

**NOTICE OF A PROPOSED  
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

**Project Title:** The Hub Commercial Project, consisting of the following entitlements:  
Conditional Use Permit No. 2024-45  
Tentative Parcel Map No. 2024-10

**Project Description:**

Conditional Use Permit No. 2024-45 is a request to approve a master conditional use permit to allow a neighborhood commercial center which includes two spaces for anchor businesses of approximately 18,500 square feet and 19,900 square feet, one of which is required to be a grocery store. The development includes a 4,765 square foot carwash, two restaurants with drive through and a coffee shop with drive-through measuring 8,950 square feet, and a 13,900 square foot retail space. The development, referred to as The Hub, has a total building area of 66,015 square feet and is located in the C-N (Neighborhood Commercial) Zone. The project also includes Tentative Parcel Map No. 2024-10 to subdivide approximately 8.35 acres into nine parcels with shared and cross access.

**Project Location:** The project site is located on the northwest corner of Walnut Avenue and Lovers Lane (APN: 100-370-025).

**Contact Person:** Josh Dan, Senior Planner. Phone: (559) 713-4003. Email: josh.dan@visalia.city

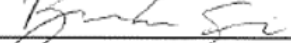
**Time and Place of Public Hearing:** A public hearing will be held before the Planning Commission on April 14, 2025, at 7:00 p.m. in the City Hall Council Chambers located at 707 West Acequia Avenue, Visalia, California.

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

**Reasons for Mitigated Negative Declaration:** Initial Study No. 2024-74 has identified environmental impact(s) that may occur because of the project; however, with the implementation of mitigation measures identified, impact(s) will be reduced to a level that is less than significant. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA, and on the City website at [https://www.visalia.city/depts/community\\_development/planning/ceqa\\_environmental\\_review.asp](https://www.visalia.city/depts/community_development/planning/ceqa_environmental_review.asp)

Comments on this proposed Mitigated Negative Declaration will be accepted from March 20, 2025, to April 9, 2025.

Date: 3/13/2025

Signed:  \_\_\_\_\_

Brandon Smith, AICP  
Environmental Coordinator

## MITIGATED NEGATIVE DECLARATION

**Project Title:** The Hub Commercial Project, consisting of Conditional Use Permit No. 2024-45 and Tentative Parcel Map No. 2024-10

**Project Description:** Conditional Use Permit No. 2024-45 is a request to approve a master conditional use permit to allow a neighborhood commercial center which includes two spaces for anchor businesses of approximately 18,500 square feet and 19,900 square feet, one of which is required to be a grocery store. The development includes a 4,765 square foot carwash, two restaurants with drive through and a coffee shop with drive-through measuring 8,950 square feet, and a 13,900 square foot retail space. The development, referred to as The Hub, has a total building area of 66,015 square feet and is located in the C-N (Neighborhood Commercial) Zone. The project also includes Tentative Parcel Map No. 2024-010 to subdivide approximately 8.31 acres into eight parcels with shared and cross access.

The development of the project will include on and off-site improvements such as access drives, curb/gutter/sidewalk, parking lots and lighting, landscaping and installation of utilities.

**Project Location:** The project site is located on the northwest corner of Walnut Avenue and Lovers Lane (APN: 100-370-025).

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

**Attachments:**

Initial Study	(X)
Environmental Checklist	(X)
Location Maps	(X)
Mitigation Measures	(X)
Air Quality Assessment	(X)
Biological Evaluation	(X)
Cultural Memo	(X)
Noise Study	(X)
Traffic Analysis	(X)

### DECLARATION OF NO SIGNIFICANT EFFECT:

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

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

beings, either directly or indirectly.

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

APPROVED  
Brandon Smith, AICP  
Environmental Coordinator

By:

Date Approved: 3/13/2025

Review Period: 30 days

**INITIAL STUDY**

**I. GENERAL**

**A. Project Name and Description:**

The Hub Commercial Project, consisting of Conditional Use Permit No. 2024-45 and Tentative Parcel Map No. 2024-10

Conditional Use Permit No. 2024-45 is a request to approve a master conditional use permit to allow a neighborhood commercial center which includes two spaces for anchor businesses of approximately 18,500 square feet and 19,900 square feet, one of which is required to be a grocery store. The development includes a 4,765 square foot carwash, two restaurants with drive through and a coffee shop with drive-through measuring 8,950 square feet, and a 13,900 square foot retail space. The development, referred to as The Hub, has a total building area of 66,015 square feet and is located in the C-N (Neighborhood Commercial) Zone. The project also includes Tentative Parcel Map No. 2024-010 to subdivide approximately 8.31 acres into eight parcels with shared and cross access.

