

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

COMMISSIONERS: Mary Beatie, Chris Tavarez, Chris Gomez, Adam Peck, Marvin Hansen

**MONDAY, MAY 9, 2022**  
**VISALIA COUNCIL CHAMBERS**  
**LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA**  
**MEETING TIME: 7:00 PM**

1. CALL TO ORDER –
2. THE PLEDGE OF ALLEGIANCE –
3. 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.
4. CHANGES OR COMMENTS TO THE AGENDA –
5. 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
6. PUBLIC HEARING – Rafael Garcia, Senior Planner
  - a. Annexation No. 2021-03: A request by Quest Equity, LLC, to annex one parcel totaling 32.35-acres into the City limits of Visalia, and to detach said parcel from Tulare County Service Area No. 1. This parcel is designated Residential Low Density in the Visalia General Plan Map and will be zoned R-1-5 (Single-family Residential) which is consistent with the Residential Low Density land use designation.
  - b. Higgins Ranch Tentative Subdivision Map No. 5585: A request by Quest Equity, LLC, Inc. to subdivide a 32.35-acre parcel into 174-lots for residential use with additional lots for landscaping and lighting district lots consistent with the R-1-5 (Single-family Residential) zone.

- c. Tentative Parcel Map No. 2022-01: A request by Quest Equity, LLC, Inc. to subdivide a 32.35-acre parcel into 2-lots for phasing and financing.

The project site is located on the southeast corner of South Lovers Lane and East Cherry Avenue within the jurisdiction of the County of Tulare (APN: 127-030-018). 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 and that Negative Declaration No. 2021-49 be adopted.

7. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. The next Planning Commission meeting is May 23, 2022.
- b. Item No. 6 continued from April 25, 2022, Planning Commission meeting (GPA/COZ/Variance) to be heard May 23, 2022.
- c. Planning Commission Reappointments.
- d. Housing Element Update and Request for Proposal extended to May 19, 2022.

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, MAY 19, 2022, 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 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, MAY 23, 2022**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** May 9, 2022

**PROJECT PLANNER:** Rafael Garcia, Senior Planner  
Phone No.: (559) 713-4031  
Email: [rafael.garcia@visalia.city](mailto:rafael.garcia@visalia.city)

**SUBJECT: Annexation No. 2021-03:** A request by Quest Equity, LLC, to annex one parcel totaling 32.35-acres into the City limits of Visalia, and to detach said parcel from Tulare County Service Area No. 1. This parcel is designated Residential Low Density in the Visalia General Plan Map and will be zoned R-1-5 (Single-family Residential) which is consistent with the Residential Low Density land use designation.

**Higgins Ranch Tentative Subdivision Map No. 5585:** A request by Quest Equity, LLC, Inc. to subdivide a 32.35-acre parcel into 174-lots for residential use with additional lots for landscaping and lighting district lots consistent with the R-1-5 (Single-family Residential) zone.

**Tentative Parcel Map No. 2022-01:** A request by Quest Equity, LLC, Inc. to subdivide a 32.35-acre parcel into 2-lots for phasing and financing.

**Project Location:** The project site is located on the southeast corner of South Lovers Lane and East Cherry Avenue within the jurisdiction of the County of Tulare (APN: 127-030-018).

## STAFF RECOMMENDATION

### **Annexation No. 2021-03**

Staff recommends that the Planning Commission recommend that City Council approve Annexation No. 2021-03, as conditioned, based on the findings in Resolution No. 2021-65. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan.

### **Higgins Ranch Tentative Subdivision Map No. 5585**

Staff recommends approval of the Higgins Ranch Tentative Subdivision Map No. 5585, as conditioned, based on the findings and conditions in Resolution No. 2021-66. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

### **Tentative Parcel Map No. 2022-01**

Staff recommends approval of Tentative Parcel Map No. 2022-01, as conditioned, based on the findings and conditions in Resolution No. 2022-05. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

## RECOMMENDED MOTION

I move to recommend approval of Annexation No. 2021-03, based on the findings and conditions in Resolution No. 2021-65.

I move to approve Higgins Ranch Tentative Subdivision Map No. 5585, based on the findings and conditions in Resolution No. 2021-66.

I move to approve Tentative Parcel Map No. 2022-01, based on the findings and conditions in Resolution No. 2022-05.

## PROJECT DESCRIPTION

The applicant, Quest Equity, LLC, has filed entitlement applications for the annexation of a 32.35-acre parcel, a tentative subdivision map and a tentative parcel map. Annexation No. 2021-03 is a request to annex a 32.35-acre parcel located beyond the city limits and within Tulare County (see Exhibit "B"). The annexation application is requesting to annex the development site within the City. Upon annexation, the Zoning designation for the 32.35-acre parcel will be R-1-5 (Single-family Residential 5,000 square foot minimum site area) for the entire project site.

The Higgins Ranch tentative subdivision map is a request to subdivide the 32.35-acre parcel into a 174-lot single-family residential subdivision at a density of 5.38 dwelling units per acre (see Exhibit "A"). Most of the proposed lots will conform to the zoning standards required within the R-1-5 zoning district for lot sizes of 5,000 square feet or greater. A total of 160 of the 174 lots will be a minimum of 5,000 square feet in area and will conform to the normal setbacks prescribed by the R-1-5 zoning district. The remaining balance of the lots will be less than 5,000 square feet (range between  $\pm 3,600$  square feet to  $\pm 4,900$  square feet) in area will utilize the setback standards prescribed as part of Visalia Municipal Code (VMC) Section 17.12.135.B of the zoning ordinance. No conditional use permit is necessary to establish the lots less than 5,000 square feet under this code section. The code section allows newly created lots to deviate from the required zoning standards so long as all the lots are minimum of 3,600 square feet in area. The small lots will have reduced setbacks along the front and rear yards but will comply with all other requirements as identified in Section 17.12.135 of the VMC with the exception of Section 17.12.135.4. The 14 lots will be located along the south border of the subdivision that abut the San Joaquin Valley Railroad and South California Edison (SCE) transmission lines. Due to the SCE transmission lines, SCE is requiring a 25-foot easement along the rear property lines of Lots 152 through 165 of the Higgins Ranch Subdivision. The SCE easement will prohibit any structure from being located within the required 25-foot easement as noted on the tentative subdivision map. This is discussed in greater detail in the Development Standards section of the staff report.

The proposed single-family subdivision will be serviced by 60-foot wide public local streets containing full improvements (curb, gutter, parkway landscaping, sidewalks, and streetlights), sewer lines, storm drainage, and other public infrastructure, utilities, and services (i.e., electricity, gas, and water). Primary access to the subdivision will be from Lovers Lane, an arterial street, and Cherry Avenue, a local roadway. Both streets will be improved to their ultimate right-of-way width within the boundaries of the Higgins Ranch subdivision. Improvements along these major streets include construction of curb, gutter, parkway landscaping, sidewalks, block wall, installation of park strip landscaping, streetlights, and undergrounding of utility lines. The street improvements associated with this subdivision are discussed in greater detail in the Lovers Lane and Cherry Avenue Improvements and Local Street Connectivity section of the staff report.



The subdivision map will also create lettered lots for Landscaping and Lighting District (LLD) purposes. The LLD lots will contain landscaping and six-foot tall block walls along Lovers Lane and a portion of Cherry Avenue adjacent to lots 70 and 71. The LLD lots will also extend around to the street sides on the corner lots adjacent to “D” Street abutting against lots 84 and 149.

The Parcel Map will also subdivide the area into two sites for phasing purposes. Phase I will be approximately 19.05 acres in area and will include 100 lots. Phase II will be approximately 13.30 acres in area and will include 74 lots. The 32.35-acre project site is currently undeveloped with an active walnut farm that will continue to operate until the site is ready for development. The parcel is surrounded by a residential subdivision to the north, a church to the west and undeveloped lots within the county’s jurisdiction to the east and south. The project site also abuts a canal belonging to the Tulare Irrigation District to the east and southeast as well as railroad tracks along the south operated by San Joaquin Valley Railroad.

**BACKGROUND INFORMATION**

General Plan Land Use Designation:	Residential Low Density
City Zoning:	R-1-5 (Single-family Residential, 5,000 square foot minimum lot size)
Surrounding Zoning and Land Use:	North: R-1-5 / Residential subdivision South: County AE-20 (Agricultural Exclusive 20-acre County jurisdiction) / Undeveloped Land East: County AE-20 (Agricultural Exclusive 20-acre County jurisdiction) / Undeveloped Land West: R-1-5 / Lovers Lane (Arterial street), Parcel currently improved with church building
Environmental Review:	Initial Study / Negative Declaration No. 2021-49
Special Districts:	None
Site Plan Review:	SPR No. 2021-157, 2021-219 and 2022-044

**RELATED PLANS & POLICIES**

Please see attached summary of related plans and policies.

**SIMILAR PROJECTS**

None.

**PROJECT EVALUATION**

Staff supports the annexation based on the project’s consistency with the Land Use Element of the General Plan. Specifically, the annexation will facilitate a residential subdivision development on a 32.35-acre site in a manner that is consistent with residential neighborhoods in the area. Furthermore, staff recommends approval of Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01 based on the project’s consistency with the Land Use Element of the General Plan, and the Zoning and Subdivision Ordinances for approval of the tentative subdivision map. The following potential issue areas have been analyzed for the proposed project.

## **General Plan Consistency**

The proposed 174-lot single-family residential subdivision on 32.35-acres is compatible with existing residential development adjacent to the area. The project is consistent with Land Use Policy LU-P-21 of the 2014 General Plan, which states that the city should “Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) consistent with the City’s Land Use Diagram”. The proposed site is within the County of Tulare and is adjacent to developed sites to the north and west. Existing utility infrastructure (i.e., sewer, storm and water) can be provided to accommodate the project at buildout. Further, the site is in the Urban Development Boundary (UDB) Tier 2, which allows for immediate development upon successful annexation. Visalia met the residential land use thresholds for expanding into the Tier 2 growth boundary in July 2021.

Furthermore, the project is consistent with Policy LU-P-55. The policy allows for residential development consistent with the Low Density Residential designation at a density range between two to ten dwelling units per gross acre. The proposed development will be developed at a residential density of 5.38 units per acre consistent with the Low Density Residential General Plan land use designation as well as the R-1-5 zoning district. The policy states: *“this designation is intended to provide for single-family subdivisions.”* Compatibility with the surrounding area is required by the General Plan in the decision to approve the proposed subdivision. The proposed subdivision meets all of the codified standards contained in the Zoning and Subdivision Ordinances, as well as all General Plan policies pertaining to residential development. Staff finds that the proposed tentative subdivision map is compatible with the surrounding area and the Low Density Residential land use designation.

## **Annexation No. 2021-03**

The project proponents have also filed an application to initiate the annexation of the 32.35-acre parcel (i.e., Annexation No. 2021-03). This is required in order to annex the site into the City’s land use jurisdiction. The Annexation can be supported on the basis that the proposed use is consistent with Land Use Policy LU-P-21, which allows for the annexation and development of residential land to occur within the Urban Development Boundary (Tier II) consistent with the City’s Land Use Diagram. The site can be serviced with all of the requisite utility and infrastructure available to serve the site upon development. Cities can approve tentative maps prior to final approval of the annexation by the local agency formation commission, but cannot approve the final subdivision map until after the land is annexed and the annexation is recorded through the Tulare County Recorder. Staff has included this requirement as Condition No. 3 of the Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01.

## **Lovers Lane and Cherry Avenue Improvements and Local Street Connectivity**

The developer of the subdivision will be required to construct major street improvements along both South Lovers Lane and East Cherry Avenue. Improvements along the subdivision frontage for these major streets include improving these streets to their ultimate right-of-way design.

Lovers Lane is a designated 110-foot wide arterial street. Improvements along the right of way within the boundaries of the subdivision map include improving the street to its full width which will include a Class II bike lane, curb, gutter, sidewalks, streetlights, block wall and landscaping along the east side of the street. Lovers Lane is currently improved with two south bound and two northbound lanes, but there is no curb, gutter, sidewalks, streetlights, block wall or landscaping along the east side of the street. The landscaping frontage along Lovers Lane is required to be dedicated as part of a Landscape and Lighting District which will be formed with the subdivision map. The Landscape and Lighting District lots are identified as out-lots “A” and “B” of the Higgins Ranch tentative subdivision map (see Exhibit “A”). The establishment of the

district provides maintenance of the landscape lots, block walls, street pavement and street lighting. Also, as noted in the Engineering Division's Site Plan Review comments, all new utilities that will service the residential subdivision will be placed underground.

No changes are proposed as part of the existing median island on Lovers Lane. The Lovers Lane and Cherry Avenue intersection will be limited to right-in, right-out, and left-in traffic movements, while the Lovers Lane and "D" Street intersection will be limited to right-in and right-out only. No new left-turn pocket will be required along this segment of Lovers Lane.

Cherry Avenue is a 56-foot wide local street. Full street improvements along Cherry Avenue include a street widening, new curb, gutter, parkway landscaping and new sidewalk along the south side of the roadway fronting the new development. The north side of the roadway has been improved as part of the improvements that were required as part of the residential subdivision to the north. The landscaping frontage along Cherry Avenue adjacent to lots 70 and 71 is required to be dedicated to a Landscape and Lighting District which will be formed with the subdivision map. The Landscape and Lighting District lot is identified as out-lot "A" of the Higgins Ranch tentative subdivision map (see Exhibit "A"). In addition, as noted in the Engineering Division's Site Plan Review comments, all new utilities required to service the residential subdivision will be required to be undergrounded.

Local Street Connectivity: The 174-lot subdivision is designed to comply with the City's Engineering Improvement Standards "P-15 – Super Block Connectivity". This improvement standard provides for access via the local street connectivity pattern within a superblock thereby reducing trips onto arterial and collector streets. The superblock connectivity design allows for interconnectivity between and within neighborhoods. The local street connection proposed within the 174-lot subdivision provides for the local street stub-out connection to a future subdivision located to the east of the project site which will be accessible via "E" Street as shown on Exhibit "A". The city will require that the street connection up to the ditch easement with temporary barricade be installed as part of Phase I of the development. The applicant will also be required to submit a deposit of 50 percent of the cost associated with the required culvert crossing.

### **Development Standards**

Most of the proposed lots will utilize standard single-family residential standards for lot size and setbacks. The lots will be required to meet R-1-5 zoning standard setback standards, described in further detail in VMC chapter 17.12 (see attached Related Plans and Policies). However, 14 of the 174 lots will utilize lot sizes and setbacks that will deviate from the conventional R-1-5 zoning standards. The 14 lots will be less than 5,000 square feet in area (ranging between 3,600 and 4,999 square feet) and will utilize setback standards prescribed as part of VMC Section 17.12.135.B. of the zoning code. The lots are located along the southern boundary of the subdivision and are adjacent to a Southern California Edison easement that will be required for SCE transmission lines located along the southern border of the subdivision. The easement will prevent any development or structures within 25 feet from the rear property lines of lots 152 through 165. The easement will reduce the buildable area for the 14 lots to less than 5,000 square feet. VMC Section 17.12.135 allows newly created lots to deviate from the required zoning standards so long as all the lots are a minimum of 3,600 square feet in area. All lots that are a minimum of 5,000 square feet in area will have a minimum lot depth between ±93 to ±110 feet with the exception of the lots located on cul-de-sac or knuckle street bulbs. These lots will also be required to utilize standard single-family residential setback standards but are permitted to have a 20-foot setback for front-loading garages as identified in Section 17.12.080.C of the Zoning Ordinance. Lots less than 5,000 square feet in area are required to be a minimum of 46 feet in width by 70 feet in depth as prescribed by VMC Section 17.12.135.B. Reduced setbacks are also allowed along the front and rear yard setbacks as outlined on the breakdown below.

The setbacks within the R-1-5 zone for lots 5,000 square feet or greater are as follows:

Minimum Lot Area	Front	Side	Street Side	Rear
5,000 sq. ft.	15-ft. to habitable space. 22-ft. to garage	5-ft.	10-ft.	25-ft.

The setbacks for the R-1-5 zone for lots that are between 3,600 and 4,999 square feet in area are as follows:

Minimum Lot Area	Front	Side	Street Side	Rear
3,600 to 4,999 sq. ft.	12-ft. to habitable space 20-ft. to garage	5-ft.	10-ft.	15-ft.

**Landscape and Lighting Assessment District and Block Walls**

A Landscaping and Lighting District (LLD) will be required for the long-term maintenance of the out lots (Lots A through C), which include blocks walls, landscaping, streets lights and a small park as noted on Exhibit “A”. The block walls along the major street frontages will be typical City standard 6-foot, 8-inch block walls. The block wall height shall be reduced to three feet where the block wall runs adjacent to the front yard setback along the front yard areas of the adjoining residential lots. The three-foot transition areas can be found between the corner residential lots and the local streets heading into the subdivision from South Lovers Lane. Staff has included Condition No. 6 to require the stepped down walls.

**Infrastructure**

Water Service: Staff received correspondence (Exhibit “D”, attached herein) from the California Water Service Company (Cal Water), indicating that Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission. The determination of water availability shall remain valid for two years from the date of their letter, January 11, 2022. The letter also states that if the project does not commence within the two-year time frame, Cal Water will be under no obligation to serve the project site unless the developer receives an updated letter from Cal Water reconfirming water availability. In addition, the letter can be rescinded at any time in the event that water supply is severely reduced by legislative, regulatory or environmental factors. Staff has included Condition No. 7 that requires the developer to obtain a valid Will Serve Letter from the California Water Service Company if, prior to development of the subdivision, the determination of water availability letter lapses.

Sanitary Sewer: The sewer system will have to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will be sized in order to service the entire subdivision. The sanitary sewer master plan for the entire development will be required to be submitted for approval prior to approval of any portion of the system.

Storm Drainage: The subdivision will be required to provide a temporary retention basin for storm water drainage. Coordination with the City Engineer as part of the master storm infrastructure plan will be necessary to design the subdivision accordingly to ultimately tie into a future storm drain basin. A capital improvement project is currently under design for a regional storm drain master plan in the area. A temporary easement will be required over the lots (170 to 174) impacted by the temporary basin and any backfill stockpiles.

**Subdivision Map Act Findings**

California Government Code Section 66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven “negative” findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff’s analysis are below. Recommended findings in response to this Government Code section are included in the recommended findings for the approval of the tentative subdivision and tentative parcel map.

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed maps have been found to be consistent with the City’s General Plan. This is included as recommended Finding No. 1 of the Tentative Subdivision and Tentative Parcel Maps. There are no specific plans applicable to the proposed maps.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the maps have been found to be consistent with the City’s General Plan. This is included as recommended Finding No. 1 of the Tentative Subdivision and Tentative Parcel Maps. There are no specific plans applicable to the proposed maps.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed maps and its affiliated development plan, which is designated as Low Density Residential and developed at a density of 5.38 units per acre. This is included as recommended Finding No. 3 of the Tentative Subdivision and Tentative Parcel Maps.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed maps and its affiliated development plan, which is designated as Low Density Residential. This is included as recommended Finding No. 4 of the Tentative Subdivision and Tentative Parcel Maps.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvements of the maps have not been found likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project’s determination of no new effects under the Guidelines for the Implementation of the California

	Environmental Quality Act (CEQA), included as recommended Finding No. 6 of the Tentative Subdivision and Tentative Parcel Maps.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Subdivision and Tentative Parcel Maps.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.	The proposed design of the maps do not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 5 of the Tentative Subdivision and Tentative Parcel Maps.

**Environmental Review**

An Initial Study and Negative Declaration were prepared for the proposed project. Initial Study and Negative Declaration No. 2021-49 disclosed that environmental impacts are determined to be not significant. Staff concludes that Initial Study and Negative Declaration No. 2021-49 adequately analyzes and addresses the proposed project and reduces environmental impacts to a less than significant level.

**RECOMMENDED FINDINGS**

**Annexation No. 2021-03**

1. That the Annexation 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.
2. That the proposed Annexation, which will re-designate 32.35-acres of AE-20 (Agricultural Exclusive 20-acre) County zone district to R-1-5 (Single-family Residential) City zone district, will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
3. That the parcel is not located within an Agricultural Preserve.
4. That the parcel will be annexed into Voting District 2 per the Council Election Voting District Map.
5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-49, is hereby adopted. Furthermore, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish, wildlife or their habitat.

## **Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01**

1. That the proposed location and layout of the Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01, its improvements and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 32.35-acre project site, which is the site of the proposed 174-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-21 of the General Plan. Policy LU-P-21 allows for the “annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) consistent with the City’s Land Use Diagram”.
2. That the proposed Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01, its improvements and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative subdivision map will be compatible with adjacent land uses. The project site is bordered by existing residential development and two major streets.
3. That the site is physically suitable for the proposed tentative subdivision map. The Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01 is consistent with the intent of the General Plan and Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is adjacent to land zoned for residential development, and the subdivision establishes a local street pattern that will serve the subject site and the future development of vacant parcels located to the west of the subject site.
4. That the site is physically suitable for the proposed tentative subdivision and tentative parcel maps and the project’s density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Higgins Ranch Tentative Subdivision Map No. 5585, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 32.35-acre project site, which is the site of the proposed 174-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-21.
5. That the proposed Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The 174-lot subdivision is designed to comply with the City’s Engineering Improvement Standards. The development of the site with a 174-lot single-family residential subdivision would extend local streets, infrastructure improvements, utilities, right-of-way improvements and a residential lot pattern consistent with existing residential development found in the area. The project will include the construction of local streets within the subdivision, connection stub out to a future subdivision to the east and frontage street improvements along both South Lovers Lane and East Cherry Avenue.
6. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-49, is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

## **RECOMMENDED CONDITIONS**

### **Annexation No. 2021-03**

1. Upon annexation, the territory shall be zoned Single-Family Residential, 5,000 square foot minimum (R-1-5) consistent with the pre-zoning designated by the General Plan Land Use Map.
2. That the applicant(s) enter into a Pre-Annexation Agreement with the City which memorializes the required fees, policies, and other conditions applicable to the annexation. The draft Pre-Annexation Agreement is attached herein as Attachment "B" of Resolution No. 2021-65. The agreement is subject to final approval by the City Council of the City of Visalia.

### **Higgins Ranch Tentative Subdivision Map No. 5585**

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2021-157 and 2021-219 incorporated herein by reference.
2. That the Higgins Ranch Tentative Subdivision Map No. 5585 be prepared in substantial compliance with the subdivision map in Exhibit "A".
3. That approval of the Higgins Ranch Tentative Subdivision Map No. 5585 shall not become effective unless Annexation No. 2021-03, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2021-03.
4. That all lots that are a minimum of 5,000 square feet in area shall comply with the R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) zone district standards for the front, side, street side yard, and rear yard setbacks.
5. That all lots that are less than 5,000 square feet in area shall comply with the R-1-5 zoning district standards contained as part of Visalia Municipal Code Section 17.12.135.
6. That the block walls located within the Landscape and Lighting District lots shall transition to three-foot height within the 15-foot front yard setback areas of the adjoining residential identified as Lots 84 and 149 of the Higgins Ranch Tentative Subdivision Map No. 5585 (Exhibit "A").
7. That if, prior to development of the subdivision, the determination of water availability letter lapses, then the applicant/developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
8. That Street "E" shall be designed as a "stub" street connection to facilitate future local street connectivity to the east per the City's Engineering Improvement Standards P-15 Super Block Connectivity. The street connection up to the ditch easement with temporary barricade shall be installed as part of Phase I of the development. The applicant shall also be required to submit a deposit of 50 percent of the cost associated with the required culvert crossing.
9. That all applicable federal, state, regional, and city policies and ordinances be met.

### **Tentative Parcel Map No. 2022-01**

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2022-044.
2. That Tentative Parcel Map No. 2022-01 be prepared in substantial compliance with Exhibit "C".



