

# PLANNING COMMISSION AGENDA

CHAIRPERSON:  
Marvin Hansen



VICE CHAIRPERSON:  
Adam Peck

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

**MONDAY, DECEMBER 12, 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.
  - a. Finding of Consistency No. 2022-003: A request by Lovejot Singh and Jason Scott to modify Conditional Use Permit No. 1994-19 to demolish and rebuild an existing convenience store within the D-MU (Downtown Mixed Use) Zone. The project site is located at 540 North Court Street (APN: 094-261-026).
6. PUBLIC HEARING – (Continued from November 14, 2022) Cristobal Carrillo, Associate Planner  

Conditional Use Permit No. 2021-21: A request by Scott A. Mommer Consulting to establish a Fastrip convenience store and gasoline service station with a drive-thru lane in the C-MU (Mixed-Use Commercial) Zone. The project site is located at 2800 S. Mooney Boulevard, on the southeast corner of West Whitendale Avenue and South Mooney Boulevard (APN: 122-320-078).

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. 2021-09 (State Clearinghouse # 2022100244) be adopted.

7. PUBLIC HEARING – Josh Dan, Associate Planner

Conditional Use Permit No. 2022-29: A request by Lane Engineers on behalf of MB Developers LC, to develop a 1.53-acre parcel with a new 2,338 sq. ft. Chipotle Restaurant with a drive-thru pickup lane for online orders only within the Plaza Business Park Master Planned development located in the Business Research Park (BRP) Zoning District. The project site is located on the east side of Plaza Drive approximately 500 feet north of Crowley Avenue (APN: 081-160-014). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2022-61.

8. PUBLIC HEARING – Josh Dan, Associate Planner

Conditional Use Permit No. 2022-31: A request by RP Investments, LP to establish a planned commercial development by creating parcels with less than the minimum five-acre requirement in the C-MU (Commercial Mixed Use) zone. The project site is part of the Orchard Walk West Shopping Center master planned development and is specifically located on the south side of Sedona Avenue approximately 300 feet west of Dinuba Boulevard (APN: 078-120-053). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2022-63.

Tentative Parcel Map No. 2022-08: A request by RP Investments, LP to subdivide a 4.29-acre parcel within the C-MU (Commercial Mixed Use) Zoning District into two parcels to facilitate the development of future retail buildings. Parcel One will be 2.82-acres while Parcel 2 will be 1.47-acres. The project site is part of the Orchard Walk West Shopping Center master planned development and is specifically located on the south side of Sedona Avenue approximately 300 feet west of Dinuba Boulevard (APN: 078-120-053). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2022-63.

9. PUBLIC HEARING – Annalisa Perea, Senior Planner QK, Inc., Planning Consultant to the Planning Division

Conditional Use Permit No. 2022-15: A request by 7Ten Properties LLC, to establish an outdoor event venue use on a 1.95-acre site improved with an outdoor lawn area, paved surface, and bathroom facilities in the QP (Quasi-Public) Zone. The property will be operated in conjunction with an on-site building that allows for the operation of a variety of indoor venues. The site is located at 4211 W. Goshen Avenue on southwest corner of Goshen Avenue and Chinowth Street. (APN: 085-630-003 and 085-630-001). 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, subject to mitigation, and that Mitigated Negative Declaration No. 2022-30 (State Clearinghouse # 2022110351) be adopted.

10. PUBLIC HEARING – Brandon Smith, Principal Planner

Temporary Conditional Use Permit No. 2022-32: A request by Visalia Homeless Center to operate a temporary overnight warming center through March 15, 2023, within an existing building located in the C-S (Service Commercial) Zoning Designation. The site is located at 701 E. Race Avenue, on the southwest corner of Race Avenue and Burke Street (APN: 094-100-022). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-67.

11. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. The next Planning Commission meeting is January 9, 2023.
- b. Update on City Council direction regarding Agricultural Preservation Ordinance.
- c. Victory Oaks Annexation submitted for LAFCO’s January 2023 meeting.
- d. City Hall Offices closed December 23<sup>rd</sup> & 26<sup>th</sup> and January 2<sup>nd</sup>.

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, DECEMBER 22, 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, JANUARY 9, 2023**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** December 12, 2022

**PROJECT PLANNER:** Annalisa Perea, Senior Planner, QK, Inc.  
Phone No.: (559) 713-4025

**SUBJECT: Conditional Use Permit No. 2022-15:** A request by Sam Ramirez to amend previously approved Conditional Use Permit Nos. 279 and 365 in order to operate “The Woodlands” outdoor entertainment/event venue on a developed lodge site in the Quasi-Public zone. The property is located at 4211 West Goshen Avenue (APN: 085-630-001 and -003).

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2022-15, as conditioned, based upon the findings and conditions in Resolution No. 2022-28. Staff’s recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Noise Ordinances.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2022-15, based on the findings and conditions in Resolution No. 2022-28.

## PROJECT DESCRIPTION

Conditional Use Permit No. 2022-15 seeks to operate an outdoor event/entertainment venue for primarily private events with occasional public events in the Quasi-Public zone. The proposed outdoor event/entertainment venue site is 84,780 square feet in size and consists of a large lawn area, large concrete and brick pad, a small event suite, and a building housing restrooms. The project area is located on the southwest corner of West Goshen Avenue and North Chinowth Street, adjacent to 4211 West Goshen Avenue, as shown in the Site Plan in Exhibit “A”.

This outdoor open space area, referred to as ‘The Woodlands’ by the private owner, is the outdoor open space formerly referred to as “Pete Giotta Park”. This open space area was associated with the former Sons of Italy lodge located directly to the west. The Sons of Italy lodge and open space area were sold to a private owner who continues to lease and rent the lodge building, referred to as ‘Bella Vita’, for use of private and public events. The use of this building for various events was permitted with previously approved conditional use permits by the City (CUP No. 279 and 365). However, during a review of the former conditional use permits, staff concluded that the open space area was never legally permitted to host outdoor events. As a result, staff notified the owner that approval of a conditional use permit is required to operate the outdoor venue as currently offered by ‘The Woodlands’ business.

The applicant submitted a site plan review application to begin the process of legally establishing the outdoor venue and Site Plan Review No. 2022-019 was approved for the subject site on April 20, 2022. The outdoor event venue will host private events such as weddings, birthdays, graduations, non-profit fundraisers, and other invitation-based gatherings. Public events could include those previously held onsite such as Food Fest, movie nights, and



public markets. The venue would operate as a 'limited service' venue, meaning the primary product would be renting of the function space itself for events. Additional services such as catering, rentals, floral, etc. would be subcontracted by either the venue or client to outside vendors.

Per the venue contract and security plan, all events that intend to serve alcohol are required to contract outside licensed security services to monitor alcohol consumption on the property and ensure that all consumption occurs in approved areas.

The venue can expect to employ up to one full-time administrative and sales staff as well as up to 10 additional part-time event staff workers. At any given time, events can expect to see two to four staff members working an event at any given time. As explained by the applicant in the operation statement in Exhibit "B", the facility will be available to operate 7 days a week beginning at 7:00 AM daily with all events ending no later than 10:00 PM.

No new development is proposed as part of this request. Only minor improvements to the site would be made in order to accommodate the outdoor event venue. A 12-foot tall AcoustiFence is proposed to be installed at the south property line to assist with mitigating the potential for noise spillover onto adjacent properties. In addition, the restroom facilities that were constructed were done without the approval of a building permit. Condition No. 5 has been included requiring the Applicant to submit building plans and obtain building permit and inspection approvals for the restroom building.

The subject property (i.e., The Woodlands) is located on a separate parcel from the former Sons of Italy site and does not provide any legal on-site parking. However, when the Woodlands site is in use, the outdoor venue uses the 118 paved on-site parking stalls located at 4211 West Goshen Avenue (Bella Vita site). The site plan exhibit also depicts 20 unimproved parking stalls that are located on a DG surface. These stalls are not legally permitted. Additional off-site parking stalls may be provided if the Applicant ends up establishing a shared parking agreement with the neighboring Fountain Christian Church located on the southwest corner of S. Chinoweth Street and W. Douglas Avenue. The operational statement also projects that the approximate number of attendees per each event would be limited to the ultimate number of parking stalls the Applicant ends up providing. More discussion on this is included below under the "Parking Requirements" section below.

## **BACKGROUND INFORMATION**

General Plan Land Use Designation:	Public/Institutional
Zoning:	Q-P (Quasi-Public)
Surrounding Land Use and Zoning:	North: R-1-5 Single-Family Residential / Goshen Avenue (Arterial Roadway) Railroad tracks, Single-Family Subdivision
	South: R-M-2 Multi-Family Residential / Multi-Family Residences
	East: O-PA Professional Administrative Office / Demaree Square Office Complex
	West: R-M-3 Multi-Family Residential / Multi-Family Residential

Environmental Review: Mitigated Negative Declaration No. 2022-30  
Special Districts: N/A  
Site Plan Review No: 2022-019

**RELATED PLANS & POLICIES**

Please see attached summary of related plans and policies. The General Plan Land Use Diagram designates the site as Public/Institutional and the Zoning Map designates the site as QP (Quasi-Public) which is consistent with the Land Use Element of the General Plan, and consistent with the standards for Quasi-Public zoning district pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.52.

**RELATED PROJECTS**

Conditional Use Permit Nos. 279 and 365 were approved by the Planning Commission to operate the on-site lodge as the Sons of Italy fraternal organization lodge located at 4211 W. Goshen (APN 085-630-001).

**PROJECT EVALUATION**

Staff supports the conditional use permit as conditioned, based on the project’s consistency with the General Plan and the Zoning Ordinance’s policies for approval of conditional use permits.

**Land Use Compatibility**

The Quasi-Public Zone allows for assemblage of people for special events with a conditional use permit. Special events have been held at the project site for many years, although they were indoors.

**Parking Requirements**

Peters Engineering Group conducted a parking analysis, (see Exhibit “C”), dated September 27, 2022. The parking analysis analyzed an on-site event with an expected attendance of 500 guests and 12 employees. The counts included field observations of vehicle occupancies (persons per vehicle). Between 3:43 PM and 7:00 PM, the passenger occupancy of 84 vehicles was observed. The average vehicle occupancy was determined to be 2.4 persons per vehicle. Although the parking study provided a further calculation that identified a potential factor of 0.332 vehicles per guest, both the City Traffic Engineer and Planning staff concluded that the observed 2.4 persons per vehicle number would be the factor used to determine the maximum number of people authorized on-site during events based on the number of parking stalls legally provided.

The Woodlands is proposing to utilize the existing 118 on-site parking stalls that are also used by the on-site ‘Bella Vita’ building. Additionally, the Applicant is proposing to potentially enter into a shared parking agreement with the Fountain Christian Church located to the south of the site in order to utilize their 80 parking stalls as well. Please note, there has been no formal documentation that demonstrates a shared parking agreement between the project site (i.e., Bella Vita/Woodlands) and the Fountain Christian Church located at 1023 N. Chinowth Street. If a shared parking agreement is going to be entered into between all sites, the shared parking agreement shall be reviewed by the City Planner and City Traffic Engineer prior to the agreement being recorded against all properties. This shared parking agreement requirement is included as Condition No. 15. Lastly, an on-site decomposed granite (DG) parking lot consisting

of 20 stalls, would be required to be updated to current City standards if the Applicant desires to utilize these 20 stalls. Depending on the ultimate number of approved parking stalls will dictate the maximum number of persons allowed on-site for any given event. Below are potential scenarios.

1. 118 existing on-site parking stalls:

Utilizing the 2.4 persons per vehicle calculation from the Parking Study, the existing parking capacity of 118 on-site parking stalls can adequately accommodate a total maximum of 283 persons.

2. If the Applicant decides to pursue a recorded shared parking agreement to additionally include the 80 off-site parking stalls at the Fountain Christian Church as part of the project:

Utilizing the 2.4 persons per vehicle calculation from the Parking Study, the parking capacity can adequately accommodate a maximum of 475 persons.

3. If the Applicant decides to bring the 20 DG on-site parking stalls into compliance with City code:

Utilizing the 2.4 persons per vehicle calculation from the Parking Study, the existing parking capacity can adequately accommodate a maximum of 523 persons (this assumes 218 total parking stalls).

All buildings and uses shall be within 300 feet of the nearest point of walking distance within a parking facility to said building or use. It should be noted that if the Applicant enters into a shared parking agreement with Fountain Christian Church, the approximate distance from the church parking lot to the site entrance would be approximately 370 feet. Staff is recommending the Planning Commission consider approving a condition that requires the Applicant to submit a signage plan that includes signage or placement of live staff during events to direct and support safe pedestrian travel to the venue from the parking lot.

Please note, the maximum number of people condition, based on any of the scenarios stated above for the outdoor venue, will encumber how both venues operate with events. The number of parking stalls that ultimately get approved will establish the total maximum number of persons that can be on both sites (Bella Vita and The Woodlands) when either venue is in use.

### **Light/Photometric Plan**

The project may create incidental new sources of light that are typical with outdoor event uses. The City has developed standards that require that light be directed and/or shielded so it does not fall upon adjacent properties. Although a photometric study has not been provided, a condition is included with the CUP requiring compliance with the 1.0 footcandle standard at the property line, in particular to the south where scattered residential uses are located.

### **Noise/Acoustical Plan**

The Visalia Municipal Code (VMC) contains criteria for acceptable noise levels during daytime and nighttime hours. VMC Section 8.36.040 provides daytime exterior categorical noise standards that vary between 50 and 70 dBA between the hours of 6:00 AM and 7:00 PM. The nighttime exterior categorical noise standards vary between 45 and 65 dBA between the hours of 7:00 PM and 6:00 AM.

An Acoustical Analysis was prepared for the proposed project (Exhibit "D"), addressing the proposed outdoor events at the event facility. The purpose of the study was to determine if noise levels associated with the project will comply with the City's applicable noise level standards, particularly with regards to the existing multi-family residential uses to the south of the project site. The acoustical analysis models determine the project-related noise levels that will be generated by the project site.

The analysis concluded that noise levels generated by the proposed outdoor venue would exceed the existing ambient noise level by up to 3.1 db L50. In order to mitigate the potential for noise spillover onto adjacent properties, the project will install AcoustiFence® acoustical treatment material along the southern boundary of the project site, adjacent to existing residential land uses. The acoustical treatment will be constructed to a height of 12-feet above ground elevation along the southern boundary. The acoustical treatment material provides attenuation by both blocking and absorbing noise between a noise source and receiver. It was determined that the 12-foot AcoustiFence® acoustical treatment would provide approximately 10 dB of noise level reduction at the residential land uses located south of the project site, resulting in project-related noise levels of approximately 43 dB L50 at the adjacent residential land uses. Such levels do not exceed the City of Visalia daytime or nighttime noise level standards and do not exceed existing (without project) ambient noise levels in the vicinity of the adjacent residential land uses.

To ensure that community noise standards are met for the proposed project, the project site shall be developed in substantial compliance with the mitigation contained in the "Conclusions and Recommendations" section of the above-referenced Acoustical Analysis. This mitigation is also included as required mitigation measures in the environmental review document (Initial Study / Mitigated Negative Declaration) prepared for the project. As described in the analysis, the measures are as follows:

- 1) An acoustical fence with a minimum height of 12 feet above the project-side grade shall be constructed along the southern boundary of the project site.
- 2) Hours of project operation must be limited to the proposed hours of 7:00 AM to 10:00 PM. The findings of this analysis do not provide any determination of the project compliance outside of these hours.

