



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

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District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: August 28, 2012

Public Hearing Required	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: Public Hearing on the Proposed Tulare County General Plan 2030 Update, Proposed Climate Action Plan and Proposed Final Environmental Impact Report

REQUEST(S):

That the Board of Supervisors:

1. Open the Public Hearing, Receive a Staff Presentation on the Proposed General Plan 2030 Update, Proposed Climate Action Plan and Proposed Final Environmental Impact Report and Receive the Planning Commission recommendation.
2. Receive public comment regarding the Proposed General Plan 2030 Update, the proposed Final Environmental Impact Report and the proposed Climate Action Plan.
3. Close the Public Hearing and take action on the following:
 - a) Resolution of decision (Attachment A) certifying the proposed FEIR as recommended by Staff for the Proposed General Plan 2030 Update and Proposed Climate Action Plan, adopting California Environmental Quality Act (CEQA) Findings of Fact and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program.
 - b) Resolution of decision and findings (Attachment B) approving Planning Commission's recommendation and amending the County's Existing

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General Plan as set out in the proposed General Plan 2030 Update "As Modified" and as recommended by staff.

c) Resolution of decision and findings (Attachment C) adopting the Proposed Climate Action Plan, and

d) Direct the Clerk of the Board to issue a Notice of Determination in compliance with CEQA Guidelines Section 15094.

SUMMARY:

I. General Plan Background & Summary:

The proposed project before the Board of Supervisors amends the County's existing general plan and includes adoption of a proposed Climate Action Plan (CAP). The County of Tulare (County) is the Lead Agency for the proposed project and the Board of Supervisors is the decision making body. As the Lead Agency, the County has the principal responsibility for approving and carrying out the proposed project and is responsible for considering its environmental effects. The proposed amendment to the County's existing general plan is referred to as the General Plan 2030 Update. In these agenda item materials, the General Plan 2030 Update may also be referred to, variously, as the Proposed General Plan 2030 Update, or General Plan 2030 Update, or General Plan Update, or 2030 Update, or GPU, or Goals and Policies Report, or GPR.

State law requires that the County prepare and adopt a comprehensive and long-range general plan (Government Code Sections 65300 et seq.). This "general plan" is the County's "Constitution" for future development and growth within the unincorporated areas of the County. The proposed project will amend and update the County's existing general plan. The GPU will reorganize, update, modernize and add to the County's general plan policies and documents as described in Part I, Chapter 1 ("Introduction") of the General Plan 2030 Update and throughout the chapters of the GPU document. This GPU addresses six of the seven mandatory general plan elements required by the State: land use, circulation, open-space, conservation, safety, and noise (Government Code Section 65302). The seventh mandatory element is the Housing Element. The Housing Element is required to be updated every five years and, therefore, follows a separate track than that of the GPU. The Housing Element for the 2009-2014 planning period was approved (certified) by the State Department of Housing and Community Development (HCD) by letter dated January 3, 2012, after final adoption by the Board of Supervisors on May 8, 2012.

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The parts of the existing County General Plan modified or revised in this update are set out in Part I (the Goals and Policies Report) and Part II (the Area Plans).¹ The Recirculated Draft Environmental Impact Report (RDEIR), the Tulare County GPU 2010 Background Report, and the General Plan 2030 Update were released for public review under CEQA on March 25, 2010. A Climate Action Plan, prepared as an implementation measure of the General Plan Update, was also released at that time. The Climate Action Plan is not a part of the General Plan Update, but is an implementation measure for the General Plan Update.

When the RDEIR was released for public review on March 25, 2010, it started a 60 day period for public review and comment under CEQA ending on May 27, 2010. The 60 day public review period is consistent with the maximum public review period specified in State CEQA Guidelines §15105(a). A total of 40 letters were received during the public review period. The Final EIR also includes four additional letters received shortly after the public review period closed. Altogether, these 44 letters contain approximately 2,300 comments and 1,500 pages of material.

Staff worked in conjunction with consultants for approximately a year and a half to prepare a proposed Final Environmental Impact Report (FEIR), which includes responses to these comments, and master responses. During this time, staff conducted 26 public outreach meetings to discuss the GPU materials and process. In addition, staff coordinated with Council of Cities staff to address concerns regarding proposed policies related to urban boundaries surrounding incorporated cities (Please see Attachment D regarding General Plan 2030 Update Public Meetings/Workshops/Coordination).

A joint workshop with the Board and the Planning Commission was held on August 30, 2011 to review the comments received on the RDEIR and GPU documents during the public review period that ended in May of 2010 and the four additional letters received shortly after the public review period (two letters on May 28, 2010, one letter on June 3, 2010, and one letter on June 7, 2010). Staff discussed the approach taken regarding the preparation of the proposed FEIR, provided an overview of requested policy changes, and requested authorization to release the proposed FEIR. In addition staff requested direction regarding the scheduling of future public meetings. As per your direction, the proposed FEIR was released on August 30, 2011 and a public hearing was held before the Planning Commission on October 19, 2011.

This Planning Commission public hearing was continued to November 16, 2011, to allow additional comments, and was closed on November 16, 2011 and the matter brought back to the Planning Commission on December 7, 2011, for its decision on

¹ The General Plan 2030 Update, Part III plans are not proposed for revisions or re-adoption as part of the General Plan Update, with two exceptions: the Urban Development Boundary for the Pixley Community Plan was modified to include the Harmon Field Airport and the County Adopted City General Plan for Dinuba was modified to reflect the recently annexed Dinuba Golf Course, residential and wastewater treatment area.

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recommendations to the Board of Supervisors set out in Resolution 8636. During the Planning Commission review process 41 written comment letters were submitted and 44 separate verbal comments were received. Of the 44 separate verbal comments received, eight individuals commented twice. At the October 19, 2011 public hearing, 23 persons provided verbal comments. Twenty-one persons provided verbal comments at the November 16, 2011 public hearing. A total of 41 written comment letters were received between October 6, 2011 (date of published Notice of the Planning Commission Public Hearing) and November 16, 2011. Of the 85 separate individual correspondence items as identified above, approximately 34 percent were received from Three Rivers residents, and two individual parties accounted for 21 percent of the total number of written comment letters. Almost half of the total number of written comment letters and verbal commenter comments were received from Foothill Community areas, including Three Rivers, Springville, Lemon Cove, and from several Exeter area residents. The Planning Commission by unanimous vote recommended: that the Board certify the proposed Final Environmental Impact Report and approve the 2030 General Plan Update (with modifications described in Staff Recommendation 3(b) above), and approve the Proposed Climate Action Plan. Please see the Planning Commission's recommendation, Item 2 in Attachment E.

Notice of this public hearing (Attachment F) before the Board of Supervisors was published on August 17, 2012, and included a summary of the Planning Commission's recommendations

I.A. Brief Procedural History Prior to 2010 Release

The County Board of Supervisors initiated the process to amend the County's existing general plan in the summer of 2003. This process produced a draft General Plan Update and DEIR in 2008, and a revised Draft General Plan 2030 Update and RDEIR in 2010. The process included numerous public outreach efforts. A series of 19 workshops, 11 public Board of Supervisors study sessions, 12 technical advisory committee meetings and four joint Board of Supervisors and Planning Commission meetings were held to discuss, review, recommend and provide public comment on the 2008 proposed General Plan Update.

In January 2008, the County released a proposed Tulare County GPU and Draft Environmental Impact Report (DEIR) to the public. The DEIR was circulated for public review and comment for an extended period of over 90 days (January 14, 2008 through April 15, 2008) to allow for maximum public involvement and input. During the 2008 public review period identified above, the County received approximately 95 written communications from agencies, organizations and individuals with comments on the General Plan Update and DEIR.

The County and its consultants reviewed and considered these comments. Based on that review, the County made substantial revisions to the proposed project and

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determined that several subjects warranted additional information, analysis or clarification (see RDEIR page ES-6 further details). In its role as the lead agency, pursuant to CEQA Guidelines Sections 15088(a) and 15204(a), the County directed the recirculation of a revised DEIR for the proposed project. Consideration of the various comments received on the DEIR, as well as continued developments in the areas of air quality, climate change, and water resources resulted in the County's decision to update the Background Report as well as the previous DEIR. This effort resulted in the proposed GPU and RDEIR, released on March 25, 2010 for a 60 day review period ending on May 27, 2010, as described above.

II. Proposed Project - 2030 General Plan 2030 Update and Climate Action Plan Summary

II.A. 2030 General Plan Update

II.A.1. 2030 General Plan Update - Objectives

The County's existing general plan provides a comprehensive, long-term plan for land use and physical development in the unincorporated areas of the County. It consists of development policies that set forth objectives, principles and standards that guide land use decisions within the County. The general plan and its figures, diagrams, and development policies form the basis for the County's zoning, subdivision, and public works decisions.

The proposed General Plan 2030 Update maintains the long standing tradition of supporting sustainable agricultural resources through the Rural Valley Lands Plan, and directing future urban growth into established areas containing existing development through the proposed Planning Framework Element (update of the existing Urban Boundaries Element).

This proposed amendment was developed to meet several broad objectives (i.e., the requirements of State law, etc.), and, through extensive public outreach, to reflect the specific policy needs of Tulare County. To help determine the County's specific policy needs the Board of Supervisors considered input received from the many community workshops, the Tulare County General Plan Update Technical Advisory Committee, and the Planning Commission, on the fundamental values that would guide the preparation of the General Plan Update. As a result of this input, the following five value statements were identified:

- The beauty of the County and the health and safety of its residents will be protected and enhanced.
- The County will create and facilitate opportunities to improve the lives of all County residents.
- The County will protect its agricultural economy while diversifying

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employment opportunities.

- Every community will have the opportunity to prosper from economic growth.
- Growth will pay its own way providing sustainable, high quality infrastructure and services.

From these value statements, four framework concepts were developed for the General Plan Update.

- **Concept 1: Agriculture.** One of the most identified assets in Tulare County is the rich agricultural land on the Valley floor and in the foothills. The General Plan identifies agriculture not only as an economic asset to the County but also as a cultural, scenic, and environmental element to be protected and to insure that the utilization of these resources may continue to economically succeed.
- **Concept 2: Land Use.** Tulare County has a number of unincorporated communities and may plan for and establish new communities that will grow and develop while natural resource lands (agriculture, mineral extraction, and open space) will be preserved and permitted to expand. It is anticipated that much of the projected population growth will require a range of housing choices, neighborhood support services, and employment producing uses that are centrally located in cities and unincorporated communities. The County will also utilize its goals and policies to guide the conversion of agricultural and natural resource lands to urban uses.
- **Concept 3: Scenic Landscapes.** The scenic landscapes in Tulare County will continue to be one of its most visible assets. The Tulare County General Plan emphasizes the enhancement and preservation of these resources as critical to the future of the County. The County will continue to assess the recreational, tourism, quality of life, and economic benefits that scenic landscapes provide and implement programs that preserve and use this resource to the fullest extent.
- **Concept 4: Natural and Cultural Resources.** As Tulare County develops its unincorporated communities and plans for new self-sustaining communities, the County will ensure that development occurs in a manner that limits impacts to natural and cultural resources through the implementation of its Goals and Policies through proper site planning and design techniques.

