

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

**MONDAY, APRIL 10, 2023**

**VISALIA COUNCIL CHAMBERS**

**LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA**

**MEETING TIME: 7:00 PM**

1. CALL TO ORDER –
2. THE PLEDGE OF ALLEGIANCE –
3. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.  
  
The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
4. CHANGES OR COMMENTS TO THE AGENDA –
5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - No Items on the Consent Calendar
6. PUBLIC HEARING – Cristobal Carrillo, Associate Planner  
  
Tentative Parcel Map No. 2023-01: A request by Visalia Shirk, LLC, A California Limited Liability Company for a lot split to subdivide a 19-acre parcel into four parcels and a remainder, located within the R-M-2 (Multifamily Residential, 3,000 sq. ft. minimum site area) and I (Industrial) Zones. The property is located at 6710 West Doe Avenue, on the northeast corner of West Doe Avenue and North Shirk Street (APN: 077-530-065, 077-530-066, 077-740-001, 077-750-001). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2023-02.

7. PUBLIC HEARING – Josh Dan, Senior Planner

Conditional Use Permit No. 2023-05: A request to establish a beauty salon in a 924 square foot office building in the O-C (Office Conversion) zone. The project site is located at 432 South Church Street (APN: 097-052-007). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2023-08.

8. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2023-08: A request by Walter Deissler to convert an existing residence into a bed and breakfast inn, located within the R-1-5 (Single Family Residential, 5,000 square foot minimum site area) Zone. The project site is located at 513 North Encina Street (APN: 094-353-011). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2023-07.

9. PUBLIC HEARING – Josh Dan, Senior Planner

Conditional Use Permit No. 2023-10: A request by the Visalia First Church to construct an electronic monument sign on a site zoned Q-P (Quasi Public). The project site is located at 3737 South Akers Street (APN: 119-100-027). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2023-12.

10. PUBLIC HEARING – Josh Dan, Senior Planner

a. Annexation No. 2022-06: A request by AW Engineering to annex a 6.77-acre parcel into the City limits of Visalia. Upon annexation the area would be zoned R-1-5 (Single Family Residential, 5,000 square foot minimum site area) and C (Conservation), which is consistent with the General Plan land use designations for this site. The project is located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue (APN: 085-130-002). 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. 2022-60 be adopted.

b. Crenshaw Tentative Subdivision Map No. 5595: A request by AW Engineering to subdivide a 6.77-acre parcel into a 34-lot single-family residential subdivision with three out lots for block wall and landscaping purposes. The project is located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue (APN: 085-130-002). 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. 2022-60 be adopted.

11. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Committees and Commissions recognition event Wednesday April 12<sup>th</sup> at 5:00 pm.
- b. Planning Commission Interview Updates.

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, APRIL 20, 2023, 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, APRIL 24, 2023**

# REPORT TO CITY OF VISALIA PLANNING COMMISSION



**HEARING DATE:** April 10, 2023  
**PROJECT PLANNER:** Josh Dan, Senior Planner  
Phone No.: (559) 713-4003  
Email: [josh.dan@visalia.city](mailto:josh.dan@visalia.city)

**SUBJECT: Annexation No. 2022-06:** A request by AW Engineering to annex a 6.77-acre parcel into the City limits of Visalia. Upon annexation the area would be zoned R-1-5 (Single Family Residential, 5,000 sq. ft. minimum) and C (Conservation) which is consistent with the General Plan Land Use designation for the project site.

**Crenshaw Tentative Subdivision Map No. 5595:** a request by AW Engineering to subdivide a 6.77-acre parcel into a 34-lot single-family residential subdivision with three out lots for block wall and landscaping purposes.

**Project Location:** The project is located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue. (APN: 085-130-002).

## STAFF RECOMMENDATION

### Annexation No. 2022-06

Staff recommends that the Planning Commission recommend that City Council approve Annexation No. 2022-06, as conditioned, based on the findings in Resolution No. 2022-59. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan.

### Crenshaw Tentative Subdivision Map No. 5595

Staff recommends approval of the Crenshaw Tentative Subdivision Map No. 5595, as conditioned, based on the findings and conditions in Resolution No. 2022-60. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

## RECOMMENDED MOTION

I move to recommend approval of Annexation No. 2022-06, based on the findings and conditions in Resolution No. 2022-59.

I move to approve Crenshaw Tentative Subdivision Map No. 5595, based on the findings and conditions in Resolution No. 2022-60.

## PROJECT DESCRIPTION

The applicant, Bitta Toor, has filed entitlement applications for the annexation and a tentative subdivision map for a 6.77-acre parcel. Annexation No. 2022-06 is a request to annex the 6.77-acre project area but will also require the adjacent neighboring 0.34-acre parcel which both comprise the county island located along the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue (see Exhibit "B"). The annexation application is requesting to annex the development site within the City of Visalia. Upon annexation, the Zoning designation for both the 6.77-acre parcel and the 0.34-acre parcel will be R-1-5 (Single-family Residential 5,000 square foot minimum site area).



The Crenshaw tentative subdivision map is a request to subdivide the 6.77-acre parcel into a 34-lot single-family residential subdivision at a density of 5.02 dwelling units per acre (see Exhibit “A”). Most of the proposed lots will conform to the zoning standards required within the R-1-5 zoning district for lot sizes of 5,000 square feet or greater. A total of 21 of the 34 lots will be a minimum of 5,000 square feet in area and will conform to the normal setbacks prescribed by the R-1-5 zoning district. The remaining balance of the lots will be less than 5,000 square feet (range between ±4,016 square feet to ±4,996 square feet) in area and will utilize the setback standards prescribed per Visalia Municipal Code (VMC) Section 17.12.135.B of the zoning ordinance. No conditional use permit is necessary to establish the lots less than 5,000 square feet under this code section. The code section (17.12.135.B) allows newly created lots to deviate from the required zoning standards so long as all the lots are minimum of 3,600 square feet in area. The small lots will have reduced setbacks along the front and rear yards but will comply with all other requirements as identified in Section 17.12.135 of the VMC with the exception of Section 17.12.135.4. The 13 lots will be located throughout the subdivision.

The proposed single-family subdivision will be serviced by 60-foot-wide local public streets containing full improvements (i.e., curb, gutter, parkway landscaping, sidewalks, and streetlights), sewer lines, storm drainage, and other public infrastructure, utilities, and services (i.e., electricity, gas, and water). Access to the subdivision will be from two points along North Crenshaw Street, a local roadway. Crenshaw Street, along the project site’s frontage, will be improved to its ultimate right-of-way width. Improvements along the roadway will include construction of curb, gutter, parkway landscaping, sidewalks, block wall, installation of park strip landscaping, streetlights, and undergrounding of utilities. The street improvements associated with this subdivision are discussed in greater detail in the Crenshaw and Local Street Improvements section of the report.

The subdivision map will also create three lettered lots for Landscaping and Lighting District (LLD) purposes. Two of the LLD lots (Lots “A” and “B”) will contain landscaping and block walls along Crenshaw Street adjacent to Lots 1, 19, and 20. The third LLD lot, Lot “C”, is located along the north end of the project site, south of Mill Creek, abutting West Crowley Ave., see Exhibit “A”.

**BACKGROUND INFORMATION**

General Plan Land Use Designation:	Residential Low Density
Future City Zoning:	R-1-5 (Single-family Residential, 5,000 square foot minimum lot size)
Surrounding Zoning and Land Use:	North: R-1-20 / Mill Creek / Single-Family Homes South: R-1-5 / Residences – Crenshaw Woods Sub. East: R-1-5 / Residences – Oak Creek Sub. West: O-PA / Courtyards Office Park
Environmental Review:	Initial Study / Negative Declaration No. 2022-60
Special Districts:	None
Site Plan Review:	SPR No. 2022-005

**RELATED PLANS & POLICIES**

Please see attached summary of related plans and policies.

**SIMILAR PROJECTS**

None.

## PROJECT EVALUATION

Staff supports the annexation based on the project's consistency with the Land Use Element of the General Plan. Specifically, the annexation will facilitate a residential subdivision development on a 6.77-acre site in a manner that is consistent with residential neighborhoods in the area. Furthermore, staff recommends approval of Crenshaw Tentative Subdivision Map No. 5595 based on the project's consistency with the Land Use Element of the General Plan, and the Zoning and Subdivision Ordinances for approval of the tentative subdivision map. The following potential issue areas have been analyzed for the proposed project.

### **General Plan Consistency**

The proposed 34-lot single-family residential subdivision on 6.77-acres is compatible with existing residential development adjacent to the area. The project is consistent with Land Use Policy LU-P-20 of the 2014 General Plan, which states that the city should "Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the "Tier I) Urban Development Boundary (UDB) at any time". The proposed site is a county island within the city and located on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue. Existing utility infrastructure (i.e., sewer, storm and water) can be provided to accommodate the project at buildout. Further, the site is in the Urban Development Boundary (UDB) Tier I, which allows for immediate development upon successful annexation.

Furthermore, the project is consistent with Policy LU-P-55. The policy allows for residential development consistent with the Low Density Residential designation at a density range between two to ten dwelling units per gross acre. The proposed development will be developed at a residential density of 5.02 units per acre consistent with the Low Density Residential General Plan land use designation as well as the R-1-5 zoning district. The policy states: "*this designation is intended to provide for single-family subdivisions.*" Compatibility with the surrounding area is required by the General Plan in the decision to approve the proposed subdivision. The proposed subdivision meets all codified standards contained in the Zoning and Subdivision Ordinances, as well as all General Plan policies pertaining to residential development. Staff finds that the proposed tentative subdivision map is compatible with the surrounding area and the Low Density Residential land use designation.

### **Annexation No. 2022-06**

The project proponents have also filed an application to initiate the annexation of the 6.77-acre parcel (i.e., Annexation No. 2022-06). This is required to annex the site into the City's land use jurisdiction. The Annexation can be supported on the basis that the proposed use is consistent with Land Use Policy LU-P-21, which allows for the annexation and development of residential land to occur within the Urban Development Boundary (Tier I) consistent with the City's Land Use Diagram. The site can be serviced with all of the requisite utility and infrastructure available to serve the site upon development. Cities can approve tentative maps prior to final approval of the annexation by the local agency formation commission but cannot approve the final subdivision map until after the land is annexed and the annexation is recorded through the Tulare County Recorder. Staff has included this requirement as Condition No. 3 of the Crenshaw Tentative Subdivision Map No. 5595.

### **Crenshaw and Local Street Improvements**

The developer of the subdivision will be required to construct major street improvements along North Crenshaw Street. Improvements along the subdivision frontage include improving the street to their ultimate 60-ft right-of-way design.

Crenshaw Street is a 60-foot wide local street. Full street improvements along Crenshaw Street include a street widening, new curb, gutter, parkway landscaping and new sidewalk along the south side of the roadway fronting the new development. The landscaping frontage along Crenshaw Street adjacent to Lots 1, 19, and 20 is required to be dedicated to a Landscape and Lighting District which will be formed with the subdivision map. The Landscape and Lighting District lots are identified as lots “A” and “B” of the Crenshaw tentative subdivision map (see Exhibit “A”). In addition, as noted in the Engineering Division’s Site Plan Review comments, all new utilities required to service the residential subdivision will be required to be undergrounded.

All local streets within the subdivision will be developed to full 60-foot widths. Each will be improved with curb, gutter, parkway landscaping, and sidewalk on both sides. It should be noted that LLD Lot “C”, located north of West Crowley Avenue (as detailed in exhibit “A”), is within the 50-ft riparian setback and will be a continuation of the pedestrian path along the south side of Mill Creek, existing to the west of the project site.

**Development Standards**

Most of the proposed lots will utilize standard single-family residential standards for lot size and setbacks. The lots will be required to meet R-1-5 zoning standard setback standards, described in further detail in VMC chapter 17.12 (see attached Related Plans and Policies). However, 13 of the 34 lots will utilize lot sizes and setbacks that will deviate from the conventional R-1-5 zoning standards. The 13 lots will be less than 5,000 square feet in area (ranging between 4,016 and 4,996 square feet) and will utilize setback standards prescribed as part of VMC Section 17.12.135.B. of the zoning code. The lots are located centrally within the proposed subdivision. VMC Section 17.12.135 allows newly created lots to deviate from the required zoning standards so long as all the lots are a minimum of 3,600 square feet in area. All lots that are a minimum of 5,000 square feet in area will have a minimum lot depth between ±89 to ±113 feet with the exception of the lots located on cul-de-sac or knuckle street bulbs. These lots will also be required to utilize standard single-family residential setback standards but are permitted to have a 20-foot setback for front-loading garages as identified in Section 17.12.080.C of the Zoning Ordinance. Lots less than 5,000 square feet in area are required to be a minimum of 46 feet in width by 70 feet in depth as prescribed by VMC Section 17.12.135.B. Reduced setbacks are also allowed along the front and rear yard setbacks as outlined on the breakdown below.

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

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

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

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

Crenshaw Tentative Subdivision Map No. 5595 proposes that only 13 of the 43 lots will measure less than 5,000 square feet (30% of total lots). As such, a Conditional Use Permit is not required for a Planned Development. Subsequently, the applicant has shown compliance with Section 17.25.135 (A)&(B). Exhibits “A” and “C” demonstrate how compliance with the municipal code section is achieved. Staff has provided the table below demonstrating findings for compliance with the small lot requirements of section VMC 17.12.135:

<b>VMC Section 17.12.135 Lot area less than 5,000 square feet.</b>	
<u>Standards</u>	<u>Analysis</u>
1. The Planning Commission finds that the development's overall density is consistent with the General Plan.	The Crenshaw Tentative Subdivision Map No. 5595 provides a density of 5.02 dwellings per gross acre and complies with the Density and Intensity standards for the Low Density Residential land use identified in the General Plan Land Use Element of 2-10 dwellings per gross acre.
2. The maximum number of lots less than 5,000 square feet that may be approved by a tentative subdivision map shall be fifty (50) percent or less of the total lots.	The Crenshaw Tentative Subdivision Map No. 5595 proposes to establish 13 of the 43 lots, or 30% of the total lot count, as those measuring less than 5,000 square feet.
3. Streets shall be constructed to public street standards.	All streets within the subdivision are public street and proposed to be built to the 60-foot local street standard.
4. Each subdivision with at least 15 lots that are less than 5,000 square feet in size shall make available to buyers at least three (3) different small lot floor plans with at least four (4) available elevation designs for each floor plan to construct on those lots.	The applicant, per Exhibit “C”, has provided three different floorplans with four elevation designs for each small lot. The exhibit also provides dimensional examples of how the proposed buildings footprint will fit on certain lots within the subdivision meeting the full requirements of Section 17.12.135.B dimensional criteria.
5. The primary frontage of the dwelling unit shall face a public street, primary entryway, circulation walkway, or open space with sidewalks that provide delineated paths of travel.	The lotting diagram shown in the Crenshaw Tentative Subdivision Map No. 5595 submittal will provide the ability for all small lot homes to front onto public streets with landscape strips and sidewalks.
6. The primary frontage of the dwelling unit shall include the primary entrance and at least one window.	Exhibit “C” demonstrates that each of the three floorplans will provide frontages with primary entrances and at least one window.
7. Required covered parking spaces shall be in garages. Carports are prohibited.	Exhibit “C” demonstrates that each of the three floorplans will provide two covered parking spaces in the form of a two-car garage.
8. The width of the garage shall not be greater than fifty (50) percent of the width of the dwelling unit.	Exhibit “C” demonstrates that each of the three floorplans will not have garages exceeding 50 percent of the dwelling width.
9. The garage shall not extend beyond the front building facade (living area.)	Exhibit “C” demonstrates that each of the three floorplans will have garages that are equal to or recessed in relation to the overall building facade.
10. All dwelling units shall include a covered front porch at least four (4) feet deep and six (6) feet wide or an uncovered front courtyard at least five (5) feet wide and five (5) feet deep that is surrounded on four sides by the	Exhibit “C” demonstrates that each of the three floorplans will provide porches that meet or exceed the minimum four feet by six feet requirement.

dwelling unit or a wall or fence between three (3) and four (4) feet high with a pedestrian gate or entryway.	
11. The building official shall not approve a building permit for a new dwelling unit on a lot with a lot area less than 5,000 square feet until the city planner, or designee, has determined that the standards identified in this section are met.	Staff have concluded that the floor plans provided demonstrate substantial compliance with the requirements of the VMC Section 17.25.135 "A" & "B". The developer shall be required to submit building plans for these lots through the City's Building Permit Review process. Through this process, staff will ensure that the residential plans comply with the zoning provisions as prescribed in Section 17.12.135.
12. The subdivision shall provide a common, usable open space area of a minimum 3,000 square feet or two hundred fifty (250) square feet per lot under 5,000 square feet, whichever is greater. The area shall be landscaped and maintained with funding from either a homeowner's association or a landscape and lighting act district.	The 13 small lots of the proposed subdivision require the applicant to provide 3,250 square feet of common open space. The proposal offers a 24,522 square open space area with connectivity to existing westerly pedestrian path along Mill Creek, identified as Lot "C", and far exceeds the section's requirement.

