

General Plan Initiation GPI 19-004 (Kingsburg/Delano, Necessary State Legislative General Plan Amendments)



Board of Supervisors
October 15, 2019

Presented by the
Tulare County Resource Management Agency

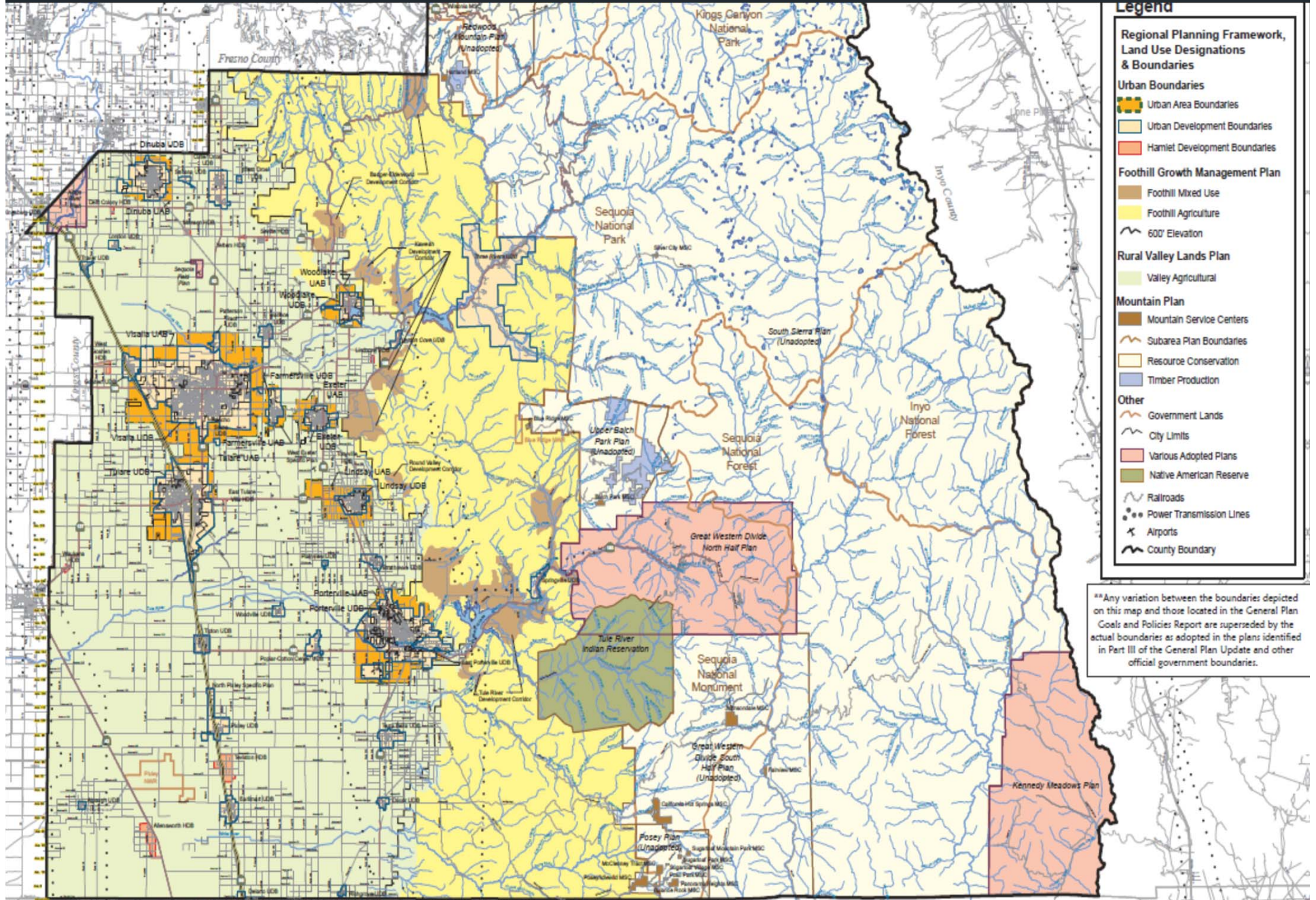


(2012) 2030 General Plan

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- State law requires a comprehensive, long-range plan for future physical development (GC § 65300).
- A General Plan must address seven mandatory “elements”: land use, circulation, housing, open-space, conservation, safety, and noise (GC §§ 65301(c), 65302). Housing Element - treated separately good to 2024. In the San Joaquin Valley must also address air quality matters as specified by GC § 65302.1.
- May voluntarily include other “optional” elements as they choose (GC § 65303) i.e. ACFP, Water, AG, Planning Framework (Area Plans = RVLP, FGMP, & Mountain Plan), Flood Control Master Plan (1971), and Local Hazard Mitigation Plan.
- State law establishes that each element is of equal importance and must be consistent with one another (GC § 65300.5)

