

PLANNING COMMISSION AGENDA

Pending no technical difficulties, the Planning Commission meeting will be streamed via Facebook Live at <https://www.facebook.com/cityofvisalia/>

CHAIRPERSON:

Chris Gomez



VICE CHAIRPERSON:

Marvin Hansen

COMMISSIONERS: Mary Beatie, Chris Gomez, Marvin Hansen, Sarrah Peariso, Adam Peck

MONDAY JULY 27, 2020 AT 7:00 P.M., AT THE VISALIA CONVENTION CENTER LOCATED AT 303 E. ACEQUIA AVE. 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. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
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.
 - No Items on the Consent Calendar
5. PUBLIC HEARING – Josh Dan, Associate Planner
Variance No. 2020-04: A request by Confluent Development, on behalf of Sherwin Williams, to allow a variance from the standard 15-foot landscape required in the Commercial Mixed-Use zone to optimize business viability from the roadway. The site is located at 1312 & 1318 S. Mooney Blvd. (APN: 096-321-009 & 096-321-008). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(i)(3), Categorical Exemption No. 2020-41.
6. PUBLIC HEARING – Josh Dan, Associate Planner
 - Tentative Parcel Map No. 2020-03: A request by Casa Grande Senior Housing and Care Facility to divide 3.02 acres into three parcels, located in the R-M-2 (Multi-Family Residential, one unit per 3,000 square feet) Zone District. The proposed parcels measure 6,284 sq. ft., 8,130 sq. ft., and 118,130 sq. ft. respectively. The project is located on the southwest corner of South Santa Fe Street and East Walnut Avenue. (APN: 123-063-030) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315,

Categorical Exemption No. 2020-42.

- Conditional Use Permit No. 2020-03: A request by Casa Grande Senior Housing and Care Facility to allow Single-Family Residential homes on the two smaller R-M-2 (Multi-Family Residential, one unit per 3,000 square feet) Zone District parcels created by the requested Tentative Parcel Map. The project is located on the southwest corner of South Santa Fe Street and East Walnut Avenue. (APN: 123-063-030) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2020-42.

7. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2020-13: A request by Carrie Blue and Julie Lovero to establish an adult day program facility within an existing building in the D-MU (Downtown Mixed Use) Zone. The site is located at 823 W. Center Avenue. (APN: 093-191-003) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2020-24.

8. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2020-10: A request by Matt Graham to establish a 32-unit multi-family complex on a 2.78 acre property within the O-PA (Professional/Administrative Office) zone. The project site is located north of E. Tulare Avenue, in between S. Lovers Lane and S. Vista Street (APNs: 101-013-022). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2020-22.

9. PUBLIC HEARING – Brandon Smith, Senior Planner

Zoning Text Amendment No. 2020-02: A request by the City of Visalia to amend portions of Visalia Municipal Code Title 17 (Zoning Ordinance) as to: a) implement programs contained in the City of Visalia 2020-2023 Housing Element, and b) correct and update portions of the Zoning Ordinance that pertain to housing and residential uses. The project area is contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan. A previously prepared Program Environmental Impact Report and Negative Declaration adequately analyzed and addresses the project, and would recommend that the City Council adopt Environmental Document No. 2020-40 for this project.

10. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- Next Planning Commission Meeting Monday, August 10, 2020.
- GPA/COZ for Hillside Southland approved by Council on July 20, 2020

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

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

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

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, AUGUST 6, 2020 BEFORE 5 PM

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

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, AUGUST 10, 2020



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: July 27, 2020

PROJECT PLANNER: Brandon Smith
Phone: (559) 713-4636
E-Mail: brandon.smith@visalia.com

SUBJECT: Zoning Text Amendment No. 2020-02: A request by the City of Visalia to amend portions of Visalia Municipal Code Title 17 (Zoning Ordinance) as to: a) implement programs contained in the City of Visalia 2020-2023 Housing Element, and b) correct and update portions of the Zoning Ordinance that pertain to housing and residential uses. The project area is contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan, Citywide.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2020-37, recommending that the City Council approve adoption of Zoning Text Amendment No. 2020-02. This recommendation is based on the findings contained therein and summarized as follows:

- The Zoning Text Amendment is consistent with the adopted programs of the Housing Element General Plan;
- The Zone Text Amendments will bring the City's Zoning Ordinance into compliance with State housing law;
- The Zoning Text Amendment is consistent with the goals, objectives, and policies of the City's General Plan.

RECOMMENDED MOTION

I move to recommend that the City Council approve Zoning Text Amendment No. 2020-02, based on the findings and conditions in Resolution No. 2020-37.

PROJECT DESCRIPTION AND BACKGROUND

Zoning Text Amendment (ZTA) No. 2020-02 is a city-initiated request to implement a series of housing-related Zoning Ordinance text amendments that stem from the adoption of the 2020-2023 Housing Element Update.

The Housing Element in draft form was adopted by the City Council on December 3, 2019 and submitted to State Housing and Community Development (HCD) prior to the December 31, 2019 deadline. The State informed the City on January 23, 2020, that the Housing Element is in full compliance with state Housing Element law. Following adoption, the Housing Element is implemented through a series of implementation programs.

The proposed ZTA represents the first round of changes being undertaken to bring the City's ordinances into compliance with State law and to help fulfill the intended outcomes or objectives of the Housing Element (in an effort to help remove or overcome constraints to housing development). Specifically, this ZTA fulfills six of nine implementation programs that the Element identified to be completed within approximately one year following adoption. The six implementation programs are:

- A. Senior housing residential development by right (Program 1.3)
- B. Mobile home parks allowed as conditional use in R-M-3 zone (Program 3.22)
- C. Employee housing allowed where raising of horticultural items allowed (Program 5.9)
- D. Accessory dwelling units, residential care facilities, transitional / supportive housing, and employee housing allowed in zones permitting single-family residences (Program 5.10)
- E. Permanent supportive housing allowed as by right use in certain zones (Program 5.11)
- F. Low barrier navigation centers allowed as by right use in certain zones (Program 5.12)

The six implementation programs were chosen in the first round based on their straightforward changes and the relative ease through which they could be executed. The second round consisting of the remaining three implementation programs (pertaining to housing in mixed use districts, emergency shelters, and density bonus regulations) will be implemented through a separate ZTA process later in the year. Each ZTA allows for the code changes to be vetted publicly through the public hearing process.

The general direction given to City staff for preparation of the Housing Element focused on continuation and improvement of the policies and programs contained in the 5th-cycle Element, originally adopted in 2016 to serve an eight-year period. In addition, the program revisions in the Housing Element also reflected the action of:

- Recommendations of the Housing Element Technical Advisory Committee based on technical expertise and direct key constituent representation;
- State housing regulations adopted since 2016;
- Findings of the Update’s outreach workshops and online surveys promoted to the public;
- City staff assessment of past Housing Element policies and programs.

This ZTA also contains certain amendments unrelated to the Housing Element that correct and update portions of the Zoning Ordinance related to housing and residential uses. (Refer to items G through O in the Project Analysis section below.)

Each of the six implementation programs being implemented through this ZTA includes background and staff analysis to support the recommendation.

The entire Housing Element can be accessed at the following link:

https://www.visalia.city/depts/community_development/planning/gp.asp.

PROJECT ANALYSIS

Consistency with Applicable Policies and Regulations

The proposed zoning text amendments are consistent with California Government Code in the Articles commencing at Sections 65850, 65650, and 65660, and the changes to state law described in Assembly Bills 2162 and 101 (described in Sections E and F of the staff report below) that went into effect in 2019.

Implementation Programs and Related Zoning Text Amendments

The following are the Housing Element’s major Implementation Programs and the associated zone text change required to implement the program:

- A. **Senior housing residential development by right (Program 1.3).** The TAC recommended that a new program be included in the Housing Element to change senior residential

developments from a “conditionally-allowed” use to a permitted “by right” use in all single and multi-family zoning designations, and in the two mixed use zoning designations (D-MU and C-MU). Such housing would be allowed in accordance with the density for the underlying general plan land use district. State housing law specifically identifies seniors as a group with special housing needs.

Summary of Recommended Actions: Senior citizen residential development, which is currently listed as a conditional use in the R-1 and R-M zones, is recommended to be changed to a permitted use. The new permitted use entry will include a qualifier that such development shall meet density requirements affiliated with the specific land use category. As developments would need to meet density standards, any development that would involve the creation of private streets or other amenities to be maintained by a property owners’ association would require a conditional use permit for a planned unit development.

In addition, a definition for “senior citizen residential development” is required for inclusion in the Zoning Ordinance. The definition specifies the age of at least one occupant of every dwelling unit within the development to be at least fifty-five years of age, consistent with the definition in California Civil Code Section 51.3. The definition does not include nursing homes or other types of housing communities where nursing, dietary, or other personal services are provided.

Recommended Changes to Zoning Ordinance (Chapter 17):

- Chapter 17.04: Definitions
 - *Add new definition for “senior housing residential development” (see attached Resolution No. 2020-37 for definition)*
- Chapter 17.12: Single-Family Residential Zone
 - *Section 17.12.020: Add “senior housing residential development” to Permitted uses*
 - *Section 17.12.040: Remove “residential development specifically designed for senior housing” from Conditional uses*
- Chapter 17.16: Multi-Family Residential Zone
 - *Section 17.16.020: Add “senior housing residential development” to Permitted uses*
 - *Section 17.16.040: Remove “senior citizen residential developments” from Conditional uses*
- Chapter 17.25: Uses In the Commercial, Mixed Use, Office, and Industrial Zones
 - *Table 17.25.030: Add new line item for “senior housing residential development” & zones allowed for this type of housing to the Zone Use Matrix*

B. Mobile home parks allowed as conditional use in R-M-3 zone (Program 3.22). During review of the previous Housing Element, and the allowed housing types within each zone district, staff observed that mobile home parks are not an allowed use in the R-M-3 zone but are an allowed use with conditional use permit in all other residential districts (R-1 and R-M-2). The omission of mobile home parks in the R-M-3 zone is inconsistent with California Government Code Section 65852.7, which specifies that mobile home parks shall be an allowed use on all land planned and zoned for residential land use. All mobile home parks in the City of Visalia are required to develop and operate in accordance with Visalia’s Municipal Code Section 17.32.040, which contains policies and development standards specifically for planned mobile home parks.

Summary of Recommended Actions: Mobile home parks, which are currently listed as a conditional use in the Multi-family Residential Zone chapter but only for the R-M-2 zone, are recommended to be modified to eliminate the wording that specifies being allowed in the R-M-2 zone only.