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

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

**Infrastructure**

**Water Service:** Staff has included Condition No. 7 that requires a valid Will Serve Letter from the California Water Service Company if, prior to development of the subdivision, the determination of water availability letter lapses.

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

**Storm Drainage:** The subdivision will have storm-water flows directed into the City's storm drain system.

**Subdivision Map Act Findings**

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

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

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed maps have been found to be consistent with the City's General Plan. This is included as recommended Finding No. 1 of the Tentative Subdivision Map. There are no specific plans applicable to the proposed maps.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the maps have been found to be consistent with the City's General Plan. This is included as recommended Finding No. 1 of the Tentative Subdivision Map. There are no specific plans applicable to the proposed maps.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed maps and its affiliated development plan, which is designated as Low Density Residential and developed at a density of 5.02 units per acre. This is included as recommended Finding No. 3 of the Tentative Subdivision Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed maps and its affiliated development plan, which is designated as Low Density Residential. This is included as recommended Finding No. 4 of the Tentative Subdivision Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvements of the maps have not been found likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project's determination of no new effects under the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 6 of the Tentative Subdivision Map.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Subdivision Map.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.	The proposed design of the maps do not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 5 of the Tentative Subdivision Map.

## **Environmental Review**

An Initial Study and Negative Declaration were prepared for the proposed project. Initial Study and Negative Declaration No. 2022-60 disclosed that environmental impacts are determined to be not significant. Staff concludes that Initial Study and Negative Declaration No. 2022-60 adequately analyzes and addresses the proposed project and reduces environmental impacts to a less than significant level.

## **RECOMMENDED FINDINGS**

### **Annexation No. 2022-06**

1. That the Annexation is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Annexation, which will re-designate a total of 7.11-acres of R-1 (Single-Family Residential) County zone district to R-1-5 (Single-family Residential) City zone district, and will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
3. That the parcel is not located within an Agricultural Preserve.
4. That the parcel will be annexed into Voting District 3 per the Council Election Voting District Map.
5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2022-60, is hereby adopted. Furthermore, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish, wildlife or their habitat.

### **Crenshaw Tentative Subdivision Map No. 5595**

1. That the proposed location and layout of the Crenshaw Tentative Subdivision Map No. 5595, its improvements and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 6.77-acre project site, which is the site of the proposed 34-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-20 of the General Plan. Policy LU-P-20 allows for the “annexation and development of residential, commercial, regional retail, and industrial land to occur within the “Tier I” Urban Development Boundary at any time, consistent with the City’s Land Use Diagram”.
2. That the proposed Crenshaw Tentative Subdivision Map No. 5595, its improvements and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative subdivision map will be compatible with adjacent land uses. The project site is bordered by existing residential development and two major streets.
3. That the site is physically suitable for the proposed tentative subdivision map. The Crenshaw Tentative Subdivision Map No. 5595 is consistent with the intent of the General Plan and Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is adjacent to land zoned for residential development, and the subdivision establishes a local street pattern that will serve the subject site and the future development of vacant parcels located to the west of the subject site.

4. That the site is physically suitable for the proposed tentative subdivision and the project's density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Crenshaw Tentative Subdivision Map No. 5595, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 6.77-acre project site, which is the site of the proposed 34-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-20.
5. That the proposed Crenshaw Tentative Subdivision Map No. 5595, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The 34-lot subdivision is designed to comply with the City's Engineering Improvement Standards. The development of the site with a 34-lot single-family residential subdivision would extend local streets, infrastructure improvements, utilities, right-of-way improvements and a residential lot pattern consistent with existing residential development found in the area. The project will include the construction of local streets within the subdivision and frontage street improvements along both South Crenshaw Street.
6. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2022-60, is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

## **RECOMMENDED CONDITIONS**

### **Annexation No. 2022-06**

1. Upon annexation, the territory shall be zoned Single-Family Residential, 5,000 square foot minimum (R-1-5) consistent with the pre-zoning designated by the General Plan Land Use Map.
2. That the applicant(s) enter into a Pre-Annexation Agreement with the City which memorializes the required fees, policies, and other conditions applicable to the annexation. The draft Pre-Annexation Agreement is attached herein as Attachment "B" of Resolution No. 2022-59. The agreement is subject to final approval by the City Council of the City of Visalia.

### **Crenshaw Tentative Subdivision Map No. 5595**

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2022-005 incorporated herein by reference.
2. That the Crenshaw Tentative Subdivision Map No. 5595 be prepared in substantial compliance with the subdivision map in Exhibit "A".
3. That approval of the Crenshaw Tentative Subdivision Map No. 5595 shall not become effective unless Annexation No. 2022-06, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2022-06.
4. That all lots that are a minimum of 5,000 square feet in area shall comply with the R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) zone district standards for the front, side, street side yard, and rear yard setbacks.



5. That all lots that are less than 5,000 square feet in area shall comply with the R-1-5 zoning district standards contained as part of Visalia Municipal Code Section 17.12.135.
6. That the block walls located within the Landscape and Lighting District lots shall transition to three-foot height within the 15-foot front yard setback areas of the adjoining residential identified as Lots 1, 19, and 20 of the Crenshaw Tentative Subdivision Map No. 5595 (Exhibit "A").
7. That if, prior to development of the subdivision, the determination of water availability letter lapses, then the applicant/developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
8. That all applicable federal, state, regional, and city policies and ordinances be met.

## APPEAL INFORMATION

### **Annexation**

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

### **Crenshaw Tentative Subdivision Map No. 5595**

According to the City of Visalia Zoning Ordinance Section 17.02.145, 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 N. Santa Fe Street Visalia California. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

### **Attachments:**

- Related Plans and Policies
- Resolution No. 2022-59 – Annexation No. 2022-06
  - Attachment "A" – Annexation Area
  - Attachment "B" – Annexation Agreement
- Resolution No. 2022-60 – Crenshaw Tentative Subdivision Map No. 5595
- Exhibit "A" – Crenshaw Tentative Subdivision Map No. 5595
- Exhibit "B" – Annexation Area
- Exhibit "C" – Small Lot Plans and Elevation Variations
- Initial Study / Negative Declaration No. 2022-60
- Site Plan Review Item No. 2022-005
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

## RELATED PLANS AND POLICIES

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

**General Plan Land Use Policies:**

- LU-P-20:** Allow annexation and development of residential, commercial, and industrial land to occur within the “Tier I” Urban Development Boundary (UDB) at any time, consistent with the City’s Land Use Diagram.
- LU-P-55:** Update the Zoning Ordinance to reflect the Low Density Residential designation on the Land Use Diagram for development at 2 to 10 dwelling units per gross acre, facilitating new planned neighborhoods and infill development in established areas. This designation is intended to provide for single-family detached housing with densities typical of single-family subdivisions. Duplex units, townhouses, and small-lot detached housing may be incorporated as part of Low Density Residential developments. Development standards will ensure that a desirable single-family neighborhood character is maintained.

## Zoning Ordinance Chapter for R-1 Zone

### Chapter 17.12

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

##### 17.12.010 Purpose and intent.

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

##### 17.12.015 Applicability.

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

##### 17.12.020 Permitted uses.

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

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

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

**17.12.030 Accessory uses.**

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

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

**17.12.040 Conditional uses.**

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

- A. Planned development subject to the provisions of Chapter 17.26;
- B. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- C. Public and private charitable institutions, general hospitals, sanitariums, nursing and convalescent homes; not including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- D. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations, ambulance service and other public building, structures and facilities; public playgrounds, parks and community centers;
- E. Electric distribution substations;
- F. Gas regulator stations;
- G. Public service pumping stations, i.e., community water service wells;
- H. Communications equipment buildings;
- I. Planned neighborhood commercial center subject to the provisions of Chapter 17.26;
- J. Residential development specifically designed for senior housing;
- K. Mobile home parks in conformance with Section 17.32.040;
- L. [Reserved.] M. Residential developments utilizing private streets in which the net lot area (lot area not including street area) meets or exceeds the site area prescribed by this article and in which the private streets are designed and constructed to meet or exceed public street standards;
- N. Adult day care in excess of twelve (12) persons;
- O. Duplexes on corner lots;
- P. Twenty-four (24) hour residential care facilities or foster homes for more than six individuals in addition to the residing family;
- Q. Residential structures and accessory buildings totaling more than ten thousand (10,000) square feet;
- R. Other uses similar in nature and intensity as determined by the city planner.
- S. Transitional or supportive housing for seven (7) or more resident/clients.

**17.12.050 Site area.**

The minimum site area shall be as follows:

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

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

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

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

**17.12.060 One dwelling unit per site.**

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

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

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

- A. A site plan review permit as provided in Chapter 17.28 is required for all expansions or replacements.
- B. Replacement/expansion of unit(s) shall be designed and constructed in an architectural style compatible with the existing single-family units in the neighborhood. Review of elevations for replacement/expansion shall occur through the site plan review process. Appeals to architectural requirements of the site plan review committee shall be subject to the appeals process set forth in Chapter 17.28.050.
- C. Setbacks and related development standards shall be consistent with existing single-family units in the neighborhood.
- D. Parking requirements set forth in Section 17.34.020 and landscaping requirements shall meet current city standards and shall apply to the entire site(s), not just the replacement unit(s) or expanded area, which may result in the reduction of the number of units on the site.
- E. The number of multiple family units on the site shall not be increased.
- F. All rights established under Sections 17.12.020 and 17.12.070 shall be null and void one hundred eighty (180) days after the date that the unit(s) are destroyed (or rendered uninhabitable), unless a building permit has been obtained and diligent pursuit of construction has commenced. The approval of a site plan review permit does not constitute compliance with this requirement.

**17.12.080 Front yard.**

A. The minimum front yard shall be as follows:

<b>Zone</b>	<b>Minimum Front Yard</b>
R-1-5	Fifteen (15) feet for living space and side-loading garages and twenty-two (22) feet for front-loading garages or other parking facilities, such as, but not limited to, carports, shade canopies, or porte cochere. A Porte Cochere with less than twenty-two (22) feet of

setback from property line shall not be counted as covered parking, and garages on such sites shall not be the subject of a garage conversion.

R-1-12.5 Thirty (30) feet

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **17.12.110 Height of structures.**

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

### **17.12.120 Off-street parking.**

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

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

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

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

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

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

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

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

3. The minimum front building setback area shall be twelve (12) feet for livable space and twenty (20) feet for garages.
  4. The minimum rear yard building setback area shall be fifteen (15) feet.
  5. The minimum interior side yard building setback area shall be five (5) feet.
  6. The minimum corner side yard building setback area shall be ten (10) feet.
  7. The maximum building height shall be thirty-five (35) feet.
  8. Lots shall provide for a usable open space area of a minimum three hundred (300) square feet. The open space shall be a minimum fifteen (15) feet wide.
- C. Lots less having a lot area of 3,600 square feet, or lots that do not meet the standards in this section may be approved through the planned development permit process per Chapter 17.26. (Ord. 2017-01 (part), 2017)



RESOLUTION NO. 2022-59

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF VISALIA RECOMMENDING APPROVAL OF ANNEXATION NO. 2022-06 AND DETACHMENT OF PROPERTY FROM COUNTY SERVICE AREA NO. 1, PERTAINING TO TWO PARCELS TOTALING 7.11 ACRES INTO THE CITY LIMITS OF VISALIA. UPON ANNEXATION, THE SITE SHALL BE ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL 5,000 SQUARE FOOT MINIMUM) WHICH IS CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION FOR THE PROJECT SITE. THE PROJECT IS LOCATED AT 125 NORTH CRENSHAW STREET, ON THE WEST SIDE OF CRENSHAW STREET BETWEEN WEST MINERAL KING AVENUE AND WEST OAK AVENUE. (APN: 085-130-002).

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

**WHEREAS**, the Planning Commission of the City of Visalia, after a duly published notice, did hold a public hearing on April 10, 2023, and

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

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

**WHEREAS**, the territory proposed to be annexed has a single home on each parcel; and

**WHEREAS**, the territory proposed to be annexed is located in Voting District 3 as identified in the Election District Map adopted by the City Council on February 22, 2022 per Resolution No. 2022-11; and

**WHEREAS**, the Planning Commission reviewed this proposal on April 10, 2023, and found it to be consistent with the General Plan; and

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

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

1. That the Annexation is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Annexation, which will re-designate a total of 7.11-acres of R-1 (Single-Family Residential) County zone district to R-1-5 (Single-family Residential) City zone district, and will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
3. That the parcel is not located within an Agricultural Preserve.
4. That the parcel will be annexed into Voting District 3 per the Council Election Voting District Map.
5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2022-60, is hereby adopted. Furthermore, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish, wildlife or their habitat.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Mitigated Negative Declaration No. 2022-60 for Annexation No. 2022-06 and Crenshaw Tentative Subdivision Map No. 5595 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. Upon annexation, the territory shall be zoned Single-Family Residential, 5,000 square foot minimum (R-1-5) consistent with the pre-zoning designated by the General Plan Land Use Map.
2. That the applicant(s) enter into a Pre-Annexation Agreement with the City which memorializes the required fees, policies, and other conditions applicable to the annexation. The draft Pre-Annexation Agreement is attached herein as Attachment "B" of Resolution No. 2022-59. The agreement is subject to final approval by the City Council of the City of Visalia.

**Exhibit A**  
**Geographic Description**  
**City of Visalia**  
**Annexation 2022-\_\_\_\_**  
**Annexation to the City of Visalia and Detachment from CSA #1**

Lot 53 of Fulgham Highway Acres Tract No. 2, recorded in Book 17 of Maps at Page 30 of Official Records and located in the Southwest quarter of the Southwest quarter of Section 26, Township 18 South, Range 24 East, Mount Diablo Meridian, in the County of Tulare, State of California, described as follows:

**Beginning** at the Southeast corner of said Lot 53, being on the West right of way line of Crenshaw Street and an angle point in the existing City of Visalia City Limit Line; thence, along said line the following courses:

**Course 1:** thence, North 89°24'18" West, along the North line of Crenshaw Woods Unit No. 1 recorded in Book 32 of Maps at Page 97 of Official Records, and the existing City of Visalia City Limit Line 49.20 feet;

**Course 2:** thence, continuing along said North line and existing City of Visalia City Limit Line, North 80°33'20" West, 233.71 feet;

**Course 3:** thence, continuing along the North line of said Crenshaw Woods Unit No. 1 and the North line of Crenshaw Woods Unit No. 2 recorded in Book 33 of Maps at Page 12 of Official Records, and the existing City of Visalia City Limit Line, North 49°24'25" West, 168.31;

**Course 4:** thence, continuing along the North line of said Crenshaw Woods Unit No. 2 and the existing City of Visalia City Limit Line, South 64°30'46" West, 82.00 feet;

**Course 5:** thence, continuing along the North line of said Crenshaw Woods Unit No. 2 and the existing City of Visalia City Limit Line, South 80°42'43" West, 79.90 feet;

**Course 6:** thence, continuing along the North line of said Crenshaw Woods Unit No. 2 and the existing City of Visalia City Limit Line, South 74°21'44" West, 82.83 feet to the Southwest corner of Lot 53 of said Fulgham Highway Acres Tract No. 2;

**Course 7:** thence, North 00°34'48" West, along the East line of said Lot 53 and the existing City of Visalia City Limit Line, 518.86 feet to the Northwest corner of said Lot 53;

**Course 8:** thence, South 77°17'57" East, along the North line of said Lot 53 and the existing City of Visalia City Limit Line 321.70 feet;