3. That approval of the Tentative Parcel Map No. 2022-01 shall not become effective unless Annexation No. 2021-03, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2021-03.
4. That all other federal, state and city codes, ordinances and laws be met.

## **APPEAL INFORMATION**

### **Annexation**

For the Annexation, the Planning Commission's recommendation is advisory only. The final decision will be by the Visalia City Council following a public hearing. Therefore, the Planning Commission's recommendation in this matter is not appealable.

### **Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01**

According to the City of Visalia Subdivision Ordinance Section 16.28.080, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe St., Visalia, CA. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the City's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

### **Attachments:**

- Related Plans and Policies
- Resolution No. 2021-65 – Annexation No. 2021-03
  - Attachment "A" – Annexation Area
  - Attachment "B" – Annexation Agreement
- Resolution No. 2021-66 – Higgins Ranch Tentative Subdivision Map No. 5585
- Resolution No. 2022-05 – Tentative Parcel Map No. 2022-01
- Exhibit "A" – Higgins Ranch Tentative Subdivision Map No. 5585
- Exhibit "B" – Annexation Area
- Exhibit "C" – Tentative Parcel Map No. 2022-01
- Exhibit "D" – California Water Service Company Will Serve Letter
- Initial Study / Negative Declaration No. 2021-49
- Site Plan Review Item No. 2021-157, 2021-219 and 2022-044
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

## RELATED PLANS AND POLICIES

**General Plan and Zoning:** The following General Plan and Zoning Ordinance policies apply to the proposed project:

**General Plan Land Use Policies:**

**LU-P-21:** Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) and the Urban Growth Boundary (Tier III) consistent with the City's Land Use Diagram, according to the following phasing thresholds:

- "Tier II": Tier II supports a target buildout population of approximately 178,000. The expansion criteria for land in Tier II is that land would only become available for development when building permits have been issued in Tier I at the following levels, starting from April 1, 2010:

Residential: after permits for 5,850 housing units have been issued.

**LU-P-55:** Update the Zoning Ordinance to reflect the Low Density Residential designation on the Land Use Diagram for development at 2 to 10 dwelling units per gross acre, facilitating new planned neighborhoods and infill development in established areas. This designation is intended to provide for single-family detached housing with densities typical of single-family subdivisions. Duplex units, townhouses, and small-lot detached housing may be incorporated as part of Low Density Residential developments. Development standards will ensure that a desirable single-family neighborhood character is maintained.

## Zoning Ordinance Chapter for R-1 Zone

### Chapter 17.12

#### R-1 SINGLE-FAMILY RESIDENTIAL ZONE

##### 17.12.010 Purpose and intent.

In the R-1 single-family residential zones (R-1-5, R-1-12.5, and R-1-20), the purpose and intent is to provide living area within the city where development is limited to low density concentrations of one-family dwellings where regulations are designed to accomplish the following: to promote and encourage a suitable environment for family life; to provide space for community facilities needed to compliment urban residential areas and for institutions that require a residential environment; to minimize traffic congestion and to avoid an overload of utilities designed to service only low density residential use.

##### 17.12.015 Applicability.

The requirements in this chapter shall apply to all property within R-1 zone districts.

##### 17.12.020 Permitted uses.

In the R-1 single-family residential zones, the following uses shall be permitted by right:

- A. One-family dwellings;
- B. Raising of fruit and nut trees, vegetables and horticultural specialties;
- C. Accessory structures located on the same site with a permitted use including private garages and carports, one guest house, storehouses, garden structures, green houses, recreation room and hobby shops;
- D. Swimming pools used solely by persons resident on the site and their guests; provided, that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard;
- E. Temporary subdivision sales offices;
- F. Licensed day care for a maximum of fourteen (14) children in addition to the residing family;
- G. Twenty-four (24) hour residential care facilities or foster homes, for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provisions of Chapter 17.48;
- I. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030;
- J. Accessory dwelling units as specified in Sections 17.12.140 through 17.12.200;
- K. Adult day care up to twelve (12) persons in addition to the residing family;
- L. Other uses similar in nature and intensity as determined by the city planner;
- M. Legally existing multiple family units, and expansion or reconstruction as provided in Section 17.12.070.
- N. Transitional or supportive housing for six (6) or fewer resident/clients.
- O. In the R-1-20 zone only, the breeding, hatching, raising and fattening of birds, rabbits, chinchillas, hamsters, other small animals and fowl, on a domestic noncommercial scale, provided that there shall not be less than one thousand (1,000) square feet of site area for each fowl or animal and provided that no structure housing poultry or small animals shall be closer than fifty (50) feet to any property line, closer than twenty-five (25) feet to any dwelling on the site, or closer than fifty (50) feet to any other dwelling;

P. In the R-1-20 zone only, the raising of livestock, except pigs of any kind, subject to the exception of not more than two cows, two horses, four sheep or four goats for each site, shall be permitted; provided, that there be no limitation on the number of livestock permitted on a site with an area of ten acres or more and provided that no stable be located closer than fifty (50) feet to any dwelling on the site or closer than one hundred (100) feet to any other dwelling;

**17.12.030 Accessory uses.**

In the R-1 single-family residential zone, the following accessory uses shall be permitted, subject to specified provisions:

- A. Home occupations subject to the provisions of Section 17.32.030;
- B. Accessory buildings subject to the provisions of Section 17.12.100(B).
- C. Cottage Food Operations subject to the provisions of Health and Safety Code 113758 and Section 17.32.035.

**17.12.040 Conditional uses.**

In the R-1 single-family residential zone, the following conditional uses may be permitted in accordance with the provisions of Chapter 17.38:

- A. Planned development subject to the provisions of Chapter 17.26;
- B. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- C. Public and private charitable institutions, general hospitals, sanitariums, nursing and convalescent homes; not including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- D. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations, ambulance service and other public building, structures and facilities; public playgrounds, parks and community centers;
- E. Electric distribution substations;
- F. Gas regulator stations;
- G. Public service pumping stations, i.e., community water service wells;
- H. Communications equipment buildings;
- I. Planned neighborhood commercial center subject to the provisions of Chapter 17.26;
- J. Residential development specifically designed for senior housing;
- K. Mobile home parks in conformance with Section 17.32.040;
- L. [Reserved.] M. Residential developments utilizing private streets in which the net lot area (lot area not including street area) meets or exceeds the site area prescribed by this article and in which the private streets are designed and constructed to meet or exceed public street standards;
- N. Adult day care in excess of twelve (12) persons;
- O. Duplexes on corner lots;
- P. Twenty-four (24) hour residential care facilities or foster homes for more than six individuals in addition to the residing family;
- Q. Residential structures and accessory buildings totaling more than ten thousand (10,000) square feet;
- R. Other uses similar in nature and intensity as determined by the city planner.

S. Transitional or supportive housing for seven (7) or more resident/clients.

**17.12.050 Site area.**

The minimum site area shall be as follows:

<b>Zone</b>	<b>Minimum Site Area</b>
R-1-5	5,000 square feet
R-1-12.5	12,500 square feet
R-1-20	20,000 square feet

A. Each site shall have not less than forty (40) feet of frontage on the public street. The minimum width shall be as follows:

<b>Zone</b>	<b>Interior Lot</b>	<b>Corner Lot</b>
R-1-5	50 feet	60 feet
R-1-12.5	90 feet	100 feet
R-1-20	100 feet	110 feet

B. Minimum width for corner lot on a side on cul-de-sac shall be eighty (80) feet, when there is no landscape lot between the corner lot and the right of way.

**17.12.060 One dwelling unit per site.**

In the R-1 single-family residential zone, not more than one dwelling unit shall be located on each site, with the exception to Section 17.12.020(J).

**17.12.070 Replacement and expansion of legally existing multiple family units.**

In accordance with Sections 17.12.020 legally existing multiple family units may be expanded or replaced if destroyed by fire or other disaster subject to the following criteria:

A. A site plan review permit as provided in Chapter 17.28 is required for all expansions or replacements.

B. Replacement/expansion of unit(s) shall be designed and constructed in an architectural style compatible with the existing single-family units in the neighborhood. Review of elevations for replacement/expansion shall occur through the site plan review process. Appeals to architectural requirements of the site plan review committee shall be subject to the appeals process set forth in Chapter 17.28.050.

C. Setbacks and related development standards shall be consistent with existing single-family units in the neighborhood.

D. Parking requirements set forth in Section 17.34.020 and landscaping requirements shall meet current city standards and shall apply to the entire site(s), not just the replacement unit(s) or expanded area, which may result in the reduction of the number of units on the site.

E. The number of multiple family units on the site shall not be increased.

F. All rights established under Sections 17.12.020 and 17.12.070 shall be null and void one hundred eighty (180) days after the date that the unit(s) are destroyed (or rendered uninhabitable), unless a building permit has been obtained and diligent pursuit of construction has commenced. The approval of a site plan review permit does not constitute compliance with this requirement.

**17.12.080 Front yard.**

A. The minimum front yard shall be as follows:

<b>Zone</b>	<b>Minimum Front Yard</b>
R-1-5	Fifteen (15) feet for living space and side-loading garages and twenty-two (22) feet for front-loading garages or other parking facilities, such as, but not limited to, carports, shade

canopies, or porte cochere. A Porte Cochere with less than twenty-two (22) feet of setback from property line shall not be counted as covered parking, and garages on such sites shall not be the subject of a garage conversion.

R-1-12.5 Thirty (30) feet

R-1-20 Thirty-five (35) feet

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

C. On cul-de-sac and knuckle lots with a front lot line of which all or a portion is curvilinear, the front yard setback shall be no less than fifteen (15) feet for living space and side-loading garages and twenty (20) feet for front-loading garages.

#### **17.12.090 Side yards.**

A. The minimum side yard shall be five feet in the R-1-5 and R-1-12.5 zone subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet and twenty-two (22) feet for front loading garages or other parking facilities, such as, but not limited to, carports, shade canopies, or porte cocheres.

B. The minimum side yard shall be ten feet in the R-1-20 zone subject to the exception that on the street side of a corner lot the side yard shall be not less than twenty (20) feet.

C. On a reversed corner lot the side yard adjoining the street shall be not less than ten feet.

D. On corner lots, all front-loading garage doors shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

E. Side yard requirements may be zero feet on one side of a lot if two or more consecutive lots are approved for a zero lot line development by the site plan review committee.

F. The placement of any mechanical equipment, including but not limited to, pool/spa equipment and evaporative coolers shall not be permitted in the five-foot side yard within the buildable area of the lot, or within five feet of rear/side property lines that are adjacent to the required side yard on adjoining lots. This provision shall not apply to street side yards on corner lots, nor shall it prohibit the surface mounting of utility meters and/or the placement of fixtures and utility lines as approved by the building and planning divisions.

#### **17.12.100 Rear yard.**

In the R-1 single-family residential zones, the minimum yard shall be twenty-five (25) feet, subject to the following exceptions:

A. On a corner or reverse corner lot the rear yard shall be twenty-five (25) feet on the narrow side or twenty (20) feet on the long side of the lot. The decision as to whether the short side or long side is used as the rear yard area shall be left to the applicant's discretion as long as a minimum area of one thousand five hundred (1,500) square feet of usable rear yard area is maintained. The remaining side yard to be a minimum of five feet.

B. Accessory structures not exceeding twelve (12) feet may be located in the required rear yard but not closer than three feet to any lot line provided that not more than twenty (20) percent of the area of the required rear yard shall be covered by structures enclosed on more than one side and not more than forty (40) percent may be covered by structures enclosed on only one side. On a reverse corner lot an accessory structure shall not be located closer to the rear property line than the required side yard on the adjoining key lot. An accessory structure shall not be closer to a side property line adjoining key lot and not closer to a side property line adjoining the street than the required front yard on the adjoining key lot.

C. Main structures may encroach up to five feet into a required rear yard area provided that such encroachment does not exceed one story and that a usable, open, rear yard area of at least one thousand five hundred (1,500) square feet shall be maintained. Such encroachment and rear yard area shall be approved by the city planner prior to issuing building permits.

**17.12.110 Height of structures.**

In the R-1 single-family residential zone, the maximum height of a permitted use shall be thirty-five (35) feet, with the exception of structures specified in Section 17.12.100(B).

**17.12.120 Off-street parking.**

In the R-1 single-family residential zone, subject to the provisions of Chapter 17.34.

**17.12.130 Fences, walls and hedges.**

In the R-1 single-family residential zone, fences, walls and hedges are subject to the provisions of Section 17.36.030.

**17.12.135 Lot area less than 5,000 square feet.**

A. Notwithstanding Section 17.12.050, lots in the R-1-5 zone may have a lot area of between 3,600 and 4,999 square feet if all of the following standards are met:

1. The Planning Commission finds that the development's overall density is consistent with the General Plan.
2. The maximum number of lots less than 5,000 square feet that may be approved by a tentative subdivision map shall be fifty (50) percent or less of the total lots.
3. Streets shall be constructed to public street standards.
4. Each subdivision with at least 15 lots that are less than 5,000 square feet in size shall make available to buyers at least three (3) different small lot floor plans with at least four (4) available elevation designs for each floor plan to construct on those lots.
5. The primary frontage of the dwelling unit shall face a public street, primary entryway, circulation walkway, or open space with sidewalks that provide delineated paths of travel.
6. The primary frontage of the dwelling unit shall include the primary entrance and at least one window.
7. Required covered parking spaces shall be in garages. Carports are prohibited.
8. The width of the garage shall not be greater than fifty (50) percent of the width of the dwelling unit.
9. The garage shall not extend beyond the front building facade (living area.)
10. All dwelling units shall include a covered front porch at least four (4) feet deep and six (6) feet wide or an uncovered front courtyard at least five (5) feet wide and five (5) feet deep that is surrounded on four sides by the dwelling unit or a wall or fence between three (3) and four (4) feet high with a pedestrian gate or entryway.
11. The building official shall not approve a building permit for a new dwelling unit on a lot with a lot area less than 5,000 square feet until the city planner, or designee, has determined that the standards identified in this section are met.
12. The subdivision shall provide a common, usable open space area of a minimum 3,000 square feet or two hundred fifty (250) square feet per lot under 5,000 square feet, whichever is greater. The area shall be landscaped and maintained with funding from either a homeowner's association or a landscape and lighting act district.

B. Notwithstanding this Chapter, lots with less than five thousand (5,000) square feet shall have the following minimum dimensions and building setback areas, unless they were approved with a planned development permit:

1. The minimum lot depth shall be seventy (70) feet.
2. The minimum lot width shall be forty-six (46) feet for interior lots and fifty-one (51) feet for corner lots.

3. The minimum front building setback area shall be twelve (12) feet for livable space and twenty (20) feet for garages.

4. The minimum rear yard building setback area shall be fifteen (15) feet.

5. The minimum interior side yard building setback area shall be five (5) feet.

6. The minimum corner side yard building setback area shall be ten (10) feet.

7. The maximum building height shall be thirty-five (35) feet.

8. Lots shall provide for a usable open space area of a minimum three hundred (300) square feet. The open space shall be a minimum fifteen (15) feet wide.

C. Lots less having a lot area of 3,600 square feet, or lots that do not meet the standards in this section may be approved through the planned development permit process per Chapter 17.26. (Ord. 2017-01 (part), 2017)



RESOLUTION NO. 2021-65

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF VISALIA RECOMMENDING APPROVAL OF ANNEXATION NO. 2021-03 AND DETACHMENT OF PROPERTY FROM COUNTY SERVICE AREA NO. 1, PERTAINING TO ONE PARCEL TOTALING 32.35-ACRES INTO THE CITY LIMITS OF VISALIA. UPON ANNEXATION, THE SITE SHALL BE ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL 5,000 SQUARE FOOT MINIMUM), WHICH IS CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL. THE PROJECT SITE IS LOCATED AT THE SOUTHEAST CORNER OF SOUTH LOVERS LANE AND EAST CHERRY AVENUE (APN: 127-030-018).

**WHEREAS**, the project proponents approve to initiate proceedings for annexation to said city of territory described on the attached legal description included as Attachment "A" of this resolution; and

**WHEREAS**, the Planning Commission of the City of Visalia, after a duly published notice, did hold a public hearing on May 9, 2022, and

**WHEREAS**, the proponent desires to annex said territory to the City of Visalia for the following reasons: 1) The annexation will contribute to and facilitate orderly growth and development of both the City and the territory proposed to be annexed; 2) Will facilitate and contribute to the proper and orderly layout, design and construction of streets, gutters, sanitary and storm sewers and drainage facilities, both within the City and within the territory proposed to be annexed; and 3) Will provide and facilitate proper overall planning and zoning of lands and subdivision of lands in said City and said territory in a manner most conducive of the welfare of said City and said territory; and

**WHEREAS**, this proposal is made pursuant to the Cortese-Knox-Hertzburg Local Government Reorganization Act of 2000, commencing with Section 56000 of the Government Code of the State of California; and

**WHEREAS**, the territory proposed to be annexed is uninhabited; and

**WHEREAS**, the territory proposed to be annexed is located in Voting District 2 as identified in the Election District Map adopted by the City Council on February 22, 2022 per Resolution No. 2022-11; and

**WHEREAS**, the Planning Commission reviewed this proposal on May 9, 2022, and found it to be consistent with the General Plan; and

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

**WHEREAS**, the Planning Commission hereby makes the following findings with regard to the project:

1. That Annexation 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.
2. That the proposed Annexation, which will re-designate 32.35-acres of AE-20 (Agricultural Exclusive 20-acre) County zone district to R-1-5 (Single-family Residential 5,000 square foot minimum site area) City zone district, will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
3. That the parcel is not located within an Agricultural Preserve.
4. That the parcel is located within Voting District 2 per the Council Election Voting District Map.
5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-49, is hereby adopted. Furthermore, neither the design of the subdivision nor the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2021-49 for Annexation No. 2021-03 and Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map 2022-01 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of the Annexation described herein, subject to the following condition:

1. Upon annexation, the territory shall be zoned Single-Family Residential, 5,000 square foot minimum site area (R-1-5) consistent with the pre-zoning designated by the General Plan Land Use Map which designates the site as Low Density Residential.
2. That the applicant(s) enter into a Pre-Annexation Agreement with the City which memorializes the required fees, policies, and other conditions applicable to the annexation. The draft Pre-Annexation Agreement is attached herein as Attachment "B" of Resolution No. 2021-65. The agreement is subject to final approval by the City Council of the City of Visalia.

**Exhibit**  
**Geographic Description**  
**City of Visalia**  
**Annexation 2021-\_\_\_**  
**Annexation to the City of Visalia and Detachment from CSA #1**

That portion of the Northwest quarter of Section 3, Township 19 South, Range 25 East, Mount Diablo Meridian, in the County of Tulare, State of California described as follows:

Commencing at the West quarter corner of said Section 3; thence, North 89°04'33" East, 110.00 feet along the South line of the Northwest quarter of said Section 3 and the South line of the existing City of Visalia City Limits to the East right of way line of Lovers Lane (County Road 140); thence, North 01°31'57" West, along said East line, also being the East line of the existing City of Visalia City Limit line 174.26 feet more or less to the intersection with a line parallel with and 50.00 feet North of the centerline of the Union Pacific Rail Road and the **TRUE POINT OF BEGINNING**;

**Course 1:** thence, continuing along said East line and existing City of Visalia City Limit Line, North 01°31'57" West, 1134.13 feet to the North line of the Southwest quarter of the Northwest quarter of said Section 3;

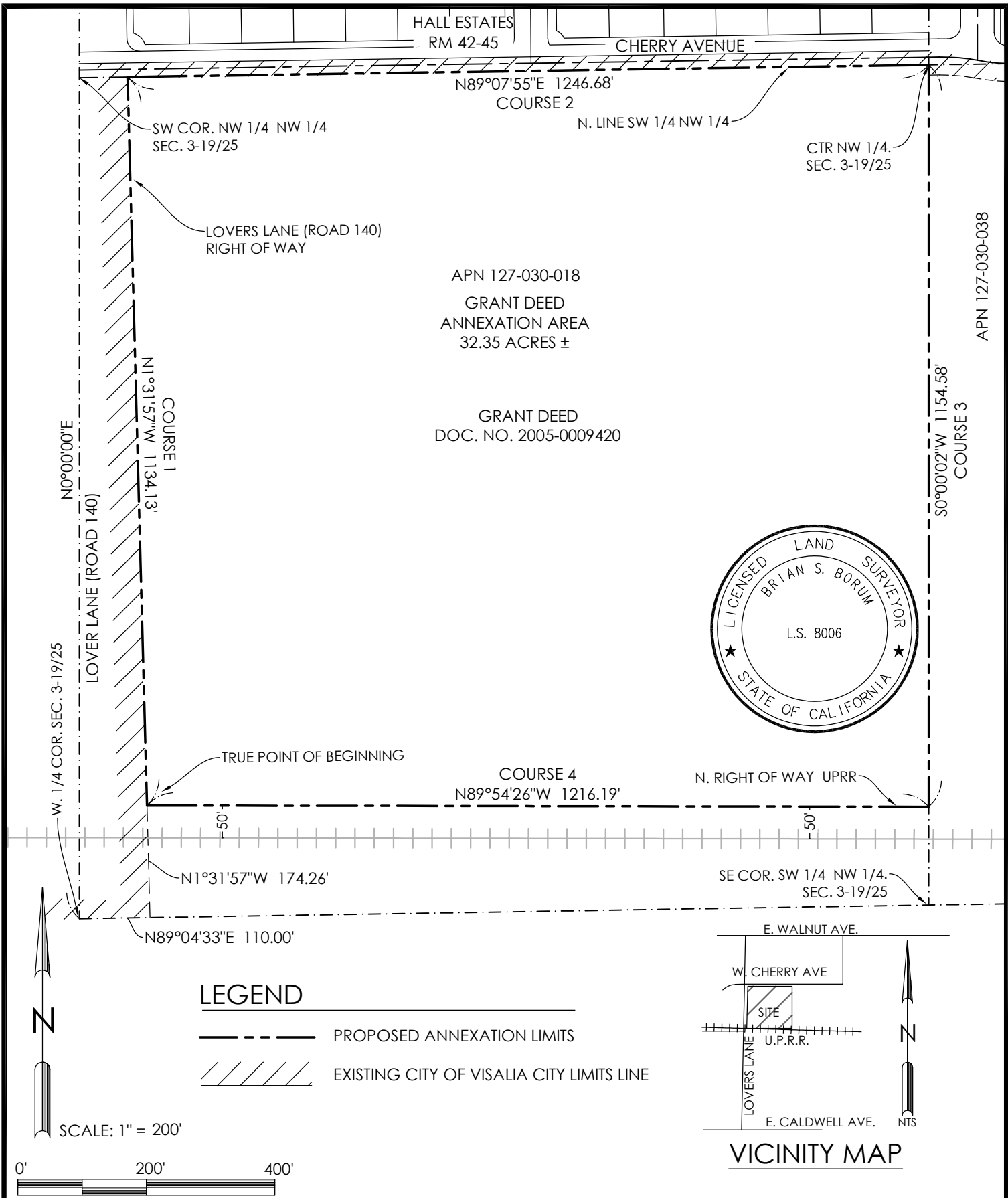
**Course 2:** thence, continuing along said existing City of Visalia City Limit Line, North 89°07'55" East, 1246.68 feet more or less to the center of the Northwest quarter of said Section 3;

**Course 3:** thence, leaving said existing City of Visalia City Limit Line, South 00°00'02" West, along the East line of the Southwest quarter of the Northwest quarter of said Section 3, a distance of 1154.58 feet more or less to the intersection with a line parallel with and 50.00 feet North of the centerline of the Union Pacific Rail Road;

**Course 4:** thence, North 89°54'26" West, along said parallel line, 1216.19 feet more or less to the **TRUE POINT OF BEGINNING**.