Recommended Changes to Zoning Ordinance:

- Chapter 17.16: Multi-Family Residential Zone
 - Section 17.16.040: *Revise wording to include mobile home parks as a Conditional use*

C. Employee housing allowed where raising of horticultural items allowed (Program 5.9).

State law related to agricultural or farmworker employee housing (California Health and Safety Code Section 17021.6(b)) mandates that “no conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone.” This means that such housing shall be permitted in the same zones where agricultural activities are also permitted. During review of the previous Housing Element and the Zoning Ordinance, staff observed that the Zoning Ordinance allows agriculture uses in three Office zone districts (O-PA, O-C, and BRP) and the Light Industrial zone district (reference Zone Use Matrix Line A8). There are currently no City provisions that specify employee housing is a permitted use in these zones.

To maintain compliance with State law, staff recommends removing the allowed use of agricultural activities in these zones. This revision would prevent allowing a specific form of housing as a by-right use, which is inconsistent with City codes that require a conditional use permit in all non-residential zones and could introduce potential land use conflicts. It is unknown as to why agricultural activities are allowed in these zones and not allowed in the Industrial zone or any commercial zone. In addition, staff is not aware of any existing agricultural uses operating under this use provision.

Summary of Recommended Actions: The raising of field, truck, or orchard crop & horticultural specialties, which is currently listed as a permitted use in the O-PA, O-C, BRP, and I-L zones, is recommended to be changed from a permitted use to not allowed. Such uses are still specifically called out as permitted uses in the R-1, R-M, A (Agriculture), and OS (Open Space) zones, which would therefore permit employee housing in accordance with State law.

Recommended Changes to Zoning Ordinance:

- Chapter 17.25: Uses In the Commercial, Mixed Use, Office, and Industrial Zones
 - Table 17.25.030: *Revise line item A8 to remove instances of “raising of field, truck, or orchard crop & horticultural specialties” as a permitted use.*

D. Accessory dwelling units, residential care facilities, transitional / supportive housing, and employee housing allowed in zones permitting single-family residences (Program 5.10).

The HCD review of the Draft Housing Element disclosed a number of discrepancies between the 2016 and 2019 Housing Elements and State Housing law interpretation. The above types of housing, which the state deems as housing types supporting a jurisdiction’s wide-ranging needs of populations and income levels, must be allowed the same way that any other type of residential uses are allowed in respective zone districts. In other words, these uses shall be allowed in all zoning designations where residences, either single or multi-family, are respectively permitted or conditionally allowed. This program affects most zone districts in the City.

Summary of Recommended Actions: This program will make changes to the four following types of housing so that such uses are “permitted” where single-family housing is permitted and “conditional” where single-family housing is conditional:

- **Accessory dwelling units:** Add as accessory uses to residences in Agriculture, Open Space, and Multi-family zones, and as conditional uses in all Commercial / Office / Industrial type zones;
- **Residential care facilities:** Add as permitted use (for up to six persons) and conditional use (for more than six persons) for Agriculture, Open Space, and Multi-family zones, and as conditional use associated with residences in all Commercial / Office / Industrial type zones;
- **Transitional / supportive housing:** Add as permitted use in Agriculture, Open Space, and Multi-family zones, and as conditional use associated with residences in all Commercial / Office / Industrial type zones;
- **Employee housing:** Add as permitted use in Single and Multi-family zones, and as conditional use in all Commercial / Office / Industrial type zones.

In addition, definitions will be added, updated, and removed with respect to these uses. New definitions for “employee housing” and “transitional housing” are based on definitions in state law.

Recommended Changes to Zoning Ordinance:

- Chapter 17.04: Definitions
 - *Add new definition for “employee housing” (see attached Resolution No. 2020-37 for definition)*
 - *Update definition for “transitional housing” (see attached Resolution No. 2020-37 for definition)*
- Chapter 17.08: Agricultural Zone
 - *Section 17.08.020: Add residential care facilities for up to six persons, transitional housing, and supportive housing to Permitted uses*
 - *Section 17.08.030: Add accessory dwelling units to Accessory uses*
 - *Section 17.08.040: Add residential care facilities for more than six persons to Conditional uses*
- Chapter 17.10: Open Space Zone
 - *Section 17.10.020: Add residential care facilities for up to six persons, transitional housing, and supportive housing to Permitted uses*
 - *Section 17.10.030: Add accessory dwelling units to Accessory uses*
 - *Section 17.10.040: Add residential care facilities for more than six persons to Conditional uses*
- Chapter 17.12: Single-Family Residential Zone
 - *Section 17.12.020: Add employee housing to the list of Permitted uses*
 - *Section 17.12.030: Move accessory dwelling units from the list of Permitted to Accessory uses*
- Chapter 17.16: Multi-Family Residential Zone
 - *Section 17.16.020: Add employee housing to Permitted uses*
 - *Section 17.16.030: Add accessory dwelling units to Accessory uses*

- Section 17.16.040: *Add residential care facilities for more than six persons to Conditional uses*
- Chapter 17.25: Uses In the Commercial, Mixed Use, Office, and Industrial Zones
 - *Modify allowed locations for: group / foster homes (Lines R28 and R29), transitional / supportive housing (Line R34) by listing these uses as conditionally allowed*
 - *Add new lines for conditionally-allowed uses: accessory dwelling units and employee housing (Lines R36 and R37 to Table 17.25.030)*

E. Permanent supportive housing allowed as by right use in certain zones (Program 5.11).

Permanent supportive housing is defined as permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives. With the passage of Assembly Bill 2162 in 2018, permanent supportive housing for up to 50 units (a unit count that is determined by the City’s population and homeless person point-in-time count) shall be permitted by right in zones where multi-family and mixed-use development is permitted. The supportive housing shall be a by-right use if it satisfies the requirements listed in Article 11 starting at Government Code Section 65650.

New Housing Element Program 5.11 has been added to ensure that the Zoning Ordinance will be updated to reflect the by-right use of supportive housing in multi-family designations (R-M-2 and R-M-3) and mixed-use zoning designations (D-MU and C-MU). Being that the City’s Zoning Ordinance already permits supporting housing as a permitted by-right use in the R-M-2 and R-M-3 zone districts, changes are only warranted to the allowed uses for the D-MU and C-MU zone districts.

Summary of Recommended Actions: This program will make changes to the zone use matrix regarding the supportive housing use entry (Line R34) so that such uses are “permitted” by-right uses in the two mixed-use zoning districts (D-MU and C-MU) where the use can meet the criteria for supportive housing commencing in Article 11 of California Government Code Section 65650 (attached). If the use cannot meet the criteria provided in State law (for example, proposing a single project with more than 50 units of housing), then the use would be conditionally allowed in these zones.

In addition, the definition for “supportive housing” will be updated to be reflective of the definition provided in state law.

Recommended Changes to Zoning Ordinance:

- Chapter 17.04: Definitions
 - *Update definition for “supportive housing” (see attached Resolution No. 2020-37 for definition)*
- Chapter 17.25: Uses In the Commercial, Mixed Use, Office, and Industrial Zones
 - *Table 17.25.030: Revise line item R34 to allow as permitted use in D-MU and C-MU zones if meeting criteria commencing in State G.C. Section 65650*

F. Low barrier navigation centers allowed as by right use in certain zones (Program 5.12).

A Low Barrier Navigation Center (LBNC) is defined as a service-enriched shelter providing temporary living facilities, with the low-barrier component allowing persons to be admitted as they are with as few entry restrictions as possible. In Visalia, for example, the winter season warming center at St. Paul’s Church utilized a “low barrier” approach to admitting persons. With the

passage of Assembly Bill 101 in 2019, a LBNC shall be permitted by-right in mixed use zones and in non-residential zones where multi-family uses are permitted.

New Housing Element Program 5.12 has been added to ensure that the Zoning Ordinance will be updated to reflect the by-right use of LBNCs in these zoning designations. In Visalia, this would apply to the D-MU (Downtown Mixed Use) and C-MU (Commercial Mixed Use) zones. The City has no other non-residential zones where multi-family housing is allowed as a by-right use. However, residential uses are allowed in any commercial, office, or industrial zone district with a conditional use permit, meaning that LBNCs, together with transitional/supportive housing and other certain special housing types, would be similarly allowed in these zones with a conditional use permit.

Summary of Recommended Actions: This program will add a new land use entry to the zone use matrix for low barrier navigation centers, wherein such uses are “permitted” by-right uses in the two mixed-use zoning districts (D-MU and C-MU) where the use can meet the criteria for low barrier navigation centers commencing in Article 12 of California Government Code Section 65660 (attached). If the use cannot meet the criteria provided in State law, then the use would be conditionally allowed in these zones. The use would also be conditionally allowed in all other commercial, office, and industrial zones since multi-family uses are also conditionally allowed in these zones.

In addition, a new definition for “low barrier navigation center” has been added to be reflective of the definition provided in state law.

Recommended Changes to Zoning Ordinance:

- Chapter 17.04: Definitions
 - *Add new definition for “low barrier navigation center” (see attached Resolution No. 2020-37 for definition)*
- Chapter 17.25: Uses In the Commercial, Mixed Use, Office, and Industrial Zones
 - *Table 17.25.030: Add new line item to allow low barrier navigation centers as a permitted use in D-MU and C-MU zones if meeting criteria commencing in State G.C. Section 65650, and as a conditional use in all other zone districts*

Text Amendments Correcting and Updating Housing-Related Items

The following are staff-initiated Zoning Ordinance text amendments that need to be corrected and updated related to housing and residential uses. The corrections, which include inconsistencies and addressing code updates, are explained further in each item below.

G. Remove definitions for “Farm employee housing” and “Labor camp”.

Summary of Recommended Actions: Definitions for “farm employee housing” and “labor camp” are recommended for removal since these are now dated terms that are being phased out of state law. These terms are not currently utilized in the City’s Zoning Ordinance, and the proposed amendment to address “employee housing” in the Zoning Ordinance supersedes any referral to “farm employee housing”.

Recommended Changes to Zoning Ordinance:

- Chapter 17.04: Definitions
 - *Remove definitions for “farm employee housing” and “labor camp”*

H. Move “Accessory dwelling units” from Permitted use category to Accessory use category.

Summary of Recommended Actions: Accessory dwelling units (ADUs) are currently listed as a permitted use in the zones allowing single-family residences, which implies that an ADU can be built on a property where no principal dwelling unit exists. In fact, ADUs are only permitted on properties that contain an existing principal dwelling unit. It is therefore recommended that the entry for ADUs be moved to the Accessory use category for each corresponding zone district.

Recommended Changes to Zoning Ordinance:

- Chapters 17.08 (Agricultural), 17.10 (Open Space), and 17.12 (Single-Family Residential)
 - Section 17.xx.020: *Remove accessory dwelling units from Permitted uses*
 - Section 17.xx.030: *Add accessory dwelling units to Accessory uses*

I. Add “Cottage food operations” to Accessory use category in zones allowing residential uses by-right.

Summary of Recommended Actions: Cottage food operations are allowed as an accessory use affiliated with an existing dwelling unit. Whereas the R-1 zone district currently lists cottage food operations in the Accessory use category, they are currently not specified in the A, OS, and R-M zone districts where residential uses are permitted. It is therefore recommended that cottage food operations be added to the Accessory use category for each corresponding zone district.