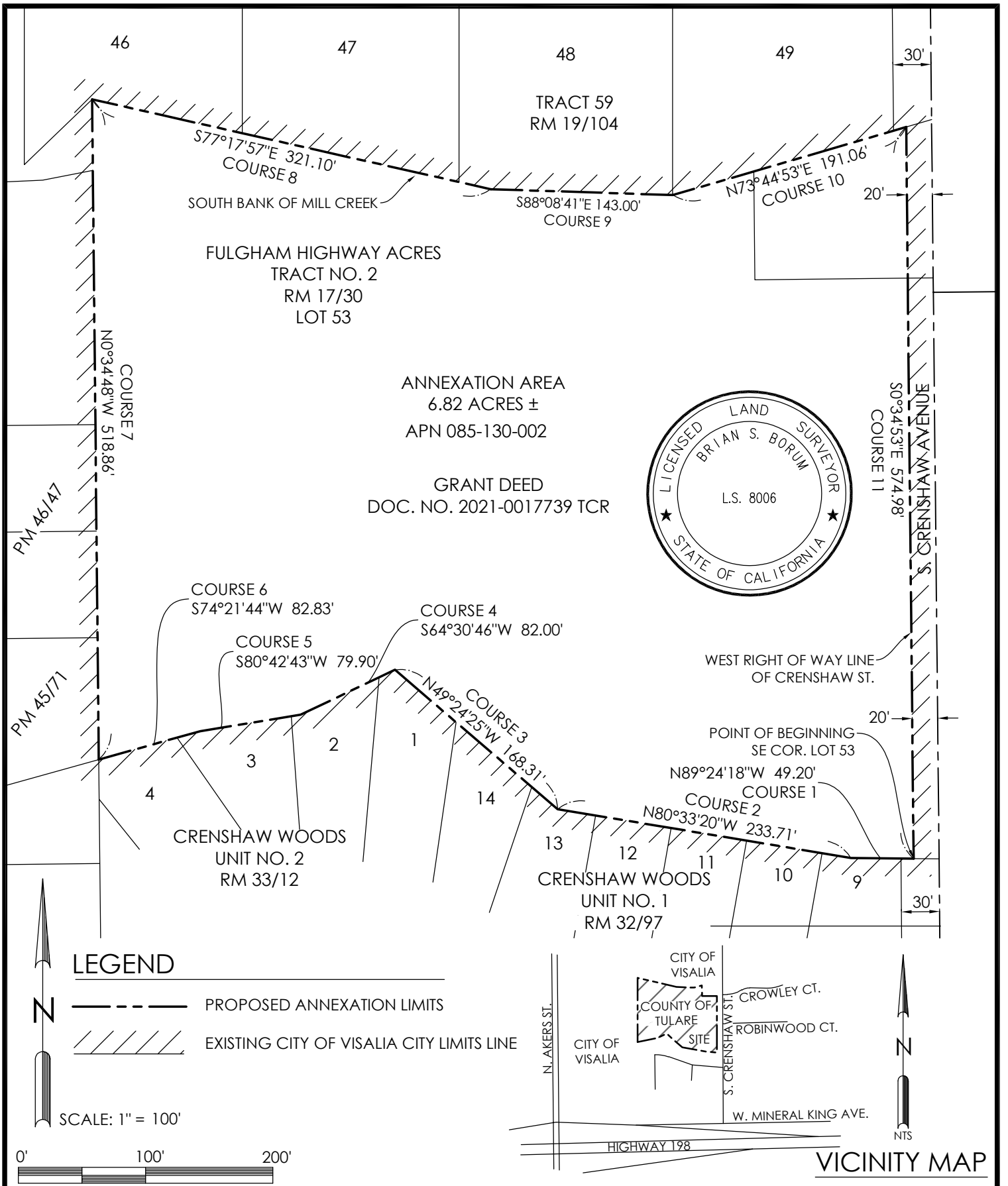
**Course 9:** thence, South 88°08'41" East, along the North line of said Lot 53 and the existing City of Visalia City Limit Line 143.00 feet;

**Course 9:** thence, North 73°44'53" East, along the North line of said Lot 53 and the existing City of Visalia City Limit Line 191.06 feet to the West right of way line of said Crenshaw Street;

**Course 10:** thence, South 00°34'53" East, along the West line of said Crenshaw Street and existing City of Visalia City Limit Line, 574.98 feet more or less to the **Point of Beginning**.

Containing 6.82 acres more or less





DATE:	10/13/2022
DRAWN:	
CHECKED:	
PROJECT:	

**EXHIBIT B**  
**CITY OF VISALIA**  
**ANNEXATION NO. 2022-\_\_\_**  
**ANNEXATION TO THE CITY VISALIA**  
**AND DETACHMENT FROM CSA #1**

EXHIBIT B

**Pre-Annexation Agreement**

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

**RECITALS**

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

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

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

**WHEREAS**, the Properties consist of approximately 7.11 acres, and no electors reside thereon; and

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

**WHEREAS**, the City has, by a resolution requesting initiation of proceedings to annex territory ("Resolution") adopted on May [REDACTED], 2023, initiated proceedings to annex the Property; and

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

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

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

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

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

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

### **I. AGREEMENT**

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

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

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

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

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

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



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

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

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

### **III. TERM**

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

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

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

### **V. INDEMNIFICATION**

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

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

**VI. MISCELLANEOUS**

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

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

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

To Owner:                     Santokh Toor  
  27725 Rd. 92  
  Visalia, CA 93277

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

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

Owner hereby renounce the existence of any form of joint venture or partnership between them, and agree that nothing contained herein or in any document executed in connection therewith shall be construed as making City and Owner joint venturers or partners.

- o. Excusable Delays; Extension of Time of Performance. In the event of delays due to strikes, inability to obtain materials, civil commotion, fire, war, terrorism, lockouts, third-party litigation or other legal challenges regarding the annexation, riots, floods, earthquakes, epidemic, quarantine, freight embargoes, failure of contractors to perform, or other circumstances beyond the reasonable control of the parties and which cause substantially interferes with the ability of either party to perform its obligations under this Agreement, then the time for performance of any such obligation shall be extended for such period of time as the cause of such delay shall exist but in any event not longer than for such period of time.
- p. Further Assurances. The parties will execute and deliver, upon demand by the other party, such further documents, instruments and conveyances, and shall take such further actions as such other party may request from time to time to document the transactions set forth herein.
- q. Recordation of Agreement; Counterparts. This Agreement, or an abstract of its material terms and conditions shall be recorded by either party in the Official Records of the Tulare County Recorder. This Agreement may be executed in counterparts and, when all counterparts are combined, shall constitute a single agreement.

/////

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

**CITY**

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

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

Attest:

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

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

Approved as to Form:

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

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

**OWNER**

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

By: \_\_\_\_\_  
Santokh Toor  
Property Owner

RESOLUTION NO. 2022-60

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CRENSHAW TENTATIVE SUBDIVISION MAP NO. 5595, A REQUEST BY AW ENGINEERING TO SUBDIVIDE A 6.77-ACRE PARCEL INTO A 34-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION WITH THREE OUT LOTS FOR BLOCK WALL AND LANDSCAPING PURPOSES. THE 6.77 ACRES IS PROPOSED TO BE ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQUARE FOOT MINIMUM LOT SIZE) UPON ANNEXATION INTO THE CITY OF VISALIA. THE PROJECT IS LOCATED AT 125 NORTH CRENSHAW STREET, ON THE WEST SIDE OF CRENSHAW STREET BETWEEN WEST MINERAL KING AVENUE AND WEST OAK AVENUE. (APN: 085-130-002)

**WHEREAS**, Crenshaw Tentative Subdivision Map No. 5595 is a request to subdivide 6.77 acres into a 34-lot single-family residential subdivision. The project is pre-zoned R-1-5 (Single Family Residential, 5,000 square foot minimum site area); and is located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue. (APN: 085-130-002); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on April 10, 2023; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Crenshaw Tentative Subdivision Map No. 5595 in accordance with Chapter 16.16 of the Subdivision Ordinance of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing; and

**WHEREAS**, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project with the incorporation of mitigation measures.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Mitigated Negative Declaration No. 2022-60 for Annexation No. 2022-06 and Crenshaw Tentative Subdivision Map No. 5595 that 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 approves the proposed tentative subdivision map based on the following specific findings and based on the evidence presented:

1. That the proposed location and layout of the Crenshaw Tentative Subdivision Map No. 5595, its improvements and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 6.77-acre project site, which is the site of the proposed 34-lot single-family residential subdivision, is consistent with Land Use

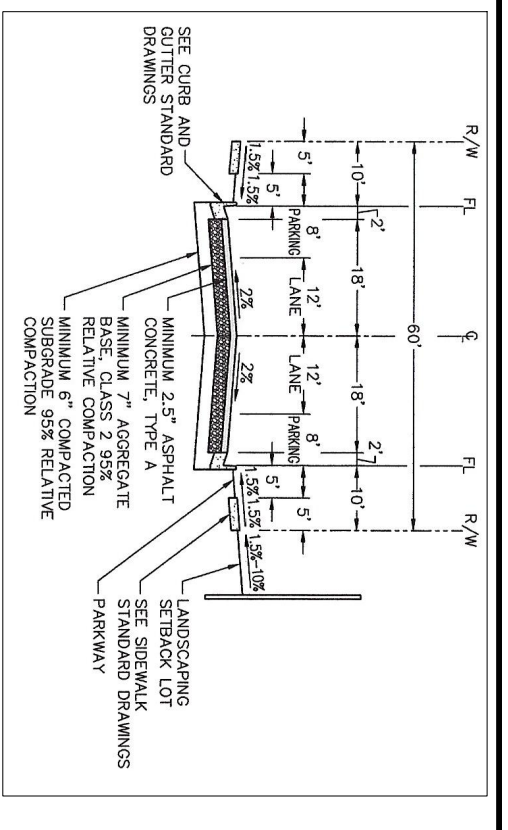
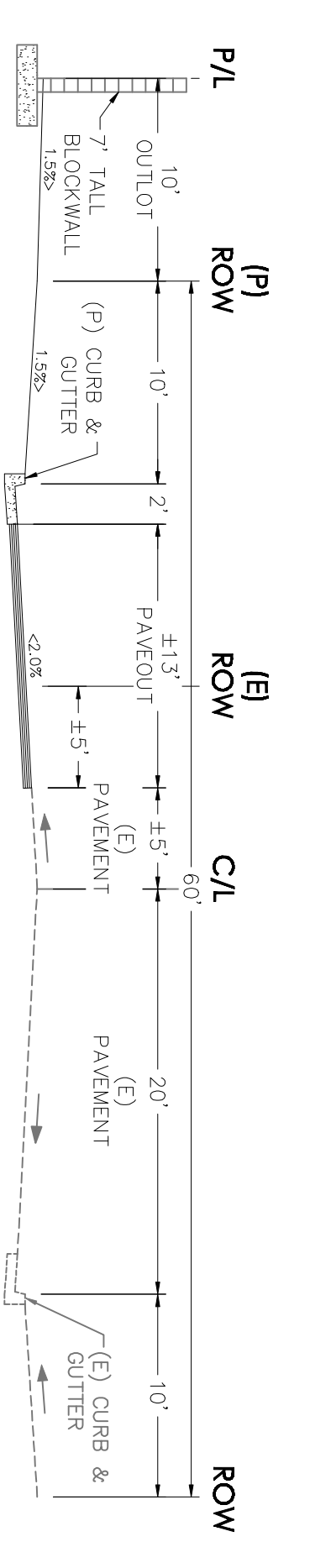
Policy LU-P-20 of the General Plan. Policy LU-P-20 allows for the “annexation and development of residential, commercial, regional retail, and industrial land to occur within the “Tier I” Urban Development Boundary at any time, consistent with the City’s Land Use Diagram”.

2. That the proposed Crenshaw Tentative Subdivision Map No. 5595, its improvements and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative subdivision map will be compatible with adjacent land uses. The project site is bordered by existing residential development and two major streets.
3. That the site is physically suitable for the proposed tentative subdivision map. The Crenshaw Tentative Subdivision Map No. 5595 is consistent with the intent of the General Plan and Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is adjacent to land zoned for residential development, and the subdivision establishes a local street pattern that will serve the subject site and the future development of vacant parcels located to the west of the subject site.
4. That the site is physically suitable for the proposed tentative subdivision and the project’s density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Crenshaw Tentative Subdivision Map No. 5595, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 6.77-acre project site, which is the site of the proposed 34-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-20.
5. That the proposed Crenshaw Tentative Subdivision Map No. 5595, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The 34-lot subdivision is designed to comply with the City’s Engineering Improvement Standards. The development of the site with a 34-lot single-family residential subdivision would extend local streets, infrastructure improvements, utilities, right-of-way improvements and a residential lot pattern consistent with existing residential development found in the area. The project will include the construction of local streets within the subdivision and frontage street improvements along both South Crenshaw Street.
6. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2022-60, is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

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

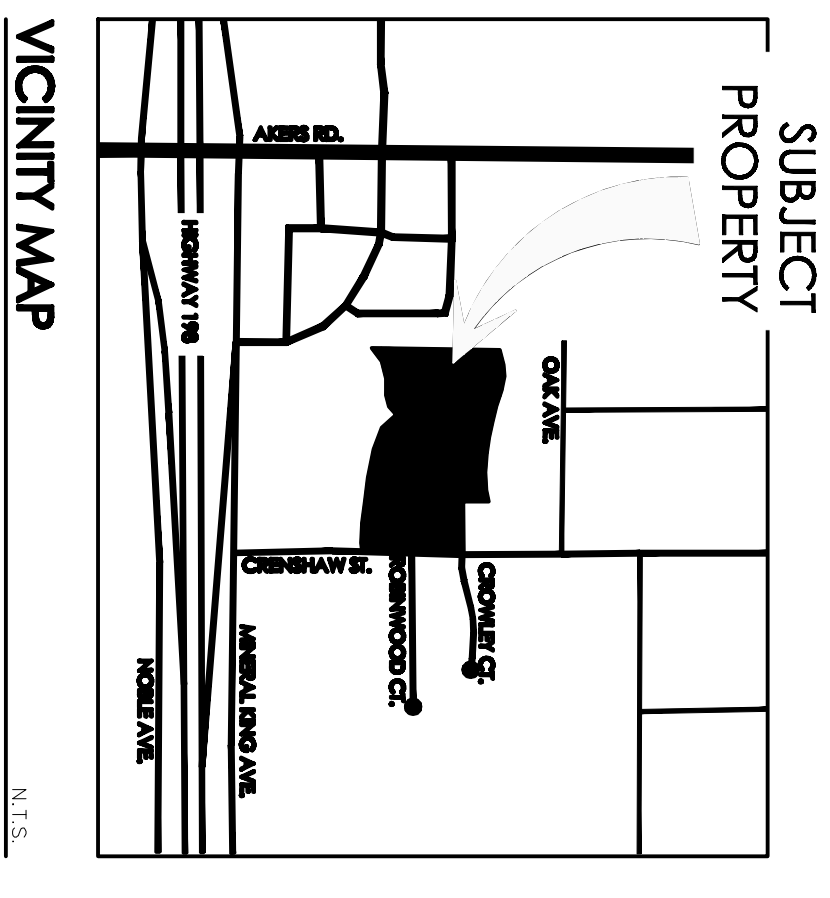
1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2022-005 incorporated herein by reference.
2. That the Crenshaw Tentative Subdivision Map No. 5595 be prepared in substantial compliance with the subdivision map in Exhibit "A".
3. That approval of the Crenshaw Tentative Subdivision Map No. 5595 shall not become effective unless Annexation No. 2022-06, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2022-06.
4. That all lots that are a minimum of 5,000 square feet in area shall comply with the R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) zone district standards for the front, side, street side yard, and rear yard setbacks.
5. That all lots that are less than 5,000 square feet in area shall comply with the R-1-5 zoning district standards contained as part of Visalia Municipal Code Section 17.12.135.
6. That the block walls located within the Landscape and Lighting District lots shall transition to three-foot height within the 15-foot front yard setback areas of the adjoining residential identified as Lots 1, 19, and 20 of the Crenshaw Tentative Subdivision Map No. 5595 (Exhibit "A").
7. That if, prior to development of the subdivision, the determination of water availability letter lapses, then the applicant/developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
8. That all applicable federal, state, regional, and city policies and ordinances be met.



