

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

**MONDAY, JUNE 26, 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 – Josh Dan, Senior Planner  

Conditional Use Permit No. 2023-20: A request by Andrew Goodwin Designs to construct a 1,597 square foot commercial building with a drive-thru lane for the Lady's Chicken and Rice quick serve restaurant. The site is zoned C-MU (Commercial Mixed Use) and is located on the southeast corner of the East Houston Avenue and North Santa Fe Street roundabout (APN: 094-130-049). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2023-31.

7. PUBLIC HEARING – Josh Dan, Senior Planner

Conditional Use Permit No. 2023-21: A request by Supreme Construction, Inc. to convert the former Main Street Theater into an indoor virtual golf club with seven virtual golf simulator rooms, lobby, seating area, and full-service bar and dining area. The site is zoned D-MU (Downtown Mixed Use) and is located at 307 East Main Street (APN: 094-296-001). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 153301, Categorical Exemption No. 2023-29.

8. PUBLIC HEARING – Brandon Smith, Principal Planner

- a. Annexation No. 2022-04: A request by D.R. Horton to annex one parcel totaling approximately 40.44 acres into the city limits of Visalia. Upon annexation, the area would be zoned R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations, consistent with the General Plan Land Use Designation of Residential Low Density and Parks/Recreation. The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue (APN: 081-030-080). 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 Mitigated Negative Declaration No. 2023-32 be adopted (State Clearinghouse No. 2023050712).
- b. Shepherds Ranch II Tentative Subdivision Map No. 5589: A request by D.R. Horton to subdivide a 40.44-acre parcel into 200 lots for single-family residential use and additional lots for landscaping, park, and trail purposes, to be located within the R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations. The Project would result in onsite infrastructure improvements including but not limited to new utilities, new public residential streets, and improvements to the frontage of Road 88. The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue (APN: 081-030-080). 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 Mitigated Negative Declaration No. 2023-32 be adopted (State Clearinghouse No. 2023050712).
- c. Tentative Parcel Map No. 2022-03: A request by D.R. Horton to subdivide 40.44 acres into three parcels for phasing and financing purposes to be located within the R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations. The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue (APN: 081-030-080). 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 Mitigated Negative Declaration No. 2023-32 be adopted (State Clearinghouse No. 2023050712).

9. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

- a. Annexation No. 2022-03: A request by Woodside Homes to annex one parcel totaling approximately 69.35 acres into the city limits of Visalia. Upon annexation the area would be zoned R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size), which is consistent with the General Plan Land Use Designation of Residential Very Low Density. The project site is located at the northwest corner of South Roeben Street and West Whitendale Avenue (APN: 119-022-041). 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 Mitigated Negative Declaration No. 2022-18 be adopted (State Clearinghouse No. 2023050728).
- b. Barr & Wood Tentative Subdivision Map No. 5588: A request by Woodside Homes to subdivide a 69.35-acre parcel into 136 lots for single-family residential use and additional lots for private streets, landscaping and lighting district lots, and a pocket park, to be located within the R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size) zone. The Project would result in onsite and offsite infrastructure improvements including but not limited to new and relocated utilities, new private and public residential streets, improvements of South Roeben Street and South Shirk Road, and the continuation and improvement of West Whitendale Avenue. The project site is located at the northwest corner of South Roeben Street and West Whitendale Avenue (APN: 119-022-041). 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 Mitigated Negative Declaration No. 2022-18 be adopted (State Clearinghouse No. 2023050728).
- c. Conditional Use Permit No. 2022-06: A request by Woodside Homes to allow a planned unit development on a 69.35-acre parcel consisting of 136 single-family residential lots, private streets, two gated entries, landscaping and lighting district lots, and a pocket park, to be located within the R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size) zone. The project site is located at the northwest corner of South Roeben Street and West Whitendale Avenue (APN: 119-022-041). 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 Mitigated Negative Declaration No. 2022-18 be adopted (State Clearinghouse No. 2023050728).
- d. Tentative Parcel Map No. 2022-02: A request by Woodside Homes to subdivide 69.35 acres into three parcels for phasing and financing purposes, to be located within the R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size) zone. The project site is located at the northwest corner of South Roeben Street and West Whitendale Avenue (APN: 119-022-041). 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 Mitigated Negative Declaration No. 2022-18 be adopted (State Clearinghouse No. 2023050728).

10. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Upcoming July 10<sup>th</sup> Planning Commission meeting:
  - Swearing in of new Planning Commissioner
  - Election of Chair and Vice Chair

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, JULY 6, 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, JULY 10, 2023**

# REPORT TO CITY OF VISALIA PLANNING COMMISSION



**HEARING DATE:** June 26, 2023

**PROJECT PLANNER:** Brandon Smith, Principal Planner  
Phone No.: (559) 713-4636  
Email: [brandon.smith@visalia.city](mailto:brandon.smith@visalia.city)

**SUBJECT: Shepherds Ranch II Tentative Subdivision Map No. 5589:** A request to subdivide a 40.44-acre parcel into 200 lots for single-family residential use and additional lots for landscaping, park, and trail purposes, to be located within the R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations. The Project would result in onsite infrastructure improvements including but not limited to new utilities, new public residential streets, and improvements to the frontage of Road 88.

**Tentative Parcel Map No. 2022-03:** A request to subdivide 40.44 acres into three parcels for phasing and financing purposes to be located within the R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations.

**Annexation No. 2022-04:** A request to annex one parcel totaling approximately 40.44 acres into the city limits of Visalia. Upon annexation, the area would be zoned R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations, consistent with the General Plan Land Use Designation of Residential Low Density and Parks/Recreation.

Applicant: D.R. Horton

Location: The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue. (APN: 081-030-080)

## STAFF RECOMMENDATION

### **Shepherds Ranch II Tentative Subdivision Map No. 5589**

Staff recommends approval of the Shepherds Ranch II Tentative Subdivision Map No. 5589, as conditioned, based on the findings and conditions in Resolution No. 2022-35. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances, Housing Accountability Act (Government Code section 65589.5) and the Visalia Housing Element.

### **Tentative Parcel Map No. 2022-03**

Staff recommends approval of Tentative Parcel Map No. 2022-03, as conditioned, based on the findings and conditions in Resolution No. 2022-36. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

### **Annexation No. 2022-04**

Staff recommends that the Planning Commission recommend that City Council approve Annexation No. 2022-04, as conditioned, based on the findings in Resolution No. 2022-34. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan.

## RECOMMENDED MOTION

I move to approve Shepherds Ranch II Tentative Subdivision Map No. 5589, based on the findings and conditions in Resolution No. 2022-35.

I move to approve Tentative Parcel Map No. 2022-03, based on the findings and conditions in Resolution No. 2022-36.

I move to recommend approval of Annexation No. 2022-04, based on the findings and conditions in Resolution No. 2022-34.

## PROJECT DESCRIPTION

The applicant, DR Horton, has filed entitlement applications for the annexation of a 40-acre parcel, a tentative subdivision map, and a tentative parcel map.

Annexation No. 2022-04 is a request to annex a 40-acre parcel located outside the city limits and within Tulare County (see Exhibit "B"). Upon annexation, the Zoning designations for the project area will include R-1-5 (Single-Family Residential 5,000 square foot minimum site area) and Q-P (Quasi-Public), consistent with the underlying General Plan land use designation. The Q-P zoning designation would be applied to Outlot C on the tentative subdivision map for the park and trail along the north side of the subdivision adjacent to the Industrial zoning designation.

The Shepherds Ranch II tentative subdivision map is a request to subdivide the 40-acre parcel into a 200-lot single-family residential subdivision at a density of 4.94 dwelling units per acre (see Exhibit "A"). All of the proposed 200 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. The residential lots will utilize standard R-1-5 zone lot and setback criteria, with standard lot sizes ranging between 5,000 to 6,801 square feet and knuckle lots being as large as 10,222 square feet. Ten contiguous lots within the subdivision are shown to serve as a temporary basin due to the area not having the regional basin established for this area. A regional basin will be established at a future date.

The proposed single-family subdivision will be serviced by 60-foot-wide public local streets containing full improvements (curb, gutter, parkway landscaping, sidewalks, and streetlights), sewer lines, storm drainage, and other public infrastructure, utilities, and services (i.e., electricity, gas, and water). Primary access to the subdivision will be at the northeast corner of the subdivision from Ossees Drive, located within the previously approved Shepherds Ranch I

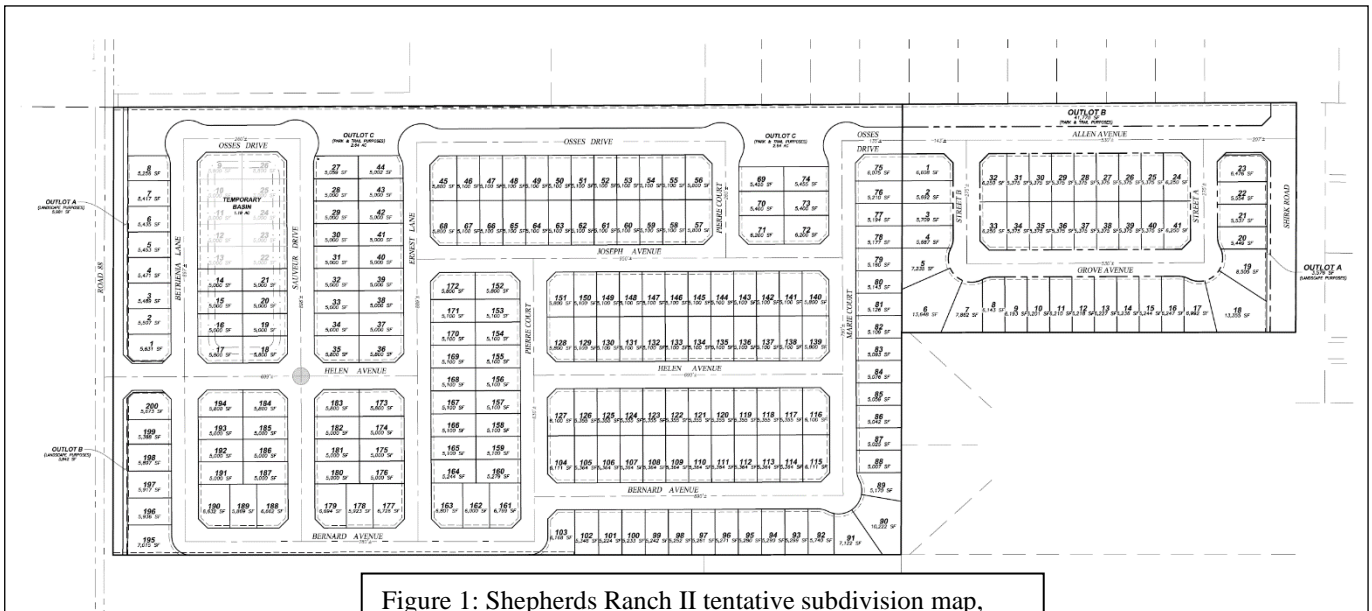


Figure 1: Shepherds Ranch II tentative subdivision map, with previously approved Shepherds Ranch I on east side

Tentative Subdivision Map. Access will also be obtained from a new street connection, Helen Avenue, to Road 88, which will be constructed in the first phase of the subdivision map.

The subdivision map will include the creation of three lettered lots. Outlots A and B will be established for Landscaping and Lighting District (LLD) purposes, containing landscaping and block walls along Road 88 and portions of lots adjacent to interior street sides on the corner lots (i.e.: Lots 1 & 200). Outlot C will be a 2.63-acre lot ranging from 41 to 138 feet in depth that constitutes a portion of a grater linear park spanning between the Shepherds Ranch I and II subdivisions.

The proposed Tentative Parcel Map will subdivide the subdivision site into three parcels that correspond to the subdivision’s phasing plan. The parcel lines are configured to create a public street connection between the west and east sides of the subdivision with the first phase of development. The three phases, in order, will establish 72 lots, 68 lots, and 60 lots.

The project site is within the City’s Urban Development Boundary (UDB) Tier 2 and is subject to City’s Agricultural Preservation Ordinance. This is discussed in greater detail in the Agricultural Preservation Ordinance section of the staff report below.

The project, together with a 10-acre parcel to the east, is part of a larger 50-acre development collectively known as Shepherds Ranch. The 10-acre parcel received approval by the Planning Commission in August 2022 for a 41-lot subdivision, which also included an amendment to the land use designations on the two parcels to remove a Very Low Density Residential designation and add a Parks/Recreation designation adjacent to the neighboring industrial land uses (see Related Projects discussion below).

## **BACKGROUND INFORMATION**

General Plan Land Use Designation:	Residential Low Density, Parks / Recreation
Zoning (upon annexation to City):	R-1-5 (Single-family Residential, 5,000 square foot minimum lot size), QP (Quasi-Public)
Surrounding Zoning and Land Use:	North: Light Industrial / Shops & warehouses, outdoor building material storage South: Residential Very Low Density, Residential Low Density, Parks-Recreation, Neighborhood Commercial / Orchards East: Residential Low Density / Rural residences, vacant land slated for future Shepherds Ranch I subdivision West: Industrial / Row crops
Environmental Review:	Initial Study / Mitigated Negative Declaration No. 2023-32, State Clearinghouse #2023050712
Special Districts:	None
Site Plan Review:	SPR No. 2021-229

## **RELATED PLANS & POLICIES**

Please see attached summary of related plans and policies.

## **RELATED PROJECTS**

The three proposed entitlements pertaining to Shepherds Ranch II, together with three additional entitlements from 2022, constituted the “Shepherds Ranch” project which was scheduled for a public hearing of the Planning Commission on August 8, 2022. Due to the ruling released two weeks prior to the August 8, 2022 Planning Commission meeting that invalidated the City’s approach to remove the requirement to establish an agricultural mitigation program (AMP), the three proposed entitlements pertaining to Shepherds Ranch II were continued to a date uncertain to allow the City to formulate appropriate follow-up action regarding an AMP that would be applicable to Tier II areas.

On August 8, 2022, the Planning Commission recommended City Council approve General Plan Amendment No. 2021-03 and Change of Zone No. 2021-04, and approved Shepherds Ranch I Tentative Subdivision Map No. 5581. The GPA and COZ were an amendment to the land use designation on the two parcels and zoning on one parcel to remove a Very Low Density Residential designation and add a Parks/Recreation designation adjacent to the neighboring industrial land uses. The subdivision was a request to subdivide a 10-acre parcel in the Tier I boundary into 41 lots.

## **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 40-acre site in a manner that is consistent with residential neighborhoods in the area, and particularly, the approved Shepherds Ranch I neighborhood to the east.

Furthermore, staff recommends approval of Shepherds Ranch II Tentative Subdivision Map No. 5589 and Tentative Parcel Map No. 2022-03 based on the project’s consistency with the Land Use Element of the General Plan, the Zoning and Subdivision Ordinances, Housing Accountability Act (Government Code section 65589.5) and the Visalia Housing Element for approval of the tentative subdivision map. The subdivision map proposes to develop a parcel of land that is designated for residential development at a density prescribed in the 2030 Visalia General Plan. Furthermore, the project is providing housing that meets the City’s Regional Housing Needs Allocation for the moderate to above-moderate income level.

### **Annexation No. 2022-04**

The project proponents have filed an application to initiate annexation of the 40-acre project site (i.e., Annexation No. 2022-04). The annexation can be supported on the basis that the proposal is consistent with **Land Use Policy LU-P-21**, which allows for the annexation and development of residential land to occur within the Tier II Urban Development Boundary consistent with the City’s Land Use Diagram. The site can be serviced with all 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 (i.e., LAFCO) but cannot approve a 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. 10 of the Shepherds Ranch II Tentative Subdivision Map No. 5589 and Tentative Parcel Map No. 2022-03.



## **General Plan Consistency**

The subdivision's design pattern and lot pattern consisting of a minimum lot size of 5,000 square feet is consistent with the site's Residential Low Density land use designation. The entire site has been designated for residential land uses since the adoption of the Visalia General Plan in 2014.

The project is consistent with General Plan **Land Use 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 4.94 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.

In 2022, General Plan Amendment No. 2021-03 was approved which replaced 13.8 acres of Residential Very Low Density land use designation on the site with approximately 3 acres of Parks/Recreation and the remaining balance as Residential Low Density. The GPA was approved on the basis that it upheld the General Plan's vision of providing a separation between existing industrial uses and future residential uses. In lieu of the Residential Very Low Density designation which would have created parcels with larger lot depths, a linear park resulting in depths ranging between 101 and 138 feet was created to serve as a buffer. The incorporation of buffering between industrial and residential land uses is further directed by the General Plan in the following **Policy LU-P-103**:

*Require buffering land uses adjacent to existing or planned residential areas adjacent to industrial designations. Such uses may include parks, drainage ponds, open space, or other such uses.*

As shown in Exhibit "E", the entire linear park will contain trees, landscaping, irrigation, and a ½-mile trail extending the entire width from Shirk to Road 88 (i.e., Clancy St.). Playground equipment (tot lot) and a picnic area are also identified in the linear park, and a seven-foot tall block wall will be placed along the abutting north property line.

West of the subdivision across from Road 88 is designated as Industrial land use designation, currently undeveloped and outside of City limits. According to the 2-lane collector cross section shown in Exhibit "A", the total separation from the industrial property line to the residential property lines will be 94 feet, comprised of the 84-foot ultimate right-of-way width for Road 88 and a 10-foot landscape lot (Outlots A and B). A concrete masonry unit block wall is included within Outlots A and B per City standards.

## **Street Improvements and Local Street Connectivity**

The developer of the Shepherds Ranch II subdivision will be required to construct certain street improvements pertaining to Road 88 (Clancy Street).

Road 88 (Clancy Street) is a designated 84-foot wide collector street. Road 88 is currently improved with asphalt that is unstriped but can accommodate one lane of traffic in each direction (i.e., southbound and northbound). No street frontage improvements exist on either side.

Phase 1 improvements along the right of way within the boundaries of the subdivision map include improving the street to its full width on the east side, which requires an approximately 22-foot wide dedication. Improvements being added by the subdivision will consist of a 6-foot sidewalk, 5-foot

parkway, curb, gutter, parking lane, and Class II bike lane. The asphalt will be improved to accommodate two 12-foot travel lanes and one 8-foot park lane. Future industrial development to the west, to be constructed by others, will consist of additional asphalt paving and street frontage improvements.

The portion of Road 88 immediately north of the subdivision will require improvements by the subdivider consisting of additional pavement and transitions from the portion fronting the subdivision, to be installed with Phase 1.

A 10-foot landscape lot outside of the public right-of-way will be dedicated as part of a Landscape and Lighting District which will be formed with the Shepherds Ranch II subdivision map. The Landscape and Lighting District lots are identified as Outlots "A" and "B" on the map (see Exhibit "A"). The establishment of the district provides maintenance of the landscape lots, block walls, street pavement and street lighting. Also, as noted in the Engineering Division's Site Plan Review comments, all new utilities that will service the residential subdivision will be placed underground.

The Shepherds Ranch II subdivision will not be constructed until the previously approved Shepherds Ranch I subdivision is constructed. Improvements along the Shepherds Ranch I subdivision frontage include improving Shirk Street to its ultimate right-of-way design, excepting a raised median due to constrained right-of-way width south of the property towards Highway 198. It is anticipated that a majority of the Shepherds Ranch II traffic will be accommodated via the Shepherds Ranch I access point on Shirk Street.

Shirk Street is a designated 110-foot wide arterial street. Shirk Street is currently improved with one southbound and one northbound lane, with partial street frontage improvements on the east side. Shepherds Ranch I will construct typical City Improvements along its frontage on the west side of Shirk Street along the right of way.

A separate capital improvement project (CIP) is planned for the widening of Shirk Street to four lanes between School Avenue (1/4-mile north of State Highway 198) and Riggin Avenue. This project will include buildout of both sides of Shirk between the Shepherds Ranch I site and Goshen Avenue and will include the installation of a two-way left turn lane for the street segment adjacent to the Shepherds Ranch I subdivision allowing for full turning movements. The first phase of the CIP is installation of a sewer trunkline within Shirk Street that will begin in Fall 2023 and will take six months. The second phase of the CIP will be the widening of Shirk to begin immediately after the sewer work, approximately Winter 2024.

Local Street Connectivity: The proposed subdivision includes local street connection to the east for access via the Shepherds Ranch I subdivision. The subdivision also can accommodate a future local street connection to the south from Bernard Avenue, which is aligned along a portion of the south property line in conformance with the City's Super Block Connectivity standard.

### **Traffic Impact Study**

A Traffic Impact Study (TIS) was prepared for the proposed project (ref.: Iron Ridge Residential Development Traffic Impact Study. VRPA Technologies, Inc., June 27, 2022). The purpose of the study is to analyze traffic conditions related to the development of the subdivision and its projected level of service (LOS) at opening year and at five-year increments, and the corresponding environmental impact as required by the California Environmental Quality Act (CEQA).

The TIS identified four intersections in the project vicinity that would experience unacceptable LOS in the long term.

- The intersections of Shirk and Hillsdale and Shirk and School are forecasted to operate at unacceptable levels under the existing (a.m. only) and opening year scenarios; however,

these intersections do not meet traffic signal warrants because the local streets do not carry enough traffic to justify signalization. The future planned widening of Shirk Street will assist in improving traffic flow and safety.

- The intersection of Shirk Street and the State Route 198 Eastbound ramp are forecasted to operate at unacceptable levels under the opening year scenario and at 5-year horizons. The intersection of Shirk Street and the State Route 198 Westbound ramp is currently operating at unacceptable levels, even without the project. Per discussions with Caltrans, a signalization improvement project is currently being planned, while an entire reconstruction of the interchange is planned in the long term (i.e., over 10 years out). The TIS and the environmental study's mitigation measures therefore recommend that the project contribute to the City's traffic impact fee program, which will directly or indirectly contribute to the intersection improvements.

A Vehicle Miles Traveled (VMT) analysis was also conducted by comparing the project's expected VMT per capita to regional averages. Since the study concluded that the project's VMT will be 32.8% less than the regional average, meeting the 16% level of significance threshold, the impacts to VMT are concluded to be less than significant.

### **Acoustical Analysis**

An Acoustical Analysis was prepared for the proposed project (ref.: Environmental Noise & Vibration Assessment, Iron Ridge Development I & II. Bollard Acoustical Consultants, March 29, 2022). The purpose of the study is to determine the proposed project's noise generating impacts pertaining to construction and additional traffic generation, and the corresponding environmental impact as required by the California Environmental Quality Act (CEQA).

In addition, the study was also to determine if existing noise levels associated with the adjacent industrial operations to the north would comply with the City's applicable noise level standards upon the proposed single-family residential uses. However, CEQA does not require an analysis of off-site impacts on the project itself.

The analysis concluded that an exterior noise level in excess of the daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, specified in the City's Noise Element, exists on the project site. The study identified one current noise generator in the industrial park, identified on a map (i.e., Figure 5) within the acoustical analysis, that attributed to exceeding the noise level requirements at the recording source. The noise level would be 58 dB at the property line of the nearest single-family residence proposed within the development, not accounting for the addition of a 7-foot tall concrete wall as required by the City Zoning Ordinance. To ensure that residents within the subdivision are familiar with the excess of City standards for noise, the developer will be required to record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the project site. This requirement is addressed as Condition No. 7 of the tentative subdivision map.

An additional mitigation measure is included within the project's environmental review for CEQA purposes, supported by the acoustical analysis, to address impacts from short-term construction activities.

### **Park / Open Space**

The subdivision will include the construction of a linear park. The park, which will have a Quasi-Public (QP) zoning designation, is planned to be open and accessible to the public and is not planned to be walled or gated along the street frontages. In addition, the park will include a trail that will be internal to the park only and will not connect with other City trails, as there are no other existing or planned trails in the vicinity. The park will not have on-site parking, though on-street parking will be available on the entire north side of the adjoining street. The park will be maintained

by a Landscaping and Lighting District assessment similar to pocket parks in other subdivisions, despite the fact that the total park area (2.6 acres within Shepherds Ranch II and over three acres in the entire Shepherds Ranch project) would be significantly larger than most pocket park sizes (generally 0.5 to 2 acres).

A public park is designated by the General Plan to be located directly south of the project, though there is no certain timeframe for annexation and development of this site. The nearest existing public parks to this site are Willow Glen Park and Lions Park, located 1.0 and 1.25 miles to the northeast and east.

### **Agricultural Preservation Ordinance Requirements**

The 40-acre project site is in the City's Tier II urban development boundary and is designated as Prime Farmland as defined per the Tulare County Farmland Mapping and Monitoring Program. As a result, the development of this site is subject to the City's recently adopted Agricultural Preservation Ordinance.

On May 15, 2023, the City Council approved the second and final reading of Ordinance No. 2023-02, which adopts an addition to the Visalia Municipal Code referred to as Title 18 "Agricultural Land Preservation", Chapter 18.04 "Agricultural Land Preservation Program". This code creates an Agricultural Preservation Ordinance (APO) to implement Visalia General Plan Land Use Policy LU-P-34.

The APO established a process for the required preservation of agricultural land through the acquisition of agricultural conservation easements or the payment of an in-lieu fee for projects subject to the provisions of the ordinance.

The developer of the project is subject to complying with the requirements of the adopted APO since the site is located within the Tier II urban development boundary. The preserved land obligation shall be calculated at a ratio of one acre of preserved land for each acre of converted land. Converted land acreage shall be calculated by determining the applicable project acreage less the acreage of exclusions. In addition, the preserved land obligation, as established in Section 18.04.070(A), shall be preserved through acquisition of an agricultural easement in accordance with Section 18.04.080, unless eligible for payment of an in-lieu fee in accordance with Section 18.04.090.

The preserved land obligation shall be satisfied prior to issuance of any permit directly authorizing or resulting in disturbance to the project site. Compliance of the ordinance is achieved when either the approved agricultural conservation easement has been recorded or the applicant has remitted the approved in-lieu fee to the qualified entity.

### **Development Standards**

All 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).

All lots will have lot depths ranging from approximately 95 feet to 105 feet, excepting lots located on cul-de-sac or knuckle street bulbs that account for approximately 4% of the total lot count (i.e., approximately 7 lots). 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.

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. (20-ft. if conditions are met)

**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, including the linear park, which include blocks walls, streetlights, landscaping, and all park amenities as noted on Exhibit “A”.

The block walls along street frontages will be typical City standard block walls. The subdivision map block wall heights will be reduced to three feet where the block wall runs adjacent to the front yard setback areas. The three-foot transition areas are applicable for the corner residential lots within the two subdivisions. Staff has included Map Condition No. 5 to require the stepped down walls.

**Infrastructure**

Water Service: Staff has included Condition No. 8 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 Road 88 alignment indicates installation of a 24” storm drain per the City’s Stormwater Master Plan, which is currently being updated and is subject to change. The subdivision will be required to provide a temporary retention basin which will measure 1.19 acres for storm water drainage, until said time that the City’s master trunk line and regional basis for the area are constructed. The temporary basin will include full improvements to street frontages surrounding the basin.

**Consistency with State Housing Accountability Act (Government Code section 66589.5)**

The Housing Accountability Act (HAA) requires local agencies to approve housing developments that are consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the housing development project’s application is determined to be complete. A local agency cannot disapprove a project or lower its density unless it finds by a preponderance of the evidence that the project would have a specific, adverse impact on public health or safety, and there is no feasible way to mitigate or avoid the impact (Government Code Section 65589.5(j)(1)).

Staff finds that the proposed project is consistent, compliant, and in conformity with the General Plan, Zoning Ordinance and single-family residential development standards. The lots proposed within the Shepherds Ranch II subdivision meet and/or exceed the minimum 5,000 square foot lot area. As depicted per the subdivision map, the average lot size is over 5,000 square feet. The subdivision will also comply with the required setbacks and height restrictions per the R-1 standards. The developer is not seeking any concessions and/or deviations to the required setbacks.

## **Subdivision Map Act Findings**

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

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

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed maps have been found to be consistent with the City’s General Plan. This is included as recommended Finding No. 1 of the Tentative Subdivision and Tentative Parcel Maps. There are no specific plans applicable to the proposed maps.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the maps have been found to be consistent with the City’s General Plan. This is included as recommended Finding No. 1 of the Tentative Subdivision and Tentative Parcel Maps. There are no specific plans applicable to the proposed maps.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed maps and its affiliated development plan, which is designated as Low Density Residential and developed at a density of 4.94 units per acre. This is included as recommended Finding No. 3 of the Tentative Subdivision and Tentative Parcel Maps.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed maps and its affiliated development plan, which is designated as Low Density Residential. This is included as recommended Finding No. 4 of the Tentative Subdivision and Tentative Parcel Maps.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvements of the maps have not been found likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project’s determination of no new effects under the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 6 of the Tentative Subdivision and Tentative Parcel Maps.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Subdivision and Tentative Parcel Maps.

(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.	The proposed design of the maps do not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 5 of the Tentative Subdivision and Tentative Parcel Maps.
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**Environmental Review**

An Initial Study and Mitigated Negative Declaration were prepared for the proposed project. Initial Study and Mitigated Negative Declaration No. 2023-32 disclosed that environmental impacts are determined to be less than significant with the incorporation of mitigation to address significant impacts to the following resources:

- Eight (8) mitigation measures pertaining to Biological Resources to reduce impacts of the Project to special-status wildlife species (i.e., Swainson's Hawk, San Joaquin Kit Fox, Western Burrowing Owl).
- Two (2) mitigation measures pertaining to Cultural Resources to reduce the impacts of the Project on the potential of exposing historical or archaeological materials during construction.
- One (1) mitigation measure pertaining to submittal of plans for storm water pollution and pollutant discharge to reduce impacts to Soil Erosion or the loss of topsoil at the Project site.
- Two (2) mitigation measures pertaining to Noise to reduce the impacts of the Project related to construction noise and existing nearby industrial uses.
- One (1) mitigation measure pertaining to payment of transportation impact fees to reduce impacts to Traffic at the Project site.

One mitigation measure will result in an impact to future residential property owners within the project, wherein covenants will be recorded on all lots to disclose noise exposure from stationary industrial equipment adjacent to the Project site. With the mitigation incorporated into the project, staff concludes that Initial Study and Mitigated Negative Declaration No. 2023-32 adequately analyzes and addresses the proposed project and reduces environmental impacts to a less than significant level.

**Environmental Review Correspondence**

The City received one comment letter in response to the Initial Study / Mitigated Negative Declaration circulated for this project. The letter was received from the San Joaquin Valley Air Pollution Control District and is attached as Exhibit "G". Upon City's review, the letter does not raise any concerns regarding the conclusions reached by environmental assessment. The letter does contain several comments and guidance to ensure that the project is meeting all applicable rules, regulations, and requirements. Based on the letter, the City concludes that the findings and conclusions of the Initial Study / Mitigated Negative Declaration are still applicable and that no additional conditions of approval are necessary for the project. The letter has been shared with the developer.

## **RECOMMENDED FINDINGS**

### **Annexation No. 2022-04**

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 40 acres of AE-20 (Agricultural Exclusive 20-acre) County zone district to approximately 2 acres of QP (Quasi-Public) and 38 acres of R-1-5 (Single-family Residential, 5,000 square feet minimum lot size) zone, 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 Mitigated Negative Declaration No. 2023-32, 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 or wildlife or their habitat.

### **Shepherds Ranch II Tentative Subdivision Map No. 5589 & Tentative Parcel Map No. 2022-03**

1. That the proposed location and layout of the Shepherds Ranch II Tentative Subdivision Map No. 5589, its improvement and design, and the conditions under which it will be maintained, is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 40-acre project site, which is the site of the proposed 200 lot single-family residential subdivision, 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.”
2. That the proposed Shepherds Ranch II Tentative Subdivision Map No. 5589, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative subdivision map will be compatible with adjacent light industrial land uses based on the inclusion of improvements to the north that include a linear park and sound wall. The project site is bordered by existing residential development to the east and south.
3. That the site is physically suitable for the proposed tentative subdivision map. The project 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 itself is designated as Low Density Residential and developed at a density of 4.94 units per acre.
4. That the site is physically suitable for the proposed tentative subdivision map and the project’s density, which is consistent with the proposed Low Density Residential General Plan Land Use Designation and is being developed at a density of 5.29 units per acre. The design of the proposed 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 200-lot subdivision is designed to comply with the City's Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording for new street improvements, including the construction of curb, gutter, curb return, sidewalk, parkway landscaping, and pavement.

5. That the design of the proposed subdivision and 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 200-lot subdivision is designed to comply with the City's Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording.
6. The proposed location of the tentative subdivision map is in accordance with the Visalia General Plan and the objectives of the Zoning and Subdivision Ordinances. The proposed location of the subdivision is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Multiple General Plan policies identify the implementation of development standards to ensure that new single-family residential development will contribute to positive land use compatibility. The size of the property combined with the number of residential lots proposed is consistent and compatible with existing surrounding residential development.

The proposed project will result in the creation of a new single-family residential development at a density of 4.94 units per acre, which is consistent with General Plan land use designation of Low Density Residential and the R-1-5 zoning designation that will be applied to the site when annexed into the city limits.

7. The Housing Accountability Act (Government Code Section 66589.5) requires local agencies to approve housing developments that are consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete. A local agency cannot disapprove a project or lower its density unless it finds by a preponderance of the evidence that the project would have a specific, adverse impact on public health or safety, and there is no feasible way to mitigate or avoid the impact. There is no evidence that the project would cause quantifiable significant unavoidable impacts on public health and safety. The project is consistent, compliant, and in conformity with the General Plan, Zoning Ordinance and development standards.
8. 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 Mitigated Negative Declaration No. 2023-32, is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

## **RECOMMENDED CONDITIONS**

### **Annexation No. 2022-04**

1. Upon annexation, the territory shall be zoned R-1-5 (Single Family Residential, 5,000 sq. ft. minimum) and Q-P (Quasi-Public) 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. 2022-35. The agreement is subject to final approval by the City Council of the City of Visalia.

## **Shepherds Ranch II Tentative Subdivision Map No. 5589**

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2021-22\* incorporated herein by reference.
2. That the Shepherds Ranch II Tentative Subdivision Map No. 5589 be prepared in substantial compliance with the subdivision map in Exhibit "A".
3. That the subdivision map incorporate a linear park and 7-foot tall wall in Outlot C of the tentative subdivision map as depicted in Exhibit "E" that contains trees, landscaping, irrigation, playground equipment (tot lot), picnic area, and trail improvements. Park improvements shall be installed as follows:
  - a. A permit application for the improvement plans for the portion of the park and wall located north of Lots 69, 74, and 75 shall be submitted to the City prior to the issuance of the first building permit for a dwelling unit within Phase 1 of the subdivision (as depicted in Exhibit "A"), and the permit application shall be issued and installation of improvements shall commence prior to the final of the first building permit for a dwelling unit within the subdivision.
  - b. A permit application for the improvement plans for the remaining portion of the park and wall located within Phase 2 shall be submitted to the City prior to the issuance of the first building permit for a dwelling unit within Phase 2 of the subdivision (as depicted in Exhibit "D"), and the permit application shall be issued and installation of improvements shall commence prior to the final of the first building permit for a dwelling unit within Phase 2.
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 the block walls located within the landscape and lighting district Outlots A and B shall transition to three-foot height adjacent to the street side yard setbacks for Lots 1 and 200 of Exhibit "A".
6. That a concrete block or masonry wall shall be erected and/or improved along the north property line of the Project that is shared with adjacent Light Industrial-designated land uses to a height not less than seven (7) feet.
7. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2023-32 are hereby incorporated as conditions of the Shepherds Ranch II Tentative Subdivision Map # 5589, including but not limited to:
  - Prior to final map recordation, the Developer shall record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the Project site. The covenant will ensure future residential property owners are notified of the potential noise impacts as follows:

*"Property owner(s) of lots within the Shepherds Ranch I / Shepherds Ranch II Project are hereby notified that noise levels from adjacent industrial operations may exceed the City of Visalia 2030 General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively."*
8. That prior to the issuance of any residential building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.

9. That the Project shall have its final maps recorded in the phasing succession (i.e. Phase 1, Phase 2, Phase 3) shown on Exhibit "C", and that no final map shall record prior to the final map recording of all lots associated with the Shepherds Ranch I Tentative Subdivision Map #5581.
10. That approval of the Shepherds Ranch II Tentative Subdivision Map No. 5589 shall not become effective unless Annexation No. 2022-04, 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. 2022-04.
11. That all applicable federal, state, regional, and city policies and ordinances be met.

**Tentative Parcel Map No. 2022-03**

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2021-229.
2. That Tentative Parcel Map No. 2022-03 be prepared in substantial compliance with Exhibit "C".
3. That approval of the Tentative Parcel Map No. 2022-03 shall not become effective unless Annexation No. 2022-04, 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. 2022-04.
4. That all other federal, state and city codes, ordinances and laws be met.

**APPEAL INFORMATION**

**Annexation**

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

**Shepherds Ranch II Tentative Subdivision Map No. 5589 and Tentative Parcel Map No. 2022-03**

According to the City of Visalia Subdivision Ordinance Section 16.28.080, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe St., Visalia, CA, 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the City's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**Attachments:**

- Related Plans and Policies
- Resolution No. 2022-34 – Annexation No. 2022-04
  - Attachment “A” – Annexation Area
  - Attachment “B” – Annexation Agreement
- Resolution No. 2022-35 – Shepherds Ranch II Tentative Subdivision Map No. 5589
- Resolution No. 2022-36 – Tentative Parcel Map No. 2022-03
- Exhibit "A" – Shepherds Ranch II Tentative Subdivision Map No. 5589
- Exhibit “B” – Annexation Area
- Exhibit “C” – Tentative Parcel Map No. 2022-03
- Exhibit "D" – Overall Development Plan
- Exhibit “E” – Linear Park Conceptual Exhibit
- Exhibit “F” – Project Description
- Exhibit “G” – Letter from San Joaquin Valley Air Pollution Control District in regards to Initial Study / Mitigated Negative Declaration
- Initial Study / Mitigated Negative Declaration [Appendices included as electronic attachments: Air Quality/GHG, Biological, Cultural Resources, Noise / Acoustical Analysis, Traffic Impact Study]
- Site Plan Review Item No. 2021-229
- 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-19:** Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy. The General Plan Land Use Diagram establishes three growth rings to accommodate estimated City population for the years 2020 and 2030. The Urban Development Boundary I (UDB I) shares its boundaries with the 2012 city limits. The Urban Development Boundary II (UDB II) defines the urbanizable area within which a full range of urban services will need to be extended in the first phase of anticipated growth with a target buildout population of 178,000. The Urban Growth Boundary (UGB) defines full buildout of the General Plan with a target buildout population of 210,000. Each growth ring enables the City to expand in all four quadrants, reinforcing a concentric growth pattern.
- LU-P-21:** Allow annexation and development of residential, commercial, regional retail, and industrial land to occur within the Urban Development Boundary (Tier II) and the Urban Growth Boundary (Tier III) consistent with the City's Land Use Diagram, according to the following phasing thresholds:
- "Tier II": Tier II supports a target buildout population of approximately 178,000. The expansion criteria for land in Tier II is that land would only become available for development when building permits have been issued in Tier I at the following levels, starting from April 1, 2010:
    - Residential: after permits for 5,850 housing units have been issued.
- LU-P-55:** Update the Zoning Ordinance to reflect the Low Density Residential designation on the Land Use Diagram for development at 2 to 10 dwelling units per gross acre, facilitating new planned neighborhoods and infill development in established areas. This designation is intended to provide for single-family detached housing with densities typical of single-family subdivisions. Duplex units, townhouses, and small-lot detached housing may be incorporated as part of Low Density Residential developments. Development standards will ensure that a desirable single-family neighborhood character is maintained.
- LU-O-34** Ensure compatibility between industrial lands and adjacent dissimilar land uses.
- LU-P-103** Require buffering land uses adjacent to existing or planned residential areas adjacent to industrial designations. Such uses may include parks, drainage ponds, open space, or other such uses.

