



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: December 12, 2016

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

SUBJECT: Conditional Use Permit No. 2016-27: a request by California Gold Properties II LP, amending approved Conditional Use Permit No. 2013-25, to allow for additional illuminated signage and LED accent lighting on the exterior of a fuel island canopy, on a 1.13-acre site in the Shopping/Office Commercial (C-SO) Zone. The site is located at 2910 N. Dinuba Boulevard, on the southeast corner of Dinuba Boulevard and Riggins Avenue. (APN: 091-101-044)

STAFF RECOMMENDATION

Staff recommends denial of Conditional Use Permit No. 2016-27 based upon the findings in Resolution No. 2016-56. Staff's recommendation is based on the conclusion that the request is not consistent with the final conditions placed on the original Conditional Use Permit by the City Council for the purpose of reducing light and glare upon adjacent residences.

RECOMMENDED MOTION

I move to deny Conditional Use Permit No. 2016-27 based on the findings in Resolution No. 2016-56.

PROJECT DESCRIPTION

California Gold Properties II LP is requesting an amendment to a previously approved Conditional Use Permit for the purpose of allowing additional signage and lighting on the facades of a gas station canopy, as shown in Exhibit "A". The conditions of approval associated with Conditional Use Permit No. 2013-15, which granted a master plan approval for the Riverbend Commercial Center that included an Arco gas station, restrict the illuminated signage to only a logo on three sides and prohibit accent lighting or LED band lighting on all sides of the canopy (see Exhibit "G"). The proposed amendment is to allow accent lighting (LED banding) and also the illuminated word "ARCO" on the north and west sides, as detailed in the sign specifications attached as Exhibits "B" through "E". The gas station, completed and operational as of October 2016, is located on the southeast corner of Dinuba Boulevard and Riggins Avenue.

The Arco gas station, together with the AM/PM convenience store and car wash on the site, were considered as part of the master Conditional Use Permit No. 2013-15 for the Riverbend Commercial Center. The original recommendations to the Planning Commission included a prohibition of any accent lighting and internally illuminated signage on the canopy based on the site's proximity to residential uses. The Planning Commission considered the master CUP together with applications for Tentative Parcel Map, General Plan Amendment, and Change of Zone on August 12, 2013, and voted 2-2, resulting in no action and considered as denial due to the lack of an affirmative action. The CUP and Parcel Map actions were appealed to City Council, and the City Council upheld the appeal and approved the project on September 3, 2013. The City Council hearing included deliberation on the topic of signage, wherein the Council's final approval of the CUP included allowance of an illuminated logo on two sides with no additional illuminated signage or accent lighting (refer to Condition Nos. 14 and 15 in the

resolution for the approved CUP, attached as Exhibit "G").

BACKGROUND INFORMATION

General Plan Land Use Designation	Commercial Mixed Use
Zoning	C-SO (Shopping / Office Commercial)
Surrounding Zoning and Land Use	North: C-CM (Community Commercial) / Riggins Avenue, Orchard Walk shopping center South: C-SO (Shopping / Office Commercial) / Vacant land approved for Wendy's Restaurant East: C-SO (Shopping / Office Commercial) / Vacant land West: R-1-6 (Single-family Residential) / Dinuba Boulevard, single-family residences
Environmental Review	Categorical Exemption No. 2016-55
Special Districts:	None
Site Plan Review	N/A

RELATED PROJECTS

On August 12, 2013, the Planning Commission reviewed Conditional Use Permit No. 2013-25, Tentative Parcel Map No. 2011-04, General Plan Amendment No. 2011-14, and Change of Zone No. 2011-15, and voted 2-2 resulting in no action and considered as denial due to the lack of an affirmative action. The City Council, on September 3, 2013, considered an appeal of the CUP and Parcel Map together with the GPA and COZ, and approved the project. The approval included conditions of approval originally recommended to the Planning Commission that were modified by the City Council.

An Arco gas station located at 600 S. Lovers Lane was approved by the Planning Commission under Conditional Use Permit No. 2014-11 on May 27, 2014. The gas station has since been constructed and is currently in operation.

PROJECT EVALUATION

Staff recommends denial of Conditional Use Permit No. 2016-27 based on the conclusion that the request is not consistent with the final conditions placed on the original Conditional Use Permit by the City Council for the purpose of reducing light and glare upon adjacent residences, and not consistent with past recommendations for signage and lighting on canopies.

Sign Proposal

The specific signage being proposed by the applicant consists of the following:

- Channel-illuminated letters spelling "ARCO", located on the north and west elevations next to the existing spark decals. Each set of letters will be 20" tall and have an area of 11 square feet for a total of 22 square feet not including the existing spark logos.
- Accent lighting consisting of 1.5" LED (light emitting diode) mounted on a 15" bullnose on a fascia panel, located on the north, west, and south elevations. This would amount to

approximately 150 linear feet of LED lighting total on the canopy.

Background / Regulations toward Gas Station Canopies

The City's Sign Ordinances - both the version in effect at the time of the original CUP adoption and the current version effective July 2016 - do not assign specific standards for gas station canopies. All signage on gas stations in the City are subject to the Sign Ordinance's standards for buildings or structures.

Gasoline service stations are conditionally-allowed uses in most commercial zones. They are only permitted outright in the Highway Commercial, Service Commercial, and Light Industrial zones, which generally do not abut residential zones. The conditional use permit entitlement process allows the City to assign conditions as needed so that impacts upon adjacent sensitive land uses, including but not limited to lighting, can be alleviated.

On conditional use permits for gasoline service stations, the City has routinely recommended conditions of approval that prohibit illuminated signage and accent lighting on overhead canopy facades facing toward residential uses. The reasoning behind the prohibition is that service station canopies have a clearance that is often taller than the height of building wall signs and are located closer to street frontages. When service stations include accent lighting, the lighting can be a colored hue that carries a glare beyond property lines and casts inside buildings through windows.

Recently, conditions prohibiting the placement of illuminated signage and accent lighting on residential-facing sides were recommended by staff and approved by the Planning Commission for the Arco gas station at 600 S. Lovers Lane under Conditional Use Permit No. 2014-11. Similar restrictions have been placed on other CUPs for gas stations.

Physical Setting

The façade on the gas station canopy is currently visible from the rear side of existing residences on two sides. If approved, the proposed illuminated signage and accent lighting on the west façade will be visible from the first and second-story rear windows of residences located 200 feet across Dinuba Boulevard separated by a block wall and street trees. To the south, accent lighting would be visible from the first-story rear windows of residences located 400 feet across a vacant piece of property separated by a block wall. This vacant land is planned to develop under the Riverbend Commercial Center development, which may obscure a portion of the canopy.

CUP 2013-25 Discussion by Planning Commission and City Council

The staff recommendation for CUP No. 2013-25 included Condition Nos. 14 and 15 to prohibit illuminated signage and accent



lighting on the overhead canopy facade facing toward residential uses. During the public hearing, Scot Patterson representing California Gold Development Corporation voiced opposition to Condition No. 14 regarding the prohibition of illuminated signage and LED banding stating that these elements are part of the typical branding associated with Arco gas stations, and requested the allowance of the LED banding illuminated "ARCO" wording and spark logo. Following the public hearing, a motion was made to approve the project with a revision to increase the amount of lighting on the canopy. The Commission voted 2-2 on this motion, resulting in no action and considered as denial due to the lack of an affirmative action. The applicant of the CUP appealed the action to the City Council.

During the City Council public hearing of the appeal, Scot Patterson stated that Arco would request approval of the illuminated spark logo and Arco lettering and would accept having no accent lighting on the facade in consideration of the neighboring residences. In Council's motion to approve, the motion included amending the conditions of approval to allow the spark brand on the canopy. Although the Arco lettering and accent lighting came up in discussion during the public hearing, they were not specified in the motion for approval. Council voted 4-1 to approve this motion. The adopting resolution including Condition Nos. 14 (modified by Council) and 15 is attached as Exhibit "G".

Consistent with the City Council's final approval and consistent with past Planning Commission approvals pertaining to gas stations, staff's recommendation is to continue prohibition of the accent lighting and any additional illuminated signage on the façade.

Site Lighting – Light Level Diagram

The applicant has provided a light level diagram with the application materials included as Exhibit "F". It should be noted that the diagram illustrates a general representation of lighting before and after a lighting retrofit from metal halide fixtures to LED fixtures for a typical Arco gas station. The diagrams are not assimilated to the subject gas station at the corner of Dinuba and Riffin. However, the lower diagram of the gas station incorporating the LED fixtures would closely resemble the lighting conditions using the LED canopy signs and other LED lighting fixtures already incorporated into the gas station.

RECOMMENDED FINDINGS

1. That the proposed project may be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. Specifically, the project will result in additional lighting and/or glare that will be visible and may protrude into properties of nearby residences.
2. That the proposed project was previously considered as Conditional Use Permit No. 2011-30 and later as Conditional Use Permit No. 2013-25, wherein the latter action received a 2-2 vote by the Planning Commission and was approved by the City Council on September 3, 2013, and wherein the staff recommendation and approving action toward these items included restrictions on lighting based in its visibility and proximity to residences.
3. That the proposed amendment to the conditional use permit is not consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is not consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The location pertaining to the amendment to the conditional use permit is not in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located, wherein the location is adjacent and nearby to residential uses

and would be directly affected by the inclusion of additional light sources on the gas station canopy. Thus, conditions are warranted to restrict light and/or glare from entering nearby properties.

- The location of the conditional use and the conditions under which it would be operated or maintained may be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity since the project will result in additional lighting and/or glare that will be visible and may protrude into properties of nearby residences.
4. That the proposed amendment to Conditional Use Permit No. 2013-25 is not consistent with the final conditions placed on the permit by the City Council for the purpose of reducing light and glare upon adjacent residences, and not consistent with past approvals made by the Planning Commission for signage and lighting on gas station canopies.

RECOMMENDED CONDITIONS OF APPROVAL

There are no recommended conditions of approval for this project since the recommended action is to deny the Amendment to Conditional Use 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:

- Summary of Related Plans & Policies
- Resolution No. 2016-56
- Exhibit "A" – Proposed Canopy Elevations and Sign Site Plan
- Exhibit "B" – Proposed ARCO channel letter detail
- Exhibit "C" – Proposed ARCO channel letter lighting
- Exhibit "D" – ARCO Canopy Signage Guidelines
- Exhibit "E" – Proposed bullnose lighting detail
- Exhibit "F" – Light level diagram
- Exhibit "G" – City Council Resolution No. 2013-49 upholding appeal of Conditional Use Permit No. 2013-25
- Land Use Map
- Zoning Map
- Aerial Photo
- Location Sketch

RELATED PLANS AND POLICIES

17.38.110 Action by planning commission

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

RESOLUTION NO. 2016-56

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA DENYING CONDITIONAL USE PERMIT NO. 2016-27: A REQUEST BY CALIFORNIA GOLD PROPERTIES II LP, AMENDING APPROVED CONDITIONAL USE PERMIT NO. 2013-25, TO ALLOW FOR ADDITIONAL ILLUMINATED SIGNAGE AND LED ACCENT LIGHTING ON THE EXTERIOR OF A FUEL ISLAND CANOPY, ON A 1.13-ACRE SITE IN THE SHOPPING/OFFICE COMMERCIAL (C-SO) ZONE. THE SITE IS LOCATED AT 2910 N. DINUBA BOULEVARD, ON THE SOUTHEAST CORNER OF DINUBA BOULEVARD AND RIGGIN AVENUE. (APN: 091-101-044)

WHEREAS, Conditional Use Permit No. 2016-27 is a request by California Gold Properties II LP, amending approved Conditional Use Permit No. 2013-25, to allow for additional illuminated signage and LED accent lighting on the exterior of a fuel island canopy, on a 1.13-acre site in the Shopping/Office Commercial (C-SO) Zone. The site is located at 2910 N. Dinuba Boulevard, on the southeast corner of Dinuba Boulevard and Riggins Avenue. (APN: 091-101-044); and

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

WHEREAS, the Planning Commission of the City of Visalia finds Conditional Use Permit No. 2016-29, not 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

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 may be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. Specifically, the project will result in additional lighting and/or glare that will be visible and may protrude into properties of nearby residences.
2. That the proposed project was previously considered as Conditional Use Permit No. 2011-30 and later as Conditional Use Permit No. 2013-25, wherein the latter action received a 2-2 vote by the Planning Commission and was approved by the City Council on September 3, 2013, and wherein the staff recommendation and approving action toward these items included restrictions on lighting based in its visibility and proximity to residences.
3. That the proposed amendment to the conditional use permit is not consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is not consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The location pertaining to the amendment to the conditional use permit is not in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located, wherein the location is adjacent and nearby to residential uses and would be directly affected by the inclusion of additional light

sources on the gas station canopy. Thus, conditions **are** warranted to restrict light and/or glare from entering nearby properties.

- The location of the conditional use and the conditions under which it would be operated or maintained may be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity since the project will result in additional lighting and/or glare that will be visible and may protrude into properties of nearby residences.
4. That the proposed amendment to Conditional Use Permit No. 2013-25 is not consistent with the final conditions placed on the permit by the City Council for the purpose of reducing light and glare upon adjacent residences, and not consistent with past approvals made by the Planning Commission for signage and lighting on gas station canopies.

BE IT FURTHER RESOLVED that the Planning Commission hereby denys 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.



1815 72ND AVENUE SOUTH
 KENT, WA 98032
 (206) 835-2222 FAX
 CIVIL, MECHANICAL, ELECTRICAL, PLUMBING,
 STRUCTURE, CONSTRUCTION SERVICES
 WWW.BACHHAUSEN.COM

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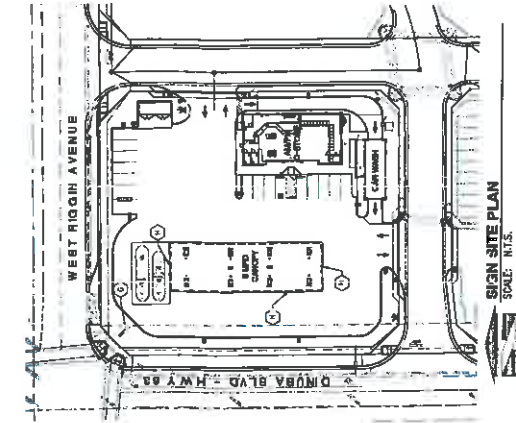
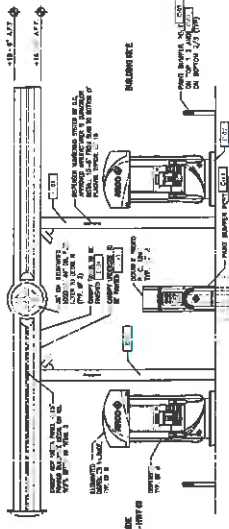
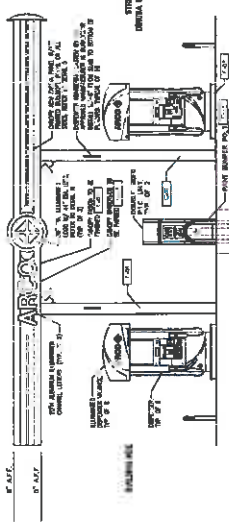
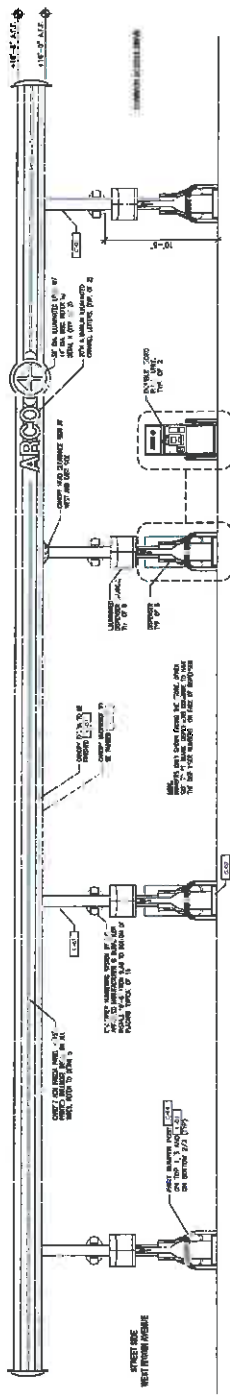
PROJECT INFORMATION
 ARCO #11
 2400 WEST 140th
 FUEL CANOPY
 W/ 8 MPD's
 SPACE CAR WASH

