PLANNING COMMISSION AGENDA

CHAIRPERSON:

Mary Beatie



VICE CHAIRPERSON:

Chris Tavarez

COMMISSIONERS: Bill Davis, Charlie Norman, Adam Peck, Chris Tavarez, Mary Beatie

MONDAY, MARCH 24, 2025 VISALIA COUNCIL CHAMBERS LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA

MEETING TIME: 7:00 PM

- 1. CALL TO ORDER -
- 2. THE PLEDGE OF ALLEGIANCE -
- 3. ROLL CALL -
- 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. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.

- 5. AGENDA COMMENTS OR CHANGES -
- 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.
 - a. Request of Finding of Consistency Regarding Modification of Condition No. 2 for Conditional Use Permit No. 2011-18, allowing live entertainment to be conducted only three days per week.
- 7. PUBLIC HEARING Josh Dan, Senior Planner

Tentative Parcel Map No. 2025-04: A request to create two new parcels from a 0.89-acre parcel to facilitate further construction of phase two of the Mission Oaks Office Complex. The project site is located 178-feet south of the terminus of South Peppertree Street into the commercial plaza. (Address: N/A) (APN: 085-250-063). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2025-12.

8. PUBLIC HEARING – Josh Dan, Senior Planner

Variance No. 2025-02: A request to allow a variance from the minimum rear yard setbacks required in the R-1-5 (Single-Family Residential, 5,000 square foot minimum lot size) zone for three lots within the Higgins Ranch Subdivision. The project is located at the southeast corner of South Lovers Lane and East Cherry Street (Address: N/A) (APN: 000-016-540). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305(a), Categorical Exemption No. 2025-13.

- 9. PUBLIC HEARING Colleen Moreno, Assistant Planner
 - a. Annexation No. 2024-04: A request by the City of Visalia to annex two parcels totaling 10.4 acres into the City limits of Visalia. Upon annexation, the site will be zoned Quasi-Public, which is consistent with the General Plan Land Use Designation. The affected sites are located at the northwest corner of North Dinuba Boulevard and West Riverway Court (APNs: 078-110-021 & 078-110-006).
 - b. General Plan Amendment No. 2024-05: A request by the City of Visalia to expand the Urban Growth Boundary by annexing two parcels into the City limits, and to change approximately one acre on the site from Residential Very Low Density land use designation to Parks/Recreation land use designation. The affected sites are located at the northwest corner of North Dinuba Boulevard and West Riverway Court (APNs: 078-110-021 & 078-110-006).

Environmental Assessment Status: An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant. Negative Declaration No. 2024-61 disclosed that environmental impacts are determined to be less than significant and mitigation measures are not required. Negative Declaration No. 2024-61 has been prepared for adoption with this project (State Clearinghouse No. 2025020422).

10. CITY PLANNER UPDATE -

- B. Seefried Industrial Project City Council Update
- C. Residential Object Design Standards Update
- D. Housing Element Annual Progress Report for Calendar Year 2024

11. ADJOURNMENT

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 Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

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 THURSDAY, APRIL 3, 2025, BEFORE 5:00 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 North Santa Fe Street, Visalia, CA 93291. 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.visalia.city or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 14, 2025

City of Visalia

To: Planning Commission

From: Paul Bernal, Director / City Planner

Phone: (559) 713-4025

E-mail: paul.bernal@visalia.city

Date: March 24, 2025

Re: Request of Finding of Consistency Regarding Modification of Condition No. 2 for

Conditional Use Permit No. 2011-18, allowing live entertainment to be conducted

only three days per week.



Staff recommends that the Planning Commission find that the modified wording for Condition No. 2 is consistent with the intended condition adopted per Resolution No. 2024-75 for Conditional Use Permit (CUP) No. 2011-18, as it relates to the number of days live entertainment can be provided, which shall remain at only three days per week, with Friday's and Saturday's remaining constant, but modifying the third day which would permit live entertainment on either Wednesday, Thursday, or Sunday but not to exceed more than three days per week.

BACKGROUND:

On December 9, 2024, after an appeal to City Council of a revoked CUP No. 2011-18, directed City staff to work with the business owner to establish new conditions for a revised CUP allowing live entertainment, the Planning Commission approved an amendment to CUP No. 2011-18, a request by Duane Rodriguez to re-establish live entertainment and dancing in conjunction with Downtown Rookies Sports Bar and Grill based on new and revised project conditions and operational/security measures. The site is located at 215 East Main Street, in the D-MU (Downtown Mixed Use) Zone (APN: 094-296-011).

The updated operational statement and security plan outlined the days, times, and security measures to be implemented when live entertainment activities occur within the restaurant. The updated information is listed below and the entire December 9, 2024, staff report is attached for reference.

Per the updated information, the following changes were included in Resolution No. 2024-75 adopted by the Planning Commission:

- 1. Standard hours of operation for the restaurant will be 11:00 a.m. to 10:00 p.m. (Hours may change due patron traffic for the restaurant.)
- 2. Live entertainment activities will be from 9:00 p.m. to 12:00 a.m., on Friday and Saturday nights, with an option to provide live entertainment on Wednesday nights.
- 3. Full menu options will be available to purchase until 12:00 a.m. during hours live entertainment is provided.



Request of Finding of Consistency Regarding Modification of Condition No. 2 for CUP No. 2011-18 March 24, 2025

- Live entertainment will only consist of live bands and dancing (entertainment consisting of a DJ will be prohibited), offering a variety of music genera's as noted in Exhibit 'A'.
- 5. Licensed security will be provided during hours of live entertainment. Per the Security Plan, there will three (3) to four (4) licensed security personnel on-site during hours of live entertainment.
- 6. Licensed security personnel will be responsible for maintaining an orderly line in front of the businesses for patrons waiting to enter the establishment during live entertainment activities.
- 7. Temporary metal railing fencing will be used for patron queuing.
- 8. Dress Code provisions to be implemented.
- 9. All licensed security personnel will be trained to de-escalate hostile situations, and crowd control.

A copy of the signed resolution is also attached for reference.

REQUEST:

Live entertainment activities have resumed within Downtown Rookies Sports Bar and Grill, with all live entertainment consisting of live bands which is in conformance with the establishments Conditions of Approval, and in particular, Condition No. 2. To date, there have been no reported issues with the establishment and the operator continues to comply with their operational statement, security plan, and adopted conditions.

However, the owner has expressed their desire to have some flexibility on when the third night of live entertainment would be permitted within their establishment based on the availability of live bands. The applicant has stated that he misunderstood the requirement approved on December 9, 2024, thinking that it allowed live entertainment a total of three nights during the week. The applicant has submitted an e-mail to staff seeking to modify Condition No. 2 of Resolution No. 2024-75, that would still permit live entertainment to occur on Friday and Saturday nights but would also offer live entertainment on either a Wednesday, Thursday, or Sunday night. This request would still limit live entertainment to no more than three nights per week but would help in securing live bands based on their availability.

The Visalia Police Department and Planning staff reviewed the request and support the modification subject to continuing that live entertainment shall still be limited to three nights per week. City staff would not have opposed this type of language had it been requested in the version submitted last year.

Condition No. 2, if approved and adopted by the Planning Commission, would be revised as follows (revisions are noted in *italic* and <u>underlined</u>):

<u>COA No. 2</u>: Live entertainment shall only be permitted <u>three nights per week on any of the following days:</u> Wednesday, <u>Thursday</u>, Friday, Saturday, or <u>Sunday</u>, and only during the hours of 9:00 p.m. to 12:00 a.m. Live entertainment shall be restricted only to live musical acts and not as defined in Visalia Municipal Code section 17.04.030. Live musical acts are defined for the purposes of this conditional use permit as a vocal or instrumental performance by a natural person(s) who is physically present in the establishment while delivering the performance and while this definition shall include

Request of Finding of Consistency Regarding Modification of Condition No. 2 for CUP No. 2011-18 March 24, 2025

karaoke performances involving the live singing of songs over prerecorded backing music, it specifically excludes disc jockeys. For purposes of this Conditional Use Permit, a disc jockey, shall be defined as a person(s) whose performance consists of selecting or manipulating prerecorded music on equipment, and a disc jockey shall not be considered a live musical act. Disc jockeys are hereby expressly prohibited from performing within this establishment. Any form of dancing by patrons and guests at this restaurant establishment is permitted during live entertainment. This condition does not prohibit, unamplified musical accompaniment to dining, in a restaurant by no more than two (2) performers, including patrons, without dancing. In addition, ambient music, whether amplified or not amplified, that is recorded or being played from a radio, jukebox, or similar device that is not audible to a reasonable person within twenty feet from any portion of the exterior of the building that is intended to provide ambience and not to entertain shall also be allowed. Any subsequent change to the nature of live entertainment shall require an amendment to the Conditional Use Permit.

A revised resolution will be prepared for signature if the Planning Commission approves the proposed request to modify the language in Condition No. 2 of Resolution No. 2024-75, as noted above.

ATTACHMENTS

- 1. Approved and Signed Resolution No. 2024-75
- 2. Planning Commission staff report dated December 9, 2024
- 3. E-mail from Duane Rodriguez

RESOLUTION NO. 2024-75

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING AMENDMENT OF CONDITIONAL USE PERMIT NO. 2011-18, A REQUEST BY DUANE RODRIGUEZ TO AMEND CONDITIONAL USE PERMIT NO. 2011-18 TO RE-ESTABLISH LIVE ENTERTAINMENT AND DANCING IN CONJUNCTION WITH DOWNTOWN ROOKIES SPORTS BAR AND GRILL BASED ON NEW AND REVISED PROJECT CONDITIONS AND OPERATIONAL/SECURITY MEASURES. THE SITE IS LOCATED AT 215 EAST MAIN STREET, IN THE D-MU (DOWNTOWN MIXED USE) ZONE (APN: 094-296-011)

WHEREAS, amendment of Conditional Use Permit No. 2011-18, is a request by Duane Rodriguez to amend Conditional Use Permit No. 2011-18 to re-establish live entertainment and dancing in conjunction with Downtown Rookies Sports Bar and Grill based on new and revised project conditions and operational/security measures. The site is located at 215 East Main Street, in the D-MU (Downtown Mixed Use) Zone (APN: 094-296-011), and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on December 9, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the amended Conditional Use Permit No. 2011-18, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15301.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

- **NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:
- 1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements within the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.

- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the conditions of project approval of this conditional use permit.
- 4. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-62).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

- 1. That the site be maintained in substantial conformance with the operational statement and security plan in Exhibit "A" and floor plan in Exhibit "B", and, notwithstanding any required conditions below and/or conditions that may be imposed by the California State Department of Alcoholic Beverage Control per their licensing requirements, and any applicable comments of Site Plan Review No. 2011-94. Any change(s) or intensification(s) of the live entertainment operational plan and security plan shall be subject to review by the Planning Commission.
- 2. Live entertainment shall only be permitted on Wednesday, Friday, and Saturday and only during the hours of 9:00 p.m. to 12:00 a.m. Live entertainment shall be restricted only to live musical acts and not as defined in Visalia Municipal Code section 17.04.030. Live musical acts are defined for the purposes of this conditional use permit as a vocal or instrumental performance by a natural person(s) who is physically present in the establishment while delivering the performance and while this definition shall include karaoke performances involving the live singing of songs over prerecorded backing music, it specifically excludes disc jockeys. For purposes of this Conditional Use Permit, a disc jockey, shall be defined as a person(s) whose performance consists of selecting or manipulating prerecorded music on equipment, and a disc jockey shall not be considered a live musical act. Disc jockeys are hereby expressly prohibited from performing within this establishment. Any form of dancing by patrons and guests at this restaurant establishment is permitted during live entertainment. This condition does not prohibit, unamplified musical accompaniment to dining, in a restaurant by no more than two (2) performers, including patrons, without dancing. In addition, ambient music, whether amplified or not amplified, that is recorded or being played from a radio, jukebox, or similar device that is not audible to a reasonable person within twenty feet from any portion of the exterior of the building that is intended to provide ambience and not to entertain shall also be allowed. Any subsequent change to the nature of live entertainment shall require an amendment to the Conditional Use Permit.
- 3. Live entertainment shall not be allowed any time before 9:00 p.m.
- 4. During the days and hours live entertainment is permitted, patrons shall be 21 years of age and older.

- 5. That the establishment be maintained as a bona fide restaurant. The bar area shall not exceed 25% of the public area within the leasable area of the establishment. At all times during normal meal hours the site shall act as a bona fide restaurant with a full menu offering complete meals. During times of live entertainment food service shall be provided until 12:00 a.m., as identified in the operational statement with a "Bar Menu".
- 6. There shall be no adult entertainment as defined in Visalia Municipal Code Section 17.63, and including no lingerie/bathing suit shows.
- 7. During the days and hours live entertainment is permitted, the public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business during days and hours live entertainment is permitted shall be required to form one single orderly line outside of the front door of the business for any patron(s) waiting to enter and/or for any patron(s) that exited the building and are seeking re-entry, and shall keep the public sidewalk area directly in front of the business open and clear for public pedestrian use. This standing waiting area shall be defined by use of a portable non-permanent rope or metal railing fence style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk. The sidewalk shall have a minimum of four feet clearance for unimpeded pedestrian traffic use. The uniformed licensed security personnel shall require patrons to remain in line and shall regularly maintain the area under their control free of alcohol, monitored to prevent patron loitering, and litter during and after live entertainment activities cease.
- 8. That the maximum occupancy limit established by the Visalia Building Department and Fire Marshal shall be posted and shall not be exceeded.
- 9. All of the conditions and responsibilities of this amended conditional use permit (CUP No. 2011-18) shall run with the land. The property owner and business operator shall keep on-site at all times a copy of the approved resolution and conditions and shall provide a copy of this resolution and conditions of approval to any and all subsequent owners/operators who shall also be subject to all of the conditions herein, unless amended or revoked.
- 10. Inspections by City representatives on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
- 11. All exterior doors <u>and windows</u> shall remain closed at all times when the premises is providing live entertainment. Doors must be solid and may not solely consist of a screen door or ventilated security door.
- 12. During the days and hours live entertainment is permitted, patrons shall use the main entrance located along West Main Street of the business to enter and exit the business except in the event of an emergency.
- 13. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
- 14. No video/arcade games, pool or billiard table shall be maintained upon the premises. Any request to incorporate video/arcade games, pool or billiard tables shall require an amendment to this conditional use permit.

- 15. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - a. Failure to comply with or enforce the conditions of amended Conditional Use Permit No. 2011-18.
 - b. All Conditions and Requirements of the California Department of Alcoholic Beverage Control license issued to this business.
 - c. All applicable federal, state and city laws, codes and ordinances.
 - d. If the business is declared a Public Nuisance pursuant to Chapter 8.40 "Nuisances" of the Visalia Municipal Code.
- 16. That the owner/operator shall prepare and implement an approved Security Plan that includes the following:
 - a) Prior to any type of entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the Visalia Police Department a security plan for approval. Approval of the security plan by the Visalia Police Department shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval for the amended Conditional Use Permit No. 2011-18.
 - b) The Security Plan shall identify the establishment's designated contact person for all safety and security management which shall be provided to the Visalia Police Department and shall include the telephone numbers and e-mail address where the contact person may be reached 24 hours a day, seven days a week. The Security Plan shall also provide the telephone number for direct contact with the business during business hours. The Security Plan shall be amended and resubmitted to the Visalia Police Department, by the business owner and/or the establishments manager, for any changes to the establishment's designated contact person for all safety and security management matters including updated telephone numbers and e-mail addresses where the contact person may be reached 24 hours a day, seven days a week.
 - c) The burglar and fire alarm shall be monitored by a security company 24 hours a day, seven days a week.
 - d) Designate an adequate number of security personnel who will monitor and control the behavior of customers inside the building, any portable non-permanent rope or metal railing style system patron queue on the public sidewalk for the business, and any private parking lot under the establishment's control. The security personnel must all be security guards with a valid license issued by the California Bureau of Security and Investigative Services. The licensed security personnel may be employees of the establishment or licensed security personnel retained from a licensed security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.

- e) The business owner and/or their management staff/employees of the establishment shall correct any and all safety or security problems or Security Plan violation as soon as receiving either verbal and/or written notice of such problems from either the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's designee / management staff to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division and may be used as the basis to require revisions to the security plan or to initiate suspension of the conditional use permit and begin the proceedings to revoke the conditional use permit.
- f) The applicant/business owner shall maintain at all times a copy of the current Security Plan and conditional use permit conditions of approval on the premises at all times and shall present the Security Plan immediately upon request by a police officer or code enforcement officer.
- g) During the days and hours live entertainment is permitted, the licensed uniformed security personnel and management staff shall maintain a count of and accurately report the total number of persons in the building upon immediate request by either the Building Official, Fire Marshall, police officer, or code enforcement officer.
- h) In the event the physical security plan is withdrawn or revoked, no live entertainment shall occur until such time the security plan has been approved by the Visalia Police Department.
- i) Half an hour prior to, during, and half an hour after the times of entertainment, a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include any outside patio area where alcoholic beverages are dispensed). Additionally, there shall be at least one camera placed to focus on each of the following areas: front door(s) and/or entry area, any area outside where patrons wait to enter the establishment, and the open floor space area inside the restaurant establishment.
- j) The camera storage capacity should be for at least ten (10) calendar days. The monitoring camera/video system must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of suspected criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.
- 17. That any subsequent owner(s)/operator(s) of the restaurant facility who chose to utilize this conditional use permit for live entertainment shall provide a signed and notarized letter to the Planning and Community Preservation Department Director acknowledging their acceptance and agreement to comply and meet all conditions of approval for the amended Conditional Use Permit No. 2011-18.

- 18. During the days and hours live entertainment is permitted, all security personnel hired to ensure the safety of patrons within the establishment and patrons waiting to enter the establishment shall be licensed security guards and shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
- 19. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses and conditions from the California Department of Alcoholic Beverage Control.

Commissioner Tavarez offered the motion to this resolution. Commissioner Peck seconded the motion, and it carried by the following vote:

AYES: Commissioners Tavarez, Peck, Davis, Beatie

NOES: Commissioner Norman

ABSTAINED:

ABSENT:

STATE OF CALIFORNIA)

COUNTY OF TULARE) ss

CITY OF VISALIA)

ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2024-75, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on December 09, 2024.

Paul Bernal, Community Development Director

Mary Beatie, Chairperson

REPORT TO CITY OF VISALIA PLANNING COMMISSION



HEARING DATE: December 09, 2024

PROJECT PLANNER: Paul Bernal, Director

Phone No.: (559) 713-4025 E-mail: paul.bernal@visalia.city

SUBJECT: Amendment of Conditional Use Permit No. 2011-18: A request by Duane Rodriguez

to amend Conditional Use Permit No. 2011-18 to re-establish live entertainment and dancing in conjunction with Downtown Rookies Sports Bar and Grill based on new and revised project conditions and operational/security measures. The site is located at 215 East Main Street, in the D-MU (Downtown Mixed Use) Zone (APN: 094-296-011).

STAFF RECOMMENDATION

Staff recommends approving amended Conditional Use Permit No. 2011-18. Staff's recommendation is based on the conclusion that the owner/operator has filed an updated operational and security plan and the project conditions, as proposed, will ensure that the proper operational and crowd control safety measures are implemented at all times for the safety of their patrons and the surrounding area.

RECOMMENDED MOTION

I move to approve the amendment of Conditional Use Permit No. 2011-18 based on the findings and conditions in Resolution No. 2024-75.

BACKGROUND

On September 23, 2024, the Planning Commission held a public hearing to consider the revocation of Conditional Use Permit (CUP) No. 2011-18. The revocation request was based on an increase in calls for police service over the past two years and the business establishment not complying with their conditions during live entertainment activities as described below. At the conclusion of the public hearing, the Planning Commission approved the revocation by a 3-1 vote. Based on the revocation approval, the applicant filed an appeal which was heard before the City Council.

On October 21, 2024, the City Council held a public hearing to consider the appeal of Planning Commission's approval to revoke CUP No. 2011-18. After closing public comment, and asking the applicant and staff several questions related to calls for service, the City Council adopted an alternative motion directing staff to work with the applicant/business owner to establish new conditions of project approval that reflect the applicant/owners desire to modify and update their operational statement, and security plan to better effectuate how live entertainment is properly managed when offered within the Downtown Rookies Sports Bar and Grill restaurant. This updated information will then be presented to the Planning Commission for consideration.

UPDATED INFORMATION

The applicant/business owner, Duane Rodriguez, filed an updated operational statement and security plan that outlines the days, times, and security measures to be implemented when live entertainment activities occur within the restaurant. The updated information is attached to this staff report as Exhibit "A".

Per the updated operational plan, the following changes are noted:

1. Standard hours of operation for the restaurant will be 11:00 a.m. to 10:00 p.m. (Hours may change due patron traffic for the restaurant.)

- 2. Live entertainment activities will be from 9:00 p.m. to 12:00 a.m., on Friday and Saturday nights, with an option to provide live entertainment on Wednesday nights.
- 3. Full menu options will be available to purchase until 12:00 a.m. during hours live entertainment is provided.
- 4. Live entertainment will only consist of live bands and dancing (entertainment consisting of a DJ will be prohibited), offering a variety of music genera's as noted in Exhibit 'A'.
- 5. Licensed security will be provided during hours of live entertainment. Per the Security Plan, there will three (3) to four (4) licensed security personnel on-site during hours of live entertainment.
- 6. Licensed security personnel will be responsible for maintaining an orderly line in front of the businesses for patrons waiting to enter the establishment during live entertainment activities.
- 7. Temporary metal railing fencing will be used for patron queuing.
- 8. Dress Code provisions to be implemented.
- 9. All licensed security personnel will be trained to de-escalate hostile situations, and crowd control.

Downtown Rookies Sports Bar and Grill is a bona-fide restaurant serving dining customers without regard to age during daytime and early evenings hours. The site also provides televised sports events any day or night of the week. The televised sports events are not considered "entertainment" and the use of the building as a restaurant is a permitted use in the Downtown Mixed Use zone.

The floor plan, which is the same floor plan provided with the 2011 conditional use permit and provided as Exhibit 'B', depicts how the dining area of the restaurant is reconfigured to provide an open dance floor when live entertainment is provided.

The updated conditions of approval have been drafted to ensure that management and operational requirements are adhered to at all times to ensure a safe environment is provided during live entertainment activities for both patrons of the establishment and to the surrounding businesses.

BACKGROUND INFORMATION

General Plan Land Use Designation: Downtown Mixed Use

Zoning: D-MU (Downtown Mixed Use)

Surrounding Zoning and Land Use: North: Main St. & D-MU / Bank of America

South: Alley & D-MU / Comfort Suites

East: D-MU / Clothing store West: D-MU / Restaurant

Environmental Review: Categorical Exemption No. 2024-62

Special Districts: Downtown Retail Overlay District

Site Plan Review: SPR No. 2011-94

Related Project:

- On September 23, 2024, Planning Commission revoked Conditional Use Permit No. 2011-18, based on the operator/owner failure to comply with the terms and conditions of the conditional use permit and the Visalia Municipal Code.
- On October 21, 2024, the City Council considered an appeal of the Planning Commission's approval of a request by the City of Visalia, pursuant to Municipal Code section 17.38.040, to revoke Conditional Use Permit No. 2011-18. The City Council, in lieu of the recommended motion, directed staff to work with the applicant/owner to establish new and/or revised conditions of project approval that reflect the

- applicant/owners desire to modify and update their operational statement, security plan, and operating conditions that will better effectuate how live entertainment is properly managed when offered within the Downtown Rookies Sports Bar and Grill restaurant.
- On September 12, 2011, Conditional Use Permit No. 2011-18 was approved which allows live entertainment and dancing in conjunction with Downtown Rookies Sports Bar and Grill located at 215 East Main Street, in the D-MU (Downtown Mixed Use) Zone. A copy of the staff report and resolution is attached to this report as Attachment "B".

PROJECT EVALUATION

Staff recommend approval of the amended Conditional Use Permit (CUP) based on the revised operational statement and security plan and the project's conditions of approval.

Land Use Compatibility

The City of Visalia has long recognized the importance of the downtown area which represents the center of the city offering a wide range of commercial establishments, stores, restaurants, mixed with offices and some residential uses. In addition to being a major center for employment, there are several commercial establishments that have been approved, via a discretionary review process and subject to operating conditions, that offer various live entertainment options in the latter part of the evening which are intended to be ancillary to the primary commercial establishments use (i.e., bona fide restaurant). These live entertainment approvals are recognized as a way to provide the downtown with a variety of entertainment options for patrons to enjoy dancing, singing, and listing to local artist in the late evening hours, and on the weekends. When properly conditioned and managed, these establishments enhance the marketability of the downtown area.

Based on the revised operational statement, conditions of approval (which have been updated), and new conditions recommended for the Planning Commission's consideration, staff concludes that the live entertainment use associated with Rookies will not have a negative impact on the downtown area and/or surrounding uses.

<u>Live Entertainment Defined</u>: Based on the revised operational statement provided by the applicant/business owner, which identifies the use of live musical bands for entertainment, has resulted in staff drafting Condition No. 2 for the Planning Commission's consideration. This condition clearly defines the use of only live musical acts for Rookies as follows:

COA No. 2: Live entertainment shall only be permitted on Wednesday, Friday, and Saturday and only during the hours of 9:00 p.m. to 12:00 a.m. Live entertainment shall be restricted only to live musical acts and not as defined in Visalia Municipal Code section 17.04.030. Live musical acts are defined for the purposes of this conditional use permit as a vocal or instrumental performance by a natural person(s) who is physically present in the establishment while delivering the performance and while this definition shall include karaoke performances involving the live singing of songs over prerecorded backing music, it specifically excludes disc jockeys. For purposes of this Conditional Use Permit, a disc jockey, shall be defined as a person(s) whose performance consists of selecting or manipulating prerecorded music on equipment, and a disc jockey shall not be considered a live musical act. Disc jockeys are hereby expressly prohibited from performing within this establishment. Any form of dancing by patrons and guests at this restaurant establishment is permitted during live entertainment. This condition does not prohibit, unamplified musical accompaniment to dining, in a restaurant by no more than two (2) performers, including patrons, without dancing. In addition, ambient music, whether amplified or not amplified, that is recorded or being played from a radio, jukebox, or similar device that is not audible to a reasonable person within twenty feet from any portion of the exterior of the building that is intended to provide ambiance and not to entertain shall also be allowed. Any subsequent

change to the nature of live entertainment shall require an amendment to the Conditional Use Permit.

This condition also includes language that prohibits the use of disc jockeys as a form of live entertainment and is drafted in a manner to ensure the establishment complies with their operational statement as intended.

<u>Licensed Security Personnel</u>: During the City Council meeting, Council comments directed to staff were to ensure that licensed security personnel was required as part of Rookies operating conditions. To address Council's comments, the applicant/business owner has submitted a revised operational statement and security plan that states three to four licensed security personnel will be provided during days/hours when live entertainment is provided.

To ensure that the use of licensed security is provided at all times during live entertainment activities, Condition Nos. 16.d and 18 are included as conditions of approval that require, "security personnel must all be security guards with a valid license issued by the California Bureau of Security and Investigative Services. The licensed security personnel may be employees of the establishment or licensed security personnel retained from a licensed security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26".

<u>Patron Queuing</u>: During the revocation process, one of the main issues raised was the lack of crowd control resulting in large groups of people congregating in front of the business when live entertainment activities were occurring. To address this issue, the applicant, per their operational statement, identified the use of metal railing fencing to be placed east of the main entrance along Main Street for queuing of individuals seeking to enter the establishment during live entertainment activities. In addition, the applicant is seeking to also install metal rail fencing to the west of the main entrance for patrons that are seeking re-entry into the establishment. Individuals that have entered will be given a wrist band that demonstrates they have already entered and would be allowed to line up in the re-entry querying area.

Based on the issues noted during the revocation process, staff is not amenable to the use of a secondary queuing line designated for re-entry. Rather, staff is requesting Condition No. 7 be adopted as drafted which states:

<u>COA No 7</u>: During the days and hours live entertainment is permitted, the public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business during days and hours live entertainment is permitted shall be required to form <u>one</u> single orderly line outside of the front door of the business <u>for any patron(s) waiting to enter and/or for any patron(s) that exited the building and are seeking re-entry</u>, and shall keep the public sidewalk area directly in front of the business open and clear for public pedestrian use. This standing waiting area shall be defined by use of a portable non-permanent rope <u>or metal fence railing</u> style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk. The sidewalk shall have a minimum of four feet clearance for unimpeded pedestrian traffic use. The uniformed licensed security personnel shall require patrons to remain in line and shall regularly maintain the area under their control free of alcohol, monitored to prevent patron loitering, and litter during and after live entertainment activities cease.

Inter Departmental Review

The Visalia Police Department, Code Enforcement, and Planning staff has reviewed the proposed conditions of approval. In staff's assessment, the proposed conditions are reasonable and necessary for the revised live entertainment use. Failure by the property owner or establishment operator to comply with these conditions may result in a hearing to revoke the CUP as stated per Condition No. 15.

Conditional Use Permit Revocation Process

Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval will result in an immediate filing of a <u>Notice of Conditional Use Permit Suspension Order to Cease and Desist</u>. The City of Visalia has the authority to automatically suspend a Conditional Use Permit (CUP) for failure to comply with the condition(s) of the permit. Upon suspending the CUP, the Planning Commission shall hold a public hearing within 60 days, in accordance with the Public Hearing Notice producers, and if not satisfied that the regulation, general provision, or conditions are being complied with, may revoke the permit, or take action as may be necessary to insure compliance with the regulation, general provision, or condition(s).

Environmental Review

The project is Categorically Exempt under Section 15301 (Existing Facilities) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2024-62).

RECOMMENDED FINDINGS

- 1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- 3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
- 4. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-62).