Recommended Changes to Zoning Ordinance:

- Chapters 17.08 (Agricultural), 17.10 (Open Space), and 17.16 (Multi-Family Residential)
 - Section 17.xx.030: *Add cottage food operations to Accessory uses*
- Chapter 17.12 Single-Family Residential
 - Section 17.12.030: *Correct capitalization for term “Cottage food operations”*

J. Remove “Additional residences as needed for employees” as a conditional use in the Agriculture zone.

Summary of Recommended Actions: In 2017, a Zone Text Amendment was carried out to correspond with the 2016 approval of Visalia’s 5th-cycle Housing Element. This ZTA included the deletion of the “Additional residences as needed for employees” entry as a conditionally allowed use in the Open Space zone district. However, the deletion of the same entry as a conditionally-allowed use in the Agriculture zone district was overlooked. The deletion is consistent with State law wherein employee housing is allowed by-right per the Health and Safety Code section.

Recommended Changes to Zoning Ordinance:

- Chapter 17.08: Agricultural
 - Section 17.08.040: *Remove entry for additional residences as needed for employees*

K. Update State law code references contained in the City Zoning Ordinance.

Summary of Recommended Actions: References to state law sections are located throughout Visalia’s Zoning Ordinance. Based on some recent changes to changes to state law pertaining to transitional and supportive housing, the corresponding code references for these now by-right uses are found in the Government Code Section pertaining to Housing Elements. It is therefore

recommended that the corresponding state law sections be changed from Health and Safety Code Sections 50675.2(h) and 53260(c) to Government Code Section §65582.

Recommended Changes to Zoning Ordinance:

- Chapters 17.12 (Single-Family Residential) and 17.16 (Multi-family Residential)
 - Section 17.xx.020: *Update State law code reference to definitions for transitional housing and supportive housing*
- Chapter 17.25: Uses In the Commercial, Mixed Use, Office, and Industrial Zones
 - Table 17.25.030: *In Line R34, update State law code reference to definitions for transitional housing and supportive housing*

L. Add density range language in “Mobile home park” entries.

Summary of Recommended Actions: The current entry for mobile home parks in the R-1 and R-M zones do not specify any associated density range. To ensure that mobile home parks are developed with the same permitted density range as specified in the underlying land use district, it is recommended that both conditional use entries for mobile home parks in the R-1 and R-M chapters be modified to include a qualifier that such development shall meet density requirements affiliated with the specific land use category (i.e. 2 to 10 units per acre in the R-1 zone) as well as meet regulations contained in Zoning Ordinance Section 17.32.040 pertaining to Planned mobile home parks.

Recommended Changes to Zoning Ordinance:

- Chapters 17.12 (Single-Family Residential) and 17.16 (Multi-family Residential)
 - Section 17.xx.040: *Add additional wording under Conditional use section (see attached Resolution No. 2020-37 for additional wording)*

M. Update density range language in “Single-room occupancy” entry.

Summary of Recommended Actions: Section 17.16.020 currently specifies that single-room occupancy (SRO) units are permitted up to twenty-nine (29) units per gross acre in the R-M-3 zone district. In 2017, the maximum density range for the R-M-3 zone was increased from 29 to 35 units per acre. To ensure consistency with the underlying zone district, it is recommended to revise the maximum number of SROs allowed per acre from 29 to 35.

Recommended Changes to Zoning Ordinance:

- Chapter 17.16 Multi-family Residential
 - Section 17.16.040: *Revise maximum units / acre allowed in the R-M-3 zone from 29 to 35 units*

N. Remove “Emergency / temporary housing” land use entry.

Summary of Recommended Actions: The Zoning Ordinance currently specifies “Emergency / temporary housing” as a land use that is only permitted in the Downtown Mixed Use, Light Industrial, and Industrial zones with a conditional use permit. The land use entry dates back to the 1993 Zoning Ordinance, yet it is not defined in the Zoning Ordinance definitions nor explicitly defined in state law.

In contrast, a land use entry for “Emergency shelters” was added to the Zoning Ordinance in 2011 as a permitted by-right use in the Light Industrial zone (as required per SB 2 passed in 2007). The Ordinance includes a definition for the use that specifically cites Emergency shelters as providing housing to a homeless population.

It is uncertain whether the Emergency / temporary housing land use entry was intended as a “homeless shelter” type use or intended to provide short-term housing to any resident, regardless of income level, in response to a natural disaster or other declared emergency. The recent addition of the Emergency shelter land use entry would infer that the definition was intended for the latter definition.

Staff analysis has concluded that in fact there is broad authorization under the City’s emergency declaration powers and in coordination with other governmental or public service entities (such as the Governor’s Office of Emergency Services) to authorize the establishment of housing in a location that is most well suited in response to the emergency. The City’s current conditional use permit requirement for such housing could pose an impediment to public health and safety by unnecessarily lengthening the approval process. The exclusive nature of the land use entry would also prohibit many feasible locations such as school gymnasiums, churches, and the National Gard Armory building.

Staff therefore recommends that in lieu of providing clarification or expanding the scope of the “Emergency / temporary housing” land use entry, that it be removed altogether. This would simply allow for such housing to locate through coordination with other governmental or public service entities in the event of a natural disaster or other declared emergency.

Recommended Changes to Zoning Ordinance:

- Chapter 17.25: Uses In the Commercial, Mixed Use, Office, and Industrial Zones
 - Table 17.25.030: *Remove Line R31 entry for “Emergency / Temporary Housing”*

O. Fix code reference in Cottage food operations section

Summary of Recommended Actions: The Zoning Ordinance contains Section 17.32.035 pertaining to Cottage food operations, an accessory use in all residential zones. Subsection (A) states that such operations operate in accordance with State law and shall be a home occupation in accordance with the City Ordinance. However, this subsection erroneously refers to a non-existent City Ordinance section (Section 17.78). The section needs to be corrected to direct to the City Ordinance section pertaining to Home occupation permits (Section 17.32.030).

Recommended Changes to Zoning Ordinance:

- Chapter 17.32: Special provisions
 - Section 17.32.035(A): Revise City Ordinance code section to read 17.32.030 instead of 17.78

Environmental Review:

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

In accordance with CEQA guidelines, Initial Study No. 2020-40 was prepared for this project, which disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. In addition, an Initial Study with Negative Declaration for the General Plan Housing Element (Negative Declaration No. 2019-63) was also prepared, wherein the

environmental review assessed the establishment of goals, policies, and implementation programs. Therefore, staff concludes that the previously prepared Program Environmental Impact Report and Negative Declaration adequately analyzed and addresses the project, and would recommend that the City Council adopt Environmental Document No. 2020-40 for this project.

RECOMMENDED FINDINGS

1. That the Zoning Text 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, as described by the following:

Housing Element Policy 1.8 - The City shall continue to provide assistance by and access to City Staff, in person, by phone, or by email, so as to encourage increased public awareness and understanding of the City's housing regulations, including opportunities for by-right development, and standards as they pertain to new construction.

Housing Element Policy 3.20 - The City shall encourage development of new mobile home parks.

Housing Element Policy 5.5 - The City shall facilitate and encourage the creation, by public or quasi-public agencies, of low-barrier emergency shelters, transitional housing, and permanent supportive housing in the community, and shall allow these uses as a by-right use in accordance with standards contained in its Zoning Ordinance.

2. That the Zone Text Amendment is consistent, where applicable, with portions of State law, including but not limited to Government Code Section 65000 et. seq..
3. That applying the proposed Zone Code standards to future housing and residential uses will encourage increased housing options, including but not limited to affordable housing, throughout the City, as endorsed through the City of Visalia 2020-2023 Housing Element Update (5th Cycle Four-Year Housing Element Update). These standards are designed to promote and ensure compatibility with adjacent land uses.
4. That prior environmental review documents have been prepared and adopted that are directly applicable to this Zoning Text Amendment, including a Program Environmental Impact Report for the preparation of the General Plan Update (SCH No. 2010041078), a Negative Declaration for the preparation of the General Plan Housing Element (Negative Declaration No. 2019-63), and an Initial Study for the preparation of the Zoning Ordinance Update (Environmental Document No. 2016-41). Furthermore, an Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant for this project, that the project has no new effects that could occur, and does not require any new mitigation measures that have not been addressed within the scope of the prior environmental review documents. Therefore, staff concludes that the previously prepared Program Environmental Impact Report and Negative Declaration adequately analyzed and addresses the project, and the Planning Commission recommends to the City Council that Environmental Document No. 2020-40 can be adopted for this project.

APPEAL INFORMATION

The Planning Commission's recommendation on the Zoning Text Amendment is advisory only and is automatically referred to the City Council for final action.

Attachments:

- Related Plans and Policies
- Article 11 commencing at California Government Code Section 65650
- Article 12 commencing at California Government Code Section 65660
- Resolution No. 2020-37
- Exhibit "A" – Applicable General Plan Housing Element Programs
- Initial Study / Environmental Document No. 2020-40

RELATED PLANS AND POLICIES

Zoning Ordinance [Title 17 of Visalia Municipal Code]

Chapter 17.44 ZONING AMENDMENTS

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. (Ord. 2017-01 (part), 2017: prior code § 7580)

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. (Ord. 2017-01 (part), 2017: prior code § 7581)

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 that 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. (Ord. 2017-01 (part), 2017: prior code § 7582)

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 that is the subject of the hearing. (Ord. 2017-01 (part), 2017: prior code § 7583)

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 that shall be submitted to the city planning commission. (Ord. 2017-01 (part), 2017: prior code § 7584)

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. (Ord. 2017-01 (part), 2017: prior code § 7585)

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 report of the city engineer and the findings of the commission. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7586)

17.44.080 [Reserved].

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. (Ord. 2017-01 (part), 2017: prior code § 7587)

17.44.100 Change of zoning map.

A change in zone boundary shall be indicated on the zoning map. (Ord. 2017-01 (part), 2017: prior code § 7589)

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. (Ord. 2017-01 (part), 2017: prior code § 7590)

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. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7591)

GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (Heading of Title 7 amended by Stats. 1974, Ch. 1536.)

DIVISION 1. PLANNING AND ZONING [65000 - 66301] (Heading of Division 1 added by Stats. 1974, Ch. 1536.)

CHAPTER 3. Local Planning [65100 - 65763] (Chapter 3 repealed and added by Stats. 1965, Ch. 1880.)

ARTICLE 11. Supportive Housing [65650 - 65656] (Article 11 added by Stats. 2018, Ch. 753, Sec. 3.)

65650. For purposes of this article, the following definitions shall apply:

(a) "Supportive housing" shall have the same meaning as defined in Section 50675.14 of the Health and Safety Code.

(b) "Supportive services" shall have the same meaning as defined in Section 65582.