Containing 32.35 acres more or less





DATE: 02/9/2022

DRAWN:

CHECKED:

PROJECT:

EXHIBIT  
CITY OF VISALIA  
ANNEXATION NO. 2021-\_\_\_\_  
ANNEXATION TO THE CITY VISALIA  
AND DETACHMENT FROM CSA #1

**BLS**  
Land Surveying  
BORUMLANDSURVEYING.COM

EXHIBIT

**Pre-Annexation Agreement**

This Pre-Annexation Agreement ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, by and among the City of Visalia, a charter law city ("City") and Nash Limited Partnership, (hereinafter "Owner"):

**RECITALS**

**WHEREAS**, Owners are the record owners of the property, currently located in the unincorporated area of the County of Tulare, legally described in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (hereinafter referred to as the "Property"); and

**WHEREAS**, the Property is adjacent to and contiguous to the existing corporate boundary of the City, but is not situated within the limits of any municipality; and

**WHEREAS**, Owner desires to have the Property annexed to the City and to have the Property zoned as R-1-5, which would permit the Property to be used for Low Density Residential; and

**WHEREAS**, the Property consists of approximately 32.35 acres, and no electors reside thereon; and

**WHEREAS**, proper applications have been filed with the City for approval of the annexation and for the legal subdivision of the lot, as may be required for the Property; and

**WHEREAS**, the City has, by a resolution requesting initiation of proceedings to annex territory ("Resolution") adopted on Month \_\_, 2022, initiated proceedings to annex the Property; and

**WHEREAS**, in certain annexation proceedings Williamson Act issues arise which require indemnification of LAFCO, in said event, City requires indemnification from Developer; and

**WHEREAS**, finding \_\_ of Resolution No. 2022-\_\_ initiating annexation requires entry into this Annexation Agreement prior to the City submitting an application to the Local Area Formation Commission to commence the proposed annexation; and

**WHEREAS**, Owner acknowledges that during the term of this Agreement the Property will be subject to all ordinances, resolutions, and other regulations of the City, as they may be amended from time to time, as well as state and federal statutes and regulations, as they may be amended.

**WHEREAS**, the City is authorized by its police powers to protect the health, safety and welfare of the community, and is entering into this Agreement and executing such authority for said purpose; and

**WHEREAS**, nothing contained in this Agreement shall constitute a waiver of the City's legislative, governmental, or police powers to promote and protect the health, safety and welfare of the City and its inhabitants, nor shall this Agreement prohibit the enactment or increase by town of any tax, fee, or charge.

**NOW, THEREFORE**, in consideration of the above Recitals and the following Covenants, it is agreed by and between the parties as follows:

### **I. AGREEMENT**

- A. Parties. The parties to this Agreement are the City and Owner.
- B. Incorporation of Recitals. The parties confirm and incorporate the foregoing Recitals into this Agreement.
- C. Purpose/Limits of Agreement. A specific purpose of this Agreement is to set forth specific terms and conditions of annexation of the Property to City.

### **II. TERMS AND CONDITIONS OF ANNEXATION; PURPOSE OF AGREEMENT**

Generally, each party to this Agreement is benefited and burdened by detachment from the County and annexation to the City. Owner will obtain a variety of services from City and City will obtain additional tax revenues. City has adopted ordinances, regulations, and policies concerning design, improvement, construction, development and use of property within the City. Nothing contained in this Agreement shall constitute a waiver of City's legislative, governmental, or police powers to promote and protect the health, safety, and welfare of City and its inhabitants, nor shall this Agreement prohibit the enactment or increase by City of any tax or fee. The purpose of this Agreement is to spell out additional conditions to which Owner will be subject following annexation and prior to development within the City due to the burden placed on City by Owner's desired annexation:

- A. Water Acquisition Policy: Although City's current water service provider, California Water Service, continues to issue will-serve letters, City's Council is aware of the steadily decreasing level of water in the City's underground water aquifers and has determined that increasing development is contributing to this serious problem. Therefore, City's Council has studied the issue and investigated possible solutions in order that it may continue to assure citizens that there will be water available to serve the community's needs. City's Council is actively engaged in water replenishment activities with the Kaweah Delta Water

Conservation District and it has adopted a policy, as set forth in Chapter 16.54 of the Visalia Municipal Code, which requires annexation applicants to convey title to water rights to City upon annexation and/or to pay a fee to City (pursuant to an adopted fee schedule) so that City may acquire water for groundwater replenishment and storage in order to serve new development that comes with annexation, including development of the Property (the "Water Acquisition Policy"). Therefore, Owner agrees that, at the time that LAFCO issues a Certificate of Completion finalizing the annexation (and upon the running of all applicable statutes of limitation related thereto), Owner will comply with the Water Acquisition Policy by entering into an agreement with City to either (i) convey to City those water rights vested in the Property, if any, (ii) agree to pay City a fee in lieu thereof, (iii) agree to some combination of an in lieu fee payment and water right conveyance, or (iv) to comply by any other method allowed by the Water Acquisition Policy, provided that such agreement includes a condition precedent requiring City's water supplier to agree to serve the Property with potable water in amount sufficient to meet Owner's reasonably anticipated total water demand for the Property, as determined by a valid water supply assessment prepared pursuant to California Water Code § 10910 *et seq.* No post-annexation permit or entitlement approvals concerning the Property will be issued by City unless and until Owner complies with the Water Acquisition Policy in a manner consistent with this subsection II(A). Owner agrees that it shall identify all water rights which, to the best of Owner's knowledge, have been used by Owner or its agents in connection with the Property, regardless of whether they are considered "vested" in the Property, and shall comply with the Water Acquisition Policy by entering into an agreement with City to convey such rights, if any, to City. City shall cooperate with Owner in valuing such water rights for the purposes of determining the amount of offset to be applied against the in lieu fee as required pursuant of the Water Acquisition Policy. Owner further agrees that City shall have first right of refusal in acquiring upon mutually acceptable terms any water rights that Owner owns that may be in addition to those required to meet Owner's obligations under the Water Acquisition Policy. City agrees that water rights need not be conveyed and in lieu fees shall not be made payable until City's issuance of one or more parcel maps or final subdivision maps covering the Property and, in the event Owner applies to City for its approval of multiple final maps covering the Property, City agrees such water rights conveyance or fee payment obligation shall be allocated on a pro rata basis to each phase of development covered by each final subdivision map, with conveyance of water rights or payment to be made on a per map basis upon City's issuance of each final subdivision map covering the Property.

- B. General Plan Maintenance Fee: On June 21, 2004, the City adopted (by Resolution 2004-63, as corrected) a General Plan Maintenance Fee. Owner agrees that, at the time LAFCO issues a Certificate of Completion finalizing the annexation (and upon the running of all applicable statutes of limitation related thereto), Owner will enter into an agreement with City to pay the General Plan Maintenance Fee in an amount equal to

\$427 per acre and no post-annexation permit or entitlement approvals concerning the Property will be issued unless and until said agreement is executed. City agrees that such fee shall not be made payable until City's issuance of one or more final subdivision maps covering the Property and, in the event Owner applies to City for its approval of multiple final maps covering the Property, City agrees such fee payment obligation shall be allocated on a pro rata basis to each phase of development covered by each final subdivision map, with payment to be made on a per map basis upon City's issuance of each final subdivision map covering the Property. Owner's satisfaction of its obligations under this Section II(B) will satisfy any and all of Owner's obligations related to and arising under the General Plan Maintenance Fee.

- C. Plan For Providing Services. The parties agree to cooperate in, and to take such actions as may be necessary to ensure, the diligent preparation of a Plan For Providing Services to the Property, to be submitted to LAFCO along with City's annexation application, in accordance with Cortese-Knox-Hertzberg Act requirements.

Developer understands and agrees that building permits and other entitlements for development on the Property will not be issued unless and until each and every condition herein is met.

### **III. TERM**

The term of this Agreement shall become effective when fully executed by the parties hereto (the "Effective Date") and continue for a period of twenty (20) years. This Agreement shall terminate if (a) the annexation proceedings are terminated for any reason; or (b) the completion of the annexation (recordation of a Certificate of Completion) does not occur on or before one (1) year from the Effective Date. Any indemnification provision included herewith shall survive termination and continue until expiration of the statute of limitations applicable to the subject matter thereof.

### **IV. DEFAULT, REMEDIES AND ENFORCEMENT**

In the event of breach or default of any term, condition, covenant or obligation of this Agreement by either party, the other party may exercise any rights available at law or in equity, including an action for specific performance or other injunctive relief, and all such remedies shall be cumulative. This Agreement shall be enforceable, unless lawfully terminated or cancelled, by any party to the Agreement or any party's successor in interest, notwithstanding any subsequent changes in any applicable law adopted by the City which alters or amends the laws, ordinances, resolutions, rules or policies frozen by this Agreement.

### **V. INDEMNIFICATION**

Owner agrees to indemnify and hold harmless City and the City's officers, employees, agents, and contractors, from and against all liability, claims,



causes of actions, and demands, including attorney's fees and court costs, which arise out of or are in any manner connected with this Agreement or its operation, or with any other action annexation or other action determined necessary or desirable by the City in order to effectuate the annexation of Owner's property, or which are in any manner connected with the City's enforcement of this Agreement. Owner further agrees to investigate, handle, respond to, and to provide defense for and defend against or at the City's option to pay the attorney's fees and court costs, which arise out of or are in any manner connected with this Agreement or its operation.

## **VI. MISCELLANEOUS**

- a. Binding Effect/Covenants to Run With Land. The Parties hereto agree to be bound by this Agreement. This Agreement shall be binding upon and shall inure to the benefit of the heirs, transferees, successors and assigns of the parties hereto. The terms and conditions stated herein shall constitute covenants running with the land.
- b. Assignment. Neither party shall assign, delegate or transfer their rights and duties in this Agreement without the written consent of the other party.
- c. Authorized Signatory. The individuals executing this Agreement, by their signature hereto, declare that they are authorized to, and have the legal power, right and actual authority to bind the party to the terms and conditions of this Agreement.
- d. Notices. All notices under this Agreement shall be effective upon personal delivery to City, or Owner, as the case may be, three (3) business days after deposit in the United States Mail, postage fully prepaid, addressed to the respective parties as follows:

To the City:                   City Manager  
  City of Visalia  
  220 N. Santa Fe Street  
  Visalia, CA 93292

With Copy to:               Kenneth J. Richardson  
  City Attorney  
  Peltzer & Richardson  
  3746 West Mineral King Avenue  
  Visalia, CA 93291

To Owner:                    Nash Limited Partnership  
  Attn: Greg Nunley  
  1878 N. Mooney Blvd.  
  Tulare, CA 93274

Or such other address as the parties may from time to time designate by giving notice as required hereunder.

- e. Entire Agreement. This Agreement represents the entire agreement between the City and Owner as to its subject matter and no prior oral or written understanding shall be of any force or affect.
- f. Amendment. No part of this Agreement may be modified without the written consent of both parties.
- g. Headings. Section headings are provided for organizational purposes only and do not in any manner affect the scope, meaning, or intent of the provisions under the heading.
- h. No Third Party Beneficiaries Intended. Except as provided herein, the parties of this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.
- i. Exhibits and Recitals. The recitals and any exhibits to this Agreement are fully incorporated by reference and are integral parts of this Agreement.
- j. Conflict With Laws or Regulations/Severability. This Agreement is subject to all applicable laws and regulations. If any provision(s) of this Agreement is found by any court or other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing this subject, the conflicting provision(s) shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the effected party. In all other cases, the remainder of the Agreement shall continue in full force and effect.
- k. Waiver. A waiver of any breach of this Agreement by any party shall not constitute a continuing waiver or a waiver of any subsequent breach of the same or any other provision of this Agreement.
- l. Choice of Law - Venue. This Agreement shall be governed by the laws of the State of California and any questions arising hereunder shall be construed or determined according to such law. Venue for any legal action arising from or in connection with this Agreement or the Property shall be in Tulare County, California.
- m. Attorneys Fees. In the event either party commences any action, arbitration or legal proceedings for the enforcement of this Agreement, the prevailing party, as determined by the court or arbitrator, shall be entitled to recovery of its reasonable fees and costs, including attorneys fees, court costs and arbitration costs incurred in the action brought thereon.

- n. No Agency, Joint Venture or Partnership. It is understood that this Agreement is a contract that has been negotiated and voluntarily entered into by City and Owner and that Owner is not an agent of City. City and Owner hereby renounce the existence of any form of joint venture or partnership between them, and agree that nothing contained herein or in any document executed in connection therewith shall be construed as making City and Owner joint venturers or partners.
  
- o. Excusable Delays; Extension of Time of Performance. In the event of delays due to strikes, inability to obtain materials, civil commotion, fire, war, terrorism, lockouts, third-party litigation or other legal challenges regarding the annexation, riots, floods, earthquakes, epidemic, quarantine, freight embargoes, failure of contractors to perform, or other circumstances beyond the reasonable control of the parties and which cause substantially interferes with the ability of either party to perform its obligations under this Agreement, then the time for performance of any such obligation shall be extended for such period of time as the cause of such delay shall exist but in any event not longer than for such period of time.
  
- p. Further Assurances. The parties will execute and deliver, upon demand by the other party, such further documents, instruments and conveyances, and shall take such further actions as such other party may request from time to time to document the transactions set forth herein.
  
- q. Recordation of Agreement; Counterparts. This Agreement, or an abstract of its material terms and conditions shall be recorded by either party in the Official Records of the Tulare County Recorder. This Agreement may be executed in counterparts and, when all counterparts are combined, shall constitute a single agreement.

////

**IN WITNESS WHEREOF**, the parties have executed this Agreement on the date set forth next to their signature.

**CITY**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Leslie Caviglia, City Manager

Attest:

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Michelle Nicholson, City Clerk

Approved as to Form:

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Kenneth J. Richardson,  
City Attorney

**OWNER**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Greg Nunley  
Nash Limited Partnership

## RESOLUTION NO 2021-66

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE SUBDIVISION MAP NO. 5585, A REQUEST TO SUBDIVIDE 32.35 ACRES INTO A 174-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION. THE 32.35 ACRES IS PROPOSED TO BE ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQUARE FOOT MINIMUM LOT SIZE) UPON ANNEXATION INTO THE CITY OF VISALIA. THE PROJECT SITE IS LOCATED ON THE SOUTHEAST CORNER OF SOUTH LOVERS LANE AND EAST CHERRY AVENUE (APN: 127-030-018).

**WHEREAS**, Higgins Ranch Tentative Subdivision Map No. 5585 is a request to subdivide 32.35 acres into a 174-lot single-family residential subdivision. The project is pre-zoned R-1-5 (Single Family Residential, 5,000 square foot minimum site area) and is located at the southeast corner of South Lovers Lane and East Cherry Avenue (APN: 127-030-018); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on May 9, 2022; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Higgins Ranch Tentative Subdivision Map No. 5585 in accordance with Chapter 16.16 of the Subdivision Ordinance of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2021-49 for Annexation No. 2021-03, Tentative Parcel Map No. 2022-01 and Higgins Ranch Tentative Subdivision Map No. 5585 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia approves the proposed tentative subdivision map based on the following specific findings and based on the evidence presented:

1. That the proposed location and layout of the Higgins Ranch Tentative Subdivision Map No. 5585, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The proposed 174-lot single-family residential subdivision is consistent with Land Use Policy LU-P-21 of the General Plan. Policy LU-P-21 states that the city shall "Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) consistent with the City's Land Use Diagram".

2. That the proposed Higgins Ranch Tentative Subdivision Map No. 5585, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative subdivision map will be compatible with adjacent land uses. The project site is bordered by existing residential development and two major streets.
3. That the site is physically suitable for the proposed tentative subdivision map. The Higgins Ranch Tentative Subdivision Map No. 5585 is consistent with the intent of the General Plan and Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is adjacent to land zoned for residential development, and the subdivision establishes a local street pattern that will serve the subject site and the future development of vacant parcels located to the west of the subject site.
4. That the site is physically suitable for the proposed tentative subdivision and tentative parcel maps and the project's density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Higgins Ranch Tentative Subdivision Map No. 5585, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 32.35-acre project site, which is the site of the proposed 174-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-21.
5. That the proposed Higgins Ranch Tentative Subdivision Map No. 5585, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The 174-lot subdivision is designed to comply with the City's Engineering Improvement Standards. The development of the site with a 174-lot single-family residential subdivision would extend local streets, infrastructure improvements, utilities, right-of-way improvements and a residential lot pattern consistent with existing residential development found in the surrounding area. The project will include the construction of local streets within the subdivision and frontage street improvements along both South Lovers Lane and East Cherry Avenue.
6. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-49, is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the tentative subdivision map on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 16.16.030 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2021-157 and 2021-219 incorporated herein by reference.
2. That the Higgins Ranch Tentative Subdivision Map No. 5585 be prepared in substantial compliance with the subdivision map in Exhibit "A".
3. Approval of the Higgins Ranch Tentative Subdivision Map No. 5585 shall not become effective unless Annexation No. 2021-03, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2021-03.
4. That all lots that are a minimum of 5,000 square feet in area shall comply with the R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) zone district standards for the front, side, street side yard, and rear yard setbacks.
5. That all lots that are less than 5,000 square feet in area shall comply with the R-1-5 zoning district standards contained as part of Visalia Municipal Code Section 17.12.135.
6. That the block walls located within the Landscape and Lighting District lots shall transition to three-foot height within the 15-foot front yard setback areas of the adjoining residential identified as Lots 84 and 149 of the Higgins Ranch Tentative Subdivision Map No. 5585 (Exhibit "A").
7. That if, prior to development of the subdivision the determination of water availability letter lapses, then the applicant/developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
8. That Street "E" shall be designed as a "stub" street connection to facilitate future local street connectivity to the east per the City's Engineering Improvement Standards P-15 Super Block Connectivity. The street connection up to the ditch easement with temporary barricade shall be installed as part of Phase I of the development. The applicant shall also be required to submit a deposit of 50 percent of the cost associated with the required culvert crossing.
9. That all applicable federal, state, regional, and city policies and ordinances be met.

RESOLUTION NO. 2022-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2022-01, A REQUEST TO SUBDIVIDE A 32.35 ACRE SITE INTO TWO (2) LOTS IN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQ. FT. MINIMUM SITE AREA) ZONE DISTRICT. THE SITE IS LOCATED AT THE SOUTHEAST CORNER OF SOUTH LOVERS LANE AND EAST CHERRY AVENUE (APN: 127-030-018)

**WHEREAS**, Tentative Parcel Map No. 2022-01, is a request to subdivide a 32.35-acre site into two lots located in the R-1-5 (Single-Family Residential, Minimum 5,000 square foot lot size) zoning district. The project site is located at the southeast corner of South Lovers Lane and Each Cherry Avenue (APN 127-030-018); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said commission on May 9, 2022; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2022-01, as conditioned, in accordance with Section 16.28.070 of the Visalia Municipal Code based on the evidence contained in the staff report and testimony presented at the public hearing; and,

**WHEREAS**, an Initial Study and Negative Declaration was prepared which disclosed that no significant environmental impacts would result from this project; and

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

1. That the proposed location and layout of the Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01, its improvements and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 32.35-acre project site, which is the site of the proposed 174-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-21 of the General Plan. Policy LU-P-21 allows for the “annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) consistent with the City’s Land Use Diagram”.
2. That the proposed Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01, its improvements and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative subdivision map will be compatible with adjacent land uses. The project site is bordered by existing residential development and two major streets.

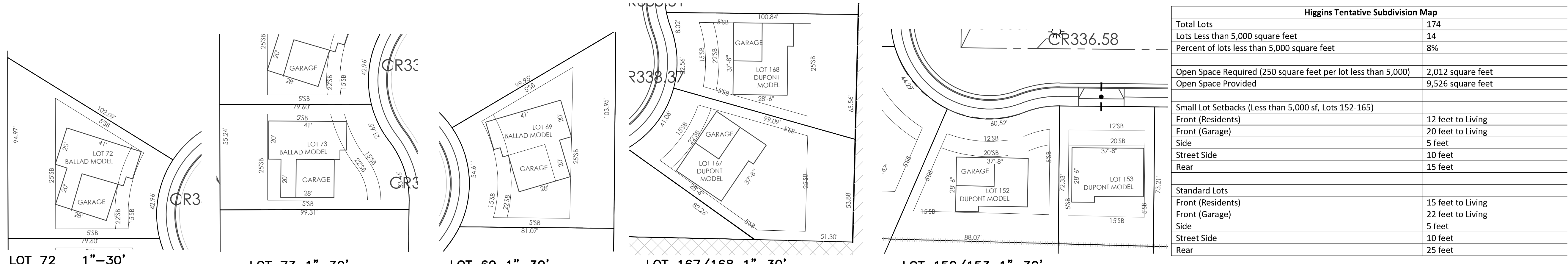


3. That the site is physically suitable for the proposed tentative subdivision map. The Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01 is consistent with the intent of the General Plan and Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is adjacent to land zoned for residential development, and the subdivision establishes a local street pattern that will serve the subject site and the future development of vacant parcels located to the west of the subject site.
4. That the site is physically suitable for the proposed tentative subdivision and tentative parcel maps and the project's density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Higgins Ranch Tentative Subdivision Map No. 5585, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 32.35-acre project site, which is the site of the proposed 174-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-21.
5. That the proposed Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The 174-lot subdivision is designed to comply with the City's Engineering Improvement Standards. The development of the site with a 174-lot single-family residential subdivision would extend local streets, infrastructure improvements, utilities, right-of-way improvements and a residential lot pattern consistent with existing residential development found in the area. The project will include the construction of local streets within the subdivision, connection stub out to a future subdivision to the east and frontage street improvements along both South Lovers Lane and East Cherry Avenue.
6. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-49, is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approved the parcel map on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.12.010 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2022-044.
2. That Tentative Parcel Map No. 2022-01 be prepared in substantial compliance with Exhibit "C".

3. That approval of the Tentative Parcel Map No. 2022-01 shall not become effective unless Annexation No. 2021-03, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2021-03.
4. That all other federal, state and city codes, ordinances and laws be met.



