

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Brett Taylor

COMMISSIONERS: Adam Peck, Brett Taylor, Liz Wynn, Lawrence Segrue, Chris Gomez

MONDAY, OCTOBER 12, 2015; WORK SESSION 5:00 P.M., REGULAR SESSION 7:00 P.M.,  
COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. WORK SESSION – Introduction to the City's Strategic Subdivision and Zoning Ordinance Update.
2. BREAK –
3. THE PLEDGE OF ALLEGIANCE –
4. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
5. CHANGES OR COMMENTS TO THE AGENDA–
6. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda
  - Finding of Consistency No. 2015-002 for Milan Institute of Cosmetology proposing to relocate from 3356 South Fairway Street to 3300 South Fairway Street (APN: 122-300-040). The cosmetology school was approved at the current location of 3356 South Fairway Street by Conditional Use Permit No. 777. The private vocational school will be relocating to a different building within the same office complex.
7. PUBLIC HEARING –Brandon Smith  
Change of Zone No. 2015-07: A request by Varo-Real Investments, Inc., to change the Zoning designation on 1.08 acres from PA (Professional / Administrative Office) and R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot area) to R-M-3 (Multi-family Residential, 1,500 sq. ft. lot area per unit), located on the north side of Houston Avenue approximately 500 feet east of Cain Street. (APN: 098-200-060) An Initial Study was prepared for this project, which disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the General Plan Update Program EIR (SCH No. 2010041078). Therefore, the EIR prepared for the Visalia General Plan that was certified by Resolution No. 2014-37 and adopted on October 14, 2014 is being used for this project.
8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

### **APPEAL PROCEDURE**

#### **THE LAST DAY TO FILE AN APPEAL IS FRIDAY, OCTOBER 22, 2015, BEFORE 5 PM**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.ci.visalia.ca.us](http://www.ci.visalia.ca.us) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, OCTOBER 26, 2015**

# **City of Visalia**



**To:** Planning Commission

**From:** Josh McDonnell, City Planner  
Paul Bernal, Principal Planner

**Date:** October 12, 2015

**Re:** Work Session Item Strategic Subdivision and Zoning Ordinance Update

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## **BACKGROUND**

Following the adoption of a new General Plan in October, 2014, a comprehensive update to the City's Zoning and Subdivision Ordinances is needed to incorporate and implement the new policies and concepts established in the new Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency between the General Plan and implementing ordinances. The current Zoning Ordinance was last comprehensively revised in 1993 while the Subdivision Ordinance last received a comprehensive update in 1996.

In 2015, the City Manager authorized staff to circulate a Request for Proposals (RFP) to prepare a strategic update to the City's Subdivision and Zoning Ordinances. Quad Knopf was selected as the preferred consultant and is now tasked to lead all aspects of the strategic update to the Subdivision and Zoning Ordinances while maintaining a close working relationship with staff and the Technical Advisory Committee (i.e., Planning Commission).

## **PURPOSE OF TONIGHT'S MEETING**

The purpose of the Work Session item is to introduce the Consultant's Project Manager to the TAC, receive a presentation from City staff on the City's current Subdivision and Zoning Ordinances, and receive a presentation from the Consult on the proposed program approach to this strategic update.

At the conclusion of the presentations, the Consult and City staff will request from the TAC and the community on items to be considered as part of the Strategic Update to the Subdivision and Zoning Ordinances.

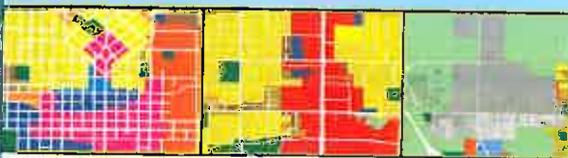
## **NEXT STEPS**

The Consultant and Staff will begin holding Stakeholder interviews in coming weeks. In addition, the Consultant has begun researching and analyzing land use policies within the General Plan and reviewing staff's internal zoning update list to establish the framework on the changes to the ordinances that would need to be considered.

The Consultant has provided a "Schedule of Tasks" table that identifies the months when major milestones are anticipated to be completed. Staff intends to use Work Session meetings to provide updates and solicit input from the TAC and public.

## **Attachments:**

- Work Session Powerpoint Presentation
- Schedule of Task Table



**CITY OF VISALIA**

Subdivision & Zoning Ordinances  
 Titles 16 & 17 of Visalia Municipal Code  
 Planning Commission Work Session  
 October 12, 2015

**Meeting Goal**

- Introduce the Zoning Ordinance Update project to the TAC and solicit feedback on items to be considered as part of the Update process.

**Outline for Discussion**

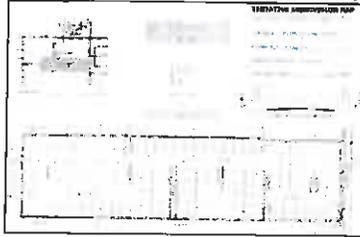
- Project Overview and Scope
- Review of Subdivision & Zoning Ordinances
- Consultant approach
- Receive TAC and public input
- Key dates
- Conclusions

**Project Overview and Scope**

- This is a Strategic Update
- Review and analysis of existing subdivision and zoning ordinances
- Stakeholder interviews
- Identify and present issues and options for Committee and public review and comment
- Draft annotated outline and draft regulations
- City Attorney review, public review and hearings on draft regulations; final stage of process

### Title 16 Subdivisions

- Governs subdividing property in Visalia
- Comprised of 16 Chapters
- Planning Commission primarily deals with Tentative Maps (Vesting) & Parcel Maps.



### Title 16 Subdivisions

- Chapter 16.04 “General Provisions”
  - How City processes subdivisions
- Chapter 16.08 “Definitions”
  - Clearly defined terms (ex. Remainders)
- Chapter 16.12 “Design & Construct Stds.”
  - Ensuring subdivisions meet codified stds.

### Title 16 Subdivisions

#### Items routinely reviewed by Planning Commission

- Chapter 16.16 “Tentative Maps”
- Chapter 16.20 “Vesting Tentative Maps”
- Chapter 16.24 “Final Maps” (Only City Council)
- Chapter 16.28 “Parcel Maps”

#### Administratively Approved

- Chapter 16.32 “Lot Line Adjustments”
  - No more than 4 parcels
  - City Planner approval

### Title 16 Subdivisions

- Chapter 16.36 “Improvements”
- Chapter 16.40 “Drainage Fees”
- Chapter 16.44 “Transportation Impact Fees”
- Chapter 16.46 “Public Safety Impact Fees”
- Chapter 16.48 “Environmental Impact Mitigation”
- Chapter 16.50 “General Facilities Impact Fees”
- Chapter 16.52 “Area of Benefit”
- Chapter 16.54 “Groundwater Overdraft Mitigation”

## Title 17 Zoning

- The Zoning Ordinance is intended to achieve the following:
  - Relationship between land uses
  - Stability of land uses in districts they occur
  - Ensure lands are ultimately used for the appropriate purpose
  - Prevent excessive population densities
  - Avoid a concentration of structures adjoining each other

## Title 17 Zoning

- Continued
  - Safe, effective traffic circulation
  - Adequate off-street parking
  - Appropriate location of community facilities
  - Facilitate transition of lands from county to city
  - Implement goals & policies of the GP.
- Comprised of 31 Chapters
- Sign Ordinance Update will be incorporated into ZO Update

## Title 17 Zoning

### Chapters

17.03 General Provisions	17.32 Special Provisions
17.04 Definitions	17.33 District Parking and Loading Facilities
17.05 General Chapter	17.34 General Waste and Recycling
17.09 Agricultural Zone	17.35 Conditional Use Permits
17.10 R-1 Rural Residential Zone	17.36 Homebased, Live and Manufacture
17.12 R-1 Single-Family Residential Zone	17.42 Variances and Exceptions
17.14 R-1.4.5 Residential Zone	17.43 Amendments
17.16 Multi-Family Residential Zone	17.44 Administration and Enforcement
17.15 Planned Commercial Zone	17.45 Signs
17.20 Planned Office Zone	17.50 Airport Zoning
17.22 Planned Industrial Zone	17.52 Quasi Public Zone
17.24 Planned Business Professional Park (BPP) Zone	17.54 Change of Plan Amendment
17.26 Planned Development (PD)	17.56 Historic Preservation District
17.28 Planned Development Permit	17.58 Development Permit District
17.35 Development Standards	17.60 Development Agreements
	17.62 Adult-Oriented Businesses