From these framework concepts several guiding principles were identified, which set the foundation for the various goals, policies, and implementation measures that comprise the various elements of the General Plan Update amendment. These guiding principles also serve as the objectives of the proposed project.

Overall, the objectives of the proposed project are to amend the County General Plan to achieve the following:

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- Provide opportunities for small unincorporated communities to grow or improve quality of life and their economic viability and to provide the framework for planning new self sustaining communities;
- Promote reinvestment in existing unincorporated communities in a way that enhances the quality of life and their economic viability in these locations;
- Protect the County's important agricultural resources and scenic natural lands from urban encroachment through the implementation of goals and policies of the General Plan;
- Strictly limit rural residential development in important agricultural areas outside of unincorporated community Urban Development Boundaries (UBDs), unincorporated Hamlet Development Boundaries (HDBs) and city Urban Development Boundaries (UDBs) and Urban Area Boundaries (UABs (i.e., avoid rural residential sprawl);
- Allow existing and outdated agricultural facilities in rural areas to be retrofitted and used for new agricultural related businesses (including value added processing facilities and uses) subject to specified criteria; and
- Enhance planning coordination and cooperation with the agencies and organizations with land management responsibilities in and adjacent to Tulare County.

II.A.2. 2030 General Plan Update - Summary of Changes to the Existing General Plan

In undertaking the General Plan 2030 Update amendment and preparing the Recirculated Draft Environmental Impact Report (RDEIR), the County of Tulare was not writing on a "blank slate." The General Plan 2030 Update amends the existing County General Plan by modernizing, updating, and adding to existing policies that have been developed over time since the first County general plan was adopted in 1964.

The General Plan Update planning area covers all of the unincorporated territory in the County, 2,190 square mile planning area. This area contains three diverse geographical areas. Continuing the County's traditional approach, the proposed General Plan 2030 Update applies an "umbrella" of general planning policies over an established planning system of three "area plans" (each providing more detail for one of the three major geographic areas of the County), several detailed County Adopted City General Plans, several Sub-Area plans, detailed community plans, and a proposed corridor framework plan.

Each Area Plan is designed to address the typical issues found in one of the three geographic regions in the County (valley, foothill and mountain). Unincorporated settlements are scattered throughout the agricultural and open space areas within each specific geographic area and thus have diverse issues, needs and opportunities. Under the proposed GPU, the County Adopted City General Plans,

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adopted and proposed Community Plans, proposed Hamlet plans, proposed Corridor plans, Sub-Area plans, and Mountain Service Center (MSC) plans will apply to smaller areas within the Area Plan boundaries and address more localized planning concerns. A County Adopted City General Plan will continue to apply to the unincorporated planning areas immediately adjacent to the city's boundary and will be consistent with the plan character developed by the particular city in question. Each Community, Hamlet, and MSC plan will be or has been developed based upon the specific character and needs of the unincorporated urban service center to which it applies or will apply. The concept of Hamlets is new under the proposed GPU.

One way to look at this planning system would be a three tier system based on specificity: Tier one would be the General Plan 2030 Update "umbrella" of general policies applicable throughout the county, the second tier would be the Area Plan policies applied in particular geographical regions. The third tier would be policies tailored to sub-areas, communities, hamlets, MSCs and to the planning areas surrounding the cities, all carved out of the area plan territories and adopted by the County. These third tier areas would take the form of community plans, County Adopted City General Plans, Hamlet plans, MSC plan, Corridor plans, and Sub-Area plans. The structure of the General Plan 2030 Update is discussed in more detail in the Goals and Policies Report, Part I. (See Goals and Policies Report, Part I, Introduction, pp. 1-2 through 1-6.)

Since the existing general plan was originally adopted (1964), several Area, Sub-Area and Community Plans have been adopted, each with its own set of land use and development standards. The result is that, by 2005, Tulare County was using over 60 separate land use designations. It is the intent of the proposed changes to the Land Use Element (Chapter 4 of Part I: Goals and Policies Report) to "compile" or consolidate these land use designations (Table 4.2: Countywide Land Use Designation Matrix (Chapter 4 of Part I: Goals and Policies Report)) and establish a common set of broad, uniform land use designations (Table 4.1: Land Use Designation Matrix (Chapter 4 of Part I: Goals and Policies Report)). This uniform set of land use and development standards will apply to all future updates and planning efforts when implementing the General Plan 2030 Update. Most of the land use designations already applied by the County will not be amended or substantively changed by this update (i.e. no changes to building intensity or population density).

The proposed General Plan 2030 Update will fill in some gaps in the existing land use diagram. In most instances the land use designations on individual properties have already been established or "designated" by existing community and other "third" tier plans (gathered into Part III of the General Plan under the General Plan Update) and will not be changed at this time. These existing plans will not be amended or revised at this time, with two limited exceptions: By reason of the new diagrams to be adopted as part of the Planning Framework chapter or Element of

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the General Plan Update, the Urban Development boundaries of the (1) the County adopted City General Plan for Dinuba will be modified to reflect the Dinuba Golf Course, residential and wastewater treatment area annexed to the City, and (2) the Pixley Community Plan boundary will be modified to include Harmon Field (a closed airfield). (See FEIR Master Response #5 for further details). In addition, a "mixed use" designation will be applied within the proposed Hamlet boundaries as set out in the Planning Framework chapter or Element of the General Plan Update, pending adoption of Hamlet plans in the future. The zoning, and consequently the current land use densities, in these areas remains unchanged.

The County of Tulare covers approximately 4,840 square miles. Approximately 2,520 square miles are state or federal lands and another approximately 130 square miles are within the incorporated cities in Tulare County. These areas are outside of the County's planning jurisdiction. This still leaves approximately 2,190 square miles within the County's planning jurisdiction. As mentioned above, this planning area includes three distinct geographical areas: valley floor, foothills and mountain areas. Most of the areas in the County's jurisdiction are in agricultural use or open space. Only about 170 square miles of the County's 2,190 square mile planning area have some sort of consolidated or contiguous urban development of any size: this development is mostly in fairly well defined, historic, urban service centers (unincorporated communities, smaller valley service centers (illustrated by the new hamlet boundaries identified in the proposed General Plan Update) and mountain service centers).

The first elements of the County's existing General Plan to guide development were adopted in 1964, well after most of its historic urban services centers had been established. Over the years, these elements were amended and new mandatory and voluntary elements were added to the existing General Plan. The proposed General Plan Update will reorganize, update and modernize the County's existing General Plan. The historic three tier structure of the existing general plan (general plan policies, Area Plans, and community, sub-area plans, and County adopted City General Plans) will be formalized into a cohesive, three part system, consisting of:

Part I: Which organizes, the various mandatory and voluntary elements of the General Plan into 4 components, each of which contains one or more related mandatory or voluntary element (chapters) setting out the General Plan policies applicable throughout the County's planning area.

Part II: Which consists of three existing Area Plans (the Rural Valley Lands Plan, the Foothill Growth Management Plan and the Mountain Framework Plan) setting out policies particular to the specific geographic area governed by such Plan. In addition, the General Plan Update will add a new "Corridor Framework Plan". The Corridor Framework plan will establish policies to guide the potential adoption of corridor plans to assist in planning land uses best located in appropriate areas adjacent to transportation routes. Specific corridor plans would be adopted and

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located through a General Plan amendment process and, when adopted, included in Part III of the General Plan.

Part III: Which compiles and includes by reference all of the existing community plans, Sub-Area plans and County Adopted City General Plans. These existing plans establish policies specific to their delineated planning areas. Any amendments to such plans and any new plans, including Hamlet Plans, Mountain Service Area Plans, and Corridor Plans, adopted in the future will be included in this part. The "plans" in this part are local or specific plans and set out planning policies applicable only in their delineated, local planning area. Please see Chapter 1 (Introduction) of Part II of the proposed General Plan Update for more details on this reorganization proposed by this amendment.

In addition, the proposed amendment continues and modernizes and adds new policies to the various elements of the County's existing general Plan. Further, the County has identified implementation measures for each of the elements in the proposed General Plan Update.

Although it is beyond the scope of this report to identify each change to an existing policy or to mention each new policy, the proposed amendment would make several significant policy changes to the existing County general plan:

1) Hamlets: the existing general plan and Area Plans recognize several types of limited planning areas such as community Urban Development Boundaries, City Urban Development Boundaries and Urban Area Boundaries (surrounding incorporated cities), and Mountain Services Centers. In addition to including the new Corridor Framework Plan concept, the proposed General Plan Update identifies certain existing small urban service centers as new planning areas called Hamlet Development Boundaries and establishes planning policies applicable to these areas in Chapter 2, Part I for the proposed General Plan Update.

2) City Urban Development and Area Boundaries: the proposed General Plan Update adds several new policies regarding development in those County areas surrounding cities. These policies provide for increased coordination with the cities regarding development that may eventually be expanded into these areas.

3) New Towns: In the past, urban service centers in the County have gradually "build up" in areas where people have wanted to live or where commercial services are needed to serve agriculture and surrounding populations. Although no particular areas for new towns are identified in the proposed General Plan Update, it would establish policies that would allow the County to plan for such new communities in detail through General Plan Amendments and Master and Area Plans and ensure that any new towns (planned community areas) would be adequately served and sustainable.

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4) Preservation of agricultural lands: the proposed General Plan Update organizes existing policies preserving agriculture into a new voluntary element, set out in Chapter 3 of Part I, and adds new policies to maintain and enhance this use.

5) Consolidation of Land Use designation categories: The General Plan Update would provide the structure to consolidate the over 60 existing land use designations that have developed through various General Plan amendments and other plan adoptions over the years into a limited number of categories. Please see Tables 4.1 and 4.2 in Chapter 4 of Part I.

6) City or urban centered development: New Policy LU-2.1 expressly provides that the County shall maintain agriculturally-designated areas for agricultural use by directing urban development away from valuable agricultural lands to cities, unincorporated communities, hamlets and planned community areas where public facilities and infrastructure are available.

7) Smart Growth, Healthy Communities and Sustainability: the proposed General Plan Update recognizes the benefits of smart growth, healthy communities, sustainability and open space by providing many new policies and retaining existing policies with some modifications related to flexible and innovative planning. Please see Appendix B to the General Plan Update which list the policies in Part I of the Update by subject matter, particularly subjects "Aesthetics, View Shed", "Air Quality", "Community Design-Sustainable Growth-Smart Growth", "Conservation of Natural Resources/Open Space", "Energy", "intermodal Connectivity", "Public Transportation", "Recreation", "Sustainability and Greenhouse Gas Emissions", and "Water Quality". Also please see the policies from the proposed General Plan Update and existing general plan listed in the proposed Climate Action Plan.

8) RVLP, FGMP and MFP: The County's successful, innovative, and existing Rural Valley Lands Plan, Foothill Growth Management Plan and Mountain Framework Plan remain mostly unchanged except for format and updating of some existing policies or deletion of obsolete policies.