(c) "Target population" shall have the same meaning as defined in Section 50675.14 of the Health and Safety Code.

(d) "Use by right" shall have the same meaning as defined in subdivision (i) of Section 65583.2.

(Added by Stats. 2018, Ch. 753, Sec. 3. (AB 2162) Effective January 1, 2019.)

65651.

(a) Supportive housing shall be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development satisfies all of the following requirements:

(1) Units within the development are subject to a recorded affordability restriction for 55 years.

(2) One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. For purposes of this paragraph, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code.

(3) At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.

(4) The developer provides the planning agency with the information required by Section 65652.

(5) Nonresidential floor area shall be used for onsite supportive services in the following amounts:

(A) For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.

(B) For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

(6) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.

(7) Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

(b) (1) The local government may require a supportive housing development subject to this article to comply with written, objective development standards and policies. However, the local government shall only require the development to comply with the objective development standards and policies that apply to other multifamily development within the same zone.

(2) The local government's review of a supportive housing development to determine whether the development complies with objective development standards, including objective design review standards, pursuant to this subdivision shall be conducted consistent with the requirements of subdivision (f) of Section 65589.5, and shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(3) Any discretion exercised by a local government in determining whether a project qualifies as a use by right pursuant to this article or discretion otherwise exercised pursuant to this section does not affect that local government's determination that a supportive housing development qualifies as a use by right pursuant to this article.

(c) Notwithstanding any other provision of this section to the contrary, the local government shall, at the request of the project owner, reduce the number of residents required to live in supportive housing if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:

(1) The owner demonstrates that it has made good faith efforts to find other sources of financial support.

(2) Any change in the number of supportive housing units is restricted to the minimum necessary to maintain the project's financial feasibility.

(3) Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any supportive housing units.

(d) If the proposed housing development is located within a city with a population of fewer than 200,000 or the unincorporated area of a county with a population of fewer than 200,000, and the city or the unincorporated area of the county has a population of persons experiencing homelessness of 1,500 or fewer, according to the most recently published homeless point-in-time-count, the development, in addition to the requirements of subdivision (a), shall consist of 50 units or fewer to be a use by right pursuant to this article. A city or county described in this subdivision may develop a policy to approve as a use by right proposed housing developments with a limit higher than 50 units. A policy by a city or county to approve as a use by right proposed housing developments with a limit higher than 50 units does not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(e) This article does not prohibit a local government from imposing fees and other exactions otherwise authorized by law that are essential to provide necessary public services and facilities to housing developments. However, a local government shall not adopt any requirement, including, but not limited to, increased fees or other exactions, that applies to a project solely or partially on the basis that the project constitutes a permanent supportive housing development or based on the development's eligibility to receive ministerial approval pursuant to this article.

(Amended by Stats. 2019, Ch. 346, Sec. 2. (SB 744) Effective January 1, 2020.)

65652. A developer of supportive housing subject to this article shall provide the planning agency with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, as required by Section 65651, and describing those services, which shall include all of the following:

(a) The name of the proposed entity or entities that will provide supportive services.

(b) The proposed funding source or sources for the provided onsite supportive services.

(c) Proposed staffing levels.

(Added by Stats. 2018, Ch. 753, Sec. 3. (AB 2162) Effective January 1, 2019.)

65653.

(a) The local government shall approve a supportive housing development that complies with the applicable requirements of this article.

(b) The local government shall notify the developer whether the application is complete within 30 days of receipt of an application to develop supportive housing in accordance with this article. The local government shall complete its review of the application within 60 days after the application is complete for a project with 50 or fewer units, or within 120 days after the application is complete for a project with more than 50 units.

(Added by Stats. 2018, Ch. 753, Sec. 3. (AB 2162) Effective January 1, 2019.)

65654. If the supportive housing development is located within one-half mile of a public transit stop, the local government shall not impose any minimum parking requirements for the units occupied by supportive housing residents.

(Added by Stats. 2018, Ch. 753, Sec. 3. (AB 2162) Effective January 1, 2019.)

65655. This article shall not be construed to do either of the following:

(a) Preclude or limit the ability of a developer to seek a density bonus, including any concessions, incentives, or waivers of development standards, from the local government pursuant to Section 65915.

(b) Expand or contract the authority of a local government to adopt or amend an ordinance, charter, general plan, specific plan, resolution, or other land use policy or regulation that promotes the development of supportive housing.

(Amended by Stats. 2019, Ch. 346, Sec. 3. (SB 744) Effective January 1, 2020.)

65656. The Legislature finds and declares that, by adoption of Proposition 2 at the November 6, 2018, statewide general election, the voters expressly approved of the development of permanent supportive housing pursuant to the No Place Like Home Program (Part 3.9 (commencing with Section 5849.1) of Division 5 of the Welfare and Institutions Code). The Legislature further finds and declares that the provision of adequate supportive housing to help alleviate the severe shortage of housing opportunities for people experiencing homelessness in this state and of necessary services to the target population described in Section 50675.14 of the Health and Safety Code, and that ensuring the development of permanent supportive housing in accordance with programs such as the No Place Like Home Program (Part 3.9 (commencing with Section 5849.1) of Division 5 of the Welfare and Institutions Code) by removing zoning barriers that would otherwise inhibit that development, are matters of statewide concern and are not municipal affairs as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this article applies to all cities, including charter cities.

(Amended by Stats. 2019, Ch. 346, Sec. 4. (SB 744) Effective January 1, 2020.)

GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (Heading of Title 7 amended by Stats. 1974, Ch. 1536.)

DIVISION 1. PLANNING AND ZONING [65000 - 66301] (Heading of Division 1 added by Stats. 1974, Ch. 1536.)

CHAPTER 3. Local Planning [65100 - 65763] (Chapter 3 repealed and added by Stats. 1965, Ch. 1880.)

ARTICLE 12. Low Barrier Navigation Centers [65660 - 65668] (Article 12 added by Stats. 2019, Ch. 159, Sec. 7.)

65660. For purposes of this article:

(a) "Low Barrier Navigation Center" means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

(1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.

(2) Pets.

(3) The storage of possessions.

(4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

(b) "Use by right" has the meaning defined in subdivision (i) of Section 65583.2. Division 13 (commencing with Section 21000) of the Public Resources Code shall not apply to actions taken by a public agency to lease, convey, or encumber land owned by a public agency, or to facilitate the lease, conveyance, or encumbrance of land owned by a public agency, or to provide financial assistance to, or otherwise approve, a Low Barrier Navigation Center constructed or allowed by this section.

(Added by Stats. 2019, Ch. 159, Sec. 7. (AB 101) Effective July 31, 2019. Repealed as of January 1, 2027, pursuant to Section 65668.)

65662. A Low Barrier Navigation Center development is a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses, if it meets the requirements of this article. A local jurisdiction shall permit a Low Barrier Navigation Center development provided that it meets the following requirements:

(a) It offers services to connect people to permanent housing through a services plan that identifies services staffing.

(b) It is linked to a coordinated entry system, so that staff in the interim facility or staff who colocate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

(c) It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

(d) It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

(Added by Stats. 2019, Ch. 159, Sec. 7. (AB 101) Effective July 31, 2019. Repealed as of January 1, 2027, pursuant to Section 65668.)

65664. Within 30 days of receipt of an application for a Low Barrier Navigation Center development, the local jurisdiction shall notify a developer whether the developer's application is complete pursuant to Section 65943. Within 60 days of receipt of a completed application for a Low Barrier Navigation Center development, the local jurisdiction shall act upon its review of the application.

(Added by Stats. 2019, Ch. 159, Sec. 7. (AB 101) Effective July 31, 2019. Repealed as of January 1, 2027, pursuant to Section 65668.)

65666. The Legislature finds and declares that Low Barrier Navigation Center developments are essential tools for alleviating the homelessness crisis in this state and are a matter of statewide concern and not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this article shall apply to all cities, including charter cities.

(Added by Stats. 2019, Ch. 159, Sec. 7. (AB 101) Effective July 31, 2019. Repealed as of January 1, 2027, pursuant to Section 65668.)

65668. This article shall remain in effect only until January 1, 2027, and as of that date is repealed.

(Added by Stats. 2019, Ch. 159, Sec. 7. (AB 101) Effective July 31, 2019. Repealed as of January 1, 2027, by its own provisions. Note: Repeal affects Article 12 commencing with Section 65660.)

RESOLUTION NO. 2020-37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF ZONING TEXT AMENDMENT NO. 2020-02, A REQUEST BY THE CITY OF VISALIA TO AMEND PORTIONS OF MUNICIPAL CODE TITLE 17 (ZONING ORDINANCE) AS TO:

- A) IMPLEMENT PROGRAMS CONTAINED IN THE CITY OF VISALIA 2020-2023 HOUSING ELEMENT, AND
- B) CORRECT AND UPDATE PORTIONS OF THE ZONING ORDINANCE THAT PERTAIN TO HOUSING AND RESIDENTIAL USES.

WHEREAS, Zoning Text Amendment No. 2020-02 is a request by the City of Visalia to amend portions of Municipal Code Title 17 (Zoning Ordinance) as to: a) implement programs contained in the City of Visalia 2020-2023 Housing Element, and b) correct and update portions of the Zoning Ordinance that pertain to housing and residential uses. The specific amendments apply City-wide and are specified 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 July 27, 2020; and

WHEREAS, the Planning Commission of the City of Visalia considered the Zone Text Amendment 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.

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. 2020-40 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 the proposed Zone Text Amendment based on the following specific findings and evidence presented:

1. That the Zoning Text 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, as described by the following:

Housing Element Policy 1.8 - The City shall continue to provide assistance by and access to City Staff, in person, by phone, or by email, so as to encourage increased public awareness and understanding of the City's housing regulations, including opportunities for by-right development, and standards as they pertain to new construction.

Housing Element Policy 3.20 - The City shall encourage development of new mobile home parks.

Housing Element Policy 5.5 - The City shall facilitate and encourage the creation, by public or quasi-public agencies, of low-barrier emergency shelters, transitional housing, and permanent supportive housing in the community, and shall allow these uses as a by-right use in accordance with standards contained in its Zoning Ordinance.