2410 E. DUNBAR RD
 DUNBAR, WA 98028
 FACILITY # TBD

DESIGNED BY: BACHHAUSEN
 CHECKED BY: J. W. BACHHAUSEN
 DATE: 11/15/11
 SCALE: 1/8"=1'-0"

SIGN PLAN
 SHEET NO. SNA.2

SNA.2



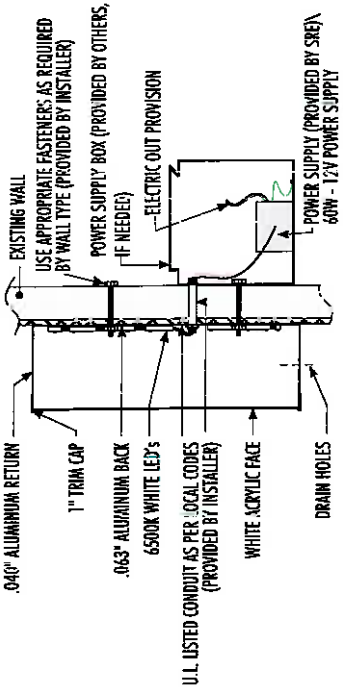
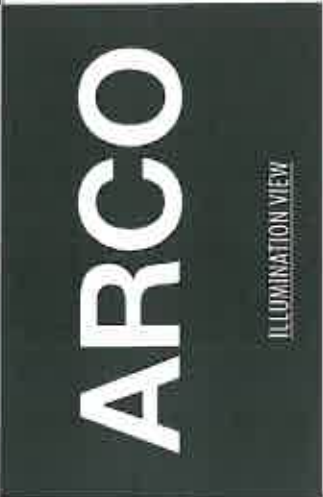
1.5" LED laserline half-round

ARCO

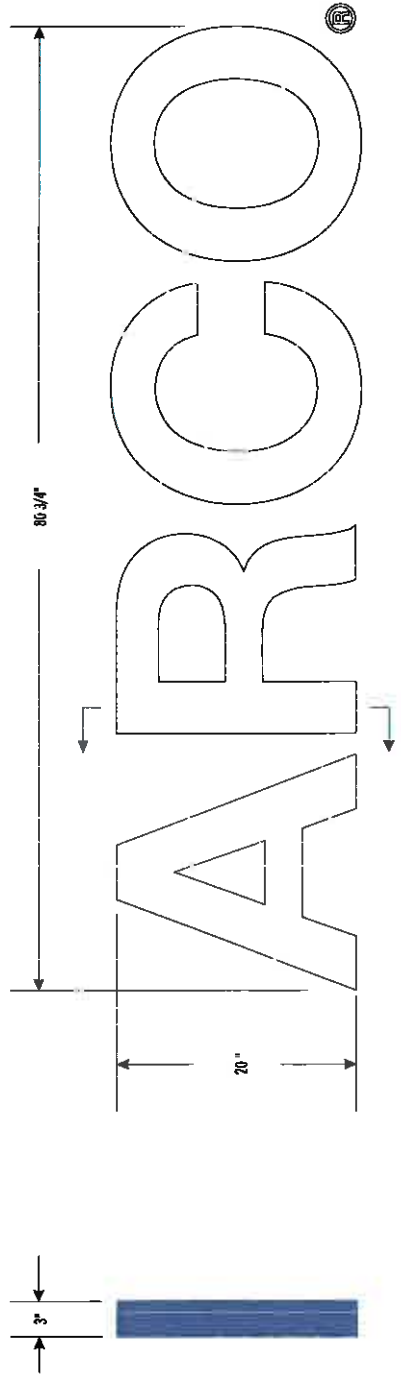
ENCLOSURE

SIDE VIEW

Exhibit "A"



LETTER - SECTION DETAIL



FRONT VIEW

SIDE VIEW

Exhibit "B"



REVISION HISTORY:

REV	DATE	DESCRIPTION	BY	CHECKED BY
A	08/10/10	INITIAL DRAWING RELEASE	JM	DD
B	03/28/14	DESIGN CHANGE TO GE MINI TETRA MAX	JM	DD
C	05/05/14	REVISIONS	JM	DD
D	05/17/14	REVISIONS	JM	DD
E		ADDED LED LAYOUT	JM	DD

PARTS LIST:

ITEM	DESCRIPTION	QUANTITY
1	4 PMS 288C	
2	4 WHITE	
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GENERAL NOTES

1. PERFORMANCE (UNLESS NOTED)
2. DIMENSIONS +.10" - FACE SIDE + 3.16" - 3"
3. CORNER +.10" - MIN OVERLAP + 1/8" - 7/16"
4. ALL COPY UNLESS NOTED OTHERWISE
5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE
6. THIS LETTER IS SUBJECT TO CHANGE WITHOUT NOTICE
7. NO RETURN OR MATERIAL SUBSTITUTION WITHOUT CONSENT
8. ALL ELECTRICAL SHALL BE COMPLY WITH UL 68

CHANNEL LETTER

MODEL: ARCO
 COLOR: CHROME
 ORDER: JUAN V.
 CODE: ARCO
 PARTS: ARCO - HARIOUS
 DATE: 1/27/08
 REV: 08/10/2010
 DRAWING NO: ARCO-LED
 SHEET NO: 1 OF 1

GENERAL NOTES

1. PERFORMANCE (UNLESS NOTED)
2. DIMENSIONS +.10" - FACE SIDE + 3.16" - 3"
3. CORNER +.10" - MIN OVERLAP + 1/8" - 7/16"
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WIDE VERSION

Tetra® LED System **MATERIAL ESTIMATE** **Drwg # 040536-01**

CUSTOMER INFORMATION **SPECIAL INSTRUCTIONS** **GEHM71-1**

MINI MAX (4.8" OC), TO BE INSTALLED @ 4" OC

ESTIMATE FOR ONE SIDE OF SIGN ONLY

1) THE GRAPHICS BELOW ARE FOR REFERENCE ONLY and should not be used for commercial quotation or bid without validation. The material estimates for Tetra LED Systems are based upon our engineering standards and information provided pertaining to font, letter height, can depth, face material, and any special instructions provided by the customer. Missing information will cause delays in delivery of estimate as well as affect product selection, quantities, application, and illumination.

2) LED MODULE PLACEMENT AND QUANTITY IS AN APPROXIMATION ONLY. The sign manufacturer must verify module placement and quantity to ensure even illumination.

3) Final material quantities for estimation purposes and construction are the responsibility of the sign OEM.

4) All signs should be tested as complete units (including correct Tetra power supply, before installation for acceptable color, illumination, intensity, & functionality.

5) For detailed information and instructions refer to the applicable Tetra product found under Signage at: www.ledlightingsolutions.com

Power Supply Location	FACE / BACKLIT	0.8 Amps	29.76 Watts	5.53 Sq Ft	5.38 Watts/Sq Ft	Energy Usage
3"	REMOTE	0.8 Amps	29.76 Watts	5.53 Sq Ft	5.38 Watts/Sq Ft	

LED Module 52 Mod 25 Ft

Power Supply GEPS12-50U-NA 1 Ea

Supply Wire 9409 0 Ea

Choose one wire connector 191600041 40 Ft

End Caps 101600041 14 Ea

MATERIAL BREAKDOWN

GEHM71-1 Modules P/S

A 15

R 17

C 14

O 16



Exhibit "C"

1. Canopy Signage Guidelines

FASCIA HEIGHTS ABOVE 36" ONLY



- 20" ARCO channel letters
- 36" Spark
- 44" BP Pearl disc
- 21" bullnose decal
- 1.5" LED laserline

PREFERRED OPTION FOR CANOPY CLEARANCE ABOVE 13'-6"



- 20" ARCO channel letters
- 36" Spark
- 44" BP Pearl disc
- 15" bullnose decal
- 1.5" LED laserline

PREFERRED OPTION FOR CANOPY CLEARANCE 13'-6" AND LOWER



- 20" ARCO channel letters
- 30" Spark
- 36" BP Pearl disc
- 15" bullnose decal
- 1.5" LED laserline

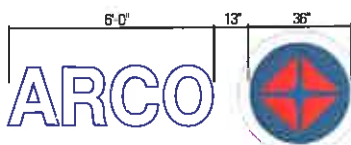
FASCIAS 18" to 23" ONLY



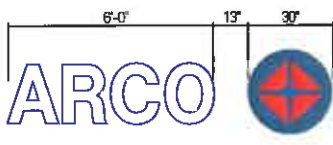
- 15" ARCO channel letters
- 24" Spark
- 30" BP Pearl disc
- 15" bullnose decal
- 1.5" LED laserline

It is preferred to reimage existing fascia heights that are less than 30" with 30" ACM and fascia decoration

2. Canopy Signage and Graphic Sizes



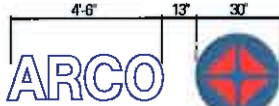
20" ARCO channel letters with 36" Spark
FOR CANOPY CLEARANCE ABOVE 13'-6"
ARCO letters must be positioned to the left of the Spark



20" ARCO channel letters with 30" Spark
FOR CANOPY CLEARANCE 13'-6" AND LOWER
ARCO letters must be positioned to the left of the Spark



15" ARCO channel letters with 24" Spark
FOR USE WITH FASCIAS 18" TO 23"
ARCO letters must be positioned to the left of the Spark



15" ARCO channel letters with 30" Spark
USE ONLY WHEN CODE PROHIBITS 20" LTRS.
ARCO letters must be positioned to the left of the Spark



21" bullnose decal
21" decal used for fascia heights greater than 36"



1.5" LED laserline half-round



15" bullnose decal
15" decal used for fascia heights 18" to 36"



1.5" LED laserline round

Exhibit "D"

Exhibit "E"



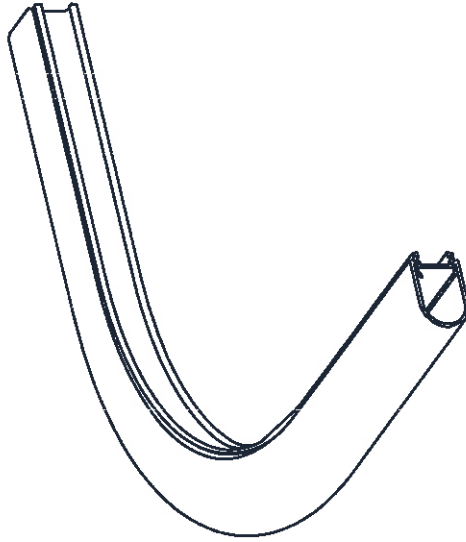
90 degree CORNER
 39-00-06 90 degree blue corner
 39-01-06 90 degree green corner



39-01-19 mounting bracket



17-22-83 light bar clip



RADIUS CORNER
 39-01-07 r 9.5" 21" bullnose green radius 25mA
 39-01-08 r 6.5" 15" bullnose green radius 25mA
 39-00-08 r 6.5" 15" bullnose BLUE radius 25mA

PART DESCRIPTION



- polycarbonate lightbar lens
- pvc mounting bracket
- translucent vinyl end cap vinyl
- clear polycarbonate light bar end cap
- led light strip 25mA
- quantum silicone cartridges and mixing tips
- contact, socket, slimseal 18-20 awg
- conn housing, contact, pin
- bulk 1/2" x 108" 3M vhb tape
- h bar
- lightbar mounting rivet



ENDCAP DETAIL
 30-00-10 (arco blue)
 39-01-10 (green)
 39-04-10 (red)

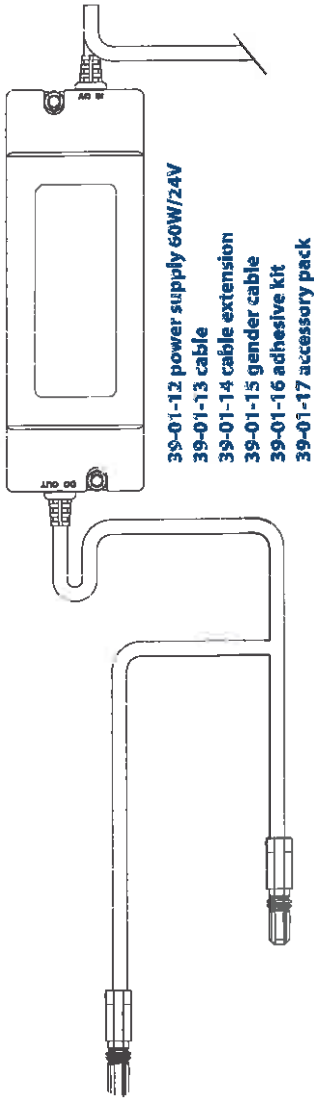


39-00-00 10' LightBar 25mA - BL LED - 15/FT- PC/AL blue
 30-00-03 4' LightBar 25mA - BL LED - 15/FT- PC/AL blue
 30-00-11 10' Polycarbonate lens only blue
 39-01-00 10' LightBar 25mA - BL LED - 15/FT- PC/AL green
 30-01-03 4' LightBar 25mA - BL LED - 15/FT- PC/AL green
 30-01-11 10' Polycarbonate lens only green
 39-04-00 10' LightBar 25mA - BL LED - 15/FT- PC/AL red
 30-04-03 4' LightBar 25mA - BL LED - 15/FT- PC/AL red
 30-04-11 10' Polycarbonate lens only red

LIGHTBAR AVAILABLE IN BLUE, RED, AND GREEN

6107 Kaseell Avenue • Allentown, PA 18101 • p 614 640 8267 • f 614 940 8293





- 39-01-12 power supply 60W/24V
- 39-01-13 cable
- 39-01-14 cable extension
- 39-01-15 gender cable
- 39-01-16 adhesive kit
- 39-01-17 accessory pack



39-01-12 power supply 60W/24V



QTY (1) 39-01-16 adhesive kit



QTY (2) 39-01-14 cable extension



QTY (8)
 30-00-10 (arco blue) end caps or
 39-01-10 (green- shown) end caps or
 39-04-10 (red) end caps
 QTY (2) endcap vinyls



QTY (2) 39-01-13 cable



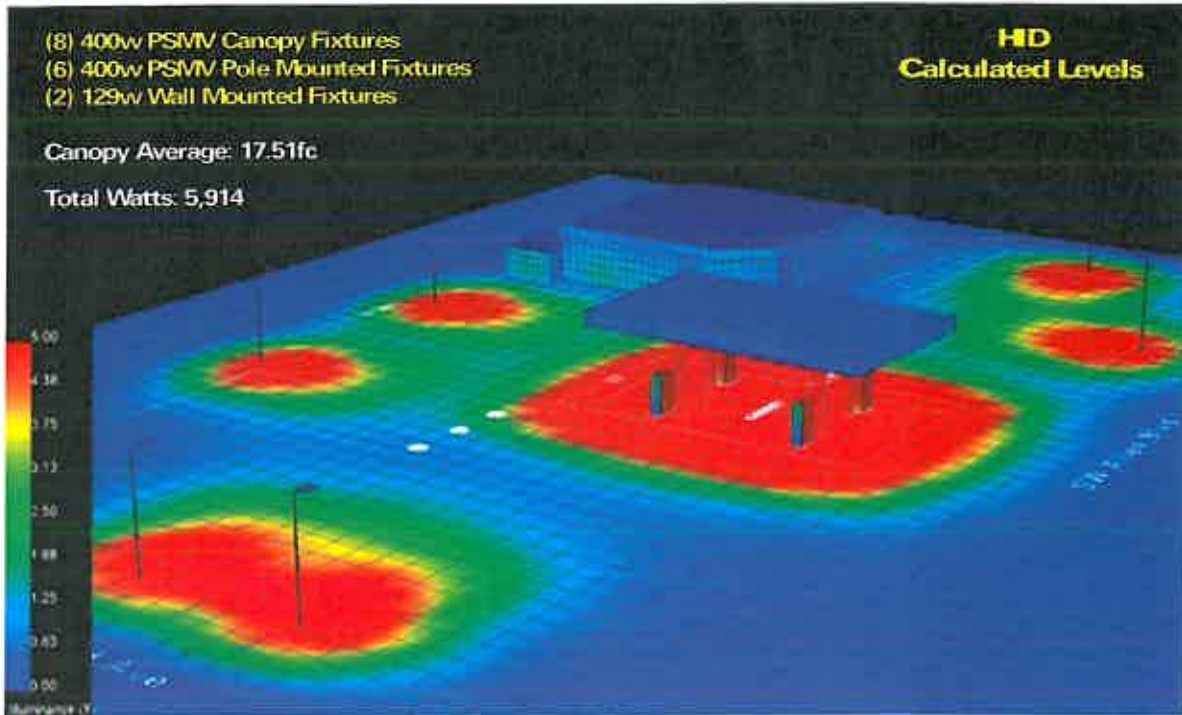
QTY (2) 39-01-15 gender cable

LIGHTBAR AVAILABLE IN BLUE, RED, AND GREEN

6107 Kissell Avenue • Altoona PA 16601 • p 814 940 8287 • f 814 849 8293

Site 5382, before - Metal Halide fixtures

Represents light levels calculated, on-site prior to retrofit (real world).