### **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.

**17.12.050 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).

**17.12.080 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.

RESOLUTION NO. 2022-34

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF VISALIA RECOMMENDING APPROVAL OF ANNEXATION NO. 2022-04 AND DETACHMENT OF PROPERTY FROM COUNTY SERVICE AREA NO. 1, PERTAINING TO ONE PARCEL TOTALING APPROXIMATELY 40.44 ACRES INTO THE CITY LIMITS OF VISALIA. UPON ANNEXATION, THE AREA WOULD BE ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL 5,000 SQUARE FOOT MINIMUM LOT AREA) AND QP (QUASI-PUBLIC) ZONE DESIGNATIONS, CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION OF RESIDENTIAL LOW DENSITY AND PARKS/RECREATION. THE PROJECT SITE IS LOCATED ON THE EAST SIDE OF ROAD 88, APPROXIMATELY ¼ MILE SOUTH OF WEST GOSHEN AVENUE. (APN: 081-030-080)

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

**WHEREAS**, the Planning Commission of the City of Visalia, after a duly published notice, did hold a public hearing on June 26, 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) The annexation 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) The annexation will provide and facilitate proper overall planning and zoning of lands and subdivision of lands in said City and said territory in a manner most conducive of the welfare of said City and said territory; and

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

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

**WHEREAS**, the territory proposed to be annexed is located in Voting District 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 June 26, 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; 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 40 acres of AE-20 (Agricultural Exclusive 20-acre) County zone district to approximately 2 acres of QP (Quasi-Public) and 38 acres of R-1-5 (Single-family Residential, 5,000 square feet minimum lot size) zone, 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 Mitigated Negative Declaration No. 2023-32, 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 or wildlife or their habitat.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Mitigated Negative Declaration No. 2023-32 prepared for Annexation No. 2022-04, Tentative Parcel Map No. 2022-03, and Shepherds Ranch II Tentative Subdivision Map No. 5589 consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

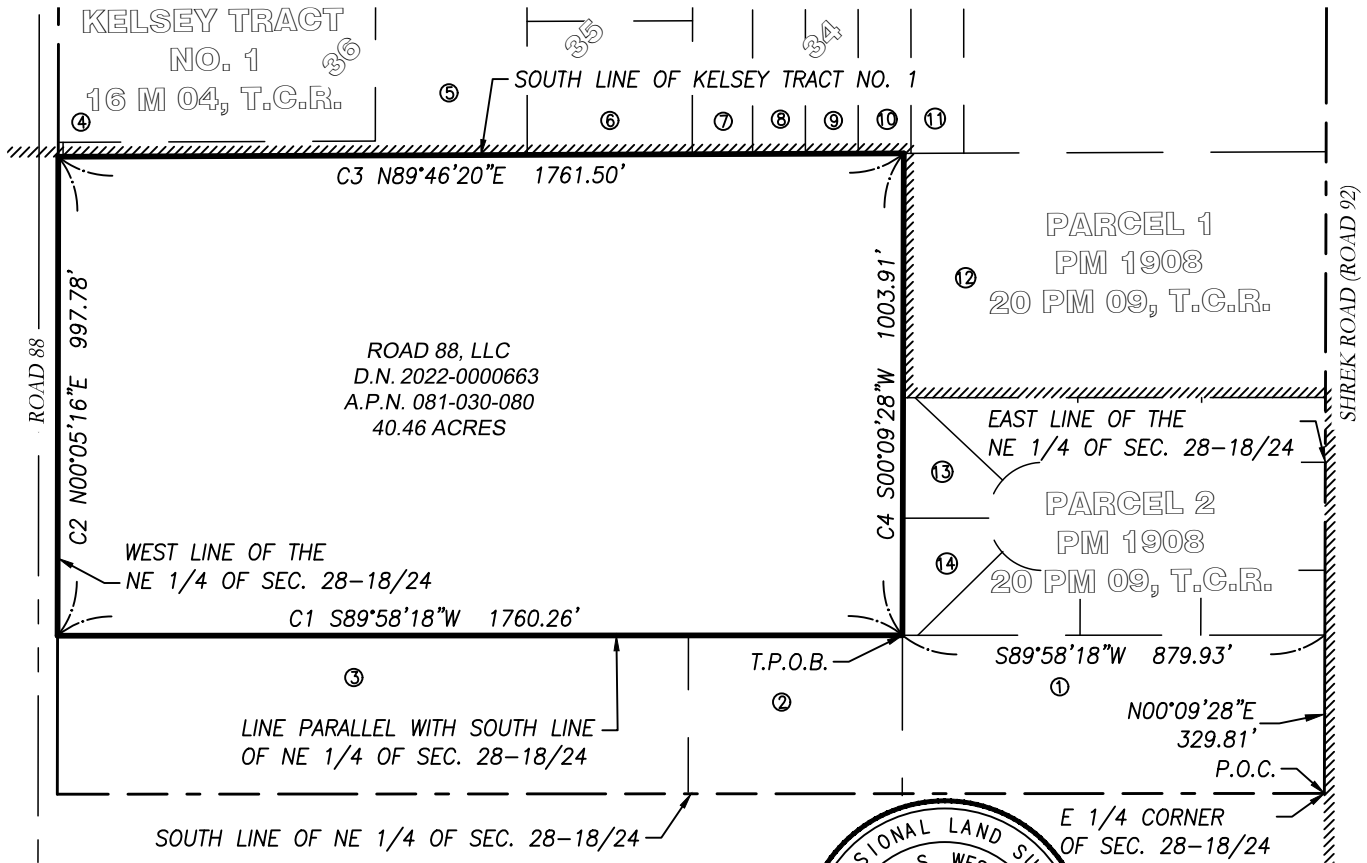
**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of the Annexation described herein, subject to the following condition:

1. Upon annexation, the territory shall be zoned R-1-5 (Single Family Residential, 5,000 sq. ft. minimum) and Q-P (Quasi-Public) 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. 2022-35. The agreement is subject to final approval by the City Council of the City of Visalia.

**ANNEXATION NO. \_\_\_\_\_**

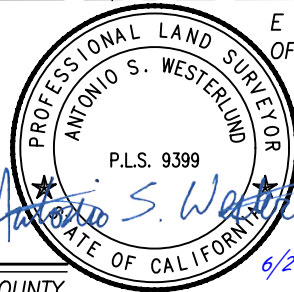
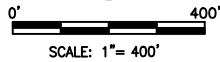
THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.  
 AREA: 40.46 ACRES

**ANNEXATION TO THE CITY OF VISALIA AND  
 DETACHMENT FROM TULARE COUNTY SERVICE  
 AREA # \_\_\_\_\_**



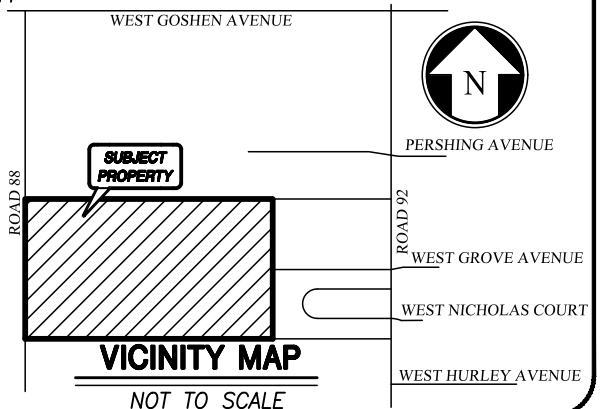
**NOTE:**

SEE SHEET 2  
 FOR ALL ADJACENT PROPERTY  
 ASSESSOR PARCEL NUMBERS



**LEGEND**

D.N.	DOCUMENT NUMBER PER OFFICIAL RECORD OF TULARE COUNTY
T.C.R.	TULARE COUNTY RECORDS
XX M YY	BOOK XX OF MAPS, PAGE YY, T.C.R.
XX PM YY	BOOK XX OF PARCEL MAPS, PAGE YY, T.C.R.
#	SEE SHEET 2 FOR APN TABLE
	EXISTING PARCEL LINES
	EXISTING CITY LIMITS
	AREA BEING ANNEXED
	RIGHT-OF-WAY
	POINT OF COMMENCEMENT
	TRUE POINT OF BEGINNING
	COURSE CALL



**VICINITY MAP**  
 NOT TO SCALE

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PROJECT NO.: **210315**

DRAWN BY: **TKF**

QA/QC BY: **RCO**

SCALE: **1" = 400'**

SHEET NO.:

**1 OF 2**

**Resolution 2022-34  
 Exhibit "A"**

**PLAT TO ACCOMPANY DESCRIPTION  
 ANNEXATION  
 CITY OF VISALIA**



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 CLOVIS, CA 93612 WWW.QKINC.COM  
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**ANNEXATION NO. \_\_\_\_\_**

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.  
AREA: 40.46 ACRES

**ANNEXATION TO THE CITY OF VISALIA AND  
DETACHMENT FROM TULARE COUNTY SERVICE  
AREA #\_**

**ADJACENT PROPERTY OWNERS  
ASSESSOR PARCEL NUMBERS**

- ① 081-040-005
- ② 081-040-029
- ③ 081-030-019
- ④ 081-140-003
- ⑤ 081-140-011
- ⑥ 081-140-012
- ⑦ 081-150-012
- ⑧ 081-150-013
- ⑨ 081-150-014
- ⑩ 081-150-015
- ⑪ 081-150-016
- ⑫ 081-030-046
- ⑬ 081-030-054
- ⑭ 081-030-055

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PROJECT NO.: **210315**

DRAWN BY: **TKF**

QA/QC BY: **RCO**

SCALE: **1" = 400'**

SHEET NO.:

**2 OF 2**

**Resolution 2022-34  
Exhibit "A"**

**PLAT TO ACCOMPANY DESCRIPTION  
ANNEXATION  
CITY OF VISALIA**



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EXHIBIT

**Pre-Annexation Agreement**

This Pre-Annexation Agreement ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, by and among the City of Visalia, a charter law city ("City") and Road 88 LLC, (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 (Single-family Residential, 5,000 square foot minimum lot size) and Q-P (Quasi-Public) which would permit the Property to be used for land uses consistent with the Low Density Residential and Parks/Recreation General Plan land use designations; and

**WHEREAS**, the Property consists of approximately 40.4 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 \_\_\_\_\_, 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 \_\_ of Resolution No. 2023-\_\_ 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:                   Road 88 LLC  
   \_\_\_\_\_  
   \_\_\_\_\_



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: \_\_\_\_\_  
Road 88 LLC

## RESOLUTION NO 2022-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING SHEPHERDS RANCH II TENTATIVE SUBDIVISION MAP NO. 5589: A REQUEST TO SUBDIVIDE A 40.44-ACRE PARCEL INTO 200 LOTS FOR SINGLE-FAMILY RESIDENTIAL USE AND ADDITIONAL LOTS FOR LANDSCAPING, PARK, AND TRAIL PURPOSES, TO BE LOCATED WITHIN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL 5,000 SQUARE FOOT MINIMUM LOT AREA) AND QP (QUASI-PUBLIC) ZONE DESIGNATIONS. THE PROJECT SITE IS LOCATED ON THE EAST SIDE OF ROAD 88, APPROXIMATELY ¼ MILE SOUTH OF WEST GOSHEN AVENUE. (APN: 081-030-080)

**WHEREAS**, Shepherds Ranch II Tentative Subdivision Map No. 5589 is a request to subdivide a 40.44-acre parcel into 200 lots for single-family residential use and additional lots for landscaping, park, and trail purposes, to be located within the R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations. The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue. (APN: 081-030-080); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on June 26, 2023; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Shepherds Ranch II Tentative Subdivision Map No. 5589 in accordance with Chapter 16.16 of the Subdivision Ordinance of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

**NOW, THEREFORE, BE IT RESOLVED** that Mitigated Negative Declaration No. 2023-32 was prepared for Annexation No. 2022-04, Tentative Parcel Map No. 2022-03, and Shepherds Ranch II Tentative Subdivision Map No. 5589 consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed location and layout of the Shepherds Ranch II Tentative Subdivision Map No. 5589, its improvement and design, and the conditions under which it will be maintained, is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 40-acre project site, which is the site of the proposed 200 lot single-family residential subdivision, 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."

2. That the proposed Shepherds Ranch II Tentative Subdivision Map No. 5589, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative subdivision map will be compatible with adjacent light industrial land uses based on the inclusion of improvements to the north that include a linear park and sound wall. The project site is bordered by existing residential development to the east and south.
3. That the site is physically suitable for the proposed tentative subdivision map. The project 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 itself is designated as Low Density Residential and developed at a density of 4.94 units per acre.
4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which is consistent with the proposed Low Density Residential General Plan Land Use Designation and is being developed at a density of 5.29 units per acre. The design of the proposed 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 200-lot subdivision is designed to comply with the City's Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording for new street improvements, including the construction of curb, gutter, curb return, sidewalk, parkway landscaping, and pavement.
5. That the design of the proposed subdivision and 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 200-lot subdivision is designed to comply with the City's Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording.
6. The proposed location of the tentative subdivision map is in accordance with the Visalia General Plan and the objectives of the Zoning and Subdivision Ordinances. The proposed location of the subdivision is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Multiple General Plan policies identify the implementation of development standards to ensure that new single-family residential development will contribute to positive land use compatibility. The size of the property combined with the number of residential lots proposed is consistent and compatible with existing surrounding residential development.

The proposed project will result in the creation of a new single-family residential development at a density of 4.94 units per acre, which is consistent with General Plan land use designation of Low Density Residential and the R-1-5 zoning designation that will be applied to the site when annexed into the city limits.

7. The Housing Accountability Act (Government Code Section 66589.5) requires local agencies to approve housing developments that are consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete. A local agency cannot disapprove a project or lower its density unless it finds by a preponderance of the evidence that the project would have a specific, adverse impact on public health or safety, and there is no feasible way to mitigate or avoid the impact. There is no evidence that the project would cause quantifiable significant unavoidable impacts on public health and safety. The project is consistent, compliant, and in conformity with the General Plan, Zoning Ordinance and development standards.
8. 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 Mitigated Negative Declaration No. 2023-32 is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements are 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 Section 16.16.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2021-22\* incorporated herein by reference.
2. That the Shepherds Ranch II Tentative Subdivision Map No. 5589 be prepared in substantial compliance with the subdivision map in Exhibit "A".
3. That the subdivision map incorporate a linear park and 7-foot tall wall in Outlot C of the tentative subdivision map as depicted in Exhibit "E" that contains trees, landscaping, irrigation, playground equipment (tot lot), picnic area, and trail improvements. Park improvements shall be installed as follows:
  - a. A permit application for the improvement plans for the portion of the park and wall located north of Lots 69, 74, and 75 shall be submitted to the City prior to the issuance of the first building permit for a dwelling unit within Phase 1 of the subdivision (as depicted in Exhibit "A"), and the permit application shall be issued and installation of improvements shall commence prior to the final of the first building permit for a dwelling unit within the subdivision.
  - b. A permit application for the improvement plans for the remaining portion of the park and wall located within Phase 2 shall be submitted to the City prior to the issuance of the first building permit for a dwelling unit within Phase 2 of the subdivision (as depicted in Exhibit "D"), and the permit application shall be issued and installation of improvements shall commence prior to the final of the first building permit for a dwelling unit within Phase 2.

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 the block walls located within the landscape and lighting district Outlots A and B shall transition to three-foot height adjacent to the street side yard setbacks for Lots 1 and 200 of Exhibit "A".
6. That a concrete block or masonry wall shall be erected and/or improved along the north property line of the Project that is shared with adjacent Light Industrial-designated land uses to a height not less than seven (7) feet.
7. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2023-32 are hereby incorporated as conditions of the Shepherds Ranch II Tentative Subdivision Map # 5589, including but not limited to:
  - Prior to final map recordation, the Developer shall record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the Project site. The covenant will ensure future residential property owners are notified of the potential noise impacts as follows:

*"Property owner(s) of lots within the Shepherds Ranch I / Shepherds Ranch II Project are hereby notified that noise levels from adjacent industrial operations may exceed the City of Visalia 2030 General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively."*
8. That prior to the issuance of any residential building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
9. That the Project shall have its final maps recorded in the phasing succession (i.e. Phase 1, Phase 2, Phase 3) shown on Exhibit "C", and that no final map shall record prior to the final map recording of all lots associated with the Shepherds Ranch I Tentative Subdivision Map #5581.
10. That approval of the Shepherds Ranch II Tentative Subdivision Map No. 5589 shall not become effective unless Annexation No. 2022-04, 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. 2022-04.
11. That all applicable federal, state, regional, and city policies and ordinances be met.

RESOLUTION NO. 2022-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2022-03, A REQUEST TO SUBDIVIDE 40.44 ACRES INTO THREE PARCELS FOR PHASING AND FINANCING PURPOSES TO BE LOCATED WITHIN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL 5,000 SQUARE FOOT MINIMUM LOT AREA) AND QP (QUASI-PUBLIC) ZONE DESIGNATIONS. THE PROJECT SITE IS LOCATED ON THE EAST SIDE OF ROAD 88, APPROXIMATELY ¼ MILE SOUTH OF WEST GOSHEN AVENUE. (APN: 081-030-080)

**WHEREAS**, Tentative Parcel Map No. 2022-03, is a request to subdivide 40.44 acres into three parcels for phasing and financing purposes to be located within the R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations. The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue. (APN: 081-030-080); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said commission on June 26, 2023; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2022-03, as conditioned, in accordance with Section 16.28.070 of the Visalia Municipal Code based on the evidence contained in the staff report and testimony presented at the public hearing; and,

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

**NOW, THEREFORE, BE IT RESOLVED** that Mitigated Negative Declaration No. 2023-32 was prepared for Annexation No. 2022-04, Tentative Parcel Map No. 2022-03, and Shepherds Ranch II Tentative Subdivision Map No. 5589 consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed location and layout of the Shepherds Ranch II Tentative Subdivision Map No. 5589, its improvement and design, and the conditions under which it will be maintained, is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 40-acre project site, which is the site of the proposed 200 lot single-family residential subdivision, 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.”
2. That the proposed Shepherds Ranch II Tentative Subdivision Map No. 5589, its improvement and design, and the conditions under which it will be maintained will not



be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative subdivision map will be compatible with adjacent light industrial land uses based on the inclusion of improvements to the north that include a linear park and sound wall. The project site is bordered by existing residential development to the east and south.

3. That the site is physically suitable for the proposed tentative subdivision map. The project 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 itself is designated as Low Density Residential and developed at a density of 4.94 units per acre.
4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which is consistent with the proposed Low Density Residential General Plan Land Use Designation and is being developed at a density of 5.29 units per acre. The design of the proposed 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 200-lot subdivision is designed to comply with the City's Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording for new street improvements, including the construction of curb, gutter, curb return, sidewalk, parkway landscaping, and pavement.
5. That the design of the proposed subdivision and 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 200-lot subdivision is designed to comply with the City's Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording.
6. The proposed location of the tentative subdivision map is in accordance with the Visalia General Plan and the objectives of the Zoning and Subdivision Ordinances. The proposed location of the subdivision is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Multiple General Plan policies identify the implementation of development standards to ensure that new single-family residential development will contribute to positive land use compatibility. The size of the property combined with the number of residential lots proposed is consistent and compatible with existing surrounding residential development.

The proposed project will result in the creation of a new single-family residential development at a density of 4.94 units per acre, which is consistent with General Plan land use designation of Low Density Residential and the R-1-5 zoning designation that will be applied to the site when annexed into the city limits.

7. The Housing Accountability Act (Government Code Section 66589.5) requires local agencies to approve housing developments that are consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the housing development project's

application is determined to be complete. A local agency cannot disapprove a project or lower its density unless it finds by a preponderance of the evidence that the project would have a specific, adverse impact on public health or safety, and there is no feasible way to mitigate or avoid the impact. There is no evidence that the project would cause quantifiable significant unavoidable impacts on public health and safety. The project is consistent, compliant, and in conformity with the General Plan, Zoning Ordinance and development standards.

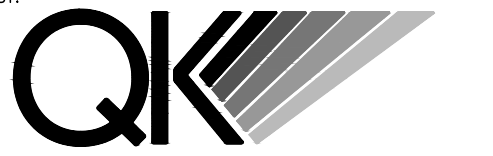
8. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and that Mitigated Negative Declaration No. 2023-32 is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements are 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 approved the parcel map on the real property herein above described in accordance with the terms of this resolution under the provision of Section 16.28.070 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2021-229.
2. That Tentative Parcel Map No. 2022-03 be prepared in substantial compliance with Exhibit "C".
3. That approval of the Tentative Parcel Map No. 2022-03 shall not become effective unless Annexation No. 2022-04, 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. 2022-04.
4. That all other federal, state and city codes, ordinances and laws be met.

# TENTATIVE SUBDIVISION MAP SHEPHERDS RANCH II

A PORTION OF THE NORTHEAST QUARTER OF SECTION 28, T.18S., R.24E., MOUNT DIABLO BASE AND MERIDIAN,  
IN THE UNINCORPORATED AREA OF THE COUNTY OF TULARE, STATE OF CALIFORNIA.



601 POLASKY AVE., STE. 301 TEL: (559) 449-2400  
CLONS, CA 95817 WWW.QK.COM  
LAND SURVEYOR: ANTONIO WESTERLUND, PLS

## PROJECT SITE INFORMATION

APN: 081-030-080-000

RECORD OWNERSHIP:  
ROAD 88, LLC  
P.O. BOX 964  
VISALIA, CA 93279

SUBDIVIDER/APPLICANT:  
D.R. HORTON & SONS, INC.  
419 W. MURRAY AVENUE  
VISALIA, CA 93291  
(559) 636-9850

## LEGAL DESCRIPTION

PER PRELIMINARY TITLE REPORT ORDER NO. 0181-024447-II DATED MAY 18, 2022:

REAL PROPERTY IN THE UNINCORPORATED AREA OF THE COUNTY OF TULARE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, COUNTY OF TULARE, STATE OF CALIFORNIA:

COMMENCING AT THE EAST QUARTER CORNER OF ABOVE SAID SECTION 28, AS SHOWN ON THE MAP FILED IN BOOK 20 OF PARCEL MAPS, AT PAGE 9, TULARE COUNTY RECORDS; THENCE NORTH 0°00'04" WEST ALONG THE EAST LINE OF SAID SECTION 28, A DISTANCE OF 330.00 FEET; THENCE SOUTH 89°48'56" WEST PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28, SAID PARALLEL LINE ALSO BEING THE SOUTH LINE OF PARCEL 2 SHOWN ON ABOVE SAID PARCEL MAP, A DISTANCE OF 880.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 2 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°48'56" WEST, A DISTANCE OF 1,760.11 FEET TO THE POINT OF INTERSECTION WITH WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE NORTH 0°03'55" WEST, A DISTANCE OF 897.48 FEET TO THE SOUTHWEST CORNER OF LOT 36 OF KELSEY TRACT NO. 1 AS SHOWN ON THE MAP FILED IN BOOK 16 OF MAPS, AT PAGE 4, TULARE COUNTY RECORDS; THENCE NORTH 89°39'56" EAST ALONG THE SOUTH LINE OF LOTS 36, 35 AND 34 OF SAID KELSEY TRACT NO. 1, A DISTANCE OF 1,761.26 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY PROJECTION OF THE WEST LINE OF PARCEL 1 AS SHOWN ON THE MAP FILED IN BOOK 20 OF PARCEL MAPS AT PAGE 9, TULARE COUNTY RECORDS; THENCE SOUTH 0°00'04" EAST ALONG THE LAST SAID NORTHERLY PROJECTION AND THE WEST LINE OF PARCELS 1 AND 2 AS SHOWN ON SAID SAID PARCEL MAP, A DISTANCE OF 1,003.64 FEET TO THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED JANUARY 4, 2022, AS INSTRUMENT NO. 2022-000663, OF OFFICIAL RECORDS.

APN: 081-030-036-000 (AFFECTS THIS AND OTHER PROPERTIES) AND 081-030-080-000 (NEW APN NOT YET ASSESSED)

## UTILITIES

SOUTHERN CALIFORNIA EDISON:  
MISAEI BARBA  
2425 S. BLACKSTONE STREET, TULARE, CA 93274  
O: 559-684-3532  
C: 559-801-1272  
misaei.barba@sce.com

SOUTHERN CALIFORNIA GAS COMPANY:  
JUAN MEJORADO  
404 N. TIPTON STREET, VISALIA, CA 93292  
O: 559-739-2317  
JMejorad@scg.com

AT&T:  
ERIN PECTOL  
217 W. ACEQUA AVENUE, VISALIA, CA 93291  
O: 559-739-6849  
C: 559-217-1637  
ep8545@att.com

COMCAST:  
MICHAEL CORRAL  
1031 N. PLAZA DRIVE, VISALIA, CA 93291  
O: 559-739-2104  
C: 559-217-9033  
mcorral@comcast.com

## PHASING & LOT INFORMATION

THE APPLICANT RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS PURSUANT TO SECTION 66456.1 OF THE SUBDIVISION MAP ACT. PHASES SHOWN HEREON ARE PLANNED, AND SUBJECT TO CHANGE.

PHASE 1	PHASE 2	PHASE 3
72	68	60
TOTAL LOTS - 200		

## SETBACKS

### 5,000 SF LOTS

FRONT: 15' TO LIVING  
22' TO GARAGE

SIDE: 10' FOR CORNER LOTS  
5' EVERYWHERE ELSE

REAR: 25'

## ACREAGE AND LAND USE

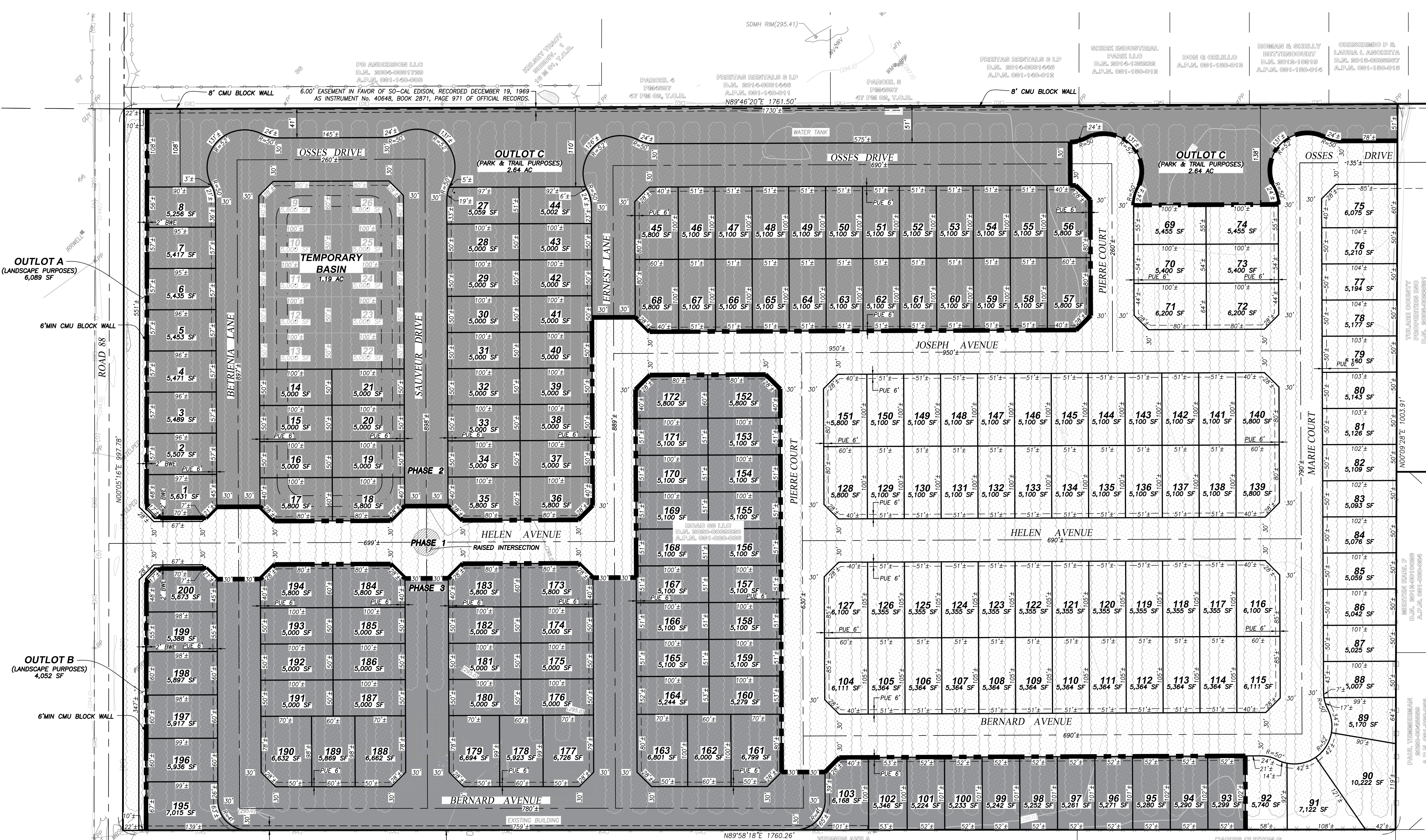
	NO. OF UNITS	GROSS ACRES	GROSS DENSITY UNITS/ACRE	PROPOSED ZONE
5,000 SF LOTS:	200	24.673	8.07	R-1-5
OUTLOTS A & B - LANDSCAPE:	2	0.233	N/A	VARIOUS
OUTLOT C - PARK & TRAIL (PUBLIC):	1	2.633	N/A	QP
RIGHT OF WAY:		12.919	N/A	VARIOUS
TOTALS:	203	40.458		

## NOTES

- DATE OF PREPARATION: MARCH 9, 2022 (UPDATED MAY 31, 2022)
- ALL DISTANCES SHOWN ARE IN FEET & DECIMALS THEREOF AND ARE APPROXIMATE
- EXISTING LAND USE: AG
- PROPOSED LAND USE: R-1-5 (100% OF SITE)
- IMPROVEMENTS TO CONFORM TO APPLICABLE ORDINANCES & STATUTES
- EASEMENTS FOR PUBLIC UTILITIES TO BE PROVIDED AS REQUIRED
- AREA OF OUTLOT C = 10.7% OF AREA OF RESIDENTIAL LOTS PLUS OUTLOT C
- 8' CMU BLOCK WALL AT THE NORTHERN PROPERTY LINE.
- 6' MIN CMU BLOCK WALL ON THE EAST LINES OF OUTLOTS A AND B. THE BLOCK WALL WILL ALSO WRAP AROUND TO THE SIDE YARDS OF LOTS 1 AND 200.

## FLOOD ZONE NOTE

THE SUBJECT SITE IS WITHIN FLOOD ZONES AE AND X AS SHOWN ON FEMA FIRM PANEL 06107C0928E, EFFECTIVE 6/16/2009.

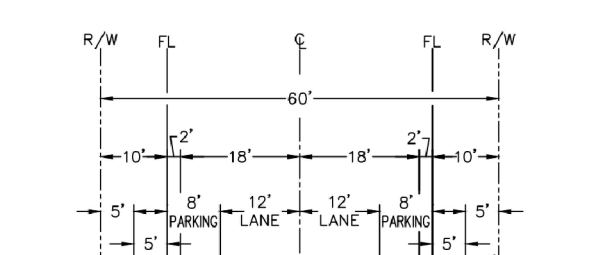


## LEGEND

GUY	GUY WIRE	CMU BLOCK WALL
IRRWELL	SUBDIVISION BOUNDARY	PROPOSED PARCEL LINE
HB	HOSE BIB	PROPOSED CENTER LINE
MBS	MAILBOX (SINGLE)	EXISTING RIGHT OF WAY LINE
PALM	PALM TREE	ADJACENT PARCEL LINES
PP	POWER POLE	SOUTHERN CALIFORNIA EDISON EASEMENT
SDMH	STORM DRAIN MANHOLE	PUBLIC UTILITY EASEMENT
SP	STAND PIPE	PHASE LINE
TEL PED	TELEPHONE PEDESTAL	EXISTING CONTOUR
TP	TELEPHONE POLE	EXISTING EDGE OF DIRT ROAD
TREE	TREE	EXISTING EDGE OF PAVEMENT
WELL	DOMESTIC WELL	EXISTING OVERHEAD ELECTRIC LINE
WV	WATER VALVE	FENCE, BARBED WIRE
WM	WATER METER	FENCE, WIRE
	WALNUT TREE ROW	FENCE, CHAINLINK
A.P.N.	ASSESSOR'S PARCEL NUMBER	FENCE, WOOD
BWE	BLOCK WALL EASEMENT	FENCE, PIPE
CL	CENTERLINE	ELECTRICAL LINE (OVERHEAD)
CMU	CONCRETE MASONRY UNIT	HIGH-PRESSURE GAS LINE
D.N.	DOCUMENT NUMBER PER OFFICIAL RECORDS OF TULARE COUNTY	STORM DRAIN LINE
FL	FLOW LINE	TELEPHONE LINE (OVERHEAD)
PP	POWER POLE	PHASE 1
PUE	PUBLIC UTILITY EASEMENT	PHASE 2
R/W	RIGHT OF WAY	PHASE 3
T.C.R.	TULARE COUNTY RECORDS	
XX M YY	VOLUME XX OF M, PAGE YY, T.C.R.	
XX PM YY	BOOK XX OF PARCEL MAPS, PAGE YY, T.C.R.	