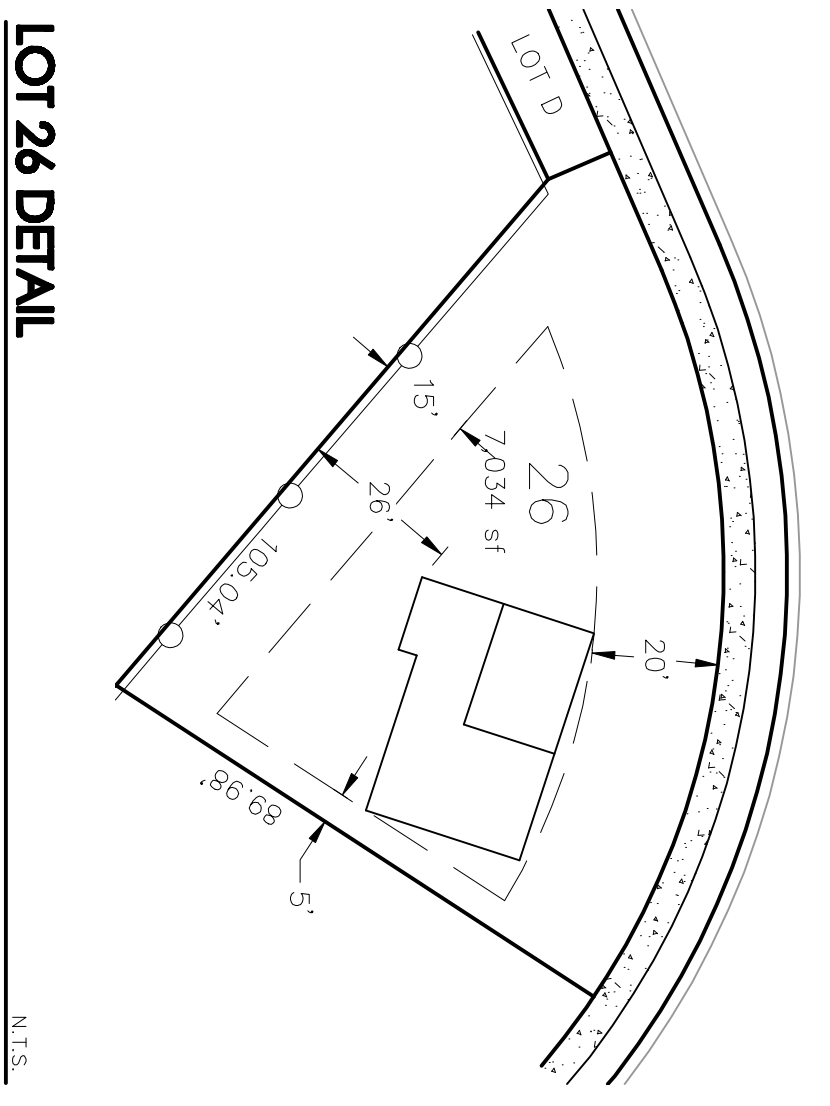


CRENSHAW X-SECTION  
N.T.S.

LOCAL STREETS  
N.T.S.



VICINITY MAP  
N.T.S.



LOT 26 DETAIL  
N.T.S.

**CRENSHAW SUBDIVISION**  
TENTATIVE SUBDIVISION MAP

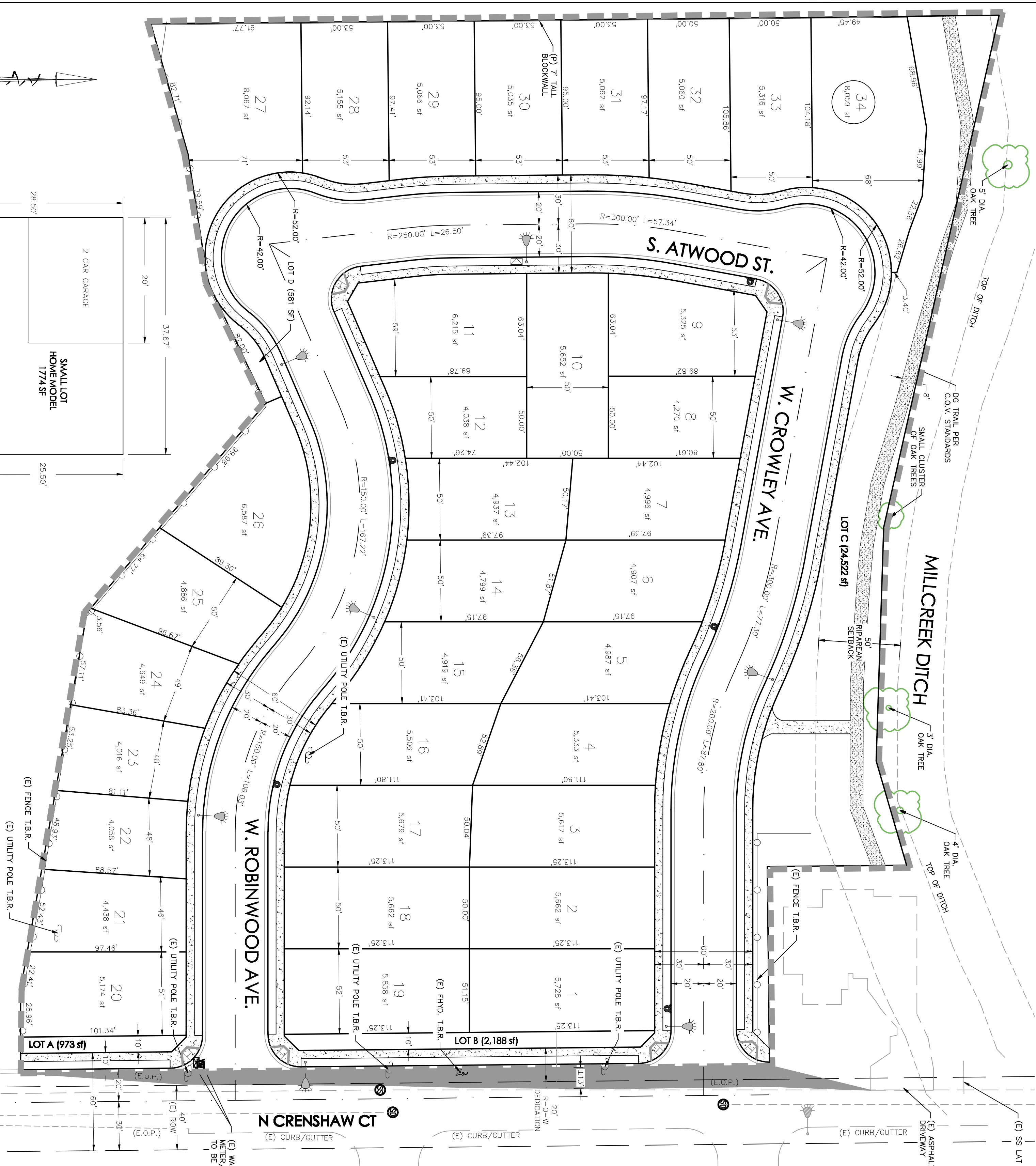
**OWNER/DEVELOPER**  
BITTA TOOR  
27725 RD. 92  
VISALIA, CA. 93277  
EMAIL: 80328@msd.com

**PROJECT INFO**  
A/P.N.: 066-120-022  
AGE: 6.77 ACRES  
FLOOR ZONE: AE  
ZONING: R-1-5

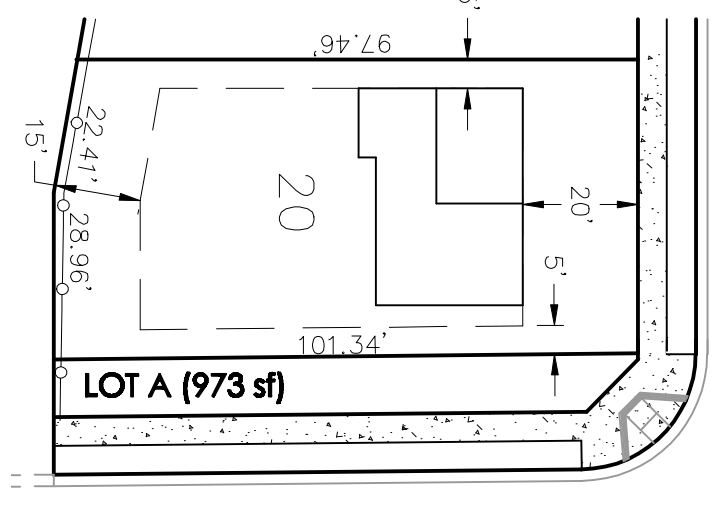
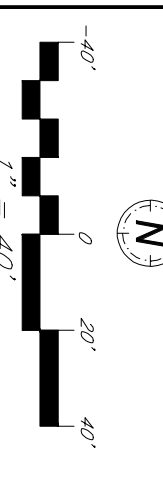
**PREPARED BY:**  
A.M. ENGINEERING & ARCHITECTURE  
VISALIA, CA. 93277  
PHONE: 559-715-6139

**OUTLOTS**  
OUTLOTS A, B, C & D TO BE DEDICATED TO CITY OF VISALIA

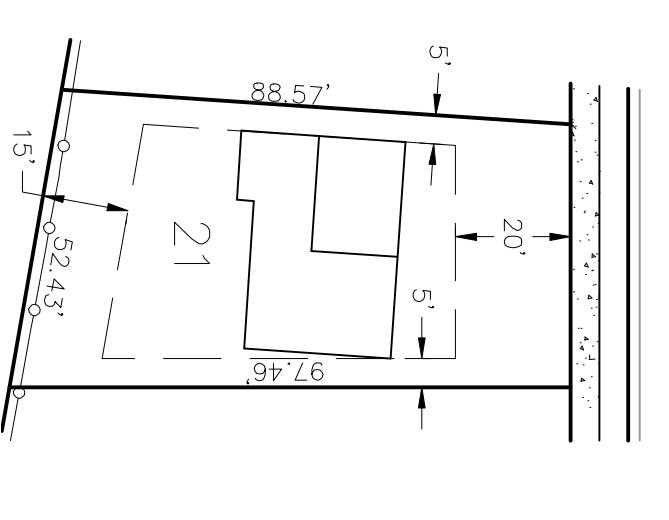
**GENERAL PLAN:** LOW DENSITY RESIDENTIAL  
**SC:** SCE  
**ELECTRIC:** CAL WATER  
**WATER:** AT&T  
**TELEPHONE:** CITY OF VISALIA  
**GAS:** SCS  
**EXISTING USE:** VACANT  
**PROPOSED USE:** SINGLE FAMILY RES.  
**TOTAL LOTS:** 34  
**DENSITY:** 5.02 UNITS/AC



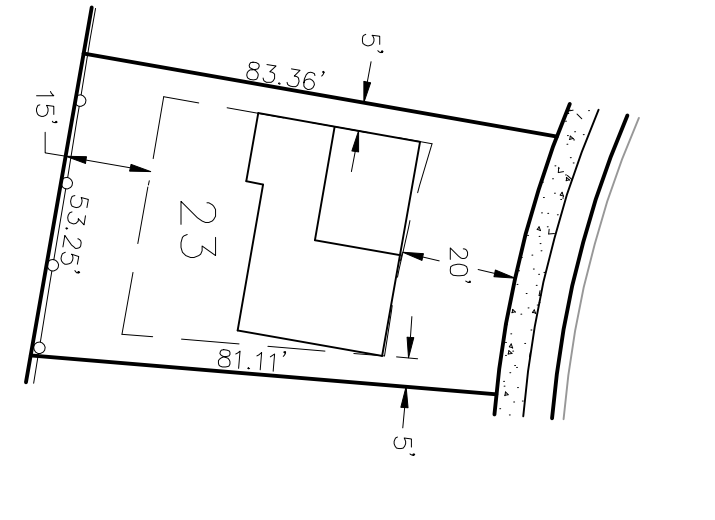
SMALL LOT HOME MODEL  
N.T.S.



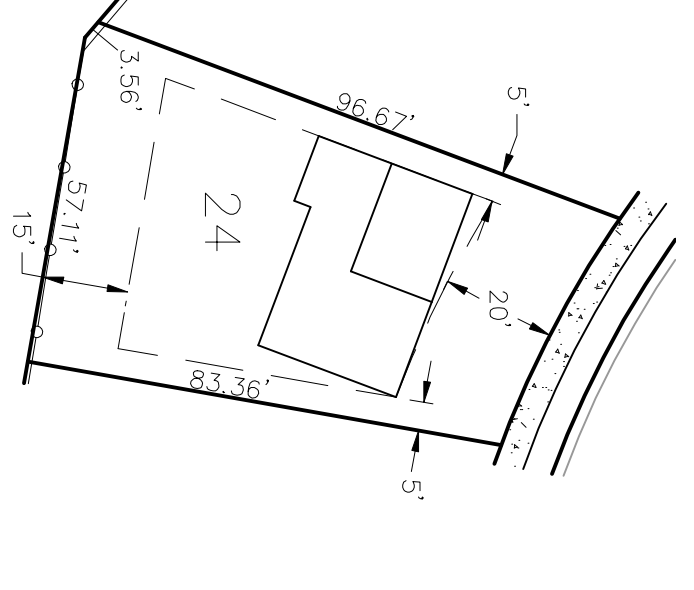
LOT 20 DETAIL  
N.T.S.



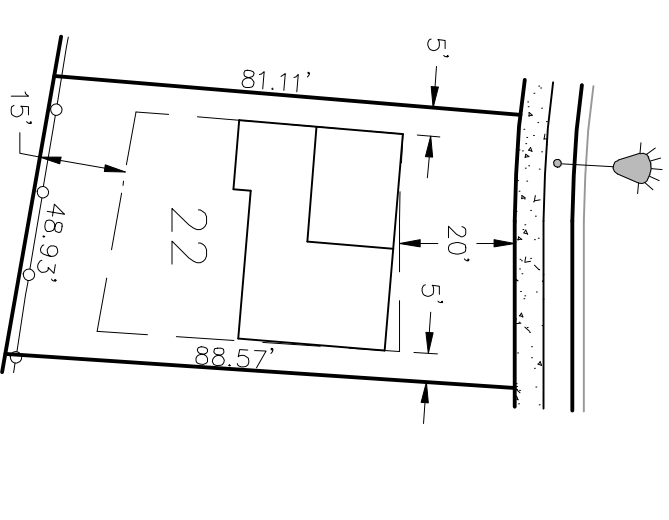
LOT 21 DETAIL  
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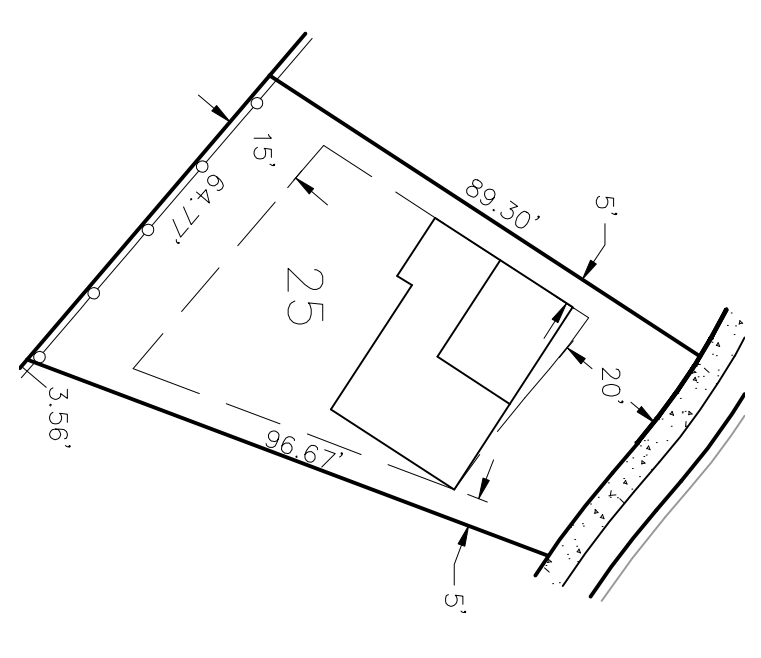
LOT 23 DETAIL  
N.T.S.



LOT 24 DETAIL  
N.T.S.



LOT 22 DETAIL  
N.T.S.



LOT 25 DETAIL  
N.T.S.

TENTATIVE SUBD.  
N.T.S.