## Title 17 Zoning

- 17.08 "AG Zone"
- 17.10 "Rural Residential"
- 17.12 "R-1 Single-Family"
- 17.14 "R-1-4.5"
  - Northeast Area
- 17.16 "Multi-Family"

*Changes anticipated to these zones meet density requirements of GP.*



### Title 17 Zoning

- 17.18 “Commercial Zone”
  - Contains the 8 Commercial Zone definitions
  - Zone Use Matrix in this section (17.18.050)
- 17.20 “Office Zone”
  - Defines the 3 Office Zones
- 17.22 “Industrial Zone”
  - Defines the 2 Industrial Zones
- 17.24 “BRP Zone”
  - Defined to a specific area of community

### Title 17 Zoning

- 17.28 “Planned Development Permit”
  - PRD / PUD, density bonus, deviations to stnds
- 17.28 “Planned Development Permit”
  - What is it?
  - It is the City’s Site Plan Review process
- 17.30 “Development Standards”
  - Parking In-lieu program
  - Design Districts (i.e., setbacks, building ht., etc.)

### Title 17 Zoning

- 17.28 “Planned Development Permit”
  - PRD / PUD, density bonus, deviations to stnds
- 17.28 “Planned Development Permit”
  - What is it?
  - It is the City’s Site Plan Review process
- 17.30 “Development Standards”
  - Parking In-lieu program
  - Design Districts (i.e., setbacks, building ht., etc.)

### Title 17 Zoning

- 17.34 “Off Street Parking”
  - Parking req. & standards
- 17.36 “Fences, Hedges & Walls”
  - Materials, heights and locations
- 17.40 “Nonconforming Uses / Structure”
  - Does not conform to the provisions of the ZO
  - Maintaining use / structure
  - Expansion of use / structure
  - Removal of use / structure

### Title 17 Zoning

- 17.38 “Conditional Use Permits”
  - Process, timelines, appeals, etc.
- 17.42 “Variance & Exceptions”
  - Unnecessary hardships to strict interpretation & enforcement of ZO.
- 17.44 “Amendments”
  - Change of Zone process
- 17.54 “General Plan Amendments”
  - Amendment to General Plan Land Use designation

### Title 17 Zoning

- 17.46 “Admin. & Enforcement”
  - Code Enforcement / Declared Public Nuisances
- 17.48 “Signs”
  - Not a Part of ZO Update
- 17.50 “Airport Zone”
- 17.52 “Quasi-Public Zone”
  - Institutional, Academic, Community Service, Govt.
- 17.56 “Historic Preservation District”
  - Preserve City’s Historic Districts

### Title 17 Zoning

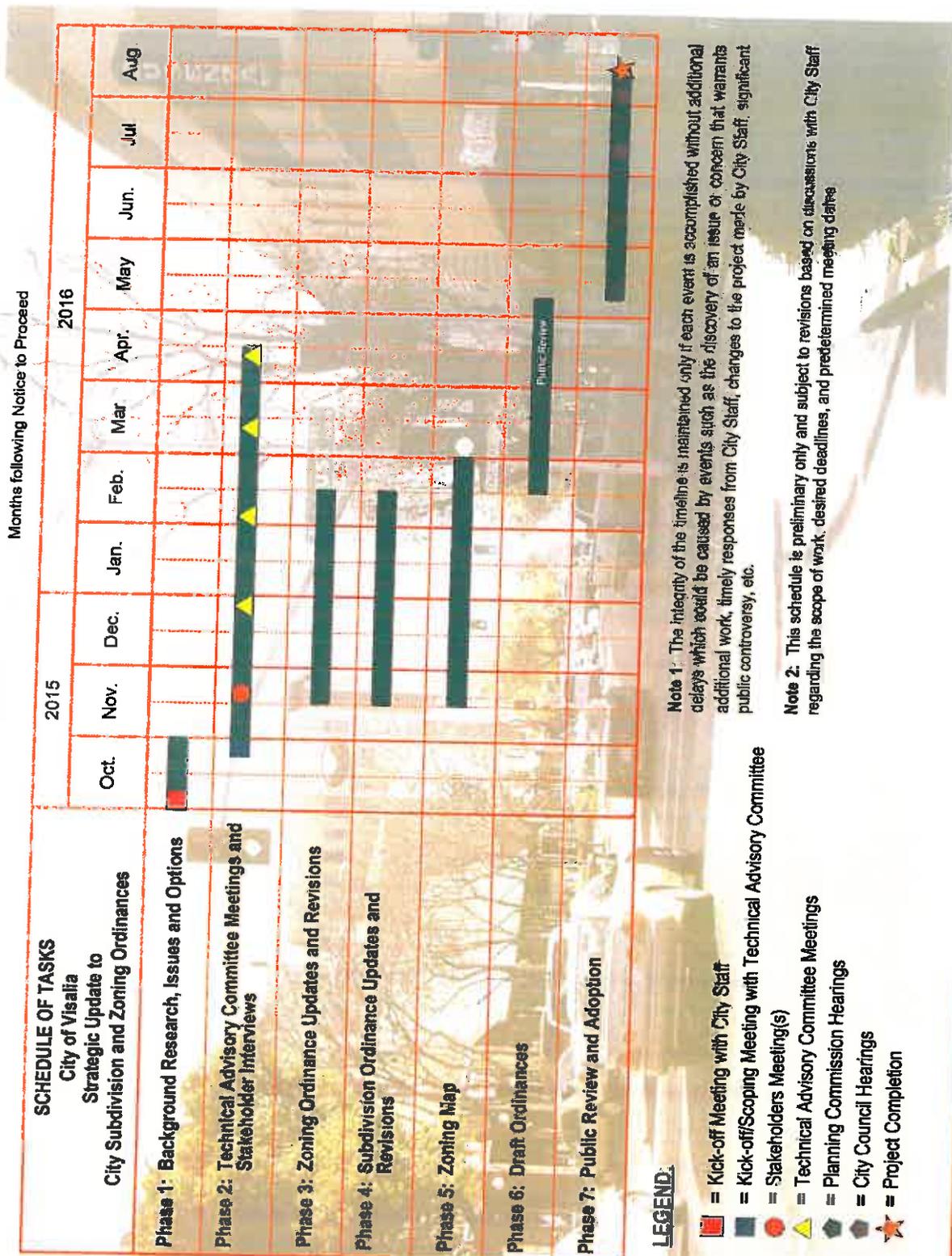
- 17.58 “Downtown Retail District”
  - Downtown Design District
  - Protect & enhance existing character of downtown
  - New development consistent with downtown
- 17.60 “Development Agreements”
  - Require public hearings
  - Ex. “Conditional Zoning Agreement”
- 17.62 “Adult-Oriented Businesses”
  - Defines and regulates these business and locations

COMMENTS / QUESTIONS

## NEXT STEPS

- Stakeholder interviews - Mid Oct. 2015
- TAC Meetings (Update, Input & Progress Reports) - Dec. - Mar. 2016
- Subdivision & Zoning Ordinance Revisions - Nov. 2015 - Feb. 2016
- Zoning Map Changes - Nov. 2015 - Mar. 2016
- Draft Ordinances (Public Review) - Feb. 2016 - May 2016
- Public Hearing & Adoption - May 2016 - Aug. 2016

## B. Proposed Program Approach



# **City of Visalia**



**To:** Planning Commission

**From:** Paul Bernal, Principal Planner (713-4025)

**Date:** October 12, 2015

**Re:** Finding of Consistency No. 2015-002 for Milan Institute of Cosmetology proposing to relocate from 3356 South Fairway Street to 3300 South Fairway Street (APN: 122-300-040). The cosmetology school was approved at the current location of 3356 South Fairway Street by Conditional Use Permit No. 777. The private vocational school will be relocating to a different building within the same office complex.