9) Implementation Measures: Although not a part of the proposed general plan amendment, the implementation measures identified at end of each element or chapter in Part I of the proposed General Plan Update provide a systematic roadmap and work plan for the future development of planning and other tools to implement the proposed Update and can be monitored and adjusted over time without amending the general plan in order to take into consideration new information, changing circumstances and evaluations of effectiveness as long as the implementation measures remain consistent with the intent of the General Plan and adopted mitigation measures.

10) Proposed Land Use Designation Changes: Although this proposed General Plan Update generally does not change the general plan land use designation on

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any particular property, the exception is in the proposed Hamlet Development Boundaries and Mountain Service Center Boundaries: if adopted, the proposed General Plan Update would change the general plan land use designation for properties within those boundaries to "mixed use" as set out in the Planning Framework Part I Chapter 2 or Mountain Framework Plan Part II Chapter 4 Element of the General Plan Update, pending adoption of Hamlet and Mountain Service Center plans in the future. These proposed "mixed use" general plan land use designations are consistent with existing zoning as the "mixed use" land use designation provides for a "broad spectrum of compatible land uses" as defined in the proposed Land Use Element (See Goals and Policies Report, Part I, Land Use, pg. 4-20.) (See FEIR Master Response #5 for further details).

In addition, several changes to the policies set out in the 2010 version of the GPU have been identified through the FEIR, public comment, and by staff recommendation. Please see the underline/strikethrough version of the GPU in Item 4 of Attachment G.

Although the above list highlights some of the more significant substantive changes proposed by the General Plan Update, if adopted, the General Plan Update will amend the County's existing general plan to make many changes, some minor and some more substantive, but all designed to provide a solid foundation on which to build as the County updates its current zoning and other development regulations and considers future development. In addition, as the County gains experience in using its general plan as amended by this proposed Update, it may adjust these policies by future amendments to the General Plan.

II.A.3. 2030 General Plan Update – Planning Strategy and Development Constraints

As mentioned in number 6 above, the proposed General Plan 2030 Update continues and strengthens to County's intent to direct development and proposed growth into specified, existing "urban areas" or "urban service centers" to be called: Community Urban Development Boundaries (UDB), Hamlet Development Boundaries (HDB) and Mountain Service Centers (MSC). For example, in order to develop within the County's land use jurisdiction on the valley floor (where most of the prime agricultural land is located) but outside of community UDB's and HDB's, proposed development must meet the requirements of the Rural Valley Lands Plan to be rezoned to a nonagricultural zoning or qualify for certain permits. To locate inside the community UDB's and HDB's, development will not be required to meet the restrictive RVLP requirements. This approach also uses economic or fiscal factors (see Policy PF-1.4) to focus growth where there is the possibility of using the economy of scale to provide services to populations gathered in these compact areas.

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However, development in these urban areas may be limited by the availability of urban type services. As shown by the background report and the environmental settings described in the RDEIR, a majority of urban service centers have limited existing capacity to serve new growth or development. Consequently, proposed General Plan 2030 Update policy (PF-1.4) requires that such new development "pay its own way" and provide sufficient resources to serve the proposed development. This policy seeks to require that new development not increase existing deficiencies. New development within these urban areas may also be limited by other constraints such as the existing ordinances, topographical restrictions (such as slope and other terrain limitations) and many others.

Consequently, the General Plan 2030 Update would focus urban development into specific and limited areas of the County (consistent with General Plan Policy PF-1.2). As shown in Figure 4-1 "Land Use Diagram" (General Plan 2030 Update, Part I, p. 4-5), vast regions of the County will remain as agriculture and/or resource conservation areas (approximately 85% of the overall square miles in the County). The remaining areas that are the main focus of urban type growth are: Community UDB's, Hamlet Boundaries, Mountain Service Centers, Foothill Development Corridors, Planned Community Areas (none yet established), Regional (none yet established) Urban and Scenic corridors, and a few other existing Sub-Area plan areas such as the Kings River Plan, Sequoia Field Land Use and Public Buildings Element/Juvenile Detention Facility element, Great Western Divide North-Half, and Kennedy Meadows Mountain Sub-area Plans. Most of the planning boundaries in the proposed general plan currently exist within the County. These boundaries concentrate urban growth within specified areas of the county thereby limiting sprawl and preserving the vast majority of the County's open space resources. These boundaries were previously adopted through Community Plans, Area Plans or other type of General Plan amendments over the years. Land use designations and zoning designations or districts were usually applied within these plan areas at or soon after the adoption of the plan. The Urban Development Boundaries, Urban Area Boundaries, Foothill Development Corridors boundaries, Sub-Area Plan boundaries, RVLP boundaries and FGMP boundaries were previously adopted by the County and, except as discussed below under Area Descriptions, will not be amended in the proposed General Plan 2030 Update.

II.A.4. 2030 General Plan Update – Summary of Changes "As Modified" General Plan Update

In summary, changes included in the "As modified" General Plan since the 2010 draft include:

(A) "Required Additional Mitigating Policies and Implementation Measures", RDEIR, as modified in the FEIR (recommended by Staff and the Planning Commission);

(B) "Public Policy Comment Matrix" see Agenda Item Attachment E, Item 7

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(recommended by Staff and the Planning Commission);

(C) "Tulare County 2030 General Plan Update Summary of Changes", see Agenda Item Attachment E, Item 8 (recommended by Staff and the Planning Commission);

(D) "General Plan 2030 Update Correctory Table", see Agenda Item Attachment E, Item 9 (recommended by Staff and the Planning Commission);

(E) "Addendum to Exhibit 3 General Plan City Section PF- 4 Comment Matrix" see Agenda Item, Attachment E, Item 10 (recommended by Staff and the Planning Commission); (Please see paragraph below)

(F) Material from the RDEIR related to compliance with AB 162 (see GPU, Part 1, Chapter 10) (recommended by Staff); and

(G) Clarifying language, based in part on Master Response #3 of the FEIR (see GPU, Part I, Section 1.5) (recommended by Staff).

(H) Since the Planning Commission hearings, the "as modified" GPU was revised to include a limited number of additional clarifications to the February 2010 draft. The city section was modified to clarify flexible finance development standards (Part 1 Chapter 2 Planning Framework Element).

II.B. Climate Action Plan; Implementation Measures

Also before the Board today is a Climate Action Plan. The Climate Action Plan has been prepared as part of a Climate Action Strategy for the County. The Tulare County Climate Action Plan (CAP) will serve as a guiding document for County actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change in regard to future development. The CAP is an Implementation Measure of the General Plan 2030 Update. An Implementation Measure is a specific action, program, procedure, or technique. Implementation Measures are provided to help ensure that appropriate actions are taken to implement the General Plan. Implementation Measures may be adjusted over time, without amending the General Plan, based on new information, changing circumstances, and evaluation of their effectiveness, so long as they remain consistent with the intent of the General Plan and adopted mitigation measures. The proposed GPU provides the supporting framework for development in the County to produce fewer greenhouse gas emissions during Plan buildout. The CAP builds on the GPU's framework with more specific actions that will be applied to help achieve emission reduction targets consistent with California legislation.

III. Final Recirculated Draft Environmental Impact Report (FEIR)

The proposed FEIR was released on August 30, 2011. The FEIR includes the

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following chapters:

- **Executive Summary** contains the FEIR Overview.
- **Chapter 1, "Introduction and Reader's Guide,"** discusses the purpose of this document, public review process, CEQA requirements, and use of this document.
- **Chapter 2, "Minor Revisions to the RDEIR,"** contains minor changes and edits to the text of the RDEIR made in response to the comments. These changes are to correct minor errors and for purposes of clarification.
- **Chapter 3, "Comments on the RDEIR,"** includes a copy of each of the comment letters received during the review period from March 25, 2010 to May 27, 2010. The individual comment letter numbers correspond to those responses provided in Chapter 5.
- **Chapter 4, "Master Responses,"** is comprised of general responses that address similar comments received regarding certain specified subject areas.
- **Chapter 5, "Responses to Comments on the RDEIR,"** contains the responses to the individual comments received during the public review period for the RDEIR. The response numbers correspond to individual comment letter comment numbers provided in Chapter 3.
- **Chapter 6, "Report Preparation,"** identifies the lead agency and consulting team who prepared the report.
- **The Recirculated Draft EIR dated February 2010.** Revisions contained in the chapters above preempt language contained in the Recirculated Draft EIR.
- **Item 1 of Attachment G to this agenda item, "Board of Supervisors Final EIR minor Changes Matrix,"** identifies minor revisions to the proposed FEIR. Changes in this document shall preempt language contained in the Recirculated Draft EIR, as well as the proposed FEIR released in September 2011. Staff recommends that these minor revisions be incorporated in the FEIR upon certification by the County.

III.A. Recirculated Draft Environmental Impact Report (RDEIR)

The County released the initial DEIR on the GPU in 2008 for public comment. After review of the comments received, the County, as lead agency, made substantial

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revisions to the DEIR that was initially proposed in 2008 and released in 2008. As the Lead Agency for the project, the County determined that recirculation of a revised EIR was appropriate and directed the preparation of the RDEIR. The RDEIR evaluates the environmental impacts of the proposed Tulare County General Plan Update (i.e., the February 2010 General Plan 2030 Update), the Climate Action Plan, and identifies mitigation measures and reasonable alternatives to avoid or reduce its significant adverse effects. (Section 15121[a] CEQA Guidelines.)

The RDEIR included a detailed analysis of impacts in multiple environmental disciplines, analyzing the Project and alternatives, including a No Project Alternative. The EIR discloses the environmental impacts expected to result from the construction and operation of the Project. Where possible, mitigation measures were identified to avoid or minimize significant environmental effects. The mitigation measures identified in the EIR ("Required Additional Mitigating Policies and Implementation Measures") are measures proposed by the lead agency, responsible or trustee agencies or other persons that were not included in the Project but could reasonably and feasibly be expected to reduce adverse impacts if required as conditions of approving the Project, as required by CEQA Guidelines § 15126.4(a)(1)(A).

A summary of impacts and potential mitigation measures is included in the RDEIR (Table ES-4). Table ES-4 contains 1) environmental impacts, 2) mitigation measures, 3) significance before mitigation, and 4) significance after mitigation. Required additional mitigating policies and implementation measures are recommended for 1) Land Use and Aesthetics, 2) Traffic and Circulation, 3) Energy and Global Climate Change, 4) Noise, 5) Geology, Soils, Seismicity, and Mineral Resources, 6) Hazardous Materials and Public Safety, 7) Public Services, Recreation Resource and Utilities, 8) Agricultural Resources, 9) Biological Resources, and 10) Cultural Resources.

The RDEIR and FEIR examine a reasonable range of alternatives to the proposed project to determine whether any of these alternatives could feasibly attain most of the proposed project's basic objectives, while avoiding or substantially lessening its significant impacts. (RDEIR Chapter 4.0, pages 4-1 through 4-36)

The following five alternatives were selected for examination:

- Alternative 1: No Project Alternative;
- Alternative 2: City Centered Alternative;
- Alternative 3: Rural Communities Alternative;
- Alternative 4: Transportation Corridors Alternative; and
- Alternative 5: Confined Growth Alternative

The five alternatives reduced or avoided at least one significant environmental

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impact, however in some instances other impacts were increased (See RDEIR, pages 4-1 through 4-36 and Table 4-3). As discussed in Section 4.4 of the RDEIR, Alternative 5 was determined to be the environmentally superior alternative. As discussed in RDEIR Section 4.3 and presented in RDEIR Table 4.3, compared to the proposed project, Alternative 5 would convert less open space and prime agricultural farmland, and would reduce impacts to scenic, agricultural, and biological resources, however, impacts to biological, agricultural, air quality, greenhouse gas emissions, and traffic resources would still be significant and unavoidable.

