

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

MONDAY, MARCH 27, 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.
 - a. Finding of Consistency No. 2023-02: A request by the California Water Service Company to amend the one million-gallon capacity water tank height and width dimensions as depicted with the previously approved Conditional Use Permit (CUP) No. 2012-09. The project site is located at the northeast corner of East Race Avenue and North McAuliff Street (Address: N/A) (APN: 103-320-056).
6. PUBLIC HEARING – (Continued from March 13, 2023) Cristobal Carrillo, Associate Planner
 - a. General Plan Amendment No. 2022-01: A request by the Visalia Public Cemetery District to amend the General Plan Land Use Map to change the land use designation of 15 parcels totaling 3.33 acres from Residential Low Density to Public Institutional, and to change the land use designation of one parcel totaling 0.24 acres from Residential Medium Density to Public Institutional. The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021). The requested action is considered exempt under Section

15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption No. 2022-42 has been prepared for the project.

- b. Change of Zone No. 2022-02: A request by the Visalia Public Cemetery District to change the zoning designation of 15 parcels totaling 3.33 acres from R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) to QP (Quasi-Public), and to change the zoning designation of one parcel totaling 0.24 acres from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling unit) to QP (Quasi-Public). The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021). The requested action is considered exempt under Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption No. 2022-42 has been prepared for the project.
 - c. Conditional Use Permit No. 2023-02: A request by the Visalia Public Cemetery District to amend Conditional Use Permit No. 2005-08, permitting the expansion of the Visalia Public Cemetery District master planned area, encompassing 13 parcels totaling 2.8 acres. The project sites are located at 914 and 920 W. Allen Avenue, 1304 W. Goshen Avenue, 916, 920, 1000, 1002, 1004, 1006, 1010, 1012, 1014, 1016, and 1020 N. Turner Street (APNs: 093-083-035, 093-112-001, 002, 003, 004, 005, 006, 017, 018, 019, 020, 021, 022). The requested action is considered exempt under Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption No. 2022-42 has been prepared for the project.
7. REGULAR ITEM – Paul Bernal, Community Development Director
- Planning Division Fee Amendments: Consideration of amendments to the Planning Division fees for the 2023-2024 fiscal year as contained in City of Visalia Fee Resolution No. 2023-12. The requested action is considered exempt under Section 15273 of the California Environmental Quality Act. A Notice of Exemption No. 2023-13 has been prepared for the project.
8. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –
- a. 2022 Housing Element Annual Progress Report (full report available on March 20, 2023 Council Agenda).
 - b. Residential Sites Inventory Mapping Exercise Available
 - c. Housing Element Community Workshop #2 presentation is available on project website.

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, APRIL 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 10, 2023



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: March 27, 2023 (continued from the February 27, 2023 and March 13, 2023 Planning Commission meetings)

PROJECT PLANNER: Cristobal Carrillo, Associate Planner
Phone: (559) 713-4443
Email: cristobal.carrillo@visalia.city

SUBJECT: General Plan Amendment No. 2022-01: A request by the Visalia Public Cemetery District to amend the General Plan Land Use Map to change the land use designation of 15 parcels totaling 3.33 acres from Residential Low Density to Public Institutional, and to change the land use designation of one parcel totaling 0.24 acres from Residential Medium Density to Public Institutional. The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021).

Change of Zone No. 2022-02: A request by the Visalia Public Cemetery District to change the zoning designation of 15 parcels totaling 3.33 acres from R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) to QP (Quasi-Public), and to change the zoning designation of one parcel totaling 0.24 acres from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling unit) to QP (Quasi-Public). The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021).

Conditional Use Permit No. 2023-02: A request by the Visalia Public Cemetery District to amend Conditional Use Permit No. 2005-08, permitting the expansion of the Visalia Public Cemetery District master planned area, encompassing 13 parcels totaling 2.8 acres. The project sites are located at 914 and 920 W. Allen Avenue, 1304 W. Goshen Avenue, 916, 920, 1000, 1002, 1004, 1006, 1010, 1012, 1014, 1016, and 1020 N. Turner Street (APNs: 093-083-035, 093-112-001, 002, 003, 004, 005, 006, 017, 018, 019, 020, 021, 022).

