

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Brett Taylor

COMMISSIONERS: Adam Peck, Brett Taylor, Liz Wynn, Marvin Hansen, Chris Gomez

MONDAY, OCTOBER 10, 2016; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - Finding of Consistency No. 2016-007 a request by Canae Financial LLC to allow for 24-hour operation of a gymnasium approved through Conditional Use Permit No. 2016-19. The site is located at 4207 W. Noble Avenue, on the south side of Noble Avenue approximately 200 feet west of Chinowth Street. (APN: 087-070-016)
5. PUBLIC HEARING – Brandon Smith
Variance No. 2016-08: A request by Nick and Becky Falcone to allow a variance to the minimum side and rear yard setbacks associated with a house addition and conversion of carport to garage, for a residence in the R-1-20 (Single-Family Residential, 20,000 square foot minimum lot size) Zone. The site is located at 2545 W. Border Links Drive. (APN: 089-100-010). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2016-46
6. PUBLIC HEARING – Consultant
A request by the City of Visalia to update Chapter 16 (Subdivision Ordinance) and Chapter 17 (Zoning Ordinance) of the Visalia Municipal Code and amend Visalia's General Plan Land Use Map and Zoning Map for General Plan Consistency, Citywide.
7. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

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

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired,

please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

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

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, OCTOBER 20, 2016 BEFORE 5 PM

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

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, OCTOBER 24, 2016

City of Visalia



To: Planning Commission

From: Brandon Smith, Senior Planner (713-4636)

Date: October 10, 2016

Re: Finding of Consistency No. 2016-007 a request by Canae Financial LLC to allow for 24-hour operation of a gymnasium approved through Conditional Use Permit No. 2016-19. The site is located at 4207 W. Noble Avenue, on the south side of Noble Avenue approximately 200 feet west of Chinowth Street. (APN: 087-070-016)

RECOMMENDATION

Staff recommends that the Planning Commission make a Finding of Consistency allowing 24-hour operation of a gymnasium approved through Conditional Use Permit No. 2016-19.

DISCUSSION

Conditional Use Permit No. 2016-19 was approved on September 12, 2016, allowing re-use of a 40,346 square foot building (former Vons grocery store) as a health club / gymnasium on a 3.94 acre site in the C-SO (Shopping / Office Commercial) Zone. Based on supplemental information provided in the project application, staff understood that the facility would operate daytime hours only, Monday through Friday from 5:00 a.m. to 9:00 p.m. and Saturday and Sunday from 7:00 a.m. to 9:00 p.m. The hours of operation were not made a condition of approval of the Conditional Use Permit, although they were described in the project description of the Planning Commission staff report and in the presentation slides during the Planning Commission public hearing item.

The applicant has provided further clarification in the letter attached as Exhibit "A" that the original application was in fact requesting 24-hour operation of the gymnasium Monday through Friday. The weekend hours will remain daytime operation only, on Saturday and Sunday from 7:00 a.m. to 9:00 p.m.

Staff finds that allowing the 24-hour operation of the gymnasium at this location is still consistent with the scope of the approved Conditional Use Permit and will not pose any significant impact to the surrounding land uses. This finding is based on staff's determination that the closest sensitive land uses, located behind the gymnasium to the south, will not be directly impacted by the operation of the gymnasium during night time use. It is not anticipated that any noise from the gymnasium operation will be heard by the adjacent residential properties, being that all activities are physically oriented away from and separated from the adjacent residential neighborhoods. In addition, the truck dock at the rear of the building will not be used as a part of the facility. All traffic associated with the gymnasium will be utilizing surrounding arterial and collector streets for access.

Approval of the finding of consistency will not require any change to the Conditional Use Permit's approved resolution, included as Exhibit "B".

ATTACHMENTS

- Exhibit "A" – Letter of Request
- Exhibit "B" – Resolution Approving Conditional Use Permit No. 2016-19
- Exhibit "C" – Floor Plan
- Aerial Photo



September 19, 2016

City of Visalia Planning Department
Att: Brandon Smith
315 E. Acequia Ave.
Visalia, CA 93291

Subject: Letter of Consistency – CUP 2016-19

Dear Brandon,

This letter is to formally request the hours of operation listed in CUP 2016-19 to be revised to allow a 24-hour use. The client is requesting this to increase the marketability of his project to prospective Gym operators.

The hours listed on the original application did list a 24-hour use. Through an unfortunate misunderstanding of the client's wants, additional information was provided to the planning staff listing the hours as: Monday – Friday 5:00am – 9:00pm and weekend's 7:00am – 9:00pm.

What the client wanted was: **opening Monday at 5:00am through Friday closing at 9:00pm** and weekends 7:00am – 9:00pm. This would be a 24-hour use during the week and 7:00am – 9:00pm on weekends.

We understand that the City has no criteria for hours of operation and that a letter of Consistency is required to revise the CUP.

Again the request is to revise the hours of operation listed in CUP 2016-19 **to allow 24-hour use.**

Attached is a check for \$211 for the processing fee.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric McConnaughey', written in a cursive style.

Eric McConnaughey, Architect
E.B.M. Design Group, Inc.

RESOLUTION NO. 2016-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2016-19: A REQUEST BY CANNAE FINANCIAL LLC, TO ALLOW RE-USE OF A 40,346 SQUARE FOOT BUILDING (FORMER GROCERY STORE) AS A HEALTH CLUB / GYMNASIUM ON A 3.94 ACRE SITE IN THE C-SO (SHOPPING / OFFICE COMMERCIAL) ZONE. THE SITE IS LOCATED AT 4207 W. NOBLE AVENUE, ON THE SOUTH SIDE OF NOBLE AVENUE APPROXIMATELY 200 FEET WEST OF CHINOWTH STREET. (APN: 087-070-016)

WHEREAS, Conditional Use Permit No. 2016-19 is a request by Cannae Financial LLC, to allow re-use of a 40,346 square foot building (former grocery store) as a health club / gymnasium on a 3.94 acre site in the C-SO (Shopping / Office Commercial) Zone. The site is located at 4207 W. Noble Avenue, on the south side of Noble Avenue approximately 200 feet west of Chinowth Street. (APN: 087-070-016); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 12, 2016; and

WHEREAS, the Planning Commission of the City of Visalia finds Conditional Use Permit No. 2016-19, as conditioned by staff, to be in accordance with Section 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 project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2016-38).

NOW, THEREFORE, BE IT 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 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:
 - 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.
 - 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 project is Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2016-38).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property hereinabove 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 project be developed in substantial compliance with the conditions and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2016-102.
2. That the site be developed and operated in substantial compliance with the site plan and project narrative shown in Exhibit "A" and floor plan in Exhibit "C".
3. That any substantial changes to the site plan and/or operational statement may require further evaluation by the Site Plan Review committee and/or an amendment to this Conditional Use Permit.
4. That on-site uses that are ancillary to the gymnasium, including but not limited to physical therapy, tanning, massage, and kids care, shall be affiliated with the gymnasium.
5. That any retail associated with this use be incidental to the gymnasium and not be intended to draw retail customers to the site.
6. That all other City codes and ordinances shall be met.
7. That any proposed building signage shall be obtained under a separate permit.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2016-19, prior to the issuance of any building permits for this project.
9. That the applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.

Commissioner Wynn offered the motion to this resolution. Commissioner Gomez seconded the motion and it carried by the following vote:

AYES: Commissioners Peck, Taylor, Wynn, Hansen, Gomez

NOES:

ABSTAINED:

ABSENT:

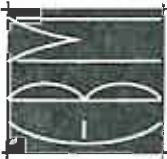
STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Josh McDonnell, AICP Assistant Director / City Planner

I, Josh McDonnell, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2016-42, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on September 12, 2016.

Josh McDonnell, Assistant Director / City Planner

Adam Peck, Chairperson

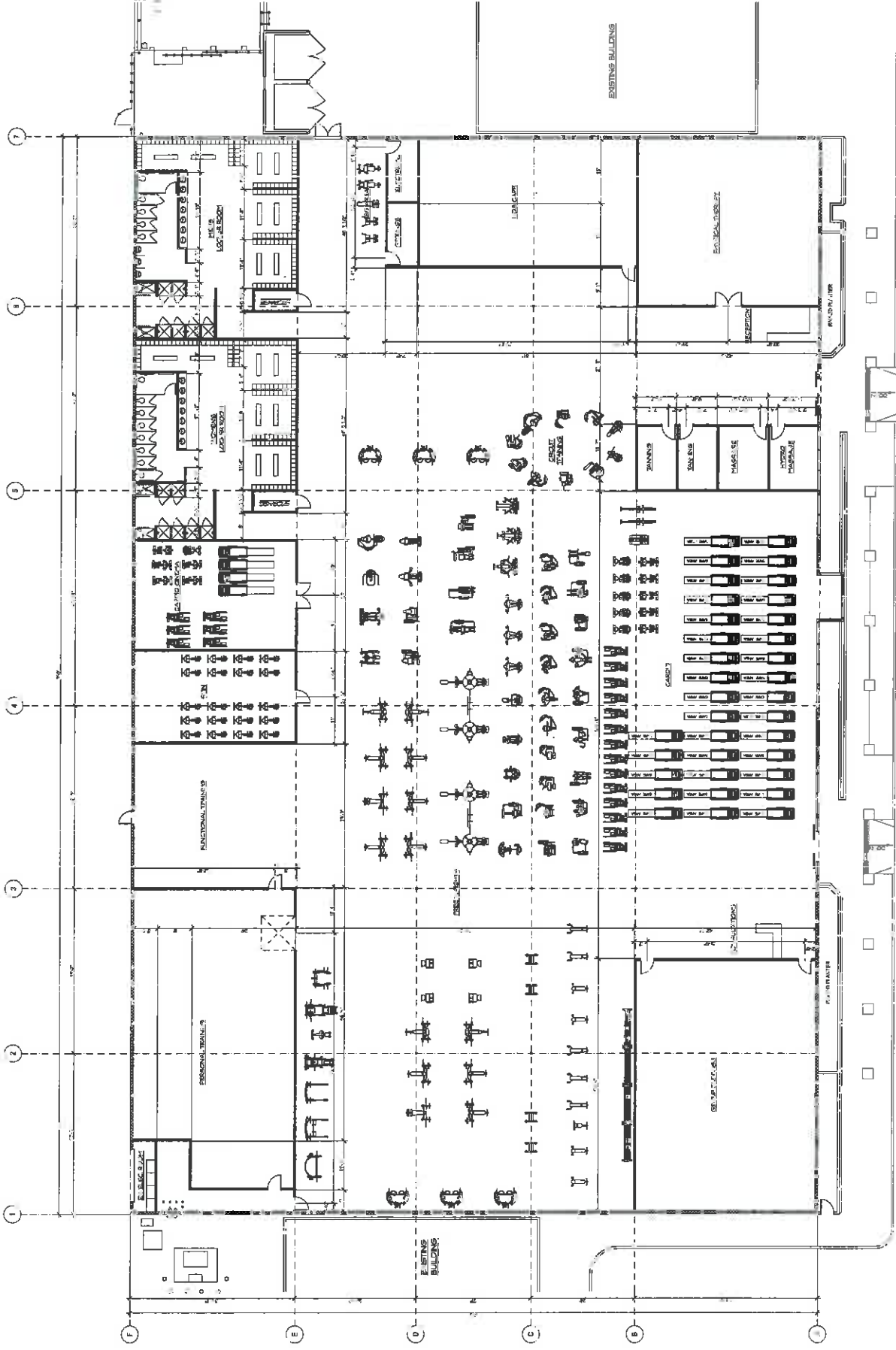


**DESIGN GROUP
INCORPORATED
ARCHITECTS**



PROPOSED INTERIOR REMODEL FOR:
HEALTH & FITNESS GYM
4207 W. NOBLE AVE., VISALIA, CA 93271

Sheet:
A-3



WALL LEGEND

---	1/2" CMU WALL
---	1/2" CMU WALL WITH GLASS
---	1/2" CMU WALL WITH GLASS & GLASS
---	1/2" CMU WALL WITH GLASS & GLASS

FLOOR PLAN
SCALE: 1" = 10'-0"

Conditional Use Permit No. 2016-19

The site is located at 4207 W. Noble Avenue, on the south side of Noble Avenue approximately 200 feet west of Chinoweth Street. (APN: 087-070-016)



Aerial Photo

Photo Taken March 2016



- WATERWAYS
- +--- RAILROADS
- CITY LIMITS
- PARCELS





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: October 10, 2016

PROJECT PLANNER: Brandon Smith, Senior Planner
Phone No.: 713-4636, Email: brandon.smith@visalia.city

SUBJECT: Variance No. 2016-08: A request by Nick and Becky Falcone to allow a variance to the minimum side and rear yard setbacks associated with a house addition and conversion of carport to garage, for a residence in the R-1-20 (Single-Family Residential, 20,000 square foot minimum lot size) Zone. The site is located at 2545 W. Border Links Drive. (APN: 089-100-010).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Variance No. 2016-08 based upon the conditions and findings in Resolution No. 2016-46. 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. 2016-08, based on the findings and conditions in Resolution No. 2016-46.

PROJECT DESCRIPTION

The proposed request by Nick and Becky Falcone is a variance to the 10-foot side yard and 25-foot rear yard setback requirements applicable to a house addition and remodel, as illustrated in Exhibit "A".

The house remodel will include conversion of the existing two-car carport to a garage. The carport does not conform to the side yard setback, wherein it currently measures 6 feet from the property line to the posts supporting the canopy. In addition to the carport conversion, additional living space will be constructed behind the garage where there is presently no habitable space or structures. The addition will result in the house and garage having a side yard setback ranging between 5 and 10 feet along the entire west-facing side of the house.

The new habitable space from the house addition will also encroach into the required 25-foot rear yard setback. According to the site plan illustrated in Exhibit "A", the proposed master bedroom/bathroom on the southwest corner of the property will be set back between 10 and 15 feet from rear property line. A new bedroom located between the master bedroom and existing house will be set back between 24 and 26 feet from rear property line. The existing house and covered patio, which will remain unchanged, do not conform to the rear yard setback requirement. The porch, which is open on two sides and opens to the side yard on the east, currently measures 15 feet from the property line to the posts supporting the roof structure.

The applicants have prepared a response to the five required variance findings to support their request, included as Exhibit "F". The applicant's findings explain that the house is situated in a manner where its functional yard and usable open space are to the side of the house on the east, rather than to its rear. As such, there are portions of the rear yard that serve no purpose.

The site plan further reveals that the house's existing and proposed floor areas are not perpendicular to the property lines, resulting in building spaces that protrude into the setbacks

at angles and don't have flush walls. The property is located in the R-1-20 zone (Single-Family Residential, 20,000 square foot minimum lot size) and has a site area of approximately 17,853 square feet.

BACKGROUND INFORMATION

General Plan Land Use Designation	Low Density Residential
Zoning	R-1-20 Single Family Residential
Surrounding Zoning and Land Use	North: R-1-20 – Single Family Residential South: R-1-20 – Single Family Residential East: R-1-20 – Single Family Residential West: R-1-20 – Single Family Residential
Environmental Review	Categorical Exemption No. 2016-46
Special District	None
Site Plan Review	N/A

PROJECT EVALUATION

Staff supports the variance to reduce the rear setback from 25 feet to 10 feet, and the side setback from 10 feet to 5 feet, based on the project's proposed findings (see Exhibit "F").

Side Yard Setback Requirements

The side yard setback for R-1-20 zoned lots is 10 feet. The project site contains an existing carport that is constructed with a minimum side yard setback of 6 feet. The proposed remodel of the carport to a garage will encroach approximately one foot further into the side yard setback resulting in a 5-foot side yard setback. The house addition located behind the garage will also result in a 5-foot side yard setback.

Staff is recommending approval of the reduction in side yard setback largely based on the pre-existing location of the carport that encroaches into the side yard setback and a review of current aerial photography that shows other houses throughout the neighborhood with setbacks less than the 10-foot minimum requirement (i.e. 2521 & 2635 W. Border Links Drive). In many cases, the portions of houses that encroach into the side yard setbacks are angled and are not perpendicular to property lines.

Rear Yard Setback Requirements

The rear yard setback for R-1-20 zoned lots is 25 feet. The existing house contains a patio structure, open on two sides and attached to the house that is constructed with a minimum rear yard setback of 15 feet. Living space adjacent to the patio is set back approximately 17 feet from the rear. The proposed house addition to the west will include a room addition into the rear yard setback ranging from 10 to 15 feet from rear property line.

Staff is recommending approval of the reduction in rear yard setback largely based on the house and attached patio footprint that encroach into the rear yard setback. A review of current aerial photography shows at least one house in the neighborhood (2612 W. Keogh Avenue) with a portion of the house significantly encroaching into the rear yard setback. Staff's recommendation is supported by the fact that the house is situated in a manner wherein the property's usable open space, typically reserved through the required rear yard setback, is



located in the side yard, and the property's rear yard as defined by the Zoning Ordinance functions as a side yard.

Garage / House Addition Design

Staff is recommending inclusion of Condition No. 2, requiring the garage addition and remainder of the house addition to match the architectural style of the house as illustrated in the elevations in Exhibit "D" and perspectives in Exhibit "E". The condition is to help ensure that the architecture style and features present in the main structure will be carried over into the garage.

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 "F".

- 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;*

Applicant's Findings: The house currently has a carport and no available storage for normal garage items such as kids toys, yard equipment, etc. In order to properly secure our vehicles as well as create storage for our family of 5, we would like to build a garage. The current carport is already about 6 feet from the property line. If we shrink the garage to fit within the setback, we would not be able to fit our two vehicles.