The development of the project will include on and off-site improvements such as access drives, curb/gutter/sidewalk, parking lots and lighting, landscaping and installation of utilities.

The project site is located on the northwest corner of Walnut Avenue and Lovers Lane (APN: 100-370-025).

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

The project area is a single parcel comprised of 8.31 acres. The parcel is currently vacant. Development surrounding the project site consists of a vacant parcel to the north, single family residential to the south, a service station and fire station to the east and Packwood Creek and single family residential to the west.

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

	<b>General Plan (2014 Land Use)</b>	<b>Zoning (2017)</b>	<b>Existing uses</b>
<b>North:</b>	Residential Medium Density	R-M-2 (Medium Density Residential, 3,000 sq. ft. minimum site area)	Vacant.
<b>South:</b>	Residential Low Density	R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area)	Existing Single Family Neighborhood.
<b>East:</b>	Public Institutional / Residential Medium Density	R-M-2 (Medium Density Residential, 3,000 sq. ft. minimum site area), Quasi- Public	Existing Gasoline Service Station, Fire Station and vacant land.
<b>West:</b>	Conservation and Residential Low Density	R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area)	Packwood Creek and existing Single Family Neighborhood.

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

**C. Plans and Policies:**

The General Plan Land Use Diagram, adopted October 14, 2014, designates the site as Commercial Neighborhood, and the Zoning Map designates the site as C-N (Neighborhood Commercial). The proposed development is consistent with the Land Use Element of the General Plan, and consistent with the standards for Neighborhood Commercial zones development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.18.

**II. ENVIRONMENTAL IMPACTS**

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

**III. MITIGATION MEASURES**

The following mitigation measures, which are listed below under IV. Mitigation Monitoring Program, will reduce potential environmental impacts related to noise impacts to a less than significant level as described below:

**Biological Resources** – A Biological Resources Evaluation (BRE) identified that the site has the potential to be used for nesting by a variety of avian species, including the Loggerhead Shrike, a California species of special concern. The BRE identified that impacts would be considered less than significant with mitigations pertaining to construction timing.

**IV. MITIGATION MONITORING PROGRAM**

<b><u>Mitigation Measure</u></b>	<b><u>Responsible Party</u></b>	<b><u>Timeline</u></b>
<b>Mitigation Measure 4a</b> (Construction Timing). If feasible, future construction activities will take place entirely outside of the avian nesting season, defined here as February 1 to August 31.	Project Applicant	Mitigation shall be enforced by the City of Visalia and carried out by the project applicant during operation.
<b>Mitigation Measure 4b</b> (Preconstruction Surveys). If construction must occur between February 1 and August 31, a qualified biologist will conduct surveys for active bird nests within 7 days prior to the start of work during this period. The survey area will encompass the site and accessible surrounding lands within 250 feet.	Project Applicant	Mitigation shall be enforced by the City of Visalia and carried out by the project applicant during operation.
<b>Mitigation Measure 4c</b> (Avoidance of Active Nests). Should any active nests be discovered in or near proposed construction zones, the biologist will identify a suitable construction-free buffer around the nest. This buffer will be identified on the ground with flagging or fencing, and will be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.	Project Applicant	Mitigation shall be enforced by the City of Visalia and carried out by the project applicant during operation.