Higgins Tentative Subdivision Map	
Total Lots	174
Lots Less than 5,000 square feet	14
Percent of lots less than 5,000 square feet	8%
Open Space Required (250 square feet per lot less than 5,000)	2,012 square feet
Open Space Provided	9,526 square feet
Small Lot Setbacks (Less than 5,000 sf, Lots 152-165)	
Front (Residents)	12 feet to Living
Front (Garage)	20 feet to Living
Side	5 feet
Street Side	10 feet
Rear	15 feet
Standard Lots	
Front (Residents)	15 feet to Living
Front (Garage)	22 feet to Living
Side	5 feet
Street Side	10 feet
Rear	25 feet

# TENTATIVE SUBDIVISION FOR HIGGINS RANCH

VISALIA CALIFORNIA

## OWNER

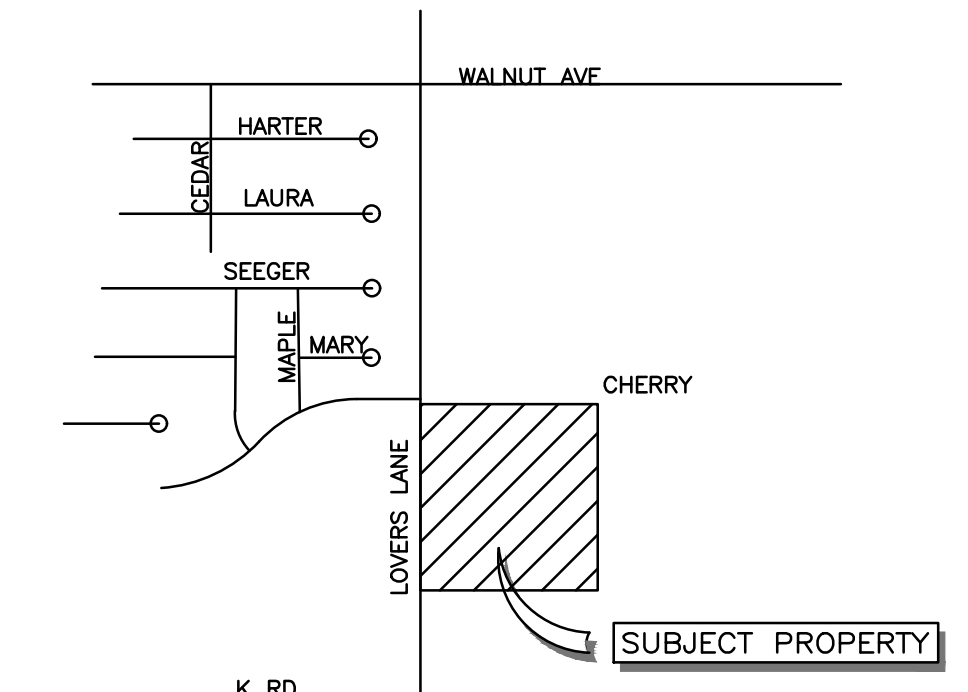
NASH LIMITED PARTNERSHIP

## DEVELOPER

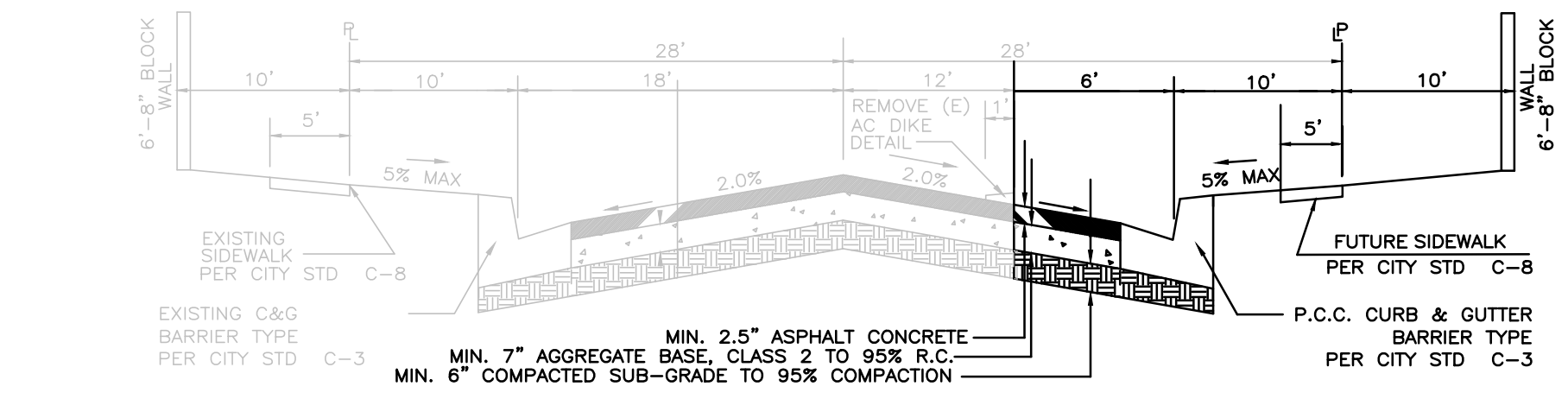
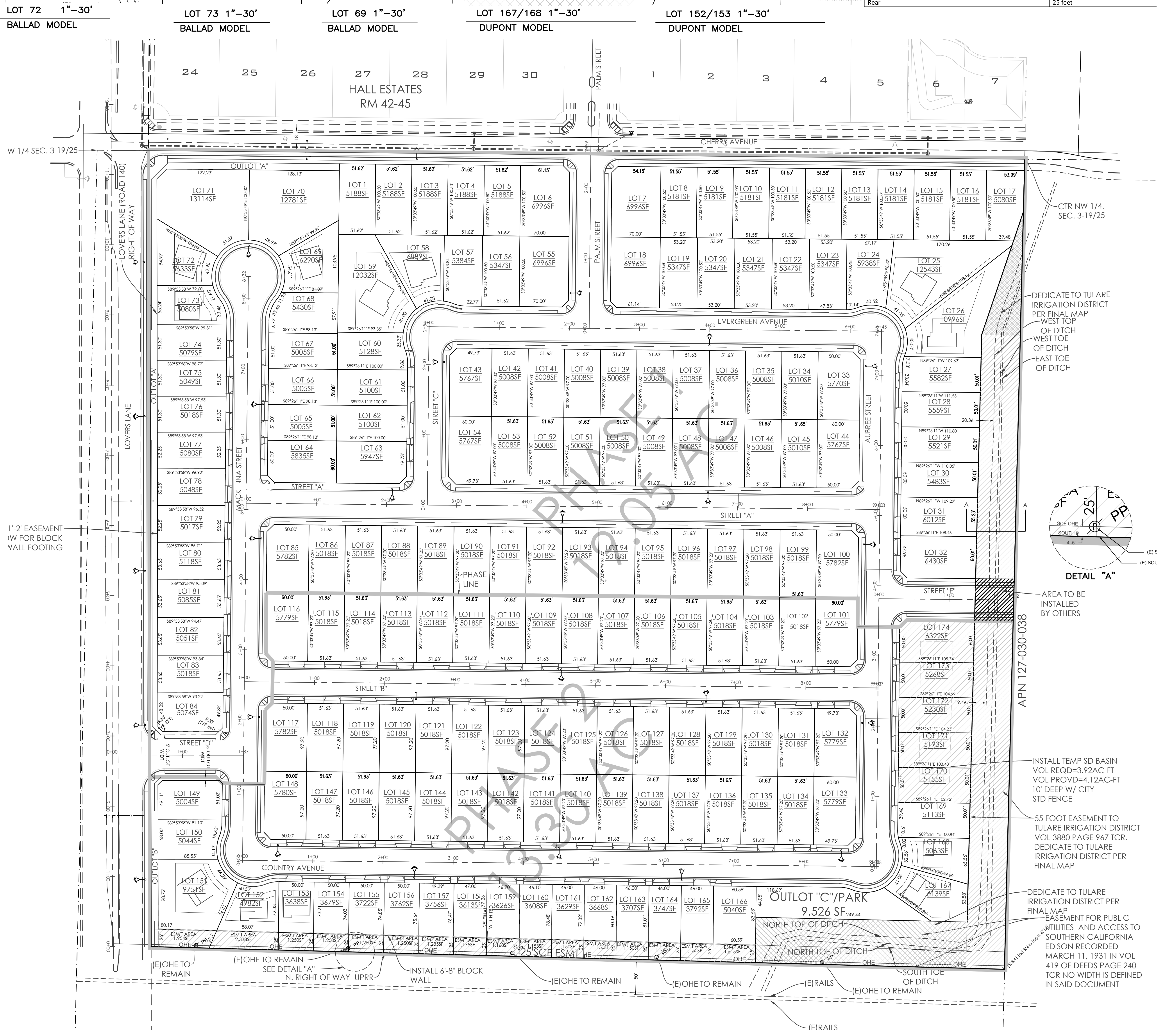
QUEST EQUITY LLC  
 GREG NUNLEY (559)799-6993  
 1878 N MOONEY BLVD SUITE J  
 TULARE, CA 93274  
 APN: 127-030-018

## PROJECT INFO

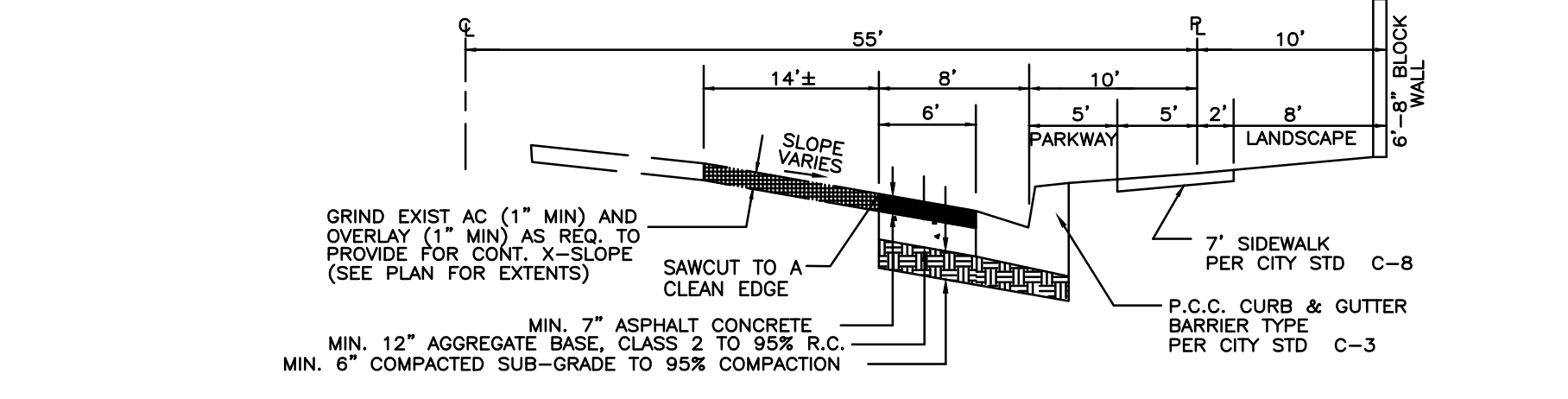
SOUTH EAST CORNER OF LOVERS LANE AND CHERRY AVENUE  
 APN: 127-030-018  
 TOTAL AREA: 32.35 AC  
 EXIST. USE: AGRICULTURE  
 PROPOSED USE: RESIDENTIAL  
 FLOOD ZONE: X  
 TOTAL LOTS: 174  
 LOT AREA: 3,655 MIN/ 13,166 MAX  
 ZONING: R-1  
 DENSITY: 5.38 UNITS/AC



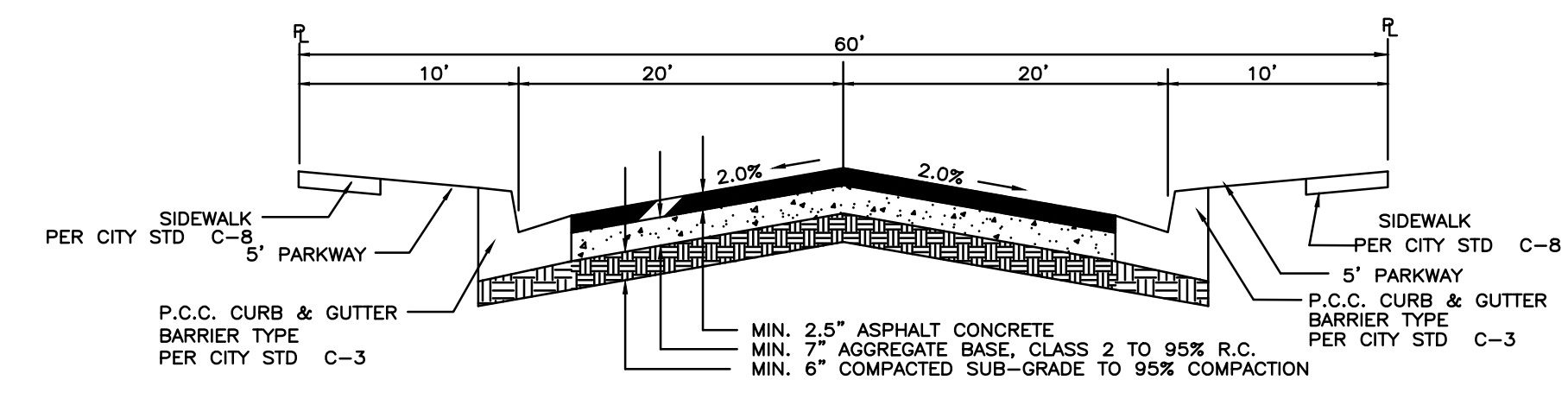
Vicinity Map  
NO SCALE



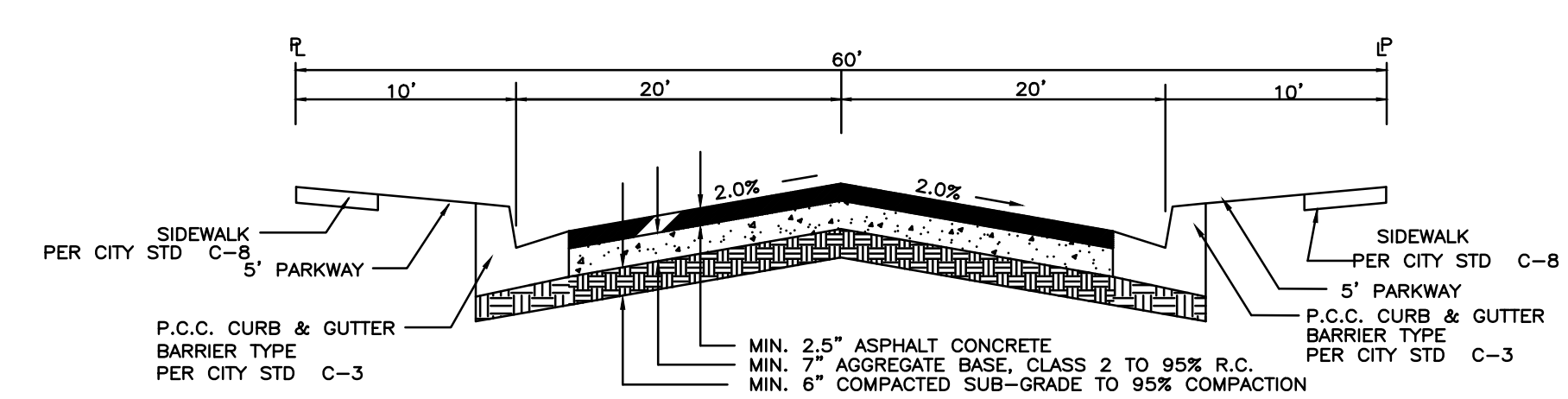
STRUCTURAL SECTION CHERRY AVE.  
T.I.=5.5 "R"=xx



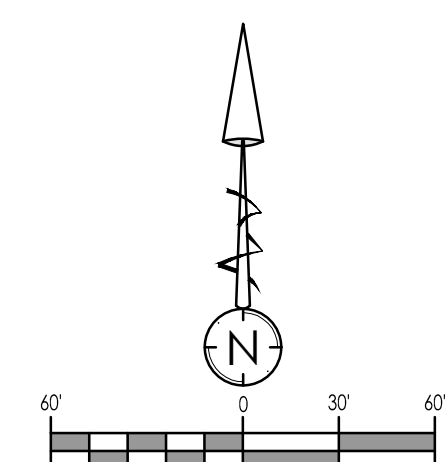
STRUCTURAL SECTION LOVERS LANE  
T.I.=11 "R"=xx



STRUCTURAL SECTION PALM ST.  
T.I.=5.5 "R"=XX



STRUCTURAL SECTION LOCAL STREETS  
T.I.=5.5 "R"=XX



SECTION A-A

DEDICATE TO TULARE IRRIGATION DISTRICT PER FINAL MAP  
 WEST TOP OF DITCH  
 WEST TOE OF DITCH  
 EAST TOE OF DITCH

AREA TO BE INSTALLED BY OTHERS

INSTALL TEMP SD BASIN VOL REQD=3.92AC-FT VOL PROV'D=4.12AC-FT 10' DEEP W/ CITY STD FENCE

55 FOOT EASEMENT TO TULARE IRRIGATION DISTRICT VOL 3880 PAGE 967 TCR. DEDICATE TO TULARE IRRIGATION DISTRICT PER FINAL MAP  
 EASEMENT FOR PUBLIC UTILITIES AND ACCESS TO SOUTHERN CALIFORNIA EDISON RECORDED MARCH 11, 1931 IN VOL 419 OF DEEDS PAGE 240 TCR NO WIDTH IS DEFINED IN SAID DOCUMENT

REVISIONS	DATE	BY	SCALE
1		JAW	1"=60'
2	APRIL 25, 2022		
3			
4			

**A.W. ENGINEERING**  
 VISALIA, CA 93292  
 (559) 713-6139  
 awengineering@gmail.com  
 724 N. BEN MADDOX WAY SUITE A  
 VISALIA, CA 93292

**TENTATIVE SUBDIVISION FOR HIGGINS RANCH**  
 VISALIA CALIFORNIA

**SITE**  
 SHEET  
 JOB NUMBER:



**Exhibit**  
**Geographic Description**  
**City of Visalia**  
**Annexation 2021-\_\_\_**  
**Annexation to the City of Visalia and Detachment from CSA #1**

That portion of the Northwest quarter of Section 3, Township 19 South, Range 25 East, Mount Diablo Meridian, in the County of Tulare, State of California described as follows:

Commencing at the West quarter corner of said Section 3; thence, North 89°04'33" East, 110.00 feet along the South line of the Northwest quarter of said Section 3 and the South line of the existing City of Visalia City Limits to the East right of way line of Lovers Lane (County Road 140); thence, North 01°31'57" West, along said East line, also being the East line of the existing City of Visalia City Limit line 174.26 feet more or less to the intersection with a line parallel with and 50.00 feet North of the centerline of the Union Pacific Rail Road and the **TRUE POINT OF BEGINNING**;

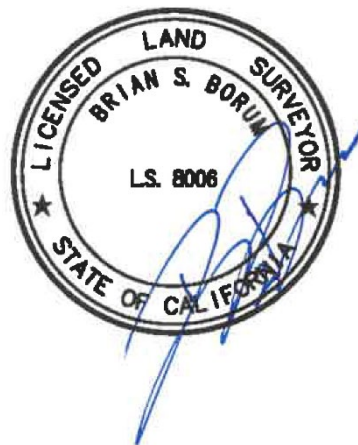
**Course 1:** thence, continuing along said East line and existing City of Visalia City Limit Line, North 01°31'57" West, 1134.13 feet to the North line of the Southwest quarter of the Northwest quarter of said Section 3;

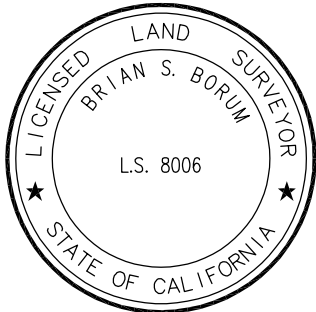
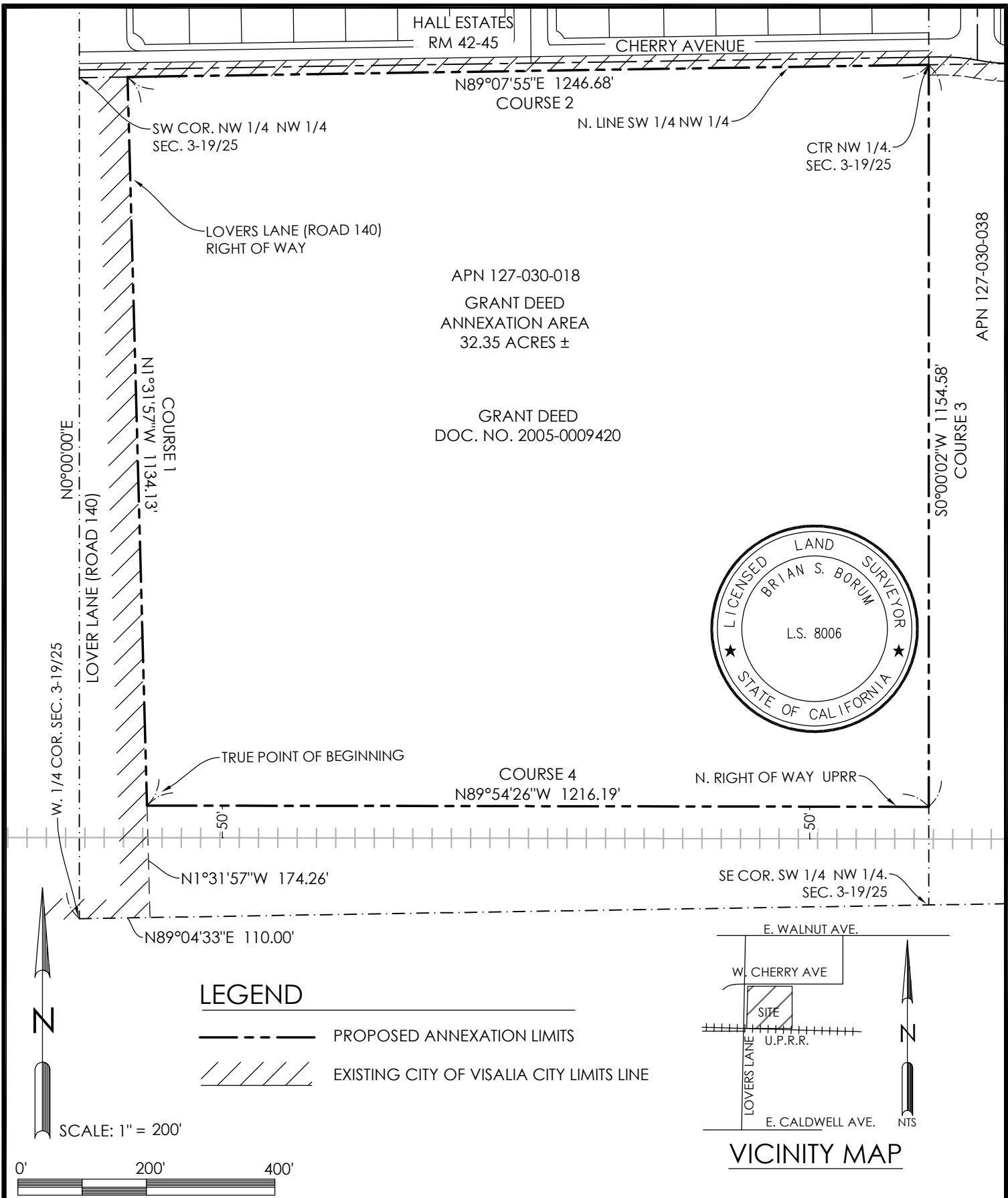
**Course 2:** thence, continuing along said existing City of Visalia City Limit Line, North 89°07'55" East, 1246.68 feet more or less to the center of the Northwest quarter of said Section 3;

**Course 3:** thence, leaving said existing City of Visalia City Limit Line, South 00°00'02" West, along the East line of the Southwest quarter of the Northwest quarter of said Section 3, a distance of 1154.58 feet more or less to the intersection with a line parallel with and 50.00 feet North of the centerline of the Union Pacific Rail Road;

**Course 4:** thence, North 89°54'26" West, along said parallel line, 1216.19 feet more or less to the **TRUE POINT OF BEGINNING**.

Containing 32.35 acres more or less





DATE:	02/9/2022
DRAWN:	
CHECKED:	
PROJECT:	

EXHIBIT  
CITY OF VISALIA  
ANNEXATION NO. 2021-\_\_\_\_  
ANNEXATION TO THE CITY VISALIA  
AND DETACHMENT FROM CSA #1



**OWNER'S STATEMENT**

THE UNDERSIGNED HEREBY CERTIFY THAT THEY ARE THE ONLY PERSONS HAVING ANY RECORD TITLE INTEREST IN THE REAL PROPERTY INCLUDED WITHIN THE BOUNDARIES OF THE SUBDIVISION SHOWN UPON THIS MAP, AND DO HEREBY CONSENT TO THE PREPARATION AND RECORDING OF SAID MAP AND THAT THE CONSENT OF NO OTHER PERSON IS NECESSARY.

FOR: NASH LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

**NOTARY ACKNOWLEDGEMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }  
COUNTY OF \_\_\_\_\_ } S.S.

ON \_\_\_\_\_, BEFORE ME, \_\_\_\_\_  
\_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED,

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEY AUTHORIZED CAPACITY AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S), ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT. WITNESS MY HAND.