General Plan



Amendments

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- General Plan comprise an integrated, internally consistent, and compatible statement of development policies (Government Code §65300.5).
- **PF-7.2 Maintaining a Current General Plan:** shall periodically (every 5 to 10 years) conduct a major review of Goals and Policies Report and Background Report to ensure the General Plan is addressing the needs of the County. Issues identified will be addressed as part of an amendment or update. (*We are at year 7 and staff has identified the legislative changes ultimately requiring GP Amendments*)
- Definition: “From time to time, the General Plan must be amended... to accommodate projects, to update information and policies, or to comply with State regulations... Amendments... such as the modification of a single policy, or even the addition of a new General Plan Element. Mandatory elements may only be updated a maximum of four times per year. Periodically, the General Plan is comprehensively updated [for] direction of growth and development for the next 20 years.” - *Office of Planning and Research*.
- Planning Framework Implementation Measure 8: County requires General Plan Initiation for all Community Plan Amendments...and textual changes

TCGP: Goals and Policy Report ⁵

The Goals and Policies Report is organized into four components (underlined shows required amendments) and includes:

Component A. General Plan Framework:

- Planning Framework Element

Component B. Prosperity:

- Agriculture Element □ Land Use Element □ Economic Development Element
- Housing Element (adopted 2015 – 2024)

Component C. Environment:

- Scenic Landscapes Element □ Environmental Resource Management Element
- Air Quality Element □ Health and Safety Element □ Water Resources Element
- Animal Confinement Facilities Plan (ACFP)-Phase I (adopted 2000 / amending this year 2019). Climate Action Plan is a separate document.

Component D. Infrastructure:

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

Amendment Overview

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- **Applications, Needed Changes, Several Updates to State Policies Regarding :**
(about an ~ +/- 18 month process)
 - City of Kingsburg made an application for a General Plan Amendment to the Kingsburg Area Plan. County is initiating the Delano Area Plan (approx. 1 year)
 - (SB 2 - 2017) Building Homes and Jobs - requires zone changes (around existing communities) to create potential for home building (approx. 12 to 18 months)
 - (SB 743 - 2013) Changing Cal. Env. Quality Act Traffic Studies. Vehicle Miles Traveled instead of Level of Service by July of 2020 / Complete Streets – 2011 (< 10 months)
 - (AB 1739 etc...- 2014) Sustainable Groundwater Management Act – Currently reviewing 8, 9, 10 GSP's (two phases, 3 to 6 months to make clarifications immediately and up to and over 1 year so more elaborate changes can be made)
 - (SB 379– 2015) Climate Change Adaptation and Resiliency – at time of Housing Element Update (not due till 2023 but may have pressure for funding to do it now. Better to be out ahead on this one.)
 - (SB 1000 - 2016) Env. Justice (when updating 2 elements) – in discussions with Leadership they are aware we ultimately have more than Fresno County's two-pager

Area Plans for Kingsburg / Delano

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- City of Kingsburg / Kingsburg Urban Development Boundary – requires zoning changes from AE / A-1 Zones
 - City made Application for a General Plan Amendment to create an Area Plan that would allow the extension of their municipal services for coherent and coordinated development of the area.
- Delano Urban Development Boundary – Expansion, GP designation from Ag to Commercial – and Zoning other Changes to MU Overlays
 - Board Initiated Area Plan for Community of Delano (has two JPA's for infrastructure) - some interest in expansion of uses in that area.

SB 2 Building Homes and Jobs

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- Made application for grant funding two weeks ago that will result in changes to Framework and Land Use Elements of the General Plan:
 - Infrastructure Studies that can be incorporated into the General Plan
 - Necessary Zone Changes (backed by land use designation changes)
 - Changes to the zoning code
 - Housing Policies

SB 743 Steinberg (2013), “*Environmental quality: transit oriented infill projects, judicial review streamlining for environmental leadership development projects, and entertainment and sports center in the City of Sacramento.*”

- So we have to change our CEQA analysis as described in the General Plan *Transportation and Circulation Element* from a Level of Service Standard to a Vehicle Miles Traveled (VMT) Standard by July 2020.
- Add Complete Streets (2011) directly into our General Plan as a policy
- PF - Implementation measure 21: *The County shall amend its Zoning Ordinance to add mixed use zones*

AB 1739 (Dickenson) et al...

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Sustainable Groundwater Management Act – Impact to Water Resource Element

- With at least 11 GSP's (effective, January 2020), the County has reviewed its GP water policies and found some that may need clarifications and/or amendment
- Staff will do so as the GSP's are implemented over the next year in order to remain consistent
- May require changes to other codes to adapt to new GSA policies to be backed by the Water Resources Element for consistency to other GP elements such as Land Use and/or Ag Policies

SB 379 Climate Adaptation and Resiliency

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- Currently, there is mention of *Adaptation and Resiliency* in the Local Hazard Mitigation Plan but the legislation came out after we were late in our process so staff is recommending putting directly in our Safety Element at this time
- With the potential for fire, flood, and drought and outdated flood and drought plans, we can update to incorporate new information from the GSP's
- Working with State OES can spell out some local strategies in the Safety Element to remain consistent with State Policies as to not limit potential for emergency or necessary SGMA State Funding over the long term

Environmental Justice

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- Required if updating two elements
- Working with HCD to develop an element or plan to be incorporated by reference

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).