

A close-up photograph of several bright orange oranges hanging from a tree with green leaves. The oranges are in various stages of ripeness, with some showing a slight green at the top. The background is softly blurred, showing more of the tree and foliage.

AGRICULTURAL PRESERVATION ORDINANCE

City Council Hearing

May 1, 2023

PROCESS

PROJECT MILESTONES



PUBLIC REVIEW

32-day review period

Friday, February 24th through Monday, March 27th

8 total comment letters received

- Michelle Huerta
- Darlene Mata
- Sequoia Riverlands Trust
- Eric Shannon
- Tulare County Farm Bureau
- Central Valley Partnership
- Skip Moss
- Dan Manro (received late)



SUMMARY OF REVISIONS

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Article 1: General Provisions. <i>Title, Purpose and Intent, Objectives, Interpretation of Provisions, Definitions</i>	
18.04.050 Definitions	Definition of “public facility” expanded to include general hospitals and public cemeteries.

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18.04.060 Applicability	Exclusion for affordable housing projects revised from 100% affordability requirement to compliance with State Density Bonus Law.

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Article 3: Methods of Preservation. <i>Acquisition of Conservation Easement, Payment of In-Lieu Fee</i>	
18.04.080 Acquisition of Conservation Easement	Language acknowledging that use of land mitigation banks are a form of easement acquisition added.
	Clarification added for appraisals to be based on the highest and best use of the property when determining the purchase price of the easement.
	Removed requirement to demonstrate that no land is available within a 10-mile radius. Preference language for 10-mile radius retained.
18.04.090 Payment of In-Lieu Fee	Use of in-lieu fee expanded to include anywhere in the 5-county region.

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Article 4: Monitoring and Compliance. <i>Qualified Entity, Compliance Review, Severability</i>	
18.04.110 Compliance Review	When payment of in-lieu fees are applicable, payment of fee will determine compliance.

RECOMMENDATION

Staff recommends that the Visalia City Council:

- Hold a public hearing,
- Receive a presentation and staff report, and
- Introduce the first reading of Ordinance No. 2023-02, approving a request by the City of Visalia to adopt a new title and chapter to the Visalia Municipal Code referred to as Title 18 “Agricultural Land Preservation”, Chapter 18.04 “Agricultural Land Preservation Program”, to create an agricultural preservation ordinance to implement Visalia General Plan Land Use Policy LU-P-34.