A condition of approval was developed in order to ensure strict adherence to the Acoustical Study mitigation measures. To further reduce any potential for noise pollution onto adjacent properties, the Applicant has implemented a 'no live music policy' on-site during any event. Lastly, the Applicant recently upgraded their sound system to strategically place 12 new speakers throughout the venue space to provide the best coverage and to direct sound back onto the property and not onto the surrounding neighboring areas. The system is regulated by the venue during special events in order for the venue to maintain control of the decibel level of noise coming from the system.

Staff is also requesting that the acoustical fence be installed along the north side of the existing Italian Cypress trees rather than located on the southern property line that is shared with the Hyde Park residential development. Staff's preference for the acoustical fence to be located along the north side of the Italian Cypress trees is based on minimizing the aesthetic/visual impact the acoustical fence will create if located on the southern property line. Currently, there is a six-foot tall wood fence located on the south property line.

## **Security Plan**

A Security Plan (Exhibit “E”) prepared for this project states that the venue would contract security services from an outside licensed third party for all events that intend to serve alcohol. Additionally, any event over 50 guests will have their program evaluated and security staff may be required despite no alcohol being served. The venue would implement a policy that there will be one guard required for every 100 guests with additional staff required based on the program as determined by the event management.

## **Conditional Use Permit Revocation Process**

Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a conditional use permit for failure to comply with the condition(s) of the permit. Upon suspension the Planning Commission shall hold a public hearing within 60 days, in accordance with the public hearing notice procedures. If the Commission is not satisfied that the regulation, general provisions, or applicant’s ability to meet the conditions, they may revoke the permit or take action as may be necessary to ensure compliance with the regulation, general provision, or condition(s).

## **Environmental Review**

Initial Study/Mitigated Negative Declaration (IS/MND) 2022-30 was prepared for this project. The IS/MND includes mitigation measures to reduce any potentially significant impacts to a level of less than significant (Exhibit “F”).

## **Correspondence**

The City has received items of correspondence from neighbors who reside to the south of the project site. The correspondence addresses concerns related to the ongoing use of the site for the outdoor venue (See Exhibit “G”).

## **RECOMMENDED FINDINGS**

1. That the proposed conditional use permit, as conditioned, is consistent with the policies and intent of the General Plan and Zoning Ordinance.
2. That the proposed conditional use permit, as conditioned, is compatible with adjacent land uses.
3. That the proposed location is in close proximity to public transit facilities which link the site to the downtown and related citywide and regional public transportation facilities and City parking lots.
4. That the proposed location of the Conditional Use Permit and the conditions under which it would be built or maintained will not be detrimental to the public health, safety, or welfare nor materially injurious to properties or improvements in the vicinity.
5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2022-30, is hereby adopted.

## RECOMMENDED CONDITIONS OF APPROVAL

1. That the Conditional Use Permit shall be developed consistent with the comments, conditions, and approved site plan for Site Plan Review No. 2022-019.
2. That all other federal, state, and regional agency laws and city codes and ordinances be complied with.
3. The Applicant is responsible for strictly adhering to all studies and their associated mitigation measures for this project.
4. If required due to the location of sewer lines in relation to property boundaries, a Lot Line Adjustment shall be required prior to finalization of Building Permits for the project. A Lot Line Adjustment shall be filed with the City within 60 days of project approval.
5. The Applicant shall obtain Building Permits for all structures and improvements constructed without required approvals and any future improvements that require a permit. All permits and resubmittals shall be filed with the City within 45 days of project approval.
6. The Applicant, if required, shall be responsible for installing and/or repairing curb, gutter, and drive approach as required by the City.
7. The Applicant shall obtain an encroachment permit for any work needed to be completed within a public right of way, if required by the City.
8. The Applicant shall install landscape curbing (typical at parking lot planters).
9. The Applicant shall obtain approval of a Dust Control Plan per San Joaquin Valley Air Pollution Control District's (SJVAPCD's) Regulation VIII requirements. A copy of this shall be provided to the City.
10. If required, the Applicant shall work with the SJVAPCD to ensure compliance with Rule 9510 Indirect Source Review. A copy of the approved Air Impact Assessment shall be provided to the City.
11. If the project meets 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 shall be provided to the City.
12. The project shall be operated in strict compliance with the Security Plan attached as Exhibit "E".
13. If the Applicant desires to utilize the existing decomposed granite parking lot located on the Southeast portion of the site, the Applicant shall obtain approval of a City permit to pave the parking area with either concrete or asphalt concrete. Any new parking areas shall be constructed per City Standards PK-1 through PK-4.
14. If the Applicant utilizes the 80 parking stalls available from the church facility located at 1023 N. Chinowth Street, the Applicant shall enter into a shared parking agreement with the church and furnish a copy of the agreement to the City prior to hosting any events where the required parking will exceed the rate specified in Condition No. 17.
15. If the Applicant utilizes the 80 parking stalls from the church facility located at 1023 N. Chinowth Street, the Applicant shall submit a directional signage plan to the City Traffic Engineer that includes signage or placement of live staff during events to direct and support safe pedestrian travel to the venue from the parking lot and comply with said signage plan.
16. Under no circumstances shall parking be allowed on the public right of way be counted towards the required parking necessary for the use.

17. The maximum attendance per event shall be limited to the ultimate number of approved parking spaces associated with this project at a rate of 2.4 persons per vehicle and available parking spaces.
18. Any newly installed landscaping shall comply with MWELo requirements. All on-site landscaping shall be properly maintained.
19. All on-site lighting shall be shielded and directed toward the interior of the site to avoid light spillover onto adjacent properties.
20. Lighting along the respective property lines shall not exceed 1.0 footcandles.
21. The Applicant shall install an acoustical fence with a minimum height of 12 feet above the project-side grade and said acoustical fence shall be located along the northside of the Italian Cypress trees the project site.
22. Strict compliance with the allowable decibel levels shall be adhered to for daytime and nighttime events as established in the Visalia Municipal Code.
23. Hours of operation for the outdoor venue shall be limited to the proposed hours of 7:00 AM to 10:00 PM.

## **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and 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 Street, 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.

### **Attachments:**

- Related Plans & Policies
- Resolution No. 2022-28 (Conditional Use Permit No. 2022-15)
- Exhibit "A" – Site Plan
- Exhibit "B" – Operational Statement
- Exhibit "C" – Parking Study
- Exhibit "D" – Acoustical Analysis
- Exhibit "E" – Security Plan
- Exhibit "F" – Initial Study/Mitigated Negative Declaration (CEQA)
- Exhibit "G" – Correspondence
- Site Plan Review Comments 2022-019
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map



## **RELATED PLANS AND POLICIES**

### **Conditional Use Permits**

(Section 17.38)

#### **17.38.010 Purposes and powers.**

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

#### **17.38.020 Application procedures.**

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
1. Name and address of the applicant;
  2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
  3. Address and legal description of the property;
  4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
  5. The purposes of the conditional use permit and the general description of the use proposed;
  6. Additional information as required by the historic preservation advisory committee.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application. (Prior code § 7526)

#### **17.38.030 Lapse of conditional use permit.**

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

#### **17.38.040 Revocation.**

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)

### **17.38.050 New application.**

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

### **17.38.060 Conditional use permit to run with the land.**

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

### **17.38.065 Abandonment of conditional use permit.**

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

### **17.38.070 Temporary uses or structures.**

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
  1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
  2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
  3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
  4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
  5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
  6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
  7. Signing for temporary uses shall be subject to the approval of the city planner.
  8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.

- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

**17.38.080 Public hearing--Notice.**

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

**17.38.090 Investigation and report.**

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

**17.38.100 Public hearing--Procedure.**

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

**17.38.110 Action by planning commission.**

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

**17.38.120 Appeal to city council.**

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

**17.38.130 Effective date of conditional use permit.**

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

## Noise

(Section 8.36)

### **8.36.030 Noise measurement criteria.**

A. Any noise measurement made pursuant to the provisions of this chapter shall be made with a sound level meter using the "A" weighted network (scale) at slow meter response. Fast meter response shall be used for impulsive type sounds. Calibration of the measurement equipment utilizing an acoustical calibrator certified by its manufacturer to be in compliance with National Bureau of Standards (NBS) reference calibration levels shall be performed immediately prior to recording noise level data.

B. Exterior noise levels shall be measured within fifty (50) feet of the affected residence, school, hospital, church or public library. Where practical, the microphone shall be positioned three to five feet above the ground and away from reflective surfaces.

C. Interior noise levels shall be measured within the affected dwelling unit, at points at least four feet from the wall, ceiling or floor nearest the noise source, with windows in the normal seasonal configuration. Reported interior noise levels shall be determined by taking the arithmetic average of the readings taken at the various microphone locations. (Prior code § 5090.3)

### **8.36.040 Exterior noise standards--Fixed noise sources.**

A. It is unlawful for any person at any location within the city to create any noise, or to allow the creation of any noise, on property owned, leased, occupied or otherwise controlled by such person which causes the exterior noise level, when measured at the property line of any affected noise sensitive land use, to exceed any of the categorical noise level standards as set forth in the following table:

#### **NOISE LEVEL STANDARDS, dBA**

Category	Cumulative Number of minutes in any one-hour time period	Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	30	50	45
2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards. (Prior code § 5090.4.1)

### **8.36.050 Exterior noise standards--Mobile noise sources prohibition against use.**

It is unlawful to operate any of the below-listed devices, appliances, equipment or vehicles on public or private property abutting noise sensitive land uses between the weekday hours of seven p.m. and six a.m., and between the weekend hours of seven p.m. and nine a.m.

A. Power-assisted leaf blowers, lawn mowers, edgers or other power equipment used for the maintenance of property;

B. Vehicle equipment, which equipment is not expressly regulated by state or federal statute, such as car radios or sound amplification equipment which is audible more than twenty-five (25) feet from the exterior of the vehicle;

C. Construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment, except for emergency repair purposes as provided in Section 8.36.070;

D. Any other noises made by crying, shouting, or by means of whistle, rattle, bell, gong whether or not for the purpose of advertising or other such purposes. (Prior code § 5090.4.2)

**8.36.060 Residential interior noise standards.**

A. It is unlawful for any person, at any location within the city, to operate or cause to be operated, any source of sound or to allow the creation of any noise which causes the noise level when measured inside a dwelling unit to exceed any of the categorized noise level standards as set forth in the following table:

**NOISE LEVEL STANDARDS, dBA**

<b>Category</b>	<b>Cumulative Number of minutes in any one-hour time period</b>	<b>Evening and Daytime 6 a.m. to 7 p.m.</b>	<b>Nighttime 7 p.m. to 6 a.m.</b>
1	5	45	35
2	1	50	40
3	0	55	45

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or four recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards.

E. If the source of noise is of an impulse or voluntary nature such as shouting, loud conversation, playing or operation of audio and video equipment and is audible in a dwelling unit, the noise level in the above table shall conclusively be determined to be exceeded. (Prior code § 5090.6)

RESOLUTION NO. 2022-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2022-15, A REQUEST BY SAM RAMIREZ TO AMEND PREVIOUSLY APPROVED CONDITIONAL USE PERMIT NOS. 279 AND 365 IN ORDER TO OPERATE "THE WOODLANDS" OUTDOOR ENTERTAINMENT/EVENT VENUE IN THE QUASI-PUBLIC ZONE. THE SITE IS LOCATED AT 4211 W. GOSHEN AVENUE.  
(APN: 085-630-001 AND -003)

**WHEREAS**, Conditional Use Permit No. 2022-15, is a request by Sam Ramirez to amend previously approved Conditional Use Permit Nos. 279 and 365 in order to operate a primarily private events venue with occasional public events on an 84,780 square foot site in the Quasi-Public Zone. The site is located at 4211 W. Goshen Avenue (APN: 085-630-001 and -003); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on December 12, 2022; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

**WHEREAS**, an Initial Study was prepared and circulated which disclosed that no significant environmental impacts would result from this project with the incorporation of mitigation measures. The Mitigated Negative Declaration (MND) prepared for the project contains noise Mitigation Measures incorporated into the project based upon an acoustical analysis. The mitigation contained in the project shall effectively reduce the environmental impact of noise to a level that is less than significant while the project site is in operation subject to the mitigations contained in the Mitigation Monitoring Program included in the MND, and that the Environmental Impact Report prepared for the City of Visalia General Plan, certified by Resolution No. 2014-37, adopted on October 14, 2014, was used for the adoption of the General Plan Land Use Designation of the subject site.

**NOW, THEREFORE, BE IT RESOLVED** that Mitigated Negative Declaration No. 2022-30 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed Conditional Use Permit is consistent with the intent, objectives, and policies of the General Plan and Zoning Ordinance.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:

- a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The project site has adequate ingress and egress and parking for the proposed use. The Zoning Map, adopted on April 6, 2017, designates the site as Quasi-Public which allows for event venue space as a use conditionally allowed with a conditional use permit (VMC Section 17.52.030.J). This use is considered compatible in this zone where potential impacts can be addressed through the CUP process. The site is located along Goshen Avenue. The proposed project, although already existing, is subject to the Mitigation Measures identified for this project and subject to the project conditions required of this project in order to operate while mitigating any potential impacts to adjoining uses.
  - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. Mitigation Measures and conditions of the project are included in the project to reduce impacts of the project to levels that are *less than significant*. The hours of operation for the event venue are restricted as identified in the attached Operational Statement, mitigation measures, and conditions of approval. In addition, the development of the site will comply with Federal, State and local building code requirements, ADA requirements, and project specific conditions for this CUP.
3. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be not significant, and that Mitigated Negative Declaration No. 2022-30 is hereby adopted.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the Conditional Use Permit shall be developed consistent with the comments, conditions, and approved site plan for Site Plan Review No. 2022-019.
2. That all other federal, state, and regional agency laws and city codes and ordinances be complied with.
3. The Applicant is responsible for strictly adhering to all studies and their associated mitigation measures for this project.
4. If required due to the location of sewer lines in relation to property boundaries, a Lot Line Adjustment shall be required prior to finalization of Building Permits for the project. A Lot Line Adjustment shall be filed with the City within 60 days of project approval.
5. The Applicant shall obtain Building Permits for all structures and improvements constructed without required approvals and any future improvements that require a permit. All permits and resubmittals shall be filed with the City within 45 days of project approval.
6. The Applicant, if required, shall be responsible for installing and/or repairing curb, gutter, and drive approach as required by the City.