Analysis: Concur with applicant. Due to the confines of the house and existing carport, the garage would be best suited at its existing location. The side yard setback requirement presents a practical difficulty in that two cars would not be able to fit in the garage without a variance. Also, the side and rear yard setback requirements present a practical difficulty in that they impact the amount of area that the house can expand due to the house's existing configuration and orientation.

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;

Applicant's Findings: Our house is situated perpendicular to the street and our lot is almost pie shaped, leaving us with dead areas that have no current purpose.

Analysis: Concur with applicant. The house and carport are oriented in a manner that places the property's usable open space typically reserved through the required rear yard setback in the side yard. This leaves the property's required rear yard setback area as an empty space with little connection to the larger yard. Additionally, a portion of the house already encroaches into the required rear yard setback. Staff further finds that the property is non-conforming with regards to lot size, in that the size of the property is less than the 20,000 minimum lot size for the 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;

Applicant's Findings: We would enjoy and appreciate the privilege of having a garage like our neighbors. This would also ensure that our belongings are safely locked in a garage instead of parked in the carport which makes us a target for theft, which has already occurred.

Analysis: Concur with applicant. Most properties in the neighborhood and in the city have enclosed garages. Allowing the variance for the applicant to remodel the carport into a garage would allow the house to share the same privilege enjoyed by other residences in the city. In addition, there are other properties in the same neighborhood that currently do not meet the minimum side and rear yard setback requirements for the R-1-20 zone. This request is consistent with other existing non-conforming setbacks in the neighborhood.

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: Due to our uniquely designed home, its position on our lot, our lot's unique shape and the shape of our home, there are no other homes in our area that would face this predicament.

Analysis: Concur with applicant. Staff further adds that there are other properties in the same neighborhood that currently do not meet the minimum side and rear yard setback requirements for the R-1-20 zone. This request is consistent with other existing non-conforming setbacks in the neighborhood.

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: This allowance would be celebrated by our neighbors who have waiting for this home to be updated for over 50 years. This single story addition and garage will have no affect on the views experienced today by our neighbors and would truly benefit the home values in our area. This would in no way affect the health or safety of any properties in the area.

Analysis: Concur with applicant. The granting of a variance to setbacks is not considered detrimental to the public health, safety or welfare, or materially injurious to properties or

improvements in the vicinity. This request is consistent with other existing non-conforming setbacks in the neighborhood.

Environmental Review

The project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2016-46).

RECOMMENDED 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;

Due to the confines of the house and existing carport, the garage would be best suited at its existing location. The side yard setback requirement presents a practical difficulty in that two cars would not be able to fit in the garage without a variance. Also, the side and rear yard setback requirement present a practical difficulty in that they impact the amount of area that the house can expand due to the house's existing configuration and orientation.

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 house and carport are oriented in a manner that places the property's usable open space typically reserved through the required rear yard setback in the side yard. This leaves the property's required rear yard setback area as an empty space with little connection to the larger yard. Additionally, a portion of the house is already encroaching into the required rear yard setback. Staff further finds that the property is non-conforming with regards to lot size, in that the size of the property is less than the 20,000 minimum lot size for the 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;

Most properties in the neighborhood and in the city have enclosed garages. Allowing the variance for the applicant to remodel the carport into a garage would allow the house to share the same privilege enjoyed by other residences in the city. In addition, there are other properties in the same neighborhood that currently do not meet the minimum side and rear yard setback requirements for the R-1-20 zone. This request is consistent with other existing non-conforming setbacks in the neighborhood.

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 are other properties in the same neighborhood that currently do not meet the minimum side and rear yard setback requirements for the R-1-20 zone. This request is consistent with other existing non-conforming setbacks in the neighborhood.

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.

This request is consistent with other existing non-conforming setbacks in the neighborhood.

6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2016-46).

RECOMMENDED CONDITIONS OF APPROVAL

1. That Variance No. 2016-08 shall be developed consistent with the site plan included as Exhibit "A".
2. That the garage addition and remainder of the house addition shall match the architectural style of the house as illustrated in the elevations in Exhibit "D" and perspectives in Exhibit "E", including being limited to single-story construction.
3. That all other federal, state, regional, and county laws and city codes and ordinances be complied with.
4. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Variance No. 2016-08, prior to the issuance of a building permit.

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 form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe Street, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2016-46
- Exhibit "A" – Site Plan
- Exhibit "B" – Existing Floor Plan and Demolition Plan
- Exhibit "C" – Proposed Floor Plan
- Exhibit "D" – Elevation Plans
- Exhibit "E" – Perspective Drawings
- Exhibit "F" – Variance Findings Prepared by Applicant
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Sketch

RELATED PLANS AND POLICIES

Zoning Ordinance Chapter 17.12

DEVELOPMENT STANDARDS

R-1-20 Single Family Residential Zone

Maximum Building Height: 35 Feet

<u>Minimum Setbacks:</u>	Building
➤ Front	35 Feet
➤ Front Garage (garage w/door to street)	35 Feet
➤ Side	10 Feet
➤ Street side on corner lot	20 Feet
➤ Rear	25 Feet

Minimum Site Area: 20,000 square feet

Accessory Structures:

Maximum Height: 12 feet (as measured from average grade next to the structure)

Maximum Coverage: 20% of required Rear Yard (last 25 feet by the width)

Zoning Ordinance Chapter 17.42

VARIANCES AND EXCEPTIONS

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. (Prior code § 7555)

17.42.020 Exception purposes.

A. The planning commission may grant exceptions to ordinance requirements where there is a justifiable cause or reason; provided, however, that it does not constitute a grant of special privilege inconsistent with the provisions and intentions of this title.

B. The planning commission may grant exceptions or modifications to site development standards and zoning in accordance with the provisions of Chapter 17.32, Article 2, density bonuses and other incentives for lower and very low income households and housing for senior citizens. (Prior code § 7556)

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 and off-street parking facilities, in accordance with the procedures prescribed in this chapter. (Prior code § 7557)

17.42.040 Exception powers of city planning commission.

The city planning commission may grant exceptions to the regulations prescribed in this title, with respect to the following, consistent with the provisions and intentions of this title:

- A. Second dwelling units, pursuant to Sections 17.12.140 through 17.12.200;

B. Downtown building design criteria, pursuant to Section 17.58.090;

C. Fences, walls and hedges; and

D. Upon the recommendation of the historic preservation advisory board and/or the downtown design review board, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distance between structures and off-street parking facilities;

E. In accordance with Chapter 17.32, Article 2, density bonuses, may grant exceptions or modifications to site development standards and/or zoning codes. (Prior code § 7558)

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:

1. 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 which would result from the strict interpretation and enforcement of this title;

5. The application shall be accompanied by such sketches or drawings which may be necessary to clearly show applicant's proposal;

6. 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. (Prior code § 7559)

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 which is the subject of the hearing. (Prior code § 7560)

17.42.070 Investigation and report.

The city planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the city planning commission. (Prior code § 7561)

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. (Prior code § 7562)

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. (Prior code § 7563)

17.42.100 Exception action of the city planning commission.

A. The city planning commission may grant an exception to a regulation prescribed by this title with respect to fences and walls, and, upon recommendation of the historic preservation advisory board, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas, provided that all of the following criteria is applicable:

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

2. That the granting of the exception does not create an obstructed visibility that will interfere with traffic safety in the public right-of-way or to adjacent properties;

3. That the exception proposal becomes an integral part of the existing site development (e.g., design, material, contour, height, distance, color, texture).

B. The city planning commission may grant exceptions or modifications to zoning code requirements in accordance with the provisions of Chapter 17.32, Article 2, density bonuses. The granting of the exception shall become effective upon

the granting of the density bonus by the city council. (Prior code § 7564)

17.42.110 Appeal to city council.

A. Within five (5) working days following the date of a decision of the city planning commission on a variance or exception application, the decision may be appealed to the city council by the applicant or any other interested party. An appeal shall be made on a form prescribed by the commission and shall be filed with the city clerk. The appeal shall specify errors or abuses of discretion by the commission, or decisions not supported by the evidence in the record.

B. The city clerk shall give notice to the applicant and the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the city council. (Ord. 2001-13 § 4 (part), 2001: prior code § 7565)

17.42.120 Action of city council.

A. The city council shall review and may affirm, reverse or modify a decision of the city planning commission on a variance or exception application; provided, that if a decision denying a variance or exception is reversed or a decision granting a variance or exception is modified, the city council shall, on the basis of the record transmitted by the city planner and such additional evidence as may be submitted, make the findings prerequisite to the granting of a variance or exception as prescribed in Section 17.42.090(A) or (B), or 17.42.100(A), whichever is applicable.

B. A variance which has been the subject of an appeal to the city council shall become effective immediately after review and affirmative action by the city council. (Ord. 9605 § 30 (part), 1996: prior code § 7566)

17.42.130 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 which was the subject of the variance application, or a certificate of occupancy is issued by the building official for the site or structure which 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. (Prior code § 7567)

17.42.140 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. (Prior code § 7568)

17.42.150 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. (Prior code § 7569)

RESOLUTION NO. 2016-46

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2016-08: A REQUEST BY NICK AND BECKY FALCONE TO ALLOW A VARIANCE TO THE MINIMUM SIDE AND REAR YARD SETBACKS ASSOCIATED WITH A HOUSE ADDITION AND CONVERSION OF CARPORT TO GARAGE, FOR A RESIDENCE IN THE R-1-20 (SINGLE-FAMILY RESIDENTIAL, 20,000 SQUARE FOOT MINIMUM LOT SIZE) ZONE. THE SITE IS LOCATED AT 2545 W. BORDER LINKS DRIVE. (APN: 089-100-010).

WHEREAS, Variance No. 2016-08 is a request by Nick and Becky Falcone to allow a variance to the minimum side and rear yard setbacks associated with a house addition and conversion of carport to garage, for a residence in the R-1-20 (Single-Family Residential, 20,000 square foot minimum lot size) Zone. The site is located at 2545 W. Border Links Drive. (APN: 089-100-010); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on October 10, 2016; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2016-08, as conditioned by staff, to be in accordance with Chapter 17.42 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 of the City of Visalia 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 15305.

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 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;*

Due to the confines of the house and existing carport, the garage would be best suited at its existing location. The side yard setback requirement presents a practical difficulty in that two cars would not be able to fit in the garage without a variance. Also, the side and rear yard setback requirement present a practical difficulty in that they impact the amount of area that the house can expand due to the house's existing configuration and orientation.

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 house and carport are oriented in a manner that places the property's usable open space typically reserved through the required rear yard setback in the side yard. This leaves the property's required rear yard setback area as an empty space with little connection to the larger yard. Additionally, a portion of the house is already encroaching into the required rear yard setback. Staff further finds that the property is non-conforming with regards to lot size, in that the size of the property is less than the 20,000 minimum lot size for the 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;

Most properties in the neighborhood and in the city have enclosed garages. Allowing the variance for the applicant to remodel the carport into a garage would allow the house to share the same privilege enjoyed by other residences in the city. In addition, there are other properties in the same neighborhood that currently do not meet the minimum side and rear yard setback requirements for the R-1-20 zone. This request is consistent with other existing non-conforming setbacks in the neighborhood.

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 are other properties in the same neighborhood that currently do not meet the minimum side and rear yard setback requirements for the R-1-20 zone. This request is consistent with other existing non-conforming setbacks in the neighborhood.

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.

This request is consistent with other existing non-conforming setbacks in the neighborhood.

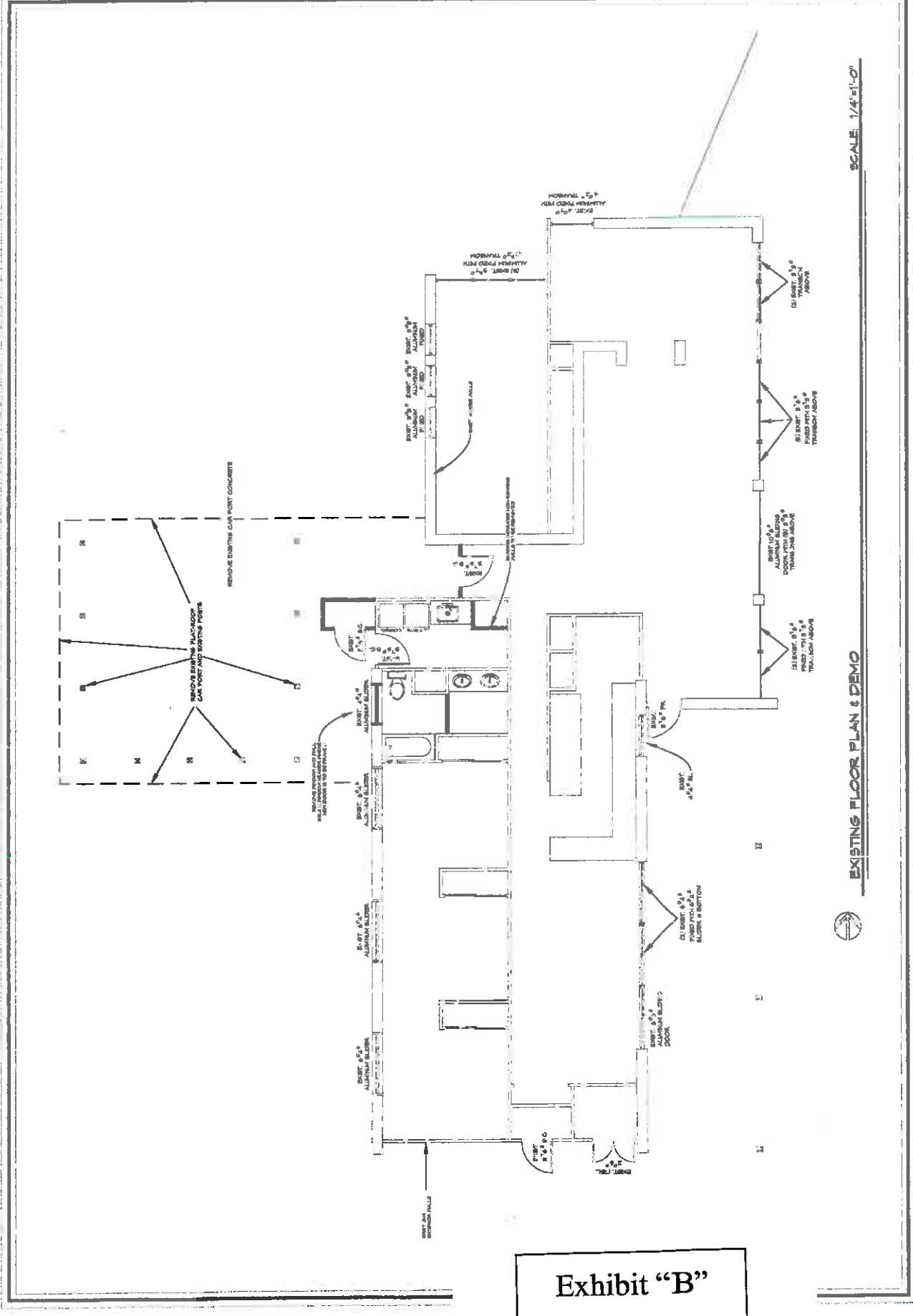
6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2016-46).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves Variance No. 2016-08, as conditioned, on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.42.090 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That Variance No. 2016-08 shall be developed consistent with the site plan included as Exhibit "A".

2. That the garage addition and remainder of the house addition shall match the architectural style of the house as illustrated in the elevations in Exhibit "D" and perspectives in Exhibit "E", including being limited to single-story construction.
3. That all other federal, state, regional, and county laws and city codes and ordinances be complied with.
4. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Variance No. 2016-08, prior to the issuance of a building permit.

