



# Resource Management Agency COUNTY OF TULARE AGENDA ITEM

## BOARD OF SUPERVISORS

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** October 15, 2019

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" 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: 559-624-7000

**SUBJECT:** Approve General Plan Initiation No. GPI 19-004 for the Community Area Plans (Kingsburg & Delano) and Necessary State Legislative General Plan Amendments

**REQUEST(S):**  
That the Board of Supervisors:

Approve General Plan Initiation No. GPI 19-004 to authorize a General Plan Amendment for two Community Area Plans (Kingsburg & Delano), to update the Tulare County General Plan Planning Framework Element, Land Use Element, Environmental Resources Management, Open Space Element (SB 2), Water Resources Element (AB 1739), Transportation and Circulation Element (SB 743), Health and Safety Element, Adaptation and Resiliency Element (SB 379), and Environmental Justice Element (SB 1000).

## **SUMMARY:**

There have been several updates to State policies concerning various resources since the last comprehensive update to the General Plan in 2012 (BOS Resolution No. 2012-0697). In addition, staff is working collaboratively with the City of Kingsburg (Fresno County) and City of Delano (Kern County), within their sphere of influences or Joint Power Authority areas, to create Community Area Plans to better guide future development. State mandates that require changes to the County General Plan include: (1) transportation planning policy, SB 743 (Vehicle Miles Traveled – VMT Regulations); (2) under the Water Resources Element, AB 1739 (Sustainable Groundwater Management Act, SGMA), there have been changes to groundwater policy; (3) to the Health and Safety Element (SB 379) to address

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SGMA and overall Climate Change through Adaptation and Resiliency strategies; and (4) Environmental Justice Legislation (SB 1000). Additionally, SB 2 (Building Homes and Jobs Act) addresses the Regional Housing Needs Assessment concerns, through the implementation of plans that streamline housing approvals and accelerate housing production (SB 2 Grant Funding). Therefore, GPI 19-004 is proposed in order to allow the amendments to certain Elements of the Tulare County 2012 General Plan, and to implement these Elements through updating the Tulare County Zoning Ordinance No. 352 (Zoning Code) in order to align itself with these State policies and local concerns.

This comprehensive amendment will allow the County's General Plan and Zoning Code to: (1) Remain vertically and horizontally consistent, (2) Create the mechanisms to allow the County's agencies to receive grant funding tied to Health and Safety, Transportation, Housing and Land Use, and (3) Streamline economic development and the associated housing and utility infrastructure, which is already heavily burdened (near or at capacity), under existing demand, but consistently limited or unavailable.

General Plan Elements and Zoning Ordinance Recommended Tasks:

Task 1: Create Area Plans for the Communities of Kingsburg and Delano

1. The County has received an application for a General Plan Amendment (and Rezone) from the City of Kingsburg, and in addition, is initiating a General Plan Amendment (and Rezone) for the Delano Area to address the matters of land use planning, zoning, and infrastructure within the County's Urban Development Boundaries adjacent to these two cities.
2. Both cities currently have Spheres of Influence and/or Joint Powers Authorities within the County and a plan would better coordinate development across the County lines.

Task 2: Based on SB 2 (Building Homes and Jobs Act); Land Use Element, Planning Framework Element, and Environmental Resources Management Element (Open Space):

1. Update the Land Use Element in order to continue to add the potential for accelerated housing production, streamline the approval of housing development, facilitate housing affordability, promote development consistent with the State Planning Priorities, and ensure geographic equity in the distribution and expenditure of allocated funds (SB 2). Links to language for SB 2 Grant Funding, Government Code Section 4, Chapter 2.5, Article 1, Section(s) 50470(a)(1)(b)(1)(A) can be found at:

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180)

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SB2

2. The County can further land use-planning updates as the background to gauge the improvements necessary to bring its infrastructure in line with the development potential of the County.
3. Amendments to the Planning Framework Element and Environmental Resources Management Element (Open Space) Element to update Urban Development Boundaries as feasible and appropriate.
4. Updating the Zoning Code will also maximize the utilization of infrastructure and implement the General Plan/Community Plan policies related to County Zoning and Zoning Districts.