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## **RECOMMENDATION**

Staff recommends that the Planning Commission make a Finding of Consistency allowing the relocation of the facility from 3356 South Fairway Street to 3300 South Fairway Street, Suite 102 for the previously approved Conditional Use Permit No. 777.

## **DISCUSSION**

Conditional Use Permit (CUP) No. 777 was approved allowing the private vocational cosmetology school within the Heritage Plaza office complex (see Exhibit "A"). Milan Institute of Cosmetology offers training for individuals to receive their state cosmetology and estheticians licenses. The Heritage Plaza office complex is located on the east side of South Fairway Street between West Whitendale and West Orchard Avenues.

The CUP was approved and is operating at their current location (see Exhibit "A"). Per Visalia Municipal Code Section 17.38.060, Conditional Use Permits run with the land and may continue in effect upon change of ownership.

The applicant has indicated a decision to relocate their facility to accommodate their needs. The building they are requesting to relocate is within 60-feet of their current location. The applicant has indicated that their daily operations will not change with the move.

Staff's recommendation is to approve the relocation of Milan Institute of Cosmetology within the same office complex to 3300 South Fairway Avenue, Suite 102. This recommendation is based on the finding that there will be no impacts at the new location beyond the impacts associated with the existing location, including impacts to parking.

## **ATTACHMENTS**

- Exhibit "A" – Aerial Photo
- Exhibit "B" – Applicant's letter



Milan  
Proposed  
Location  
(3300 S. Fairway)

Milan  
Currents  
Location  
(3356 S. Fairway)

Exhibit "A"

Heritage Plaza

VICTOR

FAIRWAY



RECEIVED

OCT 02 2015

COMM. DEVELOP.  
CITY OF VISALIA

10/1/2015

City of Visalia,

Attention: Paul Bernal

Milan Institute of Cosmetology is planning to move our location from 3356 S. Fairway, Visalia, CA 93277 to 3300 S. Fairway, Suite 102, Visalia, CA 93277.

Attached is a Check for \$208.00 for the CUP Finding of Consistency.

Thank you,

Cindy Sandoval



## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** October 12, 2015

**PROJECT PLANNER:** Brandon Smith, Senior Planner  
Phone No.: (559) 713-4636

**SUBJECT: Change of Zone No. 2015-07:** A request by Varo-Real Investments, Inc., to change the Zoning designation on 1.08 acres of undeveloped property from PA (Professional / Administrative Office) and R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot area) to R-M-3 (Multi-family Residential, 1,500 sq. ft. lot area per unit), located on the north side of Houston Avenue approximately 500 feet east of Cain Street. (APN: 098-200-060)

### STAFF RECOMMENDATION

Staff recommends approval of Change of Zone No. 2015-07, based upon the findings and conditions in Resolution No. 2015-51. Staff's recommendation is based on the following:

- The Change of Zone is consistent with the goals, objectives, and policies of the City's General Plan.
- The Change in Zone will re-designate the property from PA (Professional / Administrative Office) and R-1-6 (Single-family Residential) to R-M-3 (Multi-family Residential) which is consistent with the recently adopted Visalia General Plan.

### RECOMMENDED MOTION

I move to recommend approval of Change of Zone No. 2015-07, based on the findings and conditions in Resolution No. 2015-51.

### PROJECT DESCRIPTION

Applicant Varo-Real Investments, Inc. is requesting a Change of Zone for a 1.08-acre parcel located on the north side of Houston Avenue midway between Cain Street and Irma Street. The property's land use designation was re-designated from Professional / Administrative Office to Residential High Density with the October 2014 adoption of the Visalia General Plan update. The current zoning designations on the property are PA (Professional / Administrative Office) on the south and R-1-6 (Single-family Residential) on the north. These designations are being requested to change to R-M-3 (Multi-family Residential) to establish consistency between the land use and zoning designations.

The applicant has opted to initiate a request for zone change for consistency with the land use designation rather than waiting for the City-initiated Zoning Ordinance update, which will bring consistency between land use designations and zoning citywide. The proposed zone change to the R-M-3 Zone for this property is being done to facilitate development of a 22-unit apartment complex with on-site parking and a workout center. The apartment complex is permitted by right in the R-M-3 zone and has been approved by the City's Site Plan Review Committee.

The 1.08-acre parcel is vacant and is bounded by an arterial roadway to the south (Houston Avenue). To the north is a future alignment for a local street. The property is bound on the west, north, and south by single-family residences on large lots with much land remaining vacant.

## BACKGROUND INFORMATION

General Plan Land Use Designation	Residential High Density
Zoning	PA (Professional / Administrative Office) & R-1-6 (Single-family Residential, 6,000 sq. ft. min. lot area)
Surrounding Zoning and Land Use:	North: R-1-6 / Future local street, vacant land, single-family residence South: R-M-3 / Office conversion of existing residence, presently unoccupied East: PA / Single-family residence, vacant land West: PA / Vacant land, multi-family residences
Environmental Review:	Initial Study No. 2015-50
Site Plan:	2015-068 (for permitted residential development)

### RELATED PROJECTS

On March 9, 2015, the Visalia Planning Commission considered and recommended approval of Change of Zone No. 2015-04, a request by Paloma Development to change zoning on property also to bring consistency between the zoning designation and the land use designation of the approved General Plan. The request was to change the Zoning designation from Agricultural to Regional Retail Commercial for 28.6 acres located on the southwest corner of Mooney Boulevard and Visalia Parkway. The request was approved by the City Council.

## PROJECT EVALUATION

Staff finds that the proposed Change of Zone is consistent with the goals, objectives, and policies of the Visalia General Plan. The re-designation of the 1.08-acre site will facilitate future development of the site consistent with the R-M-3 zone.

### Change in Zone

The proposed Change of Zone, if approved, will foster new multi-family residential development in the vicinity of the north side of Houston Avenue between Cain and Irma Streets. The applicant has also identified a development plan for this parcel that would be consistent with the proposed zoning designation. Specifically the applicant intends to develop a 22-unit apartment complex with on-site parking and a workout center. The apartment complex is permitted by right in the R-M-3 zone and was approved by the City's Site Plan Review Committee as Item No. 2015-68 on July 29, 2015.

Staff supports the proposed Change of Zone to the R-M-3 Zoning designation based on the General Plan land use designation of High Density Residential at this location. The General Plan Land Use Element, updated and adopted in October 2014, retains the City's four residential land use classifications and density ranges established in the 1991 Land Use Element: Very Low Density Residential (renamed from Rural Residential) and Low, Medium, and High Density Residential. High Density Residential is intended to accommodate various types of attached housing at a density of 15 to 35 housing units per acre. The density of the apartment complex proposed by the applicant is 22 units on 1.08 acres, or 20 units per acre.

The General Plan's Implementation Chapter establishes a framework of action for carrying out the objectives and policies of the General Plan. Included in the chapter is Table 9-1 which lists the new and old General Plan Land Use Designations along with the consistent Zoning District.

This table confirms that the R-M-3 zone in the current Zoning Ordinance is consistent with the Residential High Density designation in the General Plan Update.

### **Citywide Zoning Ordinance Update**

State statute requires consistency between a City's General Plan and Zoning Ordinance. With the recent adoption the new Visalia General Plan, which includes new land use designations and associated densities that will require revisions to their accompanying zoning designations, and development standards, the immediate priority and next implementation step for staff will be revising the Zoning and Subdivision Ordinances. This effort has begun in September 2015 and should take one year to complete. Rather than waiting for the citywide Zoning Ordinance update, the applicant has elected to file a Change of Zone application to immediately change the zoning on the site consistent with the land use designation.

### **Proposed Apartment Complex**

A 22-unit apartment complex, illustrated in Exhibit "B", is proposed to be developed on the site following approval of the site's Zoning designation changing to R-M-3. Multi-family residential housing up to 60 units on a single site is allowed and permitted by right in the R-M-3 zone. The proposed development is not analyzed or evaluated in this report since it is an allowed use, however the site plan is included as an attachment for purpose of reference only.

