

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Brett Taylor, Liz Wynn, Chris Gomez, Marvin Hansen, Sarrah Peariso

**MONDAY, NOVEMBER 13, 2017; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA**

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. **Please** begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - a. Time Extension for Emerald Creek Tentative Subdivision Map No. 5453 and Conditional Use Permit No. 2004-41: A request by Kevin Fistolera and Bob Ausherman (Forester Weber & Associates, agent) to divide 14.6 acres into 46 lots with Remainder lots for a planned residential development of single-family, duplex, triplex, and four-piex townhouses.
  - b. Time Extension for Los Pinos Vesting Tentative Subdivision Map No. 5467: A request by Acevedo Properties to divide 9.8 acres into 21 lots for single-family development. The project is located at the northwest corner of South Dans Street and West Visalia Parkway (APN: 126-760-010 and 126-020-065).
  - c. Vista Del Sol Estates Tentative Subdivision Map No. 5552: A request by Jonathan Cassaday to subdivide 5.72 acres into 38 lots ranging in size from 4,500 to 6,844 sq. ft. and Conditional Use Permit No. 2015-19, a request to develop four duplex units on corner lots in the Vista Del Sol Estates Subdivision. The site is located south of the intersection of Douglas Avenue and Tracy Street approximately 2,200 feet east of Ben Maddox Way. (APN: 098-050-069)
  - d. Finding of Consistency 2017-05: A request by the Neighborhood Church to change the monument sign design approved as a part of Conditional Use Permit No. 2016-26. The site is located at 5505 West Riggin Avenue (APN: 077-100-062). Conditional Use Permit No. 2016-26 was approved by the Planning Commission on December 12, 2016.

5. PUBLIC HEARING – Paul Bernal *Continued from 10/23/2017*  
Conditional Use No. 2017-33, a request by Lennar Homes of California, Inc., to establish a Planned Residential Development with modified rear yard setbacks for a 94-lot approved and recorded Eagle Meadows of Visalia 20 subdivision map. The Eagle Meadows of Visalia 20 subdivision map is located on the east side of North Mooney Boulevard between West Ferguson Avenue and West Riggan Avenue (APN: 090-010-008). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-75
6. PUBLIC HEARING – Paul Scheibel
  - a. General Plan Amendment GPA No. 2017-03: A request by the City of Visalia to amend the General Plan Land Use designation on two parcels totaling 15.69 acres, from RHD (Residential High Density) to RMD (Residential Medium Density), located on the northeast corner of Riggan Ave. and Court St., and to revise the Regional Housing Needs Allocation (RHNA) Sites Inventory to reflect the change in development density potential (APNs: 079-310-004, and -005)
  - b. Change of Zone COZ No. 2017-04: A request by the City of Visalia to amend the Zoning designation on two parcels totaling 15.69 acres, from R-M-3 (Multi-family Residential, 1,200 sq. ft. of lot area per unit) to R-M-2 (Multi-family Residential, 3,000 sq. ft. of lot area per unit), located on the northeast corner of Riggan Ave. and Court St., (APNs: 079-310-004, and -005)

That a Negative Declaration was adopted for the proposed Housing Element Update (Negative Declaration No. 2015-56) and the Zoning Ordinance Update (Environmental Document No. 2016-41), and are directly applicable to this project, and which disclosed the project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, staff concludes that the Program Environmental Impact Report adequately analyzed and addresses the project necessary to enable regulatory enforcement of the new plan policies and to achieve consistency between the General Plan and implementing ordinances. Therefore, Environmental Document No. 2017-76 can be adopted for this project.

7. WORK SESSION – James D. Koontz, Assistant City Attorney  
Robert's Rules of Order/Recusal Requirements
8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

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

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

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

**APPEAL PROCEDURE**

**THE LAST DAY TO FILE AN APPEAL IS MONDAY NOVEMBER 27, 2017 BEFORE 5 PM**

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

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, DECEMBER 11, 2017**



## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** November 13, 2017  
**PROJECT PLANNER:** Paul Scheibel, AICP, Principal Planner  
Phone No.: (559) 713-4369

**SUBJECT: General Plan Amendment GPA No. 2017-03:** A request by the City of Visalia to amend the General Plan Land Use designation on two parcels totaling 15.69 acres, from RHD (Residential High Density) to RMD (Residential Medium Density), located on the northeast corner of Riggan Ave. and Court St., and to revise the Regional Housing Needs Allocation (RHNA) Sites Inventory to reflect the change in development density potential (APNs: 079-310-004, and -005)

**Change of Zone COZ No. 2017-04:** A request by the City of Visalia to amend the Zoning designation on two parcels totaling 15.69 acres, from R-M-3 (Multi-family Residential, 1,200 sq.ft. of lot area per unit) to R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), located on the northeast corner of Riggan Ave. and Court St., (APNs: 079-310-004, and -005)

### STAFF RECOMMENDATION

Staff recommends approval of General Plan Amendment (GPA) No. 2017-03 and Change of Zone (COZ) No. 2017-04, based upon the findings and conditions in Resolution Nos. 2017-77 and 2017-78. Staff's recommendation is based on the following:

- The General Plan Amendment and Change of Zone are consistent with the goals, objectives, and policies of the City's General Plan.
- The General Plan and Change of Zone will correct an inadvertent mapping error made during the 2014 General Plan Update, and it's correction will better facilitate development of the subject parcels, and will ensure for consistency with the Orchard Walk Specific Plan, of which the parcels are included.
- The corrected Land Use and Zoning designations will facilitate development that is fully compatible with streets and utilities infrastructure available in the area, and will be more compatible with existing and proposed land uses in the project area.

### RECOMMENDED MOTION

I move to recommend approval of General Plan Amendment No. 2017-03, based on the findings and conditions in Resolution No. 2017-77; and,

I move to recommend approval of Change of Zone No. 2017-04, based on the findings and conditions in Resolution No. 2017-78.

### PROJECT DESCRIPTION AND ANALYSIS

**Summary:** General Plan Amendment (GPA) No. 2017-03 and Change of Zone (COZ) No. 2017-04 is a request by the City of Visalia to amend the General Plan Land Use Map and Zoning Map, and to revise the RHNA Sites Inventory to reflect the reduced development capacity of the

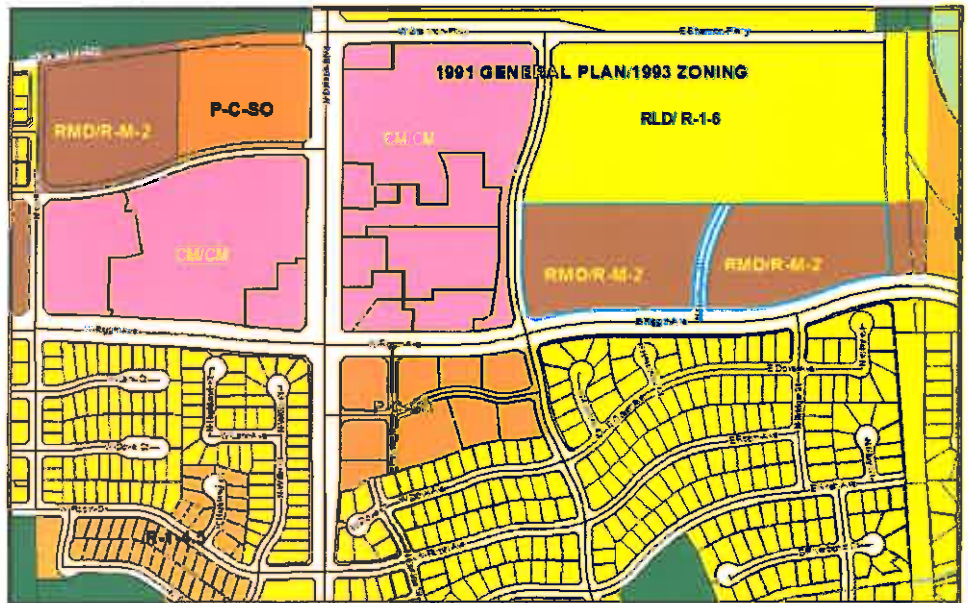
revised land use and zoning designations. The mapping error is evidenced by the fact that the parcels were designated and zoned Residential Medium Density (RMD) and Multi-family Residential, 3,000 sq.ft. of lot area per unit (R-M-2) on the 1991 General Plan Land Use Map, and the 1993 Zoning Map. Further, that designation was incorporated into the Orchard Walk Specific Plan in June 2007.