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

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

## **VI. SUPPORTING DOCUMENTATION**

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

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan) passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sewer System Master Plan. City of Visalia, 1994.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.
- The Hub Noise Study Report,. 45db Acoustics, October 31, 2024.
- The Hub: Traffic Impact Analysis: C2 Consult Corporation, November 2024.
- The Hub Air Quality Memo. Padre Associates, LLC, December 13, 2024.
- The Hub Air Quality Prioritization Schedule. Padre Associates, LLC December 13, 2024
- Cultural Resources Study Prepared by Taylored Archaeology October 2024
- Biological Evaluation for The Hub Commercial Development, Live Oak Associates, September 30, 2024
- Tulare County Important Farmland 2018 Map. California Department of Conservation, 2018.
- City of Visalia VMT Thresholds and Implementation Guidelines. LSA, 2021. Together with City of Visalia VMT Screening Application. <https://gis1.lsa.net/visaliaVMT/>
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## **VII. NAME OF PERSON WHO PREPARED INITIAL STUDY**

Josh Dan  
Senior Planner

Brandon Smith, AICP  
Environmental Coordinator

**INITIAL STUDY  
 ENVIRONMENTAL CHECKLIST**

**Name of Proposal** Conditional Use Permit No. 2024-044 and Tentative Parcel Map No. 2024-10

NAME OF PROPONENT: Greg Nunley, N & M Capital LLC

NAME OF AGENT: N/A

Address of Proponent: 1878 N. Mooney Boulevard, Suite J  
 Tulare, CA 93274

Address of Agent: \_\_\_\_\_

Telephone Number: (559) 799-6993

Telephone Number: \_\_\_\_\_

Date of Review: February 18, 2025

Lead Agency: City of Visalia

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

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

**I. AESTHETICS**

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

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

**II. AGRICULTURAL RESOURCES**

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

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

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

**III. AIR QUALITY**

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

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

**IV. BIOLOGICAL RESOURCES**

Would the project:

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

- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

#### V. CULTURAL RESOURCES

Would the project:

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

#### VI. ENERGY

Would the project:

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

#### VII. GEOLOGY AND SOILS

Would the project:

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

#### VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

- 2 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

#### IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

#### X. HYDROLOGY AND WATER QUALITY

Would the project:

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

#### XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?



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

**XII. MINERAL RESOURCES**

Would the project:

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

**XIII. NOISE**

Would the project result in:

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

**XIV. POPULATION AND HOUSING**

Would the project:

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

**XV. PUBLIC SERVICES**

Would the project:

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

**XVI. RECREATION**

Would the project:

- 1 a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- 1 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**XVII. TRANSPORTATION / TRAFFIC**

Would the project:

- 1 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) Conflict or be inconsistent with CEQA Guidelines 15064.3, subdivision (b)?
- 1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

**XVIII. TRIBAL CULTURAL RESOURCES**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 1 a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 1 b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

**XIX. UTILITIES AND SERVICE SYSTEMS**

Would the project:

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

**XX. WILDFIRE**

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

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

Would the project:

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

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

Revised 2019

Authority: Public Resources Code sections 21083 and 21083.09

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

## DISCUSSION OF ENVIRONMENTAL EVALUATION

### I. AESTHETICS

- a. The proposed project is new commercial construction which will meet City standards for setbacks, landscaping and height restrictions. This project will not adversely affect the view of any scenic vistas. The Sierra Nevada mountain range may be considered a scenic vista, but views of the range will not be adversely impacted or significantly altered by the project.

Retail uses that include restaurants with drive-thrus, carwashes, markets and other retail uses are considered compatible in commercial areas where potential impacts can be addressed through the Conditional Use Permit process. The project site is located along Lovers Lane and Walnut Avenue, which are designated arterial roadways. The City's General Plan Land Use Map designates the site as Commercial Neighborhood. Staff finds that the proposed use is consistent in nature and character with existing and future uses surrounding the project site.

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

- b. There are no scenic resources on the site. No Impact.
- c. The proposed project is for a commercial development that will be aesthetically consistent with surrounding development and with General Plan policies. Furthermore, the city has development standards related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings, impact is considered less than significant.
- d. The project will create new sources of light that are typical of commercial development. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent properties.

Conceptual photometric plans and lighting specs for the use have been prepared and provided by the project proponent, demonstrating the lighting fixtures installed throughout and directed toward the interior of the site. The on-site lighting for the use is directed and focused to avoid direct illumination spilling beyond the site boundaries into the adjacent residential uses, as required under Section 17.30.015.H of the Zoning Ordinance. Compliance with the City's Zoning Ordinance standards will be verified upon installation and prior to operation of the use. Therefore, impacts to lighting will be less than significant.