RECOMMENDED CONDITIONS OF APPROVAL

- 1. That the site be maintained in substantial conformance with the operational statement and security plan in Exhibit "A" and floor plan in Exhibit "B", and, notwithstanding any required conditions below and/or conditions that may be imposed by the California State Department of Alcoholic Beverage Control per their licensing requirements, and any applicable comments of Site Plan Review No. 2011-94. Any change(s) or intensification(s) of the live entertainment operational plan and security plan shall be subject to review by the Planning Commission.
- 2. Live entertainment shall only be permitted on Wednesday, Friday, and Saturday and only during the hours of 9:00 p.m. to 12:00 a.m. Live entertainment shall be restricted only to live musical acts and not as defined in Visalia Municipal Code section 17.04.030. Live musical acts are defined for the purposes of this conditional use permit as a vocal or instrumental performance by a natural person(s) who is physically present in the establishment while delivering the performance and while this definition shall include karaoke performances involving the live singing of songs over prerecorded backing music, it specifically excludes disc jockeys. For purposes of this Conditional

Use Permit, a disc jockey, shall be defined as a person(s) whose performance consists of selecting or manipulating prerecorded music on equipment, and a disc jockey shall not be considered a live musical act. Disc jockeys are hereby expressly prohibited from performing within this establishment. Any form of dancing by patrons and guests at this restaurant establishment is permitted during live entertainment. This condition does not prohibit, unamplified musical accompaniment to dining, in a restaurant by no more than two (2) performers, including patrons, without dancing. In addition, ambient music, whether amplified or not amplified, that is recorded or being played from a radio, jukebox, or similar device that is not audible to a reasonable person within twenty feet from any portion of the exterior of the building that is intended to provide ambience and not to entertain shall also be allowed. Any subsequent change to the nature of live entertainment shall require an amendment to the Conditional Use Permit.

- 3. Live entertainment shall not be allowed any time before 9:00 p.m.
- 4. During the days and hours live entertainment is permitted, patrons shall be 21 years of age and older.
- 5. That the establishment be maintained as a bona fide restaurant. The bar area shall not exceed 25% of the public area within the leasable area of the establishment. At all times during normal meal hours the site shall act as a bona fide restaurant with a full menu offering complete meals. During times of live entertainment food service shall be provided until 12:00 a.m., as identified in the operational statement with a "Bar Menu".
- 6. There shall be no adult entertainment as defined in Visalia Municipal Code Section 17.63, and including no lingerie/bathing suit shows.
- 7. During the days and hours live entertainment is permitted, the public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business during days and hours live entertainment is permitted shall be required to form one single orderly line outside of the front door of the business for any patron(s) waiting to enter and/or for any patron(s) that exited the building and are seeking re-entry, and shall keep the public sidewalk area directly in front of the business open and clear for public pedestrian use. This standing waiting area shall be defined by use of a portable non-permanent rope or metal railing fence style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk. The sidewalk shall have a minimum of four foot clearance for unimpeded pedestrian traffic use. The uniformed licensed security personnel shall require patrons to remain in line and shall regularly maintain the area under their control free of alcohol, monitored to prevent patron loitering, and litter during and after live entertainment activities cease.
- 8. That the maximum occupancy limit established by the Visalia Building Department and Fire Marshal shall be posted and shall not be exceeded.
- 9. All of the conditions and responsibilities of this amended conditional use permit (CUP No. 2011-18) shall run with the land. The property owner and business operator shall keep on-site at all times a copy of the approved resolution and conditions and shall provide a copy of this resolution and conditions of approval to any and all subsequent owners/operators who shall also be subject to all of the conditions herein, unless amended or revoked.
- 10. Inspections by City representatives on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
- 11. All exterior doors <u>and windows</u> shall remain closed at all times when the premises is providing live entertainment. Doors must be solid and may not solely consist of a screen door or ventilated security door.

- 12. During the days and hours live entertainment is permitted, patrons shall use the main entrance located along West Main Street of the business to enter and exit the business except in the event of an emergency.
- 13. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
- 14. No video/arcade games, pool or billiard table shall be maintained upon the premises. Any request to incorporate video/arcade games, pool or billiard tables shall require an amendment to this conditional use permit.
- 15. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - a. Failure to comply with or enforce the conditions of amended Conditional Use Permit No. 2011-18.
 - b. All Conditions and Requirements of the California Department of Alcoholic Beverage Control license issued to this business.
 - c. All applicable federal, state and city laws, codes and ordinances.
 - d. If the business is declared a Public Nuisance pursuant to Chapter 8.40 "Nuisances" of the Visalia Municipal Code.
- 16. That the owner/operator shall prepare and implement an approved Security Plan that includes the following:
 - a) Prior to any type of entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the Visalia Police Department a security plan for approval. Approval of the security plan by the Visalia Police Department shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval for the amended Conditional Use Permit No. 2011-18.
 - b) The Security Plan shall identify the establishment's designated contact person for all safety and security management which shall be provided to the Visalia Police Department and shall include the telephone numbers and e-mail address where the contact person may be reached 24 hours a day, seven days a week. The Security Plan shall also provide the telephone number for direct contact with the business during business hours. The Security Plan shall be amended and resubmitted to the Visalia Police Department, by the business owner and/or the establishments manager, for any changes to the establishment's designated contact person for all safety and security management matters including updated telephone numbers and e-mail addresses where the contact person may be reached 24 hours a day, seven days a week.
 - c) The burglar and fire alarm shall be monitored by a security company 24 hours a day, seven days a week.
 - d) Designate an adequate number of security personnel who will monitor and control the behavior of customers inside the building, any portable non-permanent rope or metal railing style system patron queue on the public sidewalk for the business, and any private parking lot under the establishment's control. The security personnel must all be security guards with a valid license issued by the California Bureau of Security and Investigative Services. The licensed security personnel may be employees of the establishment or licensed security personnel retained from a licensed security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.

- e) The business owner and/or their management staff/employees of the establishment shall correct any and all safety or security problems or Security Plan violation as soon as receiving either verbal and/or written notice of such problems from either the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's designee / management staff to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division and may be used as the basis to require revisions to the security plan or to initiate suspension of the conditional use permit and begin the proceedings to revoke the conditional use permit.
- f) The applicant/business owner shall maintain at all times a copy of the current Security Plan and conditional use permit conditions of approval on the premises at all times and shall present the Security Plan immediately upon request by a police officer or code enforcement officer.
- g) During the days and hours live entertainment is permitted, the licensed uniformed security personnel and management staff shall maintain a count of and accurately report the total number of persons in the building upon immediate request by either the Building Official, Fire Marshall, police officer, or code enforcement officer.
- h) In the event the physical security plan is withdrawn or revoked, no live entertainment shall occur until such time the security plan has been approved by the Visalia Police Department.
- i) Half an hour prior to, during, and half an hour after the times of entertainment, a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include any outside patio area where alcoholic beverages are dispensed). Additionally, there shall be at least one camera placed to focus on each of the following areas: front door(s) and/or entry area, any area outside where patrons wait to enter the establishment, and the open floor space area inside the restaurant establishment.
- j) The camera storage capacity should be for at least ten (10) calendar days. The monitoring camera/video system must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of suspected criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.
- 17. That any subsequent owner(s)/operator(s) of the restaurant facility who chose to utilize this conditional use permit for live entertainment shall provide a signed and notarized letter to the Planning and Community Preservation Department Director acknowledging their acceptance and agreement to comply and meet all conditions of approval for the amended Conditional Use Permit No. 2011-18.
- 18. During the days and hours live entertainment is permitted, all security personnel hired to ensure the safety of patrons within the establishment and patrons waiting to enter the establishment shall be licensed security guards and shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
- 19. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses and conditions from the California Department of Alcoholic Beverage Control.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe Street, Visalia California. 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.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2024-75
- Exhibit "A" Operational Statement and Security Plan
- Exhibit "B" 2011 Floor Plan
- Categorical Exemption No. 2024-62 Class 1
- Aerial Map

Related Ordinances Conditional Use Permits (Section 17.38)

17.38.010 Purposes and powers

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits.

17.38.020 Application procedures

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
 - 1. Name and address of the applicant;
 - 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
 - 3. Address and legal description of the property;
 - 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
 - 5. The purposes of the conditional use permit and the general description of the use proposed;
 - 6. Additional information as required by the historic preservation advisory committee.
 - 7. Additional technical studies or reports, as required by the Site Plan Review Committee.
 - 8. A traffic study or analysis prepared by a certified traffic engineer, as required by the Site Plan Review Committee or Traffic Engineer, that identifies traffic service levels of surrounding arterials, collectors, access roads, and regionally significant roadways impacted by the project and any required improvements to be included as a condition or mitigation measure of the project in order to maintain the required services levels identified in the General Plan Circulation Element.
- **B.** The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application.

17.38.030 Lapse of conditional use permit

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section.

17.38.040 Revocation

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120.

17.38.050 New application

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council.

17.38.060 Conditional use permit to run with the land

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065.

17.38.065 Abandonment of conditional use permit

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

17.38.070 Temporary uses or structures

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
 - 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
 - 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
 - 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
 - 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
 - 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
 - 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
 - 7. Signing for temporary uses shall be subject to the approval of the city planner.
 - 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
 - 9. Fruit/Vegetable stands shall be subject to site plan review.
- C. The City Planner shall deny a temporary use permit if findings cannot be made, or conditions exist that would be injurious to existing site, improvements, land uses, surrounding development or would be detrimental to the surrounding area.

- D. The applicant or any interested person may appeal a decision of temporary use permit to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the temporary use permit and shall uphold or revise the decision of the temporary use permit, based on the findings set forth in Section 17.38.110. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.
- E. A privately owned parcel may be granted up to six (6) temporary use permits per calendar year.

17.38.080 Public hearing--Notice

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city.

17.38.090 Investigation and report

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission.

17.38.100 Public hearing--Procedure

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary.

17.38.110 Action by planning commission

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
 - 1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located:
 - 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

17.38.120 Appeal to city council

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145.

17.38.130 Effective date of conditional use permit

A conditional use permit shall become effective immediately when granted or affirmed by the council, or ten days following the granting of the conditional use permit by the planning commission if no appeal has been filed.

RESOLUTION NO. 2024-75

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING AMENDMENT OF CONDITIONAL USE PERMIT NO. 2011-18, A REQUEST BY DUANE RODRIGUEZ TO AMEND CONDITIONAL USE PERMIT NO. 2011-18 TO RE-ESTABLISH LIVE ENTERTAINMENT AND DANCING IN CONJUNCTION WITH DOWNTOWN ROOKIES SPORTS BAR AND GRILL BASED ON NEW AND REVISED PROJECT CONDITIONS AND OPERATIONAL/SECURITY MEASURES. THE SITE IS LOCATED AT 215 EAST MAIN STREET, IN THE D-MU (DOWNTOWN MIXED USE) ZONE (APN: 094-296-011)

WHEREAS, amendment of Conditional Use Permit No. 2011-18, is a request by Duane Rodriguez to amend Conditional Use Permit No. 2011-18 to re-establish live entertainment and dancing in conjunction with Downtown Rookies Sports Bar and Grill based on new and revised project conditions and operational/security measures. The site is located at 215 East Main Street, in the D-MU (Downtown Mixed Use) Zone (APN: 094-296-011), and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on December 9, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the amended Conditional Use Permit No. 2011-18, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15301.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

- 1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements within the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.

- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- 3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the conditions of project approval of this conditional use permit.
- 4. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2024-62).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

- 1. That the site be maintained in substantial conformance with the operational statement and security plan in Exhibit "A" and floor plan in Exhibit "B", and, notwithstanding any required conditions below and/or conditions that may be imposed by the California State Department of Alcoholic Beverage Control per their licensing requirements, and any applicable comments of Site Plan Review No. 2011-94. Any change(s) or intensification(s) of the live entertainment operational plan and security plan shall be subject to review by the Planning Commission.
- 2. Live entertainment shall only be permitted on Wednesday, Friday, and Saturday and only during the hours of 9:00 p.m. to 12:00 a.m. Live entertainment shall be restricted only to live musical acts and not as defined in Visalia Municipal Code section 17.04.030. Live musical acts are defined for the purposes of this conditional use permit as a vocal or instrumental performance by a natural person(s) who is physically present in the establishment while delivering the performance and while this definition shall include karaoke performances involving the live singing of songs over prerecorded backing music, it specifically excludes disc jockeys. For purposes of this Conditional Use Permit, a disc jockey, shall be defined as a person(s) whose performance consists of selecting or manipulating prerecorded music on equipment, and a disc jockey shall not be considered a live musical act. Disc jockeys are hereby expressly prohibited from performing within this establishment. Any form of dancing by patrons and guests at this restaurant establishment is permitted during live entertainment. This condition does not prohibit, unamplified musical accompaniment to dining, in a restaurant by no more than two (2) performers, including patrons, without dancing. In addition, ambient music, whether amplified or not amplified, that is recorded or being played from a radio, jukebox, or similar device that is not audible to a reasonable person within twenty feet from any portion of the exterior of the building that is intended to provide ambience and not to entertain shall also be allowed. Any subsequent change to the nature of live entertainment shall require an amendment to the Conditional Use Permit.
- 3. Live entertainment shall not be allowed any time before 9:00 p.m.
- 4. During the days and hours live entertainment is permitted, patrons shall be 21 years of age and older.

- 5. That the establishment be maintained as a bona fide restaurant. The bar area shall not exceed 25% of the public area within the leasable area of the establishment. At all times during normal meal hours the site shall act as a bona fide restaurant with a full menu offering complete meals. During times of live entertainment food service shall be provided until 12:00 a.m., as identified in the operational statement with a "Bar Menu".
- 6. There shall be no adult entertainment as defined in Visalia Municipal Code Section 17.63, and including no lingerie/bathing suit shows.
- 7. During the days and hours live entertainment is permitted, the public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business during days and hours live entertainment is permitted shall be required to form one single orderly line outside of the front door of the business for any patron(s) waiting to enter and/or for any patron(s) that exited the building and are seeking re-entry, and shall keep the public sidewalk area directly in front of the business open and clear for public pedestrian use. This standing waiting area shall be defined by use of a portable non-permanent rope or metal railing fence style system that creates a separation between the area patrons wait in line and the public use area of the sidewalk. The sidewalk shall have a minimum of four feet clearance for unimpeded pedestrian traffic use. The uniformed licensed security personnel shall require patrons to remain in line and shall regularly maintain the area under their control free of alcohol, monitored to prevent patron loitering, and litter during and after live entertainment activities cease.
- 8. That the maximum occupancy limit established by the Visalia Building Department and Fire Marshal shall be posted and shall not be exceeded.
- 9. All of the conditions and responsibilities of this amended conditional use permit (CUP No. 2011-18) shall run with the land. The property owner and business operator shall keep on-site at all times a copy of the approved resolution and conditions and shall provide a copy of this resolution and conditions of approval to any and all subsequent owners/operators who shall also be subject to all of the conditions herein, unless amended or revoked.
- 10. Inspections by City representatives on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
- 11. All exterior doors <u>and windows</u> shall remain closed at all times when the premises is providing live entertainment. Doors must be solid and may not solely consist of a screen door or ventilated security door.
- 12. During the days and hours live entertainment is permitted, patrons shall use the main entrance located along West Main Street of the business to enter and exit the business except in the event of an emergency.
- 13. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
- 14. No video/arcade games, pool or billiard table shall be maintained upon the premises. Any request to incorporate video/arcade games, pool or billiard tables shall require an amendment to this conditional use permit.

- 15. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - a. Failure to comply with or enforce the conditions of amended Conditional Use Permit No. 2011-18.
 - b. All Conditions and Requirements of the California Department of Alcoholic Beverage Control license issued to this business.
 - c. All applicable federal, state and city laws, codes and ordinances.
 - d. If the business is declared a Public Nuisance pursuant to Chapter 8.40 "Nuisances" of the Visalia Municipal Code.
- 16. That the owner/operator shall prepare and implement an approved Security Plan that includes the following:
 - a) Prior to any type of entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the Visalia Police Department a security plan for approval. Approval of the security plan by the Visalia Police Department shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval for the amended Conditional Use Permit No. 2011-18.
 - b) The Security Plan shall identify the establishment's designated contact person for all safety and security management which shall be provided to the Visalia Police Department and shall include the telephone numbers and e-mail address where the contact person may be reached 24 hours a day, seven days a week. The Security Plan shall also provide the telephone number for direct contact with the business during business hours. The Security Plan shall be amended and resubmitted to the Visalia Police Department, by the business owner and/or the establishments manager, for any changes to the establishment's designated contact person for all safety and security management matters including updated telephone numbers and e-mail addresses where the contact person may be reached 24 hours a day, seven days a week.
 - c) The burglar and fire alarm shall be monitored by a security company 24 hours a day, seven days a week.
 - d) Designate an adequate number of security personnel who will monitor and control the behavior of customers inside the building, any portable non-permanent rope or metal railing style system patron queue on the public sidewalk for the business, and any private parking lot under the establishment's control. The security personnel must all be security guards with a valid license issued by the California Bureau of Security and Investigative Services. The licensed security personnel may be employees of the establishment or licensed security personnel retained from a licensed security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.

- e) The business owner and/or their management staff/employees of the establishment shall correct any and all safety or security problems or Security Plan violation as soon as receiving either verbal and/or written notice of such problems from either the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's designee / management staff to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department, Planning and Community Preservation Department, and/or the Neighborhood Preservation Code Enforcement Division and may be used as the basis to require revisions to the security plan or to initiate suspension of the conditional use permit and begin the proceedings to revoke the conditional use permit.
- f) The applicant/business owner shall maintain at all times a copy of the current Security Plan and conditional use permit conditions of approval on the premises at all times and shall present the Security Plan immediately upon request by a police officer or code enforcement officer.
- g) During the days and hours live entertainment is permitted, the licensed uniformed security personnel and management staff shall maintain a count of and accurately report the total number of persons in the building upon immediate request by either the Building Official, Fire Marshall, police officer, or code enforcement officer.
- h) In the event the physical security plan is withdrawn or revoked, no live entertainment shall occur until such time the security plan has been approved by the Visalia Police Department.
- i) Half an hour prior to, during, and half an hour after the times of entertainment, a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include any outside patio area where alcoholic beverages are dispensed). Additionally, there shall be at least one camera placed to focus on each of the following areas: front door(s) and/or entry area, any area outside where patrons wait to enter the establishment, and the open floor space area inside the restaurant establishment.
- j) The camera storage capacity should be for at least ten (10) calendar days. The monitoring camera/video system must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of suspected criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.
- 17. That any subsequent owner(s)/operator(s) of the restaurant facility who chose to utilize this conditional use permit for live entertainment shall provide a signed and notarized letter to the Planning and Community Preservation Department Director acknowledging their acceptance and agreement to comply and meet all conditions of approval for the amended Conditional Use Permit No. 2011-18.

- 18. During the days and hours live entertainment is permitted, all security personnel hired to ensure the safety of patrons within the establishment and patrons waiting to enter the establishment shall be licensed security guards and shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
- 19. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses and conditions from the California Department of Alcoholic Beverage Control.

Exhibit "A"

DOWNTOWN ROOKIES SPORTS BAR & GRILL INC.

OPERATIONAL & SECURITY PLAN

PRESIDENT/OWNER: DUANE RODRIGUEZ (559)804-0703

215 E. MAIN ST. VISALIA, CA. 93291

HOURS OF OPERATION:

Standard restaurant hours will be from 11:00am to 10:00pm. Hours may change due to flow of business. We will have live entertainment from 9:00pm to 12:00am with dancing on Friday and Saturday nights. Only live bands will be provided for the live entertainment for Friday and Saturday nights from 9pm to 12am. Classic Rock, Rock & Roll and Country Western bands are what we will be providing. We will not be providing any DJ entertainment in the restaurant. We will not start out providing the same live entertainment on Wednesday nights from 9pm to 12am but will keep it as a possible night for future dates providing the same genres as Friday and Saturday nights. That is highly unlikely but will keep it as a possibility. There will be 3 to 4 bartenders and 1 bar back and a cook working during entertainment hours in the restaurant.

SECURITY STAFF/MANAGEMENT:

There will be a manager for security staff as well as a manager for the front of the house at all times of live entertainment. We provide 3 to 4 security staff at all times of live entertainment depending on the flow of traffic in the restaurant. Security staff is licensed and trained under proprietary licensing. Security staff will maintain an orderly line for entrance into Rookies. We have metal railing fencing to the east of the entrance for patrons to line up orderly. We also have a re-entry metal rail fence to the west of the entrance to provide an orderly line for patron re-entering the restaurant. Once lined up properly to the east when entering, patrons are given a wrist band after providing a valid ID showing proof of being 21 years of age or above. Security will enforce a dress code during the entertainment hours. There will be no flying of colors, sports attire, and a zero tolerance for anyone fighting. If anyone fights at Rookies they will not ever be allowed back into the restaurant. Security training will include but not be limited to de-escalation, crowd control and dealing in difficult situations. Security will follow the law in regards to gathering on the sidewalk in front of the restaurant. Security will be identified with a marked shirt. No drinks will be allowed outside. We have cameras inside and out that are monitored. Patrons will not be allowed inside during live entertainment without a valid ID.

FOOD:

Rookies full menu will be available to purchase until 12am during hours of entertainment.

FRONT OF THE HOUSE STAFF TRAINING

- Be knowledgeable of what is expected of them.
- Be trained to identify obviously intoxicated patrons and to maintain a safe and secure environment.
- Obtain a certificate of completion from the ABC "LEAD Program".
- Keep patrons and employees safe and take preventative steps to resolve issues in an efficient and secure manner.

DEALING WITH INTOXICATED PATRONS

- Anyone determined intoxicated not be served any more alcohol.
- If someone that has been essentially cut-off becomes belligerent, they will be escorted outside.
- If they are noticed to disturb the peace of the establishment or nearby neighbors or create a scene, VPD may be contacted.
- Should anyone experience a medical emergency, VPD and medical response will be notified and assistance will be requested.

PERSONS OVER/UNDER 21 YEARS OF AGE

- Rookies being a family-oriented restaurant permits persons under 21 in the
 establishment so long as they are there for dining purposes; persons under 21 will
 be restricted from entering during live entertainment nights on Friday and
 Saturday nights from 9:00 pm to Midnight.
- No loitering by anyone of any age is permitted.
- Persons 21 or older will be asked to present ID to the bartender/serving employee with each purchase of an alcoholic beverage.

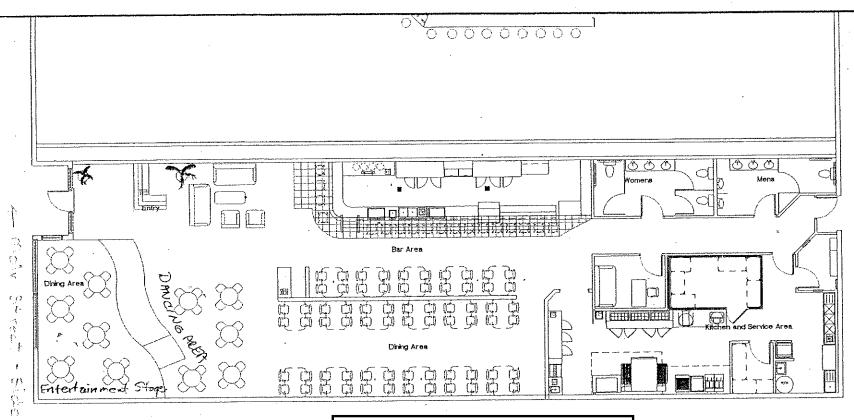


Exhibit "B" -- Floor Plan

Perking: Existing Retail 1/300 (2,600 Sq F1) = 13 Editing Perking Species auraré 1/500 (3,800 Sq FI) = 38 New Parking

Floor Area Breek Down Ber Anne: Dinlog Arnet: Entry Arnet: Killcher gird Service Arnet: Resektoons and Hell Arnet: Total Arnet: Note: Bar Area is been their 25% of lotal Sq. FI of the Revolution

Designs By Shawn Shawn Murphy 4341 W Prospect Ave Visalia Ca 93292 559-679-9360

Mike Fistolera Fistolera Construction It 210 S Mooney Blvd Ste. Visalia, Cs. 937 559-804-661;

Michael E. Dunn S.E. Duny Engineering 13 Court St. Suite 103 Hanford, Ca. 93230 559-587-1683

Downtown Rookie Sport 215 East Main St Vissila Ca 93291



Building Area Plan

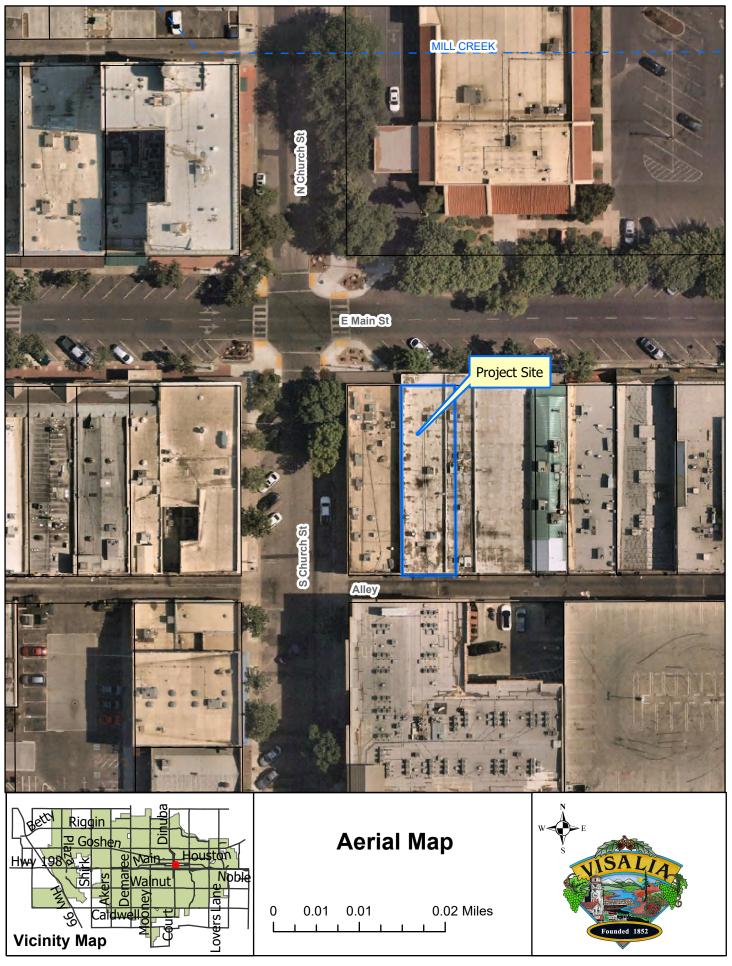
Environmental Document # 2024-62

NOTICE OF EXEMPTION

City of Visalia 315 E. Acequia Ave. Visalia, CA 93291 (559) 713-4359

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

Visalia, CA 93291-4593	
Amendment of Conditional Use Permit (CUP) No. 2011-18	
PROJECT TITLE	
City Wide	
PROJECT LOCATION	
NO. 15	- .
Visalia PROJECT LOCATION - CITY	Tulare COUNTY
PROJECT LOCATION - CITY	COUNTY
Amendment of CUP No. 2011-18: A request by Duane Rodriguez to amend CUP No. 2011-18 to reestablish live entertainment and dancing in conjunction with Downtown Rookies Sports Bar and Grill. The site is located at 215 East Main Street, in the D-MU (Downtown Mixed Use) Zone (APN: 094-296-011).	
DESCRIPTION - Nature, Purpose, & Beneficiaries of Project	
City of Visalia, Attn: Brandon Smith, 315 E. Acequia Avenue, Visalia CA 93291, (559) 713-4636, brandon.smith@visalia.city	
NAME OF LEAD AGENCY APPROVING PROJECT	
City of Visalia, Attn: Duane Rodriguez, 215 E. Main St., Visalia CA 93291	
NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT	
N/A	
NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT	
EXEMPT STATUS: (Check one)	
Ministerial - Section 15183	
☐ Emergency Project - Section 15071☐ Categorical Exemption - State type and Section number: Section 15301	
Statutory Exemptions- State code number:	
_ ,	
The use is occurring within an existing restaurant in the downtown area. REASON FOR PROJECT EXEMPTION	
Brandon Smith, Principal Planner	(559) 713-4636
CONTACT PERSON	AREA CODE/PHONE
December 9, 2024	
DATE	Brandon Smith, AICP



Paul Bernal

From: DUANE RODRIGUEZ <drodriguez0111@sbcglobal.net>

Sent: Thursday, February 20, 2025 5:52 PM

To: Paul Bernal

Subject: Re: Temporary Conditional Use Permit For Thursday Event

Paul

If you could change the terminology on the CUP reading that we have three nights of live entertainment and not identifying what night it would be that would be much more user-friendly for us. That's the way the old CUP read as we never know what night we will be doing additional entertainment, but will always have Friday and Saturday night.

Duane Sent from my iPhone

On Feb 20, 2025, at 4:29 PM, Paul Bernal < Paul. Bernal @visalia.city > wrote:

Let's try this again, Good afternoon Duane,

Attached is the TCUP No. 2025-08, that covers your live entertainment event tonight. I will e-mail this to both Code Enforcement and the Police Department so that they are aware of the approval to have this event tonight.

Furthermore, based on our phone conversation, please send me an e-mail and/or written correspondence regarding your request to have live entertainment three days a week but have flexibility that the event could be held either Wednesday, Thursday or Sunday night, but would be no more than three times a week.

Please confirm that you received this e-mail. If you have any questions, please contact me.

Regards, Paul Bernal, Director Planning and Community Preservation Dept. City of Visalia

Ph: (559) 713-4025

E-mail: paul.bernal@visalia.city

From: DUANE RODRIGUEZ <drodriguez0111@sbcglobal.net>

Sent: Thursday, February 20, 2025 9:38 AM **To:** Paul Bernal < Paul.Bernal@visalia.city>

Subject: Re: Temporary Conditional Use Permit For Thursday Event

As requested.

REPORT TO CITY OF VISALIA PLANNING COMMISSION



HEARING DATE: March 24, 2025

PROJECT PLANNER: Josh Dan, Senior Planner

Phone: (559) 713-4003 Email: josh.dan@visalia.city

SUBJECT: Tentative Parcel Map No. 2025-04: A request to create two new parcels from a 0.89-

acre parcel to facilitate further construction of phase two of the Mission Oaks Office Complex. The project site is located 178-feet south of the terminus of South Peppertree Street into the commercial plaza. (Address: N/A) (APN: 085-250-063.

STAFF RECOMMENDATION

Staff recommends approval of Tentative Parcel Map No. 2025-04, as conditioned, based on the findings and conditions in Resolution No. 2025-17. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Subdivision and Zoning Ordinances.