The land use and zone change amendments are being requested to correct an inadvertent mapping error made during the 2014 General Plan Map Preferred Alternative analysis. The error was not detected during the 2016 Zoning Code and Map update. The error was brought to the City's attention by the property owner in September 2017.

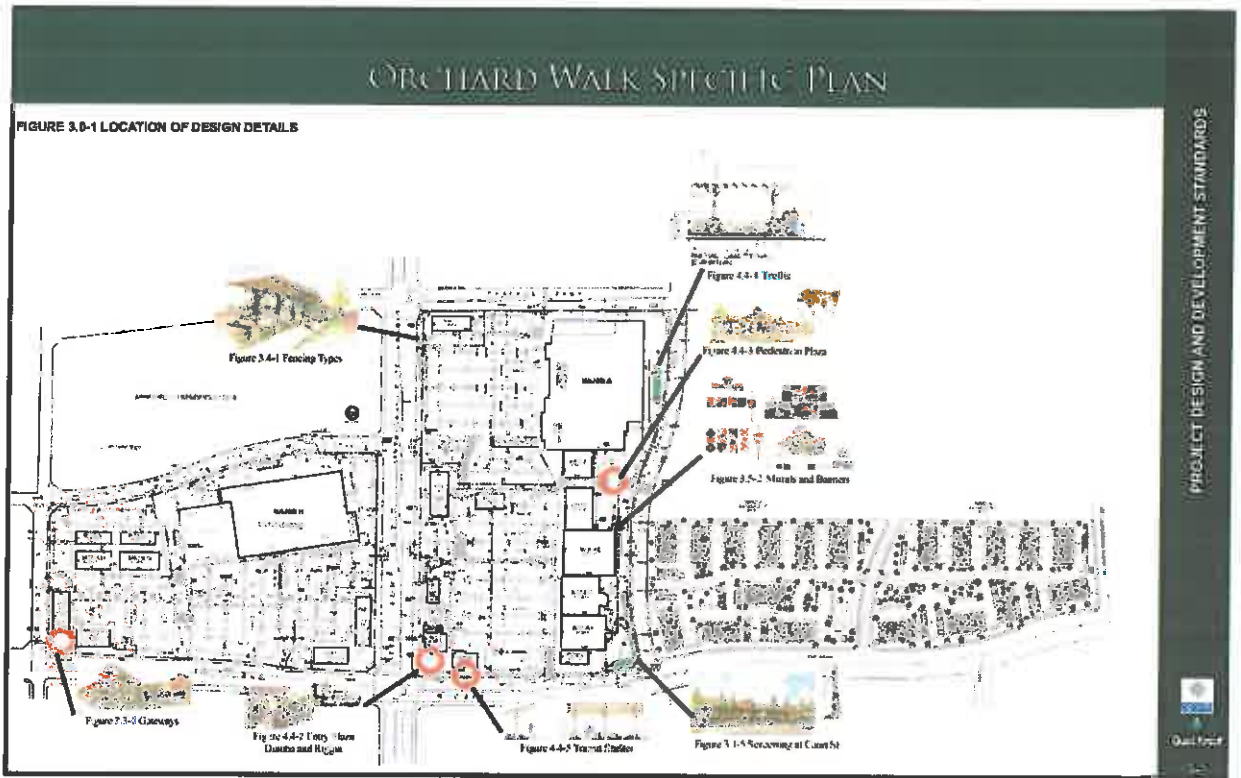


The General Plan Land Use and zoning designations on the parcels were RMD and R-M-2 on the 1991 Land Use and 1993 Zoning Maps, as shown on the map to the right:

Notably, the two parcels were also incorporated in the Orchard Walk Specific Plan in June 2007. The parcels were designated as Medium Density Residential (10-15 dwelling units per acre) in the Specific Plan entitlements. However, neither parcel was included in the 2010 Housing Element RHNA Sites Inventory table.

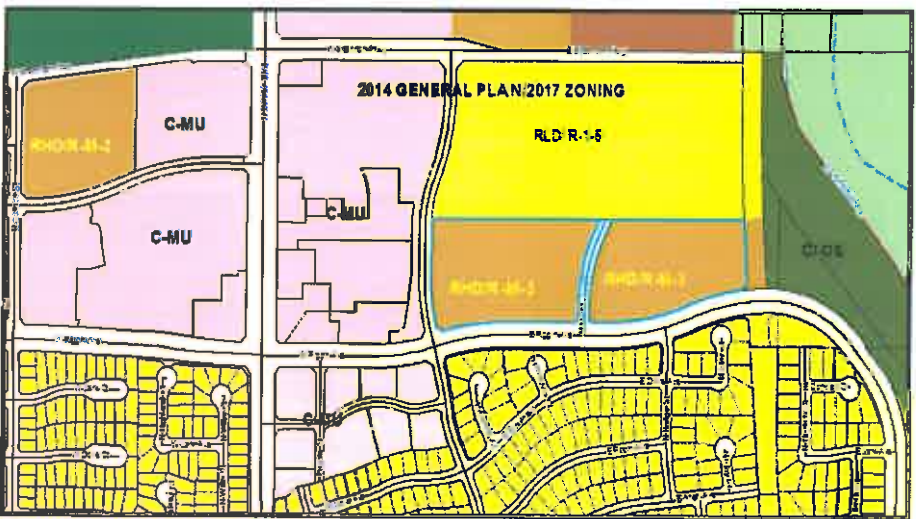


The western parcel was the subject of Conditional Use Permit No. 2012-10, approved by the Planning Commission on April 9, 2012. CUP 2012-10 permitted a 122-unit multi-family apartment development on the 8.46-acre parcel, Zoned R-M-2 (Multi-Family Residential 3,000 sq. ft. minimum site area per unit). The project was not constructed.



The project was not constructed.

The parcels were identified for re-designation to the higher density Residential High Density (RHD)/ Multi-family Residential, 1,200 sq.ft. of lot area per unit (R-M-3) designation during the General Plan Update process. However, the analysis failed to account for the fact that the parcels were already incorporated in the Orchard Walk Specific Plan. An approved Specific Plan takes precedent over the underlying General Plan land use and zoning designation.



The conflict between the new RHD land use designation and the existing Specific Plan and previous RMD land use designation was not detected throughout the General Plan Update process. Consequently, the RHD land use designation was subsequently applied to the 2016

Housing Element RHNA Sites Inventory, and on the updated Zoning Map. The error was brought to the City's attention by the property owner (Bridgecourt Homes, LP).

**RHNA Revision:** The RHNA Sites Inventory assigns a total of 361 units in the ELI (Extremely Low Income) and VL (Very Low Income) income categories to the two parcels. This assumes a development density of 23 units per acre. The two parcels should have assigned to them a total of 188 units in the LI (Low Income) income category. This is based on a development density of 12 units per acre, which is standard in the RHNA Sites Inventory table for RMD parcels.

**Analysis:** Staff recommends approval of the General Plan Map Amendment, including revision to the RHNA Sites Inventory Table, and approval of the change to the Zoning Map in order to achieve consistency with the General Plan and the Orchard Walk Specific Plan. Doing so will correct an inadvertent error that was made during the General Plan Update "Preferred Plan" mapping process, and which was not identified before the error was subsequently carried forward to the Zoning Map update and in the 2016 General Plan Housing Element Update.

**TABLE B-1  
SITES INVENTORY: CAPACITY OR VACANT LAND**  
Visalia 2016

(Total Density: 12 Units/Acre) (Density: 23 Units/Acre) (Density: 12 Units/Acre) (Density: 23 Units/Acre)

Site No.	Site Name	Parcel No.	Area (Acres)	Zoning	Density	Units	Notes	Total Density		Flood Zone	Adaptive
								Density	Units		
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## RECOMMENDED FINDINGS

### General Plan Amendment No. 2017-03

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment will assist the City of Visalia in implementing the General Plan Housing Element to ensure for internal consistency among all General Plan Elements, as required by law.
3. That the proposed revisions would not adversely affect adjacent land uses.
4. That a Negative Declaration was adopted for the proposed Housing Element Update (Negative Declaration No. 2015-56) and the Zoning Ordinance Update (Environmental Document No. 2016-41), and are directly applicable to this project, and which disclosed the project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, staff concludes that the Program Environmental Impact Report adequately analyzed and addresses the project necessary to enable regulatory enforcement of the new

plan policies and to achieve consistency between the General Plan and implementing ordinances. Therefore, Environmental Document No. 2017-76 can be adopted for this project.