### **Environmental Review**

California Environmental Quality Act Section 15183(a) mandates that projects consistent with the development density established by general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

An Initial Study was prepared for this project, which disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the General Plan Update Program EIR (SCH No. 2010041078). The EIR prepared for the Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, staff concludes that the Program EIR adequately analyzed and addressed the zoning contemplated by the COZ application.

## **RECOMMENDED FINDINGS**

1. That the request for Change of Zone from PA (Professional / Administrative Office) and R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot area) to R-M-3 (Multi-family Residential, 1,500 sq. ft. lot area per unit) is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That applying R-M-3 Zone development standards (Chapter 17.16 of the Visalia Municipal Code) to future development on the site will be compatible with established development patterns and setbacks on other properties in the vicinity and will minimize future impacts resulting from the change in zoning. These standards are designed to promote / ensure compatibility with adjacent land uses.
3. That an Initial Study was prepared for the requested Change of Zone consistent with California Environmental Quality Act Guidelines. Initial Study No. 2015-50 disclosed the

proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the General Plan Update Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, the Program Environmental Impact Report adequately analyzed and addressed the zoning contemplated by the COZ application.

### **RECOMMENDED CONDITIONS OF APPROVAL**

There are no recommended conditions for the Change of Zone.

### **APPEAL INFORMATION**

The Planning Commission's recommendation on the Change of Zone application is advisory only and is automatically referred to the City Council for final action.

#### **Attachments:**

- Related Plans and Policies
- Resolution No. 2015-51
- Exhibit "A" – Proposed Zoning
- Exhibit "B" – Apartment complex approved through Site Plan Review Item No. 2015-68
- Initial Study No. 2015-50
- Existing General Plan Land Use Map
- Existing Zoning Map
- Aerial Photo
- Vicinity Map

## RELATED PLANS AND POLICIES

### General Plan Land Use Element

**Policy LU-P-57** Update the Zoning Ordinance to reflect the High Density Residential designation on the Land Use Diagram for development at 15 to 35 dwelling units per gross acre, accommodating townhouses, two- and four-plexes, and multistory condominium and apartment buildings.

*The designation is appropriate for some infill sites and new areas in close proximity to neighborhood centers and major transportation routes. High Density Residential development may also be permitted in infill areas where it can be made to be consistent with adjacent properties through the conditional use permit process. Development standards will ensure that new development contributes positively to the creation of neighborhood nodes or districts. Projects on sites larger than five acres or involving more than 60 units will require discretionary review.*

### Zoning Ordinance

#### **Chapter 17.16: MULTI-FAMILY RESIDENTIAL ZONES**

##### **17.16.050 Site area and configuration.**

A. In the P(R-M) multi-family residential zone, the minimum site area shall be two acres unless a smaller site is approved as part of a conditional use permit, zoning action or upon approval of an acceptable master plan by the site plan review committee. (Ord. 9717 § 2 (part), 1997: prior code § 7294)

##### **17.16.060 Site area per dwelling unit and per structure.**

In the P(R-M) multi-family residential zone, the minimum site area per dwelling unit shall be three thousand (3,000) square feet in the R-M-2 zone and one thousand five hundred (1,500) square feet in the R-M-3 zone. (Ord. 9717 § 2 (part), 1997: prior code § 7295)

##### **17.16.070 Front yard.**

A. The minimum front yard shall be as follows:

R-M-2 :15 feet

R-M-3 :15 feet

B. On a site situated between sites improved with buildings, the minimum front yard may be the average depth of the front yards on the improved site adjoining the side lines of the site but need not exceed the minimum front yard specified above.

C. All garage doors facing the front property line shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

(Ord. 2004-20 (part), 2004: Ord. 9717 § 2 (part), 1997: prior code § 7297)

#### **17.16.080 Side yards.**

In the P(R-M) multi-family residential zone:

A. The minimum side yard for a permitted or conditional use shall be five feet per story subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet.

B. Side yard providing access to more than one dwelling unit shall be not less than ten feet.

C. On corner lots, all garage doors shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

(Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7298)

#### **17.16.090 Rear yard.**

In the P(R-M) multi-family residential zone, the minimum rear yard for a permitted use shall be fifteen (15) feet in the R-M-3 zone and twenty-five (25) feet in the R-M-2 zone, subject to the following exceptions:

A. On a corner or reverse corner lot in R-M-2 zone the rear yard shall be twenty-five (25) feet on the narrow side or twenty (20) feet on the long side of the lot. The decision as to whether the short side or long side is used as the rear yard area shall be left to the applicant's discretion, as long as a minimum area of one thousand five hundred (1,500) square feet of usable rear yard area is maintained.

B. Accessory structures not exceeding twelve (12) feet in height may be located in the required rear yard, but not closer than three feet to any lot line; provided, that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot. In placing accessory structures in a required rear yard a usable, open, rear yard area of at least one thousand two hundred (1,200) square feet shall be maintained.

C. Exceptions to the rear yard setback can be granted for multiple family units which have their rear yard abutting an alley. The exception may be granted if the rear yard area is to be used for parking. (Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7299)

#### **17.16.100 Height of structures.**

In the P(R-M) multi-family residential zone, the maximum height of structures shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-2 zone. The maximum height shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-3 zone. Where an R-M-2 or R-M-3 site adjoins an R-1 site, the second story shall be designed to limit visibility from the second story to the R-1 site. Structures specified under Section 17.16.090B shall be exempt. (Ord. 2012-02, 2012: Ord. 2006-07 § 2 (part), 2006; Ord. 9717 § 2 (part), 1997: prior code § 7300)

#### **17.16.110 Off-street parking.**

In the P(R-M) multi-family residential zone, off-street parking is subject to the provisions of Chapter 17.34. (Ord. 9717 § 2 (part), 1997: prior code § 7301)

#### **17.16.120 Fences, walls and hedges.**

In the P(R-M) multi-family residential zone, fences, walls and hedges are subject to the provisions of Section 17.36.040. (Ord. 9717 § 2 (part), 1997: prior code § 7302)

#### **17.16.130 Trash enclosures.**

In the P(R-M) multi-family residential zone, enclosures for trash receptacles are permitted which comply with the specifications and requirements of Section 17.32.010 and which are approved by the site plan review committee. Enclosures within the front yard setback are permitted for multiple family dwelling units when deemed necessary by city staff because no other appropriate location for an enclosure exists on the property. (Ord. 9717 § 2 (part), 1997: prior code § 7303)

#### **17.16.140 Planned development.**

In the P(R-M) multi-family residential zone, a planned development permit must be obtained for all developments other than a single-family residence in R-M zones, subject to the requirements and procedures of Chapter 17.28. (Ord. 9717 § 2 (part), 1997: prior code § 7304)

#### **17.16.150 Open space and recreational areas.**

In the P(R-M) multi-family residential zone, any multiple family project approved under a conditional use permit shall include open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The specific size, location and use shall be approved as a part of the conditional use permit. (Ord. 9717 § 2 (part), 1997: prior code § 7305)

**17.16.160 Screening.**

In the P(R-M) multi-family residential zone, all parking areas adjacent to public streets and R-1 sites shall be screened from view subject to the requirements and procedures of Chapter 17.28. (Ord. 9717 § 2 (part), 1997: prior code § 7306)

**17.16.170 Screening fence.**

In the P(R-M) multi-family residential zone, where a multiple family site adjoins an R-A or R-1 site, a screening fence not less than six feet in height shall be located along the property line; except in a required front yard, or the street side of a corner lot and suitably maintained. (Ord. 9717 § 2 (part), 1997: prior code § 7307)

**17.16.180 Landscaping.**

In the P(R-M) multi-family residential zone, all multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained. (Ord. 9717 § 2 (part), 1997: prior code § 7308)

**17.16.190 Model Good Neighbor Policies.**

Before issuance of building permits, project proponents of multi-family residential developments in the R-M zones that are subject to approval by the Site Plan Review Committee or the Planning Commission, shall enter into an operational management plan (Plan), in a form approved by the City for the long term maintenance and management of the development. The Plan shall include but not be limited to: The maintenance of landscaping for the associated properties; the maintenance of private drives and open space parking; the maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages; enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and, enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission, and as may be amended by resolution. A statement referencing the applicability of the Plan to the project, and noting the Plan's availability at the City Community Development Department shall be recorded with the Tulare County Recorder. This Section shall be enforceable on a continuous basis pursuant to Chapter 17.46. (Ord. 2006-11 § 1, 2006)