\_\_\_\_\_  
NOTARY PUBLIC

PRINTED NAME: \_\_\_\_\_

COUNTY OF: \_\_\_\_\_

COMMISSION EXPIRES: \_\_\_\_\_

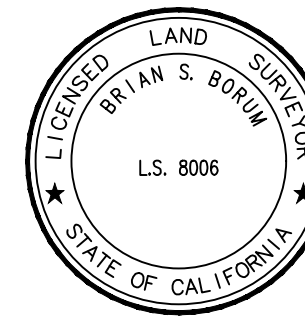
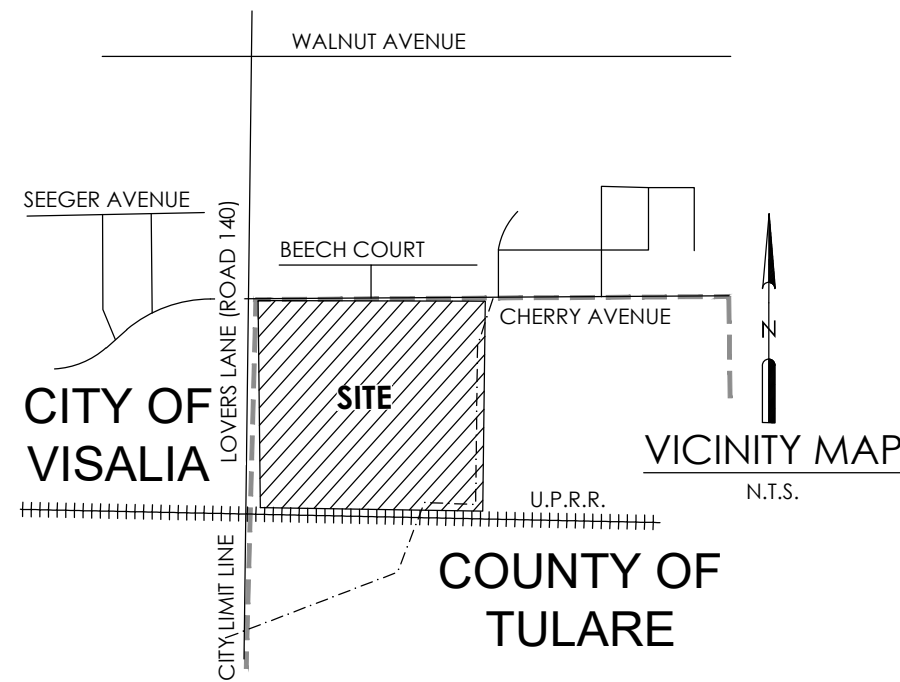
COMMISSION NO: \_\_\_\_\_

**FLOOD HAZARD ZONE**

AS DELINEATED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (MAP NUMBER 06107C0945E) FOR COMMUNITY NO. 060409, CITY OF VISALIA, TULARE COUNTY, CALIFORNIA, EFFECTIVE JUNE 16, 2009, THE PROPERTY SHOWN ON THIS MAP LIES FULLY WITHIN A FLOOD ZONE AREA DESIGNATED ZONE X (UNSHADED), WHICH ARE AREAS OF 0.2% ANNUAL CHANCE FLOODING.

**PARCEL MAP NO. \_\_\_\_\_**

BEING A DIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.  
FEBRUARY 2022



**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF XXX ON JUNE, 2021 AND SAID FIELD SURVEY IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY, OR WILL OCCUPY, THE POSITIONS INDICATED ON OR BEFORE JUNE, 2022 AND ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

\_\_\_\_\_  
BRIAN S. BORUM, PLS 8006 DATE

**CITY SURVEYOR'S STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF CHAPTER 2 OF THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPILED WITH; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

\_\_\_\_\_  
JEFFREY S. LAND, PLS 8634 DATE

**CITY PLANNER'S STATEMENT**

I HEREBY STATE THAT THIS PARCEL MAP CONFORMS TO THE TENTATIVE PARCEL MAP APPROVED BY THE CITY OF VISALIA PLANNING COMMISSION AT THE REGULAR MEETING HELD ON \_\_\_\_\_.

\_\_\_\_\_  
PAUL BERNAL DATE

**CITY CLERK'S STATEMENT**

THIS TO STATE THAT AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF VISALIA HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AN ORDER WAS DULY AND REGULARLY MADE AND ENTERED INTO APPROVING THIS MAP AND SUBDIVISION AND ON BEHALF OF THE PUBLIC.

WITNESS MY HAND AND OFFICIAL SEAL OF THE CITY OF VISALIA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
RANDY GROOM  
CITY MANAGER/CITY CLERK

\_\_\_\_\_  
CHIEF DEPUTY CITY CLERK

**BOARD OF SUPERVISORS STATEMENT**

I, JASON T. BRITT, COUNTY ADMINISTRATIVE OFFICER/CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE, STATE OF CALIFORNIA, DO HEREBY STATE THE SAID BOARD OF SUPERVISORS HAS APPROVED THE PROVISIONS MADE FOR THE PAYMENT OF TAXES PROVIDED IN DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

DATED: \_\_\_\_\_ JASON T. BRITT, COUNTY ADMINISTRATIVE OFFICER/CLERK OF THE BOARD OF SUPERVISORS

BY: \_\_\_\_\_

**RECORDER'S STATEMENT**

DOCUMENT NO. \_\_\_\_\_  
FEE PAID: \_\_\_\_\_

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF PARCEL MAPS, AT PAGE \_\_\_\_\_, TULARE COUNTY RECORDS, AT THE REQUEST OF BRIAN S. BORUM -LAND SURVEYOR

TARA FREITAS, CPA  
TULARE COUNTY ASSESSOR / CLERK-RECORDER

BY \_\_\_\_\_  
DEPUTY



# PARCEL MAP NO. \_\_\_\_\_

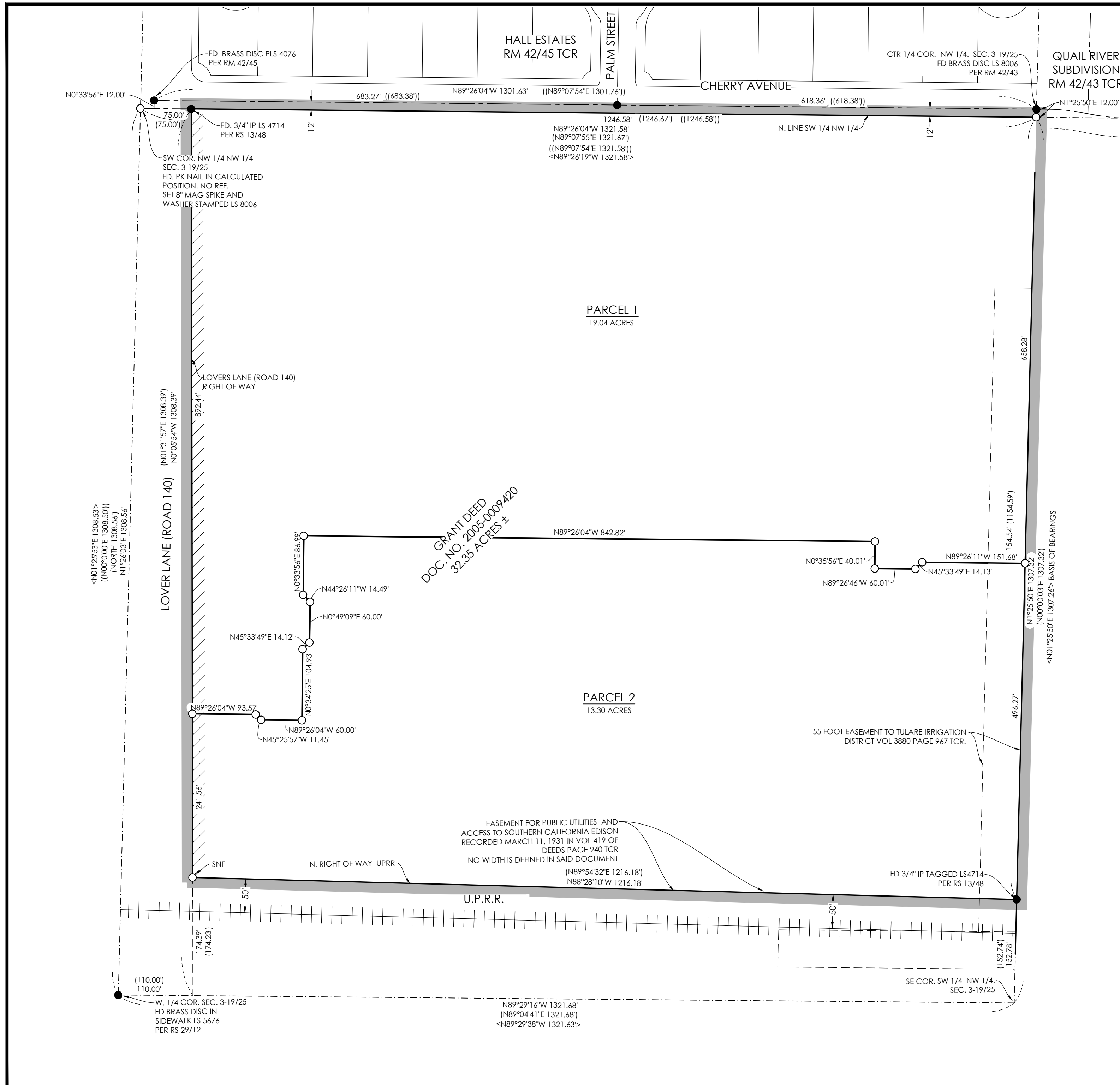
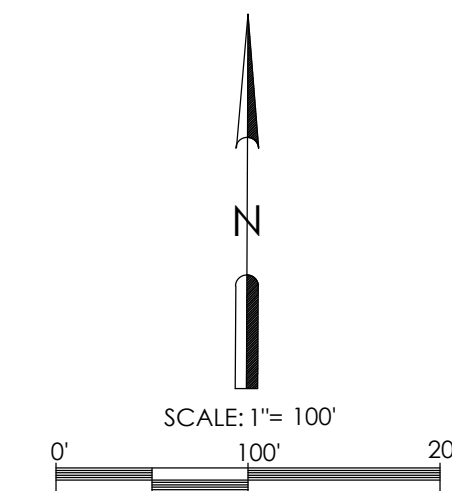
BEING A DIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.  
FEBRUARY 2022

## LEGEND

- INDICATES FOUND MONUMENT AS NOTED
- SET 5/8" X 24" LONG REBAR WITH CAP LS 8006 DOWN 0.5 FEET UNLESS NOTED OTHERWISE
- ( ) RECORD DATA PER RECORD OF SURVEY RECORDED IN BOOK 13 OF LICENSED SURVEYS AT PAGE 48 TCR OR CALCULATED THEREFROM
- (( )) RECORD DATA PER HALL ESTATES RECORDED IN VOLUME 42 OF MAPS PAGE 45 TCR
- < > RECORD DATA PER QUAIL RIVER SUBDIVISION RECORDED IN VOLUME 42 OF MAPS PAGE 43 TCR
- ▬ SUBJECT PARCEL BOUNDARY
- FD FOUND
- MON MONUMENT
- TCR TULARE COUNTY RECORDS
- ▨ WAIVER OF DIRECT ACCESS RIGHT ALONG LOVERS LANE
- ALL DISTANCES IN FEET OR DECIMALS THEREOF

## BASIS OF BEARINGS

THE BASIS OF BEARINGS IS BETWEEN TWO FOUND MONUMENTS ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 25 EAST M.D.M AS SHOWN ON QUAIL RIVER ESTATES RECORDED IN VOLUME 42 OF MAPS AT PAGE 43 OF TULARE COUNTY RECORDS AND BEARS NORTH 01°25'50" EAST.



Parcel Map Check Report

Higgins Ranch Parcel Map

Parcel Name: PARCEL 01

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:1,994,843.66' East:6,484,940.06'

Segment# 1: Line

Course: N0° 05' 54"W Length: 892.44'

North: 1,995,736.10' East: 6,484,938.53'

Segment# 2: Line

Course: S89° 26' 04"E Length: 1,246.58'

North: 1,995,723.79' East: 6,486,185.04'

Segment# 3: Line

Course: S1° 25' 50"W Length: 658.28'

North: 1,995,065.72' East: 6,486,168.61'

Segment# 4: Line

Course: N89° 26' 11"W Length: 151.68'

North: 1,995,067.21' East: 6,486,016.94'

Segment# 5: Line

Course: S45° 33' 49"W Length: 14.13'

North: 1,995,057.32' East: 6,486,006.85'

Segment# 6: Line



Course: N89° 26' 46"W Length: 60.01'  
North: 1,995,057.90' East: 6,485,946.84'

Segment# 7: Line

Course: N0° 35' 56"E Length: 40.01'  
North: 1,995,097.91' East: 6,485,947.26'

Segment# 8: Line

Course: N89° 26' 04"W Length: 842.82'  
North: 1,995,106.22' East: 6,485,104.48'

Segment# 9: Line

Course: S0° 33' 56"W Length: 86.99'  
North: 1,995,019.24' East: 6,485,103.62'

Segment# 10: Line

Course: S44° 26' 11"E Length: 14.49'  
North: 1,995,008.89' East: 6,485,113.77'

Segment# 11: Line

Course: S0° 49' 09"W Length: 60.00'  
North: 1,994,948.90' East: 6,485,112.91'

Segment# 12: Line

Course: S45° 33' 49"W Length: 14.12'  
North: 1,994,939.01' East: 6,485,102.83'

Segment# 13: Line

Course: S0° 33' 56"W Length: 96.96'

North: 1,994,842.06' East: 6,485,101.87'

Segment# 14: Line

Course: S0° 40' 18"W Length: 7.97'

North: 1,994,834.09' East: 6,485,101.78'

Segment# 15: Line

Course: N89° 25' 31"W Length: 60.00'

North: 1,994,834.69' East: 6,485,041.78'

Segment# 16: Line

Course: N45° 25' 57"W Length: 11.45'

North: 1,994,842.73' East: 6,485,033.62'

Segment# 17: Line

Course: N89° 26' 04"W Length: 93.57'

North: 1,994,843.65' East: 6,484,940.06'

Perimeter: 4,351.50' Area: 829,519.22Sq.Ft.

Error Closure: 0.01 Course: S1° 59' 18"W

Error North : -0.010 East: 0.000

Precision 1: 435,150.00

Parcel Name: PARCEL 02 - LOT 2

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:1,994,569.61' East:6,486,156.22'

Segment# 1: Line

Course: N88° 28' 10"W Length: 1,216.18'

North: 1,994,602.10' East: 6,484,940.47'

Segment# 2: Line

Course: N0° 05' 54"W Length: 241.56'

North: 1,994,843.66' East: 6,484,940.06'

Segment# 3: Line

Course: S89° 26' 04"E Length: 93.57'

North: 1,994,842.73' East: 6,485,033.62'

Segment# 4: Line

Course: S45° 25' 57"E Length: 11.45'

North: 1,994,834.70' East: 6,485,041.78'

Segment# 5: Line

Course: S89° 26' 04"E Length: 60.00'

North: 1,994,834.11' East: 6,485,101.78'

Segment# 6: Line

Course: N0° 34' 25"E Length: 104.92'

North: 1,994,939.02' East: 6,485,102.83'

Segment# 7: Line

Course: N45° 33' 49"E Length: 14.12'

North: 1,994,948.91' East: 6,485,112.91'

Segment# 8: Line

Course: N0° 49' 09"E Length: 60.00'

North: 1,995,008.90' East: 6,485,113.77'

Segment# 9: Line

Course: N44° 26' 11"W Length: 14.49'

North: 1,995,019.25' East: 6,485,103.62'

Segment# 10: Line

Course: N0° 33' 56"E Length: 86.99'

North: 1,995,106.23' East: 6,485,104.48'

Segment# 11: Line

Course: S89° 26' 04"E Length: 842.82'

North: 1,995,097.91' East: 6,485,947.26'

Segment# 12: Line

Course: S0° 35' 56"W Length: 40.01'

North: 1,995,057.91' East: 6,485,946.84'

Segment# 13: Line

Course: S89° 26' 46"E Length: 60.01'

North: 1,995,057.33' East: 6,486,006.85'

Segment# 14: Line

Course: N45° 33' 49"E Length: 14.13'

North: 1,995,067.22' East: 6,486,016.94'

Segment# 15: Line

Course: S89° 26' 11"E Length: 151.68'

North: 1,995,065.73' East: 6,486,168.61'

Segment# 16: Line

Course: S1° 25' 50"W Length: 496.27'

North: 1,994,569.61' East: 6,486,156.22'

Perimeter: 3,508.19' Area: 579,310.96Sq.Ft.

Error Closure: 0.00 Course: S55° 11' 36"E

Error North : -0.003 East: 0.004

Precision 1: 3,508,200,000.00



## CALIFORNIA WATER SERVICE

**Visalia District** 216 North Valley Oaks Drive  
Visalia, CA 93292 *Tel:* (559) 624-1600

January 11, 2022

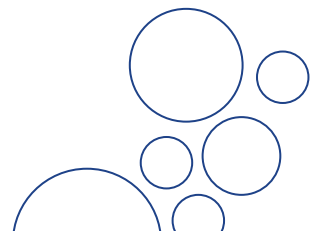
Rafael Garcia  
City of Visalia  
315 E Acequia Ave  
Visalia, CA 93291

**Will Serve Letter**  
**Annexation No. 2021-03**  
**Tentative Subdivision Map. No. 5585**  
**Quest Equity-Higgins Ranch**

Dear Mr. Garcia:

As a regulated utility, California Water Service Company Visalia district (“Cal Water”) has an obligation to provide water service in accordance with the rules and regulations of the California Public Utility Commission (CPUC). Assuming you receive all required permits from Tulare County, Cal Water will provide water service to the above referenced project. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company’s approved tariffs on file with the CPUC. This will serve letter shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming our commitment to serve the above mentioned project. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable water at such pressure as may be available from time to time as a result of its normal operations per the company’s tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.





## CALIFORNIA WATER SERVICE

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.

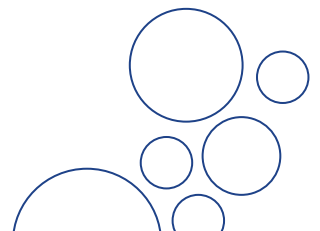
If you have any questions regarding the above, please call me Sedelia Sanchez at (559) 624-1621.

Sincerely,

*Stephen Johnson*

Stephen Johnson  
District Manager

cc: Rashmi Kashyap – Cal Water Engineering Dept.  
File



## NEGATIVE DECLARATION

**Project Title:** Annexation No. 2021-03, Tentative Parcel Map No. 2022-01 and Higgins Ranch Tentative Subdivision Map No. 5585

**Project Description:** **Annexation No. 2021-03** is a request by Quest Equity, LLC, to annex one parcel totaling 32.35-acres into the City limits of Visalia, and to detach said parcel from Tulare County Service Area No. 1. The **Higgins Ranch Tentative Subdivision Map No. 5585** is a request to subdivide the 32.35-acre parcel into a 174-lot single-family residential subdivision with additional landscape and lighting district lots. A Tentative Parcel Map (**TPM 2022-01**) has also been submitted in order to facilitate financing and split the phasing of the project into two phases. The project will include the construction of local streets within the subdivision, connection to Cherry Avenue to the north and Lovers Lane to the west. Frontage street improvements will also be required along both streets along with right of way dedications. These types of improvements include construction of curb, gutter, sidewalks, and the installation of park strip landscaping and streetlights throughout the subdivision. The subdivision is anticipated to provide vehicular connectivity to a future subdivision to the east of the subject site.

The development of the property, if approved, will create additional housing units in the southeast portion of the City at a density of 5.29 dwelling units to the gross acre which is consistent with the land use designation of Residential Low Density.

**Project Location:** The project site is located on the southeast corner of the S. Lovers Lane and Cherry Avenue intersection within the jurisdiction of the County of Tulare (APN: 127-030-018).

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

**Attachments:**

- Initial Study,
- Environmental Checklist,
- Location Map, Subdivision Map

**DECLARATION OF NO SIGNIFICANT EFFECT:**

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

- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

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



APPROVED  
Brandon Smith, AICP  
Environmental Coordinator

By: Brandon Smith

Date Approved: April 12, 2022

Review Period: 20 days

## INITIAL STUDY

### I. GENERAL

#### **A. Project Name and Description:**

**Annexation No. 2021-03** is a request by Quest Equity, LLC, to annex one parcel totaling 32.35-acres into the City limits of Visalia, and to detach said parcel from Tulare County Service Area No. 1.

**Higgins Ranch Tentative Subdivision Map No. 5585** is a request to subdivide the 32.35-acre parcel into a 174-lot single-family residential subdivision with additional landscape and lighting district lots. A Tentative Parcel Map (**TPM 2022-01**) has also been submitted in order to facilitate financing and split the phasing of the project into two phases. The project will include the construction of local streets within the subdivision, connection to Cherry Avenue to the north and Lovers Lane to the west. Frontage street improvements will also be required along both streets. These types of improvements include construction of curb, gutter, sidewalks, and the installation of park strip landscaping and streetlights throughout the subdivision. The subdivision is anticipated to provide vehicular connectivity to a future subdivision to the east of the subject site.

The development of the property, if approved, will create additional housing units in the southeast portion of the City at a density of 5.29 dwelling units to the gross acre which is consistent with the land use designation of Residential Low Density.

Project Location: The project site is located on the southeast corner of the S. Lovers Lane and Cherry Avenue intersection within the jurisdiction of the County of Tulare (APN: 127-030-018).

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

The 32.35-acre project site is part of the County and is surrounded by a residential subdivision to the north, undeveloped lots to the south and east and a church to the west. The subject property is currently undeveloped with no structures onsite and has a canal along the east and a portion of the south that is operated and maintained by the Tulare Irrigation District. The site is abutting Union Pacific railroad tracks along the south of the site. In addition, the area to the east is largely fallow, with a mix of row crops to the south.

The development of the site with the 174-lot single-family residential subdivision will extend local streets, infrastructure improvements, utilities, right-of-way improvements and a residential lot pattern consistent with existing residential development found to the north of the surrounding area. The project will include the construction of local streets within the subdivision, connection to Cherry Avenue to the north and Lovers Lane to the west. Street frontage improvements along both Cherry Avenue and Lovers Lane will be included as well. These types of improvements include construction of curb, gutter, sidewalks, and the installation of park strip landscaping and streetlights throughout the subdivision. The project site is bounded by East Cherry Avenue to the north and South Lovers Lane to the west. Cherry Avenue is designated as a local roadway, and Lovers Lane is designated as a minor arterial.

The area surrounding the subject property is predominately developed with single-family homes to the north and west while the south and east remains undeveloped.

The surrounding uses, Zoning, and General Plan are as follows:

	<b>General Plan</b>	<b>Zoning</b>	<b>Existing uses</b>
North:	Residential Low Density	R-1-5 (Single-family residential, 5,000 sq. ft. min. site area)	Single Family Residential Subdivision
South:	Residential Low Density, Residential	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Undeveloped and Agricultural Use

	Medium Density		
East:	Residential Low Density	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Undeveloped and Agricultural Use
West:	Residential Low Density	R-1-5 (Single-family residential, 5,000 sq. ft. min. site area)	Lovers Lane, Church property & Single family Residential

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia upon annexation and development of the area.

**C. Plans and Policies:**

The General Plan Land Use Diagram designates the site as Residential Low Density. The annexation will facilitate the development of the site with single-family residential units consistent with the residential development pattern in the surrounding area.

**II. ENVIRONMENTAL IMPACTS**

No significant adverse environmental impacts have been identified for this project that cannot be mitigated to a *less than significant impact*. The City of Visalia General Plan and Zoning Ordinance contains policies and regulations that are designed to mitigate impacts to a level of non-significance.

**III. MITIGATION MEASURES**

There are no mitigation measures for this project.

**IV. 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, Zoning and Subdivision Ordinances as the project relates to surrounding properties.