### II. AGRICULTURAL RESOURCES

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

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

- b. Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.
- c. The project is not located on property that is party to a Williamson Act contract. Existing City zoning for the area is C-N (Neighborhood Commercial). As such zoning for agricultural use will not be affected, therefore there is no impact.
- d. There is no forest land or timberland currently located on the site, nor does the site conflict with a zoning for forest land, timberland, or timberland zoned timberland production. Therefore, there is no impact.
- e. There is no forest or timberland currently located on the site. Therefore, there is no impact.
- f. The project will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. The subject property is currently designated for urban rather than agricultural land use and surrounded by urbanized uses. Properties that are vacant may develop in a way that is consistent with their zoning and land use designated at any time. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur. Therefore, there is no impact.

### III. AIR QUALITY

- a. The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan and will therefore be a less than significant impact.
- b. Development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The project will contribute to a net increase of criteria pollutants and will therefore

contribute to exceeding the thresholds. Also, the project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable and for which a Statement of Overriding Considerations was adopted. The General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

An air quality evaluation was completed by Padre Associates Inc. to evaluate air quality and greenhouse gas emissions. The results of the evaluation of NOX, ROG, PM10, PM2.5, CO and SO2 emissions is that all emissions will be below the thresholds established by the San Joaquin Air Pollution Control District for both construction and operations of the project.

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

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

As stated in (b) above, the emissions from both construction and operations will be below thresholds established by the SJVAPCD.

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

Due to the proximity of residences located to the west and south of the proposed project, which are considered sensitive receptors susceptible to air quality impacts from the proposed use, an analysis was prepared to determine whether a Health Risk Assessment (HRA) should be prepared. The analysis used the SJVAPCD Prioritization Calculator to determine the "Total Max Score" of Project specific toxic emissions. The prioritization screening evaluated the impacts to receptors for the estimated onsite Project diesel particulate matter (DPM)

emissions associated with the construction phase and DPM emissions associated with the operational phase. The results of the prioritization screening indicate that the Project's maximum prioritization score for the yearly construction phase was 7.11 and for the yearly operational phase is 8.55. In years 2 and 3 of construction the emissions of the construction phase and operational phase would be additive. Adding the yearly construction phase score of 7.11 and one third of the operational score of 8.55 the total yearly score for years 2 and 3 would be 9.96. A facility or project with a prioritization score between 0 and less than 10 would not be required to perform a HRA and would have a less than significant impact.

As a result, an HRA with dispersion modeling was not required for the Project considering the SJVAPCD's methodology/threshold. Toxic Air Contaminant (TAC) emissions generated during Project operations would not expose sensitive receptors to substantial pollutant concentrations. Therefore, mitigation is not warranted since there is a less than significant impact from Project operational emissions.

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

#### IV. BIOLOGICAL RESOURCES

- a. A Biological Resources Evaluation (BRE) was completed by Live Oak Associates Inc. The BRE identified that the site has the potential to be used for nesting by a variety of avian species, including the Loggerhead Shrike, a California species of special concern. The project site also has the potential to support roosting by native bat species, possibly including the special-status pallid bat. By limiting construction to lower-risk times of year if feasible, conducting preconstruction surveys for nesting birds and roosting bats, avoiding any active nests or maternity roosts that are found, and humanely evicting bats from any non-maternity roosts, these impacts can be reduced to a less than significant level under CEQA. The following measures will be implemented for the protection of nesting birds and raptors including the loggerhead shrike.

**Mitigation Measure 4a (Construction Timing).** If feasible, future construction activities will take place entirely outside of the avian nesting season, defined here as February 1 to August 31.

**Mitigation Measure 4b (Preconstruction Surveys).** If construction must occur between February 1 and August 31, a qualified biologist will conduct surveys for active bird nests within 7 days prior to the start of work during this period. The survey area will encompass the site and accessible surrounding lands within 250 feet.

