

AGENDA SPECIAL MEETING
Joint Special Work Session on Visalia City Council & Planning Commission
and Special Meeting of the Visalia City Council
Visalia Convention Center, 303 E. Acequia, Visalia, CA
Monday, June 11, 2007, 4:00 p.m.

City Council
 Mayor: Jesus J. Gamboa
 Vice Mayor: Greg Kirkpatrick
 Council Member: Greg Collins
 Council Member: Donald K. Landers
 Council Member: Bob Link

Planning Commission
 Chairperson: Vincent Salinas
 Vice-Chair: Lawrence Segrue
 Commissioner: Victor M. Perez
 Commissioner: Sam Logan
 Commissioner: Adam Peck

4:00 p.m. **PLEDGE OF ALLEGIANCE**

CITIZENS REQUESTS – This is the time for members of the public to comment on any matter within the jurisdiction of the Visalia City Council/Planning Commission. The Council and Commissioners ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council/Commissioners cannot legally discuss or take official action on citizen request items that are introduced today. In fairness to all who wish to speak, each speaker from the public will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your address.

INTRODUCTIONS

WORK SESSION (*Visalia City Council and Planning Commission*)

- 4:05 p.m. 1. Acknowledge creation of Downtown Parking Committee
- 4:10 p.m. 2. Urban Development Boundary (UDB) Strategy and Policy Direction for Future Annexations
- 5:00 p.m. 3. Residential Infill Development Review

Adjourn Joint Session of Visalia City Council and Planning Commission

CLOSED SESSION (*Visalia City Council only*)

- 6:30 p.m. 4. Conference with Legal Counsel – Anticipated Litigation (54956.9 GC) Significant Exposure to Litigation pursuant to subdivision (b): one potential case
- 5. Conference with Labor Negotiators (G.C. §54957.6a)
 Agency Designated Representatives: Eric Frost, Jim Harbottle, Janice Avila
 Employee organization: Bargaining units Groups E, G, M

7:15 p.m. **WORK SESSION** (*Visalia City Council*)

- 6. East Downtown Form Based Code – presentation, review and comment

Upcoming Council Meetings

Monday, June 18, 2007, 4:00 p.m. – City Council Chambers, 707 W. Acequia
 Monday, June 25, 2007, 4:00 p.m. Convention Center, 303 E. Acequia
 Monday, July 16, 2007, 4:00 p.m. – City Council Chambers, 707 W. Acequia

The time listed for each work session item is an estimate of the time the Council and Commission will address that portion of the agenda. Members of the public should be aware that the estimated times may vary. In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 11, 2007

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Downtown Parking Work Program
Committee Appointments

Deadline for Action: None

Submitting Department: Public Works Department, Traffic Safety
Division

Contact Name and Phone Number:

Eric Bons: 713-4350
Andrew Benelli 713-4340

Department Recommendation: Staff recommends the City Council appoint members to the Downtown Parking Committee formed at the March 26, 2007 Joint Work Session meeting with the City Council and the City of Visalia Planning Commission.

Summary/background: At the Joint Work Session meeting with the City Council and the City of Visalia Planning Commission on March 26, 2007, City Council approved the formation of a Downtown Parking Committee. The committee is to explore the different facets of the downtown parking for the current and future needs.

The Task Force would be composed of 9 members:

- two (2) City Council members,
 - Jesus Gamboa
 - Bob Link
- one (1) Planning Commissioner,
 - Sam Logan
- three (3) members of Downtown Visalians & Alliance,
 - Mike Fistolera
 - Barbara Hood
 - William Martin
- two (2) members that are a business owner and/or property owner from east downtown, and
 - Harvey May
 - Cliff Dunbar
- one (1) member of the general public.

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.) 5 min.

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

- Steven Peck

The committee is scheduled to have its first meeting on May 15 at 4:00 PM at City Hall East, Conference Room Number 1. The committee will appoint members to the positions of chairperson, vice-chairperson, and secretary and set the meeting schedule for upcoming meetings.

This task force will address the following areas:

1. Analyze revenue sources for downtown parking,

This would include analyzes of fees charged in the parking structures, the City's Parking In Lieu Program, Assessments Districts, Impact Fees, and the potential use of the PBID to generate capital dollars.

2. Identify areas where additional on-street parking can be created,

The Task Force would review the greater downtown area to see if additional on-street parking can be created through diagonal spaces, eliminations of curb cuts, and different on-street parking regulations.

3. Analyze the City Ordinances which allows new downtown uses to provide off-site parking,

Current ordinances allow off-site parking in the downtown within certain number of feet of the business. Discussion and recommendations would be made concerning the location of private parking on specific corridors such as Main Street and whether these off-site parking provisions be altered for new uses.

4. Review the differences between the parking requirements in the core downtown and the east downtown area covered by the new interim parking ordinance,

In the existing downtown the City's parking ordinance allows the payment of parking in-lieu fees on a volunteer basis. The new east downtown ordinance has reduced parking requirements and permits the provision of only 50% of the required parking and requires the payment of in-lieu fees for 50% of required parking.

The Task Force would be staffed by the Public Works Department, the Police Department and Special Projects Manager, Phyllis Coring.

Prior Council/Board Actions: N.A.

Committee/Commission Review and Actions: None

Alternatives: None

Attachments: None

Recommended Motion (and Alternative Motions if expected): Staff recommends the City Council appoint members to the Downtown Parking Committee formed at the March 26, 2007 Joint Work Session meeting with the City Council and the City of Visalia Planning Commission.

Environmental Assessment Status

CEQA Review: N.A.

NEPA Review: N.A.

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to:

City of Visalia
Joint Worksession Agenda Item Transmittal

Meeting Date: June 11, 2007

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Urban Development Boundary (UDB) Strategy and Policy Direction for Future Annexations

Deadline for Action: None

Submitting Department: Community Development

Contact Name and Phone Number:

Michael Olmos, AICP, Assistant City Manager, 713-4332
Paul Scheibel, AICP, Principal Planner 713-4369

Department Recommendation:

Staff recommends that the City Council and Planning Commission: 1. Review the materials contained in the staff report; 2. consider the questions posed to distill the selected policy directions; and, 3. direct staff to prepare corresponding policy actions for formal processing. Specifically, staff requests that the City Council and Planning Commission provide their preferences and priorities with regard to the following UDB strategy and potential related annexation policies:

- A. Should the City require new residential annexations to achieve higher development densities by such measures as setting the minimum net densities at the midrange or higher density range for that land use designation?
- B. Should the City offer a processing fee waiver as an incentive for the re-design of approved projects that will achieve at least 10 % higher densities than what was originally approved?
- C. Should the City require annexations of land to mitigate loss of agricultural land by establishing agriculture conservation easements on other lands approved by the City, or payment of an Agricultural Mitigation fee?
- D. Should the City restrict or limit annexations of residential land that is outside of the 98,000 UDB, but is within the current (129,000) UDB?

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time
(Min.): 90

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

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- E. Should the City increase the population benchmarks of the current 129,000 and 165,000 UDBs by 10% to 142,000 and 181,500 respectively?
- F. Should the City consider incorporation of the UDB and Annexation strategies submitted by Councilmember Collins in the position paper submitted at the Joint Worksession on February 24, 2007?