**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.
- 2015 Urban Water Management Plan, Visalia District. California Water Service Company, June 2016.

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



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Rafael Garcia  
Senior Planner



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Brandon Smith, AICP  
Environmental Coordinator

**INITIAL STUDY  
 ENVIRONMENTAL CHECKLIST**

<b>Name of Proposal</b>	Annexation No. 2021-03, Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map No. 2022-01		
<b>NAME OF PROPONENT:</b>	Quest Equity/Greg Nunley	<b>NAME OF AGENT:</b>	Darlene Mata
<b>Address of Proponent:</b>	1878 N. Mooney Blvd. Tulare, CA 93274	<b>Address of Agent:</b>	6145 W. Cherry Ct. Visalia, CA 93277
<b>Telephone Number:</b>	(559) 799-6993	<b>Telephone Number:</b>	(559) 799-2942
<b>Date of Review</b>	January 12, 2022	<b>Lead Agency:</b>	City of Visalia

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

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

**I. AESTHETICS**

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?
- 2 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?

- 2 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?
- 2 c) Expose sensitive receptors to substantial pollutant concentrations?
- 2 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?

- 2 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:

- 2 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Public Resources Code Section 15064.5?
- 2 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 2 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:

- 2 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

- a. This project 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 the project.

The proposed project is new residential subdivision which will meet City standards for setbacks, landscaping and height restrictions. The development of the project site with residences will be consistent with the RLD (Residential Low Density) Land Use Designation and R-1-5 zoning district.

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 on the site and no state scenic highway designations within the project vicinity.
- c. The proposed project includes a residential subdivision that will be aesthetically consistent with surrounding development and with General Plan policies. 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. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project will create new sources of light that are typical of residential development. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent properties.

### II. AGRICULTURAL RESOURCES

- a. The project is located on property that is identified as Prime Farmland on maps prepared by the California Natural Resources Agency, Department of Conservation, and will involve the conversion of the property to non-agricultural use.

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

occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

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

The development of 32.35 acres for a proposed 174-lot single-family residential subdivision is within the Urban Development Tier 2 Boundary. Development of residential lands in Tier 2 may occur, subject to the site being annexed into the City of Visalia. The proposed project is consistent with Land Use Policy LU-P-21 of the General Plan. Policy LU-P-21 states; "Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) ... consistent with the City's Land Use Diagram..."

- b. The project site, if approved and annexed, will facilitate the development of the site with 174 residential lots which is consistent with the urban development pattern in the area. In addition, the proposed urban land use and zoning designations will not conflict with any existing Williamson Act contract.
- c. There is no forest land or timberland currently located on the site, nor does the site conflict with a zoning for forest land, timberland, or timberland zoned Timberland Production.
- d. There is no forest or timberland currently located on the site.
- e. The proposed 174-lot single-family residential subdivision will result in conversion of Prime Farmland to a non-agricultural use as the site is currently undeveloped with rows of walnut trees. However, the Visalia General Plan Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area, which includes the subject property, into non-agriculture uses. The City's General Plan supports residential development within Tier 2, subject to the site being annexed into the City of Visalia. The proposed development is consistent with the surrounding area to the north and west. By supporting the annexation and subdivision of this site for Low Density Residential development, the site can be developed in a manner that facilitates housing units within the City's Tier 2 Urban Development Boundary. The proposed project is consistent with Land Use Policy LU-P-21 of the General Plan. Policy LU-P-21 states; "Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) ... consistent with the City's Land Use Diagram..."

### III. AIR QUALITY

- a. The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan and will therefore be a less than significant impact.
- b. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. The project will result in a net increase of criteria pollutants. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1, 3.3-2, and 3.3-3 serve as the mitigation 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.

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

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

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

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

### IV. BIOLOGICAL RESOURCES

- a. The site has no known 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. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

In addition, staff conducted an on-site visit to the site to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-1 of the EIR, that together work to reduce the potential for impacts on special-status species likely to occur in the Planning Area. With implementation of these policies, impacts on special-status species will be less than significant.

- b. The project is not located within an identified sensitive riparian habitat or other natural community.

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 the Planning Area. With implementation of these policies, impacts on woodlands will be less than significant.

- c. The project is not located within or adjacent to 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. 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 policies, impacts on wildlife movement corridors will be less than significant.
- e. The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on the project site will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.

There are no Valley Oak trees onsite.

- f. There are no local or regional habitat conservation plans for the area.

#### **V. CULTURAL RESOURCES**

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

#### **VI. ENERGY**

- a. Development of the site will require the use of energy supply and infrastructure. However, the use of energy will be typical of that associated with residential development associated with the underlying zoning. Furthermore, the use is not considered the type of use or intensity that would result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation. The project will be required to comply with California Building Code Title 24 standards for energy efficiency.

Polices identified under Impacts 3.4-1 and 3.4-2 of the EIR will reduce any potential impacts 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. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. The project does not involve the use of septic tanks or alternative wastewater disposal systems since sanitary sewer lines will be used for the disposal of wastewater at this location.
- f. There are no known unique paleontological resources or geologic features located within the project area. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

## **VIII. GREENHOUSE GAS EMISSIONS**

- a. The project is expected to generate Greenhouse Gas (GHG) emissions in the short-term as a result of the construction of the residential subdivision and long-term as a result of day-to-day operation of the proposed residences.

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 Visalia General Plan Update 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. Although emissions will be generated as a result of the project, 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 the project's 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 project.
- b. Construction activities associated with development of the project may include maintenance of on-site construction equipment that could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There are no schools within one-quarter mile of the project site; however, there is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites within one-quarter mile of school sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. Tulare County's adopted Comprehensive Airport Land Use Plan shows the project area is located outside of all Airport Safety Hazard Zones. There are no restrictions for the proposed project related to Airport Zone requirements.

The project area is located approximately 6.5 miles from the Visalia Airport. The project site is not located in a flight path, collision safety zone, or noise threshold of the airport.

- 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 project area.

## **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), of which the project site area falls within the jurisdiction of.

Adherence to these regulations results in projects incorporating measures that reduce pollutants. The project will be required to adhere to municipal wastewater requirements set by the Central Valley RWQCB and any permits issued by the agency.

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

The Visalia General Plan contains multiple policies, 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. The project will not substantially deplete groundwater supplies in the project vicinity. The project will be served by a water main for domestic, irrigation, and fire protection use. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. The project will result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer. However, as the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. The project therefore might affect the amount of precipitation that is recharged to the aquifer. 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. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.

- ii. Development of the site 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 to a less than significant level.

Policies identified under Impact 3.6-2 of the EIR will reduce any potential impacts to a less than significant level. With implementation of these policies and the existing City standards, impacts to groundwater supplies will be less than significant.

- iii. Development of the site 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 to a less than significant level.

Policies identified under Impact 3.6-2 of the EIR will reduce any potential impacts to a less than significant level. With implementation of these policies and the existing City standards, impacts to groundwater supplies will be less than significant.

Furthermore, the project will be required to meet the City's improvement standards for directing storm water runoff to a temporary basin. The subdivision will be designed to ultimately tie into the future storm drain basin. A capital improvement project is currently under design for a regional storm drain master plan in the area.

- d. The project area is located sufficiently inland and distant from bodies of water, and outside potentially hazardous areas for seiches and tsunamis. The site 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. Development of the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. 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. With implementation of these policies and the existing City standards, impacts to erosion will be less than significant.

#### **XI. LAND USE AND PLANNING**

- a. The project will not physically divide an established community. The proposed project is to be developed on land designated for residential development. The project site is surrounded is bordered by roadways on two sides and undeveloped land on the south and east. The General Plan Land Use Diagram designates the unincorporated areas to the south and east as Residential Low Density and Residential Medium Density. The project site has a County Zoning designation of AE-20 (Exclusive Agriculture) and when annexed into the City of Visalia, the pre-zoning for the project site will be R-1-5 (Single-Family

Residential 5,000 square foot minimum lot area) which is consistent with the General Plan Land Use Designation of Residential Low Density.

The project entails annexing 32.35 acres of property to facilitate the subdivision of the project site into a 174-lot single-family residential development, with local street connection throughout the subdivision. The development will help facilitate additional residential units within the Tier 2 Urban Growth Boundary. The proposed subdivision is compatible with the adjacent residential uses to the north and west.

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.

- b. The project site is within the Urban Development Tier 2 Boundary. Development of lands in Tier 2 may occur if it does not result in an excess of a 10-year supply of undeveloped residential land within Tier I. The proposed project is consistent with Land Use Policy LU-P-21 of the General Plan. Policy LU-P-21 states; "Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) ... consistent with the City's Land Use Diagram..."

The project as a whole does not conflict with any land use plan, policy or regulation of the City of Visalia. The site's General Plan Land Use Designation of Residential Low Density, and the pre-zoning designation of Single-family Residential (R-1-5), is consistent with each other based on the underlying allowed land uses and density ranges as identified in Table 9-1 "*Consistency between the Plan and Zoning*" of the General Plan. The City of Visalia's Zoning Ordinance allows for single-family residences as permitted uses in their respective zones.

The proposed project will be consistent with the Land Use Element of the General Plan, including Policy LU-P-55 for Residential Low Density development, and consistent with the standards pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapters 17.12.

#### **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. The project will result in noise generation typical of urban development, but not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. The Visalia Noise Element and City Ordinance contain criterion for acceptable noise levels inside and outside residential living spaces. This standard is 65 dB DNL for outdoor activity areas associated with residences and 45 dB DNL for indoor areas.

Ambient noise levels will increase beyond current levels as a result of the project; however, these levels will be typical of noise levels associated with urban development and not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. The City's standards for setbacks and construction of fences or walls along major streets and between residential uses reduce noise levels to a level that is less than significant. Noise associated with the establishment of new residential uses was previously evaluated with the General Plan for the conversion of land to urban uses.

Noise levels will increase temporarily during the construction of the project but shall remain within the limits defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant.

- b. Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the project. Construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time; thus, the impacts will be less than significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.
- c. The project area is located in excess of six miles from a public airport. The project will not expose people residing or working in the project area to excessive noise levels resulting from aircraft operations.

#### **XIV. POPULATION AND HOUSING**

- a. The project will not directly induce substantial unplanned population growth that is in excess of that planned in the General Plan.
- b. Development of the site will not displace any housing or people on the site. The area being developed is currently vacant land.

#### **XV. PUBLIC SERVICES**

- a.
  - i. Current fire protection facilities are located at the Visalia Station 56, located approximately one-quarter mile north of the property, and can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
  - iii. The project will generate additional dwelling units, for which existing schools in the area may accommodate.
  - iv. Current park facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
  - v. Other public facilities can adequately serve the site without a need for alteration.

#### **XVI. RECREATION**

- a. The proposed project does not include recreational

facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

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

#### **XVII. TRANSPORTATION AND TRAFFIC**

- a. Development and operation of the project is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. The project will result in an increase in traffic levels on arterial and collector roadways, although the City of Visalia's Circulation Element has been prepared to address this increase in traffic.
- b. Development of the site will result in increased traffic in the area, but will not cause a substantial increase in traffic on the city's existing circulation pattern.

The City of Visalia, in determining the significance of transportation impacts for land use projects, recognizes the adopted City of Visalia Vehicle Miles Travelled (VMT) Thresholds and Implementation Guidelines ("Guidelines") recommended threshold as the basis for what constitutes a significant or less than significant transportation impact. The Guidelines recommend a 16% reduction target based on the Greenhouse Gas emission reduction target for 2035 for the Tulare County region set by the SB 375 Regional Plan Climate Target. Therefore, residential projects exceeding 16% below the existing VMT per capita is indicative of a significant environmental impact.

For the metric measuring VMT per capita, a map of the City of Visalia, produced by Tulare County Association of Governments (TCAG), provides areas with 84% or less average VMT per trip distance, or 16% below the regional average. In the subject site's TAZ, the current average trip distance experienced is 8.75 miles and the regional average is 11.9 miles. Based on this determination, it is presumed that the project will have a less than significant transportation impact

- c. There are no planned geometric designs associated with the project that are considered hazardous.
- 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. The site is not 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).
- b. The site has been determined to not be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code

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

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.

Additionally, invitations for early consultation were sent to local tribes with a historic presence in the Visalia Planning Area. No responses were received from the letters that were mailed out.

#### **XIX. UTILITIES AND SERVICE SYSTEMS**

- a. The project will be connecting to existing City sanitary sewer lines, consistent with the City Sewer Master Plan. The Visalia wastewater treatment plant has a current rated capacity of 22 million gallons per day, but currently treats an average daily maximum month flow of 12.5 million gallons per day. With the completed project, the plant has more than sufficient capacity to accommodate impacts associated with the proposed project. The proposed project will therefore not cause significant environmental impacts.

The project site will be accommodated by an extension of the City's sanitary sewer lines. As part of the project, existing sanitary sewer mains will be extended across Cherry Avenue. Usage of these lines is consistent with the City Sewer System Master Plan. These improvements will not cause significant environmental impacts.

- b. California Water Service Company has determined that there are sufficient water supplies to support the site, and that service can be extended to the site.
- c. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant.
- d. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- e. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

#### **XX. WILDFIRE**

- a. The project is located on a site that surrounded by existing development to the north and west, however, the sites to the south and the east are currently undeveloped. The site will be further served by multiple points of access. In the event of an emergency response, coordination would be made with the City's Engineering, Police, and Fire Divisions to ensure that adequate access to and from the site is maintained.
- b. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that is likely to exacerbate wildfire risks.
- c. The project is located on a site that surrounded by existing development to the north and west, however, the sites to the south and the east are currently undeveloped. The proposed development will require the installation and maintenance of associated infrastructure; however the infrastructure would be typical of residential development and would be developed to the standards of the underlying responsible agencies.
- d. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that would expose persons or structures to significant risks of flooding or landslides.

#### **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. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

**DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT**

On the basis of this initial evaluation:

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

Brandon Smith  
Brandon Smith, AICP  
Environmental Coordinator

April 12, 2022  
\_\_\_\_\_  
Date





October 27, 2021

**Site Plan Review No. 21-157:**

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **September 29, 2021**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Paul Bernal', is written over a white background.

Paul Bernal  
Community Development Director  
315 E. Acequia Ave.  
Visalia, CA 93291

**Attachment(s):**

- Site Plan Review Comments



MEETING DATE September 29, 2021  
SITE PLAN NO. 2021-157 - C  
PARCEL MAP NO.  
SUBDIVISION  
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

**RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with

Planning  Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste  Parks and Recreation  Fire Dept.

**REVISE AND PROCEED** (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

Annexation

PLANNING COMMISSION

Annexation, TSM

HISTORIC PRESERVATION

REDEVELOPMENT

PARK/RECREATION

OTHER – LAFCO - Annexation

**ADDITIONAL COMMENTS:**

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440  
*Site Plan Review Committee*

**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

Adrian Rubalcaba 713-4271  
 Diego Corvera 713-4209

ITEM NO: 6 DATE: SEPTEMBER 29, 2021

SITE PLAN NO.: 21-157 2<sup>nd</sup> RESUBMITTAL  
PROJECT TITLE: HIGGINS RANCH  
DESCRIPTION: NEW SUBDIVISION WITH 179 LOTS SF (X)  
APPLICANT: GREG NUNLEY  
PROP. OWNER: NASH LIMITED PARTNERSHIP  
LOCATION: LOVERS LANE & CHERRY SEC  
APN: 127-030-018

**SITE PLAN REVIEW COMMENTS**

- REQUIREMENTS (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work;  Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership.  by map  by deed  
**CHERRY**
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required.  CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: David Deel (Planning) 488-4088
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. **TID** Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy.  Access required on ditch bank, 12' minimum.  Provide wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system. **SEE ADDL COMMENTS**
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.  Prepared by registered civil engineer or project architect.  All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a)  directed to the City's existing storm drainage system; b)  directed to a permanent on-site basin; or c)  directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site



basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance. **REFER TO ADDITIONAL COMMENTS**

- Show Valley Oak trees with drip lines and adjacent grade elevations.  Protect Valley Oak trees during construction in accordance with City requirements.  A permit is required to remove Valley Oak trees. Contact Public Works Admin at (559)713-4428 for a Valley Oak tree evaluation or permit to remove.  Valley Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application.  A pre-construction conference is required.
  - Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
  - Relocate existing utility poles and/or facilities.
  - Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
  - Provide "R" value tests: **1** each at **300' INTERVALS**
  - Traffic indexes per city standards: **REFER TO CITY ARTERIAL AND LOCAL ST STDS**
  - All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications. **LOVERS LANE & CHERRY**
  - All lots shall have separate drive approaches constructed to City Standards.
  - Install street striping as required by the City Engineer.
  - Install sidewalk: **5** ft. wide, with **5** ft. wide parkway on **CHERRY & LOCAL STREETS.**
  - Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
  - Subject to existing Reimbursement Agreement to reimburse prior developer:
  - Abandon existing wells per City of Visalia Code. A building permit is required.
  - Remove existing irrigation lines & dispose off-site.  Remove existing leach fields and septic tanks.
  - Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
  - If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
  - If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments    Resubmit with additional information    Redesign required

**Additional Comments:**

- 1. Proposed subdivision will incur development impact fees. Refer to page 4 for listed impact fees associated with final map recording. Additional fees assessed at time of residential permits.**
- 2. Refer to further entitlement requirements per Planning Dept.**
- 3. Required temp basin is indicated on site plan. Coordination with City Engineer for a master storm infrastructure plan will be necessary to design subdivision accordingly to ultimately tie into the future SD basin. A City CIP is currently under design for a regional storm drain master plan in the area.**
- 4. A temp building restriction easement will be required over lots affected by the temp basin and any backfill stockpiles. Easement will need to be recorded prior to final map recordation. Additional cash deposit or improvement security for future elimination of the temp basin and backfill will be required. Further coordinate with City Engineer.**
- 5. Lovers Lane remaining improvements are required, to be installed to arterial standards. Lovers Lane is identified as an unfunded arterial in the City's current Transportation Impact Fee (TIF) program therefore remaining improvements will be the developer's cost responsibility. Improvements are to include, but may not be limited to, street lighting, sidewalk, parkway, landscape lot, block wall, curb ramp returns, pavement, utility relocations, median curb & stamped concrete, drainage, and striping & signage.**
- 6. Lovers Lane right-of-way is currently 110'. Improvements cross section std is 18' wide median, 36' median curb to curb & gutter, 5' parkway, 7' sidewalk, and 8' landscape lot to block wall. Revise site plan and cross section accordingly.**
- 7. Street striping to be determined at time of civil plan review.**

8. *Half street improvements to Cherry Ave. required. Provided cross section of 56' right-of-way is adequate. Improvements to be installed, but may not be limited to, pavement, street lighting, 5' parkway, 5' sidewalk, curb ramp returns, landscape lot and block walls, drainage, signage and striping, sewer extension, and drive approaches.*
9. *The cul-de-sac abutting Cherry Ave requires a block wall to be installed however there is no landscape lot buffer shown between back of sidewalk and block wall. Project to provide min. 5' landscape lot. Redesign accordingly.*
10. *The proposed Lovers Lane street connection indicates a Fire/Emergency access only. This restricted access is not necessary and not supported. The required access shall be redesigned to a typical local street connection. Landscape lot shall wrap around along side lots. Right in/out turning movements would only be allowed due to the median control on Lovers Lane.*
11. *The overall subdivision layout does not comply with City super block connectivity standards, which requires another access point (local street connection) to the east; over the canal. Placement of the street stub can be further coordinated but should be strategic and sensitive to the adjacent vacant land use designation. A culvert crossing will be required and will be responsibility of the developer. Culvert improvement deferment may be entertained, to be further discussed with City staff. Redesign accordingly.*
12. *Additional ditch information is indicated on site plan showing existing hinge point, channel, and maintenance access road on ditch bank. Ensure subdivision layout does not encroach on any existing ditch easements. Ensure and provide adequate clearances and maneuverability at proposed sharp lot corners along ditch bank.*
13. *Coordination and approval from TID is required with tentative map approval.*
14. *Meet City Municipal requirements for construction along a Ditch, see section 16.36.190 of the Municipal Code. Trailway should be considered with this project.*
15. *Project will be required to extend sewer across Cherry Ave. Developer to verify existing 8" line has sufficient capacity for this development to tie-in. Provide documentation/calculations showing 8" main can handle the added capacity.*
16. *There is an existing Rail Road to the south. Site plan does not indicate the existing rail line easement or right-of-way. Ensure project does not encroach. Protect any underlying easements.*
17. *There are power poles along the south boundary line that are not indicated on site plan. The pole line easement will need to be shown in reference to the proposed subdivision project limits. Indicate any required relocations, swing & rise or maintenance setbacks, etc. typically required by SCE.*
18. *There is no indication of a landscape lot along the rail road boundary. Project may consider including a landscape lot to the block wall for aesthetic purposes. Site plan does not callout a block wall along the rail road which is a typical requirement for residential. The landscape lot and block wall along railroad can be dedicated into the LLD for maintenance.*
19. *All corner lot boundaries to include chamfers to accommodate required curb ramp returns.*
20. *30' radius returns required at local street connection to Lovers Lane and at Cherry Ave.*
21. *60' right-of-way local street cross section is incorrect. Local standards require a 5' parkway and 5' sidewalk (sidewalk is not adjacent to curb and will not be supported).*
22. *All lots abutting block walls to have footing easements (block wall easements) identified and provided on the final map.*
23. *A separate City funding source will be further reviewed for activity and qualifying improvements that may be able to apply to, or a proportionate share thereof, the costs of median improvements required on Lovers Lane (an arterial) as it is identified as unfunded in the City's TIF program. Further coordinate with City Engineer.*

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **21-157 2<sup>nd</sup> RESUBMITTAL**

Date: **9/29/2021**

**Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:**

**(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)**

(Fee Schedule Date:**8/21/2021**)

(Project type for fee rates:**SFD**)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>REFER TO FEE SCHEDULE</b>
<input checked="" type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	
<input checked="" type="checkbox"/> Park Acquisition Fee	
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	

**Additional Development Impact Fees will be collected at the time of issuance of building permits.**

**City Reimbursement:**

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject planned facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



\_\_\_\_\_  
**Adrian Rubalcaba**



# SITE PLAN REVIEW COMMENTS

**Cristobal Carrillo, Planning Division (559) 713-4443**

Date: September 29, 2021

SITE PLAN NO: 2021-157 - C  
PROJECT: Higgins Ranch  
DESCRIPTION: NEW SUBDIVISION WITH 179 LOTS SF (X)  
APPLICANT: GREG NUNLEY  
PROP. OWNER: NASH LIMITED PARTNERSHIP  
LOCATION TITLE: LOVERS LANE & CHERRY SEC  
APN TITLE: 127-030-018  
GENERAL PLAN: RLD (Residential Low Density)  
ZONING: Tulare County Jurisdiction

---

## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

## **Project Requirements**

- Annexation
- Tentative Subdivision Map
- Initial Study / Negative Declaration
- Tribal Consultation under AB 52
- Cultural Study
- Additional Information as Needed

## **PROJECT SPECIFIC INFORMATION:** September 29, 2021

1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits;
  - b. Tentative Subdivision Map, including the following:
    - i. Phasing Plan
    - ii. Detailed site plan with lot dimensions and street cross sections
2. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
  - b. Records searches with the Native American Heritage Commission and CHRIS survey shall be required.
  - c. Submittal of a Cultural Resource Study shall be required.
3. The applicant shall provide building footprints for all residences located on parcels with atypical lot dimensions.
4. The applicant shall demonstrate compliance with all requirements of VMC 17.12.135 to create lots under 5,000 sq. ft in size.
5. The applicant shall consult with the Tulare Irrigation District regarding location of the canal and to obtain any information on required setbacks, if any.
6. The applicant shall provide a street stub connection to the east.
7. The Lovers Lane access road shall be designed to "Local Road" standards. This will be recommended by staff as a Condition of Approval with the Tentative Subdivision Map.
8. It is recommended that a block wall be placed along the southern property frontage.
9. Meet all other Codes and Ordinances.
10. See previous comments.