#### **Change of Zone (COZ) No. 2017-04**

That the Zoning Ordinance Amendment is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. In addition:

1. The Change of Zone will correct an inadvertent mapping error made during the 2014 General Plan Update, and it's correction will better facilitate development of the subject parcels, and will ensure for consistency with the Orchard Walk Specific Plan, of which the parcels are included.
2. The corrected Land Use and Zoning designations will facilitate development that is fully compatible with streets and utilities infrastructure available in the area, and will be more compatible with existing and proposed land uses in the project area.
3. That the proposed development standards are compatible with the established development patterns and setbacks on adjacent properties.
4. That a Negative Declaration was adopted for the proposed Housing Element Update (Negative Declaration No. 2015-56) and the Zoning Ordinance Update (Environmental Document No. 2016-41), and are directly applicable to this project, and which disclosed the project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, staff concludes that the Program Environmental Impact Report adequately analyzed and addresses the project necessary to enable regulatory enforcement of the new plan policies and to achieve consistency between the General Plan and implementing ordinances. Therefore, Environmental Document No. 2017-76 can be adopted for this project.

### **APPEAL INFORMATION**

The Planning Commission's recommendations on the General Plan Amendment and Change of Zone proposals are advisory only, and are automatically referred to the City Council for final action.

#### **Attachments:**

- Related Plans and Policies
- Resolution No. 2017-77 (General Plan Amendment No. 2017-03)
- Resolution No. 2017-78 (Change of Zone No. 2017-04)
- Environmental Document No. 2017-76
- Vicinity Map
- General Plan/Zoning Map
- Aerial Map



**RELATED PLANS AND POLICIES**

**Chapter 17.16  
MULTI-FAMILY RESIDENTIAL ZONES**

**Sections:**

- 17.16.010 Purpose and intent.**
- 17.16.015 Applicability.**
- 17.16.020 Permitted uses.**
- 17.16.030 Accessory uses.**
- 17.16.040 Conditional uses.**
- 17.16.050 Site area and configuration.**
- 17.16.060 Site area per dwelling unit and per structure.**
- 17.16.070 Front yard.**
- 17.16.080 Side yards.**
- 17.16.090 Rear yard.**
- 17.16.100 Height of structures.**
- 17.16.110 Off-street parking.**
- 17.16.120 Fences, walls and hedges.**
- 17.16.130 Trash enclosures.**
- 17.16.140 Site plan review.**
- 17.16.150 Open space and recreational areas.**
- 17.16.160 Screening.**
- 17.16.170 Screening fence.**
- 17.16.180 Landscaping.**
- 17.16.190 Model good neighbor policies**
- 17.16.200 Signs.**

#### **17.16.010 Purpose and intent.**

In the R-M multi-family residential zones, the purpose and intent is to provide living areas within the two multi-family residential zones (one medium density and one high density) with housing facilities where development is permitted with a relatively high concentration of dwelling units, and still preserve the desirable characteristics and amenities of a low density atmosphere.

#### **17.16.015 Applicability.**

The requirements in this chapter shall apply to all property within R-M zone districts.

#### **17.16.020 Permitted uses.**

In the R-M multi-family residential zones, the following uses are permitted by right:

- A. Existing one-family dwellings;
- B. Multi-family dwellings up to sixty (60) dwelling units per site in the R-M-2 zone and the R-M-3 zone;
- C. Fruit, vegetable and horticultural husbandry;
- D. Swimming pools used only by residents on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard;
- E. Temporary subdivision sales offices;
- F. Licensed day care for a maximum of fourteen (14) children in addition to the residing family, situated within an existing single-family dwelling;
- G. Twenty-four (24) hour care facilities or foster homes for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provision of Chapter 17.48;
- I. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030;
- J. Adult day care for a maximum of twelve (12) individuals in addition to the residing family, situated within an existing single-family dwelling;
- K. Other uses similar in nature and intensity as determined by the city planner.
- L. Transitional or supportive housing for six (6) or fewer resident/clients.
- M. Single-room occupancy (SRO), as follows:
  - 1. Up to fifteen (15) units per gross acre in the R-M-2 zone district;
  - 2. Up to twenty-nine (29) units per gross acre in the R-M-3 zone district.

**17.16.030 Accessory uses.**

In the R-M multi-family residential zone, accessory uses include:

- A. Home occupations subject to the provisions of Section 17.32.030;
- B. Accessory buildings subject to the provisions of Section 17.16.090B.

**17.16.040 Conditional uses.**

In the R-M multi-family residential zone, the following conditional uses may be permitted in accordance with the provisions of Chapter 17.38:

- A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions; general hospitals, sanitariums, nursing and convalescent homes; including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- C. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers;
- D. In the R-M-3 zone only, an open air public or private parking lot, subject to all provisions of Section 17.34.030, excluding trucks over 3/4 ton;
- E. Electric distribution substations;
- F. Gas regulator stations;
- G. Public service pumping stations and/or elevated or underground tanks;
- H. Communication equipment buildings;
- I. In R-M-2 zone only, mobile home parks;
- J. More than sixty (60) units per site in the R-M-2 zone, and within the R-M-3 zone;
- K. Boarding houses and residential motels;
- L. [Reserved]
- M. Senior citizen residential developments;
- N. Adult day care in excess of twelve (12) individuals;
- O. Planned developments may utilize the provisions of Chapter 17.26;

- P. New one-family dwelling, meeting density identified in the general plan land use element designations;
- Q. Other uses similar in nature and intensity as determined by the city planner;
- R. Residential developments utilizing private streets in which the net lot area (lot area not including street area) meets or exceeds the site area prescribed by this chapter and in which the private streets are designed and constructed to meet or exceed public street standards.
- S. Transitional or supportive housing for seven (7) or more resident/clients.

**17.16.050 Site area and configuration.**

- A. The division of (R-M) multi-family residential property less than two (2) acres shall be approved as part of a conditional use permit.

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

The minimum site area per dwelling unit shall be three thousand (3,000) square feet in the R-M-2 zone and one thousand two hundred (1,200) square feet in the R-M-3 zone.

**17.16.070 Front yard.**

- A. The minimum front yard shall be as follows:

<b>Zone</b>	<b>Minimum Front Yard</b>
R-M-2	15 feet
R-M-3	15 feet

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

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

**17.16.080 Side yards.**

- A. The minimum side yard for a permitted or conditional use shall be five feet per story subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet.
- B. Side yard providing access to more than one dwelling unit shall be not less than ten feet.
- C. On corner lots, all garage doors shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

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

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

- A. On a corner or reverse corner lot in R-M-2 zone the rear yard shall be twenty-five (25) feet on the narrow side or twenty (20) feet on the long side of the lot. The decision as to whether the short side or long side is used as the rear yard area shall be left to the applicant's discretion, as long as a minimum area of one thousand five hundred (1,500) square feet of usable rear yard area is maintained.
- B. Accessory structures not exceeding twelve (12) feet in height may be located in the required rear yard, but not closer than three feet to any lot line; provided, that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot. In placing accessory structures in a required rear yard a usable, open, rear yard area of at least one thousand two hundred (1,200) square feet shall be maintained.
- C. Exceptions to the rear yard setback can be granted for multiple family units that have their rear yard abutting an alley. The exception may be granted if the rear yard area is to be used for parking.

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

The maximum height of structures shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-2 zone. The maximum height shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-3 zone. Where an R-M-2 or R-M-3 site adjoins an R-1 site, the second and third story shall be designed to limit visibility from the second and third story to the R-1 site. Structures specified under Section 17.16.090(B) shall be exempt.

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

Off-street parking shall be subject to the provisions of Chapter 17.34.

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

Fences, walls and hedges shall be subject to the provisions of Section 17.36.040.

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

Enclosures for trash receptacles are permitted that comply with the specifications and requirements of Section 17.32.010 and that are approved by the site plan review committee. Enclosures within the front yard setback are permitted for multiple family dwelling units when deemed necessary by city staff because no other appropriate location for an enclosure exists on the property.

#### **17.16.140 Site plan review.**

A site plan review permit must be obtained for all developments other than a single-family residence in R-M zones, subject to the requirements and procedures of Chapter 17.28.