Background/Summary

During the Joint Worksession on February 24, 2007, staff understood there to be positive consensus among the City leadership to pursue several policy initiatives that would affirm and further strengthen the General Plan urban expansion policies. These items for which there is apparent consensus are presented here to confirm the desired direction. This includes consideration to increase the population benchmarks of the current 129,000 and 165,000 UDBs by 10% to 142,000 and 181,500 respectively.

Also at the February 24th Joint Worksession, other annexation-related topics were introduced for discussion purposes that could have the affect of substantially modifying the City's current policies and practices pertaining to land absorption and development patterns. These topics are also presented for further discussion and possible initiation where there is definitive direction to do so.

Discussion

- A. Should the City require new residential annexations to achieve higher development densities by such measures as setting the minimum net densities at the midrange or higher density range for that land use designation?**

The intended consequence of this measure would be to maximize the population increases associated with new developments by increasing the number of living units per developed acre. This assumes the development industry is capable and willing to produce higher density developments (4-7 units/acre instead of 2-7 units/acre in the R-1 zone). A positive trend is that developers have gradually increased their development densities by about 15% since 2000, from approximately 3.5 to 4 units/acre, mostly to offset higher land costs. However, density bonus incentives offered to market rate developers, have not been popular, and even affordable housing developers have seldom requested density bonuses in excess of 10-15%. Open Space density bonuses have been more attractive to developers, but only marginally more so than affordable housing density bonuses.

Changing the minimum density in the R-1 zone to 5 units/acre would increase the expected minimum population per acre from 6.3 persons to 15.5 persons per acre. Given there are 200 acres of undeveloped Low Density Residential (R-1 zone) land that is outside the City limits but within the 98,700 UDB, achieving 5 units/acre net density would add 1,288 residents more than if the same area was developed at 2 units/acre ($2,170 - 882 = 1,288$). There are 2,100 undeveloped residential acres within the 129,000 UDB. Requiring a five unit per acre minimum density would yield

19,320 more population in the same area than if the minimum density was allowed (32,550-13,320=19,320).

To accomplish this, the applicable General Plan and Zoning provisions that address residential densities would need to be amended. As part of the amendment process, road and infrastructure buildout capacities will also need to be verified.

The February 24th staff report on Annexations includes several project design techniques for achieving higher residential densities. These include:

- Adding a mix of multi-family units, smaller single-family units, unit clustering, and flexible lot size standards. (Please see Exhibit 1 for an example)
- Increasing on-site open space, thereby reducing the net project area size but still allowing acceptable dwelling unit yields through intensified densities. This open space can be in the form of pocket parks and recreational areas, greenbelts, trails, or native habitat features left undisturbed (passive open space) (Please see Exhibit 2 for an example).
- Incorporating affordable housing units into the project to gain density bonuses and other incentives.
- Multi-family residential project densities can also be increased through the above listed techniques, as well as considering incentives and/or mandatory practices to increase these developments to three stories or more, particularly where streets and utilities are already available, and where increased building heights would not adversely impact adjacent residential developments.

All of these techniques are presently available through the City's Codes on an "encouraged" basis. However, none of these techniques are presently employed with the weight of mandated City policy direction.

B. Should the City offer a processing fee waiver as an incentive for the re-design of approved projects that will achieve at least 10 % higher densities than what was originally approved?

This would create a new monetary incentive to developers with approved but not yet constructed subdivisions or development projects by waiving the development permit application and environmental review fees for projects that are re-designed to achieve at least 10% increased density than the net density that was approved originally approved for their project. This is also included in the incentives to promote in-fill developments (Joint Worksession staff report dated June 11, 2007)

Waiving the application filing fees for qualifying projects would be a tangible way to recognize and reward the developer's participation in the City's goal of maximizing development densities. It is anticipated that developers would take advantage of this incentive in cases where their marketing plans and housing products may have evolved since they obtained their original entitlements. Developers who do not desire to modify their entitlement would be under no obligation to participate in this incentive program.

C. Should the City require annexations of land to mitigate loss of agricultural land by establishing agriculture conservation easements on other lands approved by the City, or payment of an Agricultural Mitigation fee?

This measure would provide a mechanism and funding source to supplement and augment the City's efforts to retain Williamson Act cancellation fees locally to acquire agricultural lands or agricultural conservation easements. In particular, where land proposed for annexation is either not subject to the Williamson Act, or it's contract period will expire before annexation, the property owner will be required to accept payment of the mitigation fee as part of the pre-annexation agreement.

On April 16, 2007, the City Council directed that this measure be included as part of the proposed 480-acre Vargas industrial land pre-annexation agreement. The fee in this case was set at \$2,000 per acre for the 320-acre portion of the site the property owner intends to retain under Williamson Act contract for the present time. Proceeds from the contract cancellation penalty fee for the remaining 160-acre portion of the annexation area that is being proposed for Williamson Act contract cancellation will be used to acquire offsetting agricultural lands through the 1240 Exchange Program.

D. Should the City restrict or limit annexations of residential land that is outside of the 98,000 UDB, but is within the current (129,000) UDB?

This would affect 2,100 acres of residential land, including 94% of the Southeast Area Specific Plan (SEASP) (793-acres) and 70% of the Lowrey Ranch project area (460-acres). The policy would also affect all of the St. Johns River Ranch (119-acres), Hill Annexation (120-acres), Caldwell/Lovers Lane (362-acres), and Pratt (20-acres) Annexations, which are all currently pending further action at the City-level. The above-referenced projects and annexations are shown on Exhibit 3.

The intended consequence of this measure would be to focus increased residential development activity, and presumably development density closer to the City core. This would be accomplished by creating a scarcity of "greenfield" land in the 129,000 UDB, which is often viewed as more attractive for high velocity production subdivision development. General Plan Land Use policy 6.2.6 would need to be revised to reflect this restriction, since annexation in the 129,000 UDB is not presently inconsistent with Policy 6.2.6.

This measure taken in conjunction with increasing the population threshold of the 98,700 UDB, and possibly increasing the required development thresholds (vacancy factor, minimum development densities) would delay the eventual need to allow annexations in the 129,000 UDB for approximately four years.

As noted, several current large area Annexation proposals could be impacted by this policy. It is anticipated that other qualifying factors such as a master plan and Development Agreement (DDA) that clearly set forth the phasing plan, plan for services, minimum and target densities above the current City minimums, agricultural land mitigation, and amenities above and beyond those seen with

current subdivisions would qualify these project for favorable Annexation consideration. These added Annexation project features are also discussed in Issue Items A and B.

A perhaps unintended consequence of this measure would be a disruption to the business model of many of the production builders, and that the marketplace will positively respond to the likely shift in new subdivision products. These builders typically prefer higher production rates that “greenfield” areas provide, and which allows them to use well-established street, lot and house designs that have been attractive to their customers. If the development community or the marketplace do not respond to the change, there could be an unintended and detrimental decline in the pace of residential development and its associated economic impact on the Community, instead of experiencing a continued strong pace of development and the associated economic impacts, as would be intended to occur on predominately smaller infill areas within the current City limits.