RECOMMENDED MOTION

I move to approve Tentative Parcel Map No. 2025-04, based on the findings and conditions in Resolution No. 2025-17.

PROJECT DESCRIPTION

Tentative Parcel Map No. 2025-04 is a request to subdivide one parcel measuring 0.89 acres in the Mission Oaks Plaza development into two parcels and a remainder as shown in Exhibit "A". The proposed parcel sizes are as follows: 9,777 square feet for Parcel No. 1; 14,315 square feet for Parcel 2. The request is to facilitate the completion and construction of phase two of the Mission Oaks Office Complex for these parcels.

A Conditional Use Permit (CUP) is not needed as the existing parcel and development pattern have been established with CUP No. 96-12 for a Planned Office Development that established parcels without public street frontage and privately-maintained access easements to provide through public access. These access easements function as private streets — Avenida de las Robles and the southerly extensions of Tamarack Street and Aspen Street east of the proposed tentative parcel map. The proposed tentative parcel map does not require any change to these private access easements.

BACKGROUND INFORMATION

General Plan Land Use Designation: Office

Zoning: O-PA (Professional / Administrative Office)

Surrounding Land Use and Zoning: North: O-PA / Office building

South: State Highway 198
East: O-PA / Office building
West: O-PA / Office building

Environmental Review: Categorical Exemption No. 2025-12

Special Districts: N/A

Site Plan Review No: 2025-039

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED ACTIONS

Mission Oaks Plaza Subdivision and Conditional Use Permit No. 96-12 were approved by the City Council on June 17, 1996, denying an appeal and upholding the approval of the Planning Commission on May 28, 1996. The tentative subdivision map divided two parcels into 22 lots and the conditional use permit created a planned office development, located at the northwest corner of Akers Street and State Highway 198. The subdivision map subsequently expired and the map did not record but the CUP became use-inaugurated when construction of site improvements and buildings commenced on the site.

Tentative Parcel Map No. 99-02 was approved by the Planning Commission on January 25, 1999. The tentative parcel map renewed the approval of the action to separate the site into lots with the difference that the property was divided into 9 lots through a parcel map instead of 22 lots through a subdivision map. The parcel map recorded as Parcel Map No. 4390 and the project site is Parcel No. 4.

Tentative Parcel Map No. 2022-05 was approved by the Planning Commission on September 12, 2022. The tentative parcel map was a request to subdivide two parcels into four parcels and a Remainder to facilitate the development and construction of phase two of the Mission Oaks Office Complex. The project site is located 365-feet south of the intersection of South Peppertree Street and West Hillsdale Avenue.

PROJECT EVALUATION

Staff recommends approval of the tentative parcel map, as conditioned, based on the project's consistency with the Land Use Element Policies of the General Plan, the Subdivision and Zoning Ordinances for the tentative parcel map.

Planned Development Requirement

The creation of a parcel without direct access onto a public street requires a Planned Unit Development (PUD), which is reviewed and approved though the conditional use permit process.

The Planning Commission previously reviewed and approved a development plan and circulation pattern for the parcel and the surrounding area through CUP No. 9612 (see Exhibit "B"). The Site Plan Review (SPR) Committee subsequently reviewed the proposed parcel map and has made the determination that the parcel map is consistent with the development plan associated with CUP No. 9612 and is consistent with City development standards. The SPR Committee did not require a new or amended Conditional Use Permit for the proposed parcel map since it utilizes existing easements created by CUP No. 9612 and does not require alterations to these easements. Additionally, the two parcels proposed per Tentative Parcel Map No. 2025-04 will have no impact on the original development plan given that the parcel map continues a

development pattern consistent with the established office complex and completes the development across the site.

The minimum site area for properties in the O-PA zone is five acres (ref. Municipal Code Section 17.20.050.A). However, according to Municipal Code Section 17.26.040 pertaining to Planned Developments, the Planning Commission may consider lot sizes smaller than the minimum site area if "there are unique circumstances (shape, natural features, location, etc.) which would deprive the landowner of development potential consistent with other properties classified in the same underlying zone."

Staff has included Finding No. 6 for the Planning Commission's consideration. This finding is recommended due to the sites existing configuration which is only assessable via the existing development and circulation pattern and given that existing parcels associated with this development in the O-PA zone are already less than five acres in size within the unified Mission Oaks Office development.

Access / Parking

The proposed parcels share common vehicular access from existing drive entrances / approaches at Akers Street, Tamarack Street, Aspen Street, and Peppertree Streets. Vehicular access to the proposed parcels is permitted through the private streets/utility easements created with the approval of the Mission Oaks Plaza development.

Staff is recommending Condition No. 3 be adopted for the Tentative Parcel Map requiring the recordation of an agreement that addresses property owners' maintenance and responsibility for repair of easements and maintenance of shared public or private utilities, and that the easement area shall be kept free and clear of any structures.

Subdivision Map Act Findings

California Government Code Section 66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven "negative" findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff's analysis are below. Recommended finings in response to this Government Code section are included in the recommended findings for the approval of the tentative parcel map.

GC Section 66474 Finding	Analysis
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed map has been found to be consistent with the City's General Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map. There are no specific plans applicable to the proposed map.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the map has been found to be consistent with the City's General Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map. There are no specific plans applicable to the proposed map.

(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed map and its affiliated development plan, which is designated as Office land use. This is included as recommended Finding No. 3 of the Tentative Parcel Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed density of development in the Office land use designation and O-PA zone, which does not specify densities of development. This is included as recommended Finding No. 4 of the Tentative Parcel Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvement of the map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat. This finding is further supported by the project's Categorical Exemption determination under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 8 of the Tentative Parcel Map.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Parcel Map.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.	The proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 5 of the Tentative Parcel Map.

Environmental Review

The tentative map is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2025-12).

RECOMMENDED FINDINGS

- That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
- That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.
- 3. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed through the previously approved planned development (Conditional Use Permit No. 9612).
- 4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Office land use designation and zone, which does not specify densities of development.
- 5. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- 6. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development and Office zone standards since they are part of a planned development established through Conditional Use Permit No. 9612.
- 7. That there are unique circumstances involved with the project that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.
- 8. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2025-12). Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

RECOMMENDED CONDITIONS OF APPROVAL

- 1. That the tentative parcel map shall be developed consistent with the comments and conditions of Site Plan Review No. 2025-039, incorporated herein by reference.
- 2. That the tentative parcel map be prepared in substantial compliance with Exhibit "A".
- 3. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
- 4. That all applicable federal, state, regional, and city policies and ordinances be met.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe Street Visalia California. 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.visalia.city or from the City Clerk.

Attachments:

- * Related Plans & Policies
- * Resolution No. 2025-17
- Exhibit "A" Tentative Parcel Map No. 2025-04
- Site Plan Review Comment Item No. 2025-039
- * General Plan Land Use Map
- * Zoning Map
- * Aerial Map
- * Vicinity Map

RELATED PLANS AND POLICIES

City of Visalia Subdivision Ordinance [Title 16 of Visalia Municipal Code]

Chapter 16.28: PARCEL MAPS

16.28.020 Advisory agency.

The Planning Commission is designated as the advisory agency referred to in Article 2 of the Subdivision Map Act and is charged with the duty of making investigations and reports on the design and improvement of proposed divisions of land under this chapter. The city planner is designated as the clerk to the advisory agency with authority to receive parcel maps.

16.28.060 Hearing and notice.

- A. The city Planning Commission shall hold a public hearing on an application for a tentative parcel map or vesting tentative parcel map.
- B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area proposed for subdivision.

16.28.070 Consideration of tentative parcel maps.

The commission shall review the tentative parcel map and approve, conditionally approve, or disapprove the map within thirty (30) days after the receipt of such map, or at such later date as may be required to concurrently process the appurtenant environmental documents required by state law and local regulations adopted in implementation thereof.

16.28.080 Appeals.

If the applicant is dissatisfied with the decision of the Planning Commission, he may, within ten days after the decision of the Planning Commission, appeal in writing to the council for a hearing thereon. Such hearing need not be concluded on the day thus set but may be continued.

16.28.110 Right-of-way dedications.

- A. Pursuant to the Subdivision Map Act, the subdivider shall provide such dedication of right-of-way and/or easements as may be required by the Planning Commission.
- B. The Planning Commission may, at its discretion, require that offers of dedication or dedication of streets include a waiver of direct access rights to any such streets from any property shown on the final map as abutting thereon, in accord with the provisions of the Subdivision Map Act.

<u>City of Visalia Zoning Ordinance [Title 17 of Visalia Municipal Code]</u>

Chapter 17.26: PLANNED DEVELOPMENT

17.26.010 Purpose and intent.

The purpose and intent of the Planned Development regulations contained in this chapter is to provide for land development consisting of a related group of residential housing types or commercial uses, including but not limited to, attached or detached single-family housing, cluster housing, patio homes, town houses, apartments, condominiums or cooperatives or any combination thereof and including related open spaces and community services consisting of recreational, commercial and offices, infrastructure, maintenance and operational facilities essential to the development, all comprehensively planned. Such land development normally requires deviation from the normal zoning regulations and standards regarding lot size, yard requirements, bulk and structural coverage in an effort to maximize the benefits accruing to the citizens of Visalia.

17.26.040 Development standards.

The following is a list of development standards considered to be necessary to achieve the purpose and intent of this chapter:

- A. Site Area.
- 1. The minimum site area for a planned residential development shall be one acre of gross site area.
- 2. The minimum site area for a planned unit development with residential uses shall be ten acres.
- 3. The minimum site area for a planned unit development without residential uses shall be five acres.
- 4. The minimum site area for a planned unit development with only industrial uses shall be twenty (20) acres.
- 5. Parcels smaller than the minimums stated above may be considered if the planning commission finds there are unique circumstances (shape, natural features, location, etc.) that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.
- B. Density. The average number of dwelling units per net area shall not exceed the maximum density prescribed by the site area regulations or the site area per dwelling in which the planned unit development is located, subject to a density bonus that may be granted by the city council upon recommendation by the planning commission. A density bonus may be granted as part of a planned development based on the following guidelines:

Area Percent of Density Bonus
6%
10%
16%
20%

- C. Usable Open Space. Usable open space shall be provided for all planned developments that include residential uses, except as provided in this section. Such open space shall include a minimum of five percent of the net site area of the residential portion of a planned development. The requirement for mandatory usable open space may be waived in developments wherein the net lot area of each lot meets or exceeds minimum standard in the underlying zone classification.
- D. Site Design Criteria.
- 1. Location of proposed uses and their relationship to each other with a planned development shall be consistent with general plan policies and ordinance requirements.
- 2. The natural environment of a site is to be considered as part of the design criteria. Such features as natural ponding areas, waterways, natural habitats, and mature vegetation are to be considered.
- 3. If a planned development is located adjacent to a major arterial street, or other existing possible land use conflict, adequate buffering shall be included in the plan.
- E. Landscaping and Structural Coverage. Landscaping provided within a planned development shall conform to the general standards imposed by the underlying zone. Additional landscaping may be required as part of a planned development due to unusual circumstances.
- F. Circulation.
- 1. Vehicle circulation shall be based on a street pattern as outlined within the circulation element of the general plan. Use of private streets and variations to normal city street standards are encouraged.
- 2. There shall be no direct vehicle access from individual lots onto major arterial streets.
- 3. Pedestrian access and bicycle paths should be incorporated within planned developments. Such paths and bikeways to be separated from vehicle streets when possible.
- G. Parking.
- 1. Required parking shall conform with the existing parking standards required under the zoning ordinance.
- 2. Guest parking and storage parking shall be encouraged and may be required in planned development.
- 3. All parking shall be screened from adjacent public right-of-way. Such screening may include dense plantings, fences, landscaped berms, or grade separation.
- 4. Parking clusters shall be provided rather than large (single) parking areas.
- H. Trash Enclosures.
- 1. Trash enclosures shall be provided as specified by the city solid waste department.
- 2. Such enclosures shall be screened from view from adjacent structures and roadways and be provided with solid gates.

Chapter 17.30: DEVELOPMENT STANDARDS

17.30.015 Development standards.

A. Site Area. The minimum parcel size varies according to the zone district in which the parcel is located. However, this title shall not preclude parcels of less than the required minimum, which exist at the time of adoption of this title, from securing site plan review permits and building permits. Parcels of less than the required minimum size may be created upon approval of an acceptable master plan by the site plan review committee.

RESOLUTION NO. 2025-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2025-04, A REQUEST TO CREATE TWO NEW PARCELS FROM A 0.89-ACRE PARCEL TO FACILITATE FURTHER CONSTRUCTION OF PHASE TWO OF THE MISSION OAKS OFFICE COMPLEX. THE PROJECT SITE IS LOCATED 178-FEET SOUTH OF THE TERMINUS OF SOUTH PEPPERTREE STREET INTO THE COMMERCIAL PLAZA. (ADDRESS: N/A) (APN: 085-250-063).

WHEREAS, Tentative Parcel Map No. 2025-04, is a request to create two new parcels from a 0.89-acre parcel to facilitate further construction of phase two of the Mission Oaks Office Complex. The project site is located 178-feet south of the terminus of South Peppertree Street into the commercial plaza. (Address: N/A) (APN: 085-250-063; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said commission on March 24, 2025; and

WHEREAS, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2022-05, as conditioned, in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and,

WHEREAS, the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-43).

NOW, THEREFORE, BE IT RESOLVED, that Categorical Exemption No. 2022-43 was prepared finding the project exempt under CEQA Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific finding based on the evidence presented:

- 1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
- 2. That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.

- 3. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed through the previously approved planned development (Conditional Use Permit No. 9612).
- 4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Office land use designation and zone, which does not specify densities of development.
- 5. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- 6. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development and Office zone standards since they are part of a planned development established through Conditional Use Permit No. 9612.
- 7. That there are unique circumstances involved with the project that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.
- 8. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2025-12). Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

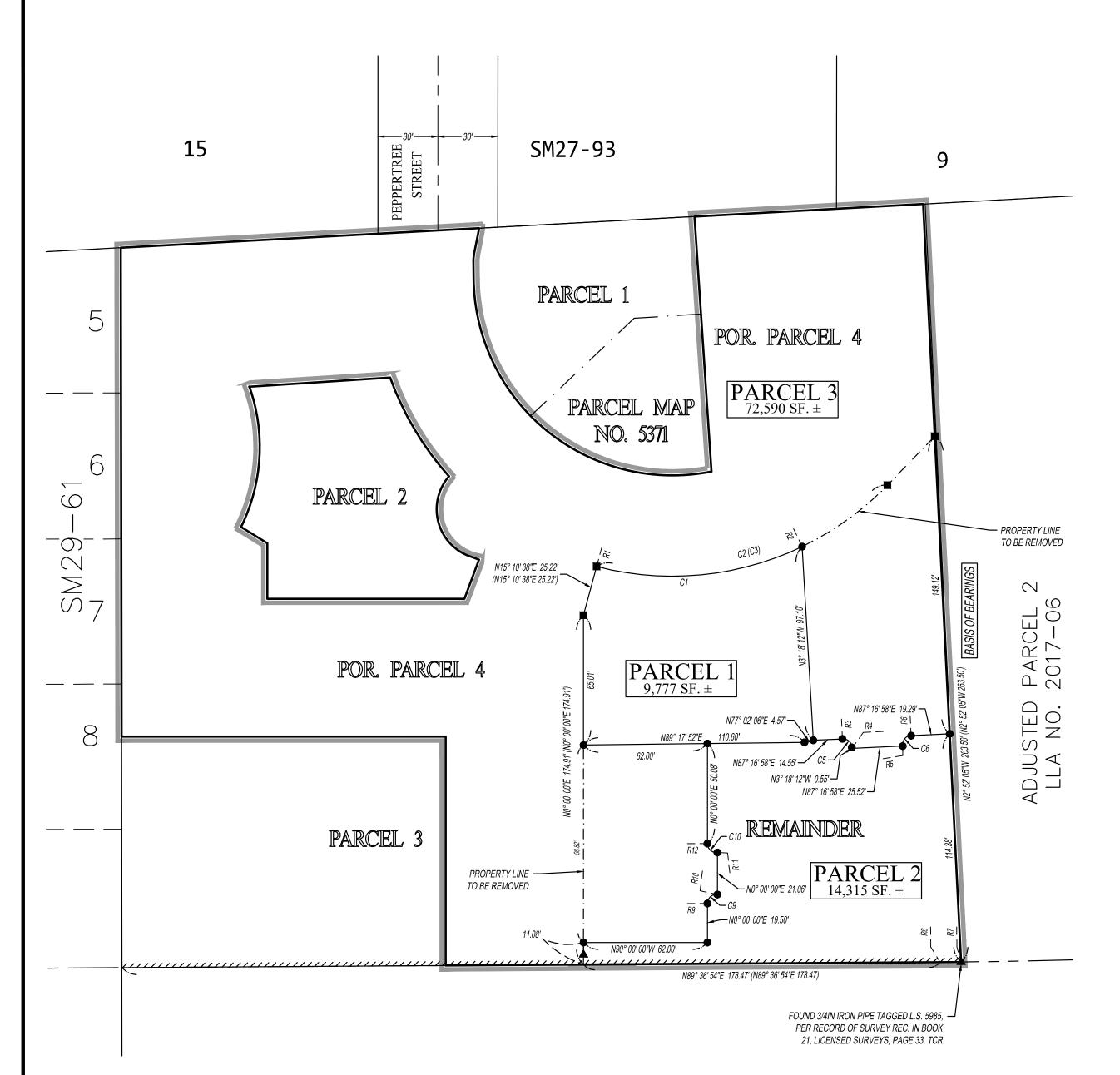
BE IT FURTHER RESOLVED that the Planning Commission hereby approved the parcel map on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.12.010 of the Ordinance Code of the City of Visalia, subject to the following conditions:

- 1. That the tentative parcel map shall be developed consistent with the comments and conditions of Site Plan Review No. 2025-039, incorporated herein by reference.
- 2. That the tentative parcel map be prepared in substantial compliance with Exhibit "A".
- 3. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
- 4. That all applicable federal, state, regional, and city policies and ordinances be met.



TENTATIVE PARCEL MAP NO.

IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA



BASIS OF BEARINGS

BASIS OF BEARINGS IS THE EAST LINE OF THE REMAINDER PARCEL OF PARCEL MAP 5371, RECORDED IN BOOK 54 OR PARCEL MAPS AT PAGE 79, TCR. TAKEN AS N2° 52' 05W

LEGEND

FOUND MONUMENT AS DESCRIBED

FOUND 3/4" IRON PIPE TAGGED "PLS 8163" SET PER PARCEL MAP NO. 5371 REC. IN BK. 54 OF PARCEL MAPS AT PG. 79, TCR

SET 3/4" IRON PIPE TAGGED "PLS 8163" DOWN 6IN

RECORD DATA PER PARCEL MAP NO. 5371 REC. IN BK. 54 OF PARCEL MAPS AT PG. 79, TCR

TULARE COUNTY RECORDS

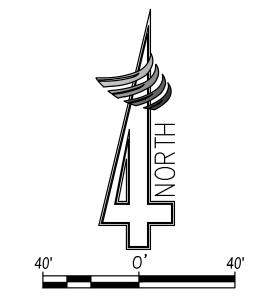
SHADED LINE INDICATES SUBDIVISION BOUNDARY

ACCESS RIGHTS RELINQUISHED PER DOC. NO. //// 94-092499, O.R.

CURVE TABLE				
CURVE#	DELTA	LENGTH	RADIUS	
C1	40°17'42"	105.49'	150.00'	
C2	60°30'39"	158.42'	150.00'	
C3	60°30'39"	158.42'	150.00'	
C4	20°12'57"	52.92'	150.00'	
C5	89°24'50"	7.02'	4.50'	
C6	96°22'46"	7.57'	4.50'	
C7	0°12'22"	10.56'	2,935.18'	
C8	0°12'22"	10.56'	2,935.18'	
C9	96°22'46"	7.57'	4.50'	
C10	96°22'46"	7.57'	4.50'	

	Radial Table		
ADIUS	#	Bearing	
50.00'	R1	S14° 36' 38"W	
50.00'	R2	N25° 41' 03"W	
50.00'	R3	S02° 43' 02"E	
50.00'	R4	N86° 41' 48"E	
4.50'	R5	N80° 54' 13"E	
4.50'	R6	N02° 43' 02"W	
935.18'	R7	S00° 35' 28"E	
935.18'	R8	N00° 23' 06"W	
4.50'	R9	N90° 00' 00"E	
4.50'	R10	N06° 22' 46"E	
	R11	N06° 22' 46"W	

R12 N90° 00' 00"W





City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



Site Plan Review

February 20, 2025

Site Plan Review No. 2025:039

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires a Conditional Use Permit and Tentative Parcel Map is stated on the attached Site Plan Review comments. You may now proceed with filing your permit to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **February 5**, **2025**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

Paul Bernal

Planning and Community Preservation Director 315 E. Acequia Ave.

Visalia, CA 93291

Attachment(s):

Site Plan Review Comments

City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



MEETING DATE

Planning Division

Tel: (559) 713-4359; Fax: (559) 713-4814

February 5, 2025

			SITE PL	AN NO		20	25-039			
			PARCE	MAP	NO.					
			SUBDIV	ISION						
			LOT LIN	IE ADJ	USTMENT N	Ο.				
			w are the con ce they may i			s of th	ne Site Plar	n R	eview committee. Ple	ease
		gs for bui	ajor changes Iding permit, ised plans.	to yo your pr	our plans are oject must re	e requeturn t	uired. Prior o the Site	r to Pla	accepting construction Review Committee	ction e for
	Du	uring site p	plan design/po	olicy co	ncerns were i	identifi	ed, schedu	le a	a meeting with	
		Plan	ning [En	gineering pric	or to re	submittal p	lan	s for Site Plan Review	Ν.
		Solid	d Waste	Pa	rks and Recre	eation			Fire Dept.	
1	REVIS	E AND PE	ROCEED (see be	low)					
			l plan address	ing the	Committee o				ons must be submitte g permits or discretio	
			olans for a b					f 7	:30 a.m. and 5:00	
	\checkmark	Your plan	ns must be rev	viewed	by:					
		CIT	Y COUNCIL				REDEVEL	.OF	PMENT	
		✓ PLA	ANNING COM	MISSI	NC		PARK/RE	CF	REATION	
		√	ТРМ & CUF)						
		HIS	TORIC PRES	ERVA	ΓΙΟΝ		OTHER:			

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440 Site Plan Review Committee

ADDITIONAL COMMENTS:

SITE PLAN REVIEW COMMENTS

Colleen A. Moreno, Planning Division, 559-713-4031; colleen.moreno@visalia.city

Date: February 5, 2025

SITE PLAN NO:

2025-039

PROJECT:

Mission Oaks 3

APPLICANT:

STEVE MACIAS

DESCRIPTION:

PARCEL MAP THAT SHOWS INTENDED SECTIONING

LOCATION TITLE:

5625 W DE LAS ROBLES UNIT 101

APN TITLE:

085-250-062

ZONING:

O-PA (Professional Administrative Office)

Planning Division Recommendation:

Revise and Proceed

Resubmit

Project Requirements

- Tentative Parcel Map (TPM)
- Conditional Use Permit (CUP)

PROJECT SPECIFIC INFORMATION: February 5, 2025

- 1. Creating two new parcels within the existing parcel shall require a Tentative Parcel Map (TPM).
- 2. A Conditional Use Permit (CUP) shall also be required as parcels are less than the minimum site area of five (5) acres in the O-PA zone.
- 3. With TPM and CUP submittal, applicant shall include an operational statement describing the project, a clear site plan depicting all existing parcels and a secondary site plan depicting proposed new parcels within the singular parcel to clearly demonstrate the two newly created parcels, site plan shall also indicate all proposed structures on the site, setbacks, and parking (if any).
- Revised shared parking agreements shall be required.
- 5. A building permit shall be required.
- 6. Comply with other codes, comments, and ordinances.

Notes:

- The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required to conduct the proposed use.
- Prior to completion of a final building inspection for a project, a signed <u>MWELO Certificate of Compliance</u> shall be submitted indicating that all landscaping has been installed to MWELO standards.

Applicable sections of the Visalia Municipal Code, Title 17 (Zoning):

- 17.20 Office Zones
- 17.30 Development Standards
- 17.34 Off-street parking and loading facilities
- 17.36 Fences Walls and Hedges

Accessible at https://codelibrary.amlegal.com/codes/visalia/latest/overview

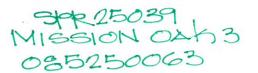
NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.



Signature:



City of Visalia Building: Site Plan Review Comments



NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project Please refer to the applicable California Code & local ordinance for additional requirements.

	A building permit will be required.	For information call (559) 713-4444
	Submit 1 digital set of professionally prepared plans and 1 set of calculations.	(Small Tenant Improvements)
	Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2 light-frame construction or submit 1 digital set of engineered calculations.	016 California Building Cod Sec. 2308 for conventional
	Indicate abandoned wells, septic systems and excavations on construction plans.	
	You are responsible to ensure compliance with the following checked items: Meet State and Federal requirements for accessibility for persons with disabilities.	
	A path of travel, parking and common area must comply with requirements for access (or persons with disabilities.
	All accessible units required to be adaptable for persons with disabilities.	
	Maintain sound transmission control between units minimum of 50 STC.	u u
	Maintain fire-resistive requirements at property lines.	
	A demolition permit & deposit is required.	For Information call (559) 713-4444
	Obtain required permits from San Joaquín Valley Air Pollution Board.	For information call (661) 392-5500
	Plans must be approved by the Tulare County Health Department.	For information call (559) 624-8011
	Project is located in flood zone * Hazardous materials report.	
	Arrange for an on-site inspection. (Fee for inspection \$157.00)	For information call (559) 713-4444
	School Development fees.	
	Park Development fee \$ per unit collected with building permits.	
	Additional address may be required for each structure located on the site.	For Information call (559) 713-4320
	Acceptable as submitted	
X	No comments at this time	
	Additional comments:	
	•	
		•
	1/41	2 5 25
	VALC	Signature 2 5 25



Site Plan Comments
Visalia Fire Department
Corbin Reed, Fire Marshal
420 N. Burke
Visalia CA 93292
559-713-4272 office
prevention.division@visalia.city

Date February 5, 2025 Item # 7 Site Plan # 25039

APN: 085250063

- The Site Plan Review comments are issued as general overview of your project. With further details, additional
 requirements will be enforced at the Plan Review stage. Please refer to the 2022 California Fire Code (CFC),
 2022 California Building Codes (CBC) and City of Visalia Municipal Codes.
- Fire protection items are not required to be installed for parcel map or lot line adjustment at this time; however, any developments taking place on these parcels will be subject to fire & life safety requirements including fire protection systems and fire hydrants in accordance with all applicable sections of the California Fire Code.

Corbin Reed Fire Marshal lote



City of Visalia Police Department 303 S. Johnson St. Visalia, CA 93292 (559) 713-4370

Date:	02/05/25
Item:	7
Site Pl	an: SPR25039
Name:	Robert Avalos

Site Plan Review Comments

\checkmark	No Comment at this time.
	Request opportunity to comment or make recommendations as to safety issues as plans are developed.
	Public Safety Impact Fee: Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code Effective date - August 17, 2001.
	Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
	Not enough information provided. Please provide additional information pertaining to:
	Territorial Reinforcement: Define property lines (private/public space).
	Access Controlled/ Restricted etc.
	lighting Concerns:
	Traffic Concerns:
	Surveillance Issues:
	Line of Sight Issues:
	Other Concerns:

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION **February 5, 2025**

ITEM NO: 7

Added to Agenda

MEETING TIME: 10:30

SITE PLAN NO: SPR25039

ASSIGNED TO: Colleen Moreno Colleen.Moreno@visalia.city

PROJECT TITLE: Mission Oaks 3

DESCRIPTION: a Parcel map that shows the intended sectioning of a piece of land located at Peppertree St & Avenida D

Los Robles

APPLICANT: Steve Macias - Applicant

Steve Macias - Applicant

APN: 085250063

ADDRESS: 5625 W DE LAS ROBLES UNIT 101

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

\boxtimes	No Comments
	See Previous Site Plan Comments
	Install Street Light(s) per City Standards at time of development.
	Install Street Name Blades at Locations at time of development.
	Install Stop Signs at <i>local road intersection with collector/arterial</i> Locations.
	Construct parking per City Standards PK-1 through PK-4 at time of development.
	Construct drive approach per City Standards at time of development.
	Traffic Impact Analysis required (CUP)
	Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.

55 25-039.docx

	Additional traffic information required (Non Discretionary)
	☐ Trip Generation - Provide documentation as to concurrence with General Plan.
	☐ Site Specific - Evaluate access points and provide documentation of conformance with COV standards If noncomplying, provide explanation.
	☐ Traffic Impact Fee (TIF) Program - Identify improvments needed in concurrence with TIF.
A -1 -	distance Community

Additional Comments:

Leslis Blair

Hello,

I've attached my comments and packets for site plan review.