**Mitigation Measure 4c (Avoidance of Active Nests).** Should any active nests be discovered in or near proposed construction zones, the biologist will identify a suitable construction-free buffer around the nest. This buffer will be identified on the ground with flagging or fencing, and will be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.

The BRE also identified potential impacts to roosting bats, including the Pallid Bat, a California species of special concern. The BRE identified that the bat may roost in the

Valley Oak trees on the project site. The BRE identified mitigation measures that would apply if the Valley Oak trees could not be removed outside the bat roosting period of April to September. On September 11, 2024, the City issued an Oak Tree Removal Permit and on November 20, 2024, the trees were removed. The trees were removed outside the bat roosting period. Given the trees have been removed, staff has concluded that mitigation measures are not necessary and impacts are less than significant to roosting bats.

No other impacts to federal, state or special status species are anticipated to occur on the project site. Therefore impacts are considered less than significant with mitigation.

- b. The project is not located within an identified sensitive riparian habitat or other natural community. Packwood Creek is located approximately 50 feet to the west of the project site and will not be affected by the proposed development.

In addition, City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within the Planning Area. With implementation of these policies and being that the project is not located within or adjacent to an identified sensitive riparian habitat or other natural communities, including woodlands, impacts on woodlands will be less than significant.

- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.
- d. In addition, City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within the Planning Area. With implementation of these policies and being that the project is not located within or adjacent to an identified sensitive riparian habitat or other natural communities, including woodlands, impacts on woodlands will be less than significant.

- e. The project will not conflict with any local policies or ordinances protecting biological resources. The City of Visalia has a municipal ordinance in place to protect valley oak trees. There were four Valley Oak trees on the project site. The city arborist inspected the trees and found that three trees were in poor health and one tree was healthy. The City issued a permit to the property owner to remove the trees and required payment of a mitigation fee for the removal of the one healthy tree. The trees were removed on November 20, 2024. Therefore, the project will not conflict with local policies or ordinances, and therefore there is no impact.
- f. There are no local or regional habitat conservation plans for the area, therefore there is no impact.

## V. CULTURAL RESOURCES

- a. Per the "Cultural Resources Assessment" prepared by Taylored Archaeology for The Hub Commercial Project, there are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary recommendations.
- b. There are no known archaeological resources located within the project area. If an archaeological resource is unearthed during development all work should be halted until a qualified archaeologist can identify the discovery and assess its significance. will cease until a qualified professional archaeologist can evaluate the finding and make necessary recommendations.
- c. There are no known human remains buried in the project vicinity. If human remains are uncovered during development all work should cease until the Tulare County Coroner is notified to investigate the remains and arrange proper treatment and disposition. If the remains are identified on the basis of archaeological context, age, cultural associations, or biological traits to be those of a Native American, California Health and Safety Code 7050.5 and PRC 5097.98 require that the coroner notify the NAHC within 24 hours of discovery. The NAHC will then identify the most likely descendent who will be afforded an opportunity to make recommendations regarding the treatment and disposition of the remains.

## VI. ENERGY

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

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

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

## **VII. GEOLOGY AND SOILS**

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

## **VIII. GREENHOUSE GAS EMISSIONS**

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

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

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

- b. The State of California has enacted the Global Warming

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

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

## **IX. HAZARDS AND HAZARDOUS MATERIALS**

- a. No hazardous materials are anticipated with the project.
- b. Construction activities associated with development of the project may include maintenance of on-site construction equipment that could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There are no schools located within one-quarter mile from the project. There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites within one-quarter mile of school sites, therefore there is no impact.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5. A Phase 1 Environmental Site Assessment Report was prepared by Taylored Archaeology on October 2024, which stated that there was no evidence that there were conditions on-site or off-site that would create a hazard to the public or the environment; therefore there is no impact.
- e. The City's adopted Airport Master Plan shows the project area is located outside of all Airport Zones and is not located within 2 miles of a public airport. There are no restrictions for the proposed project related to Airport Zone requirements. No impact.
- f. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan. No impact.
- g. There are no wild lands within or near the project area. No impact.

## **X. HYDROLOGY AND WATER QUALITY**

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

be required to adhere to municipal wastewater requirements set by the Central Valley RWQCB and any permits issued by the agency.