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

Any multiple family project approved under a conditional use permit or site plan review permit shall dedicate at least five (5) percent of the site to open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The calculated space shall not include setback areas adjacent to a street. Shared open space could include parks, playgrounds, sports courts, swimming pools, gardens, and covered patios or gazebos open on at least three (3) sides. Further, the calculated space shall not include enclosed meeting or community rooms. The specific size, location and use shall be approved as a part of the conditional use permit.

#### **17.16.160 Screening.**

All parking areas adjacent to public streets and R-1 sites shall be screened from view subject to the requirements and procedures of Chapter 17.28.

#### **17.16.170 Screening fence.**

Where a multiple family site adjoins an R-1 site, a screening block wall or wood fence not less than six feet in height shall be located along the property line; except in a required front yard, or the street side of a corner lot and suitably maintained.

#### **17.16.180 Landscaping.**

All multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained.

#### **17.16.190 Model Good Neighbor Policies.**

Before issuance of building permits, project proponents of multi-family residential developments in the R-M zones that are subject to approval by the Site Plan Review Committee or the Planning Commission, shall enter into an operational management plan (Plan), in a form approved by the City for the long term maintenance and management of the development. The Plan shall include but not be limited to: The maintenance of landscaping for the associated properties; the maintenance of private drives and open space parking; the maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages; enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and, enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission, and as may be amended by resolution.

#### **17.16.200 Signs.**

Signs shall be placed in conformance with Chapter 17.48.

### **Section 17.54: General Plan Amendments**

#### **17.54.010 Purpose.**

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

**17.54.020 Initiation.**

A. An amendment to the land use boundaries of the general plan may be initiated by any interested person or the owners of the property within the area for which the amendment is proposed. The area of a proposed land use amendment and/or policy amendment may be expanded in scope by the planning commission in the resolution of intention.

B. An amendment to land use boundaries and/or policies may be initiated by the city planning commission or the city council by adoption of a resolution of intention. (Prior code § 7651)

**17.54.030 Application procedures.**

A. An application for an amendment shall be filed by the applicant with the city planning commission on a form prescribed by the commission and which said application shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property for which a land use boundary amendment is proposed or the authorized agent of the owner. In the case of a policy amendment the statement shall indicate the interest of the applicant;
3. Address and legal description of the subject property, if applicable;
4. The application shall include material deemed necessary by the city planner to clearly show the applicant's proposal.

B. The application shall be accompanied by a fee set by resolution of the city council to cover the cost of processing the application. (Ord. 9605 § 30 (part), 1996: prior code § 7652)

**17.54.040 Public hearing—Notice.**

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

**17.54.050 Investigation and report.**

The city planning staff shall make an investigation of the application or the proposal and shall prepare a report thereon which shall be submitted to the city planning commission. (Prior code § 7654)

**17.54.060 Hearing.**

At the public hearing, the city planning commission shall review the application or the proposal and may receive pertinent evidence regarding the proposed amendment. (Prior code § 7655)

**17.54.070 Action of city planning commission.**

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

**17.54.080 Action of the city council.**

A. Upon receipt of the resolution and report of the city planning commission, the city council shall hold at least one public hearing with public notice as prescribed in Section 17.54.040. Following the noticed public hearing, the city council shall approve, deny or modify the city planning commission recommendation.

B. If the element or amendment has been approved by the city planning commission, the city council shall not modify the recommendation until the proposed change or modification has been referred back to the

city planning commission for a report and a copy of the report has been filed with the city council. Failure of the city planning commission to report within forty (40) days after the reference, or such longer period as may be designated by the city council shall be deemed to be approval of the proposed change or modification. It shall not be necessary for the city planning commission to hold a public hearing on such proposed change or modification.

C. The adoption of a general plan element, or amendment, shall be by resolution of the city council. (Prior code § 7657)

## **Chapter 17.44 AMENDMENTS**

### **Section 17.44.010 Purpose.**

As a general plan for Visalia is put into effect, there will be a need for changes in zoning boundaries and other regulations of this title. As the general plan is reviewed and revised periodically, other changes in the regulations of this title may be warranted. Such amendments shall be made in accordance with the procedure prescribed in this chapter. (Prior code § 7580)

### **Section 17.44.020 Initiation.**

A. A change in the boundaries of any zone may be initiated by the owner of the property within the area for which a change of zone is proposed or by his authorized agent. If the area for which a change of zone is proposed is in more than one ownership, all of the property owners or their authorized agents shall join in filing the application, unless included by planning commission resolution of intention.

B. A change in boundaries of any zone, or a change in a zone regulation, off-street parking or loading facilities requirements, general provision, exception or other provision may be initiated by the city planning commission or the city council in the form of a request to the commission that it consider a proposed change; provided, that in either case the procedure prescribed in Sections 17.44.040 and 17.44.090 shall be followed. (Prior code § 7581)

### **Section 17.44.030 Application procedures.**

A. A property owner or his authorized agent may file an application with the city planning commission for a change in zoning boundaries on a form prescribed by the commission and which said application shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property for which the change in zoning boundaries is proposed, the authorized agent of the owner, or is or will be the plaintiff in an action in eminent domain to acquire the property involved;
3. Address and legal description of the property;
4. The application shall be accompanied by such sketches or drawings as may be necessary to clearly show the applicant's proposal;
5. Additional information as required by the historic preservation advisory board.

B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of processing the application. (Prior code § 7582)

### **Section 17.44.040 Public hearing--Notice.**

The city planning commission shall hold at least one public hearing on each application for a



change in zone boundaries and on each proposal for a change in zone boundaries or of a zone regulation, off-street parking or loading facilities requirements, general provisions, exception or other provision of this title initiated by the commission or the city council. Notice of the public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by publication in a newspaper of general circulation within the city, and by mailing notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing. (Prior code § 7583)

**Section 17.44.050 Investigation and report.**

The city planning staff shall make an investigation of the application or the proposal and shall prepare a report thereon which shall be submitted to the city planning commission. (Prior code § 7584)

**Section 17.44.060 Hearing.**

A. At the public hearing, the city planning commission shall review the application or the proposal and may receive pertinent evidence as to why or how the proposed change is necessary to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020.

B. If the commission's recommendation is to change property from one zone designation to another, the commission may recommend that conditions be imposed so as not to create problems adverse to the public health, safety and general welfare of the city and its residents. (Prior code § 7585)

**Section 17.44.070 Action of city planning commission.**

The city planning commission shall make a specific finding as to whether the change is required to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020. The commission shall transmit a report to the city council recommending that the application be granted, conditionally approved, or denied or that the proposal be adopted or rejected, together with one copy of the application, resolution of the commission or request of the Council, the sketches or drawings submitted and all other data filed therewith, the minutes of the public hearing, the report of the city engineer and the findings of the commission. (Prior code § 7586)

**Section 17.44.080 Appeal to city council.**

A. Within five calendar days following the date of a decision of the city planning commission on a zone change application, the decision may be appealed to the city council by the applicant or any other interested party. An appeal shall be made on a form prescribed by the commission and shall be filed with the city clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the commission or wherein it is claimed there was an error or abuse of discretion by the commission or wherein its decision is not supported by the evidence in the record.

B. The city clerk shall give notice to the applicant and the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the city council. (Prior code § 7587)

**Section 17.44.090 Action of city council.**

A. Upon receipt of the resolution or report of the city planning commission, the city council shall review the application or the proposal and shall consider the resolution or report of the commission and the report of the city planning staff.