Site 5382, after - LED fixtures, LSI Crossover 3

Represents light levels calculated, on-site after retrofit.

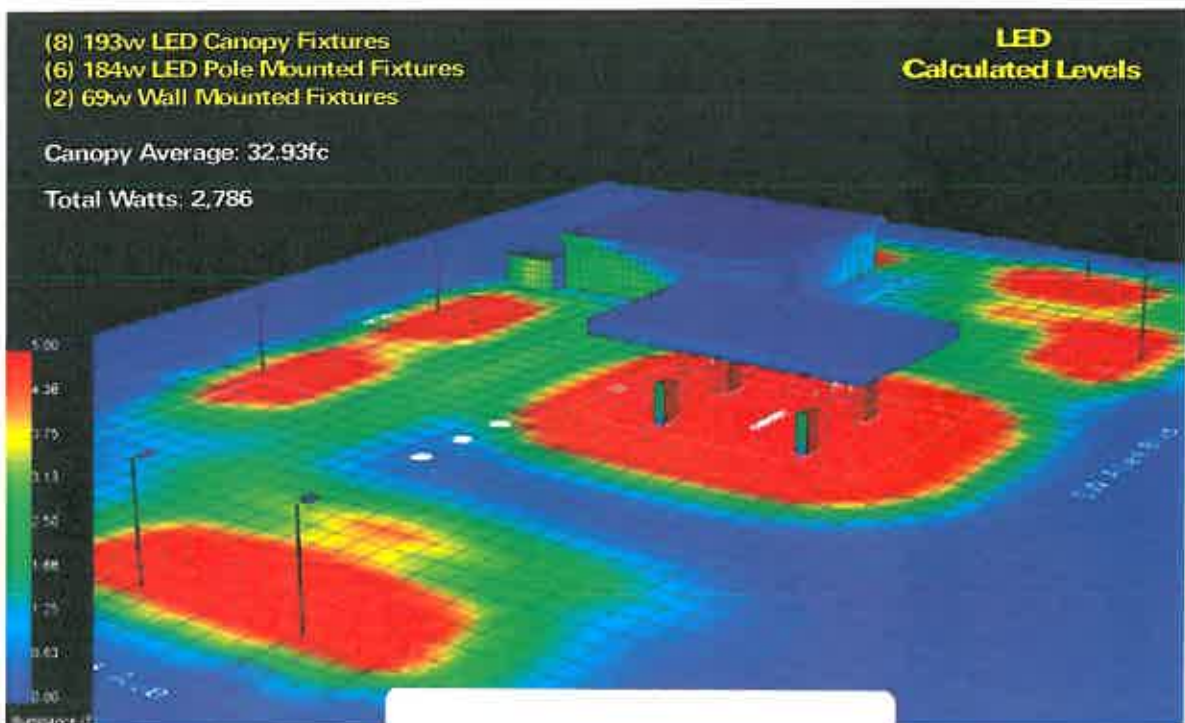


Exhibit "F"

RESOLUTION NO. 2013-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA UPHOLDING THE APPEAL AND APPROVING CONDITIONAL USE PERMIT NO. 2013-25: A REQUEST BY BRIDGECOURT HOMES LIMITED PARTNERSHIP TO ALLOW A MASTER-PLANNED COMMERCIAL DEVELOPMENT ON 9.8 ACRES, CONSISTING OF 55,701 SQ. FT. OF COMMERCIAL AND OFFICE USES IN THE PLANNED SHOPPING / OFFICE COMMERCIAL (C-SO) ZONE. THE FIRST PHASE OF THE DEVELOPMENT WILL CONSIST OF A 4,524 SQ. FT. GASOLINE SERVICE STATION, 1,038 SQ. FT. AUTOMATED CAR WASH, 3,061 SQ. FT. CONVENIENCE STORE, AND 3,302 SQ. FT. FAST FOOD RESTAURANT WITH DRIVE-THRU SERVICE. THE PROJECT IS LOCATED ON THE SOUTHEAST CORNER OF DINUBA BOULEVARD (STATE ROUTE 63) AND RIGGIN AVENUE, SITUATED WITHIN THE CITY LIMITS OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA. (APN: 091-010-040)

WHEREAS, Conditional Use Permit No. 2013-25 is a request by Bridgecourt Homes Limited Partnership to allow a master-planned commercial development on 9.8 acres, consisting of 55,701 sq. ft. of commercial and office uses in the Planned Shopping / Office Commercial (C-SO) Zone. The first phase of the development will consist of a 4,524 sq. ft. gasoline service station, 1,038 sq. ft. automated car wash, 3,061 sq. ft. convenience store, and 3,302 sq. ft. fast food restaurant with drive-thru service.. The project is located on the southeast corner of Dinuba Boulevard (State Route 63) and Riggins Avenue, situated within the City limits of Visalia, County of Tulare, State of California. (APN: 091-010-040); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on August 12, 2013; and

WHEREAS, the Planning Commission of the City of Visalia, after conducting a public hearing, denied Conditional Use Permit No. 2013-25; and

WHEREAS, an appeal of the Planning Commission's denial of Conditional Use Permit No. 2013-25 pertaining to error or abuse of discretion by the Planning Commission in its action and pertaining to the Commission's actions not being supported by evidence in the record was received on August 14, 2013; and

WHEREAS, the City Council of the City of Visalia, after ten (10) days published notice held a public hearing before said Council on September 3, 2013; and

WHEREAS, the City Council finds Conditional Use Permit No. 2013-25 in accordance with Chapter 17.38 (Conditional Use Permits) of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that Mitigated Negative Declaration No. 2013-54 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.

2. That the proposed conditional use permit would be compatible with adjacent land uses.
3. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2013-054, incorporating the Mitigation Monitoring Program included within, is hereby adopted.
4. That the conditional use permit is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

BE IT FURTHER RESOLVED that the City Council upholds the appellants appeal and approves the Conditional Use Permit on the real property here in above 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 shall be developed and maintained in substantial compliance with the site plans in Exhibits "B", "D", and "Q" unless otherwise specified in the conditions of approval.
2. That the project shall be developed and maintained in substantial compliance with the floor plans in Exhibits "I", "M", and "R" unless otherwise specified in the conditions of approval.
3. That the project shall be developed and maintained in substantial compliance with the elevation plans in Exhibits "J", "K", "L" and "S" unless otherwise specified in the conditions of approval.
4. That the project and site landscaping shall be developed and maintained in substantial compliance with Exhibits "E" and "Q" unless otherwise specified in the conditions of approval.
5. That the project be developed in full conformance with the "Riverbend Village Design Guidelines and Engineering Standards" document, incorporated herein by reference. The final site layout for buildings labeled as "future" and surrounding parking areas may differ, provided that the changes are consistent with the guidelines and standards in the document.
6. That the project be developed in substantial compliance with Site Plan Review No. 2013-031 and 091.
7. That the abandonment of the Encina Street segment between Dove Avenue and its terminus at property line be carried out in accordance with the plan contained in the "Riverbend Village Design Guidelines and Engineering Standards" document. A request and filing fee for the abandonment shall be submitted with the first building permit associated with the project.
8. That a restrictive covenant including vehicular access, landscaping and permanent maintenance of all common areas such as the public street parkways and perimeter landscaping, project identification signage and walls, common lot landscaping, and all similar infrastructure agreements shall be recorded with the final parcel map. The restrictions and/or vehicular access agreements shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review these restrictions or vehicular access agreements verifying compliance with these requirements prior to the covenant's recordation.

9. That a 25-foot cross access easement be required between the parcel containing the restaurant with drive-through lane and the adjoining parcel to the south for emergency and public service vehicles.
10. That the hours of operation for the car wash and vacuum cleaners shall be between the hours of 6:00 am to 9:00 pm, and that Community Noise Standards be maintained during these times.
11. That the operation of the restaurant drive-thru order board maintain Community Noise Standards.
12. That any outdoor public address system (PA system) be prohibited on the gas station and restaurant site. Only personal intercom systems are allowed with speakers in close proximity to the pump and drive-thru lanes for communication between the customer and cashier/attendant.
13. That the fuel island canopy lighting be recessed into the canopy and shielded to prevent any significant light or glare from falling upon the adjacent residential properties.
14. That illuminated signage on the exterior fascia of the fuel island canopy be limited to a decal, and that there be no light strips or neon / light-emitting diode (LED) banding on the exterior fascia of the fuel island canopy.
15. That neon, LED, and similar intensive light sources shall not be used as accent or illumination on building exteriors. These light sources may be used as indirect illumination for signs where it can be demonstrated that they will not create significant glare or illumination off of the site.
16. That the commercial center be allowed two identical multi-tenant signs for the commercial development – one along the Dinuba Blvd. frontage and one along the Riggan Ave. frontage – and be allowed one gas station and fuel pricing sign on Parcel 1. Sign height is limited to 11 feet and sign copy area is limited to 35 feet of sign copy per side.
17. That a consistent architecture theme shall be maintained on all buildings in the commercial center as depicted in the "Riverbend Village Design Guidelines and Engineering Standards" document, and that the center's gas station, convenience store, car wash, and restaurant with drive-thru lane shall adapt to the architecture theme.
18. That a concrete block masonry wall not less than seven feet in height shall be constructed on the property line where the site adjoins Residential-zoned property. Said wall shall be constructed with the first building permit associated with the project.
19. That a separate Conditional Use Permit shall be obtained for any conditionally-allowed uses that subsequently locate on the site, including future development on Parcel 3 if applicable.
20. That all applicable federal, state, regional, and city policies and ordinances be met.
21. That all of the conditions and responsibilities of Conditional Use Permit No. 2013-25 shall run with the land and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
22. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-25.
23. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2013-054 are hereby incorporated as conditions of this Conditional Use Permit.

24. That this Conditional Use Permit become null and void unless General Plan Amendment No. 2011-14 and Change of Zone No. 2011-15 are approved, and that the effective date of this Conditional Use Permit will begin thirty days after approval of the second reading of the ordinance for Change of Zone No. 2011-15.
25. The monument sign located on Riggan Avenue shall be permitted only upon the construction of Phase 2.
26. That illuminated building signage on the west, south, and east sides of the buildings be placed so as to not allow direct or indirect light of glare from falling upon the adjacent residential properties.
27. That there be no illuminated signage on the south side of the restaurant on Parcel 2 which could be visible from the adjacent residential neighborhood.

CITY OF VISALIA RESOLUTION

PASSED AND ADOPTED:

STEVEN M. SALOMON, CITY CLERK

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

I, Steven M. Salomon, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2013-49 passed and adopted by the Council of the City of Visalia at a regular meeting held on September 3, 2013.

Dated: 9/9/13

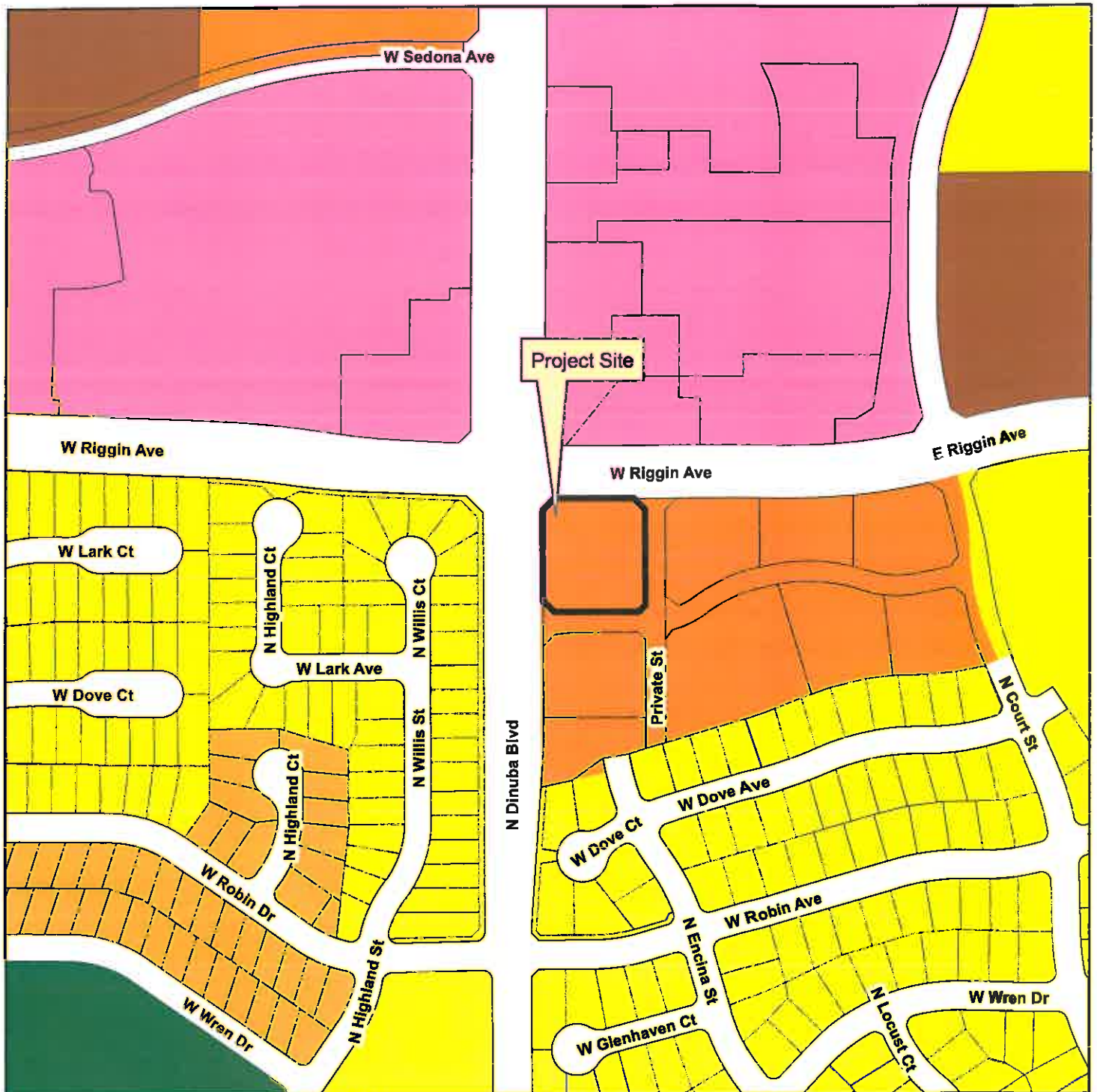
STEVEN M. SALOMON, CITY CLERK



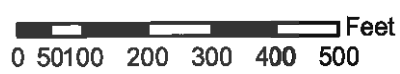
By Michelle Nicholson, Chief Deputy City Clerk

Conditional Use Permit No. 2016-27

The site is located at 2910 N. Dinuba Boulevard, on the southeast corner of Dinuba Boulevard and Riggin Avenue. (APN: 091-101-044)