E. Should the City increase the population benchmarks of the current 129,000 and 165,000 UDBs by 10% to 142,000 and 181,500 respectively?

Increasing the minimum population benchmarks would require a greater population to be living inside the current UDB before expansion. As noted in the Joint Worksession staff report of February 24, 2007, it is staff’s conclusion that in the next few years, the City’s rate of population increase will rise faster than residential land absorption due to increased residential densities and due to residential growth in non-residential designated areas like the East Downtown project area which will feature high density mixed-use residential uses.

It should be noted that Visalia’s growth rings were drawn with the ability to hold at least 30% more persons beyond the benchmark figures, so increasing the population benchmarks by 10% would not necessitate redrawing the growth rings or necessarily preparing new infrastructure plans or environmental review. Exhibit 3 illustrates the locations of the UDBs relative to the current City limits and the sphere of Influence Boundary.

Changing the UDB population designations would require several additional General Plan policy actions, as follows:

- 1) Continue to use the accepted methodology for differentiating developed parcels from undeveloped parcels.

Staff prepared a methodology to differentiate developed parcels from undeveloped parcels that was used to determine residential buildout in the Growth Boundary expansion completed in 2003. The definitions for developed and undeveloped land utilize a more “conservative” approach in accepting what is developed, and were prepared in a manner that sides with prolonging the life of undeveloped land until land will be built upon as intended by the policies of the Land Use Element. For example, the definition of “developed” land does not include unrecorded tentative maps since it is uncertain exactly when and if these maps may ever record. Likewise, the definition does not include approved CUPs for multi-family or other developments. Also, the definition

of “undeveloped” land does include large sites that would be considered under-developed, such as agricultural parcels containing rural homesites.

- 2) Continue to use the accepted methodology of including a vacancy factor to the number of designated residential acres when evaluating buildout in a boundary.

The Council accepted using a methodology in November 2000 which evaluates buildout based on adding a 30% vacancy factor to the number of designated residential acres rather than finding that there must be 30% vacant residential land within the current growth area. Again, this methodology utilizes a more “conservative” approach to determining when development has reached the thresholds prescribed by the corresponding Growth Boundary, and requires that a slightly larger amount of land be developed based on adding the vacancy factor to the amount of designated land. This in turn prolonged the Boundary expansion in 2003, but not so much as to interrupt Visalia’s pace of development at the time.

- 3) Consider reducing the vacancy factor for residential development in the current Growth Area from 30% to 25%, or less.

Reducing the vacancy factor for residential development would increase the amount of residential land needing to be developed in the current growth area before expansion. The vacancy factor was established in the Land Use Element as a way for growth areas to meet the threshold for expansion without requiring that every piece of available residential land be developed first. In 2003, the 30% vacancy factor for the 98,700 UDB expansion allowed for 3,000 acres of undeveloped residential. Based on staff’s calculations in Table 6, the 30% vacancy factor for the 129,000 UDB expansion allows for 3,739 undeveloped acres.

While the intent for this vacancy factor is to accommodate un-interrupted residential growth, it does not address an equal relationship between the growth in the previous UDB and growth in the current UDB. Staff analysis in Tables 4 and 5 has found that growth in the previous UDBs has surpassed the required thresholds, plus there are several approved tentative maps in the previous UDBs that will likely develop in the next few years. Conversely, there is still plenty of potential for growth in the 129,000 UDB. Reducing the vacancy factor for the 129,000 UDB would reduce the possibility of a premature expansion that could be attributed to growth in the previous UDBs and not enough in the current UDB, and would attribute to prolonging the life of the current UDB.

- 4) Consider increasing the minimum residential densities for new residential annexations to at least midrange or higher for that density range.

A report prepared for consideration by the Council on June 12, 2006, illustrated how the Visalia’s population capacity could be increased if the minimum residential densities on vacant properties inside the current UDB. Currently, the Land Use Element requires that new residential development must be consistent with the specific density range for the land use designation (i.e. 2 to 7 units / acre for Low Density Residential). By increasing the minimum density in the range and/or narrowing the density range, new developments may have the cumulative effect of placing the same number of units on less area, thereby deferring the conversion of agricultural farmland and reducing the costs of extending urban services further outward. The Annexation portion of this report also proposes considering this policy action, and includes additional design and product selection techniques that are currently available for new residences.

F. Should the City consider incorporation of the UDB and Annexation strategies submitted by Councilmember Collins in the position paper submitted at the Joint Worksession on February 24, 2007?

In a policy paper distributed for the February 24, 2007, Joint Worksession, Councilmember Collins proposed a number of strategies that would generally have a more dramatic effect on the UDB expansion and annexation criteria than any of the measures discussed in the preceding sections (please see Exhibit 4). A summary of these strategies where they diverge to a degree from the City staff recommendations is provided as follows:

- 1. That a density bonus incentive of 10% be granted to already approved projects, with half of the bonus units set aside for affordable housing.** This is similar to the incentive described in Item B of this report, except that it would earmark a portion of the units for affordable housing.
- 2. Require a minimum development density of five units/acre, with commensurate higher densities for Medium and High Density residential developments, and include a requirement for an agricultural mitigation fee for projects that fail to achieve the new minimum density standards.** This is similar to the policies discussed in Items A (Densities) and B (Agricultural Mitigation) of this report, except that it ties the two together instead of implementing both policies on their own.
- 3. New residential projects shall implement Smart Growth design strategies.** This recommendation includes several design-related measures not directly related to development densities and annexations. As a significant note, on June 4, 2007, the City Council approved the membership and work program of the Smart Growth Task Force. This is a follow-up action to the City Council's direction of March 26, 2007, where the formation of a Task Force was authorized.

The task Force will assist in the preparation of city wide principles that will affect future physical development of the city. The City Council directed that a ten member task force be established to assist in the preparation of Smart Growth Principles that will reflect Visalia values and interests. It was also recommended that the "Ahawanee Principles" be used as the basis to craft City of Visalia Growth Principles.

- 4. The 98,700 UDB be renamed to the 150,000 UDB; the 129,000 be renamed to the 190,000 UDB. Optionally, make the current City limits the 150,000 UDB instead of the current 98,700 UDB.** This represents a 50% population threshold increase over the recommendations made by City staff. Additionally, City staff's recommendation proposes to leave the 98,700 UDB as is. In effect, there would be no further annexations of residential lands until the current city population increases by approximately 33,000. At the current City population growth rate, this would take approximately eight to

ten years, notwithstanding any dramatic changes in the City's historic demographic and development trends.

Implementing either or both of these measures would substantially extend the life of the affected UDBs, with the effect of delaying development beyond the urban core for the foreseeable future. There are at least two immediate factors to consider with respect to this action. First, the potential development impacts at these levels have not been considered in the General Plan EIR. An amended EIR or new Program EIR would need to be commissioned in junction with adopting this as City policy. Second, the City should anticipate considerable fallout by property owners and the development community in general who will contend the City has compromised their anticipated development rights.

City staff has concluded that the strategy issues not addressed in the preceding numbered paragraphs are either consistent with the overall Annexation and UDB analysis, or they are beyond the scope of the immediate analysis, and may be considered in a separate Worksession.