REVISIONS		REV./BY	DATE

APPROVED \_\_\_\_\_

APPROVED \_\_\_\_\_

JESSE ALLEN WILLIAMS R.C.E. 64742

810 W. ACEQUIA AVE.  
VISALIA, CA. 93291  
PHONE: (559) 713-6139

**BITTA TOOR**  
27725 RD. 92  
VISALIA, CA. 93277

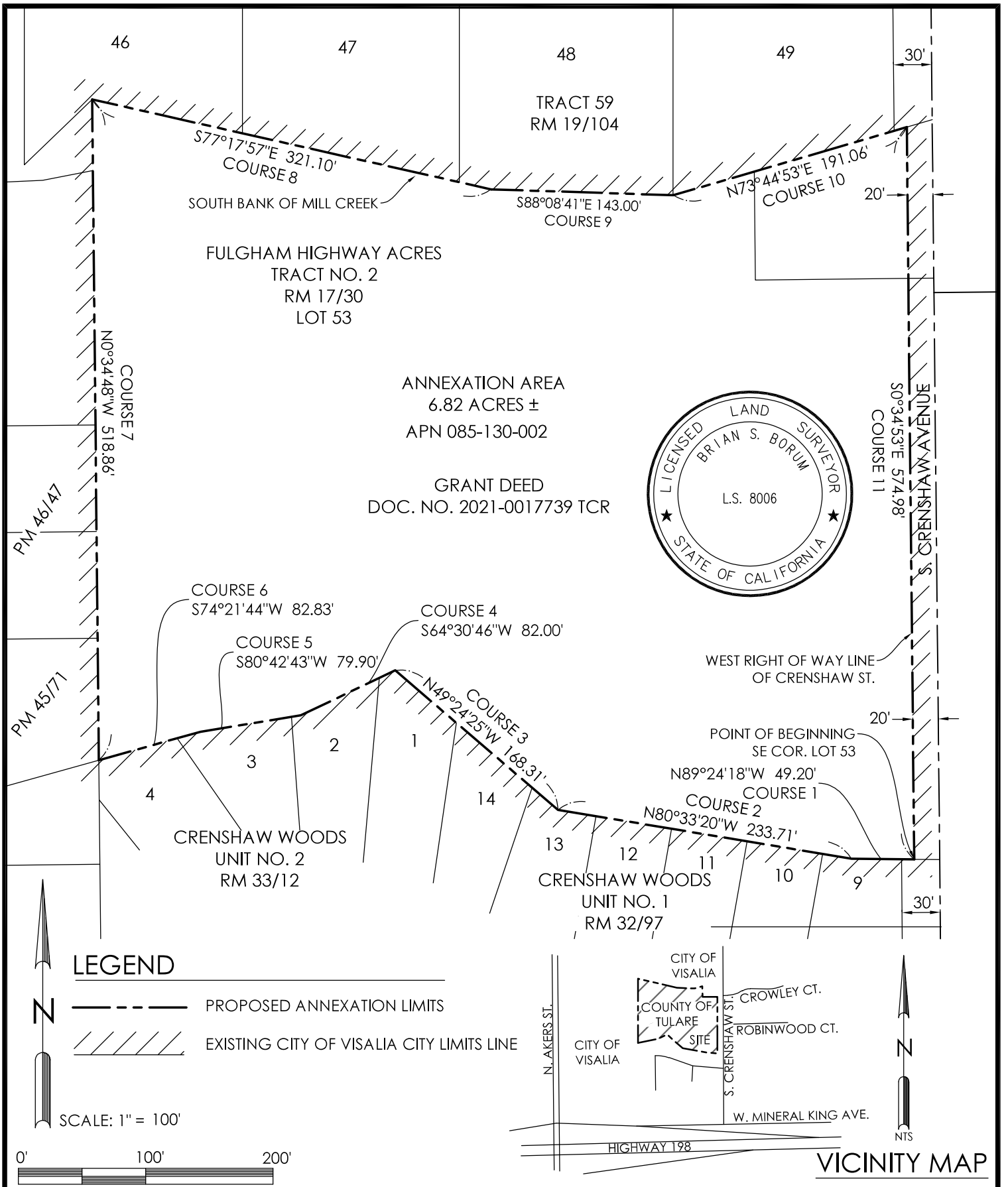
**CRENSHAW SUBD.**  
CRENSHAW ST.  
VISALIA, CA. 93277

SCALE: 1" = 40'

JOB # 21083  
DRAWN BY: RSD

FLOOD ZONE: X  
SHADED

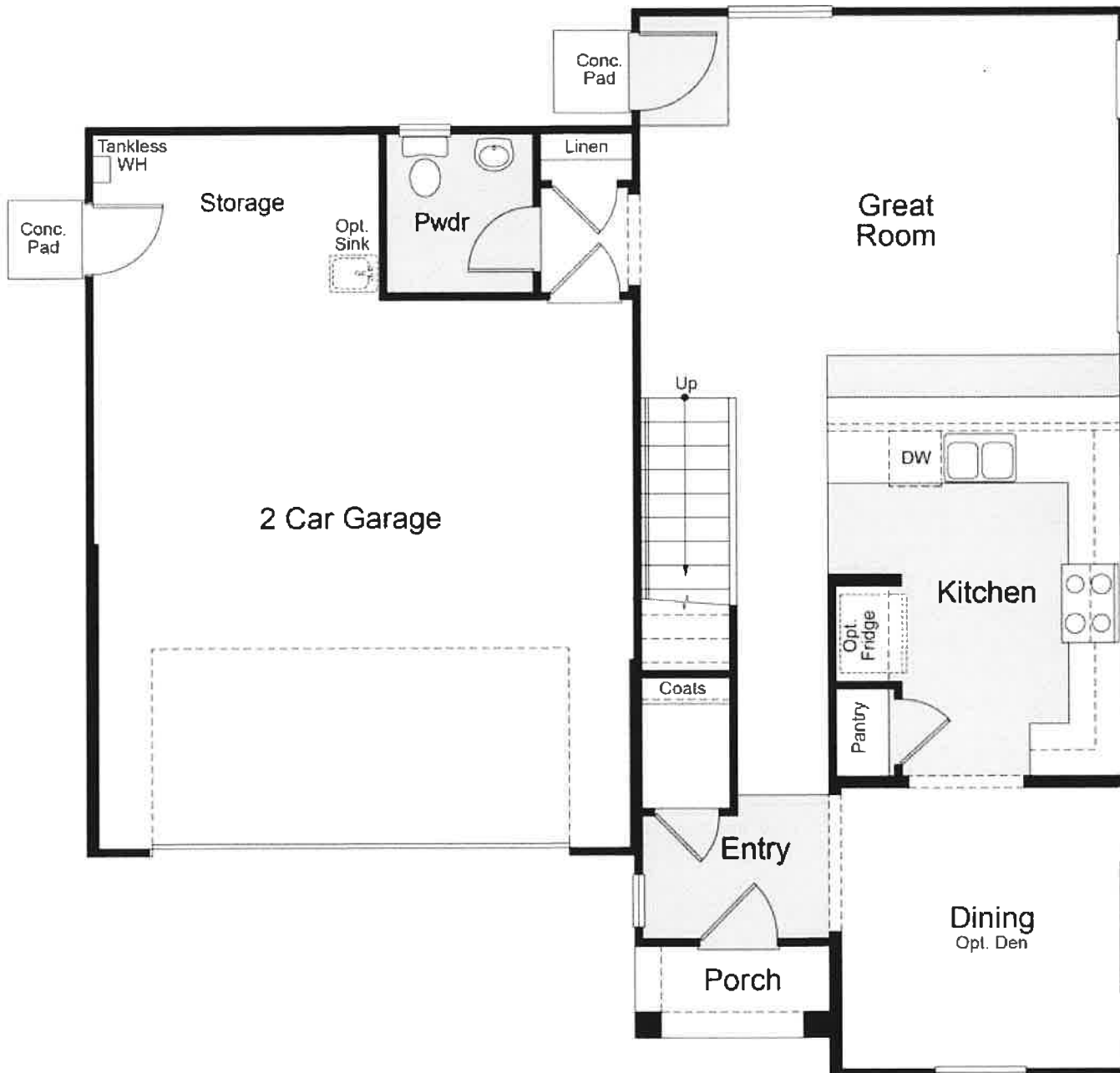
SHEET 1 OF 1



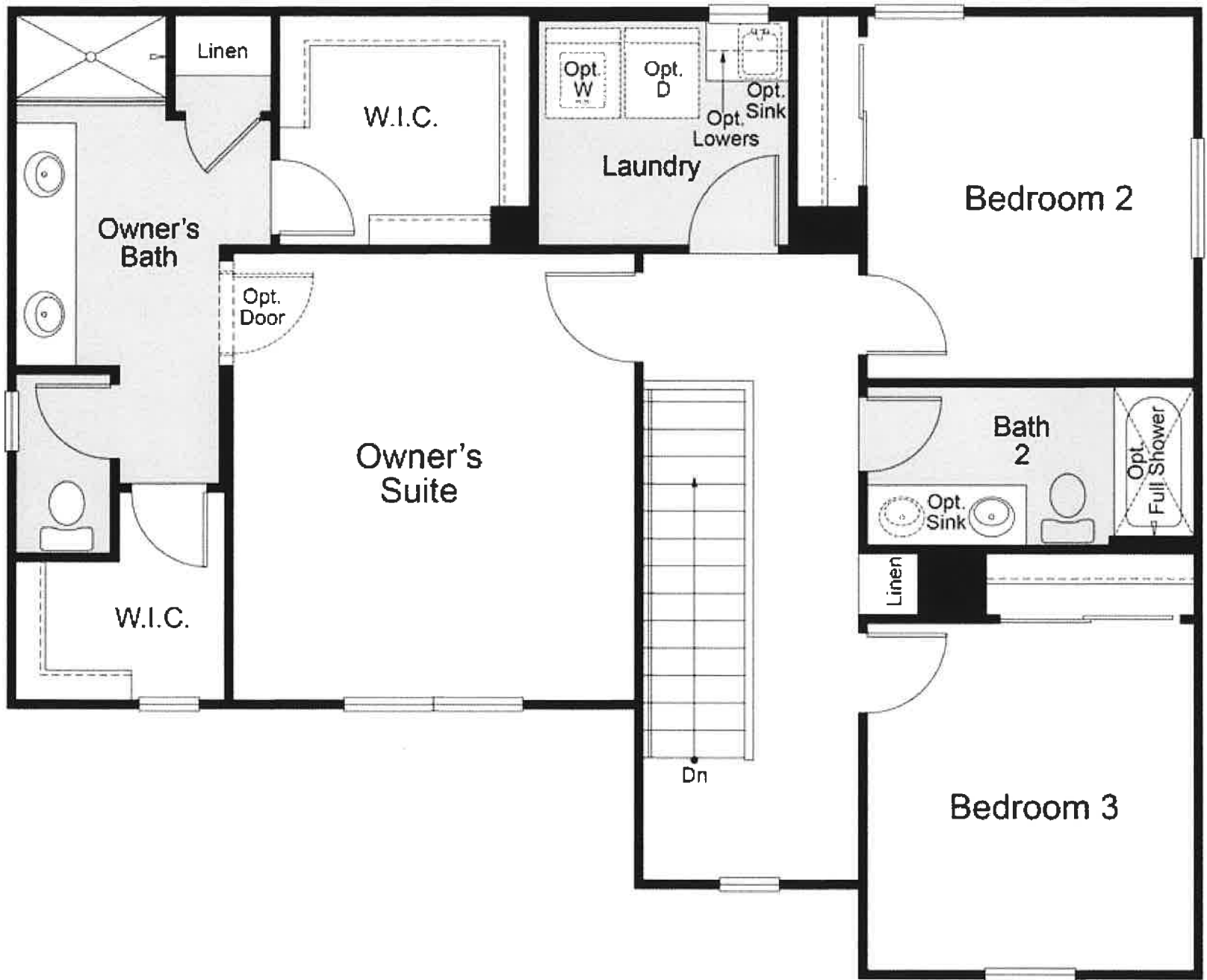
DATE:	10/13/2022
DRAWN:	
CHECKED:	
PROJECT:	

**EXHIBIT B**  
**CITY OF VISALIA**  
**ANNEXATION NO. 2022-\_\_\_**  
**ANNEXATION TO THE CITY VISALIA**  
**AND DETACHMENT FROM CSA #1**