DATE: 01/15/10
DRAWN BY: [illegible]
CHECKED BY: [illegible]
SCALE: 1/4"=1'-0"
PROJECT: [illegible]
SHEET: [illegible]



SCALE: 1/4"=1'-0"

EXISTING FLOOR PLAN & DEMO

Exhibit "B"

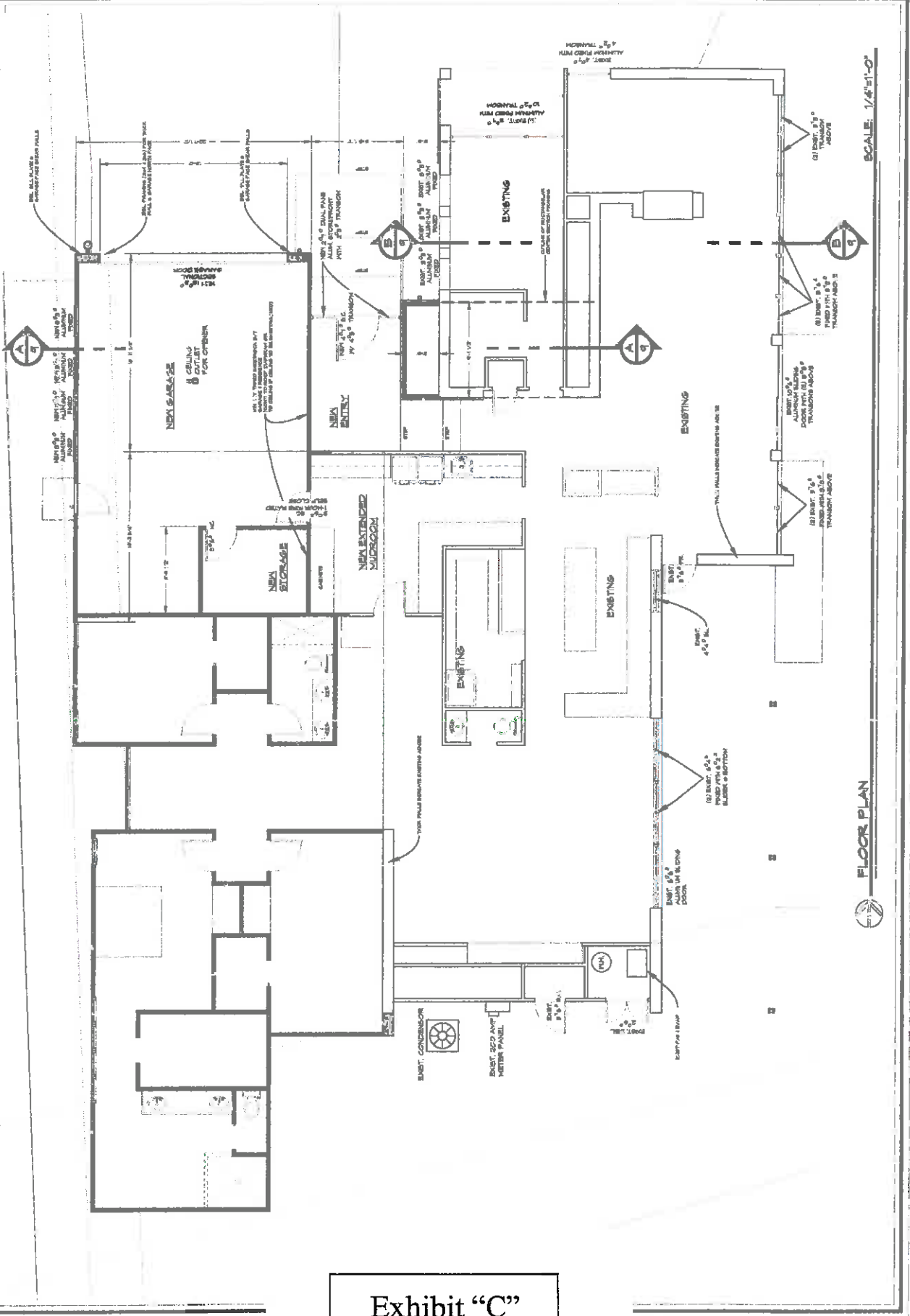


Exhibit "C"

GRADED BY
DAVID BROWN
 1218 1/2 10th Street
 Ventura, CA 93001
 ARCHITECT
SCOTT CONSTRUCTION
 CONTRACTOR
 1218 1/2 10th Street
 Ventura, CA 93001
 1218 1/2 10th Street
 Ventura, CA 93001

1218 1/2 10th Street
 Ventura, CA 93001
NICK & BECKY FALCONE
 -BARBARA ADDITION-
 1218 1/2 10th Street
 Ventura, CA 93001

SCALE: 1/4"=1'-0"
 ELEVATIONS

4

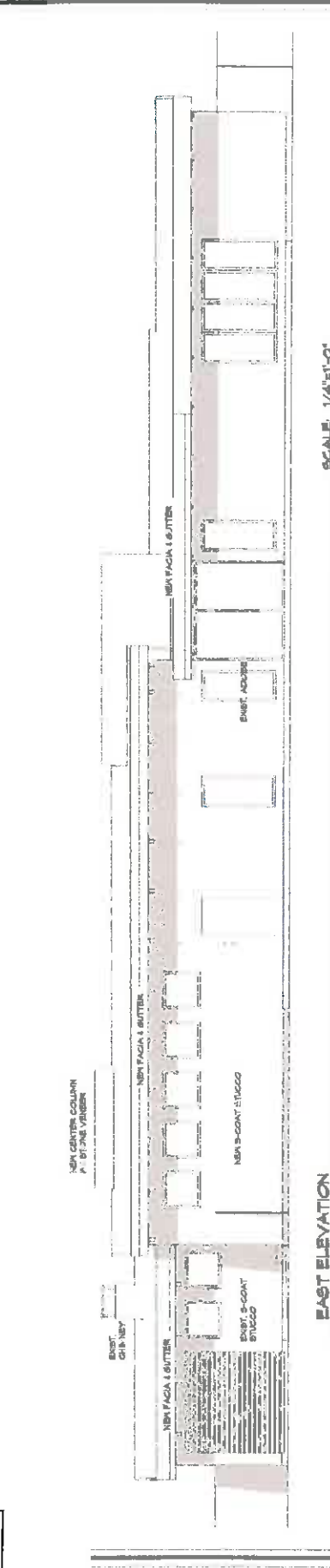
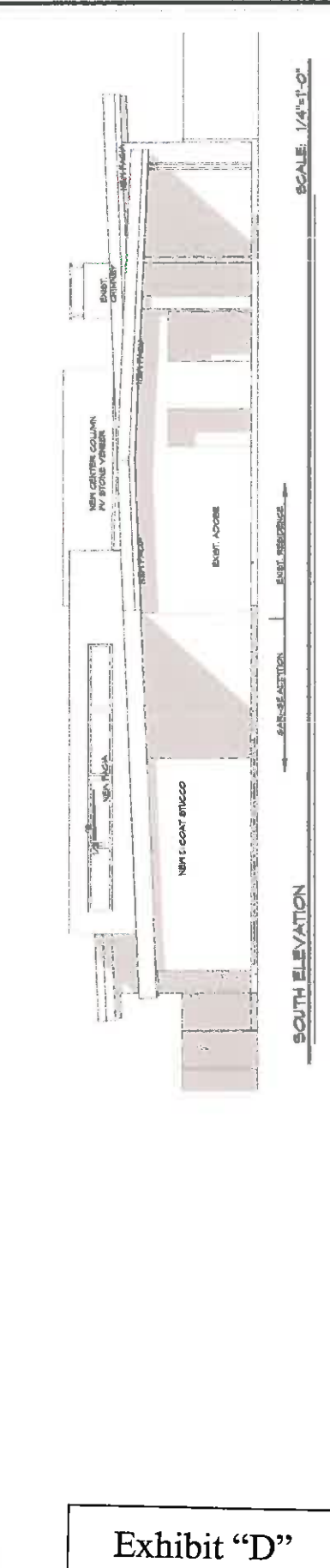
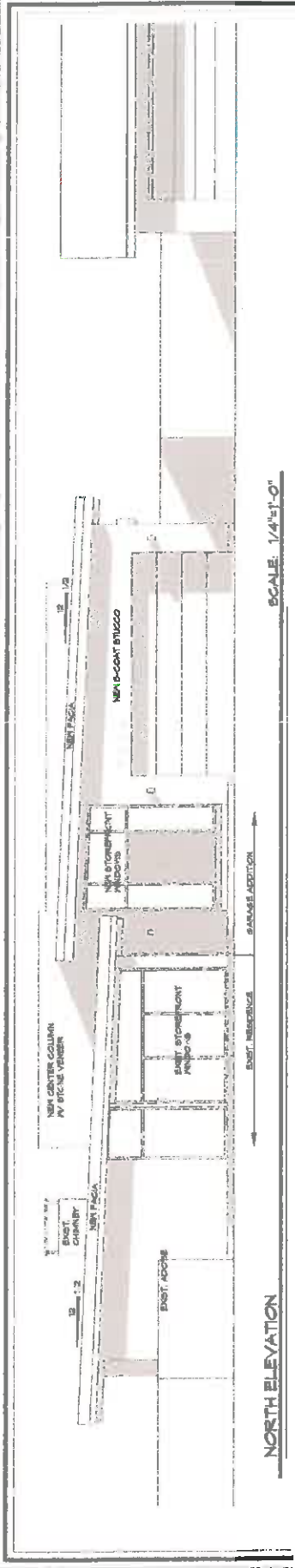
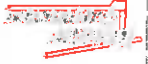


Exhibit "D"



DESIGNED BY
DANIS BOYON
181 S. DAN FERRIS ST.
VESALE, CA 95071
CONTRACT NO.
BOYON CONSTRUCTION
VESALE, CA 95071



Exhibit "E"

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 house currently has a carport and no available storage for normal garage items such as kids toys, yard equipment etc. In order to properly secure our vehicles as well as create storage for our family of 5, we would like to build a garage. The current carport is already about 6 feet from the property line. If we shrink the garage to fit within the setback, we would not be able to fit our two vehicles.

- behind the carport is unusable space. The house is situated in an unconventional way on our oddly shaped lot, which creates a dead zone behind the carport. The best use of this space, which isn't part of the backyard, would be to add to add onto the home.

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

- our house is situated perpendicular to the street and our lot is almost pie shaped, leaving us with dead areas that have no current purpose.

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

- we would enjoy and appreciate the privilege of having a garage like our neighbors. This would also ensure that our belongings are safely locked in a garage instead of parked in the carport which makes us a target for theft, which has already occurred.

- adding on behind the garage allows us to use our lot more effectively without shrinking our backyard or adding a structure to the front of the house which may be a bother to the neighborhood.

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

- due to our uniquely designed home, its position on our lot, our lot's unique shape and the shape of our home, there are no other homes in our area that would face this predicament.

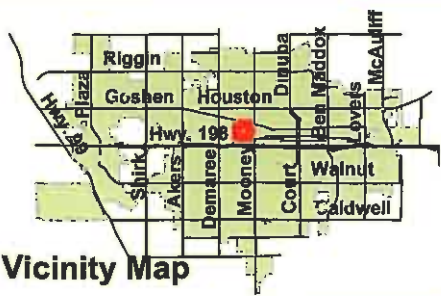
5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

- this allowance would be celebrated by our neighbors who have waiting for this home to be updated for over 50 years. This single story addition and garage will have no affect on the views experienced today by our neighbors and would truly benefit the home values in our area. This would in no way affect the health or safety of any properties in the area.

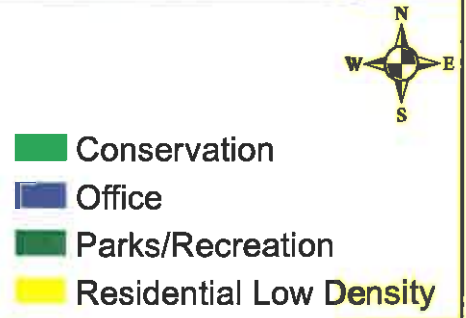
Exhibit "F"

Variance No. 2016-08

The site is located at 2545 W. Border Links Drive. (APN: 089-100-010).

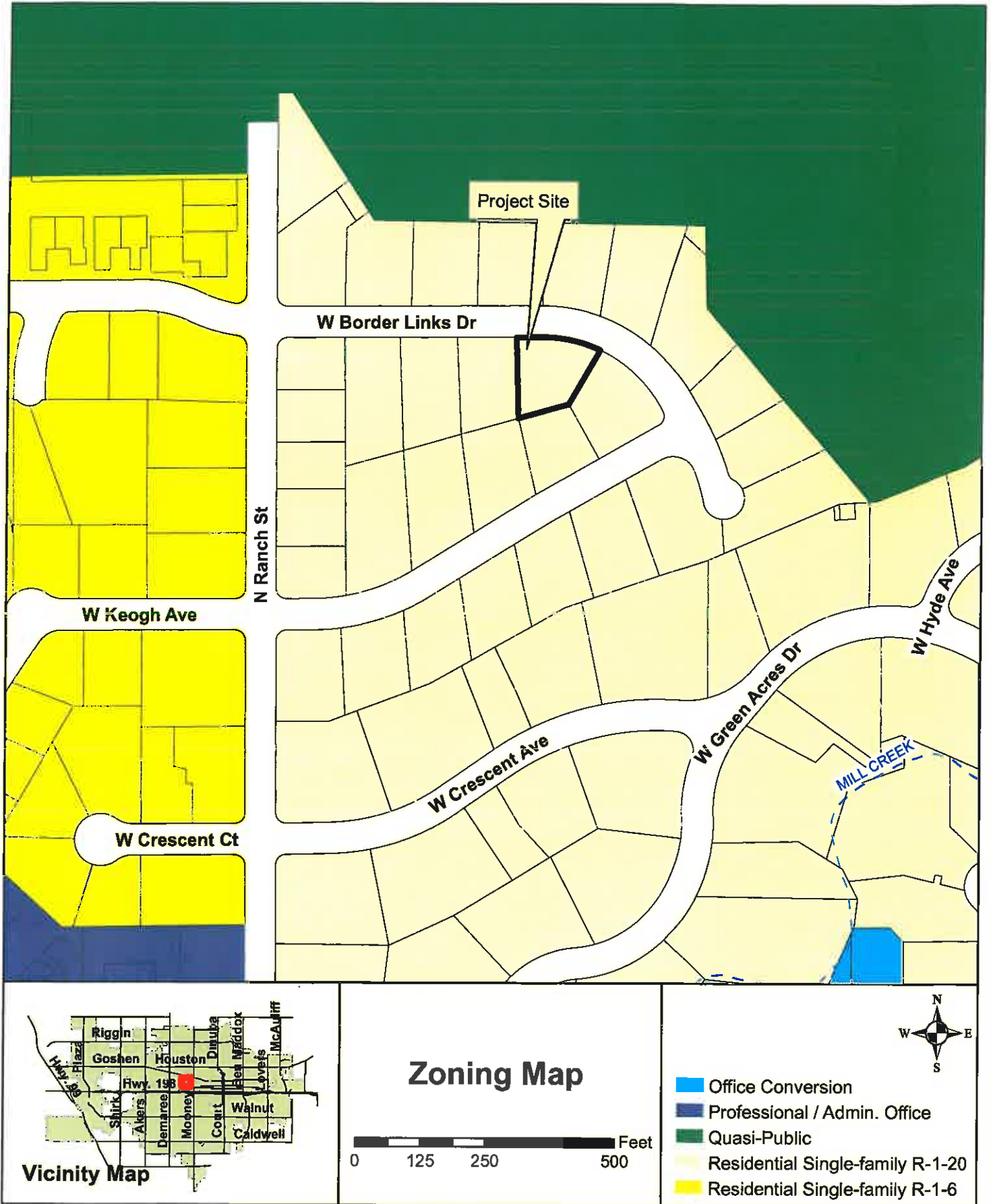


General Plan Land Use Map



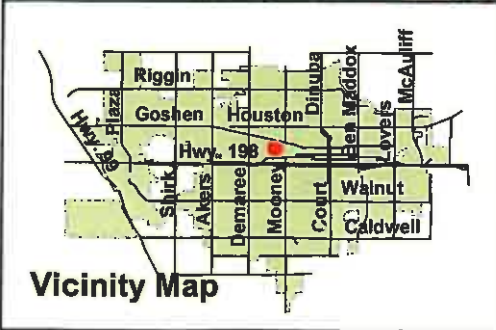
Variance No. 2016-08

The site is located at 2545 W. Border Links Drive. (APN: 089-100-010).



Variance No. 2016-08

The site is located at 2545 W. Border Links Drive. (APN: 089-100-010).