- SPR25033- Richard Bueno no comments
- SPR25034- Feliciano Madrigal Lot Split- no comments
- SPR25035- MD Investments TC., LLC. no comments
- SPR25036- Vanessa G Sanches no comments
- SPR25037- Demaree and Pratt Subdivision FORM ATTACHMENT
- SPR25038- Subdivide Duplex Lots- no Comments
- SPR25309- Mission Oaks 3- No Comments
- SPR25040- Daniel Morales- No Comments
- SPR25041- Pratt Family Ranch no NEW comments FORM ATTACHMENT
- SPR25043- Lowery ranch TSM no NEW comments- FORM ATTACHMENT

Sincerely,

Jennifer Flores

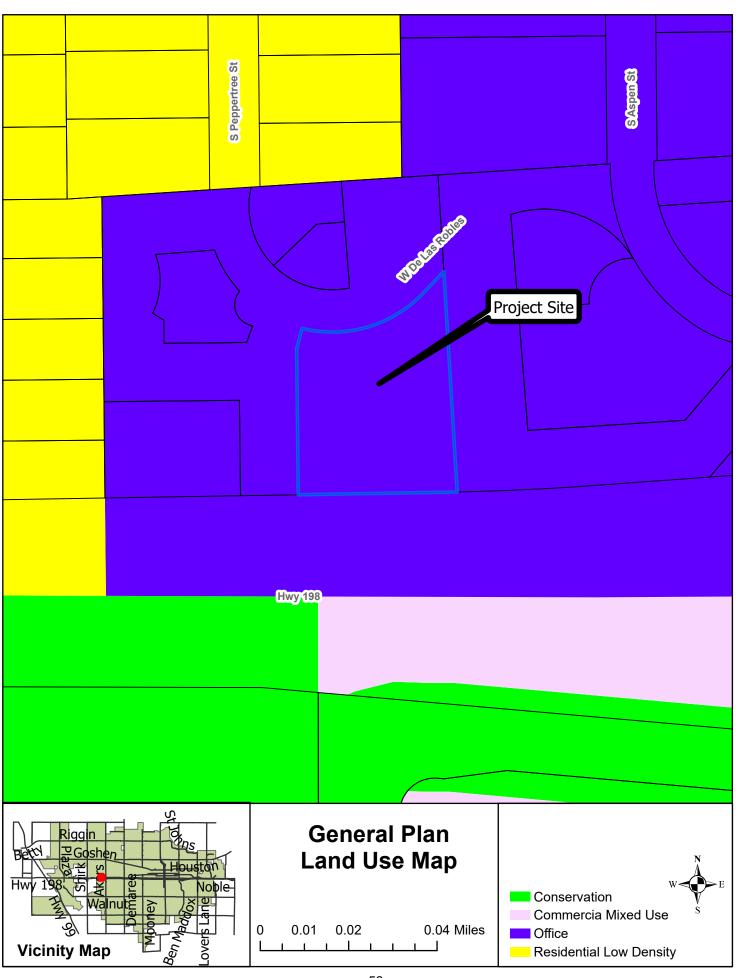
Pretreatment Coordinator City of Visalia, Waste Water Reclamation 7579 Ave 288, Visalia CA Office phone- (559)713-4463 Work cell- (559) 972-9269 CITY OF VISALIA

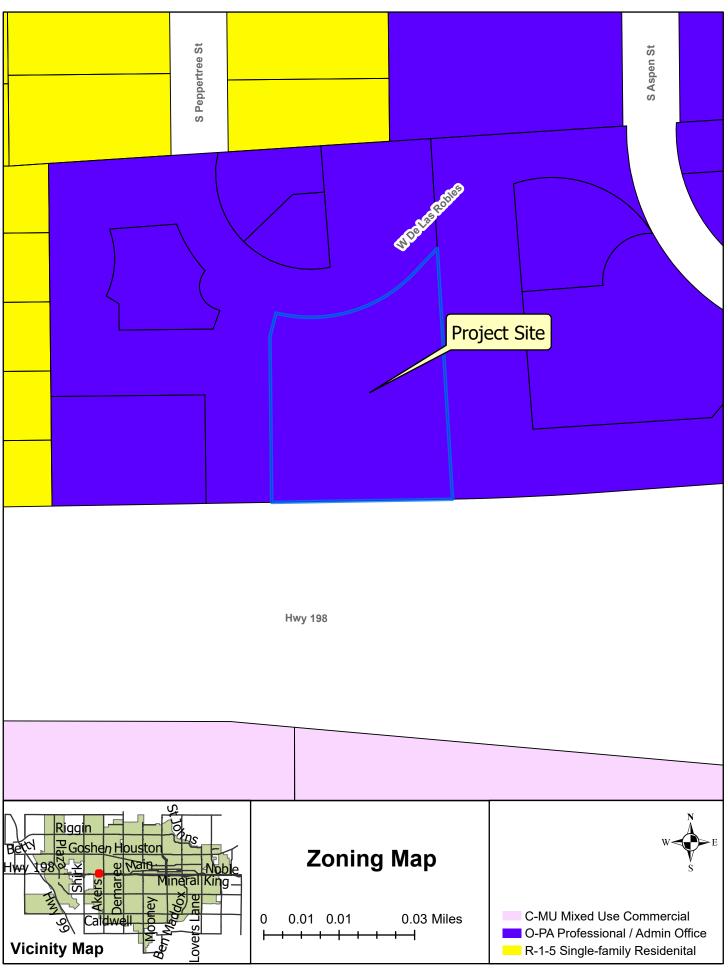
SOLID WASTE DIVISION 336 N. BEN MADDOX VISALIA CA. 93291 713 - 4532 COMMERCIAL BIN SERVICE

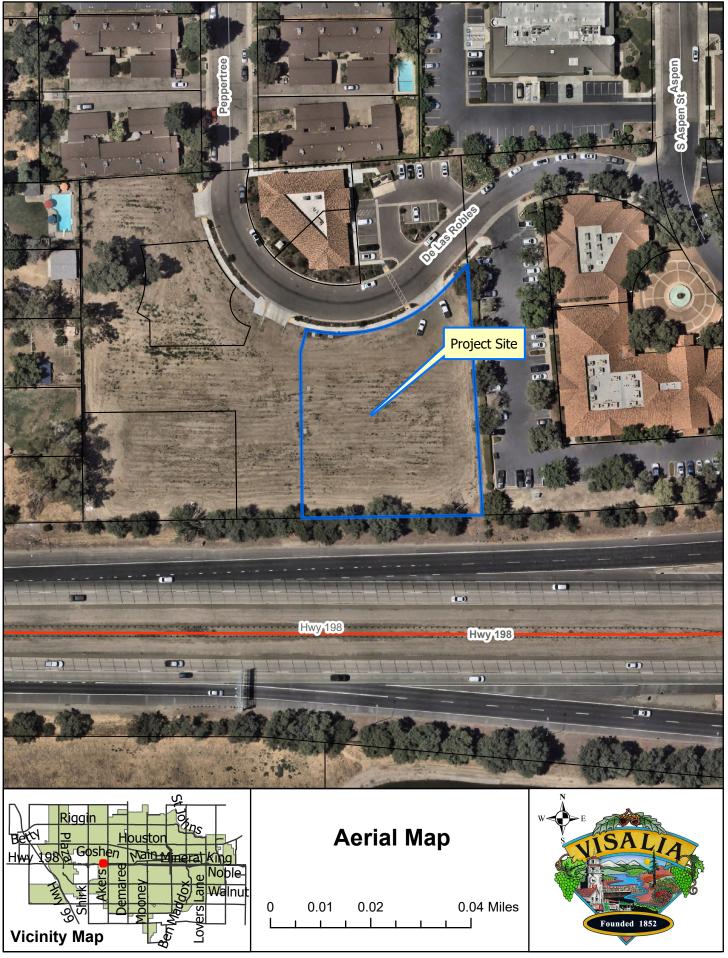
25039

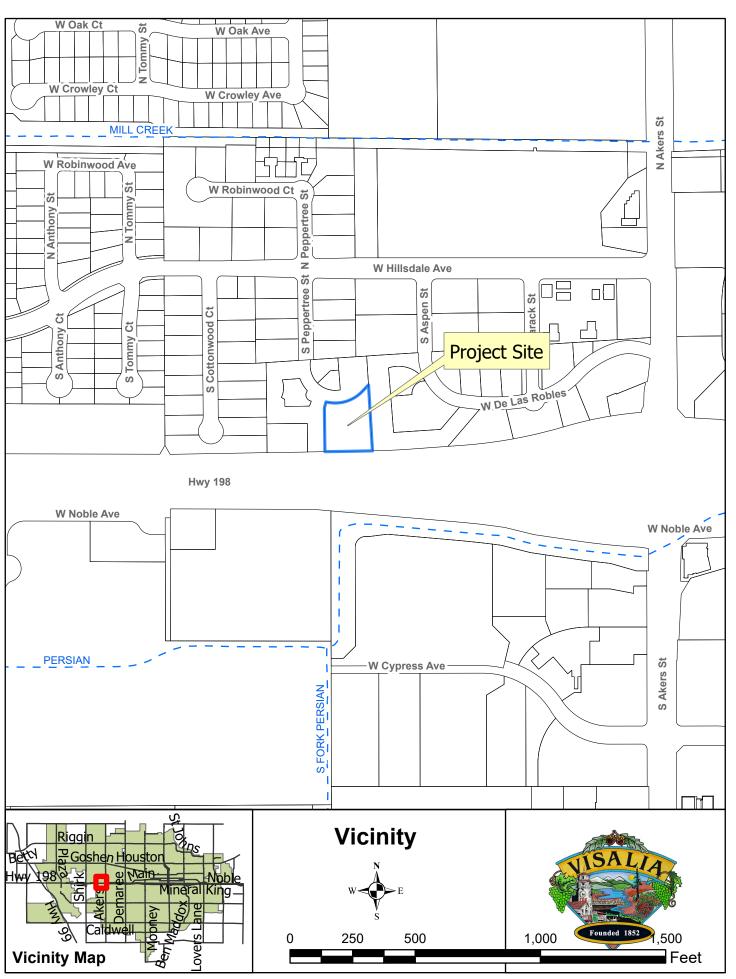
	No comments. February 5, 2025
Х	See comments below
	Revisions required prior to submitting final plans. See comments below.
	Resubmittal required. See comments below.
	Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
	ALL refuse enclosures must be city standard R-1 OR R-2 & R-3 OR R-4
	Customer must provide combination or keys for access to locked gates/bins
	Type of refuse service not indicated.
	Location of bin enclosure not acceptable. See comments below.
	Bin enclosure insufficient to comply with state recycling mandates. See comments for suggestions.
	Inadequate number of bins to provide sufficient service. See comments below.
	Drive approach too narrow for refuse trucks access. See comments below.
	Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
	Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
	Bin enclosure gates are required
	Hammerhead turnaround must be built per city standards.
	Cul - de - sac must be built per city standards.
	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
	Area in front of refuse enclosure must be marked off indicating no parking
	Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
	Customer will be required to roll container out to curb for service.
	Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
	Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
Х	City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.
Comment	Solid waste has no comment regarding the proposed parcel split. Customer to be aware that each parcel will require thier own individal triple enclosure when developed. Property owner to complete and submit a City of Visalia "Concrete/Driveway Release of Liability Waiver Agreement".

Jason Serpa, Solid Waste Manager, 559-713-4533 Edward Zuniga, Solid Waste Supervisor, 559-71384338 Nathan Garza, Solid Waste, 559-713-4532









REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: March 24, 2025

PROJECT PLANNER: Josh Dan, Senior Planner

Phone No.: (559) 713-4003 Email: josh.dan@visalia.city

SUBJECT: Variance No. 2025-02: A request to allow a variance from the minimum rear yard

setbacks required in the R-1-5 (Single-Family Residential, 5,000 square foot minimum lot size) zone for three lots within the Higgins Ranch Subdivision. The project is located at the southeast corner of South Lovers Lane and East Cherry

Street (Address: N/A) (APN: 000-016-540).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Variance No. 2025-02, based upon the findings and conditions in Resolution No. 2025-18. Staff's recommendation is based on the required variance findings and the project's consistency with the policies and intent of the City's General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Variance No. 2025-02, based on the findings and conditions in Resolution No. 2025-18

PROJECT DESCRIPTION

The Higgins Ranch Tentative Subdivision Map, approved by the Planning Commission on May 9th, 2022, was a request to develop 32.35-acres into a two phase, 174-lot single-family subdivision. Associated with the subdivision map was Annexation No. 2021-03, a request to annex the 32.35-acre site into the City of Visalia. The City Council on June 6th, 2022, approved the annexation request and the site was ultimately annexed into the City on October 21, 2022.

The subdivision depicted that a majority of the proposed lots (160 of the 174 lots) would conform to the zoning standards required within the R-1-5 zone district for lot sizes of 5,000 square feet or greater. The remaining 14 lots would be developed at less than 5,000 square feet (range between ±3,600 square feet to ±4,900 square feet) in the southern portion of the subdivision map area abutting the San Joaquin Valley Railroad and Southern California Edison (SCE) transmission lines. These lots are utilizing the development standards prescribed as part of Visalia Municipal Code (VMC) Section 17.12.135.B "Lot area less than 5,000 square feet". Under this provision of the zoning ordinance, a conditional use permit is not required as the total number of lots proposed that are less than the minimum requirements did not exceed 50% of the total lot count.

The established small lots were approved with the following development standards:

Minimum Lot Area	Front	Side	Street Side	Rear
3,600 to 4,999 sq. ft.	12-ft. to habitable space 20-ft. to garage	5-ft.	10-ft.	15-ft.

Due to the SCE transmission lines, SCE required a 25-foot "no-build" easement along the rear property lines of the identified lots, thereby reducing the total buildable lot area for those lots abutting the SCE easement.

Variance 2025-02 is a request to allow deviation from the already reduced setback requirements for small lots in the R-1-5 zone. The applicant, Lennar Homes who has acquired the subdivision, has presented, in Exhibit "A", a diagram detailing the request for modify setbacks along three lots in the above-mentioned easement encumbered area of the Higgins Ranch Subdivision.

The applicant has prepared responses to the five required variance findings to support their request, which are included as Exhibit "B". The applicant's findings explain that there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone.

Staff also prepared responses to the five findings to support the variance request. Staff's findings are included in the "Required Variance Findings" section of the staff report below and in Resolution No. 2025-18.

BACKGROUND INFORMATION

General Plan Land Use Designation Low Density Residential

Zoning R-1-5 Single Family Residential

Surrounding Zoning and Land Use North: R -1-5 / Residential subdivision

South: County AE-20 (Agricultural Exclusive 20-acre

County jurisdiction) / Undeveloped Land

East: R-1-5 Single Family Residential West: R-1-5 Single Family Residential

Environmental Review Categorical Exemption No. 2025-13

Special District None
Site Plan Review N/A

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies. The proposed project is consistent with applicable plans and policies.

RELATED PROJECTS

The Planning Commission approved the Higgins Ranch Tentative Subdivision Map No. 5585, on May 9, 2022, and recommended approval of Annexation No. 2021-03 to the City Council. The subdivision was a request by Quest Equity to subdivide a 32.35-acre parcel into 174 single-family lots for residential use consistent with the R-1-5 zoning district.

SIMILAR PROJECTS

The Planning Commission approved Variance No. 2020-10 on January 11, 2021. A request to allow a variance from the minimum front and rear yard setbacks required in the R-1-5 (Single-Family Residential, 5,000 square foot minimum lot size) zone. The project is located at 3304 North Clay Street (APN: 079-330-024).

The Planning Commission approved Variance No. 2020-11 on December 14, 2020. The request, submitted by Lennar Homes, was a variance to front and rear setback requirements for new single-family dwellings on six cul-de-sac lots and "knuckle lots" in the River Island Ranch Subdivision, which has R-1-5 zoning.

The Planning Commission approved Variance No. 2018-08 on August 13, 2018. The request, submitted by San Joaquin Valley Homes, was a variance to the front and/or rear yard setback requirements for new single-family dwellings on cul-de-sac lots in the R-1-5 zone. The variance request pertained to three non-contiguous lots with similar shapes and setback requests all located within the same developing subdivision, Pine River Ranch Estates.

PROJECT EVALUATION

Staff supports the variance to the rear yard setbacks, as proposed, to facilitate construction of the new single-family homes on the lots identified within the Higgins Ranch Subdivision. This is based on the circumstance of the curvilinear lot shape, reduced buildable area, and responses to the required findings.

Lot Depth and Front / Rear Yard Setbacks

The previous entitlement permitted 14 lots lot that were expected to comply with the small lot dimensional criteria. The modified dimensional criterial and setbacks for lots less than 5,000 square feet "small lots" are listed in VMC 17.12.135.A.4 and the table below:

Minimum Lot Area	Front	Side	Street Side	Rear
3,600 to 4,999 sq. ft.	12-ft. to habitable space 20-ft. to garage	5-ft.	10-ft.	15-ft.

The applicant identified three lots (see Exhibit "A") where their housing product could not be constructed without further deviation to the required rear yard setback to accommodate the variety of housing products proposed along this area of the subdivision. The applicant, in attempt to eliminate using a repetitive housing footprint, is seeking to reduce the rear yard setbacks for lots 152, 155, and 156. The reduced rear yard setback proposed for these three lots are as follows: 9.53-feet for Lot 152, 9.69-feet for Lot 155, and 10.44-feet for Lot 156. Staff would note that these setback measurements are taken from inside the block wall along the north edge of the 25-foot SCE "no-build" easement. The block wall, which is required to be built with the subdivision, was determined to be the "de-facto" rear property line delineation that established the rear yard setback when the Higgins Ranch Subdivision was approved.

Required Variance Findings

The Planning Commission is required to make five findings before a variance can be granted. The applicant has provided response to the variance findings and staff has included the analysis for each finding below. The applicant's responses to the variance findings are also included in Exhibit "C".

 That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;

Applicant's Findings:

Section 17.02.020 of the City of Visalia Zoning Ordinance entitled, *Purpose* was enacted to preserve and promote the public health, safety and welfare of the city, and of the public generally and to facilitate growth and expansion of the municipality in a precise and orderly manner. The proposed variance will comply with all public health and safety standards.

More specifically, the zoning ordinance intends to achieve the following objectives applicable to this request:

a. Promote the stability of existing land uses that conform to the district in which they occur:

All lots meet side yard setbacks. All but one lot conforms to the mandated depth and that lot functionally complies as the protrusion does not affect driveway depth.

Therefore, the project causes no health or safety impacts.

The proposed project will allow product types matched for their compatibility to be developed within the subject development. The proposed variance will enhance stability of the architectural character, provide appropriate pricing to allow varying houses sizes and types and protect the project theme.

b. Ensure that public and private lands ultimately are used for purposes that are appropriate and most beneficial for the city:

Granting the proposed variance will assure that the subject development is constructed in accordance with the original vision of a generally unified housing product provided the community at time of approval. Without the proposed variance, a variety of homes with incompatible pricing, size and style could be located in the subject development which would not be appropriate as such mixing reduces demand and housing values neither appropriate or beneficial to the project's future buyer or the city. Commonly referred to as *functional obsolescence*, as they are incurable causing a permanent diminution in value.

c. Avoid a concentration of structures adjoining each other or juxtaposed too closely together in close proximity to each other:

A primary goal of Lennar Homes and the city is to provide a range of housing types and opportunities. The variety of homes proposed was carefully chosen by Lennar Homes to meet the Visalia market demand while creating a sense of community without unnecessary uniformity that is uninteresting and stifles buyer interest. Placing a row of the smallest homes or homes incompatible with the other homes in the project to comply with the strict implementation of the required development standards is more detrimental than allowing the proposed deviations that have no functional impact on livability. It is noted the product mix remains in a manner to create interest and product diversity.

j. Implement the goals, policies and map of the general plan. (Ord. 2017-01 (part), 2017:

The purpose of the city's Land Use Element is to present a framework to guide future land use decisions and development in Visalia, while also *enhancing* community character and improving the city's look and feel. As described above,

the proposed variance will allow a variety of attractive homes for which there is proven demand to be built that do not sacrifice public health, safety or welfare. The three home types offered by Lennar Homes will share a common theme and will be attractively placed on their respective lots creating a sense of community and character.

Staff Analysis:

The applicant's findings assert that the proposed variance for reduced rear yard setbacks, as proposed, for three lots complies with the objectives of Section 17.02.020 of the City of Visalia Zoning Ordinance, which aims to preserve public health, safety, and welfare while facilitating orderly growth. Given the constraints presented by the adjacent SCE easement, which limits development on these lots, the request for a variance is justified to enable effective use of the available buildable area for these three lots that range in lot area from 3,600 to 4,999 square feet. Moreover, the proposed encroachment maintains compliance with all relevant public safety standards.

 That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;

Applicant's Findings:

The fact that the subdivision has been approved, represents an extraordinary condition given the applicant has committed through premarketing efforts to deliver the proposed array of homes to this property. The proposed products have been successfully received by the Visalia market. For a variety of reasons, other property owners would have little or no interest in developing the Lennar Homes products.

The applicant worked with city staff to assess all practical options. Making public safety the priority, the proposed deviations represent the best combination of home locations and setback modifications. Options that exacerbated deviations or posed potential public safety issues were eliminated from consideration.

Staff Analysis: There are exceptional or extraordinary circumstances relevant to the property based on the approved subdivision and its specific site conditions. The existence of the SCE easement, which restricts development within 25 feet of the legally established rear property line, presents a unique challenge that is not typically encountered by other properties within the same zoning classification (R-1-5). These factors collectively suggest that the circumstances surrounding this property may warrant a variance from the typical zoning requirements.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone:

Applicant's Findings:

The applicant has the right to develop the subject site with single family homes as was expected by the community when the subdivision map was approved. No special privilege is being granted. The applicant remains obligated to comply with all other development conditions and standards.

To avoid the necessity of a variance on a greater number of lots, the applicant searched for plan series that would fit best in the project. Simply, smaller homes typically mean smaller profits. In this economy of ever-increasing costs of materials and fees, an optimum blend of housing must be achieved, or the project does not make business sense. Frankly, the applicant's error of misunderstanding the difficulty of placing the proposed homes on the site has been costly and not a privilege other developers desire.

<u>Staff Analysis</u>: There has been similar variance request for residential subdivisions that requested reduced garage and rear yard setback encroachments for cul-de-sac lots and "knuckle lots" to accommodate the placement of the single-family dwellings (i.e., River Island Ranch and Pine River Estates). The proposed variance request for these three lots in the Higgins Ranch subdivision ensures that the associated floor plan minimizes the area of encroachment into only the rear yard areas while still providing ample open space in the areas impacted by the encroachment request.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;

Applicant's Findings:

No special privilege is being granted the applicant remains obligated to comply with all other development conditions and standards. The proposed deviations do not affect health safety or welfare standards. No change in the use of the property, its intensity, roadway widths, or product types would be affected by the proposed Variance.

As mentioned above. Lennar Homes searched for plan series that would fit best and to have more lots comply with city standards as other plan series were too deep. Lennar Homes also substituted homes with shorter depths and made other modifications to its intended model mix to have the greatest number of homes in compliance as was practical.

<u>Staff Analysis</u>: There has been similar variance request for residential subdivisions that requested reduced garage and rear yard setback encroachments for cul-de-sac lots and "knuckle lots" to accommodate the placement of the single-family dwellings (i.e., River Island Ranch and Pine River Estates).

The variance would allow this property to be constructed with single-family homes while still maintaining a minimum amount of open yard area, while still providing sufficient spacing between other residences, similar to other properties in the subdivision. The use of the smallest single-story floor plan ensures that the area of encroachment into the required rear vard area is minimal.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Applicant's Findings:

Based on the following facts, the proposed variance will not be detrimental as defined by the city zoning ordinance:

- a. The proposed deviations do not affect health safety or welfare standards.
- b. No change in the use of the property, its intensity, roadway widths, or product types would be affected by the proposed variance.

- c. All proposed changes are internal to the existing development and would not appear architecturally inappropriate, out of scale or otherwise incompatible with surrounding residential development. In most cases, the deviations are so insignificant that unless one was specifically checking such standards, they would not be recognizable.
- d. All lots meet side yard setbacks.
- e. Relief is sought for 3 of the 174 Lennar homes that cannot fit on a predesigned lot. One of the lots that requires a Variance is on a knuckle lot that pose special setback issues.

<u>Staff Analysis</u>: The granting of a variance to setbacks is not considered detrimental to public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Environmental Review

The project is considered Categorically Exempt under Section 15305(a) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2025-13). This exemption is based on the project being characterized as a variance, which is a minor alteration to land use limitations that does not result in changes in land use or density.

RECOMMENDED FINDINGS

- That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;
 - The lots are located along the southern boundary of the subdivision and are adjacent to a SCE easement required due to the location of large transmission lines located along the southern border of the subdivision, which reduced the legally defined lot area for these lots. The applicant has demonstrated the use of the two-story floor plan on these lots to ensure that the areas of encroachment into the required rear yard area is minimal while still providing open space in the rear yard area impacted by the areas of encroachment.
- 2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;
 - The presence of the SCE easement, which restricts development within 25 feet of the rear property lines affected for these three lots creates significant limitations on the rear yard usable area. These constraints are not typically experienced by properties within the same zoning classification, thereby resulting in a unique context for development. The combination of the restrictive "No-Build" easement supports the conclusion that the property faces extraordinary circumstances warranting consideration for a variance from standard setback requirements.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone:

There have been similar variance requests for residential subdivisions that requested reduced garage and rear yard setback encroachments for multiple cul-de-sac and "knuckle lots" to accommodate the placement of the single-family dwellings (i.e., River Island Ranch and Pine River Estates). The proposed variance request for these lots in the Higgins Ranch subdivision ensures that the associated floor plans minimizes the area of encroachment into the required rear yard areas while still providing ample open space in the areas impacted by the encroachment request.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;

There have been a similar variances requested for residential subdivisions that requested reduced garage and rear yard setback encroachments for six cul-de-sac and "knuckle lots" to accommodate the placement of the single-family dwellings (i.e., River Island Ranch and Pine River Estates).

The variance would allow this property to be constructed with a single-family residences, having sufficient open rear yard areas, while still providing sufficient spacing between other residences, similar to other properties in the subdivision. The use of the smallest, two-story footprint ensures that the area of encroachment into the required front and rear yard areas is minimal.

- 5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
 - By granting this request, this property would be consistent with those in the surrounding development and would not be detrimental to the public health, safety or welfare of others, nor would it be materially injurious to properties in the vicinity.
- 6. That the project is considered Categorically Exempt under Section 15305(a) of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2025-13).

RECOMMENDED CONDITIONS OF APPROVAL

- 1. That Variance No. 2025-02 shall allow two-story, single-family residences to be developed on Lots 152, 155, and 156 of the Higgins Ranch subdivision, consistent with the rear yard setbacks of: 9.53-feet for Lot 152, 9.69-feet for Lot 155, and 10.44-feet for Lot 156 as shown in the site plan included as Exhibit "A".
- 2. That an proposed accessory structure(s) meet City regulations as specified in Municipal Code Section 17.12.100 for rear yards.
- 3. That all other federal, state, regional, and county laws and city codes and ordinances be complied with.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe Street Visalia California. 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.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2025-18
- Exhibit "A" Site Plan
- Exhibit "B" Variance Findings Prepared by Applicant
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND POLICIES

Zoning Ordinance Chapter 17.12: SINGLE-FAMILY RESIDENTIAL ZONE

17.12.080 Front yard.

A. The minimum front yard shall be as follows:

R-1-5 Fifteen (15) feet for living space and side-loading garages and twenty-two (22) feet for front-loading garages or other parking facilities, such as, but not limited to, carports, shade canopies, or porte cochere. A Porte Cochere with less than twenty-two (22) feet of setback from property line shall not be counted as covered parking,

and garages on such sites shall not be the subject of a garage conversion.

R-1-12.5 Thirty (30) feet

R-1-20 Thirty-five (35) 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. On cul-de-sac and knuckle lots with a front lot line of which all or a portion is curvilinear, the front yard setback shall be no less than fifteen (15) feet for living space and side-loading garages and twenty (20) feet for front-loading garages. (Ord. 2017-01 (part), 2017: Ord. 2004-20 (part), 2004: Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7277)

17.12.100 Rear yard.

In the R-1 single-family residential zones, the minimum yard shall be twenty-five (25) feet, subject to the following exceptions:

- A. On a corner or reverse corner lot 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. The remaining side yard to be a minimum of five feet.
- B. Accessory structures not exceeding twelve (12) feet may be located in the required rear yard but not closer than three feet to any lot line provided that not more than twenty (20) percent of the area of the required rear yard shall be covered by structures enclosed on more than one side and not more than forty (40) percent may be covered by structures enclosed on only one side. On a reverse corner lot an accessory structure shall not be located closer to the rear property line than the required side yard on the adjoining key lot. An accessory structure shall not be closer to a side property line adjoining key lot.
- C. Main structures may encroach up to five feet into a required rear yard area provided that such encroachment does not exceed one story and that a usable, open, rear yard area of at least one thousand five hundred (1,250) square feet shall be maintained. Such encroachment and rear yard area shall be approved by the city planner prior to issuing building permits.

Zoning Ordinance Chapter 17.42: VARIANCES

17.42.010 Variance purposes.

The city planning commission may grant variances in order to prevent unnecessary hardships that would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title. A

practical difficulty or unnecessary hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. The power to grant variances does not extend to use regulations, because the flexibility necessary to avoid results inconsistent with the objectives of the zoning ordinance is provided by the conditional use provisions of this title.

17.42.020 [Reserved]

17.42.030 Variance powers of city planning commission.

The city planning commission may grant variances to the regulations prescribed by this title with respect to fences and walls, site area, width, frontage coverage, front yard, rear yard, side yards, height of structures, distance between structures, off-street parking facilities, accessory dwelling unit standards pursuant to Sections 17,12.140 through 17.12.200, and downtown building design criteria pursuant to Section 17.58.082 through 17.58.088; in accordance with the procedures prescribed in this chapter.

17.42.040 [Reserved]

17.42.050 Application procedures.

- A. Application for a variance or exception shall be made to the city planning commission on a form prescribed by the commission and shall include the following data:
- Name and address of the applicant;
- 2. Statement that the applicant is the owner of the property, is the authorized agent of the owners, or is or will be the plaintiff in an action in eminent domain to acquire the property involved;
- 3. Address and legal description of the property;
- 4. Statement of the precise nature of the variance or exception requested and the hardship or practical difficulty that would result from the strict interpretation and enforcement of this title;
- 5. The application shall be accompanied by such sketches or drawings that may be necessary to clearly show applicant's proposal;
- Additional information as required by the historic preservation advisory board:
- 7. When reviewing requests for an exception associated with a request for density bonus as provided in Chapter 17.32, Article 2, the applicant shall submit copies of the comprehensive development plan, sketches and plans indicating the nature of the request and written justification that the requested modifications result in identifiable cost reductions required for project to reach target affordability.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application.

17.42.060 Hearing and notice.

- A. The city planning commission shall hold a public hearing on an application for a variance.
- B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use that is the subject of the hearing.

17.42.070 Investigation and report.

The city planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the city planning commission.

17.42.080 Public hearing procedure.

At a public hearing the city planning commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section 17.42.090.