RESOLUTION NO. 2015-51

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CHANGE OF ZONE NO. 2015-07, A REQUEST BY VARO-REAL INVESTMENTS, INC., TO CHANGE THE ZONING DESIGNATION ON 1.08 ACRES OF UNDEVELOPED PROPERTY FROM PA (PROFESSIONAL / ADMINISTRATIVE OFFICE) AND R-1-6 (SINGLE-FAMILY RESIDENTIAL, 6,000 SQ. FT. MINIMUM LOT AREA) TO R-M-3 (MULTI-FAMILY RESIDENTIAL, 1,500 SQ. FT. LOT AREA PER UNIT), LOCATED ON THE NORTH SIDE OF HOUSTON AVENUE APPROXIMATELY 500 FEET EAST OF CAIN STREET. (APN: 098-200-060)

**WHEREAS**, Change of Zone No. 2015-07 is a request by Varo-Real Investments, Inc., to change the Zoning designation on 1.08 acres of undeveloped property from PA (Professional / Administrative Office) and R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot area) to R-M-3 (Multi-family Residential, 1,500 sq. ft. lot area per unit), located on the north side of Houston Avenue approximately 500 feet east of Cain Street. (APN: 098-200-060); and

**WHEREAS**, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required; and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on October 12, 2015; and

**WHEREAS**, the Planning Commission of the City of Visalia considered the change of zone in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council concur that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. The Program Environmental Impact Report adequately analyzed and addressed this change of zone application.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of the proposed Change of Zone based on the following specific findings and evidence presented:

1. That the request for Change of Zone from PA (Professional / Administrative Office) and R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot area) to R-M-3 (Multi-family Residential, 1,500 sq. ft. lot area per unit) is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the

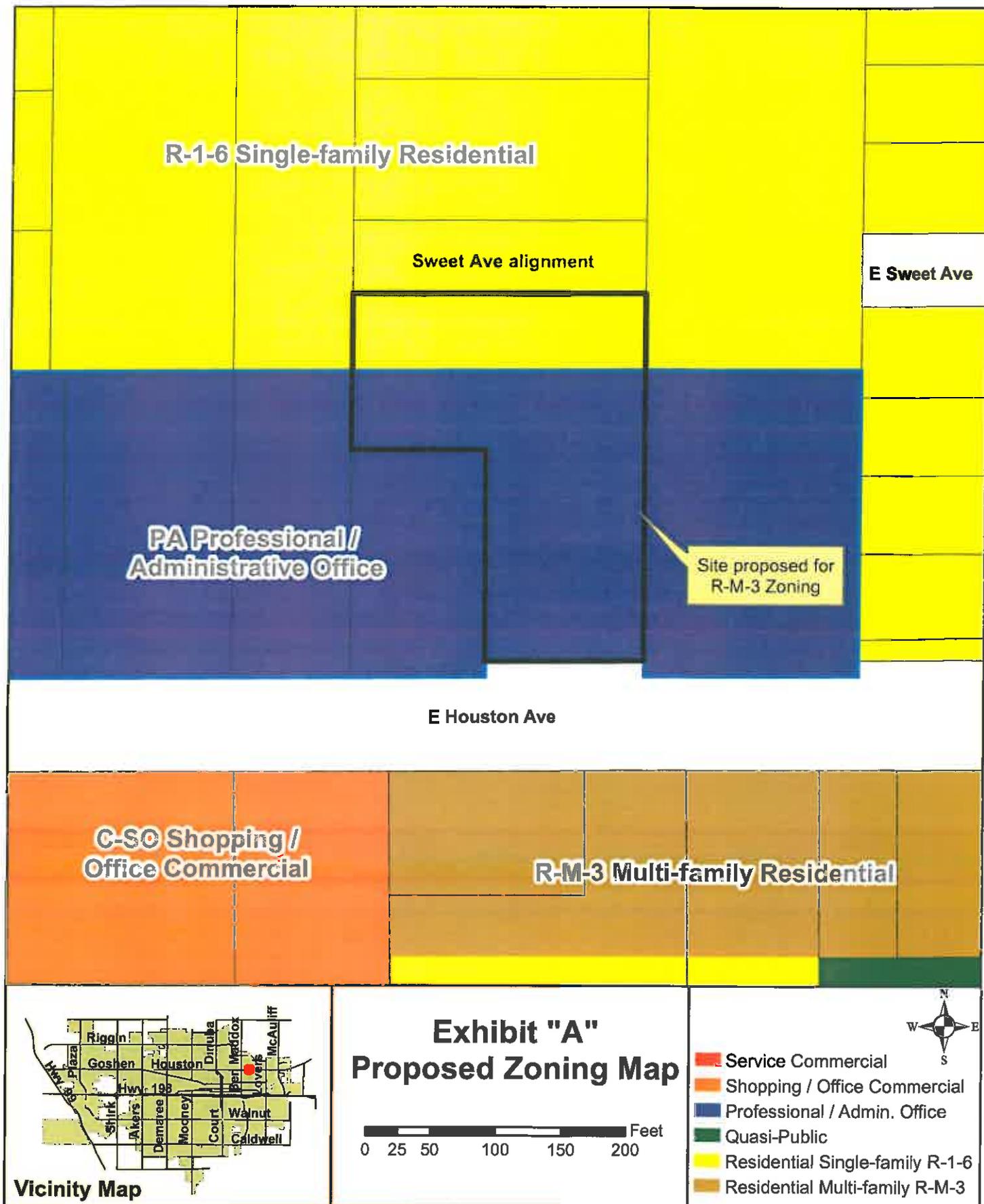
public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

2. That applying R-M-3 Zone development standards (Chapter 17.16 of the Visalia Municipal Code) to future development on the site will be compatible with established development patterns and setbacks on other properties in the vicinity and will minimize future impacts resulting from the change in zoning. These standards are designed to promote / ensure compatibility with adjacent land uses.
3. That an Initial Study was prepared for the requested Change of Zone consistent with California Environmental Quality Act Guidelines. Initial Study No. 2015-50 disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the General Plan Update Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, the Program Environmental Impact Report adequately analyzed and addressed the zoning contemplated by the COZ application.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of the change of zone on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.44.070 of the Ordinance Code of the City of Visalia.

## Change of Zone No. 2015-07

The project is located on the north side of Houston Avenue approximately 500 feet east of Cain Street (APN: 098-200-060)





**INITIAL STUDY**

**I. GENERAL**

**A. Change of Zone No. 2015-07** filed by Varo-Real Investments, Inc., is a request to change the zone designation for a 1.08-acre parcel located on the north side of Houston Avenue approximately 500 feet east of Cain Street. The property's land use designation was re-designated from Professional / Administrative Office to Residential High Density with the recent adoption of the Visalia General Plan update. The Change of Zone (COZ) request from PA (Professional / Administrative Office) and R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot area) to R-M-3 (Multi-family Residential, 1,500 sq. ft. lot area per unit) for the property will establish consistency between the land use designation and zoning.

The 1.08-acre project area is vacant and is bounded by an arterial roadway to the south (Houston Avenue). To the north is a future alignment for a local street. The property is bound on the west, north, and south by single-family residences on large lots with much land remaining vacant. The applicant has provided staff with a development plan for this site that consists of a 22-unit apartment complex with on-site parking and a gymnasium. The apartment complex is a permitted use in the proposed R-M-3 zone.

**B. Identification of the Environmental Setting:**

The project site is located on the north side of Houston Avenue approximately 500 feet east of Cain Street (APN: 098-200-060). The site is bounded by an arterial roadway to the south (Houston Avenue) and a future alignment for a local street to the north. The project site is currently vacant. A single-family residence was formerly located on the north side of the site and was removed in 2014.

