for acquisition, dedications, easements or other techniques to preserve agricultural open space or for groundwater recharge.

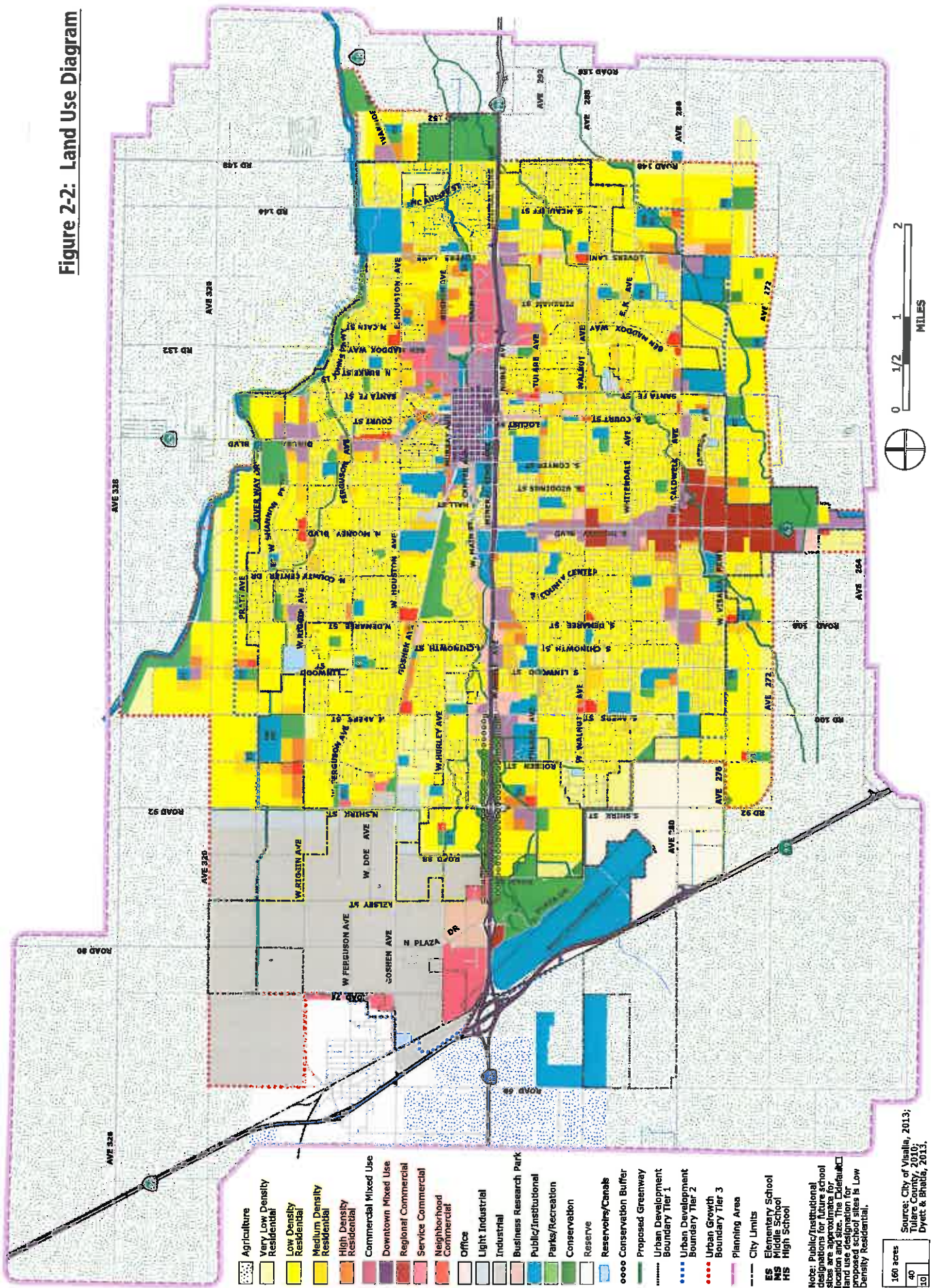
Figure 2-2: Land Use Diagram

[A shading error in the Doe industrial property was corrected, see attached]

Table 5-5: Schools and Enrollment, Visalia Unified School District

[Table 5-4 now includes updated (2013) school enrollment data, as described in Response B2-18, see attached]

Figure 2-2: Land Use Diagram



- Agriculture
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial Mixed Use
- Downtown Mixed Use
- Regional Commercial
- Service Commercial
- Neighborhood Commercial
- Office
- Light Industrial
- Industrial
- Business Research Park
- Public/Institutional
- Parks/Recreation
- Conservation
- Reserve
- Reservoirs/Canals
- Conservation Buffer
- Proposed Greenway
- Urban Development Boundary Tier 1
- Urban Development Boundary Tier 2
- Urban Development Boundary Tier 3
- Planning Area
- City Limits
- ES Elementary School
- MS Middle School
- HS High School

160 acres
40
10

Note: Public/Institutional designations for future school locations and sizes. The color and location of the proposed school sites is Low Density Residential.

Sources: City of Visalia, 2013;
Tulare County, 2010;
Dyett & Biala, 2013.

Table 5-4: Schools and Enrollment, Visalia Unified School District

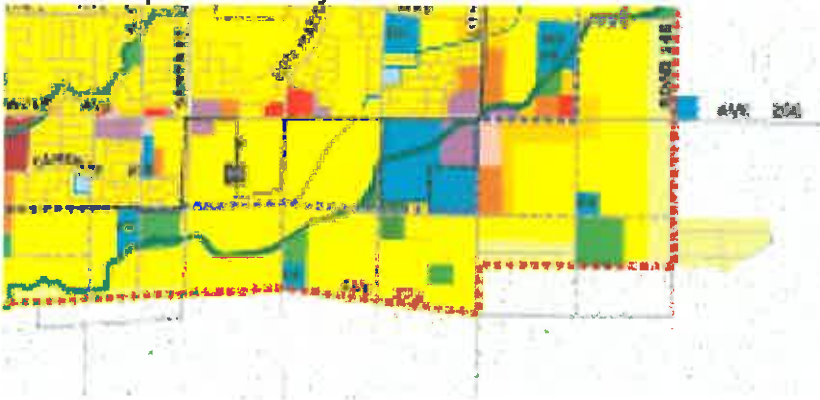
School	2013 Enrollment	School	2013 Enrollment	School	2013 Enrollment
Elementary Schools (K-6)					
Annie R. Mitchell	739	Middle Schools (7-8)		VUSD ENROLLMENT WITHIN PLANNING AREA²	27,603
Conyer	438	Divisadero	937	Tulare County Programs	
Cottonwood Creek	686	Green Acres	1,271	University Prep (9-12)	116
Crestwood	628	La Joya	1,046	La Sierra (7-12)	306
Crowley	609	Valley Oak	917	Court/Community Schools	500
Elbow Creek ¹	494	SUBTOTAL MIDDLE	4,171	TCOE ENROLLMENT³	922
Fairview	587	High Schools (9-12)		(1) School located outside Planning Area.	
Four Creeks	679	El Diamante	1,895	(2) Not including students at schools outside Planning Area.	
Golden Oak	545	Golden West	1,628	(3) County schools also draw students from outside the Planning Area.	
Goshen ¹	692	Mt. Whitney	1,593	Sources: <i>Visalia Unified School District, 2013; Dyett & Bhatia, 2013</i>	
Highland	531	Redwood	2,066		
Houston	577	SUBTOTAL HIGH	7,531		
Hurley	601	Educational Options Schools			
Ivanhoe ¹	625	Adult School			
Linwood	680	Charter Alternative (6-12)	80		
Manuel F. Hernandez	792	Charter Home School ¹ (K-8)	68		
Mineral King	675	River Bend	70		
Mountain View	586	Sequoia	349		
Oak Grove	613	Visalia Charter Ind. Study	538		
Pinkham	514	Visalia Technical Ed. Center	131		
Royal Oaks	555	Other (K-6)	357		
Shannon Ranch	675	Other (7-8)	115		
Veva Blunt	601	Other (9-12)	258		
Washington	322	SUBTOTAL SPECIAL PROGRAMS	1,966		
Willow Glen	570				
SUBTOTAL ELEMENTARY	15,014				

**EXHIBIT "B" – REVISIONS TO THE VISALIA GENERAL PLAN
RECOMMENDED BY THE VISALIA PLANNING COMMISSION**

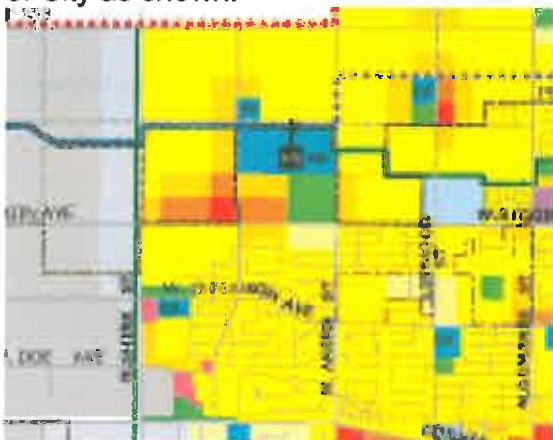
Chapter 2: Land Use

Page 2-18 (Figure 2-2)

- Revise Note in margin to read "Public/Institutional designations for future school sites and Parks/Recreation designations for future park sites are approximate for location and size. The default land use designation for proposed school and park sites is Low Density Residential."
- Revise Land Use Diagram to replace Public/Institutional designation with Low Density Residential designation and to mark High School map symbol in southeast portion of City as shown:

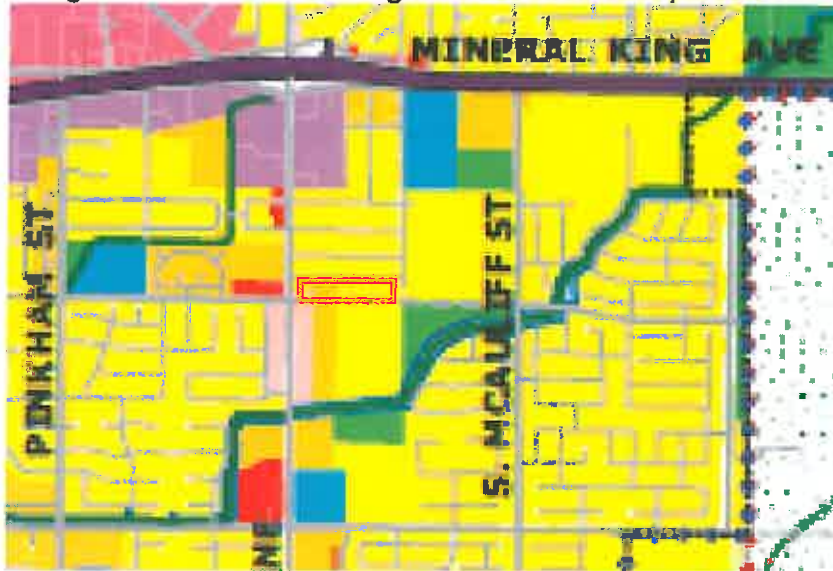


- Revise Land Use Diagram to mark High School map symbol in northwest portion of City as shown:



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- Revise Land Use Diagram to replace Low and Medium Density Residential designation with Office Designation in southeast portion of City in area shown:



Page 2-29

LU-P-21 Allow annexation and development of residential, commercial, and industrial land to occur within the Urban Development Boundary (Tier II) and the Urban Growth Boundary (Tier III) consistent with the City’s Land Use Diagram, according to the following phasing thresholds:

~~• “Tier II”: The expansion criteria for land in Tier II to become available for annexation and development is that such annexation and development shall only occur if it does not result in excess of a 10-year supply of undeveloped residential land within the new Tier I. This is intended to be consistent with LAFCO policies discouraging residential annexations exceeding a 10-year housing inventory. Thus, the “inner” tier is distinguished from the GPURC recommended Tier I in that it is not based on projected capacity and need, but rather on a requirement to be able to demonstrate that less than a ten-year inventory of residential land exists.~~

• “Tier II”: Tier II supports a target buildout population of approximately 178,000. The expansion criteria for land in Tier II is that land would only become available for development when building permits have been issued in Tier I at the following levels, starting from April 1, 2010:

Residential: after permits for 7,500 housing units have been issued; and

Commercial: after permits for 560,000 square feet of commercial space have been issued

• “Tier III”: Tier III comprises full buildout of the General Plan. The expansion criteria for land in Tier III is that land would only become available for development when

building permits have been issued in Tier I and Tier II at the following levels, starting from April 1, 2010:

Residential: after permits for 12,800 housing units have been issued, ~~resulting in a target City population in Tier I of 178,000;~~

Commercial: after permits for 960,000 square feet of commercial space have been issued; and

Industrial: after permits for 2,800,000 square feet of industrial space have been issued

To complement residential neighborhood development, the City also may allow small annexations for sites less than 30 acres in size that are contiguous to the City limits to allow for efficient development of a neighborhood, commercial area or employment center, provided no General Plan amendment is required and infrastructure is available or can be extended at no cost to the City.

Page 2-31

LU-P-26 Continue to follow the ~~Referral Agreement~~ Memorandum of Understanding with Tulare County, and work with the County to strengthen the implementation of the Visalia General Plan ~~within the Visalia Urban Area Boundary.~~

LU-P-27 Initiate planning for post-2030 urban land needs in the area north of St. Johns River that is within the City's Sphere of Influence, and other areas as may be identified by the City Council, when residential development with the ~~Urban Development Boundary~~ Urban Growth Boundary Tier 3 reaches 80 percent of capacity, or earlier, at the initiative of the City Council.

This long-term Planning Area is outside of the Urban Growth Boundary Tier 3 (UGB) established for this General Plan, and a General Plan amendment adding it to the UGB will require detailed studies of infrastructure needs, financing options for extension public facilities and services, and environmental resources and a determination by the City Council that the City's long term interests are best served by sensitively planned, appropriately timed development north of the St. Johns River, that development will provide a net fiscal benefit to the City, and that infill development opportunities within the City have been fully realized.

Page 2-32

LU-P-28 Continue to use natural and man-made edges, such as major roadways and waterways within the City's Urban ~~Area~~ Growth Boundary, as urban development limit and growth phasing lines.

Chapter 9: Implementation – refer to Attachment A of Memo to Planning Commission dated July 28, 2014