17.42.090 Variance action of the city planning commission.

- A. The city planning commission may grant a variance to a regulation prescribed by this title with respect to fences and walls, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas or in modified form if, on the basis of the application, the report of the city planning staff or the evidence submitted, the commission makes the following findings:
- 1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;
- 2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone:
- 3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;
- 4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;
- 5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. The city planning commission may grant a variance to a regulation prescribed by this title with respect to off-street parking facilities, if, on the basis of the application, the report of the city planner or the evidence submitted the commission makes the findings prescribed in subsection (A)(1) of this section and that the granting of the variance will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
- C. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe.
- D. The city planning commission may deny a variance application.

17.42.100 [Reserved]

17.42.110 Appeal to city council.

The decision of the city planning commission on a variance or exception application shall be subject to the appeal provisions of Section 17.02.145.

17.42.120 Lapse of variance.

A variance shall lapse and become void one year following the date on which the variance became effective, unless prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion on the site that was the subject of the variance application, or a certificate of occupancy is issued by the building official for the site or structure that was the subject of the variance application. A variance may be renewed for an additional period of one year; provided, that prior to the expiration of one year from the date when the variance became effective, an application for renewal of the variance is made to the commission. The commission may grant or deny an application for renewal of a variance.

17.42.130 Revocation.

A variance granted subject to a condition or conditions shall be revoked by the city planning commission if the condition or conditions are not complied with.

17.42.140 New application.

Following the denial of a variance application or the revocation of a variance, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one year of the date of denial of the variance application or revocation of the variance.

Environmental Document # 2025-13

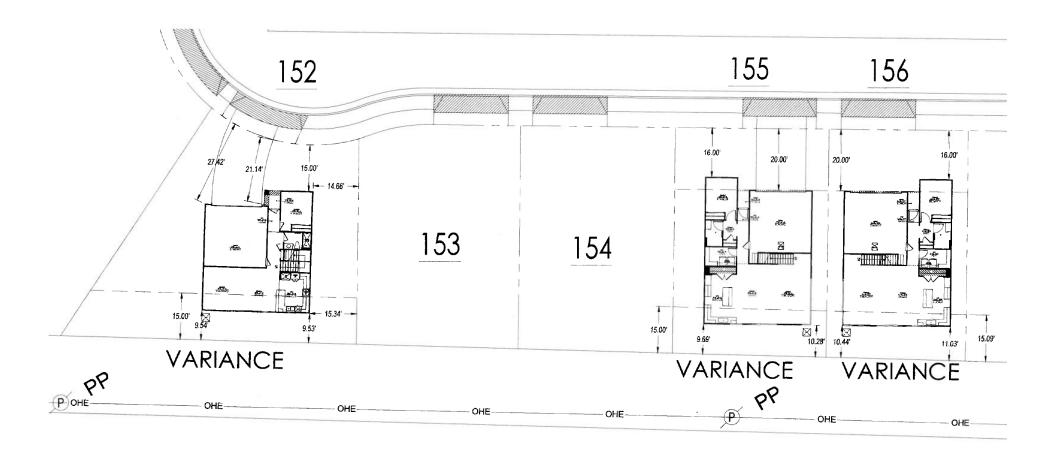
NOTICE OF EXEMPTION

City of Visalia 315 E. Acequia Ave. Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

County Civic Center Visalia, CA 93291-4593	
Variance No. 2025-02	
PROJECT TITLE	
(Address: N/A) (APN: 000-016-540).	orner of South Lovers Lane and East Cherry Street
PROJECT LOCATION	
Visalia	Tulare
PROJECT LOCATION - CITY	COUNTY
1-5 (Single-Family Residential, 5,000 squa	
City of Visalia, 315 E. Acequia Avenue, Vis	salia, CA 93291, Email: Josh.Dan@Visalia.City
NAME OF PUBLIC AGENCY APPROVIN	G PROJECT
Lennar Homes of California LLC., 8080 N. ara.chekerdemian@lennor.com	Plam Ave. Visalia, CA 93291. Email:
NAME AND ADDRESS OF APPLICANT (CARRYING OUT PROJECT
Lennar Homes of California LLC., 8080 N. ara.chekerdemian@lennor.com	Plam Ave. Visalia, CA 93291. Email:
NAME AND ADDRESS OF AGENT CARE	RYING OUT PROJECT
EXEMPT STATUS: (Check one)	
Ministerial - Section 15073Emergency Project - Section 1507	and Section number: Section 15305(a)
The project is characterized as a variance, does not result in changes in land use or d	, which is a minor alteration to land use limitations that lensity.
REASON FOR PROJECT EXEMPTION	
Josh Dan, Senior Planner	(559) 713-4003
CONTACT PERSON	AREA CODE/PHONE
03/24/2025	
DATE	Brandon Smith, AICP

ENVIRONMENTAL COORDINATOR



MAP EXHIBIT A

HIGGINS RANCH VARIANCE FINDINGS

Lennar Homes of California, LLC.

June 27, 2024

Owner/Applicant:

Lennar Homes of California, LLC Ara Chekerdemian, Entitlement Manager 8080 N. Palm Ave. Suite 110 Fresno, CA. 93711

Property Location:

The 32.35 +/- acres composing the Higgins Ranch in the City of Visalia, Tulare County, California. This project is located at the Southeast corner of Lovers Lane and Cherry Avenue. Please see the attached map of Higgins Ranch subdivision map.

Existing Zone Designation:

R-1

Existing General Plan Land Use Designation:

Residential

Request:

Grant a Variance to allow deviations from development standards for 3 lots within the 32.35+/-acre, 174 lot Higgins Ranch subdivision. This request is for the lots within Phase 2.

Background:

Lennar Homes of California, LLC. (Lennar Homes) purchased the subject residential subdivision of 32.35 acres from another developer. For reasons unclear, adequate evaluation of the intended Lennar homes product ability to be located within the subdivision did not occur. Escrow closed and it soon became apparent that certain lots would not meet established City of Visalia development standards using the homes that Lennar Homes intended to construct on the subject property.

As is typical in the residential development industry, each homebuilder has a particular product that they believe meets market demand. For example, Lennar Homes extensively studies each market in which it participates to find the right blend of housing products to produce. Lennar Homes feels very comfortable that the proposed homes will be well received by the Visalia market.

It is not possible for Lennar Homes to design a product specifically for the subject subdivision as the home building design process can take many months and is expensive. The Lennar Homes business model is to develop high value, quality homes with large economies of scale by using similar products in varying markets and passing on those economies to the buyer. The business model also allows Lennar Homes to market a very competitively priced product and community with extras not found in its competitor's products. These economies of scale are simply not available if a subdivision requires a unique building design.

As illustrated in the attached map, some home plans will not comply with certain city standards. The proposed location of homes does not impair functionality nor pose safety impacts to the future owners or the public.

Lennar Homes design staff have worked cooperatively with City of Visalia planners to propose locations of the proposed homes within the subdivision to optimize functionality, safety as well as achieving as much of the development standard as possible. Lennar Homes went through all the plans series here locally and most did not fit so Lennar Homes received plan series from down south that would fit the best. Lennar Homes substituted homes with shorter depths and made other modifications to its intended model mix to have the greatest number of homes in compliance as was practical.

This request seeks relief for 3 of the 174 Lennar homes that cannot fit on a predesigned lot. One of the lots that require a Variance is a knuckle lot that pose special setback issues. The other 2 lots are on a street that becomes narrow, that also poses its own setback constraints. The proposed Variance seeks relief for those 3 lots.

Finding 1:

That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance.

Section 17.02.020 of the City of Visalia Zoning Ordinance entitled, *Purpose* was enacted to preserve and promote the public health, safety and welfare of the city, and of the public generally and to facilitate growth and expansion of the municipality in a precise and orderly manner. The proposed variance will comply with all public health and safety standards.

More specifically, the zoning ordinance intends to achieve the following objectives applicable to this request:

a. Promote the stability of existing land uses that conform to the district in which they occur:

All lots meet side yard setbacks. All but one lot conforms to the mandated depth and that lot functionally complies as the protrusion does not affect driveway depth. Therefore, the project causes no health or safety impacts.

The proposed project will allow product types matched for their compatibility to be developed within the subject development. The proposed variance will enhance stability of the architectural character, provide appropriate pricing to allow varying houses sizes and types and protect the project theme.

b. Ensure that public and private lands ultimately are used for purposes that are appropriate and most beneficial for the city:

Granting the proposed variance will assure that the subject development is constructed in accordance with the original vision of a generally unified housing product provided the community at time of approval. Without the proposed variance, a variety of homes with incompatible pricing, size and style could be located in the subject development which would not be appropriate as such mixing reduces demand and housing values neither appropriate or beneficial to the project's future buyer or the city. Commonly referred to as *functional obsolescence*, as they are incurable causing a permanent diminution in value.

c. Avoid a concentration of structures adjoining each other or juxtaposed too closely together in close proximity to each other:

A primary goal of Lennar Homes and the city is to provide a range of housing types and opportunities. The variety of homes proposed was carefully chosen by Lennar Homes to meet the Visalia market demand while creating a sense of community without unnecessary uniformity that is uninteresting and stifles buyer interest. Placing a row of the smallest homes or homes incompatible with the other homes in the project to comply with the strict implementation of the required development standards is more detrimental than allowing the proposed deviations that have no functional impact on livability. It is noted the product mix remains in a manner to create interest and product diversity.

j. Implement the goals, policies and map of the general plan. (Ord. 2017-01 (part), 2017:

The purpose of the city's Land Use Element is to present a framework to guide future land use decisions and development in Visalia, while also *enhancing community character and improving the city's look and feel*. As described above, the proposed variance will allow a variety of attractive homes for which there is proven demand to be built that do not sacrifice public health, safety or welfare. The three home types offered by Lennar Homes will share a common theme and will be attractively placed on their respective lots creating a sense of community and character.

Finding 2:

That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone:

The fact that the subdivision has been approved, represents an extraordinary condition given the applicant has committed through premarketing efforts to deliver the proposed array of homes to this property. The proposed products have been successfully received by the Visalia market. For a variety of reasons, other property owners would have little or no interest in developing the Lennar Homes products.

The applicant worked with city staff to assess all practical options. Making public safety the priority, the proposed deviations represent the best combination of home locations and setback modifications. Options that exacerbated deviations or posed potential public safety issues were eliminated from consideration.

Finding 3:

That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone:

The applicant has the right to develop the subject site with single family homes as was expected by the community when the subdivision map was approved. No special privilege is being granted. The applicant remains obligated to comply with all other development conditions and standards.

To avoid the necessity of a variance on a greater number of lots, the applicant searched for plan series that would fit best in the project. Simply, smaller homes typically mean smaller profits. In this economy of ever-increasing costs of materials and fees, an optimum blend of housing must be achieved, or the project does not make business sense. Frankly, the applicant's error of misunderstanding the difficulty of placing the proposed homes on the site has been costly and not a privilege other developers desire.

Finding 4:

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone:

No special privilege is being granted the applicant he remains obligated to comply with all other development conditions and standards. The proposed deviations do not affect health safety or welfare standards. No change in the use of the property, its intensity, roadway widths, or product types would be affected by the proposed Variance.

As mentioned above, Lennar Homes searched for plan series that would fit best and to have more lots comply with city standards as other plan series were too deep. Lennar Homes also substituted homes with shorter depths and made other modifications to its intended model mix to have the greatest number of homes in compliance as was practical.

Finding 5

That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Based on the following facts, the proposed variance will not be detrimental as defined by the city zoning ordinance:

- a. The proposed deviations do not affect health safety or welfare standards.
- b. No change in the use of the property, its intensity, roadway widths, or product types would be affected by the proposed variance.
- c. All proposed changes are internal to the existing development and would not appear architecturally inappropriate, out of scale or otherwise incompatible with surrounding residential development. In most cases, the deviations are so insignificant that unless one was specifically checking such standards, they would not be recognizable.
- d. All lots meet side yard setbacks.
- e. Relief is sought for 3 of the 174 Lennar homes that cannot fit on a predesigned lot. One of the lots that requires a Variance is on a knuckle lot that pose special setback issues.

RESOLUTION NO. 2025-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2025-02, A REQUEST TO ALLOW A VARIANCE FROM THE MINIMUM REAR YARD SETBACKS REQURIED IN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQUARE FOOT MINIMUM LOT SIZE) ZONE FOR THREE LOTS WITHIN THE HIGGINS RANCH SUBDIVISION. THE PROJECT SITE IS LOCATED AT THE SOUTHEST CORNER OF SOUTH LOVERS LANE AND EAST CHERRY STREET (ADDRESS: N/A) (APN: 000-016-540).

WHEREAS, Variance No. 2025-02 is request to allow a variance from the minimum rear yard setbacks required in the R-1-5 (Single-Family Residential, 5,000 square foot minimum lot size) zone for three lots within the Higgins Ranch Subdivision. The project is located at the southeast corner of South Lovers Lane and East Cherry Street (Address: N/A) (APN: 000-016-540).; and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing on March 24, 2025; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2025-02, as conditioned by staff, to be in accordance with Chapter 17.42.080 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to Section 15305(a) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA).

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;

The lots are located along the southern boundary of the subdivision and are adjacent to a SCE easement required due to the location of large transmission lines located along the southern border of the subdivision, which reduced the legally defined lot area for these lots. The applicant has demonstrated the use of the two-story floor plan on these lots to ensure that the areas of encroachment into the required rear yard area is minimal while still providing open space in the rear yard area impacted by the areas of encroachment.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;

The presence of the SCE easement, which restricts development within 25 feet of the rear property lines affected for these three lots creates significant limitations on the rear yard usable area. These constraints are not typically experienced by properties within the same zoning classification, thereby resulting in a unique context for development. The combination of the restrictive "No-Build" easement supports the conclusion that the property faces extraordinary circumstances warranting consideration for a variance from standard setback requirements.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;

There have been similar variance requests for residential subdivisions that requested reduced garage and rear yard setback encroachments for multiple cul-de-sac and "knuckle lots" to accommodate the placement of the single-family dwellings (i.e., River Island Ranch and Pine River Estates). The proposed variance request for these lots in the Higgins Ranch subdivision ensures that the associated floor plans minimizes the area of encroachment into the required rear yard areas while still providing ample open space in the areas impacted by the encroachment request.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;

There have been a similar variances requested for residential subdivisions that requested reduced garage and rear yard setback encroachments for six cul-de-sac and "knuckle lots" to accommodate the placement of the single-family dwellings (i.e., River Island Ranch and Pine River Estates).

The variance would allow this property to be constructed with a single-family residences, having sufficient open rear yard areas, while still providing sufficient spacing between other residences, similar to other properties in the subdivision. The use of the smallest, two-story footprint ensures that the area of encroachment into the required front and rear yard areas is minimal.

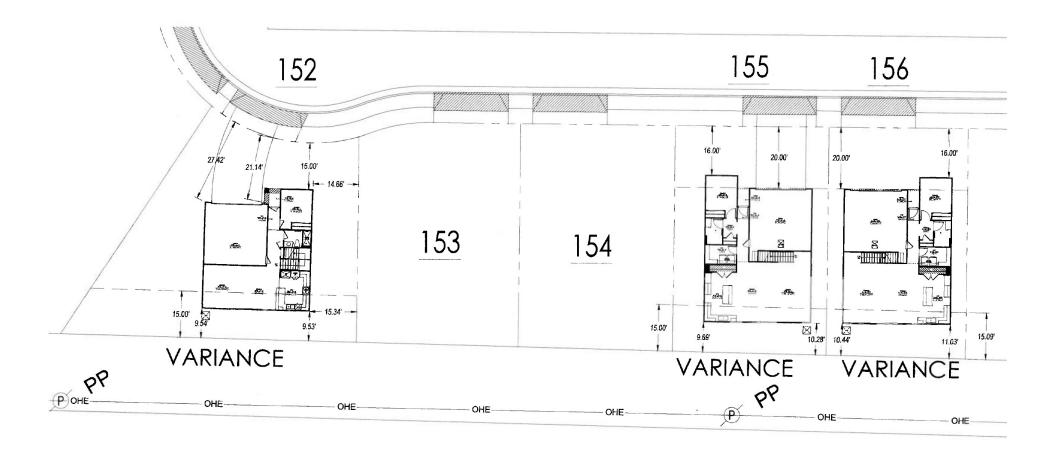
5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

By granting this request, this property would be consistent with those in the surrounding development and would not be detrimental to the public health, safety or welfare of others, nor would it be materially injurious to properties in the vicinity.

6. That the project is considered Categorically Exempt under Section 15305(a) of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2025-13).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Variance on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.42.090 of the Ordinance Code of the City of Visalia, subject to the following conditions:

- 1. That Variance No. 2025-02 shall allow two-story, single-family residences to be developed on Lots 152, 155, and 156 of the Higgins Ranch subdivision, consistent with the rear yard setbacks of: 9.53-feet for Lot 152, 9.69-feet for Lot 155, and 10.44 feet for Lot 156 as shown in the site plan included as Exhibit "A".
- 2. That an proposed accessory structure(s) meet City regulations as specified in Municipal Code Section 17.12.100 for rear yards.
- 3. That all other federal, state, regional, and county laws and city codes and ordinances be complied with.



MAP EXHIBIT A

HIGGINS RANCH VARIANCE FINDINGS

Lennar Homes of California, LLC.

June 27, 2024

Owner/Applicant:

Lennar Homes of California, LLC Ara Chekerdemian, Entitlement Manager 8080 N. Palm Ave. Suite 110 Fresno, CA. 93711

Property Location:

The 32.35 +/- acres composing the Higgins Ranch in the City of Visalia, Tulare County, California. This project is located at the Southeast corner of Lovers Lane and Cherry Avenue. Please see the attached map of Higgins Ranch subdivision map.

Existing Zone Designation:

R-1

Existing General Plan Land Use Designation:

Residential

Request:

Grant a Variance to allow deviations from development standards for 3 lots within the 32.35+/-acre, 174 lot Higgins Ranch subdivision. This request is for the lots within Phase 2.

Background:

Lennar Homes of California, LLC. (Lennar Homes) purchased the subject residential subdivision of 32.35 acres from another developer. For reasons unclear, adequate evaluation of the intended Lennar homes product ability to be located within the subdivision did not occur. Escrow closed and it soon became apparent that certain lots would not meet established City of Visalia development standards using the homes that Lennar Homes intended to construct on the subject property.

As is typical in the residential development industry, each homebuilder has a particular product that they believe meets market demand. For example, Lennar Homes extensively studies each market in which it participates to find the right blend of housing products to produce. Lennar Homes feels very comfortable that the proposed homes will be well received by the Visalia market.

It is not possible for Lennar Homes to design a product specifically for the subject subdivision as the home building design process can take many months and is expensive. The Lennar Homes business model is to develop high value, quality homes with large economies of scale by using similar products in varying markets and passing on those economies to the buyer. The business model also allows Lennar Homes to market a very competitively priced product and community with extras not found in its competitor's products. These economies of scale are simply not available if a subdivision requires a unique building design.

As illustrated in the attached map, some home plans will not comply with certain city standards. The proposed location of homes does not impair functionality nor pose safety impacts to the future owners or the public.

Lennar Homes design staff have worked cooperatively with City of Visalia planners to propose locations of the proposed homes within the subdivision to optimize functionality, safety as well as achieving as much of the development standard as possible. Lennar Homes went through all the plans series here locally and most did not fit so Lennar Homes received plan series from down south that would fit the best. Lennar Homes substituted homes with shorter depths and made other modifications to its intended model mix to have the greatest number of homes in compliance as was practical.

This request seeks relief for 3 of the 174 Lennar homes that cannot fit on a predesigned lot. One of the lots that require a Variance is a knuckle lot that pose special setback issues. The other 2 lots are on a street that becomes narrow, that also poses its own setback constraints. The proposed Variance seeks relief for those 3 lots.

Finding 1:

That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance.

Section 17.02.020 of the City of Visalia Zoning Ordinance entitled, *Purpose* was enacted to preserve and promote the public health, safety and welfare of the city, and of the public generally and to facilitate growth and expansion of the municipality in a precise and orderly manner. The proposed variance will comply with all public health and safety standards.

More specifically, the zoning ordinance intends to achieve the following objectives applicable to this request:

a. Promote the stability of existing land uses that conform to the district in which they occur:

All lots meet side yard setbacks. All but one lot conforms to the mandated depth and that lot functionally complies as the protrusion does not affect driveway depth. Therefore, the project causes no health or safety impacts.

The proposed project will allow product types matched for their compatibility to be developed within the subject development. The proposed variance will enhance stability of the architectural character, provide appropriate pricing to allow varying houses sizes and types and protect the project theme.

b. Ensure that public and private lands ultimately are used for purposes that are appropriate and most beneficial for the city:

Granting the proposed variance will assure that the subject development is constructed in accordance with the original vision of a generally unified housing product provided the community at time of approval. Without the proposed variance, a variety of homes with incompatible pricing, size and style could be located in the subject development which would not be appropriate as such mixing reduces demand and housing values neither appropriate or beneficial to the project's future buyer or the city. Commonly referred to as *functional obsolescence*, as they are incurable causing a permanent diminution in value.

c. Avoid a concentration of structures adjoining each other or juxtaposed too closely together in close proximity to each other:

A primary goal of Lennar Homes and the city is to provide a range of housing types and opportunities. The variety of homes proposed was carefully chosen by Lennar Homes to meet the Visalia market demand while creating a sense of community without unnecessary uniformity that is uninteresting and stifles buyer interest. Placing a row of the smallest homes or homes incompatible with the other homes in the project to comply with the strict implementation of the required development standards is more detrimental than allowing the proposed deviations that have no functional impact on livability. It is noted the product mix remains in a manner to create interest and product diversity.

j. Implement the goals, policies and map of the general plan. (Ord. 2017-01 (part), 2017:

The purpose of the city's Land Use Element is to present a framework to guide future land use decisions and development in Visalia, while also *enhancing community character and improving the city's look and feel*. As described above, the proposed variance will allow a variety of attractive homes for which there is proven demand to be built that do not sacrifice public health, safety or welfare. The three home types offered by Lennar Homes will share a common theme and will be attractively placed on their respective lots creating a sense of community and character.

Finding 2:

That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone:

The fact that the subdivision has been approved, represents an extraordinary condition given the applicant has committed through premarketing efforts to deliver the proposed array of homes to this property. The proposed products have been successfully received by the Visalia market. For a variety of reasons, other property owners would have little or no interest in developing the Lennar Homes products.

The applicant worked with city staff to assess all practical options. Making public safety the priority, the proposed deviations represent the best combination of home locations and setback modifications. Options that exacerbated deviations or posed potential public safety issues were eliminated from consideration.

Finding 3:

That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone:

The applicant has the right to develop the subject site with single family homes as was expected by the community when the subdivision map was approved. No special privilege is being granted. The applicant remains obligated to comply with all other development conditions and standards.

To avoid the necessity of a variance on a greater number of lots, the applicant searched for plan series that would fit best in the project. Simply, smaller homes typically mean smaller profits. In this economy of ever-increasing costs of materials and fees, an optimum blend of housing must be achieved, or the project does not make business sense. Frankly, the applicant's error of misunderstanding the difficulty of placing the proposed homes on the site has been costly and not a privilege other developers desire.

Finding 4:

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone:

No special privilege is being granted the applicant he remains obligated to comply with all other development conditions and standards. The proposed deviations do not affect health safety or welfare standards. No change in the use of the property, its intensity, roadway widths, or product types would be affected by the proposed Variance.

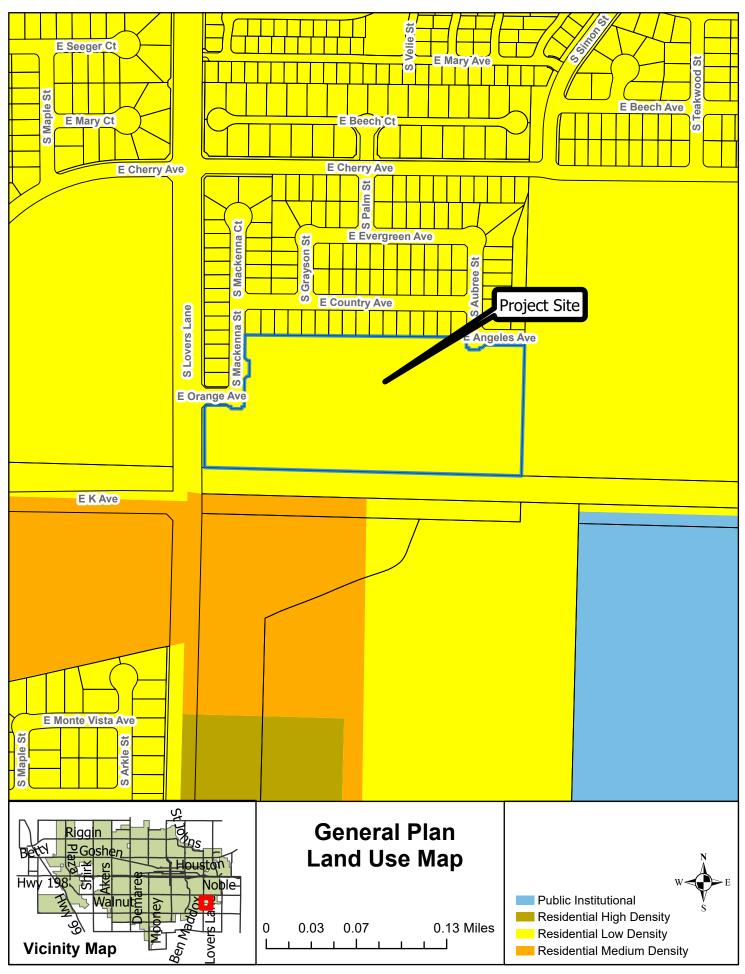
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Finding 5

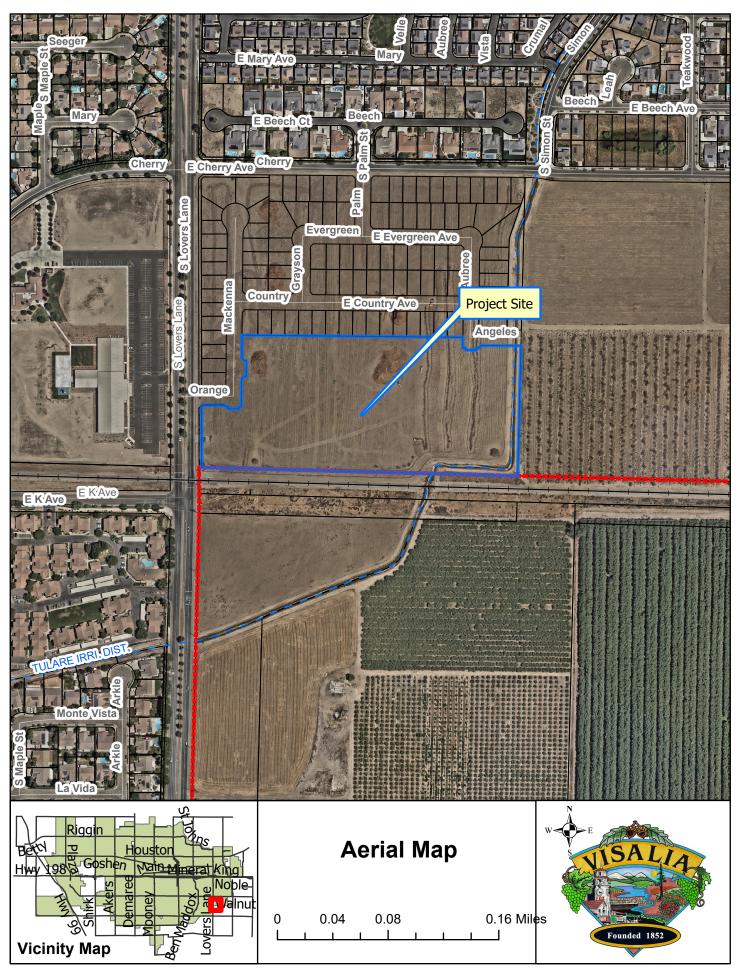
That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Based on the following facts, the proposed variance will not be detrimental as defined by the city zoning ordinance:

- a. The proposed deviations do not affect health safety or welfare standards.
- b. No change in the use of the property, its intensity, roadway widths, or product types would be affected by the proposed variance.
- c. All proposed changes are internal to the existing development and would not appear architecturally inappropriate, out of scale or otherwise incompatible with surrounding residential development. In most cases, the deviations are so insignificant that unless one was specifically checking such standards, they would not be recognizable.
- d. All lots meet side yard setbacks.
- e. Relief is sought for 3 of the 174 Lennar homes that cannot fit on a predesigned lot. One of the lots that requires a Variance is on a knuckle lot that pose special setback issues.









REPORT TO CITY OF VISALIA PLANNING COMMISSION



HEARING DATE: March 24, 2025

PROJECT PLANNER: Colleen A. Moreno, Assistant Planner

Phone: (559) 713-4031

Email: colleen.moreno@visalia.city

SUBJECT: Annexation No. 2024-04: A request by the City of Visalia to annex two parcels totaling 10.4 acres into the City limits of Visalia. Upon annexation, the site will be zoned Quasi-Public, which is consistent with the General Plan Land Use Designation.

General Plan Amendment No. 2024-05: A request by the City of Visalia to expand the Urban Growth Boundary by annexing two parcels into the City limits, and to change approximately one acre on the site from Residential Very Low Density land use designation to Parks/Recreation land use designation.

Location: The affected sites are located at the northwest corner of North Dinuba Boulevard and West Riverway Court (APNs: 078-110-021 & 078-110-006).

STAFF RECOMMENDATION

Annexation No. 2024-04

Staff recommends that the Planning Commission recommend that City Council initiate proceedings for Annexation No. 2024-04, as conditioned, based on the findings and conditions in Resolution No. 2024-73. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan.

General Plan Amendment No. 2024-05

Staff recommends that the Planning Commission recommend that City Council approve General Plan Amendment No. 2024-05, based on the findings and conditions in Resolution No. 2024-72. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan.

RECOMMENDED MOTION

I move to recommend that City Council initiate proceedings for **Annexation No. 2024-04**, based on the findings and conditions in Resolution No. 2024-73.

I move to recommend that City Council approve **General Plan Amendment No. 2024-05**, based on the findings and conditions in Resolution No. 2024-72.