Implementation Measures and Interested Parties Participation

Acceptance of the annexation policies will require an amendment to the 2020 General Plan Land Use policies and zoning Ordinance residential provisions. If the City Council directs initiation of these or other annexation policy initiatives, staff will ensure that representatives of the development community, the Tulare County LAFCO, Farm Bureau, and other interested parties are provided adequate opportunities to review and comment on the proposals before public hearings are conducted. Potentially interested parties have also been provided copies of this report.

Recommendation

I move to accept the staff recommended Urban Development Boundary (UDB) and Annexation policies, and initiate the process to consider adoption of the implementation measures.

Exhibits

- Exhibit 1 – Example of Higher Density Achieved Using Mixed Product Development
- Exhibit 2 - Example of Density Transfer for Open Space
- Exhibit 3 - UDB/Annexation Map
- Exhibit 4 - Position Paper By Councilmember Collins, February 24, 2007
- Exhibit 5 - Joint Worksession Staff Report, February 24, 2007 - Annexations
- Exhibit 6 - Joint Worksession Staff Report, February 24, 2007 - Status Report on Undeveloped Residential Land
- Exhibit 7 - City Council Staff Report, June 12, 2006- Status Report on Undeveloped Land

**City of Visalia
Joint City Council / Planning Commission
Work Session
Agenda Item Transmittal**

Meeting Date: June 11, 2007

Agenda Item Number (Assigned by City Clerk): 3

Agenda Item Wording: Residential Infill Development Review

Deadline for Action: None

Submitting Department: Community Development

Contact Name and Phone Number:

Michael Olmos, AICP, Assistant City Manager, 713-4332
Andrew Chamberlain, AICP, Senior Planner 713-4003

Department Recommendation:

Staff recommends that the City Council and Planning Commission identify those recommendations which they consider to be a priority for addressing infill development. Staff has prepared an initial set of recommendations below, and a series of other related recommendations for consideration in the "Strategies and Related Issues" section of this report.

1. Initiate a Zoning Ordinance text amendment to provide a definition of "Infill Parcels", as provided in Land Use Element Policy No. 4.1.18, which recommends this action.
2. Initiate a Zoning Ordinance text amendment to permit the use of 5,000 square foot lots on infill parcels, including development standards, as provided in Land Use Element Policy No. 4.1.18, which recommends this action.
3. Consider creating a process for a Master CUP for small Infill PUD's, to streamline the process for eligible developments.
4. Pursue completion and development of Specific and Master Plans such as the Southeast Area Specific Plan related to higher density residential development.
5. Encourage the development of higher density mixed use through form based code in and around the greater downtown area.
6. Develop a fee waiver for the processing of active tentative maps wherein the map is processed with a 10 percent minimum increase in density over the adopted tentative map.

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 60

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

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7. Consider raising the range of units per acre (density) for the residential categories in the General Plan, which would increase the minimum number of units per acre required for subdivisions and parcel maps.

Discussion of Recommendations

1. Initiate a Zoning Ordinance text amendment to provide a definition of “Infill Parcels”, as provided in Land Use Element Policy No. 4.1.18, which recommends this action

Staff is recommending that the Council and Commission use the California Environmental Quality Act (CEQA) definition of infill as a base for the City definition. The CEQA definition is from Section 15332, which provides a categorical exemption for infill projects based upon meeting five conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within the City Limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare or threatened species.
- d) Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

Using these parameters provides a streamlining of the CEQA process wherein extensive environmental analysis may not be required reducing cost and timelines in the processing of infill developments. This definition limits the infill lot size to five acres for projects being able to take advantage of the environmental streamlining. Parcels over five acres may need to have specific enabling language which would allow them to meet the other criteria and be eligible to utilize any related tools for infill development such as alternate development standards (reduced setbacks, lot size and similar). The City definition may include additional qualifiers such as meeting a minimum density for the project along with any design features which the Council and Commission feel are important.

It should be noted that for the purpose of the infill estimate used elsewhere in this report, infill properties were defined as residentially designated properties within the City; these sites were typically surrounded by development and located closer to the core of the community. Some of the sites were up to 20 acres in size and sites owned by schools, churches and similar public/private agencies were not included. Properties with pending actions and approved tentative or final maps were not included; see Attachment “E” for more details of the parameters used to define infill sites for this report.

2. Initiate a Zoning Ordinance text amendment to permit the use of 5,000 square foot lots on infill parcels, including development standards, as provided in Land Use Element Policy No. 4.1.18, which recommends this action.

Land Use Element Policy No. 4.1.18 indicates that the Zoning Ordinance should be amended to provide for the use of 5,000 square foot lots. This would result in providing additional density in the Single Family Residential Zone (R-1-6) where currently the minimum density per unit is 6,000 square feet. Currently 5,000 square foot lots are provided for in a mixed lot design wherein the 5,000 square foot lots are required to be mixed with a higher percentage of larger lots including 6,000 square foot lots. The ability to utilize 5,000 square foot lots with special setbacks and related standards would provide increased density for eligible infill developments.

- 4.1.18 Continue to encourage comprehensively planned Low Density Residential development (up to 21 persons/acre - 2 to 10 dwelling units net acre). Low density developments in excess of 7 units per acre shall only be permitted in the Northeast Specific Plan Area, for selected infill parcels as may be designated by the City Council upon recommendation of the Planning Commission, and in other specific plan areas where standards are established for lot coverage, where it will promote the fulfillment of unmet housing needs for low or moderate income households according to the Housing Element. Usage of duplex or halfplex units shall be encouraged to increase overall densities where they are made to be compatible with the overall residential development.

The Zoning Ordinance shall be amended to permit the use of 5,000 square foot lots, and include development criteria and a review process for them to be integrated with 6,000 square foot lots. The criteria shall include development standards which may include provisions for minimum lot width, setbacks, lot coverage, building mass and other development standards.

The Zoning Ordinance shall be amended to include a definition of "infill parcels" and a process and criteria to permit the use of 5,000 square foot lots on these designated parcels.

3. Consider creating a process for a Master CUP for small Infill PUD's, to streamline the process for eligible developments.

Adopt a set of standards through a Master CUP or other action, for infill designated PUD's, wherein projects meeting the requirements and standards do not need a conditional use permit where the Master CUP would apply. The standards may be those used for the proposed 5,000 square foot lots, along with minimum requirements for open space or other related amenities which enhance the overall development. This may result in increased density and mixed use development activity on infill parcels by right without the need to process a conditional use permit. The time and process costs for Conditional Use Permits is frequently a development issue identified by infill parcel developers. This may be done as a Master CUP which would apply to eligible infill developments, or may be done simply as a set of standards established for infill development in the Zoning Ordinance.

This approach would allow the development community to get tentative approval through the Site Plan Review process. This would allow a new level of surety in the development and financing marketplace which may result in increased activity on infill

parcels. One of the issues related to this approach, is that regardless of the standards applied, project neighbors may be concerned that they were not allowed to voice their concerns, support or opposition through the public hearing process, particularly when the project site density is higher than theirs and/or the project is targeting economy or low income units.