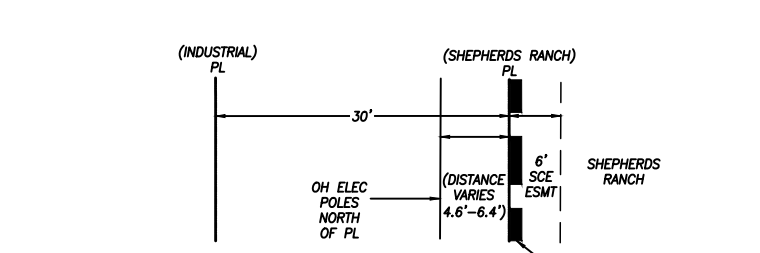
## INTERIOR STREETS

NOT TO SCALE  
PER CITY STD. P-1



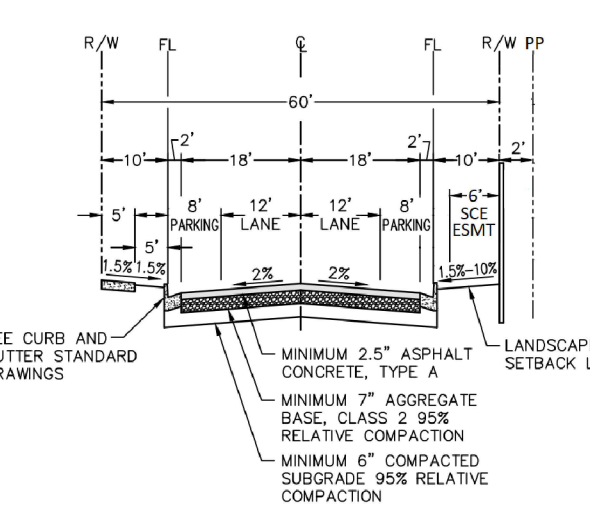
## NORTH BOUNDARY DETAIL

NOT TO SCALE



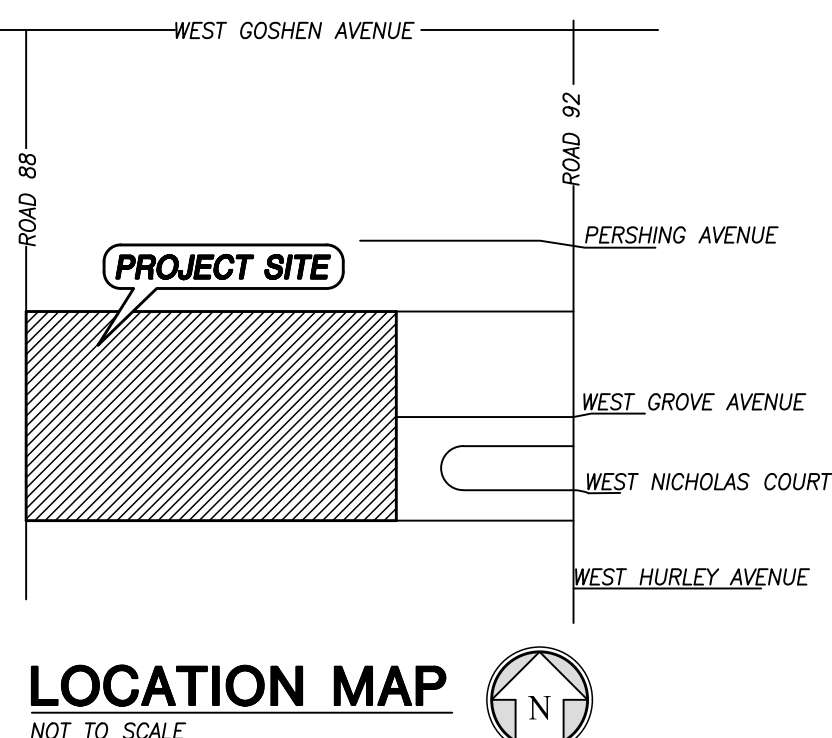
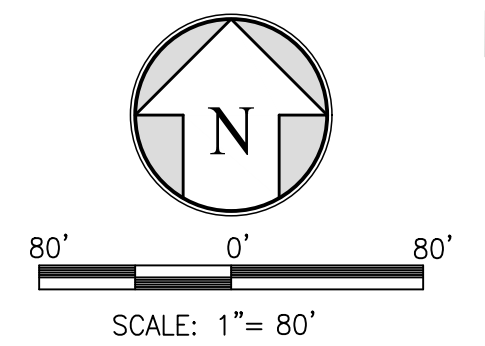
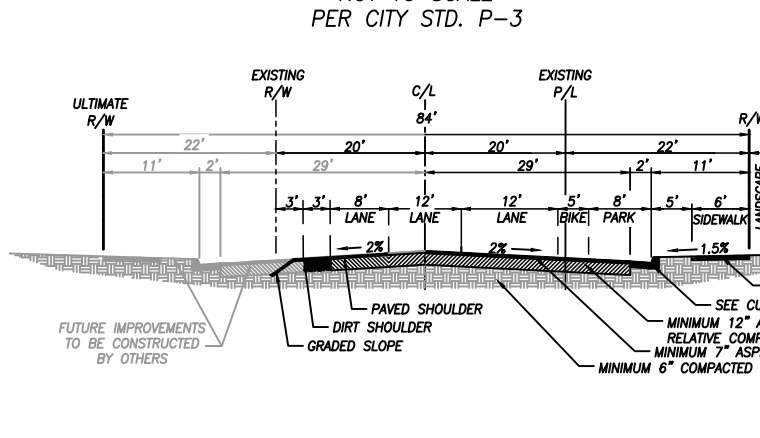
## BERNARD AVENUE

NOT TO SCALE



## 2 LANE COLLECTOR

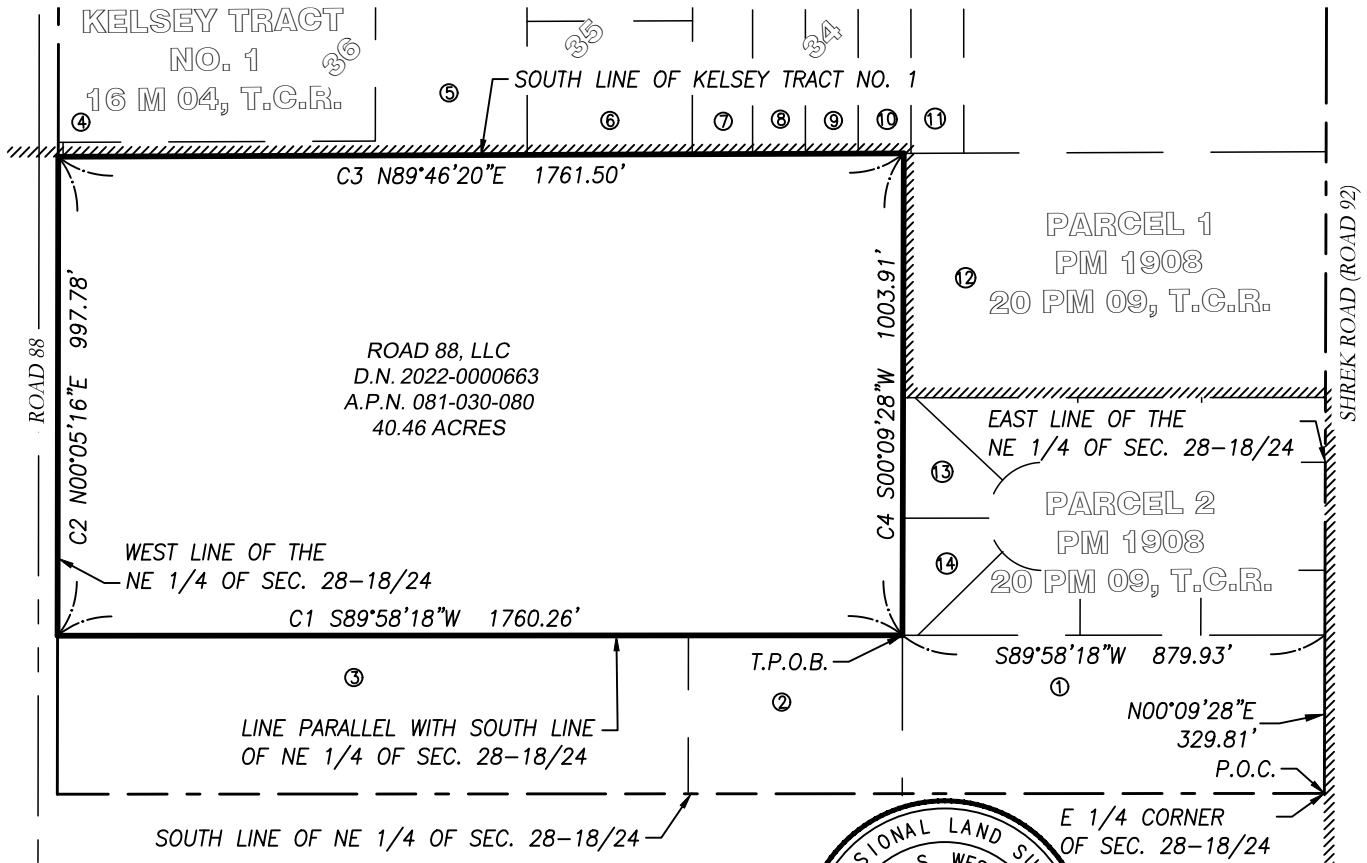
ROAD 88 (LOOKING NORTH)  
NOT TO SCALE  
PER CITY STD. P-3



**ANNEXATION NO. \_\_\_\_\_**

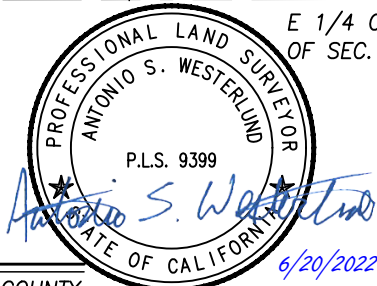
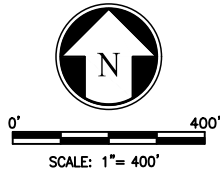
THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.  
 AREA: 40.46 ACRES

**ANNEXATION TO THE CITY OF VISALIA AND  
 DETACHMENT FROM TULARE COUNTY SERVICE  
 AREA # \_\_\_\_\_**



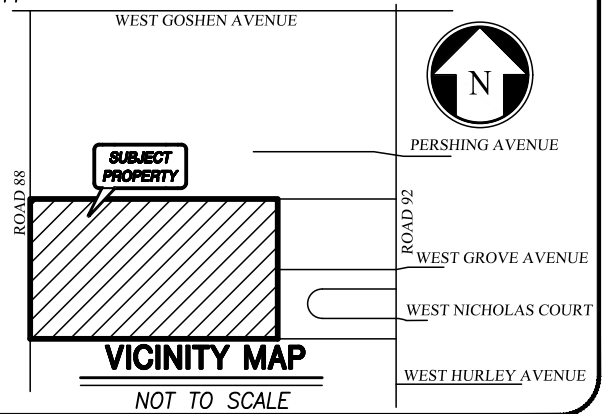
**NOTE:**

SEE SHEET 2  
 FOR ALL ADJACENT PROPERTY  
 ASSESSOR PARCEL NUMBERS



**LEGEND**

D.N.	DOCUMENT NUMBER PER OFFICIAL RECORD OF TULARE COUNTY
T.C.R.	TULARE COUNTY RECORDS
XX M YY	BOOK XX OF MAPS, PAGE YY, T.C.R.
XX PM YY	BOOK XX OF PARCEL MAPS, PAGE YY, T.C.R.
#	SEE SHEET 2 FOR APN TABLE
	EXISTING PARCEL LINES
	EXISTING CITY LIMITS
	AREA BEING ANNEXED
	RIGHT-OF-WAY
P.O.C.	POINT OF COMMENCEMENT
T.P.O.B.	TRUE POINT OF BEGINNING
C1	COURSE CALL



L:\PROJECTS\2021\210315\ACAD\LEGALS\ANNEXATION\210315-ANNEX.DWG 6/15/2022 4:45 PM

PROJECT NO.: **210315**  
 DRAWN BY: **TKF**  
 QA/QC BY: **RCO**  
 SCALE: **1" = 400'**  
 SHEET NO.:  
**1 OF 2**

**EXHIBIT B**

**PLAT TO ACCOMPANY DESCRIPTION  
 ANNEXATION**  
 CITY OF VISALIA

601 POLLASKY AVE., STE. 301 TEL: (559) 449-2400  
 CLOVIS, CA 93612 WWW.QKINC.COM  
 © COPYRIGHT BY QUAD KNOPF, INC. UNAUTHORIZED USE PROHIBITED.

**Exhibit "B"**

**ANNEXATION NO. \_\_\_\_\_**

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.  
AREA: 40.46 ACRES

**ANNEXATION TO THE CITY OF VISALIA AND  
DETACHMENT FROM TULARE COUNTY SERVICE  
AREA #\_**

**ADJACENT PROPERTY OWNERS  
ASSESSOR PARCEL NUMBERS**

- ① 081-040-005
- ② 081-040-029
- ③ 081-030-019
- ④ 081-140-003
- ⑤ 081-140-011
- ⑥ 081-140-012
- ⑦ 081-150-012
- ⑧ 081-150-013
- ⑨ 081-150-014
- ⑩ 081-150-015
- ⑪ 081-150-016
- ⑫ 081-030-046
- ⑬ 081-030-054
- ⑭ 081-030-055

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PROJECT NO.: 210315

DRAWN BY: TKF

QA/QC BY: RCO

SCALE: 1" = 400'

SHEET NO.:

**2 OF 2**

**EXHIBIT B**

**PLAT TO ACCOMPANY DESCRIPTION  
ANNEXATION  
CITY OF VISALIA**



601 POLLASKY AVE., STE. 301 TEL: (559) 449-2400

CLOVIS, CA 93612

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City of Visalia  
Annexation No. \_\_\_\_

ANNEXATION TO THE CITY OF VISALIA AND DETACHMENT FROM TULARE COUNTY SERVICE AREA #\_\_

Description for Annexation

That portion of the Southeast Quarter of the Northeast Quarter of Section 28, Township 18 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, more particularly described as follows:

**COMMENCING** at the East Quarter corner of above said Section 28, as shown on the map filed in Book 20 of Parcel Maps, at Page 9, Tulare County Records; thence, along the east line of said Section 28, North 00°09'28" East, a distance of 329.81 feet, more or less; thence, parallel with the south line of the Northeast Quarter of said Section 28, said parallel line also being the south line of Parcel 2 shown on above said parcel map, South 89°58'18" West, a distance of 879.93 feet, more or less, to the southwest corner of said Parcel 2 and the **TRUE POINT OF BEGINNING**; thence,

- C1) continuing southerly along said course, South 89°58'18" West, a distance of 1760.26 feet, more or less, to the point of intersection with the west line of the Northeast Quarter of said Section 28; thence,
- C2) northerly along said west line, North 00°05'16" East, a distance of 997.78 feet, more or less, to the southwest corner of Lot 36 of Kelsey Tract No. 1 as shown on the map filed in Book 16 of Maps, at Page 4, Tulare County Records, said point also being a point on the existing City Limit line; thence,
- C3) easterly along the south line of Lots 36, 35 and 34 of said Kelsey Tract No. 1 and the City Limit line, North 89°46'20" East, a distance of 1761.50 feet, more or less, to the point of intersection with the northerly prolongation of the west line of Parcel 1 as shown on the map filed in Book 20 of Parcel Maps, at Page 9, Tulare County Records, said point also being a point on the existing City Limit line; thence,
- C4) southerly along said west line and City Limit line and the west line of Parcel 2 shown on above said parcel map, South 00°09'28" West, a distance of 1003.91 feet, more or less, to the **TRUE POINT OF BEGINNING**.

Containing 40.46 acres, more or less.



# TENTATIVE PARCEL MAP SHEPHERDS RANCH II

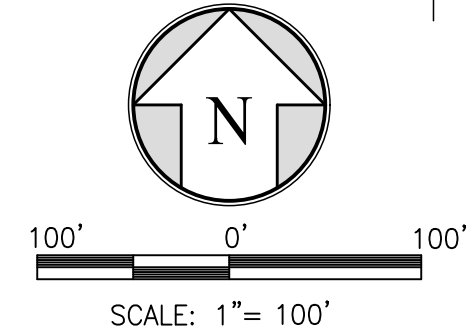
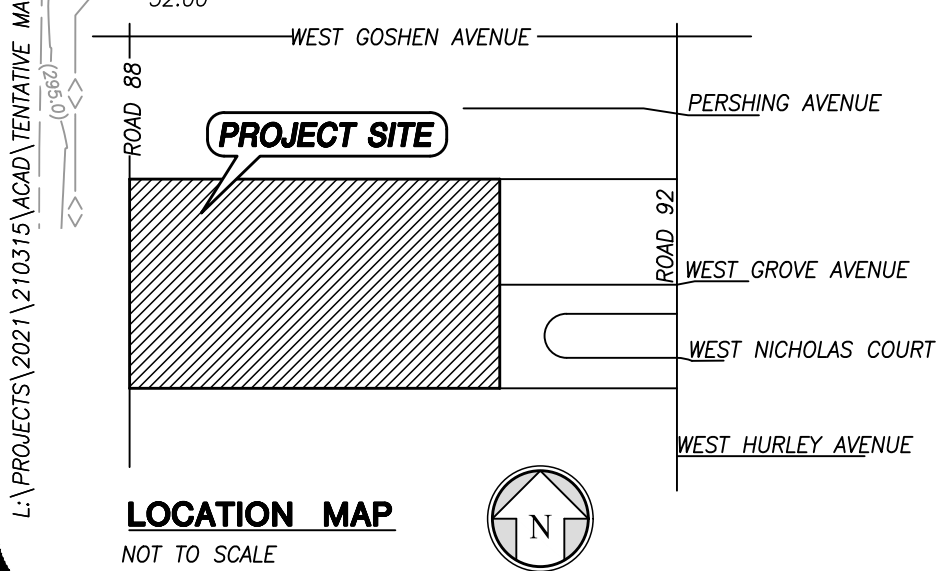
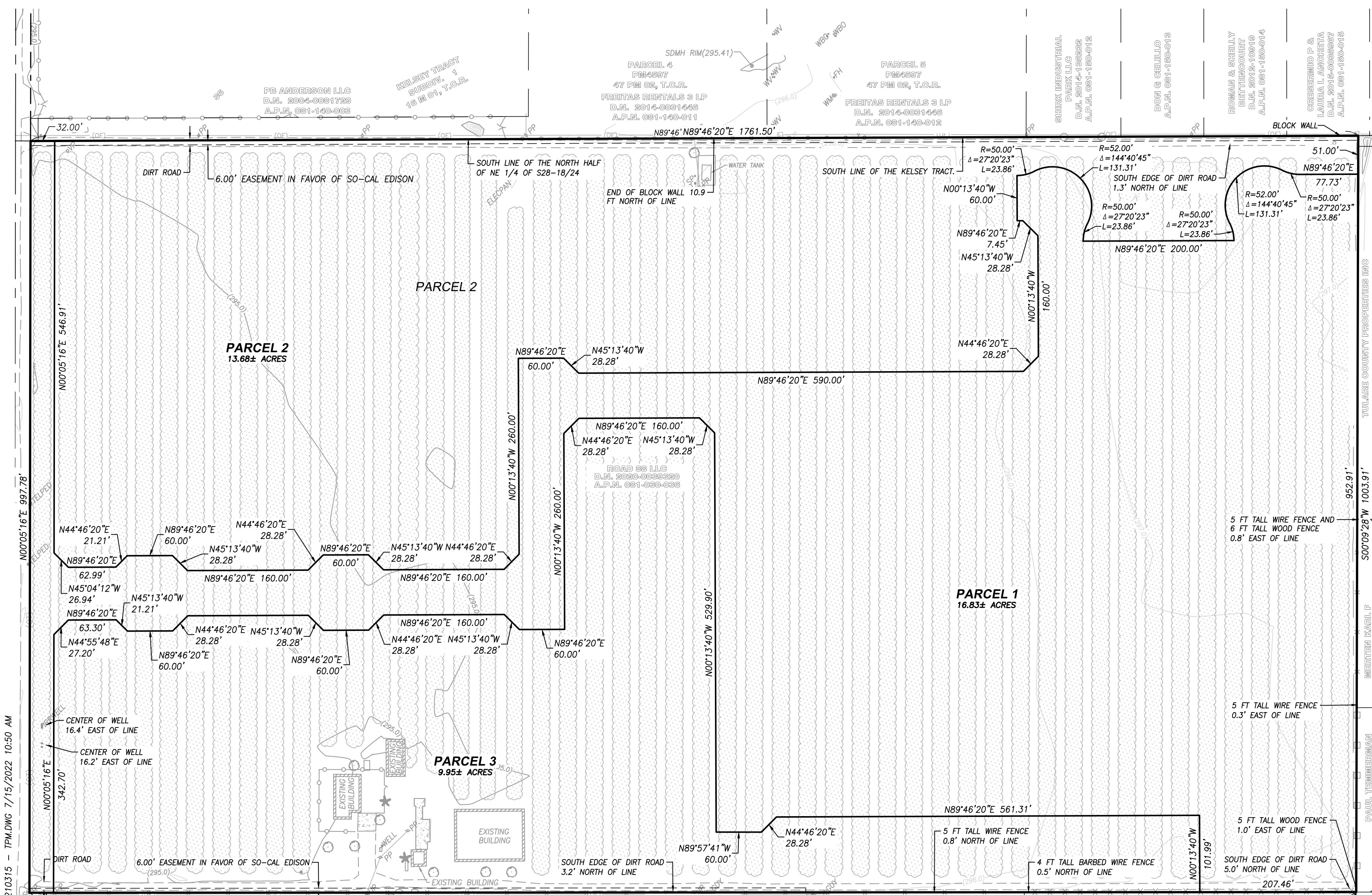
A PORTION OF THE NORTHEAST QUARTER OF SECTION 28, T.18S., R.24E.,  
MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA OF THE  
COUNTY OF TULARE, STATE OF CALIFORNIA.

FOR:  
D.R. HORTON, AMERICA'S BUILDER  
419 W. MURRAY AVENUE  
VISALIA, CA 93291  
(559) 636-9850



LEGEND	
GUY	GUY WIRE
IRRWELL	IRRIGATION WELL
HB	HOSE BIB
MBS	MAILBOX (SINGLE)
PALM	PALM TREE
PP	POWER POLE
SDMH	STORM DRAIN MANHOLE
SP	STAND PIPE
TEL PED	TELEPHONE PEDESTAL
TP	TELEPHONE POLE
TREE	TREE
WELL	DOMESTIC WELL
WV	WATER VALVE
WM	WATER METER
	WALNUT TREE ROW
A.P.N.	ASSESSOR'S PARCEL NUMBER
D.N.	DOCUMENT NUMBER PER OFFICIAL RECORDS OF TULARE COUNTY
T.C.R.	TULARE COUNTY RECORDS
XX M YY	VOLUME XX OF M, PAGE YY, T.C.R.
T.C.S. XX PM YY	BOOK XX OF PARCEL MAPS, PAGE YY, T.C.R.
	SITE BOUNDARY
	PROPOSED PARCEL LINE
	EXISTING RIGHT OF WAY LINE
	ADJACENT PARCEL LINES
	SECTION LINE
	PUBLIC UTILITY EASEMENT
	EXISTING CONTOUR
	EXISTING EDGE OF DIRT ROAD
	EXISTING EDGE OF PAVEMENT
	EXISTING OVERHEAD ELECTRIC LINE
	FENCE, BARBED WIRE
	FENCE, WIRE
	FENCE, CHAINLINK
	ELECTRICAL LINE (OVERHEAD)
	STORM DRAIN LINE
	TELEPHONE LINE (OVERHEAD)

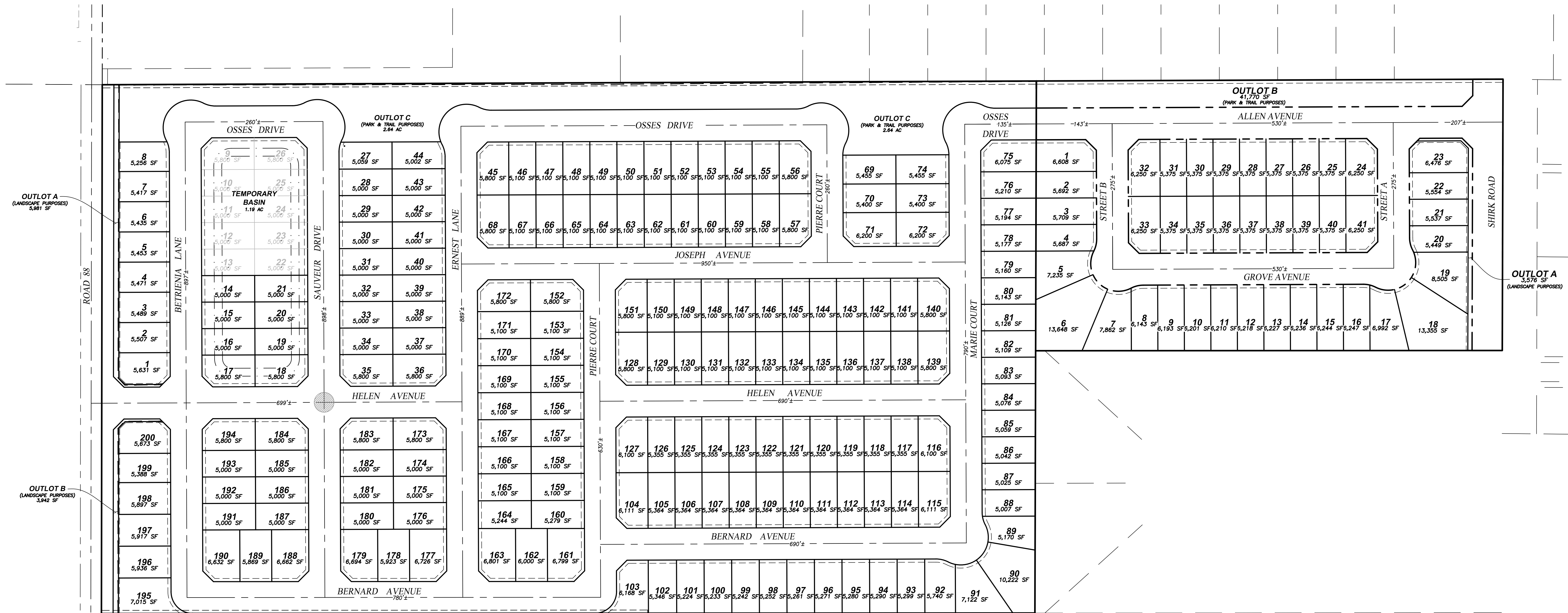
- NOTES**
- DATE: MARCH 10, 2022
  - APN: 081-030-036
  - EXISTING USE: AG
  - PROPOSED USE: SINGLE FAMILY RESIDENTIAL (R-1-5)
  - DOMESTIC WATER: CITY OF VISALIA
  - SEWAGE DISPOSAL: CITY OF VISALIA
  - INUNDATION OR OVERFLOW: FIRM ZONE AE
  - WILLIAMSON ACT CONTRACT: NONE
  - PRELIM. GEOLOGICAL-HYDROLOGICAL REPORT: WAIVER REQUESTED
  - PROPOSED IMPROVEMENTS, PUBLIC UTILITIES, & TIME OF COMPLETION: NONE



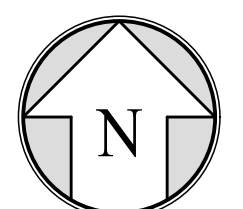
L:\PROJECTS\2021\210315\ACAD\TENTATIVE MAP 210315 - TPA.DWG 7/15/2022 10:50 AM

# VESTING TENTATIVE SUBDIVISION MAP SHEPHERDS RANCH

A PORTION OF THE NORTHEAST QUARTER OF SECTION 28, T.18S., R.24E., MOUNT DIABLO BASE AND MERIDIAN,  
IN THE UNINCORPORATED AREA OF THE COUNTY OF TULARE, STATE OF CALIFORNIA.



E:\PROJECTS\2021\210315\ACAD\TENTATIVE MAP\210315 - ISLANDS 6/3/2022 4:08 PM



100' 0' 100'  
SCALE: 1" = 100'





NOTE: LINEAR PARK TO BE MAINTAINED THROUGH THE CITY'S LIGHTING AND LANDSCAPE DISTRICT (AS NOTED ONE ATTACHED). LINEAR PARK IS FOR CONCEPTUAL PURPOSED ONLY, PLAN WILL BE SUBJECT TO CHANGE DURING FINAL ENGINEERING DRAWINGS.

# IRON RIDGE I & II and LINEAR PARK CONCEPTUAL EXHIBIT

VISALIA, CA

DATE: 06-02-2022

Not-To-Scale



Exhibit "E"





## MEMO

---

**Date:** July 8, 2022  
**To:** City of Visalia Planning Division  
**From:** Ethan Davis, Associate Planner  
**Subject:** Shepherds Ranch I and II Project Description

## INTRODUCTION/BACKGROUND

The following information pertains to the proposed Shepherds Ranch I (Project 1) and Shepherds Ranch II (Project 2) subdivision projects being filed with the City of Visalia (City) Planning Department. The Shepherds Ranch I project includes a Tentative Subdivision Map, General Plan Amendment, and Change of Zone. Shepherds Ranch II includes an Annexation, General Plan Amendment, Prezone, Tentative Subdivision Map and a Tentative Parcel Map. For the purpose of this project description, the Shepherds Ranch I and II General Plan Amendment and Change of Zone/Prezone will be combined under one application.

This Project description describes the details of the proposal and expands on information not within the development application for the subdivision within the Project site. The proposed Project would allow the applicant, D.R. Horton, the ability to construct a single-family residential community.

The Change of Zone/Prezone and General Plan Amendment that will alter the land use designations and zoning districts of the Project 1 10.31-acre parcel (APN: 081-030-46) and the Project 2, 40.0-acre parcel (APN: 081-030-36) between Road 88 south of Goshen Avenue and Shirk Street, within the Tier One and Tier Two Urban Growth Boundary. The client will process one Tentative Subdivision Map as a part of Project 1. Project 2 will propose a Tentative Parcel Map that will create three parcels due in order to adequately finance restrictions when purchasing property. Direction from the City of Visalia staff includes environmental review of both Projects in a single document to satisfy California Environmental Quality Act (CEQA). The northern half of the 10.3-acre property (Project 1) is currently planned and zoned for Very Low Density (R-1-20) and the southern half is zoned for Low Density (R-1-5). Similarly, Project 2 is currently planned for Very Low Density along the northern and western property boundaries and on the interior, it is planned for Low Density Residential. The General Plan Amendment proposes to change the existing Very Low-Density Residential land use designation to Residential Low Density land use designation. In addition, a park strip will along the entire northern property lines will be designated as Park/Recreation. In order to maintain consistency with the General Plan a Change of Zone/Prezone is also proposed and will result in a change from all R-1-20 to R-1-5 and the addition of the Quasi-Public designation for the park strip, within the projects' site.

The R-1-20 zone was intended to be a buffer between residential development and the Light Industrial lots to the north. We are proposing to use the entry street to the proposed residential development along with a 51-foot wide linear park and landscape buffer (in a Landscaping and Lighting Maintenance District) as the buffer, instead of R-1-20 lots. Our intent is to screen the light industrial uses with a masonry wall, trees, and landscaping.

The western 40-acre parcel (Project 2) abutting Road 88 is located within the City of Visalia's sphere of influence and will require annexation. Once annexed the parcel will be zoned to R-1-5 along with Project 1.



## PROJECT LOCATION

The Project 1 is located adjacent to the current City limits in the western portion of the city. The Project is south of developed light industrial properties rural residential/ agricultural land to the east and west and south. The Project 1 area consists of APN 081-030-46.

Project 2 is located within the City of Visalia's sphere of influence on the east side of Road 88 South of Goshen extending to the western portion of Project 1. The combined area of both projects is located south of Goshen between Road 88 and Shirks Avenue. The total Project area consists of APN 081-030-46 and 081-030-36, which is approximately 50 acres.

## PROJECT CHARACTERISTICS

The Project intends to create residential lots and the appurtenant infrastructure consistent with the General Plan designation of Residential Low Density. Future zoning designations will be consistent with the aforementioned land use designations, respectively R-1-5. The Project will be evaluated by the city, through the scope of the General Plan, Municipal Code, and subsequently through the building permit submittal.

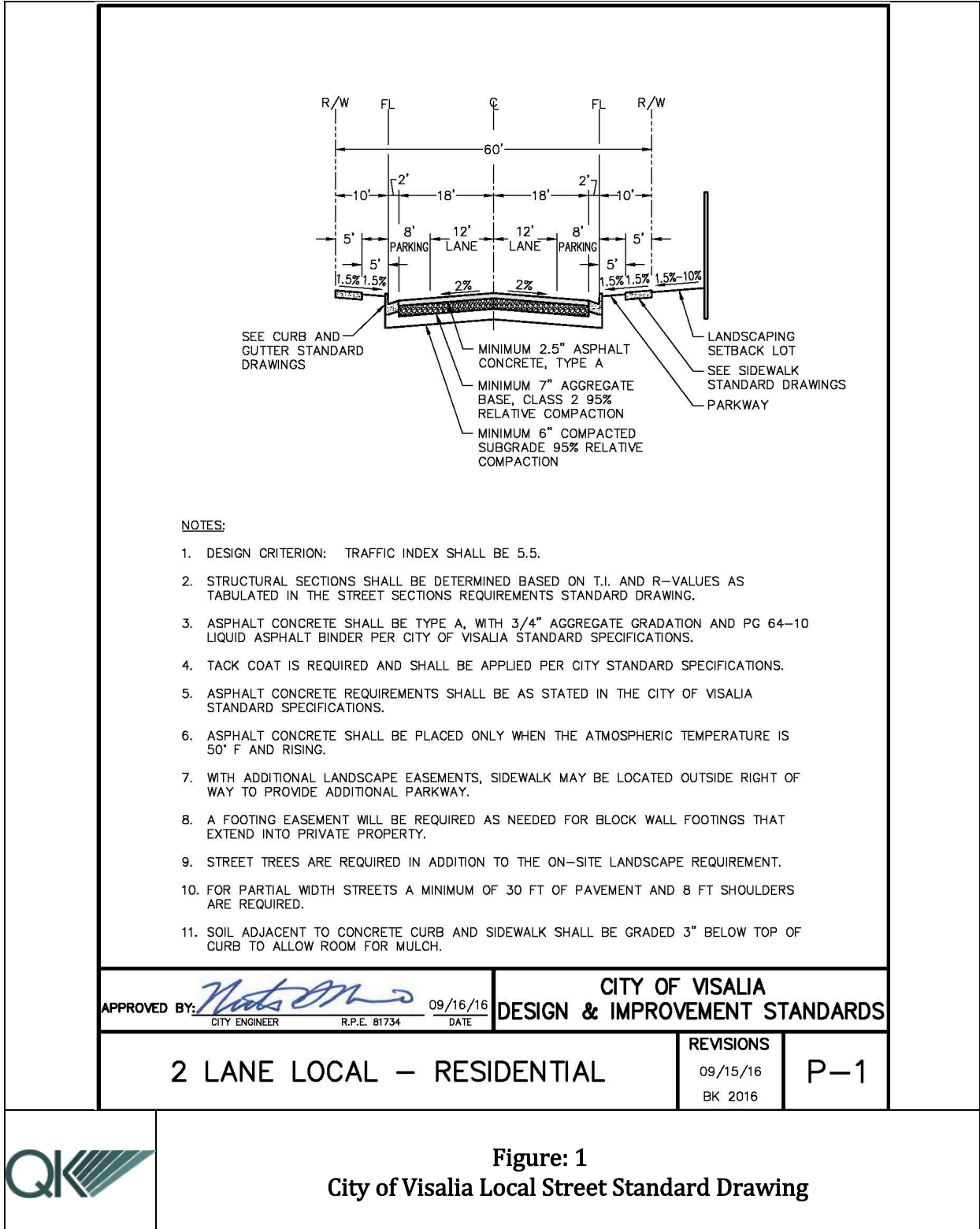
The approximate density for the Project 1 proposed subdivision is 3.97 dwelling units per gross acre. Both Projects propose to remove the Very Low Density Residential (and subsequent R-1-20 zone) and replace it with Low Density Residential (R-1-5 zone) in order to create a homogenous neighborhood. Along the adjacent streets, a ten-foot-wide landscaped strip with masonry wall and required building setbacks will serve as the buffer between residential development and the existing roadways (Road 88 and Shirk Street). The approximate density for the Project 2 proposed subdivision is 4.95 dwelling units per gross acre. In addition, Project 2 proposes to subdivide the overall 40-acre parcel into three separate parcels for the purpose of financing. Phase 1 will be approximately 16.83 acres, Phase 2 will be approximately 13.68 acres, and Phase 3 will be approximately 9.95 acres.

The 2.28-acre linear park will meander across both project sites which will include an approximately 2,000-foot trail with exercise stations. The linear park and adjacent light industrial properties will be separated by a 6-foot block wall as required by the City's Municipal Code.

The closest possible distance from the nearest light industrial structure to a proposed residential dwelling in the Project site, will be approximately 151 feet.


## CIRCULATION

Shirk Street is identified in the General Plan as a four-lane arterial roadway. The eastern site (Shepherds Ranch I) is two-thirds of a mile to State Route 198 along Shirk Street. Access to the 10-acre site would be along the main east-west entry drive and Shirk Street on the site's eastern boundary. We intend to include a stub street to the west in order to provide access to unsubdivided land to the west. Access to the western site (Shepherds Ranch II) site would be located on the east side of Road 88, which is identified as a 2-lane collector road in the General Plan. The site entry is approximately 1.25 miles from the nearest access point of State Route 198 along Shirk Street.



**NOTES:**

1. DESIGN CRITERION: TRAFFIC INDEX SHALL BE 5.5.
2. STRUCTURAL SECTIONS SHALL BE DETERMINED BASED ON T.I. AND R-VALUES AS TABULATED IN THE STREET SECTIONS REQUIREMENTS STANDARD DRAWING.
3. ASPHALT CONCRETE SHALL BE TYPE A, WITH 3/4" AGGREGATE GRADATION AND PG 64-10 LIQUID ASPHALT BINDER PER CITY OF VISALIA STANDARD SPECIFICATIONS.
4. TACK COAT IS REQUIRED AND SHALL BE APPLIED PER CITY STANDARD SPECIFICATIONS.
5. ASPHALT CONCRETE REQUIREMENTS SHALL BE AS STATED IN THE CITY OF VISALIA STANDARD SPECIFICATIONS.
6. ASPHALT CONCRETE SHALL BE PLACED ONLY WHEN THE ATMOSPHERIC TEMPERATURE IS 50° F AND RISING.
7. WITH ADDITIONAL LANDSCAPE EASEMENTS, SIDEWALK MAY BE LOCATED OUTSIDE RIGHT OF WAY TO PROVIDE ADDITIONAL PARKWAY.
8. A FOOTING EASEMENT WILL BE REQUIRED AS NEEDED FOR BLOCK WALL FOOTINGS THAT EXTEND INTO PRIVATE PROPERTY.
9. STREET TREES ARE REQUIRED IN ADDITION TO THE ON-SITE LANDSCAPE REQUIREMENT.
10. FOR PARTIAL WIDTH STREETS A MINIMUM OF 30 FT OF PAVEMENT AND 8 FT SHOULDERS ARE REQUIRED.
11. SOIL ADJACENT TO CONCRETE CURB AND SIDEWALK SHALL BE GRADED 3" BELOW TOP OF CURB TO ALLOW ROOM FOR MULCH.

APPROVED BY:  <small>CITY ENGINEER R.P.E. 81734</small>	<small>09/16/16</small> <small>DATE</small>	<b>CITY OF VISALIA</b> <b>DESIGN &amp; IMPROVEMENT STANDARDS</b>
<b>2 LANE LOCAL – RESIDENTIAL</b>	<b>REVISIONS</b> <small>09/15/16</small> <small>BK 2016</small>	<b>P-1</b>



**Figure: 1**  
**City of Visalia Local Street Standard Drawing**



## UTILITIES

### WATER

Water service will be provided by the California Water Service. The City of Visalia will provide sewer and storm drain services to the project. Both sewer and storm drain lines for (Project 1) are located within Shirk Street. Sewer and storm drain lines for (Project 2) will be extended on Road 88 to the project site.

### SANITARY SEWER

Project 1 will be served by an existing 8-inch sewer lateral located within Shirk Street. The sewer laterals will be extended north, until it reaches the Project's extent. Since the Project consists of only residential uses, sewer lateral upsizing will not be necessary. City standard 8-inch sewer lines will be required in all local streets depicted within the interior of the Plan Area. Each development proposal will be reviewed by the City of Visalia, and subsequent requirements will be conditioned for the development. These requirements shall supersede the Specific Plan.

Once developed, Project 2 will be required to connect to the nearest sewer lateral located in Road 88.

### STORM DRAIN

Storm drainage service is provided by the City of Visalia. There is an existing 12-inch storm drain trunk line in Shirk Street, adjacent to the Project site. The existing trunk line will be extended into the Project site in order to adequately serve each development. Similarly, since there are only residential uses being proposed, storm drain lateral upsizing will not be necessary. Each development proposal will be reviewed by the City of Visalia, and subsequent requirements will be conditioned for the development. These requirements shall supersede the Specific Plan.

In the event, that the project can not connect to the nearest adequately sized storm drain lateral, a onsite storm drain basin will be developed.

### SOLID WASTE

City of Visalia will provide Solid Waste removal services for the entire Project site. The standard three trash bin service will be provided.

June 21, 2023

Brandon Smith  
City of Visalia  
Visalia Planning and Zoning Department  
315 East Acequia Avenue  
Visalia, CA 93291

**Project: Initial Study and Mitigated Negative Declaration for Shepherds Ranch Project**

**District CEQA Reference No: 20230523**

Dear Mr. Smith:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Initial Study and Mitigated Negative Declaration (IS/MND) from the City of Visalia (City) for the above mentioned project. Per the IS/MND, the project consists of 241 single family residential homes and a 3.05 acre linear park on a total of 50.3 acres (Project). The Project is located approximately 0.25 miles south of the intersection of North Shirk Street and West Goshen Avenue in Visalia, CA

The District offers the following comments regarding the Project:

**1) Project Related Emissions**

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):

<https://www.valleyair.org/transportation/GAMAQI.pdf>.

**1a) Construction Emissions**

The District recommends, to further reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061  
[www.valleyair.org](http://www.valleyair.org)    [www.healthyairliving.com](http://www.healthyairliving.com)

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: (661) 392-5500 FAX: (661) 392-5585

**Exhibit "G"**

## 2) **Health Risk Screening/Assessment**

The MND states *“the proposed Project is a “Type B” project in that it may potentially place sensitive receptors in the vicinity of existing sources... For Type B projects, one type of screening tool is found in the California Air Resources Board Handbook: Air Quality and Land Use handbook: A Community Perspective. The screening tool indicates that new sensitive land uses should not be sited within 500 feet of a freeway/urban roads with 100,000 vehicles/day or rural roads with 50,000 vehicles/day. The Project is located more than 3,000 feet from the SR 198 highway”.*

Although the Project is not located within 500 feet of a freeway/urban roads, the Project’s potential health risk impact to sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area should be evaluated by the City and any potentially significant risk should be mitigated to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

### **Prioritization (Screening Health Risk Assessment):**

A “Prioritization” is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association’s (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

[http://www.valleyair.org/busind/pto/emission\\_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls](http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls)

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org)
- Calling (559) 230-5900

*Recommended Measure:* Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.



### **3) Clean Lawn and Garden Equipment in the Community**

Since the Project consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <http://www.valleyair.org/grants/cgym.htm>.

### **4) On-Site Solar Deployment**

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

### **5) Electric Vehicle Chargers**

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit [www.valleyair.org/grants/chargeup.htm](http://www.valleyair.org/grants/chargeup.htm) for more information.

### **6) District Rules and Regulations**

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

#### **6a) District Rule 9510 - Indirect Source Review (ISR)**

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 50 of residential units.

The purpose of District Rule 9510 is to reduce the growth in both NO<sub>x</sub> and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO<sub>x</sub> and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design.

Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at [ISR@valleyair.org](mailto:ISR@valleyair.org).

#### **6b) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)**

The Project will be subject to District Rule 4002 since the Project will include demolition, renovation, and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough

inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

#### **6c) District Rule 4601 (Architectural Coatings)**

The Project may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <http://www.valleyair.org/rules/currnrules/r4601.pdf>

#### **6d) District Regulation VIII (Fugitive PM10 Prohibitions)**

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at: [http://www.valleyair.org/busind/comply/pm10/compliance\\_pm10.htm](http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm)

### **6e) District Rule 4901 - Wood Burning Fireplaces and Heaters**

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at:  
<http://valleyair.org/rule4901/>

### **6f) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

## **7) District Comment Letter**

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Harout Sagherian by e-mail at [Harout.Sagherian@valleyair.org](mailto:Harout.Sagherian@valleyair.org) or by phone at (559) 230-5860.