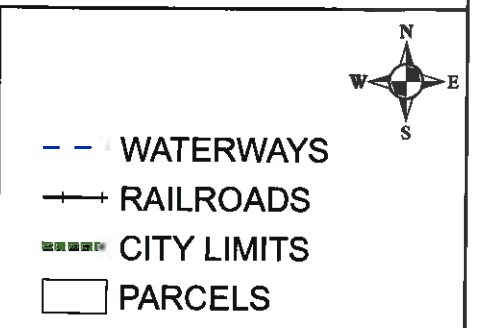
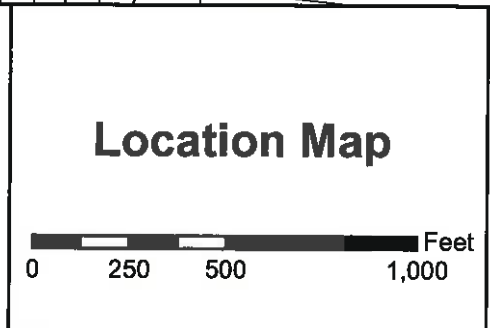
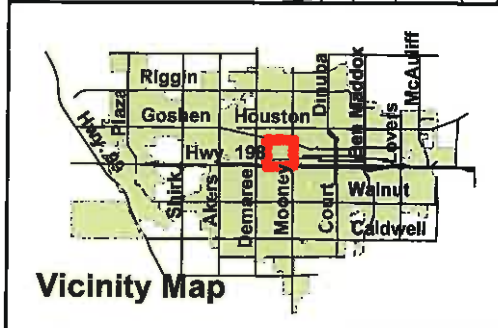
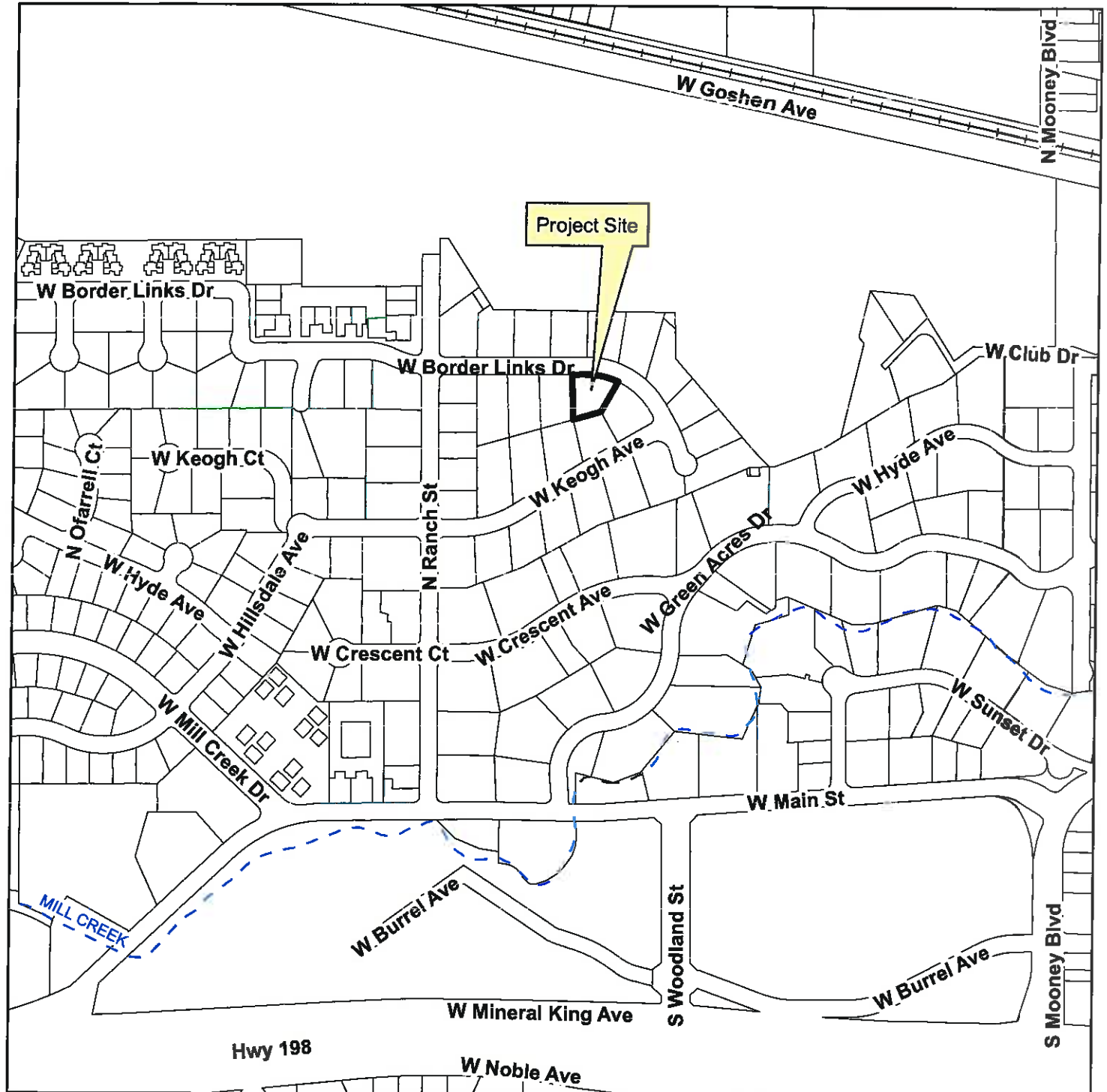
Aerial Photo
Photo Taken March 2016

0 50 100 200 Feet



Variance No. 2016-08

The site is located at 2545 W. Border Links Drive. (APN: 089-100-010).



City of Visalia

Memo



To: Planning Commission
From: Paul Bernal, Principal Planner
Date: October 10, 2016
Re: Update to the City's Subdivision Ordinance (Title 16), Zoning Ordinance (Title 17) and Zone Map

SUMMARY

The Draft Subdivision and Zoning Ordinances, Zoning Map and amendments to the General Plan Land Use Map are provided to the Planning Commission for their review and consideration. Staff recommends that the Planning Commission receive a staff presentation and public testimony, and consider recommending that the City Council adopt the Draft Subdivision (Title 16) and Zoning (Title 17) Ordinances, including the Draft Zoning Map, and General Plan Amendments to the General Plan Land Use Map for those properties identified in Exhibit "B" of Resolution No. 2016-54.

RECOMMENDED MOTION

That the Planning Commission adopt Resolution No. 2016-54 recommending that the City Council adopt the Draft Subdivision Ordinance (Title 16) and Draft Zoning Ordinance (Title 17), and incorporate revisions to the Draft Zoning Map and amendments to the General Plan Land Use Map as included in Exhibit "A" and Exhibit "B".

BACKGROUND

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

In 2015, the City Council selected QK, Inc., (formally Quad Knopf) as the preferred consultant to lead the strategic update to the Subdivision and Zoning Ordinances. In addition, the City Council appointed the Planning Commission as the Technical Advisory Committee to guide the consultant's efforts.

The Technical Advisory Committee (TAC) (i.e., Planning Commission), Consultant and staff a “Kick-Off” meeting on October 12, 2015. The purpose of the Kick-Off meeting was to introduce the TAC and public to the project team (i.e., consultant and staff manager), and receive presentations on the analytical programmatic approach the “project team” would conduct to gain direction and input from the TAC and public on items that need to be addressed in the updates. The overall objective, as emphasized during the Kick-Off meeting, is to make both the Subdivision and Zoning Ordinances clear, concise and meaningful based on the changes required as a result of adopted General Plan policies, input from the public and interested parties, and changes required due to new planning trends.

The TAC held six Work Session meetings from February 8, 2016 to July 25, 2016 to facilitate discussions related to General Policy implementation via the strategic update, and recommended changes based on input from Stakeholder interviews and staff’s recommended ordinance changes,

The Work Session forums allowed the Consultant to present various topics for the TAC’s consideration and direction on how these items would be incorporated in the ordinance update.

SUBDIVISION & ZONING ORDINANCE OVERVIEW

The Subdivision Ordinance (Chapter 16) is enacted for the purpose of regulating subdivision of land in the City of Visalia in accordance with the Subdivision Map Act of the state of California. In addition, the Subdivision Ordinance ensures that lots/parcels are subdivided to sufficient size, requires streets of adequate capacity for the anticipated traffic which would utilize them, ensures utilities can adequately serve new development, and ensures public areas and facilities needed to service new developments are borne fairly and equitably by the subdivider rather than by property owners of the city at large.

The Zoning Ordinance 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 zoning ordinance must be a set of parcel-specific regulations intended to implement the policies of the general plan. In addition the Zoning Ordinance ensures that public and private lands ultimately are used for purposes which are appropriate and most beneficial for the city; prevent excessive population densities; avoid a concentration of structures adjoining each other; promote a safe, effective traffic circulation system; require adequate off-street parking and truck loading facilities; facilitate the appropriate location of community facilities and coordinate land use policies and regulations of the city in order to facilitate the transition of land areas from county to municipal jurisdiction and to protect agricultural producers in areas planned for urban expansion.

DRAFT SUBDIVISION / ZONING ORDINANCES & ZONING MAP

The Consultant, QK Inc., has completed the draft ordinances and zoning map and staff has distributed these documents for public review. Copies of the draft ordinances and zoning map, including the Zone Map Book can be found the City of Visalia’s Community Development Department / Planning Division / Publications webpage or by visiting the Planning Commission webpage found under the Committees and Commissions link. Hard copies of these documents can also be found by visiting the City of Visalia’s Community Development Department, located at 315 East Acequia Avenue.

MAJOR CHANGES TO THE SUBDIVISION & ZONING ORDINANCES

Single-Family (R-1) Districts: Several major changes have been proposed for Chapter 17.12. The revisions to this chapter help in facilitating consistency with the General Plan and incorporate changes as discussed by the Technical Advisory Committee during Work Session meetings. Major Changes to the R-1 include:

- Reduction to minimum lot size in the R-1 zone: To facilitate higher densities the traditional R-1-6 zone, staff introduced revisions to the R-1 provisions that would reduce the minimum lot size from 6,000 square feet to 5,000 square feet. The reduction to the minimum lot size provides opportunities to have developments achieve an assumed buildout density of four units per acre. Retaining the R-1-6 minimum lot area would not meet the General Plan's policies for increasing residential density.
- Small Lot (Lots Less than 5,000 sq. ft.) Development Standards: The R-1 provision also contains a Small Lot section (Section 17.12.135) that allows the creation of small lots (4,999 to 3,600 sq. ft.) without a Conditional Use Permit. During Work Session meetings, staff identified potential zoning provisions that may entice a developer to pursue small lot subdivisions by eliminating the CUP requirement but holding these types of developments to codified development standards. The Small Lot provision provides the flexibility to create small lots but requires developers to comply with the following development standards:
 - Lots between 3,600 sq. ft. to 4,999 sq. ft.
 - Maximum number of small lots not to exceed 50% of total number of lots proposed.
 - Requires public streets (Private Streets required CUP).
 - Requires three floor plans and four different elevations.
 - Emphasis on the residential structure as the prominent feature (garages setback).

In the event that the development standards as contained in Section 17.12.135 cannot be met, a CUP is required.

- R-1-20 and R-1-12.5 Retained / R-A Zone Deleted: During Work Session discussions, the TAC was presented with options related to General Plan Consistency based on minimum density requirements. As a result of these discussions, the TAC concluded that Visalia is an urban city, and therefore, the R-A provisions, including the minimum one-acre lot sizes, were not conducive to Visalia's goal of achieving higher dwelling unit counts within the Visalia planning area. However, to protect existing large lot subdivisions the TAC directed staff to retain the R-1-12.5 and 20 zone designations. These two large lot zone designations are retained for existing large lot subdivision (i.e., Green Acres, Oak Meadow, Valley Oak, etc.) and designated on the corresponding draft Zoning Map.
- Reduction to the minimum lot area per unit in the R-M-3: To achieve the density ranges as identified in the High Density Residential Land Use designation (15 to 35 dwelling units per acre), the R-M-3 minimum lot area per unit is revised from 1,500 square feet per unit to 1,200 square feet per unit. This reduction to 1,200 sq. ft. minimum lot area per

unit would help the city in achieving developments that could provide a higher unit count per acre than the current 1,500 square foot minimum. The reduction to the minimum lot area does not change when multi-family developments are either "Permitted" (less than 60 units) or "Conditionally Permitted" (more than 60 units) in the R-M-3 zone.

Removal of Article 4. Design Districts (Section 17.30.120): The Draft Zoning Ordinance has eliminated the Design Districts Section. The Design District provisions "Article 4 Section 17.30.120" was developed to apply a uniform application of design standards within an area regardless of the zoning designation. The main purpose of the design standards is to obtain harmonious relationship of various uses, buildings, structures, lot sizes and open spaces while still maintaining the economic viability of a parcel of property.

Although the Design District provisions are proposed for removal, the development standards (i.e., building/landscaping setbacks, minimum lot size, maximum building height, etc.) that were derived from the Design Districts are now embedded under each corresponding Zoning Designation. By including the development standards within each of the Commercial, Office or Industrial zone Chapters, a person interested in developing properties in any of these zoning designations can readily find the development standards because the information is now contained with those corresponding Chapters. As an example, a person interested in developing a C-R (Regional Retail) zoned property and wanting information on building heights and setbacks can find all the development standards for that particular zone by reviewing the C-R Zone Chapter rather than having to cross-reference the property's zoning with the identified Design District.

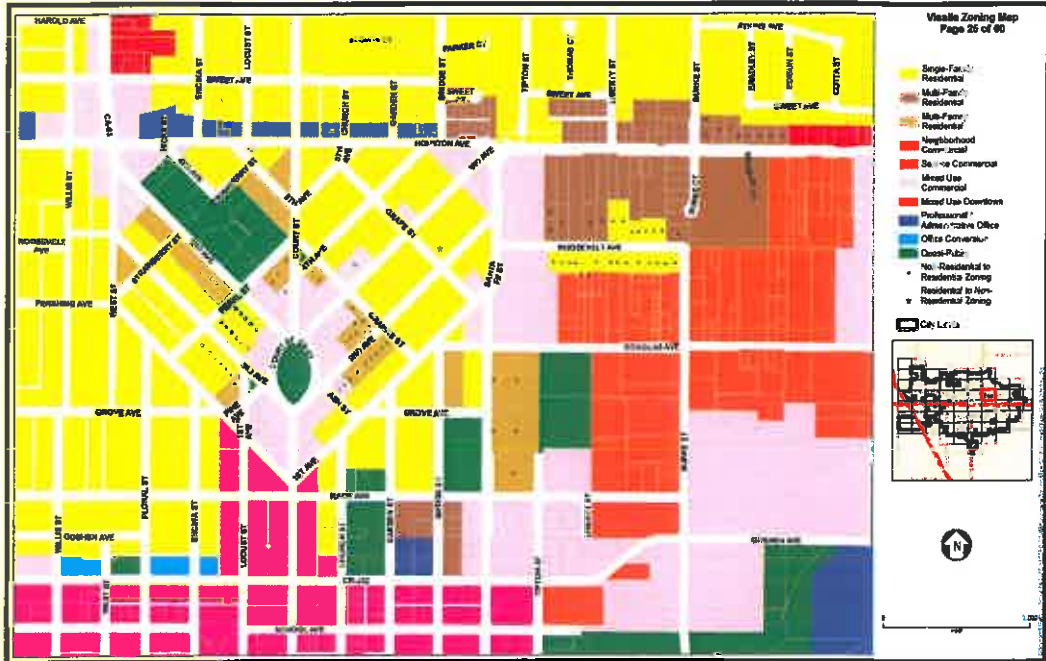
Changes to the Zone Matrix: The Technical Advisory Committee reviewed each line of the Zoning Matrix and identified, where feasible, uses in the Zone Matrix that could be changed from "Conditionally Permitted" to "Permitted". Based on the TAC's direction and changes to the Zone Matrix as identified by staff and stakeholder interviews, several revisions to Chapter 17.25 (Zone Matrix) have been incorporated. Redundancy of uses listed in the Zoning Matrix have been cleaned up, new uses have been incorporated (i.e., Internet Fulfillment Centers, Live Entertainment, Tutoring Centers, Micro-Brewery/Winery etc.), and antiquated uses (i.e., typewriter repair) have been removed. In addition, the Zone Matrix provides cross-references under the Special Use Standards column that provides a corresponding Section that is applicable to that use.

Special Provisions Chapter 17.32: Several changes have been incorporated to Chapter 17.32. Revisions to the section include codifying "Cottage Food Operations" as approved by Assembly Bill 1616, identifying retail building size limitations (floor area less than 40,000 square feet) in the C-N (Neighborhoods Commercial) zone, and identifying Drug Store locations in the O-PA zone based on location criteria.

Draft Zoning Map & Zoning Map Book: The draft Zoning Map identifies consistency with the adopted General Plan and both existing and new corresponding zoning designations. Several changes to the Zoning Map have been incorporated in addition to recommended changes as noted by the TAC.

The Zoning Map has been revised to establish a uniform land use pattern in the Urban Core area. During the TAC's work sessions, the Consultant identified a random pattern of Neighborhood Commercial properties adjacent to Commercial Mixed Use properties within the Urban Core area, the Consultant requested direction from the TAC on establishing two zone areas that would result in defining development standards that would differ based on whether Neighborhood Commercial or

Commercial Mixed Use were located in or out of the Urban Core. The TAC's preferred option, was to amend the Neighborhood Commercial land use designation in the Urban Core by re-designating those properties to Commercial Mixed Use. This change establishes a land use pattern that is consistent in the Urban Core area, and facilitates consistent application of development standards.



South Court/Locust Corridor: Other changes to existing neighborhoods include the change from R-1 (Single-Family Residential) to O-C (Office Conversion) for properties fronting onto both South Court and South Locust Streets between Noble Avenue to the north and Tulare Avenue to the south. The change from R-1 to O-C enables these properties to convert to office uses but requires that the transition from residential to a non-residential uses retain the character and integrity of the residential structure and requires the parking fields to be located to the rear of these structures.



Downtown and East Downtown: To facilitate the extension of the downtown area to the east, properties located in the area referred to as the East Downtown Area will be rezoned from Service Commercial to Mixed Use Commercial from Tipton Street to one block west of Ben Maddox Way. Properties located along Cotta Court will still retain the Service Commercial zone designation. The Central Business District designation will change to Downtown Mixed Use.



Amendments to the General Plan Land Use Map: Based on staff's analysis and review of the proposed changes to the City's Zoning Map, and correspondence received and discussions held with private property owners, amendments to the General Plan Land Use Map are required for several properties within the current City limits. The Land Use Designation amendments will provide consistency between the General Land Use Map and Draft Zoning Map. Staff has provided a list of properties that list either the APN or property site address, existing land use designation, and proposed land use designation. The list of properties requiring amendments to the General Plan Land Use Map are provided in Exhibit "B" of the attached Planning Commission Resolution No. 2016-54.

PUBLIC OUTREACH

Staff reached out to a variety of City committees and organizations to solicit feedback on the strategic update. To date, staff has presented to the North Visalia Advisory Committee, the Downtown Visalians Property Owner Association, Visalia Economic Development Corporation, Tulare County Association of Realtors, Kaweah Delta Health Care District - Property Services & Acquisition Committee, Downtown Visalians, Tulare Kings Hispanic Chamber of Commerce, and Visalia Chamber of Commerce.

Additionally, staff has met and/or discussed the proposed changes with private property owners and citizens who have inquired about the strategic update. Correspondence received as a result of these discussions is attached to the staff report.

The Draft Subdivision and Zoning Ordinance adoption hearings at the Planning Commission and City Council are the final opportunity for voices to be heard before action is taken. It is not uncommon and is anticipated that there will be several comments and requested changes to these documents during these hearings.