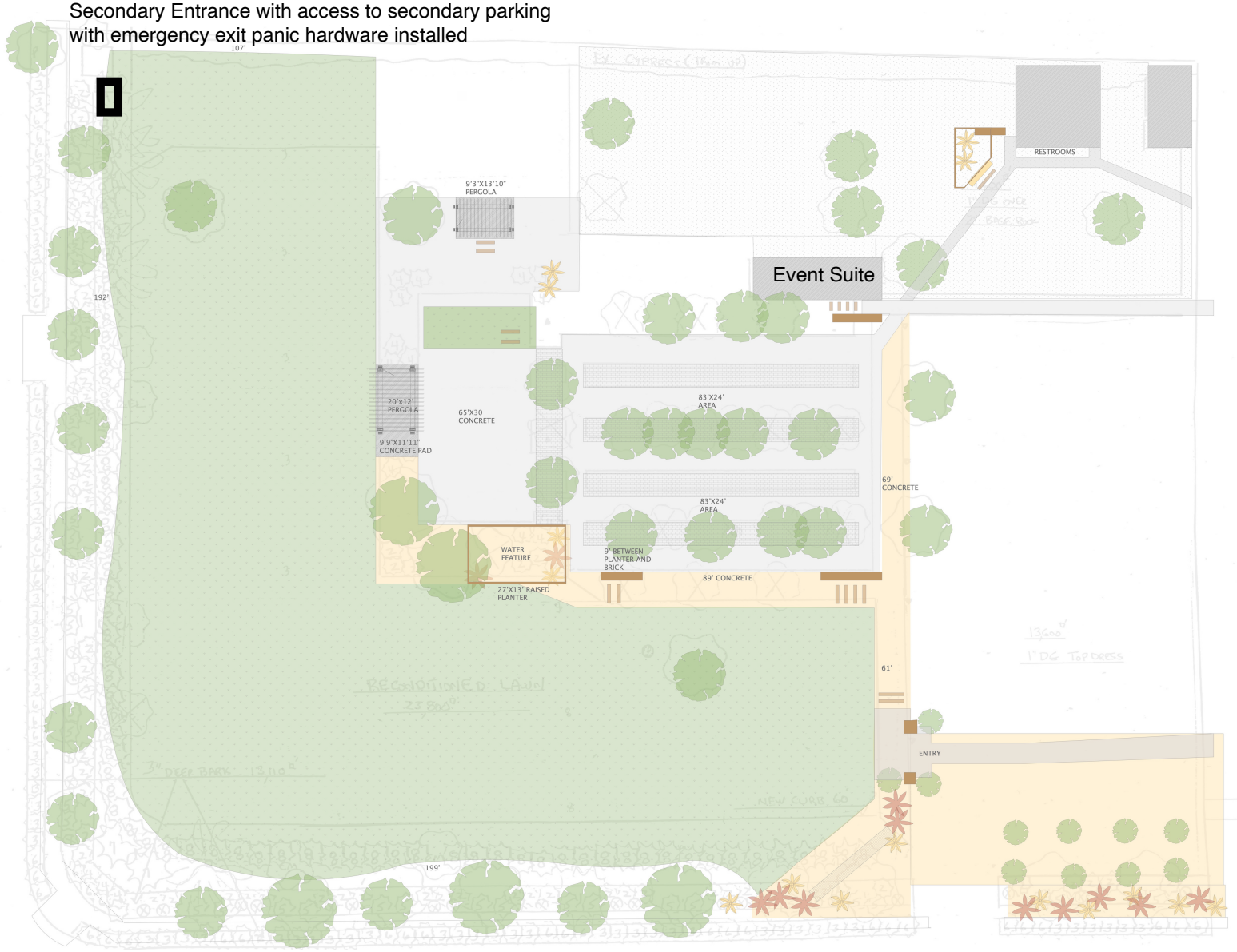


7. The Applicant shall obtain an encroachment permit for any work needed to be completed within a public right of way, if required by the City.
8. The Applicant shall install landscape curbing (typical at parking lot planters).
9. The Applicant shall obtain approval of a Dust Control Plan per San Joaquin Valley Air Pollution Control District's (SJVAPCD's) Regulation VIII requirements. A copy of this shall be provided to the City.
10. If required, the Applicant shall work with the SJVAPCD to ensure compliance with Rule 9510 Indirect Source Review. A copy of the approved Air Impact Assessment shall be provided to the City.
11. If the project meets 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 shall be provided to the City.
12. The project shall be operated in strict compliance with the Security Plan attached as Exhibit "E".
13. If the Applicant desires to utilize the existing decomposed granite parking lot located on the Southeast portion of the site, the Applicant shall obtain approval of a City permit to pave the parking area with either concrete or asphalt concrete. Any new parking areas shall be constructed per City Standards PK-1 through PK-4.
14. If the Applicant utilizes the 80 parking stalls available from the church facility located at 1023 N. Chinowth Street, the Applicant shall enter into a shared parking agreement with the church and furnish a copy of the agreement to the City prior to hosting any events where the required parking will exceed the rate specified in Condition No. 17.
15. If the Applicant utilizes the 80 parking stalls from the church facility located at 1023 N. Chinowth Street, the Applicant shall submit a directional signage plan to the City Traffic Engineer that includes signage or placement of live staff during events to direct and support safe pedestrian travel to the venue from the parking lot and comply with said signage plan.
16. Under no circumstances shall parking be allowed on the public right of way be counted towards the required parking necessary for the use.
17. The maximum attendance per event shall be limited to the ultimate number of approved parking spaces associated with this project at a rate of 2.4 persons per vehicle and available parking spaces.
18. Any newly installed landscaping shall comply with MWELo requirements. All on-site landscaping shall be properly maintained.
19. All on-site lighting shall be shielded and directed toward the interior of the site to avoid light spillover onto adjacent properties.
20. Lighting along the respective property lines shall not exceed 1.0 footcandles.
21. The Applicant shall install an acoustical fence with a minimum height of 12 feet above the project-side grade and said acoustical fence shall be located along the northside of the Italian Cypress trees the project site.
22. Strict compliance with the allowable decibel levels shall be adhered to for daytime and nighttime events as established in the Visalia Municipal Code.

23. Hours of operation for the outdoor venue shall be limited to the proposed hours of 7:00 AM to 10:00 PM.v



THE  
WOODLANDS



Secondary Entrance with access to secondary parking  
with emergency exit panic hardware installed

559-372-9822

bookings@thewoodlandsvisalia.com

www.thewoodlandsvisalia.com



@thewoodlandsvisalia  
The Woodlands Visalia

## **The Woodlands Operations Summary**

The Woodlands Visalia will be located at 4211 W Goshen Ave in Visalia. The property sits on 84,780 square feet and consists of a large lawn area, large concrete and brick pad, a small event suite, and a building housing bathrooms.

### **Property Use**

The intended use of this space is as an event venue for primarily private events with occasional public events hosted as well.

Private events will be marketed such as weddings, birthdays, graduations, non-profit fundraisers, and other invitation-only gatherings.

Public events will consist of previous ones like Food Fest, movie nights, public markets, and other events.

### **Property Description**

The subject property is a large park-like setting located in northwest Visalia. The existing building will be divided into various rooms to hold and support events.

### **Services**

The venue will operate as a 'limited service' venue. This means the primary product will be the renting of the function space itself. Additional services such as catering, rentals, floral, etc. will all be subcontracted by either the venue or client to outside vendors.

The venue will be marketed to accommodate groups up to 200 seated with some ability to flex to larger events with additional operational activations to facilitate impact on items such as parking.

In addition to catering, clients will be allowed to utilize both hosted and cash bar programs. Hosted bars will be executed by the venue with certified bartending services. Cash bars will be available through 3rd party vendors who will obtain all required licenses and permits.

Per the venue contract, all events that intend to serve alcohol are required to contract outside licensed security services to monitor alcohol consumption on the property and ensure that all consumption occurs in approved areas. Even for events that do not serve alcohol, the venue may still require security to monitor the event, parking lot, and surrounding areas.

### **Hours of Operation**

The venue will be available to operate 7 days a week beginning at 7:00 am daily with all events ending no later than 10:00 pm.

# The Woodlands Operations Summary

## Employment & Staff Use

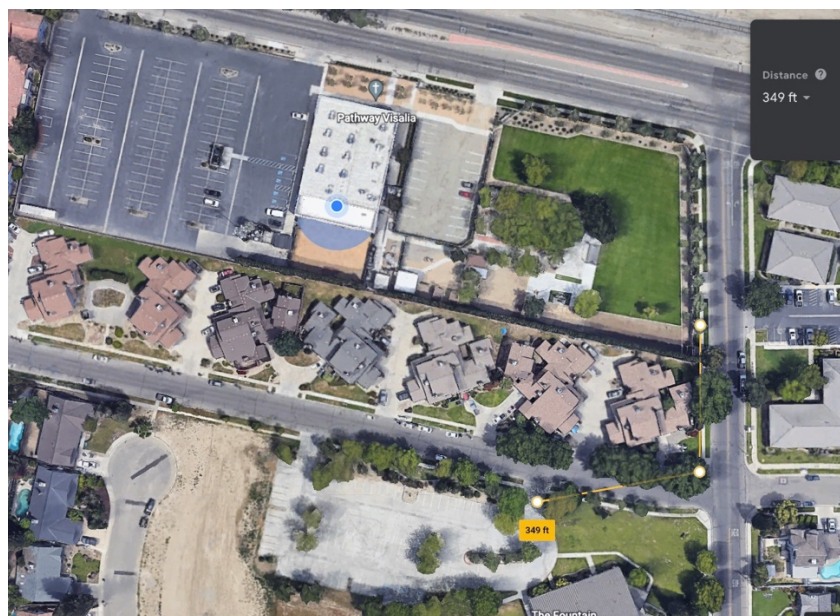
The venue can expect to employ up to 1 full-time administrative and sales staff as well as up to 10 additional part-time event staff workers. At any given time, events can expect to see 2-4 staff members working an event at any given time.

## Parking

We have conducted a parking study which has been submitted along with our permits. The study indicates an average usage of 2.4 guests per vehicle. With 118 paved parking stalls that should allow 283 guests for both venues.

We would request the ability to utilize the smaller 'DG' parking lot of 20 stalls temporarily with the intent to have it permanently paved to city code standards within 9 months. Use of that lot should allow for an additional 48 guests.

Additionally, we are currently in discussion to enter into a parking agreement with Fountain Christian Church located at the corner of Chinowith & Douglas. The church's pastor has already agreed to use it but must get board approval which meets just monthly and will be in the coming week. We expect approval and will submit the agreement for recording as soon as complete. This lot is approximately 370 feet from the Chinowith entrance. We would request permission to utilize this lot as well although it's slightly out of the range of the required 300 feet. We would be willing to add supporting factors like signage, or placement of live staff during events to direct and support safe pedestrian travel to the venue from the parking lot. This lot contains 80 parking stalls which would by the parking standard allow for an additional 192 guests.



## **The Woodlands Operations Summary**

With the use of the primary parking lot, the temporary use of the DG lot, and the overflow at the church property, we would have the ability to support 523 guests between both properties.

### **Noise Ordinance**

We are aware of the existing noise ordinance and have taken and are taking several steps to mitigate the impact on the surrounding neighborhood.

- We have already implemented a 'no live music policy. We no longer allow live performances of any kind in the venue as this music volume is difficult to regulate.
- In February we completed the installation of an in-house sound system that all vendors are required to utilize. This sound system places 12 speakers strategically throughout the venue space to provide the best coverage and direct sound back into the property and not to the neighboring area. This system allows also sound to be controlled by the venue and regulated to not exceed set decibel levels. Since installation, we have held several events and to our knowledge, none have resulted in noise complaints. We have also had a sound study completed which indicated the sound output is below the City's ordinance requirements.

### **Work Completed**

In accordance with our TCUP, we have already added emergency exit signs and a second exit door with panic hardware per the Fire Department's request.



Mr. Sam Ramirez  
The Naxon Group  
4211 West Goshen Avenue  
Visalia, California 93291

September 27, 2022

Subject:        Parking Study  
                  The Woodlands Outdoor Venue  
                  4211 West Goshen Avenue  
                  Visalia, California

### **Introduction**

This report presents the results of a parking study for the subject project and supersedes a previous report dated June 24, 2022. The purpose of the study is to identify the existing parking capacity, the parking demand for an event with a known number of planned guests, and the vehicle occupancy.

### **Project Description**

The subject parking area is located on both sides of the existing building at 4211 West Goshen Avenue in Visalia, California. The western parking lot is paved and striped with 118 available parking stalls, five of which appear to be accessible parking stalls. The eastern parking lot is surfaced with decomposed granite and is not marked. The capacity of the eastern lot appears to be approximately 20 vehicles. The City of Visalia has required that:

*“A parking study must be submitted as part of the CUP application submittal. The parking study must demonstrate that sufficient onsite parking will be provided as part of the site to adequately accommodate any events. If shared parking with a separate property is proposed, the applicant shall provide additional information verifying that the off-site parking area complies with all requirements of the Visalia Municipal Code...”*

It is our understanding that shared parking is proposed, with an additional 80 off-site parking spaces expected to be available. It is also expected that the City will require “No Parking” signs on Goshen Avenue.

### **Observed Parking Demand**

Parking counts were performed by Metro Traffic Data, Inc. on Saturday, May 21, 2022 for an event with an expected attendance of 500 guests and 12 employees. The counts were performed between 3:30 p.m. and midnight at 30-minute intervals in the subject parking lots, on the street adjacent to the venue, and in the office complex on the east side of Chinowth Avenue. The counts included observations of vehicle occupancies (persons per vehicle). The data summary is attached. Table 1 summarizes the results of the parking counts.



**Table 1**  
**Parking Count Summary**

Time	West Lot		East Lot		On-Street	Offices East of Chinowth	Total Parked Vehicles
	Parked Vehicles*	Utilization	Parked Vehicles	Utilization			
3:43 p.m.	74	63%	20	100%	1	0	95
4:00 p.m.	90	76%	20	100%	1	0	111
4:30 p.m.	104	88%	20	100%	1	0	125
5:00 p.m.	129	109%	20	100%	6	1	156
5:30 p.m.	134	114%	20	100%	6	1	161
6:00 p.m.	139	118%	20	100%	6	1	166
6:30 p.m.	138	117%	20	100%	6	1	165
7:00 p.m.	131	111%	19	95%	9	1	160
7:30 p.m.	126	107%	21	105%	9	1	157
8:00 p.m.	119	101%	21	105%	10	1	151
8:30 p.m.	110	93%	22	110%	10	1	143
9:00 p.m.	100	85%	20	100%	9	1	130
9:30 p.m.	87	74%	20	100%	11	1	119
10:00 p.m.	73	62%	16	80%	9	1	99
10:30 p.m.	41	35%	5	25%	3	1	50
11:00 p.m.	21	18%	0	0%	0	0	21
11:30 p.m.	13	11%	0	0%	0	0	13
12:00 a.m.	4	3%	0	0%	0	0	4

\* The number of parked vehicles in the west lot includes vehicles parked in unmarked locations, which causes utilization to exceed 100 percent for some observations.

**Vehicle Occupancy**

Between 3:43 p.m. and 7:00 p.m., the passenger occupancy of 84 vehicles was observed. The average vehicle occupancy was determined to be 2.4 persons per vehicle.

**Calculated Parking Demand**

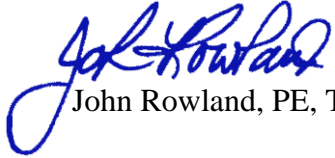
Considering that the 500-guest event generated a peak of 166 parked vehicles, the calculated parking demand rate (on a per-guest basis) is  $166 / 500 = 0.332$  vehicles per guest.

**Recommendations**

Considering that on-street parking will not be allowed by the City, the available number of parking stalls is approximately 138 stalls on site (a total of 118 in the west parking lot and 20 in the east parking lot) plus an additional 80 stalls available off site, for a grand total of 218 stalls available. Utilizing a rate of 0.332 vehicles per guest, it appears that the existing parking capacity can adequately accommodate events up to approximately 656 persons ( $218 / 0.332 = 656$ ).

Thank you for the opportunity to perform this parking study. Please feel free to contact our office if you have any questions.