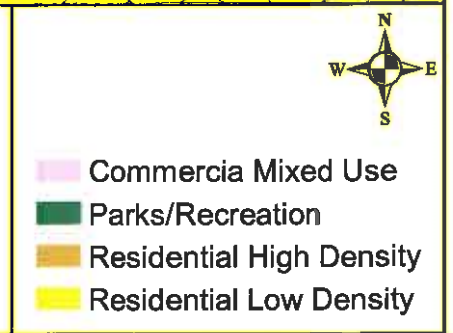
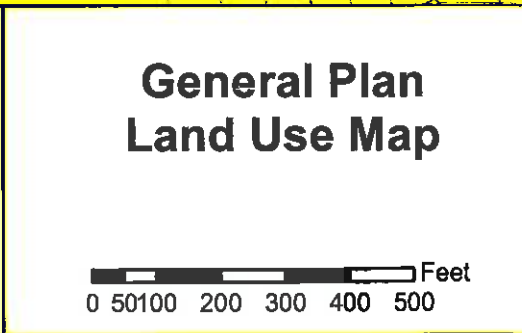
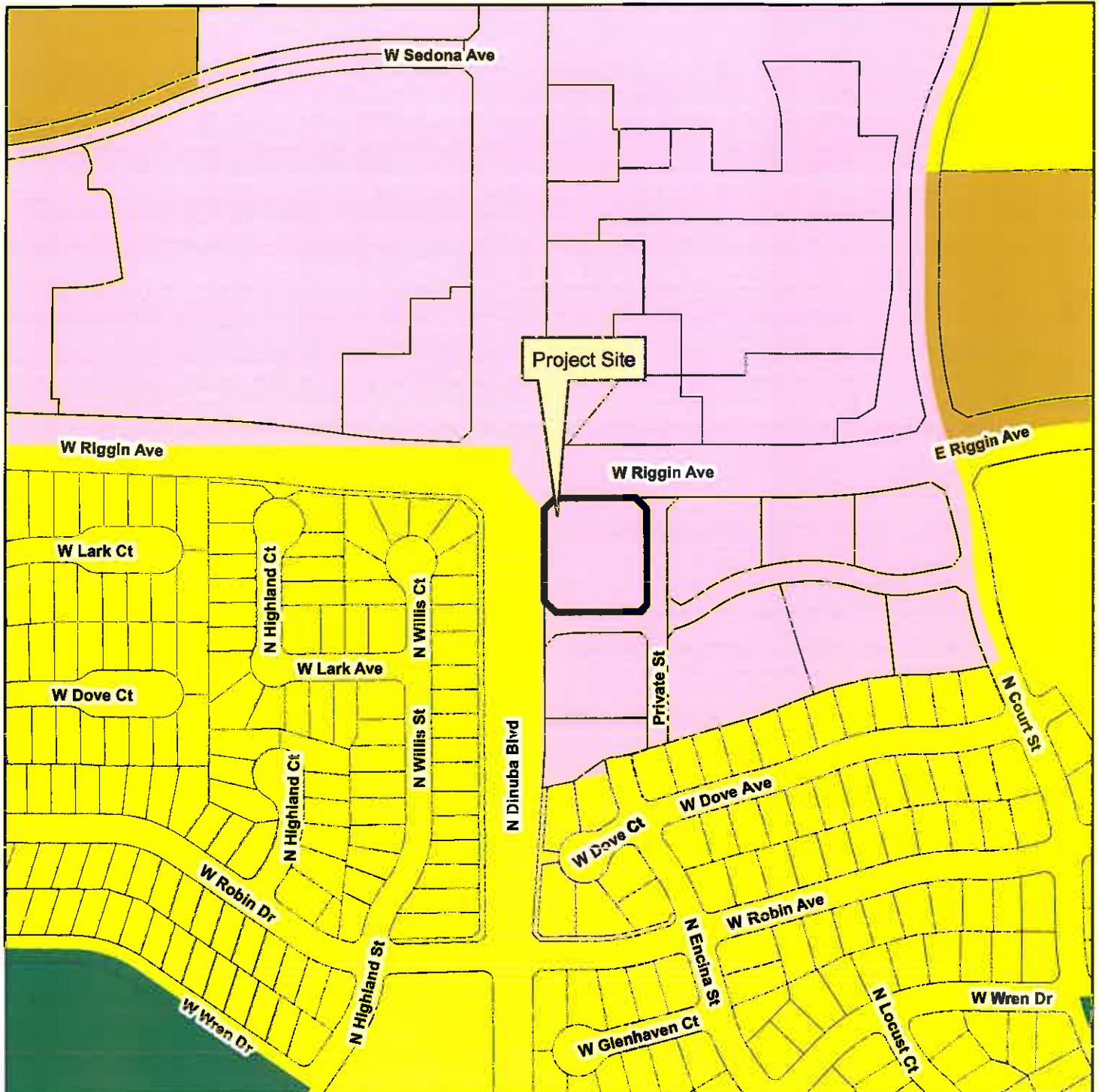
Zoning Map



- Community Commercial
- Shopping / Office Commercial
- Quasi-Public
- Residential Single-family R-1-4.5
- Residential Single-family R-1-6
- Residential Multi-family R-M-2

Conditional Use Permit No. 2016-27

The site is located at 2910 N. Dinuba Boulevard, on the southeast corner of Dinuba Boulevard and Riggin Avenue. (APN: 091-101-044)



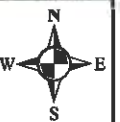
Conditional Use Permit No. 2016-27

The site is located at 2910 N. Dinuba Boulevard, on the southeast corner of Dinuba Boulevard and Riggin Avenue. (APN: 091-101-044)



Aerial Photo

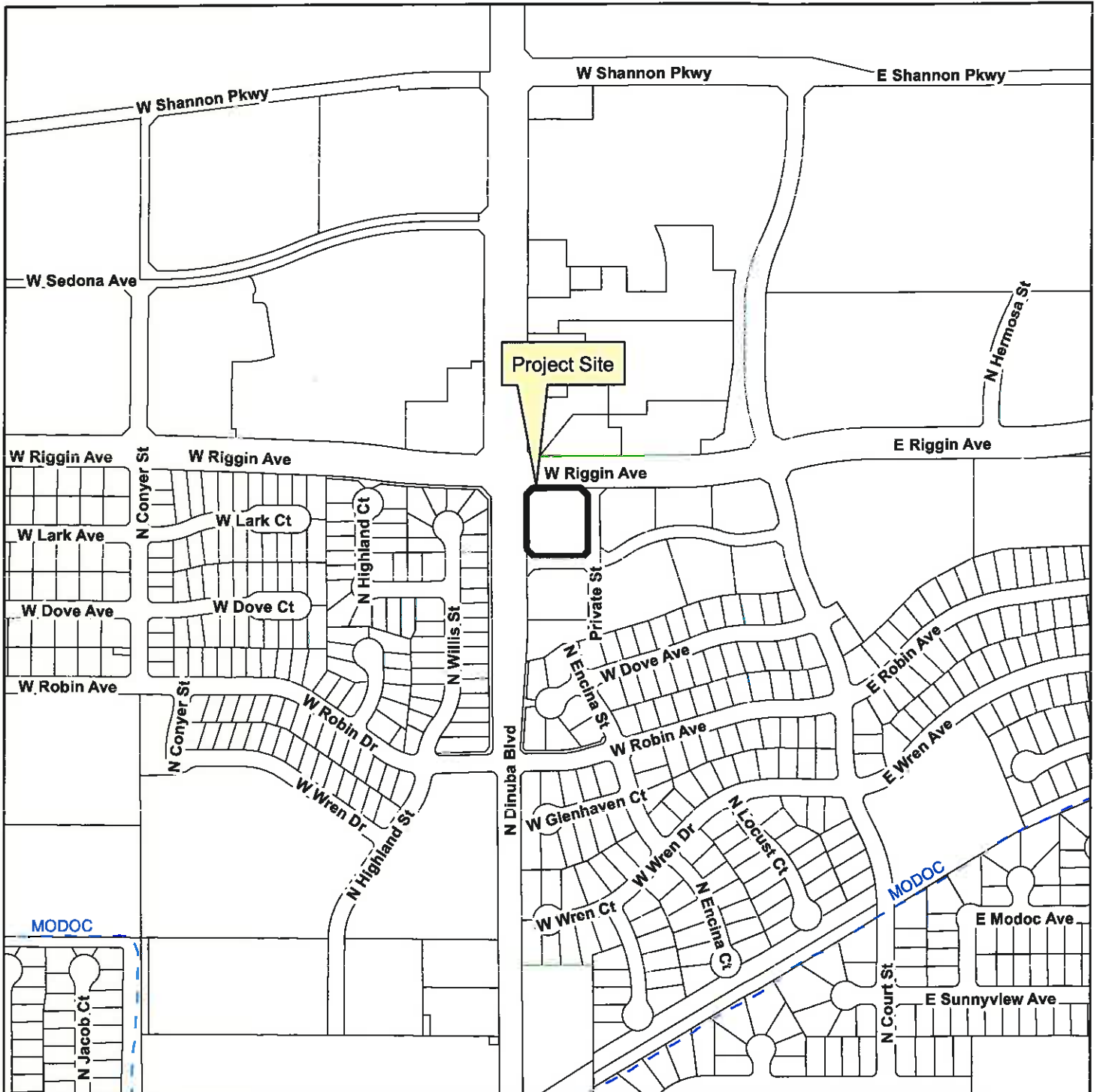
Photo Taken March 2016



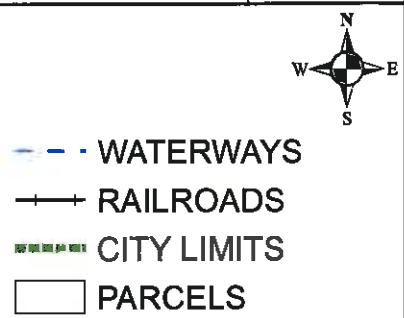
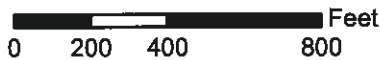
- WATERWAYS
- RAILROADS
- CITY LIMITS
- PARCELS

Conditional Use Permit No. 2016-27

The site is located at 2910 N. Dinuba Boulevard, on the southeast corner of Dinuba Boulevard and Riggin Avenue. (APN: 091-101-044)



Location Map





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: December 12, 2016

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

SUBJECT: Active Transportation Plan (ATP) for the City of Visalia: a request by the City of Visalia to review Visalia's Draft (90%) Active Transportation Plan.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission receive a presentation regarding an update of the document, hold a public hearing, and receive/provide any comments on the Active Transportation Plan.

RECOMMENDED MOTION

No motion necessary.

PROJECT DISCUSSION

Summary: The Community Development Department's Engineering and Planning Divisions are currently working with a consultant, QK Inc. (formally referred to as Quad Knopf) to prepare the City's first ever Active Transportation Plan (ATP). City Council authorized staff to hire the Consultant at their March 7, 2016 meeting. The ATP will identify projects that promote non-motorized transportation to residents and improve the City's chances of obtaining competitive State and Federal funding. The City's ATP is being developed through an assessment of current and forecasted conditions, and extensive community outreach. It is an update to the previous City's bikeway plans and now includes a pedestrian plan to meet new State Active Transportation Program requirements. The ATP is consistent with other long range planning documents, such as the General Plan, the Waterways and Trails Master Plan, and the Regional Active Transportation Plan. Once complete, it will be the roadmap for future bicycle and pedestrian projects in the City.

Staff began working with the consultant, QK Inc. in April 2016. Since then, the team has collected and analyzed data regarding the existing pedestrian and bicycle infrastructure, held two community outreach workshops, presented updates to two Committees (Disability Advocacy Committee and Waterways and Trails Committee), prepared an Administrative Draft and a Draft of the City's ATP, and presented the Draft ATP to the Parks and Recreation Commission and Waterways and Trails Committee. City of Visalia staff and members of the Tulare County Association of Governments (TCAG) reviewed the Draft documents and have provided comments to QK Inc.

This staff report summarizes the work completed to date, presents the draft proposed bicycle and pedestrian network, and highlights new policies that will become a part of the document. Any comments that are received from this work session will be reviewed and addressed in the final document. Staff will go before the City Council in February 2017 to request adoption of the final document.

Background Discussion:

Purpose of the ATP

The purpose of the City of Visalia ATP is to identify projects that will increase non-motorized forms of transportation within the Community and to help the City be more competitive in future applications for ATP funds. It will incorporate elements from the City's Bikeway Plan (which was last updated 5 years ago) and the Waterways and Trails Masterplan into a single document that will meet the 2017 Active Transportation Guidelines that were adopted by the California Transportation Commission. The document will guide implementation of pedestrian and bicycling improvements that were identified through the document development process that included research into existing programs and capital improvements, an analysis of the collected data, and public outreach.

The ATP targets the following goals and objectives:

1. Increase the use of active modes of transportation, such as biking or walking by identifying non-motorized transportation and safety needs;
2. Close gaps and connect people by prioritizing future bike and pedestrian projects;
3. Enhance public health through the identification of educational programs geared towards increasing active transportation;
4. Help achieve greenhouse gas (GHG) reduction goals.
5. Provide recommendations for the engineering, maintenance, and enforcement of proposed plan improvements;
6. Demonstrate the City's commitment to increasing active modes of transportation to competitive ATP funding sources.

Public Outreach

The ATP team conducted various forms of public outreach. Following is a list of some of the work that was done in order to obtain input regarding the future needs for non-motorized transportation in Visalia:

1. Two public workshops were held. The meetings were held on May 19, 2016 at the Mt. Whitney High School cafeteria and on July 9, 2016 at the Manuel Hernandez Community Center. Newspaper ads, flyers, and posters were distributed to invite the public to attend the workshops.
2. QK Inc. attended various meetings to make a public announcement and invite people to the scheduled workshops. Some of the meetings where the announcement was made included the Visalia City Council, the Planning Commission, and the Parks and Recreation Commission.
3. In addition, notifications of the public workshops were sent via email to over 200 local community groups, churches, and businesses.
4. The team interviewed representatives from the City of Visalia Transit Division, Public Works Department, Police Department, and the Visalia Unified School District to obtain current information regarding the connectivity, maintenance and safety enforcement of existing laws.
5. QK Inc. also created an interactive GIS survey map that was posted on the City's website and advertised online to receive comments regarding the draft bicycle and pedestrian network.

Draft (90% Complete) Document

1. The Draft ATP contains maps identifying existing bicycle and pedestrian facilities, trip attractors (i.e. destinations), and identification of bicycle/pedestrian collision areas. The Draft ATP also includes a description of existing safety features and potential safety features to be considered. It also summarizes the comments received through the public outreach process, to be summarized in the staff presentation for this item.

2. In addition, the Draft ATP contains the proposed Bikeway Plan, Trails and Links Plan, and Pedestrian Plan. Those maps will also be reviewed in greater detail during the staff presentation. Some items to note on the proposed plans are:

a. The Bikeway Plan identifies more links to attractors and encourages an increase in Class II (bike lanes) and Class III (bike routes) around various arterial and collector streets.

b. The Trails and Links Plan identifies areas in need of connections due to gaps in the existing trail system and incorporates trail segments that will contribute to the creation of the "Ring Recreational Trail" identified in the Waterways and Trails Master Plan. The ring trail is a loop that will include existing and future trails along the St. Johns River, the future Greenway Trail, and future trails along Cameron Creek, Riggin Avenue, and Shirk Street.

c. The Pedestrian Plan prioritizes sidewalk and ramp improvements around attractors such as schools and in areas identified by the State of California as disadvantaged communities. The Pedestrian Plan also identifies areas that are in need of improvements due to identified gaps in the network and pedestrian improvements that have been identified through the public outreach effort.

The Pedestrian Plan is not an Accessibility Plan and therefore does not inventory and identify areas of the network that may need to be upgraded in order to comply with current accessibility codes. Staff will be going to the City Council in 2017 to request hiring a consultant to update the City's existing Americans with Disabilities Act Transition Plan for Facility Accessibility.

Environmental Review:

Negative Declaration No. 2016-50 was prepared for the Draft (90%) Active Transportation Plan. No potential significant impacts were identified. The Initial Study and Intent to Adopt the Negative Declaration were circulated for a 30-day period through the State Clearing House. The review period ran from November 1, 2016 to December 2, 2016. Two written comments were received by interested State agencies - the Native American Heritage Commissions and Department of Transportation (CalTrans).

Next Steps:

City and QK Inc. staff will consider any comments received from this public hearing into the final ATP document. In addition, staff will be preparing written responses to comments submitted by the Native American Heritage Commissions and CalTrans.

The final ATP document will go to the City Council in February 2017 for adoption.

Attachments:

1. Implementation Policies
2. Proposed Bikeway Plan (Figure 3-7 of Draft ATP)
3. Proposed Pedestrian Network Improvement Plan (Figure 4-2 of Draft ATP)
4. Initial Study and Negative Declaration No. 2016-50, with comments received from the Native American Heritage Commissions and CalTrans.