CALL RECEIVED FROM PROPERTY OWNERS REGARDING ZONING MAP CHANGES

Public notices were mailed to over 800 properties informing both owners and business/residential tenants of zoning changes being considered as part of the strategic Zoning Ordinance and Zone Map updates. Staff has received numerous calls and inquiries from property owners regarding the Zoning changes to their properties that are being considered as part of this update process. The following table is a list of property owners that contacted staff regarding their property and what new zoning changes would take effect once approved.

Prop. Owner	Prop. Address	Existing Zone	Proposed Zone	Comments/Issues
Carl Doucette	1447, 1521 & 1615 W. Caldwell Ave.	R-1-6	C-MU	No issues with rezoning properties to commercial designation.
Visalia Nazarene Church Wil Hobbs Executive Pastor	3333 W. Caldwell Ave.	Q-P	R-1-6	Had concerns regarding the change from Quasi-Public to Single-family designation. Inquired if existing CUP still valid for church and if the change would limit the special activities the church conducts throughout the year. CUP required for churches in either zone. The church related activities are part of the CUP and would run with the property.
Stephen Schenck	1124 N. Cairn St.	C-S	R-M-3	Had concerns regarding the change from Service Commercial to Multi-family designation. No commercial business being conducted at this property. Currently resides on-site in existing SFR.
Mike Gunning	1103 W. Center Ave.	P-A	O-C	No issues. Property converted to office use.

Roman Catholic Diocese of Fresno – Joseph Klinge	608 N. Church St.	R-1-6	Q-P	Is existing CUP still valid. CUP required for churches in either zone. No issues.
Ed Paige	1717 S. Church St.	P-A	R-1-6	Rental property (SFR). Inquired if rezone impacted rental property. No issues.
Congregation B'Nai David – Phil	1039 N. Chinowth St.	Q-P & R-1	Q-P & R-1	Is existing CUP still valid. CUP required for churches in either zone. No issues.
Thomas Carr	515 S. Court St.	R-1-6	O-C	No issues. Inquired about development standards if site is converted to an office use.
Rodger Boiling	805 S. Court St.	R-1-6	O-C	Has concerns regarding the change. Does not want properties being changed in his neighborhood. Area has issues with people parking along the street. Also, doesn't think it should warrant changes due to properties being in the Historic District.
Raymond Huer	1516 S. Court St.	P-A	R-M-2	No issues.
Fistolera Construction	420 N. Court	P-A	DMU	No issues. Site is used for as administrative offices for various businesses.
Fistolera Construction	1801 E. Harter Ct.	C-N	R-M-2	No issues. Site has an existing SFR.
Anna Gorzales	521 S. Locust St.	R-1-6	O-C	No issues.
Kristina White	624 S. Locust St.	R-1-6	O-C	No issues.
Kenny Davidson	500 S. Locust St.	R-1-6	O-C	No issues. Inquired if he can still retain his duplex.

	111 W. Olive St.			
Jose Gutierrez	715 S. Locust St.	R-1-6	O-C	No issues. Property is a SFR rental.
Greg Whitney	500 E. Race Ave.	C-S	R-M-3	Has issues with the proposed zone change. Property is used by VRM as administrative offices and donation drop-off/storing for VRM thrift store. Was unaware the property was re-designated with the GP Update. Wants to retain commercial zoning due to the existing use and location on Santa Fe St.
John Russell	625 N. Rinaldi St.	C-SO	R-M-2	No issues.
Sue	SW corner Houston & Demaree	P-A & R-M-3	P-A & R-M-3	No issues. Inquired about the potential to get commercial zoning on this property.

CORRESPONDENCE RECEIVED PERTAINING TO DRAFT ZONING UPDATE

Staff has received seven letters pertaining to the update to the City's Zoning Ordinance and Zoning Map. These comments are briefly summarized in the table below. Any changes noted as appropriate for revision to the Zoning Ordinance and Zoning Map are noted in the table below. The commenters may further address these or any new concerns during the adoption hearings.

Name	Comment	Received	Notes
Stonebridge Neighborhood Steering Committee	Encourage city to revise Zoning Ordinance to reflect GP Policies regarding the development of Neighborhood Commercial centers to be complementary to neighborhoods.	10/12/2015	Zoning Ordinance limits size of retail buildings in the C-N (40,000 sq. ft.) and requires a CUP for General Merchandise buildings. Grocery Stores and Drug Store pharmacies are Permitted but are subject to Section 17.32.050 that explicitly prohibits the development of retail or food stores greater than 40,000 sq. ft.
Brian & Casey Camarillo	Request for Zoning Ordinance to list "Other Recreational Uses" in the C-N (Neighborhood Zone)	05/16/2016	Concur. The draft Zone Matrix Line R8 identifies this use as Conditionally Permitted in the C-N zone.
Kerinth Young – Owner of Colonial Shopping Center	Request for Zoning Ordinance to list "Other Recreational Uses" in the C-N (Neighborhood Zone)	05/18/2016	Concur. The draft Zone Matrix Line R8 identifies this use as Conditionally Permitted in the C-N zone.

Visalia Chamber of Commerce – Gail Zurek	Request for Zoning Ordinance to list "Other Recreational Uses" in the C-N (Neighborhood Zone)	05/19/2016	Concur. The draft Zone Matrix Line R8 identifies this use as Conditionally Permitted in the C-N zone.
Alpha K9 Academy – Glenn Farris	Supports request to include "Other Recreational Uses" in the C-N (Neighborhood Zone)	05/19/2016	Concur. The draft Zone Matrix Line R8 identifies this use as Conditionally Permitted in the C-N zone.
Cary S. Winslow	Request the draft Zoning Map rezone properties to match the existing development patter for 16 lots located along the 200 block of NE 2 nd Ave	07/19/2016	Concur. The draft Zoning Map has been revised to reflect the changes requested by Carey Winslow except for property located at 235 NE 2 nd Ave which has a proposed zoning designation of R-M-2.
Sharinon Shipley	Request to operate In-door dog park and dog training.	07/20/2016	Zoning Ordinance already list this use in various zoning designations.
CRS Farming, LLC	Request to retain C-MU zone designation for their commercial property located at on the northwest and north east corners of N. Mooney Blvd. and W. Riggan Ave. (APNs: 078-350-042, 045, 046, 047 and 078-120-034).	09/27/2016	Concur with the property owner's request. Land Use Designation and Zoning are required to be amended.
Castlewood Partners, Inc.	Request to retain Residential Medium Density on the southeast and southwest corners of S. Ben Maddox Way and K Ave.	10/06/2016	Sites were planned and zoned in the 1991 GP and 1993 Zoning Map for R-M-2 development.

ENVIRONMENTAL REVIEW

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

An Initial Study No. 2016-41 was prepared for this project, which disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the 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. Therefore, staff concludes that the Program Environmental Impact Report adequately analyzed and addresses the updates to both

the Subdivision and Zoning Ordinances and the Zone Map necessary to enable regulatory enforcement of the new plan policies and to achieve consistency between the General Plan and implementing ordinances.

PUBLIC HEARING PROCESS

The Planning Commission's public hearing to consider recommending the Draft Subdivision and Zoning Ordinance and Draft Zoning Map as final, adopted ordinances and Zone Map is one of the final steps toward adoption. After considering any further public comment received on all documents, the Planning Commission will take one or more votes for the overall recommendation to the City Council and adopt resolutions. These resolutions will be forwarded to the City Council and public comment will be invited by the City Council, after which a final determination will be made.

ATTACHMENTS:

- Initial Study No. 2016-41
- Resolution No. 2016-54 (Title 16 Subdivision & Title 17 Zoning Ordinances, Zone Map, and General Plan Amendment Land Use Changes)
- Correspondence Received

INITIAL STUDY

I. GENERAL

A. Change of Zone No. 2016-09 is a request by the City of Visalia to update Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Visalia Municipal Code, and to amend the Zoning Map of the City of Visalia.

B. Identification of the Environmental Setting:

The project site includes all areas within the city limits of the City of Visalia.

C. Plans and Policies: The General Plan Land Use Diagram, adopted October 14, 2014, designates all properties within the City's boundaries for residential, commercial, office and industrial development while also designating areas for parks, open space areas, quasi-public and schools.

A) Subdivision Ordinance: The subdivision ordinance is adopted in order to achieve the following objectives:

- To aid in the implementation of the general plan of the city, and elements thereof, as adopted by the city council;
- To provide lots of sufficient size and appropriate design for the purposes for which they are to be used;
- To provide streets of adequate capacity for the anticipated traffic which would utilize them and to ensure that they are designed to promote a safe vehicular and pedestrian traffic circulation system;
- To accommodate new development in a manner which will preserve and enhance the city's living environment and create new beauty through skilled subdivision design;
- To provide for water supply, sewage disposal, storm drainage, solid waste collection and other utilities and facilities which are required by conditions of an urban environment;
- To ensure that the costs of providing rights-of-way, street improvements, utilities and public areas and facilities needed to service new developments are borne fairly and equitably by the subdivider rather than by property owners of the city at large.

B) Zoning Ordinance: The Zoning Ordinance is 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. More specifically, the zoning ordinance is adopted in order to achieve the following objectives:

- Foster a workable relationship among land uses;
- Promote the stability of existing land uses which conform to the district in which they occur;
- Ensure that public and private lands ultimately are used for purposes which are appropriate and most beneficial for the city;
- Prevent excessive population densities;
- Avoid a concentration of structures adjoining each other or juxtaposed too closely together in close proximity to each other;
- Promote a safe, effective traffic circulation system;
- Require adequate off-street parking and truck loading facilities;
- Facilitate the appropriate location of community facilities and institutions;
- Coordinate land use policies and regulations of the city in order to facilitate the transition of land areas from county to municipal jurisdiction and to protect agricultural producers in areas planned for urban expansion;
- Implement the goals, policies and map of the general plan.

II. ENVIRONMENTAL IMPACTS

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

III. MITIGATION MEASURES

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

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan as the project relates to bringing consistency between the General Plan and Subdivision and Zoning Ordinances. A comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

V. SUPPORTING DOCUMENTATION

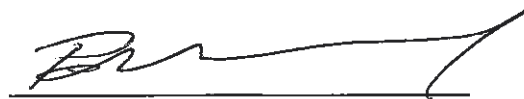
The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference:

- 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 16 (Subdivision Ordinance).
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY



Paul Bernal
Principal Planner



Paul Scheibel, AICP
Environmental Coordinator

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST**

Name of Proposal	Change of Zone No. 2016-09	
NAME OF PROPONENT:	City of Visalia, Planning Division	NAME OF AGENT: City of Visalia, Planning Division
Address of Proponent:	315 E. Acequia Ave. Visalia, CA 93291	Address of Agent: 315 E. Acequia Ave. Visalia, CA 93291
Telephone Number:	(559) 713-4356	Telephone Number: (559) 713-4359
Date of Review	August 26, 2016	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 with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

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

II. AGRICULTURAL RESOURCES

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

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

III. AIR QUALITY

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

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

IV. BIOLOGICAL RESOURCES

Would the project:

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

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

V. CULTURAL RESOURCES

Would the project:

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

VI. GEOLOGY AND SOILS

Would the project:

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

VII. GREENHOUSE GAS EMISSIONS

Would the project:

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

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

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

IX. HYDROLOGY AND WATER QUALITY

Would the project:

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

X. LAND USE AND PLANNING

Would the project:

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

XI. MINERAL RESOURCES

Would the project:

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

XII. NOISE

Would the project:

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

XIII. POPULATION AND HOUSING

Would the project:

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

XIV. PUBLIC SERVICES

Would the project:

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

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

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

XV. RECREATION

Would the project:

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

XVI. TRANSPORTATION / TRAFFIC

Would the project:

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

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

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

Revised 2009

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

No specific developments are approved as part of Subdivision and Zoning Ordinance update adoption; therefore, the update, in itself, would not directly result in aesthetic impacts. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the General Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

Additionally, a comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

- a. The Sierra Nevada mountain range is a scenic vista that can be seen from Visalia on clear days. No developments are proposed that would obstruct any scenic vista.
- b. There are no officially designated State Scenic Highways in the Visalia area, however State Highway 198 is eligible for designation. State Highway 198 bisects the project area. Adopting the Subdivision and Zoning Ordinance update will not, by itself, impact the scenic character of Highway 198.
- c. The proposed project would constitute no more than a furtherance of the urban character of the project area. The City has development standards that will ensure that the visual character of the area is not degraded.
- d. Adopting the Subdivision and Zoning Ordinance update will not, by itself, create new light sources or sources of glare that would adversely affect day or nighttime views in the area.

II. AGRICULTURAL RESOURCES

- a. The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area, which includes the subject property, into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated, through the use of agricultural conservation easements or by other means. However, the General Plan contains multiple policies that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan policies identified under Impact 3.5-1 of the EIR serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space

around the City fringe and maintaining compact development within the City limits.

Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

- b. Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.
- c. No specific developments are approved as part of Subdivision and Zoning Ordinance update adoption; therefore, the update, in itself, would not directly result in agricultural resource impacts. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the General Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

Additionally, a comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

- d. The project will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur.

III. AIR QUALITY

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

No specific developments are approved as part of Subdivision and Zoning Ordinance update adoption; therefore, the update, in itself, would not directly result in air impacts. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the General Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

Additionally, a comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to

enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

- b. Development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. However, the project is consistent with the applicable land use and policies of the General Plan.

Future development may contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Future projects could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

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

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

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. Future development of the plan area may will result in a net increase of criteria pollutants. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1, 3.3-2, and 3.3-3 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

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

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

The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

- d. Residences located near the proposed project may be exposed to pollutant concentrations due to future construction activities. However, no specific developments are approved as part of Subdivision and Zoning Ordinance update adoption; therefore, the update, in itself, would not directly result in air quality impacts. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the General Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

Additionally, a comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

- e. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people.

IV. BIOLOGICAL RESOURCES

- a. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-1 of the EIR, that together work to reduce the potential for impacts on special-status species likely to occur in the Planning Area. With implementation of these polices, impacts on special-status species will be less than significant.
- b. Potential projects developed pursuant to the Subdivision and Zoning Ordinance Updates will not be located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

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

- c. Potential projects developed pursuant to the Subdivision and Zoning Ordinance Updates will not be located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within in the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.

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

V. CULTURAL RESOURCES

- a. Per City grading practices, if some potentially historical or cultural resource is unearthed during any development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations..
- b. Per City grading practices, if some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area.

- d. Per City grading practices, if human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

VI. GEOLOGY AND SOILS

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. Development is not being considered with the project. However, future development will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The City is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics..
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. No project will involve the use of septic tanks or alternative waste water disposal systems since sanitary sewer lines are used for the disposal of waste water for all new projects in the City.

VII. GREENHOUSE GAS EMISSIONS

- a. The project is not expected to generate Greenhouse Gas (GHG) emissions in the short-term. There are no construction activities being considered by this project. The project is a policy document to bring the subdivision and zoning ordinances into consistency with City's General Plan. Further, at this time, there is no development plan proposed by the project.
- b. 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.
- c. 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. 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.
- d. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the project.
- b. There are no construction activities associated with the project.
- c. There 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 project area includes the Visalia Municipal Airport and is consistent with the Airport Land Use Compatibility Plan.
- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. Adopting the updates to the Subdivision and Zoning Ordinances will not, by itself, impact any wildlands or flammable brush, grassy or dry tree areas within or near the project area.

IX. HYDROLOGY AND WATER QUALITY

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

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

- b. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Adopting the updates to the Subdivision and Zoning Ordinances will not, by itself, result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer.
- c. The project will not result in substantial erosion on- or off-site. No specific developments are approved as part of Subdivision and Zoning Ordinance update adoption; therefore, the update, in itself, would not directly result in Hydrology and Water quality impacts. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the General Plan will be subject to project-specific environmental

review in accordance with Section 10562 et seq. of the CEQA Guidelines.

Additionally, the comprehensive update to both of these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

- d. Adopting updates to the Subdivision and Zoning ordinances will not, by itself, substantially alter the existing drainage pattern of the site or area, alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
- e. Adopting updates to the Subdivision and Zoning ordinances will not, by itself, create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- f. Adopting updates to the Subdivision and Zoning ordinances will not, by itself, result in reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. Adopting updates to the Subdivision and Zoning ordinances will not, by itself, have any impacts on flood zones.
- h. Adopting updates to the Subdivision and Zoning ordinances will not, by itself, impede or redirect flood flows.
- i. Adopting updates to the Subdivision and Zoning ordinances will not, by itself, expose people or structures to risks from failure of levee or dam.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, which will contribute to the lack of impacts by mudflow occurrence.

x. LAND USE AND PLANNING

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

In addition, the Zoning Map will be updated to reflect the new zoning designations established with the approval of the General Plan. The new zoning designations will establish consistency between the Zoning Map and Zoning Ordinance.

- a. Adopting updates to the Subdivision and Zoning Ordinances and Zoning Map will not, by itself, physically divide an established community.
- b. The project does not involve any change to, or conflict with applicable land use plans, policies, or regulations.

The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

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

The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

XI. MINERAL RESOURCES

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

XII. NOISE

- a. The project will not result in noise generation typical of urban development. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law. There is no development plan proposed for this property.

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

- b. Ground-borne vibration or ground-borne noise levels may occur as part of future construction activities, however, there are no construction activities associated with this project. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law. There is no development plan proposed for this property.
- c. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law. There is no development plan proposed for this property. The City's standards for setbacks and/or construction of walls along major streets and adjacent to residential uses reduce

noise levels to a level that is less than significant. Noise associated with the establishment of new residential uses was previously evaluated with the General Plan for the conversion of land to urban uses.