B. The city council shall make a specific finding as to whether the change is required to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020. If the council finds that the change is required, it shall enact an ordinance amending the zoning map or an ordinance amending the regulations of this title, whichever is appropriate. The city council may impose conditions on the change of zone for the property where it finds that said conditions must be imposed so as not to create problems inimical to the public health, safety and general welfare of the city and its residents. If conditions are imposed on a change of zone, said conditions shall run with the land and shall not automatically be removed by a subsequent reclassification or change in ownership of the property. Said conditions may be removed only by the city council after recommendation by the planning commission. If the council finds that the change is not required, it shall deny the application or reject the proposal. (Prior code § 7588)

**Section 17.44.100 Change of zoning map.**

A change in zone boundary shall be indicated on the zoning map. (Prior code § 7589)

**Section 17.44.110 New application.**

Following the denial of an application for a change in a zone boundary, no application for the same or substantially the same change shall be filed within one year of the date of denial of the application. (Prior code § 7590)

**Section 17.44.120 Report by city planner.**

On any amendment to the zoning code changing property from one zone classification to another, the city planner shall inform the planning commission and the city council of any conditions attached to previous zone changes as a result of action taken pursuant to Sections 17.44.060, 17.44.070 and 17.44.090. (Ord. 9605 § 30 (part), 1996: prior code § 7591)

RESOLUTION NO. 2017-77

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2017-03, A REQUEST BY THE CITY OF VISALIA TO AMEND THE GENERAL PLAN LAND USE DESIGNATION ON TWO PARCELS TOTALING 15.69 ACRES, FROM RHD (RESIDENTIAL HIGH DENSITY) TO RMD (RESIDENTIAL MEDIUM DENSITY), LOCATED ON THE NORTHEAST CORNER OF RIGGIN AVE. AND COURT ST., AND TO REVISE THE REGIONAL HOUSING NEEDS ALLOCATION (RHNA) SITES INVENTORY TO REFLECT THE CHANGE IN DEVELOPMENT DENSITY POTENTIAL (APNS: 079-310-004, AND -005)

**WHEREAS**, General Plan Amendment No. 2017-03 is a request by the City of Visalia to amend the General Plan Land Use designation on two parcels totaling 15.69 acres, from RHD (Residential High Density) to RMD (Residential Medium Density), located on the northeast corner of Rigglin Ave. and Court St., and to revise the Regional Housing Needs Allocation (RHNA) Sites Inventory to reflect the change in development density potential (APNs: 079-310-004, and -005), as contained in Attachment A of this Resolution; and,

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

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on November 13, 2017; and

**WHEREAS**, the Planning Commission of the City of Visalia considered the General Plan Amendment in accordance with Section 17.54.060 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council concur that no significant environmental impacts would result from this project and, certify that Initial Study 2017-76 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2017-03, based on the following specific findings and based on the evidence presented:

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment will assist the City of Visalia in implementing the General Plan Housing Element to ensure for internal consistency among all General Plan Elements and with current State Housing Law, as required by law.

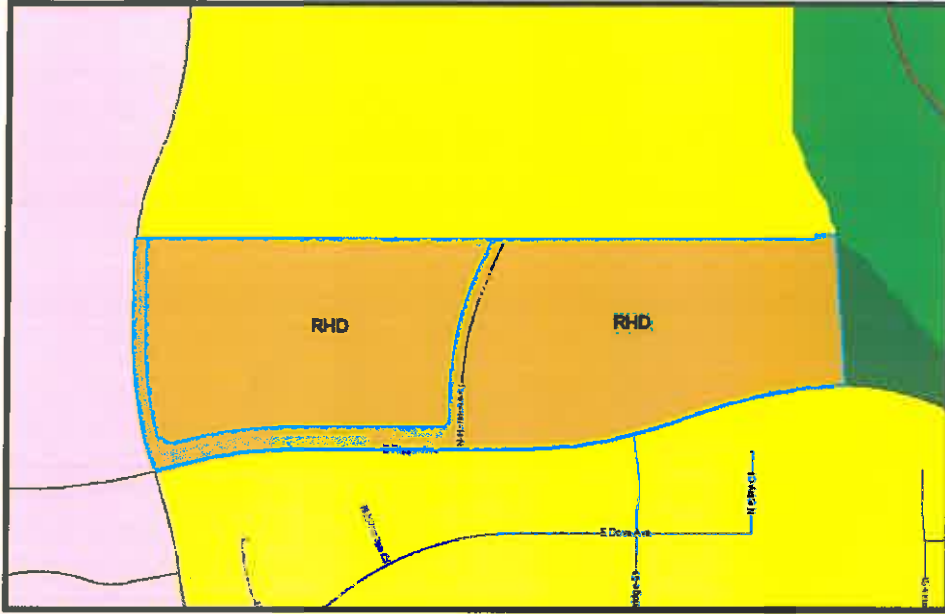
3. That the proposed revisions would not adversely affect adjacent land uses.
4. That a Negative Declaration was adopted for the proposed Housing Element Update (Negative Declaration No. 2015-56) and the Zoning Ordinance Update (Environmental Document No. 2016-41), and are directly applicable to this project, and which disclosed the project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, staff concludes that the Program Environmental Impact Report adequately analyzed and addresses the project necessary to achieve consistency between the General Plan and implementing ordinances. Therefore, Environmental Document No. 2017-76 can be adopted for this project.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of the General Plan Amendment described herein, in accordance with the terms of this resolution under the provisions of Section 17.54.070 of the Ordinance Code of the City of Visalia and based on the above findings.

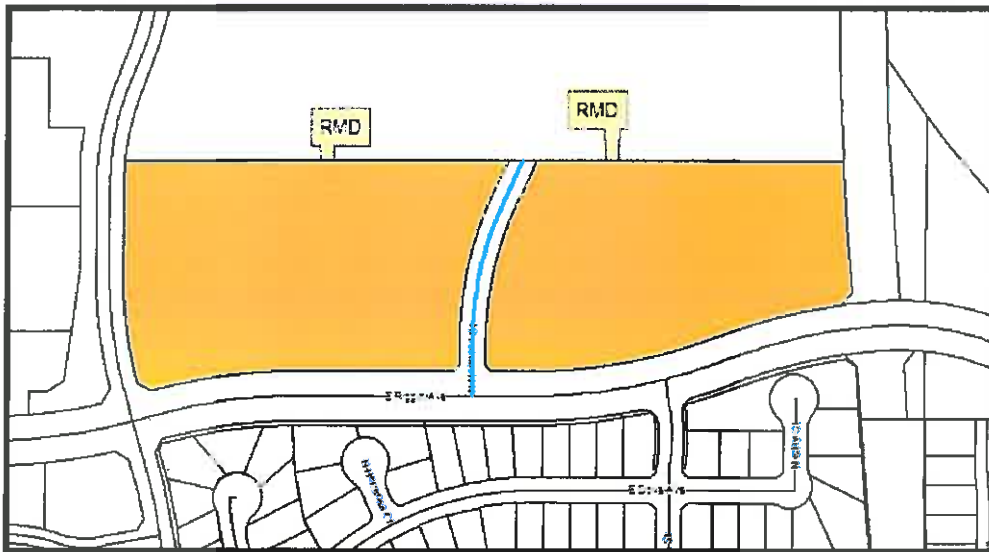
**Resolution No. 2017-77  
ATTACHMENT A**

**General Plan Text Amendment No. 2017-03: A request by the City of Visalia to Amend the General Plan Map as follows:**

**FROM:**



**TO:**



**Regional Housing Needs Allocation (RHNA) Sites Inventory Table is amended as follows:**

**DELETE:**

APN 079-310-004	RHD	195 units at typical density of 23 units/acre
APN 079-310-005	RHD	166 units at typical density of 23 units/acre

**ADD:**

APN 079-310-004	RMD	102 units at typical density of 12 units/acre
APN 079-310-005	RMD	86 units at typical density of 12 units/acre

RESOLUTION NO. 2017-78

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CHANGE OF ZONE NO. 2017-04, A REQUEST BY THE CITY OF VISALIA TO AMEND THE ZONING DESIGNATION ON TWO PARCELS TOTALING 15.69 ACRES, FROM R-M-3 (MULTI-FAMILY RESIDENTIAL, 1,200 SQ.FT. OF LOT AREA PER UNIT) TO R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ.FT. OF LOT AREA PER UNIT), LOCATED ON THE NORTHEAST CORNER OF RIGGIN AVE. AND COURT ST., (APNS: 079-310-004, AND -005)

**WHEREAS**, Change of Zone No. 2017-04 is a request by the City of Visalia to amend the Zoning designation on two parcels totaling 15.69 acres, from R-M-3 (Multi-family Residential, 1,200 sq.ft. of lot area per unit) to R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), located on the northeast corner of Riggan Ave. and Court St., (APNs: 079-310-004, and -005); and,

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

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on November 13, 2017; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council concur that no significant environmental impacts would result from this project and, certify that Initial Study No. 2017-76 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

That the Zoning Ordinance Amendment is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. In addition:

1. The Change of Zone will correct an inadvertent mapping error made during the 2014 General Plan Update, and it's correction will better facilitate development of the subject parcels, and will ensure for consistency with the Orchard Walk Specific Plan, of which the parcels are included.