The Draft (90%) Active Transportation Plan in its entirety can be viewed and downloaded at the websites:

http://www.visalia.city/documents/Engineering/ATP-90_Draft.pdf

[http://www.visalia.city/depts/community_development/engineering/active_transportation_plan_\(atp\).asp](http://www.visalia.city/depts/community_development/engineering/active_transportation_plan_(atp).asp)

Implementation Policies:

Objective 1: Prepare and maintain an Active Transportation Plan that identifies existing and future needs, provides specific recommendations for facilities and programs, improves safety and accessibility for all user's, and identifies priorities and funding sources for implementation.

Policy 1.1: Implement the Active Transportation Plan, which identifies existing and future needs.

Policy 1.2: Update the Active Transportation Plan to meet requirements of funding opportunities approximately every five years.

Policy 1.3: Schedule pedestrian and bicycle network improvements in annual updates to the Capital Improvement Program (CIP).

Policy 1.4: In the annual staff, operations, and maintenance budgets, include funding for regular facility evaluation, maintenance, and repair, as well as funding to review development and zoning proposals for effect on mobility.

Policy 1.5: Establish a spot improvement program for low-cost, small-scale improvements, such as pavement maintenance, hazard removal, or bicycle rack installation.

Policy 1.6: Assign a project coordinator to oversee implementation of the Active Transportation Plan and coordinate activities between City departments and other jurisdictions.

Policy 1.7: Coordinate with Caltrans on pedestrian and bikeway issues related to State highways.

Policy 1.8: Involve nearby businesses, residents, and appropriate organizations and nonprofits to assist with maintenance responsibilities, watch programs, litter collection days, and similar events.

Policy 1.9: Require proposed new development to create landscape and lighting districts to fund the maintenance of infrastructure, including active transportation elements, along major roadways.

Policy 1.10: Consider the California Highway Design Manual (HDM), the California Manual of Uniform Traffic Control Devices (MUTCD), the National Association of City Transportation Officials (NACTO) guidelines, and the American Association of State Highway Transportation Officials (AASHTO) guidelines when designing pedestrian and bicycle facilities.

Policy 1.11: Accommodate the needs of pedestrians and bicyclists of all ages and abilities in planning, developing, and maintaining an active transportation network that is safe and convenient.

Policy 1.12: Prioritize safety improvements near schools, public transit, and other high priority pedestrian destinations.

Policy 1.13 Evaluate the City's Municipal Code as it relates to Class I shared use paths to distinguish it from parks and provide recommendations to update the Municipal Code, as appropriate.

Objective 2: Develop and construct a comprehensive active transportation network that is feasible, fundable over the life of the Plan, and that serves the users' needs for all trip purposes.

- Policy 2.1: Expand the current active transportation network to fill the gaps in existing routes, provide links to trip attractors, and enhance safety for all users of all abilities.
- Policy 2.2: Evaluate and consider opportunities to improve pedestrian and bicycle safety, including, but not limited to, sidewalks, high visibility crosswalks, lighting, signage, pavement markings, traffic calming, curb extensions, pedestrian refuge islands, and ADA access.
- Policy 2.3: Include facilities that support active transportation in all new development projects. This should include pedestrian/bicycle connections from contemporary subdivision designs to surrounding arterials and collectors, bicycle parking at shopping, employment, and recreational centers, and bikeways on new collector and arterial roadways.
- Policy 2.4: Evaluate and consider opportunities to improve and/or install pedestrian and bicycle facilities during repaving or regular maintenance projects.
- Policy 2.5: Ensure that on-street parking does not conflict with Class II bike lanes, and restrict parking near intersections and crosswalks to improve visibility and enhance safety for pedestrians and bicyclists.
- Policy 2.6: Identify safety counter measures at areas of high collision activity. Recommend and implement safety improvements.
- Policy 2.7: Include bicycle detection and timing requirements along with new traffic signal installations or modifications. Bicycle detection and timing should be implemented on a Citywide basis, as funding and implementation opportunities occur.
- Policy 2.8: Include pedestrian countdown signals with all new traffic signal installations and modifications, and modify pedestrian signal timing as needed to provide sufficient crossing times.
- Policy 2.9: Evaluate and consider opportunities to repurpose existing roadways into the complete streets that can accommodate motorized vehicles, bicyclists, and pedestrians. Evaluate and consider reconfiguring lane geometry, if feasible, so that bike lanes may be accommodated on existing bike routes by reducing the width of vehicular travel lanes.
- Objective 3: Improve safety for pedestrians and bicyclists by implementing educational and promotional programs and by enforcing pedestrian, bicycle, and motorist laws and regulations affecting pedestrian and bicycle safety.**
- Policy 3.1: Develop and distribute pedestrian/bicycle safety material and education programs for child pedestrians and bicyclists and develop programs for adult bicyclists and motorists that increase knowledge of safe walking/bicycling practices and encourage individual behavior change with emphasis on walking/bicycle safety and laws related to walking and cycling.
- Policy 3.2: Continue the enforcement of the California Vehicle Code (CVC) with respect to pedestrians' and bicyclists' rights and responsibilities in order to reduce CVC violations that result in collisions.
- Policy 3.3: Consider assigning a police officer to the issue of pedestrian and bicycle safety.
- Policy 3.4: Promote programs that reduce incidences of theft and continue efforts to recover stolen bicycles through a bicycle license program.

Policy 3.5: Coordinate the delivery of pedestrian and bicycle safety education programs to schools, utilizing assistance from law enforcement agencies, local sports and/or bicycle shops, and other appropriate groups and organizations.

Policy 3.6: Promote the use of smartphone applications related to walking and bicycling.

Objective 4: Increase public awareness of the benefits of active transportation.

Policy 4.1: Provide current and easily accessible information and public outreach programs about the Active Transportation Plan, pedestrian and bicycle safety, and other related programs.

Policy 4.2: Encourage bicycling and walking through incentive/awareness programs.

Policy 4.3: Develop and promote education and encouragement programs such as, but not limited to, Bike to Work Day, Bike to School Day, Walk to School Day, Bicycle Safety courses, and pedestrian and bicycle network maps. School programs to encourage walking and biking should include the elementary, middle, and high school levels. Promote programs of the Police and Fire Departments such as Bicycle Rodeos, bicycle and pedestrian pamphlets, and classroom education. Evaluate the success and effectiveness of each program and modify as necessary.

Policy 4.4: Participate in the development and maintenance of an active transportation safety campaign as a tool to deliver motorist, cyclist, and pedestrian safety education information.

Policy 4.5: Pursue funding that would assist in the development of videos that would educate the public on pedestrian and bicycle safety. The videos could then be distributed to Visalia Unified School District, private schools, charter schools, and community centers for instructional use.

Objective 5: Require routine maintenance of local roads consider use by and safety of pedestrians and bicyclists.

Policy 5.1: Work with the City's existing maintenance reporting system with a central point of contact that can be used to report, track, and respond to routine pedestrian and bicycle maintenance issues in a timely manner. Increase public awareness of the existing system as a means to report pedestrian and bicycle facilities needing repair and/or clean-up.

Policy 5.2: Establish a standard for clearing debris from pedestrian and bicycle areas, and for trimming intrusive and obstructive vegetation, such as overhanging trees, encroaching bushes, and star thistle and goat head weeds.

Policy 5.3: Maintain and/or improve the quality, operation, and condition of pedestrian and bicycle infrastructure.

Policy 5.4: Maintain geometry, pavement surface condition, debris removal, pavement delineation, and signage on Class II and Class III bikeways to the same standards and condition as the adjacent motor vehicle lanes.

Policy 5.5: Require that road construction projects minimize their impacts on pedestrians and bicycles through the proper placement of construction signs and equipment, and by providing adequate detours.

Policy 5.6: Identify intersections where red painted curbs near the intersection would improve pedestrian safety, and repaint as needed.

Objective 6: Encourage methods to increase pedestrian access and mobility for all ages and abilities.

Policy 6.1: Encourage the inclusion of amenities, such as benches, trash containers, landscaping, or art, in pedestrian improvement projects.

Policy 6.2: Conduct an ADA Self Evaluation for public rights of way facilities, update the current ADA Transition Plan to include these facilities, and implement improvements per the updated ADA Transition Plan recommendations.

Policy 6.3: Identify gaps and deficiencies in the City's existing pedestrian network and develop strategies to rectify them.

Policy 6.4: Install root barriers to help prevent sidewalk deterioration from street trees.

Policy 6.5: Consider a program for installing shade trees along streets where currently little or none exist to encourage walking.

Objective 7: Integrate pedestrian and bicycle facilities with public transit.

Policy 7.1: Identify, develop, and enhance opportunities for pedestrians and bicyclists to easily access public transit. Include appropriate facilities at bus stops, including but not limited to, shelters, trash receptacles, new or wider sidewalks, and ADA accommodations.

Policy 7.2: Continue to work with Visalia Transit, TCaT, and KART to accommodate bicycles on transit vehicles.

Objective 8: Provide the related support facilities and amenities necessary for bicycle travel to assume a significant role as a local alternative mode of transportation and recreation.

Policy 8.1: Consider the support of facilities such as secure bicycle parking, showers, and storage lockers for equipment and clothing for City employees. Encourage other employers to provide similar programs.

Policy 8.2: Encourage secure bicycle parking at shopping, employment, and recreational centers.

Policy 8.3: Encourage new large scale commercial, office, and industrial development to provide a variety of support facilities such as secure and convenient bicycle parking and shower/locker facilities.

Policy 8.4: Ensure secure, adequate and easily accessible bike parking at destinations throughout Visalia.

Policy 8.5: Install directional, information, and regulatory signs and on bikeways, city roadways, and State Routes to improve "way-finding" for bicyclists, assist emergency personnel, and heighten motorist's awareness.

Policy 8.6: Encourage Visalia Unified School District to provide and actively maintain sufficient, convenient, safe, and attractive bicycle racks at all City public schools.

Objective 9: Maximize the amount of funding for active transportation projects and programs in the City, with an emphasis on implementation of this Plan.

Policy 9.1: Work with federal, state, regional, and local agencies and any other available public or private funding sources to secure funding for projects identified in the Plan.

Policy 9.2: Encourage multi-jurisdictional funding applications to implement the regional Active Transportation Plan.

Policy 9.3: Seek funding from the Active Transportation Program (ATP) and other grants for alternative transportation and the promotion of walking and biking.

Policy 9.4: Actively pursue funding for the Plan improvements in Disadvantaged Communities in Visalia with an emphasis on prioritizing improvements there.

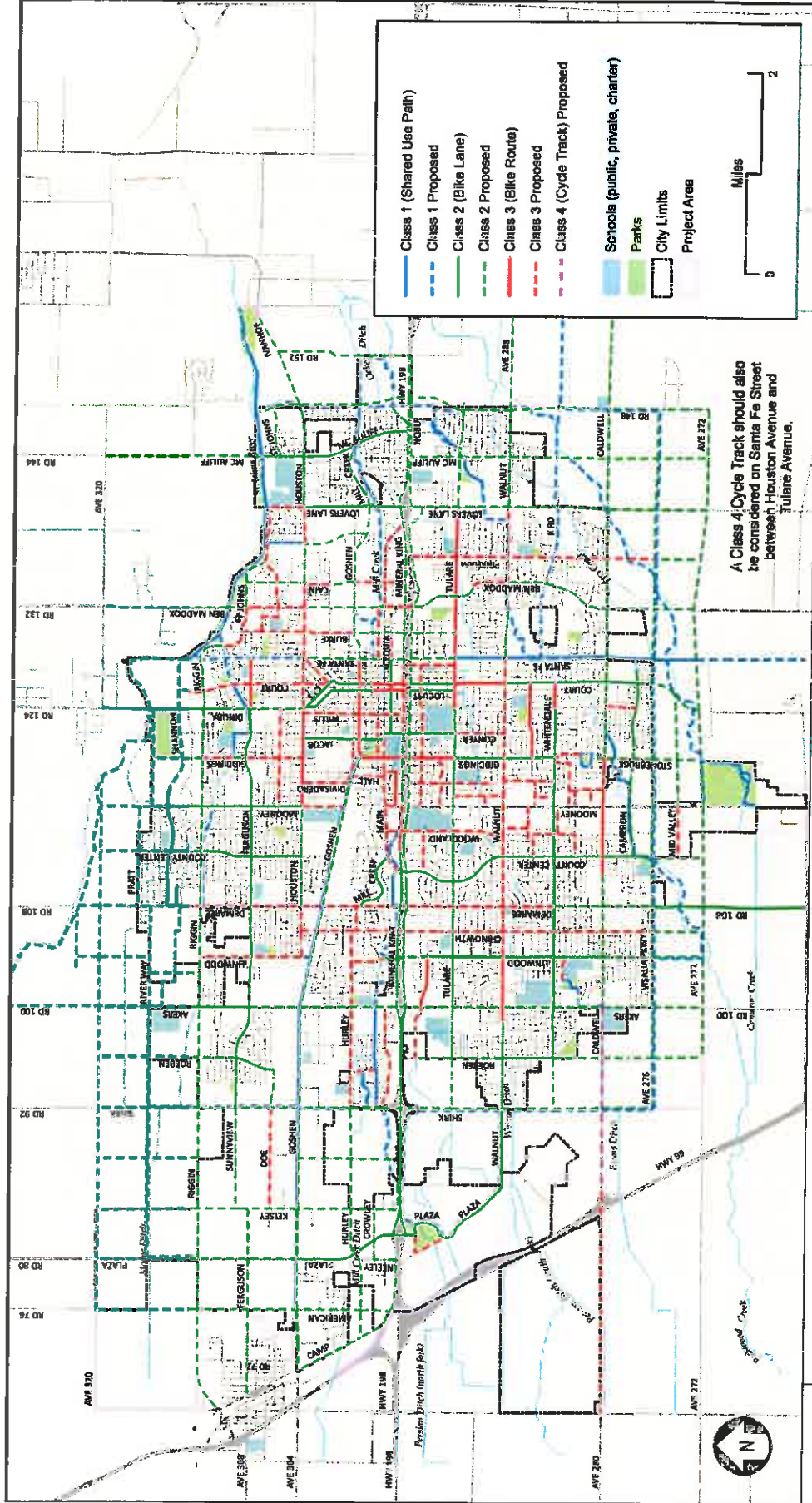
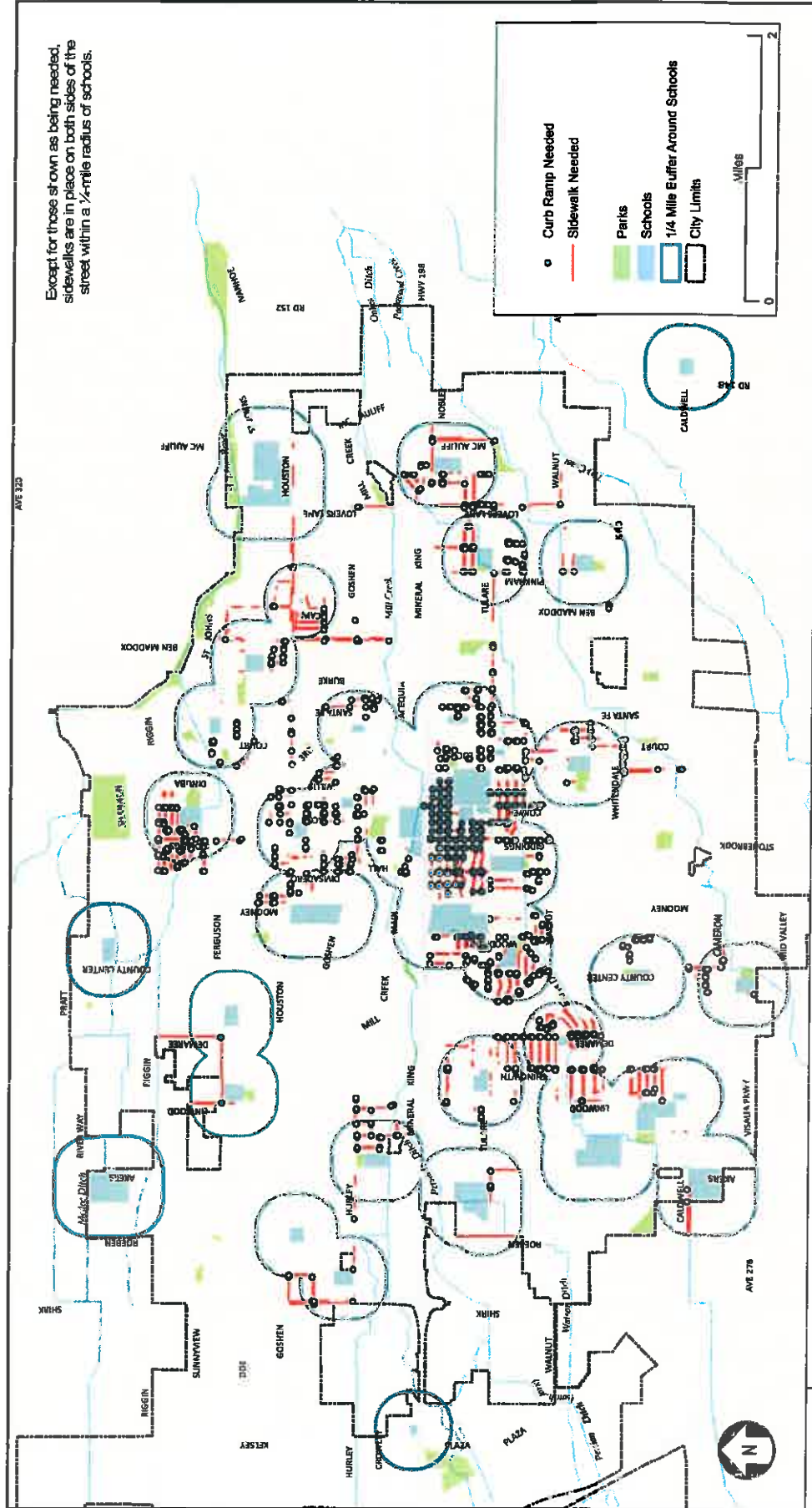


Figure 3-8 Proposed Bikeway Plan (Citywide)





Except for those shown as being needed, sidewalks are in place on both sides of the street within a 1/4-mile radius of schools.