2. That the Zone Text Amendment is consistent, where applicable, with portions of State law, including but not limited to Government Code Section 65000 et. seq..
3. That applying the proposed Zone Code standards to future housing and residential uses will encourage increased housing options, including but not limited to affordable housing, throughout the City, as endorsed through the City of Visalia 2020-2023 Housing Element Update (5th Cycle Four-Year Housing Element Update). These standards are designed to promote and ensure compatibility with adjacent land uses.
4. That prior environmental review documents have been prepared and adopted that are directly applicable to this Zoning Text Amendment, including a Program Environmental Impact Report for the preparation of the General Plan Update (SCH No. 2010041078), a Negative Declaration for the preparation of the General Plan Housing Element (Negative Declaration No. 2019-63), and an Initial Study for the preparation of the Zoning Ordinance Update (Environmental Document No. 2016-41). Furthermore, an Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant for this project, that the project has no new effects that could occur, and does not require any new mitigation measures that have not been addressed within the scope of the prior environmental review documents. Therefore, staff concludes that the previously prepared Program Environmental Impact Report and Negative Declaration adequately analyzed and addresses the project, and the Planning Commission recommends to the City Council that Environmental Document No. 2020-40 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 Zone Text Amendment described herein in Attachment "A", 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. 2020-37

ATTACHMENT A

Zoning Text Amendment (ZTA) No. 2020-02, Part A: Implement programs contained in the City of Visalia 2020-2023 Housing Element, and Part B: Correct and update portions of the Zoning Ordinance that pertain to housing and residential uses. Changes to City of Visalia Municipal Code Title 17 – Zoning Ordinance, as specified by underline & italics for additions and ~~strikeout~~ for deletions.

Section 17.04.030 Definitions.

[All new definitions shall be inserted in alphabetical order.]

~~"Emergency shelter"~~^[BS1] means ~~a facility that provides shelter to homeless families and/or homeless individuals on a limited short-term basis~~ housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

~~"Employee housing"~~^[BS2] shall have the same meaning as that term is defined in California Health and Safety Code Section 17008, specifically a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following.

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
- (2) Pets.
- (3) The storage of possessions.

Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

~~"Farm employee housing"~~^[BS3] means ~~living quarters, including dwellings with sleeping accommodations and dining facilities, maintained for occupancy by persons employed principally in farming and related pursuits on land owned, leased or rented by the owner, lessee, or tenant of the site on which the farm employee housing is located; excepting a labor camp or trailer park.~~

~~"Labor camp"~~^[BS4] means ~~living quarters including dwellings, tents, bunkhouses, railroad maintenance cars, trailer coaches, or other housing accommodations, maintained in connection with any work or place where work is being performed and the site on which they are located, and/or a site set aside providing for camping of five or~~

more employees by a labor contractor; excepting farm employee housing as defined in this section.

"Low Barrier Navigation Center"^[BS5] shall have the same meaning as that term is defined in California Government Code Section 65660.

"Senior citizen residential development"^[BS6] means a residential development developed, substantially rehabilitated, or substantially renovated, for persons fifty-five years of age or older, wherein all of the occupied dwelling units are occupied by at least one person who is fifty-five years of age or older. This definition does not include nursing homes or other types of housing communities where nursing, dietary, or other personal services are provided.

"Supportive housing"^[BS7] means housing with a supporting environment, such as group homes or single room occupancy (SRO) housing and other housing that includes a supportive services component such as case management, medical or psychological counseling and supervision, child care, transportation, and job training housing with no limit on length of stay, that is occupied by the target population (as the term "target population" defined in Government Code Section 65582(i)), and that is linked to onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

"Transitional housing"^[BS8] means temporary housing (six months to two years) for a homeless individual or family who is transitioning to permanent housing. Transitional housing often includes a supportive services component (e.g. job skills training, rehabilitation counseling, etc.) to allow individuals to gain necessary life skills in support of independent living buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Section 17.08.020 Permitted uses.

H. ~~Accessory dwelling units^[BS9] as specified in Sections 17.12.140 through 17.12.200; Twenty-four (24) hour residential care facilities^[BS10] or foster homes, for a maximum of six individuals in addition to the residing family;~~

...

K. ^[BS11]Transitional housing or supportive housing as those terms are defined in City Ordinance Section 17.04.030.

Section 17.08.030 Accessory uses.

C.^[BS12] Cottage food operations that meet all the requirements contained in Health and Safety Code Section 113758 and those stated in City Ordinance Section 17.32.035;

D.^[BS13] Accessory dwelling units as specified in City Ordinance Sections 17.12.140 through 17.12.200.

Section 17.08.040 Conditional uses.

N. ~~Additional residences^[BS14] (not to exceed one per ten acres) as needed for employees who must maintain a residence upon the site in order for the agricultural operation to operate efficiently;~~ Twenty-four (24) hour residential care facilities^[BS15] or foster homes for more than six individuals in addition to the residing family;

Section 17.10.020 Permitted uses.

F. ~~Accessory dwelling units^[BS16] as specified in Sections 17.12.140 through 17.12.200;~~ Twenty-four (24) hour residential care facilities^[BS17] or foster homes, for a maximum of six individuals in addition to the residing family;

...

K.^[BS18] Transitional housing or supportive housing as those terms are defined in City Ordinance Section 17.04.030.

Section 17.10.030 Accessory uses.

C.^[BS19] Cottage food operations that meet all the requirements contained in Health and Safety Code Section 113758 and those stated in City Ordinance Section 17.32.035;

D.^[BS20] Accessory dwelling units as specified in City Ordinance Sections 17.12.140 through 17.12.200.

Section 17.10.040 Conditional uses.

E.^[BS21] Twenty-four (24) hour residential care facilities or foster homes for more than six individuals in addition to the residing family.

Section 17.12.020 Permitted uses.

J. ~~Accessory dwelling units^[BS22] as specified in Sections 17.12.140 through 17.12.200;~~ Senior citizen residential developments^[BS23], meeting City standards and having a density in the Low Density Residential range of 2 to 10 housing units per acre;

...

N.^[BS24] Transitional housing or supportive housing as those terms are defined in City Ordinance Section 17.04.030 as defined by California Health and Safety Code Sections 50675.2(h) and 53260(e);

...

Q.^[BS25] Employee housing as defined in California Health and Safety Code Section 17008.

Section 17.12.030 Accessory uses.

C.^[BS26] Cottage Food Operations subject to the provisions of Health and Safety Code 113758 and that meet all the requirements contained in Health and Safety Code Section 113758 and those stated in City Ordinance Section 17.32.035;

D.^[BS27] Accessory dwelling units as specified in Sections 17.12.140 through 17.12.200.

Section 17.12.040 Conditional uses.

J.^[BS28] Residential development specifically designed for senior housing;

K.^[BS29] Mobile home parks in conformance with Section 17.32.040 and having a density in the Low Density Residential range of 2 to 10 housing units per acre;

L. ~~[Reserved.]~~^[BS30]

[Note: All subsequent items in list shall be renumbered commencing with K.]

Section 17.16.020 Permitted uses.

B.^[BS31] Multi-family dwellings up to eighty (80) dwelling units per site in the R-M-2 zone and the R-M-3 zone;

L.^[BS32] Transitional housing or supportive housing as those terms are defined in City Ordinance Section 17.040.030 ~~as defined by California Health and Safety Code Sections 50675.2(h) and 53260(c);~~

M.^[BS33] 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)~~ thirty-five (35) units per gross acre in the R-M-3 zone district.

N.^[BS34] Senior citizen residential developments, meeting City standards and having a density in the Medium Density Residential range of 10 to 15 housing units per acre in the R-M-2 zone district or having a density in the High Density Residential range of 15 to 35 housing units per acre in the R-M-3 zone district;

O.^[BS35] Employee housing as defined in California Health and Safety Code Section 17008.

Section 17.16.030 Accessory uses.

C.^[BS36] Cottage food operations that meet all the requirements contained in Health and Safety Code Section 113758 and those stated in City Ordinance Section 17.32.035;

D.^[BS37] Accessory dwelling units as specified in Sections 17.12.140 through 17.12.200.

Section 17.16.040 Conditional uses.

I.^[BS38] In R-M-2 zone only, mobile home parks, meeting regulations specified in Section 17.32.040 and having a density in the Medium Density Residential range of 10 to 15 housing units per acre in the R-M-2 zone district or having a density in the High Density Residential range of 15 to 35 housing units per acre in the R-M-3 zone district;

J.^[BS39] More than eighty (80) units per site in the R-M-2 zone, and within the R-M-3 zone;

K. Boarding houses and residential motels;

L.^[BS40] ~~Reserved~~ Twenty-four (24) hour residential care facilities or foster homes for more than six individuals in addition to the residing family'

M.^[BS41] Senior citizen residential developments;

Section 17.25.030 Commercial, Office, and Industrial Zone Use Table

D. [Table 17.25.030, Commercial, Mixed Use, Office, and Industrial Zones Use Matrix]

Commercial, Mixed Use, Office, and Industrial Zones Use Matrix											
P = Use is Permitted by Right			C = Use Requires Conditional Use Permit								
T = Use Requires Temporary Use Permit					Blank = Use is Not Allowed						
USE	Commercial and Mixed Use Zones					Office Zones			Industrial Zones		Special Use Standards (See identified Chapter or Section)
	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-I	I	

AGRICULTURAL - FARMING										17.08					
A8 [BS42]	Raising of Field, Truck, or Orchard Crop & Horticultural Specialties										P	P	P	P	

RESIDENTIAL (see also Residential Zones)										
--	--	--	--	--	--	--	--	--	--	--

R27	Residential Units, New or Expansions, which may or may not be associated with a commercial activity	C	C	C	C	C [BS4]	C	C	C	C	C	
R28 [BS44]	Group/Foster Homes, Licensed – 1 - 6 individuals in addition to residing family	C	C	C	C	C	C	C	C	C	C	
R29 [BS45]	Group/Foster Homes, Licensed – more than 6 individuals <i>in addition to residing family</i>	C	C	C	C	C	C	C	C	C	C	
R30 [BS46]	Emergency Shelters									P		
R31 [BS47]	Emergency / Temporary Housing					E				E	E	
R31 [BS48]	<u>Low Barrier Navigation Centers</u>	C	C	C	P*/C	P*/C	C	C	C	C	C	<i>*If meeting criteria stated in Cal. GC Sections 65660 - 65668</i>
R32	Household Pets	P	P	P	P	P	P	P	P	P	P	
R33	Single Room Occupancy (SRO) units					C						
R34	Transitional <u>Housing</u> and Supportive Housing <i>as those terms are defined in City Ordinance Section 17.04.030</i> as defined by California Health and Safety Code Sections 50675.2(h) and 53260(c) [BS49]	C	C	C	P*/C	P*/C	C	C	C	C	C	Permitted in all Residential zoned districts [BS53] <i>*If meeting criteria stated in Cal. GC Sections 65650 - 65656</i>
R35 [BS54]	<u>Senior citizen residential developments</u>	C	C	C	C	C	C	C	C	C	C	

<u>R36</u> [BSS5]	<u>Accessory Dwelling Units</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.12</u> <u>Article 2</u>
<u>R37</u> [BSS6]	<u>Employee Housing</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	

[Note: All subsequent items in list shall be renumbered commencing with R38.]

Section 17.32.035 Cottage food operations.

A. [BSS7] Cottage foods operations operating in accordance with Health and Safety Code Sections 114365-114365.6 shall be considered a home occupation and shall obtain a home occupation permit in accordance with Chapter ~~17.78~~ 17.32.030 prior to commencement of the use.