4. Pursue completion and development of Specific and Master Plans such as the Southeast Area Specific Plan related to higher density residential development.

This recommendation is simply recognition of recent planning efforts in the community to develop an alternative residential and mixed use development pattern which enables higher residential density. This is done through the promotion of mixed housing types, second dwelling units, and mixed use development which brings residential units into and over commercial and office nodes. These types of plans frequently have other attributes such as walk-ability and integrated resource management techniques.

5. Encourage the development of higher density mixed use through form based code in and around the greater downtown area.

This follows on the above recommendation. Form based code is one of the current tools for promoting mixed use developments which typically can provide locations for residential development outside of the typical subdivision setting. As the current

6. Develop a fee waiver for the processing of active tentative maps wherein the map is processed with a 10 percent minimum increase in density over the adopted tentative map.

7. Consider raising the range of units per acre (density) for the residential categories in the General Plan, which would increase the minimum number of units per acre required for subdivisions and parcel maps.

Both of these recommendations are further detailed in the June 11th Joint Worksession item: Urban Development Boundary (UDB) Strategy and Policy direction for Future Annexations. The goal is to raise the minimum density required for new maps through an increase in the adopted density ranges for residential development. In addition, a fee waiver for processing fees to bring in a map and re-subdivide it with more lots acts as an incentive to promote higher density in areas where there may already be an adopted tentative subdivision map.

**Related Aspects of Residential Infill and Alternatives
for Actions to Promote Residential Infill**

How much Residential Infill Property is There?

An estimated 503 acres of residential infill property has been identified at this time within the City Limits. A variety of vacant residential infill properties can be found throughout the community, including sites which already have been partially developed. While some of the sites are already dedicated to development, there are many sites of varying sizes which have not been planned for development at this time.

Staff has identified approximately 503 acres of infill property within the current city limits. This estimate is based upon a staff review of the entire City for undeveloped and underdeveloped single and multiple family residential properties which do not have tentative maps or other pending actions. The estimate does include approximately 211 acres of properties greater than the five (5) acres proposed in the infill CEQA definition. The estimate excludes vacant properties owned by public and private schools, California Water Company, churches, and specific plan areas (except for the Northeast Specific Plan Area). Appendix "E" contains additional information used for the estimation of residential infill properties as identified in this report.

Recent Trends in Residential Infill Development

Recent development trends in the City of Visalia over the past 18 months indicate that there is constant activity on residential infill sites. Based upon the ongoing infill development activity occurring at the Planning Commission and through the Site Plan Review process, staff finds that current residential infill activity is gradually consuming available lands. While many of these projects are being pursued with the maximum density currently available based upon standards and design requirements, there is an opportunity to modestly increase the density of some of these projects. At Council's direction, tools can be set in place to accelerate infill activity and to encourage higher densities and mixed use development on sites.

A review of the Planning Commission agendas for 2006 and 2007 show that they heard 16 items in 2006 related to residential infill development. These were mostly parcel and subdivision maps, with accompanying conditional use permits, for projects on sites of less than 10 acres that were not adjacent to the current edge of the city limits. In addition, the Commission and Council approved an amendment to the General Plan and Zoning Ordinance to increase the number of multiple family units allowed without a conditional use permit from 11 to 40. Since the beginning of 2007, the Commission has had three hearings related to infill activities.



During 2006 the Site Plan Review Committee reviewed 26 items related to residential infill out of 261 total items for the year. In 2007, the Committee has reviewed 11 infill items out of 80 items.

Through the Site Plan Review process, staff has seen a continual development pattern of trying to maximize density specifically on underdeveloped or vacant infill parcels. This may be in response to increased residential land values in the last few years which would promote higher density and continued housing demand as an economic opportunity. Whatever the reasons, infill project densities for sites between ½ acre and 5 acres appear to be increasing. While many of the "easy to develop" infill sites have been the subject of development proposals, the "hard to develop" sites are also being considered and approved for development. One example is the recent Feemster Lane

Tentative Subdivision Map which was approved by the Planning Commission on May 29, 2007. This site consists of 1.1 acres with an existing house and Evans Ditch along the south side. The project was approved for five lots.

Another related activity in the City which will result in residential infill and increased overall density is the East Downtown Plan which while based in commercial/office zoned property, is including mixed use opportunities to allow up to 2,000 new residential units in the area.

Currently the Zoning Ordinance and associated Zone Matrix includes “Residential Units New or Expanded, which may or may not be associated with a commercial use” as a conditional use in all commercial zones. This represents an existing opportunity for additional residential units in commercial areas where it is determined to be consistent with the surrounding land uses.

One Example of this is a recent senior residential facility which was approved by the Planning Commission on May 14, 2007 for 11 units on property zoned Commercial Downtown and Single Family Residential. In addition, this project included an irregular shaped parcel and access issues which had to be overcome through site design.

On a daily basis, staff responds to general inquiries related to infill parcels throughout the city. Staff recognizes that the trend

may change in the future, and would recommend that residential infill be reviewed by the City Council and Planning Commission every couple of years.



Background Material

During the preparation of this report, staff prepared the following sections to give background and provide a reference point for discussion of residential infill. The followings sections are intended to help define and visualize residential infill, not as a single item, but various categories related to size, location, and existing conditions. Not all infill sites are vacant, and not all infill sites are a single parcel.

When it comes to promoting residential infill development, there are a variety of approaches which staff has included along with some of the positive and negative aspects of the action.

General Plan Land Use Element policies related to residential infill are also discussed and listed in the attached appendices.

Land Use Element and Infill Policies

The Land Use Element contains direct references to infill as shown in Attachment “A” which contains excerpts from the Element. The existing policy language provides a basis for consideration of a Master CUP program, and the potential for increased densities for larger infill lots. The following Land Use Element polices could be considered a basis for findings to initiate and adopt a Master Conditional Use Permit program:

- 4.1.3 Encourage planned unit residential developments according to the following criteria.
- 4.1.3-5. Density shall not exceed the underlying zoning provisions. Density increases may be granted in accordance with the Zoning Ordinance such as density bonuses or for infill projects, or for affordable housing.
- 4.1.4 In order to encourage infilling and the use of existing vacant subdivision lots, the City shall develop flexible design standards which meet the intent of the General Plan.
- 4.1.18 Continue to encourage comprehensively planned Low Density Residential development (up to 21 persons/acre - 2 to 10 dwelling units net acre). Low density developments in excess of 7 units per acre shall only be permitted in the Northeast Specific Plan Area, for selected infill parcels as may be designated by the City Council upon recommendation of the Planning Commission, and in other specific plan areas where standards are established for lot coverage, where it will promote the fulfillment of unmet housing needs for low or moderate income households according to the Housing Element. Usage of duplex or halfplex units shall be encouraged to increase overall densities where they are made to be compatible with the overall residential development.
- 6.1.1 Promote development of vacant, underdeveloped, and/or redevelopable land where urban services are available.

These are policies which encourage the consideration and use of “Infill” parcels within the City of Visalia. They do not provide any direct programs or definitive direction, they call for recognizing infill parcels for a variety of development opportunities. These may be commercial or residential, and may include higher density residential units, or commercial offerings which would support areas lacking in Convenience Commercial services.