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

The Visalia General Plan contains multiple policies, identified under Impact 3.6-2 and 3.9-3 of the EIR, that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.

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

c.

- i. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards. Impacts are considered less than significant.

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

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

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

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

Existing storm water mains are on site and the applicant will be connecting to service. Furthermore, the project will be required to meet the City's improvement standards for directing storm water runoff to the City's storm water drainage system

consistent with the City's adopted City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.

- d. The project area is located sufficiently inland and distant from bodies of water, and outside potentially hazardous areas for seiches and tsunamis. The site is also relatively flat, which will contribute to the lack of impacts by mudflow occurrence. Therefore there will be no impact related to these hazards.

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

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

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

- a. The project will not physically divide an established community. The site is surrounded by a mix of commercial and residential development and would not result in development that would split existing urban areas. The General Plan Land Use Diagram designates the project area as Neighborhood Commercial. The Zoning Map designates the site as C-N (Neighborhood Commercial), which is consistent with the General Plan Land Use Designation of Neighborhood Commercial as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan. Neighborhood Commercial centers that include a mix of uses are considered compatible uses in commercial areas where potential impacts can be addressed through the conditional use permit process. The site is located at the northwest corner of Lovers Lane and Walnut Avenue, both designated arterial roadways.

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

- b. The project site is within the Urban Development Tier 1 Boundary. Development of commercial lands in Tier 1 may occur at any time. The proposed project is consistent with Land Use Policies LU-P-19 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."

The project as a whole does not conflict with any land use plan, policy or regulation of the City of Visalia. The site's General Plan Land Use Designation of Neighborhood Commercial and the Zoning Designation of C-N (Neighborhood Commercial) are consistent with each other

based on the underlying allowed land uses and density ranges as identified in Table 9-1 “*Consistency between the Plan and Zoning*” of the General Plan. The City of Visalia’s Zoning Ordinance allows for neighborhood commercial development as a permitted use, though the car wash and drive through restaurants identified in the commercial development require a Conditional Use Permit.

Lastly, the proposed project will be consistent with the Land Use Element of the General Plan, including Policies LU-P-64 and LU-P-67 pertaining to Neighborhood Commercial Development, and consistent with the standards for commercial development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapters 17.18 and 17.30. Therefore there is no impact to land use plan, policy or regulations.

## **XII. MINERAL RESOURCES**

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

## **XIII. NOISE**

- a. The project will result in noise generation typical of urban development. The Visalia Noise Element and City Ordinance contain criterion for acceptable noise levels inside and outside residential living spaces. This standard is 65 dB DNL for outdoor activity areas associated with residences and 45 dB DNL for indoor areas.

An acoustical analysis was prepared for the proposed project, addressing the proposed commercial, automated car wash use and drive through restaurants. See Noise Assessment for The Hub prepared by 45 dB Acoustics LLC, October 31, 2024. The purpose of the study is to determine if noise levels associated with the project will comply with the City’s applicable noise level standards, particularly upon the existing single-family residential to the west and south. The acoustical analysis is intended to determine project-related noise levels for all aspects of the proposed project.

The Acoustical Analysis concluded that an exterior noise level in excess of the 65 dB DNL standard for noise-sensitive land uses, specified in the City’s Noise Element, exists on the project site, primarily due to traffic noise on Lovers Lane and Walnut Avenue. To ensure that community noise standards are met for the development, the project developers have proposed to include the following in the project:

- Six foot tall block wall along the west property line.
- Car wash system with continuous dryers having an entry noise level less than 81 dBA measures at 10 feet in front of the entrance and an exit noise level less than 85.5 dBA measured at 10 feet from the exit.
- Drive through loudspeaker with an adjustable volume control system or that don’t exceed 60 dBA at the nearest property line.
- No idling or delivery or refrigeration trucks on-site.

With the above listed project requirements, mitigation measures were not recommended in the Acoustic Analysis and impacts are considered less than significant.

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

## **XIV. POPULATION AND HOUSING**

- a. The project will not directly induce substantial unplanned population growth that is in excess of that planned in the General Plan. Therefore, there is no impact.
- b. Development of the site will not displace any housing or people on the site. The area being developed is currently vacant land within a developed commercial shopping center. Therefore, there is no impact.