**BLS**  
 Borum Land Surveying Inc.  
 www.borumlandsurveying.com



FIRST FLOOR



SECOND FLOOR









Ballad 1,853 sf

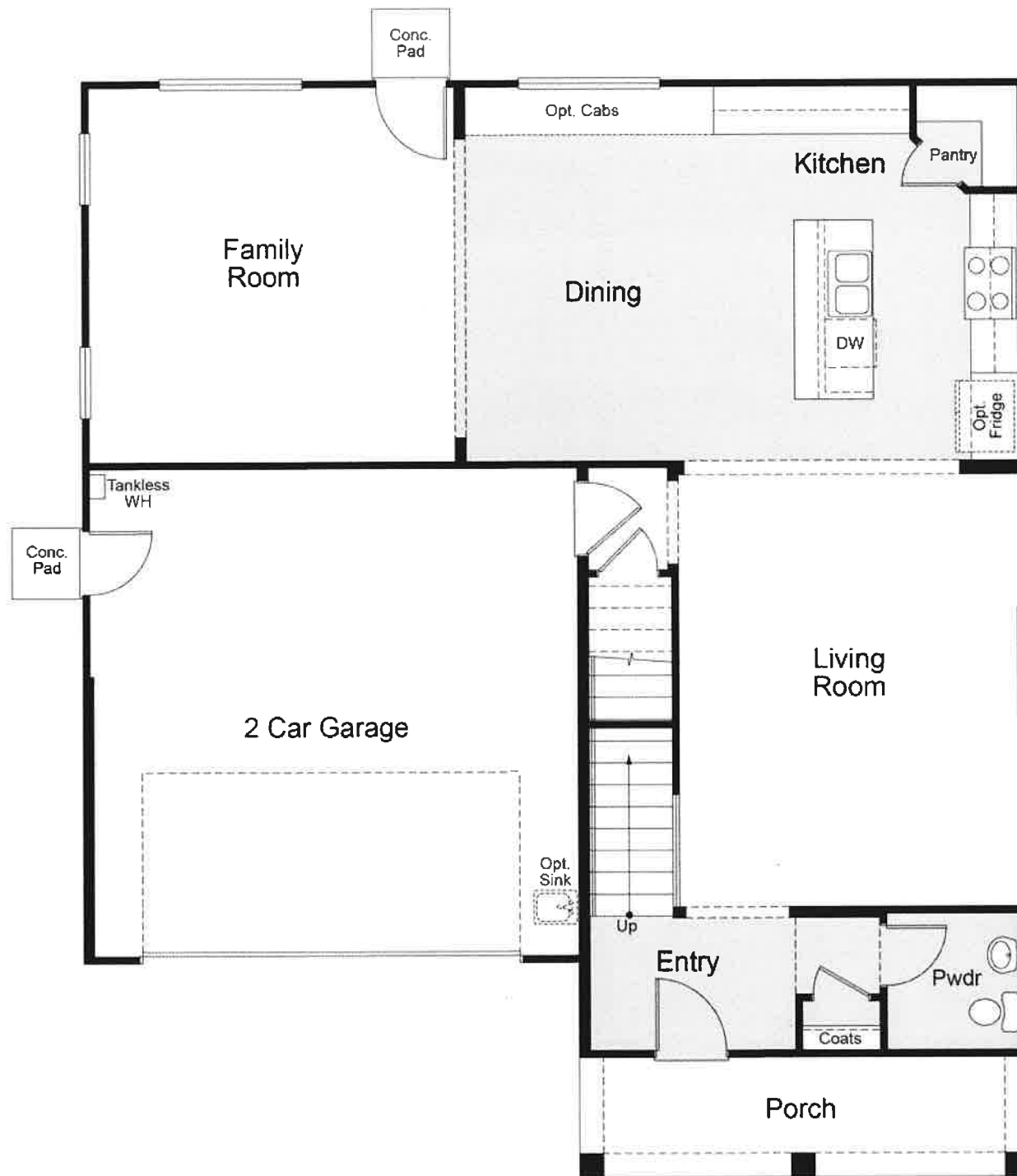












FIRST FLOOR



SECOND FLOOR



Harmony 2,154 sf







10000









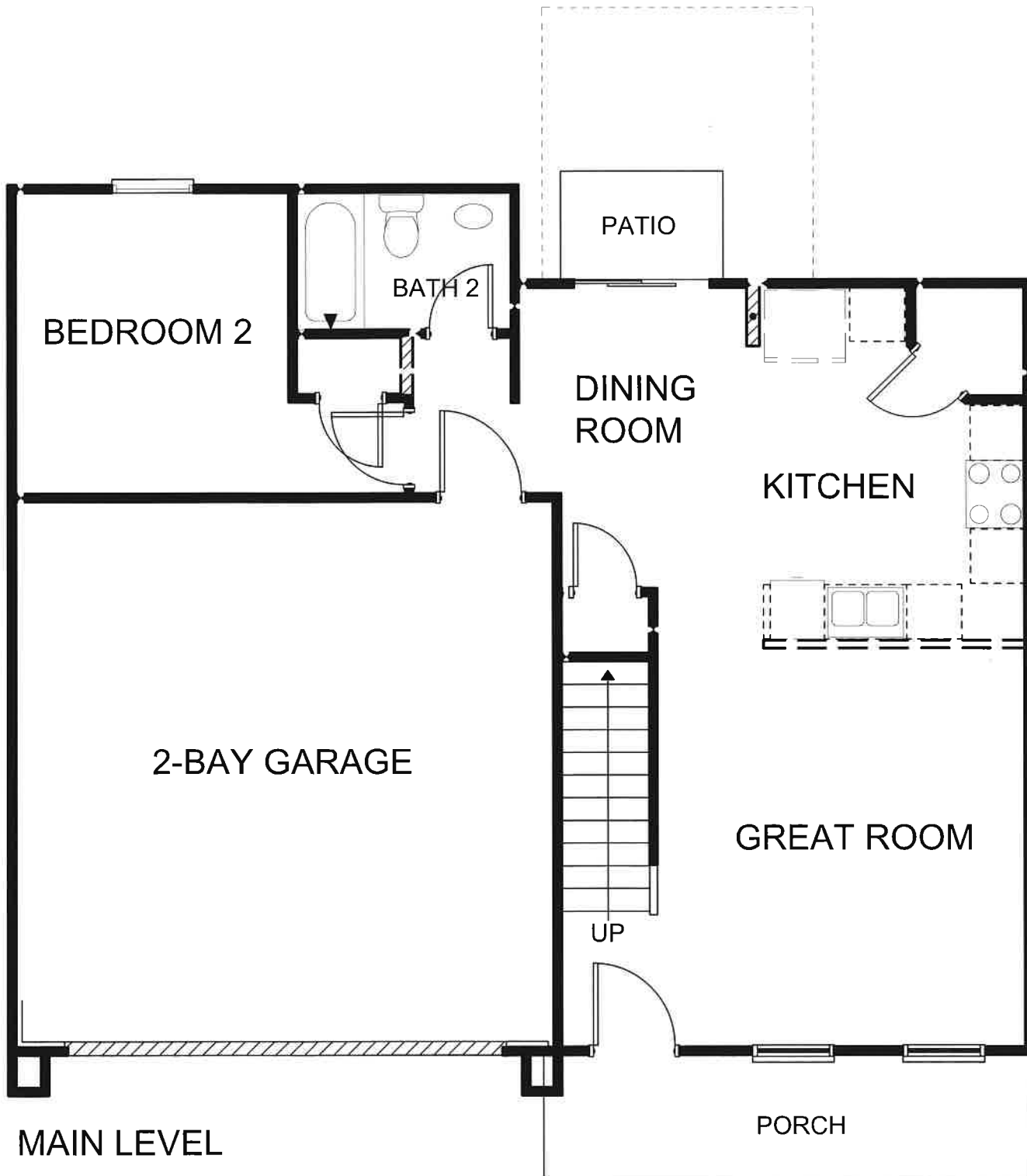




XXXX









**UPPER LEVEL**





























CITY OF VISALIA  
315 E. ACEQUIA STREET  
VISALIA, CA 93291

**NOTICE OF A PROPOSED  
NEGATIVE DECLARATION**

Project Title: Crenshaw Tentative Subdivision Map No. 5595

Project Description:

**Annexation No. 2022-06:** A request by AW Engineering to annex a 6.77-acre parcel into the City limits of Visalia. Upon annexation the area would be zoned R-1-5 (Single Family Residential, 5,000 sq. ft. minimum) and C (Conservation) which is consistent with the General Plan.

**Crenshaw Tentative Subdivision Map No. 5595:** a request by AW Engineering to subdivide a 6.77-acre parcel into a 34-lot single-family residential subdivision with three out lots for block wall and landscaping purposes.

Project Location: The project is located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue. (APN: 085-130-002).

Contact Person: Josh Dan, Associate Planner  
Email: josh.dan@visalia.city

Phone: 559-713-4003

Time and Place of Public Hearing: A public hearing will be held before the Planning Commission on April 10<sup>th</sup>, 2023, at 7:00 p.m. in the Visalia City Hall Council Chambers, located at 707 W. Acequia Avenue, Visalia, California.

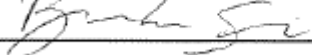
Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration: Initial Study No. 2022-60 has not identified any significant, adverse environmental impact(s) that may occur because of the project. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA, and online at:

[https://www.visalia.city/depts/community\\_development/planning/ceqa\\_environmental\\_review.asp](https://www.visalia.city/depts/community_development/planning/ceqa_environmental_review.asp).

Comments on this proposed Negative Declaration will be accepted from March 16, 2023, to April 6, 2023.

Date: 3/14/2023

Signed: 

Brandon Smith, AICP  
Environmental Coordinator  
City of Visalia

## NEGATIVE DECLARATION

**Project Title:** Crenshaw Tentative Subdivision Map No. 5595

**Project Description: Annexation No. 2022-06:** A request by AW Engineering to annex a 6.77-acre parcel into the City limits of Visalia. Upon annexation the area would be zoned R-1-5 (Single Family Residential, 5,000 sq. ft. minimum) and C (Conservation) which is consistent with the General Plan. **Crenshaw Tentative Subdivision Map No. 5595:** a request by AW Engineering to subdivide a 6.77-acre parcel into a 34-lot single-family residential subdivision with three out lots for block wall and landscaping purposes.

**Project Location:** The project is located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue. (APN: 085-130-002).

**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)

**DECLARATION OF NO SIGNIFICANT EFFECT:**

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

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

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

APPROVED  
Brandon Smith, AICP  
Environmental Coordinator

By: 

Date Approved: 03/14/2023

Review Period: 21 days

## INITIAL STUDY

### I. GENERAL

#### A. Description of the Project:

**Annexation No. 2022-06:** A request by AW Engineering to annex a 6.77-acre parcel into the City limits of Visalia. Upon annexation the area would be zoned R-1-5 (Single Family Residential, 5,000 sq. ft. minimum) and C (Conservation) which is consistent with the General Plan.

**Crenshaw Tentative Subdivision Map No. 5595:** a request by AW Engineering to subdivide a 6.77-acre parcel into a 34-lot single-family residential subdivision with two out lots for block wall and landscaping purposes.

**B. Identification of the Environmental Setting:** The site is mostly vacant with one existing residential dwelling on site and was previously farmed with row crops. There is an existing two-lane street (North Crenshaw Street) adjacent to the east and bordered by Mill Creek to the north. The Visalia Circulation Element designates Crenshaw as a local roadway.

The development of the site with the 34-lot single-family residential subdivision will create new local streets and will extend infrastructure improvements, utilities, right-of-way improvements and a residential lot pattern consistent with existing residential development found to the south and east of the surrounding area. Street frontage improvements along Crenshaw Street will be included as well. Street improvements throughout the subject site will include construction of curb, gutter, sidewalks, and the installation of park strip landscaping and streetlights.

The areas surrounding the subject property are predominately developed with single-family homes to the north, east, and south, and an office complex to the west.

The surrounding uses, Zoning district, and General Plan land use designation are as follows:

	<b>General Plan Land Use Designation</b>	<b>Zoning District</b>	<b>Surrounding uses</b>
North:	Conservation  Residential Very Low Density	R-1-20 (Single-family residential, 20,000 sq. ft. min. site area)	Mill Creek, Single-Family Residential.
South:	Residential Low Density	R-1-5 (Single-family residential, 5,000 sq. ft. min. site area)	Single-Family Residential, (Crenshaw Woods No. 2 Subdivision)
East:	Office	O-PA (Office Professional-Administrative)	Courtyards (Office/Business Complex)
West:	Residential Low Density	R-1-5 (Single-family residential, 5,000 sq. ft. min. site area)	Single-Family Residential, (Oak Creek No. 2 Subdivision)

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



**C. Plans and Policies:** The General Plan Land Use Diagram designates the site as Residential Low Density. The annexation will facilitate the development of the site with single-family residential units consistent with the residential development pattern in the surrounding area. The proposed project is consistent with the Land Use designation of the General Plan.

## **II. ENVIRONMENTAL IMPACTS**

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

## **III. MITIGATION MEASURES**

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

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

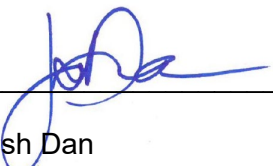
The project is compatible with the General Plan and Zoning Ordinance as the project relates to surrounding properties.

## **V. SUPPORTING DOCUMENTATION**

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

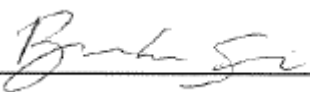
- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 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 2018 Map. California Department of Conservation, 2018.

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



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Josh Dan  
Senior Planner



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Brandon Smith  
Environmental Coordinator

**INITIAL STUDY  
 ENVIRONMENTAL CHECKLIST**

<b>Name of Proposal</b>	Crenshaw Tentative Subdivision Map No. 5595		
<b>NAME OF PROPONENT:</b>	Bitta Toor	<b>NAME OF AGENT:</b>	Allen Williams, AW Engineering
<b>Address of Proponent:</b>	27725 Rd. 92 Tulare, CA 93274	<b>Address of Agent:</b>	810 W. Acequia Ave. Visalia, CA 93291
<b>Telephone Number:</b>	559-690-9024	<b>Telephone Number:</b>	559-713-6139
<b>Date of Review</b>	02/24/2023	<b>Lead Agency:</b>	City of Visalia

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

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

**I. AESTHETICS**

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

- 2 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

**II. AGRICULTURAL RESOURCES**

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

- 2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 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?

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

**III. AIR QUALITY**

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

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

**IV. BIOLOGICAL RESOURCES**

Would the project:

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

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

#### V. CULTURAL RESOURCES

Would the project:

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

#### VI. ENERGY

Would the project:

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

#### VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
- 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- 1 ii) Strong seismic ground shaking?
- 1 iii) Seismic-related ground failure, including liquefaction?
- 1 iv) Landslides?
- 1 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

#### VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

#### IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 2 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

#### X. HYDROLOGY AND WATER QUALITY

Would the project:

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

#### XI. LAND USE AND PLANNING

Would the project:

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

#### XII. MINERAL RESOURCES

Would the project:



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

### XIII. NOISE

Would the project result in:

- 2 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Generation of excessive groundborne vibration or groundborne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

### XIV. POPULATION AND HOUSING

Would the project:

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

### XV. PUBLIC SERVICES

Would the project:

- 1 a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
  - 1 i) Fire protection?
  - 1 ii) Police protection?
  - 1 iii) Schools?
  - 1 iv) Parks?
  - 1 v) Other public facilities?

### XVI. RECREATION

Would the project:

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

### XVII. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) 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:

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

### XX. WILDFIRE

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

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate

fire risk or that may result in temporary or ongoing impacts to the environment?

- 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

Would the project:

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

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

Revised 2019

Authority: Public Resources Code sections 21083 and 21083.09

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

## DISCUSSION OF ENVIRONMENTAL EVALUATION

### I. AESTHETICS

- a. The proposed project is new residential construction which will meet City standards for setbacks, landscaping and height restrictions.

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 residential development that will be aesthetically consistent with surrounding development and with General Plan policies. Furthermore, the City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project will create new sources of light that are typical of residential development. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent properties.

### II. AGRICULTURAL RESOURCES

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

The project will be consistent with Policy LU-P-34. Although the site has been used for farming row crops, the site is identified as Urban and Built-Up and as such does not require mitigation to offset the loss since it is not considered prime farmland as stated in Policy LU-P-34. The policy states; "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."

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

- b. The project site is not zoned for agricultural use. All agricultural related uses have ceased on the property. The project is bordered by urban development or non-producing vacant land on all sides. 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. 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 will contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Also the project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

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

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

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. The project will result in a net increase of criteria pollutants. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are

considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1, 3.3-2, and 3.3-3 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

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

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

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

#### IV. BIOLOGICAL RESOURCES

- a. The site has no known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

In addition, staff had conducted an on-site visit to the site on February 9, 2023 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. Four valley oaks have been identified adjacent to the project site, however these are located outside of the development area and will be preserved within the 50-ft riparian setback of the Mill Creek.
- f. There are no local or regional habitat conservation plans for the area.

#### V. CULTURAL RESOURCES

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in



that area until a qualified Native American tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

**VI. ENERGY**

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

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

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

**VII. GEOLOGY AND SOILS**

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. The project does not involve the use of septic tanks or alternative wastewater disposal systems since sanitary sewer lines 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 expected to generate Greenhouse Gas (GHG) emissions in the short-term as a result of the construction of residences and long-term as a result of day-to-day operation of the proposed residences.

The City has prepared and adopted a Climate Action Plan (CAP) which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the 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. Although emissions will be generated as a result of the project, implementation of the General Plan and CAP policies will result in fewer emissions than would be associated with a continuation of baseline conditions. Thus, the impact to GHG emissions will be less than significant.

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

The proposed project will not impede the State's ability to meet the GHG emission reduction targets under AB 32 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. 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 a quarter mile of the project site. The school is located 57-feet northwest of the project site (Willow Glen Elementary). 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 City of Visalia and County of Tulare adopted Airport Master Plans 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. Development projects associated with buildout under the Visalia General Plan are 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 polices, identified under Impact 3.6-2 and 3.9-3 of the EIR, that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.

- b. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. The project will result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer. However, as the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. The project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.

- c.
  - i. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
  - ii. Development of the site will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts to a less than significant level.

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

existing City standards, impacts to groundwater supplies will be less than significant.

- iii. Development of the site will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts to a less than significant level.

Polices 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.

The project site will be accommodated by an extension of the City's storm water lines. 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. Development of the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. Impaired storm water runoff may then be intercepted and directed to a storm drain or water body, unless allowed to stand in a detention area. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

The Visalia General Plan contains multiple polices, identified under Impact 3.6-1 of the EIR, that together work to reduce the potential for erosion. With implementation of these policies and the existing City standards, impacts to erosion will be less than significant.

**XI. LAND USE AND PLANNING**

- a. The project will not physically divide an established community. The proposed project is to be developed on land designated for residential development. The project site is surrounded on three sides by urban development and is bordered by one roadway.
- b. The 6.77-acre development will place single-family residential homes 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 is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19 states: "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."

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

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 Residential Low Density. The project is part of an annexation request and does not currently have an assigned Zoning Designation, however, once annexed into the city, the underlying land use would allow for the most consistent zoning designation of Single-family Residential (R-1-5). The City of Visalia's Zoning Ordinance allows for single-family residences as permitted uses in their respective zones.

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

#### **XII. MINERAL RESOURCES**

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

#### **XIII. NOISE**

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

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

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

- b. Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the project. Construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time; thus the impacts will be less than significant. There are no existing uses near the project

area that create ground-borne vibration or ground-borne noise levels.

- c. The project area is located in excess of 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, as the General Plan placed a default land use designation of Low Density Residential on all future school sites.
- b. Development of the site will result in the removal of one non-deed restricted residential structures on the 6.77-acre site. The removal of this structures in addition to several accessory structures will help in facilitating the development of this site with 34 new single-family homes.

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

- a.
  - i. Current fire protection facilities are located at the Visalia Station 55, located approximately 2.5 miles north of the property, and can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
  - iii. The project will generate additional dwelling units, for which existing schools in the area may accommodate.
  - iv. Current park facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
  - v. Other public facilities can adequately serve the site without a need for alteration.

#### **XVI. RECREATION**

- a. The project will generate new residents and will therefore incrementally increase the use of existing parks and other recreational facilities, but not at a level that will cause or accelerate substantial adverse impacts or reduce acceptable service levels. Further, the project will pay Recreation Impact Fees to fund the creation and maintenance of new parks and recreational programs.
- b. The proposed project does not include public recreational facilities or require the construction or expansion of any existing recreational facilities within the area that would otherwise have an adverse physical effect on the environment.

The Visalia General Plan contains multiple polices, identified under Impact 3.9-7 of the EIR, that together work to address the quality and management of recreational facilities and the development of new recreational facilities with progressive growth of the City. With implementation of these policies and the existing City standards, impacts will be less than significant.

**XVII. TRANSPORTATION AND TRAFFIC**

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

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

For the metric measuring VMT per 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 14.7537 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 Crenshaw Tentative Subdivision project is projected to generate a maximum 321 trips daily. As proposed, the subdivision is consistent with the General Plan and will comply with Chapter 17.12 Single-Family Residential Zone development standards. Hence, the proposal is screened out of performing a VMT analysis and the project will have a less than significant impact with regards to compliance with CEQA Guidelines section 15064.3, subdivision (b).

- 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.

Pre-consultations letters were sent to local tribes in accordance with AB 52, providing tribes a 20-day early review period. Staff did not receive correspondence in return from any of the tribes which were noticed.

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.