Figure 4-2
Pedestrian Network Improvement Plan



CITY OF VISALIA
315 E. ACEQUIA STREET
VISALIA, CA 93291

**NOTICE OF A PROPOSED
NEGATIVE DECLARATION**

Project Title: Adoption of the City of Visalia Active Transportation Plan

Project Description: The purpose of the City of Visalia Active Transportation Plan (ATP) is to identify projects that will increase non-motorized forms of transportation within the Community and to help the City be more competitive in future applications for ATP funds. It will incorporate elements from the City's Bikeway Plan (which was last updated 5 years ago) and the Waterways and Trails Masterplan into a plan that will meet the 2017 Active Transportation Guidelines that were adopted by the California Transportation Commission. The document will be available to help guide the City towards implementing pedestrian and bicycling improvements that were identified through the document development process. That process included research into existing programs and capital improvements, an analysis of the collected data, and a public outreach component.

The City of Visalia's ATP targets the following goals and objectives:

1. Increase the use of active modes of transportation, such as biking or walking by identifying non-motorized transportation and safety needs;
2. Close gaps and connect people by prioritizing future bike and pedestrian projects;
3. Enhance public health through the identification of educational programs geared towards increasing active transportation;
4. Help achieve greenhouse gas (GHG) reduction goals.
5. Provide recommendations for the engineering, maintenance, and enforcement of proposed plan improvements;
6. Demonstrate the City's commitment to increasing active modes of transportation to competitive ATP funding sources.

The ATP includes a comprehensive description of programs, policies, and recommendations regarding the development of bicycle and pedestrian facilities in the vicinity of the City of Visalia. The ATP further includes diagrams of the proposed bicycle and pedestrian networks in fulfillment of its planned objectives, prioritization of improvements, and an implementation plan.

Project Location: The project area is largely contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan, although in some circumstances improvement in the ATP's Proposed Bikeway Plan and Pedestrian Network Improvement Plan extend to areas outside of the Urban Development Boundaries and within the Planning Area of the Visalia General Plan. The City of Visalia is located within the County of Tulare, situated in the State of California.

Lead Agency: City of Visalia Engineering Division, 315 E. Acequia Ave., Visalia, CA 93291

Contact Person: Rebecca Keenan, Senior Civil Engineer
Phone: (559) 713-4541. **Email:** rebecca.keenan@visalia.city

Time and Place of Public Hearing: The Visalia Planning Commission will conduct a public hearing and recommend adoption of the Negative Declaration on December 12, 2016 at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia Avenue, Visalia, California.

The Visalia City Council will conduct a public hearing and will consider adopting the Negative Declaration on February 6, 2017 at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia Avenue, Visalia, California (location subject to change).

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because of the reasons listed below:

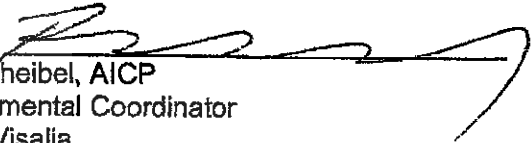
Reasons for Negative Declaration: Initial Study No. 2016-50 has not identified any significant, adverse environmental impacts that may occur because of the project.

Copies of the initial study, negative declaration, and the Active Transportation Plan may be examined by interested parties at the Planning or Engineering Divisions in City Hall East, at 315 E. Acequia Ave., Visalia, CA. The documents can also be viewed on the City's website at the following address:

http://www.visalia.city/depts/community_development/engineering/active_transportation_plan_atp.asp

Comments on this proposed Negative Declaration will be accepted from November 1, 2016 to December 2, 2016.

Date: October 31, 2016

Signed: 
Paul Scheibel, AICP
Environmental Coordinator
City of Visalia

NEGATIVE DECLARATION

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

Attachments:

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

DECLARATION OF NO SIGNIFICANT EFFECT:

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

- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below 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.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when

viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

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

APPROVED .
Paul Scheibel, AICP
Environmental Coordinator

By: 

Date Approved: October 31, 2016

Review Period: 30 days

INITIAL STUDY

I. GENERAL

A. Description of the Project: The proposed project is the adoption of the City of Visalia Active Transportation Plan (ATP), included in this document as Appendix A. The purpose of the ATP is to identify projects that will increase non-motorized forms of transportation within the Community and to help the City be more competitive in future applications for ATP funds. It will incorporate elements from the City's Bikeway Plan (which was last updated 5 years ago) and the Waterways and Trails Masterplan into a plan that will meet the 2017 Active Transportation Guidelines that were adopted by the California Transportation Commission. The document will be available to help guide the City towards implementing pedestrian and bicycling improvements that were identified through the document development process. That process included research into existing programs and capital improvements, an analysis of the collected data, and a public outreach component.

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Figure 2 identifies the recommended bikeway plan, which depicts existing and proposed Class I Shared Use Paths, Class II Bike Lanes, Class III Bike Routes, and Class IV Cycle Tracks.

Figure 3 identifies the recommended pedestrian network improvement plan, which depicts needed sidewalks and curb ramps.

B. Identification of the Environmental Setting: The project area is largely contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan, although in some circumstances improvement in the ATP's Proposed Bikeway Plan and Pedestrian Network Improvement Plan extend to areas outside of the Urban Development Boundaries and within the Planning Area of the Visalia General Plan. The City of Visalia is located within the County of Tulare, situated in the State of California.

Figure 1 shows the planning vicinity of the ATP along with key destination points in and around Visalia.

C. Plans and Policies: The General Plan land use designation associated with the project area consists of various designations City wide, representing close to the full spectrum of land use designations.

The Zoning designation associated with the project area consists of various designations City wide, representing close to the full spectrum of zoning designations.

The City of Visalia General Plan, adopted October 14, 2014, includes policies from the Land Use Element, Circulation Element, Parks, Schools, Community Facilities and Utilities Element, Open Space and

Conservation Element, and Air Quality & Greenhouse Element that are related to bicycle and pedestrian travel. Other relevant plan and policy documents include the 2011 City of Visalia Bikeway Plan, City of Visalia Waterways and Trails Master Plan, and the Tulare County Association of Governments (TCAG) Regional Active Transportation Plan for the Tulare County region.

Following are the General Plan policies that contribute to the project.

Circulation Element:

T-P-1 Provide transportation facilities based on a "Complete Streets" concept that facilitate the balanced use of all travel modes (pedestrians, bicyclists, motorists, and transit users), meeting the transportation needs of all ages and abilities and providing mobility for a variety of trip purposes.

T-P-6 Establish priorities for improvements based on the functional classifications identified for street segments on the Circulation System Map and on the relative importance of the roadway for each travel mode.

T-P-11 Update the City of Visalia Engineering and Street Design Standards to ensure that roadway and streetscape design specifications are in accordance with the Complete Streets concept and other policies in this General Plan.

T-P-23 Require that all new developments provide right of way, which may be dedicated or purchased, and improvements (including necessary grading, installation of curbs, gutters, and sidewalks, parkway/landscape strips, bike and parking lanes) or other city street design standards. Design standards will be updated following General Plan adoption.

T-O-8 Encourage walking and bicycling in Visalia for commuting and recreational purposes, and for improvement of public and environmental health.

T-O-9 Promote non-motorized accessibility through development of a connected, convenient pedestrian and bikeway network.

T-O-10 Create a safe and feasible pedestrian, trail and bikeway system (on- and off-street) for commuting, recreation and other trips, serving pedestrians and cyclists of all levels.

T-O-11 Recognize and meet the mobility needs of persons using wheelchairs and those with other mobility limitations.

T-P-39 Develop bikeways consistent with the Visalia Bikeway Plan and the General Plan's Circulation Element.

- Provide Class I bikeways (rights-of-way for bicyclists and pedestrians separated from vehicles) along the St. Johns River, Cameron Creek, Packwood Creek, Mill Creek, Modoc Ditch, the Santa Fe Railroad right-of-way and the San Joaquin Railroad right-of-way;
- Provide Class II bikeways (striped bike lanes) along selected collector and arterial streets; and
- Provide Class III bikeways (shared use bike routes) along selected local, collector, and arterial streets.

T-P-40 Develop a community-wide trail system along selected planning area waterways, consistent with the Waterways and Trails Master Plan and General Plan diagrams.

T-P-41 Integrate the bicycle transportation system into new development and infill redevelopment. Development shall provide short term bicycle parking and long term bicycle storage facilities, such as bicycle racks, stocks, and rental bicycle lockers.

Development also shall provide safe and convenient bicycle and pedestrian access to high activity land uses such as schools, parks, shopping, employment, and entertainment centers.

T-P-42 Periodically update the City of Visalia Bikeway Plan, as needed.

T-P-43 Develop and maintain an educational program to promote bicycle use and safety.

T-P-44 Increase the safety of those traveling by bicycle by:

- Sweeping and repairing bicycle paths and lanes on a regular basis.
- Ensuring that bikeways are signed and delineated according to Caltrans or City standards, and that lighting is provided as needed.
- Providing bicycle paths and lanes on bridges and overpasses.

- Ensuring that all new and improved streets have bicycle-safe drainage grates and are free of hazards such as uneven pavement or gravel.
- Providing adequate signage and markings warning vehicular traffic of the existence of merging or crossing bicycle traffic where bike lanes and routes make transitions into or across roadways.

T-P-45 Require that collector streets that are identified to function as links for the bicycle transportation system be provided with Class II bikeways (bike lanes) or signed as Class III bike route facilities.

T-P-46 Cooperate with other agencies to provide connection and continuation of bicycle corridors between Visalia and surrounding areas.

T-P-47 Seek funding at the private, local, state, and federal levels for the expansion of the bicycle transportation system.

T-P-48 Require construction of minimum sidewalk widths and pedestrian "clear zones" consistent with the Complete Streets cross-sections in this General Plan and with the City's Engineering and Street Design Standards for each designated street type.

T-P-49 Work with the Visalia Unified School District, other school districts, and the County Superintendent of Education, to promote creation of school attendance areas so as to minimize students' crossings of major arterial streets and facilitate students' safe travel to school on foot.

T-P-50 Provide pedestrian facilities that are accessible to persons with disabilities and ensure that roadway improvement projects address accessibility and use universal design concepts.

T-P-51 Locate sidewalks, pedestrian paths, and appropriate crosswalks to facilitate access to all schools and other areas with significant pedestrian traffic. Whenever feasible, pedestrian paths shall be developed to allow for unobstructed pedestrian flow from within a neighborhood.

T-P-52 Require, where security walls or fences are proposed for residential developments along arterial or collector streets, that pedestrian access be provided between the arterial or collector and the subdivision to allow access to transit vehicles operating on an arterial or collector street.

T-P-57 Amend the Zoning Ordinance to include updated off-street parking and loading area design standards that have multiple benefits and reduce environmental impacts. Strategies may include, but not be limited to:

- Require parking and loading to be provided on the side of or behind building, where feasible.
- Promote the use of time and/or motion sensitive parking lot and security lights, where feasible.
- Establish specific standards for perimeter landscaping for parking lots and structures.
- Separate pedestrian pathways from car lanes where feasible.
- Promote the use of porous pavement and low impact drainage features, as appropriate to the site.
- Restrict use of vacant lots as vehicle parking and outdoor storage of commercial equipment, construction equipment, and similar unless screened from public view.

Land Use Element:

LU-P-41 Use Mill, Packwood and Cameron Creeks and other waterways as natural amenities and links between neighborhoods.

LU-O-25 Create an open space system that links neighborhoods, complements adjacent land uses, and serves multiple needs.

LU-P-48 Establish criteria and standards for pedestrian, bicycle, and vehicle circulation networks within new subdivisions and non-residential development.

LU-O-28 Promote pedestrian-oriented retail and mixed use development along transit corridors, in neighborhood notes, and in Downtown and East Downtown.

LU-P-63 In higher-intensity and mixed use areas, require pedestrian-oriented amenities such as small plazas, outdoor seating, public art, and active street frontages, with ground floor retail, where appropriate and justified.

LU-P-64 Provide incentives for new pedestrian-friendly retail and mixed use development along major transit corridors and pedestrian-oriented commercial streets.

LU-P-65 Continue to require a master-planning process for community and regional commercial development to ensure compatibility with surrounding residential areas, an attractive appearance from major roadways, and pedestrian accessibility and safety.

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 and vertical residential mixes use are also supported. Provide standards to ensure that neighborhood commercial uses are economically-viable and also integrated into neighborhoods, with multi-modal access and context-sensitive design.

LU-P-77 Restore Mill Creek and Jennings Ditch as open space features in new parks; citywide linkage elements; and shapers of local circulation patterns in Downtown and East Downtown.

LU-P-78 In East Downtown, emphasize creating and enhancing strong economic, pedestrian and visual connections to adjacent neighborhoods and downtown. East Main is envisioned as the "central spine"; Burke and Santa Fe as north-south civic streets and Oak Street and Mill Creek as key east-west connectors.

LU-P-86 Support revitalization of East Downtown by the extension of the city block pattern found in Downtown, and the creation of five district street types, with different roles and identities:

- Transit Corridor. Oak Street should support potential future light rail transit as well as on-street parking and pedestrian amenities, and function as a civic space.
- Thoroughfare Commercial Streets. Ben Maddox and Mineral King require four lanes and a turn lane, carry citywide traffic, and have uses that can take advantage of regional access.
- Mixes Use Commercial Streets. Santa Fe, East Main Street, and Burke Street should be two-lane streets with turn lanes at key intersections, parallel parking, and bus pull-outs. They have ground floor uses that add pedestrian interest and comfortable sidewalks, and provide key connections to Downtown.
- Mixed Use Residential Streets. Center and Acequia Avenues are two lane streets with turn lanes at key intersections, parallel parking, and bus pull-outs.
- Neighborhood Streets and Alleys. These are narrow two-lane streets with parallel and diagonal parking. They provide access to residential blocks and provide a quieter setting.

LU-P-92 Provide enhanced pedestrian amenities and streetscape improvements in Downtown and East Downtown. Improvements may include landscaped open space areas, street furniture, lighting, and signage.

LU-P-94 Provide enhanced pedestrian connectivity between Downtown and the historic districts located both north and south of Highway 198 through construction of ADA accessible sidewalks and entry signage.

LU-P-110 Create design guidelines to be used in preparing and evaluating master plans for public facilities.

Schools, Community Facilities and Utilities Element:

PSCU-P-5 Create new community parks in the Northwest, Southwest, and Southeast quadrants, consistent with the Parks and Open Space diagram and the following planning guidelines:

- Size: 5-12 acres or more
- Facilities to be provided: large children's play area, reserved picnic facilities, open play fields, community building, bicycle parking, and off-street parking. They also may include tennis courts, outdoor concert areas or other special facilities based on neighborhood needs and community input.