However, Alternative # 5 is not recommended because it is legally, economically, and socially infeasible. It is legally infeasible because the County has no legal authority over LAFCo to change or limit a city's sphere of influence. The only way to establish firm boundaries is through the purchase and establishment of agricultural conservation easements. This would be economically infeasible because it would be difficult to make nexus arguments to acquire property through an impact fee program. In addition, a city could establish incorporated limits outside of the agricultural conservation easements to construct public facilities and then annex additional land to those areas. This would promote leapfrog development and defeat the purpose of firm boundaries. This alternative is socially infeasible because it could limit the utility of private property. Please see the proposed CEQA Findings for greater detail.

Tables 4-1, 4-2 and 4-3 in the RDEIR present a summary comparison of the alternatives to the proposed project.

As discussed more fully in the EIR, the Project includes policies to discourage undesirable development in areas with sensitive natural resources, critical habitats and important scenic resources, and policies to encourage orderly growth in areas adjacent to existing urban uses and requires developers to provide service extensions. Although Project policies are designed to contain growth within existing community areas to help protect agricultural lands and open space, the Project policies are not binding on the legislative bodies of surrounding jurisdictions. Consequently, these policies cannot prevent other jurisdictions from developing areas adjacent to the County or prevent existing cities from annexing territory for development or expanding their spheres of influence (areas subject to future annexation). Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. In addition, some changes or alterations are within the responsibility and jurisdiction of other public agencies and have been, or can and should be, adopted by those other agencies. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible some of the mitigation measures or alternatives identified in the environmental impact report. Please see the proposed CEQA Findings for greater detail.

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III.B. FEIR Approach to Response To Comments

Individual responses to each of the comment letters (identified in Chapter 3 of the FEIR) are included Chapter 5 of the FEIR. Comments which present opinions about the project unrelated to environmental issues or that do not directly relate to the analysis in the RDEIR (i.e., that are outside the scope of this document) are not given detailed responses. (See CEQA Guidelines Sections 15088(a) and 15204(a).)

As discussed in CEQA Guideline § 15088.5(f)(1), "[w]hen an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period...." The RDEIR substantially revised the 2008 DEIR, and was recirculated in its entirety. The County also notified reviewers that responses would not be prepared for comments on the 2008 DEIR but that responses would be prepared to new comments received on the RDEIR (see pages ES-8 and 1-2 of the RDEIR in addition to the Notice of Availability of the RDEIR). (CEQA Guidelines §15088.5(f)(3).) Accordingly, the County did not respond to individual comments received on the January 2008 Draft EIR but did respond to any new comments received on the February 2010 RDEIR.

In some cases, multiple comments were received with respect to several planning and/or environmental issues raised in the RDEIR. In order to provide the commenter with a more complete picture regarding his or her concern, the County prepared master responses to address some or similar comments in certain subject areas. As previously described, these master responses are provided in Chapter 4 of the final EIR.

III.C. Summary Of Comments Received On The RDEIR

As mentioned above, a total of 40 comment letters were received on the RDEIR during the public review period from March 25, 2010 to May 27, 2010. The Final EIR also includes four additional letters received shortly after the public review period closed. Altogether, these 44 letters contain approximately 2,300 comments, with approximately 1,570 pages of materials. Letters received from government and local agencies accounted for 4 percent of the total comments received. Letters received from individuals and organizations comprised 96 percent of the total comments received.

16 letters were received from government and local agencies (91 comments):

- US Army Corps of Engineers (4 comments).
- California Energy Commission (1 comment).

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- California Public Utilities Commission (5 comments).
- State of California Office of Planning and Research (1 comments).
- California Department of Conservation (3 comments).
- State of California Office of Planning and Research (1 comment).
- California Department of Transportation (26 comments).
- California Attorney General (18 comments).
- Kings Canyons School District (1 comment).
- City of Dinuba (3 comments).
- City of Farmersville (6 comments).
- City of Porterville (3 comments).
- City of Tulare (3 comments).
- City of Visalia (3 comments).
- City of Woodlake (6 comments).
- San Joaquin Valley Air Pollution Control District (7 comments).

28 letters were received from individuals/organizations (2,238 comments).

- Chevron (4 comments).
- Del Strange (2 comments).
- Chevron (4 comments).
- Carole Clum (2 comments).
- California Native Plant Society (13 comments).
- Carole Clum & Peter Clum (2 comments).
- Del Strange (1 comment).
- Law Offices of Robert Krase (26 comments).
- Evan W.R. Edgar (6 comments).
- Robert Keenan, Tulare/Kings County HBA (14 Comments).
- Carole Clum & Peter Clum, Sierra Club Kern/Kaweah Chapter (274 comments).
- Edward Thompson, American Farmland Trust (8 comments)
- Caroline Farrell, Center on Race, Poverty & the Environment (45 cmts).
- Matthew Vespa, Center for Biological Diversity, Center on Race, Poverty & the Environment, Community Water Center, and California Rural Legal Assistance Foundation (114 comments).
- Connie Fry (10 comments).
- Don Manro (15 Comments).
- Greg & Laurie Schwaller (1,093 comments).
- James Seligman (6 comments).
- Karen Bodner & Michael Olecki (215 comments).
- Sarah Campe (7 comments).
- Shute, Mihaly & Wienberger LLP, Tulare County Council of Cities (170 comments).
- Sylvie Robillard, Mary A. Gorden, Southern Sierra Archaeological Society

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(24 comments).

- Kelly R. Mitchell, Laurie Oberholtzer, Tulare County Citizens for Responsible Growth (80 comments).
- Kenneth Woodrow, Johnny Thoo-Yutch Sartuche, Wuksachi Indian Tribe (1 comment).
- Kathleen Seligman, (6 comments).
- Law Office of Babak Naficy, Susan Brunner, Kern/Kaweah Chapter Sierra Club (53 Comments).
- Juliet Allen, Sequoia Riverlands Trust, (18 comments).
- Patricia Stever, Tulare County Farm Bureau (25 comments).

Recurrent themes expressed in multiple comments are identified, and addressed in Master Responses on these topics:

- Policy Comments that do not Raise CEQA Issues
- Previous Comment Letters and the RDEIR
- Enforceable Policy Language
- Level of Detail for the General Plan and RDEIR Programmatic Nature of the RDEIR
- Land Use Diagram and Build-out Assumptions
- Water Supply Evaluation Assumptions and Methodology
- Implementation Measures
- Foothill Growth Management Plan
- Range of Alternatives Addressed in the RDEIR
- Climate Action Plan
- Discussion of Yokohl Ranch Project

IV. Comments Received After the Close of the CEQA Comment Period

Comments received after the close of the CEQA comment period are addressed in Item 6 of Attachment G and fall generally into one of the following areas of continued public interest:

Climate Change/Air Quality.

Water quality and quantity.

Land Use and Project buildout assumptions.

Level of detail and programmatic nature of the RDEIR.

Enforcement of the general plan policies.

Range of Alternatives.

Healthy Growth, Smart Growth, Compact Development, City Centered Growth

Location of Development/New Towns

Regional Growth Corridors

Preservation of Agricultural Land and Open Space

Disadvantaged Communities/Infrastructure Needs

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Inventories
Archeological Resources
Flood Control

Staff reviewed these written and verbal comments received after the CEQA comment period and identified information in the EIR and the record that already adequately addressed environmental effects raised in these comments, and provided additional discussion. These comments and materials do not provide significant or substantial new information. Please see "Comments Received After the Close of the CEQA Comment Period (May 27, 2010) for the Tulare County 2030 General Plan Update." (Item 2, Attachment G) for additional details. Some of the comments are included in item 3 Attachment G.

V. Policy Comment Matrices and Correctory Table

Since the 2010 release of various documents including the 2030 General Plan Update, the RDEIR, and the FEIR, various comments and suggestions have been submitted to the County. The County has prepared various Matrices and Tables which track a majority of these suggestions. These Matrices and Tables are included in Attachment E and G to this Agenda Item.

The following is a list of Matrices and Tables included in Attachment E and G to this Board Agenda item. The Board of Supervisors Final EIR minor Changes Matrix has been updated as required to reflect any changes since the December 7, 2011 Planning Commission Meeting:

- **Attachment E Item 1:** "Public Policy Comment Matrix,"
- **Attachment E Item 2:** "Tulare County 2030 General Plan Update Summary of Changes,"
- **Attachment E Item 3:** "General Plan 2030 Update Correctory Table"
- **Attachment E Item 4,** Addendum to Item 3 "General Plan City Section PF- 4 Comment Matrix"
- **Attachment G Item 1:** "Board of Supervisors Final EIR minor Changes Matrix" June 20, 2012.
- **Attachment G Item 3:** "Response to Comments Received After the Close of the CEQA Comment Period (May 27, 2010) for the Tulare County 2030 General Plan Update."
- **Attachment G Item 4:** Tulare County General Plan 2030 Update "as modified" including underline/strikethrough changes.

The first three matrices (Attachment E Items 1, 2, and 3) are policy comment matrices that were first included in the Planning Commission agenda materials as Attachments 3A, 3B, and 3C: Planning Commission Attachment 3A, "Public Policy Comment Matrix," is a staff compiled matrix designed to address some of the more

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policy specific changes suggested in the comments. Planning Commission Attachments 3B and 3C are those referenced under the heading "Global Changes to the RDEIR" in FEIR Chapter 2. Attachment 3B, "Tulare County 2030 General Plan Update Summary of Changes," identifies recommended policy changes suggested in the RDEIR. Planning Commission Attachment 3C, "General Plan 2030 Update Correctory Table," identifies clerical and staff recommended changes to the General Plan 2030 Update. Attachment 3C also includes an addendum which is reflective of clerical and staff recommended changes to the General Plan 2030 Update in the Planning Framework Element City Section PF-4.

The next two matrices were prepared for this Board hearing: Attachment G Item 1 ("Board of Supervisors Final EIR Minor Changes Matrix") (Attachment 1 in 12-7-11 Planning Commission Agenda) and Item 3 ("Response to Comments Received After the Close of the CEQA Comment Period (May 27, 2010) for the Tulare County 2030 General Plan Update.")

Item 1 Attachment G has been prepared for the convenience of the County decision makers and for use by County staff and the public. To the extent possible, this "Board of Supervisors Final EIR minor Changes Matrix" identifies minor revisions and editorial changes identified by reviewers of the proposed FEIR following its release. These changes only clarify, amplify or make insignificant changes to the EIR. New text is indicated by underline and deletions are shown in ~~strikethrough~~. None of the changes identified in this matrix constitutes significant new information or results in any new significant impacts. The matrix lists the specific change, identifies the policy number (if applicable) addressed and provides preliminary staff recommendations.