**PETERS ENGINEERING GROUP**



John Rowland, PE, TE

Attachment: Count data sheet





**Metro Traffic Data Inc.**  
 310 N. Irwin Street - Suite 20  
 Hanford, CA 93230  
 800-975-6938 Phone/Fax  
 www.metrotrafficdata.com

# Parking Survey

Prepared For:

**Peters Engineering Group**  
 862 Pollasky Avenue  
 Clovis, CA 93612

**SITE** The Woodlands

**LATITUDE** 36.339412°

**ADDRESS** 4211 W Goshen Ave, Visalia, CA 93291

**LONGITUDE** -119.338516°

**COLLECTION DATE** Saturday, May 21, 2022

**WEATHER** Clear

Time	MAIN LOT					GRAVEL LOT		ON STREET			OFFICE COMPLEX	ALL
	ADA	Marked	Unmarked	Total Occupied	%	Total Occupied	%	Goshen Ave	Chinowth St	Total Occupied	Total Occupied	TOTAL
15:43	1	68	5	74	63%	20	100%	0	1	1	0	95
16:00	1	83	6	90	76%	20	100%	0	1	1	0	111
16:30	2	97	5	104	88%	20	100%	0	1	1	0	125
17:00	1	117	11	129	109%	20	100%	3	3	6	1	156
17:30	3	117	14	134	114%	20	100%	3	3	6	1	161
18:00	3	116	20	139	118%	20	100%	3	3	6	1	166
18:30	4	111	23	138	117%	20	100%	4	2	6	1	165
19:00	3	108	20	131	111%	19	95%	8	1	9	1	160
19:30	2	104	20	126	107%	21	105%	8	1	9	1	157
20:00	2	97	20	119	101%	21	105%	9	1	10	1	151
20:30	2	91	17	110	93%	22	110%	9	1	10	1	143
21:00	2	84	14	100	85%	20	100%	8	1	9	1	130
21:30	1	72	14	87	74%	20	100%	10	1	11	1	119
22:00	1	61	11	73	62%	16	80%	8	1	9	1	99
22:30	0	32	9	41	35%	5	25%	3	0	3	1	50
23:00	0	13	8	21	18%	0	0%	0	0	0	0	21
23:30	0	7	6	13	11%	0	0%	0	0	0	0	13
0:00	0	0	4	4	3%	0	0%	0	0	0	0	4
<b>Available:</b>	<b>5</b>	<b>113</b>				<b>20</b>						

ARRIVING VEHICLE PASSENGER OCCUPANCY				
Period	Vehicles	Min	Max	Avg
	Observed			
15:43 - 16:00	8	1	4	2.6
16:00 - 17:00	54	1	7	2.5
17:00 - 18:00	11	1	7	1.8
18:00 - 19:00	11	1	3	1.8
<b>TOTALS:</b>	<b>84</b>	<b>1</b>	<b>7</b>	<b>2.4</b>

**ACOUSTICAL ANALYSIS**

**THE WOODLANDS**  
**4211 WEST GOSHEN AVENUE**  
**VISALIA, CALIFORNIA**

**WJVA Project No. 22-36**

**PREPARED FOR**

**7TEN PROPERTIES, LLC**  
**P.O. BOX 648**  
**VISALIA, CALIFORNIA 93279**

**PREPARED BY**

**WJV ACOUSTICS, INC.**  
**VISALIA, CALIFORNIA**



**wjv acoustics**

**MAY 24, 2022**  
**(REVISED OCTOBER 14, 2022)**

## INTRODUCTION

The project (The Woodlands) is an existing event facility which holds both private and public events, including weddings, birthday parties, graduation parties, non-profit fundraisers and other private and public events. The project site is located at 4211 W. Goshen Avenue, in Visalia, California. The property sits on approximately 84,780 square feet and consists of a large lawn area, large concrete and brick pad, a small event suite, and a building housing bathrooms. According to the project applicant, the event facility will generally accommodate up to 200 guests per event. The venue will be available to operate 7 days a week beginning at 7:00 am daily with all events ending no later than 10:00 pm.

The City of Visalia has required an acoustical analysis to determine if noise generated by the proposed activities will comply with applicable City of Visalia noise standards. This acoustical analysis, prepared by WJV Acoustics Inc. (WJVA), is based on the site plan provided by the project applicant, facility operations data provided by the project applicant and noise level data obtained by WJVA at the project site. The Project Site Plan is provided as Figure 1.

Appendix A provides definitions of the acoustical terminology used in this report. Unless otherwise stated, all sound levels reported in this analysis are A-weighted sound pressure levels in decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighted sound levels, as they correlate well with public reaction to noise. Appendix B provides typical A-weighted sound levels for common noise sources.

## CRITERIA FOR ACCEPTABLE NOISE EXPOSURE

The City of Visalia Noise Element of the General Plan (noise element) establishes noise level criteria in terms of the Day-Night Average Level ( $L_{dn}$ ) metric, for transportation noise sources. The  $L_{dn}$  is the time-weighted energy average noise level for a 24-hour day, with a 10 dB penalty added to noise levels occurring during the nighttime hours (10:00 p.m.-7:00 a.m.). The  $L_{dn}$  represents cumulative exposure to noise over an extended period of time and is therefore calculated based upon *annual average* conditions.

The exterior noise level standard of the noise element is 65 dB  $L_{dn}$  for outdoor activity areas of residential uses. Outdoor activity areas generally include backyards of single-family residences and individual patios or decks and common outdoor activity areas of multi-family developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

The noise element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB  $L_{dn}$ . The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

Additionally, the noise element establishes hourly acoustical performance standards for non-transportation (stationary) noise sources. The standards are set in terms of the  $L_{eq}$  (hourly equivalent) and  $L_{max}$  (maximum) noise levels. The standards, provided in Table I, are made more restrictive during the nighttime hours of 10:00 p.m. to 7:00 a.m.

TABLE I			
NON-TRANSPORTATION NOISE LEVEL STANDARDS, dBA			
CITY OF VISALIA			
Daytime (7 a.m.-10 p.m.)		Nighttime (10 p.m.-7 a.m.)	
$L_{eq}$	$L_{max}$	$L_{eq}$	$L_{max}$
50	70	45	65

Source: City of Visalia Noise Element of General Plan

Section 8.36 of the City’s Municipal Code (noise ordinance) applies to noise sources that are not pre-empted from local control by existing state or federal regulations. Commercial activities are not pre-empted noise sources and are therefore subject to the provisions of the noise ordinance.

The noise ordinance addresses the statistical distribution of noise over time and allows for progressively shorter periods of exposure to levels of increasing loudness. Table II summarizes the exterior noise level standards of the ordinance. Note that the ordinance is to be applied during any one-hour time period of the day, and that the standards are 5 dB more restrictive between the hours of 7:00 p.m. and 6:00 a.m.

**TABLE II**  
**EXTERIOR NOISE LEVEL STANDARDS, dBA**  
**CITY OF VISALIA NOISE ORDINANCE**

Category	Cumulative # Min/Hr. (L <sub>n</sub> )	Daytime (6am-7pm)	Nighttime (7pm-6am)
1	30 (L <sub>50</sub> )	50	45
2	15 (L <sub>25</sub> )	55	50
3	5 (L <sub>8.3</sub> )	60	55
4	1 (L <sub>1.7</sub> )	65	60
5	0 (L <sub>max</sub> )	70	65

Note: L<sub>n</sub> is an abbreviation for the percentage of time that a certain noise level is exceeded during a specified time period (in this case, one hour). For example, an L<sub>50</sub> value of 50 dBA may not be exceeded during the hours of 6 am-7pm.

Source: City of Visalia Municipal Code

The City’s noise ordinance also establishes interior residential noise level standards that would apply to the project. The interior noise level standards are established in allowable exceedance limits over differing amounts of time, within residential land uses. Similar to the applicable exterior standards, the interior standards become 5 dB more restrictive during nighttime hours. The applicable interior noise level standards are provided in Table III.

**TABLE III**  
**INTERIOR NOISE LEVEL STANDARDS, dBA**  
**CITY OF VISALIA NOISE ORDINANCE**

Category	Cumulative # Min/Hr.	Daytime (6am-7pm)	Nighttime (7pm-6am)
1	5	45	35
2	1	50	40
3	0	55	45

Source: City of Visalia Municipal Code

The City’s noise ordinance also states *“In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level”*.



## PROJECT SITE NOISE EXPOSURE

The project site is currently a fully operational event facility, located at 4211 W. Goshen Avenue, in Visalia, California. The project site is generally bound by Goshen Avenue to the north, office uses to the east, residential land uses to the south and west. The predominant source of noise within the project area is noise associated with vehicle traffic along Goshen Avenue and Chinowth Street, as well as railroad operations along the San Joaquin Valley Railroad (SJVR) line, located north of the project site. Additional sources of noise observed during the project visit include noise from landscaping activities (blowers, mowers, etc.), barking dogs and occasional aircraft overflights.

WJVA staff conducted background (ambient) noise level measurements near the project site southern property line (adjacent to residential land uses) between August 13 and August 16, 2022, at three (3) locations (R-1, R-2 and R-3). The noise measurement sites are indicated on Figure 2.

Noise monitoring equipment utilized for the measurements consisted of Larson-Davis Laboratories Model LDL-820 sound level analyzers equipped with a B&K Type 4176 1/2" microphones. The equipment complies with the specifications of the American National Standards Institute (ANSI) for Type I (Precision) sound level meters. The meters were calibrated in the field prior to use with a B&K Type 4230 acoustic calibrator to ensure the accuracy of the measurements. The microphones were located on a tripod at 5 feet above the ground. Ambient noise levels were measured continuously over a three-day period at the three (3) ambient monitoring site locations.

According to the project applicant, events at the project site would occur between the hours of 7:00 a.m. and 10:00 p.m. The noise level standards of the municipal code become 5 dB more restrictive after 7:00 p.m. Table IV summarizes the ambient noise measurement results between the hours of 7:00 a.m. and 7:00 p.m., and provides the average noise level for each applicable statistical noise category during both the proposed daytime and nighttime hours of operation.

**TABLE IV**  
**SUMMARY OF AMBIENT NOISE LEVEL MEASUREMENTS**  
**THE WOODLANDS, VISALIA**  
**MAY 16, 2022**

Location	A-weighted Decibels, dBA				
	L <sub>max</sub>	L <sub>50</sub>	L <sub>25</sub>	L <sub>8.3</sub>	L <sub>1.7</sub>
R-1 (Daytime)	71.1	50.0	52.4	55.7	59.9
R-1 (Nighttime)	71.2	48.2	50.4	53.2	57.7
R-2 (Daytime)	71.9	50.6	53.0	56.1	60.2
R-2 (Nighttime)	72.3	50.0	52.0	54.6	58.8
R-3 (Daytime)	77.4	54.3	56.4	59.8	65.2
R-3 (Nighttime)	78.4	55.3	56.7	58.6	63.6

Source: WJV Acoustics, Inc.

## PROJECT-RELATED NOISE LEVELS

### Amplified Speech and Music

The project applicant proposes to operate private and public outdoor events with the inclusion of amplified speech and music. The applicant has stated that a maximum of approximately 200 guests would typically attend on-site events. Previously, patrons would hire their own DJ/sound system for events at the project site. However, the applicant has recently purchased and installed an in-house permanent sound system that will be used at all outdoor events utilizing amplified speech and music, with volumes to be controlled by site staff. The sound system consists of nine (9) speakers located throughout the outdoor event area. The speakers were installed and arranged as such to point the sound back toward the event area, reducing noise at the residential land uses located south of the project site. The locations of the speakers are provided on the site plan (Figure 1).

The City of Visalia General Plan and City of Visalia Municipal code both provide noise standards that become more restrictive during nighttime hours. However, the City's General Plan describes nighttime hours as 10:00 p.m. to 7:00 a.m. while the City's Municipal Code (Noise Ordinance) describes nighttime hours as 7:00 p.m. to 6:00 a.m. The most restrictive noise standards applicable to the project are the General Plan  $L_{eq}$  noise level standard and the Municipal Code  $L_{50}$  standard. These standards have been applied to determine project compliance.

On May 16, 2022 WJVA staff measured noise levels at the residential land uses south of (and adjacent to) the project site while music was being amplified through house sound system. According to the applicant, amplified noise levels during the simulated event were comparable to that which would be experienced during an event at the project site.

Unlike most event sites, the sound system at the project site is permanent and will not move based upon specific event preference. As described above, the sound system is oriented as to face inward, away from residential land uses south of the project site.

WJVA staff conducted noise measurements at the same three (3) locations described above (R-1, R-2 and R-3), at the nearby residential land uses, while amplified music was being played within the project site. The noise measurements were conducted at a setback distance of approximately 2-3 feet from the property line, per standard practice to avoid potential noise reflection. Photographs of the three reference noise measurement sites are provided as Figures 3 through 5. Measurements were taken simultaneously, for 15 minutes at each location. Table V describes the results of the noise measurements in terms of the City's applicable standards.

**TABLE V**  
**SUMMARY OF PROJECT-RELATED NOISE LEVELS**  
**THE WOODLANDS, VISALIA**  
**MAY 16, 2022**

Location	A-weighted Decibels, dBA						Complies?
	L <sub>max</sub>	L <sub>eq</sub>	L <sub>50</sub>	L <sub>25</sub>	L <sub>8.3</sub>	L <sub>1.7</sub>	
R-1	60.8	51.4	50.7	51.6	53.3	56.0	No
R-2	61.7	53.7	53.1	54.4	55.9	58.4	No
R-3	70.2	55.5	52.5	55.6	59.4	63.0	No

Source: WJV Acoustics, Inc.

Reference to Table V (Summary of Project-Related Noise Levels) and Table IV (Summary of Ambient Noise Level Measurements) indicates that noise levels in the vicinity of R-1 and R-2 could exceed existing ambient noise levels by approximately 2-3 dB (L<sub>50</sub>, nighttime category). As such, mitigation measures must be incorporated into project design to reduce project-related noise levels by a minimum of 3 dB at the adjacent residential land uses.

### **Mitigation**

As described above, project-related noise levels would be expected to exceed existing ambient noise levels by up to 3 dB L<sub>50</sub> (vicinity of site R-2) during nighttime hours, and mitigation measures must be incorporated to comply with applicable City of Visalia exterior noise levels standards. The applicant proposes the installation of AcoustiFence® acoustical treatment material along the project site southern property line, adjacent to existing residential land uses. The acoustical treatment will be constructed to a height of 12-feet above ground elevation along the southern fence line. The acoustical treatment material provides attenuation by both blocking and absorbing noise between a noise source and receiver. Figure 6 provides the location and extent of the proposed acoustical fencing, along the project site northern property line.

The noise attenuation properties of the proposed 12-foot AcoustiFence® acoustical treatment material was calculated using a sound wall insertion loss model. The model calculates the insertion loss (noise reduction) of a wall of a given height based on the effective height of the noise source, height of the receiver, distance from the receiver to the wall, and distance from the noise source to the wall.

Based upon the above-described project-related noise levels and insertion loss model, it was determined that the 12-foot AcoustiFence® acoustical treatment would provide approximately 10 dB of noise level reduction at the residential land uses located south of the project site, resulting in project-related noise levels of approximately 43 dB L<sub>50</sub> at the adjacent residential land uses. Such levels do not exceed the City of Visalia daytime or nighttime noise level standards and do not exceed existing (without project) ambient noise levels in the vicinity of the adjacent residential land uses.