Sincerely,

Brian Clements  
Director of Permit Services



For: Mark Montelongo  
Program Manager

**INITIAL STUDY AND  
MITIGATED NEGATIVE DECLARATION**

---

**SHEPHERDS RANCH PROJECT**

State of California

**City of Visalia**



**MARCH 2023**

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**INITIAL STUDY AND  
MITIGATED NEGATIVE DECLARATION**

**SHEPHERDS RANCH PROJECT**

Prepared for:

City of Visalia  
Visalia Planning and Zoning Department  
315 East Acequia Avenue  
Visalia, Ca 93291  
Contact Person: Brandon Smith, AICP  
Phone: (559) 716-4636

Consultant :



5080 California Avenue, Suite 220  
Bakersfield, CA 93309  
Contact: Jaymie Brauer  
Phone: (661) 616-2600

March 2023

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## MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the City of Visalia reviewed the Project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines Section 15382, “[s]ignificant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

### ***Project Name***

Shepherds Ranch

### ***Project Location***

The Project is located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California.

### ***Project Description***

The Project would develop a total of 241 single-family homes and a 3.05-acre linear park on a combined 50.3 acres. The Project has two components called Shepherds Ranch I and Shepherds Ranch II.

Shepherds Ranch I (APN 081-030-46) includes 10.31 acres of undeveloped land located inside the current Visalia city limits on the west side of Shirk Street in the western portion of the City. The site is surrounded by developed light industrial properties to the north, with rural residential homes land to the east and south. This component includes 41 homes.

The Shepherds Ranch II site is to the west of the Shepherds Ranch I site.

The following discretionary actions are required for the proposed Shepherds Ranch I development:

- General Plan Amendment (GPA) - Residential Very Low Density (VLDR) to Residential Low Density (LDR).
- Change of Zone – from R-1-20 to R-1-5.
- Tentative Subdivision Map.
- Right-of-way dedication and street improvements for North Shirk Street and Road 88.

Construction will be in a single phase and is anticipated start in October 2023 and take one year to build out all homes.

Shepherds Ranch II (APN 081-030-36) is 40 acres in size and is located outside the city limits but within the City of Visalia’s sphere of influence on the east side of Road 88, located

approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California. Shepherds Ranch II is outside the City limits and within unincorporated Tulare County.

The proposed park strip will also be designated as Parks/recreation and zoned as Quasi-Public. Since the parks span both Project components, it will be included in the rezoning of Shepherds Ranch I and included in the pre-zone of Shepherds Ranch II.

The following discretionary actions are required for the proposed development:

- Annexation into the City of Visalia.
- General Plan Amendment – Residential Very Low Density to Residential Low Density.
- Tentative Subdivision Map.
- Tentative Parcel Map.
- Right-of-way dedication and street improvements for Shirk Street and Road 88.

Construction will be in three phases and is anticipated to start in May 2023 and take two years to build out all homes.

For the analysis throughout this document, the Project refers to both Shepherds Ranch I and Shepherds Ranch II unless the component is specifically called out as such.

### ***Mailing Address and Phone Number of Contact Person***

Brandon Smith, AICP- Planner  
Visalia Planning and Zoning Department  
315 East Acequia Avenue  
Visalia, CA 93291  
(559) 713-4636  
Email: [brandon.smith@visalia.city](mailto:brandon.smith@visalia.city)

### ***Findings***

As Lead Agency, the City of Visalia finds that the Project will not have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 - Environmental Checklist*) identified one or more potentially significant effects on the environment, but revisions to the Project have been made before the release of this Mitigated Negative Declaration (MND), or mitigation measures would be implemented that reduce all potentially significant impacts to less than significant levels. The Lead Agency further finds that there is no substantial evidence that this Project would have a significant effect on the environment.

***Mitigation Measures Included in the Project to Avoid Potentially Significant Effects***

**AG - 1:** Prior to the issuance of grading or building permits, the Project proponent shall mitigate impacts for loss of Prime Farmland and Farmland of Statewide Importance on the Project site at a 1:1 ratio. The Project proponent shall implement one or more of the following measures to mitigate the loss: Payment of In-Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, and/or Land Use Regulation on land(s) within the Southern San Joaquin Valley of California, specifically within Kern County, Tulare County, Kings County, Fresno County, or Madera County. The City shall require, at a minimum: evidence that the preserved land has adequate water supply, agricultural zoning, evidence of land encumbrance documentation, documentation that the easement/regulations are permanent and monitored, and documentation that the mitigation strategy is appropriately endowed. This mitigation shall be verified by the City prior to issuance of grading or building permits. Should the City of Visalia develop an Agricultural Mitigation Program before future construction within the Project begins, the Project proponent shall mitigate for the loss of agricultural land pursuant to the Program that is adopted by the City.

**BIO-1:** Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer, where land access is permitted, shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the California Department of Fish and Wildlife (CDFW). If dens/burrows that could support any of these species are discovered during the pre-activity survey, the avoidance buffers outlined below shall be established. No work shall occur within these buffers unless the biologist approves and monitors the activity. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

Burrowing Owl (active burrows)

- Non-breeding season: September 1 – January 31 – 160 feet
- Breeding season: February 1 – August 31 – 250 feet

American Badger/SJKF

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal Den – Contact CDFW for consultation

**BIO-2:** A qualified biologist shall remain on-call throughout the construction phase if a burrowing owl, American badger, or San Joaquin kit fox occurs on the site during construction. If one of these species occurs on-site, the biologist shall be contacted immediately to determine whether biological monitoring or the implementation of avoidance buffers may be warranted.

**BIO-3:** The following avoidance and minimization measures shall be implemented during all phases of the Project to reduce the potential for impact from the Project. They are modified

from the U.S. Fish and Wildlife Service (USFWS) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance*.

- a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project Site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the Project Site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project Site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and California Department of Fish and Wildlife (CDFW) shall be consulted.
- d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped.
- e. No pets, such as dogs or cats, shall be permitted on the Project Sites to prevent harassment, mortality of kit foxes, or destruction of dens.
- f. Use of anti-coagulant rodenticides and herbicides in Project Sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.

- g. A representative shall be appointed by the Project proponent, who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.
- h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to an SJKF during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.
- i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.
- j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.
- k. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-4:** If Project construction activities occur during the Swainson's hawk nesting season (February 15 to August 31), pre-construction activity surveys shall be conducted over the Project area and within 0.5-mile for Swainson's hawk nests in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*, Swainson's Hawk Technical Advisory Committee. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-5:** If an active Swainson's hawk nest is discovered at any time within 0.5-mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment would consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to the construction activities of this Project. Based on this assessment, the biologist will determine if construction activities can proceed and the level of nest monitoring required. Construction activities shall not occur within 500 feet of an active nest but depending upon conditions at the site, this distance may be reduced. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks

may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson's hawk to disturbances and at the discretion of the qualified biologist.

**BIO-6:** If Project construction activities are initiated during the nesting season (February 1 to September 15), a pre-activity nesting bird survey shall be conducted within 14 days prior to the start of construction. The surveys shall encompass the Project footprint and accessible areas or land visible from accessible areas within a 250-foot buffer for songbirds and a 500-foot buffer for raptors. If no active nests are found, no further action is required. However, existing nests may become active, and new nests may be built at any time prior to and throughout the nesting season, including when construction activities are in progress.

If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 50 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the adults or the nest, or if breeding attempts have otherwise been unsuccessful. Work may occur within the avoidance buffer under the approval and guidance of the biologist, but full-time monitoring may be required. The biologist shall have the ability to stop construction if nesting adults show any sign of distress. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-7:** Within 14 days prior to the start of ground disturbance activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of all special-status plant and wildlife species with the potential to occur in the vicinity of the Project. All suitable burrows that could support special-status kangaroo rats, Tulare grasshopper mouse, or other special-status wildlife species shall be avoided during construction in accordance with BIO-5 and BIO-6 unless verification surveys have indicated that the species are not present. Consultation with the USFWS and CDFW may be required if listed or fully protected species are detected during the survey. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-8:** Prior to the initiation of construction activities, all construction personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. Any personnel associated with the construction that did not attend the initial training shall be trained by the authorized biologist prior to working on the project site. Any employee responsible for the operations and maintenance or decommissioning of the project facilities shall also attend the Worker Environmental Awareness Training program prior to starting work on the project and on an annual basis. The Program shall be developed and presented by the project qualified biologist(s) or designee approved by the qualified biologist(s). The program shall include information on the life histories of special-status species with the potential to occur on the Project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to protect these species. It shall include the components described below:

- a. Information on the life history and identification of special-status species that may occur or that may be affected by Project activities. The program shall also discuss the legal protection status of each such species, the definition of “take” under the Federal Endangered Species Act and California Endangered Species Act, measures the Project proponent/operator shall implement to protect the species, reporting requirements, specific measures for workers to avoid take of special-status plant and wildlife species, and penalties for violation of the requirements outlined in the California Environmental Quality Act mitigation measures and agency permit requirements.
- b. An acknowledgment form signed by each worker indicating that the Worker Environmental Awareness Training and Education Program has been completed shall be kept on file at the construction site. A copy of the acknowledgment form shall be submitted to the lead agency as evidence of compliance.
- c. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the Worker Environmental Awareness Training and Education Program, and signed acknowledgment forms, shall be submitted to the City of Tulare Planning Department.
- d. A copy of the training transcript, training video, or informational binder for specific procedures shall be kept available for all personnel to review and be familiar with, as necessary.
- e. A sticker shall be placed on hard hats indicating that the worker has completed the Worker Environmental Awareness Training and Education Program. Construction workers shall not be permitted to operate equipment within the construction areas unless they have attended the Worker Environmental Awareness Training and Education Program and are wearing hard hats with the required sticker.

The construction crews and contractor(s) shall be responsible for preventing unauthorized impacts from project activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits. Unauthorized impacts may result in project stoppage, and/or fines depending on the impact and coordination with the California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service.

**CUL-1:** If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource.

**CUL-2:** If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of a discovery of human remains, at the direction of the county coroner.

**GEO-1:** Prior to issuing of grading or building permits, if required, (a) the Project applicant shall submit to the Lead Agency (1) the approved Storm Water Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly.
- Protecting existing storm drain inlets and stabilizing disturbed areas.
- Implementing erosion controls.
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.

Evidence of the approved SWPPP shall be submitted to the Lead Agency.

**GEO-2:** Prior to any ground-disturbing activities, the Project owner shall develop and implement a Paleontological Worker Education and Awareness Program. If paleontological resources are discovered during ground-disturbing activities (e.g., during Project construction or decommissioning), all earthwork or other types of ground disturbance within 50 feet of the find shall stop immediately until a qualified professional paleontologist (meeting the standards of the Society of Vertebrate Paleontology [SVP]) can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage are required, recommendations will be consistent with the Society of Vertebrate Paleontology standards that are current as of the discovery and with currently accepted scientific practice.

**NSE-1:** The Project developer or contractor shall continuously comply with the following measures throughout construction activities:

- a. Pursuant to Visalia Municipal Code Section 8.36.050(C), the operation of construction equipment, including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment shall not be operated on the project site between



the weekday hours of 7:00 p.m. and 6:00 a.m., and between the weekend hours of 7:00 p.m. and 9:00 a.m.

- b. All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.
- c. All mobile or fixed noise-producing equipment used on the project site that is regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project construction activity.
- d. Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible.
- e. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.
- f. Project area and site access road speed limits shall be established and enforced during the construction period.
- g. Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.

**NSE-2:** Prior to final map recordation, the Developer shall record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the Project site. The covenant will ensure future residential property owners are notified of the potential noise impacts as follows:

*“Property owner(s) of lots within the Shepherds Ranch I/ Shepherds Ranch II Project are hereby notified that noise levels from adjacent industrial operations may exceed the City of Visalia 2030 General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively.”*

**TRA-1:** Prior to the issuance of building permits, the developer shall pay citywide impact fees in the amount of \$1,502,635 for of the following intersections improvements and citywide improvements:

- a. Shirk Street at SR 198 EB Ramps:

5-Year With Project and 10-Year With and Without Project Horizon scenarios:

- Installation of traffic signal

20-Year With and Without Project Horizon scenarios:

- Install traffic signal
- Widen the eastbound approach to 1 left turn lane, 1 left-through lane, and 1 right turn lane (adding 1 left turn lane)

b. Shirk Street at SR 198 WB Ramps

Opening Year With and Without Project, 5-Year With and Without Project, and 10-Year Without Project Horizon scenarios:

- Installation of traffic signal

10-Year With Project and 20-Year With and Without Project Horizon scenarios:

- Intall traffic signal
- Widen the westbound approach to 1 left-through lane and 2 right turn lanes (adding 1 right turn lane)

## **SECTION 1 - INTRODUCTION**

### ***1.1 - Overview***

The Project is summarized as the subdivision and development of 241 single-family residences and a 3.05-acre linear park on approximately 50 acres, located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California.

### ***1.2 - California Environmental Quality Act***

The City of Visalia is the Lead Agency for this Project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 - Initial Study*) provides analysis that examines the potential environmental effects of the construction and operation of the Project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) is appropriate when an IS has been prepared, and a determination can be made that no significant environmental effects will occur because revisions to the Project have been made or mitigation measures will be implemented that reduce all potentially significant impacts to less than significant levels. The content of an MND is the same as a Negative Declaration, with the addition of identified mitigation measures and a Mitigation Monitoring and Reporting Program (MMRP) (see *Appendix A - Mitigation Monitoring and Reporting Program*).

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can be completed with an MND.

### ***1.3 - Impact Terminology***

The following terminology is used to describe the level of significance of impacts.

- A finding of “no impact” is appropriate if the analysis concludes that the Project would not affect a topic area in any way.
- An impact is considered “less than significant” if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered “less than significant with mitigation incorporated” if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered “potentially significant” if the analysis concludes that it could have a substantial adverse effect on the environment.

## ***1.4 - Document Organization and Contents***

The content and format of this IS/MND is designed to meet the requirements of CEQA. The report contains the following sections:

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, intended uses of the IS/MND, document organization, and a list of regulations that have been incorporated by reference.
- *Section 2– Project Description:* This section describes the Project and provides data on the site’s location.
- *Section 3 – Environmental Checklist:* This chapter contains the evaluation of 21 different environmental resource factors contained in Appendix G of the CEQA Guidelines. Each environmental resource factor is analyzed to determine whether the proposed Project would have an impact. One of four findings is made, which include: no impact, less than significant impact, less than significant with mitigation, or significant and unavoidable. If the evaluation results in a finding of significant and unavoidable for any of the 21 environmental resource factors, then an Environmental Impact Report will be required.
- *Section 4 – List of Preparers:* This chapter identifies the individuals who prepared the IS/MND.
- *Section 5 – Bibliography:* This chapter contains a full list of references that were used in the preparation of this IS/MND.
- *Appendix A – Mitigation Monitoring and Reporting Program:* This appendix contains the Mitigation Monitoring and Reporting Program.

## ***1.5 - Incorporated by Reference***

The following documents and/or regulations are incorporated into this IS/MND by reference:

- City of Visalia 2030 General Plan Update (2014)
- Tulare County General Plan 2030 (2021)
- City of Visalia 2020-2023 Adopted Housing Element (2019)
- Visalia City Improvement Standards (Updated Improvement Standard Implementation 2016)
- Visalia Airport Master Plan (1971)
- Visalia City Improvement Standards (Updated Improvement Standard Implementation 2016)
- Tulare County Comprehensive Airport Land Use Plan (2012)
- Mid-Kaweah GSA Groundwater Sustainability Plan (2019)
- Tulare County Association of Governments (TCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

## **SECTION 2 - PROJECT DESCRIPTION**

### ***2.1 - Introduction***

The Project is summarized as the subdivision and development of 241 single-family residences and a 3.05-acre linear park on approximately 50 acres, located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California.

### ***2.2 - Project Location***

The Project is located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia (Figures 2-1 and 2-2). The Project is within Section 28, Township 18S, Range 24E, Mount Diablo Base and Meridian.

### ***2.3 - Surrounding Land Uses***

The Project site is bounded by light industrial development to the north, North Shirk Street and residential development to the east, an unnamed dirt road, residential, orchards, and fallow agriculture with non-native grassland to the south, and Road 88 and fallow agriculture to the west.

### ***2.4 - Proposed Project***

The Project would develop a total of 241 single-family homes and a 3.05-acre linear park on a combined 50.3 acres. The Project has two components called Shepherds Ranch I and Shepherds Ranch II.

Shepherds Ranch I (APN 081-030-46) includes 10.31 acres of undeveloped land located inside the current Visalia city limits on the west side of Shirk Street in the western portion of the City. The site is surrounded by developed light industrial properties to the north, with rural residential homes land to the east and south. This component includes 41 homes.

The Shepherds Ranch II site is to the west of the Shepherds Ranch I site.

The following discretionary actions are required for the proposed Shepherds Ranch I development:

- General Plan Amendment (GPA) - Residential Very Low Density (VLDR) to Residential Low Density (LDR).
- Change of Zone – from R-1-20 to R-1-5.
- Tentative Subdivision Map.
- Right-of-way dedication and street improvements for North Shirk Street and Road 88.

Construction will be in a single phase and is anticipated start in October 2023 and take one year to build out all homes.

Shepherds Ranch II (APN 081-030-36) is 40 acres in size and is located outside the city limits but within the City of Visalia's sphere of influence on the east side of Road 88, located approximately ¼ mile south of the intersection of North Shirk Street North Shirk Street and West Goshen Avenue, Visalia, California. Shepherds Ranch II is outside the City limits and within unincorporated Tulare County.

The proposed park strip will also be designated as Parks/recreation and zoned as Quasi-Public. Since the parks span both Project components, they will be included in the rezoning of Shepherds Ranch I and included in the pre-zone of Shepherds Ranch II.

The following discretionary actions are required for the proposed development:

- Annexation into the City of Visalia.
- General Plan Amendment – Residential Very Low Density to Residential Low Density.
- Tentative Subdivision Map.
- Tentative Parcel Map.
- Right-of-way dedication and street improvements for Shirk Street and Road 88.

Construction will be in three phases and is anticipated to start in May 2023 and take two years to build out all homes.

For the analysis throughout this document, the Project refers to both Shepherds Ranch I and Shepherds Ranch II unless the component is specifically called out as such.

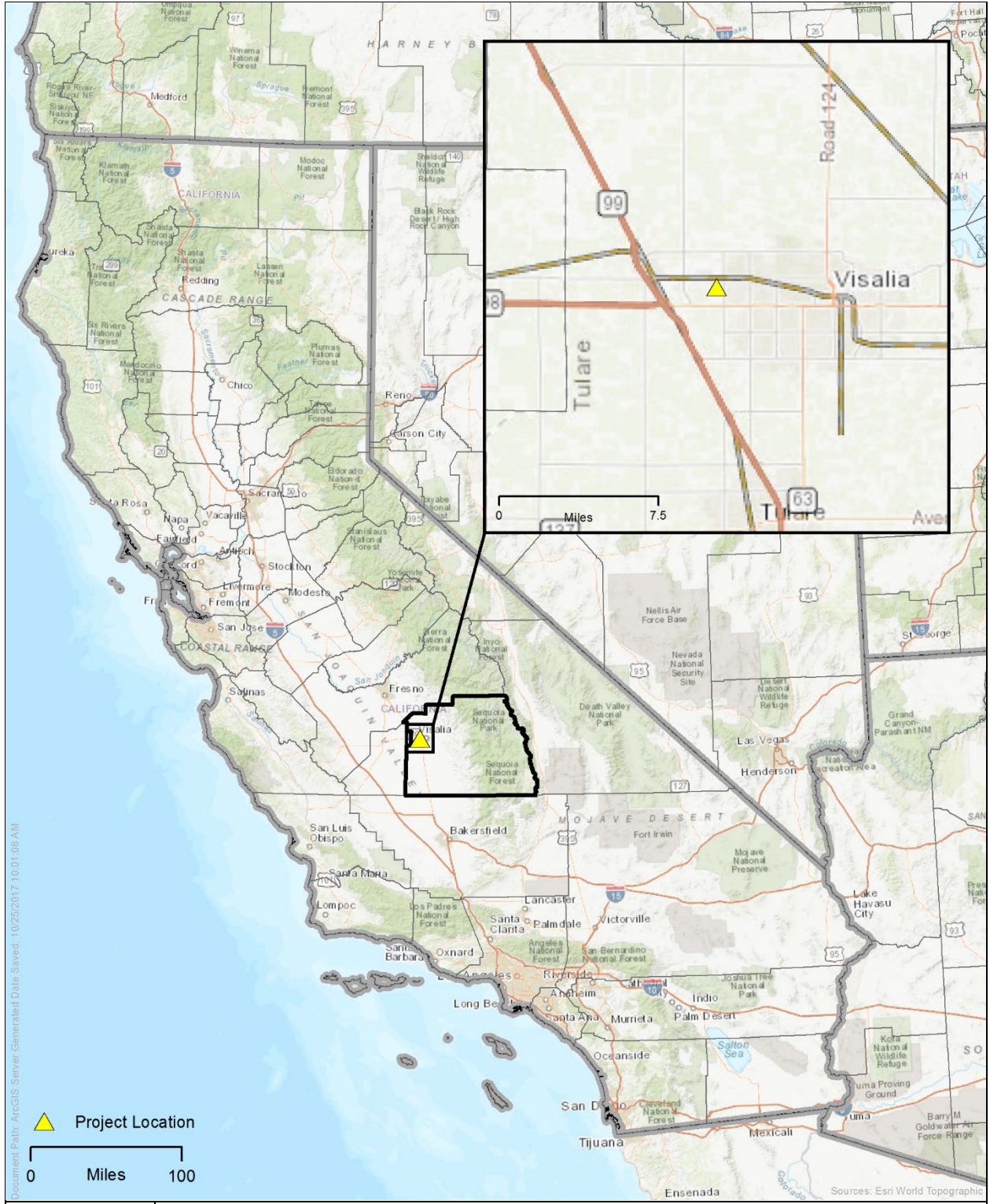
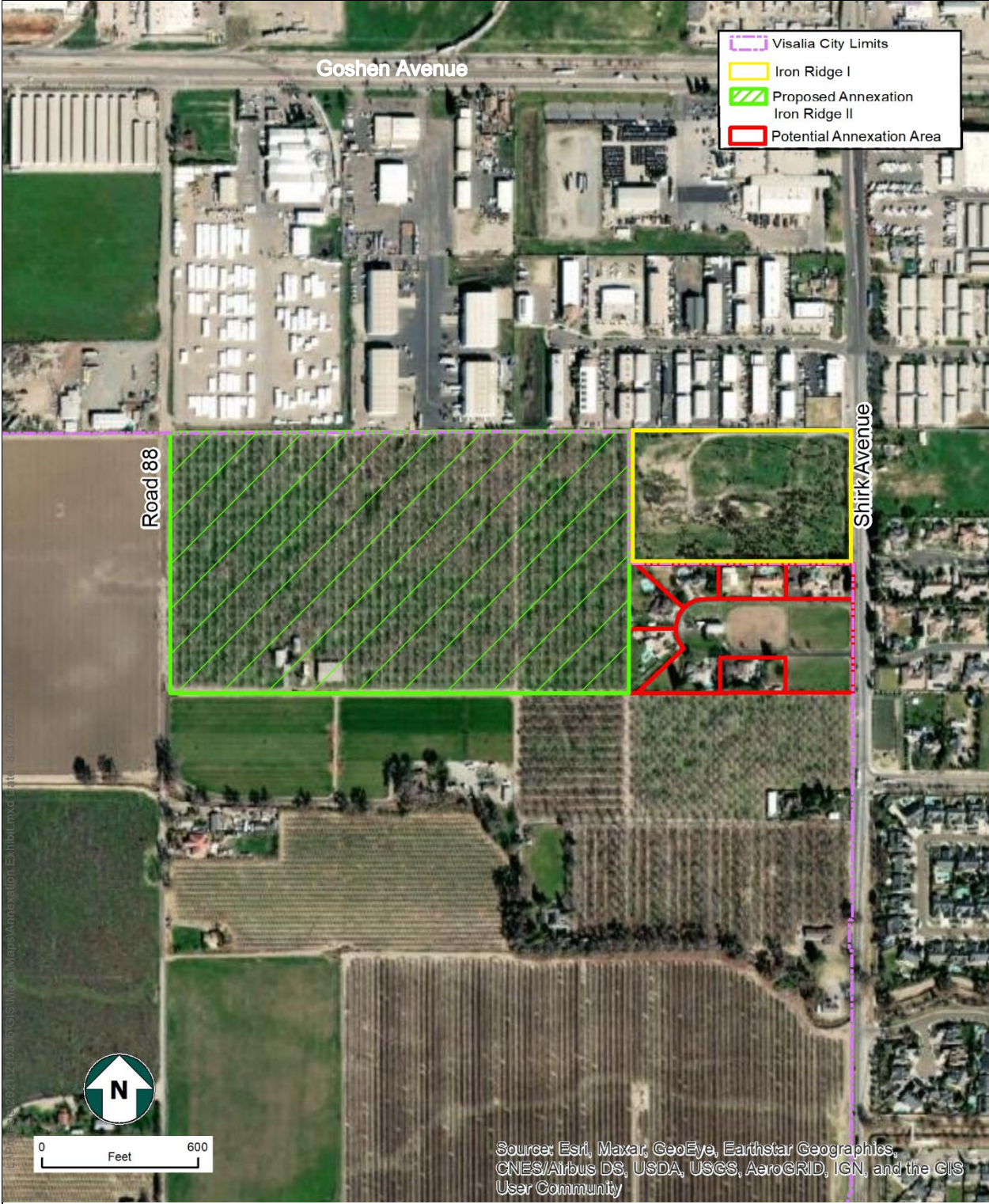



Figure 2-1  
Regional Location



 **Figure 2-2**  
**Project Location**



## **SECTION 3 - INITIAL STUDY**

### ***3.1 - Environmental Checklist***

**1. Project Title:**

Shepherds Ranch

**2. Lead Agency Name and Address:**

City of Visalia  
315 East Acequia Avenue  
Visalia, California 93291

**3. Contact Person and Phone Number:**

Brandon Smith (559) 713-4636

**Project Location:**

The Project is located approximately ¼ mile south of the intersection of North Shirk Street and West Goshen Avenue, Visalia, California.

**4. Project Sponsor's Name and Address:**

DR Horton  
419 W Murray  
Visalia, CA 93291  
Contact Person : Corine Demetrios  
Phone : (559) 631-6208

**5. General Plan Designation:**

Existing: City of Visalia – Residential Very Low Density – 18.6 acres

Existing: City of Visalia – Residential Low Density – 31.7 acres

Proposed: City of Visalia – Residential Low Density – 50 acres, including 3 acres to be used as Parks / Recreation

**6. Zoning:**

Existing: City of Visalia – R-1-20 (20,000 SF Min Site Area) – 5 acres

Existing: City of Visalia – R-1-5 (5,000 SF Min Site Area) – 5 acres

Existing: Tulare County (proposed for annexation to the City of Visalia) – AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) – 40 acres

Proposed: City of Visalia – R-1-5 (5,000 SF Min Site Area) – 50 acres, including 3 acres to be used as QP (Quasi-Public)

## **7. Description of Project:**

The Project would develop a total of 241 single-family homes and a 3.05-acre linear park on a combined 50.3 acres. The Project has two components called Shepherds Ranch I and Shepherds Ranch II.

Shepherds Ranch I (APN 081-030-46) includes 10.31 acres of undeveloped land located inside the current Visalia city limits on the west side of Shirk Street in the western portion of the City. The site is surrounded by developed light industrial properties to the north, with rural residential homes land to the east and south. This component includes 41 homes.

The Shepherds Ranch II site is to the west of the Shepherds Ranch I site.

The following discretionary actions are required for the proposed Shepherds Ranch I development:

- General Plan Amendment (GPA) - Residential Very Low Density (VLDR) to Residential Low Density (LDR).
- Change of Zone – from R-1-20 to R-1-5.
- Tentative Subdivision Map.
- Right-of-way dedication and street improvements for North Shirk Street and Road 88.

Construction will be in a single phase and is anticipated start in October 2023 and take one year to build out all homes.

Shepherds Ranch II (APN 081-030-36) is 40 acres in size and is located outside the city limits but within the City of Visalia’s sphere of influence on the east side of Road 88, located approximately ¼ mile south of the intersection of North Shirk Street North Shirk Street and West Goshen Avenue, Visalia, California. Shepherds Ranch II is outside the City limits and within unincorporated Tulare County.

The proposed park strip will also be designated as Parks/recreation and zoned as Quasi-Public. Since the parks span both Project components, they will be included in the rezoning of Shepherds Ranch I and included in the pre-zone of Shepherds Ranch II.

The following discretionary actions are required for the proposed development:

- Annexation into the City of Visalia.
- General Plan Amendment – Residential Very Low Density to Residential Low Density and Parks / Recreation.

- Tentative Subdivision Map.
- Tentative Parcel Map.
- Right-of-way dedication and street improvements for Shirk Street and Road 88.

Construction will be in three phases and is anticipated to start in May 2023 and take two years to build out all homes.

For the analysis throughout this document, the Project refers to both Shepherds Ranch I and Shepherds Ranch II unless the component is specifically called out as such.

### **8. Surrounding Land Uses and Setting:**

The Project site is bounded by light industrial development to the north, North Shirk Street and residential development to the east, an unnamed dirt road, residential, orchards, and fallow agriculture with non-native grassland to the south, and Road 928 and fallow agriculture to the west.

Land use within the Project boundary consists of annual grassland and barren land on 10 acres (Shepherds Ranch I), and a deciduous orchard with a single-family residence and associated structures on the south side of the boundary on 40 acres (Shepherds Ranch II).

### **9. Other Public Agencies Whose Approval is Required:**

- State of California Department of Fish and Wildlife (CDFW)
- United States Fish & Wildlife Service (USFWS)
- Tulare County LAFCO

### **10. Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

A Sacred Land Files search was requested from the Native American Heritage Commission (NAHC), and a response was received on August 30, 2021. The NAHC responded with its findings that indicate negative results. Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a half-mile radius of the proposed Project, the potential to encounter subsurface cultural resources is minimal. Additionally, the Project construction would be conducted within the partially developed and previously disturbed parcel. The potential to uncover subsurface historical or archaeological deposits would be considered unlikely.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and Project proponents to discuss the level of environmental review,

identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.

### 3.2 - Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology and Soils             | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                         | <input type="checkbox"/> Population and Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance |

### 3.3 - Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- I find that 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 (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
  
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature  \_\_\_\_\_

Brandon Smith

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date: May 26, 2023

City of Visalia

\_\_\_\_\_  
For

### **3.4 - Evaluation of Environmental Impacts**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question.
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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**3.4.1 - AESTHETICS**

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

a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

**Impact #3.4.1a – Except as provided in Public Resources Code Section 21099, would the Project have a substantial adverse effect on a scenic vista?**

According to the City of Visalia 2030 General Plan, there are no designated scenic views within the City’s limits; however, Highway 198 is designated as a state scenic corridor, and the City has implemented PSCU-P-12 to create a “greenway” setback of 200 feet along Highway 198 within the City limits as dedicated to the City for open space use in perpetuity, also known as the West 198 Scenic Corridor. The Project site is approximately 0.5 miles north of Highway 198, outside of the designated West 198 Scenic Corridor, and is not located within a designated scenic vista. Therefore, the Project will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.



**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

**Impact #3.4.1b - Except as provided in Public Resources Code Section 21099, would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

***Scenic Resources***

The City of Visalia adopted a Valley Oak Ordinance that provides basic standards, measures, and compliance requirements for the preservation and protection of native Valley oak trees and landmark trees within the City. The Ordinance prohibits the destruction of oak trees except with an oak tree removal permit. A permit may be granted only if it is found that the oak tree is in danger of falling on a structure or is a host for a plant, pest, or disease endangering other species; if removal is necessary to allow the reasonable enjoyment of private property; or if urban forestry or land management practices warrant removal. If a tree removal permit is granted, the tree must either be replaced by new oak trees on the same property or by paying mitigation fees to be used for the establishment of new oak trees on other property. As discussed under Biological Resources Impact #3.4.4e, the Project will not impact the City's Valley Oak Ordinance because the site is established with an orchard on 40 acres and does not contain any identified native Valley oak trees. Therefore, the Project has no impact.

***Historic Buildings***

Additionally, the discussion under Cultural Resources indicates that a cultural resources records search was conducted through the Southern San Joaquin Valley Information Center (SSJVIC) for the Project. The records search covered an area within one-half mile of the Project and included a review of the *National Register of Historic Places, California Points of Historical Interest, California Registry of Historic Resources, California Historical Landmarks, California State Historic Resources Inventory*, and a review of cultural resource reports on file. Only one cultural resource property has been recorded within a half-mile of the proposed project, the historic route of the Southern Pacific/San Joaquin Valley Railroad, and will not be impacted by the Project. The Project was found to not impact cultural resources related to historic buildings.

***State Scenic Highway***

See discussion under 3.4.1 – AESTHETICS (a). The City of Visalia adopted its Scenic Highways Element in February 1976, in which Highway 198 was identified as a scenic resource. The Project site is located 0.5 miles north of Highway 198 and is outside of the designated setbacks as identified in the City's General Plan and will therefore not have an impact on a state scenic highway.

As discussed in this section, the Project will have no impact to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.1c - Except as provided in Public Resources Code Section 21099, would the Project in non-urbanized areas, 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?**

The area surrounding the Project site consists of urban development, light industrial, fallow agriculture, orchards, non-native grassland, and barren land.

As discussed in Impact #3.4.1 (a) and (b), the Project site is not located within any designated scenic vista or scenic resource, specifically SR 198, which is located 0.5 miles south of the Project. The Project is also planned for residential development under the City of Visalia 2030 General Plan, and urbanized areas are currently adjacent to the site to the north and east. Therefore, the Project will not conflict with applicable zoning and other regulations governing scenic quality and will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.1d - Except as provided in Public Resources Code Section 21099, would the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?**

According to the General Plan, the construction of new buildings may result in nighttime light pollution or daytime glare; however, the General Plan identifies construction impacts as likely be insignificant as a result of development. As in most typical residential areas, homes emit some light and glare during the day and evening hours. Development under the proposed General Plan would include indoor lighting and outdoor lighting for safety purposes but would generally not be out of character with the existing urban environment and would not rise to a level of being significant. There are a number of circumstances that

mitigate the potential for new or significant sources of light pollution in Visalia through the General Plan policies; however, these are associated with commercial, industrial development, and recreational facilities. As the Project is for residential development, it will have a less than significant impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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### 3.4.2 - AGRICULTURE AND FORESTRY 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 Department 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:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion

**Impact #3.4.2a – Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?**

CEQA uses the California Department of Conservation Division of Land Resource Protection’s Farmland Mapping and Monitoring Program (FMMP) categories of “Prime Farmland,”

“Farmland of Statewide Importance,” and “Unique Farmland” to define “agricultural land” for the purposes of assessing environmental impacts (PRC Section 21060.1[a]). According to the California Department of Conservation (DOC) Important Farmland Finder, the Project site is designated as Prime Farmland (California Department of Conservation, 2022).

According to the Department of Conservation - Farmland Mapping and Monitoring Program (California Department of Conservation, 2021), a 40-acre portion of the Project site is identified as Prime Farmland. The 40 acres are currently within Tulare County boundaries, and the intent of the Project is to annex the 40 acres into the City boundaries for residential development. Although the Project is within Prime Farmland designation, the property is not under an existing Williamson Act Contract. The 40-acre site is currently used for agricultural cultivation as an orchard.

The City of Visalia 2030 General Plan has designated the easterly 10 acres of the Project site for urban uses under the Urban Growth Development Tier 1 and the westerly 40 acres of the Project site for urban uses under the Urban Growth Development Tier 2. Implementation of this Project will support the General Plan designation for future urban land use Policy LU-P-21 for residential development. The General Plan established criteria, dependent upon land use type, for when development may advance from the first tier (Tier I) to subsequent tiers (Tiers 2 and 3), which are contained in Policy LU-P-21 of the General Plan. For residential uses, the threshold is the issuance of permits for 5,850 housing units within Tier 1 since April 1, 2010. The City met the residential permit threshold in July 2021 and now considers development located with Tiers 1 and/or 2 (City of Visalia, 2021).

The General Plan identifies the need for the conversion of agricultural land to urban development. The City has set aside three-tiered areas planned for development which contain land designated as Prime Farmland and Farmland of Statewide Importance. The Project is within Tier 2 and Tier 3, which has been deemed as land to be converted from agricultural land to urban development.

The 2014 General Plan Policy LU-P-34 contained a requirement for an Agricultural Mitigation Program to address the conversion of Prime Farmland and Farmland of Statewide Importance within the Tier 2 and Tier 3 growth boundaries. Policy LU-P-34 requires the adoption of this type of program notwithstanding that such a program would not reduce the environmental effects from the loss of such farmland to a level of less than significant. In order to meet the requirements of this policy, the City prepared an Agricultural Preservation Ordinance applicable to properties within Tier 2 and Tier 3 that requires a 1:1 ratio of agricultural land preserved to agricultural land converted towards urban development. The Ordinance was adopted in May 2023 and is necessary for other pending entitlements submitted to the City of Visalia that are located within Tier 2 to be developed. The Ordinance will require that an equivalent amount of agricultural land converted be preserved outside the urban development boundary and within the southern San Joaquin Valley, or that a project comply with regulations within the Ordinance that will cause an equivalent amount of agriculture land to be preserved. Additionally, the preserved agricultural land must demonstrate adequate water supply and agricultural zoning. Policy LU-P-34 notes that such a program shall, to the extent feasible and practicable, be integrated with the agricultural

easement programs adopted by Tulare County and nearby cities. The City of Visalia's program shall allow for compliance with the preservation ordinance to be completed by purchase of easements, and that such easements be held by a qualifying entity, such as a local land trust, and require the submission of annual monitoring reports to the City. Prior to the adoption of the Ordinance the Project proponent could mitigate for the loss of agricultural land and begin conversion of agricultural lands by providing verification to the City that it has preserved agricultural land at a 1:1 ratio using easements that meet the requirements identified in Policy LU-P-34 or participation in an agricultural preservation program adopted by another agency within the southern San Joaquin Valley that meet these requirements for preserving agricultural land.

As this is a requirement for consistency with the General Plan, the Project's compliance is mandatory. Therefore, compliance with General Plan Policy LU-P-34 and implementation of AG-1 will allow the Project to convert Prime Farmland and Farmland of Statewide Importance and preserve offsite farmland outside of the urban development boundaries at an equivalent ratio and will result in a less-than-significant impact.