PSCU-P-6 Create a high-quality, accessible neighborhood park system based on the needs of the surrounding community, the Parks and Open Space diagram and the following planning guidelines:

- Size: 2-5 acres or more
- Facilities to be provided: open lawn area, small picnic area, paths, bicycle parking, play equipment for children, backstop, multi-use courts, drinking fountain, and landscaping.

PSCU-P-14 Design parks to enhance neighborhood character and minimize negative impacts.

- Locate neighborhood parks with local or collector street frontages on at least three sides, and sidewalks and crossings designed for safe and easy pedestrian access.
- Where a neighborhood node, it should be designed to promote visual connections and pedestrian movement between the park and adjacent uses such as schools and commercial uses.

PSCU-P-18 Establish a wayfinding system for parks, bikeways, and trails, with consistent, recognizable, and pedestrian-scale signage.

Open Space and Conservation Element:

OSC-P-8 Protect, restore and enhance a continuous corridor of native riparian vegetation along Planning Area waterways, including the St. Johns River; Mill, Packwood, and Cameron Creeks; and segments of other creeks and ditches where feasible, in conformance with the Parks and Open Space diagram of this General Plan.

OSC-P-12 Where new development is proposed adjacent to a waterway within an established urban area, require public access be provided to creekside and waterway trails, and that trails be dedicated, improved and maintained, consistent with an updated Waterways and Trails Master Plan.

OSC-P-13 In new neighborhoods that include waterways, improvement of the waterway corridor, including preservation and/or enhancement of natural features and development of a continuous waterway trail on at least one side, shall be required.

OSC-P-15 In new neighborhoods, create public access points to waterway trails spaced apart no further than 1,200 feet, wherever feasible.

OSC-P-18 Establish a liability agreement between the City, Tulare Irrigation District, water conservation districts and ditch companies related to public access and trail use and riparian corridor enhancement programs.

OSC-P-19 Establish easements or require dedication of land along waterways to protect natural habitat areas, allow maintenance operations and promote trails and bike paths.

OSC-P-22 Maintain a 100-foot riparian habitat development setback from the St. Johns River's south levee's landside outside-bottom tow provided that the following public facilities may be allowed as exceptions within the required setback:

- Public roadways to provide for development consistent with the Land Use and Circulation Elements;
- Public trails and bikeways consistent with this Element; and
- Public restrooms.

Provide an additional minimum 30-foot firebreak setback from the St. Johns River's development setback.

Air Quality & Greenhouse Gases Element:

AQ-P-7 Be an active partner with the Air District in its "Spare the Air" program. Encourage businesses and residents to avoid pollution-producing activities such as the use of fireplaces and wood stoves, charcoal lighter fluid, pesticides, aerosol products, oil-based paints, and automobiles and other gasoline engines on days when high ozone levels are expected, and promote low-emission vehicles and alternatives to driving.

AQ-P-9 Continue to mitigate short-term construction impacts and long-term stationary source impacts on air quality on a case-by-case basis and continue to assess air quality impacts through environmental review. Require developers to implement Best Management Practices (BMOs) to reduce air pollutant emissions associated with the construction and operation of development projects.

AQ-P-16 Support State efforts to reduce greenhouse gases and emissions through local action that will reduce motor vehicle use, support alternative forms of transportation, require energy conservation in new construction, and energy management in public buildings, in compliance with AB 32.

Housing Element:

HE Program 9.11 LINK TRANSIT FACILITIES AND SERVICES WITH EXISTING AND PROPOSED RHNA LAND INVENTORY SITES. The City shall incorporate affordable housing linkages to its transportation related Plans, including the Active Transportation Plan and the Visalia Long Range Transit Plan. Both documents are in draft public review as of July 2016,

and are anticipated to be adopted by FY 2017-18. The City shall prepare and incorporate a map and any related analysis and policies to ensure there is an optimal linkage among affordable housing, public transit and active transit (non-motorized modes of transportation), and the City's major jobs, commerce and services generators.

II. ENVIRONMENTAL IMPACTS

The proposed project represents adoption of a program / policy-level document. It does not provide project-specific construction details that would allow for analysis required by California Environmental Quality Act (CEQA) at the project level, nor does the project propose any specific development to occur immediately upon adoption of this document. The schedule for implementation of specific projects and programs in the proposed project is not included in the plan since they are dependent on availability of funding sources. Thus, the document has been prepared as a "program-level" document and does not analyze any improvements at "project-level". A "program-level" document can be defined under CEQA as a document prepared on a series of action characterized as one larger project and/or a project implemented over a long period of time. Further implementation of specific projects and programs in the proposed project may require specific environmental documentation under CEQA at the time that a future project is considered.

For the proposed project that consists of the adoption of a "program-level" document, no significant adverse environmental impacts have been identified. The City of Visalia General Plan and the Visalia Municipal Codes, which includes but is not limited to the 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.

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan as the project helps to implement policies pertaining to facilitating and promoting methods of non-motorized transportation.

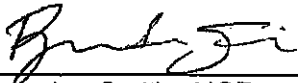
V. SUPPORTING DOCUMENTATION

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 General Plan Housing Element (GPA No. 2016-06). City of Visalia, September 2016.
- Visalia City Council Resolution No. 2016-55 (Certifying the Visalia General Plan Housing Element), passed and adopted September 6, 2016.
- Visalia General Plan Housing Element Initial Study / Negative Declaration No. 2015-56. City of Visalia, April 25, 2016.
- Visalia City Council Resolution No. 2016-54 (Certifying the Initial Study / Negative Declaration No. 2015-56), passed and adopted September 6, 2016.
- 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 Bikeway Plan. Quad Knopf, February 2011.
- City of Visalia Waterways and Trails Master Plan. RRM Design Group, December 2004.

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY



Brandon Smith, AICP
Senior Planner



Paul Scheibel, AICP
Environmental Coordinator

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**

Name of Proposal: Adoption of the City of Visalia Active Transportation Plan

Proponent: City of Visalia, Engineering Division
315 E. Acequia Ave.
Visalia, CA 93291
Email Address: rebecca.keenan@visalia.city
Telephone Number: (559) 713-4541

Lead Agency: City of Visalia, Engineering Division
315 E. Acequia Ave.
Visalia, CA 93291
Email Address: rebecca.keenan@visalia.city
Telephone Number: (559) 713-4541

Contact Person: Rebecca Keenan, Senior Civil Engineer
315 E. Acequia Ave.
Visalia, CA 93291
Email Address: rebecca.keenan@visalia.city
Telephone Number: (559) 713-4541

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Figure 2 identifies the recommended bikeway plan, which depicts existing and proposed Class I Shared Use Paths, Class II Bike Lanes, Class III Bike Routes, and Class IV Cycle Tracks.

Figure 3 identifies the recommended pedestrian network improvement plan, which depicts needed sidewalks and curb ramps.

Project Location: The project area is largely contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan, although in some circumstances improvement in the ATP's Proposed Bikeway Plan and Pedestrian Network Improvement Plan extend to areas outside of the Urban Development Boundaries and within the Planning Area of the Visalia General Plan. The City of Visalia is located within the County of Tulare, situated in the State of California.

Figure 1 shows the planning vicinity of the ATP along with key destination points in and around Visalia.

Surrounding Land Uses/Setting: There are various land uses around the project location.

General Plan designation: The General Plan land use designation associated with the project area consists of various designations City wide, representing close to the full spectrum of land use designations.

Zoning Designation: The Zoning designation associated with the project area consists of various designations City wide, representing close to the full spectrum of zoning designations.

Other Public Agencies Whose Approval is Required: California State Clearinghouse

- 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?

VI. GREENHOUSE GAS EMISSIONS

Would the project:

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

VII. 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?

VIII. HYDROLOGY AND WATER QUALITY

Would the project:

- 1 a) Violate any water quality standards or waste discharge requirements?
- 1 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)?
- 1 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?
- 1 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?
- 1 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?
- 1 f) Otherwise substantially degrade water quality?
- 1 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?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 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?

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?

MII. POPULATION AND HOUSING

Would the project:

- 1 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?

MIII. 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?

MI. 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?

MIIII. TRANSPORTATION

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?

MVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 1 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?
- 1 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?

MVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 1 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?
- 1 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)?

- 1 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 the adoption of the Active Transportation Plan; therefore, the plan, 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 Active Transportation Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

- 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 Active Transportation Plan 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 and will have no impact on visual character.
- d. Adopting the Active Transportation Plan 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

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

- 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. There are no conflicts with existing zoning for Agriculture or Williamson Act contracts.
- c. There is no forest or timber land currently located on the site.
- d. There is no forest or timber land currently located on the site.
- e. The project will not involve any other changes that would promote or result in the conversion of farmland to non-agriculture use.

III. AIR QUALITY

No specific developments are approved as part of the adoption of the Active Transportation Plan; therefore, the plan, 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 Active Transportation Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

Adoption of the Active Transportation Plan is intended to promote walking and bicycling as a viable alternative to automobile use, which would reduce vehicle trips and the number of vehicle miles traveled within the project area. This would in turn have a beneficial impact by helping to reduce emissions of greenhouse gas, particulate matter, and other air pollutant emissions.

- 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.

No specific developments are approved as part of the Active Transportation Plan adoption; therefore, the Plan, 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 Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

- b. Adoption of the Active Transportation Plan in itself will not violate any air quality standard or contribute substantially to an existing or project air quality violation.

Future development of some components of the Active Transportation Plan may contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds; however these will be evaluated in separate project-level environmental analyses. 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.

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. Adoption of the Active Transportation Plan in itself will not result in a cumulatively considerable net increase of any criteria pollutant.

Tulare County is designated non-attainment for certain federal ozone and state ozone levels. Future development, which is not being considered at this time, may result in a net increase of criteria pollutants. However, future development was evaluated in the Visalia General Plan Update EIR. 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.

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.

- 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 Active Transportation Plan adoption; therefore, adoption of the document 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.

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

IV. BIOLOGICAL RESOURCES

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

- 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 policies, 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.
- b. 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 policies, 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.
- c. 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 policies, 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.
- 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 policies, 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.
- 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

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

- 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

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

- 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 may 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

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

Adoption of the Active Transportation Plan is intended to promote walking and bicycling as a viable alternative to automobile use, which would reduce vehicle trips and the number of vehicle miles traveled within the project area. This would in turn have a beneficial impact by helping to reduce emissions of greenhouse gas, particulate matter, and other air pollutant 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 implementing goals of previously adopted plans. 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 General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR.

The Visalia General Plan and the CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan. Implementation of the General Plan and CAP policies will result in fewer emissions than would be associated with a continuation of baseline conditions.

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

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

- a. Future development of the Plan's project components could involve the use and/or transport of hazardous materials located near sensitive areas. This could occur during construction stages and may include items that are generally accessible and available for purchase to the public such as solvents and pesticides. No on-going use or transport of hazardous materials is anticipated once

construction is complete. Individual projects would be subject to site-specific environmental review, at which time the City would identify the potential hazard-related impacts.

- b. Future development of the Plan's project components could involve the use and/or transport of hazardous materials located near sensitive areas. This could occur during construction stages and may include items that are generally accessible and available for purchase to the public such as solvents and pesticides. No on-going use or transport of hazardous materials is anticipated once construction is complete. Individual projects would be subject to site-specific environmental review, at which time the City would identify the potential hazard-related impacts.
- 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. Individual projects would be subject to site-specific environmental review, at which time the City would identify the potential hazard-related impacts.
- e. The project area includes the Visalia Municipal Airport and is subject to the Tulare County Comprehensive Airport Land Use Plan. Individual projects would be subject to site-specific environmental review, at which time the City would identify the potential hazard-related impacts to the airport and the land use 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 Active Transportation Plan 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**

No specific developments are approved as part of the adoption of the Active Transportation Plan; therefore, the plan, 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 Active Transportation Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

- a. Site improvements associated with the implementation of the Active Transportation 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. Such individual projects 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.

- b. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Adopting the Active Transportation Plan 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 Active Transportation Plan adoption; therefore, the Plan, in itself, would not directly result in Hydrology and Water quality impacts.
- d. Adopting the Active Transportation Plan 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 the Active Transportation Plan 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 the Active Transportation Plan will not, by itself, result in reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. Adopting the Active Transportation Plan will not, by itself, have any impacts on flood zones.
- h. Adopting the Active Transportation Plan will not, by itself, impede or redirect flood flows.
- i. Adopting the Active Transportation Plan 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**

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

- a. The project will not physically divide an established community.
- b. The project does not involve any change to, or conflict with applicable land use plans, policies, or regulations.
- c. The project does not conflict with any applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES

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

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

XII. NOISE

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

- a. The Plan does not include any site specific designs or proposals that would enable an assessment of potential site specific noise impact resulting from Plan implementation. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the Active Transportation Plan could potentially increase noise due to operation and will be subject to project-specific environmental review wherein noise impacts will be reviewed.

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.

- 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 the adoption of the Plan.
- c. The Plan does not include any site specific designs or proposals that would enable an assessment of potential site specific noise impact resulting from Plan implementation. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the Active Transportation Plan could potentially increase noise due to operation and will be subject to project-specific environmental review wherein noise impacts will be reviewed.

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.

- d. The Plan does not include any site specific designs or proposals that would enable an assessment of potential site specific noise impact resulting from Plan implementation. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the Active Transportation Plan could potentially increase noise due to construction and will be

subject to project-specific environmental review wherein noise impacts will be reviewed.

- e. The Plan does not include any site specific designs or proposals that would enable an assessment of potential site specific noise impact resulting from Plan implementation. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the Active Transportation Plan could potentially increase noise due to operation and will be subject to project-specific environmental review wherein noise impacts will be reviewed.
- f. There is no private airstrip near the project area.

XIII. POPULATION AND HOUSING

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

- a. Adoption of the Active Transportation Plan will not, by itself, result in not directly induce substantial population growth that is in excess of that planned in the General Plan.
- b. Adoption of the Active Transportation Plan will not, by itself, result in displacing any housing.
- c. Adoption of the Active Transportation Plan will not, by itself, result in displacing any people on the site.

XIV. PUBLIC SERVICES

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

- a.
 - i. Adoption of the Active Transportation Plan will not, in itself, require new fire protection services or facilities.
 - ii. Adoption of the Active Transportation Plan will not, in itself, require new police protection services or facilities.
 - iii. Adoption of the Active Transportation Plan will not, in itself, directly generate new students.
 - iv. Adoption of the Active Transportation Plan will not, in itself, directly generate the need for additional park facilities.
 - v. Adoption of the Active Transportation Plan will not, in itself, require other public services or facilities.

XV. RECREATION

No specific developments are approved as part of the adoption of the Active Transportation Plan; therefore, the plan, in itself, would not directly result in recreation impacts. Development projects undertaken in the course of implementing the goals, policies, and programs

Identified in the Active Transportation Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

- 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

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

- a. Future improvements carried out in accordance with the Plan are not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. The Active Transportation Plan assists in implementing policies in the General Plan that promotes bicycle and pedestrian travel.
- b. Future improvements carried out in accordance with the Plan are not anticipated to conflict with applicable congestion management programs or other standards established by the county congestion management agency for designated roads or highways. Adoption of the Active Transportation Plan is intended to promote walking and bicycling as a viable alternative to automobile use, which would reduce vehicle trips and the number of vehicle miles traveled within the project area.
- 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. Individual projects would be subject to site-specific environmental review, at which time the City would identify the potential hazard-related impacts.
- 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 the adoption of the Active Transportation Plan; therefore, the plan, in itself, would not directly result in utility and service system impacts. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the Active Transportation Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

- a. Adoption of the Active Transportation Plan will not, in itself, require the use of wastewater facilities.
- b. Adoption of the Active Transportation Plan will not, in itself, require the construction of new wastewater treatment facilities.
- c. Adoption of the Active Transportation Plan will not, in itself, require the construction of new storm water facilities.
- d. Adoption of the Active Transportation Plan will not, in itself, affect existing water demands.
- e. Adoption of the Active Transportation Plan will not, in itself, require the use of wastewater facilities.
- f. Adoption of the Active Transportation Plan will not, in itself, require the use of solid waste facilities.
- g. Adoption of the Active Transportation Plan will not, in itself, require the use of solid waste facilities.


XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- a. Adoption of the Active Transportation Plan will not, in itself, affect the habitat of a fish or wildlife species or a plant or animal community. The project area 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 the Active Transportation Plan will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

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

October 31, 2016
Date

Figure 1
Planning vicinity of the ATP along with key destination points In and around Visalia.

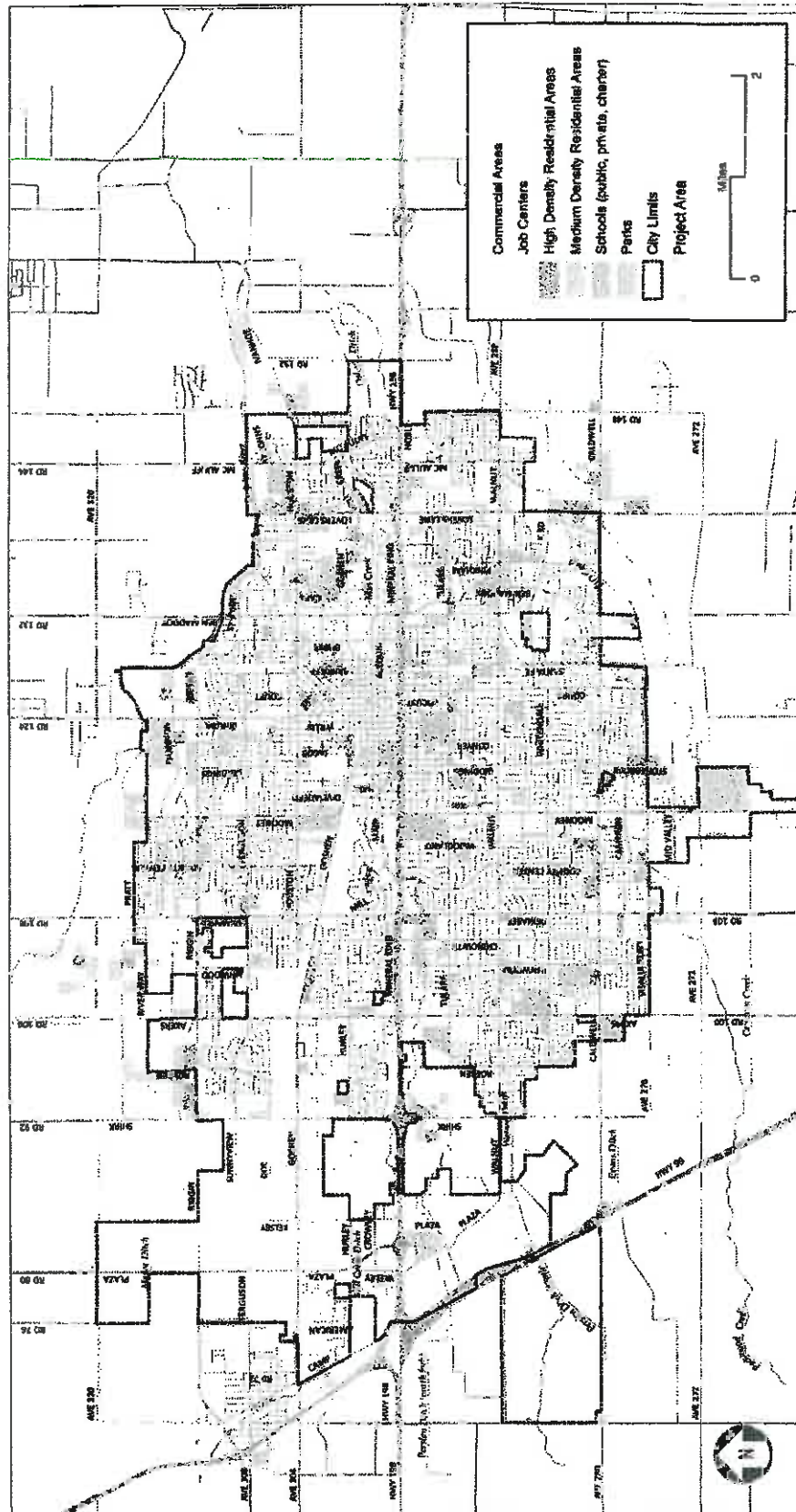
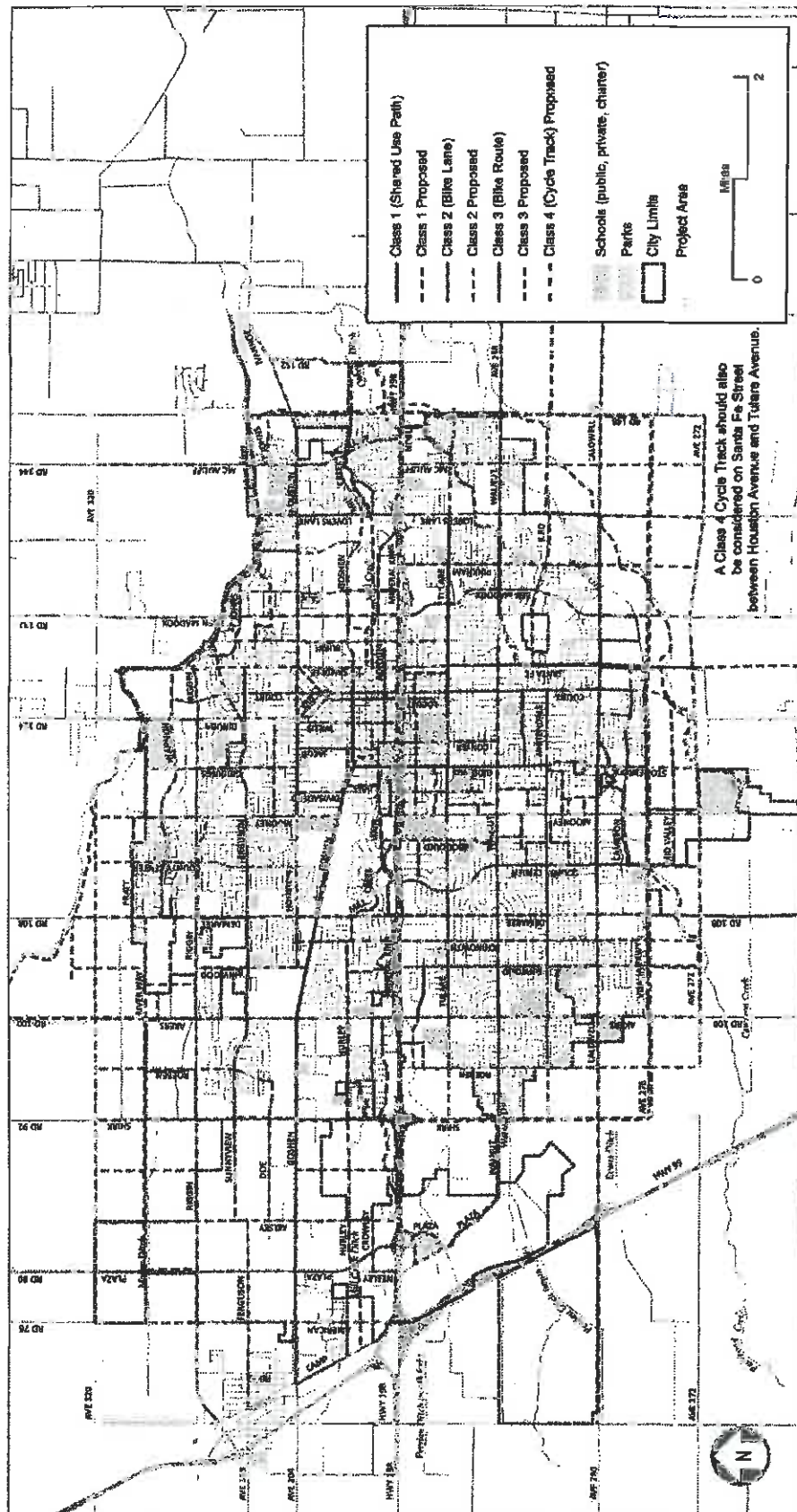


Figure 2
Proposed Bikeway Plan



Appendix A

City of Visalia Active Transportation Plan

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-6471
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC



November 17, 2016

Brandon Smith / Rebecca Keenan
City of Visalia
315 E. Acequia Avenue
Visalia, CA 93291

sent via e-mail:
Brandon.smith@visalia.city

Re: SCH#2016111009, City of Visalia Active Transportation Plan Project, City of Visalia; Tulare County, California

Dear Mr. Smith:

The Native American Heritage Commission (NAHC) has reviewed the Negative Declaration prepared for the project referenced above. The review included the Project Description/Introduction, the Cultural Resources Section (5) of the Initial Study from the document prepared by the County of Mariposa. We have the following concerns:

- There is no Tribal Cultural Resources section or subsection as per California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>
- There is no documentation of contact or consultation with California Native American tribes under SB-18.

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to Senate Bill 18 (SB 18) (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. Both SB 18 and AB 52 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1, Cal. Code Regs., tit. 14, § 15064.5 (b), CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project,⁹ and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18)."¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.¹¹

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

⁹ Pub. Resources Code § 21080.3.1, subds. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸
This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5097.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation, or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- o Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- o Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- o Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- o Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- o Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- o Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE

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December 1, 2016

06-TUL-198-GEN
2135-IGR/CEQA
ACTIVE TRANSPORTATION PLAN
CITY OF VISALIA
SCH # 2016111009

Ms. Rebecca Keenan
Senior Civil Engineer
City of Visalia - Engineering Division
315 E. Accquia Avenue
Visalia, CA 93291

Dear Ms. Keenan:

Thank you for the opportunity to review Negative Declaration for the City's Active Transportation Plan (ATP). Caltrans commends the City for drafting the ATP to promote Visalia as a city where active transportation, specifically bicycling and walking, is fully integrated into daily life and providing healthy and environmentally-friendly transportation alternatives that are both safe and convenient for people of all ages and abilities.

As noted in the Negative Declaration, the City of Visalia's Active Transportation Plan (Plan) is intended to guide pedestrian and bikeway policies, programs, and facility improvements to improve safety, comfort, and convenience for pedestrians and bicyclists in Visalia. This Plan serves as a tool for the City of Visalia (City) to implement the goals of previously adopted plans, including the 2030 Visalia General Plan, the 2011 Visalia Bikeway Plan, the 2010 Waterways and Trails Master Plan, and the Regional Active Transportation Plan for the Tulare County Region.

The primary purpose of this Plan is to facilitate the development of pedestrian and bicycle facilities and programs. To fulfill this purpose, the Plan focuses on the following:

- Guiding the City in their overall active transportation program;
- Providing an assessment of existing and proposed walkways/bikeways and pedestrian/bicycle programs;
- Developing a feasible and comprehensive plan to meet Visalia's active transportation needs;
- Assuring consistency with existing relevant documents, including the 2030 Visalia General Plan, 2011 Visalia Bikeway Plan, 2010 Waterways and Trails Master Plan, and the Regional Active Transportation Plan for the Tulare County Region;
- Providing recommendations for pedestrian and bicycle facilities with a five-year priority outlook;

- Identifying potential funding sources; and
- Documenting and demonstrating that the public outreach was conducted.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development -Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. On Page iii of the Executive Summary: The Goal reads, "Provide a means to support active transportation, specifically bicycling and walking, as an alternative mode of transportation for work, daily activities, and recreational trips." Caltrans anticipates the following questions will arise as the City of Visalia seeks funding for improvement projects:
 - How does the ATP address encouraging employees to ride bicycles as a way to commute to work?
 - How do the proposed projects amount to quantifiable increases in the numbers of persons bicycling to work?
 - How does the plan meet the required reduction in GHG emissions reductions as defined in the Tulare County RTP/SCS?
2. Page 1-9, Section 1.7 – Disadvantaged Communities: This section defines "disadvantaged communities" but does not address how the needs of disadvantaged communities will be met by proposed improvement projects.
 - What are the concerns of disadvantaged communities in the City of Visalia and what projects will address their needs?
3. Page 2-2, Section 2.1.1 – Stakeholders Groups: There are three (3) State Routes within the City of Visalia: SR 198, SR 201 & SR 63.
 - Caltrans should have been included in the discussions as a stakeholder in the development of the City of Visalia's ATP. Caltrans is willing to meet with the City regarding the ATP. In addition, Caltrans *requests* to be included in the review of any improvement project the City proposes as a result of the ATP that is within, near or adjacent to any State Routes.

4. Page 2-10, Section 2.2.2 – City of Visalia 2030 General Plan Circulation Element, Bicycles, Trails, and Pedestrian Circulation: Objectives: T-O-8: states, “Encourage walking and bicycling in Visalia for commuting and recreational purposes...”
 - What are the efforts and improvement projects that will encourage bicycling for commuting purposes?
5. Page 2-11, Section 2.2.2 – City of Visalia 2030 General Plan Circulation Element, Bicycle Transportation and Trails System: Policies: T-P-39.
 - The Class IV bikeway needs to be identified under the different bicycle “classes”.
6. Page 2-11, Section 2.2.2 – City of Visalia 2030 General Plan Circulation Element, Bicycle Transportation and Trails System: Policies: T-P-42.
 - What will be the approximate year range for updating this plan?
7. Page 2-13, Section 2.2.3 – City of Visalia 2030 General Plan Land Use Element, Residential Neighborhoods: Policies: LU-P-48.
 - What kind of criteria will be established? For example, will there be criteria pertaining to installing bike parking, class I bicycle paths, bike lane improvements?
8. Page 2-18, Section 2.2.7 – 2010 Waterways and Trails Master Plan (February 2010): Goal #4 states: Design a trail system that is accessible to all and serves the needs of commuters and recreational users.
 - How does the trail system serve the needs of commuters?
9. Page 3-4, Figure 3-1, Existing Bikeways:
 - This Figure should include employment clusters.
 - The draft plan should address how the proposed list of improvement projects will promote potential ridership from residential to employment clusters.
10. Page 3-15, Court Street (State Route 63) – Noble Ave to Oak Ave: states that “SHARE THE ROAD” signs are posted throughout the corridor and adequately spaced.”
 - It has been observed that some of the existing SHARROW pavement markings in the downtown area seem too close to the face of the curb per the Highway Design Manual and the CA MUTCD (California Manual on Uniform Traffic Control Devices) <http://www.dot.ca.gov/trafficops/camutcd/docs/CAMUTCD2014-Chap9C.pdf>.

- Also, the pavement markings are partially in the on-street parking spaces and are obscured when a car is parked.
 - The guidance from the FHWA (Federal Highways Administration) MUTCD states pavement markings should be at least 11 feet from the face of the curb.
 - Proposed future SHARROW pavement markings on SR 63 should be consistent with the CA MUTCD & the FHWA MUTCD.
11. Page 3-18, Figure 3-2, End of Trip Facilities:
- This Figure should include employment clusters.
12. Page 3-45, Figure 3-11:
- The proposed Class III SHARROW bike route pavement markings on Court Street (SR 63) should be consistent with the CA MUTCD.
13. Page 5-2, Implementation Policy 1.7 “Coordinate with Caltrans...”
- Please provide information on how the City will coordinate with Caltrans?
14. Page 5-3, Implementation Policy 1.10:
- The FHWA MUTCD should also be considered when designing of pedestrian and bicycle facilities.
15. On Appendix D, Interactive Survey Map, Mooney Blvd (SR 63) proposes Class II bike lanes.
- Can the State Route right-of-way (ROW) width accommodate a Class II bikeway?
 - Would a roadway reallocation be considered?
16. Caltrans recommends the City review the Caltrans Environmental Justice funded Lincoln Oval Park Traffic Study for an assessment of proposed improvements on SR 63 and whether these projects have been implemented in an environmental justice/disadvantaged community within the City of Visalia.
17. As a point of information, construction of improvements for active modes of transportation within, near or adjacent to the project site may be eligible for Federal and/or State grants through the ATP. The ATP is administered by the Caltrans Division of Local Assistance, Office of Active Transportation and Special Programs (website: <http://www.dot.ca.gov/hq/LocalPrograms/atp/index.html>).
18. Any proposed improvement project that is along or within a State Route will need an Encroachment Permit.

An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

If you have any other questions, please call David Deel, Associate Transportation Planner at (559) 488-7396.

Sincerely,



MICHAEL NAVARRO, Chief
Planning North Branch