The surrounding uses, Zoning, and General Plan are as follows:

	General Plan (2014 Land Use)	Zoning (1993)	Existing uses
North:	Residential Low Density	R-1-6 (Single-Family Residential 6,000 sq. ft. min. site area)	Future local street, vacant land, single-family residence
South:	Residential High Density	R-M-3 (Multi-Family Residential 6,000 sq. ft. min. site area)	Office conversion of existing residence, presently unoccupied
East:	Residential Medium Density	PA (Professional / Administrative Office) & R-1-6 (Single-Family Residential 6,000 sq. ft. min. site area)	Single-family residence, vacant land
West:	Neighborhood Commercial, Residential Medium & High Density	PA (Professional / Administrative Office) & R-1-6 (Single-Family Residential 6,000 sq. ft. min. site area)	Vacant land, multi-family residences

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia upon the development of the area.

**C. Plans and Policies:** The General Plan Land Use Diagram, adopted October 14, 2014, designates the site as Residential High Density. The Zoning Map, adopted in 1993, designates the site as PA (Professional / Administrative Office) and R-1-6 (Single-family Residential, 6,000 sq. ft. minimum lot area). The proposed project is consistent with the Land Use Element of the General Plan.

## **II. ENVIRONMENTAL IMPACTS**

No significant adverse environmental impacts have been identified for this project. The City of Visalia Land Use Element and Zoning Ordinance contain policies and regulations that are designed to mitigate impacts to a level of non-significance.

## **III. MITIGATION MEASURES**

There are no mitigation measures for this project. The City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

## **IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS**

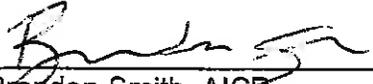
The project is compatible with the General Plan as the project relates to surrounding properties.

## **V. SUPPORTING DOCUMENTATION**

The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.

## **VI. NAME OF PERSON WHO PREPARED INITIAL STUDY**

  
Brandon Smith, AICP  
Senior Planner

  
Paul Scheibel, AICP  
Environmental Coordinator

**INITIAL STUDY  
 ENVIRONMENTAL CHECKLIST**

<b>Name of Proposal</b>	Change of Zone No. 2015-07		
<b>NAME OF PROPONENT:</b>	Varo-Real Investments, Inc.	<b>NAME OF AGENT:</b>	N/A
<b>Address of Proponent:</b>	617 W. Tulare Avenue	<b>Address of Agent:</b>	
	Visalia, CA 93277		
<b>Telephone Number:</b>	(559) 740-7395	<b>Telephone Number:</b>	
<b>Date of Review</b>	September 23, 2015	<b>Lead Agency:</b>	City of Visalia

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact                      2 = Less Than Significant impact  
 3 = Less Than Significant Impact with Mitigation Incorporated                      4 = Potentially Significant Impact

**I. AESTHETICS**

Would the project:

- 2 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

**II. AGRICULTURAL RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 1 c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

**III. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 1 d) Expose sensitive receptors to substantial pollutant concentrations?
- 1 e) Create objectionable odors affecting a substantial number of people?

**IV. BIOLOGICAL RESOURCES**

Would the project:

- 2 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 2 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 2 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 2 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

#### V. CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 1 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 1 d) Disturb any human remains, including those interred outside of formal cemeteries?

#### VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
  - 1 ii) Strong seismic ground shaking?
  - 1 iii) Seismic-related ground failure, including liquefaction?
  - 1 iv) Landslides?
- 1 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

#### VII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 2 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

#### VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

#### IX. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?
- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- 2 f) Otherwise substantially degrade water quality?
- 2 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 2 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 2 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Inundation by seiche, tsunami, or mudflow?

**X LAND USE AND PLANNING**

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

**XI MINERAL RESOURCES**

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**XII NOISE**

Would the project:

- 1 a) Cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 1 c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**XIII POPULATION AND HOUSING**

Would the project:

- 2 a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**XIV PUBLIC SERVICES**

Would the project:

- 1 a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically

altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- 1 i) Fire protection?
- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

**XV RECREATION**

Would the project:

- 1 a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 1 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**XVI TRANSPORTATION / TRAFFIC**

Would the project:

- 1 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- 1 b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

**XVII UTILITIES AND SERVICE SYSTEMS**

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?

- 1 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

Would the project:

- 2 a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- 2 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2009

## DISCUSSION OF ENVIRONMENTAL EVALUATION

### I. AESTHETICS

- a. The Sierra Nevada mountain range is a scenic vista that can be seen from Visalia on clear days. This project will not adversely affect the view of this vista.
- b. There are no scenic resources on the site.
- c. The City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is not degraded upon any future development. The proposed project in itself will not change the visual character or quality of the site.
- d. The project will facilitate for the future development of industrial land. New sources of light would be created upon the site's future development that is typical of urban development. The City's existing development standards require that light be directed and/or shielded so it does not fall upon adjacent properties upon the site's future development.

### II. AGRICULTURAL RESOURCES

- a. The project is located on property that is identified as Urban and Built Up Land on maps prepared by the California Resources. The project site has been previously developed, and the proposed zoning will accommodate for future development of the site.
- b. The project site is not zoned for agricultural use. All agricultural related uses have ceased on the property. The project is bordered by urban development or non-producing vacant land on all sides. There are no known Williamson Act contracts on any properties within the project area.
- c. There is no forest land or timberland currently located on the site, nor does the site conflict with a zoning for forest land, timberland, or timberland zoned Timberland Production.
- d. There is no forest or timberland currently located on the site.
- e. The project will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. The subject property is currently designated for an urban rather than agricultural land use. Properties that are vacant may develop in a way that is consistent with their zoning and land use designated at any time. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur.

### III. AIR QUALITY

- a. The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.

- b. Future development of the site under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5.

The future development of this property, which is not being considered as part of this environmental document, may contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Also the project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

Future development of this site is required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's grading regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential impacts associated with air quality standard violations to a less than significant level.

In addition, any future development of the project site may be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD, when warranted.

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. Future development of the project site, which is not being considered at this time, may result in a net increase of criteria pollutants. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under impacts 3.3-1, 3.3-2, and 3.3-3 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

Future development of this site is required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's grading regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential impacts associated with air quality standard violations to a less than significant level.

In addition, any future development of the project site may be subject to the SJVAPCD indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD, when warranted.

- d. Residences located near the proposed project may be exposed to pollutant concentrations due to future construction activities. The use of construction equipment would be temporary and is subject to SJVAPCD rules and regulations. The impact is considered as less than significant.
- e. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people.

#### IV. BIOLOGICAL RESOURCES

- a. The site has no known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-1 of the EIR, that together work to reduce the potential for impacts on special-status species likely to occur in the Planning Area. With implementation of these polices, impacts on special-status species will be less than significant.

- b. The project is not located within or adjacent to an identified sensitive riparian habitat or other natural community.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within in the Planning Area. With implementation of these policies, impacts on woodlands will be less than significant.

- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant.

However, the General Plan contains multiple polices, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within in the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.

- d. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within in the Planning Area. With implementation of these polices, impacts on wildlife movement corridors will be less than significant.
- e. The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on the project site will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.
- f. There are no local or regional habitat conservation plans for the area.

#### V. CULTURAL RESOURCES

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area.
- d. There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

#### VI. GEOLOGY AND SOILS

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. Future development of the site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have

few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.

- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. The project does not involve the use of septic tanks or alternative waste water disposal systems since sanitary sewer lines are used for the disposal of waste water at this location.

#### VII. GREENHOUSE GAS EMISSIONS

- a. The project would generate Greenhouse Gas (GHG) emissions in the short-term as a result of the development of the site in accordance with the proposed zoning and in the long-term as a result of day-to-day operation of such development.

The City has prepared and adopted a Climate Action Plan (CAP) which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR.

The Visalia General Plan and the CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan. Although emissions will be generated as a result of the project, implementation of the General Plan and CAP policies will result in fewer emissions than would be associated with a continuation of baseline conditions. Thus, the impact to GHG emissions will be less than significant.

- b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020.

#### VIII. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the project.
- b. There are no construction activities associated with the project.
- c. There are no schools located within one-quarter mile from the project site.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The City's adopted Airport Master Plan shows the project area is located outside of all Airport Zones. There are no restrictions for the proposed project related to Airport Zone requirements.