## CONCLUSIONS AND RECOMMENDATIONS

Based upon long-term ambient noise level measurements conducted along the project site property line, adjacent to existing residential land uses, as well as the measurement of project-related noise levels along the residential property line, it was determined that project-related noise levels could exceed City of Visalia nighttime noise level standards by up to 3 dB. As such, mitigation measures must be incorporated into project design to comply with applicable noise levels standards.

The applicant proposes the installation of 12-foot AcoustiFence® acoustical treatment material along the project site southern property line, with residential adjacency. Based upon insertion loss model calculations, it was determined that the AcoustiFence® acoustical treatment material would reduce project-related noise levels by approximately 10 dB at residential land uses adjacent to the project site. This noise attenuation would result in project-related noise levels of approximately 43 dB L<sub>50</sub> at the adjacent residential land uses. Such levels do not exceed the City of Visalia daytime or nighttime noise level standards and do not exceed existing (without project) ambient noise levels in the vicinity of the adjacent residential land uses.

The conclusions and recommendations of this acoustical analysis are based upon the best information known to WJV Acoustics Inc. (WJVA) at the time the analysis was prepared concerning the proposed site plan, project equipment and proposed hours of operation. Any significant changes in these factors will require a reevaluation of the findings of this report. Additionally, in existing ambient noise levels, noise regulations or other factors beyond WJVA's control may result in long-term noise results different from those described by this analysis.

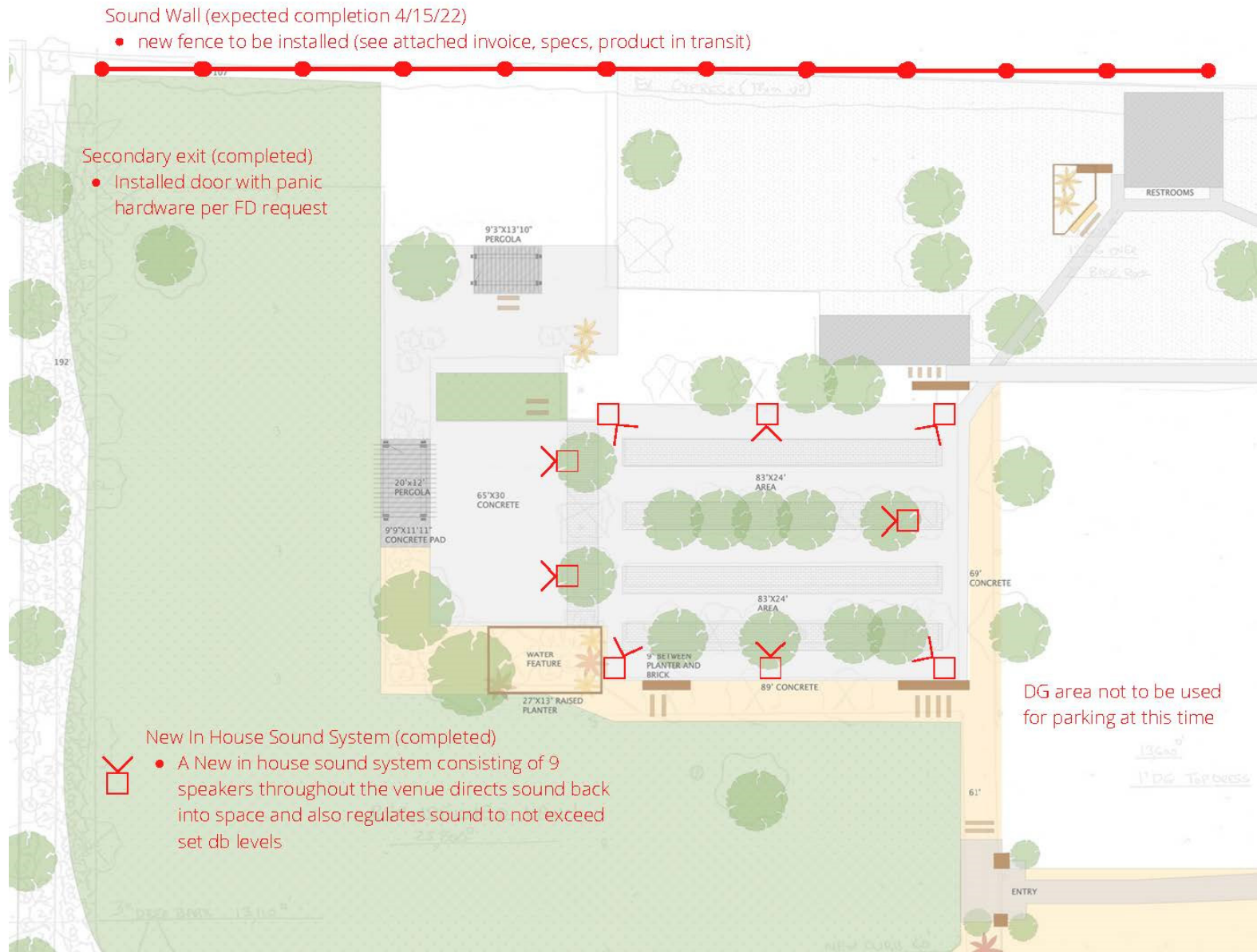
Respectfully submitted,



Walter J. Van Groningen  
President

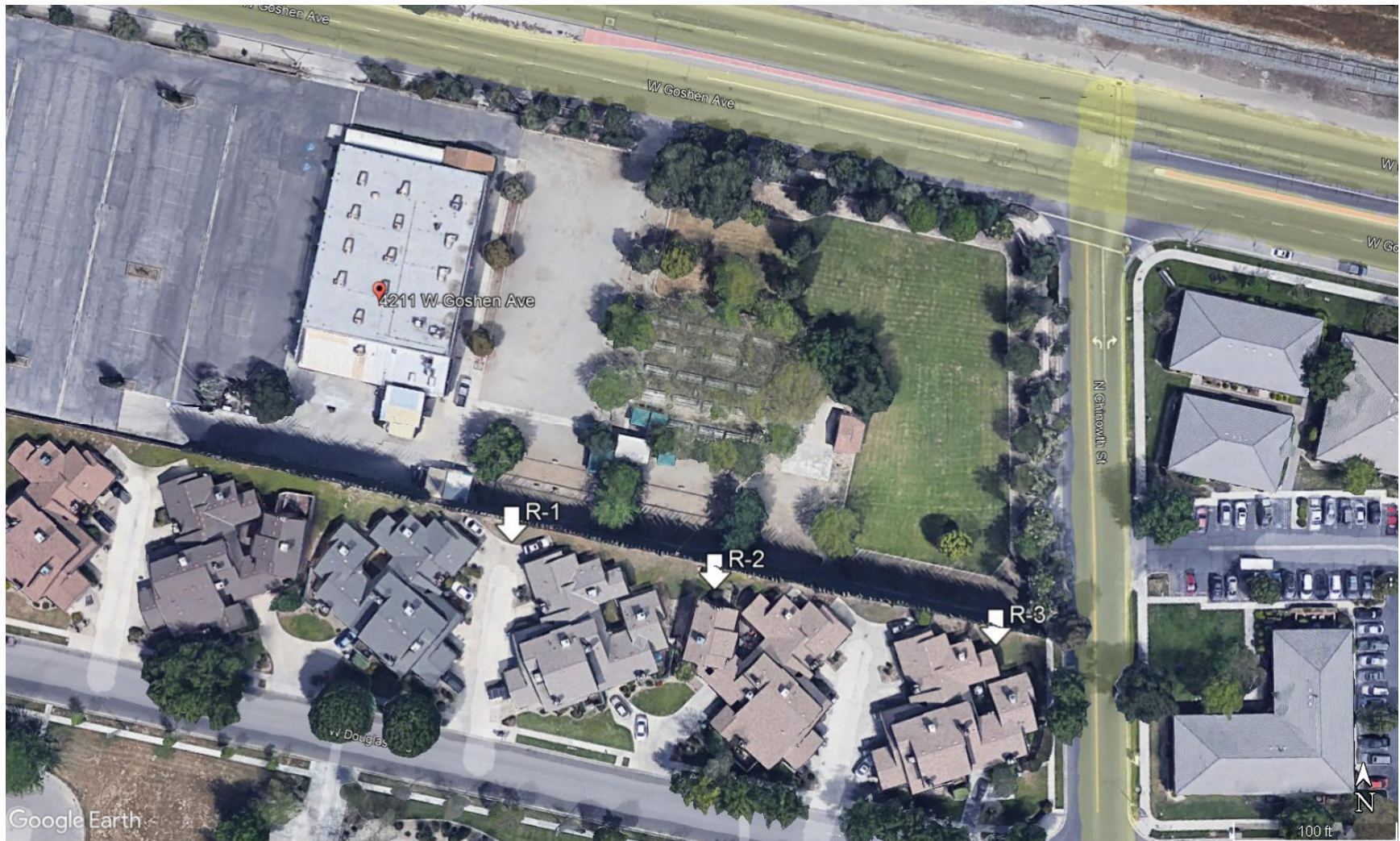
WJV:wjv

# FIGURE 1: PROJECT SITE PLAN





**FIGURE 2: PROJECT SITE VICINITY AND NOISE MONITORING SITE LOCATION**





**FIGURE 3: MEASUREMENT SITE R-1**





**FIGURE 4: MEASUREMENT SITE R-2**





**FIGURE 5: MEASUREMENT SITE R-3**





**FIGURE 6: LOCATION AND EXTENT OF 12-FOOT ACOUSTIFENCE**



## APPENDIX A

### ACOUSTICAL TERMINOLOGY

<b>AMBIENT NOISE LEVEL:</b>	The composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
<b>CNEL:</b>	Community Noise Equivalent Level. The average equivalent sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m.
<b>DECIBEL, dB:</b>	A unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
<b>DNL/L<sub>dn</sub>:</b>	Day/Night Average Sound Level. The average equivalent sound level during a 24-hour day, obtained after addition of ten decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.
<b>L<sub>eq</sub>:</b>	Equivalent Sound Level. The sound level containing the same total energy as a time varying signal over a given sample period. L <sub>eq</sub> is typically computed over 1, 8 and 24-hour sample periods.
<b>NOTE:</b>	The CNEL and DNL represent daily levels of noise exposure averaged on an annual basis, while L <sub>eq</sub> represents the average noise exposure for a shorter time period, typically one hour.
<b>L<sub>max</sub>:</b>	The maximum noise level recorded during a noise event.
<b>L<sub>n</sub>:</b>	The sound level exceeded "n" percent of the time during a sample interval (L <sub>90</sub> , L <sub>50</sub> , L <sub>10</sub> , etc.). For example, L <sub>10</sub> equals the level exceeded 10 percent of the time.

APPENDIX B  
EXAMPLES OF SOUND LEVELS

NOISE SOURCE	SOUND LEVEL	SUBJECTIVE DESCRIPTION
AMPLIFIED ROCK 'N ROLL ▶	120 dB	DEAFENING
JET TAKEOFF @ 200 FT ▶		
	100 dB	VERY LOUD
BUSY URBAN STREET ▶		
	80 dB	LOUD
FREEWAY TRAFFIC @ 50 FT ▶		
	60 dB	MODERATE
CONVERSATION @ 6 FT ▶		
TYPICAL OFFICE INTERIOR ▶		FAINT
SOFT RADIO MUSIC ▶	40 dB	
RESIDENTIAL INTERIOR ▶		VERY FAINT
WHISPER @ 6 FT ▶	20 dB	
HUMAN BREATHING ▶	0 dB	

## A-2

### ACOUSTICAL TERMINOLOGY

#### **NOISE EXPOSURE**

##### **CONTOURS:**

Lines drawn about a noise source indicating constant levels of noise exposure. CNEL and DNL contours are frequently utilized to describe community exposure to noise.

#### **NOISE LEVEL**

##### **REDUCTION (NLR):**

The noise reduction between indoor and outdoor environments or between two rooms that is the numerical difference, in decibels, of the average sound pressure levels in those areas or rooms. A measurement of noise level reduction combines the effect of the transmission loss performance of the structure plus the effect of acoustic absorption present in the receiving room.

##### **SEL or SENEL:**

Sound Exposure Level or Single Event Noise Exposure Level. The level of noise accumulated during a single noise event, such as an aircraft overflight, with reference to a duration of one second. More specifically, it is the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on a reference pressure of 20 micropascals and a reference duration of one second.

##### **SOUND LEVEL:**

The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

#### **SOUND TRANSMISSION**

##### **CLASS (STC):**

The single-number rating of sound transmission loss for a construction element (window, door, etc.) over a frequency range where speech intelligibility largely occurs.

## **The Woodlands Visalia Security Plan**

**Location:** 4211 W Goshen Ave, Visalia, CA 93291

**Contact:** Sam Ramirez, 559-288-8130

The goal of this security plan is to comply with City Code and Law Enforcement requirements and provide a safe and secure environment for our clients, guests, employees, and surrounding businesses and residential areas.

The venue will contract security services from an outside licensed third party for all events that intend to serve alcohol. Security will be contacted directly by the venue and billed to the client to begin at alcohol service beginning and remain until 1 hour past bar closing.

Additionally, any event over 50 guests will have their program evaluated and security staff may be required despite no alcohol being served.

### **Our security team will:**

- Create a safe and secure environment within the establishment for all guests, employees, and surrounding businesses and residential areas.
- Provide a high level of control, safety, and quality experience for guests.
- Work to mitigate excessive noise or inappropriate conduct within the Venue.
- Engage in preventative measures to minimize potential situations.
- Coordinate with the owner/manager about security issues as they arise and work on solutions/resolutions.
- Be responsible for all security and safety of the business premises.
- Be a liaison between law enforcement personnel and city officials should the need arise.

### **Security Staffing Policy:**

- 1 guard will be required per 100 guests with additional staff required based on the program as determined by the venue management.
- All guards will be licensed and uniformed
- When 2 guards are present 1 guard will be placed at the sole entry point to observe all guests arriving and ensure no outside alcohol is brought into the space. The second guard will be placed at the bar to support the bartending staff while serving alcohol and always maintain a visual of the bar and staff.
- Security personnel (licensed and dressed in uniform) will be provided and expected to use radio communication between one another and venue staff.
- Security will patrol the parking lots and surrounding areas to prevent drinking and loitering activity.

## **Staff Training**

- Regularly trained on comprehensive emergency response plans.
- Be knowledgeable of what is expected of them.
- All guests consuming alcohol will be required to present a current and valid ID demonstrating they are 21 years or older.
- No persons who do not provide their valid ID will be served any alcohol.
- Be trained to identify obviously intoxicated patrons, overly rowdy patrons, and to maintain a safe and secure environment.
- Obtain a certificate of completion from the ABC “LEAD Program”.
- Keep guests and employees safe and take preventative steps to resolve issues in an efficient and secure manner.
- Any guests found to be providing alcohol to minors attending an event will be immediately cut off and asked to leave the property.

## **Dealing with Intoxicated Patrons**

- Anyone determined intoxicated by bartending staff or security will no longer be served any more alcohol and may be asked to leave the property should their behavior become unruly.
- If it is determined that an intoxicated guest is creating a public disturbance to the venue or surrounding areas Visalia Police Department will be contacted.
- Should anyone experience a medical emergency Visalia Police Department and medical response will be notified and assistance will be requested.