The project site will be accommodated by an extension of the City's sanitary sewer and storm water lines. As part of the project, existing sanitary sewer and storm water mains will be extended off-site along public street frontages. 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. California Water Service Company has determined that there are sufficient water supplies to support the site, and that service can be extended to the site.
- c. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant.
- d. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- e. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

**XX. WILDFIRE**

- a. The project is located on a site that is adjacent on multiple sides by existing development. The site will be further served by multiple points of access. In the event of an emergency response, coordination would be made with the City's Engineering, Police, and Fire Divisions to ensure that adequate access to and from the site is maintained.
- b. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that is likely to exacerbate wildfire risks.



- c. The project is located on a site that is adjacent on multiple sides by existing development. New project development will require the installation and maintenance of associated infrastructure; however the infrastructure would be typical of residential development and would be developed to the standards of the underlying responsible agencies.
- d. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that would expose persons or structures to significant risks of flooding or landslides.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

- a. The project will not affect the habitat of a fish or wildlife species or a plant or animal community. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia's General Plan Update for conversion to

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

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

## DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

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



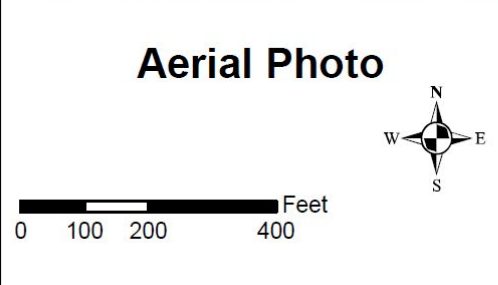
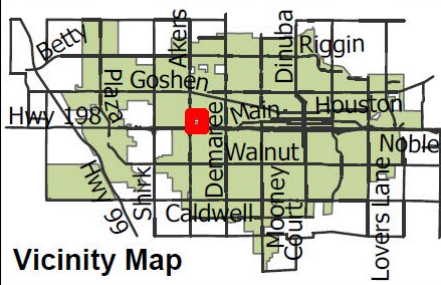
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Brandon Smith, AICP  
Environmental Coordinator

March 14, 2023

Date









September 14, 2022

**Site Plan Review No. 2022-005:**

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 **August 31, 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".

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

**Attachment(s):**

- Site Plan Review Comments





MEETING DATE August 31, 2022  
 SITE PLAN NO. 2022-005  
 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 – TSM/ANNEXATION

**ADDITIONAL COMMENTS:**

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

# SITE PLAN REVIEW COMMENTS

Rafael, Garcia, Planning Division (559) 713-4031

Date: August 31, 2022

SITE PLAN NO: 2022-005 - F  
PROJECT: 125 S. Crenshaw  
DESCRIPTION: 41 LOT SINGLE FAMILY SUBDIVISION (X)  
APPLICANT: BILL TOOR  
PROP. OWNER: TOOR SANTOKH S. & ARPINDER K (TRS)  
LOCATION TITLE: 125 S. CRENSHAW STREET  
APN TITLE: 085-130-002  
GENERAL PLAN: RLD (Residential Low Density), C (Conservation)  
ZONING: Tulare County Jurisdiction

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Annexation
- Tentative Subdivision Map
- Conditional Use Permit/Planned Residential Development (may not be required)
- Initial Study / Negative Declaration
- Tribal Consultation under AB 52
- Additional Information as Needed

## **PROJECT SPECIFIC INFORMATION:** August 31, 2022 and August 24, 2022

1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits. (Note the annexation shall include 139 S. Crenshaw Street (APN: 085-130-001);
  - b. Tentative Subdivision Map, including the following:
    - i. Phasing Plan.
  - c. Conditional Use Permit for a Planned Residential Development, including the following:
    - i. A project narrative shall be submitted with the CUP/PRD describing and depicting the development plan for the project. This shall include building/fencing/wall elevations, model footprints, and descriptions of any deviations requested, providing justification for their necessity. The project narrative shall also detail and depict all amenities and benefits to the public to be provided, and justify why the number of guest parking stalls proposed is appropriate.
2. **No CUP required if the number of undersized lots (less than 5,000 sq ft) accounts for less than 50 percent of the subdivision and all undersized lots are a minimum of 3,600 sf. Project however must comply with VMC 17.12.135 requirements.**
3. **Provide building footprints as part of for all oddly shaped lots demonstrating compliance with setbacks.**
4. Show street striping as part of the cross section and show street improvements across the street as part of the plan view.
5. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
  - b. Records searches with the Native American Heritage Commission and CHRIS if necessary.
  - c. Submittal of a Cultural Resource Study if necessary.

6. A seven-foot-tall block wall shall be placed along the western property boundary. Block walls shall also be required along the eastern property boundaries of Lots 1, 19, and 20 (lots adjacent to Crenshaw).
7. Proposed landscaping shall be depicted on the site plan.
8. The location of onsite lighting shall be depicted on the site plan.
9. A 50 ft. riparian setback for Mill Creek shall be placed from the top of the bank.
10. The applicant shall depict the trail required within the riparian setback area.
11. Cross sections shall be provided for Crenshaw Street and for the riparian setback/trail area.
12. **Lot 9 and 11 are deemed corner lots, therefore they must be 60 feet wide.**
13. **Minimum lot width for lots 5,000 square feet or greater shall be 50 feet for interior lots and 60 feet for corner lots. Lot frontage must be a minimum of 40 feet wide maintaining the required width.**
14. **Minimum lot dimensions for lots less than 5,000 sf is 46 feet for interior lots and 51 feet for corner lots. Minimum depth shall be a minimum of 70 feet.**
15. **Reconfigure lot 26 so as create an LLD lot along Robinson Avenue. The portion of the lot may be used as a LLD lot.**
16. Comply with all requirements of the Engineering Division.
17. Meet all other Codes and Ordinances.

**PROJECT SPECIFIC INFORMATION: May 25, 2022**

1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits. (Note the annexation shall include 139 S. Crenshaw Street (APN: 085-130-001);
  - b. Tentative Subdivision Map, including the following:
    - i. Phasing Plan.
  - c. Conditional Use Permit for a Planned Residential Development, including the following:
    - i. A project narrative shall be submitted with the CUP/PRD describing and depicting the development plan for the project. This shall include building/fencing/wall elevations, model footprints, and descriptions of any deviations requested, providing justification for their necessity. The project narrative shall also detail and depict all amenities and benefits to the public to be provided, and justify why the number of guest parking stalls proposed is appropriate.
2. No CUP required if the number of undersized lots (less than 5,000 sq ft) accounts for less than 50 percent of the subdivision and all undersized lots are a minimum of 3,600 sf. Project however must comply with VMC 17.12.135 plan requirements.
3. There is no support for lots 25 and 26, in that, they do not comply with zoning code.
4. Provide building footprints as part of for all oddly shaped lots demonstrating compliance with setbacks.
5. Show street striping as part of the cross section and show street improvements across the street as part of the plan view.
6. The project site/border is still not being accurately shown as depicted as part of the plan. The project site/border must be accurately shown.
7. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
  - b. Records searches with the Native American Heritage Commission and CHRIS if necessary.
  - c. Submittal of a Cultural Resource Study if necessary.
8. A seven-foot-tall block wall shall be placed along the western property boundary. Block walls shall also be required along the eastern property boundaries of Lots 1, 18, and 19.
9. Proposed landscaping shall be depicted on the site plan.
10. The location of onsite lighting shall be depicted on the site plan.
11. Zoning on the site plan shall be corrected to state R-1-5.
12. A 50 ft. riparian setback for Mill Creek shall be placed from the top of the bank.
13. The applicant shall obtain permits for the removal of any Oak trees onsite.

14. The applicant shall depict the trail required within the riparian setback area.
15. Cross sections shall be provided for Crenshaw Street and for the riparian setback/trail area.
16. Comply with all requirements of the Engineering Division.
17. Meet all other Codes and Ordinances.

**PROJECT SPECIFIC INFORMATION: March 23, 2022**

1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits. (Note the annexation shall include 139 S. Crenshaw Street (APN: 085-130-001);
  - b. Tentative Subdivision Map, including the following:
    - i. Phasing Plan.
  - c. Conditional Use Permit for a Planned Residential Development, including the following:
    - i. A project narrative shall be submitted with the CUP/PRD describing and depicting the development plan for the project. This shall include building/fencing/wall elevations, model footprints, and descriptions of any deviations requested, providing justification for their necessity. The project narrative shall also detail and depict all amenities and benefits to the public to be provided, and justify why the number of guest parking stalls proposed is appropriate.
2. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
  - b. Records searches with the Native American Heritage Commission and CHRIS if necessary.
  - c. Submittal of a Cultural Resource Study if necessary.
3. The applicant shall provide building footprints for all residences located on parcels with atypical lot dimensions.
4. A seven-foot-tall block wall shall be placed along the western property boundary. Block walls shall also be required along the eastern property boundaries of Lots 1 – 5, and 34.
5. Proposed landscaping shall be depicted on the site plan.
6. The location of onsite lighting shall be depicted on the site plan.
7. Zoning on the site plan shall be corrected to state R-1-5.
8. Consult with the Solid Waste Division to identify appropriate size and locations for the proposed trash enclosures. It is recommended that trash enclosures not be placed in front yard areas.
9. It is recommended that the dead-end streets be removed from the proposal.
10. A 50 ft. riparian setback for Mill Creek shall be placed from the top of the bank.
11. The applicant shall obtain permits for the removal of any Oak trees onsite.
12. The two driveways proposed shall be reoriented to align with Crowley and Robinwood Courts to the east.
13. The applicant shall depict the trail required within the riparian setback area.
14. Cross sections shall be provided for Crenshaw Street and for the riparian setback/trail area.
15. Comply with all requirements of the Engineering Division.
16. Meet all other Codes and Ordinances.

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

1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits. (Note the annexation shall include 139 S. Crenshaw Street (APN: 085-130-001);
  - b. Tentative Subdivision Map, including the following:
    - i. Phasing Plan and operational statement.
  - c. Conditional Use Permit for a Planned Residential Development, or demonstration of compliance with Visalia Municipal Code Section 17.12.135 for small lots.
2. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
  - b. Records searches with the Native American Heritage Commission and CHRIS if necessary.



- c. Submittal of a Cultural Resource Study if necessary.
- 3. The applicant shall provide building footprints for all residences located on parcels with atypical lot dimensions.
- 4. A seven-foot-tall block wall shall be placed along the western property boundary.
- 5. The applicant shall consult with the Visalia Parks Department if the park is proposed for public use.
- 6. It is recommended that the dead-end streets be removed from the proposal.
- 7. A 50 ft. riparian setback for Mill Creek shall be placed from the top of the bank.
- 8. The applicant shall obtain permits for the removal of any Oak trees onsite.
- 9. The applicant shall provide lot width and dimensions.
- 10. Crowley and Robinwood Courts shall be reoriented to align with the streets to the east.
- 11. Meet all other Codes and Ordinances.

**PROJECT SPECIFIC INFORMATION: January 19, 2022**

- 1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits. (Note the annexation shall include 139 S. Crenshaw Street (APN: 085-130-001);
  - b. Tentative Subdivision Map, including the following:
    - i. Phasing Plan and operational statement.
  - c. Conditional Use Permit for a Planned Residential Development, or demonstration of compliance with Visalia Municipal Code Section 17.12.135 for small lots.
- 2. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
  - b. Records searches with the Native American Heritage Commission and CHRIS if necessary.
  - c. Submittal of a Cultural Resource Study if necessary.
- 3. The applicant shall provide building footprints for all residences located on parcels with atypical lot dimensions.
- 4. A seven-foot-tall block wall shall be placed along the western property boundary.
- 5. The applicant shall consult with the Visalia Parks Department if the park is proposed for public use.
- 6. It is recommended that Lots 3 through 5 be redesigned to be oriented north/south, similar to lots 28 through 41.
- 7. If Lots 3 through 5 are to remain, landscape lots shall be placed along the eastern frontage adjacent to Crenshaw Street, along with a block wall.
- 8. A triangular portion of the project site, located at the northwest corner of the parcel, appears to have been left off the site plan. The applicant shall include the portion of property into the plan.
- 9. It is recommended that the dead-end streets be removed from the proposal.
- 10. A 50 ft. riparian setback for Mill Creek shall be placed from the top of the bank.
- 11. The applicant shall obtain permits for the removal of any Oak trees onsite.
- 12. The applicant shall provide lot width and dimensions.
- 13. Crowley and Robinwood Courts shall be reoriented to align with the streets to the east.
- 14. Meet all other Codes and Ordinances.

**Note:**

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

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

**Title 16 Subdivisions**

- 17.12 Single-Family Residential Zone
- 17.12.135 Lot area less than 5,000 square feet.
- 17.32.080 Maintenance of landscaped areas.
- 17.34 Off-street parking and loading facilities
  - 17.34.020(A)(1) Single-family dwelling
- 17.36 Fences Walls and Hedges
  - 17.36.030 Single-family residential zones

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

Signature \_\_\_\_\_ 





**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

Adrian Rubalcaba 713-4271  
 Jaklin H. Rowley 713-4369  
 Lupe Garcia 713-4197  
 Edelma Gonzalez 713-4197

ITEM NO:1 DATE: Aug 31, 2022

SITE PLAN NO.: 22-005R4 (see also 22-028)  
PROJECT TITLE: 125 S Crenshaw  
DESCRIPTION: 34 Lot Single Family Subdivision  
APPLICANT: Bitta Toor  
PROP. OWNER: TOOR SANTOKH S & ARPINDER K (TRS)  
LOCATION: 125 S Crenshaw St  
APN: 085-130-002

**SITE PLAN REVIEW COMMENTS**

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

: maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.

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

**Additional Comments:**

- 1. Project is in the High Hazard Flood-Zone AE, all FEMA requirements must be met.**
- 2. The existing residence on the property will need to be demolished. Project will receive fee credit for 1 single-family dwelling.**
- 3. The 50' Mill Creek setback appears to be shown correctly. Civil plans with topo will be required to show exact location. Further coordination with the ditch company and city personnel may be required. See Chapter 6 of the general plan, "Open Space and Conservation" for the setback requirement including municipal code section 16.36.190.**
- 4. This project is a County Island and must be annexed into the City. This includes an outlier SFD parcel.**
- 5. The project is to connect to city storm and sewer infrastructure in N Crenshaw**
- 6. The project is to improve one-half of the total roadway for N Crenshaw (30'). Required street improvements to include, but may not be limited to, pavement, curb and gutter, sidewalk, parkway landscaping, street trees, streetlights, utility relocations and undergrounding, roadway transitions, striping, signage, and possible utility extensions.**
- 7. N Crenshaw CT. is a 60' local road a 10' dedication for public right of way is required.**



- 8. A Tentative map is required.**
- 9. Blue border appears to be shown correctly, although site plan is still missing dimensions around the entire blue border perimeter.**
- 10. Retaining wall required for grade differences greater than 0.5' at the property line.**
- 11. Out lot A & B will be placed into an LLD; note it will require a block wall easement along private parcels.**
- 12. Existing fire hydrant to be relocated to city standards**
- 13. Trail improvements development areas will be required. Connect, to westerly trail improvements within riparian area.**
- 14. Street names may be subject to change**
- 15. Full north curb return on Crowley Ave. now showing as previously requested.**
- 16. The 50' riparian setback that will be dedicated to trail is shown as Outlot C. South of riparian dedication are strips of land, create small strip of landscape area as outlots (Separate from Outlot C) to be part of the LLD.**
- 17. Previous comment not addressed for oddly shaped Lots 26 and 27. Revisions will be needed with tentative map submittal to address the area between lots 26 and 27.**
- 18. Previous comment not addressed, site plan still showing SCE pole to be relocated. Overhead utilities onsite and along Crenshaw will be required to be underground and not relocated.**
- 19. Previous comment not addressed for transitional sidewalk from existing to new alignment from the south along N. Crenshaw. Revision will be needed with improvement plans submittal.**
- 20. Additional pavement/overlay will be required due to poor conditions of existing asphalt.**
- 21. Street lights shall be placed per City Standards.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **22-005R5**  
Date: **08/31/2022**

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

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

(Fee Schedule Date:**08/20/2022**)  
(Project type for fee rates:**TSM**)

Existing uses may qualify for credits on Development Impact Fees. **1 SFD**

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

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

**City Reimbursement:**

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



**Edelma Gonzalez**

SPR 22005  
125 S CRENSHAW

City of Visalia  
Building: Site Plan  
Review Comments

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

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

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

VAL GARCIA 8/21/22  
Signature

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

August 31, 2022

ITEM NO: 1      Resubmit  
SITE PLAN NO: [SPR22005](#)  
PROJECT TITLE: 125 S Crenshaw  
DESCRIPTION: 41 Lot Single Family Subdivision (X)  
APPLICANT: Bill Toor  
OWNER: TOOR SANTOKH S & ARPINDER K (TRS)  
APN: 085130002  
LOCATION: 125 S CRENSHAW ST

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

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

**Additional Comments:**

*Leslie Blair*

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



## Susan Currier

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**From:** Joel Hooyer  
**Sent:** Monday, August 29, 2022 9:52 AM  
**To:** Cristobal Carrillo; Josh Dan; Rafael Garcia; Susan Currier  
**Cc:** Alvin Dias  
**Subject:** August 31, 2022, Site Plan Review  
**Attachments:** 8-31-22 Site Plan Review.pdf  
  
**Importance:** High

### **See attached and following for the August 31, 2022, Site Plan Review comments**

**SPR22005** - The proposed development has (4) four Valley oak trees indicated on the submitted plan.

- The proposed development has a D.G. Trail indicated on the submitted plan.
- The proposed development has outlots A, B, & C to be dedicated to City of Visalia on the submitted plan.

