

RESOLUTION NO. 2021-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA, APPROVING GENERAL PLAN AMENDMENT NO. 2021-01, A REQUEST BY THE CITY OF VISALIA TO AMEND LANGUAGE TO GENERAL PLAN LAND USE POLICY LU-P-34, REMOVING A REQUIREMENT FOR THE ESTABLISHMENT OF AN AGRICULTURAL MITIGATION PROGRAM ASSOCIATED WITH THE CONVERSION OF CERTAIN FARMLANDS IN GROWTH TIERS II AND III. THE PROJECT APPLIES CITY WIDE, TO PROPERTIES WITHIN THE URBAN GROWTH BOUNDARIES ESTABLISHED BY THE VISALIA 2030 GENERAL PLAN

WHEREAS, General Plan Amendment No. 2021-01 is a request by the City of Visalia to amend language to General Plan Land Use Policy LU-P-34, removing a requirement for the establishment of an agricultural mitigation program associated with the conversion of certain farmlands in Growth Tiers II and III. The project applies city wide, to properties within the Urban Growth Boundaries established by the Visalia 2030 General Plan; and,

WHEREAS, General Plan Amendment No. 2021-01 was initiated in response to direction provided by the City Council of the City of Visalia on February 16, 2021, specifically to move forward with Alternative #4 outlined in the Feasibility Study presented to the City Council, wherein the Feasibility Study researches the feasibility of an Agricultural Mitigation Program within the Visalia planning area prior to the establishment of a City-wide program; and,

WHEREAS, the Planning Commission of the City of Visalia, after ten (10) days duly published notice, held a public hearing before said Commission on July 12, 2021; and,

WHEREAS, the Planning Commission of the City of Visalia considered the General Plan Amendment in accordance with Sections 17.54.060 and 17.54.070 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing and recommended approval of the General Plan Amendment, and adopted Resolution No. 2021-34 recommending approval of General Plan Amendment No. 2021-01; and,

WHEREAS, the City Council of the City of Visalia, after ten (10) days published notice, held a public hearing before said Council on August 2, 2021; and

WHEREAS, the City Council of the City of Visalia finds the General Plan Amendment to be in accordance with Section 17.54.080 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing and based upon the recommendation of the Planning Commission of the City of Visalia; and

WHEREAS, an Addendum to the City of Visalia 2030 General Plan Environmental Impact Report (EIR) (SCH No. 2010041078) has been prepared, consistent with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, which disclosed that the conclusions of the EIR remain valid for the scope of this project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Visalia finds that the conclusions of the City of Visalia 2030 General Plan EIR remain valid for the scope of this project, and that the Addendum to the City of Visalia 2030 General Plan EIR was prepared consistent with CEQA, State CEQA Guidelines, and City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves General Plan Amendment No. 2021-01, as shown on Attachment "1" of this Resolution, based on the evidence presented and based on the following specific findings:

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment resulting in the removal of a requirement for a City-wide Agriculture Mitigation Program will not impose any new or additional land uses or development in the City of Visalia that will adversely affect other properties.
3. That the proposed General Plan Amendment is supported by findings and data contained in the City of Visalia Feasibility Study (Provost & Prichard, December 2020) and other supporting documents included in the Study's Appendices.
4. That the proposed General Plan Amendment for the amendment of Land Use Policy LU-P-34 is in conformance with the purposes, intent, and policies of the General Plan of the City of Visalia.
5. That an Addendum to the City of Visalia 2030 General Plan Environmental Impact Report (EIR) (SCH No. 2010041078) has been prepared for this project, consistent with CEQA, on the basis that some changes or additions were necessary to the EIR based on the proposed General Plan Amendment but none of the conditions described in Section 15162(a), calling for preparation of a subsequent EIR, have occurred. The Addendum concludes that no new circumstances or changes have occurred nor has any new information been identified requiring new analysis or verification since the adoption of the EIR and therefore the conclusions of the EIR remain valid. Furthermore, approval of the General Plan Amendment constitutes a minor change to the Visalia 2030 General Plan that would not result in new or substantially more severe significant impacts to agricultural resources, the loss of which were found to be an impact that would be significant and unavoidable under the EIR.

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ATTACHMENT “1”

General Plan Amendment No. 2021-01 A request by the City of Visalia to amend language to General Plan Land Use Policy LU-P-34, removing a requirement for the establishment of an agricultural mitigation program associated with the conversion of certain farmlands in Growth Tiers II and III.

Changes to the City of Visalia General Plan, as specified by underline for additions and ~~strikeout~~ for deletions.

Land Use Element Policy 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~~ such efforts 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.~~

~~In addition to supporting regional efforts to prevent urban development of agricultural lands, the City shall create and adopt a mitigation program to address conversion of Prime Farmland and Farmland of Statewide Importance in Tiers II and III. This mitigation program shall require a 1:1 ratio of agricultural land preserved to agricultural land converted and require agricultural land preserved to be equivalent to agricultural land converted. The mitigation program shall also require that the agricultural land preserved demonstrate adequate water supply and agricultural zoning, and shall be located outside the City UDB, and within the southern San Joaquin Valley. The mitigation program shall, to the extent feasible and practicable, be integrated with the agricultural easement programs adopted by the County and nearby cities. The City's mitigation program shall allow mitigation to be provided by purchase of conservation easement or payment of fee, but shall indicate a preference for purchase of easements. The mitigation program shall require easements to be held by a qualifying entity, such as a local land trust, and require the submission of annual monitoring reports to the City. The mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I, or conversion of agricultural lands for agricultural processing uses, agricultural buffers, public facilities, and roadways.~~

PASSED AND ADOPTED: August 2, 2021

RANDY GROOM, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Randy Groom, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2021-44 passed and adopted by the Council of the City of Visalia at a regular meeting held on August 2, 2021.

Dated: August 6, 2021

RANDY GROOM, CITY CLERK

A handwritten signature in cursive script that reads "Michelle Nicholson".

By Michelle Nicholson, Chief Deputy City Clerk