Item 3 Attachment G is designed to address comments on specific policy changes and the FEIR received during and after the Planning Commission review and hearings but before these materials were finished in preparation for posting with the Board's agenda. Comments received after that date will be addressed in the Board of Supervisors' hearing.

The final item in Attachment G is Item 4: a "tracked changes" version of the County General Plan 2030 Update "as modified" showing changes by underlining and ~~strikethroughs~~.

All of these documents are intended to be "working documents" and additional information, materials or recommendations may be added or modified by the County during the public hearing and decision making process for this project.

VI. CEQA Procedures

Before the Board can approve the General Plan Update or the Climate Action Plan it must certify the FEIR, adopt a Mitigation Monitoring and Reporting program, and,

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since there are significant impacts that cannot be mitigated to less than significance, adopt a Statement of Overriding Considerations.

Certifying" the FEIR consists of three steps. Prior to approving a project, the lead agency shall certify that: (1) the FEIR has been completed in compliance with CEQA; (2) the FEIR was presented to the decision-making body of the lead agency and that the body has reviewed and considered the information contained in the FEIR prior to approving the project; and (3) that the FEIR reflects the Lead Agency's independent judgment and analysis (CEQA Guidelines, §15090(a); see also Public Resources Code, §21082.1(c)(3)).

Before approving a project for which a certified FEIR has identified significant environmental effects, the lead agency must make one or more of the following written findings, supported by substantial evidence in the record, for each of the identified significant impacts:

1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the FEIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency 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.
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 FEIR. (See CEQA Guidelines, §15091(a)).

If there remain significant environmental effects even with the adoption of all feasible mitigation measures or alternatives, the agency must adopt a "statement of overriding considerations" before it can proceed with the project. (CEQA Guidelines, §15092 and 15093)

These overriding considerations include the economic, legal, social, technological, or other benefits of the proposed project. The Lead Agency must balance these potential benefits against the project's 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 Lead Agency may consider the adverse environmental impacts to be "acceptable" (CEQA Guidelines, §15093(a)). These benefits should be set forth in the statement of overriding considerations, and may be based on the FEIR and/or other information in the record of proceedings (CEQA Guidelines, §15093(b)).

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In addition to adopting these findings and adopting any statement of overriding considerations, the Lead Agency must also adopt a Mitigation Monitoring and Reporting program showing how the feasible mitigation measures adopted as part of the project approval will be implemented. These items have been prepared by County Staff for the Board's consideration, under Request 3(a) at the beginning of this Report.

VII. Timing and Nature of this Public Proceeding

A public notice was printed in the Dinuba Sentinel on August 23, 2012, the Visalia Times Delta, Porterville Recorder, and the Tulare Advance Register on August 17, 2012, at least ten days prior to the scheduled date of the August 28, 2012, public hearing (Please see Attachment E, Copy of Public Notice). A public notice was mailed to all individuals and agencies who commented on the RDEIR. In addition, a public notice was mailed to all individuals who requested to be notified of future public hearings regarding the project. The notice was posted outside of the Board of Supervisors Chambers and included in the General Plan Update section of the County of Tulare website.

VIII. Options for Board Action

After the close of the public hearing by the Board, we recommend that the Board consider the proposed resolutions of decisions as outlined in Request No. 3 made at the beginning of this agenda item. As part of this direction, the Board could consider the following options:

a) Consistent with Request No. 3, above, the Board could certify the FEIR, adopt CEQA Findings of Fact, a Statement of Overriding Considerations, and a Mitigation and Monitoring Program and then adopt the proposed GPU Amendment, incorporating modifications as may be recommended, and the Climate Action Plan. As discussed previously, a Statement of Overriding Considerations would articulate the reasons why the GPU project would provide an economic, legal, social, technological or other benefit that would outweigh the project's significant and unavoidable impacts that cannot be lessened or avoided with the adoption of feasible mitigation measures,.

b) Alternatively, the Board could tentatively deny or modify the proposed GPU Amendment (including modifying the project to incorporate one of the Alternatives in the EIR). If the Board wishes to consider substantial modifications not already considered by the Planning Commission, the changes would have to be referred back to the Planning Commission for report and recommendation prior to final action by the Board. Any modifications would also need to be reviewed to

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determine whether additional environmental analysis is required. Any modified approvals would also likely require changes or additions to the proposed CEQA Findings of Fact, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations.

c) If the Board wants significant additions or changes to the proposed resolutions, the Board could direct staff to return to the Board with revised resolutions of decision at a date and time certain.

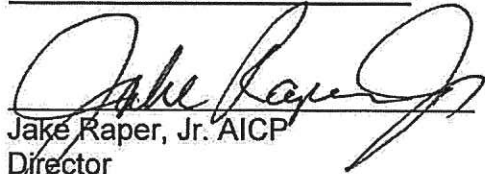
FISCAL IMPACT/FINANCING:

The General Plan 2030 Update project is budgeted under RMA/001-230-6500. The FY 11-12 budget amount is \$606,448. There are no changes proposed to the budgeted amount. The FY 11-12 budget amount of \$606,448 is 100 percent net county cost.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The GPU is linked to Strategic Initiatives 1, 2, 3, and 4. Strategic Initiative 1 Safety and Security-Provide for the safety and security of the public, Strategic Initiative 2 Economic Well-Being—Promote economic development opportunities, effective growth management and a quality standard of living, Strategic Initiative 3 Quality of Life-Promote public health and welfare, educational opportunities, natural resource management and continued improvement of environmental quality, and Strategic Initiative 4 Organizational Performance-Continuously improve organizational effectiveness and Fiscal Stability. The Goals and Policies Report (Part I of the GPU) is the essence of this proposed General Plan amendment. It contains the goals and policies that will guide future discretionary land use decisions within the county. It also identifies a full set of implementation measures that will ensure the goals and policies in the General Plan are carried out. Decision makers in the County will use the General Plan to provide direction when making future land use and public service decisions. All specific plans, subdivisions, public works projects, and zoning decisions must be consistent with the County's General Plan.

ADMINISTRATIVE SIGN-OFF:


Jake Raper, Jr. AICP
Director

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

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Attachment(s)² ON FILE WITH THE CLERK OF THE BOARD

Attachment A. FEIR (Resolution)

Exhibit 1. Final Environmental Impact Report Executive Summary and Chapters 1 through 6. (Note that the RDEIR, Background Report and Attachment G Item 1 are also part of the FEIR).

Exhibit 2. Mitigation Monitoring and Reporting Program.

Exhibit 3. California Environmental Quality Act Findings and Statement of Overriding Considerations.

Exhibit 4. Copy of Attachment G, Item 1, "Board of Supervisors Final EIR minor Changes Matrix"

Attachment B. GPU "As Modified" (Resolution)

Exhibit 1. Tulare County General Plan 2030 Update "as modified"

Attachment C. CAP (Resolution)

Exhibit 1. Climate Action Plan

Attachment D. General Plan 2030 Update Public Meetings/Workshops and Coordination, Planning Commission Reporter's Transcript Of Proceedings, Planning Commission:

Item 1. General Plan 2030 Update Public Meetings/Workshops and Coordination.

Item 2. Planning Commission Reporter's Transcript of Proceedings, Planning Commission Public Hearing October 19, 2011.

Item 3. Planning Commission Reporter's Transcript of Proceedings, Planning Commission Public Hearing November 16, 2011.

Item 4. Planning Commission Reporter's Transcript of Proceedings, Planning Commission Meeting December 7, 2011.

² The Resolutions, proposed for adoption on this date under this Agenda Item, reference attachments to the "Board Report." This "Board Report" is the Resource Management Agency, County of Tulare, Agenda Item Report provided above, and the attachments included herein are the attachments referenced in these Resolutions.

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Attachment E. Planning Commission 2011 materials:

Item 1. Planning Commission Resolution Number 8636 Proposed Final Environmental Impact Report.

Item 2. Planning Commission Resolution Number 8637 Proposed General Plan 2030 Update.

Item 3. Planning Commission Resolution Number 8638 Proposed Climate Action Plan.

Item 4. December 7, 2011 Planning Commission Summary

Item 5. Attachment 1: "Final EIR Minor Changes Matrix."

Item 6. Attachment 2: "List of Written Comments Received 10-6-11 to 11-16-11 and Verbal Public Hearing Comments 10-19-11 and 11-16-11"

Item 7. Attachment 3A "Public Policy Comment Matrix."

Item 8. Attachment 3B "Tulare County 2030 General Plan Update Summary of Changes."

Item 9. Attachment 3C "General Plan 2030 Update Correctory Table."

Item 10. "Addendum to Attachment 3C General Plan City Section PF- 4 Comment Matrix."

Attachment F. Copy of Public Notice

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

**PUBLIC HEARING ON THE PROPOSED
TULARE COUNTY GENERAL PLAN
2030 UPDATE, PROPOSED CLIMATE
ACTION PLAN, AND PROPOSED FINAL
ENVIRONMENTAL IMPACT REPORT**

)
) Resolution No. _____
) Agreement No. _____
)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD AUGUST 28, 2012,
BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

That the Board of Supervisors:

1. Opened the Public Hearing, Receive a Staff Presentation on the Proposed General Plan 2030 Update, Proposed Climate Action Plan and Proposed Final Environmental Impact Report and Receive the Planning Commission recommendation.
2. Received public comment regarding the Proposed General Plan 2030 Update, the proposed Final Environmental Impact Report and the proposed Climate Action Plan.
3. Closed the Public Hearing and took action on the following:

a) Resolution of decision (Attachment A) certifying the proposed FEIR as recommended by Staff for the Proposed General Plan 2030 Update and Proposed Climate Action Plan, adopting California Environmental Quality Act (CEQA) Findings of Fact and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program.

b) Resolution of decision and findings (Attachment B) approving Planning Commission's recommendation and amending the County's Existing General Plan as set out in the proposed General Plan 2030 Update "As Modified" and recommended by staff.

c) Resolution of decision and findings (Attachment C) adopting the Proposed Climate Action Plan, and

d) Directed the Clerk of the Board to issue a Notice of Determination in compliance with CEQA Guidelines Section 15094.

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF
CALIFORNIA**

PUBLIC HEARING ON THE PROPOSED)
TULARE COUNTY GENERAL PLAN) Resolution No. _____
2030 UPDATE, PROPOSED FINAL) Agreement No. _____
ENVIRONMENTAL IMPACT REPORT)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED
BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD
AUGUST 28, 2012, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY:

Deputy Clerk

* * * * *

That the Board of Supervisors in the matter of the General Plan 2030 Update Final Environmental Impact Report approves the following recitals and actions:

1. A series of 19 workshops, 11 public Board of Supervisors study sessions, 12 technical advisory committee meetings and four joint Board of Supervisors and Planning Commission meetings were held to discuss, review, recommend and provide public comment to the General Plan 2030 Update.