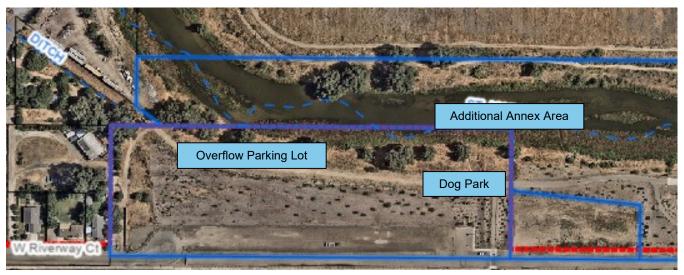
PROJECT DESCRIPTION

The City of Visalia is the applicant and the lead agency for both the requested Annexation and General Plan Amendment (GPA). The entire project site is located outside of the city limits, within the jurisdiction of Tulare County, and outside of the City's Urban Growth Boundary. The Annexation and GPA would facilitate the development of a 1.25-acre city dog park and St. Johns Trail connectivity within the 10.4-acre annexation area, adjacent to Riverway Court (see Exhibit "A" attached herein). The project requires approval of the GPA to expand the Urban Growth Boundary and to change approximately one acre (0.25 exact) of land use designation on the site from Residential Very Low Density to Parks/Recreation to facilitate pre-zoning on the

entire site to Quasi-Public. The City of Visalia Capital Improvement Engineering Division is managing the design and development of the project which also includes the development of an overflow parking lot located outside of the annexation area immediately to the west (Exhibit "F").

The proposed project will become part of the Riverway Sports Park, a designated large park, that is owned and operated by the City of Visalia. The project site is located at the north end of the City, at 3611 North Dinuba Boulevard (Highway 63); with the project site being at the northwest corner of West Riverway Court and North Dinuba Boulevard. The project will expand the transformation of Riverway Court into a parking lot, providing an exit only for vehicles to Dinuba Boulevard, and prohibiting vehicular ingress from Dinuba Boulevard. The proposed project aims to enhance the visitor experience at Riverway Sports Park by providing additional parking and the City's third dog park with the additional two dog parks being located at Plaza Bark Park (1.25 acres) and Seven Oaks Dog Park (0.6 acres). Riverway Sports Park experiences a high level of activity in the Spring and Fall seasons due to youth sports leagues making parking heavily impacted¹. The improvements are designed to address current parking limitations within the park, provide additional amenities, and support the ongoing growth and use of the Sports Park.

Currently, the Riverway Sports Park overflow parking lot functions as a dirt lot north of the existing utility and maintenance shop and north of the abandoned Riverway Drive. Per the site plan (Exhibit "B"), the project will improve the dirt lot to a city standard parking lot with lighting and Electrical Vehicle Charging Stations (EVCS). The area for the future dog park is currently outside of the city boundaries and is also unimproved. Improvements to the lot for the dog park include amenities such as a shade structure, benches, separate large and small breed areas, and connectivity to the St. Johns walking trail that is located north of the proposed site (Exhibit "C").



Per the Operational Statement (Exhibit "D") provided by the City of Visalia Parks Division, the hours of operation and maintenance of the dog park will align with the existing hours of operation for Riverway Sports Park. Riverway Sports Park's current hours are every day of the week from 5:00 A.M. to 10:00 P.M.² Riverway Sports Parks is an 80-acre park that has softball and baseball complexes, 10 soccer fields, covered arbors, a splash pad and playgrounds. Apart from the baseball and softball complexes, all other amenities are available and open for public use (see Exhibit "E" for a full illustration and listing of amenities). Only the baseball and softball complexes limit access to the public based on agreements with various youth sport user

¹ City of Visalia – Riverway Sports Park, https://www.visalia.city/depts/parks n recreation/recreation/parkinfo/riverway sports park.asp

² City of Visalia – Park Rules, https://www.visalia.city/depts/parks n recreation/recreation/parkinfo/park rules.asp

groups/leagues. The dog park and overflow parking lot will enhance the existing park and provide additional amenities and services that can be utilized by the entire community and visitors.

BACKGROUND INFORMATION

General Plan Land Use Designation: Conservation / Residential Very Low Density

Zoning: X (Upon annexation, the site will be zoned Quasi-

Public (QP))

Surrounding Zoning and Land Use: North: X (outside of the City of Visalia limits) / Vacant

parcel

South: QP (Quasi-Public)/ Riverway Sports Park

East: OS (Open Space) & R-1-5 (Single-Family

Residential) / Dinuba Blvd, single-family

residential subdivision

West: X (outside of the City of Visalia limits) / Vacant

land, proposed parking lot

Environmental Review: Initial Study/Negative Declaration No. 2024-61

Special Districts: None

Site Plan Review: SPR No. 2024-191

PROJECT EVALUATION

Staff recommends that the Planning Commission recommend that City Council approve the initiation proceedings for the Annexation and approve the General Plan Amendment, as conditioned, based on the project's consistency with the Land Use and Parks, Schools, Community Facilities, and Utilities Elements of the Visalia General Plan.

The proposed development of the dog park and overflow parking lot, which will be part of the Riverway Sports Park, is facilitated by the Annexation and General Plan Amendment.

General Plan Consistency

The General Plan recognizes that community parks are an important component, as recreational and aesthetic resources that contribute to the City's character. Additionally, the General Plan guides the City to make improvements to existing parks and to support a high quality of life for its residents (Visalia General Plan, pg. 5-5 & 5-6). Currently, there are three large City parks in Visalia; Plaza Park to the west, Riverway Sports Park to the north, and Mooney Grove Park to the south which is maintained and operated by the County of Tulare. According to the General Plan, "these parks each have a distinct character, and all are meant to draw residents from across the city" (Visalia General Plan, pg. 5-7). Riverway Sports Park is considered a "Large City Park" which, per the General Plan, is "intended to serve the recreational needs of all city residents and create opportunities for contact with the natural environment." The proposed project will contribute to the existing amenities of Riverway Sports Park and will provide additional access to the existing St. Johns River Trail, which successfully meets the types of opportunities for recreation within the natural environment as well as enhances the city (Visalia General Plan, pg. 5-2).

The project site is located north of the existing Riverway Sports Park, and the development of the dog park and overflow parking lot will be considered part of the Riverway Sports Park complex. The proposed dog park and overflow parking lot are compatible with the surrounding area and is consistent with the General Plan Parks, Schools, Community Facilities, and Utilities Policy PSCU-P-14, which requires the "design of parks to enhance neighborhood character and minimize negative impacts." The project is located on vacant parcels that were undeveloped and underutilized, and the development of the dog park and parking lot will provide a much needed amenity to the Sports Park, and will aesthetically enhance the area and provide greater access to the St. Johns River Trail. The project supports the city's commitment to "creating and maintaining a park system that meets citizens' recreational needs, maximizes landscapes endowed by the natural environment, and contributes to the City's quality of life" (General Plan, pg. 5-1) with the addition of the dog park and overflow parking lot. Additionally, the project is consistent with General Plan Policy PSCU-P-24, as the improvements to the Riverway Sports Park with the development of the dog park promotes "innovative park design that responds to neighborhood needs and user groups," as there are only two existing dog parks in the city with a population of approximately 145,000 residents.

The project is also consistent with General Plan Land Use Element Policy LU-P-29, which directs the City to "use regional and community parks and open space to enhance gateways to the City and as a buffer between adjacent communities." As mentioned previously, Riverway Sports Park is located in the northern area of the city, along the limits of the city and of the Urban Growth Boundary. The dog park and parking lot will be considered part of Riverway Sports Park and will assist in enhancing the buffer and serving as a gateway to the communities north of Visalia. The project also will provide connectivity to St. Johns River Trail and is consistent with General Plan Land Use Objective LU-O-17, to "use St. Johns River and other waterways as structuring elements for the City's urban form as well as scenic and recreational features."

Staff supports the project because the project meets the overall intent of the General Plan and its policies.

Consistency with State Law: Housing Crisis Act of 2019 (Government Code Sec. 66300)

The Housing Crisis Act of 2019 mandates that jurisdictions shall not adopt an entitlement that changes general plan land use designations of parcels to a less intensive use with regards to the site's residential development capacity below what was in effect on January 1, 2018 (Government Code Section 66300(b)(1)).

However, it should be acknowledged that the General Plan land use designation being eliminated amounts to approximately 0.25 acres of land that is specified for development at a density of 0.1 to 2 units per gross acre, and that the size and configuration of the land use designation does not meet City standards for accommodating any residences. Trying to develop the 0.25 acre of Very Low Density Residential area is not feasible or practical given the odd shape assigned to this land use designation. In addition, the City approved a specific plan residential project that "up-zoned" 16-acres of Very Low Density land use designation to Low and Medium Density residential land uses to obtain more dwelling units within that residential project, which can be used if necessary, to demonstrate that the City of Visalia has not reduced residential development capacity. Therefore, the City finds that there is reasonable argument that this statute pertaining to the Housing Crisis Act of 2019 is not in conflict by this General Plan Amendment.

Consistency with State Law: No Net Loss Law (Government Code Sec. 65863)

The purpose of the No Net Loss Law is to ensure that a jurisdiction continues to maintain adequate sites to accommodate its remaining unmet regional housing needs allocation (RHNA) by each income category at all times throughout the entire Housing Element planning period. Similar to the Housing Crisis Act of 2019 explained above, a jurisdiction cannot take action to

reduce a parcel's residential density without finding that the jurisdiction has other remaining sites that can accommodate its remaining unmet RHNA.

For this project which will change approximately 0.25 acres of Very Low Density Residential land designations to Parks / Recreation designation, the parcels are currently located outside of the City limits and outside of any Growth Tier. As such, the affected parcel has not been assigned units affiliated with the jurisdiction's RHNA or site inventory. Therefore, the City has no obligation under state law to replace the land use designation.

Local Street Connectivity and On-Site Improvements

The dog park and parking lot will be supported with street connectivity from Riverway Court. Currently, there is no parcel frontage to a public street, with Riverway Court terminating at a culde-sac about 1,000 feet east of Giddings Street. The abandoned portion of Riverway Court east of the parking lot will be restricted to vehicle "exit only" with only a right hand turn at North Dinuba Boulevard due to traffic restrictions and safety per the Visalia Traffic Engineer and California Department of Transportation (Caltrans), who has jurisdiction over North Dinuba Boulevard (Highway 63).

Vehicles will be able to access the parking lot and dog park on the west side of Riverway Sports Park, entering through North Giddings Street. Entrance for the overflow parking lot will be through the Riverway Court cul-de-sac. Exiting this area will be either by wrapping around the parking lot to exit back towards Riverway Court and eventually North Giddings Street or by driving east to the Dinuba Boulevard restricted right-turn/exit only approach.

The Site Plan Review comments for this project are attached and conditioned as part of the project which note the above requirements.

Environmental Review

An Initial Study and Negative Declaration were prepared for the proposed project consistent with the California Quality Environmental Act (CEQA). Initial Study and Negative Declaration No. 2024-61 disclosed that environmental impacts are determined to be less than significant and mitigation measures are not required. Staff recommends that the City Council adopt Initial Study and Negative Declaration No. 2024-61 for this project.

RECOMMENDED FINDINGS

Annexation No. 2024-04

- 1. That the annexation 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 the proposed Annexation, which will re-designate 10.4 acres of AE-20 (Agricultural Exclusive 20-acre) County zone district to Q-P (Quasi-Public) zone district, will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
- 3. That the parcels are not located within an Agricultural Preserve.
- 4. That the parcel will be annexed into Voting District 4 per the Council Election Voting District Map.
- 5. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be less than significant and that Negative Declaration No. 2024-61, is hereby adopted. Furthermore, the design of the dog park and proposed improvements are not likely to cause

substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

General Plan Amendment No. 2024-05

- 1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed General Plan Amendment, in creating an additional one acre of Parks / Recreation designation, will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
- 3. The loss of approximately one acre of Very Low Density land use designation will not have an impact upon the Housing Crisis Act of 2019 (State Government Code Section 66300) since the General Plan land use designation being eliminated amounts to approximately 0.25 acres of land that is specified for development at a density of 0.1 to 2 units per gross acre, and being that the size and configuration of the land use designation does not meet City standards for accommodating any residences.
- 4. That the General Plan Amendment, including the expansion of the Urban Development Boundary, will help facilitate the development of an overflow parking lot and dog park consistent with the General Plan Polices, including Policy PSCU-P-14, which requires the "design of parks to enhance neighborhood character and minimize negative impacts," and Policy PSCU-P-24, which promotes "innovative park design that responds to neighborhood needs and user groups," being that the improvements of Riverway Sports Park with the development of the dog park and overflow parking lot promote innovative park design and enhance the area.
- 5. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be less than significant and that Negative Declaration No. 2024-61, is hereby adopted. Furthermore, the design of the dog park and proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

RECOMMENDED CONDITIONS

Annexation No. 2024-04

1. Upon annexation, the territory shall be zoned Q-P (Quasi-Public) consistent with the General Plan Land Use designations and surrounding area.

APPEAL INFORMATION

For the Annexation and General Plan Amendment, the Planning Commission's recommendation is advisory only. The final decision will be made by the Visalia City Council following a public hearing. Therefore, the Planning Commission's recommendation on this matter is not appealable.

Attachments:

- Related Plans and Policies
- Resolution No. 2024-73 Annexation No. 2024-04
- Resolution No. 2024-72 General Plan Amendment No. 2024-05
- Exhibit "A" Annexation Exhibit
- Exhibit "B" Site Plan
- Exhibit "C" Concept Master Plan
- Exhibit "D" Operational Statement
- Exhibit "E" Riverway Sports Park Amenities and Information
- Exhibit "F" Aerial overview of Riverway Sports Park & Project Site
- Initial Study / Negative Declaration No. 2024-61
- Site Plan Review No. 2024-191 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Maps
- Vicinity Map

RELATED PLANS AND POLICIES

General Plan and Zoning: The following General Plan and Zoning Ordinance policies apply to the proposed project:

General Plan Land Use Policies:

- **LU-P-29:** Use regional and community parks and open space to enhance gateways to the City and as a buffer between adjacent communities.
- **PSCU-P-14** Design parks to enhance neighborhood character and minimize negative impacts.
- **PSCU-P-24** Promote innovative park design that responds to neighborhood needs and user groups.

Chapter 17.52

Quasi-Public Zone

17.52.010 Purpose and intent.

The purpose and intent of the quasi-public zone is to provide a zone that is intended to allow for the location of institutional, academic, community service, governmental, and nonprofit uses. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7630)

17.52.015 Applicability.

The requirements in this chapter shall apply to all property within the QP zone district. (Ord. 2017-01 (part), 2017)

17.52.020 Permitted uses.

Permitted uses in the quasi-public zone include public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public building, structures and facilities; public playgrounds, parks and community centers. Permitted uses also include wireless telecommunication facilities on parcels that are a minimum of five (5) acres, subject to the requirements of Section 17.32.163 (Regulation of Wireless Telecommunication Facilities) of the Visalia Zoning Ordinance. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030. Other uses similar in nature and intensity as determined by the city planner. (Ord. 2017-01 (part), 2017: Ord. 2015-01 § 3 (part), 2015: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7631)

17.52.030 Conditional uses.

Conditional uses in the quasi-public zone include:

- A. Public and quasi-public uses of an education or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions, general hospitals, sanitariums, nursing and convalescent homes, senior care facilities, senior housing; not including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
 - C. Ambulance service:
 - D. Electric distribution substations:
 - E. Gas regulator stations;
 - F. Public service pumping stations;
 - G. Communications equipment buildings;
- H. Wireless telecommunication facilities on parcels that are a less than five (5) acres subject to the Section <u>17.32.163</u> of the Visalia Zoning Ordinance;
 - I. Residential development specifically designed for senior housing;
 - J. Other uses similar in nature and intensity as determined by the city planner.
 - J. Emergency shelters, subject to Section 17.32.130;
 - K. Low barrier navigation centers, subject to Section 17.32.135;
 - L. Other uses similar in nature and intensity as determined by the city planner.

(Ord. 2022-06 (part), 2022: Ord. 2017-01 (part), 2017: Ord. 2015-01 § 3 (part), 2015: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7632)

Chapter 17.54

GENERAL PLAN AMENDMENTS

17.54.010 Purpose.

As the general plan for Visalia is implemented, there may be a need for amendments to land use boundaries and policies of the general plan. Such amendments shall be made in accordance with the procedure prescribed in this chapter. (Ord. 2017-01 (part), 2017: prior code § 7650)

17.54.020 Initiation.

- A. An amendment to the land use boundaries of the general plan may be initiated by any interested person or the owners of the property within the area for which the amendment is proposed. The area of a proposed land use amendment and/or policy amendment may be expanded in scope by the planning commission in the resolution of intention.
- B. An amendment to land use boundaries and/or policies may be initiated by the city planning commission or the city council by adoption of a resolution of intention. (Ord. 2017-01 (part), 2017: prior code § 7651)

17.54.030 Application procedures.

- A. An application for an amendment shall be filed by the applicant with the city planning commission on a form prescribed by the commission. Said application shall include the following data:
 - 1. Name and address of the applicant;
- 2. Statement that the applicant is the owner of the property for which a land use boundary amendment is proposed or the authorized agent of the owner. In the case of a policy amendment the statement shall indicate the interest of the applicant:
 - 3. Address and legal description of the subject property, if applicable;
- 4. The application shall include material deemed necessary by the city planner to clearly show the applicant's proposal.
- B. The application shall be accompanied by a fee set by resolution of the city council to cover the cost of processing the application. (Ord. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7652)

17.54.040 Public hearing—Notice.

Notice of the public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by publication in a newspaper of general circulation within the city, and by mailing notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area under consideration if an amendment to the land use element is under consideration. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7653)

17.54.050 Investigation and report.

The city planning staff shall make an investigation of the application or the proposal and shall prepare a report thereon that shall be submitted to the city planning commission. (Ord. 2017-01 (part), 2017: prior code § 7654)

17.54.060 Hearing.

At the public hearing, the city planning commission shall review the application or the proposal and may receive pertinent evidence regarding the proposed amendment. (Ord. 2017-01 (part), 2017: prior code § 7655)

17.54.070 Action of city planning commission.

Within forty-five (45) days following the public hearing, the city planning commission shall make a specific recommendation and shall transmit a report to the city council. The report shall include a resolution recommending either approval or denial of the proposed amendment, together with pertinent information and the report of the city planning staff. (Ord. 2017-01 (part), 2017: prior code § 7656) 17.54.080 Action of the city council.

- A. Upon receipt of the resolution and report of the city planning commission, the city council shall hold at least one public hearing with public notice as prescribed in Section <u>17.54.040</u>. Following the noticed public hearing, the city council shall approve, deny or modify the city planning commission recommendation.
- B. If the element or amendment has been approved by the city planning commission, the city council shall not modify the recommendation until the proposed change or modification has been referred back to the city planning commission for a report and a copy of the report has been filed with the city council. Failure of the city planning commission to report within forty (40) days after the reference, or such longer period as may be designated by the city council shall be deemed to be approval of the proposed change or modification. It shall not be necessary for the city planning commission to hold a public hearing on such proposed change or modification.
- C. The adoption of a general plan element, or amendment, shall be by resolution of the city council. (Ord. 2017-01 (part), 2017: prior code § 7657)

RESOLUTION NO. 2024-73

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF VISALIA RECOMMENDING THAT THE CITY COUNCIL INITIATE PROCEEDINGS FOR ANNEXATION NO. 2024-04: A REQUEST BY THE CITY OF VISALIA TO ANNEX 10.4 ACRES. UPON ANNEXATION, THE SITE WILL BE ZONED QUASI-PUBLIC, WHICH IS CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION. THE ANNEXATION IS SUPPORTED BY A GENERAL PLAN AMENDMENT TO EXPAND THE URBAN GROWTH BOUNDARY. THE ANNEXATION WILL FACILITATE THE DEVELOPMENT OF AN OVERFLOW PARKING LOT AND DOG PARK. THE SITES ARE LOCATED AT THE NORTHWEST CORNER OF NORTH DINUBA BOULEVARD AND WEST RIVERWAY COURT.

(APNS: 078-110-021 & 078-110-006)

WHEREAS, the project proponent desires to initiate proceedings for annexation to said city of territory described on the attached legal description and annexation map included as Attachment "A" of this resolution; and

WHEREAS, the proponent desires to annex said territory to the City of Visalia for the following reasons: 1) The annexation will contribute to and facilitate orderly growth and development of both the City and the territory proposed to be annexed; 2) The annexation will facilitate and contribute to the proper and orderly layout, design and construction of streets, gutters, sanitary and storm sewers and drainage facilities, both within the City and within the territory proposed to be annexed; and 3) The annexation will provide and facilitate proper overall planning and zoning of lands and subdivision of lands in said City and said territory in a manner most conducive of the welfare of said City and said territory; and

WHEREAS, this proposal is made pursuant to the Cortese-Knox-Hertzburg Local Government Reorganization Act of 2000, commencing with Section 56000 of the Government Code of the State of California; and

WHEREAS, the territory proposed to be annexed is uninhabited; and

WHEREAS, the territory proposed to be annexed is located in Voting District 4 as identified in the Election District Map adopted by the City Council on February 22, 2022, per Resolution No. 2022-11; and

WHEREAS, an Initial Study was prepared which disclosed that environmental impacts are determined to be less than significant; and,

WHEREAS, the Planning Commission of the City of Visalia, after a duly published notice, did reviewed this proposal and hold a public hearing on March 24, 2025, and found it to be consistent with the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2024-61 prepared for Annexation No. 2024-04 consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Visalia recommends that the City Council initiate proceedings for Annexation No. 2024-04, and makes the following specific findings with regards to the project:

- 1. That the annexation 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 the proposed Annexation, which will re-designate 10.4 acres of AE-20 (Agricultural Exclusive 20-acre) County zone district to Q-P (Quasi-Public) zone district, will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
- 3. That the parcels are not located within an Agricultural Preserve.
- 4. That the parcel will be annexed into Voting District 4 per the Council Election Voting District Map.
- 5. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be less than significant and that Negative Declaration No. 2024-61, is hereby adopted. Furthermore, the design of the dog park and proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of the Annexation described in Exhibit "A" attached herein, subject to the following conditions:

1. Upon annexation, the territory shall be zoned Q-P (Quasi-Public) consistent with the General Plan Land Use designations and surrounding area.

Exhibit "A" of Planning Commission Resolution No. 2024-73 - Annexation Legal and Plat

EXHIBIT "A"

CITY OF VISALIA

ANNEXATION NO. 2024-04

The land referred to herein below is situated in the unincorporated area in the County of Tulare, State of California, being a portion of the west half of the east 5 acres of the south half of the south half of the northeast quarter of Section 18, Township 18 South, Range 25 East, M.D.B. & M., and all of Parcel 3 as shown on the Parcel Map No. 4622 filed in Book 47 of Parcel Maps, Page 27, Tulare County Records, more particularly described as follows:

COMMENCING at the intersection of Road 124 and Riverway Drive, said intersection being the East 1/4 corner of said Section 18;

- thence, North 65°06'12" West, 60.31 feet, to the Southeast corner of said Parcel 3, said point being an angle point in the existing corporate limit line of the City of Visalia, said point being the TRUE POINT OF BEGINNING;
- 2. thence, along the southerly line of said Parcel 3 and the westerly prolongation thereof, said southerly line being the existing corporate limit line of the City of Visalia, North 89°35'34" West, 598.82 feet, to the West line of the East five (5) acres of the South 1/2 of the South 1/2 of the Northeast 1/4 of said Section 18, said ease line being the east line of the existing corporate limit line of the City of Visalia;
- thence along said West line, North 00°40'26" East, 307.80 feet, to an angle point in the existing corporate limit of the City of Visalia and an angle point in said Parcel 3;
- thence, along the southerly line of said Parcel 3 and the existing corporate limit of the City of Visalia, North 89°37'13" West, 890.72 feet, to the Southeast corner of Parcel 2 of said Parcel Map;
- thence, leaving the existing corporate limit of the City of Visalia, along the northeasterly line of said Parcel 2, North 53°07'31" West, 82.34 feet, to a point on the westerly line of said Parcel
- thence, along said westerly line, North 00°42'49" East, 126.03 feet, to the north line of said Parcel 3;
- thence along said north line, South 89°37'13" East, 1525.56 feet, to the easterly line of said Parcel 3;
- 8. thence, along said easterly line, South 01°15'22" West, 6.40 feet;
- thence South 89°50'45" East 105.00 feet, to the east line of the land described in the grant deed recorded January 6, 1969 in Vol. 2821 at page 804 of official records;

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EXHIBIT "A"

- 10. thence, along said east line, South 00°09'15" West, 215.10 feet, to the centerline of the St. John's River, said centerline also being the existing corporate limit of the City of Visalia;
- 11. thence along said centerline and the existing corporate limit, South 68°45'35" West, 82.51 feet, to the east line the east 5 acres of the south half, of the south half, of the south half, of the northeast quarter of section 18 as shown on said Parcel Map No. 4622, said east line being the west line of the existing corporate limit of the City of Visalia;
- thence along the east line, South 00°40'26" West, 231.60 feet, to the TRUE POINT OF BEGINNING.

Containing an area of 10.84 acres more or less.

A PLAT OF THE ABOVE DESCRIBED AREA IS ATTACHED HERETO AS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

END DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.

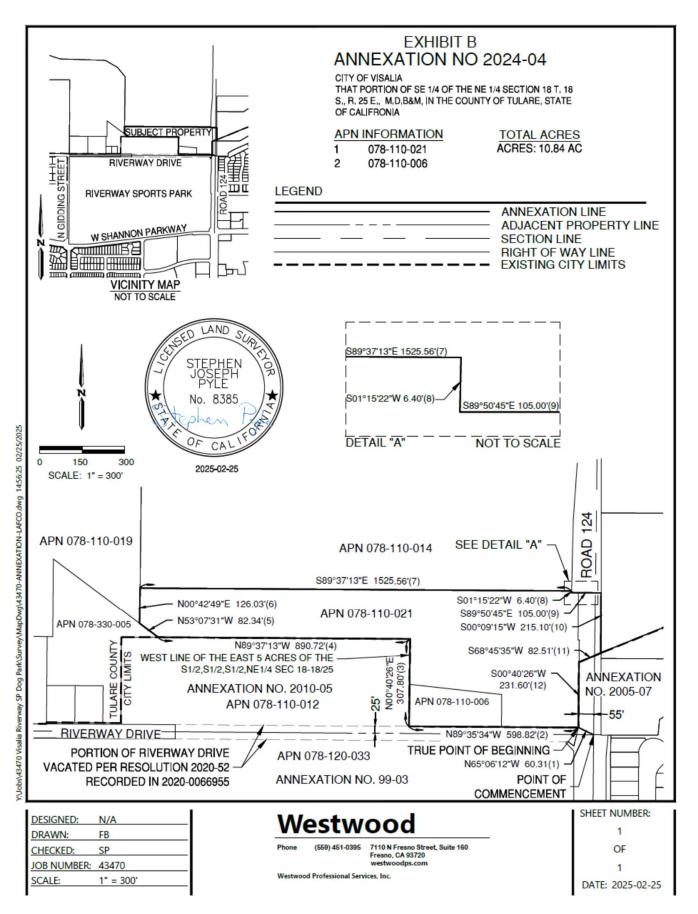
Stephen J. Pyle Professional Land Surveyor

California No. 8385

February 25, 2025

Date

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RESOLUTION NO. 2024-72

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 2024-05: A REQUEST BY THE CITY OF VISALIA TO EXPAND THE URBAN GROWTH BOUNDARY BY ANNEXING TWO PARCELS INTO THE CITY LIMITS, AND TO CHANGE APPROXIMATELY ONE ACRE ON THE SITE FROM RESIDENTIAL VERY LOW DENSITY LAND USE DESIGNATION TO PARKS/RECREATION LAND USE DESIGNATION. THE PROPOSED PROJECT IS LOCATED AT THE NORTHWEST CORNER OF NORTH DINUBA BOULEVARD AND WEST RIVERWAY COURT.

(APN: 078-110-021 & 078-110-006)

WHEREAS, General Plan Amendment No. 2024-05 is a request to expand the Urban Growth Boundary by annexing two parcels into the City limits, and to change approximately one acre on the site from Residential Very Low Density land use designation to Parks/Recreation land use designation. The proposed Project is located at the northwest corner of North Dinuba Boulevard and West Riverway Court (APN: 078-110-021 & 078-110-006); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 24, 2025; and

WHEREAS, the Planning Commission of the City of Visalia considered General Plan Amendment No. 2024-05 to be in accordance with Section 17.54.070 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project and mitigation measures are not required; and

WHEREAS, the Planning Commission of the City of Visalia, after a duly published notice, did reviewed this proposal and hold a public hearing on March 24, 2025, and found it to be consistent with the General Plan.

- **NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2024-61 prepared for Annexation No. 2024-04 and General Plan Amendment No. 2024-05 consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.
- **NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2024-05 based on the following specific findings and evidence presented:
 - 1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public

- health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed General Plan Amendment, in creating an additional one acre of Parks / Recreation designation, will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
- 3. The loss of approximately one acre of Very Low Density land use designation will not have an impact upon the Housing Crisis Act of 2019 (State Government Code Section 66300) since the General Plan land use designation being eliminated amounts to approximately 0.25 acres of land that is specified for development at a density of 0.1 to 2 units per gross acre, and being that the size and configuration of the land use designation does not meet City standards for accommodating any residences.
- 4. That the General Plan Amendment, including the expansion of the Urban Development Boundary, will help facilitate the development of an overflow parking lot and dog park consistent with the General Plan Polices, including Policy PSCU-P-14, which requires the "design of parks to enhance neighborhood character and minimize negative impacts," and Policy PSCU-P-24, which promotes "innovative park design that responds to neighborhood needs and user groups," being that the improvements of Riverway Sports Park with the development of the dog park and overflow parking lot promote innovative park design and enhance the area.
- 5. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be less than significant and that Negative Declaration No. 2024-61, is hereby adopted. Furthermore, the design of the dog park and proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2024-05, as depicted per Exhibit "A" attached herein, on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.54.070 of the Ordinance Code of the City of Visalia.