2. The corrected Land Use and Zoning designations will facilitate development that is fully compatible with streets and utilities infrastructure available in the area, and will be more compatible with existing and proposed land uses in the project area.
3. That the proposed development standards are compatible with the established development patterns and setbacks on adjacent properties.
4. That a Negative Declaration was adopted for the proposed Housing Element Update (Negative Declaration No. 2015-56) and the Zoning Ordinance Update (Environmental Document No. 2016-41), and are directly applicable to this project, and which disclosed the project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, staff concludes that the Program Environmental Impact Report adequately analyzed and addresses the project necessary to enable regulatory enforcement of the new plan policies and to achieve consistency between the General Plan and implementing ordinances. Therefore, Environmental Document No. 2017-76 can be adopted for this project.

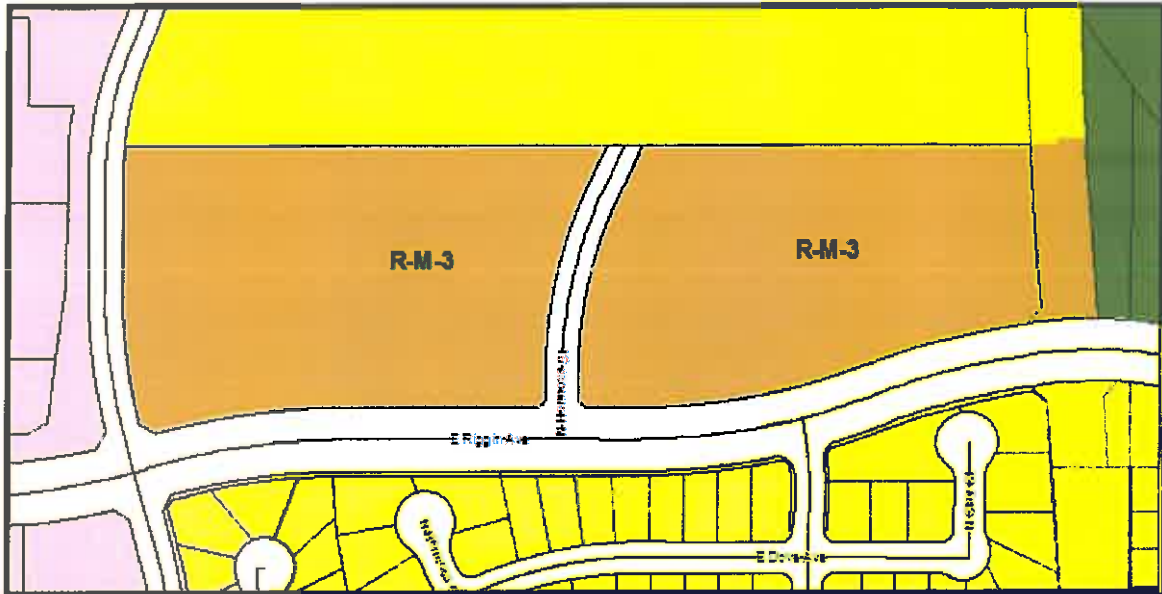
**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of the change of zone described herein, in accordance with the terms of this resolution and under the provisions of Section 17.44.070 of the Ordinance Code of the City of Visalia.



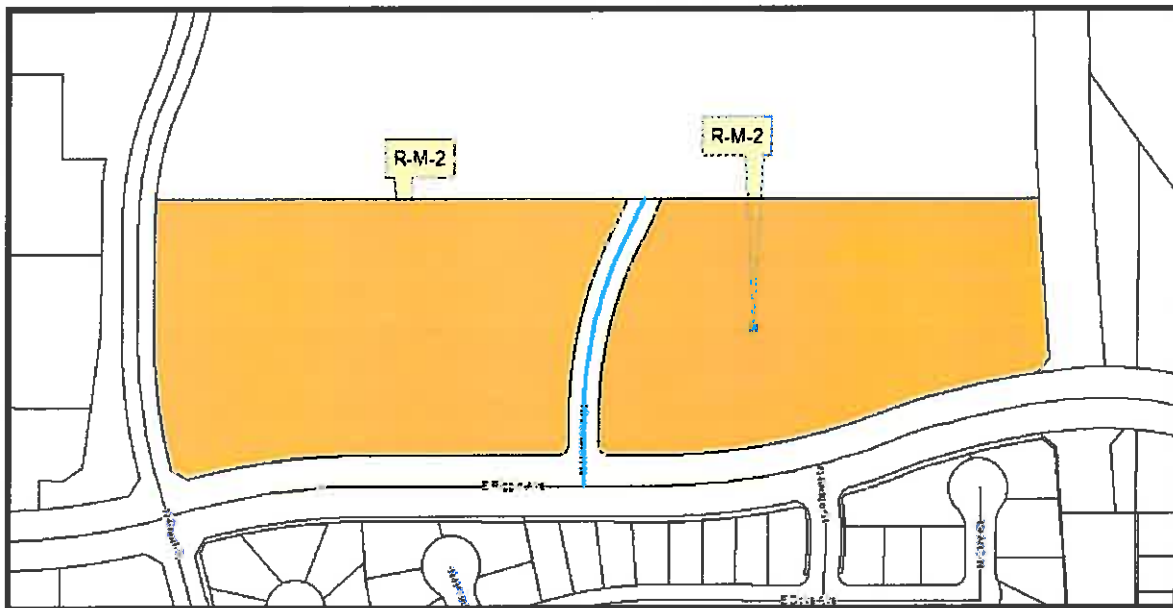
Resolution No. 2017-78

ATTACHMENT A

FROM:



TO:



## INITIAL STUDY

### I. GENERAL

**A. General Plan Amendment GPA No. 2017-03:** A request by the City of Visalia to amend the General Plan Land Use designation on two parcels totaling 15.69 acres, from RHD (Residential High Density) to RMD (Residential Medium Density), located on the northeast corner of Riggins Ave. and Court St., and to revise the Regional Housing Needs Allocation (RHNA) Sites Inventory to reflect the change in development density potential (APNs: 079-310-004, and -005)

**Change of Zone COZ No. 2017-04:** A request by the City of Visalia to amend the Zoning designation on two parcels totaling 15.69 acres, from R-M-3 (Multi-family Residential, 1,200 sq.ft. of lot area per unit) to R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), located on the northeast corner of Riggins Ave. and Court St., (APNs: 079-310-004, and -005)

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

The project site is two vacant parcels totaling 15.69 acres located on the northeast corner of Riggins Ave. and Court St. A dead end portion of Hermosa St. bisects the parcels. The Orchard walk shopping center is adjacent to the west, while the St. Johns multi-purpose trail is adjacent to the east. To the north is vacant land zoned for single-family residential development. Riggins Avenue, an arterial roadway is adjacent to the south, with a single-family residential subdivision to the south of Riggins Avenue.

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

General Plan Housing Element: The Housing Element, was certified by the State Department of Housing and Community Development in October 2016. It is a comprehensive update of the previous Housing Element (2010) and is valid for a nine-year planning period (i.e., January 1, 2014 to September 30, 2023). The previous Housing Element (2009) served a planning period from 2008 to 2015. The purpose of the housing element is to identify the community's housing needs, to state the community's goals and objectives with regard to housing production, rehabilitation, and conservation to meet those needs, and to define the policies and programs that the community will implement to achieve the stated goals and objectives. As required by State Housing Element Law (Government Code Section 65583(a)) the assessment and inventory for this Housing Element includes the following:

- Analysis of population and employment trends and projections.
- Analysis and documentation of household characteristics, including level of payment compared to ability to pay.
- Analysis of housing characteristics, including overcrowding; and housing stock condition.
- Analysis of any special housing needs for the elderly, persons with disabilities, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter.
- An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment; and an analysis of the relationship of zoning, public facilities, and services to these sites.

- Analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities, including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. Analysis of local efforts to remove governmental constraints.
- Analysis of potential and actual non-governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, and the cost of construction.

The Housing Element Background Report identifies the nature and extent of the city's housing needs, which in turn provides the basis for the City's response to those needs in the Policy Document.

A) General Plan Land Use Element: The General Plan Land Use Element was approved by the Visalia City Council in October 2014. The Land Use Element is part of a comprehensive General Plan Update undertaken by the City of Visalia. All mandatory and optional General Plan Elements, excluding the Housing Element were updated at that time. The Land Use Element provides for:

The purpose of the Land Use Element is to present a framework to guide future land use decisions and development in Visalia, while also enhancing community character and improving the city's look and feel. The element forms the core of the General Plan, and its policies articulate the community's land use and growth management priorities through 2030. The element includes the Land Use Diagram, land use classifications, standards for density and intensity, and growth boundaries and phasing. Additional detail on parks, schools and public facilities is in the Parks, Schools, Community Facilities, and Utilities Element. The objectives and policies focus on several distinct areas: economic development; urban boundaries and growth management; rural buffer and edge conditions; community design; infill development incentives; residential neighborhoods; commercial and mixed uses; Downtown and East Downtown; industrial land uses; institutional and civic land uses; and the airport. Together, these policies help define Visalia's physical development and reinforce its commitment to balancing land use requirements with community needs and economic growth, while also allowing for flexibility in implementation to respond to the real estate market.