Resolution 2020-37 -- ZTA 2020-02 Housing Element Programs Phase 1 [Compatibility Mode]

Main document changes and comments

Page 3: Comment [BS1]	Brandon Smith	06/05/2020 9:28:00 AM
Program 5.3. HSC 50801(e); Referenced by GC 65582(d)		
Page 3: Comment [BS2]	Brandon Smith	06/05/2020 9:26:00 AM
Program 5.10		
Page 3: Comment [BS3]	Brandon Smith	06/05/2020 10:29:00 AM
Clean-up – Related to Program 5.10. This is a dated term no longer used in state code and has been replaced with Agricultural employee housing.		
Page 3: Comment [BS4]	Brandon Smith	06/05/2020 10:27:00 AM
Clean-up – Related to Program 5.10. This is a dated term no longer used in state code.		
Page 4: Comment [BS5]	Brandon Smith	06/05/2020 9:27:00 AM
Program 5.12		
Page 4: Comment [BS6]	Brandon Smith	06/11/2020 1:47:00 PM
Clean-up – Related to Program 1.3. Adding new definition to accompany use.		
Page 4: Comment [BS7]	Brandon Smith	06/05/2020 10:30:00 AM
Program 5.11. HSC 50675.14(b)(2) & GC 65582(g); referenced by GC 65650(a)		
Page 4: Comment [BS8]	Brandon Smith	06/05/2020 10:31:00 AM
Program 5.10. HSC 50675.2(h) & GC 65582(j)		
Page 4: Comment [BS9]	Brandon Smith	06/05/2020 10:43:00 AM
Clean-up; moved to 17.08.030 Accessory uses section.		
Page 4: Comment [BS10]	Brandon Smith	06/05/2020 10:34:00 AM
Program 5.10		
Page 4: Comment [BS11]	Brandon Smith	06/05/2020 10:34:00 AM
Program 5.10		
Page 5: Comment [BS12]	Brandon Smith	06/05/2020 10:36:00 AM
Clean-up; allowed where a residence is a by-right use.		
Page 5: Comment [BS13]	Brandon Smith	06/05/2020 10:43:00 AM
Clean-up; moved from 17.08.020 Permitted uses section.		
Page 5: Comment [BS14]	Brandon Smith	06/05/2020 11:33:00 AM
Clean-up; complements 2017 ZTA, Item K, where same language was removed.		
Page 5: Comment [BS15]	Brandon Smith	06/05/2020 10:39:00 AM
Program 5.10		
Page 5: Comment [BS16]	Brandon Smith	06/05/2020 10:43:00 AM
Clean-up; moved to 17.10.030 Accessory uses section.		
Page 5: Comment [BS17]	Brandon Smith	06/05/2020 10:40:00 AM
Program 5.10		
Page 5: Comment [BS18]	Brandon Smith	06/05/2020 10:40:00 AM
Program 5.10		
Page 5: Comment [BS19]	Brandon Smith	06/05/2020 10:36:00 AM
Clean-up; allowed where a residence is a by-right use.		

Page 5: Comment [BS20]	Brandon Smith	06/05/2020 10:43:00 AM
Clean-up; moved from 17.10.020 Permitted uses section.		
Page 5: Comment [BS21]	Brandon Smith	06/05/2020 10:44:00 AM
Program 5.10		
Page 5: Comment [BS22]	Brandon Smith	06/05/2020 10:43:00 AM
Clean-up; moved to 17.12.030 Accessory uses section.		
Page 5: Comment [BS23]	Brandon Smith	06/05/2020 10:45:00 AM
Program 1.3		
Page 5: Comment [BS24]	Brandon Smith	06/05/2020 10:48:00 AM
Clean-up; updating State law reference.		
Page 6: Comment [BS25]	Brandon Smith	06/05/2020 10:46:00 AM
Program 5.10		
Page 6: Comment [BS26]	Brandon Smith	06/05/2020 10:38:00 AM
Clean-up; changed capitalization to be consistent with rest of code.		
Page 6: Comment [BS27]	Brandon Smith	06/05/2020 10:42:00 AM
Clean-up; moved from 17.12.020 Permitted uses section.		
Page 6: Comment [BS28]	Brandon Smith	06/05/2020 10:47:00 AM
Program 1.3		
Page 6: Comment [BS29]	Brandon Smith	06/11/2020 2:38:00 PM
Clean-up, related to Program 3.22. Adding wording to clarify use regulations.		
Page 6: Comment [BS30]	Brandon Smith	06/11/2020 2:36:00 PM
Clean-up; removing unused list item.		
Page 6: Comment [BS31]	Brandon Smith	06/05/2020 11:11:00 AM
Clean-up; removing redundant wording.		
Page 6: Comment [BS32]	Brandon Smith	06/05/2020 10:48:00 AM
Clean-up; updating State law reference.		
Page 6: Comment [BS33]	Brandon Smith	06/05/2020 10:50:00 AM
Clean-up; updating to be consistent with maximum density in R-M-3 zone.		
Page 6: Comment [BS34]	Brandon Smith	06/05/2020 10:45:00 AM
Program 1.3		
Page 6: Comment [BS35]	Brandon Smith	06/05/2020 10:50:00 AM
Program 5.10		
Page 6: Comment [BS36]	Brandon Smith	06/05/2020 10:37:00 AM
Clean-up; allowed where a residence is a by-right use.		
Page 6: Comment [BS37]	Brandon Smith	06/05/2020 10:51:00 AM
Program 5.10		
Page 7: Comment [BS38]	Brandon Smith	06/05/2020 10:51:00 AM
Program 3.22		
Page 7: Comment [BS39]	Brandon Smith	06/05/2020 10:53:00 AM
Clean-up; removing redundant wording.		
Page 7: Comment [BS40]	Brandon Smith	06/05/2020 10:54:00 AM
Program 5.10		

Page 7: Comment [BS41]	Brandon Smith	06/05/2020 10:54:00 AM
Program 1.3		
Page 7: Comment [BS42]	Brandon Smith	06/05/2020 10:56:00 AM
Program 5.9. Removing permitted uses which makes employee housing no longer a by-right use.		
Page 7: Comment [BS43]	Brandon Smith	06/05/2020 11:09:00 AM
No changes. Program 2.6 to be addressed in second phase of ZTA.		
Page 8: Comment [BS44]	Brandon Smith	06/05/2020 10:56:00 AM
Program 5.10		
Page 8: Comment [BS45]	Brandon Smith	06/05/2020 10:57:00 AM
Program 5.10 and Clean-up; added wording to be consistent with Line R28.		
Page 8: Comment [BS46]	Brandon Smith	06/05/2020 10:59:00 AM
No changes. Program 5.3 to be addressed in second phase of ZTA.		
Page 8: Comment [BS47]	Brandon Smith	06/05/2020 11:00:00 AM
Clean-up; removing use for which there is no local or state definition for.		
Page 8: Comment [BS48]	Brandon Smith	06/05/2020 11:00:00 AM
Program 5.12		
Page 8: Comment [BS49]	Brandon Smith	06/05/2020 11:05:00 AM
Clean-up; updating State law reference.		
Page 8: Comment [BS50]	Brandon Smith	06/05/2020 11:04:00 AM
Program 5.10		
Page 8: Comment [BS51]	Brandon Smith	06/12/2020 2:53:00 PM
Program 5.11		
Page 8: Comment [BS52]	Brandon Smith	06/05/2020 11:05:00 AM
Program 5.10		
Page 8: Comment [BS53]	Brandon Smith	06/05/2020 11:06:00 AM
Clean-up; removing redundant wording.		
Page 8: Comment [BS54]	Brandon Smith	06/05/2020 11:06:00 AM
Program 1.3		
Page 8: Comment [BS55]	Brandon Smith	06/05/2020 11:07:00 AM
Program 5.10		
Page 8: Comment [BS56]	Brandon Smith	06/05/2020 11:07:00 AM
Program 5.10		
Page 9: Comment [BS57]	Brandon Smith	07/06/2020 9:42:00 AM
Clean-up, fixing typo.		

Header and footer changes

Text Box changes

Header and footer text box changes

Footnote changes

Endnote changes

EXHIBIT "A"

GENERAL PLAN HOUSING ELEMENT 2020-2023 IMPLEMENTATION PROGRAMS CARRIED OUT BY ZONE TEXT AMENDMENT

HE Program 1.3 SENIOR HOUSING RESIDENTIAL DEVELOPMENT BY RIGHT

The City shall revise the Zoning Ordinance to allow senior housing development in accordance with the density for the underlying general plan land use district as a by-right use in all residential zone districts and in the downtown mixed use zone district.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 3.22 MOBILE HOME PARKS IN HIGH DENSITY RESIDENTIAL ZONE DISTRICT

The City shall revise the Zoning Ordinance to allow mobile home parks as a conditionally allowed use in the R-M-3 zone in accordance with the density prescribed in the General Plan land use district.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 5.9 EMPLOYEE HOUSING ALLOWED WHERE RAISING OF HORTICULTURAL ITEMS ALLOWED

The City shall revise the Zoning Ordinance to ensure that employee housing is permitted as a by right use in areas where agricultural activities are also an allowed use, in conformance with Health and Safety Code commencing at Section 17020. Alternately, the City may revise the Zoning Ordinance to address the allowed use of agriculture activities in non-residential zone districts.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 5.10 ACCESSORY DWELLING UNITS, RESIDENTIAL CARE FACILITIES, TRANSITIONAL / SUPPORTIVE HOUSING, AND EMPLOYEE HOUSING ALLOWED IN ALL ZONES PERMITTING SINGLE-FAMILY RESIDENCES

The City shall revise the Zoning Ordinance to allow accessory dwelling units, adult overnight residential care facilities, transitional / supportive housing, and employee housing as allowed uses in all zoning designations where single-family residences are respectively permitted or conditionally allowed.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 5.11 PERMANENT SUPPORTIVE HOUSING ALLOWED AS BY RIGHT USE

The City shall revise the Zoning Ordinance to allow permanent supportive housing, in accordance with Assembly Bill 2162 and Article 11 commencing with Government Code Section 65650, as a use by right in all zoning designations where multi-family residential used and mixed uses are respectively permitted or conditionally allowed.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 5.12 LOW BARRIER NAVIGATION CENTERS ALLOWED AS BY RIGHT USE

The City shall revise the Zoning Ordinance to allow low barrier navigation centers, in accordance with Assembly Bill 101 and Article 12 commencing with Government Code Section 65660, as a use by right in all zoning designations where mixed uses and non-residential zones allowing multi-family residential uses are respectively permitted or conditionally allowed.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

INITIAL STUDY

I. GENERAL

A. Project Name and Description:

Zoning Text Amendment No. 2020-02, a request by the City of Visalia to amend portions of Visalia Municipal Code Title 17 (Zoning Ordinance) as to: a) implement programs contained in the City of Visalia 2020-2023 Housing Element, and b) correct and update portions of the Zoning Ordinance that pertain to housing and residential uses. The project area is contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan, Citywide.