## **XV. PUBLIC SERVICES**

- a.
  - i. Current fire protection facilities are located at Visalia Station 56, located directly across the street on Lovers Lane, and can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project’s proportionate impact on these facilities.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project’s proportionate impact on these facilities.
  - iii. The project will not generate new students for which existing schools in the area would need to accommodate.
  - iv. Current park facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project’s proportionate impact on these facilities.
  - v. Other public facilities can adequately serve the site without a need for alteration

## **XVI. RECREATION**

- a. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment. Nor will the project increase the use of existing neighborhood and regional parks as no residential uses are proposed; therefore there is no impact.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment; therefore there is no impact.



## **XVII. TRANSPORTATION AND TRAFFIC**

- a. Development and operation of the project is not anticipated to conflict with applicable plans, ordinances, or policies addressing the circulation system. The project will include transit, bicycle and pedestrian facilities in accordance with the City of Visalia Circulation Element; therefore there is no impact.
- b. Development of the site will result in increased traffic in the local area, but will not cause a substantial increase in traffic Citywide. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for Neighborhood Commercial use.

A Traffic Evaluation and Vehicle Miles Traveled (VMT) Assessment was prepared by C2 Consulting, November 2024. The analysis included trip generation from the project as well as a projection of existing conditions with the project at four intersections. The trip generation analysis concluded that existing conditions plus project would result in Level of Service of "D" or better at all four intersections.

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

For the metric measuring VMT per trip distance, a map of the City of Visalia, produced by Tulare County Association of Governments (TCAG), provides areas with 84% or less average VMT per trip distance, or 16% below the regional average. In the subject site's TAZ, the current average trip distance experienced is 13.6005 miles, which is above the average county-wide trip distance of 29.0 miles and the 16% target reduction of 4.64 miles. Hence, the proposal is screened out of performing a VMT analysis and the project will have a less than significant impact with regards to compliance with CEQA Guidelines section 15064.3, subdivision (b)

- c. There are no planned geometric designs associated with the project that are considered hazardous.
- d. The project will not result in inadequate emergency access.

## **XVIII. TRIBAL CULTURAL RESOURCES**

- a. The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.
  - i. The site is not listed or eligible for listing in the California Register of Historical Resources, or in a

local register of historical resources as defined in Public Resources Code section 5020.1(k); therefore there is no impact.

- ii. The site has been determined to not be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe; therefore there is no impact.

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

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

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

Existing sanitary sewer and storm water mains are adjacent to the site and the project will be connecting to those services. Usage of these lines is consistent with the City Sewer System Master Plan and Storm Water Master Plan. Impacts to these services are considered less than significant.

- b. The project has been reviewed by California Water, the purveyor of water in the City of Visalia, and they have stated that they can service the proposed project with existing facilities located adjacent to the project; therefore impacts are considered less than significant.
- c. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant; therefore there is no impact.
- d. The City of Visalia has determined that the current solid waste disposal facilities can adequately serve the site without a need for alteration; therefore there is no impact.
- e. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements; therefore there is no impact.

## **XX. WILDFIRE**

- a. The project is located on a site that is adjacent on all four sides by existing development. The site will be further served by multiple points of access. In the event of an emergency response, coordination would be made with the City's Engineering, Police, and Fire Divisions to ensure that adequate access to and from the site is maintained; therefore there is no impact.
- b. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that is likely to exacerbate wildfire risks; therefore

there is no impact.

- c. The project is located on a site that is adjacent on all four sides by existing development, including arterial roadways on two sides. The development does not require the installation of off site infrastructure that may exacerbate fire risk or impacts to the environment. On-site connection to existing infrastructure will be typical of commercial development and will be constructed consistent with City and State standards; therefore there is no impact.
- d. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that would expose persons or structures to significant risks of flooding or landslides; therefore there is no impact.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

- a. As mitigated, the project will not affect the habitat of a fish or wildlife species or a plant or animal community. This

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

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

**DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT**

On the basis of this initial evaluation:

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



March 13, 2025

Brandon Smith, AICP  
Environmental Coordinator

Date