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 lands uses would be less than significant.

- d. Noise levels will increase during future construction activities; however, there are no construction activities associated with this project.
- e. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law. There is no development plan proposed for this property. The project area has is not within 2 miles of a public airport. The project will not expose people residing or working in the project area to excessive noise levels.
- f. There is no private airstrip near the project area.

XIII. POPULATION AND HOUSING

- a. Comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, result in not directly induce substantial population growth that is in excess of that planned in the General Plan. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.
- b. Comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, result in displacing any housing. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.
- c. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, result in displacing any people on the site. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

XIV. PUBLIC SERVICES

- a. No specific developments are approved as part of comprehensive updates to the Subdivision and Zoning ordinance adoption; therefore, comprehensive updates to the Subdivision and Zoning ordinances, in itself, would not directly impact utilities and service systems. Projects

undertaken in the course of implementing the goals, policies, and programs identified in the General Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

- i. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require new fire protection services or facilities.
- ii. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require new police protection services or facilities.
- iii. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, directly generate new students.
- iv. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, directly generate the need for additional park facilities.
- v. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require other public services or facilities

XV. RECREATION

- a. The project will not directly generate new residents.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

XVI. TRANSPORTATION AND TRAFFIC

- a. Future development is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.
- b. Adoption of the comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The project will not result in inadequate emergency access.
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVII. UTILITIES AND SERVICE SYSTEMS

No specific developments are approved as part of comprehensive updates to the Subdivision and Zoning ordinance adoption; therefore, comprehensive updates to the Subdivision and Zoning ordinances, in itself, would not directly impact utilities and service systems. Projects undertaken in the course of implementing the goals, policies, and programs identified in the General Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

- a. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require the use of wastewater facilities.
- b. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require the construction of new wastewater treatment facilities.
- c. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require the construction of new storm water facilities.
- d. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, affect existing water demands.
- e. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require the use of wastewater facilities.
- f. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require the use of solid waste facilities.
- g. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, require the use of solid waste facilities.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- a. Adoption of comprehensive updates to the Subdivision and Zoning ordinances will not, by itself, 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. The City of Visalia General Plan area 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. Adoption of comprehensive updates to the Subdivision and Zoning ordinances are required with the adoption of the Visalia General Plan. The comprehensive update to both these ordinances is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law. The City of Visalia General Plan area was evaluated in the

Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to

urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

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



Paul Scheibel, AICP
Environmental Coordinator

August 25, 2016
Date

RESOLUTION NO. 2016-54

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CHANGE OF ZONE NO.
2016-09, A REQUEST BY THE CITY TO UPDATE TITLE 16 (SUBDIVISION) AND
TITLE 17 (SUBDIVISION) ORDINANCES AND THE ZONING MAP OF THE VISALIA
MUNICIPAL CODE, CITYWIDE.

WHEREAS, The City of Visalia ("City") initiated a comprehensive update of its Subdivision (Title 16) and Zoning (Title 17) Ordinances and Zoning Map to bring consistency with the Visalia General Plan; and,

WHEREAS, The City of Visalia conducted numerous Work Sessions with the Technical Advisory Committee and public outreach efforts in association with the strategic ordinance update effort, wherein community members participated through work sessions as well as written and verbal communication to share ideas and request; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published ten (10) day notice, held a public hearing before said Commission on October 10, 2016; and

WHEREAS, the Planning Commission has reviewed and considered the Draft Title 16 and Title 17 Ordinances and the Draft Zoning Map, as well as revisions to the General Plan Land Use Map, as identified in Exhibit "A" and Exhibit "B" that will be integrated into the Draft Ordinances and Draft Zone Map; and,

WHEREAS, The Planning Commission of the City of Visalia, after conducting said public hearing, has considered all comments received on the Draft Subdivision and Zoning Ordinances and the Draft Zone Map; and,

WHEREAS, The Planning Commission of the City of Visalia has determined that the proposed Draft Ordinances and Draft Zone Map will incorporate and implement the new policies and concepts established per the Visalia General Plan and is a necessary requirement to enable regulatory enforcement of the General Plan policies and to achieve consistency between the General Plan and implementing ordinances.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council conclude 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) prepared for the October 2014 General Plan Update. The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. The Program Environmental Impact Report adequately analyzed and addressed changes to Title 16 (Subdivision) and Title 17 (Zoning) of the Visalia Municipal Code.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the City Council adopt the Draft Title 16 (Subdivision) Ordinance, Draft Title 17 (Zoning) Ordinance, Amendments to the General Plan Land Use Map for those properties identified in the attached Exhibit "B", and the Draft Zone map, including revisions as noted in the Planning Commission Staff Report dated October 10, 2016.

Ordinance No. 2016-___

EXHIBIT "A"

REPEAL TITLE 16 (SUBDIVISION), TITLE 17 (ZONING) ORDINANCES AND ZONE MAP OF THE VISALIA MUNICIPAL CODE AND ADOPT THE COMPREHENSIVE UPDATES TO TITLE 16 (SUBDIVISION), TITLE 17 (ZONING) ORDINANCES AND ZONE MAP OF THE VISALIA MUNICIPAL CODE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VISALIA:

Section 1: Repeal Title 16 (Subdivision), Title 17 (Zoning) Ordinances and the Zone Map of the Visalia Municipal Code, and adopt the comprehensive updates to Title 16 (Subdivision), Title 17 (Zoning) Ordinances, and Zone Map of the Visalia Municipal.

Section 2: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of these Ordinances, or its application to any person or circumstances, is or any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not effect the validity or enforceability of the remaining sections, subsections, subdivision, paragraphs, sentences, clauses or phrases of these Ordinances, or its application to any other person or circumstance. The City Council of the City of Visalia hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 3: Construction. The City Council intends these Ordinances to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section 4: Effective Date. These Ordinances shall take effect thirty days after its adoption.

Section 5: Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

EXHIBIT "B"

Properties Requiring General Plan Amendment to Land Use Map

APN_ID	ADDRESS	ZONE	EXISTING LAND USE DESIGNATION	NEW LAND USE DESIGNATION	EXISTING USE
078110012	N/A	Quasi-Public	Residential Very Low Density	PARKS/RECREATION	PARK SITE
090250064	2611 N. DINUBA	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	P-I (PUBLIC INSITUTIONAL)	COUNTY BUILDING
077710007	6921 W. FERGUSON	Service Commercial	Commercial Service	P-I (PUBLIC INSITUTIONAL)	FIRE STATION
094054001	315 E. HOUSTON	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VACANT COMMERCIAL BUILDING
094073027	400 NE 2ND AVE	Residential, 1 Unit, 6,000 sq. ft.	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	APARTMENTS
094071014	217 NE 3RD AVE	Residential, 1 Unit, 6,000 sq. ft.	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VISALIA EMERGENCY AID COUNCIL
094044002	101, 105, 109, 113, 117 N. STRAWBERRY	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	RMD (R-M-2)	APARTMENTS
094044001	405, 409, 411, 413 NW 2ND	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	RMD (R-M-2)	APARTMENTS
094032013	1001 & 1005 N. COURT & 116 NW 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDINGS
094032009	N/A	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	PARKING LOT
094032010	130 NW 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	CHURCH
094032012	N/A	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	PARKING LOT
094033009	101 NE 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	RESTAURANT
094033008	107 NE 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	PARKING LOT
094033010	N/A	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	PARKING LOT

				MIXED USE)	
094033007	109 NE 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VACANT HOUSE
094033006	117 NE 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
094033005	123 NE 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
094033004	127 NE 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
094033011	1006, 1008, 1012, 1020 N. COURT	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDINGS
094034011	902, 904 N. COURT & 202 NE 2ND AVE	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
094034001	914, 920, 924 N. COURT	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	RESTAURANT
094034002	N/A	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VACANT
094034003	N/A	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VACANT
094034004	N/A	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VACANT
094034005	N/A	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VACANT
094031008	907 N. COURT	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
094031009	210 NW 2ND	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
094031010	214 NW 2ND	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
094031020	919 N. COURT & 100 NW 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
094031019	109, 111 NW 3RD	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING

				MIXED USE)	
094083001	741 N. SANTA FE	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VISALIA RESCUE MISSION
094091003	111 N. ASH	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
094091001	734 N. COURT	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
094091002	814, 816 N. COURT	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
103260020	N/A	Residential, 1 Unit, 4,500 sq. ft.	Residential Low Density	O-S (OPEN SPACE)	PARK SITE / TRAIL AREA
093083035	1304 W. GOSHEN	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
093083034	1334 W. GOSHEN	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
094264017	539 N. SANTA FE	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	RESTAURANT
094264015	420, 505 N. SANTA FE	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	CARE FACILITY
094264012	523 N. SANTA FE	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	AUTO REPAIR SHOP
094264018	N/A	Central Business District	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	PARKING LOT
093083019	1414 W. GOSHEN	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
093083021	1412 W. SWITZER	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
093083020	1414 W. SWITZER	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
093083012	N/A	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	CAL WATER WELL SITE
085420035	N/A	Office Garden	Commercial Mixed Use	O-PA (OFFICE)	VACANT
085420036	N/A	Office Garden	Commercial Mixed	O-PA (OFFICE)	VACANT

			Use		
085420033	N/A	Office Garden	Commercial Mixed Use	O-PA (OFFICE)	VACANT
093173008	508 N. JOHNSON	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	VACANT / PARKING LOT / WAREHOUSE
093173009	604 W. MURRAY	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	MEAT MARKET /GLICKS
093173004	505 N. WILLIS	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
093172006	706 W. MURRAY	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
093172011	730 W. MURRAY	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	OFFICE
093172005	503 N. JOHNSON	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
093172008	504 W. MURRAY	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
093241008	1200, 1212 W. MURRAY	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
093241005	505 N. DUDLEY	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
093241007	1222, 1234 W. MURRAY	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
099987200	N/A	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	RAILROAD EASEMENT
093242018	1118-1136 W. MURRAY	Convenience Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
093242019	506 N. DUDLEY	Convenience Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	HOUSE
093242033	1106 W MURRAY	Convenience Commercial	Residential High Density	C-MU (COMMERCIAL MIXED USE)	COMMERCIAL BUILDING
093254019	N/A	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	PARKING LOT
093254018	422 N. PARK	Shopping/Office Commercial	Commercial Neighborhood	C-MU (COMMERCIAL MIXED USE)	UPHOLSTERY SHOP

				MIXED USE)	
093272004	N/A PAUL'S PARISH VISA	Office Conversion	Office	P-I (PUBLIC INSITUTIONAL)	PARKING LOT
097042008	N/A KDHCD	Professional/Admin. Office	Office	P-I (PUBLIC INSITUTIONAL)	PARKING LOT
097042007	N/A KDHCD	Professional/Admin. Office	Office	P-I (PUBLIC INSITUTIONAL)	PARKING LOT
097042009	N/A CITY PARKING LOT	Professional/Admin. Office	Commercial Mixed Use	P-I (PUBLIC INSITUTIONAL)	PARKING LOT
097042009	N/A CITY PARKING LOT	Professional/Admin. Office	Office	P-I (PUBLIC INSITUTIONAL)	PARKING LOT
119650028	N/A VUSD AG TECH PROP	Residential, 1 Unit, 3000 sq. ft.	Residential Medium Density	P-I (PUBLIC INSITUTIONAL)	FIELDS / AG TECH VUSD
119650027	5025 W. WALNUT	Residential, 1 Unit, 3000 sq. ft.	Residential Medium Density	P-I (PUBLIC INSITUTIONAL)	FIRE STATION
119640001	2049 S. LINWOOD	Quasi-Public	Residential Medium Density	P-I (PUBLIC INSITUTIONAL)	VUSD / AG TECH
119600037	2245 S. LINWOOD	Residential, 1 Unit, 6,000 sq. ft.	Residential Medium Density	P-I (PUBLIC INSITUTIONAL)	VUSD / AG TECH
119600036	5100 W. WHITENDALE	Residential, 1 Unit, 6,000 sq. ft.	Residential Medium Density	P-I (PUBLIC INSITUTIONAL)	BASIN - CITY OF VISALIA
119660001	5101 W. WHITENDALE	Residential, 1 Unit, 6,000 sq. ft.	Residential Medium Density	P-I (PUBLIC INSITUTIONAL)	VUSD / EL DIAMANTE SPORTS FIELD
119660001	N/A	Residential, 1 Unit, 3000 sq. ft.	Residential Medium Density	P-I (PUBLIC INSITUTIONAL)	VUSD / EL DIAMANTE SPORTS FIELD
091040031	N/A	Residential, 1 Unit, 4,500 sq. ft.	Residential Low Density	CONSERVATION	TRAIL AREA -- ST. JOHNS COV
103320053	N/A	Residential, 1 Unit, 20,000 sq. ft.	Residential Very Low Density	CONSERVATION	OPEN SPACE AREA -- COV
103320053	N/A	Residential, 1 Unit, 12,500 sq. ft.	Residential Low Density	P-I (PUBLIC INSITUTIONAL)	BASIN - CITY OF VISALIA
103410003	N/A	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	P-I (PUBLIC INSITUTIONAL)	BASIN - CITY OF VISALIA
103470073	N/A	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	CONSERVATION	TRAIL AREA -- COV

103410001	N/A	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	CONSERVATION	OPEN SPACE AREA -- COV
103320058	N/A	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	CONSERVATION	MILLCREEK TRAIL -- COV
103260019	N/A	Residential, 1 Unit, 4,500 sq. ft.	Residential Low Density	CONSERVATION	MILLCREEK TRAIL -- COV
103260020	N/A	Residential, 1 Unit, 4,500 sq. ft.	Residential Low Density	CONSERVATION	OPEN SPACE AREA -- COV
098330042	N/A	Residential, 1 Unit, 6,000 sq. ft.	Residential Medium Density	P-I (PUBLIC INSITUTIONAL)	BASIN - CITY OF VISALIA
094110017	N/A	Service Commercial	Commercial Mixed Use	P-I (PUBLIC INSITUTIONAL)	BASIN - CITY OF VISALIA
119800001	N/A	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	P-I (PUBLIC INSITUTIONAL)	BASIN - CITY OF VISALIA
077100100	N/A	Quasi-Public	Parks/Recreation	RHD (R-M-3)	FARMLAND
077100101	N/A	Quasi-Public	Parks/Recreation	RMD (R-M-2)	FARMLAND
094-082- 010	404 NE 1ST	Service Commercial	Residential Low Density	C-MU (COMMERCIAL MIXED USE)	VISALIA RESCUE MISSION PROP. FORMER AC REPAIR SHOP (COMM. BLDG.)
094-044- 001	405, 407, 409, 411 NW 2ND AVE	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	RMD (R-M-2)	2-STORY 4-PLEX (APARTMENTS)
094-073- 027	400 NE 2ND AVE	Residential, 1 Unit, 6,000 sq. ft.	Neighborhood Commercial	RLD (R-1)	8-PLEX (APARTMENTS)
094-034- 013	118 NE 3RD AVE	Central Business District	Residential High Density	C-MU (COMMERCIAL MIXED USE)	VACANT COMM. BLDG.
094-072- 020 & 021	301, 309 NE 3RD AVE	Residential, 1 Unit, 6,000 sq. ft.	Residential Low Density	C-MU (COMMERCIAL MIXED USE)	CARNICERIA JALISCO (SPECIALTY MEAT MARKET)
094-034- 015	209 GRANITE ST	Central Business District	Residential Low Density	RHD (R-M-3)	SFR (HOUSE)
094-034- 008	228 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	SFR (HOUSE)
094-034- 009	226 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	SFR (HOUSE)

094-034-016	224 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	4-PLEX (APARTMENTS)
094-034-017	222 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	4-PLEX (APARTMENTS)
094-034-017	218 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	DUPLEX
094-035-019	235 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	COMMERCIAL BUILDING
094-035-020	229 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	4-PLEX (APARTMENTS)
094-035-021	227 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	4-PLEX (APARTMENTS)
094-035-006	225 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	4-PLEX (APARTMENTS)
094-035-005	221 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	SFR (HOUSE)
094-035-004	215 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	2 SFR (HOUSES)
094-035-003	209 NE 2ND	Central Business District	Residential Low Density	RHD (R-M-3)	SFR (HOUSE)
094-035-002		Central Business District	Residential Low Density	C-MU (COMMERCIAL MIXED USE)	VACANT (USED BY MARKET NEXT DOOR)
094-035-001	201 NE 2ND	Central Business District	Residential Low Density	C-MU (COMMERCIAL MIXED USE)	CARNICERIA Y TAQUERIA NUEVA ITALIA (SPECIALTY MEAT MARKET)
094-240-037	210 N. TIPTON	Service Commercial	Service Commercial	C-MU (COMMERCIAL MIXED USE)	IMAGINE U (CHILDREN'S MUSEUM)
094-240-032	N/A	Service Commercial	Service Commercial	C-MU (COMMERCIAL MIXED USE)	IMAGINE U (CHILDREN'S MUSEUM)



Stonebridge Neighborhood Steering Committee

October 12, 2015 Kick-Off Meeting for Visalia's Subdivision & Zoning Ordinance update

We would like to encourage the City and Consultant to accurately represent the General Plan descriptions for the following Land Use Policies into the Zoning Ordinance. Previously there were variations in the text (as attached).



Thank you very much.