The proposed ZTA represents the first round of changes being undertaken to bring the City's ordinances into compliance with State law and to help fulfill the intended outcomes or objectives of the Housing Element (in an effort to help remove or overcome constraints to housing development). Specifically, this ZTA fulfills six of nine implementation programs that the Element identified to be completed within approximately one year following adoption. The six implementation programs are:

- A. Senior housing residential development by right (Program 1.3)
- B. Mobile home parks allowed as conditional use in R-M-3 zone (Program 3.22)
- C. Employee housing allowed where raising of horticultural items allowed (Program 5.9)
- D. Accessory dwelling units, residential care facilities, transitional / supportive housing, and employee housing allowed in zones permitting single-family residences (Program 5.10)
- E. Permanent supportive housing allowed as by right use in certain zones (Program 5.11)
- F. Low barrier navigation centers allowed as by right use in certain zones (Program 5.12)

The general direction given to City staff for preparation of the Housing Element focused on continuation and improvement of the policies and programs contained in the 5th-cycle Element, originally adopted in 2016 to serve an eight-year period. In addition, the program revisions in the Housing Element also reflected the action of:

- Recommendations of the Housing Element Technical Advisory Committee based on technical expertise and direct key constituent representation;
- State housing regulations adopted since 2016;
- Findings of the Update's outreach workshops and online surveys promoted to the public;
- City staff assessment of past Housing Element policies and programs.

This ZTA also contains certain amendments unrelated to the Housing Element that correct and update portions of the Zoning Ordinance related to housing and residential uses.

The entire Housing Element can be accessed at the following link:
https://www.visalia.city/depts/community_development/planning/gp.asp.

B. Identification of the Environmental Setting:

The project area is contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan. The City of Visalia is located within the County of Tulare, situated in the State of California.

C. Plans and Policies:

The City of Visalia General Plan Land Use Element and Land Use Diagram, adopted October 14, 2014, designate sites for residential development, including two mixed use land use designations – Downtown Mixed

Use and Commercial Mixed Use – which encourage residential development in conjunction with commercial uses.

The City of Visalia 2020-2023 Housing Element identifies the community's housing needs, states the community's goals and objectives with regard to housing production, rehabilitation, and conservation to meet those needs, and defines the policies and programs that the community will implement to achieve the stated goals and objectives. The 2020-2023 Housing Element was a focused update of the 5th-Cycle Housing Element, which was originally prepared for the eight-year planning period from December 31, 2015 to December 31, 2023, and adopted by the City of Visalia on September 6, 2016. The update covered a four-year period and did not account for a new Regional Housing Needs (RHNA) projection. It is a mid-cycle or four-year update to the 5th-Cycle planning period that serves a planning period from December 31, 2019 to December 31, 2023. The 2020-2023 Housing Element, in draft form, was adopted by the City Council on December 3, 2019 and submitted to State Housing and Community Development (HCD). The State informed the City on January 23, 2020, that the Housing Element is in full compliance with state Housing Element law.

The City of Visalia Zoning Ordinance is enacted to preserve and promote the public health, safety and welfare of the city and of the public generally and to facilitate growth and expansion of the municipality in a precise and orderly manner. More specifically, the zoning ordinance is adopted in order to achieve the following objectives:

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

II. ENVIRONMENTAL IMPACTS

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

III. MITIGATION MEASURES

There are no mitigation measures for this project.

IV. MITIGATION MONITORING PROGRAM

No mitigation is required for this project to reduce significance.

V. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan and the Zoning Ordinance. The project is compatible with the General Plan as the project relates to bringing consistency among the General Plan Elements and the Zoning Ordinance.

VI. SUPPORTING DOCUMENTATION

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


- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update) passed and adopted October 14, 2014.

- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan) passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sewer System Master Plan. City of Visalia, 1994.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.

- Visalia 5th-cycle Housing Element Update. City of Visalia. September 6, 2016.
- Initial Study / Negative Declaration No. 2015-56 for the Visalia Housing Element Update. City of Visalia, April 25, 2016.
- Visalia City Council Resolution No. 2016-55 (Approving the 5th Cycle Visalia Housing Element Update) passed and adopted September 6, 2016.
- Visalia City Council Resolution No. 2016-54 (Adopting Negative Declaration No. 2015-56) passed and adopted September 6, 2016.

- Visalia 2020-2023 Housing Element Update. City of Visalia. December 3, 2019.
- Initial Study / Negative Declaration No. 2019-63 for the Visalia Housing Element Update. City of Visalia, September 30, 2019.
- Visalia City Council Resolution No. 2019-65 (Approving the 2020-2023 Housing Element Update) passed and adopted December 3, 2019.
- Visalia City Council Resolution No. 2019-64 (Adopting Negative Declaration No. 2019-63) passed and adopted December 3, 2019.

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY


Brandon Smith, AICP
Senior Planner


Brandon Smith, AICP
Environmental Coordinator

**INITIAL STUDY
 ENVIRONMENTAL CHECKLIST**

Name of Proposal	Zoning Text Amendment No. 2020-02		
NAME OF PROPONENT:	City of Visalia Community Development Dept.	NAME OF AGENT:	City of Visalia Community Development Dept.
Address of Proponent:	315 E. Acequia Avenue Visalia, CA 93291	Address of Agent:	315 E. Acequia Avenue Visalia, CA 93291
Telephone Number:	(559) 713-4359	Telephone Number:	(559) 713-4359
Date of Review	July 15, 2020	Lead Agency:	City of Visalia

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

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

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, 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 public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 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) 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?
- 1 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 d) Result in other emissions, such as those leading to odors adversely affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 2 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 2 c) Have a substantial adverse effect on federally protected wetlands (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 pursuant to 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) Disturb any human remains, including those interred outside of formal cemeteries?

VI. ENERGY

Would the project:

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

VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause 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? Refer to Division of Mines and Geology Special Publication 42.
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 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) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 2 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 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 or through the addition of impervious surfaces, in a manner which would:
 - 2 i) result in substantial erosion or siltation on- or off-site;
 - 2 ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; or
 - 2 iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- 2 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 2 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

XI. LAND USE AND PLANNING

Would the project:

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

XII. MINERAL RESOURCES

Would the project:

- 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?

XIII. NOISE

Would the project result in:

- 1 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Generation of excessive groundborne vibration or groundborne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or 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?

XIV. POPULATION AND HOUSING

Would the project:

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

XV. 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?

XVI. 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?

XVII. TRANSPORTATION / TRAFFIC

Would the project:

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

XVIII. TRIBAL CULTURAL RESOURCES

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:

- 1 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
- 1 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

XX. WILDFIRE

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

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to,

pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

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

Revised 2019

Authority: Public Resources Code sections 21083 and 21083.09

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

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

Adopting the Zoning Text Amendment is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan Housing Element. 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. No specific housing developments are approved as part of the Zoning Text Amendment; therefore, the text amendments would not directly result in aesthetic impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

- a. The Zoning Text Amendment will not adversely affect the view of any scenic vistas. The Sierra Nevada mountain range may be considered a scenic vista, but views of the range will not be adversely impacted or significantly by adoption of the Zoning Text Amendment.

The Visalia General Plan contains multiple polices that together work to reduce the potential for impacts to the development of land as designated by the General Plan. With implementation of these policies and the existing City standards, impacts to land use development consistent with the General Plan will be less than significant.

- b. There are no scenic resources and no state scenic highway designations within the City of Visalia. State Route 198, a divided highway, bisects the project area and is eligible for designation. Adopting the Zoning Text Amendment will not, by itself, impact the scenic character of State Route 198.
- c. The Zoning Text Amendment would constitute no more than a furtherance of the urban character of the project area. Furthermore, the City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded by any subsequent development. Thus, adoption of the Zoning Text Amendment would not substantially degrade the existing visual character of sites within the City of Visalia.
- d. Adopting the Zoning Text Amendment will not, by itself, create new light sources or sources of glare that would adversely affect day or nighttime views in the area. The City's existing development standards require that light be directed and/or shielded so it does not fall upon adjacent properties upon future development as required under Section 17.30.015.H of the Zoning Ordinance. Therefore, the potential lighting and glare effects associated with the adoption of the Zoning Text Amendment would result in a less-than-significant land use impact.

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 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 that 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. Adopting the Zoning Text Amendment will not, by itself, result in the conversion of land in agricultural use, an agricultural preserve, or a land conservation contract. The City adopted urban development boundaries as mitigation measures for conversion of prime agricultural land.
- c. There is no forest land or timberland currently located in the City of Visalia, nor does the project conflict with a zoning for forest land, timberland, or timberland zoned Timberland Production.
- d. There is no forest or timberland currently located within the city.
- e. The Zoning Text Amendment will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. Properties designated for housing in the Housing Element sites inventory are currently designated for an urban rather than agricultural land use. Properties that are vacant may develop in a way that is consistent with their zoning and land use designated at any time. 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). Adoption of the Zoning Text Amendment in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.

- b. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in air quality impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

Subsequent development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. Furthermore, subsequent development may contribute to a net increase of criteria pollutants and 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. In such cases, the proponent will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD, when warranted.

- c. Adoption of the Zoning Text Amendment will not, by itself, involve any housing construction and thus would not result directly in the exposure of any sensitive receptors to substantial pollutant concentrations.
- d. Adoption of the Zoning Text Amendment will not involve the generation of objectionable odors that would affect a substantial number of people.

IV. **BIOLOGICAL RESOURCES**

- a. Adopting the Zoning Text Amendment will not, by itself, directly impact any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use. The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan

contains multiple polices, identified under Impact 3.8-1 of the EIR, that together work to reduce the potential for impacts on special-status species likely to occur in the Planning Area. With implementation of these policies, impacts on special-status species will be less than significant.

- b. Adopting the Zoning Text Amendment will not, by itself, have a direct impact on any protected or endangered species or their habitats.

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

- c. Adopting the Zoning Text Amendment will not, by itself, have a direct impact on any federally protected wetlands as defined by Section 404 of the Clean Water Act.

Citywide 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. Adopting the Zoning Text Amendment will not interfere nor act as a barrier to animal movement since it is not site specific.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within in the Planning Area. With implementation of these polices, impacts on wildlife movement corridors will be less than significant.

- e. The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on subsequent development sites will be under the jurisdiction of this ordinance.
- f. There are no local or regional habitat conservation plans for the area.

V. **CULTURAL RESOURCES**

- a. Adopting the Zoning Text Amendment will not, by itself, impact any known or unknown historical resources located

within the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing historical or cultural resources.

- b. Adopting the Zoning Text Amendment will not, by itself, impact any known or unknown archaeological resources located within the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing unknown archaeological resources.
- c. Adopting the Zoning Text Amendment will not, by itself, impact any known or unknown human remains buried in the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing unknown human remains.