**MITIGATION MEASURE(S)**

**AG - 1:** Prior to the issuance of grading or building permits, the Project proponent shall mitigate impacts for loss of Prime Farmland and Farmland of Statewide Importance on the Project site at a 1:1 ratio. The Project proponent shall implement one or more of the following measures to mitigate the loss: Payment of In-Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, and/or Land Use Regulation on land(s) within the Southern San Joaquin Valley of California, specifically within Kern County, Tulare County, Kings County, Fresno County, or Madera County. The City shall require, at a minimum: evidence that the preserved land has adequate water supply, agricultural zoning, evidence of land encumbrance documentation, documentation that the easement/regulations are permanent and monitored, and documentation that the mitigation strategy is appropriately endowed. This mitigation shall be verified by the City prior to issuance of grading or building permits. Should the City of Visalia develop an Agricultural Mitigation Program before future construction within the Project begins, the Project proponent shall mitigate for the loss of agricultural land pursuant to the Program that is adopted by the City.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.2b – Would the Project conflict with existing zoning for agricultural use or a Williamson Act Contract?**

See discussion of Impact #3.4.2(a). The Project site is not subject to a Williamson Act contract; however, the Project is currently in agricultural production and is designated as Prime Farmland, which will result in the conversion of farmland to a nonagricultural use. With the implementation of the revised General Plan Policy LU-P-34, and the City's implementation of the planned conversion of the Project site as identified in the General

Plan's Urban Growth Development program, the Project will have a less than significant impact and would not conflict with existing zoning for agricultural use or a Williamson Act Contract.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.2c – Would the Project 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))?**

The Project site is not identified as forest land or timberland. Therefore, the Project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The Project would have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.2d – Would the Project result in the loss of forest land or conversion of forest land to non-forest use?**

As discussed Impact #3.4.2 (c), the Project area does not include forest land. Therefore, there would not be loss or conversion of forest land as a result of the Project. The Project would have no impact.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.2e – Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

As discussed in Impact #3.4.2 (a) and (b), the Project will result in the conversion of Farmland to nonagricultural use; however, with the implementation of the revised General Plan Policy LU-P-34, and implementation of the City's implementation of the planned conversion of the Project site as identified in the General Plan's Urban Growth Development program, the Project will have a less than significant impact. Additionally, as discussed in Impact #3.4.2 (d), the Project area does not include conversion of forest land to a non-forest use. Therefore, Project impacts are considered less than significant.

***MITIGATION MEASURE(S)***

None are required.

***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact*.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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### 3.4.3 - AIR QUALITY

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

a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

The impact analyses in this section are based on an *Air Quality & Greenhouse Gas Impact Assessment* (VRPA Technologies, Inc., 2021) conducted for the Project, which is included as Appendix B.

#### Impact #3.4.3a – Would the Project Conflict with or obstruct implementation of the applicable air quality plan?

The City of Visalia is located in the San Joaquin Valley Air Basin (SJVAB). Air Quality monitoring has been conducted in the SJVAB for many years. While new and innovative pollution controls have made the San Joaquin Valley Air Pollution Control District (SJVAPCD) a leader in the rate of improvement, the region is not in attainment for numerous criteria air pollutants, and the air basin still has poor air quality. Much of this pollution is attributed to the Valley’s topography, meteorology, two major highways, and intensive agricultural uses. In 2011, the major sources of air pollution in the San Joaquin Valley were heavy-duty trucks, other mobile sources, autos and light trucks, and fuel combustion from stationary sources. Ozone and particulate matter are the two largest contributors to the Valley’s poor air quality. The causes and effects of these and other air pollutants are discussed in the next section.

The California Air Resources Board (CARB) operates a regional network of air pollution monitoring stations that provide information on ambient concentrations of criteria air pollutants and toxic air contaminants. In Tulare County, CARB measures certain air

pollutants, such as carbon monoxide (CO), ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), and particulate matter less than 2.5 microns in diameter (PM-2.5).

Federal and State laws require emission control measures in areas where air pollution exceeds standards. The San Joaquin Valley is one of these areas. The federal government, primarily through the Environmental Protection Agency (EPA) and the federal Clean Air Act, sets standards, oversees state and local actions, and implements programs for toxic air pollutants, heavy-duty trucks, locomotives, ships, aircraft, off-road diesel equipment, and some types of industrial equipment. Currently, EPA has established national standards for criteria air pollutants: ozone (O<sub>3</sub>); carbon monoxide (CO); nitrogen dioxide (NO<sub>2</sub>); sulfur dioxide (SO<sub>2</sub>); suspended particulate matter (PM-10 and PM-2.5); and lead (Pb).

The primary way of determining consistency with an air quality plan's (AQP's) assumptions is determining consistency with the applicable General Plan to ensure that the Project's population density and land use are consistent with the growth assumptions used in the AQPs for the air basin. Tulare County Association of Governments (TCAG) uses the growth projections, and land use information in adopted general plans to estimate future average daily trips and then Vehicle Miles Traveled (VMT), which are then provided to San Joaquin Valley Air Pollution Control District (SJVAPCD) to estimate future emissions in the AQPs. Existing and future pollutant emissions computed in the AQP are based on land uses from area general plans. AQPs detail the control measures and emission reductions required for reaching the attainment of the air standards. The following policies are found within the City of Visalia 2030 General Plan, which are applicable to this Project:

- AQ-P-2: Require use of Best Management Practices (BMPs) to reduce particulate emission as a condition of approval for all subdivisions, development plans, and grading permits in conformance with the San Joaquin Valley Air Pollution Control District Fugitive Dust Rule.
- AQ-P-9: Continue to mitigate short-term construction impacts and long-term stationary source impacts on air quality on a case-by-case basis and continue to assess air quality impacts through environmental review. Require developers to implement Best Management Practices (BMPs) to reduce air pollutant emissions associated with the construction and operation of development projects.

*BMPs include transportation demand management strategies for large development projects such as:*

- *Providing bicycle access and parking facilities;*
- *Providing preferential parking for high occupancy vehicles, carpools, or alternative fuels vehicles;*
- *Establishing telecommuting programs or satellite work centers;*
- *Allowing alternative work schedules;*
- *Subsidizing public transit costs for employee;*
- *Scheduling Deliveries at off-peak traffic periods; and*
- *Providing recharge stations for plug-in electric vehicles (PEVs).*

*The San Joaquin Valley Air Pollution Control District Guidelines for Assessing and Mitigating Air Quality Impacts provide BMPs for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents.*

Therefore, with implementation of appropriate Project BMPs as required by the City of Visalia 2030 General Plan and the San Joaquin Air Pollution Control District, the Project would be consistent with the applicable AQPs. As a result, the Project will not conflict with or obstruct implementation of any air quality plans and, therefore, would have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.3b – Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?**

The City of Visalia is located within Tulare County, which is designated as nonattainment for Federal and State air quality standards for ozone, in attainment of Federal standards and nonattainment for State standards for PM<sub>10</sub>, and nonattainment for Federal and State standards for PM<sub>2.5</sub>. The SJVAPCD has prepared the 2016 and 2013 Ozone Plans, 2007 PM<sub>10</sub> Maintenance Plan, and 2012 PM<sub>2.5</sub> Plan to achieve Federal and State standards for improved air quality in the SJVAB regarding ozone and PM. Inconsistency with any of the plans would be considered a cumulatively adverse air quality impact. As discussed in Section 4.1.1 of the *Air Quality & Greenhouse Gas Impact Assessment* (VRPA Technologies, Inc., 2021), the Project is consistent with the currently adopted General Plan for the City of Visalia and is therefore consistent with the population growth and VMT applied in the plan. Therefore, the Project is consistent with the growth assumptions used in the 2016 and 2013 Ozone Plan, 2007 PM<sub>10</sub> Maintenance Plan, and 2012 PM<sub>2.5</sub> Plan.

Project-specific emissions that exceed the thresholds of significance for criteria pollutants would be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the County is in non-attainment under applicable federal or state ambient air quality standards. It should be noted that a project isn't characterized as cumulatively insignificant when project emissions fall below thresholds of significance. The SJVAPCD has established thresholds of significance for determining environmental significance, which are provided in Table 3.4.3-1 below.

**Table 3.4.3-1  
SJVAPCD Air Quality Thresholds of Significance**

Project Type	Ozone Precursor Emissions (tons/year)					
	CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Construction Emissions	100	10	10	27	15	15
Operational Emissions (Permitted Equipment and Activities)	100	10	10	27	15	15
Operational Emissions (Non-Permitted Equipment and Activities)	100	10	10	27	15	15

Source: SJVAPCD 2021

Results of the analysis show that emissions generated from the construction and operation of the Project will be less than the applicable SJVAPCD emission thresholds for criteria pollutants. Therefore, the Project will have a less than significant impact.

#### **MITIGATION MEASURE(S)**

No mitigation is required.

#### **LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

#### **Impact #3.4.3c – Would the Project expose sensitive receptors to substantial pollutant concentrations?**

Sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses that have the greatest potential to attract these types of sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential communities. From a health risk perspective, the proposed Project is a “Type B” project in that it may potentially place sensitive receptors in the vicinity of existing sources.

The first step in evaluating the potential for impacts to sensitive receptors for Toxic Air Contaminants (TACs) from the Project is to perform a screening-level analysis. For Type B projects, one type of screening tool is found in the California Air Resources Board (CARB) Handbook: *Air Quality and Land Use Handbook: A Community Perspective*. The screening tool indicates that new sensitive land uses should not be sited within 500 feet of a freeway/urban roads with 100,000 vehicles/day or rural roads with 50,000 vehicles/day. The Project is located more than 3,000 feet from the SR 198 highway. In addition, the Project is not located within the specified boundary for this source category. Therefore, TACs from sources in the study area will not significantly impact the Project. In addition, the Project will

not generate TACs that would have a significant impact on the environment or adjacent sensitive receptors. Therefore, no mitigation measures are required.

### **Short-Term Impacts**

The annual emissions from the construction phase of the Project will be less than the applicable SJVAPCD emission thresholds for criteria pollutants, as shown in Table 3.4.3-2 below. Therefore, construction emissions associated with the Project are considered less than significant.

**Table 3.4.3-2  
Project Construction Emissions**

<b>Summary Report</b>	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>ROG</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>CO<sub>2e</sub></b>
Construction Emissions	3.10	3.76	4.22	0.01	1.13	0.57	569.46
SJVAPCD Level of Significance	100	10	10	27	15	15	None
Does the Project Exceed Standard?	No	No	No	No	No	No	No

Source: CalEEMod, VRPA 2021

### **Long-Term Impacts**

Long-Term emissions from the Project are generated primarily by mobile source (vehicle) emissions from the Project site and area sources such as lawn maintenance equipment. Emissions from long-term operations generally represent a project's most substantial air quality impact. Table 3.4.3-3 below summarizes the Project's operational impacts by pollutant.

**Table 3.4.3-3  
Project Operational Emissions (tons/year)**

<b>Summary Report</b>	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>ROG</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>CO<sub>2e</sub></b>
Project Operational Emissions	11.54	2.05	3.25	0.03	2.44	0.07	2885.84
SJVAPCD Level of Significance	100	10	10	27	15	15	None
Does the Project Exceed Standard?	No	No	No	No	No	No	No

Source: CalEEMod, VRPA 2021

Results from Table 3.4.3-3 indicate that the annual operational emissions from the Project will be less than the SJVAPCD emission thresholds for criteria pollutants. Therefore, operational emissions associated with the Project are considered less than significant.

### **MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.3d – Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

The SJVAPCD requires that an analysis of potential odor impacts be conducted for the following two situations:

- Generators – projects that would potentially generate odorous emissions proposed to be located near existing sensitive receptors or other land uses where people may congregate, and

The Project will potentially generate odorous emissions proposed to be located near existing development adjacent to the site, including nearby residential and school site, approximately ¼ mile west of the Project. However, as analyzed under Impact #3.4.3 (a) through (c), emissions from cars as a result of the Project were identified as producing less than significant impacts. Therefore, it is determined that the odors generated from the development as a result of additional vehicles would also be considered a less than significant impact.

- Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people located near existing odor sources.

The Project will not generate odorous emissions given the nature or characteristics of residential developments. The intensity of an odor source's operations and its proximity to sensitive receptors influence the potential significance of odor emissions. The SJVAPCD has identified some common types of facilities that have been known to produce odors in the SJV Air Basin. The types of facilities that are known to produce odors are shown in Table 3.4.3-4 below along with a reasonable distance from the source within which the degree of odors could possibly be significant. Manufacturing facilities are known to generate odorous emissions and include a screening distance of one (1) mile. There is a Hydrite Chemical Company facility (SJVAPCD Facility ID 8199) located a third of a mile to the north of the Project site that falls within the 1-mile screening distance set by the SJVAPCD. It should be noted that the SJVAPCD has no rules or standards related to odor emissions other than its nuisance rule.

**Table 3.4.3-4  
Screening Levels for Potential Odor Sources**

<b>Type of Facility</b>	<b>Distance</b>
Wastewater Treatment Facility	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations (e.g., auto body shops)	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile

Source: SJVAPCD 2021

While the Hydrite Chemical facility is located within the 1-mile screening distance as depicted in Table 3.4.3-4, it should be noted that there are other residential and school land uses in the vicinity of the Project that also falls within the 1-mile boundary. In addition, prevailing wind patterns in the area indicate that wind blows primarily from the northwest and southwest depending upon the time of year. As a result, potential odors from the Hydrite Chemical facility would have minimal impact on the Project given the location of the facility with respect to the Project. Lastly, the lack of odor complaints logged for the Hydrite Chemical facility for the previous three years indicates that odorous emissions from the facility would not have a significant impact on the Project.

Based on the assessment above, the Project will not generate potential odorous emissions or attract receivers and other sensitive receptors near existing odor sources. Therefore, impacts are less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.4 - BIOLOGICAL RESOURCES**

Would the Project:

- |    |  |                          |                                     |                          |                                     |
|----|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 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 Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| 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 Wildlife or U.S. Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. | Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



## ***Discussion***

The impact analysis in this section is based on a *Biological Analysis Report* prepared for the Project (*QK, Inc., 2021a*), included as Appendix C.

**Impact #3.4.4a – Would the Project 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 Wildlife or U.S. Fish and Wildlife Service?**

Project activities have the potential to affect biological resources. A reconnaissance survey of the Project and a 250 foot buffer, where feasible, also called the Biological Survey Area (BSA), was conducted on August 30, 2021. The survey consisted of walking meandering pedestrian transects throughout the BSA, where feasible. A portion of the buffer was inaccessible because it overlapped with private residential and industrial properties. Those areas were surveyed visually with the aid of binoculars to gather a representative inventory of the plant and wildlife species present.

No special-status species were observed during the survey. There were no special-status plant species identified within the Project site or survey buffer, and based on historical disturbance and current conditions, none are expected to occur. However, three special-status animal species were determined to have the potential to occur on-site and potentially be affected by the Project. The literature review identified 32 special-status animal species known or with the potential to occur in the vicinity of the project. Of those, three (3) were determined to have the potential to occur on-site.

### ***Swainson's Hawk***

Swainson's hawks occur in grassland, desert, and agricultural landscapes throughout the Central Valley and Antelope Valley. Some hawks may be residents, especially in the southern portion of their range, while others may migrate between winter and breeding habitats. They prefer larger isolated trees or small woodlots for nesting, usually with grassland or dry-land grain fields nearby for foraging, and have been known to nest in large eucalyptus trees along heavily traveled freeway corridors. Swainson's hawks forage in grassland, open scrub, pasture, and dryland grain agricultural habitats, primarily for rodents. Swainson's hawks exhibit a moderate to high nest site fidelity for successful nest sites. The nearest occurrence was recorded in 2017, 1.2 miles west of the Project, where a stick nest was observed in an oak tree adjacent to agricultural fields and a commercial area.

Based on information from the reconnaissance site visit, there are large walnut trees in the orchard on the western portion of the site that could potentially support nesting Swainson's hawks, in addition to large, planted trees in urban areas in the vicinity of the Project. The annual grassland on the Project site and within the BSA could potentially provide foraging opportunities for the Swainson's hawk. However, the high density of residential

neighborhoods, traffic, and lack of other potential foraging habitat in the area would decrease the likelihood of Swainson's hawk nesting activity on the Project site.

### ***Western Burrowing Owl***

The western burrowing owl is a small ground-dwelling owl that can be found throughout western North America. This species can be found in a variety of habitat types, including grasslands, deserts, or other open habitats where food resources are available and contain treeless areas with low vegetation cover and gently sloping terrain. Burrowing owls use earthen burrows, typically relying on other fossorial mammals to construct their burrows such as CAGS or American badger. They use a burrow throughout the year for temperature regulation, offspring rearing, shelter, and escape from predators. While burrows are most often earthen, they also use atypical burrows such as pipes, culverts, and other man-made structures, most often as shelter. Burrowing owls can have several burrows close to one other that they may frequently move among to avoid predators.

The nearest CNDDDB occurrence is from 1998 and was located approximately 5.6 miles northwest of the Project site. No western burrowing owl or diagnostic sign (e.g., burrows, whitewash, pellets, prey remains) were observed during the survey. Burrowing owls are present year-round in the Central Valley and typically use multiple burrows within their ranges. Burrowing owls have also been known to occur in urban and agriculturally developed areas. The prey base (i.e., insects and lizards) within the Project site is marginal, however it is still possible that burrowing owls may become established in the existing CAGS burrows or pass through the Project site as transients.

### ***San Joaquin Kit Fox***

The San Joaquin kit fox (SJKF) is a subspecies of kit fox that is endemic to the San Joaquin Valley, Carrizo Plain, and Cuyama Valley, as well as other small valleys in the western foothills of the Central Valley of California. They are only found west of the Sierra Nevada crest. They occupy arid to semi-arid grasslands, open shrublands, savannahs, and grazed lands with loose-textured soils. SJKF are well-established in some urban areas and are highly adaptable to human-altered landscapes. They generally avoid intensively maintained agricultural land but forage well into croplands from surrounding habitat. SJKF uses subterranean dens year-round for shelter and pup-rearing. They are nocturnally active but may be above ground near their dens during the day, particularly in the spring. They feed primarily on small mammals, but will consume a variety of prey, and will scavenge for human food.

The nearest CNDDDB occurrence is from 2003 and approximately 3.4 miles northwest of the Project and is presumed extant. No SJKF were observed during the survey. No kit fox or diagnostic sign (e.g., tracks, scat, prey remains, or dens) were observed during the reconnaissance survey. This species is a highly mobile transient forager which preys on small burrowing mammals and has adapted well to urbanized settings, even feeding on anthropogenic food sources. Suitable foraging and denning habitat are present within the BSA, and the species may pass through as a transient.

Implementation of the mitigation measures listed below would reduce impacts of the Project to special-status wildlife species to a level that would be less than significant.

**MITIGATION MEASURE(S)**

**BIO-1:** Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer, where land access is permitted, shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the California Department of Fish and Wildlife (CDFW). If dens/burrows that could support any of these species are discovered during the pre-activity survey, the avoidance buffers outlined below shall be established. No work shall occur within these buffers unless the biologist approves and monitors the activity. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

Burrowing Owl (active burrows)

- Non-breeding season: September 1 – January 31 – 160 feet
- Breeding season: February 1 – August 31 – 250 feet

American Badger/SJKF

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal Den – Contact CDFW for consultation

**BIO-2:** A qualified biologist shall remain on-call throughout the construction phase if a burrowing owl, American badger, or San Joaquin kit fox occurs on the site during construction. If one of these species occurs on-site, the biologist shall be contacted immediately to determine whether biological monitoring or the implementation of avoidance buffers may be warranted.

**BIO-3:** The following avoidance and minimization measures shall be implemented during all phases of the Project to reduce the potential for impact from the Project. They are modified from the U.S. Fish and Wildlife Service (USFWS) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance*.

- a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project Site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the Project Site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes

or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project Site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and California Department of Fish and Wildlife (CDFW) shall be consulted.

- d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped.
- e. No pets, such as dogs or cats, shall be permitted on the Project Sites to prevent harassment, mortality of kit foxes, or destruction of dens.
- f. Use of anti-coagulant rodenticides and herbicides in Project Sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
- g. A representative shall be appointed by the Project proponent, who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.
- h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to an SJKF during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.

- i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.
- j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.
- k. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-4:** If Project construction activities occur during the Swainson's hawk nesting season (February 15 to August 31), pre-construction activity surveys shall be conducted over the Project area and within 0.5-mile for Swainson's hawk nests in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*, Swainson's Hawk Technical Advisory Committee. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-5:** If an active Swainson's hawk nest is discovered at any time within 0.5-mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment would consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to the construction activities of this Project. Based on this assessment, the biologist will determine if construction activities can proceed and the level of nest monitoring required. Construction activities shall not occur within 500 feet of an active nest but depending upon conditions at the site, this distance may be reduced. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson's hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson's hawk to disturbances and at the discretion of the qualified biologist.

**BIO-6:** If Project construction activities are initiated during the nesting season (February 1 to September 15), a pre-activity nesting bird survey shall be conducted within 14 days prior to the start of construction. The surveys shall encompass the Project footprint and accessible areas or land visible from accessible areas within a 250-foot buffer for songbirds and a 500-foot buffer for raptors. If no active nests are found, no further action is required. However, existing nests may become active, and new nests may be built at any time prior to and throughout the nesting season, including when construction activities are in progress.

If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 50 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the adults or the nest, or if breeding attempts have otherwise been unsuccessful. Work may occur within the avoidance buffer under the approval and guidance of the biologist, but full-time monitoring may be required. The biologist shall have the ability to stop construction if nesting adults show any sign of distress. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-7:** Within 14 days prior to the start of ground disturbance activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of all special-status plant and wildlife species with the potential to occur in the vicinity of the Project. All suitable burrows that could support special-status kangaroo rats, Tulare grasshopper mouse, or other special-status wildlife species shall be avoided during construction in accordance with BIO-5 and BIO-6 unless verification surveys have indicated that the species are not present. Consultation with the USFWS and CDFW may be required if listed or fully protected species are detected during the survey. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.

**BIO-8:** Prior to the initiation of construction activities, all construction personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. Any personnel associated with the construction that did not attend the initial training shall be trained by the authorized biologist prior to working on the project site. Any employee responsible for the operations and maintenance or decommissioning of the project facilities shall also attend the Worker Environmental Awareness Training program prior to starting work on the project and on an annual basis. The Program shall be developed and presented by the project qualified biologist(s) or designee approved by the qualified biologist(s). The program shall include information on the life histories of special-status species with the potential to occur on the Project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to protect these species. It shall include the components described below:

- a. Information on the life history and identification of special-status species that may occur or that may be affected by Project activities. The program shall also discuss the legal protection status of each such species, the definition of “take” under the Federal Endangered Species Act and California Endangered Species Act, measures the Project proponent/operator shall implement to protect the species, reporting requirements, specific measures for workers to avoid take of special-status plant and wildlife species, and penalties for violation of the requirements outlined in the California Environmental Quality Act mitigation measures and agency permit requirements.
- b. An acknowledgment form signed by each worker indicating that the Worker Environmental Awareness Training and Education Program has been completed shall be kept on file at the construction site. A copy of the acknowledgment form shall be submitted to the lead agency as evidence of compliance.

- c. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the Worker Environmental Awareness Training and Education Program, and signed acknowledgment forms, shall be submitted to the City of Tulare Planning Department.
- d. A copy of the training transcript, training video, or informational binder for specific procedures shall be kept available for all personnel to review and be familiar with, as necessary.
- e. A sticker shall be placed on hard hats indicating that the worker has completed the Worker Environmental Awareness Training and Education Program. Construction workers shall not be permitted to operate equipment within the construction areas unless they have attended the Worker Environmental Awareness Training and Education Program and are wearing hard hats with the required sticker.

The construction crews and contractor(s) shall be responsible for preventing unauthorized impacts from project activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits. Unauthorized impacts may result in project stoppage, and/or fines depending on the impact and coordination with the California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service.

#### **LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.4b – Would the Project 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 Wildlife or U.S. Fish and Wildlife Service?**

Sensitive natural communities are designated by various resource agencies, including the CDFW, USFWS, Bureau of Land Management, U.S. Forest Service, or are designated by local agencies through policies, ordinances, and regulations. Sensitive natural communities generally have important functions or values for plants and wildlife or are recognized as declining in extent or distribution and warrant some level of protection.

According to the *Biological Analysis Report* prepared for the Project, no water or wetland features are present on the Project site (QK, Inc., 2021a). The literature review, NHD, and NWI identified three Waters of the U.S. or wetland features in the vicinity of the Project site; however, none were observed within the Project site during the reconnaissance survey. One aquatic resource to the south, Mill Creek Ditch, was dry at the time of the survey. Two freshwater ponds to the north of the Project site are no longer present. Further, the CNDDDB search resulted in four sensitive natural communities occurring in the region of the Project: Northern Claypan Vernal Pool, Northern Hardpan Vernal Pool, Valley Sacaton Grassland, and Great Valley Oak Riparian Forest. However, none of these communities were determined to have potential to occur within the BSA because all areas have been previously disturbed

and/or are developed and no longer support suitable habitat for sensitive natural communities. There are no sensitive natural communities present on the Project, and therefore would be no impacts to sensitive natural communities.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.4c – Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

See discussion for 3.4.4 - BIOLOGICAL RESOURCES (b). There are no identified water features or federal waters, or wetlands located on or near the Project. Therefore, the Project will result in no impacts to any waters or wetlands.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.4d – Would the Project 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?**

Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another. Wildlife movement corridors can be large tracts of land that connect regionally important habitats that support wildlife in general, such as stop-over habitat that supports migrating birds or large contiguous natural habitats that support animals with very large home ranges (e.g., coyotes, mule deer). They can also be small scale movement corridors, such as riparian zones, that provide connectivity and cover to support movement at a local scale.

There are no identified movement corridors on or near the Project site. The Project site may be used by transient foragers such as San Joaquin Kit fox. The open landscape creates a foraging habitat, that may be used from time to time by these species. The Project will result in no impacts to fish or wildlife movement corridors, linkages, or nursely sites.



**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.4e – Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

The General Plan contains policies aimed at the preservation of biological resources and promotes coordination with federal and State resource agencies. The General Plan outlines a work plan with implementation measures by which to uphold these policies, including biological resource review for proposed projects and development of mitigation measures for these projects.

The City of Visalia Valley Oak Ordinance establishes policies for care, trimming, and removal of Valley Oaks. However, the Project does not conflict with the City of Visalia 2030 General Plan, the Valley Oak Tree Ordinance, or any other local ordinances.

Therefore, there are no impacts with respect to local policies and ordinance, and no measures are warranted adopted or approved plans related to the Project.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.4f – Would the Project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?**

The proposed Project would have a significant effect on biological resources if it would:

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

According to the California Department of Fish and Wildlife BIOS Map Viewer, the Project is not located within an area covered by Habitat Conservation Plan (HCP) or natural Conservation Community Plan (NCCP), or other approved local, regional, or state habitat conservation plan (California Department of Fish and Wildlife, 2022). Therefore, no Project

impacts related to adopted or approved plans would occur, no measures are warranted, and the Project has no impacts.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have ***no impact***.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.5 - CULTURAL RESOURCES**

Would the Project:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

The impact analyses in this section based on a *Cultural Resources Technical Memorandum*, (QK, Inc., 2021b) which is attached as Appendix D.

**Impact #3.4.5a – Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?**

A cultural resources records search was conducted Southern San Joaquin Valley Information Center (SSJVIC) for the Project. The purpose of the search was to determine whether any known cultural resources or previously conducted cultural resource surveys were located on or near the proposed Project site.

The records search covered an area within one-half mile of the Project and included a review of the *National Register of Historic Places, California Points of Historical Interest, California Registry of Historic Resources, California Historical Landmarks, California State Historic Resources Inventory*, and a review of cultural resource reports on file.

The records search covered an area within one-half mile of the Project and included a review of the National Register of Historic Places, California Points of Historical Interest, California Registry of Historic Resources, California Historical Landmarks, California State Historic Resources Inventory, and a review of cultural resource reports on file.

The records search indicated that the subject property had never been surveyed for cultural resources and it is not known if any exist on it.

Three cultural resource studies have been conducted within a half-mile of the project. Only one cultural resource property has been recorded within a half-mile of the proposed project, the historic route of the Southern Pacific/San Joaquin Valley Railroad. The Project will not impact this cultural resource.

A Sacred Lands File request was also submitted to the Native American Heritage Commission. A response dated August 30, 2021, indicates negative results (see Appendix D).

Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a half-mile radius of the proposed Project, the potential to encounter subsurface cultural resources is minimal. Additionally, the Project construction would be conducted within the partially developed and previously disturbed parcel. The potential to uncover subsurface historical or archaeological deposits would be considered unlikely.

However, there is still a possibility that historical or archaeological materials may be exposed during construction. Grading and trenching, as well as other ground-disturbing actions have the potential to damage or destroy these previously unidentified and potentially significant cultural resources within the project area, including historical or archaeological resources. Disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact. To reduce the potential impacts of the Project on cultural resources, implementation of CUL-1 and CUL-2, the Project would have a less than significant impact related to cultural resources.

***MITIGATION MEASURE(S)***

**CUL-1:** If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource.

**CUL-2:** If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American

involvement, in the event of a discovery of human remains, at the direction of the county coroner.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.5b – Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?**

See discussion for Impact #3.4.5(a). Although considered unlikely since there is no indication of any historical or archaeological resources on the Project site, subsurface construction activities associated with the proposed Project could potentially damage or destroy previously undiscovered archaeological resources. This is considered a potentially significant impact. Mitigation is proposed requiring implementation of standard inadvertent discovery procedures to reduce potential impacts to previously undiscovered subsurface historical and archaeological resources. To reduce the potential impacts of the Project on cultural resources, implementation of CUL-1 and CUL-2, the Project would have a less than significant impact related to cultural resources

**MITIGATION MEASURE(S)**

Implement mitigation measure CUL-1 and CUL-2.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.5c – Would the Project disturb any human remains, including those interred outside of formal cemeteries?**

See discussion for Impact #3.4.5 - (a). The records searches did not indicate the presence of any human remains, burials, or cemeteries within the Project site. No human remains have been discovered at the Project site, and no burials or cemeteries are known to occur within the area of the Project site. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. Mitigation Measure MM CUL-2 has been included in the unlikely event that human remains are found during ground-disturbing activities. Accordingly, this is a potentially significant impact. Mitigation is proposed to reduce this potentially significant impact to a level of less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measure CUL-1 and CUL-2.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.6 - ENERGY**

Would the Project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

**Impact #3.4.6a – Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?**

CEQA Guidelines require consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to reduce “wasteful, inefficient and unnecessary” energy usage (Public Resources Code Section 21100, subdivision [b][3]). The means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed Project would be considered “wasteful, inefficient, and unnecessary” if it were to violate State and federal energy standards and/or result in significant adverse impacts related to Project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The City of Visalia 2030 General Plan discusses how new development would result in increased energy use, in the form of new building energy use and transportation. Both residential and nonresidential development use electricity, natural gas, and petroleum products for power, lighting, heating, and other indoor and outdoor services, while cars use both oil and gas. Use of these types of energy for new development would result in the overall increased use of nonrenewable energy resources. Energy demand during the construction phase would result from the transportation of materials, construction equipment, and construction worker vehicle trips. Compliance with standard regional and local regulations, the Project would minimize fuel consumption during construction. By complying with

standard regional and local regulations, the Project would minimize fuel consumption during construction. Construction-related fuel consumption is not expected to result in inefficient, wasteful, or unnecessary energy use. Thus, construction-related fuel consumption at the Project site would not result in inefficient, wasteful, or unnecessary energy use. The Project would be required to comply with California's Title 24 energy efficiency requirements and other applicable City development standards. Additionally, the Project will be required to comply with all applicable standards and building codes included in the 2019 California Green Building Standards Code. Therefore, the Project will have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.6b – Would the Project Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

See discussion above for 3.4.6 – ENERGY (a). The Project will not conflict with or obstruct a state or local plan for renewable energy efficiency and will have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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### 3.4.7 - GEOLOGY AND SOILS

Would the Project:

a.	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

### ***Discussion***

**Impact #3.4.7a(i) – Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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?**

The Alquist-Priolo Earthquake Fault Zoning Act (formerly the Alquist-Priolo Special Studies Zone Act) requires the delineation of zones along active faults in California. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce the hazard of fault rupture; however, surface fault rupture is not necessarily restricted to the area within the Alquist-Priolo Zone. The Alquist-Priolo Act prohibits the location of most structures for human occupancy across active fault traces. Within these zones, cities and counties must regulate certain development, which includes withholding permits until geologic investigations demonstrate that development sites are not threatened by future surface displacement. There are no designated Alquist-Priolo zones in the City of Visalia.

The Project site is identified in the City of Visalia 2030 General Plan as being located within a seismically stable region of the State. While the southern San Joaquin Valley contains some small faults, the closest of these is 30 miles away, and none are known to be active. In comparison to many regions in California, Visalia exhibits relatively little tectonic activity. The major fault systems in the area include the San Andreas Fault, located 75 miles away from Visalia, and the Owens Valley Fault Group, located east of the Sierras and more than 125 miles away from the City. No active or potentially active faults are known to exist within the Planning Area. The closest potentially active fault is located approximately 25 miles southeast of Visalia but is not known to be active within the last 1.6 million years. The San Andreas and Owens Valley fault systems would not be expected to cause surface fault rupture in the Project area and therefore has a less than significant impact.

### ***MITIGATION MEASURE(S)***

No mitigation is required.

### ***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact*.

**Impact #3.4.7a(ii) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?**

Ground movement during an earthquake can vary depending on the overall moment magnitude, distance to the fault, focus of earthquake energy, and type of geologic material. As a rule, the greater the earthquake magnitude and the closer the fault rupture to the site, the greater the intensity of ground shaking. However, different geologic materials respond differently to earthquake waves. The composition of underlying soils, even those relatively distant from faults, can intensify ground shaking.

The California Geological Survey and US Geological Survey conducts a Probabilistic Seismic Hazard Analysis based on historic earthquakes, slip rates on major faults and deformation throughout the region, and the potential for amplification of seismic waves by near-surface geologic materials. The resulting earthquake shaking potential is used in developing building code design values, estimating future earthquake losses, and prioritizing earthquake retrofit. According to the City's General Plan, the City experiences low levels of shaking, with less frequency, are expected to damage only weaker masonry buildings. However, very infrequent earthquakes could still cause strong shaking but with implementation of Title 24 building requirements and local standards. Therefore, the Project would have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.7a(iii) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?**

The susceptibility of land sliding/slope failure is dependent on the slope and geology as well as the amount of rainfall, excavation, or seismic activities. Land that has experienced sliding in the past is often more slide-prone and more sensitive to both human-induced changes and to earthquakes. Earthquake-induced ground failures are unlikely to occur in the City of Visalia because of its relatively stable geologic formation and lack of active faults. Therefore, the Project would have less than significant impacts related to seismic-related ground failure.

Settlement of the ground surface can be accelerated and accentuated by earthquakes. During an earthquake, settlement can occur as a result of the relatively rapid compaction and settling of subsurface materials (particularly loose, non-compacted, and variable sandy sediments) due to the rearrangement of soil particles during prolonged ground shaking. Settlement can occur both uniformly and differentially (i.e., where adjoining areas settle at different rates). Typically, areas underlain by artificial fills, unconsolidated alluvial sediments, slope wash, and areas with improperly engineered construction fills are susceptible to this type of settlement. During an earthquake, some settlement of soil

materials in Visalia may occur. However, very infrequent earthquakes occur within the City of Visalia and the surrounding region. With implementation of Title 24 building requirements and local standards, the Project would have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.7a(iv) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?**

Surface soils exhibit various characteristics dependent on location, slope, parent rock, climate, and drainage. According to the City’s General Plan, surface soils in the City of Visalia range from fine sandy loam and loam to alkali soils. The most prevalent soils are Nord fine sandy loam; Grangeville sandy loam, drained; Tagus loam; and Akers-Akers, saline-sodic, complex. Some soils have the potential to present moderate geologic hazards to building, due to their susceptibility to erosion or to expansion and contraction.

In general, soil containing high amounts of silt can be easily eroded, while sandy soils are less susceptible. Erosion is most likely to occur on sloped areas with exposed soil, especially where unnatural slopes are created by cut-and-fill activities. Soil erosion rates can be higher during the construction phase. Excessive soil erosion can eventually damage building foundations and roadways. Most surface soils in the Planning Visalia General Plan Draft Environmental Impact Report 3.7-2 Area have moderate potential for erosion by water; in some areas, the erosion potential is considered low to moderate, depending on soil depth.

The City of Visalia has adopted the 2019 California Building Code as the City’s building code and ordinance (Title 15: Buildings and Construction). The City’s Subdivision Ordinance requires that a preliminary soils report be provided as part of the application for a tentative subdivision map, unless the city engineer determines that no preliminary analysis is necessary (Title 16: Subdivisions). If the preliminary soils report indicates the presence of expansive soils, settlement, and potential for subsidence, the City will make a recommendation for necessary adjustments to project plans that offset potential soil problems. Adherence to these requirements reduces this impact to a level that is less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.7b – Would the Project result in substantial soil erosion or the loss of topsoil?**

Soil erosion occurs when soil is removed by wind and water at a greater rate than it is formed. Soil erosion removes the topsoil first and can continue to transport lower layers. Future development and creation of new impervious surfaces also has the potential to contribute to increased stormwater runoff, which could make soil erosion more severe if stormwater is not handled properly. Soil erosion at construction sites can increase sedimentation in nearby streams and drainage channels.

Soil erosion can lead to sedimentation of watercourses, eventually having an adverse impact on water quality and aquatic life. Furthermore, once erosion occurs, it may be difficult for natural vegetation to reestablish itself. The loss of topsoil to erosion is detrimental to agriculture and other landscaping. The risk of erosion is greatly increased during grading and construction activities, and agricultural practices, when soils are loosened and bare of vegetation.

Construction activities associated with the proposed Project will disturb surface vegetation and soils and expose these disturbed areas to erosion by wind and water. To reduce the potential for soil erosion and loss of topsoil during construction, the Project would comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit from the State of California Central Valley Regional Water Quality Control Board (RWQCB) during construction. Under the NPDES, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) are required for construction activities that would disturb an area of one acre or more. An SWPPP must identify potential sources of erosion or sedimentation and identify and implement best management practices (BMPs) that ensure reduced erosion. If an SWPPP was not required, the Project would implement the standard BMPs. Typical BMPs intended to control erosion include sandbags, silt fencing, street sweeping, etc. Mitigation Measure GEO-1 requires the approval of an SWPPP to comply with the NPDES General Construction Permit, if appropriate. Compliance with local grading and erosion control ordinances would also help minimize adverse effects associated with erosion and sedimentation. Any stockpiled soils would be watered and/or covered to prevent loss due to wind erosion as part of the SWPPP during construction.

The Project will comply with all the City's grading requirements outlined in Title 24 and Appendix J of the California Building Code. The Project is not expected to result in substantial soil erosion or the loss of topsoil with the incorporation of mitigation measure GEO-1.

Once constructed, the Project will have both impermeable surfaces and permeable surfaces. Impermeable surfaces would include existing roadways, driveways, and structures. Permeable surfaces would include open areas of the site any landscaped areas. Overall, the development of the Project would not result in conditions where substantial surface soils would be exposed to wind and water erosion.

Therefore, with implementation GEO-1, impacts to soil erosion or the loss of topsoil at the Project site will be reduced to less than significant.

**MITIGATION MEASURE(S)**

**GEO-1:** Prior to issuing of grading or building permits, if required, (a) the Project applicant shall submit to the Lead Agency (1) the approved Storm Water Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly.
- Protecting existing storm drain inlets and stabilizing disturbed areas.
- Implementing erosion controls.
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.