## **II. ENVIRONMENTAL IMPACTS**

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

## **III. MITIGATION MEASURES**

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

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

The project is compatible with the General Plan as the project relates to bringing consistency among the General Plan Elements and the Zoning Ordinance. A comprehensive update to these documents is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan, Housing Element, and Zoning Ordinance. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law.

## **V. SUPPORTING DOCUMENTATION**

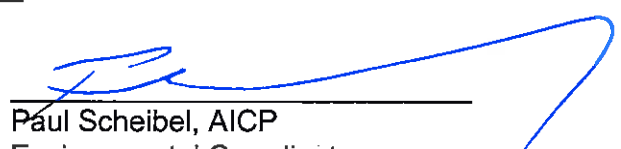
The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 16 (Subdivision Ordinance).
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- General Plan Housing Element, October 2016
- 2017 Zoning Ordinance Update

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



Paul Scheibel  
Principal Planner



Paul Scheibel, AICP  
Environmental Coordinator

**INITIAL STUDY  
 ENVIRONMENTAL CHECKLIST**

<b>Name of Proposal</b>	General Plan Amendment 2017-03 and Zoning Text Amendment 2017-04	
<b>NAME OF PROPONENT:</b>	City of Visalia, Planning Division	<b>NAME OF AGENT:</b> City of Visalia, Planning Division
<b>Address of Proponent:</b>	315 E. Acequia Ave. Visalia, CA 93291	<b>Address of Agent:</b> 315 E. Acequia Ave. Visalia, CA 93291
<b>Telephone Number:</b>	(559) 713-4369	<b>Telephone Number:</b> (559) 713-4359
<b>Date of Review</b>	September 14, 2017	<b>Lead Agency:</b> City of Visalia

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

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

**I. AESTHETICS**

Would the project:

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

**II. AGRICULTURAL RESOURCES**

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

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

**III. AIR QUALITY**

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

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

**IV. BIOLOGICAL RESOURCES**

Would the project:

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

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

#### V CULTURAL RESOURCES

Would the project:

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

#### VI GEOLOGY AND SOILS

Would the project:

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

#### VII GREENHOUSE GAS EMISSIONS

Would the project:

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

#### VIII HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

#### IX HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?

- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

- 2 f) Otherwise substantially degrade water quality?

- 2 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- 2 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- 2 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- 1 j) Inundation by seiche, tsunami, or mudflow?

**X LAND USE AND PLANNING**

Would the project:

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

**XI MINERAL RESOURCES**

Would the project:

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

**XII NOISE**

Would the project:

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

**XIII POPULATION AND HOUSING**

Would the project:

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

**XIV PUBLIC SERVICES**

Would the project:

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

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

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

**XV RECREATION**

Would the project:

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

**XVI TRANSPORTATION / TRAFFIC**

Would the project:

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

**XVII UTILITIES AND SERVICE SYSTEMS**

Would the project:

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

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

#### XVIII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 2 a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 2 b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

#### XIX. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

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

Revised 2009



## DISCUSSION OF ENVIRONMENTAL EVALUATION

### I. AESTHETICS

No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

- a. The Sierra Nevada mountain range is a scenic vista that can be seen from Visalia on clear days. No developments are proposed that would obstruct any scenic vista.
- b. There are no officially designated State Scenic Highways in the Visalia area, however State Highway 198 is eligible for designation. State Highway 198 bisects the project area. Adopting the Subdivision and Zoning Ordinance update will not, by itself, impact the scenic character of Highway 198.
- c. The proposed project would constitute no more than a furtherance of the urban character of the project area. The City has development standards that will ensure that the visual character of the area is not degraded.
- d. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation. There is no development plan proposed by this project. Nor by itself, create new light sources or sources of glare that would adversely affect day or nighttime views in the area.

### II. AGRICULTURAL RESOURCES

- a. The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area, which includes the subject property, into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated, through the use of agricultural conservation easements or by other means. However, the General Plan contains multiple polices that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan

policies identified under Impact 3.5-1 of the EIR serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

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

- b. Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.
- c. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.
- d. The project will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur.

### III. AIR QUALITY

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

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

Additionally, no specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update.

The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

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

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

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

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

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

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

In addition, future development may be subject to the SJVAPCD Indirect Source Review (Rule 9510)

procedures that became effective on March 1, 2006. The Applicant would be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD, when warranted.

No specific developments are approved as part of the update. These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation. To incorporate and implement the new policies and concepts established with the adoption of the General Plan.

No specific developments are approved as part of the update. These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

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

#### IV. BIOLOGICAL RESOURCES

- a. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple 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. With implementation of these policies, impacts on special-status species will be less than significant.
- b. Any projects developed pursuant to the project will not be located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

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

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

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

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

#### V. CULTURAL RESOURCES

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

#### VI. GEOLOGY AND SOILS

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not **expose** people or structures to potential substantial **adverse** impacts involving earthquakes.

- b. Development is not being considered with the project. However, future development will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The City is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics..
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. No project will involve the use of septic tanks or alternative waste water disposal systems since sanitary sewer lines are **used** for the disposal of waste water for all new projects in the City.

#### VII. GREENHOUSE GAS EMISSIONS

- a. The project is not expected to generate Greenhouse Gas (GHG) emissions in the short-term. There are no construction activities being considered by this project. The project is to ensure consistency with City's General Plan and Zoning Ordinance. Further, there is no development plan proposed by the project.
- b. The City has prepared and adopted a Climate Action Plan (CAP), which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR.
- c. The Visalia General Plan and the CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan. Implementation of the General Plan and CAP policies will result in fewer emissions than would be associated with a continuation of baseline conditions. Thus, the impact to GHG emissions will be less than significant.
- d. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020.

#### VIII. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the **project**.
- b. There are no construction activities associated with the **project**.
- c. There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites or areas within one-quarter mile of school sites.
- d. The project area does not include any sites **listed** as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The project area includes the Visalia Municipal Airport and is consistent with the Airport Land Use Compatibility Plan.

- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. The project will not, by itself, impact any wildlands or flammable brush, grassy or dry tree areas within or near the project area.

**IX. HYDROLOGY AND WATER QUALITY**

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

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

- b. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Adopting the updates to the Subdivision and Zoning Ordinances will not, by itself, result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer.
- c. The project will not result in substantial erosion on- or off-site. No specific developments are approved as part of the project; therefore, the update, in itself, would not directly result in Hydrology and Water quality impacts. Development projects undertaken in the course of implementing the goals, policies, and programs identified in the General Plan will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

Additionally, the map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

- d. Adopting updates to the General Plan and Zoning ordinance 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. The project 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. The project will not, by itself, result in reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project will not, by itself, have any impacts on flood zones.
- h. The project will not, by itself, impede or redirect flood flows.
- i. The project 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 update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

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

These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

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

No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

XI. **MINERAL RESOURCES**

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

XII. **NOISE**

- a. The project will not result in noise generation typical of urban development. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

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

- b. Ground-borne vibration or ground-borne noise levels may occur as part of future construction activities, however, there are no construction activities associated with this project. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.
- c. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation. There is no development plan proposed by this project. The City's standards for setbacks and/or construction of walls along major streets and adjacent to residential uses reduce noise levels to a level that is less than significant. Noise associated with the establishment of new residential uses was previously evaluated with the General Plan for the conversion of land to urban uses.

Furthermore, the Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to sensitive land uses. With implementation of Noise Impact Policies

and existing City Standards, noise impacts to new noise sensitive lands uses would be less than significant.

- d. Noise levels will increase during future construction activities; however, there are no construction activities associated with this project.
- e. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation. There is no development plan proposed by this project. The project area has is not within 2 miles of a public airport. The project will not expose people residing or working in the project area to excessive noise levels.
- f. There is no private airstrip near the project area.

XIII. **POPULATION AND HOUSING**

- a. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.
- b. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.
- c. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

XIV. **PUBLIC SERVICES**

- a. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The

proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation. No specific developments are approved as part of this project.