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

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

**SPR22112** - No Valley oak trees indicated on the submitted plans.

**SPR22117** - No Valley oak trees indicated on the submitted plans.

**SPR22144** - No Valley oak trees indicated on the submitted plans.

**SPR22145** - No Valley oak trees indicated on the submitted plans.

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

22005

August 31, 2022

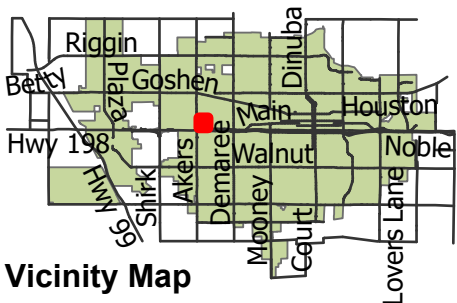
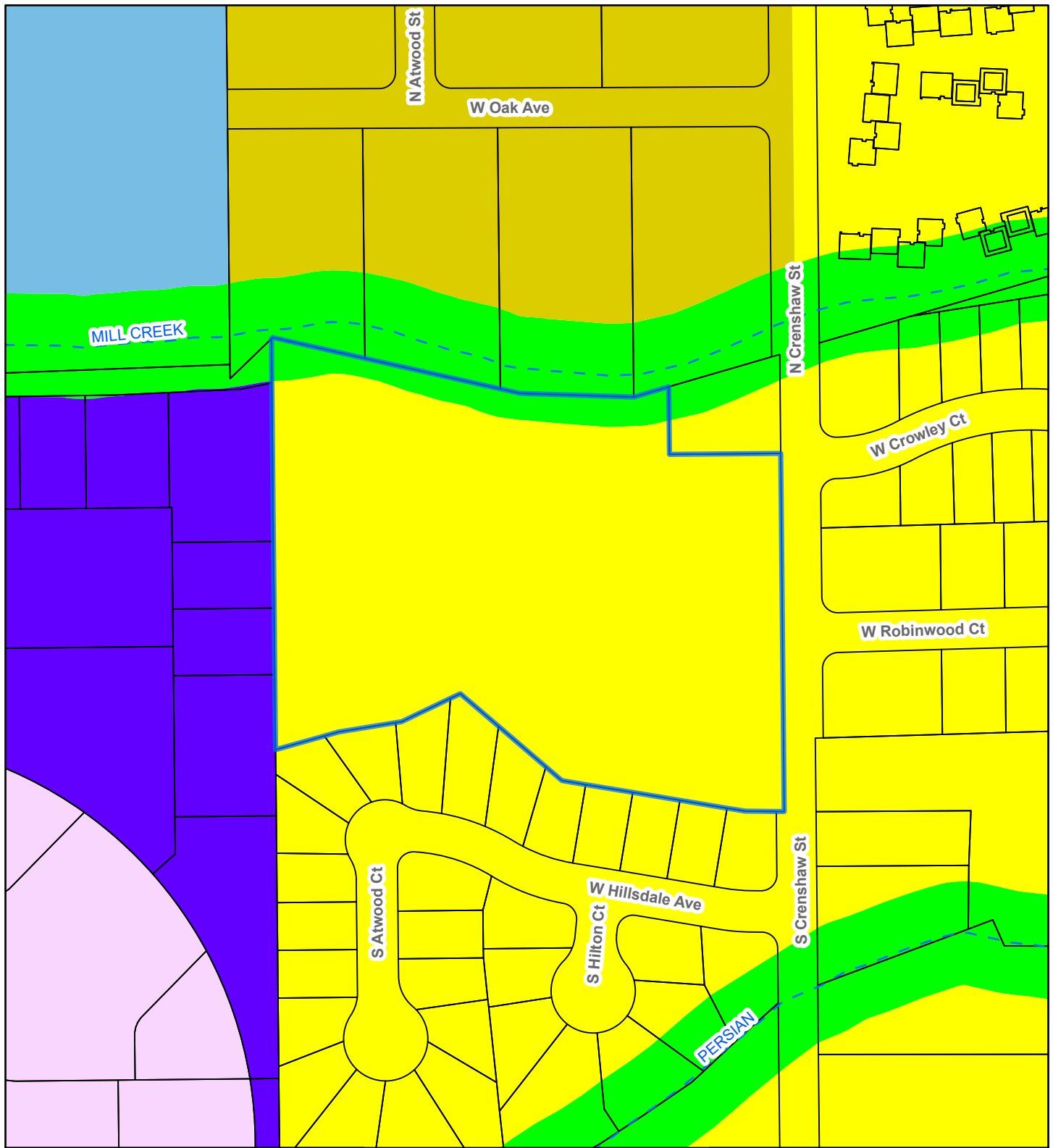
- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures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

**Comment** City standard (3-can) residential services to be assigned per address.

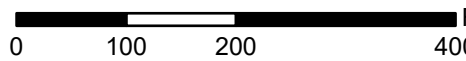
Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532



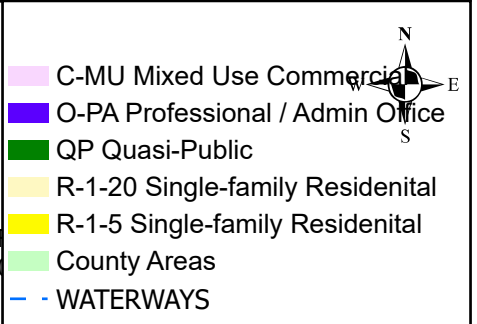
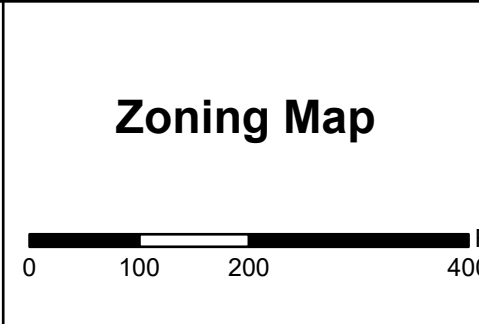
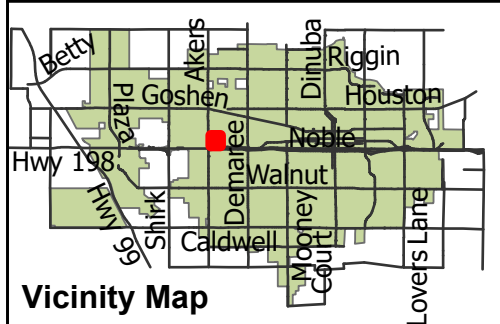
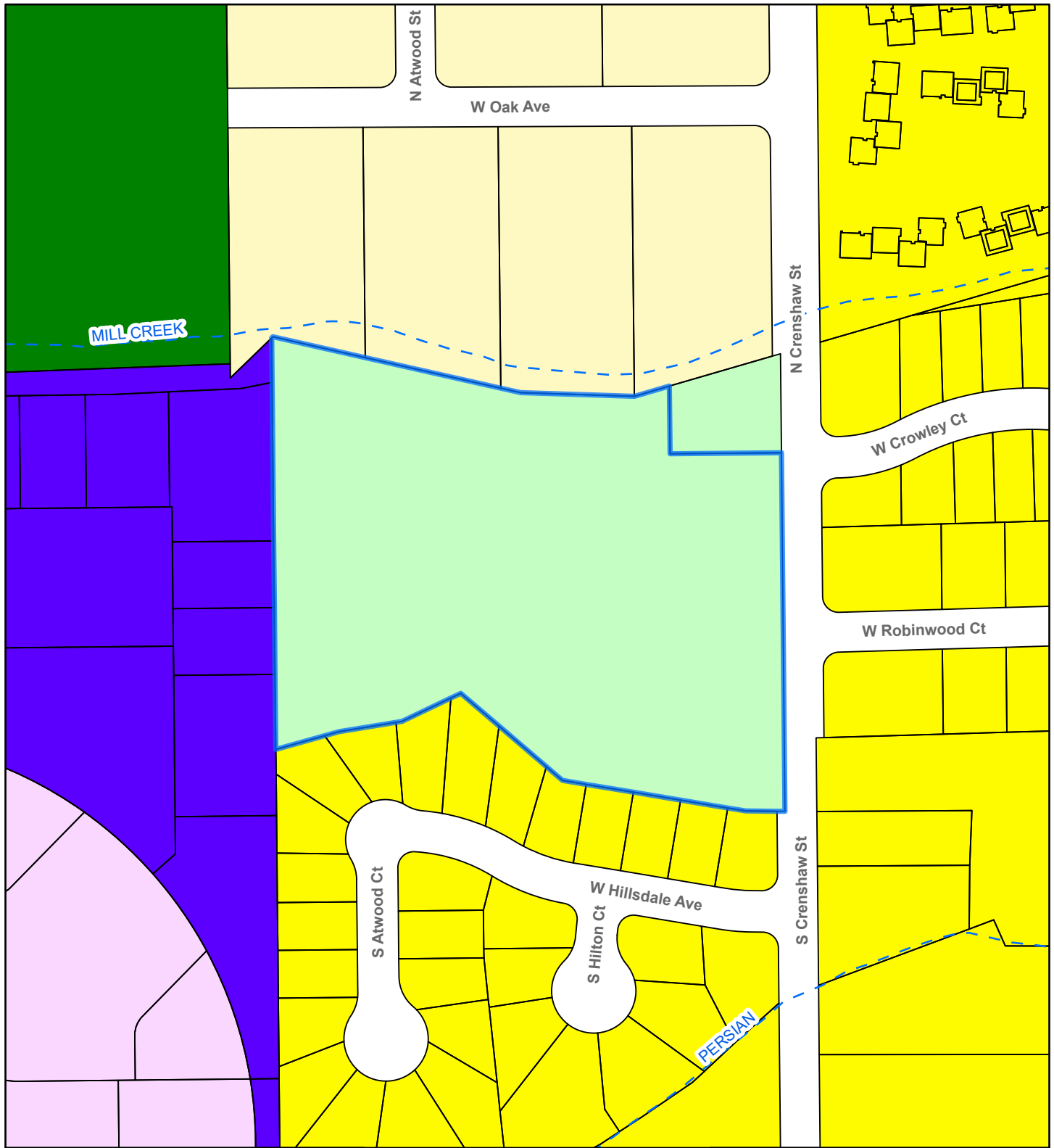


## General Plan Land Use Map

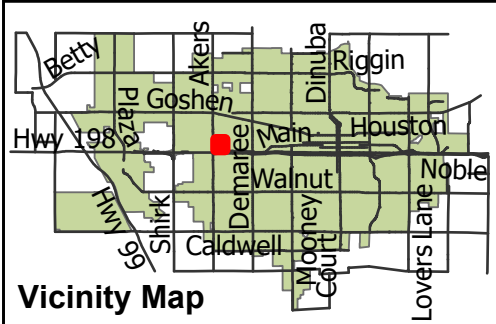


- Conservation
- Commercial Mixed Use
- Office
- Public Institutional
- Residential Low Density
- Residential Very Low Density
- - WATERWAYS

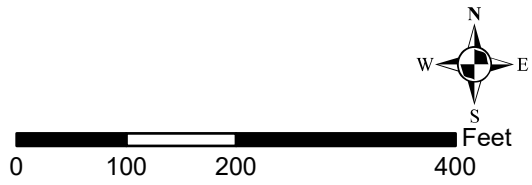




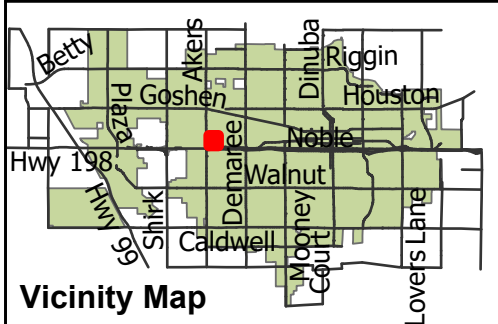
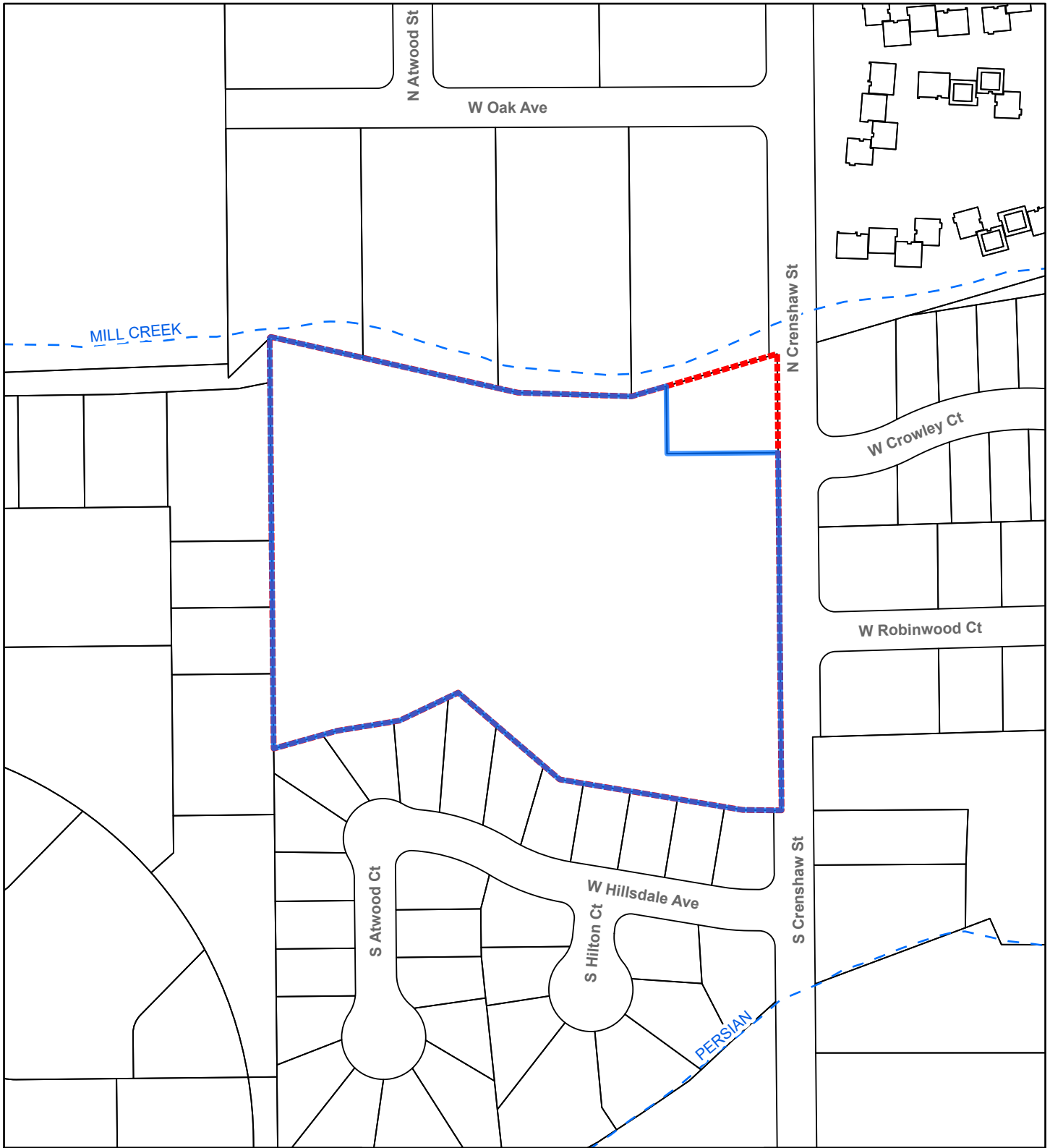




### Aerial Photo







### Location Map