2. The Board of Supervisors initiated the process for updating the County's general plan in the summer of 2003. As lead agency under CEQA, the County issued a Notice of Preparation ("NOP") of a Draft EIR for the Proposed General Plan 2030 Update on April 25, 2006. The NOP was submitted to the State Clearinghouse (SCH No. 2006041162), all responsible and trustee agencies, and interested groups and individuals for a 30-day review period beginning April 29, 2006 and ending on May 29, 2006. Availability of the NOP was advertised through direct mailing to federal agencies, state agencies, regional agencies, local agencies (including cities and counties, local districts, school districts, water agencies), other special districts and agencies, as well as private groups and individuals requesting notification.
3. The County held an EIR scoping meeting on May 1, 2006 to provide information about the General Plan, the potential environmental impacts and the CEQA review process, as well as a schedule for General Plan adoption and implementation. Members of the public and other interested parties had the opportunity to ask questions and provide their input as to the scope and content of the environmental information to be addressed in the EIR.
4. On January 14, 2008 after many community and County workshops the County published the Draft EIR for the Tulare County General Plan (SCH # 2006041162) and distributed it to the State Clearinghouse of the Governor's Office of Planning and Research as well as responsible and trustee agencies, citizen groups, and individuals for a public review period initially scheduled for January 14, 2008 through March 14, 2008 to allow for maximum public involvement and input. A Notice of Completion ("NOC") and Notice of Availability ("NOA") of the DEIR were prepared, published, and distributed, as required by CEQA Guidelines Sections 15085 and 15087. On January 25, 2008 the County added Correctory #1 (Background Report, Appendices A, B, and C) to the DEIR because it had been inadvertently omitted from the draft released on January 14, 2008. On February 26, 2008 the County added Correctory #2 (Background Report, Appendix C Pages 25, 26, 27 and Figures 4-1 through 4-8) to the DEIR because it had been inadvertently omitted from the draft released on January 14, 2008. The County then issued another Notice of Availability, providing for an extended public review period of 45 days ending on April 15, 2008. Copies of the DEIR were available for public review during normal business hours at the County of Tulare Resource Management Agency. Copies of the draft General Plan and DEIR were also available for review at libraries in Tulare County, and on the County's website. In total, the public review period on the Draft EIR was approximately 90 days.

5. The County considered comments received on the DEIR, as well as continued developments in the areas of air quality, climate change impacts regulation and water resources, and decided to update and recirculate a number of sections of the previous DEIR as well as the Background Report.
6. This resulted in release of the "proposed project" draft of the General Plan 2030 update also known as the "February 2010 General Plan 2030 Update Document", (B) the Recirculated Draft EIR ("RDEIR"), and (C) preparation of a Climate Action Plan circulated for a 60 day review period between March 25, 2010 and May 27, 2010 to allow for maximum public involvement and input.
7. Following the release of the revised GPU and the RDEIR, 19 additional public outreach efforts were conducted in 2010 and 2011 with presentations made to each city council and in a number of unincorporated communities.
8. A total of 40 comment letters were received on the RDEIR during the public review period from March 25, 2010 to May 27, 2010. Four additional letters were received shortly after the public review period. Altogether, these 44 letters contain approximately 2,300 comments, with approximately 1,570 pages of materials. Letters received from government and local agencies accounted for 4 percent of the total comments received. Letters received from individuals and organizations comprised 96 percent of the total comments received.
9. The County prepared a Final EIR for the 2010 draft Tulare County General Plan 2030 Update (SCH #2006041162) and released the Final EIR for public review on or about August 30, 2011. The FEIR for the General Plan 2030 Update was prepared in compliance with the CEQA (Public Resources Code Section 21000 et seq. and the CEQA Guidelines (California Code of Regulations, Title 14). The Final EIR was distributed on CD to the State Clearinghouse, and all agencies who commented on the RDEIR. Individual notices of the FEIR availability were sent to agencies, organizations, and individuals who commented on the RDEIR. The Final EIR was available in all Tulare County Libraries, at the Tulare County Resource Management Agency office, and on the Tulare County Website at <http://generalplan.co.tulare.ca.us/>.
10. On August 30, 2011 a joint workshop was held by the Board of Supervisors and Planning Commission to receive an update from staff regarding staff review of comments received on the Proposed General Plan 2030 Update Goals and Policies Report, Proposed Climate Action Plan and Proposed FEIR. A notice regarding the joint workshop held by the Board of Supervisors and Planning Commission was published in the

Visalia Times-Delta on August 26, 2011. The joint workshop notice was also available at <http://generalplan.co.tulare.ca.us/>.

11. The Planning Commission held a duly noticed public hearing to consider the Final EIR, the GPU, and the Climate Action Plan (CAP) beginning on October 19, 2011 and continued to November 16, 2011 and December 7, 2011. A public notice was printed in the Dinuba Sentinel on October 6, 2011, the Visalia Times Delta, Porterville Recorder, and the Tulare Advance Register on October 7, 2011 at least ten days prior to the public hearing. The public notice was also available on the County website.
12. Planning Commission adopted Resolutions Nos. 8636, 8637, and 8638 indicating that the Planning Commission reviewed and considered the Final EIR, including the mitigation measures and alternatives identified therein and making its written recommendations to the Board of Supervisors that the Board certify the FEIR and approve the General Plan 2030 Update and the Climate Action Plan, subject to the recommendations of the Planning Commission. The FEIR, the General Plan 2030 Update and the Climate Action Plan were accordingly transmitted to the Board for consideration.
13. Comments received after the close of the CEQA comment period and in the course of the Planning Commission and Board of Supervisors' hearing on the Final EIR, the GPU and the CAP are addressed in Attachment G Item 3 and fall generally into one of the following areas of continued public interest: Climate Change/Air Quality, Water quality and quantity, Land Use and Project buildout assumptions, Level of detail and programmatic nature of the RDEIR, Enforcement of the general plan policies, Range of Alternatives, Healthy Growth, Smart Growth, Compact Development, City Centered Growth, Location of Development/New Towns, Regional Growth Corridors, Preservation of Agricultural Land and Open Space, Disadvantaged Communities/Infrastructure Needs, Inventories, Archeological Resources, and Flood Control. The County and its consultants reviewed and considered these written and verbal comments received after the CEQA comment period, identified information in the EIR and the record that already adequately addressed the environmental effects raised in the comments, provided additional discussion and presented this information to the Board as Attachment G Item 3. These materials merely clarify and amplify and make insignificant modifications to the EIR. They do not provide significant or substantial new information.
14. The Board of Supervisors has given notice of the proposed amendment to the General Plan as provided in Sections 65355, 65090, and 65091 of the Government Code of the State of California. A public notice was printed in the Dinuba Sentinel on August 23, 2012 the Visalia Times Delta,

Porterville Recorder, and the Tulare Advance Register on August 17, 2012 at least ten days prior to the public hearing before the Board of Supervisors on August 28, 2012.

15. The Board of Supervisors reviewed and considered a Final Environmental Impact Report for the adoption of the General Plan 2030 Update at a duly advertised public hearing held on August 28, 2012, at which time oral and documentary evidence was presented.
16. Throughout the development and environmental review of the Project, various names have been used to refer to the plan under review, including "Proposed General Plan 2030 Update", or "General Plan 2030 Update", or "General Plan Update", or "2025 Update", or "GPU", or "Goals and Policies Report", or "GPR." All of these terms describe the General Plan update.
17. The Board of Supervisors, pursuant to Government Code section 65300, must adopt a comprehensive, long term general plan for the physical development of the county. The proposed project will amend and update the County's existing general plan. The GPU will reorganize, update, modernize and add to the County's general plan policies and documents as described in Part I, Chapter 1 ("Introduction") of the General Plan 2030 Update. This GPU addresses six of the seven mandatory general plan elements required by the State: land use, circulation, open-space, conservation, safety, and noise (Government Code Section 65302). The seventh mandatory element, the Housing Element, is required to be updated every five years and, is following a separate track than that of the GPU. The Housing Element proposed for the 2009-2014 planning period has been tentatively approved by the State Department of Housing and Community Development by letter dated January 3, 2012, was adopted by Board of Supervisors on May 8, 2012, and has been submitted to the HCD for final certification.
18. The GPU reorganizes, updates, modernizes and adds to the County's existing general plan policies and retains the plan's historic three tier organizational structure. The parts of the General Plan modified or revised in GPU include Part I (the Goals and Policies Report) Part II (the Area Plans). Part III plans are not proposed for revisions or re-adoption as part of the GPU, with two exceptions: the Urban Development Boundary for the Pixley Community Plan is modified to include the Harmon Field Airport and the County Adopted City General Plan for Dinuba is modified to reflect the recently annexed Dinuba Golf Course, residential and wastewater treatment area.
19. Staff has made such investigation of fact bearing upon the proposed General Plan 2030 Update and the proposed Climate Action Plan to

assure action consistent with the procedures and purposes set forth in the California Government Code.

20. During the public hearing to consider the Final EIR, the GPU and the CAP, the Board heard presentations and received a Board Report on the GPU, the CAP and the Final EIR, heard testimony from the public, and deliberated on the content of the GPU, the CAP and the Final EIR.
21. The Board of Supervisor's public hearing was closed after public testimony was received on August 28, 2012; and
22. Pursuant to Government Code Sections 65358 and 65355, the Tulare County Board of Supervisors is the decision making body for the adoption of a General Plan amendment. Prior to any discretionary approvals the Board of Supervisors must certify the FEIR pursuant to CEQA Guidelines Section 15090, make CEQA Findings pursuant to CEQA Guidelines Section 15091, adopt a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093, and adopted a Mitigation Monitoring and Reporting Program pursuant to CEQA Guidelines Sections 15091(d) and 15097.

The Board of Supervisors hereby resolves as follows:

1. The above recitals are true and correct and are incorporated herein by reference as if set forth in full.
2. The Final Environmental Impact Report ("FEIR") for the Tulare County General Plan 2030 Update (State Clearinghouse No. 2006041162) has been prepared pursuant to the California Environmental Quality Act (CEQA, Public Resources Code, Section 21000 et seq.) to analyze the environmental impacts of the new General Plan. The Final Environmental Impact Report for the Tulare County General Plan 2030 Update and the Climate Action Plan (SCH#2006041162) includes: (1) the Recirculated Draft EIR (RDEIR) released March 25, 2010 (included in Attachment A, Exhibit 1 in the Board of Supervisors Board Agenda for August 28, 2012 on this item); (2) the Final Environmental Impact Report released for public review on or about August 30, 2011 (included in Attachment A as Exhibit 1 in the Board of Supervisors Board Agenda for August 28, 2012 on this item), which includes: (A) Executive Summary, (B) Introduction and Readers Guide, (C) Minor Revisions to the Recirculated Draft EIR, (D) Comments on the Recirculated Draft EIR received during the public comment period and the four late letters identified above (including a list of persons, organizations, and public agencies commenting on the Recirculated Draft EIR); (E) Master Responses, (F) Responses to Comments on the Recirculated Draft EIR, (3) the Board of Supervisors

Final EIR Minor Changes Matrix (Attachment G, Item 1) included in the Board of Supervisors Board Report for the August 28, 2012 public hearing on this item and (4) Response to Comments Received After the Close of the CEQA Comment Period for the Tulare County 2030 General Plan Update included in Attachment G, Item 3.