**XV. RECREATION**

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

**XVI. TRANSPORTATION AND TRAFFIC**

- a. Future development is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.
- b. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The project will not result in inadequate emergency access.
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

**XVII. UTILITIES AND SERVICE SYSTEMS**

No specific developments are approved as part of the project. No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a

higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element Update are made less intensive or unchanged as a result of the change in land use designation.

- a. The project will not, by itself, require the use of wastewater facilities.
- b. The project will not, by itself, require the construction of new wastewater treatment facilities.
- c. The project will not, by itself, require the construction of new storm water facilities.
- d. The project will not, by itself, affect existing water demands.
- e. The project will not, by itself, require the use of wastewater facilities.
- f. The project will not, by itself, require the use of solid waste facilities.
- g. The project will not, by itself, require the use of solid waste facilities.

**XVIII. TRIBAL CULTURAL RESOURCES**

The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe. Further:

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

**XIX. MANDATORY FINDINGS OF SIGNIFICANCE**

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

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.

No specific developments are approved as part of the update These map and RHNA Sites Inventory revisions are needed to correct an inadvertent mapping error that occurred during the 2014 General Plan Update. The proposed land use and zoning change is from a higher multi-family residential land use designation to a lower multi-family residential land use designation. As such, the impacts analyzed in conjunction with the General Plan Update, Zoning Code Update, and Housing Element

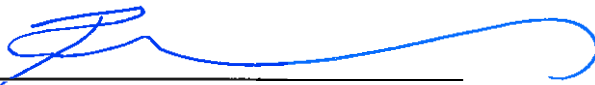
Update are made less intensive or unchanged as a result of the change in land use designation. The City of Visalia General Plan area was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City

adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

## DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

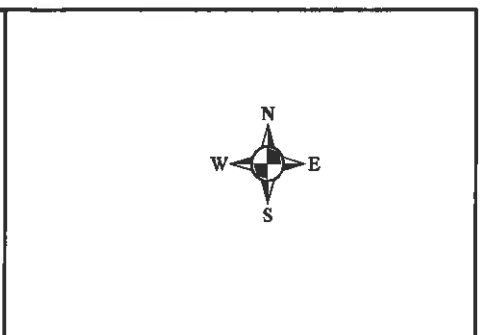
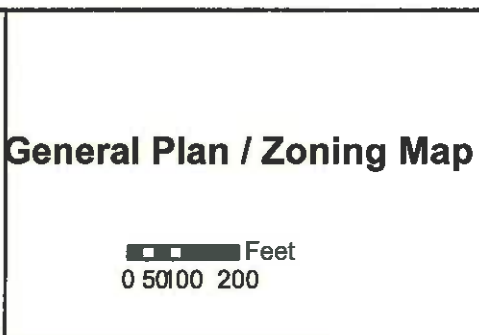
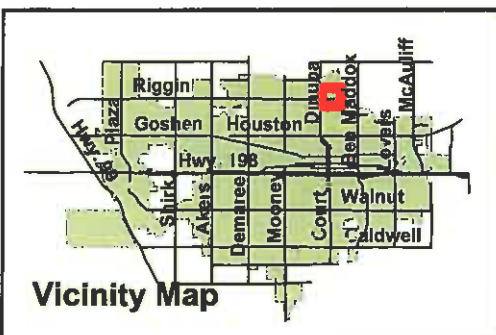
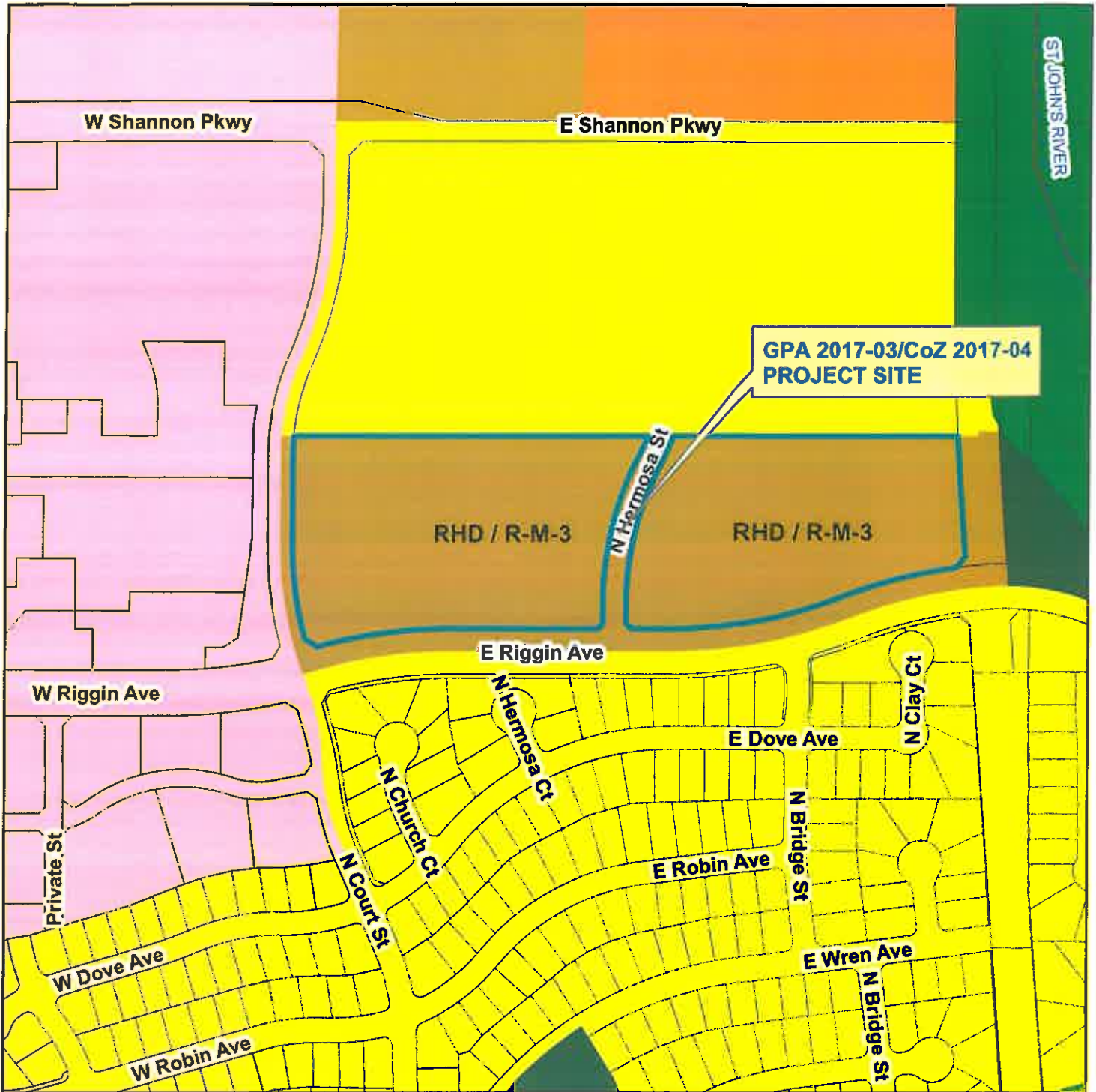
- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation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

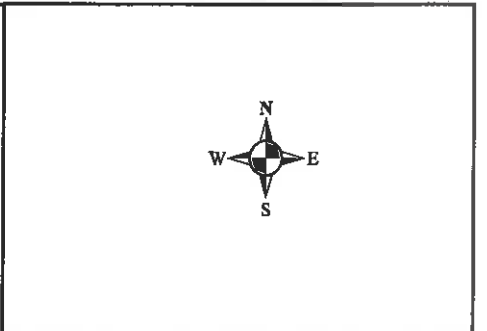
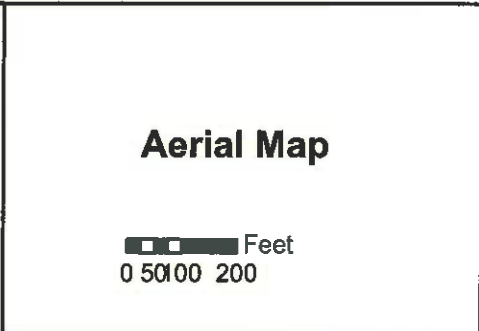
  
\_\_\_\_\_  
Paul Scheibel, AICP  
Environmental Coordinator

October 20, 2017  
Date









GPA 2017-03 /CoZ 2017-04