Evidence of the approved SWPPP shall be submitted to the Lead Agency.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.7c – Would the Project 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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?**

See above discussions under Impact #3.4.7 (a)(i) - (iv) & (b). The Project will have a less than significant impact with existing state and local requirements and standards.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact.*

**Impact #3.4.7d – Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

See discussion under Impact #3.4.7(a)(iv). The City of Visalia's Subdivision Ordinance requires a preliminary soils report as part of the application for a tentative subdivision map. If the preliminary soils report indicates the presence of expansive soils, settlement, and potential for subsidence, the city will make recommendation for necessary adjustments to project plans that offset potential soil problems. Adherence to these requirements will reduce the Project impacts to a level that is less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.7e – Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?**

According to the City of Visalia 2030 General Plan Housing Element, housing developments proposed after adoption of the document are not permitted to use septic tanks or alternative wastewater disposal systems since sanitary sewer lines are used for the disposal of wastewater throughout the city. Therefore, the Project will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have no impact.

**Impact #3.4.7f – Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Paleontological resources are the mineralized (fossilized) remains of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and leaves are found in geologic deposits (rock formations) where they were originally buried. Fossil remains are considered to be important as they provide indicators of the earth's chronology and history. These resources are afforded protection under CEQA and are considered to be limited and nonrenewable, and they provide invaluable scientific and educational data.

The Project site does not have any known paleontological resources or unique geologic features. There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the Project site. Nevertheless, there is some possibility that a buried site may exist in the area and be obscured by vegetation, fill, or other historical activities, leaving no surface evidence.

**MITIGATION MEASURE(S)**

**GEO-2:** Prior to any ground-disturbing activities, the Project owner shall develop and implement a Paleontological Worker Education and Awareness Program. If paleontological resources are discovered during ground-disturbing activities (e.g., during Project

construction or decommissioning), all earthwork or other types of ground disturbance within 50 feet of the find shall stop immediately until a qualified professional paleontologist (meeting the standards of the Society of Vertebrate Paleontology [SVP]) can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage are required, recommendations will be consistent with the Society of Vertebrate Paleontology standards that are current as of the discovery and with currently accepted scientific practice.

***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact with mitigation incorporated.*



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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### 3.4.8 - GREENHOUSE GAS EMISSIONS

Would the Project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The impact analyses in this section based on an *Air Quality & Greenhouse Gas Impact Assessment* (VRPA Technologies, Inc., 2021), which is attached as Appendix B.

#### Discussion

#### Impact #3.4.8a – Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The SJVAPCD does not have an established threshold for GHG emission impacts. South Coast Air Quality Management District (SCAQMD) identifies a threshold of 10,000 MTCO<sub>2e</sub>/year for GHG for construction emissions amortized over a 30-year project lifetime, plus annual operation emissions. Although the Project is under SJVAPCD jurisdiction, the SCAQMD GHG threshold provides some perspective on the GHG emissions generated by the Project. Table 9 in the Assessment attached as Exhibit B shows the yearly GHG emissions generated by the Project as determined by the CalEEMod model, which is roughly 70% less than the threshold identified by the SCAQMD, and is shown in Table 3.4.8-1, below.

**Table 3.4.8-1  
Project Operational Greenhouse Gas Emissions**

Summary Report	CO <sub>2e</sub>
Project Operational Emissions Per Year	2,905 MT/yr

Source: (VRPA Technologies, Inc., 2021)

Results indicate that the resulting permanent greenhouse gas increases related to Project operations would be within the greenhouse gas increases analyzed in the City of Visalia 2030 General Plan EIR, so there would be no increase in severity to the previously identified greenhouse gas impacts, and implementation of the Project will not result in Project-specific or site-specific significant adverse impacts from greenhouse gas emissions within the Project

study area. Therefore, no mitigation measures are needed, and impacts are less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.8b – Would the Project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

California passed the California Global Warming Solutions Act of 2006. AB 32 requires that statewide greenhouse gas (GHG) emissions be reduced to 1990 levels by 2020. Under AB 32, CARB must adopt regulations by January 1, 2011, to achieve reductions in GHGs to meet the 1990 emission cap by 2020. On December 11, 2008, CARB adopted its initial Scoping Plan, which functions as a roadmap of CARB’s plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB’s 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan.

SB 375 requires MPOs to adopt a SCS or APS that will prescribe land use allocation in that MPO's regional transportation plan. CARB, in consultation with MPOs, has provided each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. For the TCAG region, CARB set targets at thirteen (13) percent per capita decrease in 2020 and a sixteen (16) percent per capita decrease in 2035 from a base year of 2005.

Executive Order B-30-15 establishes a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. Executive Order B-30-15 requires MPO's to implement measures that will achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.

As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. TCAG uses the growth projections and land use information in adopted general plans to estimate future average daily trips and then VMT, which are then provided to SJVAPCD to estimate future emissions in the AQPs.

The Project would be consistent with the City of Visalia 2030 General Plan upon preparation and approval of a general plan amendment in accordance with General Plan Policy LU-P-33 and LUP-24 and the adopted 2018 RTP/SCS and is therefore consistent with the population growth and VMT applied in those plan documents. Therefore, the Project is consistent with the growth assumptions used in the applicable AQP.

CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan. The current plan has identified new policies and actions to accomplish the State's 2030 GHG limit.

Based on the assessment above, the Project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Project furthers the achievement of the County's greenhouse gas reduction goals. Therefore, any impacts would be less than significant.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
<b>3.4.9 - HAZARDS AND HAZARDOUS MATERIALS</b>				
Would the Project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 or excessive noise for people residing or working in the Project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

**Impact #3.4.9a – Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

### ***Project Construction***

Project construction-related activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction-related activities. These materials could expose human health or the environment to undue risks associated with their use, and no significant impacts will occur during construction activities.

Transportation, storage, use, and disposal of hazardous materials during construction activities will be required to comply with applicable federal, State, and local statutes and regulations. U.S. Department of Transportation and Caltrans regulate the transportation of hazardous materials. Additionally, the City's routes that have been designated for hazardous materials transport would be used. Any hazardous waste or debris that is generated during the construction of the proposed Project would be collected and transported away from the site and disposed of at an approved offsite landfill or other such facilities. In addition, sanitary waste generated during construction would be managed through portable toilets located at reasonably accessible onsite locations.

Federal and State laws require detailed planning to ensure that hazardous materials are properly handled, used, stored, transported and disposed of, and in the event that such materials are accidentally released, to prevent or mitigate injury to health or the environment. Laws and regulations require hazardous materials users to train employees to manage them safely. The primary Federal agencies with responsibility for hazardous materials management include the U.S. Environmental Protection Agency (EPA), U.S. Department of Labor Occupational Safety and Health Administration (OSHA), and the U.S. Department of Transportation (DOT). In many cases, California State law mirrors or is more restrictive than federal law, and enforcement of these laws has been delegated to the State or a local agency. The General Plan reflects the following objective:

- S-O-3: Protect soils, surface water, and groundwater from contamination from hazardous materials.

Construction activities associated with the proposed Project may involve the temporary transport and use of minor quantities of hazardous materials such as fuels, oils, lubricants, hydraulic fluids, paints and solvents as a result of construction build-out related to residential development. The handling and transport of all hazardous materials onsite would be required to perform in accordance with all applicable federal, State, and local laws and regulations.

### ***Project Operation***

Once constructed, the use of such materials as paint, bleach, etc., is considered common for residential developments. It would be unlikely for such materials to be stored or used in such quantities that would be considered a significant hazard. The Project will not generate or use hazardous materials outside health department requirements. Operation activities will

comply with the California Building Code, local building codes, and applicable safety measures.

Based on the analysis above, Project construction and operation are not anticipated to result in significant impacts due to the transportation, use, or disposal of hazardous materials. Therefore, impacts would be less than significant.

Therefore, the Project will not result in any hazards and hazardous material impacts, and with implementation of standard local, state, and federal requirements regarding handling of hazardous materials, and would have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.9b – Would the Project 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?**

Hazardous materials handling on the Project site as a result of the residential development may result in soil and groundwater contamination from accidental spills. Construction of the Project would require preparing and implementing an SWPPP, as noted in Impact #3.4.7b.. The SWPPP is a State requirement under the National Pollution Discharge Elimination System (NPDES) permit for construction sites over one acre. The SWPPP identifies potential sources of pollution from the Project that may affect the quality of stormwater discharge and requires that best management practices (BMPs) be implemented to prevent contamination at the source. By implementing BMPs during any future construction activities, accidental spills of hazardous materials would be contained, and soil and groundwater contamination would be minimized or prevented. Development of a SWPPP and associated BMPs shall be determined by the city engineer through standard permitting processes for the Project.

The proposed Project is not anticipated to create a significant hazard to the public or the environment; as mentioned previously, the residential Project would not routinely transport, use, dispose of, or discharge hazardous materials into the environment. With the implementation of GEO-1 during construction, impacts would be less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant with mitigation incorporated*.

**Impact #3.4.9c – Would the Project emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

The nearest school to the Project is Hurley Elementary School, approximately 0.2 miles southeast of the Project site. Construction activities for the residential development could result in the temporary use of hazardous materials and or substances, such as lubricant and diesel fuel during construction. Exhaust from construction and related activities are expected to be minimal and not significant. All future construction related activities as a result of the proposed Project would be subject to local, State, and federal laws related to emissions of hazardous materials and substances. However, construction of the Project would require the use of minimal hazardous materials and require implementation of BMPs when handling any hazardous materials, substances, or waste. As noted in Impact #3.4.3a, emissions from construction and related activities are expected to be minimal and not significant. Once constructed, the residential development is not expected to result in hazardous emissions; therefore, the Project would have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.9d – Would the Project be located on a site that 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?**

According to EnviroStor (Department of Toxic Substances Control, 2022) the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

As such, the Project site will not create a significant hazard to the public or the environment and therefore has no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.9e – Would the Project be 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, and**

**would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?**

The Project site is located 1.27 miles northeast of the Visalia Municipal Airport and is not located within the Airport Influence Area as indicated in the Tulare County Airport Land Use Compatibility Plan (Tulare County, 2012). Therefore, the proposed Project to develop a 241 single-family residential unit development is compatible and in compliance with the Airport Land Use Compatibility Plan, as it indicated there are no special policies, procedures, and standards referenced in the City's ordinance. Therefore, the Project will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*.

**Impact #3.4.9f – Would the Project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?**

The City of Visalia utilized Tulare County's Emergency Operations Plan, which includes planning and response scenarios for seismic hazards, extreme weather conditions, landslides, dam failure, other flooding, wildland fires, hazardous materials incidents, transportation emergencies, civil disturbance, and terrorist attacks. In addition, the Project would also comply with the appropriate local and State requirements regarding emergency response plans and access (City of Visalia, 2022). The Project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities.

The Traffic Study prepared for the proposed Project did not identify any traffic hazards that impede emergency response or evacuation plans (VRPA Technologies, Inc., 2021a). The Project site and surrounding area are relatively flat, with little to no topography that might obscure visibility to motorists. Additionally, roadway improvements have been proposed to maintain traffic safety with the anticipated increase in vehicle trips. Therefore, impacts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.



**Impact #3.4.9g – Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

The land surrounding the Project site is primarily developed with a mix of urban and agricultural uses. The area is not considered to have impacts from wildfires. Further, the Project site is located within the Urban Growth Boundary and the Visalia Sphere of Influence for future development, outside of any natural vegetate community. The Visalia General Plan includes policies that would protect any future development on the Project site and the community from fire dangers.

The Project site is less than 1 mile southwest of the Visalia Fire Department Station 55, the closest fire station. The Project will comply with all applicable State and local building standards as required by local fire codes and impact fees to support additional fire protection services. The Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

Therefore, there would be no impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
<b>3.4.10 - HYDROLOGY AND WATER QUALITY</b>				
Would the Project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?				
i. Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

**Impact #3.4.10a – Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Project construction activities including grading could temporarily increase soil erosion rates during and shortly after Project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters. As noted in Impact 3.4.7a, construction of the proposed Project will be required to prepare a site-specific SWPPP as required by the RWQCB. The SWPPP is required to be approved by the RWQCB prior to construction that identifies project-specific best management measures that are designed to control drainage and erosion. The Project is also required to implement MM GEO-1 to identify the soil types within the development Project area as part of the preparation of a site-specific SWPPP and related BMPs.

The Project site is located 350 feet north of the Mill Creek Ditch and will not impact this waterway as related to the goals and policies of the General Plan and the updated City of Visalia Waterways and Trails Master Plan, as the site is not adjacent to or within a water corridor.

Therefore, implementation of Project-specific drainage improvements as identified in the city’s standard requirements for subdivisions would reduce the potential for the proposed Project to violate water quality standards during construction to a less than significant impact with mitigation incorporated.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.10b – Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?**

The Visalia area is located within the Kaweah Groundwater Subbasin of the San Joaquin Valley Groundwater Basin. The Subbasin’s 696 square miles generally comprises lands in the Kaweah Delta Water Conservation District (KDWCD), and include the Kaweah and St. Johns Rivers, with the former being the primary source of groundwater recharge. The alluvial fans of waterways provide highly permeable areas in which groundwater is readily replenished. Annual rainfall in Visalia usually ranges from eight to 12 inches; however, there is no estimate of what percentage of rainfall reaches the groundwater supply. Groundwater flow is generally southwestward. Based on groundwater elevation maps, horizontal groundwater barriers do not appear to exist in the subbasin.

According to the Department of Water Resources, groundwater levels in the subbasin have declined about 12 feet on average from 1970 to 2000, with periodic fluctuations. As population continues to grow and farming practices continue at the current rate, groundwater levels may also decline unless recharge is increased.

According to the General Plan, the City of Visalia and the Kaweah Delta Water Conservation District (KDWCD) have mutual interests in restoring and maintaining groundwater supplies and controlling flood water, and have worked on a number of projects in the past that benefit City and District interests. Visalia has implemented a Groundwater Overdraft Mitigation Ordinance, which imposes a groundwater mitigation fee on new development and a groundwater impact fee on water suppliers. The fees are used to construct and improve groundwater recharge facilities and to purchase water for groundwater recharge. Recharge efforts are coordinated by the City with KDWCD and local irrigation districts.

According to the U.S. Census Bureau, the average household size in Visalia is 3.02 persons (U.S. Census Bureau, 2022); therefore, future development could support approximately 728 people. According to California Water Service's 2015 UWMP (California Water Service, 2022), the actual water used in 2015 was 160 gallons per capita per day (gpcd). Therefore, the proposed 241 single-family residences would result in estimated water demand of 262,270 gallons/day (728 people x 160 gallons/day = 116,480 gpcd, which 42.5 gallon per capita annually) or approximately 130.4 acre-feet per year.

The City has adopted numerous policies to reduce water demand through conservation and other means and to increase surface water imports to the City and surrounding areas. These include the Groundwater Recharge Fee, Groundwater Impact Fee, Groundwater Mitigation Fee, and the Water Conservation Ordinance.

The developer will be responsible for paying the City of Visalia's Groundwater Overdraft Mitigation Fee, and therefore the Project will result in a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.10c(i) – Would the Project 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 result in substantial erosion or siltation on-or off-site?**

The Project site is mostly flat and would not substantially alter the existing drainage pattern of the site or area. The Project site does not have a stream or river and is approximately 350 feet away from the Mill Creek Ditch. The Project has a proposed storm basin that will collect stormwater runoff on the site. The Project would develop areas of impervious surfaces that

would reduce the rate of percolation at the site, but areas of open space would allow for the percolation of stormwater to recharge the aquifer, or the water would be directed into the City's existing stormwater sewer system. The Project would comply with applicable City development standards and codes. Therefore, the Project would have a less-than-significant impact on drainage patterns or cause substantial erosion or siltation on or off the site.

As discussed in Impact #3.4.10a above, potential impacts on water quality from erosion and sedimentation are expected to be localized and temporary during construction. Construction-related erosion and sedimentation impacts due to soil disturbance would be less than significant after implementing an SWPPP (see Mitigation Measure GEO-1) and BMPs required by the NPDES. No drainages or other water bodies are present on the Project site, and therefore, the proposed project would not change the course of any such drainages.

The existing drainage pattern of the site and area would be affected by Project development because of the increase in impervious surfaces at the site. The Project design includes natural features such as landscaping and vegetation that would allow for the percolation of stormwater. However, there will be an addition in impervious surfaces that could increase the potential for stormwater runoff and soil erosion. The Project would connect to existing City stormwater sewer infrastructure. The Project will comply with all applicable local building codes and regulations to minimize impacts during construction and post-construction. With the implementation of GEO-1, impacts that would result in substantial erosion or siltation on or offsite are less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.10c(ii) – Would the Project 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

No drainages or other water bodies are present on the Project site. Therefore, the development of the site would not change the course of any such drainages that may potentially result in on or offsite flooding. Water would be used during the temporary construction phase of the Project (e.g., for dust suppression). However, any water used for dust control would be mechanically and precisely applied and would generally infiltrate or evaporate prior to running off.

The Project site is flat, and the proposed grading would not substantially alter the overall topography of the Project site. Although the amount of surface runoff on the Project site would not substantially increase with the construction of the Project, runoff patterns and

concentrations could be altered by grading activities associated with the Project. Improper design of the access road or building pads could alter drainage patterns that would cause flooding on or offsite. The potential for the construction of the proposed Project to alter existing drainage patterns would be minimized through compliance with the preparation of an SWPPP (GEO-1). With the implementation of such measures, the Project would not substantially increase the amount of runoff to result in flooding on or offsite. Impacts would be reduced to less-than-significant levels.

Additionally, with the approval of grading plans and site development requirements by the City Building Division that incorporates BMPs and design standards, the new development operations would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite. Impacts would be less than significant with the implementation of GEO-1.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.10c(iii) – Would the Project 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 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?**

Water would be used during the temporary construction phase of the proposed Project (e.g., for dust suppression). However, any water used for dust control would be mechanically and precisely applied and would generally infiltrate or evaporate prior to running off.

The Project would comply with all applicable State and City codes and regulations. The Project will construct a stormwater retention basin onsite to capture stormwater, and engineering calculations will support the storm drainage plan to ensure that the Project does not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.10c(iv) – Would the Project 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 impede or redirect flood flows?**

As discussed under Impact #3.4.10(a) – (c)(iii), Project construction activities could potentially alter the course of existing drainage pattern on site. The Project would be required comply with the NPDES Construction General Permit by preparing a SWPPP to specify BMPs to prevent construction pollutants. The proposed Project does not include any construction activities that would direct excess surface waters or impede or redirect any potential flood flows.

Once constructed, there will be imperious surfaces create by the houses, roads, driveways, etc. However, there are also open spaces such as lawns and the proposed park that will allow stormwater to percolate back into the aquifer. The Project would comply with all applicable State and City codes and regulations related to stormwater during construction and post-construction.

Therefore, the Project impacts would be less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measure GEO-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.10d – Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?**

The Project is located inland and is not located near an ocean or large body of water, and therefore, would not be affected by a tsunami. Since the Project is located in an area that is not susceptible to inundation, the Project would not risk release of pollutants.

There is no potential for the inundation of the Project site by seiche. Therefore, the Project would not contribute to inundation by seiche, tsunami, or mudflow. The Project would have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

**Impact #3.4.10e – Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

See Impact #3.4.10b.

Implementation of the City of Visalia 2030 General Plan policies, California Water Service's 2015 Urban Water Management Plan, the Kaweah Delta Water Conservation District (KDWCD) 2010 Groundwater Management Plan, and the City's involvement with the KDWCD Integrated Regional Water Management Planning (IRWM) program, in addition to the City's Stormwater Master Plan and Management Program and the Waterways and Trails Master Plan, will address the issues of providing an adequate, reliable, and sustainable water supply for the Project's future urban domestic and public safety consumptive purposes. The City of Visalia obtains the majority of its domestic water from California Water Service.

Private development participates in the City's ability to meet water supply goals and initiatives through payment of fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the Project, or participation in augmentation/enhancement/enlargement of the recharge capability of Fresno Metropolitan Flood Control District storm water ponding basins. While any future development as a result of approval of the proposed Project may be served by conventional groundwater pumping and distribution systems, full development of the Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities. The Department of Public Utilities works with Fresno Metropolitan Flood Control District to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program and works with Fresno Irrigation District to ensure that the City's allotment of surface water is beneficially used for intentional groundwater recharge.

The City of Visalia Public Works Department will review any future development as a result of the Project approval and associated water demand analysis to determine if water service will be available through City of Visalia. The future development will be required to show water infrastructure connections to the nearest water main and water mains would be extended within the proposed lot to provide service to each unit created, subject to payment of applicable water charges.

City of Visalia Public Works Department will review the future development on the Project site for compliance with water quality and groundwater management and will determine if water service will be available for the Project. Further, the City's General Plan includes policies and initiatives to ensure the City promotes water conservation. Therefore, compliance with payment of the City's Groundwater Overdraft Mitigation Fee would reduce Project impacts to less than significant.



**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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**3.4.11 - LAND USE AND PLANNING**

Would the Project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion**

**Impact #3.4.11a – Would the Project physically divide an established community?**

The Project is surrounded by undeveloped or developed property to the east, agricultural fields to the south and west, and various industrial uses to the north. There is existing residential development to the south.

The Project would increase an established community within the area and promote orderly land use development by providing the ability to develop the 50 acres, which is a supported goal under the General Plan, and, therefore, would have no impact. The Project proposes connecting to existing roadways, providing future connectivity access, and not dividing an established or future community. Future development would not be built in a pre-existing community area and would not create any physical barrier between an established community.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

**Impact #3.4.11b – Would the Project 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?**

As proposed, the Project will be consistent with the following City of Visalia 2030 General Plan goals, objectives and policies for Land Use.

The General Plan establishes two new growth boundaries to reflect current conditions and available population and job growth data. The First Tier, also known as the Urban Development Boundary I or UDB (Tier I), is largely coterminous with the 2012 city limits. It comprises slightly over half of the potentially developable land under the Plan, and could support a target buildout population of approximately 160,000. The Second Tier, known as the Urban Development Boundary II or UDB (Tier II) comprises 27,936 acres and could support a target build population of approximately 178,000..

The City of Visalia 2030 General Plan has designated the Project area within the existing and proposed city limits as developable under the Tier 2 Urban Development Boundary. The General Plan established criteria, dependent upon land use type, for when development may advance from the first tier (Tier I) to subsequent tiers (Tiers II and III), which are contained in Policy LU-P-21 of the General Plan. For residential uses, the threshold is the issuance of permits for 5,850 housing units within Tier 1 since April 1, 2010. The City met the residential permit threshold in July 2021 and now considers development located with Tiers 1 and/or 2 (City of Visalia, 2021). The Project will not cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation, as the Project site has been identified for future residential development build-out. The Project will have a less than significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.12 - MINERAL RESOURCES**

Would the Project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion**

**Impact #3.4.12a – Would the Project 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?**

According to the City of Visalia 2030 General Plan, the Project site is not located in an area designated for mineral resource preservation or recovery; therefore, the Project will not 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.

According to the Department of Conservation Division of Mine Reclamation SMARA mapping tool, the nearest open mine (Kaweah South 91-54-0036) to the Project site is approximately 16 miles to the northeast (Department of Conservation, 2022). Additionally, the Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) well finder tool does not designate an active oil or gas well in proximity to the Project site (Department of Conservation, 2022).

The Project will have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

**Impact #3.4.12b – Would the Project 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?**

The Project site is not delineated on a local general plan, specific plan, or other land use plan as a locally important mineral resource recovery site; therefore, it will not result in the loss of availability of a locally-important mineral resource. Therefore, the Project would have no impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

The Project would have *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.13 - NOISE**

Would the Project result in:

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The impact analyses in this section based on an *Environmental Noise & Vibration Assessment* (Bollard Acoustical Consultants, Inc., 2021), which is attached as Appendix E.

**Discussion**

**Impact #3.4.13a – Would the Project result in 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?**

Noise is often described as unwanted sound. Sound is defined as any pressure variation in air that the human ear can detect. The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given noise environment.

**Construction Noise**

During Project construction, heavy equipment would be used for grading excavation, paving, and building construction, which would increase ambient noise levels when in use. Noise levels would vary depending on the type of equipment used, how it is operated, and how well it is maintained. Noise exposure at any single point outside the Project work area would also

vary depending upon the proximity of equipment activities to that point. The nearest existing sensitive uses (residential) are located approximately 30 feet away from where construction activities could occur within the Project area.

Based on the equipment noise levels in Table 3.4.13-1 below, worst-case on-site Project construction equipment noise levels at the nearest residential uses located 30 feet away are expected to range from approximately 80 to 89 dB.

**Table 3.4.13-1  
Construction Equipment Reference and Projected Noise Levels**

<b>Equipment Description</b>	<b>Maximum Noise Level at 50 Feet (dB)</b>	<b>Predicted Maximum Noise Level at 30 Feet (dB)</b>
Air compressor	80	84
Backhoe	80	84
Ballast equalizer	82	86
Ballast tamper	83	87
Compactor	82	86
Concrete mixer	85	89
Concrete pump	82	86
Concrete vibrator	76	80
Crane, mobile	83	87
Dozer	85	89
Excavator	85	89
Generator	82	86
Grader	85	89
Impact wrench	85	89
Loader	80	84
Paver	85	89
Pneumatic tool	85	89
Pump	77	81
Saw	76	80
Scarifier	83	87
Scraper	85	89
Shovel	82	86
Spike driver	77	81
Tie cutter	84	88
Tie inserter	85	89
Truck	84	88

*Source:* (Bollard Acoustical Consultants, Inc., 2021)

The Visalia General Plan exterior noise level standard of 65 dB DNL applicable to transportation noise sources affecting residential uses. Therefore, it is possible Project

construction equipment could result in short-term increases over ambient maximum noise levels at nearby existing residential uses. Further, it is possible that those noise levels could exceed the applicable Visalia General Plan and Municipal Code noise level limits. As a result, noise impacts associated with Project's construction activities are identified as being potentially significant. Therefore, mitigation measures have been proposed to reduce noise impacts to less than significant levels. NSE-1 requires the Project developer or contractor to continuously comply with measures to reduce noise impacts from the Project. This includes restricting construction activities to daylight hours, the use of noise baffles or mufflers on construction equipment, the use of electric equipment, locating equipment in areas away from sensitive receptors, and neighboring property owners will be notified of construction schedules prior to the start of construction. Implementation of MM NSE-1 will reduce noise impacts to less than significant levels.

### ***Traffic Noise***

The development of the Project will result in increased traffic volumes on the local roadway network. Those increases in daily traffic volumes will result in a corresponding increase in traffic noise levels at existing uses located along those roadways. The analyses provided in the study utilized the FHWA Model with traffic input data from the project traffic impact analysis to predict project-generated traffic noise level increases relative to Opening Year, 5-Year Horizon, 10-Year Horizon, and 20-Year Horizon project and no Project conditions (Bollard Acoustical Consultants, Inc., 2021).

The study indicated that the existing ambient noise environment within the Project area is defined primarily by traffic on Shirk Street to the east, and by industrial operations from adjacent uses to the north. It was also concluded that baseline ambient conditions were considerably higher than baseline traffic noise levels.

Based on the analyses provided in the study, including consideration of measured existing ambient noise conditions within the Project area, off-site traffic noise impacts related to increases in traffic resulting from the implementation of the Project are identified as being less than significant.

### ***Industrial Operations Noise at Proposed Residential Uses***

There are industrial uses adjacent to the north side of the Project boundary that exceed the City of Visalia's General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively (Bollard Acoustical Consultants, Inc., 2021). However, CEQA does not require an analysis of impacts of the existing environment on the Project itself. The noise levels emanating from the neighboring industrial operation would be considered part of the baseline ambient noise levels present at the Project. However, NSE-2 requires the developer to record a covenant on the Project properties disclosing noise impacts from the adjacent industrial uses identified. The covenant, combined with implementation of the City of Visalia's General Plan and Municipal Code standards for noise impacts will reduce impacts to a less than significant level.



**MITIGATION MEASURE(S)**

**NSE-1:** The Project developer or contractor shall continuously comply with the following measures throughout construction activities:

- a. Pursuant to Visalia Municipal Code Section 8.36.050(C), the operation of construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment shall not be operated on the project site between the weekday hours of 7:00 p.m. and 6:00 a.m., and between the weekend hours of 7:00 p.m. and 9:00 a.m.
- b. All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.
- c. All mobile or fixed noise-producing equipment used on the project site that is regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project construction activity.
- d. Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible.
- e. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.
- f. Project area and site access road speed limits shall be established and enforced during the construction period.
- g. Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.

**NSE-2:** Prior to final map recordation, the Developer shall record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the Project site. The covenant will ensure future residential property owners are notified of the potential noise impacts with disclosure language as follows:

*“Property owner(s) of lots within the Shepherds Ranch I/ Shepherds Ranch II Project are hereby notified that noise levels from adjacent industrial operations may exceed the City of Visalia 2030 General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively.”*

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

### Impact #3.4.13b – Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

During Project construction, heavy equipment would be used for grading, excavation, paving, and building construction, which would generate localized vibration in the immediate vicinity of the construction. The nearest existing sensitive receptors have been identified as residential structures located approximately 30 feet from construction activities that would occur within the Project area.

The City of Visalia does not currently have adopted standards for groundborne vibration. As a result, the noise study prepared for this Project indicated that the vibration impact criteria developed by the California Department of Transportation (Caltrans) was applied to the Project. Equipment or activities typical of continuous vibration include excavation equipment, static compaction equipment, tracked vehicles, traffic on a highway, vibratory pile drivers, pile-extraction equipment, and vibratory compaction equipment. Equipment or activities typical of single-impact (transient) or low-rate repeated impact vibration include impact pile drivers, blasting, drop balls, “pogo stick” compactors, and crack-and-seat equipment. Table 3.4.13-2 below has identified construction equipment proposed to be utilized for this Project’s construction activities.

**Table 3.4.13-2  
Vibration Source Levels for Construction Equipment and Projected Levels at 30 Feet**

<b>Equipment</b>	<b>Maximum Vibration Level at 25 Feet (PPV)<sup>1</sup></b>	<b>Predicted Maximum Vibration Level at 30 Feet (PPV)</b>
Vibratory roller	0.210	0.160
Hoe ram	0.089	0.068
Large bulldozer	0.089	0.068
Caisson drilling	0.089	0.068
Loaded trucks	0.076	0.058
Jackhammer	0.035	0.027
Small bulldozer	0.003	0.002

<sup>1</sup> PPV = Peak Particle Velocity

Source: 2020 FTA Transit Noise and Vibration Impact Assessment Manual and BAC calculations

As shown above in Table 3.4.13-2, vibration levels generated from on-site construction activities at the nearest existing sensitive structures located approximately 30 feet away (residences) are predicted to be below the strictest Caltrans thresholds. Further, construction activities are not expected to result in adverse human response relative to the vibration annoyance criteria. Therefore, on-site construction within the Project area is not expected to result in excessive groundborne vibration levels at nearby existing sensitive uses.

It is expected that the Project would not result in the exposure of persons to excessive groundborne vibration levels at proposed uses of the Project; therefore this impact is less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.13c – Would the Project result in 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?**

The Project is located approximately 1 ¼ miles to the northeast of Visalia Municipal Airport. The Project is geographically located outside of the established 55 dB CNEL airport noise contour not within a safety zone identified in the ALUCP (County of Tulare, 2012).

Impacts are considered to be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less- than Significant Impact	No Impact
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**3.4.14 - POPULATION AND HOUSING**

Would the Project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Induce substantial population unplanned 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion**

**Impact #3.4.14a – Would the Project induce substantial population unplanned 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)?**

The proposed Project includes the development of 240 single-family residences and a 3.051-acre linear park with associated utilities and infrastructure.

Population forecasts adopted by the City’s General Plan indicates growth for the City population of 210,000 people by 2030, with an average annual growth rate of 2.6 percent (City of Visalia, 2014). The total population of the City of Visalia is 141,384 people, and the average persons per household is 3.02 (U.S. Census Bureau, 2022).

As noted previously, the City General Plan has designated the Project site for future urban uses under the Urban Growth Development Tier 2. Implementation of this Project will support the General Plan designation for future urban land use Policy LU-P-21 for residential development. The General Plan established criteria, dependent upon land use type, for when development may advance from the first tier (Tier I) to subsequent tiers (Tiers 2 and 3), which are contained in Policy LU-P-21 of the General Plan. For residential uses, the threshold is the issuance of permits for 5,850 housing units within Tier 1 since April 1, 2010. The City met the residential permit threshold in July 2021 and now considers development located with Tiers 1 and/or 2 (City of Visalia, 2021). Thus, it is anticipated that the area would be residentially developed to meet the housing needs of the City, and the Project will not induce substantial unplanned population growth.

In addition, it is likely some portion of the people who would purchase Project homes may already reside in Visalia or the surrounding communities, thereby reducing the overall impact on the population the Project may generate. The Project would not include upsizing of offsite infrastructure or roadways. Impacts would be less than significant.

Therefore, Project impacts are considered to be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.14b – Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

The surrounding parcels are developed with residential or industrial uses to the north and east of the Project. The properties to the south and west are undeveloped agricultural land. The General Plan's existing land use designations for the Project site are Residential Very Low Density and Residential Low Density. The proposed General Plan Amendment eliminates the Residential Very Low Density designation and increases the acreage of the Residential Low Density designation.

Construction of the Project would likely be completed by construction workers residing in the City or the surrounding area; they would not require new housing. The Project will not result in the displacement of any persons as there are no residential units on the Project site. As such, no impact associated with displacement of housing or people would occur. In conclusion, with the implementation of the Project, the Project will not result in any population and housing impacts.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have *no impact*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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### 3.4.15 - PUBLIC SERVICES

Would the Project:

- a. 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 to other performance objectives for any of the public services:

i.	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v.	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

**Impact #3.4.15a(i) – 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 to other performance objectives for any of the public services - Fire Protection?**

The City of Visalia Fire Station 55 is less than 1 mile southwest of the Project.

Prior to the recordation of the proposed subdivision maps, the developer will be required to pay development impact fees. A portion of those funds will be specifically earmarked for the use of the Fire Department to maintain an adequate level of service within its service boundary. The entire Project, whether submitted in phases or not, will be subject to review by the City of Visalia Engineering, Public Works, and Fire Department in order to determine whether the Projects infrastructure design is in compliance with City policies for development. The Project's water system will be reviewed to verify that the system can supply the required fire flow for fire protection purposes. The establishment of gallons-per-

minute requirements for fire flow shall be based on the review of the City of Visalia Fire Department.

Development of the Project will increase the need for fire protection services and expand the service area and response times of the local City Fire Department. As previously mentioned, the Project will be required to adhere to any conditions/policies pertaining to the construction of infrastructure needed for the Visalia Fire Department to provide an adequate level of fire protection service.

According to the General Plan and the standard review procedures for development projects within the City of Visalia, the Project's plans and permits will be reviewed for input from the Fire Department. The Project's proposed construction would be located adjacent to existing residential areas, which the City Fire Department already serves. The developer will be required to pay development impact fees to offset growth in population in the area that would impact fire protection. Impacts would be less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.15a(ii) – 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 to other performance objectives for any of the public services – Police Protection?**

The Visalia Police Department (VPD) provides police protection in the City of Visalia and collaborates with other law enforcement agencies and the District Attorney's office on crime prevention. The City has approximately 143 sworn officers working out of two districts. The City of Visalia Police Station - District 1 office is located approximately 4 miles east, and the District 2 office is approximately 4.5 miles southeast. The District 1 office serves northern Visalia. The Project is proposing development in an area that is adjacent to residential development and undeveloped agricultural land. The Project proposes additional residential development in a previously undeveloped location, which will increase the need for police services. However, the Project will pay appropriate development fees based on the adopted fee calculations and is responsible for constructing any infrastructure needed to serve the Project. Impacts would be less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.15a(iii) – 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 to other performance objectives for any of the public services – Schools?**

Visalia Unified School District (VUSD or District) provides public education from kindergarten through 12th grade in the Planning Area. The nearest schools to the Project site include Hurley Elementary School, located 0.3 miles east, Ridgeview Middle School, located 0.8 miles north, and El Diamonte High School, located 2.2 miles south. The General Plan identifies a need for a total of 21 new schools, including 17 new elementary schools, two middle and two high schools to accommodate projected growth through 2030. The General Plan identifies a proposed school site adjacent to the Project Site on the south boundary. It is noted in the General Plan that specific locations may change depending on a variety of factors, including land availability, infrastructure needs, and financing.

The Project shall implement the City of Visalia’s new development and subdivision requirements related to schools. Pursuant to Government Code Section 66006, school districts must maintain separate capital facilities account for reportable fees, and must make available to the public within 180 days after the last day of each fiscal year a Reportable Fees Report. Pursuant to Government Code Section 66001, school districts must make findings every five years with respect to unexpended funds.

The finalized and most recent Developer Fees Report was made available to the public by the Visalia Unified School District website (Visalia Unified School District, 2022) that includes the School Facility Needs Analysis (SFNA). According to the VUSD Website (Visalia Unified School District, 2022), residential school fees established for developers within the City of Visalia is \$4.41 per square foot. The purpose of Developer Fees is for the construction and/or reconstruction of facilities necessary to accommodate the students generated by new residential and commercial development.

According to Government Code Section 65996, the development fees authorized by SB 50 are deemed “full and complete school facilities mitigation.” School districts would utilize the General Plan and codes to establish new school sites and make decisions on school amenities and facility size. The development will be subject to school impact fees to mitigate any increased impacts on school facilities. Project impacts will be less than significant.

**MITIGATION MEASURE(S)**

None are required.



**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.15a(iv) – 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 to other performance objectives for any of the public services – Parks?**

Neighborhood and community parks are an important component of the City of Visalia 2030 General Plan, as both recreational and aesthetic resources that contribute to the City's character. The City maintains several types of parks and facilities. Almost all parkland described here is owned by the City or another public body and used for public recreational purposes, though some small parks are maintained by local landscaping and lighting and lighting district.

Visalia classifies parks and public open space into five general categories. Facilities at each park type vary according to size. Park sizes within the City of Visalia include Pocket Park, Linear park, Community Park, Large City Park, and Natural Corridors and Greenways.

As mentioned in previous sections, the Project contains a 3.05-acre linear park. The developer is required to provide acquisition and development costs associated with the annual established fees as indicated in the City's municipal code, which would reduce Project impacts to less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.15a(v) – 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 to other performance objectives for any of the public services – Other Public Facilities?**

Community facilities are the network of public and private institutions that support the civic and social needs of the population. They offer a variety of recreational, artistic, and educational programs and special events. The City also provides animal control services, refuse pick-up (via an agreement with Tulare County Resource Management Agency and Consolidated Waste Management Authority), and drainage management (City of Visalia,

2014). These services receive funds allocated through the General Fund, usage fees, penalties, or impact fees.

These facilities within the City of Visalia include community centers, civic buildings, libraries, visual and performing arts venues, medical facilities, and other social and community services. The Project is required to implement the City of Visalia's new development and subdivision requirements related to public facilities, which would reduce Project impacts to be less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.16 - RECREATION**

Would the Project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

**Impact #3.4.16a – 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?**

See discussion under Impact #3.4.11 (b) and Impact #3.4.15 (a)(iv).

Visalia has a number of parks dispersed throughout City neighborhoods. The Riverway Sports Park is approximately 4 miles northeast, Plaza Park is approximately 2 miles southwest, West Main Park is 2.5 miles southeast, and Constitution Park is less than 2 miles southeast of the Project site.