**PROJECT SPECIFIC INFORMATION:** September 15, 2021

1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits;
  - b. Tentative Subdivision Map, including the following:
    - i. Phasing Plan
    - ii. Detailed site plan with lot dimensions and street cross sections
2. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
3. The applicant is requested to show an expanded view on the site plan, with detail of the ditch and homes abutting it as well as the railroad and K Ave. and homes abutting them.
4. The applicant shall provide a cross street to the east (over the ditch) consistent with superblock connectivity.
5. A full second access shall be provided to Lovers Lane.
6. The applicant shall provide a footprint of home on lots with atypical lot dimensions.
7. Lots not complying with the 5,000 sq. ft. minimum lot size the applicant will be required to detail compliance with all requirements of VMC 17.12.135.
8. The applicant shall comply with all the requirements of the Community Engineering and Traffic Engineer divisions.
9. VMT analysis may be required.
10. Meet all other Codes and Ordinances.

**PROJECT SPECIFIC INFORMATION:** September 1, 2021

1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits;
  - b. Tentative Subdivision Map, including the following:
    - i. Phasing Plan
    - ii. Detailed site plan with lot dimensions and street cross sections
  - c. The applicant shall provide information showing that the undersized lots meet the R-1-5 Zone requirements listed in VMC 17.12.135. This shall include providing building elevations, floor plans, and an overall development plan for the undersized lots.
2. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
3. The applicant is requested to show an expanded view on the site plan, with detail of the ditch and homes abutting it as well as the railroad and K Ave. and homes abutting them. The applicant shall consult with the Tulare Irrigation District to obtain more information on the specific location of the abutting ditch.
4. The applicant shall provide a cross street to the east (over the ditch) consistent with superblock connectivity.
5. A full second access shall be provided to Lovers Lane. This access shall be limited to right in, right out movements. An additional access shall be provided to the east as well.
6. The applicant shall provide a footprint of home on lots with atypical lot dimensions.
7. The applicant shall comply with all the requirements of the Community Engineering and Traffic Engineer divisions.
8. Width and radii dimensions shall be provided for all cul-de-sac lots.
9. The applicant shall consult with the Union Pacific Railroad Company to obtain more information on the specific location of the abutting railroad.
10. The rear yard boundary of Lot 50 shall be straightened to be of more practical use to the future property owner.
11. The local street providing access to Cherry Avenue shall be aligned with the South Palm Avenue to the north.
12. VMT analysis may be required.



13. Meet all other Codes and Ordinances.

**Note:**

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.

**Sections of the Municipal Code to review:**

**Title 16 Subdivisions**

**17.12 Single-Family Residential Zone**

**17.12.135 Lot area less than 5,000 square feet.**

**17.32.080 Maintenance of landscaped areas.**

**17.34 Off-street parking and loading facilities**

17.34.020(A)(1) Single-family dwelling

**17.36 Fences Walls and Hedges**

17.36.030 Single-family residential zones

**NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.**

Signature \_\_\_\_\_





SPR 21157  
NEW SUBDIVISION  
127030018

City of Visalia  
Building: Site Plan  
Review Comments

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project  
Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone \_\_\_\_\_ \*  Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.66 per square foot & Self-Storage \$.23 per sf. Residential.
- Park Development fee \$\_\_\_\_\_, per unit collected with building permits.
- Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VAL GARCIA 9/23/21  
Signature



**Site Plan Comments**

Visalia Fire Department  
Corbin Reed, Fire Marshal  
420 N. Burke  
Visalia CA 93292  
559-713-4272 office  
prevention.division@visalia.city

Date	September 30, 2021
Item #	6
Site Plan #	21157
APN:	127030018

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- **Special comments:** Secondary access point should be full width to City Standards to accommodate two-way traffic. Developer will be responsible for maintaining clear access to narrow emergency access point if constructed as emergency egress only.

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Corbin Reed  
Fire Marshal





City of Visalia  
 Police Department  
 303 S. Johnson St.  
 Visalia, CA 93292  
 (559) 713-4370

Date : 9/28/21  
 Item: 6 Resubmit  
 Site Plan: 21-157  
 Name: NATE HENRY

**SITE PLAN REVIEW COMMENTS**

- No Comment at this time
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact Fee:  
 Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
 Effective date – August 17, 2001  
  
 Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:  
 \_\_\_\_\_
- Territorial Reinforcement: Define property lines (private/public space).  
 \_\_\_\_\_
- Access Controlled / Restricted etc.:  
 \_\_\_\_\_
- Lighting Concerns:  
 \_\_\_\_\_
- Traffic Concerns:  
 \_\_\_\_\_
- Surveillance Issues:  
 \_\_\_\_\_
- Line of Sight Issues:  
 \_\_\_\_\_
- Other Concerns:  
 \_\_\_\_\_

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

September 29, 2021

ITEM NO: 6      Resubmit  
SITE PLAN NO: SPR21157  
PROJECT TITLE: Higgins Ranch  
DESCRIPTION: New Subdivision with 179 Lots SF (X)  
APPLICANT: Greg Nunley  
OWNER: NASH LIMITED PARTNERSHIP  
APN: 127030018  
LOCATION: Lovers Lane & Cherry SEC

**THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards at time of development.
- Install Street Name Blades at                      Locations at time of development.
- Install Stop Signs at **local roads intersecting arterial/collector status roadways** at time of development.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards at time of development.
- Traffic Impact Analysis required (CUP)
  - Provide more traffic information such as                      . Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
  - Trip Generation - Provide documentation as to concurrence with General Plan.
  - Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
  - Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

**Additional Comments:**

- VMT analysis may be required.
- Provide access to connect to the east.
- Right in/out only allowed on Lovers Lane. Make it public access.

*Leslie Blair*

\_\_\_\_\_  
**Leslie Blair**

## Susan Currier

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**From:** Joel Hooyer  
**Sent:** Monday, September 27, 2021 8:37 AM  
**To:** Cristobal Carrillo; Josh Dan; Susan Currier  
**Cc:** Jeremy Rogers; Alvin Dias  
**Subject:** September 29, 2021 Site Plan Review  
**Attachments:** 9-29-21 Site Plan Review.pdf

**Importance:** High

See attached and following for September 29, 2021, Site Plan Review comments

SPR20131 - No Valley oaks are on the submitted plans.  
SPR21031 - No Valley oaks are on the submitted plans.  
SPR21032 - No Valley oaks are on the submitted plans.  
SPR21112 - No Valley oaks are on the submitted plans.  
SPR21148 - No Valley oaks are on the submitted plans.

SPR21157 - No Valley oaks are on the submitted plans.

**- Is the proposed development going to be a Light & Landscape District?**

**Note\* If this proposed subdivision is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.**

SPR21176 - No Valley oaks are on the submitted plans.  
SPR21178 - No Valley oaks are on the submitted plans.

**SPR 21179 – There are two (2) existing Valley oaks indicated on the proposed plans.**

**- Valley oaks indicated in the Legend Plant Legend, on the proposed plans.**

**Note\* The existing Valley oak trees will need to be protected during construction as outlined in the Valley oak tree ordinance and Visalia's Building Around Valley Oak Trees specifications.**

SPR21180 - No Valley oaks are on the submitted plans.  
SPR21181 - No Valley oaks are on the submitted plans.  
SPR21182 - No Valley oaks are on the submitted plans.  
SPR21183 - No Valley oaks are on the submitted plans.  
SPR 21184 - No Valley oaks are on the submitted plans.  
SPR 21185 - No Valley oaks are on the submitted plans.



January 5, 2022

**Site Plan Review No. 21-219:**

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **December 22, 2021**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal", is written over a horizontal line.

Paul Bernal  
Community Development Director  
315 E. Acequia Ave.  
Visalia, CA 93291

**Attachment(s):**

- Site Plan Review Comments





MEETING DATE: December 22, 2021

SITE PLAN NO. 2021-219

PARCEL MAP NO.

SUBDIVISION:

LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

**RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with  
 Planning  Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste  Parks and Recreation  Fire Dept.

**REVISE AND PROCEED** (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

PARCEL MAP

HISTORIC PRESERVATION

OTHER: \_\_\_\_\_

**ADDITIONAL COMMENTS :**

If you have any questions or comments, please call (559) 713-4444.

*Site Plan Review Committee*

# SITE PLAN REVIEW COMMENTS

Rafael Garcia, Planning Division (559) 713-4031

Date: December 22, 2021

SITE PLAN NO: 2021-219-B  
PROJECT: Higgins Ranch  
DESCRIPTION: PROPOSING TO SPLIT ONE 32.25 ACRE PARCEL INTO TWO PARCELS.  
PARCEL 1 18.50 AC AND PARCE 2 BEING 13.84 AC.  
APPLICANT: GREG NUNLEY  
PROP. OWNER: NASH LIMITED PARTNERSHIP  
LOCATION TITLE: LOVERS LANE & CHERRY SEC  
APN TITLE: 127-030-018  
GENERAL PLAN: RLD (Residential Low Density)  
ZONING: Tulare County Jurisdiction

## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

## **Project Requirements**

- Annexation
- Tentative Parcel Map
- Process in conjunction with Annexation No. 2021-03 and Tentative Subdivision Map No. 5585

### **PROJECT SPECIFIC INFORMATION:** December 22, 2021

1. Street shall line up with Palm Street to the north.
2. Shall coordinate with neighboring project to provide connectivity to the development to the east.
3. An operational statement shall be provided detailing the purpose of the tentative parcel map.
4. The proposal shall comply with all requirements of the Engineering and Traffic Engineering Divisions.

### **PROJECT SPECIFIC INFORMATION:** December 15, 2021

5. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits;
  - b. Tentative Parcel Map.
6. Annexation No. 2021-03 and Tentative Subdivision Map No. 5585 have been submitted and are already in process for the project site. The Tentative Parcel Map shall be processed in conjunction with these two projects. Consult with Project Planner Rafael Garcia at (559) 713-4031, [rafael.garcia@visalia.city](mailto:rafael.garcia@visalia.city).
7. The applicant shall provide an exhibit/phasing plan demonstrating how the tentative parcel map is oriented relative to the proposed subdivision map.
8. An operational statement shall be provided detailing the purpose of the tentative parcel map.
9. The proposal shall comply with all requirements of the Engineering and Traffic Engineering Divisions.

## **Note:**

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a **final** for the project, a signed **Certificate of Compliance** for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.

**Sections of the Municipal Code to review:**

**Title 16 Subdivisions**

**17.12 Single-Family Residential Zone**

17.12.135 Lot area less than 5,000 square feet.

17.32.080 Maintenance of landscaped areas.

17.34 Off-street parking and loading facilities

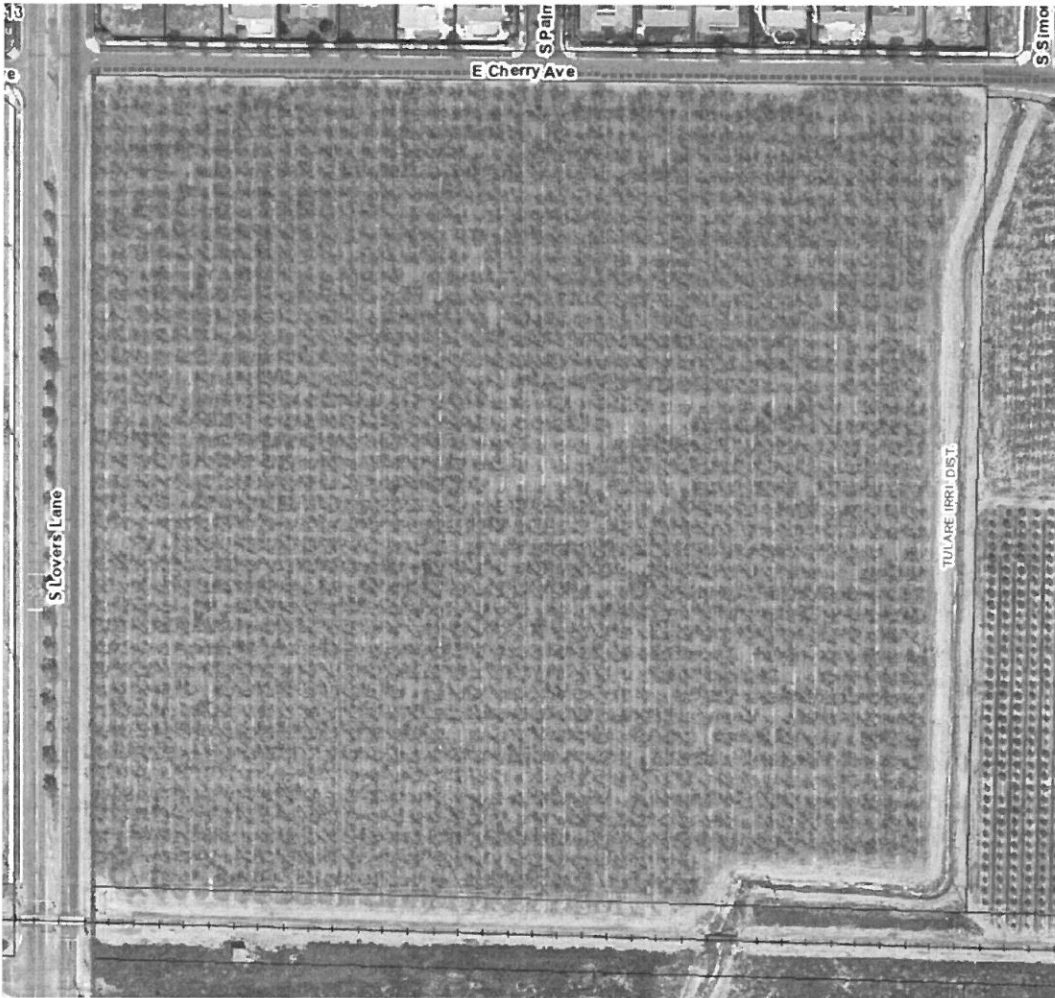
17.34.020(A)(1) Single-family dwelling

17.36 Fences Walls and Hedges

17.36.030 Single-family residential zones

**NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.**

Signature \_\_\_\_\_



**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

Adrian Rubalcaba 713-4271  
 Diego Corvera 713-4209

ITEM NO: 2 DATE: DECEMBER 22, 2021

SITE PLAN NO.: 21-219 RESUBMITTAL  
 PROJECT TITLE: HIGGINS RANCH  
 DESCRIPTION: PROPOSING TO SPLIT 1 (ONE) 32.25 ACRE PARCEL INTO 2 (TWO) PARCELS. PARCEL 1 18.50 AC AND PARCEL 2 BEING 13.84 AC (X)  
 APPLICANT: GREG NUNLEY  
 PROP. OWNER: NASH LIMITED PARTNERSHIP  
 LOCATION: SOUTHEAST CORNER OF LOVERS LANE & CHERRY AVE  
 APN: 127-130-018

**SITE PLAN REVIEW COMMENTS**

- REQUIREMENTS (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work;  Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership.  by map  by deed  
**IRREVOCABLE OFFERS OF DEDICATION REQUIRED.**
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required.  CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: David Deel (Planning) 488-4088
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. **MODOC** Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy.  Access required on ditch bank, 12' minimum.  Provide wide riparian dedication from top of bank. **MAINTAIN EXISTING EASEMENTS.**
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.  Prepared by registered civil engineer or project architect.  All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a)  directed to the City's existing storm drainage system; b)  directed to a permanent on-site basin; or c)  directed to a temporary on-site basin is required until a



connection with adequate capacity is available to the City's storm drainage system. On-site basin:  
: maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.

- Show Valley Oak trees with drip lines and adjacent grade elevations.  Protect Valley Oak trees during construction in accordance with City requirements.  A permit is required to remove Valley Oak trees. Contact Public Works Admin at (559)713-4428 for a Valley Oak tree evaluation or permit to remove.  Valley Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application.  A pre-construction conference is required.
- Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Provide "R" value tests: each at
- Traffic indexes per city standards:
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- All lots shall have separate drive approaches constructed to City Standards.
- Install street striping as required by the City Engineer.
- Install sidewalk: ft. wide, with ft. wide parkway on
- Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Abandon existing wells per City of Visalia Code. A building permit is required.
- Remove existing irrigation lines & dispose off-site.  Remove existing leach fields and septic tanks.
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.

Comply with prior comments  Resubmit with additional information  Redesign required

**Additional Comments:**

**1. Proposed tentative parcel map is subject to the underlying conditions of the previously proposed tentative subdivision map, refer SPR No. 21-157.**

**2. Development of Parcel 1, as phase 1 of the subdivision map, will require dedications along Parcel 2 in order to complete Lovers Lane public street frontage improvements. A 2-foot Right-of-way along Lovers Lane shall be dedicated as Irrevocable Offer of Dedication with the parcel map.**

**3. Development impact fees can be deferred until time of development of either parcel.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **21-219R**  
Date: **12/22/2021**

**Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:**

**(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)**

(Fee Schedule Date:**8/21/2021**)  
(Project type for fee rates:**TPM**)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drainage Acquisition Fee	
<input type="checkbox"/> Park Acquisition Fee	
<input type="checkbox"/> Northeast Acquisition Fee Total	
Storm Drainage	
Block Walls	
Parkway Landscaping	
Bike Paths	
<input type="checkbox"/> Waterways Acquisition Fee	

**Additional Development Impact Fees will be collected at the time of issuance of building permits.**

**City Reimbursement:**

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject planned facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



\_\_\_\_\_  
**Adrian Rubalcaba**

City of Visalia  
Building: Site Plan  
Review Comments

FR 21219  
HIGGINS RANCH  
127030018

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project  
Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone \_\_\_\_\_ \*  Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.66 per square foot & Self-Storage \$.23 per sf. Residential.
- Park Development fee \$ \_\_\_\_\_, per unit collected with building permits.
- Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VAL GARCIA 12/22/21  
Signature





**Site Plan Comments**

Visalia Fire Department  
Corbin Reed, Fire Marshal  
420 N. Burke  
Visalia CA 93292  
559-713-4272 office  
prevention.division@visalia.city

Date	December 22, 2021
Item #	2
Site Plan #	21219
APN:	127030018

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- Fire protection items are not required to be installed for **parcel map or lot line adjustment** at this time; however, any developments taking place on these parcels will be subject to fire & life safety requirements including fire protection systems and fire hydrants in accordance with all applicable sections of the California Fire Code.
- This item is a **resubmittal**. Please see comments from previous submittals.

Corbin Reed  
Fire Marshal



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

December 22, 2021

**ITEM NO: 2      Resubmit**

SITE PLAN NO: SPR21219

PROJECT TITLE: Higgins Ranch

DESCRIPTION: Proposing to split 1 (one) 32.25 acer parcel into 2 (two) parcels. Parcel 1 18.50 ac and Parcel 2 being 13.84 ac. (X)

APPLICANT: Greg Nunley

OWNER: NASH LIMITED PARTNERSHIP

APN: 127030018

LOCATION: Southeast Corner of Lovers Lane & Cherry Ave

**THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards at time of development.
- Install Street Name Blades at *intersection* Locations at time of development.
- Install Stop Signs on *local roads intersecting an arterial/collector* Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards at time of development.
- Traffic Impact Analysis required (CUP)
  - Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
  - Trip Generation - Provide documentation as to concurrence with General Plan.
  - Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
  - Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

**Additional Comments:**

- Centerline of Palm St to the south to align with centerline of Palm St to the north.
- Road intersecting Lovers Lane to be located approximately midway between Cherry Ave and K Ave. Median access restricted to right in/out and left in only.No left outs.
- VMT Analysis may be required unless screened out.
- Connectivity to the east needed.

*Leslie Blair*

\_\_\_\_\_  
Leslie Blair

## Susan Currier

---

**From:** Joel Hooyer  
**Sent:** Monday, December 20, 2021 11:54 AM  
**To:** Cristobal Carrillo; Josh Dan; Susan Currier; Rafael Garcia  
**Cc:** Jeremy Rogers; Alvin Dias  
**Subject:** December 22, 2021 Site Plan Review  
**Attachments:** 12-22-21 Site Plan Review.pdf

See attached and following for the December 22, 2021, Site Plan Review comments

**SPR21207** - Multiple existing Valley oaks are on the submitted plans. (See Note #1)  
- Pocket Park is on the submitted plan. (See Note #2)

**Note\* #1** - I am in contact with Mat Barnes of Provost & Prictchard Consulting Group to obtain Valley oak tree removal permits for this project.

**Note\* #2**- If this proposed subdivision is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia, all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.

**SPR21219** - No Valley oaks are on the submitted plans.

**Note\*** - If this proposed subdivision is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia, all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.

**SPR21221** - No Valley oaks are on the submitted plans.

**SPR21222** - No Valley oaks are on the submitted plans.

**SPR21223** - No Valley oaks are on the submitted plans.

**SPR21224** - No Valley oaks are on the submitted plans.

- Proposed Park on submitted plan.

- Bike Trail on submitted plan.

**Note\***- If this proposed subdivision is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia, all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.



CITY OF VISALIA  
SOLID WASTE DIVISION  
336 N. BEN MADDOX  
VISALIA CA. 93291  
713 - 4532  
COMMERCIAL BIN SERVICE

21219

December 22, 2021

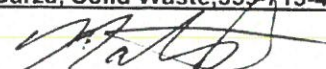
- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
- City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Comment

City standard (3-Can) residential services to be assigned per unit. Streets and cul-de-sac's to be built to City standards and able to withstand 55,000 lb. solid waste vehicles. Solid waste services to include trash, recycle, and organic collection services, per State of California's mandatory recycling laws (AB-341 & AB-1826).

Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532





March 23, 2022

**Site Plan Review No. 2022-044:**

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **March 02, 2022**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal", is written over a white background.

Paul Bernal  
Community Development Director  
315 E. Acequia Ave.  
Visalia, CA 93291

**Attachment(s):**

- Site Plan Review Comments





MEETING DATE March 2, 2022  
 SITE PLAN NO. 2022-044  
 PARCEL MAP NO.  
 SUBDIVISION  
 LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

**RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with

Planning  Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste  Parks and Recreation  Fire Dept.

**REVISE AND PROCEED** (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

Annexation & TSM

HISTORIC PRESERVATION

OTHER –

**ADDITIONAL COMMENTS:**

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440  
Site Plan Review Committee

# SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division (559) 713-4003

Date: March 2, 2022

SITE PLAN NO: 2022-044  
PROJECT: Higgins Ranch  
DESCRIPTION: 179 LOT SFR SUBDIVISION  
APPLICANT: GREG NUNLEY  
PROP. OWNER: NASH LIMITED PARTNERSHIP  
LOCATION TITLE: LOVERS LANE & CHERRY SEC  
APN TITLE: 127-030-018  
GENERAL PLAN: RLD (Residential Low Density)  
ZONING: Tulare County Jurisdiction

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Annexation
- Tentative Subdivision Map
- Compliance with previous SPR comment packets

## **PROJECT SPECIFIC INFORMATION:** March 2, 2022

1. The item appears to have returned with some layout changes to roads and lots (small lots included), an added SCE easement, and altered phasing.
2. Staff is agreeable to the changes and would request the applicant comply with other division requirements.
3. Previous comments from SPR Nos. 2021-157 & 219 shall still apply.

## Note:

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.

## Sections of the Municipal Code to review:

### Title 16 Subdivisions

#### 17.12 Single-Family Residential Zone

17.12.135 Lot area less than 5,000 square feet.

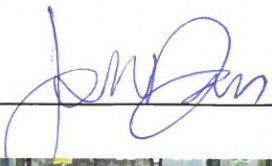
17.32.080 Maintenance of landscaped areas.