VI. ENERGY

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in energy impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

Policies identified under Impacts 3.4-1 and 3.4-2 of the EIR will reduce any potential impacts of projects to a less than significant level. With implementation of these policies and the existing City standards, impacts to energy will be less than significant.

- b. The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, based on the discussion above.

VII. GEOLOGY AND SOILS

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in geology and soil impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- b. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in geology and soil impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- c. 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. Subsequent housing development will not involve the use of septic tanks or alternative wastewater disposal systems since sanitary sewer lines are used for the disposal of wastewater throughout the City of Visalia.

- f. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in geology and soil impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

VIII. GREENHOUSE GAS EMISSIONS

- a. Adoption of the Zoning Text Amendment is not expected to generate Greenhouse Gas (GHG) emissions in the short-term. There are no construction activities being considered by this project. The project is a policy document to bring housing policies in the City into consistency with State Housing law.

The City has prepared and adopted a Climate Action Plan (CAP), which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR.

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

- b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 baseline levels by 2020 and to a level 80% below 1990 baseline levels by 2050. In addition, the State has enacted SB 32 which included provisions for reducing the GHG emission levels to a level 40% below 1990 baseline levels by 2030.

The proposed project will not impede the State's ability to meet the GHG emission reduction targets under AB 32. Current and probable future state and local GHG reduction measures will continue to reduce subsequent housing developments' contribution to climate change. As a result, the project will not contribute significantly, either individually or cumulatively, to GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the adoption of the Zoning Text Amendment.
- b. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in hazards and hazardous materials impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- c. There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites.

- d. The project does not impact 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 will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- g. There are no wild lands within or near the City of Visalia.

X. HYDROLOGY AND WATER QUALITY

- a. Development projects associated with buildout under the Visalia General Plan are subject to regulations that serve to ensure that such projects do not violate water quality standards of waste discharge requirements. These regulations include the Federal Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) permit program. State regulations include the State Water Resources Control Board (SWRCB) and more specifically the Central Valley Regional Water Quality Control Board (RWQCB). Adherence to these regulations results in subsequent projects incorporating measures that reduce pollutants.

Furthermore, there are no reasonably foreseeable reasons why the adoption of the project would result in the degradation of water quality.

The Visalia General Plan contains multiple polices, identified under Impact 3.6-2 and 3.9-3 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. Adoption of the Zoning Text Amendment, in itself, will not substantially deplete groundwater supplies in the City of Visalia. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines. Furthermore, the City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.

- c.
 - i. No specific housing developments are approved as part of Zoning Text Amendment. For subsequent projects, which will be subject to project-specific environmental review, 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.
 - ii. No specific housing developments are approved as part of Zoning Text Amendment. For subsequent projects, which will be subject to project-specific environmental review, development of sites will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies assist in reducing potential impacts.

Polices identified under Impact 3.6-2 of the EIR assist in reducing potential impacts to a less than significant level.

- iii. No specific housing developments are approved as part of Zoning Text Amendment. For subsequent projects, which will be subject to project-specific environmental review, development of sites will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts.

Polices identified under Impact 3.6-2 of the EIR will reduce any potential impacts to a less than significant level.

Furthermore, all developments are required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system consistent with the City's adopted City Storm Drain Master Plan.

- d. The City of Visalia is located sufficiently inland and distant from bodies of water, and outside potentially hazardous areas for seiches and tsunamis. Visalia is also relatively flat, which will contribute to the lack of impacts by mudflow occurrence. Therefore there will be no impact related to these hazards.
- e. No specific housing developments are approved as part of Zoning Text Amendment. For subsequent projects, which will be subject to project-specific environmental review, drainage patterns may be affected in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. Impaired storm water runoff may then be intercepted and directed to a storm drain or water body, unless allowed to stand in a detention area. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

The Visalia General Plan contains multiple polices, identified under Impact 3.6-1 of the EIR, that together work to reduce the potential for erosion.

XI. LAND USE AND PLANNING

- a. Adopting the Zoning Text Amendment will not, by itself, physically divide an established community
- b. The Zoning Text Amendment does not propose to rezone or re-designate any land that was not already allowed to have residential development. Generally, residential development at greater densities is encouraged by the Housing Element policies. However, all identified potential residential development sites as well as generally increased development densities throughout the City, have been adequately analyzed for their consistency with urban infrastructure and service capacities as well as for land use consistency for the sites and relative to existing urban development within the City. The analysis concludes that the residential development patterns facilitated through the Housing Element are consistent with the City's existing land use and population buildout scenarios that were developed for the 2014 General Plan, and further analyzed for environmental effects in the

General Plan Program EIR.

The Visalia General Plan contains multiple polices, identified under Impact 3.1-2 of the EIR, that together work to reduce the potential for impacts to the development of land as designated by the General Plan. With implementation of these policies and the existing City standards, impacts to land use development consistent with the General Plan will be less than significant.

XII. MINERAL RESOURCES

- a. 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.

XIII. NOISE

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in noise impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- b. Adopting the Zoning Text Amendment will not, by itself, result in ground-borne vibration or ground-borne noise levels.
- c. The project area includes the Visalia Municipal Airport; however, the project will not impact airport operations. There are no private airstrips within the City of Visalia.

XIV. POPULATION AND HOUSING

- a. Adoption of the Zoning Text Amendment will not, by itself, directly induce substantial unplanned population growth that is in excess of that planned in the General Plan.
- b. Adoption of the Zoning Text Amendment will not, by itself, displace any housing or people on the site. The area being developed is currently vacant land.

XV. PUBLIC SERVICES

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, adopting the Zoning Text Amendment will not, by itself, result in substantial adverse impacts associated with the provision of new or physically altered public facilities.
 - i. Adopting the Zoning Text Amendment will not, by itself, require new fire protection services or facilities.
 - ii. Adopting the Zoning Text Amendment will not, by itself, require new police protection services or facilities.
 - iii. Adopting the Zoning Text Amendment will not, by itself, directly generate new students.
 - iv. Adopting the Zoning Text Amendment will not, by itself, directly generate the need for additional park facilities.
 - v. Adopting the Zoning Text Amendment will not, by itself, require other public services or facilities.

XVI. RECREATION

- a. Adopting the Zoning Text Amendment will not, by itself, directly generate new residents and will therefore not directly 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.
- b. Adopting the Zoning Text Amendment will not, by itself, require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

XVII. TRANSPORTATION AND TRAFFIC

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in transportation and traffic impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- b. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in transportation and traffic impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- c. No specific housing developments are approved as part of Zoning Text Amendment.
- d. The project will not result in inadequate emergency access.

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 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.

- a. No specific housing developments are approved as part of Zoning Text Amendment
- b. No specific housing developments are approved as part of Zoning Text Amendment

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

XIX. UTILITIES AND SERVICE SYSTEMS

No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly impact utilities and service systems. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

- a. Adopting the Zoning Text Amendment will not, by itself, result in any impacts to utilities and service systems. All subsequent developments will be required to comply with regulations pertaining to utilities and service systems.
- b. Adopting the Zoning Text Amendment will not, by itself, result in any impacts to utilities and service systems. All subsequent developments will be required to comply with regulations pertaining to utilities and service systems.
- c. The City has determined that there is adequate capacity existing to serve subsequent housing development's projected wastewater treatment demands at the City wastewater treatment plant during the planning period of the Housing Element.
- d. Adopting the Zoning Text Amendment will not, by itself, result in any impacts to utilities and service systems. All subsequent developments will be required to comply with regulations pertaining to utilities and service systems.
- e. Adopting the Zoning Text Amendment will not, by itself, result in any impacts to utilities and service systems. All subsequent developments will be required to comply with regulations pertaining to utilities and service systems.

XX. WILDFIRE

- a. Adopting the Zoning Text Amendment will not, by itself, result in any impacts from wildfire.
- b. The City of Visalia is relatively flat and the underlying soil is not known to be unstable, and therefore not in a location that is likely to exacerbate wildfire risks.

- c. Adopting the Zoning Text Amendment will not, by itself, result in any impacts from wildfire.
- d. Adopting the Zoning Text Amendment will not, by itself, result in any impacts from wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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



Brandon Smith, AICP
Environmental Coordinator

7/15/2020

Date

EXHIBIT "A"

GENERAL PLAN HOUSING ELEMENT 2020-2023 IMPLEMENTATION PROGRAMS CARRIED OUT BY ZONE TEXT AMENDMENT

HE Program 1.3 SENIOR HOUSING RESIDENTIAL DEVELOPMENT BY RIGHT

The City shall revise the Zoning Ordinance to allow senior housing development in accordance with the density for the underlying general plan land use district as a by-right use in all residential zone districts and in the downtown mixed use zone district.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 3.22 MOBILE HOME PARKS IN HIGH DENSITY RESIDENTIAL ZONE DISTRICT

The City shall revise the Zoning Ordinance to allow mobile home parks as a conditionally allowed use in the R-M-3 zone in accordance with the density prescribed in the General Plan land use district.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 5.9 EMPLOYEE HOUSING ALLOWED WHERE RAISING OF HORTICULTURAL ITEMS ALLOWED

The City shall revise the Zoning Ordinance to ensure that employee housing is permitted as a by right use in areas where agricultural activities are also an allowed use, in conformance with Health and Safety Code commencing at Section 17020. Alternately, the City may revise the Zoning Ordinance to address the allowed use of agriculture activities in non-residential zone districts.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 5.10 ACCESSORY DWELLING UNITS, RESIDENTIAL CARE FACILITIES, TRANSITIONAL / SUPPORTIVE HOUSING, AND EMPLOYEE HOUSING ALLOWED IN ALL ZONES PERMITTING SINGLE-FAMILY RESIDENCES

The City shall revise the Zoning Ordinance to allow accessory dwelling units, adult overnight residential care facilities, transitional / supportive housing, and employee housing as allowed uses in all zoning designations where single-family residences are respectively permitted or conditionally allowed.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 5.11 PERMANENT SUPPORTIVE HOUSING ALLOWED AS BY RIGHT USE

The City shall revise the Zoning Ordinance to allow permanent supportive housing, in accordance with Assembly Bill 2162 and Article 11 commencing with Government Code Section 65650, as a use by right in all zoning designations where multi-family residential used and mixed uses are respectively permitted or conditionally allowed.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.

HE Program 5.12 LOW BARRIER NAVIGATION CENTERS ALLOWED AS BY RIGHT USE

The City shall revise the Zoning Ordinance to allow low barrier navigation centers, in accordance with Assembly Bill 101 and Article 12 commencing with Government Code Section 65660, as a use by right in all zoning designations where mixed uses and non-residential zones allowing multi-family residential uses are respectively permitted or conditionally allowed.

Responsibility: Community Development Department

Funding: General Fund

Timeframe: 2020

Quantified Objective: Complete Ordinance Amendment within one year of Housing Element certification.