The Project is proposing the development of a park that will be available for the community/public. The City's General Plan defines an overall parkland standard of 7.6 acres per 1,000 residents; however, this total consists of separate standards for city parks, school sites, and private open space. The City has a ratio of five acres of parkland per 1,000 residents. (City of Visalia, 2014).

The Project to develop 241 single-family residences will increase the use of existing neighborhood and regional parks. However, the Project also includes development of a 3.051 acres of linear park along the north boundary of the site, which would decrease existing recreational facility impacts to less than significant.

**MITIGATION MEASURE(S)**

None are required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.16b – Would the Project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

See discussion under Impact #3.4.11 (b) Impact #3.4.15 (a)(iv) and Impact #3.4.16a. The Project's linear park would include green space and playground equipment for children. The Project would not cause the construction or expansion of any existing recreational facilities elsewhere off-site. Impacts would be considered as less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.17 - TRANSPORTATION AND TRAFFIC**

Would the Project:

a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The impact analyses in this section based on a a revised *Traffic Impact Study* (VRPA Technologies, Inc., 2022b), which is attached as Appendix F.

**Discussion**

**Impact #3.4.17a – Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Transit Services**

Visalia Transit (VT) is the transit operator in the City of Visalia. The closest is VT Route 10 and Route 11, which runs on W. Noble Avenue (or Highway 198), located approximately 0.7 miles south of the Project site. VT operates several fixed routes that serve city residents with some routes serving the outlying cities and communities. VT operates fixed route service 7 days a week with operational hours Monday through Friday between 6:00 a.m. and 9:30 p.m., 9:00 a.m. and 6:30 p.m. on Saturdays, and between 8:00 a.m. and 6:30 p.m. on Sundays. Visalia has additional transit services that interconnect to other regional locations that could be reached from Route 10 and Route 11.

The Project is not expected to disrupt or impede existing transit facilities and therefore has a less than significant impact.

### ***Bicycle and Pedestrian Facilities***

The City's General Plan Update identifies bicycling and walking as inexpensive, energy-conserving, healthful, and non-polluting modes of transportation. Visalia's flat topography and dry, moderate climate make choosing to walk or bicycle an attractive transportation option during much of the year. The City of Visalia Bikeway Plan was adopted in February 2011 and is intended to guide bikeway policies, programs and facility improvements to improve safety, comfort and convenience for all bicyclists in the City of Visalia.

Currently, no bike lanes exist in the vicinity of the proposed Project site along Road 88 (future collector). However, the City of Visalia Bikeway Plan has identified portions of Road 88 adjacent to the Project site as developed for Greenway street plans, and General Plan Policy T-P-45 requires that collector streets include a bike lane. In addition, North Shirk Street is identified as a Class II Future Bike Lane according to the City's General Plan. At the time of development, the City will review the Project to identify whether or not a bike lane would be required to be constructed along the Project's frontage of North Shirk Street.

The Project is not expected to disrupt or impede existing or planned bicycle facilities with implementation of the City's requirements, and therefore has a less than significant impact.

### ***Pedestrian***

Currently, walkways do not exist in the vicinity of the proposed Project site along Road 88 (future collector) on the west side of the Project boundary. The Project proponent will be responsible for implementing all applicable requirements for updating sidewalks and other related infrastructure as directed by the City of Visalia. As stated above under Bicycle and Pedestrian Facilities, implementation of the City's Bikeway Plan will be required as identified along Road 88 and as reflected in the General Plan for North Shirk Street.

### ***Roadway***

Access to and from the Project site will be from Shirk Street, located on the east side of the Project boundary, and from Road 88, located on the west side of the Project boundary. The City General Plan Update indicates that Shirk Street adjacent to the Project is considered a Deferred Arterial that will eventually connect with a proposed upgraded interchange south of the Project on SR 198. The General Plan established LOS "D" as the minimum acceptable LOS standard on city roadways. Although Caltrans has not designated a LOS standard, Caltrans' Guide for the Preparation of Traffic Impact Studies (December 2002) indicates that when the LOS of a State highway facility falls below the LOS "C/D" in rural areas and the LOS "D/E" in urban areas, additional traffic may have a significant impact.

The following intersections were analyzed for this Project:

- Shirk Street / SR 198 EB Ramps
- Shirk Street / SR 198 WB Ramps
- Shirk Street / Hillsdale Avenue

- Shirk Street / School Avenue
- Shirk Street / Hurley Avenue
- Shirk Street / Allen Avenue (New Road)
- Shirk Street / Goshen Avenue
- Road 88 / Project Access
- Road 88 / Goshen Avenue

The Project trip generation and design hour volumes shown in Table 3.4.17-1 were estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition.

**Table 3.4.17-1  
Project Estimated Trips**

Land Use	Units	ITE Land Use Code	Daily Trip Rate	Daily Trips	% AM Peak	% AM Inbound	% PM Peak	% PM Inbound	Peak Hour Trips			
									AM In	AM Out	PM In	PM Out
Single Family Housing	241	210	9.407	2,267	7.3%	26%	10.0%	63%	43	123	143	84
				<b>Total</b>					43	123	143	84
								<b>Total</b>	166		227	

Source: (VRPA Technologies, Inc., 2022b) Generation factors from ITE Trip Generation Manual, 11th Edition

The City adopted a threshold of LOS D for street segments and intersections. Table 3.4.17-2 illustrates the intersections within the scope of the study and indicates the anticipated Level of Service (LOS) prior to and with the addition of Project traffic. In addition to the analysis of the Project, there are several other development projects within the Project’s vicinity that will add additional trips to the study intersections and segments.

**Table 3.4.17-2  
Intersection Operations**

INTERSECTION	CONTROL	TARGET LOS	PEAK HOUR	OPENING YEAR WITHOUT PROJECT		OPENING YEAR PLUS PROJECT		5-YEAR HORIZON WITHOUT PROJECT		5-YEAR HORIZON PLUS PROJECT		10-YEAR HORIZON WITHOUT PROJECT		10-YEAR HORIZON PLUS PROJECT		20-YEAR HORIZON WITHOUT PROJECT		20-YEAR HORIZON PLUS PROJECT			
				DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS
1. Shirk Street / SR 198 EB Ramps	All-Way Stop Sign	-- <sup>1</sup>	AM	20.1	C	24.1	C	25.6	D	32.8	D	42.6	E	52.5	F	98.6	F	116.0	F		
			PM	26.2	D	34.8	D	27.7	D	49.1	E	57.7	F	62.7	F	130.3	F	148.3	F		
2. Shirk Street / SR 198 WB Ramps	All-Way Stop Sign	-- <sup>1</sup>	AM	64.7	F	95.1	F	96.3	F	127.0	F	138.4	F	169.9	F	239.8	F	275.0	F		
			PM	83.0	F	117.4	F	115.4	F	156.7	F	173.6	F	218.4	F	309.5	F	354.3	F		
3. Shirk Street / Hillsdale Avenue	One-Way Stop Sign	D	AM	92.4	F+	140.4	F+	157.9	F+	242.4	F+										
			PM	54.6	F+	79.0	F+	77.6	F+	121.9	F+										
4. Shirk Street / School Avenue	One-Way Stop Sign	D	AM	43.1	E+	54.3	F+	56.4	F+	74.5	F+										
			PM	34.8	D	44.6	E+	42.9	E+	56.4	F+										
5. Shirk Street / Hurley Avenue	Signalized	D	AM	18.7	B	19.7	B	21.3	C	22.4	C										
			PM	10.0	B	11.3	B	10.7	B	12.1	B										
6. Shirk Street / Allen Avenue	One-Way Stop Sign	D	AM			16.6	C			18.1	C										
			PM			16.5	C			18.0	C										
7. Shirk Street / Goshen Avenue	Signalized	D	AM	40.0	D	41.1	D	44.3	D	46.6	D										
			PM	34.4	C	41.9	D	38.0	D	49.0	D										

8. Road 88 / Project Access	One-Way Stop Sign	D	AM			8.5	A			8.5	A							
			PM			8.5	A			8.5	A							
9. Road 88 / Goshen Avenue	One-Way Stop Sign	D	AM	17.8	C	17.8	C	19.1	C	19.3	C							
			PM	17.9	C	17.9	C	19.6	C	20.1	C							

DELAY is measured in seconds. LOS = Level of Service / **BOLD** denotes LOS standard has been exceeded For s ignalized and all-way stop intersections, delay results show the average for the entire intersection. For one-way and two-way stop controlled intersections, delay results show the delay for the worst movement.

1 - With the changes brought about by SB 743, Caltrans no longer uses level of service to determine the need for transportation improvements . Instead, the focus is on providing adequate facilities for pedes trians, bicycles, and transit as well as safety considerations for all transportation modes . Guidance is provided in the Transportation Impact Study Guide dated May 20, 2020 and the Interim Land Development and O ntergovernmental Review Safety Review Practitioners Guidance dated July 2020. This guidance was us ed in determining the need for roadway improvements on Caltrans facilities.

+ Does not meet peak hour signal warrants. Provided for informational purposes only.

As shown above, three of the study intersections (Shirk Street at SR 198 EB Ramps / Shirk Street at SR 198 WB Ramps / Shirk Street at Hillsdale Avenue / Shirk Street at School Avenue) were found to exceed the City LOS threshold at the opening year and beyond.

The Project will generate approximately 2,267 ADT and will cause, in addition to other nearby developments, significant LOS impacts relating to the generation of unacceptable LOS at three intersections. Mitigation will be required to alleviate the LOS impacts caused by the Project and other proposed development in the area.

### ***Pro-Rate Fair Share of Future Transportation Improvements***

Based on the results of the capacity analysis and mitigation analysis, improvments are recommended on the Shirk Avenue intersections with the SR 198 Eastbound ramps and Shirk Avenue and Sr 198 Westbound ramps. Traffic signals as well as additional lanes are expected to be needed. Implementation of this level of improvements is beyond the scale of the proposed project and is recommended to be done by others. It is recomened that the Project contribute to the City of Visalia’s traffic impact fee program. Contribution of fees to this program will directly or indirectly contribute to the improvements described below as well as general roadway improvements on the City of Visalia.



**Table 3.4.17-3  
20-Year Horizon Equitable Share Responsibility**

INTERSECTION	PEAK HOUR	EXISTING	PROJECT TRIPS	20-YEAR HORIZON PLUS PROJECT	FAIR SHARE PERCENTAGE
Shirk Street / SR 198 EB Ramps	AM	1,136	77	2,037	8.5%
	PM	1,275	79	2,230	8.3%
Shirk Street / SR 198 WB Ramps	AM	1,519	122	2,773	9.7%
	PM	1,446	164	2,677	13.3%
Shirk Street / Hillsdale Avenue <sup>1</sup>	AM	1,362	122	1,871	24.0%
	PM	1,349	164	1,872	31.4%
Shirk Street / School Avenue <sup>1</sup>	AM	1,304	122	1,765	26.5%
	PM	1,277	164	1,738	35.6%

<sup>1</sup> - Provided for informational purposes only and based on 5-Year Horizon

The proposed Project will impact the existing transportation systems and will have an impact on the existing plans, ordinances, or policies related to the effectiveness or performance of the circulation system. Mitigation Measure MM TRA-1 requires the Project developer to pay their impact fees based on the cost to signalize three intersections and citywide improvements. With the implementation of the MM TRA-1, impacts will be less than significant.

#### **MITIGATION MEASURE(S)**

**TRA-1:** Prior to the issuance of building permits, the developer shall pay city wide impact fees in the amount of \$1,502,635 for of the following intersections improvements and citywide improvements:

c. Shirk Street at SR 198 EB Ramps:

5-Year With Project and 10-Year With and Without Project Horizon scenarios:

- Installation of traffic signal

20-Year With and Without Project Horizon scenarios:

- Install traffic signal
- Widen the eastbound approach to 1 left turn lane, 1 left-through lane, and 1 right turn lane (adding 1 left turn lane)

d. Shirk Street at SR 198 WB Ramps

Opening Year With and Without Project, 5-Year With and Without Project, and 10-Year Without Project Horizon scenarios:

- Installation of traffic signal

10-Year With Project and 20-Year With and Without Project Horizon scenarios:

- Intall traffic signal
- Widen the westbound approach to 1 left-through lane and 2 right turn lanes (adding 1 right turn lane)

#### **LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

#### **Impact #3.4.17b – Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?**

Under SB 743, vehicle miles traveled (VMT) is a key measure used for gauging the environmental impacts of projects under CEQA.

#### **VMT Analysis**

An assessment of potential VMT impacts associated with the Project was analyzed in the TIS to address changes in CEQA requirements. The VMT analysis compared the Project's expected VMT/capita to regional averages. The Project's VMT impacts will be considered less than significant if the VMT per capita is 16 percent below regional averages (or lower). The Tulare Council of Governments (TCAG) regional travel demand model was used in this calculation. The results are as follows:

- Project VMT/capita: 8.07
- Regional VMT/capita: 11.7

As discussed in Section 3.0 Impacts of the TIS, the potentially significant impacts resulting from the Project relate to the generation of unacceptable LOS at various intersections in the long term. Therefore, the Project's VMT impacts are less than significant.

#### **MITIGATION MEASURE(S)**

None are required.

#### **LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

#### **Impact #3.4.17c – Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

The Project will be designed to meet current standards and safety regulations. All intersections will be constructed to comply with the City and Caltrans regulations, and

design and safety standards of Chapter 33 of the California Building Codes (CBC) and the guidelines of Title 24 to create safe and accessible roadways.

Vehicles exiting the subdivision will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways could impede such views if improperly installed. Specific circulation patterns and roadway designs will incorporate all applicable safety measures to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the Project area would not occur.

Therefore, the Project will have a less-than-significant impact with the incorporated design features and all applicable rules and regulations.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.17d – Would the Project result in inadequate emergency access?**

See the discussion in Impact #3.4.9f

State and City Fire Codes establish standards by which emergency access may be determined. The proposed Project would have to provide adequate unobstructed space for fire trucks to turn around. The proposed Project site would have adequate internal circulation capacity, including entrance and exit routes to provide adequate unobstructed space for fire trucks and other emergency vehicles to gain access and to turn around. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, the Project would result in a less-than-significant impact associated with emergency access.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.18 - TRIBAL CULTURAL RESOURCES**

Would the Project:

a. 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:

i. 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

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

**Discussion**

**Impact #3.4.18a(i) – 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 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)?**

Native American Tribal Consultation was completed for the Project in compliance with Assembly Bill 52 (AB 52), the California Environmental Quality Act (CEQA), and the Public

Resources Code. A Sacred Land Files search was requested from the Native American Heritage Commission (NAHC), and a response was received on August 30, 2021. As noted, the NAHC Sacred Lands File, results were negative and did not indicate the presence of any cultural places within the Project area.

As noted in Impact #3.4.5a-b, *Cultural Resources*, a cultural resources records search was conducted by the Southern San Joaquin Valley Information Center (SSJVIC), *National Register of Historic Places*, *California Points of Historical Interest*, *California Registry of Historic Resources*, *California Historical Landmarks*, and *California State Historic Resources Inventory* for the Project. It was noticed that there were no known cultural resources identified in the area.

Only one cultural resource property has been recorded within a half mile of the proposed project, the historic route of the Southern Pacific/San Joaquin Valley Railroad. The Project will not impact this cultural resource.

Although considered unlikely, since there is no indication of any tribal cultural resources on the Project site, subsurface construction activities associated with the proposed Project could potentially damage or destroy previously undiscovered tribal cultural resources. This is considered a potentially significant impact.

With implementation of mitigation measures CUL-1 and CUL-2, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources and therefore impacts would be considered less than significant.

**MITIGATION MEASURE(S)**

Implement MM CUL-1 and MM CUL-2

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated*.

**Impact #3.4.18a(ii) – 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 a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

See discussion in Section 3.4.5, *Cultural Resources* and Impact #3.4.1.18(i) above.

With implemented mitigation measures CUL-1 and CUL-2, the Project would not cause a substantial adverse changes in the significance of a tribal cultural resource. Therefore, impacts are considered less than significant with mitigation measures incorporated.

**MITIGATION MEASURE(S)**

Implement CUL-1 and CUL-2

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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**3.4.19 - UTILITIES AND SERVICE SYSTEMS**

Would the Project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a determination by the wastewater treatment provider that 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

**Impact #3.4.19a – Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?**

The Project proposes to construct new wet and dry utility infrastructure to connect to the existing City and private service provider infrastructure. Services that will be installed during the construction of the Project include water, wastewater, storm drain drainage connections, natural gas, electric power, and telecommunications facilities. The proper sizing and placement of the utilities will be designed per the City and other utility

development design standards. All proposed wet infrastructure will be connected to existing infrastructure already located within the City road rights of way.

The General Plan identifies the existing sewer system lines, which indicates that the Project has the ability to expand on existing pipelines adjacent to the Project on the east side of North Shirk Street where there are single-family residences. It is noted that the storm drainage system lines also follow the existing sewer lines identified and are adjacent to the Project on North Shirk Street to the east.

New development has the potential to cause erosion sediment and surface water run-off that will enter the City's storm drainage system. As the City expands, more area is made impervious, and urban runoff increases. In order to minimize these impacts, General Plan policies focus on requiring future development projects to minimize runoff into the City's drainage system and establish development fees from development projects in order to pay for the construction and maintenance of the drainage system.

Southern California Edison provides electric service to Visalia residents. The electrical facilities network includes both overhead and underground lines, with new development required to install underground service lines. Natural gas service is primarily provided by the Southern California Gas Company. There are three major companies that provide communications services in Visalia: AT&T, Sprint, and Verizon. Comcast is the primary cable television and internet provider.

The City of Visalia provides refuse collection for residential customers and many commercial customers, and contracts with Sunset Waste Systems to provide recyclable material processing. The development of single-family residences will be serviced by Sunset Waste Systems.

The proposed Project would be subject to the payment of any applicable connection charges and/or fees and extension of services in a manner that is compliant with the Visalia standards, specifications, and policies. All applicable local, State, and federal requirements and best management practices will be incorporated into the construction and operation of the Project.

As part of the annexation process for the 40 of 50 acres currently located in unincorporated Tulare County, LAFCO will coordinate between urban growth management planning with public and private utilities to determine infrastructure needs, feasibility, timing, and financing. As previously stated, the Project is located within the City's General Plan's Tier 2 area identified for expanding urban development; therefore, the Project will have a less than significant impact with implementation of all required federal, State, and local requirements and standards for general utilities.

***MITIGATION MEASURE(S)***

None are required.



**LEVEL OF SIGNIFICANCE**

There would be a *less than significant impact*.

**Impact #3.4.19b – Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?**

See Impact #3.4.10b.

The groundwater supply is distributed by the California Water Service Company (Cal Water). Cal Water Visalia District supply wells extract groundwater from the Kaweah Groundwater Subbasin. The Cal Water system includes 75 operational groundwater wells, about one-third of which have auxiliary power for backup. There are 519 miles of main pipelined in the system, ranging from two inches in diameter to 12 inches in diameter. The Cal Water system includes two elevated 300,000-gallon storage tanks, an ion exchange treatment plant, four granular activated carbon filter plants, and one nitrate blending facility. In addition to the system serving the City of Visalia, Cal Water also operates three other small systems in the Visalia area, defined as Oak Ranch (wells with distribution pipeline), Post Mitts (two wells with distribution pipeline), and Fairway (well with distribution pipeline). These systems are within Cal Water’s Visalia District system but outside Visalia city limits (City of Visalia, 2014).

The system serves an estimated population of 147,000, which could grow to 226,850 by 2045, according to the adopted 2020 UWMP. Cal Water estimated that it was serving 45,325 residential, commercial, and industrial customers in 2020, with expected growth to 79,818 customers (households and businesses) by 2045. Therefore, impacts are considered to be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.19c – Would the Project result in a determination by the wastewater treatment provider that 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?**

The existing Waste Discharge Requirements placed on the City Water Reclamation Facility (WRF) limit discharge to an average flow of 20 mgd and require that the ammonia concentration in the discharge be reduced to 0.025 mg/l by 2011. The certified EIR for the WRF (called the Water Conservation Plant at the time) analyzed impacts for average flow volumes of 22 mgd and 26 mgd (City of Visalia, 2014).

With upgrades to the plant processing capabilities and the rerouting of the discharge stream away from Mill Creek completed in 2017/2018, the WRF has sufficient capacity to process the expected flows from land use classifications noted in the proposed General Plan for the near future and would expand its treatment capacity as the need dictates. The projected sanitary sewer flows entering the WRF at the proposed General Plan buildout (25,034,050 gpd in 2030) is expected to be less than the volume previously anticipated for the SWMP (25,949,996 gpd in 2030), meaning further expansions could be delayed. In 2017/2018, the WRF was upgraded to provide the ability to increase capacity to 26 mgd as the demand increases. Additional mandated water conservation measures will likely cause reductions in average daily flows to the WRF. This will also help delay the need for future expansions of the Water Conservation Plant and give the City more flexibility in determining the types of development that are appropriate.

Expansion at the outer rings of the development boundaries will not cause significant impacts to the sewer system since the majority of the area was included in the WRF Solid Waste Master Plan. Thus, the inclusion of the Project's requirement to account for its impacts on the City's wastewater system and development impact fees will reduce the overall impact the Project may cause. The impact will be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.19d – Would the Project 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?**

The Tulare County Resource Management Agency manages solid waste disposal in accordance with the Tulare County Integrated Waste Management Plan. The County landfills accumulate approximately 300,000 tons of waste per year, which is equivalent to about five pounds per person per day or one ton per County resident per year. The County operates three disposal sites: the Visalia Disposal Site, northwest of Visalia; the Woodville Disposal Site, southeast of Tulare; and the Teapot Dome Disposal Site, southwest of Porterville (City of Visalia, 2014). The City operates its own solid waste disposal fleet.

The California Department of Resources Recycling and Recovery's Solid Waste Information System (SWIS) manages information regarding the operations and disposal of all solid waste sites throughout California. According to the SWIS database, the Teapot and Visalia Landfills are operationally active. However, the Woodville landfill is operationally inactive (California Department of Resources Recycling and Recovery, 2022). The City will require the appropriate solid waste receptacles (compliance with the California Solid Waste Reuse and Recycling Access Act of 1991) to be provided to the Project. In addition, the Project will be

required to pay solid waste development impact fees, thus reducing the perceived impact the Project may generate. The impact will be less than significant.

The Project does not and would not conflict with federal, State, or local regulations related to solid waste. The proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs in compliance with federal, State, and local statutes and regulations related to solid waste.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.19e – Would the Project comply with federal, state, and local statutes and regulations related to solid waste?**

See Impact #3.4.19d, above.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**3.4.20 - WILDFIRE**

Would the Project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

**Impact #3.4.20a – Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?**

Access for emergency vehicles to the site would be maintained throughout the construction period. The Project would not interfere with any local or regional emergency response or evacuation plans and would not result in a substantial alteration to the adjacent and area circulation system. The City has established emergency response and evacuation plans based on the Tulare Emergency Operations Plan. Impacts related to fire hazards and emergency response plans would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.20b – Would the Project 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?**

The potential for fire hazard is largely dependent on the extent and type of vegetation, known as surface fuels, that exists within the region. Fire hazards probability is typically highest in undeveloped, heavily wooded areas, as trees are a greater source of fuel rather than low-lying brush or grassland (City of Visalia, 2014).

The City General Plan indicates that a few very small portions of the City are classified by the California Department of Forestry and Fire Protection (CDF) as having moderate fire hazards. In general, the threat of wildland fires in Visalia is minimal because of the area's flat topography and the relative absence of forests, grassland, and brush. In addition, the CDF designates the Project site as non-wildland/non-urban and adjacent to the urban unzoned area.

In addition, the City requires that any construction comply with the Uniform Fire Code provisions and is subject to review and approval by the City's Fire Department. Therefore, the impacts related to the Project are considered less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*.

**Impact #3.4.20c – Would the Project 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?**

See discussion in Impact #3.4.20a-b.

The Project proposes to construct 241 single-family residences and includes the development of infrastructure (water, sewer, electrical power lines, and storm drainage) required to support the proposed residential uses. The Project site is surrounded by existing and future urban development.

The Project would require installing or maintaining additional electrical distribution lines and natural gas lines to connect the residences to the existing utility grid. However, the Project would be constructed in accordance with all local, State, and federal regulations

regarding power lines and other related infrastructure, as well as fire suppression requirements. The design of all proposed utilities will be subject to the review and approval of the City. This will ensure the viability of the utility infrastructure's ability for fire protection and suppression activities. Therefore, impacts for the Project would be considered as less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

**Impact #3.4.20d – Would the Project 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?**

The topography of the site and surrounding area is relatively flat with little topographic variation and no water features are present within the vicinity of the Project area, noting that the Mill Creek Ditch runs south of the property and is used for agricultural purposes not related to the Project. The surrounding area is predominantly developed with agricultural, residential, and industrial uses. Therefore, there is minimal risk of landslides.

The Project area is located in both a 1% Annual Change of Flood Hazard Zone and 0.2% Annual Chance of Flood Hazard Zone as determined by the Federal Emergency Management Agency (FEMA) Flood Maps and is further surrounded by properties that are identified as an Area of Minimal Flood Hazard. As the Project is a relatively flat area and is not located near a water feature, impacts would be considered as less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**3.4.21 - MANDATORY FINDINGS OF SIGNIFICANCE**

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are significant when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

**Impact #3.4.21a – Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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?**

The Project may have the potential to impact biological and cultural resources as identified in this initial study; however, with implementation of the below mitigation measures, BIO-1 through BIO-8, CUL-1 and CUL-2, the Project impacts would be reduced to less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measures BIO 1 through BIO-8, CUL 1 and CUL-2.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.21b - Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a Project are significant when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.)?**

The Project may have cumulatively considerable impacts related to biological resources, cultural resources, geological resources, noise, and traffic, as identified in this initial study; however, with implementation of Mitigation Measures AG- 1, BIO-1 through BIO-7, CUL-1, CUL-2, GEO-1, GEO-2, NSE-1, NSE-2 and TRA-1, the Project impacts would be reduced to less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measures AG- 1, BIO-1 through BIO-7, CUL-1, CUL-2, GEO-1, GEO-2, NSE-1, NSE-2 and TRA-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*

**Impact #3.4.21c - Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?**

The Project may have the potential to adversely impact human beings related to biological resources, cultural resources, geological resources, noise, and traffic; however, with implementation of the below Mitigation measures BIO-1 through BIO-7, CUL-1, CUL-2, GEO-1, GEO-2, NSE-1, and TRA-1 the Project impacts would be reduced to less than significant.

**MITIGATION MEASURE(S)**

Implement mitigation measures AG- 1, BIO-1 through BIO-7, CUL-1, CUL-2, GEO-1, GEO-2, NSE-1, TRA-1.

**LEVEL OF SIGNIFICANCE**

The Project would have a *less than significant impact with mitigation incorporated.*



## **SECTION 4 - LIST OF PREPARERS**

### ***4.1 - Lead Agency***

- City of Visalia

### ***4.2 - QK Inc.***

- Jaymie Brauer – Project Manager
- Kristin Pittack – Lead Author

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**APPENDIX A**  
**MITIGATION MONITORING AND REPORTING PROGRAM**

## MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p><b>AG - 1:</b> Prior to the issuance of grading or building permits, the Project proponent shall mitigate impacts for loss of Prime Farmland and Farmland of Statewide Importance on the Project site at a 1:1 ratio. The Project proponent shall implement one or more of the following measures to mitigate the loss: Payment of In-Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, and/or Land Use Regulation on land(s) within the Southern San Joaquin Valley of California, specifically within Kern County, Tulare County, Kings County, Fresno County, or Madera County. The City shall require, at a minimum: evidence that the preserved land has adequate water supply, agricultural zoning, evidence of land encumbrance documentation, documentation that the easement/regulations are permanent and monitored, and documentation that the mitigation strategy is appropriately endowed. This mitigation shall be verified by the City prior to issuance of grading or building permits. Should the City of Visalia develop an Agricultural Mitigation Program before future construction within the Project begins, the Project proponent shall mitigate for the loss of agricultural land pursuant to the Program that is adopted by the City.</p>	<p>Prior to the Issuance of Grading or Building Permits</p>	<p>Contractor/Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p><b>BIO-1:</b> Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer, where land access is permitted, shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the California Department of Fish and Wildlife (CDFW). If dens/burrows that could support any of these species are discovered during the pre-activity survey, the avoidance buffers outlined below shall be established. No work shall occur within these buffers unless the biologist approves and monitors the activity. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p> <p>Burrowing Owl (active burrows)</p> <ul style="list-style-type: none"> <li>• Non-breeding season: September 1 – January 31 – 160 feet</li> <li>• Breeding season: February 1 – August 31 – 250 feet</li> </ul> <p>American Badger/SJKF</p> <ul style="list-style-type: none"> <li>• Potential or Atypical den – 50 feet</li> <li>• Known den – 100 feet</li> <li>• Natal Den –Contact CDFW for consultation</li> </ul>	<p>Within 14 days prior to the start of Project ground-disturbance activities</p>	<p>Contractor/Lead Agency</p>		
<p><b>BIO-2:</b> A qualified biologist shall remain on-call throughout the construction phase if a burrowing owl,</p>	<p>Throughout Project ground-</p>	<p>Contractor</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>American badger, or San Joaquin kit fox occurs on the site during construction. If one of these species occurs on-site, the biologist shall be contacted immediately to determine whether biological monitoring or the implementation of avoidance buffers may be warranted.</p>	<p>disturbance activities</p>			
<p><b>BIO-3:</b> The following avoidance and minimization measures shall be implemented during all phases of the Project to reduce the potential for impact from the Project. They are modified from the U.S. Fish and Wildlife Service (USFWS) <i>Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance</i>.</p> <ul style="list-style-type: none"> <li>a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project Site.</li> <li>b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20</li> </ul>	<p>Throughout Project ground-disturbance activities</p>	<p>Contractor</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>miles per hour (mph) within the Project Site.</p> <p>c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project Site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and</p>				



Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>California Department of Fish and Wildlife (CDFW) shall be consulted.</p> <p>d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped.</p> <p>e. No pets, such as dogs or cats, shall be permitted on the Project Sites to prevent harassment, mortality of kit foxes, or destruction of dens.</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>f. Use of anti-coagulant rodenticides and herbicides in Project Sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.</p> <p>g. A representative shall be appointed by the Project proponent, who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program, and their name and</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>telephone number shall be provided to the USFWS.</p>				
<p>h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to an SJKF during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.</p>				
<p>i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.</p> <p>k. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p>				
<p><b>BIO-4:</b> If Project construction activities occur during the Swainson's hawk nesting season (February 15 to August 31), pre-construction activity surveys shall be conducted over the Project area and within 0.5-mile for Swainson's hawk nests in accordance with the <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i>, Swainson's Hawk Technical Advisory Committee. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p>	<p>14 days prior to any Project ground-disturbance activities occurring during nesting season (February 1 to September 15)</p>	<p>Contractor/Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p><b>BIO-5:</b> If an active Swainson’s hawk nest is discovered at any time within 0.5-mile of active construction, a qualified biologist shall complete an assessment of the potential for current construction activities to impact the nest. The assessment would consider the type of construction activities, the location of construction relative to the nest, the visibility of construction activities from the nest location, and other existing disturbances in the area that are not related to the construction activities of this Project. Based on this assessment, the biologist will determine if construction activities can proceed and the level of nest monitoring required. Construction activities shall not occur within 500 feet of an active nest but depending upon conditions at the site, this distance may be reduced. Full-time monitoring to evaluate the effects of construction activities on nesting Swainson’s hawks may be required. The qualified biologist shall have the authority to stop work if it is determined that Project construction is disturbing the nest. These buffers may need to increase depending on the sensitivity of the nesting Swainson’s hawk to disturbances and at the discretion of the qualified biologist.</p>	<p>Throughout Project ground-disturbance activities</p>	<p>Contractor</p>		
<p><b>BIO-6:</b> If Project construction activities are initiated during the nesting season (February 1 to September 15), a pre-activity nesting bird survey shall be conducted within 14 days prior to the start of construction. The surveys shall encompass the Project</p>	<p>14 days prior to any Project ground-disturbance activities occurring</p>	<p>Contractor/Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>footprint and accessible areas or land visible from accessible areas within a 250-foot buffer for songbirds and a 500-foot buffer for raptors. If no active nests are found, no further action is required. However, existing nests may become active, and new nests may be built at any time prior to and throughout the nesting season, including when construction activities are in progress.</p> <p>If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 50 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist. The avoidance buffer will remain in place until the biologist has determined that the young are no longer reliant on the adults or the nest, or if breeding attempts have otherwise been unsuccessful. Work may occur within the avoidance buffer under the approval and guidance of the biologist, but full-time monitoring may be required. The biologist shall have the ability to stop construction if nesting adults show any sign of distress. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p>	<p>during nesting season (February 1 to September 15)</p>			
<p><b>BIO-7:</b> Within 14 days prior to the start of ground disturbance activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of all special-status plant and wildlife species with the potential to occur in the vicinity of the Project. All suitable burrows that could support</p>	<p>Within 14 days prior to the start of Project ground-disturbance activities</p>	<p>Contractor/Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>special-status kangaroo rats, Tulare grasshopper mouse, or other special-status wildlife species shall be avoided during construction in accordance with BIO-5 and BIO-6 unless verification surveys have indicated that the species are not present. Consultation with the USFWS and CDFW may be required if listed or fully protected species are detected during the survey. A copy of the preconstruction survey report shall be submitted to the lead agency as evidence of compliance.</p>				
<p><b>BIO-8:</b> Prior to the initiation of construction activities, all construction personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. Any personnel associated with the construction that did not attend the initial training shall be trained by the authorized biologist prior to working on the project site. Any employee responsible for the operations and maintenance or decommissioning of the project facilities shall also attend the Worker Environmental Awareness Training program prior to starting work on the project and on an annual basis. The Program shall be developed and presented by the project qualified biologist(s) or designee approved by the qualified biologist(s). The program shall include information on the life histories of special-status species with the potential to occur on the Project, their legal status, course of action should these species be encountered on-site, and avoidance and minimization measures to</p>	<p>Prior to any Project ground-disturbance activities</p>	<p>Contractor/Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
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protect these species. It shall include the components described below:

- a. Information on the life history and identification of special-status species that may occur or that may be affected by Project activities. The program shall also discuss the legal protection status of each such species, the definition of “take” under the Federal Endangered Species Act and California Endangered Species Act, measures the Project proponent/operator shall implement to protect the species, reporting requirements, specific measures for workers to avoid take of special-status plant and wildlife species, and penalties for violation of the requirements outlined in the California Environmental Quality Act mitigation measures and agency permit requirements.
- b. An acknowledgment form signed by each worker indicating that the Worker Environmental Awareness Training and Education Program has been completed shall be kept on file at the construction site. A copy of the acknowledgment form shall be submitted to the lead agency as evidence of compliance.
- c. A copy of the training transcript and/or training video, as well as a list of the names of



Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
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all personnel who attended the Worker Environmental Awareness Training and Education Program, and signed acknowledgment forms, shall be submitted to the City of Tulare Planning Department.

- d. A copy of the training transcript, training video, or informational binder for specific procedures shall be kept available for all personnel to review and be familiar with, as necessary.
- e. A sticker shall be placed on hard hats indicating that the worker has completed the Worker Environmental Awareness Training and Education Program. Construction workers shall not be permitted to operate equipment within the construction areas unless they have attended the Worker Environmental Awareness Training and Education Program and are wearing hard hats with the required sticker.

The construction crews and contractor(s) shall be responsible for preventing unauthorized impacts from project activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits. Unauthorized impacts may result in project stoppage, and/or fines depending on the impact and coordination with the California

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service.				
<p><b>CUL-1:</b> If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource.</p>	Throughout Project ground-disturbance activities	Contractor		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p><b>CUL-2:</b> If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of a discovery of human remains, at the direction of the county coroner.</p>	<p>Throughout Project ground-disturbance activities</p>	<p>Contractor</p>		
<p><b>MM GEO-1:</b> Prior to issuing of grading or building permits, if required, (a) the Project applicant shall submit to the Lead Agency (1) the approved Storm Water Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:</p>	<p>Prior to issuance of grading or building permits and initial ground disturbance activities</p>	<p>Contractor/Lead Agency</p>		
<ul style="list-style-type: none"> <li>• Stockpiling and disposing of demolition debris, concrete, and soil properly.</li> </ul>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<ul style="list-style-type: none"> <li>• Protecting existing storm drain inlets and stabilizing disturbed areas.</li> <li>• Implementing erosion controls.</li> <li>• Properly managing construction materials.</li> <li>• Managing waste, aggressively controlling litter, and implementing sediment controls.</li> </ul> <p>Evidence of the approved SWPPP shall be submitted to the Lead Agency.</p> <p><b>MM GEO-2:</b> Prior to any ground-disturbing activities, the Project owner shall develop and implement a Paleontological Worker Education and Awareness Program. If paleontological resources are discovered during ground-disturbing activities (e.g., during Project construction or decommissioning), all earthwork or other types of ground disturbance within 50 feet of the find shall stop immediately until a qualified professional paleontologist (meeting the standards of the Society of Vertebrate Paleontology [SVP]) can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage are required, recommendations will be consistent with the Society of Vertebrate Paleontology standards that are</p>	<p>Prior to issuance of grading or building permits and during construction activities</p>	<p>Contractor/Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
current as of the discovery and with currently accepted scientific practice.				
<p><b>NSE-1:</b> The Project developer or contractor shall continuously comply with the following measures throughout construction activities:</p> <ul style="list-style-type: none"> <li>a. Pursuant to Visalia Municipal Code Section 8.36.050(C), the operation of construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment shall not be operated on the project site between the weekday hours of 7:00 p.m. and 6:00 a.m., and between the weekend hours of 7:00 p.m. and 9:00 a.m.</li> <li>b. All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.</li> <li>c. All mobile or fixed noise-producing equipment used on the project site that is regulated for noise output by a federal, State, or local agency</li> </ul>	Throughout Project ground-disturbance activities	Contractor		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>shall comply with such regulations while in the course of project construction activity.</p> <p>d. Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible.</p> <p>e. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.</p> <p>f. Project area and site access road speed limits shall be established and enforced during the construction period.</p> <p>g. Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.</p>				
<p><b>NSE-2:</b> Prior to final map recordation, the Developer shall record a covenant on all lots to disclose noise exposure from the stationary industrial equipment adjacent to the Project site. The covenant will ensure future residential property owners are notified of the potential noise impacts as follows:</p> <p><i>“Property owner(s) of lots within the Shepherds Ranch I / Shepherds Ranch II Project</i></p>	<p>Prior to final map recordation</p>	<p>Lead Agency</p>		

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p><i>are hereby notified that noise levels from adjacent industrial operations may exceed the City of Visalia 2030 General Plan and Municipal Code daytime and nighttime noise level standards of 50 dB Leq/L50 and 45 dB Leq/L50, respectively.”</i></p>				
<p><b>TRA-1:</b> Prior to the issuance of building permits, the developer shall pay city wide impact fees in the amount of \$1,502,635 for of the following intersections improvements and citywide improvements:</p>	<p>Prior to the issuance of grading or building permits</p>	<p>Contractor/Lead Agency</p>		
<p>e. Shirk Street at SR 198 EB Ramps:</p> <p>5-Year With Project and 10-Year With and Without Project Horizon scenarios:</p> <ul style="list-style-type: none"> <li>• Installation of traffic signal</li> </ul> <p>20-Year With and Without Project Horizon scenarios:</p> <ul style="list-style-type: none"> <li>• Install traffic signal</li> <li>• Widen the eastbound approach to 1 left turn lane, 1 left-through lane, and 1 right turn lane (adding 1 left turn lane)</li> </ul>				
<p>f. Shirk Street at SR 198 WB Ramps</p>				

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>Opening Year With and Without Project, 5-Year With and Without Project, and 10-Year Without Project Horizon scenarios:</p> <ul style="list-style-type: none"> <li>• Installation of traffic signal</li> </ul> <p>10-Year With Project and 20-Year With and Without Project Horizon scenarios:</p> <ul style="list-style-type: none"> <li>• Intall traffic signal</li> </ul> <p>Widen the westbound approach to 1 left-through lane and 2 right turn lanes (adding 1 right turn lane)</p>				



**APPENDIX B**  
**AIR QUALITY & GREENHOUSE GAS IMPACT ASSESSMENT**

**APPENDIX C**  
**BIOLOGICAL ANALYSIS REPORT**

**APPENDIX D**  
**CULTURAL RESOURCES TECHNICAL MEMORANDUM**

**APPENDIX E**  
**NOISE STUDY**

**APPENDIX F**  
**TRAFFIC IMPACT STUDY**

# SITE PLAN REVIEW COMMENTS

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

Date: March 16, 2022

SITE PLAN NO: 2021-229-D  
PROJECT: Iron Ridge II  
DESCRIPTION: TO DEVELOP 199 LOT RESIDENTIAL SUDIVISION  
APPLICANT: ERNIE ESCOBEDO  
PROP. OWNER: ROAD 88 LLC  
LOCATION: BETWEEN SHIRK AND ROAD 88, SOUTH OF GOSHEN  
APN: 081-030-036  
GENERAL PLAN: RVLD (Residential Very Low Density)  
RLD (Residential Low Density)  
ZONING: X – outside of the city limits

## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

**Reference Previous Comments  
from Site Plan Review No. 2021-  
017**

## **Project Requirements**

- Tentative Subdivision Map
- General Plan Amendment (to eliminate RVLD designation)
- Change of Zone
- Traffic Impact/Vehicle Miles Traveled Analysis
- Noise Study
- Cultural Resources Study
- Project is subject to Air District Rule 9510
- Initial Study / Mitigated Negative Declaration
- Tribal Consultation under AB 52
- Additional Information as Needed

## **PROJECT SPECIFIC INFORMATION:** March 16, 2022

1. Raised intersection required at Helen and Sauver Drive for traffic calming purposes.
2. The buffer along the north boundary (within the RVLD land use area) must be maintained. Residences shall not be allowed to encroach into said area.
3. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits;
  - b. Tentative Subdivision Map, including the following:
    - i. Show entire project area in a separate exhibit.
4. 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. Submittal of a Cultural Resource Study shall be required.
  - c. Traffic Impact Analysis / VMT may be required.
5. Lot widths shall be a minimum of 50 feet for all interior lots.
6. A block wall with landscaping will be required along the westerly and northern site boundary.
7. A Noise Study shall be provided.
  - a. The applicant will be required to disclose to future homeowners that the project area will be bordered on two sides (North and West across Road 88) by industrial uses.
8. VTM shall comply with all requirements prescribed as part of VMC Chapter 16.20.
9. Meet all other Codes/ordinances and comply with previous comments.