Appendix A

Policy Excerpts from Land Use Element

These are policies which encourage the consideration and use of “Infill” parcels within the City of Visalia. They do not provide any direct programs or definitive direction; they call for recognizing infill parcels for a variety of development opportunities. These may be commercial or residential, and may include higher density residential units, or commercial offerings which would support areas lacking in Convenience Commercial services.

Action has been taken on policy 4.1.18 (second section) which calls for the development of a 5,000 square foot subdivision lot entitlement process in the Zoning Ordinance. This was done by the development and adoption in 2004 of Zoning Ordinance Section No. 17.12.210 – Single Family Residential Subdivisions with Mixed Lot Size/Frontage. This section provides a set of standards which allow for the development of subdivisions with lots as small as 5,000 square feet when mixed with conventional lots of 6,000 square feet or larger.

The General Plan Land Use Element, Zoning Ordinance, and Fee Schedule contain numerous direct and indirect policies and references to “infill” which currently provide a policy basis for the creation and adoption of infill standards and/or guidelines to provide incentives in the form of fee reductions, flexible design standards and related incentives to promote infill.

- 1.1.7 Preserve established and distinctive neighborhoods throughout the City.
- 1.1.8 Encourage comprehensively planned new residential development in or near the downtown, including single family, multi family and housing for special populations.
- 1.1.16 Minimize visual impact of development through various design techniques such as building orientation, and landscaping depth and density.
- 2.2.7 Develop incentive programs for developments that demonstrate sound energy conservation design and/or construction.
- 2.3.2 Encourage projects which incorporate mixed land uses.
- 3.5.3 It shall be a priority of the City to develop the Ben Maddox corridor (Tulare to Houston) as an integral part of the community, including offices, commercial uses, and residences in a mixed-use development plan.
- 3.5.5 Designate Convenience Centers for personal and convenience goods and services for nearby residential areas. Such centers may be in new, in-fill, and/or consolidated existing strip commercial development and at a scale which is

compatible with surrounding residences. Special site design standards shall be imposed on these facilities including high quality architecture, landscaping, signage and lighting to ensure that they are aesthetically pleasing.

Convenience Centers maybe approved by a conditional use permit on one corner of arterial / collector intersections on sites of 3 acres or less, on no more than one corner of the intersection and at least at one-half mile intervals between neighborhood shopping centers. Where possible, such centers are to be developed as part of planned unit developments or master planned as part of a development.

GOAL 4: PROVIDE A VIABLE RANGE OF HOUSING ALTERNATIVES IN THE VISALIA PLANNING AREA

4.1 RESIDENTIAL LAND DEVELOPMENT AND LAND USE

Objectives

- A. Ensure adequate land area is available for future housing needs.
- B. Encourage efficient residential development.
- C. Encourage development of comprehensively planned, compact, well-integrated areas for single-family and multi-family residential development using schools, neighborhood parks, and open space conservation facilities as key planning components.
- D. Provide new residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet projected demand throughout the community.
- E. Identify locations for multi-family developments which are accessible to major transportation routes, mass transit facilities, commercial areas, schools, and recreation facilities.
- F. Protect existing and proposed residential areas.

Implementing Policies

- 4.1.1 Designate residential land area which is adequate to meet the needs of the community over the next thirty years. Residential land in the last two 10-year growth areas shall be designated 'Reserve.' These Reserve areas are to be zoned Agriculture. Reserve areas may be re-designated and rezoned to the appropriate residential land use designation and zone if the following findings are made by the Planning Commission and the City Council:

1. Additional land is necessary to meet the residential land development needs in order to maintain a supply of zoned residential land equal to 130 percent of the total acreage necessary to accommodate total planning area residents projected to the succeeding ten years.
 2. The additional land is either adequately served or can be served by planned and programmed public facilities including streets, sanitary sewer, water, police/fire protection, and other urban services and facilities.
 3. Land within the existing 10-year growth area is either developed or can not be developed in a time-frame appropriate to meet the needs of the community.
 4. Additional land is determined to provide a significant social and economic benefit to the community.
 5. Infill has been achieved in the interior of the community consistent with Policy 6.2.3 (5).
- 4.1.2 Encourage the use of site development techniques which ensure that a good mix of housing types is provided through such methods as inclusion of duplexes in low density areas where they can be made to be compatible with surrounding development.
- 4.1.3 Encourage planned unit residential developments according to the following criteria.
1. The minimum site area for a planned unit development which includes a Convenience Center or a Neighborhood Center shall be 20 acres. Sites less than 20 acres may be considered upon recommendation of the Planning Commission.
 2. The minimum site area for a planned residential development shall be one acre. Parcels smaller than one acre may be considered if there are unique site circumstances related to shape, natural features, location,
 3. Common usable open space, exclusive of right-of-way and required setbacks, shall be encouraged to the greatest extent possible for recreation and open space purposes.
 4. Existing natural features such as Valley Oak trees and community waterways shall be preserved and enhanced consistent with the Conservation, Open Space, Parks and Recreation Element.
 5. Density shall not exceed the underlying zoning provisions. Density increases may be granted in accordance with the Zoning Ordinance such as density bonuses or for infill projects, or for affordable housing.

- 4.1.4 In order to encourage infilling and the use of existing vacant subdivision lots, the City shall develop flexible design standards which meet the intent of the General Plan.
- 4.1.10 Provide for the continued viability of existing single-family areas in the Core Area of the community and encourage medium and high density residential development in the Central Business District where such uses do not conflict with existing neighborhoods.
- 4.1.12 Integrate multi-family development with commercial and professional office uses in Community Centers.
- 4.1.13 Direct City land use actions toward the maintenance and improvement of established residential areas.
- 4.1.14 Encourage the repair and maintenance of existing dwelling units.
- 4.1.18 Continue to encourage comprehensively planned Low Density Residential development (up to 21 persons/acre - 2 to 10 dwelling units net acre). Low density developments in excess of 7 units per acre shall only be permitted in the Northeast Specific Plan Area, for selected infill parcels as may be designated by the City Council upon recommendation of the Planning Commission, and in other specific plan areas where standards are established for lot coverage, where it will promote the fulfillment of unmet housing needs for low or moderate income households according to the Housing Element. Usage of duplex or halfplex units shall be encouraged to increase overall densities where they are made to be compatible with the overall residential development.

The Zoning Ordinance shall be amended to permit the use of 5,000 square foot lots, and include development criteria and a review process for them to be integrated with 6,000 square foot lots. The criteria shall include development standards which may include provisions for minimum lot width, setbacks, lot coverage, building mass and other development standards.

The Zoning Ordinance shall be amended to include a definition of "infill parcels" and a process and criteria to permit the use of 5,000 square foot lots on these designated parcels.

- 4.1.19 Promote Medium Density Residential development (up to 33 persons per acre - 10 to 15 dwelling units per net acre) which typically consists of duplex, triplex and four-plex development for in-fill or new development at local/collector and/or collector/collector intersections to a maximum of 50 units in one contiguous development on sites ranging from 3.5 to 5 acres. Medium Density Residential developments on sites less than 3.5 acres at arterial/collector intersections may also be considered. All proposals in excess of 40 units shall require a conditional use permit. Medium density developments may be permitted on corner lots in single family zones where they can be provided in conformance with Policy 4.1.20. Medium density residential developments may also be used in infill areas where they can be made to be consistent with

adjacent properties through the conditional use permit process and contract zoning.