## MITIGATED NEGATIVE DECLARATION

**Project Title:** Conditional Use Permit No. 2022-15

**Project Description:** A request by 7Ten Properties LLC, to establish an outdoor event venue use on a 1.95-acre site improved with an outdoor lawn area, paved surface, and bathroom facilities in the QP (Quasi-Public) Zone. The property will be operated in conjunction with an on-site building that allows for the operation of a variety of indoor venues.

**Project Location:** The site is located at 4211 W. Goshen Avenue on southwest corner of Goshen Avenue and Chinowth Street. (APN: 085-630-003 and 085-630-001).

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

**Attachments:**

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Noise Study	(X)
Mitigation Measures	(X)

### 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 Mitigated 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:



Date Approved: November 8, 2022

Review Period: November 17, 2022 to  
December 7, 2022 (20 days)

## INITIAL STUDY

### I. GENERAL

**A. Description of the Project:** A request by 7Ten Properties LLC, to establish an outdoor event venue use on a 1.95-acre site improved with an outdoor lawn area, paved surface, and bathroom facilities in the QP (Quasi-Public) Zone. The property will be operated in conjunction with an on-site building that allows for the operation of a variety of indoor venues.

**B. Identification of the Environmental Setting:** The property consists of a x,xxx-square foot assembly building and xx-space paved parking lot, together with an outdoor area with ancillary structures that are associated with the event venue use. There is an existing four-lane street bordering the site along the north (Goshen Avenue) and an existing two-lane street bordering the site along the west. The Visalia Circulation Element designates Goshen Avenue as a Minor Arterial roadway and Chinowth Street as a Collector roadway.

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

	<u>General Plan</u>	<u>Zoning</u>	<u>Existing uses</u>
North:	Residential Low Density	R-1-5 (Single-family Residential, 5,000 sq. ft. minimum lot size)	Railroad Tracks, Single Family Subdivision
South:	Residential Medium Density	R-M-2 (Multi-family Residential, 3,000 sq. ft. minimum lot size)	Multi-Family Residential
East:	Office	O-PA (Professional Administrative Office)	Offices
West:	Residential High Density	R-M-3 (Multi-Family Residential, 1,200 sq. ft. minimum lot size)	Multi-Family Residential

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will continue to be provided by the City of Visalia for the subject property.

**C. Plans and Policies:** The General Plan Land Use Diagram designates the site as Public/Institutional and the Zoning Map designates the site as QP (Quasi-Public) which is consistent with the Land Use Element of the General Plan, and consistent with the standards for Quasi-Public zoning district pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.52.

### 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 Land Use Element and Zoning Ordinance contain policies and regulations that are designed to mitigate impacts to a level of non-significance.

### III. MITIGATION MEASURES

The following mitigation measures, which are listed below, will reduce potential environmental impacts related to Noise Impacts to a less than significant level as shown below:

**Noise** – An acoustical analysis was prepared for the proposed project by WJV Acoustics. The purpose of the study is to determine if noise levels associated with the proposed use will comply with the City's applicable noise level standards. The analysis concluded that noise levels associated with the proposed outdoor venue event use are expected to exceed the existing ambient noise levels by up to 3.1 dB L50 (vicinity of noise measurement site R-2) during nighttime hours (after 7:00 p.m.). Mitigation measures must be incorporated to comply with applicable City of Visalia exterior noise levels standards. To ensure that community noise standards are met,

the applicant is proposing an acoustical treatment that be constructed at a height of 12-feet above ground elevation along the southern portion of the site. The acoustical treatment material provides attenuation by both blocking and absorbing noise between a noise source and receiver. Figure 6, within the acoustical analysis, provides the location and extent of the proposed acoustical fencing, along the project site southern property line. Based upon the above-described project-related noise levels and insertion loss model, it was determined that the 12-foot AcoustiFence® acoustical treatment would provide approximately 10 dB of noise level reduction at the residential land uses located south of the project site, resulting in project-related noise levels of approximately 43 dB L<sub>50</sub> at the adjacent residential land uses. Such levels do not exceed the City of Visalia daytime or nighttime noise level standards and do not exceed existing (without project) ambient noise levels in the vicinity of the adjacent residential land uses.

To ensure that noise standards are met for the proposed project, the project site shall be developed in substantial compliance with the mitigation contained in the “Conclusions and Recommendations” section of the above-referenced Acoustical Analysis. As described in the analysis, the following measures shall contain the following:

- 1) A 12-foot AcoustiFence® acoustical treatment material along the southern property line. Based upon insertion loss model calculations, it was determined that the AcoustiFence® acoustical treatment material would reduce project-related noise levels by approximately 10 dB at residential land uses adjacent to the project site. This noise attenuation would result in project-related noise levels of approximately 43 dB L<sub>50</sub> at the adjacent residential land uses. Such levels do not exceed the City of Visalia daytime or nighttime noise level standards and do not exceed existing (without project) ambient noise levels in the vicinity of the adjacent residential land uses.
- 2) The hours of operation shall be limited to the proposed hours of 7:00 a.m. to 10:00 p.m. The findings of this analysis do not provide any determination of the project compliance outside of these hours.

Staff has incorporated these recommendations as required mitigation measures. Therefore, to ensure that noise requirements are met for the proposed project, the project shall be developed and shall operate in substantial compliance with the Noise Impact Mitigation Measures 1.1 and 1.2. These mitigation measures are included in Section IV below as part of this Initial Study.

The City of Visalia Zoning Ordinance also contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

**IV. MITIGATION MONITORING PROGRAM**

<b><u>Mitigation Measure</u></b>	<b><u>Responsible Party</u></b>	<b><u>Timeline</u></b>
<b>Noise Impact Mitigation Measure 1.1:</b> A 12-foot AcoustiFence® acoustical treatment material shall be installed along the southern property line for a length of approximately 360 feet starting from the southeast corner of the property boundary.	Project Applicant	The sound wall shall be installed as part of the new outdoor venue use and shall be completed prior to operation.
<b>Noise Impact Mitigation Measure 1.2:</b> The use shall be limited to the operating hours of 7:00 a.m. to 10:00 p.m., as detailed within the operational statement and analyzed in the Noise Study.	Project Applicant	The hours of operation shall apply to all outdoor events onsite.

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

The project is compatible with the General Plan and Zoning Ordinance as the project relates to surrounding properties.

## **VI. SUPPORTING DOCUMENTATION**

The following documents are hereby incorporated into this Mitigated 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 Sanitary Sewer Master Plan. City of Visalia, 1994.
- Tulare County Important Farmland 2014 Map. California Department of Conservation, 2014.
- Acoustical Analysis, The Woodlands. WJV Acoustics, May 24, 2022 (Revised October 14, 2022)

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



Brandon Smith  
Principal Planner



Brandon Smith  
Environmental Coordinator

**INITIAL STUDY  
 ENVIRONMENTAL CHECKLIST**

<b>Name of Proposal</b>	Conditional Use Permit No. 2022-15		
NAME OF PROPONENT:	Mario Celillo, 7Ten Properties LLC	NAME OF AGENT:	Sam Ramirez, Naxon Hospitality
Address of Proponent:	P.O. Box 648 Visalia, CA 93279	Address of Agent:	4211 W. Goshen Avenue Visalia, CA 93291
Telephone Number:	559-553-2861	Telephone Number:	559-288-8130
Date of Review	October 18, 2022	Lead Agency:	City of Visalia

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

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

**I. AESTHETICS**

Except as provided in Public Resources Code Section 21099, would the project:

- 1 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?
- 1 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:

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

- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

**III. AIR QUALITY**

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

- 1 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 1 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard?
- 1 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 d) Result in other emissions, such as those leading to odors adversely affecting a substantial number of people?

**IV. BIOLOGICAL RESOURCES**

Would the project:

- 1 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?
- 1 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?
- 1 c) Have a substantial adverse effect on federally protected wetlands (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 2 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

#### V. CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Public Resources Code Section 15064.5?
- 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 1 c) Disturb any human remains, including those interred outside of formal cemeteries?

#### VI. ENERGY

Would the project:

- 1 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- 1 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:

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

#### 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:

- 1 a) Violate any water quality standards of waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 1 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 1 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
- 1 i) result in substantial erosion or siltation on- or off-site;
- 1 ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; or
- 1 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?
- 1 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 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:

- 3 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?

- 1 b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- 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:

- 1 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?
- 1 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:

- 1 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. The proposed project is a new outdoor event venue use proposed as part of an existing site previously occupied by the Sons of Italy.

This project will not adversely affect the view of any scenic vistas. The Sierra Nevada Mountain range may be considered a scenic vista and the view will not be adversely impacted by the project.

- b. There are no scenic resources on the site.
- c. The proposed project includes the incorporation of an outdoor venue use as part of an existing site. No significant changes are proposed as part of the new use, in that, the existing site is already improved with a wide variety of landscaping and other ancillary improvements. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project will create incidental new sources of light that are typical with outdoor event uses. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent properties.

A conceptual photometric plan for the proposed development has been provided, demonstrating the lighting fixtures installed throughout and directed toward the interior of the site. The on-site lighting for the facility is directed and focused so as to avoid direct illumination spilling beyond the site boundaries into the adjacent residential uses, as required under Section 17.30.015.H of the Zoning Ordinance. The conceptual photometric plan demonstrates that lighting for the proposed uses along the respective property lines primarily do not exceed 1.0 footcandles. A condition will be included with the Conditional Use Permit requiring compliance with the 1.0 footcandle standard at property line, in particular to the south where scattered residential uses are located.

### II. AGRICULTURAL RESOURCES

- a. The project is located on property that is identified as Urban and Built Up Land based on maps prepared by the California Department of Conservation and contained within the Visalia General Plan, Figure 6-4.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated, through the use of agricultural conservation easements or by other means. However, the General Plan contains multiple policies that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan policies identified under Impact 3.5-1 of the EIR serve as the mitigation that assists in reducing the severity of the

impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

- b. The project site is not zoned for agricultural use. The project is bordered by urban development and there are no known Williamson Act contracts on any properties within the project area.
- c. There is no forest or timber land currently located on the site.
- d. There is no forest or timber land currently located on the site.
- e. The project will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. The subject property is currently designated for an urban rather than agricultural land use. Properties that are vacant may develop in a way that is consistent with their zoning and land use designated at any time. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur.

### III. AIR QUALITY

- a. The 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. New development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The project is not proposing any new significant development and will not significantly contribute to a net increase of criteria pollutants and therefore, will not contribute to exceeding the thresholds.
- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. The project will not result in a net increase of criteria pollutants. 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.
- 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 had conducted an on-site visit to the site in October 2022 to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple 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 or adjacent to an identified sensitive riparian habitat or other natural community.

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

- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

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

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

- e. The project will not conflict with any local policies or ordinances protecting biological resources. The City has a municipal ordinance in place to protect valley oak trees; however no oak trees exist on the site.
- 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 the incorporation of the new use all activity 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. Use of the site will require the use of energy supply and infrastructure. However, the use of energy will be typical of that associated with commercial 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 only a minor 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 waste water disposal systems since sanitary sewer lines are used for the disposal of waste water 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 not expected to generate any considerable Greenhouse Gas (GHG) emissions, in that, only minor construction is anticipated in conjunction with the operation of the proposed business.

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

The Visalia General Plan and the CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan. Only minor 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 and SB 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. The minor construction activities associated with development of the project may include maintenance of on-site construction equipment which 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 is one school located within 0.40 miles of the project site. The school is located 2,100-feet south of the project site (Hyde Park Pre-School). Notwithstanding, there is no reasonably foreseeable condition or incident involving the project that could affect the site.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The Airport Master Plans adopted by City of Visalia and County of Tulare show the project area is located outside of any Airport Zones. There are no restrictions for the proposed project related to Airport Zone requirements.  
  
The project area is not located within two miles of a public 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. All new development is subject to regulations which 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 waste water 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 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 improvements of the site will require only a minimal amount of topsoil movement. Existing City Engineering Division standards require that any new development provide a grading and drainage plan for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
  - ii. The minor improvements proposed as part of the site will create additional impervious surfaces. However, connection of the site to storm water drainage facilities that already exist in adjacent roadways 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. The minor improvements associated with the site will create additional impervious surfaces. However, connection of the site to storm water drainage facilities that already exist in adjacent roadways 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.  
  
Existing storm water mains are on site and the applicant will be connecting to service. Furthermore, the project will be required to meet the City's improvement standards for directing storm water runoff to the City's storm water drainage system consistent with the City's adopted City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.
  - 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. The minor improvements associated with the site do not have the potential to affect drainage patterns in the short. The Visalia General Plan contains multiple policies, 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 project is proposing a new use within an existing site previously occupied by the Sons of Italy. Only minor improvements are proposed as part of the property which is improved with a wide variety of landscaping and hardscape on a 1.95-acre site and on land designated for Public/Institutional. The project site is surrounded by urban development and is bounded by Goshen Avenue to the north and Chinowth Street to the east.
- b. The project site is within the City of Visalia's Tier I Urban Development Boundary as implemented by the City General Plan. Development of lands in Tier I may occur at any time.

The proposed project will be consistent with the Land Use Element of the General Plan, and consistent with the standards for Quasi-Public zoning district pursuant to Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.52.

The project as a whole does not conflict with any land use plan, policy or regulation of the City of Visalia. The site contains a General Plan Land Use Designation of Public/Institutional and a Zoning Designation of Q-P (Quasi-Public). The City of Visalia's Zoning Ordinance conditionally allows outdoor event venues.

The Visalia General Plan contains multiple policies, 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.

The project does not conflict with any applicable habitat conservation plan or natural community conservation plan as it is located on a vacant dirt lot with no significant natural habitat present.

## **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 Visalia Municipal Code contain criteria for acceptable noise levels during daytime and nighttime hours. VMC Section 8.36.040 provides daytime exterior categorical noise standards that vary between 50 and 70 dBA between the hours of 6am and 7pm. The nighttime exterior categorical noise standards vary between 45 and 65 dBA between the hours of 7pm and 6am. Furthermore, in the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any exterior noise category, the applicable standards shall be adjusted so as to equal the ambient noise level.

An Acoustical Analysis was prepared for the proposed project, addressing the proposed outdoor events at the event facility. The purpose of the study was to determine if noise levels associated with the project will comply with the City's applicable noise level standards, particularly with

regards to the existing multi-family residential uses to the south of the project site. The acoustical analysis models determine the project-related noise levels that will be generated by the project site.

The analysis concluded that noise levels generated by the proposed outdoor venue would exceed the existing ambient noise level by up to 3.1 db L<sub>50</sub>. In order to address the noise, the project is proposing install an AcoustiFence® acoustical treatment material along the southern boundary of the project site, adjacent to existing residential land uses. The acoustical treatment will be constructed to a height of 12-feet above ground elevation along the southern boundary. The acoustical treatment material provides attenuation by both blocking and absorbing noise between a noise source and receiver. The acoustical analysis has concluded that the placement of the acoustical fence will bring the project in compliance with the city's Noise Ordinance.

Based upon the above-described project-related noise levels and insertion loss model, it was determined that the 12-foot AcoustiFence® acoustical treatment would provide approximately 10 dB of noise level reduction at the residential land uses located south of the project site, resulting in project-related noise levels of approximately 43 dB L<sub>50</sub> at the adjacent residential land uses. Such levels do not exceed the City of Visalia daytime or nighttime noise level standards and do not exceed existing (without project) ambient noise levels in the vicinity of the adjacent residential land uses.

Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed in substantial compliance with the mitigation contained in the "Conclusions and Recommendations" section of the above-referenced Acoustical Analysis. As described in the analysis, the following measures shall contain the following:

- 1) An acoustical fence with a minimum height of twelve (12) feet above the project-side grade shall be constructed along the southern boundary of the project site, as illustrated on Figure 1. The extent and location of the required acoustical fence treatment is provided on Figure 1.
- 2) Hours of project operation must be limited to the proposed hours of 7:00 a.m. to 10:00 p.m. The findings of this analysis do not provide any determination of the project compliance outside of these hours.

Staff has incorporated these recommendations as required mitigation measures. Therefore, to ensure that noise requirements are met for the proposed project, the project shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 and 1.2. These mitigation measures are included as part of this Initial Study.

There are no expected substantial increases in temporary noise levels associated with the project other than the noise increased associated with outdoor events as described above.

- b. No. ground-borne vibration or ground-borne noise levels are anticipated to occur as part of the minor construction activities associated with the project; 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 two 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 55, located approximately 2.2 miles northwest of the property, and can adequately serve the site without a need for alteration.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration.
  - iii. The project will not generate new students for which existing schools in the area may accommodate.
  - iv. Current park facilities can adequately serve the site without a need for alteration.
  - 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. The project will not increase the use of existing neighborhood and regional parks as no residential uses are proposed.
- 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 State Office of Planning Research (OPR) recommended

threshold as the basis for what constitutes a significant or less than significant transportation impact. The State OPR Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018 ("Technical Advisory") has recommended a 15% reduction target based on its statement that "achieving a 15% lower per capita or per trip distance Vehicle Miles Travelled (VMT) than existing development is both generally achievable and is supported by evidence that connects this level of reduction to the State's emissions goals. The Technical Advisory further states that lead agencies may screen out VMT impacts using maps created with VMT data from a traffic demand model.

For the metric measuring VMT per trip distance, 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 6.45 miles, which falls below the average county-wide trip distance of 11.9 miles and the 16% target reduction of 9.76 miles. Based on this determination, it is presumed that the project will have a less than significant transportation impact.

For the metric measuring VMT per trip distance, 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 6.45 miles, which is above the average county-wide trip distance of 11.9 miles and the 16% target reduction of 9.76 miles. However, under the Guidelines, the project is screened out from creating a significant impact since the project will generate less than 1,000 trips daily and is consistent with the City's General Plan and current zoning. The Woodlands project is projected to generate 218 trips on peak operating days based on a total parking availability of 218 stalls. The outdoor venue use is also conditionally permitted in the QP in which it resides. Hence, the proposal is screened out of performing a VMT analysis.

- 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.

#### **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.

Existing sanitary sewer and storm water mains are on site and the applicant will be connecting to services. Usage of these lines is consistent with the City Sewer System Master Plan and Storm Water Master Plan. These improvements will not cause significant environmental impacts.

- b. The project will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- 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 is adjacent on multiple sites which are already developed. The site will be further served by multiple points of access off Goshen Avenue. 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 is adjacent on multiple sides by existing development. The minor improvements will require the installation and maintenance of associated infrastructure extending from adjacent off-site locations to the project site; however the infrastructure would be typical of commercial 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, AICP  
Environmental Coordinator

November 8, 2022  
Date



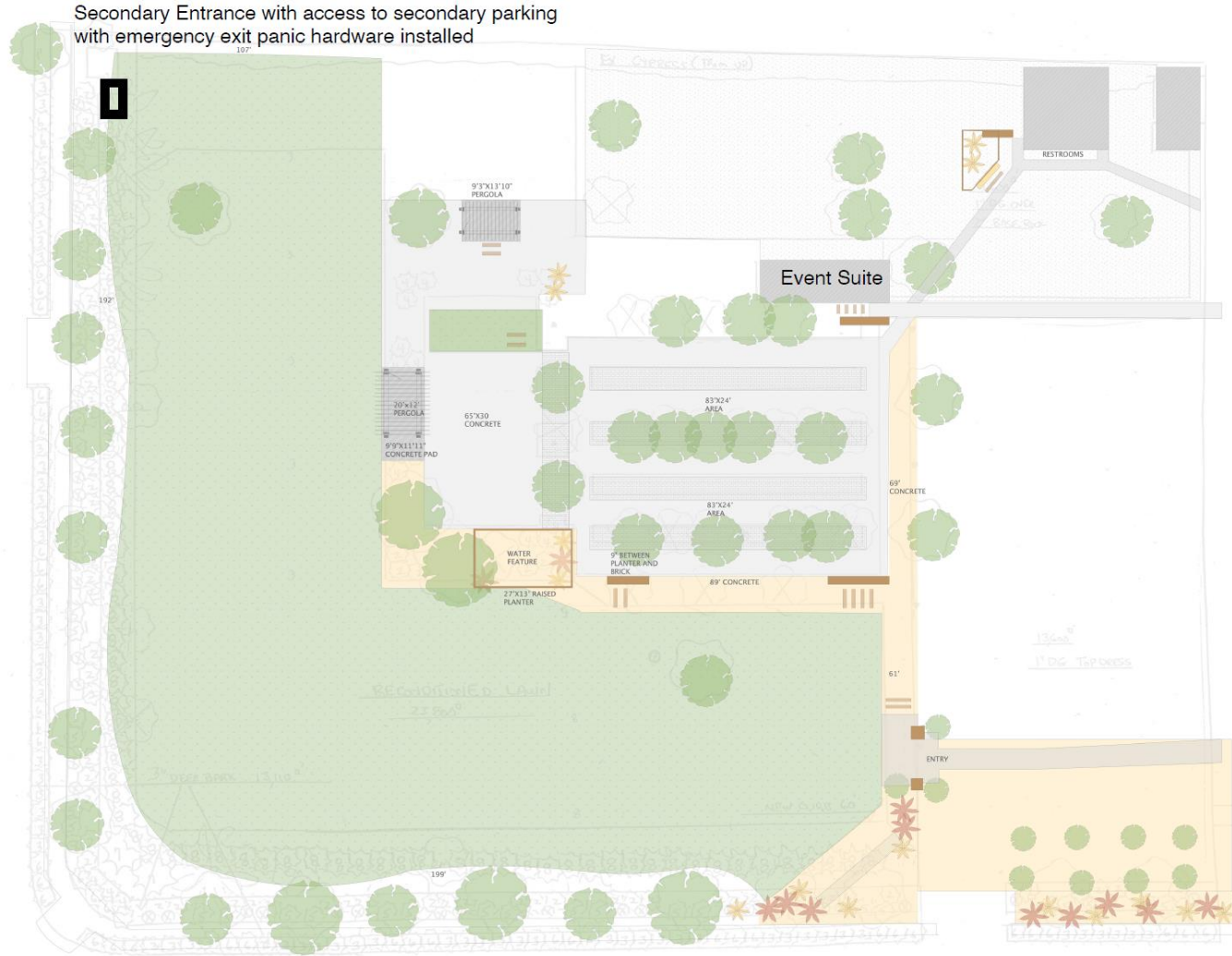


Aerial Map

Figure No. 1



THE  
WOODLANDS



@thewoodlandsvisalia  
The Woodlands Visalia



559-372-9822  
bookings@thewoodlandsvisalia.com  
www.thewoodlandsvisalia.com



**Exhibit “G”**

**Correspondence**

## Paul Bernal

---

**From:** Susan Currier  
**Sent:** Wednesday, November 30, 2022 4:34 PM  
**To:** Brandon Smith; Paul Bernal  
**Subject:** FW: Conditional Use Permit No. 2022-15

-----Original Message-----

**From:** Janet Danielson <janetdanielson@icloud.com>  
**Sent:** Sunday, November 20, 2022 11:44 AM  
**To:** Susan Currier <Susan.Currier@visalia.city>  
**Subject:** Conditional Use Permit No. 2022-15

[You don't often get email from janetdanielson@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

My name is Janet Danielson. I live next door to the site in question, 4211 W Goshen Ave. I live in Monte Vista Villa's, 4401 W Goshen Ave. The outdoor events held next door are a noise nuisance. I can hear words to songs, instruments, speeches, applause INSIDE MY APARTMENT. If I'm trying to enjoy the yard it is considerably louder outside. This is a residential neighborhood and I support keeping it that way. This is NO PLACE for a live and outside event venue. I DO NOT support allowing outside events.

Sent from my iPhone

## Paul Bernal

---

**From:** Susan Currier  
**Sent:** Wednesday, November 30, 2022 4:37 PM  
**To:** Brandon Smith; Paul Bernal  
**Subject:** FW: Comments on Woodlands Venue

---

**From:** Jerry Green <[downhlrider@gmail.com](mailto:downhlrider@gmail.com)>  
**Sent:** Monday, November 28, 2022 10:47 AM  
**To:** Susan Currier <[Susan.Currier@visalia.city](mailto:Susan.Currier@visalia.city)>  
**Subject:** Comments on Woodlands Venue

You don't often get email from [downhlrider@gmail.com](mailto:downhlrider@gmail.com). [Learn why this is important](#)

To: Susan Currier  
Re: Negative Declaration  
Date: 11/28/2022

My Name is Jerry Green and I live across Goshen Ave from site 4211 W. Goshen Ave. on the Southwest corner of Goshen ave. and Chinowth Street. I have lived on 1200 N. Pride Ct. since 2005, which is almost 18 years now. I enjoy living in our neighborhood very much and have raised my kids in this house. These last couple of years since the Woodlands property has been established has been very disappointing. The venues they have are very disturbing to our neighborhood and the peace that we have in our home. The music that is played throughout the day and into the night is loud and is a invasion of our neighborhood and home. The music has been so loud at times it rattles our home into the night. I have even had the police department come to my home thinking the music was coming from our house... unbelievable. I don't feel they should be able to have those kind of Venues in a neighborhood establishment. I know if you lived by the Woodlands you would be very upset about the music as well. I work very early in the morning and it just makes going to sleep very difficult. I know if I had a party that loud at my home that the police would be called on me every time and I would have to shut it down. Please submit this into the comments towards this declaration. Thank you and have a great day.

From: Jerry Green  
phone: 559-799-2708  
email: [downhlrider@gmail.com](mailto:downhlrider@gmail.com)



April 20, 2022

**Site Plan Review No. 2022-019-B:**

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 30, 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 circular blue stamp.

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

**Attachment(s):**

- Site Plan Review Comments



MEETING DATE March 30, 2022  
SITE PLAN NO. 2021-019 – B  
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

CUP

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

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

Date: March 30, 2022

SITE PLAN NO: 2022-019 – B  
PROJECT TITLE: The Woodlands  
DESCRIPTION: Outdoor Venue  
APPLICANT: Sam Ramirez  
PROP. OWNER: 7Ten Properties  
LOCATION TITLE: 4211 W. Goshen Ave.  
APN TITLE: 085-630-001, 085-630-003  
GENERAL PLAN: Public/Institutional  
ZONING: Quasi-Public

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## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

## **Project Requirements**

- Conditional Use Permit
- Lot Line Adjustment
- Noise Study
- Parking Study
- Photometric Plan
- Detailed Operational Statement and Security Plan
- Additional information

## **PROJECT SPECIFIC INFORMATION:** March 30, 2022

1. Entitlements on records show CUP No. 279 and 365 for the subject property located at 4211 W. Goshen Avenue (085-630-001). The entitlements allowed the property located at 4211 W. Goshen to operate as a lodge operation. No entitlements or approvals were found for the corner property located on the southwest corner of Goshen Avenue and Chinowth Street (085-630-003).
2. No open entertainment venues are currently allowed (e.g. entertainment, dance, concert venues open to the public).
3. The event venue space on the corner property (085-630-003) will require approval of a Conditional Use Permit (VMC Section 17.52.030.J). **The following items will be required as part of the Conditional Use Permit:**
  - Detailed site plan identifying all site dimensions and setbacks, structures and their uses, and onsite improvements onsite. The site plan shall also identify the location, length, material, and height of all existing and proposed walls/fencing.
  - Detailed floor plan identifying the use and dimensions of each structure onsite.
  - Detailed building elevations for all structures, to include location of lighting fixtures and speakers (if any).
  - Detailed landscaping plan.
  - Detailed operational statement and security plan, describing all proposed activities to be conducted (both indoor and outdoor), frequency of use, proposed number of attendees, whether indoor and outdoor uses are proposed concurrently and to what extent, and the security measures to be taken for each type of use/event.
  - No on street parking will be allowed on the public right of way. All parking associated with the event must be kept on private property.
  - A photometric study/plan must be provided as part of the CUP application submittal.



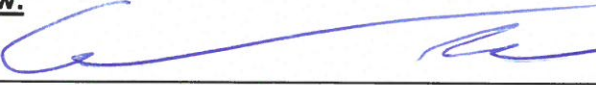
- A noise/acoustical study must be provided as part of the CUP application submittal. The noise study must confirm that the sound amplification equipment that is proposed will comply with the city's noise ordinance. Information provided at the Site Plan Review meeting is not sufficient.
  - A parking study must be provided as part of the CUP application submittal. The parking study must demonstrate that sufficient onsite parking will be provided as part of the site to adequately accommodate any events. If shared parking with a separate property is proposed, the applicant shall provide additional information verifying that the off-site parking area complies with all requirements of Visalia Municipal Code Section 17.34.050 (Shared parking) and that the shared parking area will only be employed at times when not in use by the property owner.
  - If shared parking is proposed, proof of a shared parking agreement shall be provided with the Conditional Use Permit submittal.
4. It is highly recommended that a professional consultant be retained to draft the required Conditional Use Permit application materials.
  5. The applicant shall obtain Building Permits for all structures and improvements constructed without required approvals. Structures to be permitted shall be called out on the site plan submitted with the Conditional Use Permit.
  6. If required due to the location of sewer lines in relation to property boundaries, a Lot Line Adjustment shall be required prior finalization of Building Permits for the project.
  7. Note that based on the Conditional Use Permit submittal, staff may recommend to the Visalia Planning Commission that conditions be applied limiting occupancy for events, requiring placement of "No Parking" signage in right of way areas, prohibiting parking along Goshen Avenue, requiring submittal of a shared parking agreement, and prohibiting the operation of concurrent events within the indoor and outdoor facilities.
  8. The project must comply with all other code requirements.
  9. See previous comments.

**PROJECT SPECIFIC INFORMATION:** February 2, 2022

1. Entitlements on records show CUP No. 279 and 365 for the subject property located at 4211 W. Goshen Avenue (085-630-001). The entitlements allowed the property located at 4211 W. Goshen to operate as a lodge operation. No entitlements or approvals were found for the corner property located on the southwest corner of Goshen Avenue and Chinowth Street (085-630-003).
2. No open entertainment venues are currently allowed (e.g. entertainment, dance, concert venues open to the public).
3. The event venue space on the corner property (085-630-003) will require approval of a Conditional Use Permit (VMC Section 17.52.030.J). **The following items will be required as part of the Conditional Use Permit:**
  - No on street parking will be allowed on the public right of way. All parking associated with the event must be kept on private property.
  - A photometric study/plan must be provided as part of the CUP application submittal.
  - A noise/acoustical study must be provided as part of the CUP application submittal. The noise study must confirm that the sound amplification equipment that is proposed will comply with the city's noise ordinance.
  - A parking study must be provided as part of the CUP application submittal. The parking study must demonstrate that sufficient onsite parking will be provided as part of the site to adequately accommodate any events.
  - All structures and improvements constructed without permits or approvals will have to be called out as part of the plans and permits will have to be secured.
4. **The following items are required for Site Plan Review resubmittal:**
  - Provide a professional prepared site plan and floor plan for the site showing all onsite improvements including any buildings, driveways, parking, landscaping, and all other details.