3. When reading and interpreting the FEIR, revisions contained in the most recent portions of the document shall take precedence, for example the "Final Environmental Impact Report" released for public review on or about August 30, 2011, shall take precedence over the "Recirculated Draft Environmental Impact Report" released March 25, 2010.
4. The Board of Supervisors has reviewed and considered the FEIR and additional public comments made and submitted at public meetings up to the time of adoption of this resolution.
5. The Board of Supervisors certifies that: (A) the "FEIR" has been completed in compliance with CEQA, (B) the FEIR was presented to the Board of Supervisors, and that the Board of Supervisors reviewed and considered the information contained in the FEIR prior to approving the project, and (C) the FEIR reflects Tulare County's independent judgment and analysis.
6. The Board of Supervisors adopts the CEQA Findings of Fact and Statement of Overriding Considerations included in Attachment A of the Board Report for this agenda item, dated August 28, 2012.
7. The Board of Supervisors adopts the Mitigation Monitoring and Reporting Program included in Attachment A of the Board Report for this agenda item, dated August 28, 2012, and directs the Clerk of the Board to issue a Notice of Determination in compliance with CEQA Guidelines Section 15094.

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF
CALIFORNIA**

PUBLIC HEARING ON THE PROPOSED)
TULARE COUNTY GENERAL PLAN) Resolution No. _____
2030 UPDATE) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED
BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD
AUGUST 28, 2012, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY:

Deputy Clerk

* * * * *

That the Board of Supervisors in the matter of the General Plan 2030 Update approves the following recitals and actions:

1. Tulare County ("County") is a political subdivision of the State of California, and is located in California's central valley bounded by Fresno County to the north, Kern County to the south, Inyo County to the east, and Kings County to the west.
2. The County initiated action to amend the Tulare County General Plan pursuant to Title 7, Chapter 3, Articles 5 and 6 of the Government Code of the State of California.

3. Throughout the development and environmental review of the Project, various names have been used to refer to the General Plan amendment under review, including "Proposed General Plan 2030 Update", or "General Plan 2030 Update", or "General Plan Update", or "2025 Update", or "GPU", or "Goals and Policies Report", or "GPR", or "Policy Alternatives" All of these terms describe the General Plan update that is the subject of this resolution.
4. The Board of Supervisors, pursuant to Government Code sections 65300 et seq., must adopt a comprehensive, long term General Plan for the physical development of the county. The proposed project amends and updates the County's existing General Plan. This GPU addresses six of the seven mandatory general plan elements required by the State: land use, circulation, open-space, conservation, safety, and noise (Government Code Section 65302). The seventh mandatory element, the Housing Element, is required to be updated every five years and is following a separate track than that of the GPU. The Housing Element proposed for the 2009-2014 planning period has been tentatively approved by the State Department of Housing and Community Development by letter dated January 3, 2012, and was adopted by Board of Supervisors on May 8, 2012, and has been submitted to the HCD for final certification.
5. The GPU reorganizes, updates, modernizes and adds to the County's General Plan policies and retains the plan's historic three tier organizational structure. The parts of the General Plan modified or revised in GPU include Part I (the Goals and Policies Report) Part II (the Area Plans). Existing Part III plans are not proposed for revisions or re-adoption as part of the GPU, with two exceptions: the Urban Development Boundary for the Pixley Community Plan is modified to include the Harmon Field Airport and the County Adopted City General Plan for Dinuba is modified to reflect the recently annexed Dinuba Golf Course, residential and wastewater treatment area.
6. Prior to this Board of Supervisors' hearing, the County sought out and incorporated public input throughout the preparation of the General Plan Update. As part of the public outreach and participation efforts, the County held a total of 87 public workshops, Planning Commission and Board of Supervisors working sessions, community meetings, technical committee meetings, and other public engagement events at different locations throughout the County, in addition to public hearings before the Planning Commission and Board of Supervisors.
7. In compliance with SB 18 as Enacted March 1, 2005, A, Tribal Consultation List Request was sent to the Native American Heritage Commission in Sacramento, California on January 4, 2006. The County received a list of

all California Native American Tribes within the project area (Tulare County) on February 9, 2006. Letters were sent with offer for consultation, to the California American Native Tribes on October 3, 2006. Consultation was only requested by Lawrence Bill Sierra Nevada Native American Coalition (SNNAC) within the 90-day consultation period. Staff met with Lawrence Bill and SNNAC members on February 11, 2007. Discussion emphasized burial issues and not specific General Plan issues. In compliance with Gov. Code §65352 requiring referral to tribes on the NAHC contact list 45 days prior to adoption); referrals were sent on June 8, 2012 to tribes on the NAHC list as of January 30, 2012.

8. The Tulare County Airport Land Use Commission on March 14, 2012 Found and Determined that the Proposed Tulare County General Plan 2030 Update is consistent with the policies of the adopted Tulare County Comprehensive Airport Land Use Plan (Resolution 12-001).
9. The Tulare County General Plan 2030 Update was submitted for review to the California Geological Survey, the Board of Forestry and Fire Protection, California Emergency Management Agency, the Orange Cove Fire Protection District, and the Strathmore Fire Protection District.)
10. The Board of Supervisors has made such investigation of fact bearing upon the proposed General Plan 2030 Update to assure action consistent with the procedures and purposes set forth in the California Government Code.
11. The General Plan is the County's principal policy document to guide growth, development, and conservation, and is the foundation for all planning decisions. The General 2030 Plan Update document consists of:

Part I, called the "Goals and Policies Report," includes fourteen elements that apply countywide. Those adopted in 2012 as new or revised elements join three existing elements, the Housing Element (adopted in 2012), Flood Control Master Plan (1972) and the Animal Confinement Facilities Plan (ACFP)-Phase I (adopted in 2000). The Housing Element, the Flood Control Master Plan, and Animal Confinement Facilities Plan (ACFP)-Phase I, were not revised or readopted as part of the Update but are included in Part I. The Goals and Policies Report is organized into four components and includes:

Component A. General Plan Framework:

- Planning Framework Element (adopted with this resolution)

Component B. Prosperity:

- Agriculture Element (adopted with this resolution)
- Land Use Element (adopted with this resolution)
- Economic Development Element (adopted with this resolution)
- Housing Element (adopted 2012)

Component C. Environment:

- Scenic Landscapes Element (adopted with this resolution)
- Environmental Resource Management Element (adopted with this resolution)
- Air Quality Element (adopted with this resolution)
- Health and Safety Element (adopted with this resolution)
- Water Resources Element (adopted with this resolution)
- Animal Confinement Facilities Plan (ACPF)-Phase I (adopted 2000)

Component D. Infrastructure:

- Transportation and Circulation Element (adopted with this resolution)
- Public Facilities and Services Element (adopted with this resolution)
- The Flood Control Master Plan (adopted 1972)

The structure and organization of the Goals and Policies Report is described in greater detail in Part I, Section 1.3, "Goals and Policies Report Framework."

Part II includes three "Area Plans," one for each of the three major geographic areas of the County. They are:

- Rural Valley Lands Plan (adopted in revised form with this resolution)
- Foothill Growth Management Plan (adopted in revised form with this resolution)
- Mountain Framework Plan (adopted with this resolution)

Part II also includes a new Corridor Framework Plan (adopted with this resolution), which establishes policies that will guide the potential adoption of Corridor Plans within the County. Any such adopted Corridor Plan will be included in Part III at a future date.

Part III of the General Plan 2030 Update consists of a number of existing planning documents: Sub-Area Plans, County Adopted City General

Plans, and Community Plans. Each of these plans, described in the following pages, applies tailored policies to specified portions of the County. These existing plans are not revised or readopted as part of this General Plan Update with two exceptions: the Urban Development Boundary for the Pixley Community Plan was modified to include the Harmon Field Airport and the County Adopted City General Plan for Dinuba was modified to reflect that the Dinuba Golf Course, residential and wastewater treatment area were annexed to the City of Dinuba.

Furthermore, the General Plan 2030 Update anticipates adopting additional Sub-Area Plans, County Adopted City General Plans, and Community Plans, as well as Mountain Service Center Plans, Hamlet Plans, and Corridor Plans. These anticipated plans are discussed below. Each will become components of Part III of the General Plan when adopted:

Thus, Part III includes:

- Five existing Sub-Area plans:
 - Great Western Divide North Half Plan (a Sub-Area plan located within the boundaries of the Mountain Framework Plan) (adopted 1990; amended 1994)
 - Kennedy Meadows Plan (a Sub-Area plan located within the boundaries of the Mountain Framework Plan) (adopted 1986; amended 1995)
 - Kings River Plan (a Sub-Area plan located within the boundaries of the Rural Valley Lands Plan) (adopted 1975; amended 1997)
 - Sequoia Field Land Use and Public Buildings Element (adopted 1981) amended to Juvenile Detention Facility-Sequoia Field Land Use and Public Buildings Elements (adopted 1995)

The Goals and Policies Report also identifies five additional Sub-Areas, all within the Mountain Framework Plan area, for which Sub-Area plans have not been adopted to date. These Sub-Areas will become components of Part III of the General Plan when adopted at a future date:

- Great Western Divide South Half Plan
 - Posey Plan
 - Redwood Mountain Plan
 - South Sierra Plan
 - Upper Balch Park Plan
- Eight existing County Adopted City General Plans, including two neighborhood plans, that cover the areas between the city limit lines of the eight incorporated cities in Tulare County and the County-adopted

Urban Area Boundaries and Urban Development Boundaries for those cities (note that Tulare County does not have the authority to regulate land use within the city limits of those cities):

- Dinuba (adopted 1964, revised with the adoption of this resolution to include the Dinuba Golf Course)
 - Exeter (adopted 1976)
 - Farmersville (adopted 1976)
 - Lindsay (adopted 1981)
 - Porterville (adopted 1990)
 - East Porterville Neighborhood Plan (adopted 1990)
 - Tulare (adopted 1980)
 - Visalia (adopted 1992)
 - Patterson Tract Neighborhood Plan (adopted 1992)
 - Woodlake (adopted 1986)
- In addition, the Goals and Policies Report calls for adopting two additional County Adopted City General Plans. Both of these areas have established Urban Development Boundaries. These County Adopted City General Plans will become components of Part III of the General Plan when adopted at a future date:
- Delano
 - Kingsburg
- Twelve Existing Community Plans:
- Cutler/Orosi Community Plan (adopted 1988)
 - Earlimart Community Plan (adopted 1988)
 - Goshen Community Plan (adopted 1978)
 - Ivanhoe Community Plan (adopted 1990)
 - Pixley Community Plan (adopted 1997, revised with the adoption of this resolution to include Harmon Field)
 - Poplar/Cotton Center Community Plan (adopted 1996)
 - Richgrove Community Plan (adopted 1987)
 - Springville Community Plan (adopted 1985)
 - Strathmore Community Plan (adopted 1989)
 - Terra Bella/Ducor Community Plan (adopted 2004)
 - Three Rivers Community Plan (adopted 1980)
 - Traver Community Plan (adopted 1989)
- In addition, the Goals and Policies Report designates eight additional communities and calls for adopting a Community Plan for each. Each of these Communities has an existing Urban Development Boundary

except Sultana. These Community Plans will become components of Part III of the General Plan when adopted at a future date:

- Alpaugh
- East Orosi
- Lemon Cove
- London
- Plainview
- Sultana
- Tipton
- Woodville

- Mountain Service Center Plans: The Goals and Policies Report designates certain existing developed areas within the boundaries of the Mountain Framework Plan as Mountain Service Centers and calls for adopting Mountain Service Center Plans (as a part of the Mountain Sub Area Plan) for these locations. These Mountain Service Center Plans will become components of Part III of the General Plan when adopted at a future date:

- Balance Rock
- Balch Park
- Blue Ridge
- California Hot Springs/Pine Flat
- Fairview
- Hartland
- Johnsondale
- McClenney Tract
- Panorama Heights
- Posey/Idlewild
- Poso Park
- Silver City
- Sugarloaf Mountain Park
- Sugarloaf Park
- Sugarloaf Village
- Wilsonia

- Hamlet Development Plans: The Goals and Policies Report also designates certain locations as Hamlets and calls for the adoption of a Hamlet Development Plan for each of these. These Hamlet Development Plans will become components of Part III of the General Plan when adopted at a future date:

- Allensworth
- Delft Colony

- East Tulare Villa
 - Lindcove
 - Monson
 - Seville
 - Teviston
 - Tonyville
 - Waukena
 - West Goshen
 - Yettem
- Corridor Plans: The Corridor Framework Plan in Part II establishes policies that would guide the potential adoption of "Corridor Plans" within the County. When adopted at a future date the Corridor Plans will become part of Part III of the General Plan. This may include:
 - The Mooney Corridor Concepts Plan (suspended by Tulare County Board of Supervisors, General Plan Amendment 04-001 and Resolution No. 04-0651 pending adoption of the Corridor Framework Plan)
 - Additional Corridor Plans to be determined

Updated or Deleted Sections and Elements

The following provisions of the County's prior General Plan are deleted with this 2012 adoption of General Plan 2030 Update. State-mandated content formerly addressed in these elements is now covered in new provisions of the General Plan, as described in Table 1.1 (page 1-12) of the General Plan 2030 Update:

- Civic Center Master Plan
 - Environmental Resource Management Element (Open Space/Recreation/Conservation Element)
 - Land Use Element
 - Library Master Plan
 - Noise Element
 - Public Buildings Plan
 - Safety Element
 - Scenic Highways Element
 - Seismic Safety Element
 - Transportation/Circulation Element
 - Urban Boundaries Element
 - Water and Liquid Waste Management Element
12. The Planning Commission held a duly noticed public hearing to consider the Final EIR, the GPU, and the Climate Action Plan (CAP) beginning on

October 19, 2011 and continued the public hearing to November 16, 2011 and further continued the meeting to December 7, 2011. A public notice was printed in the Dinuba Sentinel on October 6, 2011, the Visalia Times Delta, Porterville Recorder, and the Tulare Advance Register on October 7, 2011 at least ten days prior to the public hearing. The public notice was also available on the County website.

13. All of the Planning Commission's and Staff's recommendations for the General Plan amendment have been incorporated into Attachment B of the Agenda Item for the Board of Supervisors August 28, 2012 public hearing ("Agenda Item"). This includes the following revisions specified in the Board Report:

(A) the mitigation measures suggested by the preparers of the Final Recirculated Draft EIR (i.e. those mitigation measures and policies identified in the sections of the Recirculated Draft Environmental Impact Report labeled "Required Additional Mitigating Policies and Implementation Measures") as modified in the FEIR,

(B) the revisions recommended by Staff in the "Public Policy Comment Matrix" included in Agenda Item, Attachment E, Item 7; revisions recommended by Staff in "Tulare County 2030 General Plan Update Summary of Changes" included in Agenda Item Attachment E, Item 8; and revisions recommended by Staff in the "General Plan 2030 Update Correctory Table" included in Agenda Item Attachment E, Item 9; and

(C) those revisions suggested by Staff in "Addendum to Exhibit 3 General Plan City Section PF- 4 Comment Matrix" included in Agenda Item Attachment E, Item 10; and

(D) Material from the RDEIR related to compliance with AB 162 (see GPU, Part 1, Chapter 10) (recommended by Staff). Clarifying language, based in part on Master Response #3 of the FEIR (see GPU, Part I, Section 1.5) (recommended by Staff). Since the Planning Commission hearings, the "as modified" GPU was revised to include a limited number of additional clarifications to the February 2010 draft. The city section was modified to clarify flexible finance development standards (Part 1 Chapter 2 Planning Framework Element)

14. The Board of Supervisors has given notice of the proposed amendment to the General Plan as provided in Sections 65355, 65090, 65091 and 65092 of the Government Code of the State of California. A public notice was printed in the Dinuba Sentinel on August 23, 2012 the Visalia Times Delta, Porterville Recorder, and the Tulare Advance Register on August 17, 2012

at least ten days prior to the public hearing before the Board of Supervisors on August 28, 2012 and that hearing was held at which public testimony was received at a public hearing.

15. Pursuant to Government Code Section 65355, the Board of Supervisors commenced its public hearing on the General Plan 2030 Update on August 28, 2012. During these times the Board of Supervisors, heard presentations on the GPU, the CAP and the Final Environmental Impact Report ("FEIR"), considered the Board Report, along with evidence and testimony at said hearing; and received the Planning Commission's Resolutions 8636, 8637, and 8638 recommending that the Board certify the Final Environmental Impact Report, and adopt the General Plan 2030 Update and adopt the Climate Action Plan.
16. The Board of Supervisors has reviewed and considered the Proposed Project, the Alternatives, and the mitigation measures identified in the FEIR, as well as revisions recommended by Staff and the Public up to the time of adoption of this resolution.
17. The Board of Supervisors recognizes the need and desirability to conduct reviews of, and consider amendments to, the General Plan to accommodate the changing needs of the County.
18. Staff has made such investigation of fact bearing upon the proposed General Plan 2030 Update to assure action consistent with the procedures and purposes set forth in the California Government Code.
19. The Board of Supervisors has received public comment and testimony regarding adoption of the Proposed General Plan 2030 Update.
20. The Board of Supervisors certified the FEIR, adopted CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program in a separate resolution adopted on the same date as the adoption of this resolution.

The Board of Supervisors hereby resolves as follows:

1. The Board of Supervisors hereby finds that the above recitals are true and correct and are incorporated herein by reference as if set forth in full.
2. The Board of Supervisors hereby finds that the General Plan 2030 Update adopted in this resolution is essential for the preservation of public health, safety, and general welfare and is in compliance with all applicable procedures required by state law and the County of Tulare.

3. The following provisions of the County's prior General Plan are deleted in whole with this 2012 adoption of General Plan 2030 Update. State-mandated content formerly addressed in these elements is now covered in new provisions of the General Plan, as described in Table 1.1 (page 1-12) of the General Plan 2030 Update:
 - a. Civic Center Master Plan
 - b. Environmental Resource Management Element (Open Space/Recreation/Conservation Element)
 - c. Land Use Element
 - d. Library Master Plan
 - e. Noise Element
 - f. Public Buildings Plan
 - g. Safety Element
 - h. Scenic Highways Element
 - i. Seismic Safety Element
 - j. Transportation/Circulation Element
 - k. Urban Boundaries Element
 - l. Water and Liquid Waste Management Element
4. The Board of Supervisors adopts the General Plan 2030 Update included in Attachment B, Exhibit 1 of the Agenda Item, dated August 28, 2012, which is herein incorporated by reference. As noted in the recitals above, several amendments have been made to existing components of the General Plan ("adopted in revised form"). The modified versions of these existing General Plan components contained in Attachment B, Exhibit 1 shall preempt any previously adopted versions of these components.
5. Any amendments to the existing General Plan not explicitly included in actions three or four above, or Attachment B, Exhibit 1 to the Agenda Item dated August 28, 2012, are not included in this Resolution. Parts of the existing General Plan not explicitly amended or deleted in this resolution shall remain in effect.
6. The General Plan 2030 Update Elements and Parts comprises an integrated, internally consistent and compatible statement of policies in compliance with Government Code section 65300.5.
7. The Housing Element, proposed for the 2009-2014 planning period, certified by the State Department of Housing and Community Development by letter dated June 1, 2012, as adopted by Board of Supervisors on May 8, 2012, is internally consistent and compatible with the General Plan 2030 Update.

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF
CALIFORNIA**

PUBLIC HEARING ON THE PROPOSED)
TULARE COUNTY GENERAL PLAN) Resolution No. _____
2030 UPDATE, PROPOSED CLIMATE) Agreement No. _____
ACTION PLAN)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED
BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD
August 28, 2012, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY:

Deputy Clerk

* * * * *

That the Board of Supervisors, in the matter of the Climate Action Plan,
approves the following recitals and actions:

1. The County proposed a Climate Action Plan as an implementation
measure for the General Plan 2030 Update.
2. The County published and circulated a Recirculated Draft Environmental
Impact Report ("RDEIR") which analyzed the "proposed project" draft of
the General Plan 2030 update and the Climate Action Plan. These

documents were circulated for a 60 day review period between March 25, 2010 and May 27, 2010 to allow for maximum public involvement and input.

3. The RDEIR identified new Policy AQ-1.8 mitigation (referred to as "Required Additional Mitigating Policies and Implementation Measures") that requires the County to develop a Greenhouse Gas Emissions Reduction Plan/Climate Action Plan. The EIR also identified new AQ Implementation Measure #16 that requires the County to develop and maintain a climate action plan including an emissions inventory, emission reduction targets, applicable greenhouse gas control measures, and a monitoring and reporting plan.
4. The Climate Action Plan implements Policy AQ-1.8 and AQ Implementation Measure AQ#16, and incorporates many of the General Plan 2030 Update's Goals and Policies addressing the reduction of greenhouse gas emissions and adaptation strategies which are contained throughout the General Plan 2030 Update.
5. The Climate Action Plan also provides the strategies for the County of Tulare to reduce greenhouse gas emissions consistent with the direction of the State of California via AB32 the California Global Warming Solutions Act of 2006 (2006 Stats, Ch. 488) and Governor's Executive Order S-03-05.
6. The Board of Supervisors has given notice of the adoption of the Climate Action Plan. A public notice was printed in the Dinuba Sentinel on August 23, 2012, the Visalia Times Delta, Porterville Recorder, and the Tulare Advance Register on August 17, 2012 at least ten days prior to the public hearing and that hearing was held at which public testimony was received at a public hearing before the Board of Supervisors on August 28, 2012.
7. The Board of Supervisors certified the FEIR, adopted CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, in a separate resolution adopted on the same date as the adoption of this resolution.
8. The Board of Supervisors also adopted the General Plan 2030 Update in a separate resolution adopted on the same date as the adoption of this resolution.
9. The Board of Supervisors has received and considered all public comment and testimony regarding Climate Action Plan.

The Board of Supervisors hereby resolves as follows:

1. The Board of Supervisors hereby finds that the above recitals are true and correct and are incorporated herein by reference as if set forth in full.
2. The Board of Supervisors adopts the Climate Action Plan included in Attachment C, Exhibit 1 for this agenda item, dated August 28, 2012.