Exhibit "A" of Planning Commission Resolution No. 2024-72

- General Plan Land Use Map

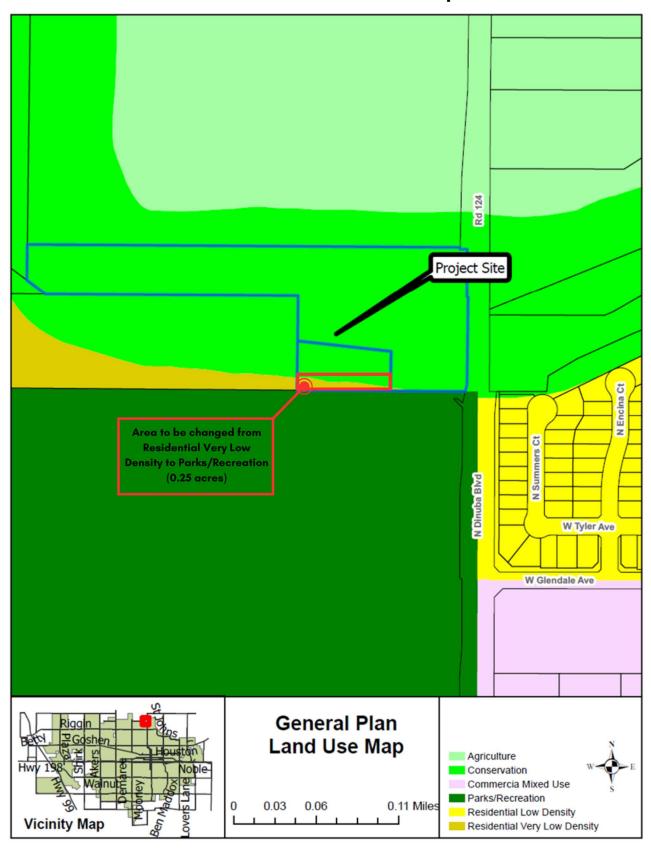




EXHIBIT "A"

CITY OF VISALIA

ANNEXATION NO. 2024-04

The land referred to herein below is situated in the unincorporated area in the County of Tulare, State of California, being a portion of the west half of the east 5 acres of the south half of the south half of the south half of the northeast quarter of Section 18, Township 18 South, Range 25 East, M.D.B. & M., and all of Parcel 3 as shown on the Parcel Map No. 4622 filed in Book 47 of Parcel Maps, Page 27, Tulare County Records, more particularly described as follows:

COMMENCING at the intersection of Road 124 and Riverway Drive, said intersection being the East 1/4 corner of said Section 18;

- 1. thence, North 65°06'12" West, 60.31 feet, to the Southeast corner of said Parcel 3, said point being an angle point in the existing corporate limit line of the City of Visalia, said point being the **TRUE POINT OF BEGINNING**;
- 2. thence, along the southerly line of said Parcel 3 and the westerly prolongation thereof, said southerly line being the existing corporate limit line of the City of Visalia, North 89°35'34" West, 598.82 feet, to the West line of the East five (5) acres of the South 1/2 of the South 1/2 of the Northeast 1/4 of said Section 18, said ease line being the east line of the existing corporate limit line of the City of Visalia;
- 3. thence along said West line, North 00°40'26" East, 307.80 feet, to an angle point in the existing corporate limit of the City of Visalia and an angle point in said Parcel 3;
- thence, along the southerly line of said Parcel 3 and the existing corporate limit of the City of Visalia, North 89°37'13" West, 890.72 feet, to the Southeast corner of Parcel 2 of said Parcel Map;
- 5. thence, leaving the existing corporate limit of the City of Visalia, along the northeasterly line of said Parcel 2, North 53°07'31" West, 82.34 feet, to a point on the westerly line of said Parcel 3:
- 6. thence, along said westerly line, North 00°42'49" East, 126.03 feet, to the north line of said Parcel 3;
- 7. thence along said north line, South 89°37'13" East, 1525.56 feet, to the easterly line of said Parcel 3;
- 8. thence, along said easterly line, South 01°15'22" West, 6.40 feet;
- 9. thence South 89°50'45" East 105.00 feet, to the east line of the land described in the grant deed recorded January 6, 1969 in Vol. 2821 at page 804 of official records;

EXHIBIT "A"

- 10. thence, along said east line, South 00°09'15" West, 215.10 feet, to the centerline of the St. John's River, said centerline also being the existing corporate limit of the City of Visalia;
- 11. thence along said centerline and the existing corporate limit, South 68°45'35" West, 82.51 feet, to the east line the east 5 acres of the south half, of the south half, of the south half, of the northeast quarter of section 18 as shown on said Parcel Map No. 4622, said east line being the west line of the existing corporate limit of the City of Visalia;
- 12. thence along the east line, South 00°40'26" West, 231.60 feet, to the **TRUE POINT OF BEGINNING**.

Containing an area of 10.84 acres more or less.

A PLAT OF THE ABOVE DESCRIBED AREA IS ATTACHED HERETO AS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

END DESCRIPTION

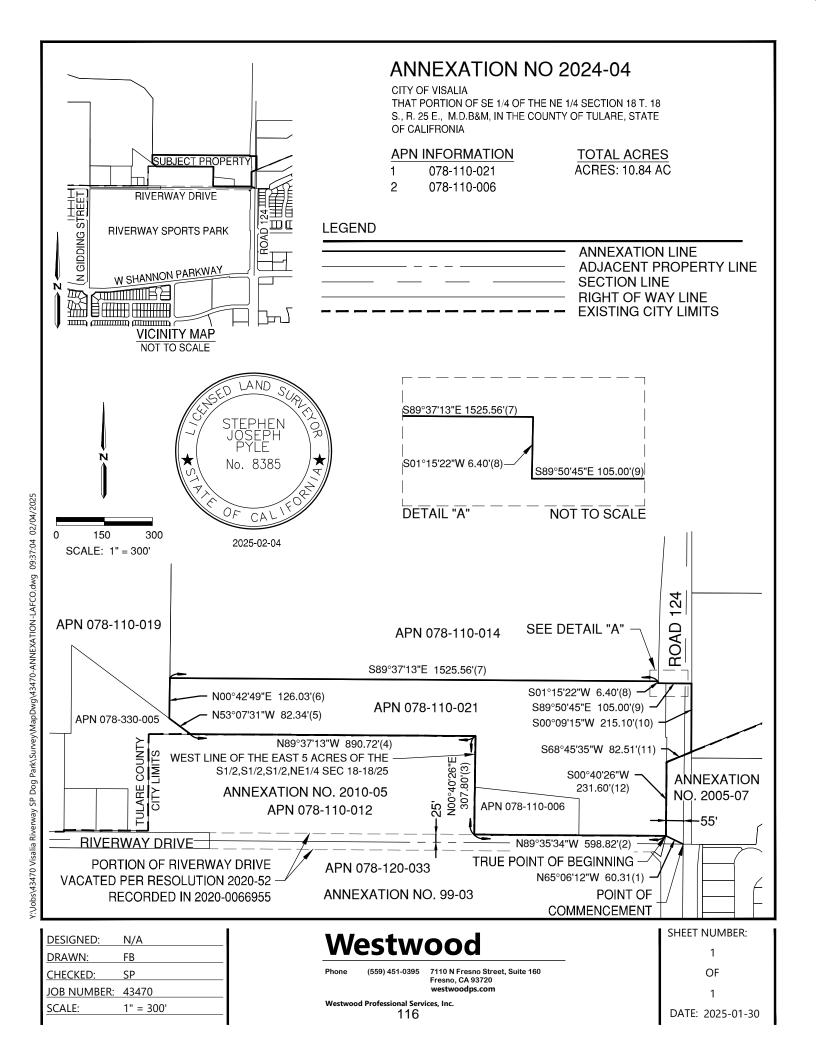
This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.

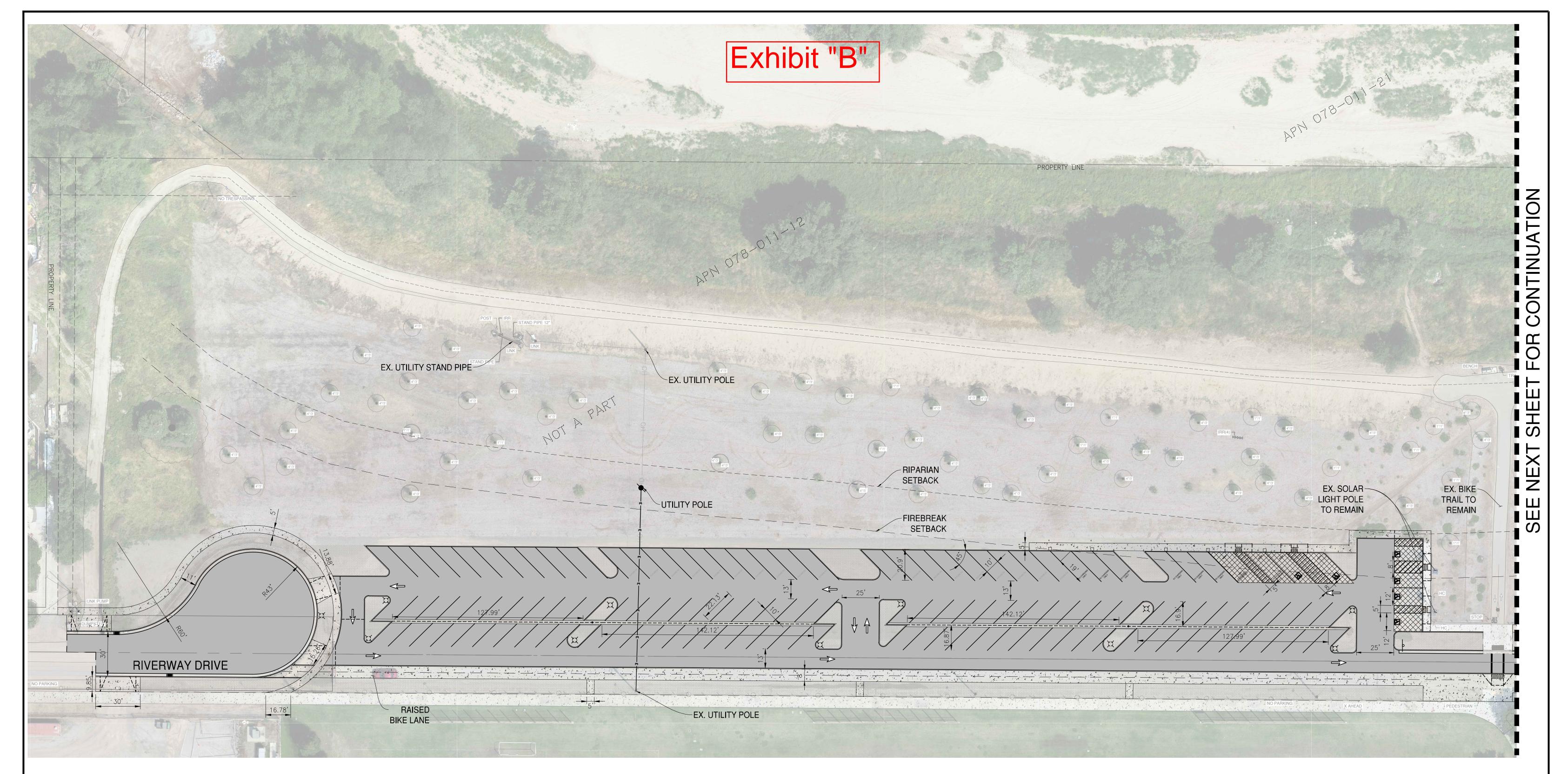
Stephen J. Pyle Professional Land Surveyor California No. 8385



February 4, 2025

Date





# PARKING STALLS		
STANDARD PARKING STALLS	90	
ADA STALLS	5	
ADA VAN STALLS	1	
EVCS STALLS	6	
EV READY	19	
STANDARD ACCESSIBLE EVCS STALLS	1	
VAN ACCESSIBLE EV READY	1	
TOTAL PARKING STALLS	123	
PARCEL AREA	339,247 S.F.	

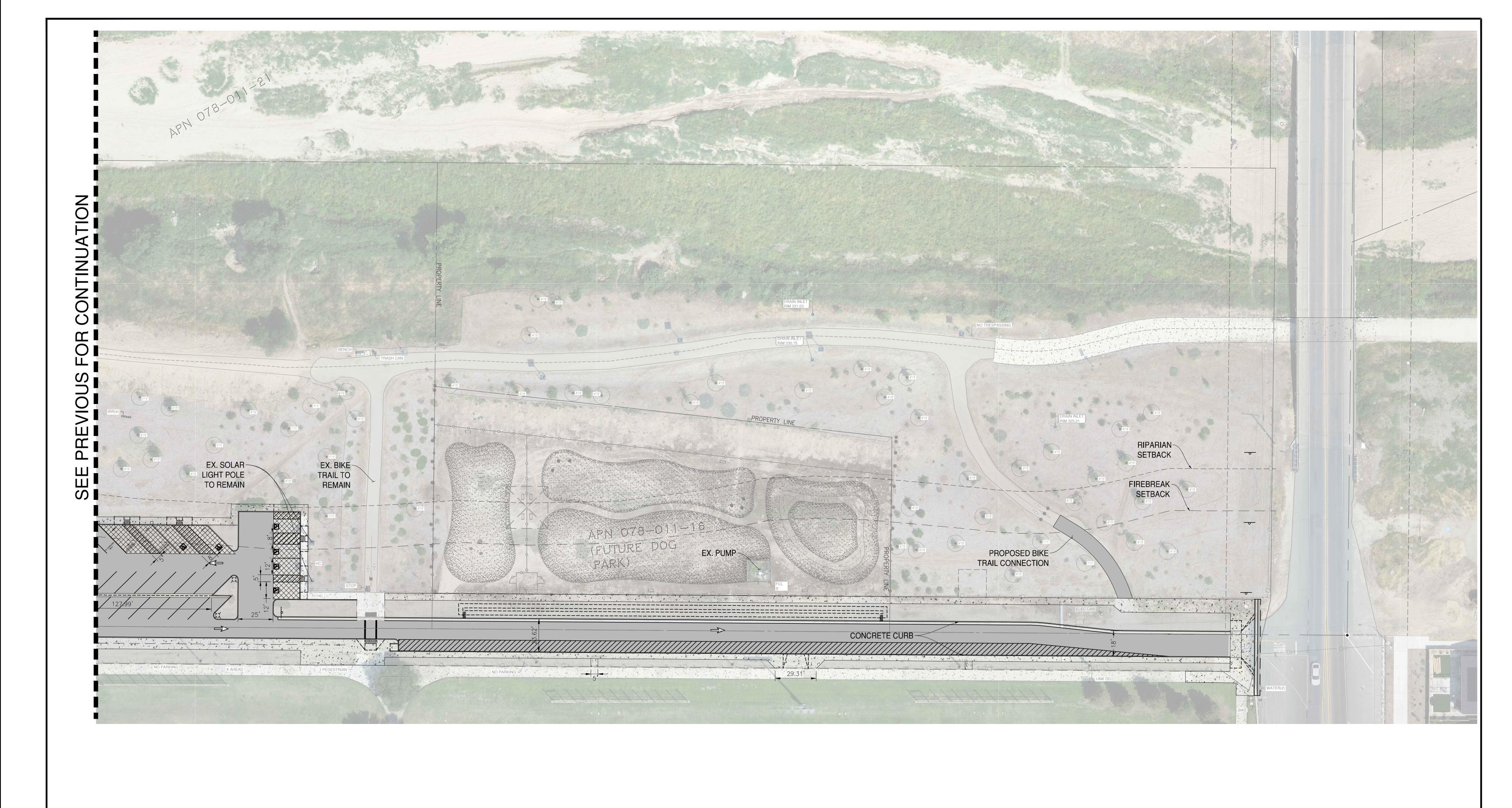
VISALIA RIVERWAY SP PARKING LOT

VISALIA, CALIFORNIA





0 15 30 SCALE: 1" = 30'



VISALIA RIVERWAY SP PARKING LOT

VISALIA, CALIFORNIA



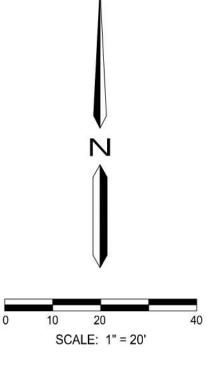


RIVERWAY DOG PARK

LEGEND - DOG PARK

- 1 DOG PARK ENTRY 'STADIUM STYLE'
- 2 SMALL DOG PARK
- 3 LARGE DOG PARK
- 4 CHAIN LINK FENCE & GATE
- 5 EXISTING WELL
- 6 8' MIN. EXTERIOR DIRT PATH
- 7 4' WIDTH BENCH
- 8 BIORETENTION BASIN
- 9 AGILITY WALK (SET OF 5)
- (10) CORGI CLIMB (A FRAME CLMB)
- 11) FLEX WEAVE POLES
- 12 HOUND HOOPS (SET OF 5)

- 13 ADJUSTABLE TIRE JUMP (2)
- 14) PRECAST SPHERE SOCCERBALLS
- 15) PRECAST SPHERE BASEBALLS
- (16) LAWN AREA
- (17) SHADE TREE
- 18) LARGE PERIMETER TREE
- (19) ACCENT TREE
- (20) HOUND HURDLES
- **EX. LANDSCAPE TO REMAIN**
- (22) 30'X30' SHADE STRUCTURE
- (23) CONCRETE FLATWORK



AMENITIES - DOG PARK









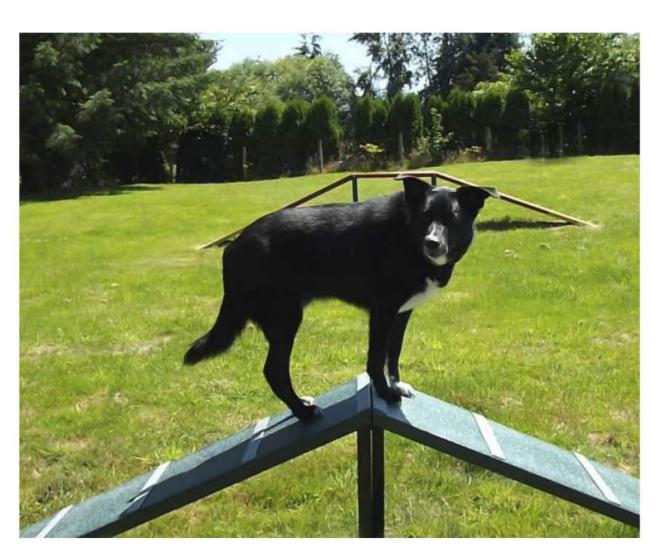














Exhibit "D"

The proposed project aims to enhance the visitor experience at Riverway Sports Park through the expansion of an overflow parking lot and the addition of a 1.25-acre dog park. These improvements are designed to address current parking limitations, provide additional amenities for residents and visitors, and support the ongoing growth and use of the Sports Park.

The Riverway Sports Park overflow parking lot remains to be a dirt lot just north of the utility and maintenance shop. This project aims to improve the dirt lot to a formal parking lot with lighting and Electrical Vehicle Charging Stations (EVCS).

Additional amenities included in the Dog Park are shade structures, benches, separate large and small breed areas, and connectivity to the St. John's walking Trail at the Dog Park. By providing Trail Access from the St. John's Berm and Bicycle access this promotes the existing Active Park designation of the Sports Park.

Hours of operation and maintenance of the park are going to follow the same schedule as set for the Riverway Sports Park.



Riverway Sports Park



Location: 3611 N. Dinuba Blvd. Acres: 80



Map Key



Covered Arbors: All



Playgrounds



Splash Pad



Approved Bounce House Locations: All Arbors



Restrooms



Special Event Promenade

Picnic Areas:

<u>Capacity</u>	Rental Fee
176	\$230
72	\$114
72	\$114
72	\$114
72	\$114
	176 72 72 72 72

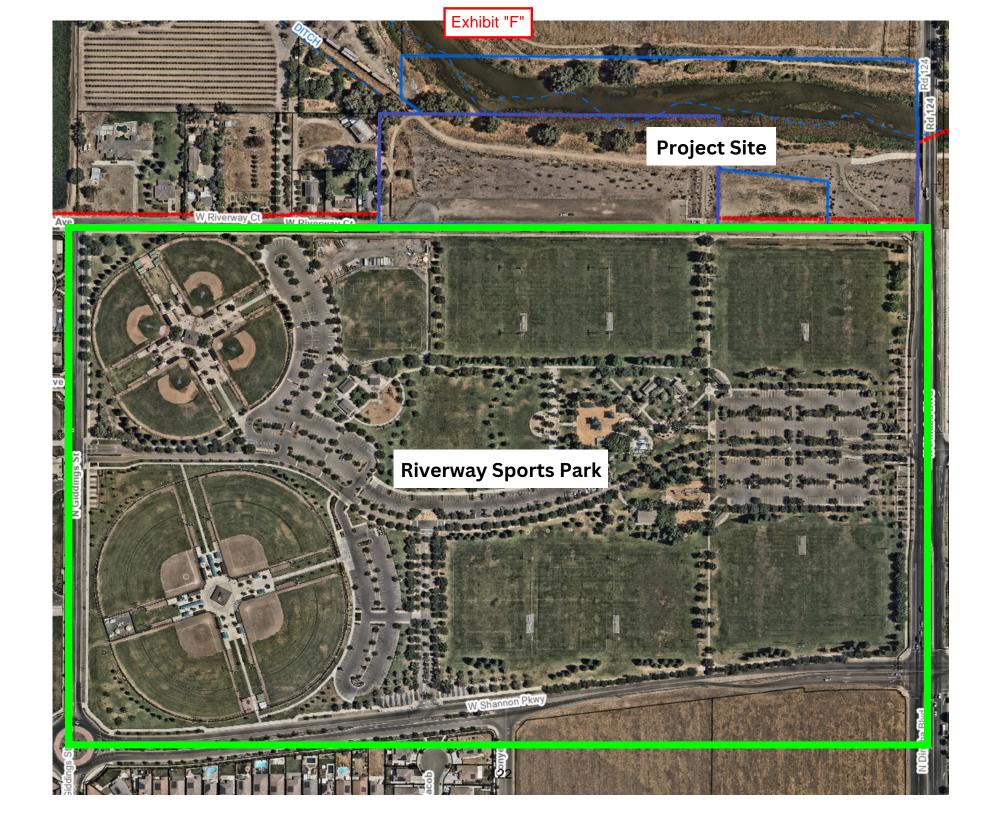
*Requires Additional \$100 deposit & liability insurance.

Additional Permits with fees may apply.

Park Amenities:

- Restrooms
- 10 Soccer Fields
- 4 Baseball Field Complex
- 4 Softball Field Complex
- 2 Children's Playgrounds
- 5 Picnic Areas
- Barbeque Grills
- Open Play Areas
- Multiple Parking Areas
- Special Event Promenade
- Splash Pad

Revised 7.30.2024



NEGATIVE DECLARATION

Project Title: Annexation No. 2024-04 and General Plan Amendment No. 2024-05

Project Description: Annexation No. 2024-04 is a request by the City of Visalia to annex two parcels totaling approximately 10.4 acres into the city limits of Visalia. Upon annexation, the site area would be zoned QP (Quasi-Public), which is consistent with the General Plan Land Use Design. The project area is not within an Agricultural Preserve or Williamson Act contract.

General Plan Amendment No. 2024-05 is a request by the City of Visalia to expand the Urban Growth Boundary by annexing two parcels into the City limits, and to change approximately one acre on the site from Residential Very Low Density land use designation to Parks/Recreation land use designation.

The Annexation and the General Plan would facilitate the development of a city dog park and associated parking lot within the project site.

Project Location: The site is located on the northwest corner of North Dinuba Boulevard and West Riverway Court (APNs: 078-110-021 & 078-110-006).

Project Facts: Refer to Initial Study for project facts, plans and policies, and discussion of environmental effects.

Attachments:

Initial Study	(X)
Environmental Checklist	(X
Maps	(X
Mitigation Measures	()
Traffic Impact Statement	()

DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

- (a) The project does not 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 selfsustaining 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.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual 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.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Negative Declaration has been prepared by the City of Visalia Planning Division in accordance with the California Environmental Quality Act of 1970, as amended. A copy may be obtained from the City of Visalia Planning Division Staff during normal business hours.

APPROVED

Brandon Smith, AICP

Environmental Coordinator

Зу:

Date Approved: February 11, 2025

Review Period: 30 days

INITIAL STUDY

I. GENERAL

A. Annexation No. 2024-04 is a request by the City of Visalia to annex two parcels totaling approximately 10.4 acres into the city limits of Visalia. Upon annexation, the site area would be zoned QP (Quasi-Public), which is consistent with the General Plan Land Use Design. The project area is not within an Agricultural Preserve or Williamson Act contract.

General Plan Amendment No. 2024-05 is a request by the City of Visalia to expand the Urban Growth Boundary by annexing two parcels into the City limits, and to change approximately one acre on the site from Residential Very Low Density land use designation to Parks/Recreation land use designation.

The Annexation and the General Plan would facilitate the development of a city dog park and associated parking lot within the project site.

B. Identification of the Environmental Setting:

The parcels are currently vacant and undeveloped and are located to the north of the existing Riverway Sports Park Complex. The proposed development would enhance the existing park by providing additional amenities to the community. The site is located on the northwest corner of North Dinuba Boulevard and West Riverway Court (APNs: 078-110-021 & 078-110-006). The entire project area is primarily surrounded by open space with the exception of Riverway Sports Park to the south and the River Island Ranch subdivision to the southeast. The project is supported by a General Plan Amendment to bring the property inside of the City's Urban Growth Boundary, as the project site is currently outside of the Urban Growth Boundary.

The surrounding uses, Zoning, and General Plan for the 10.4-acre parcels are as follows:

	General Plan	Zoning	Existing uses
North:	Agriculture/ Conservation	X (area outside of the City of Visalia limits)	Vacant, St. John's River
South:	Parks & Recreation	QP (Quasi-Public)	Riverway Sports Park
East:	Conservation / Residential Low Density	OS (Open Space), R- 1-5 (Single-family Residential)	Dinuba Boulevard, single-family residential subdivision
West:	Conservation / Very Low Residential Density	X (area outside of the City of Visalia limits)	Vacant land; proposed parking lot

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

C. Plans and Policies: The General Plan Land Use Diagram designates the site as Residential Very Low Density and Conservation. Per the General Plan Amendment and upon annexation the entire site would be designated Parks/Recreation land use designation and, upon annexation, zoned Quasi-Public, which is consistent with Land Use Element of the General Plan, and consistent with the standards for Quasi-Public development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.52.

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 and Zoning Ordinance 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.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY

Colleen A. Moreno Assistant Planner Brandon Smith, AICP Environmental Coordinator

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Name of Proposal	Annexation No. 2024-04 and General Plan Amendment No. 2024-05			
NAME OF PROPONENTS:	City of Visalia	NAME OF AGENT:	Jonathan Frausto, City of Visalia	
Address of Proponents:	220 N. Santa Fe Ave, Visalia CA 93292	Address of Agent:	315 E. Acequia Ave., Visalia, CA 93291	
Telephone Numbers:	559-713-4355	Telephone Number:	559-713-4369	
Date of Review	January 23, 2025	Lead Agency:	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 4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- _1_ c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- d) Create a new source of substantial light or glare which 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:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to nonagricultural use?
- _1 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 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))?
- d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest 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:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- _2 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?
- _2 c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 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?
- 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?
- _1 c) Have a substantial adverse effect on state or federally protected wetlands (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 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:

- 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?
- _____ c) Disturb any human remains, including those interred outside of formal cemeteries?

VI. ENERGY

Would the project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

VII. GEOLOGY AND SOILS

Would the project:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
- _____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? Refer to Division of Mines and Geology Special Publication 42.
- 1 ii) Strong seismic ground shaking?
- 1 iii) Seismic-related ground failure, including liquefaction?
- 1 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 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?
- 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?
- 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?
- ______f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

VIII. 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?

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous
- <u>1</u> 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?
- 2 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within onequarter mile of an existing or proposed school?
- 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?
- 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 or excessive noise for people residing or working in the project area?
- _1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- _______ c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
- 1 i) result in a substantial erosion or siltation on- or off-site;
- ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
- iii) 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;
- iv) impede or redirect flood flows?
- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

XII. MINERAL RESOURCES

Would the project:

- a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?
- 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?

XIII. NOISE

Would the project:

- 2 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- <u>2</u> b) Generation of excessive groundborne vibration or groundborne noise levels?

XIV. POPULATION AND HOUSING

Would the project:

- a) Induce substantial unplanned 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)?
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

XV. PUBLIC SERVICES

Would the project:

- a) 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:
- <u>1</u> i) Fire protection?
- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- v) Other public facilities?

XVI. RECREATION

- 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?
- 2 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?

XVII. TRANSPORTATION / TRAFFIC

Would the project:

- a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?
- _1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- _1 c) Result in a determination by the waste water 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?
- d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

- _1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- _2 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to substantially 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, substantially 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 2019

Authority: Public Resources Code sections 21083 and 21083.09

Reference: Public Resources Code sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3/21084.2 and 21084.3

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. <u>AESTHETICS</u>

- a. This project will not adversely affect the view of any scenic vistas. The Saint John's River and trail may be considered a scenic vista; however, the view will not be adversely impacted by the project.
- 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 enhanced and not degraded upon any future development. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project will facilitate the construction of an overflow parking lot and dog park, creating new sources of light that are typical of that use. The City has development standards that require light to be directed and/or shielded so it does not fall upon adjacent properties.

II. AGRICULTURAL RESOURCES

- The project is not located on property that is identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
- b. The project is not located on property that is party to a Williamson Act contract. Existing Tulare County zoning for the area is AE-20 (Exclusive Agriculture Zone 20 Acre Minimum). Although the site is zoned for agriculture no nearby agriculture would be hindered due to the site's separation from agriculture uses by the Saint John's River.
- c. The City of Visalia does not have a zoning classification for forest land, additionally the site is not considered forest land and is currently vacant. Therefore, the site will not conflict with any forest land.
- d. There is no forest land currently located on the site.
- e. The annexation area is located directly south of the Saint John's River and is bounded by properties within City Limits on the south, east and west of the site. The surrounding area is primarily developed with Parks/Recreation and urban uses. The project will not result in conversion of Farmland to nonagricultural use or the conversion of forest land to non-forest use.