Pamela Lopez

Visalia General Plan, Land Use Element Adopted by City Council on 10/14/14

LU-P-67 Update the Zoning Ordinance to reflect the Neighborhood Commercial designation on the Land Use Diagram, intended for small-scale commercial development that primarily serves surrounding residential areas, wherein small office uses as well as horizontal or vertical residential mixed use are also supported. Provide standards to ensure that neighborhood commercial uses are economically-viable and also integrated into neighborhoods, with multimodal access and context-sensitive design.

Neighborhood Commercial development shall be subject to design review and public input. If residential uses are included, density should be 10 to 15 dwelling units per gross acre. Shopping centers in Neighborhood Commercial areas shall have the following characteristics:

- Anchored by a grocery store or similar business offering fresh produce, poultry, fish and meat;
- Include smaller in-line stores of less than 10,000 square feet;
- Total size of 5 to 12 acres or as shown on the Land Use Diagram; and
- Integrated with surrounding neighborhood uses in terms of design, with negative impacts minimized.
- Located no closer than one mile from other General Plan-designated Neighborhood Commercial or Community Commercial locations, or from existing grocery stores.
- No individual tenant shall be larger than 40,000 square feet in size.

Standards for Neighborhood Commercial development also shall require design measures that create a walkable environment and require local street and pedestrian connections. Alterations and additions in existing nonconforming centers may be permitted, subject to design review and conditions of approval to minimize neighborhood impacts.

LU-P-72 Ensure that noise, traffic, and other potential conflicts that may arise in a mix of commercial and residential uses are mitigated through good site planning, building design, and/or appropriate operational measures.

Neighborhood Commercial Center

TEXT of existing Zoning Ordinance did not meet previous General Plan Policy description (variations in language are in red font):

Zoning Ordinance 17.18.010 Purposes.

B. The purpose of the individual commercial land use zones are as follows:

2. Planned Neighborhood Commercial Zone— (P-C-NC). The purpose and intent of the planned neighborhood commercial zone district is to provide sites within residential areas that are of sufficient size to support a grocery store and drug store as major anchors, with supporting retail/commercial uses and services for residents of adjacent neighborhoods. New centers, generally up to ten acres, are to be designed with an emphasis on access and circulation to the neighborhoods and emphasis on compatibility with the surrounding neighborhood regarding noise, lighting, scale and building mass, privacy, signage and parking.

General Plan Policy (Land Use Element)

3.5.2

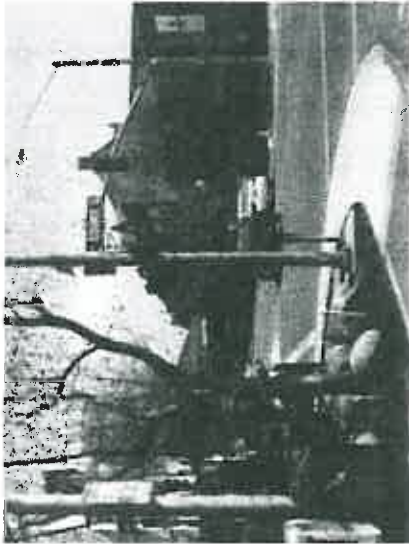
Ensure that commercial development in residential areas serves the needs of the area and includes site development standards which minimize negative impacts on abutting properties.

3.5.6

Designate Neighborhood Centers for shopping centers with a major grocery store as an anchor and supporting businesses which serve the surrounding residential areas. Locations shall be at one corner of arterial intersections on sites of approximately 10 acres in area. Centers shall be located no closer than approximately one mile from other General Plan-designated neighborhood centers, from existing Grocery stores, or from General Plan-designated community centers.

The center's scale and site design must be compatible with the surrounding residential area with emphasis on access, circulation, parking, signage, noise and landscaping. Where possible, these facilities should be planned and integrated into neighborhoods as part of a planned unit development.

In the event that competing applications are made for a neighborhood center at a designated intersection, only one application shall be approved for a period of time not to exceed 24 months. If the applicant does not perform as specified by the City Council, the Council may extend the original proposal or may declare the original proposal void. If, at some future date, an application for development of a corner designated for neighborhood commercial development has not been filed and the Commission and Council find that the needs of the neighborhood are not being provided, the exclusive designation on one corner may be reviewed to consider designation of an alternative corner.



Downtown Visalia is one of the city's key assets, providing a lively, walkable environment day and night.

mercial development to ensure compatibility with surrounding residential areas, an attractive appearance from major roadways, and pedestrian accessibility and safety.

Planning strategies include the use of buffering land uses, such as office uses between residential and high intensity commercial uses, and sidewalk-facing retail and high-quality public realm elements that encourage pedestrian access.

LU-P-65

Update the Zoning Ordinance to reflect the Commercial Mixed Use designation on the Land Use Diagram, to allow for either horizontal or vertical mixed use development and a range of commercial, service, office, and residential uses.

New development in Commercial Mixed Use Areas should have an FAR of at least 0.4 and up to 1.0 for commercial space. If residential uses are included, density may be up to 35 dwelling units per gross acre. Commercial development must be part of all new development in the Commercial Mixed Use district.

LU-P-67

Update the Zoning Ordinance to reflect the Neighborhood Commercial designation on the Land Use Diagram, intended for small-scale commercial development that primarily serves surrounding residential areas, wherein small office uses as well as horizontal or vertical residential mixed use are also supported. Provide standards to ensure that neighborhood commercial

uses are economically-viable and also integrated into neighborhoods, with multimodal access and context-sensitive design.

Neighborhood Commercial development shall be subject to design review and public input. If residential uses are included, density should be 10 to 15 dwelling units per gross acre. Shopping centers in Neighborhood Commercial areas shall have the following characteristics:

- *Anchored by a grocery store or similar business offering fresh produce, poultry, fish and meat;*
- *Include smaller in-line stores of less than 10,000 square feet;*
- *Total size of 5 to 12 acres or as shown on the Land Use Diagram; and*
- *Integrated with surrounding neighborhood uses in terms of design, with negative impacts minimized.*
- *Located no closer than one mile from other General Plan-designated Neighborhood Commercial or Community Commercial locations, or from existing grocery stores.*
- *No individual tenant shall be larger than 40,000 square feet in size.*

Standards for Neighborhood Commercial development also shall require design measures that create a walkable environment and require local street and pedestrian connections. Alterations and additions in exist-

ing nonconforming centers may be permitted, subject to design review and conditions of approval to minimize neighborhood impacts.

LU-P-68 Update the Zoning Ordinance to reflect the Office designation on the Land Use Diagram, intended for the development of office complexes, including medical offices and professional/administrative offices, as well as supporting uses such as restaurants and convenience retail.

The maximum FAR for the Office designation is 1.0.

LU-P-69 Update the Zoning Ordinance to reflect the Regional Commercial designation on the Land Use Diagram, for retail commercial uses that serve residents and businesses in the region at large, such as shopping malls and large-format or "big box" stores, as well as supporting businesses such as gas stations and hotels.

The maximum FAR in Regional Commercial areas is 0.6.

LU-P-70 Update the Zoning Ordinance to reflect the Service Commercial designation on the Land Use Diagram for a range of uses including auto sales and repair, storage facilities, equipment rental, wholesale businesses, and retail not typically located in shopping centers.

The maximum FAR in Service Commercial Areas is 0.8. Service Commercial uses should

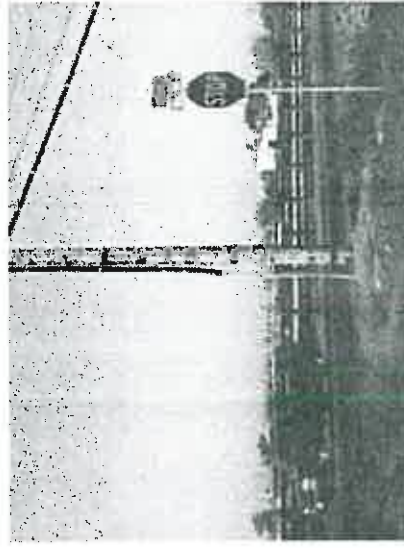
be limited to supporting elements of new retail or mixed-use development, or to properties currently used for Service Commercial uses.

LU-P-71 Update the Zoning Ordinance to facilitate the operation of farmers' markets in commercially designated areas, including the use of City streets and public spaces, and consider providing support for permanent streetscape or site improvements appropriate for farmers' market operations.

LU-P-72 Ensure that noise, traffic, and other potential conflicts that may arise in a mix of commercial and residential uses are mitigated through good site planning, building design, and/or appropriate operational measures.

2.11 DOWNTOWN AND EAST DOWNTOWN

Downtown Visalia is truly the "heart of the City." Main Street forms a spine that supports significant cultural and governmental buildings as well as specialty retail stores and restaurants. Recent street improvements have increased the pedestrian-friendly aspect of Main Street with new paving, contrasting crosswalks, improved lighting and additional landscaping. Public spaces are regularly programmed with local music and cultural events. Plus, most of Visalia's historic buildings are in or near Downtown. However, even with recent improvements, Downtown remains underutilized. Many buildings are aging and require rehabilitation; in some cases, the upper sto-



East Downtown has ample opportunity sites for new development. It is also home to Visalia's historic stockyards.

May 16, 2016

Visalia Planning Commission and Respected Parties:

As you continue your consideration of the Zoning Ordinance Update, we would like to respectfully request consideration for the following:

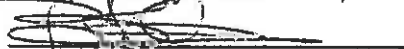
"Other Recreational Uses" be an allowed use in the Neighborhood Commercial Zoning District.

We are specifically requesting that consideration be given for the Young's Supermarket located at 3535 W. Walnut Ave, Visalia, Ca. 93277 (APN 121-181-004) Our concern is that anchor tenants in Neighborhood Commercial Zones are leaving, which makes it difficult to refill the existing vacant buildings. "Other Recreational Uses" such as our proposed business (JAC'S Battlefield), offer an opportunity to refill empty anchor spaces with new uses such as trampoline places, family use facilities, and other healthy alternatives to benefit the community. "Other Recreational Uses" are compatible with other neighborhood commercial users; in fact they're complementary in many ways. Parking fields and square footage requirements for Recreational Users match perfectly with many existing vacant anchor spaces.

Our proposed business; JAC'S Battlefield would benefit the community of Visalia in many different ways. JAC'S would bring revitalization to this neighborhood and the surrounding businesses. JAC'S will be an open arena style facility and will comprise of two indoor turf soccer fields, a padded Nerf Dart battlefield, a gaming room, and party rooms. JAC'S will provide a clean, safe, and stimulating environment for kids, adults, and their families. JAC'S will also be available for workforce / corporation team building events. JAC'S encourages team building, ethical behavior, and good sportsmanship, all in a positive uplifting environment.

We again thank you for your time and consideration with this request and look forward to bettering our community together.

Respectfully submitted,



Brian A. Camarillo

(559) 936-1581



Casey S. Camarillo

(559)936-5617

YOUNG'S MARKET / COLONIAL SHOPPING CENTER

May 18, 2016

Visalia Planning Commission
315 E. Acequia Avenue
Visalia, CA 93291

RE: Request to allow "Other Recreational Uses" on APN 121-181-004 (Currently zoned Neighborhood Commercial).

Dear Sirs and Madam:

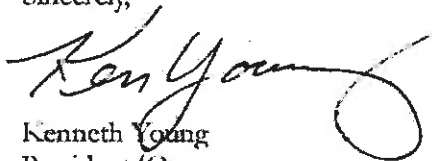
We own Colonial Shopping Center at the southeast corner of Walnut Avenue and Demarce Street, comprised of APNs 121-181-002, 121-181-003, 121-181-004, and 121-181-005. A prospective tenant has expressed interest in renting the building at 3535 W. Walnut Ave. (APN 121-181-004). This building has been vacant for nearly six years - since Young's Markets closed the grocery store that occupied the center's anchor space in 2010.

The prospective tenant wants to open a business operating indoor soccer fields, a Nerf Dart battlefield, and party rooms. This use would be highly compatible with the neighborhood as family-oriented entertainment, and an excellent fit with our existing tenants such as Moore's Karate, Baskin-Robbins, and Tony's Pizza. Further, a family-oriented entertainment business of this type would be good for the City of Visalia providing tax revenue, and for its residents, providing year-round activities for both children and adults.

Our shopping center is currently zoned Neighborhood Commercial. We request that the Planning Commission consider allowing "Other Recreational Facilities" such as that of our prospective tenant to operate in our shopping center by a zoning change, a conditional use permit, or any other method allowed by the City of Visalia.

Please call or email me with any questions or concerns. Thank you for your consideration.

Sincerely,



Kenneth Young
President/Owner
Young's Market/Colonial Shopping Center



V I S A L I A C H A M B E R
O F C O M M E R C E

May 19, 2016

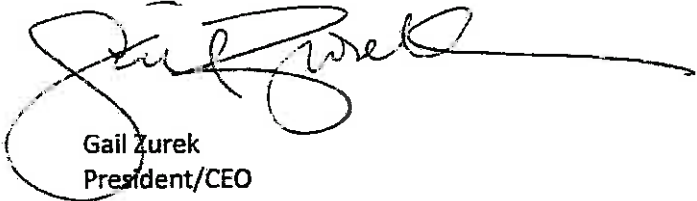
Dear Planning Commissioners:

We are writing to request that Neighborhood Commercial Zone District be allowed to utilize the Other Recreational Uses. Currently Other Recreational Uses is allowed in other commercial zones. We believe, after consulting with Visalia City Staff, that this usage may have just been overlooked in the last zone update.

While this update can be included in the overall zoning update, making this correction now will allow businesses immediately to invest in Visalia. This update is key to beginning the process of allowing businesses to utilize neighborhood commercial zones more effectively and further promoting an infill smart growth philosophy. This small correction will make the difference between a business opening in Visalia or a neighboring community.

We urge you to make this correction now.

Thank you,



Gail Zurek
President/CEO

received
5/19/2016

Alpha K9 Academies

3619 w. Walnut ave.

Visalia ca. 93277

559-731-2238

To whom it may concern, my name is Glenn Farris and I'm a small business owner At 3619 West Walnut Avenue In Visalia, and my business name is Alpha K9 Academies. The purpose of this letter is to provide support for a new business in Colonial Shopping center at 3513 w. Walnut ave. Visalia ca. 93277. In favor of the business opportunity for Mr. Brian Camarillo and Jac's battlefield.

There are many children within a 2 mile radius of this building without any activities, or after school programs. Their transportation is limited, and are at a loss for any activities other than video games. This facility would provide an afterschool program, and a family type environment for the betterment of the community as well as a clean safe environment for the whole family to enjoy.

Each day I watch people come through the parking lots of the old Young's Market, many of them are up to no good. Jac's battlefield would provide adequate parking, and a huge quantity of people coming through the parking lot to view other businesses. This vacant building is an open invitation to crime.

In conclusion, I believe that Jac's battlefield would be beneficial to the existing community, promoting a better environment conducive to business.

Thank you,

Glenn Farris

Alpha K9 Academies



Paul Bernal

From: Josh McDonnell
Sent: Thursday, July 21, 2016 1:54 PM
To: 'Shannon Shipley'
Cc: Paul Bernal
Subject: RE: City of Visalia zoning

Shannon,

Thank you for your correspondence. I've directed the project manager for the City's Zoning Ordinance Update to include your request with the packet for their upcoming worksession, which will be held at 5pm on Monday at the City Council Chambers. I encourage you to attend if you can.

Thank You,

Josh McDonnell
City of Visalia
315 E. Acequia Avenue
Visalia, CA 93291
559-713-4364.

Please note my new email address: josh.mcdonnell@visalia.city

From: Shannon Shipley [<mailto:shshipley73@gmail.com>]
Sent: Wednesday, July 20, 2016 7:26 AM
To: Josh McDonnell
Subject: City of Visalia zoning

Good morning Mr. McDonnell,

I'd like to take a moment to introduce myself, my name is Shannon Shipley of Visalia, California where my husband and I are partners and very involved in our church and ministry at West Coast believers Center. I have always had a huge heart for people and especially animals in general loving, caring for and also rescuing domestic animals among abandoned or neglected pets for many years now. We have three dogs of our own (German Shorthair, Doberman & Chihuahua) also a cat, all that we've rescued and kept over the last 10 years and believe me they are well taken care of! My family and I have been residents of this area all of our lives, growing up in Woodlake and Elderwood starting the family business in ranching where some of my family still own and operate over 30 years now while the others are teachers in the Visalia, Exeter and Porterville Unified School Districts for many years now. My passion in life is best explained by saying I am dedicated to caring for others and the general health and care of the pets we love so dearly. I hope that lets you catch at least a glimpse into who I am and my bigger vision for what I'm very passionate about which is domestic pets further explained below.

FURBABIES INDOOR DOG PARK

Phase 1:

My vision is to start phase 1 inside a warehouse building close to 10,000 square feet in size. This would be an air conditioned and heated facility and be a great alternative for everyone that doesn't know how to beat the valley heat and also stay out of the cold, wet winter months when dogs still need to be out and exercised enough. This indoor facility would include:

- * A pet friendly artificial grass agility/ free play area that is completely fenced in with double gate entry.
- * Including agility equipment such as jumps, tunnels, weave poles, A- frames (for both small & large breeds).
(Agility/ free play area would have pet friendly artificial grass installed used by many animal facilities).
- * Many free play toys (for both small & large breeds).
- * (6'x6') Separate sand pit cube so sand will stay contained (releases pent up digging frustrations).
- * 4 Plastic pools for ball pits (balls only/ no water).
- * 4 Toddler race car beds with blankets (for periodic resting or separating time outs).
- * Walking/ jogging rubber track separated from fenced play area.
- * Bleachers and children tables/ chairs for people to rest or for children to wait in secured area on sides.
- * Lockers (coin operated) for people to store purses, bags, etc. while at the facility.
- * 1 Self-service dog washing station.
- * 2 Rooms available (decorated) for booking events, dog birthdays, group meetings, etc.
- * 2 Fetch lanes to individually practice retrieving.
- * Doggie gym area including: posted weight charts, diet info also a pet treadmill & digital pet scale.
- * Small thrift/ retail area to sell gently used pet related items (donations/ consignment).
- * 2 Flat screen tv's in upper corners playing during operating hours.
- * Video cameras set up to view all indoor areas during operating hours.