- 4.1.20 Locate High Density Residential development (up to 58 persons per acre - 15 to 29 dwelling units per net acre) throughout the City at arterial, collector and CBD locations according to the following criteria:
1. arterial intersections - 200-unit maximum on sites ranging from 6.5 to 13.5 acres;
 2. arterial/collector intersections - 150-unit maximum on sites ranging from 5 to 10 acres;
 3. mid-block arterials - 100-unit maximum on sites ranging from 3.5 to 6.5 acres;
 4. CBD - at in-fill locations which do not jeopardize the viability of existing single family areas.
 5. High density residential developments may also be used in **in-fill areas** where they can be made to be consistent with adjacent properties through the conditional use permit process and conditional zoning. Consistency and compatibility with adjacent properties shall be evaluated based on issues including but not limited to: adjacent zoning, adjacent land use, proposed building mass, and the adequacy of public facilities available to the site.

Densities in excess of 20 units/acre will be reviewed on a case-by- case basis and may be approved through a conditional use permit where measurable community benefit is demonstrated and where infrastructure including mass transit facilities is available (or can be made available) to accommodate impacts of increased density. Projects in excess of 40 units shall also require a conditional use permit.

(Revised 7/18/94 - Resolution No. 94-104)

- 4.2.2 Continue to encourage the distribution of low and moderate income housing throughout the community and on smaller sites.
- 4.2.3 Encourage development of housing for senior adults and other special populations (i.e., developmentally disabled and physically handicapped). Locational criteria for these development proposals, at a minimum, should include:
1. Proximity to health care, recreation/cultural, and/or commercial facilities
 2. Location on arterial and collectors with access to mass transit routes
 3. Aesthetic quality of area, including noise impact compatibility, and open space

- 4.2.4 Continue to provide incentives, such as density bonuses to encourage the development of housing for senior adults, special populations (developmentally disabled and physically handicapped) and low-moderate income households.
- 4.2.5 Promote mobile home park and mobile home subdivision development through updated site design criteria.
- 5.3.4 Discourage development of High Density Residential complexes abutting school sites.

5.6 TRANSPORTATION

Objectives

- A. Plan and develop a transportation system for Visalia which contributes to community livability, recognizes and respects community characteristics (natural and man-made), and minimizes negative impacts on adjacent land uses.
- B. Promote ways to reduce the number of vehicle-miles traveled in the planning area.
- C. Encourage land use planning which balances the location of housing and employment centers in the planning area.

GOAL 6: MANAGE PLANNING AREA GROWTH TO BE CONTIGUOUS AND CONCENTRIC FROM THE CITY'S CORE AREA.

6.1 GENERAL GROWTH MANAGEMENT

Objectives

- A. Provide for an orderly and efficient transition from rural to urban land uses.
- B. Minimize urban sprawl and leap-frog development by encouraging compact, concentric and contiguous growth.

Implementing Policies

- 6.1.1 Promote development of vacant, underdeveloped, and/or redevelopable land where urban services are available.
- 6.1.2 Identify and use natural and man-made edges such as major roadways and waterways within the City's Urban Area Boundary as urban development limit and growth phasing lines.
- 6.1.3 Preserve and enhance the planning area's natural features and resource lands.

- 6.1.4 Utilize Rural Residential land uses as a buffer and transition between agricultural uses and urban development.
- 6.1.5 Develop a land development information system for the City's planning area and provide information on Visalia's annual growth and implementation of the General Plan's goals, objectives, and implementing policies.
- 6.1.6 Promote the preservation of permanent agricultural open space around the City by protecting viable agricultural operations and land in the airport and wastewater treatment plant environs.
- 6.1.7 Encourage the use of regional parks and open space to enhance gateways to the City's planning area and as a buffer between adjacent communities.

6.2 URBAN BOUNDARIES

Objective

- A. Implement and periodically update a growth management system which will:
 - 1. guide the timing, type, and location of growth
 - 2. preserve resource lands
 - 3. protect natural features and open space
 - 4. encourage techniques which encourage energy conservation

Implementing Policies

- 6.2.1 Establish an Urban Area Boundary (UAB) which identifies the City's sphere of influence or its ultimate physical boundary and service area for the next thirty years plus an agricultural buffer area comprising of an additional 30 percent of the urban growth area.
- 6.2.2 Discourage new or expanded urban development in the area between the UAB and thirty year Urban Growth Boundary as this largely agriculture resource land is not generally suited for urban uses.
- 6.2.3 Establish Urban Development Boundaries (UDB's), to accommodate estimated City population for the years 2000, 2010, and 2020, as the urbanizable area within which a full-range of urban services will need to be extended to accommodate urban development. These boundaries shall be established based on the following factors:
 - 1. Adequate residential, commercial and industrial capacity for the projected population.

2. Inclusion of a thirty percent (30%) vacancy factor ("flexibility factor") for residential development and a twenty percent (20%) vacancy factor for commercial development.
3. Adequacy of infrastructure including existing and planned capacity of sewerage system, treatment plant, water system, schools, roadways, and other urban services and facilities.
4. Community growth priorities.
5. Progressive increase in the percentage of buildout in existing developed areas of the community, to a maximum of 90 percent buildout. Compliance with this policy shall be according to the methodology described in Appendix C.

Expansion of the urban development boundary shall be accomplished through amendment of the Land Use Element and be based on the above findings.

- 6.2.4 Periodically adjust, no less frequently than once every five years, the land use and economic demand projections used to determine population estimates, needed land supply and amendments to Urban Development Boundaries.
- 6.2.5 Annexation to the City is the appropriate method for urbanization within the Visalia Urban Area Boundary.
- 6.2.6 Annexation of land outside of the current Urban Development Boundary may be permitted only if:
 - a. the proposal is required for orderly and efficient land use planning with Visalia's planning area, and
 - b. the land is designated consistent with the City's Land Use Element Map.

6.3 AGRICULTURAL LAND PROTECTION

- 6.3.4 Increase residential densities to reduce the need for conversion of prime agricultural land. Techniques to be utilized include usage of mixed use planned unit developments, integration of duplexes in single family subdivisions and development of properties to, at least, the minimum densities specified in the Land Use Element and map.

GOAL 8: STRUCTURE AN IMPLEMENTATION PROGRAM TO ACHIEVE THE GOALS, OBJECTIVES AND POLICIES OF THIS ELEMENT.

Objective

- A. Periodically monitor, review and amend the Land Use Element so that it is responsive to the changing conditions, needs, and attitudes of the community.
- 8.1.3 Develop and maintain a current land use and parcel information base to monitor and update all General Plan elements. An annual report shall be made to the Planning Commission and City Council on the status of the implementation of the general plan, in conformity with State law.
- 8.1.7 The Zoning Ordinance and other land development and land use development regulations shall be amended, where necessary, to be in conformance with the goals, objectives, policies and map of the Land Use Element.