The project area is not located within 2 miles of a public airport.

- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.

- h. There are no wild lands within or near the project area.

#### IX. HYDROLOGY AND WATER QUALITY

- a. Development projects associated with buildout under the Visalia General Plan have the potential to result in short term impacts due to erosion and sedimentation during construction activities and long-term impacts through the expansion of impervious surfaces. The City's existing standards will require the project to uphold water quality standards of waste discharge requirements consistent with the requirements of the State Water Resources Control Board's (SWRCB's) General Construction Permit process. This may involve the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) and/or the use of best management practices. The project will be required to meet municipal storm water requirements set by the SWRCB.

Furthermore, the Visalia General Plan contains multiple polices, identified under Impact 3.6-2 of the EIR, that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.

- b. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Any proposed future development of the site will result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer.
- c. The project will not result in substantial erosion on- or off-site.
- d. The project will not substantially alter the existing drainage pattern of the site or area, alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
- e. The project will not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. A portion of the project area is located within Zone AE, which indicates an area that is within a 100-year floodplain. The future residences within the project area allowed under the zoning will be constructed in accordance with building codes applicable for new construction in flood hazard areas, which require that finished floor elevations be constructed at a minimum base level. Therefore, the project's location within the 100-year floodplain has a less than significant impact.
- h. A portion of the project area is located within Zone AE, which indicates an area that is within a 100-year flood hazard area. Any future structures in the project area will be constructed in accordance with building codes applicable for new construction in flood hazard areas, which require that finished floor elevations be constructed at a minimum base level. Based on the project's compliance with these adopted standards, the project itself and any future development in the project area will

not involve the placement of structures that would impede or redirect flood flows.

- i. The project would not expose people or structures to risks from failure of levee or dam. The project is located downstream from the Terminus Dam; in the case of dam failure, there will be 4 hours of warning to evacuate the site.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, which will contribute to the lack of impacts by mudflow occurrence.

**X. LAND USE AND PLANNING**

- a. The project will not physically divide an established community. The project is proposing to bring consistency between the land use designation and the zoning designation for this property.
- b. The project does not conflict with any land use plan, policy or regulation of the City of Visalia. The recently adopted General Plan did not rezone or otherwise disrupt residential communities or commercial areas, and provides additional space to accommodate any potentially displaced residents or businesses.

The project is proposing to bring consistency between the land use designation and the zoning designation for this property.

- c. The project does not conflict with any applicable habitat conservation plan or natural community conservation plan as the project site is vacant dirt lot with no significant natural habitat present.

**XI. MINERAL RESOURCES**

- a. No mineral areas of regional or statewide importance exist within the Visalia area.
- b. There are no mineral resource recovery sites delineated in the Visalia area.

**XII. NOISE**

- a. Future development of the site will result in noise generation typical of urban development. The project is proposing to bring consistency between the land use designation and the zoning designation for this property.

The Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to sensitive land uses. With implementation of Noise Impact Policies and existing City Standards, noise impacts to new noise sensitive lands uses would be less than significant.

- b. Ground-borne vibration or ground-borne noise levels may occur as part of future construction activities associated with the project. Construction activities would be temporary and will not expose persons to such vibration or noise levels for an extended period of time; thus the impacts will be less than significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.
- c. Ambient noise levels will increase beyond current levels as a result of future development on the site, however such levels will be typical of noise levels associated with urban development and not in excess of standards

established in the City of Visalia's General Plan or Noise Ordinance.

- d. Noise levels will increase during future construction of the site but should remain within the limits defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant.
- e. The project area is not within 2 miles of a public airport. The project will not expose people residing or working in the project area to excessive noise levels.
- f. There is no private airstrip near the project area.

**XIII. POPULATION AND HOUSING**

- a. The project will not directly induce substantial population growth that is in excess of that planned in the General Plan.
- b. Future development of the site will not displace any housing on the site.
- c. Development of the site will not displace any people on the site.

**XIV. PUBLIC SERVICES**

- a.
  - i. Current fire protection facilities are located at the Visalia Station 54 and can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
  - iii. The project will result in zoning that will generate new students for which existing schools in the area may accommodate. In addition, to address direct impacts, future development will be required to pay residential impact fees. These fees are considered to be conclusive mitigation for direct impacts.
  - iv. The project will result in zoning that will generate create a less than significant impact to park facilities.
  - v. Other public facilities can adequately serve the site without a need for alteration.

**XV. RECREATION**

- a. The project will indirectly generate new residents and will therefore directly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Residential developments will pay impact fees to mitigate impacts.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

**XVI. TRANSPORTATION AND TRAFFIC**

- a. The project is proposing to bring consistency between the land use designation and the zoning designation for this property.

- b. The project is proposing to bring consistency between the land use designation and the zoning designation for this property. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for urban use.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The project will not result in inadequate emergency access.
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

**XVII. UTILITIES AND SERVICE SYSTEMS**

- a. The project is proposing to bring consistency between the land use designation and the zoning designation for this property. Future development of the site will connect and/or extended City sanitary sewer lines, consistent with the City Sewer Master Plan.
- b. The project is proposing to bring consistency between the land use designation and the zoning designation for this property. The project will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c. The project site will be accommodated by existing City storm water drainage lines that handle on-site and street runoff. Usage of these lines is consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.
- d. California Water Service Company has determined that

there are sufficient water supplies to support the site, and that service can be extended to the site.

- e. The project is proposing to bring consistency between the land use designation and the zoning designation for this property. The City has determined that there is adequate capacity existing to serve site within the City with projected wastewater treatment demands at the City wastewater treatment plant.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

- a. The project will not affect the habitat of a fish or wildlife species or a plant or animal community. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia's General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- b. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

**DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. A **NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37 adopted on October 14, 2014. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

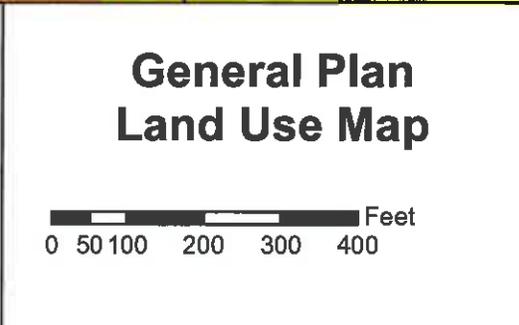
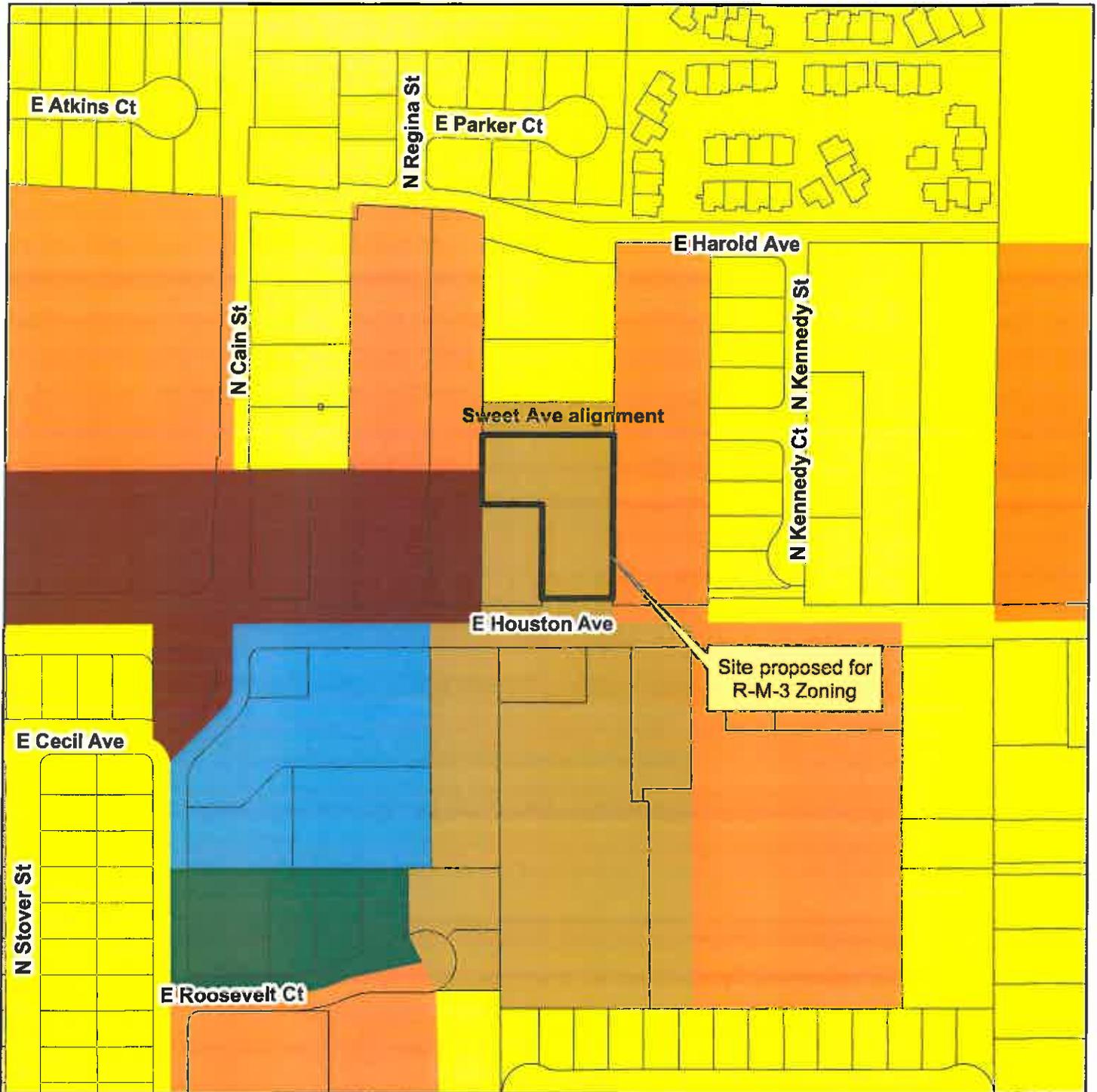