Phase 2:

*Upon approval for expansion I would love to incorporate the addition of a large bakery case to sell homemade/ dog treats such as pup-cakes, bone treats & doggie birthday cakes especially since we can already accommodate parties by booking our rooms on site.

* Also part of my vision is to incorporate a drink station/ coffee shop with a sitting area to rest while still watching the pets at play close by (fenced with tables & chairs to accommodate people).

Thank you very much for your time considering this idea as the first ever "self do" indoor dog park possibly to come to Visalia. It's a great success in many other cities throughout California and other states as well. As far as the city of Visalia's zoning matrix, it's such a new concept and has not been added/ updated as an option to the paperwork. While speaking to Mr. Andrew Chamberlain recently inquiring about this, I was directed to get in touch with you & hopefully this can be added somehow as a zoning category in the future to further pursue this as soon as possible. My vision is to put this in full motion by spring 2017 if at all possible.

God Bless,

Shannon D. Shipley

Cary S. Winslow
931 W. Whitendale Ave.
Visalia, CA 93277



July 19, 2016

City of Visalia
Community Development
315 E. Acequia Avenue
Visalia, CA 93291

Attn: Mr. Paul Bernal
Principal Planner
Members of the Planning Commission

Dear Ladies & Gentlemen:

I have received the new General Plan Map and the old zoning map with the help of Paul Bernal, Principal Planner. Proposed zoning changes negatively affect sixteen of my City lots in the Lincoln Oval neighborhood by down-zoning them from commercial regional to single family – low density. These proposed changes greatly diminish the property value and the development of the area.

The 200 block on the east side has ten City lots of 50 x 132 feet. They are described as lots 01 through 10 of Block 93 of Aughinbaugh Addition and also lots 01, 15, 16, 17, 18, and 19 of block 97. This is a total of 16 City lots down-zoned.

Current development on these lots is as follows:


Block 93	Lot 01	Large commercial building 30 x 110	rented now
Block 93	Lots 9-10	Meat market & restaurant 30 x 60	rented now
Block 93	Lots 02, 03, 04	Three 4-Plex apartments, high-density residential	rented now
Block 93	Lots 05, 06, 07, 08	Single family homes	rented now
Block 97	Lot 15	Duplex	rented now
Block 97	Lots 1-16-17	Three 4-Plex apartments, high-density residential	rented now
Block 97	Lots 18-19	Single family homes	rented now

My request and opinion is that zoning should encourage and not discourage new development in a historically depressed area. Zoning should also reflect current development and not restrict or inhibit tenancy.

At the least, the commercial buildings now should have commercial zoning. High-density residential should have zoning reflecting its current use. Remaining lots not developed to full potential should have a high zoning to fit in with adjacent property use. Please see the attached map for reference.

Please consider this letter to be a formal request for a reconsideration of adjusting the general plan to reflect current uses so that the zoning changes would reflect current development and no discourage future new development in the Lincoln Oval area.

Sincerely,


Cary S. Winslow
Property Owner since 1972
559-736-3571 C

POR. NW 1/4 SEC. 29, T18S., R25E., M. D. B. & M.

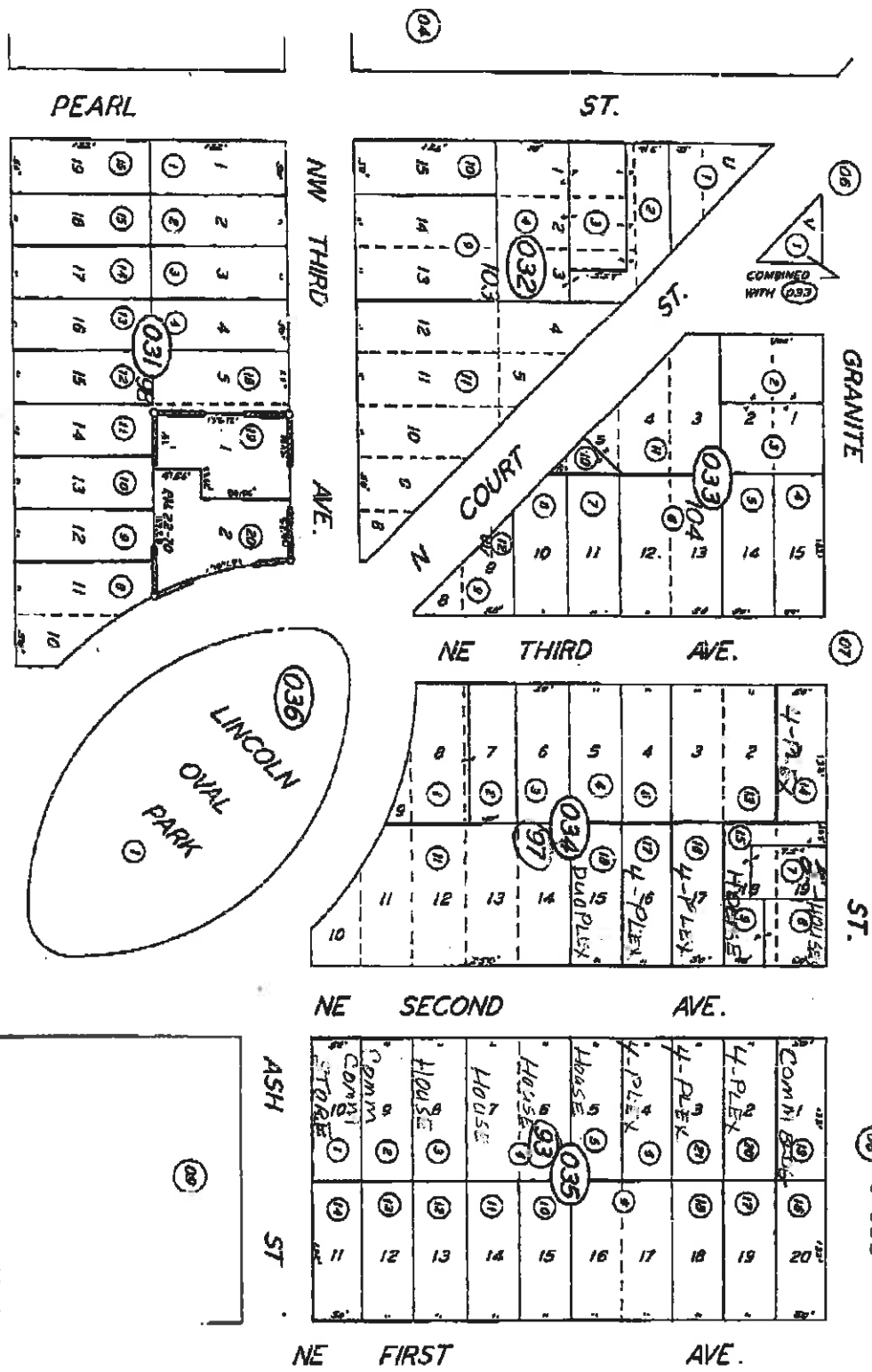
TAX CODE AREA

94-03

GRANITE

ST.

6-C96



POR. AUGHINBAUGH'S ADD.
PARCEL MAP 2169

R.M. 1-3 & 3-4B
P.M. 22-70

NOTE—ASSESSORS BLOCK NUMBERS SHOWN IN DASHES
ASSESSORS PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAPS BK. 94, PG. 03.
COUNTY OF TULARE, CALIF.

Carly S. Winslow



September 27, 2016

City of Visalia Planning Department
315 E. Acequia Avenue
Visalia, CA 93291

Attn: Josh McDonnell

Re: City of Visalia Parcels 078-350-42, 078-350-45
078-350-46, 078-350-047 and 078-120-034

Dear Mr. McDonnell,

It has come to our attention that the City of Visalia is in the process of updating its zoning ordinance and zoning map designation. Regarding the parcels referenced above and indicated on the attached map, we have been told that the City is considering rezoning these parcels from their current P-C-SO (Shopping/office commercial) classification to P-C-N (neighborhood commercial). As the owner of these parcels, we would like to request that these properties not be down-zoned in this manner, which would reduce the values of these properties. We request that the current P-C-SO zoning of the properties be retained. We understand that the P-C-SO zoning classification may be eliminated as part of the City's zoning ordinance update. If this is the case, we request that the above referenced parcels be classified under a zoning designation that most closely matches their current P-C-SO classification, which we understand to be P-C-MU (mixed use commercial).

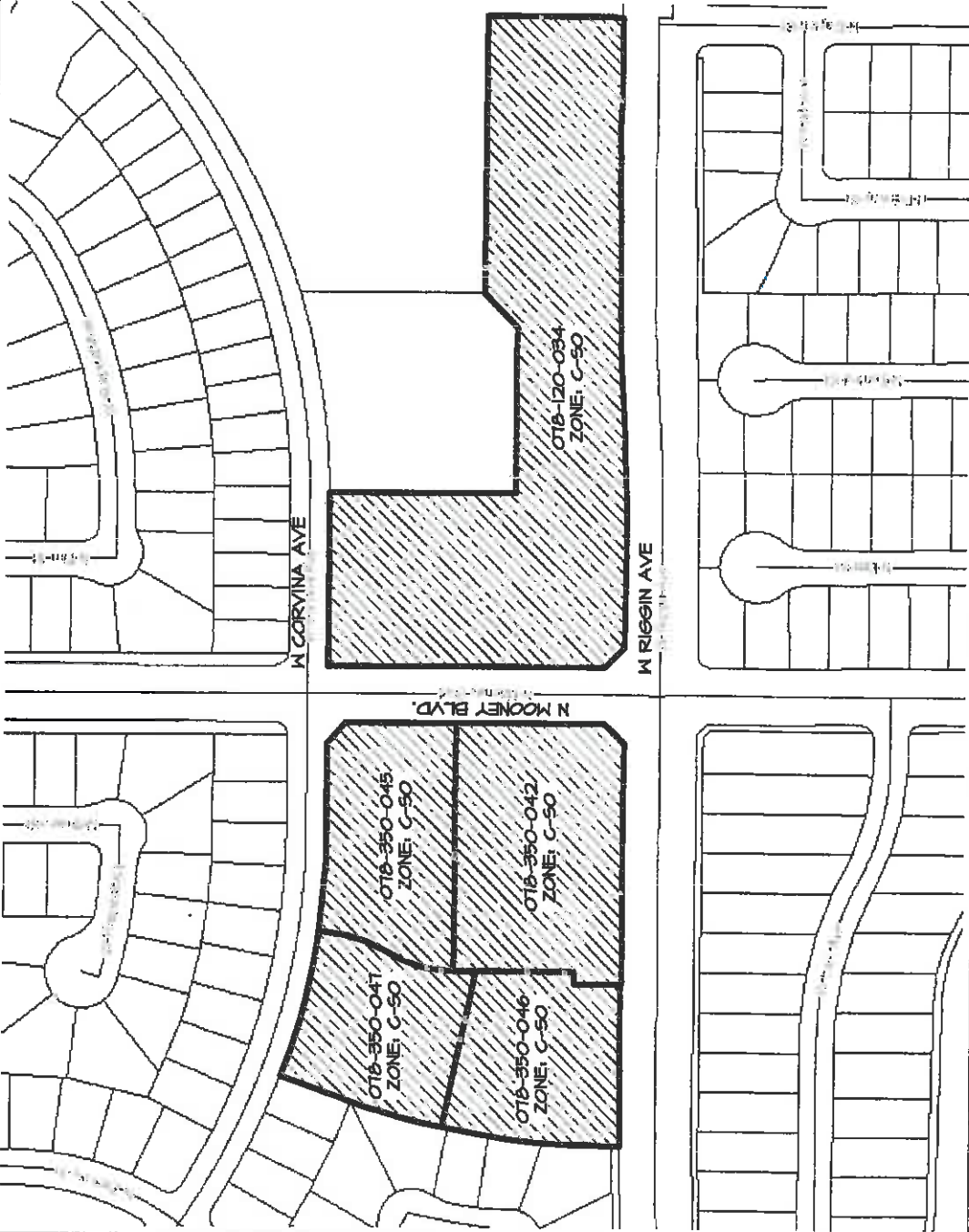
Sincerely,

A handwritten signature in black ink, appearing to read 'JR Shannon', with a long, sweeping underline.

JR Shannon
Manager

JR/jsr

City of Visalia Public Map



- Legend**
- Streets
 - Street Names
 - Parcels

Notes

0.1 0 0.04 0.1 Miles

Public Map Printed : 9/27/2016 @ City of Visalia

1:2,621

NAD, 1983, StatePlane_California_IV_FIPS_0404_Feet
© City of Visalia



Castlewood Partners, Inc.

P.O. BOX 2622 VISALIA, CA 93279

559-625-5544 FAX 559-625-0784

October 6, 2016

Josh Mc Donnell, AICP
315 E. Acequia Ave.
Visalia, CA 93291

RE: Zone Change K Ave. East/K Ave. West @ Ben Maddox

Josh,

Hope you are well.

On Monday, September 12th at the Planning Commission meeting, I was not satisfied with the responses when a Commissioner asked you if the project East of K Ave. is approved for Ocean Point Development, what happens to the West corner of K Ave. and Ben Maddox Way?

In my testimony at the hearing I stated that the attempt to change the General Plan and the zoning has more to do with shifting the Economic Energy associated with RM-2 from "Our Corners", to the old county island, is unacceptable. I reminded the Commission Members that our acceptance of the RM-2 was a compromise with the City Planners in 1991. They wanted RM-3.

- Nothing has changed - except the Planners & Consultants

I am not aware of any land conditions that would have come to disqualify the RM-2 zone on either of the K Ave. corners. The only change is the failure of the new planners to recognize our commitment made in the early 1990's to complete our Master Project of 120 acres (Caldwell to K) by reserving the RM-2 zoning for the K Ave. corners. Concessions were made in our planning, marketing, utilities, walls and orientation to setup these corners for RM-2 use.

- We have borne the burden of Property Taxes based on RM-2 zoning for 26 years.

Josh, I had met with you and Paul Bernal earlier this year about my concerns regarding the proposed changes in the current zoning of RM-2 to R-1-6, I was surprised that I missed the proposed changes during the General Plan update and that I was equally surprised that the RM-2 zone needed defending. It's astonishing that in order to approve an RM-2 project, on a parcel that's been RM-2 for 26 years, a General Plan Amendment will also be required to effectively reverse the General Plan Update.

In private I've had talks with you and other planners that said while reviewing the changes to the General Plan, the significance of these changes to the K Ave. corners were overlooked. Little has been offered as to the logic for the change from RM-2 to Low Density. Perhaps the process was tilted toward the big picture.

The area proposed to inherit the RM-2 zone, called out by the General Plan update, remains a County Island (not part of the City) and is spliced up into over 30 properties. The intended shift of Economic Energy to RM-2 will languish at the starting line since there are too many different owners with parcels that are too small to be considered as a near term contribution to the RM-2 housing stock.

I believe it's reasonable and more responsible to keep RM-2 on the K Ave. corners while allowing additional properties to be added in the County Island. One decision will not undermine the other.

The zoning transformation of the old county island to small lot RM-2, individually processed, will be very gradual and take many years. If it happens at all.

- The Old County Island will become a New City Challenge. Down the Road.

The Commission approved, on the night of September 12th, the CUP and the General Plan Amendment for the Ocean Point 128 unit project. I believe rightfully so, but I consider the General Plan Amendment process should have been unnecessary. This is the "Hanging Chad" in the voting booth that will face heightened scrutiny during the appeal as the history of the zone is being ignored.

Multi-Family projects are always tough to approve and often face similar public concerns. These assertions usually include increased traffic, too many people, crime, schools and the decrease in property values. From Public Hearing to Public Hearing it is sometimes monotonous to hear the same issues. That is why we should be respectful of their concerns, but be prepared to measure the actual differences, but if there are little to none, stand by the original zone.

Regardless of how the Appeal turns out, it should be determined by the merits of the project, not the zone.

- A Correction is Needed.

Both K Ave. corners should remain RM-2. If the Ocean Point project is confirmed, the west K Ave. corner should maintain the RM-2 zone and the Current Approval should be recognized until the expiration of the Tentative Map on April 23, 2018. I have sent an enclosure labeled "The Grove" which is for the west corner and is completely independent from the East. While similar and approved together, these projects were never going to be marketed to the same clientele. They were intended to stand independently.

I am submitting this letter to you Josh and Paul Bernal in hopes that you can include it in the updated preparations for the Commission's Oct. 10th hearing. It's opportune being that the commissioners are current with the circumstances of the Ocean Point project, zoning and so forth.

I am formally making my objections to the zone change slated for the K Ave. corners and hope there are planners and commissioners that agree and will reconsider keeping the RM-2 zone in place.

Thank you,

Donald L. Fulbright
President

Enclosure