Task 3: Transportation and Circulation Element (SB 379):

1. Update the Transportation and Circulation Element due to changes in state policy (SB 743, 2013) regarding transportation planning utilizing VMT versus previously utilizing Level of Service (LOS) for CEQA purposes (by July 2020). Links to language for SB 743 can be found at page 156 of the CEQA Guidelines, Public Resource Code, Title 14, Division 6, Article 3, Section 15064.3:

[http://resources.ca.gov/ceqa/docs/2019 CEQA Statutes and Guidelines.pdf](http://resources.ca.gov/ceqa/docs/2019_CEQA_Statutes_and_Guidelines.pdf)

2. SB 743 mandates that jurisdictions can no longer use automobile delay (queuing/congestion) – commonly measured by LOS – in transportation analysis under the California Environmental Quality Act (CEQA). The State has issued guidelines calling for the use of a broader measure called Vehicle Miles Traveled (VMT), which measures the total amount of driving over a given area.
3. The State's intent in making this switch is to promote:
  - The reduction of greenhouse gas emissions.
  - The development of multimodal transportation networks (i.e., networks that serve a variety of users including pedestrians, bicyclists, transit riders and drivers).
  - A diversity of land uses (i.e., neighborhoods and cities with housing, jobs, shops and services in close proximity to each other).

Task 4: Water Resources Element (AB 1739, etc.):

1. Under AB 1739 and SB 1168 / SB 1319, there have been changes to groundwater regulations in the State of California and ostensibly in “over

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drafted” counties (Sustainable Groundwater Management Act). Links to SGMA can be found at Water Code, Division 6, Part 2.74:

[http://leginfo.legislature.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?toCode=WAT&division=6.&title=&part=2.74.&chapter=&article](http://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?toCode=WAT&division=6.&title=&part=2.74.&chapter=&article)

2. With twelve (12) Groundwater Sustainability Agencies within the County, the Groundwater Sustainability Plans could be incorporated by reference into the General Plan and County water policies necessarily updated for General Plan consistency purposes.

Task 5: Health and Safety Element (SB 379):

1. Under Climate Change Adaptation and Resiliency (SB 379), the General Plan shall be reviewed and updated as necessary to address adaptation and resilience strategies applicable to the County. Links to SB 379, Government Code Section 1. Section 65302 can be found at:

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201520160SB379](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB379)

2. Potential applicable strategies concern flood, fire, and drought.

Task 6: “New” Environmental Justice Element (SB 1000):

1. The purpose of the Environmental Justice Element (EJ Element) is to address equitable treatment of all populations under environmental regulations, when two or more elements are being updated. Links to SB 1000, Government Code Section 1, Section 65302 can be found at:

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB1000](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1000)

2. As provided by State Government Code 65302(h), the EJ Element has the same weight as the mandatory elements of the General Plan, and requires internal consistency with the other elements.
3. State Government Code 65302(h) requires a city or county to “identify objectives and policies to reduce unique or compounded health risks in disadvantaged communities” within their jurisdiction. These objectives and policies must cover the following EJ topical areas:
  - Reduce pollution exposure, including improving air quality
  - Promote public facilities
  - Food access

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- Safe and sanitary homes
- Physical activity

**FISCAL IMPACT/FINANCING:**

The General Plan 2020 Amendment is funded partially by SB 2 grant funding for proposed General Plan Planning Framework Element, Land Use Element, Environmental Resources Management, Open Space, Element. Funding for the Environmental Justice Element (SB 1000) is partially funded by work conducted by the Civic Sparks Fellow through the Department of Housing and Community Development, Water Policy Updates for SGMA and Transportation and Circulation Element (SB 743) and the Health and Safety Element Updates for Adaptation and Resiliency (SB 379) are included in the FY 19-20 adopted budget. The County will also receive additional assistance from the Governor's Office of Emergency Services, Civic Sparks Fellow, in regards to Adaptation and Resiliency Strategies.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The proposed activities will continue to improve the Quality of Life by providing decent, safe and affordable housing, and economic development opportunities within Tulare County.

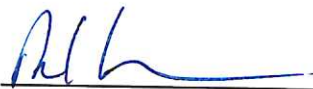
**ADMINISTRATIVE SIGN-OFF:**



Aaron R. Bock, MCRP, JD, LEED AP  
Assistant Director, Economic Development & Planning



Michael Washam  
Associate Director



Reed Schenke, P.E.  
Director

cc: County Administrative Office

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

IN THE MATTER OF APPROVE GENERAL )  
PLAN INITIATION NO. GPI 19-004 FOR ) Resolution No. \_\_\_\_\_  
THE COMMUNITY AREA PLANS )  
(KINGSBURG & DELANO) AND )  
NECESSARY STATE LEGISLATIVE )  
GENERAL PLAN AMENDMENTS )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD OCTOBER 15, 2019,  
BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

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