Appendix B

Development Standards and Considerations for Eligible Infill Properties

The establishment of development standards for eligible infill parcels can be done in several ways. Standards can vary from those which promote higher density through reduced setbacks over compatibility, too standards which promote compatibility as the primary objective, and increased density as a secondary concern. The following are some of the broad range of actions which may be considered for standards, along with the consideration of each site for uses other than residential where it may be appropriate to serve the surrounding neighborhood.

1. Require higher density for infill parcels
2. Require density compatibility with adjacent parcels – to deal with the potential backlash of neighbors who do not want higher density developments adjacent to their neighborhoods
3. Require a mix of housing types and sizes
4. Require a % of the units to be multiple family
5. Require a % of the lots to be duplexes on corners
6. Offer special consideration for New Urbanist, Mix Use, and/or Higher Density on Infill Developments which are pedestrian or transit oriented
7. Review infill parcels to determine if a land use change to Open Space, Office or Convenience Commercial would promote more orderly development and services to the community including the reduction of vehicle trips.
8. Promote TOD for infill sites
9. Promote energy conservation designs and give density bonus for workable designs
10. Infill incentives greater in the 98,700 UDB than the 129,000 UDB

Issues Related to Infill Sites

Setbacks	Open Space
Parking	Second Story Visibility
Height Limits	Guest Parking
Public Input	Increased Traffic
Solid Waste configuration and access	School Impacts
Fire Access	

Appendix C

Criteria to Designate Eligible “Infill” Parcels

The adoption of special fee reductions, density bonuses, and flexible standards for infill parcels may require that criteria be established to define “eligible” infill parcels. The following is a generalized listing of some of the criteria that could be considered.

- Site is vacant
- Site is “underdeveloped”
- Site is contiguous to development on at least three sides (two sides)
- Proposed project is compatible with surrounding development
- Site is within the 98,700 UDB
- Site is within the 129,000 UDB
- Proposed project is consistent with applicable general plan designation and policies and applicable zoning regulations [CEQA §15332]
- Project site is no more than five acres [CEQA §15332]
- Site is substantially surrounded by urban uses [CEQA §15332]
- Site has no value as habitat for endangered, rare or threatened species [CEQA §15332]
- Project would not result in any significant effects relating to traffic, noise, air quality, or water quality [CEQA §15332]
- Site can adequately served by all required utilities and public services [CEQA §15332]
- Site is located in an area where the curb, gutter and sidewalk have been installed in the ultimate alignment [Resolution No. 2005-30, Transportation Impact Fees Infill Credit Criteria; applies to commercial and office infill projects]
- Site is seventy-five percent surrounded by existing development that has been in place an average of fifteen years or more [Resolution No. 2005-30, Transportation Impact Fees Infill Credit Criteria; applies to commercial and office infill projects]
- Any median islands that are planned on adjacent roadways have been installed [Resolution No. 2005-30, Transportation Impact Fees Infill Credit Criteria; applies to commercial and office infill projects]
- The project was inside of the Visalia city limits prior to December 31, 1995 [Resolution No. 2005-30, Transportation Impact Fees Infill Credit Criteria; applies to commercial and office infill projects]

Appendix D

Alternatives to Achieve Higher Density for Infill Sites

- Promote Second Dwelling Units throughout the community to increase overall community residential density. Currently, parcels with Second Dwelling Units are required to be owner occupied; eliminating this requirement would essentially allow two units per site in most single family areas.
- Raise minimum densities for residential land use designations in conjunction with a reduction in minimum lot size.
- Promote higher density Green Field projects to increase overall community density.
- Reduce setbacks to add flexibility to site design.
- Expand use of the R-1-4.5 zoning designation throughout the community, since the zone allows for a mix of housing types at higher densities.
- Promote other single family residential development patterns which result in higher densities such as cluster housing and courtyard housing. These types of developments utilize common open space and alley type garage access points.

Appendix E

Estimated Residential Infill Property within the City

Staff has identified approximately 503 acres of infill property within the current city limits. This estimate is based upon a staff review of the entire City for undeveloped and underdeveloped single and multiple family residential properties which do not have tentative maps or other pending actions.

The estimate excludes:

1. Properties with recorded or tentative subdivision maps
2. Sites which have recently approved or pending actions which would result in development
3. Properties owned by public and private schools VUSD/COS, California Water Company, churches, City of Visalia, nursing homes, and the National Guard
4. Specific plan areas (except for the Northeast Specific Plan Area)
5. Properties which are located at the edge of the City Limits
6. The large County islands located north and south of HWY 198 near the Shirk Street interchange
7. Parks and Ponding Basins
8. Lowery Ranch, and the 25 acre Putnam Ranch in the northwest
9. Individual single and multiple family lots which are eligible for a building permit as would be found in a typical subdivision

The estimate includes:

1. Single and multiple family properties
2. Properties over 5 acres, approximately 211 acres
3. Partially developed properties with residential units on the site, and enough area to support two or more additional units
4. Back yard areas of combined properties where there is a minimum of one acre and a reasonable expectation of access for development

Recent development trends in the City of Visalia appear to be moving towards higher density in most residential subdivision projects. Through the Site Plan Review process, staff has seen a continual development pattern of trying to maximize density specifically on underdeveloped or vacant residential infill parcels. This may be in response to increased residential land values in the last few years which would promote higher density and continued housing demand as an economic opportunity. Whatever the reasons, infill project densities for sites between ½ acre and 5 acres appear to be increasing.

Based upon the above estimates of “infill” acres within the urbanized areas of the City and recent small parcel development trends appearing through the Site Plan Review process, staff does not see a significant need for additional incentives for the development of infill sites which would not otherwise be developed to the highest density provided.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 11, 2007

Agenda Item Number (Assigned by City Clerk): 6

Agenda Item Wording: East Downtown Form Based Code; Presentation, Review and Comment.

Deadline for Action: None

Submitting Department: Community Development

Contact Name and Phone Number: Fred Brusuelas 713-4364

Department Recommendation: Staff recommends the City Council review and comment on the "Draft: East Downtown Form Based Code" (*Proposed Zoning Amendment by adding Municipal Code Chapter 17.70 East Downtown Zones*).

Summary/background: The City Council accepted the East Downtown Strategic Plan in December 2005 and took action in 2006 to adopt an Interim Form Based Code for its implementation. A "Draft" Form Based Code document is in the process of being prepared for Municipal Code adoption.

Prior Council/Board Actions: The City Council previously adopted an Interim Form Based Code in 2006.

Committee/Commission Review and Actions: None

Alternatives: None recommended

Attachments: "Draft" East Downtown Form Based Code (Chapter 17.70 East Downtown Zones) and map.

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.) 90 min.

Review:

Dept. Head _____
(Initials & date required)

Finance _____
City Atty _____
(Initials & date required or N/A)

City Mgr _____
(Initials Required)

If report is being re-routed after revisions leave date of initials if no significant change has affected Finance or City Attorney Review.

Recommended Motion (and Alternative Motions if expected): Staff recommends the City Council review the Draft Form Based Code and provide comments.

Environmental Assessment Status

CEQA Review: None

NEPA Review: None

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Copies of this report have been provided to: