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## **APPENDIX B:**

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CEQA Findings of Fact in Support of  
Findings and Statement of Overriding  
Considerations, 2014

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# **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

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 may 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 at 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<sub>x</sub> emissions due to construction, and increased PM<sub>2.5</sub> and PM<sub>10</sub> 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<sub>x</sub> emissions, and PM<sub>10</sub> and PM<sub>2.5</sub> emissions 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<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>. 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<sub>x</sub> emissions due to construction, and increased PM<sub>2.5</sub> and PM<sub>10</sub> 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<sub>x</sub> emissions, and PM<sub>10</sub> and PM<sub>2.5</sub> emissions 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<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>. 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”: 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;
- 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 Memorandum of Understanding with Tulare County, and work with the County to strengthen the implementation of the Visalia General Plan.

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 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 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-34 - Work with Tulare County and other state and regional agencies, neighboring cities, and private land trust entities to prevent urban development of agricultural land outside of the current growth boundaries and to promote the use of agricultural preserves, where they will promote orderly development and preservation of farming operations within Tulare County. Conduct additional investigation of the efficacy of agricultural conservation easements by engaging local, regional, and state agencies and stakeholders in order to further analyze their ongoing efforts and programs that attempt

to mitigate impacts from the conversion of agricultural lands through the use of agricultural conservation easements. The City will support 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.

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) Avoiding development of high quality farmland;
- (2) Minimizing farmland loss with more efficient development;
- (3) Ensuring stability of the urban edge;
- (4) Minimizing rural residential development;
- (5) Encouraging 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-34, 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 Update.

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:

- “In Lieu” farmland mitigation programs may result in the creation of a patchwork of easements;

- Payments may not cover the costs of land purchase at the price required to make the easement a meaningful mitigation measure;

- Conservation easements or in-lieu fees can be economically prohibitive for development; and;

- 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 speculative 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 Planning 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-34, 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-35            \*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-36 \*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.