

RESOLUTION NO. 2023-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA, APPROVING GENERAL PLAN AMENDMENT NO. 2021-14: A REQUEST TO AMEND THE LOCATION AND ACREAGE OF GENERAL PLAN LAND USE DESIGNATIONS WITHIN 507 ACRES, RESULTING IN THE REDISTRIBUTION OF RESIDENTIAL LOW, MEDIUM, AND HIGH DENSITY, PARKS / RECREATION, COMMERCIAL NEIGHBORHOOD, AND PUBLIC INSTITUTIONAL DESIGNATIONS, AND THE ESTABLISHMENT OF A COMMERCIAL MIXED USE DESIGNATION. THE PROPOSED PROJECT IS LOCATED ON APPROXIMATELY 507 ACRES, GENERALLY BOUND BY W. RIGGIN AVENUE TO THE SOUTH, N. AKERS STREET TO THE EAST, N. SHIRK ROAD TO THE WEST AND AVENUE 320 (W. KIBLER AVENUE) TO THE NORTH (APN 077-100-108 AND 077-100-105.)

**WHEREAS**, General Plan Amendment No. 2021-14 is a request to amend the location and acreage of General Plan land use designations within 507 acres, resulting in the redistribution of Residential Low, Medium, and High Density, Parks / Recreation, Commercial Neighborhood, and Public Institutional designations, and the establishment of a Commercial Mixed Use designation. The proposed Project is located on approximately 507 acres, generally bound by W. Rigggin Avenue to the south, N. Akers Street to the east, N. Shirk Road to the west and Avenue 320 (W. Kibler Avenue) to the north (APN 077-100-108 and 077-100-105.); and

**WHEREAS**, the Draft Environmental Impact Report (Draft EIR) for the Carleton Acres Specific Plan Project, which considered impacts from General Plan Amendment No. 2021-14, was released on May 4, 2023, for circulation for a period of 45 days; and,

**WHEREAS**, the Final Environmental Impact Report (Final EIR) for the Carleton Acres Specific Plan Project, was released on September 1, 2023, 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) required 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, which in full are contained in Resolution No. 2023-42 pertaining to the certification of the Final EIR prepared for the Carleton Acres Specific Plan Project; and,

**WHEREAS**, the Planning Commission of the City of Visalia, after 10 days published notice, held a public hearing before said Commission recommending approval of General Plan Amendment No. 2021-14 on September 11, 2023; and

**WHEREAS**, the City Council of the City of Visalia, after 10 days published notice, held a public hearing before said Council for General Plan Amendment No. 2021-14 on October 2, 2023; and

**WHEREAS**, the Planning Commission and the City Council of the City of Visalia considered General Plan Amendment No. 2021-14 to be in accordance with Section 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Visalia finds that Final EIR for the Carleton Acres Specific Plan Project, SCH# 2021050418, was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of Visalia approves General Plan Amendment No. 2021-14 based on the following specific findings and evidence presented:

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 creating 28.7 acres of Commercial Mixed Use and 17.3 acres of Basin will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
3. That the General Plan Amendment will help facilitate additional residential units within the Tier II and III Urban Development Boundaries, and that the proposed tentative subdivision map resulting from the amended General Plan land use map is compatible with the adjacent residential uses.
4. That the project is consistent with the project description contained in the Final Environmental Impact Report (FEIR) (SCH# 2021050418) for the project associated with this General Plan Amendment, specifically for development is identified and described in the Carleton Acres Specific Plan, and for which said FEIR is recommended to be certified by the City Council precedent to the Planning Commission and City Council's consideration of this General Plan Amendment request, consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

**BE IT FURTHER RESOLVED** that the City Council of the City of Visalia approves General Plan Amendment No. 2021-14, as depicted per Exhibit "A", on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.54.070 of the Ordinance Code of the City of Visalia.