Paul Scheibel, AICP  
Environmental Coordinator

September 23, 2015  
Date

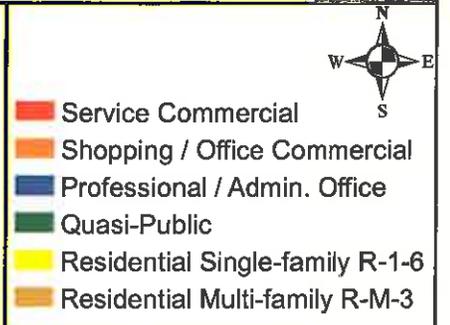
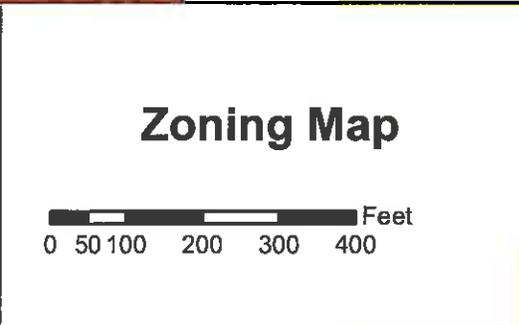
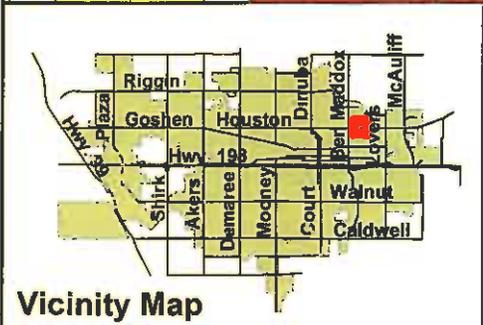
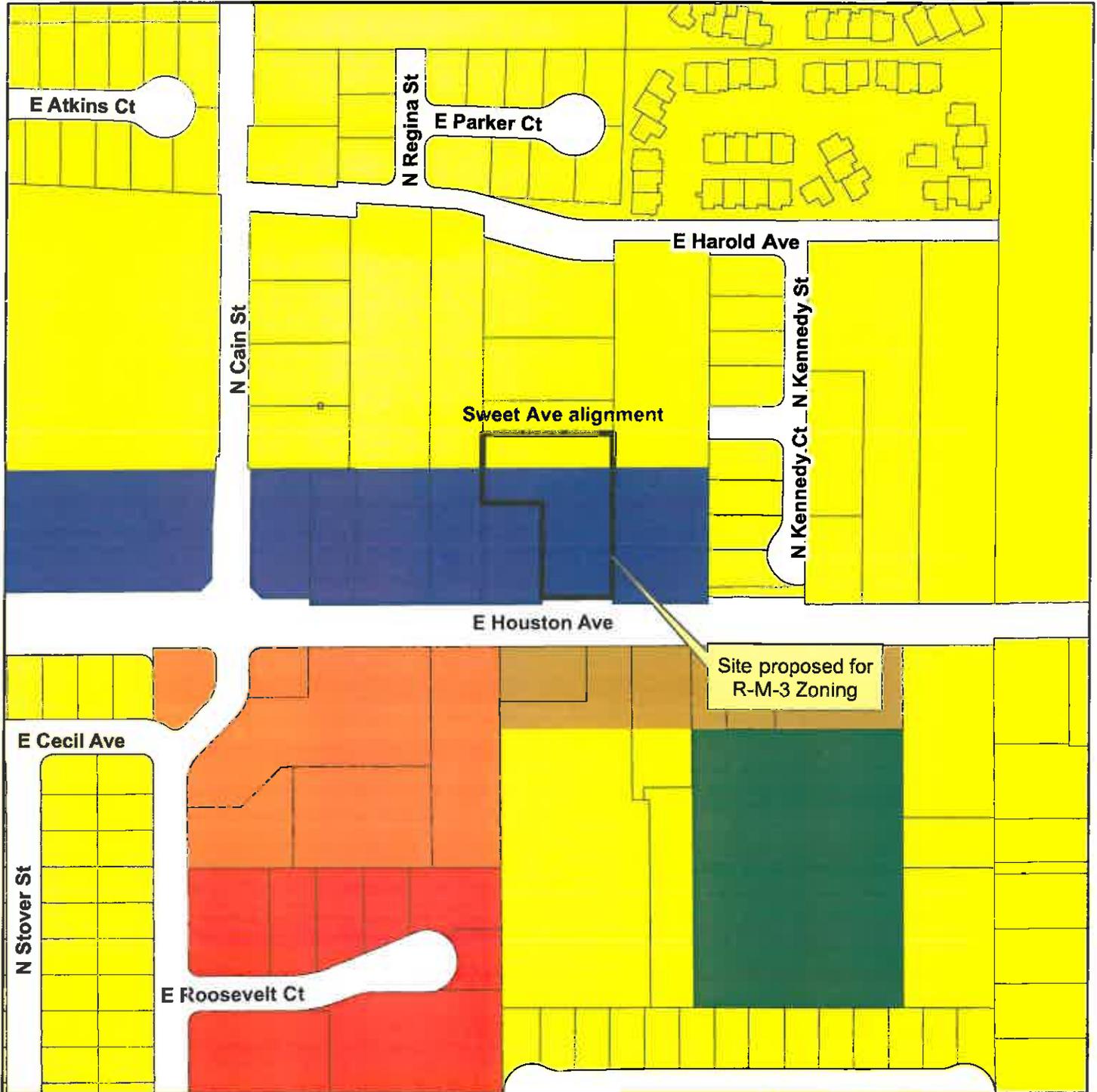
# Change of Zone No. 2015-07

The project is located on the north side of Houston Avenue approximately 500 feet east of Cain Street (APN: 098-200-060)



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The project is located on the north side of Houston Avenue approximately 500 feet east of Cain Street (APN: 098-200-060)



## Aerial Photo

Photo Taken March 2014



### Change of Zone No. 2015-07

The project is located on the north side of Houston Avenue approximately 500 feet east of Cain Street. (APN: 095-200-060)