17.34 Off-street parking and loading facilities – 17.34.020(A)(1) Single-family dwelling

17.36 Fences Walls and Hedges – 17.36.030 Single-family residential zones

**NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.**

Signature \_\_\_\_\_





**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

<input checked="" type="checkbox"/>	Adrian Rubalcaba	713-4271
<input type="checkbox"/>	Ather Razaq	713-4268
<input type="checkbox"/>	Edelma Gonzalez	713-4364
<input type="checkbox"/>	Jaklin Rowley	713-4369
<input type="checkbox"/>	Luqman Ragabi	713-4362

ITEM NO: 8 DATE: MARCH 2, 2022

SITE PLAN NO.: 22-044  
PROJECT TITLE: HIGGINS RANCH  
DESCRIPTION: NEW SUBDIVISION WITH 179 SINGLE FAMILY LOTS (X)  
APPLICANT: GREG NUNLEY  
PROP. OWNER: NASH LIMITED PARTNERSHIP  
LOCATION: SEC LOVERS LANE & CHERRY  
APN: 127-030-018

**SITE PLAN REVIEW COMMENTS**

- REQUIREMENTS (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work;  Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership.  by map  by deed
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required.  CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: David Deel (Planning) 488-4088
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. **TID** Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy.  Access required on ditch bank, 12' minimum.  Provide \_\_\_\_\_ wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.  Prepared by registered civil engineer or project architect.  All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a)  directed to the City's existing storm drainage system; b)  directed to a permanent on-site basin; or c)  directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site

basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance. **SEE ADDL COMMENTS**

- Show Valley Oak trees with drip lines and adjacent grade elevations.  Protect Valley Oak trees during construction in accordance with City requirements.  A permit is required to remove Valley Oak trees. Contact Public Works Admin at (559)713-4428 for a Valley Oak tree evaluation or permit to remove.  Valley Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application.  A pre-construction conference is required.
  - Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
  - Relocate existing utility poles and/or facilities. **REQUIRED W/ DEVELOPMENT**
  - Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **REQUIRED W/ DEVELOPMENT**
  - Provide "R" value tests: **1** each at **300' INTERVALS**
  - Traffic indexes per city standards: **REFER TO CITY P-25 STREET STANDARDS**
  - All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
  - All lots shall have separate drive approaches constructed to City Standards.
  - Install street striping as required by the City Engineer.
  - Install sidewalk: **VARIES** ft. wide, with **VARIES** ft. wide parkway on **REFER TO CITY STREET STDS**
  - Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
  - Subject to existing Reimbursement Agreement to reimburse prior developer:
  - Abandon existing wells per City of Visalia Code. A building permit is required.
  - Remove existing irrigation lines & dispose off-site.  Remove existing leach fields and septic tanks.
  - Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
  - If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
  - If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments    Resubmit with additional information    Redesign required

**Additional Comments:**

**1. Tentative map was previously submitted as SPR NO. 21-157 and received a Revise & Proceed. This additional resubmittal is to correct the recent SCE easement requirement along the south boundary line that affects the map. Refer to SPR No. 21-157 for previous conditions. Additional comments to be included with project conditions are as follows:**

**a) Tentative map revisions to the cross sections appear adequate.**

**b) Lots 149 & 84 will still need clearer adjustment to indicate the required 5-foot wide landscape lot that is to traverse the side yard along local street.**

**c) The new SCE easement area is to be protected and remain accessible to SCE. The proposed block wall is adequate to further restrict access from future residents and provides a sound barrier to railroad. The City is to further determine whether the easement area can be combined into an outlot to be dedicated to the Landscape and Lighting District or remain as an easement encumbering the affected property owners. Additional landscape and irrigation improvements may apply to this area.**

**d) The Phase 1 boundary lines have changed and the future street connection to the east appears to be part of Phase 2. City will require Phase 1 to install the necessary local street improvements up to ditch easement area with temp barricade and the deposit of 50% cost share of the required culvert crossing.**

*e) The ditch easement cannot be over future public right-of-way for culvert crossing. Site plan appears to indicate this requirement.*

*f) The new pocket park parcel will be required to be dedicated as an outlot to the Landscape and Lighting District, at no cost to the City, and all costs of improvements shall be responsibility of developer.*

*g) Tentative map indicates 5 lots in phase 2 to be used for temp basin. Ensure temp storage basin is designed and constructed to retain entire subdivision run-off and install necessary infrastructure for future connection to City trunk lines and abandonment of the basin. City requires temporary building restrictions over the lots encumbered by temp basin area. Maintenance of the basin and future backfill and abandonment is responsibility of developer, including a cash deposit. Further provisions are detailed within City subdivision agreement.*

*h) Addition of speed reducing improvements to Cherry Ave. will be required. Further coordinate with Traffic Engineer.*

*i) Street light locations and street names will be further determined at time of final map and improvement plan submittals.*

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **22-044**  
Date: **3/2/2022**

**Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:**

**(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)**

(Fee Schedule Date: **1/1/2022**)  
(Project type for fee rates: **LOW DENSITY SFD** )

Existing uses may qualify for credits on Development Impact Fees.

<b>FEE ITEM</b>	<b>FEE RATE</b>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>\$836/UNIT</b>
<input checked="" type="checkbox"/> Sewer Front Foot Fee	<b>\$46/LF</b>
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	<b>\$3,321/AC</b>
<input checked="" type="checkbox"/> Park Acquisition Fee	<b>\$1,645/UNIT</b>
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	<b>\$2,711/AC</b>

**Additional Development Impact Fees will be collected at the time of issuance of building permits.**

**City Reimbursement:**

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject planned facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



**Adrian Rubalcaba**



City of Visalia  
Building: Site Plan  
Review Comments

SFR 22044  
HIGGINS RANCH  
127030018

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project  
Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone \_\_\_\_\_ \*  Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.66 per square foot & Self-Storage \$.23 per sf. Residential.
- Park Development fee \$ \_\_\_\_\_, per unit collected with building permits.
- Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VAL GARCIA 3/2/22  
Signature



**Site Plan Comments**

Visalia Fire Department  
Corbin Reed, Fire Marshal  
420 N. Burke  
Visalia CA 93292  
559-713-4272 office  
prevention.division@visalia.city

Date	March 1, 2022
Item #	8
Site Plan #	22044
APN:	127030018

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- Construction and demolition sites prior to and during construction shall comply with the attached **Access & Water Guidelines**.
- **Address numbers** must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2019 CFC 505.1
- Residential developments shall be provided with **fire hydrants** every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided. The exact location and number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. VMC 16.36.120(5); 2019 CFC §507, App B and C
- **All streets** shall meet the City of Visalia's Design & Improvement Standards for streets to ensure that fire apparatus can make access to all structures in the event of an emergency.
- This item is a **resubmittal**. Please see comments from previous submittals.

  
\_\_\_\_\_  
Corbin Reed  
Fire Marshal



## Visalia Fire Department Access and Water Guidelines for Residential Construction

Effective July 1, 2019

### Model Homes & Non-Model Homes

Model and Non-Model homes may be constructed once **all** of the following conditions have been met:

1. All portions of proposed residential construction shall be located and accessible within 150 feet of an existing, paved, city street.
2. **Exceptions:** If any portion of a model home or a non-model is located greater than 150 feet from an existing city street, a fire apparatus access road shall be installed and maintained unobstructed at all times. The fire access road, including curb and gutter, shall be installed per City Specifications and City Standard P-1 excluding the Asphalt Concrete layer, but in no circumstance shall have a structural section less than required under City Standard P-25 based on R-Value of existing subgrade unless otherwise specified on approved plans. Compaction tests, including testing of the aggregate base layer, shall be performed under City inspection and reports shall be submitted to the Public Works Inspector prior to City acceptance for the road to be used for fire access. The fire access roads shall be usable and maintained in place until permanent paved access has been provided meeting City standards and specifications.
3. All required fire hydrants shall be installed in the approved locations per the stamped and approved plans and shall be fully operational.

**Exception:** If fire hydrant installation has not been completed an onsite elevated water tank shall be provided. The minimum size of provided water tank shall be 10,000 gallons, and shall be designated as "Fire Department use only". Tanks shall be located within 300 feet travel distance of each structure being developed. Tanks shall remain in place until all fire hydrant installation has been completed and all hydrants are fully operational. Travel distance shall be measured by an approved fire apparatus access route.

Connection provided on water tanks shall be a four and one half inch National Hose thread male fitting and shall be gravity fed, with connection point located between 18 and 36 inches above ground level.

**\*If at any time the conditions of these guidelines are not being met the Fire Marshal/Fire Chief or his/her designee have the authority to issue a "Stop Work Order" until corrections have been made.**

**\* This information is intended to be a guideline. The Fire Marshal and/or Fire Chief shall have the discretion to modify requirements at any time as set forth under CFC Appendix D. The applicability of this guideline will be evaluated on February 1, 2020 by the Fire Marshal or Fire Chief.**





# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 2, 2022

**ITEM NO: 8**

SITE PLAN NO: SPR22044

PROJECT TITLE: Higgins Ranch

DESCRIPTION: New Subdivision with 179 Single Family Lots. (X)

APPLICANT: Greg Nunley

OWNER: NASH LIMITED PARTNERSHIP

APN: 127030018

LOCATION: South East Corner of Lovers Lane & Cherry Ave

**THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards at time of development.
- Install Street Name Blades at \_\_\_\_\_ Locations at time of development.
- Install Stop Signs at **local road intersecting arterial/collector** Locations at time of development.
- Construct parking per City Standards PK-1 through PK-4 at time of development.
- Construct drive approach per City Standards at time of development.
- Traffic Impact Analysis required (CUP)
  - Provide more traffic information such as \_\_\_\_\_. Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
  - Trip Generation - Provide documentation as to concurrence with General Plan.
  - Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
  - Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

**Additional Comments:**

- Street names required to be submitted for pre review and approval.
- VMT analysis may be required unless screened out.
- Traffic calming measures required on Cherry Ave. Provide measure similar to the traffic calming measure on Cherry Ave that is being proposed by the subdivision to the east of this site. Provide detail for City review.

- Median access restriction on Lovers Lane to right in/out only.

*Leslie Blair*

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**Leslie Blair**

**SPR22005** – Valley oak trees to be protected in place is indicated on the plan.

– A Park is indicated on submitted plan.

- Out lots and Park to be dedicated to City of Visalia is indicated on the submitted plan.

- Is development to be a Light and Landscape District?

**Note #1 Need to work with Urban Forestry for the protection or the removal of the existing Valley oak trees indicated on the submitted plan.**

**Note #2 If this proposed subdivision is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.**

**SPR22041** - No Valley oaks are on the submitted plans.

**SPR22042** - No Valley oaks are on the submitted plans.

**SPR22043** - No Valley oaks are on the submitted plans.

**SPR22044** - No Valley oaks are on the submitted plans.

– A Park is indicated on submitted plan.

- Is development to be a Light and Landscape District?

**Note\* If this proposed subdivision is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.**

CITY OF VISALIA  
SOLID WASTE DIVISION  
336 N. BEN MADDOX  
VISALIA CA. 93291  
713 - 4532  
COMMERCIAL BIN SERVICE

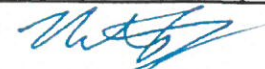
22044

March 2, 2022

- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
- City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.
- Comment** City standard (3-can) residential services to be assigned per address

Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

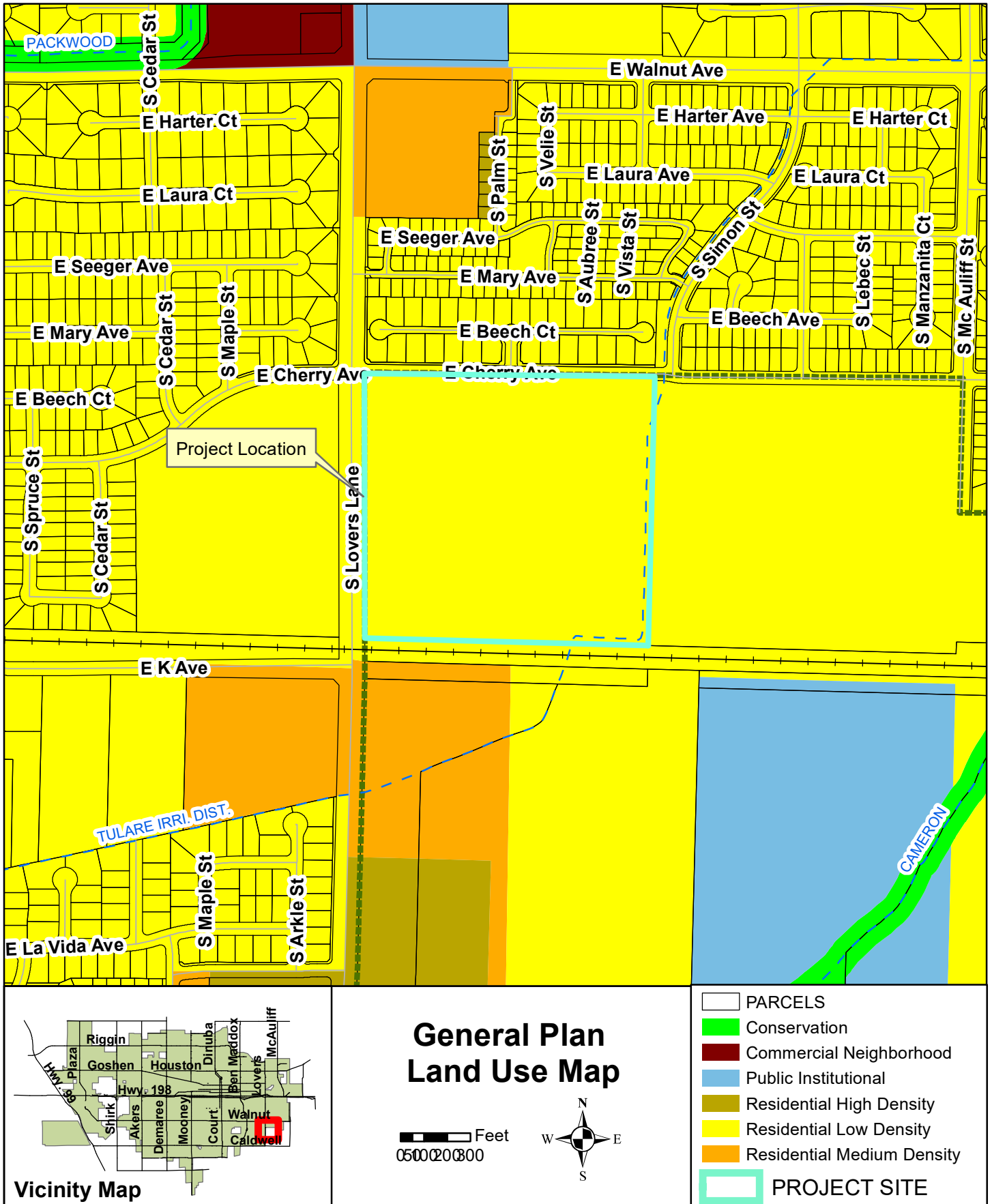
Nathan Garza, Solid Waste, 559-713-4532





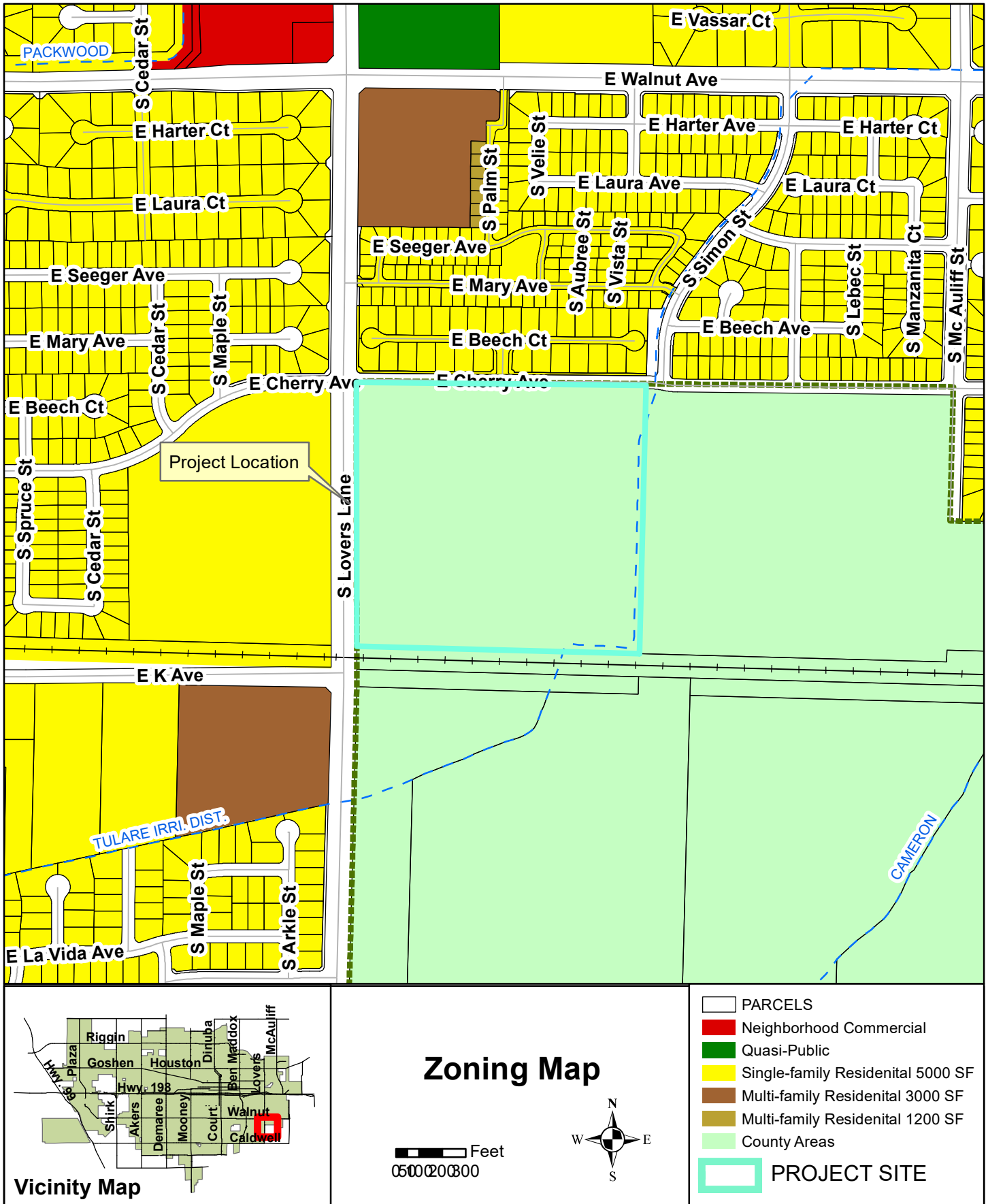
**Tentative Subdivision Map No. 5585, Tentative Parcel Map No. 2022-01 and Annexation No. 2021-03**

The project site is located on the southeast corner of South Lovers Lane and East Cherry Avenue (APN: 127-030-018).



# Tentative Subdivision Map No. 5585, Tentative Parcel Map No. 2022-01 and Annexation No. 2021-03

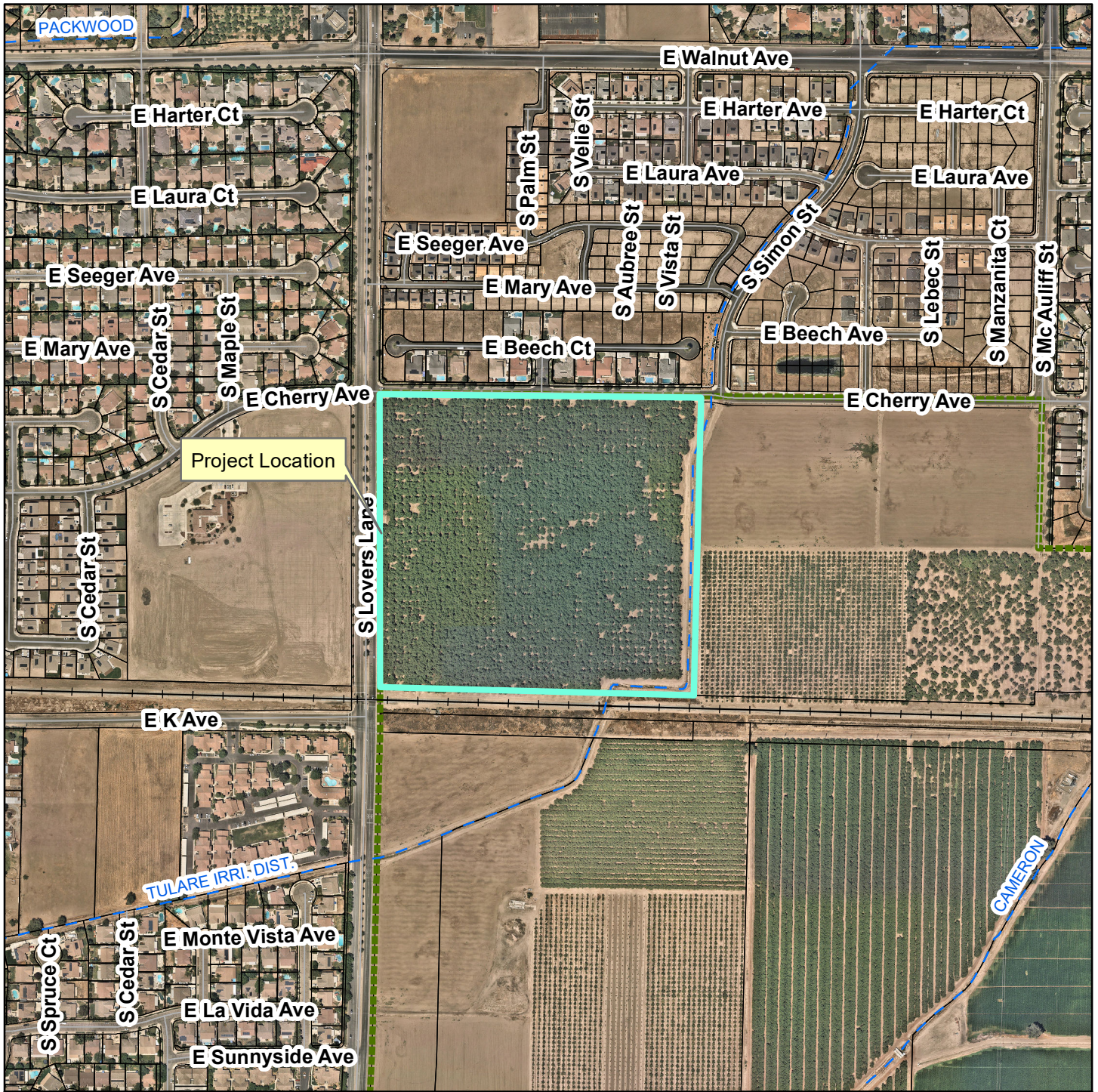
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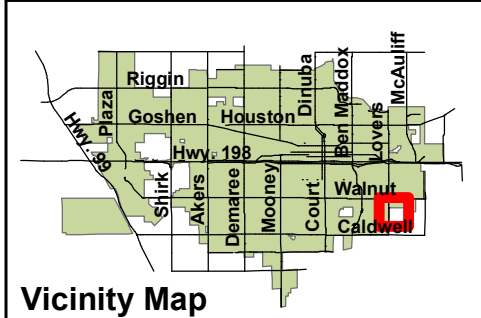


**Tentative Subdivision Map No. 5585, Tentative Parcel Map No. 2022-01 and Annexation No. 2021-03**

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Project Location

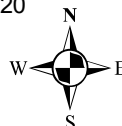


**Vicinity Map**

**Aerial Photo**

Photo Taken March 2020

0500 0200 0800 Feet



 PROJECT SITE



**Tentative Subdivision Map No. 5585, Tentative Parcel Map No. 2022-01 and Annexation No. 2021-03**

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