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 itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore not be a significant impact.
- b. Future development of the site under the Visalia General Plan may result in emissions that exceed thresholds established by the SJVAPCD for PM10 and PM2.5. However, the project being considered is a request to annex 10.4 acres of County area into the City Limits. The annexation itself will not result in emissions that violate air

quality standards or contribute substantially to existing or projected air quality violations.

Future development of the project area is required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's 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, future development of the project will 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.

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. However, as the proposal is solely for an annexation and general plan amendment affecting one acre of land use designation, it will not result in increases of pollutants.

Future development of the project site may be required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's 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.

- c. Uses located near the project area may be exposed to pollutant concentrations as a result of future construction activities. However at this time, the project being considered is an annexation which will bring two County parcels into the City Limits. The elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation will not result in the generation of substantial pollutant concentrations.
- d. The project involves the change of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation and would not involve the generation of objectionable odors.

IV. BIOLOGICAL RESOURCES

a. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use. Staff also conducted a site visit in January 2025 to observe biological conditions, and did not observe any evidence or symptoms that would suggest the presence of a candidate, sensitive, or special species.

Based on the above, 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.

- b. The project is located adjacent to Saint John's River and is considered a sensitive riparian habitat or other natural community. The City has a General Plan Policy in place pertaining to riparian habitats and development standards. Any development within the riparian habitat is subject to the standards and requirements outlined.
- The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d. This development would not interfere 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 as it would only involve the elimination of a jurisdictional boundary and affect one acre of land use designation. This site was evaluated in the Visalia General Plan Update EIR for conversion to urban use.
- 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, regional or state habitat conservation plans for the area.

V. <u>CULTURAL RESOURCES</u>

- 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 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. <u>ENERGY</u>

- a. The project only involves the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation, however future development of the site includes construction of a dog park and overflow parking lot which could increase the energy consumption related to worker trips and operation of construction equipment. This increase would be temporary and limited through the compliance with local, state, and federal regulations.
- b. The project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. The proposed project will comply with all state and local polices related to energy efficiency.

VII. 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 or areas prone to seismic activity or landslides. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The proposal involves the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation that will not itself affect topsoil. Future development of this 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 on- and offsite 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 and have a low capacity for landslides, lateral spreading, subsidence, liquefaction, or collapse. 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.
- The project site area is currently vacant and future development will not include any development that would utilize the need of septic tanks or alternative waste water disposal systems.
- f. There are no unique geological features and no known paleontological resources located within the project area. If some potentially unique paleontological or unique geological resources are unearthed during development all work should cease until a qualified professional paleontologist can evaluate the finding and make necessary mitigation recommendations.

VIII. GREENHOUSE GAS EMISSIONS

a. The project is not expected to generate Greenhouse Gas (GHG) emissions as the proposal involves only the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation. Future development of the overflow parking lot and dog park may result in the release of greenhouse gas emissions in the short term due to construction activity and long-term due to day-to-day operation of the park.

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 and to a level 80% below 1990 baseline levels by 2050. In addition, the State has enacted SB 32 which included provisions for reducing the GHG emission levels to a level 40% below 1990 baseline levels by 2030.

The proposed project will solely eliminate a jurisdictional boundary and will amend the land use designation on one acre of land use designation and will not impede the State's ability to meet the GHG emission reduction targets under AB 32 and SB 32. Current and probable future state and local GHG reduction measures will continue to reduce the project's contribution to climate change. As a result, the project will not contribute significantly, either individually or cumulatively, to GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

- No hazardous materials are anticipated with the elimination of a jurisdictional boundary and general plan amendment.
- b. As the proposal involves only the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation, no significant hazards are foreseen as a result of accidents. Future construction activities associated with development of parking lot and dog park may include maintenance of onsite construction equipment, which could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There is one school located 0.22 miles southwest of the project area (Riverway Elementary School). However, there is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites or areas within one-quarter mile of school sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The Tulare County Comprehensive Airport Land Use Plan shows the project area is located outside the Airport Influence Area and the Airport Safety Zones. Therefore the project will not result in a safety hazard or excessive noise for people residing or working in the project area.
- f. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- g. There are no wildlands within or near the project area.

X. HYDROLOGY AND WATER QUALITY

a. The project will not violate any water quality standards of waste discharge requirements as it involves only the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation. Any future development of the project site would be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system; consistent with the City's adopted City Storm Drain Master Plan.

b. The project will not substantially deplete groundwater supplies in the project vicinity as it involves only the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation.

The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Future development within the project area will result in an increase of impervious surfaces, which might affect the amount of precipitation that is recharged to the aquifer. As the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. The project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conversation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.

c. The project will not result in substantial erosion on- or offsite. The proposal involves only the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation. Future development of the site will adhere to a 100-foot riparian setback along Saint John's River which lies north of the project site. Development of the site will not alter the course of the river and no streams are located near the site

Future development of the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

The project will not substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Future development of the site will also not impede or redirect flood flows. The proposal involves only the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation.

Development of the site will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts to a less than significant level.

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. The proposal involves only the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation. Future development will be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system; consistent with the City's adopted City Storm Drain Master Plan.

- d. The project area is located within Zone AE, which indicates an area that is within a high-risk flood hazard area. This is due to the proximity to Saint John's River. The project area is located along Saint John's River; however, it is outside potentially hazardous areas for seiches and tsunamis. Due to the site's proximity to Saint John's River there is the potential for mudflow occurrence, however these impacts are less than significant.
- e. As the proposal is only for the elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation, future development of site would not expose people or structures to risks from failure of levee or dam.

However, the project area along with the entirety of the City of Visalia lies within the dam inundation area of Terminus Dam, located approximately 35 miles to the east from the project site. In the case of dam failure, people and structures would be exposed to flooding risk. This impact is considered significant and unavoidable.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the placement of people and structures to an area at risk of dam failure. The General Plan contains multiple polices that address the issue, and the County of Tulare maintains the Tulare County Hazard Mitigation Plan and a Mass Evacuation Plan that will help to reduce the impact.

Because there is still a significant impact, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

XI. LAND USE AND PLANNING

- a. The project will not physically divide an established community. Upon annexation, the project is supported by a General Plan Amendment to change approximately one acre on the site from Residential Very Low-Density land use designation to Parks/Recreation land use designation, which is consistent with the surrounding land use designations and future use of the site. The project site is located directly north of the existing Riverway Sports Park and is bordered by a Minor Arterial status roadway, Dinuba Boulevard (State Highway 63) to the east.
- b. The project as a whole does not conflict with any land use plan, policy or regulation of the City of Visalia, as it only involves elimination of a jurisdictional boundary and a general plan amendment affecting one acre of land use designation. The proposed project is to be developed on land designated for Parks/Recreation which is consistent with the surrounding land use designations as identified in Table 9-1 "Consistency between the Plan and Zoning" of the General Plan.

XII. MINERAL RESOURCES

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

XIII. NOISE

 The project will not result in noise generation typical of urban development, as it will only eliminate a jurisdictional boundary and a general plan amendment affecting one acre of land use designation. Future development of overflow parking lot and dog park will result in noise generation typical of urban development, but not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. Noise levels will increase temporarily during the construction of these facilities but shall remain within noise limits and will be restricted to the allowed hours of construction defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant.

Furthermore, 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 land uses would be less than significant.

- b. The annexation and general plan amendment itself will not result in impacts from ground-borne vibration or noise. However, ground-borne vibration or ground-borne noise levels may occur as a result of future construction activities associated with development of the parking lot and dog park. Any construction activities will 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. The project site is not located within the Airport Influence Area nor within the Airport Safety Zones nor near a private airstrip and therefore will not expose people residing or working in the project area to excessive noise levels.

XIV. POPULATION AND HOUSING

- a. The project will not directly induce substantial population growth that is in excess of that planned in the General Plan. The proposal itself will have no effect as it will only remove a jurisdictional boundary and will amend the land use designation on one acre of land use designation.
- b. The proposal itself will have no effect as it will only remove a jurisdictional boundary and will amend the land use designation on one acre of land use designation. Future development of the parking lot and dog park will not displace any housing or people as the proposed site is currently vacant.

XV. PUBLIC SERVICES

a.

- Current fire protection facilities are located at 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. Neither the annexation project nor the parking lot and dog park proposal will generate new students for which existing schools in the area may accommodate.
- iv. Current Park facilities can adequately serve the site without a need for alteration as the project as proposed is a request to expand the existing Riverway Sports

Park. Impact fees will be paid upon development to mitigate the project's proportionate impact on these facilities.

v. Other public facilities can adequately serve the site without a need for alteration.

XVI. RECREATION

- a. The proposed project may affect the use of existing neighborhood and regional parks or other recreational facilities as the future development of the dog park will be the third in the city providing an amenity not available at all city parks. This in turn can result in the increase of use at the park, however it is considered less than significant.
- b. The proposed project includes the expansion of Riverway Sports Park with the future development of the overflow parking lot and dog park. The construction of the parking lot and dog park will not have an adverse physical effect on the environment as currently the area is a vacant dirt lot, and the development will provide improvements from landscaping to park amenities.

XVII. TRANSPORTATION AND TRAFFIC

- a. 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. Future development will result in an increase to traffic levels on arterial and collector roadways, although the City of Visalia's Circulation Element has been prepared to address this increase in traffic
- b. As the proposal will only result in elimination of a jurisdictional boundary and will amend the land use designation on one acre of land use designation, the project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision(b).
- c. The project will only result in the elimination of a jurisdictional boundary and will amend the land use designation on one acre of land use designation. Future development of the site will not increase any hazards due to geometric design feature or incompatible uses. There are no planned designs that are considered hazardous.
- The project will not result in inadequate emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Tribal notification was circulated in accordance with Senate Bill 18. No response was received pertaining to the project. The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

- The site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
- b. The site has been determined to not be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria

set forth in subdivision (c) of Public Resource Code Section 5024.1, because it is an isolated infill site surrounded by existing urban development.

Further, the EIR (SCH 2010041078) for the 2014 General Plan update included a thorough review of sacred lands files through the California Native American Heritage Commission. The sacred lands file did not contain any known cultural resources information for the Visalia Planning Area.

XIX. UTILITIES AND SERVICE SYSTEMS

a. The project is proposing to only eliminate a jurisdictional boundary and amend the land use designation on one acre of land use designation. Future development of the site will not include any development that will require connection to the existing City sanitary sewer lines.

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. The proposal would only eliminate a jurisdictional boundary amend the land use designation on one acre of land use designation and will thus not require construction or expansion of storm water facilities. Future development will be adequately served by existing facilities.

Future development onsite 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. The project also does not require the relocation or construction of new or expanded electric power, natural gas, or telecommunications.

- b. 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.
- c. The project will solely eliminate a jurisdictional boundary amend the land use designation on one acre of land use designation and will not require wastewater services. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant upon future development.
- d. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- e. The project will be able to meet the applicable regulations for solid waste. Removal of debris from future construction will be subject to the City's waste disposal requirements.

XX. WILDFIRE

- a. The project will not substantially impair an adopted emergency response plan or emergency evacuation plan. The proposal will only eliminate a jurisdictional boundary amend the land use designation on one acre of land use designation.
- b. The proposal will only eliminate a jurisdictional boundary amend the land use designation on one acre of land use designation and therefore will not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Additionally, the site is located on a flat area of open space land and is considered to be at little risk of fire.

- c. The proposal will only eliminate a jurisdictional boundary amend the land use designation on one acre of land use designation. Future development of the site will include will include the development of infrastructure such as a road, however all improvements would be subject to City standards and Fiore Marshal approval. The proposed project would not exacerbate fire risk.
- d. The proposal will only eliminate a jurisdictional boundary amend the land use designation on one acre of land use designation. Future development of the dog park and overflow parking lot will not expose people or structures to significant risks as the site is relatively flat.

XXI. 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:

Environmental Coordinator

<u>X</u>	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.
0 1	February 11, 2025
on Smit	th AICP Date

City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



Site Plan Review

October 8, 2024

Site Plan Review No. 2024-191:

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **August 28, 2024**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

Paul Bernal

Community Development Director

315 E. Acequia Ave.

Visalia, CA 93291

Attachment(s):

Site Plan Review Comments

City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



Planning Division

Tel: (559) 713-4359; Fax: (559) 713-4814

MEETING DATE

August 28, 2024

SITE PLAN NO.

2024-191

PARCEL MAP NO.

SUBDIVISION

			LOT LII	VE /	ADJUSTMENT	Ю.				
		•	review are the cor ts since they may			ns of t	he Site Plan	Rev	riew committee. I	⊃lease
	RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.									
		uring	site plan design/p	olic	y concerns were	identif	fied, schedul	e a m	neeting with	
			Planning		Engineering pri	or to re	esubmittal pl	ans f	or Site Plan Revi	ew.
			Solid Waste		Parks and Recr	eation		Fi	ire Dept.	
\checkmark	REVIS	SE AI	ND PROCEED	(see	e below)					
		Off-	evised plan address Agenda Review ar ons.	_						
			mit plans for a b ., Monday through					7:30	a.m. and 5:00	
	\checkmark	You	r plans must be re	viev	ved by:					
		\checkmark	CITY COUNCIL				REDEVEL	OPM	ENT	
		\checkmark	PLANNING COM	1MI	SSION		PARK/REG	CREA	ATION	
			✓ General Plane	an A	Amendment & A	nnexa	ation			
			HISTORIC PRES	SER	RVATION	\checkmark	OTHER:			
			ADDITIONAL CO	MIC	MENTS:		LAFCO - A	nnexa	ation	

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440 Site Plan Review Committee

SITE PLAN REVIEW COMMENTS

Colleen A. Moreno, Planning Division, (559) 713-4031

Date: August 28, 2024

SITE PLAN NO:

2024-191

PROJECT TITLE:

Riverway Parking Lot & Dog Park

DESCRIPTION:

Using grant funds and park funds to construct a dog park and parking lot

north of Riverway Sparts Park

APPLICANT:

JONATHAN J FRAUSTO

LOCATION TITLE:

N Dinuba Blvd and W Riverway Ct

APN TITLE:

078-011-120

ZONING:

X (Outside City limits)

GENERAL PLAN:

Conservation

Planning Division Recommendation:

Revise and Proceed

☐ Resubmit

Project Requirements

- Annexation
- General Plan Amendment
- Building Permit

PROJECT SPECIFIC INFORMATION: August 28, 2024

- 1. Annexation of the project site shall be required. It is recommended that additional City Owned properties adjacent to the project site be included in the annexation request.
- 2. A General Plan Amendment shall be required to annex property located outside of the City of Visalia Urban Growth Development Tiers and for land use designation of Conservation. It is recommended that Parks staff meet with Planning staff to discuss the General Plan Amendment/Annexation process and how it will affect the dog park project. Contact Principal Planner, Brandon Smith at 559-713-4636, brandon.smith@visalia.city.
- 3. Note that upon annexation the project site would be pre-zoned OP (Open Space). Under this zoning designation, a Conditional Use Permit will not be required.
- 4. Note that with annexation, the Parks department will need to hire a surveyor to survey the property for map boundaries and legal descriptions required for annexation.
- 5. A detailed site plan shall be provided showing the property line and all proposed site improvements and structures. The site plan shall also show building setbacks.
- 6. A detailed Operational Statement shall be provided describing all proposed uses.
- 7. The location of all existing and proposed fencing shall be provided on the site plan. Details on height, length, and material types shall be provided.
- 8. A Landscape Plan shall be provided for both the dog park and parking lot. A minimum of 10% of the parking lot shall be landscaped and continuously maintained.
- 9. No more than ten (10) consecutive stalls shall be allowed without an approved landscaped tree well of 80 sq. ft. or more.
- 10. It is recommended that the site promote the use of time and/or motion sensitive parking lot and security lights, where feasible.
- 11. Obtain a Building Permit.
- 12. Comply with all other comments, codes and ordinances.

Page **1** of **2** Site Plan Review No. 2024-191

NOTES:

- 1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
- 2. Prior to a <u>final</u> for the project, a signed <u>Certificate of Compliance</u> for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.

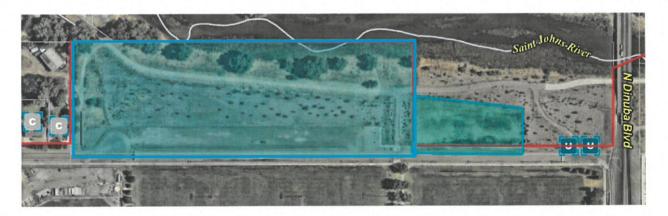
Applicable sections of the Visalia Municipal Code:

- 17.10 Open Space Zone
- 17.30 Development Standards
- 17.32.080 Maintenance of landscaped areas
- 17.34 Off-street Parking and Loading Facilities

Accessible at https://codelibrary.amlegal.com/codes/visalia/latest/overview

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature:



BUILDING/DEVELOPMENT PLAN REQUIREMENTS	ITEM NO: 7 DATE	: AUGUST 28 TH , 2024		
ENGINEERING DIVISION Edelma Gonzalez 713-4364 Luqman Ragabi 713-4362 Sarah MacLennan 713-4271	SITE PLAN NO.: PROJECT TITLE: DESCRIPTION:	24-191 RIVERWAY PARKING LOT AND DOG PARK USING GRANT DUNDS AND PARK FUNDS TO CONSTRUCT A DOG PARK AND PARKING LOT JUST NORTH OF THE RIVERWAU SPORT PARK.		
	APPLICANT: PROP OWNER: LOCATION:	(PREVIOUS SPR 21-137) JONATHAN J FRAUSTO CITY OF VISALIA RIVERWAY		
SITE PLAN REVIEW COMMENTS	APN:	000-013-770		
REQUIREMENTS (indicated by				
checked boxes)				
☐Install curb return with ramp, with	radius;			
		SARY FOR ONSITE DRAINAGE		
☑Drive approach size: 18' MIN ☐Use				
		DE ACCESSIBILITY ONSITE		
		et frontage(s) of the subject site that has become		
uneven, cracked or damaged and ma				
and has created areas where water c		age(s) of the subject site that has become uneven		
Right-of-way dedication required. A tit		or verification of ownership		
Deed required prior to issuing building		or vermodation of ownereng.		
		EEDED WITHIN PUBLIC RIGHT-OF-WAY		
		on each) and workers compensation (\$1 million),		
valid business license, and approp	riate contractor's lic	ense must be on file with the City, and valid		
		permit. Contact Encroachment Tech. at 713-4414.		
⊠CalTrans Encroachment Permit required. ⊠ CalTrans comments required prior to issuing building permit.				
	3-4088; FOR ANY W	ORK NEEDED WITHIN CALTRANS RIGHT-OF-		
WAY. DINUBA BLVD	hunare Association re	equired prior to approval of Final Map. Landscape		
		ng, street lights, street trees and local streets as		
		istrict application and filing fee a min. of 75 days		
before approval of Final Map.	oupo and Lighting D	iothot approation and ming root a min of the aayo		
	plans to be submitte	d for each phase. Landscape plans will need to		
comply with the City's street tree or comply with Plate SD-1 of the City in	dinance. The location provement standard	ons of street trees near intersections will need to s. A street tree and landscape master plan for all e initial phase to assist City staff in the formation of		
the landscape and lighting assessme		s militar priade to addict only etail in the formation of		
		then a master plan is required for the entire project		
		nd street grades. Prepared by registered civil		
engineer or project architect. All el	evations shall be bas	ed on the City's benchmark network. Storm run-off		
		to the City's existing storm drainage system; b)		
		to a temporary on-site basin is required until a		
		City's storm drainage system. On-site basin:		
		required, provide access ramp to bottom for		
maintenance. PROJECT TO DRAIN Grading permit is required for clearing		rmed prior to issuance of the building permit.		
		= 1%, Concrete pavement = 0.25%. Curb & Gutter		
=.20%, V-gutter = 0.25%)	pos. 7 iio. paromone	. 7.5, Controlle parentent of De 701 Care a Cattor		
	ons. A retaining wall	will be required for grade differences greater than		
0.5 feet at the property line.	3 // 1			

All public streets within the project limits and across the project frontage shall be improved to their full width,
subject to available right of way, in accordance with City policies, standards and specifications.
Traffic indexes per city standards:
Install street striping as required by the City Engineer. AT TIME OF CIVIL REVIEW
Install landscape curbing (typical at parking lot planters).
Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
☑Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
Provide "R" value tests: each at
Written comments required from ditch company ST JOHNS RIVER Contacts: James Silva 747-1177 for
Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare
Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
Show Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during
construction in accordance with City requirements.
A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak
tree evaluation or permit to remove. A pre-construction conference is required.
Relocate existing utility poles and/or facilities. WITH FRONTAGE IMPROVEMENTS
Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over
50kV shall be exempt from undergrounding.
Subject to existing Reimbursement Agreement to reimburse prior developer:
☐ Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's
Regulation VIII. Copies of any required permits will be provided to the City.
☐ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air
District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA
application will be provided to the City.
☑If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage
under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP)
is needed. A copy of the approved permit and the SWPPP will be provided to the City.
Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

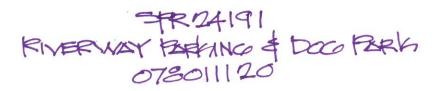
- 1. Proposed development will not incur impact fees.
- 2. A building permit is required, standard plan check and inspection fees will apply.
- 3. Provide compliance with current accessibility code requirements, including accessibility from parking lot to dog park entrance.
- 4. Any required backflow devices to be installed on private property and not in the public right-of-way.
- 5. New structures to connect to City sewer. Install laterals if none exist to serve parcel.
- 6. Maintain 100' setback from St. Jonhs river. Show required riparian setback on site plan.
- 7. Provide adequate lighting onsite.
- 8. Parallel curb ramp serving accessible parking stalls shall provide 36" minimum wide turning space without detectable warnings.
- 9. Parking, drive approach, sidewalk, street lighting, and curb gutter shall meet City Stds.
- 10. Provide compliance with current accessibility code requirements.
- 11. Maintain 100' setback from St. Jonhs River and an additional 30ft minimum firebreak setback.

- 12. Additional design consideration is required at the connection of Riverway Drive and Dinuba Blvd. to accommodate the proposed drive approach with existing improvements. See additional comments from Traffic Safety Division.
- 13. Site plan shows infiltration trench. City does not consider percolation/infiltraration factors in sizing basins. Refer to City Std. D-36: Design criteria for drainage.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 24-191 Date: 08/28/2024			
Summary of applicable Development Impact Fees to be collected at the time of building permit: (Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)			
(Fee Schedule Date:08/17/2024) (Project type for fee rates: SITE IMPROVEMENT)			
FEE ITEM Groundwater Overdraft Mitigation Fee Transportation Impact Fee Trunk Line Capacity Fee Treatment Plant Fee Sewer Front Foot Fee Storm Drain Acq/Dev Fee Park Acq/Dev Fee Northeast Specific Plan Fees Waterways Acquisition Fee Public Safety Impact Fee: Police Public Facility Impact Fee Parking In-Lieu			
 Reimbursement: No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities. Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee. Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.			
Edelma Gonzalez			

City of Visalia Building: Site Plan Review Comments



NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project Please refer to the applicable California Code & local ordinance for additional requirements.

X	A building permit will be required.	For information call (559) 713-4444
X	Submit 1 digital set of professionally prepared plans and 1 set of calculations,	(Small Tenant Improvements)
	Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2 light-frame construction or submit 1 digital set of engineered calculations.	016 California Building Cod Sec. 2308 for conventional
	Indicate abandoned wells, septic systems and excavations on construction plans.	8 · · · · · · · · · · · · · · · · · · ·
\boxtimes	You are responsible to ensure compliance with the following checked items: Meet State and Federal requirements for accessibility for persons with disabilities.	
Ĺ	A path of travel, parking and common area must comply with requirements for access	for persons with disabilities.
	All accessible units required to be adaptable for persons with disabilities.	
	Maintain sound transmission control between units minimum of 50 STC.	
	Maintain fire-resistive requirements at property lines.	
	A demolition permit & deposit is required.	For information call (559) 713-4444
	Obtain required permits from San Joaquín Valley Air Pollution Board.	For information call (661) 392-5500
	Plans must be approved by the Tulare County Health Department.	For Information call (559) 624-8011
	Project is located in flood zone AF Hazardous materials report.	MEET FEMA FLOOD, PEQUIREMENTS
	Arrange for an on-site inspection. (Fee for inspection \$157.00)	For information call (559) 713-4444
	School Development fees.	
	Park Development fee \$, per unit collected with building permits.	
	Additional address may be required for each structure located on the site.	For information call (559) 713-4320
	Acceptable as submitted	
	No comments at this time	
	Additional comments: ALL ACCESSIFEE R	OUTED CHAIL PE
	A MIN. OF 48 INCHES WIDE	E. WITH PAGGING
	SPACES OF GO INCHES X GO	2 Mayer Even
	200 FT INTERVALS.	THOMES EVERY
		1 /
	VAL	CORCIX 2 22 14
		Signature



Site Plan Comments
Visalia Fire Department
Corbin Reed, Fire Marshal
420 N. Burke
Visalia CA 93292
559-713-4272 office
prevention.division@visalia.city

Date August 28, 2024 Item # 7

Site Plan # 24191 APN: 078011120

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2022 California Fire Code (CFC), 2022 California Building Codes (CBC) and City of Visalia Municipal Codes.
- This item is a resubmittal. Please see comments from previous submittals.

Corbin Reed Fire Marshal



City of Visalia Police Department 303 S. Johnson St. Visalia, CA 93292 (559) 713-4370

Date: _	08/28/24
Item: 7	'
Site Pla	n: SPR24191
Name:	Robert Avalos

Site Plan Review Comments

\checkmark	No Comment at this time.
	Request opportunity to comment or make recommendations as to safety issues as plans are developed.
	Public Safety Impact Fee: Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code Effective date - August 17, 2001.
	Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
	Not enough information provided. Please provide additional information pertaining to:
	Territorial Reinforcement: Define property lines (private/public space).
	Access Controlled/ Restricted etc.
	lighting Concerns:
	Traffic Concerns:
	Surveillance Issues:
	Line of Sight Issues:
	Other Concerns:

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION August 28, 2024

ITEM NO: 7

Added to Agenda

MEETING TIME: 10:30

SITE PLAN NO: SPR24191

ASSIGNED TO: Colleen Moreno Colleen Moreno@visalia.city

PROJECT TITLE: Riverway Parking Lot & Dog Park

DESCRIPTION: Using grant funds and Park funds to construct a dog park and parking lot just north of the Riverway Spor

Previous SPR # 21-137

APPLICANT: Jonathan J Frausto - Applicant

APN: 078011120

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

Ш	No Comments		
	See Previous Site Plan Comments		
X	Install Street Light(s) per City Standards at time of development.		
	Install Street Name Blades at Locations at time of development.		
X	Install Stop Signs at local road intersection with collector/arterial Locations.		
X	Construct parking per City Standards PK-1 through PK-4 at time of development.		
X	Construct drive approach per City Standards at time of development.		
	Traffic Impact Analysis required (CUP) Provide more traffic information such as TIA may be required. Depending on development size, characteristics, etc., a		
	 Additional traffic information required (Non Discretionary) Trip Generation - Provide documentation as to concurrence with General Plan. Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation. Traffic Impact Fee (TIF) Program - Identify improvments needed in concurrence with TIF. 		
۸ ما	ditional Comments.		

<u>Additional Comments:</u>

- Parking lot exit onto Dinuba Blvd restricted to right turn only. No left turn out allowed. Design geometrics required to to force the right turn out, prevent left turns, and prevent wrong way entry.
- Lighting needed at end of culdesac.

Leslie Blair

CITY OF VISALIA

SOLID WASTE DIVISION 336 N. BEN MADDOX VISALIA CA. 93291 713 - 4532 COMMERCIAL BIN SERVICE

24191

XX	No comments. August 28, 2024
	See comments below
	Revisions required prior to submitting final plans. See comments below.
	Resubmittal required. See comments below.
	Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
	ALL refuse enclosures must be city standard R-1 OR R-2 & R-3 OR R-4
	Customer must provide combination or keys for access to locked gates/bins
	Type of refuse service not indicated.
	Location of bin enclosure not acceptable. See comments below.
	Bin enclosure insufficient to comply with state recycling mandates. See comments for suggestions.
	Inadequate number of bins to provide sufficient service. See comments below.
	Drive approach too narrow for refuse trucks access. See comments below.
	Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
	Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
	Bin enclosure gates are required
	Hammerhead turnaround must be built per city standards.
	Cul - de - sac must be built per city standards.
	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
	Area in front of refuse enclosure must be marked off indicating no parking
	Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
	Customer will be required to roll container out to curb for service.
	Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
	Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
	City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.
Comment	Solid Waste has no additional comments regarding the proposed Dog Park.

<u>Jason Serpa, Solid Waste Manager, 559-713-4533</u> Edward Zuniga, Solid Waste Supervisor, 559-303-4338

Nathan Garza, Solid Waste, 559-713-4532

Matthe

Susan Currier

From: Rajput, Rosy@DOT <Rosy.Rajput@dot.ca.gov>

Sent: Thursday, August 29, 2024 12:24 PM **To:** Susan Currier; Colleen Moreno

Cc: Padilla, Dave@DOT; Deel, David@DOT; lorena.mendibles@dot.ca.gov

Subject: Response from D6 Caltrans : SITE PLAN REVIEW for 08-28-2024

Attachments: SPR Agenda 8-28-24.pdf

Hi Colleen and Susan,

This email summarizes Caltrans response to the following site plans:

- SPR24189 Massage Salon on Lovers Lane: No comment
- SPR24185 Visalia Auto Center: No comment
- SPR24186 California Dairies: No comment
- SPR24187 Cre8vies Mentoring Program: No comment
- SPR24188 Barrel House: No comment
- SPR24190 Curves by Kika: No comment
- SPR24191 Riverway Parking Lot & Dog Park: No comment
- SPR24192 Eight Ft Wrought Iron Fence on Plaza Drive: No comment
- SPR24193 The Mix Adding Outdoor Dining: No comment

Please let me know if you have any questions or require further clarification on any of these plans.

Thanks,

Rosy Rajput

PID Coordinator

Transportation Planning South Branch
Caltrans District 6 - Division of Planning
Cell (559)-614-7289