- Address comments from all other departments as part of plans.
- 5. Any proposed fencing over 7 feet in height will be reviewed and approved by the Planning Commission as part of the required CUP.
- 6. The project must comply with all code requirements.

**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 \_\_\_\_\_ 





**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

- Adrian Rubalcaba 713-4271
- Ather Razaq 713-4268
- Edelma Gonzalez 713-4364
- Jaklin Rowley 713-4369
- Luqman Ragabi 713-4362
- Lupe Garcia 713-4197

ITEM NO: 1 DATE: March 30, 2022

SITE PLAN NO.: 22-019R  
 PROJECT TITLE: THE WOODLANDS  
 DESCRIPTION: OUTDOOR VENUE  
 APPLICANT: SAM RAMIREZ  
 PROP OWNER: 7TEN PROPERTIES LLC  
 LOCATION:  
 APN: 085-630-003

**SITE PLAN REVIEW COMMENTS**

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with \_\_\_\_\_ radius;
- Install curb;  gutter **Onsite as necessary per design**
- Drive approach size:  Use radius return;
- Sidewalk: \_\_\_\_\_ width;  \_\_\_\_\_ parkway width at \_\_\_\_\_
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. **FOR ANY WORK NEEDED WITHIN PUBLIC RIGHT-OF-WAY**  
 Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required.  CalTrans comments required prior to issuing building permit. 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.
- 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.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- 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.
- Traffic indexes per city standards:

- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests:            each at
- Written comments required from ditch company            Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum     Provide            wide riparian dedication from top of bank.
- 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 713-4428 for a Valley Oak tree evaluation or permit to remove.     A pre-construction conference is required.
- 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.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- 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. Building permits will be required. Standard plan check and inspection fees will apply.**
- 2. Change of use may trigger additional impact fees.**
- 3. Project is located in the "AE" flood zone. Meet FEMA requirements for all new construction.**
- 4. Sewer connection was not existing; impact fees will apply**
- 5. Meet Traffic safety requirements.**
- 6. Permit will be required for paving of the parking area. Standard plan check and inspection fees will apply.**
- 7. Parking area must be paved out to use the area for parking. Either concrete or asphalt concrete. DG will not be allowed.**
- 8. Parking must be contained within parking "areas", no spillover into the public right of way will be permitted.**
- 9. The restroom facility was built without a permit. A permit for the building must be submitted to the city. Show on the plans where the sewer was connected. Plan check and inspection fees will apply.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **22-019**  
Date: **02/02/2022**

**Summary of applicable Development Impact Fees to be collected at the time of building permit:  
(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)**

(Fee Schedule Date:**01/01/2022**)  
(Project type for fee rates:**TBD**)

Existing uses may qualify for credits on Development Impact Fees.

<b>FEE ITEM</b>	<b>FEE RATE</b>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	<b>\$TBD</b>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>TBD</b>
	<b>Treatment TBD</b>
<input type="checkbox"/> Sewer Front Foot Fee	<b>TBD</b>
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input checked="" type="checkbox"/> Public Facility Impact Fee	<b>\$TBD</b>
<input type="checkbox"/> Parking In-Lieu	

**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 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.



\_\_\_\_\_  
**Jaklin Rowley**



SPR 22019  
THE WOODLANDS  
08563003

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 ALL IMPROVEMENTS AND EXISTING RESTROOMS BUILT WITHOUT A PERMIT.** *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. **20% OF PERMIT VALUE SHALL BE USED FOR "PATH OF TRAVEL" ADA UPGRADES.**
- 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. **1 HR LESS THAN 5 FEET.**
- 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 **AE** \*  Hazardous materials report. **MEET FEMA FLOOD REQUIREMENTS.**
- 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: **RESTROOM SEWER SHALL BE LOCATED ON THE SAME LOT AS THE SITE OF THE BUILDING OR STRUCTURE IT SERVES. NEW LANDSCAPING SHALL MEET THE MIVELO REQUIREMENTS.**

VAL GARCIA 3/30/22  
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 28, 2022
Item #	1
Site Plan #	22019
APN:	085630003

- 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.
- This item is a **resubmittal**. Please see comments from previous submittals.
- **Special comments:** Egress analyses shall be provided. Analyses shall show required egress capacity for facilities maximum occupant load as calculated per 2019 California Fire Code. Exit signage and emergency lighting shall be installed as indicated by analyses.

*Occupant load limited to 800 persons at this Time.*

---

Corbin Reed  
Fire Marshal



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

Date: 03/28/2022  
Item: 1  
Site Plan: SPR22019  
Name: Henry Martinez

**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:  
People entering their parked vehicles on the street can cause traffic hazard and safety concerns. Heavy vehicle traffic on street.
- Surveillance Issues:  
\_\_\_\_\_
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns:  
Attach site Security Plan. Ensure alcohol vendors meet compliance with ABC prior to approval of events.  
\_\_\_\_\_



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 30, 2022

ITEM NO: 1      Resubmit  
SITE PLAN NO: SPR22019  
PROJECT TITLE: The Woodlands  
DESCRIPTION: Outdoor Venue  
APPLICANT: Sam Ramirez  
OWNER: 7TEN PROPERTIES LLC  
APN: 085630003  
LOCATION:

**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          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:**

- Applicant to ensure no spillover from events onto public ROW.
- NO PARKING signage required on both sides of Goshen Ave.

*Leslie Blair*

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

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

22019


March 30, 2022

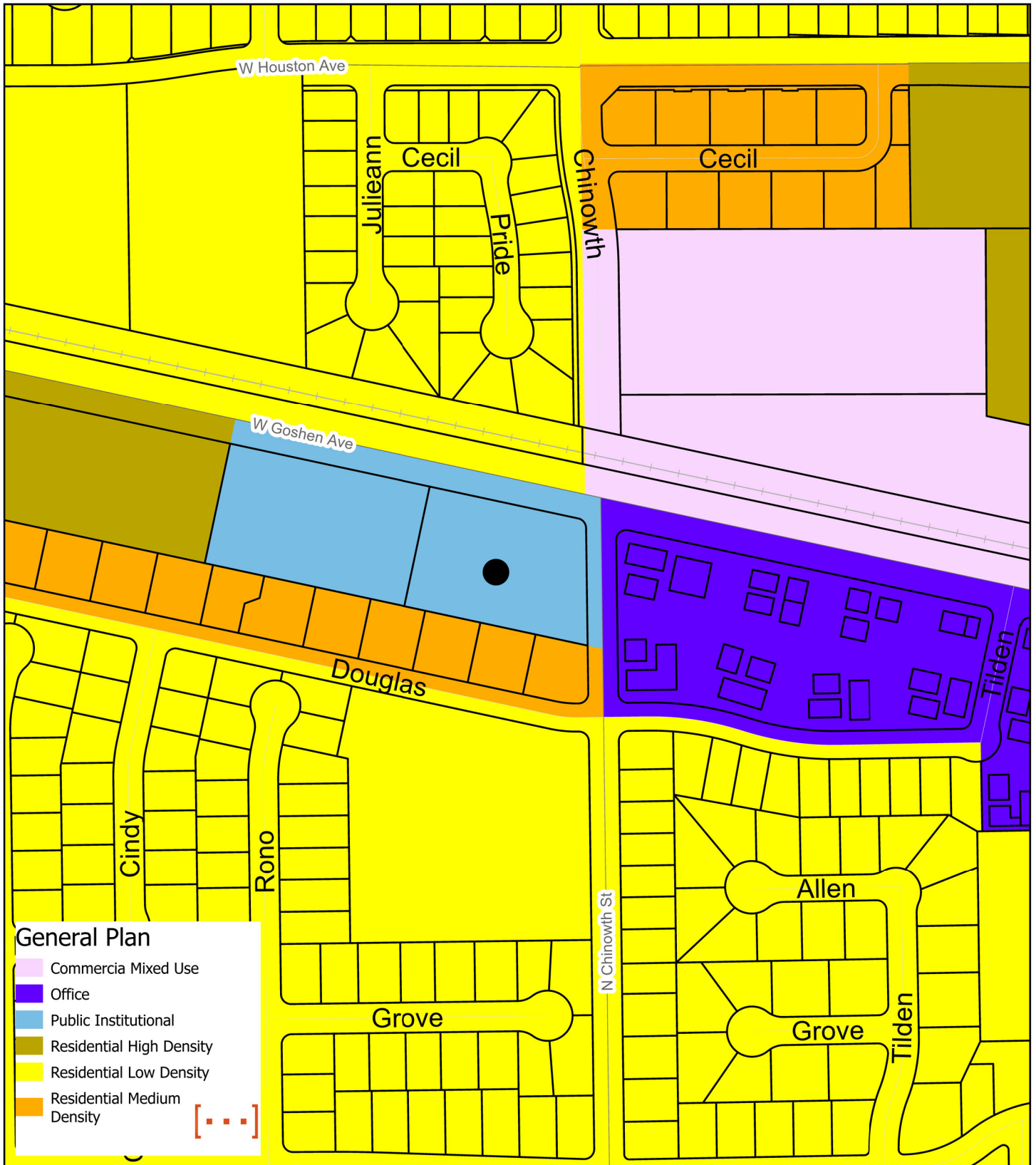
- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures 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 Customer indicated no planned changes for existing solid waste services.

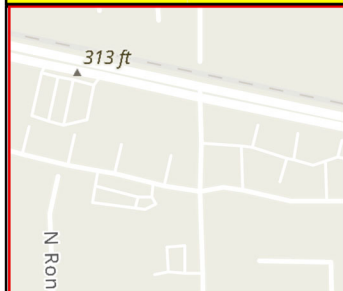
Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532  




**General Plan**

- Commercial Mixed Use
- Office
- Public Institutional
- Residential High Density
- Residential Low Density
- Residential Medium Density [ . . . ]



# General Plan Land Use Map

Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

## 2022

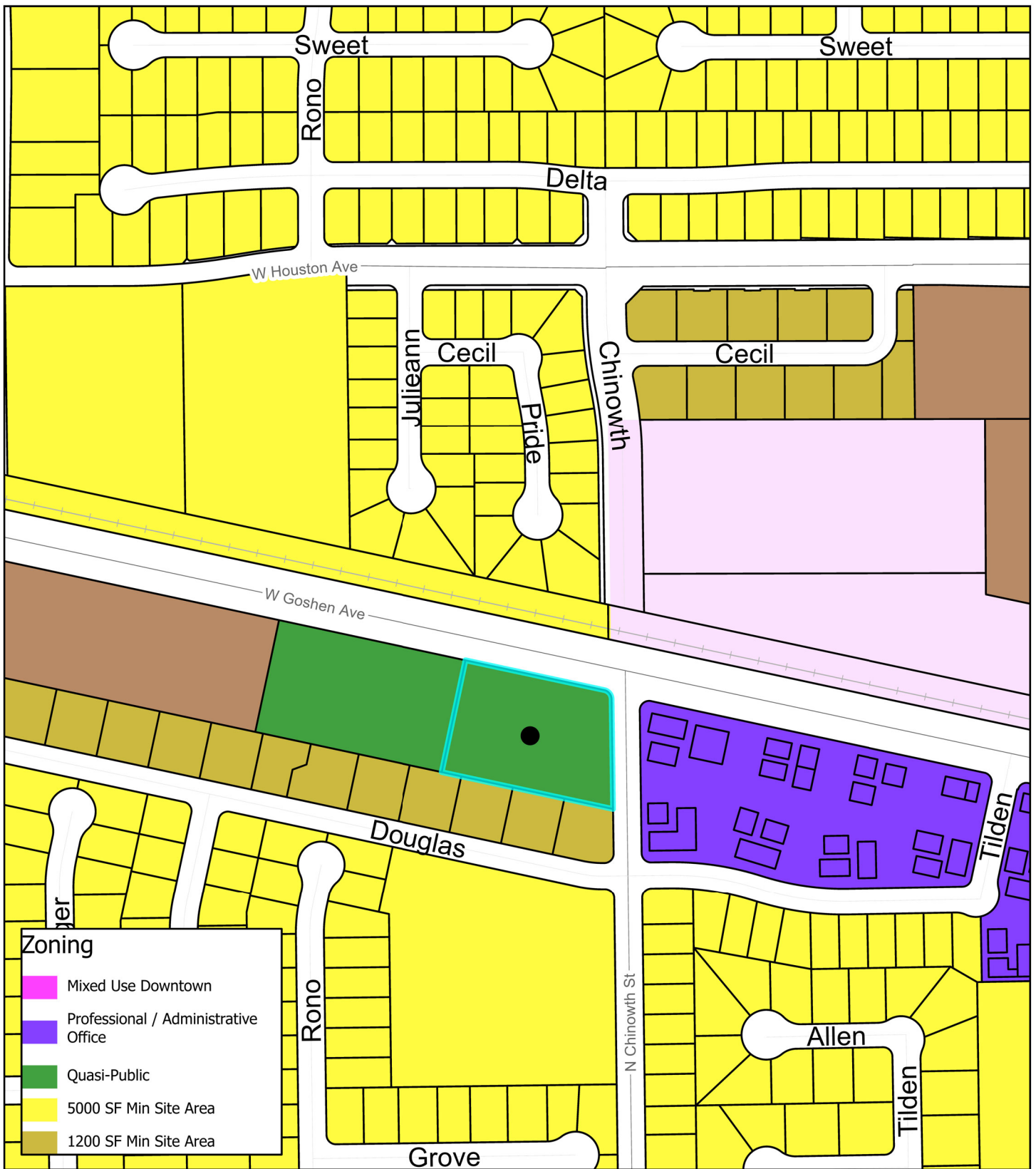
Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

N

0      180      360  
Feet

0      230      460  
Feet





**Zoning**

- Mixed Use Downtown
- Professional / Administrative Office
- Quasi-Public
- 5000 SF Min Site Area
- 1200 SF Min Site Area

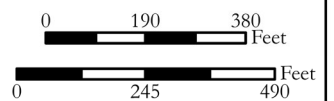


# Zoning Map

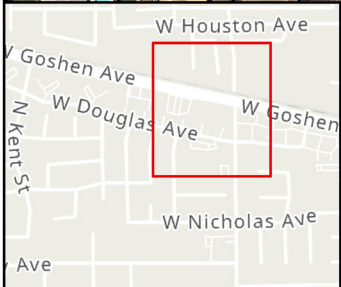
Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

## 2022

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere





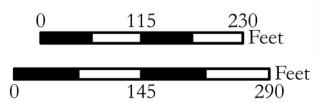


# Aerial Map

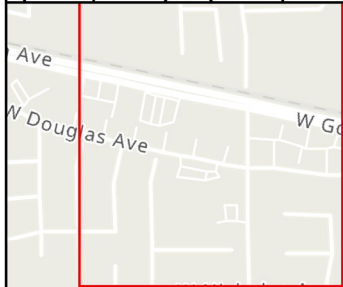
Esri, NASA, NGA, USGS, FEMA, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

2022

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere







# Vicinity Map

Esri, NASA, NGA, USGS, FEMA, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

2022

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