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

1. The buffer along the north boundary (within the RVL D land use area) must be maintained. Residences shall not be allowed to encroach into said area.
2. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits;
  - b. Tentative Subdivision Map, including the following:
    - i. Show entire project area in a separate exhibit.
3. 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. Submittal of a Cultural Resource Study shall be required.
  - c. Traffic Impact Analysis / VMT may be required.
4. **Lots not meeting the minimum of 5,000 square feet in area will not be supported by staff.**
5. Lot widths shall be a minimum of 50 feet for all interior lots.
6. A block wall with landscaping will be required along the westerly and northern site boundary.
7. A Noise Study shall be provided.
  - a. The applicant will be required to disclose to future homeowners that the project area will be bordered on two sides (North and West across Road 88) by industrial uses.
8. VTM shall comply with all requirements prescribed as part of VMC Chapter 16.20.
9. Meet all other Codes/ordinances and comply with previous comments.

**PROJECT SPECIFIC INFORMATION:** February 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;
  - b. Tentative Subdivision Map, including the following:
    - i. Show entire project area in a separate exhibit.
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. Submittal of a Cultural Resource Study shall be required.
  - c. Traffic Impact Analysis / VMT may be required.
3. Lots not meeting the minimum of 5,000 square feet in area will not be supported by staff.
4. Lot widths shall be a minimum of 50 feet for all interior lots.
5. A block wall with landscaping will be required along the westerly and northern site boundary.
6. A Noise Study shall be provided.
  - a. The applicant will be required to disclose to future homeowners that the project area will be bordered on two sides (North and West across Road 88) by industrial uses.
7. VTM shall comply with all requirements prescribed as part of VMC Chapter 16.20.
8. Meet all other Codes/ordinances and comply with previous comments.

**PROJECT SPECIFIC INFORMATION:** January 5, 2021

1. The proposal to develop a residential subdivision will require the applicant to file for the following:
  - a. Annexation of the project site into the Visalia City Limits;
  - b. Tentative Subdivision Map, including the following:
    - i. Show entire project area in a separate exhibit.
    - ii. Phasing Plan and operational statement.
    - iii. Detailed site plan with lot dimensions and street cross sections
2. The proposal will require CEQA Initial Study and environmental determination (potentially a Negative Declaration).
  - a. Tribal consultation as required by AB 52 shall be conducted for the project.
  - b. Submittal of a Cultural Resource Study shall be required.

- c. Traffic Impact Analysis / VMT may be required.
- 3. The applicant shall provide a site plan that accurately depicts the boundary of the entire site area.
- 4. Lots not meeting the minimum of 5,000 square feet in area will not be supported by staff.
- 5. Lot widths shall be a minimum of 50 feet for all interior lots.
- 6. A block wall with landscaping will be required along the westerly and northern property frontage.
- 7. A Noise Study shall be provided.
  - a. The applicant will be required to disclose to future homeowners that the project area will be bordered on two sides (North and West across Road 88) by industrial uses.
- 8. Meet all other Codes and Ordinances.

**Notes:**

- 1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required to conduct the proposed use.
- 2. Prior to completion of a final building inspection for a project, a signed MWELO Certificate of Compliance shall be submitted indicating that all landscaping has been installed to MWELO standards.

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

**Title 16 Subdivisions**

**17.12 Single-Family Residential Zone**

**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**

Ather Razaq 713-4268  
 Adrian Rubalcaba 713-4271

**ITEM NO: 1 DATE: MARCH 16, 2022**

SITE PLAN NO.: 21-229 3<sup>RD</sup> RESUBMITTAL  
PROJECT TITLE: IRON RIDGE II  
DESCRIPTION: TO DEVELOP A 199 LOT RESIDENTIAL  
SUBDIVISION (R-1-20 / X)  
APPLICANT: ERNIE ESCOBEDO  
PROP. OWNER: ROAD 88 LLC  
LOCATION: SOUTH EAST OF CLANCY AND GOSHEN  
APN: 081-030-036

**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  
**CLANCY AND LOCAL STREETS**
- 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 TO BE FORMED. SEE ADDL COMMENTS.**
- 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. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy.  Access required on ditch bank, 12' minimum.  Provide \_\_\_\_\_ wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.  Prepared by registered civil engineer or project architect.  All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a)  directed to the City's existing storm drainage system; b)  directed to a permanent on-site basin; or c)  directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin:

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

- Show Valley Oak trees with drip lines and adjacent grade elevations.  Protect Valley Oak trees during construction in accordance with City requirements.  A permit is required to remove Valley Oak trees. Contact Public Works Admin at (559)713-4428 for a Valley Oak tree evaluation or permit to remove.  Valley Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application.  A pre-construction conference is required.
- Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- Relocate existing utility poles and/or facilities. **REQUIRED W/ DEVELOPMENT**
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **REQUIRED W/ DEVELOPMENT**
- Provide "R" value tests: **1** each at **300' INTERVALS**
- Traffic indexes per city standards: **REFER TO CITY PAVEMENT STANDARDS**
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications. **CLANCY, SEE ADDITIONAL COMMENTS**
- All lots shall have separate drive approaches constructed to City Standards.
- Install street striping as required by the City Engineer. **TO BE DETERMINED AT CIVIL PLAN REVIEW.**
- Install sidewalk: **5-6'** ft. wide, with **5'** ft. wide parkway on **CLANCY, AND LOCALS**
- Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Abandon existing wells per City of Visalia Code. A building permit is required.
- Remove existing irrigation lines & dispose off-site.  Remove existing leach fields and septic tanks.
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.

Comply with prior comments    Resubmit with additional information    Redesign required

**Additional Comments:**

**1. Proposed subdivision will incur development impact fees.**

**2. Site plan submittal included two additional sheets that appear to be from a previous submittal, both are titled "Vesting". It is City staff's assumption this was in error and that the two newest revised sheets, for the parcel map and subdivision map that are not labeled "Vesting", are the intended site plan items and comments provided herein are directed towards those sheets only.**

**3. Road 88 (Clancy) is identified as a collector street and shall be improved to City 84' collector design standards. Provide typical subdivision frontage design w/ a landscape lot and block wall. Cross section appears adequate providing for a 5' parkway, 6' sidewalk, and 10' landscape lot to block wall. City Engineer may elect to defer center median improvements. Improvements to be completed with Phase 1.**

**4. Interior street cross section is shown to comply with City local street design standards.**

**5. Additional coordination with City Engineer is required for sanitary sewer and storm drainage design and main extensions. Project will be required to extend all utilities across parcel frontages, including any master planned mainlines. The City is currently updating its Storm and Sewer Master Plans, project requirements are subject to change. Clancy storm drain master plan alignment indicates a 24" storm drain per the City's master plan, additional extension may be required - to be determined.**

**6. In the interim, a temporary storm drainage basin will be required to be installed to store project run-off until said time that the City's master trunk line and regional basin for the area are constructed. Project to install necessary infrastructure for future connection to storm trunk main and abandonment of temp basin. Tentative map indicates the area and size of the required temp basin. City requires non-buildable easements over the lots affected and that the maintenance and future abandonment are responsibility of the Subdivider. As the temp basin can remain for a number of years until City regional infrastructure is installed, the street frontages of the basin will need to be constructed as part of Phase 2 completion. Per City basin and local street standards, improvements shall include, but may not be limited to, a 5' parkway (landscaped with street trees), 5' sidewalk, curb ramps, and street lighting. The parkway service and maintenance will be responsibility of the developer along basin frontage. Include with tentative subdivision map layout a cross section of the basin, including the adjacent roadways, indicating required level of improvements.**

**7. Subdivision proposes a vast amount of open landscaped space. This will have an adverse effect on the Landscape and Lighting District maintenance costs borne solely on the residents. It is recommended the subdivider analyze the estimated district annual assessments to disclose to future residents of the high cost per year assessed with their annual property taxes.**

**8. A master sewer and storm drain plan will be required with subdivisions initial phase.**

**9. Additional street improvements will be necessary north on Clancy St. to provide means of traffic circulation and emergency access. Per City records, there appears to be adequate street right-of-way width to provide two-lanes of travel, north of the subdivision. Subdivider will be required to install additional pavement and transitions to existing roadway north on Clancy (extent of pavement to the north to be determined by City Engineer based on existing pavement conditions). Improvements shall be installed with Phase 1.**

**10. Subdivision to install street lighting per City collector and local street stds. Provide electrical design plan with voltage drop calculations with civil submittal. A service meter pedestal will be required to be installed.**

**11. Submit landscape improvement plan with civil submittal. Landscape plan to comply with MWELo regulations.**

**12. The block wall along Clancy shall wrap around the corner lots (1 & 200) with a 5 ft wide out lot. An easement for this area which will not be supported. The 5-foot shall be incorporated into the designated outlot(s).**

**13. A block wall is required along northside of Outlot C however the existing SCE easement will be a potential conflict. Applicant is to coordinate with SCE for blockwall placement and approval or relocate/underground overhead if required by SCE. Site plan provides a cross section of this area of the Iron Ridge property line (block wall), easement, and the "hiatus" property. The section appears adequate, if acceptable by SCE, however by design the hiatus area is shown to be "not a part" of the subdivision. Additional legal instruments may be necessary or required by City Surveyor as part of final map acceptance to record.**

**14. Proposed design of the street abutting south property line (Bernard Ave), with respect to the SCE easement and utility poles, will require that the power poles be undergrounded per typical development standards. Additionally, the required landscaped parkway & street trees along this road will not be maintained by any of the adjacent residents and therefore will be required to be incorporated into the LLD. Further coordinate with SCE for underground design plan. It is anticipated SCE will install within typical PUE dedications on the map. As shown, the existing SCE easement along south side of Bernard Ave is located within future City right-of-way. This easement will need to be abandoned as part of underground design. SCE facilities are typically installed outside the right-of-way within dedicated PUE. The south side of Bernard Ave does not provide for an additional 6-foot PUE therefore SCE will need to reroute onsite. Coordinate with City Engineer.**

**15. The curb return ramps at local street connection to Clancy shall comply with City 30' radius return standards.**

**16. Tentative parcel map shall conform to the underlying subdivision layout and is subject to change given the provided comments/requirements herein.**

**17. Overhead utilities at north of project will need to be relocated or undergrounded at Clancy and Shirk intersections. Project is required to widen both collector and arterial roads and although the overhead may be able to remain in-place along the landscape outlot C, any poles in conflict with road widening and right-of-way will need to be addressed accordingly. To be further determined by City Engineer at time of civil design.**

**18. Traffic Dept. requires raised intersections, as a form of "traffic calming" measures, where traffic high speed factors are identified as a potential hazards . An acceptable raised intersection design will need to be further coordinated with Public Works/ City Engineer at time of civil review.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **21-229 3<sup>rd</sup> RESUBMITTAL**

Date: **3/16/2022**

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

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

(Fee Schedule Date:**1/1/2022**)

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

Existing uses may qualify for credits on Development Impact Fees.

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

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

**City Reimbursement:**

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



**Adrian Rubalcaba**

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 16, 2022

ITEM NO: 1      Resubmit  
SITE PLAN NO: SPR21229  
PROJECT TITLE: Iron Ridge II  
DESCRIPTION: To Develop a 199 Lot Subdivision (R-1-20 / X)  
APPLICANT: Ernie Escobedo  
OWNER: ROAD 88 LLC  
APN: 081030036  
LOCATION: Between Shirk Road and Road88, South of W. Goshen Ave

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

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

## Additional Comments:

- VMT Analysis may be required.
- Intersection of Helen Ave and Sauver to be designed as a raised intersection. Drainage needs to be addressed.
- TIA to address site circulation.

*Leslie Blair*

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**Leslie Blair**

- Future median access restrictions on Road 88 and Shirk Ave. TIA to address site access locations off of Road 88 (Clancey) and Shirk Road for overall development.
- Streetnames required to be submitted for review and approval.
- Questions, contact Traffic Engineering 559-713-4633.

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***Leslie Blair***





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

Date: 03/15/2022  
 Item: 1  
 Site Plan: SPR21229  
 Name: Henry Martinez

**Site Plan Review Comments**

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact Fee:  
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
Effective date - August 17, 2001.
- Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:  
\_\_\_\_\_
- Territorial Reinforcement: Define property lines (private/public space).  
\_\_\_\_\_
- Access Controlled/ Restricted etc.  
\_\_\_\_\_
- lighting Concerns:  
Ample street lighting to deter property crimes.  
\_\_\_\_\_
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
\_\_\_\_\_
- Line of Sight Issues:  
Low Shrubs to deter transients from setting up camps.  
\_\_\_\_\_
- Other Concerns:  
Provide basin access point for PD and EMS until phase 3 is completed.  
\_\_\_\_\_



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

Date: 03/15/2022  
Item: 2  
Site Plan: SPR22021  
Name: Henry Martinez

**Site Plan Review Comments**

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



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

Date: 03/15/2022  
Item: 3  
Site Plan: SPR22023  
Name: Henry Martinez

**Site Plan Review Comments**

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



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

Date: 03/15/2022  
Item: 4  
Site Plan: SPR22024  
Name: Henry Martinez

**Site Plan Review Comments**

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



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

Date: 03/15/2022  
 Item: 5  
 Site Plan: SPR22047  
 Name: Henry Martinez

**Site Plan Review Comments**

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

## California Department of Transportation

DISTRICT 6 OFFICE  
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616  
(559) 981-1041 | FAX (559) 488-4195 | TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



May 18, 2022

TUL-198-5.675

TIS (4)

SPR 21-017 IRON RIDGE SUBDIVISION #1

SPR 21-229 IRON RIDGE SUBDIVISION #2

GTS: [33643](#)

### SENT VIA EMAIL

Mr. Brandon Smith, Principal Planner  
City of Visalia  
Community Development Department  
315 East Acequia Avenue  
Visalia, CA 93291

Dear Mr. Smith:

Caltrans has completed review of the Transportation Impact Statement (TIS) for the Iron Ridge Subdivision #1 & #2 (Project). The Project proposes to develop a total of 238 single family dwelling units on approximately 50 acres. The project site is situated between Road 88 and Shirk Road (Road 92), approximately 0.7 miles north of the State Rote (SR) 198/Shirk Avenue interchange in the City of Visalia in Tulare County.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

### Transportation Impact Study:

1. On page 13, paragraph 2.4.2 - Queuing Analysis, The TIS states "Queuing analysis was completed... TIA, dated March 2021": Please clarify if the queue lengths on Table 2-2 are calculated by Synchro model or by the City of Visalia's method?
2. Please clarify if the queue length listed on Table 2-2 is from the 95% queue in Synchro.
3. Please be advised that Caltrans has its own method of calculating demand for turn lanes on the State Highway System which is shown in Index 405.2 of the Highway Design Manual (HDM).
4. On page 32, paragraph 3.8.2 - Queuing Analysis: Can potential mitigation be

identified in the TIS for a turning lane which has a queue demand that exceeds the existing storage?

5. On page 35, paragraph 4.1.1 - Intersections, for the SR 198 westbound (WB) ramp at Shirk Street, the existing southbound right-turn to the on-ramp appears very short (flared right turn pocket): Please clarify if the TIS indicates a need to extend this right-turn pocket to accommodate the demand?
6. On page 35, paragraph 4.1.1 – Intersections, for the SR 198 westbound (WB) ramp at Shirk Street, under the 2<sup>nd</sup> bullet point: change “Widen the eastbound approach to 1 left turn lane, ....”, to “Widen the westbound approach to ....”.
7. Additionally, this 2<sup>nd</sup> bullet point does not match the proposed sketch on Figure 4-1 (page 37) for the WB ramp. Figure 4-1 shows the WB ramp is widened to a dual right-turn lane.
8. Please provide the Synchro files or Synchro outputs/printouts that includes 95% queue lengths at the ramp intersections as well as intersection of Shirk Street and Hillsdale Avenue for all runs scenarios.

**Subdivision:**

9. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City or County. The assessment should include the following:
  - a. Pedestrian walkways should link this proposal to an internal project area walkway, transit facilities, as well as other walkways in the surrounding area.
  - b. The Project might also consider coordinating connections to local and regional bicycle pathways to further encourage the use of bicycles for commuter and recreational purposes.
  - c. If transit is not available within ¼-mile of the site, transit should be extended to provide services to what will be a high activity center.
10. Caltrans recommends the Project implement “smart growth” principles regarding parking solutions, providing alternative transportation choices to residents and employees. Alternative transportation choices may include but are not limited to parking for carpools/vanpools, car-share and/or ride-share programs.

May 18, 2021

Page 2

11. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing Vehicle Miles Traveled (VMT) and Green House Gas (GHG) emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.
12. Based on Caltrans VMT-Focused Transportation Impact Study Guide, dated May 20, 2020, and effective as of July 1, 2020, Caltrans seeks to reduce single occupancy vehicle trips, provide a safe transportation system, reduce per capita Vehicle Miles Traveled (VMT), increase accessibility to destinations via cycling, walking, carpooling, transit and reduce greenhouse gas (GHG) emissions. Caltrans recommends that the project proponent continue to work with the City or County to further implement improvements to reduce vehicles miles traveled and offer a variety of transportation modes for its employees.

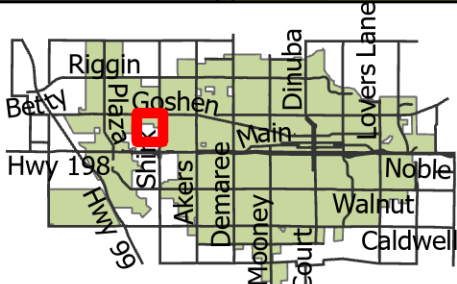
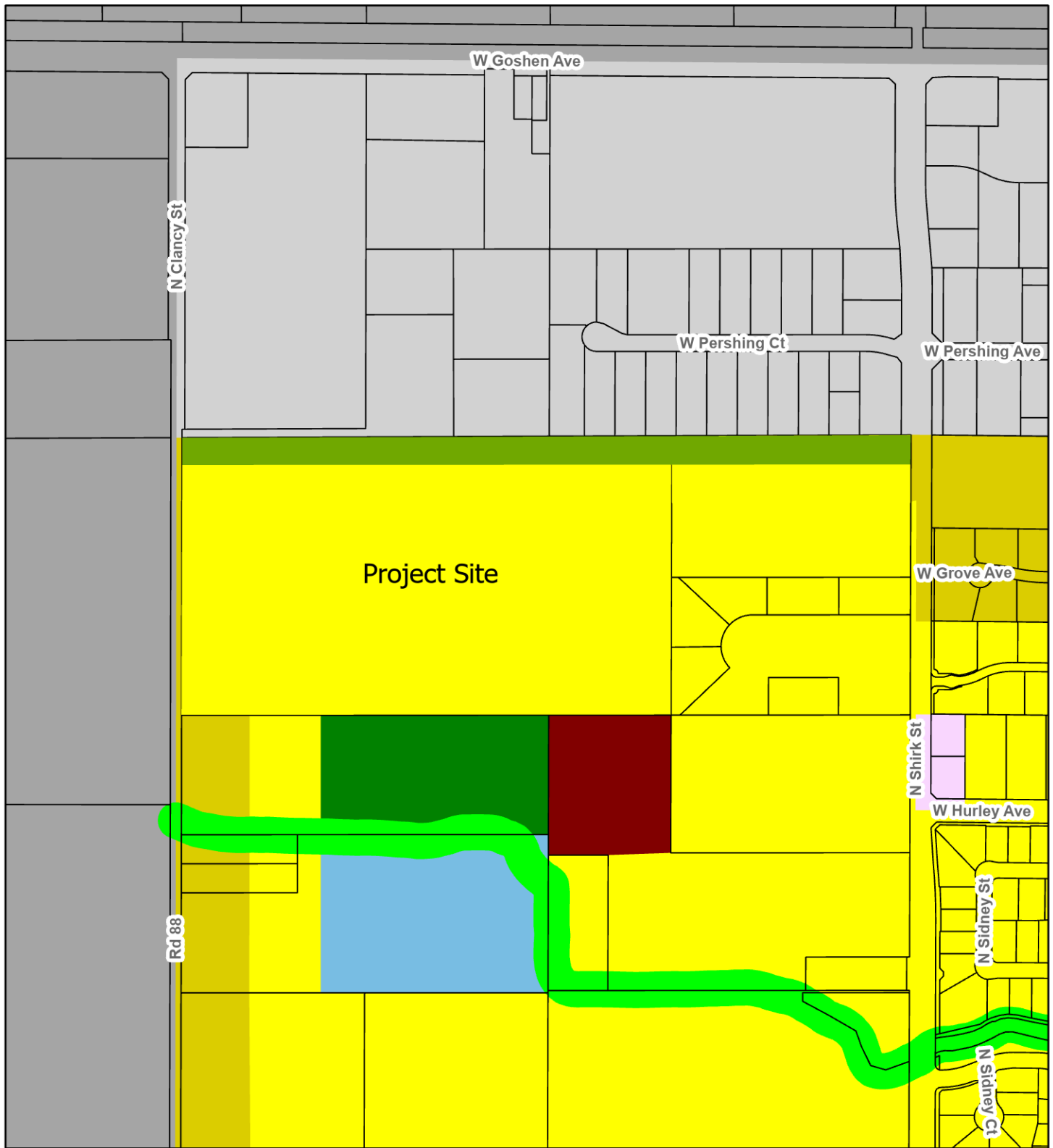
If you have any other questions, please call **David Deel**, Associate Transportation Planner at (559) 981-1041.

Sincerely,



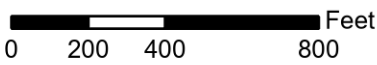
Ms. Lorena Mandibles, Branch Chief,  
Transportation Planning – South





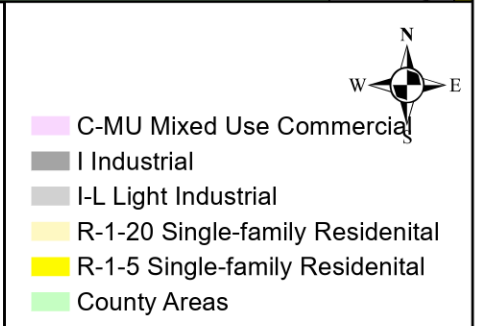
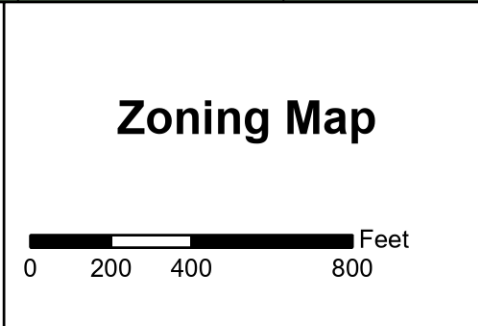
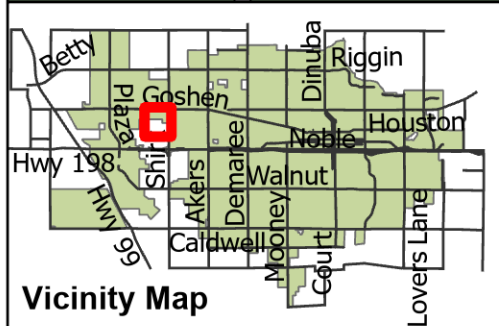
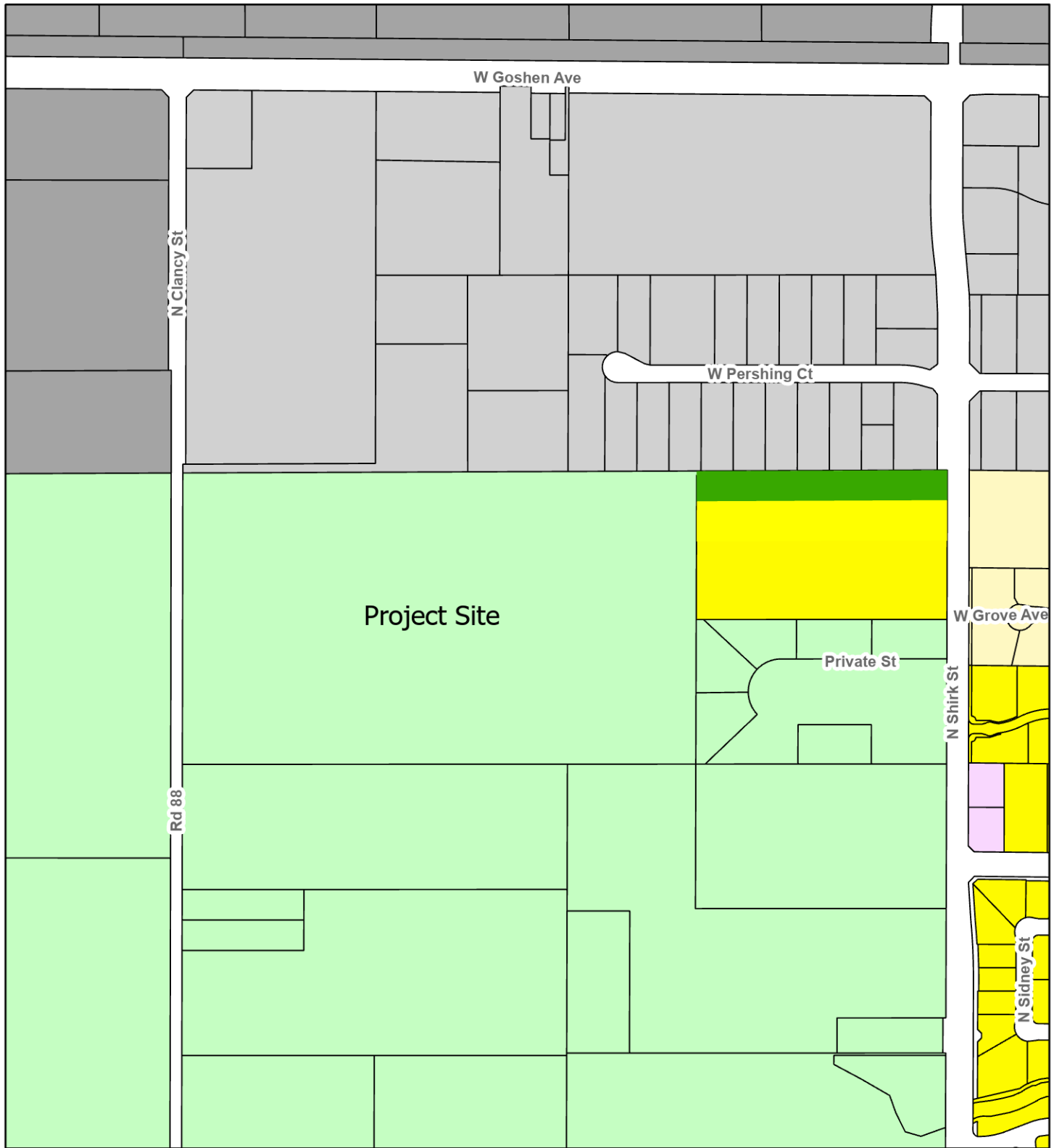
Vicinity Map

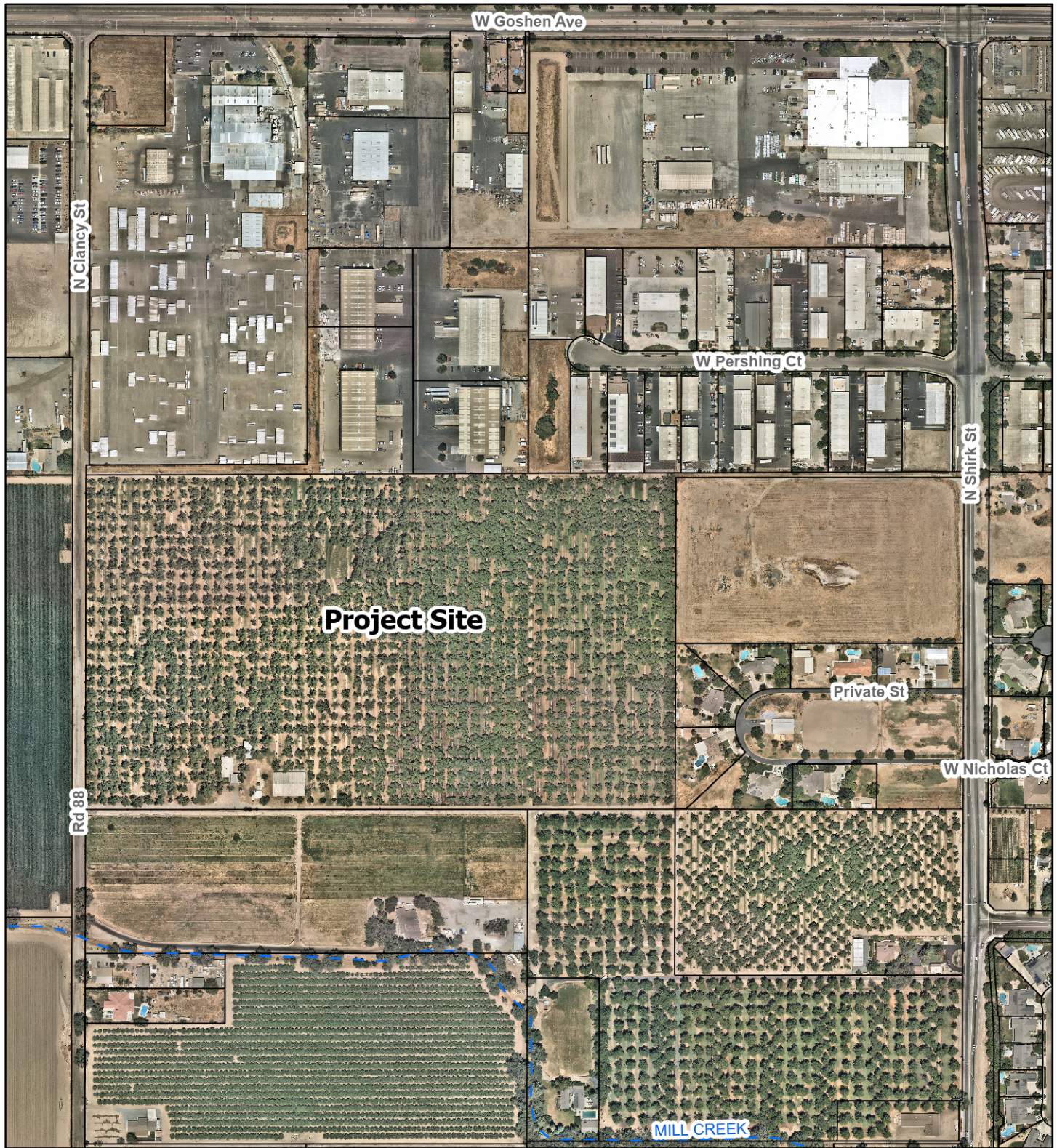
# General Plan Land Use Map



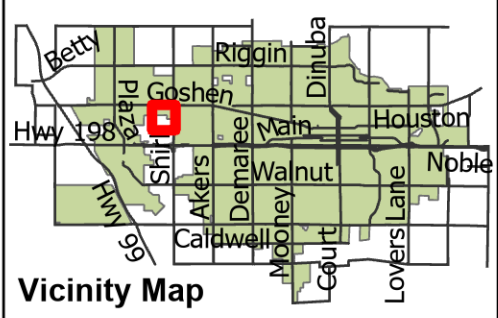
- Conservation
- Commercial Mixed Use
- Commercial Neighborhood
- Industrial
- Light Industrial
- Public Institutional
- Parks/Recreation
- Residential Low Density
- Residential Very Low Density





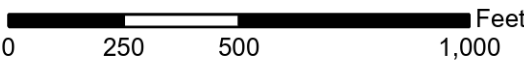


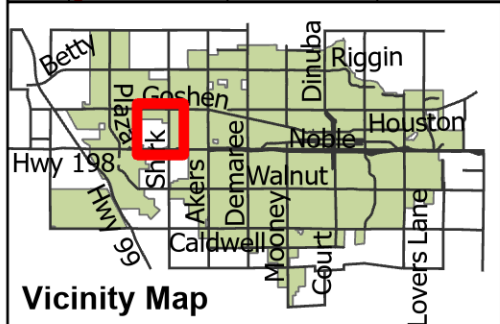
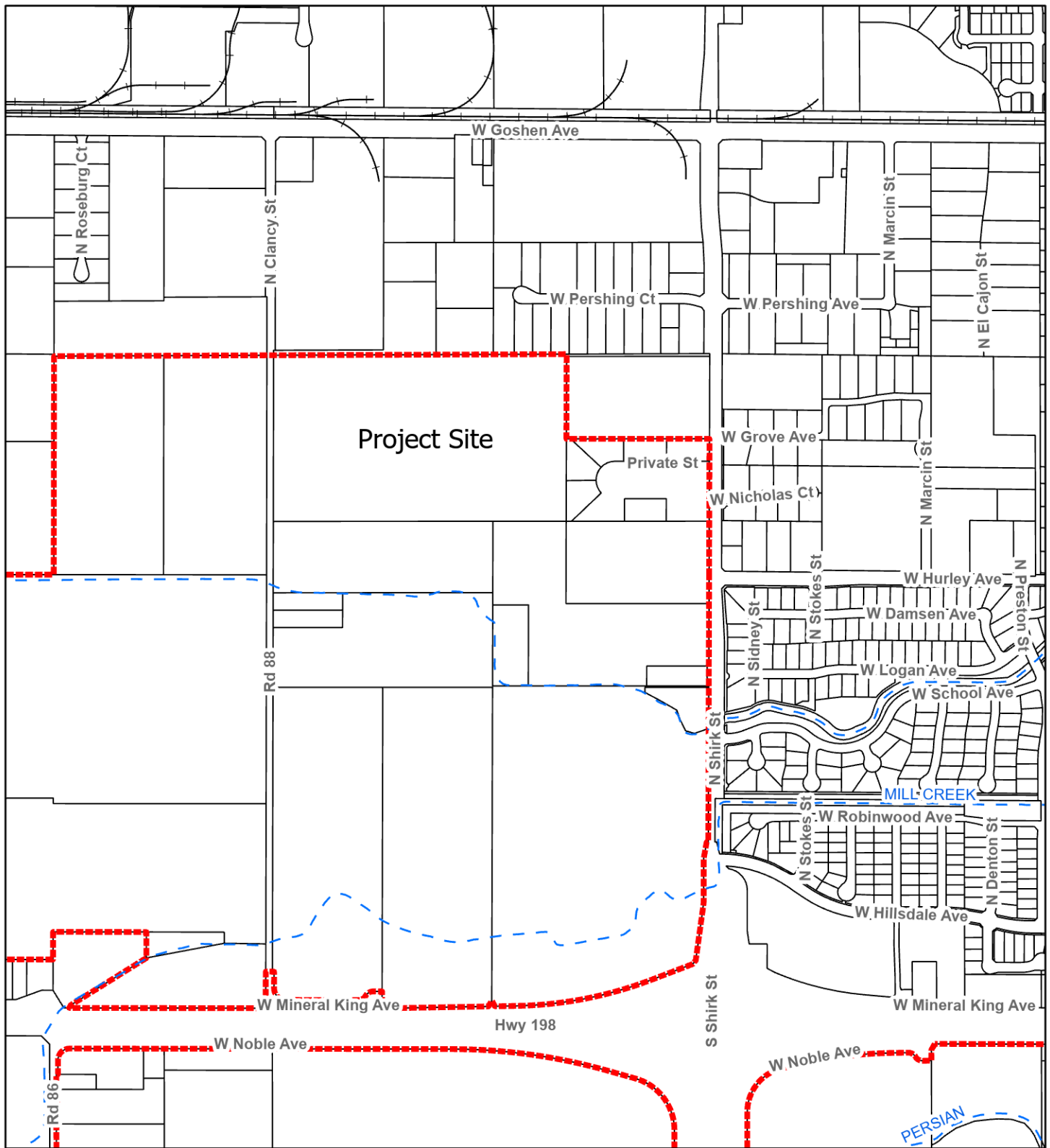
**Project Site**



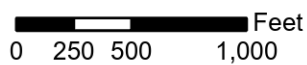
**Vicinity Map**

### Aerial Photo





### Location Map



- WATERWAYS
- RAILROADS
- CITY LIMITS
- PARCELS