STAFF RECOMMENDATION

General Plan Amendment No. 2022-01: Staff recommends that the Planning Commission recommend that the Visalia City Council approve General Plan Amendment No. 2022-01, based on the findings in Resolution No. 2022-43. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Change of Zone No. 2022-02: Staff recommends that the Planning Commission recommend that the Visalia City Council approve Change of Zone No. 2022-02, based on the findings in Resolution No. 2022-44. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Conditional Use Permit No. 2023-02: Staff recommends approval of Conditional Use Permit No. 2023-02, as conditioned, based on the findings and conditions in Resolution No. 2023-07.

Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning Ordinance, and Visalia Public Cemetery District master plan.

RECOMMENDED MOTION

I move to recommend approval of General Plan Amendment No. 2022-01, based on the findings in Resolution No. 2022-43.

I move to recommend approval of Change of Zone No. 2022-02, based on the findings in Resolution No. 2022-44.

I move to adopt Resolution No. 2023-07 approving Conditional Use Permit No. 2023-02.

PROJECT DESCRIPTION

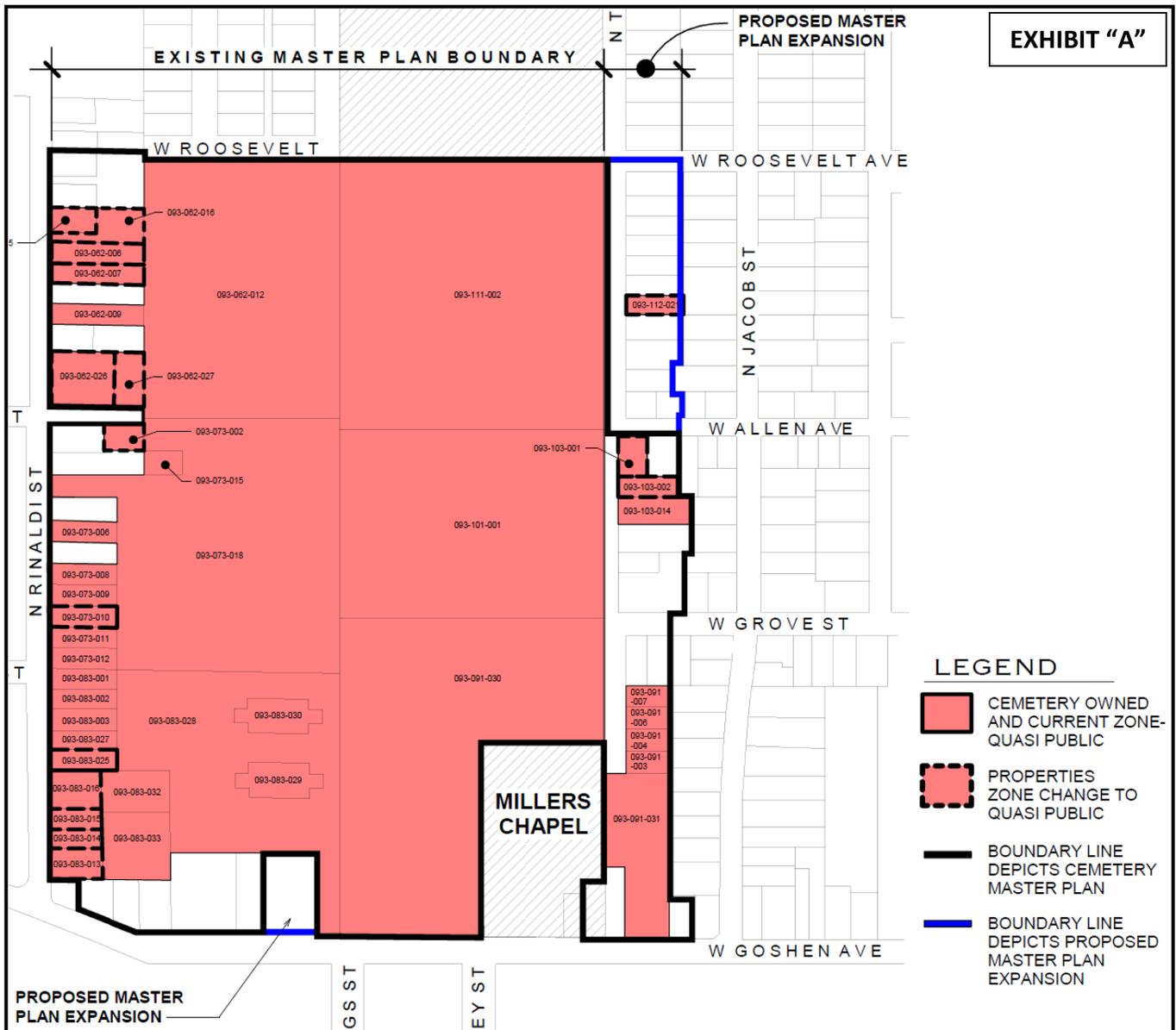
General Plan Amendment No. 2022-01 and **Change of Zone No. 2022-02** together are a request by the Visalia Public Cemetery District to change the general plan land use and zoning designations of 16 parcels as described below:

- 15 properties totaling 3.33 acres from Low Density Residential / R-1-5 (Single Family Residential, 5,000 square foot minimum site area) to Public Institutional / QP (Quasi-Public).
- One property totaling 0.24 acres from Residential Medium Density / R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling unit) to Public Institutional / QP (Quasi-Public).

Properties to be reclassified are identified in the Site Plans in Exhibit "A". Per the Operational Statement in Exhibit "B", the reclassification to Public Institutional / QP is requested to permit usage of the parcels for cemetery operations and burial sites, activities which are prohibited in residential zones but are conditionally permitted in the QP zone. All 16 sites proposed for reclassification are owned by the Cemetery District.

As depicted in the Phasing Plan in Exhibit "A", if the project is approved, the Cemetery District would begin utilizing rezoned properties under its ownership within the "current phase" immediately. The "current phase" consists of those sites at the southwest quadrant of the cemetery, east of North Rinaldi Street, between West Goshen Avenue and West Grove Street. The remaining sites under Cemetery District ownership would be developed over the span of two to 10 years for the sites south of Sady Court/Allen Avenue, and longer for Cemetery District owned sites north of those streets. The use of some cemetery owned and rezoned properties is also affected by limitations applied to the original master plan document (Conditional Use Permit No. 2005-08). This aspect of the project is discussed in further detail in the "2005 Visalia Public Cemetery District Land Use Plan" section of the staff report.

Eight of the properties to be reclassified are vacant, including the sole R-M-2 site, located at the northeast corner of West Goshen Avenue and North Rinaldi Street. The remaining eight parcels contain single or multi-family development, encompassing a total of 15 residential units. Note that nine of the 15 units are within an existing multi-family complex located at the northeast corner of North Rinaldi Street and West Sady Court. Per the applicant, there is no set date for when existing residential units on Cemetery District owned properties will be removed, as it is dependent on burial trends and compliance with conditions of the master plan. The applicant notes that demolition of residential structures would occur over a long period of time at staggered intervals, so as to prevent the sudden loss of all 15 units.



Conditional Use Permit No. 2023-02 is a request to expand the master plan boundary of the Visalia Public Cemetery that was established in 2005 via Conditional Use Permit No. 2005-08. The master plan boundary establishes areas in which the Cemetery District can acquire property for the eventual expansion of the Visalia Public Cemetery.

The existing and proposed master plan boundaries are depicted in Exhibit "A" (shown above). Expansion would encompass 13 properties totaling 2.8 acres. Twelve of the properties are located on the east side of North Turner Street, between West Allen Avenue and West Roosevelt Avenue, and contain single-family residences. Only one property within this proposed expansion area (1004 North Turner Street) is currently owned by the Cemetery District. The 13th site is located south of the cemetery at 1304 West Goshen Avenue and contains the still-in-operation Visalia Granite and Marble Works.

Per the Operational Statement in Exhibit "B", expansion is necessary for the Cemetery District to keep pace with community demand, and maintain sufficient area to allow for multiple services to occur without disruption between individual parties. Data submitted by the Cemetery District

notes that available burial sites amount to 1,007 full body spaces and 450 ash spaces. The current availability is sufficient to serve the public for another eight years. Expansion of the master plan boundary will assist in increasing capacity, allowing the cemetery to offer services in a wider geographical area, for a longer period of time. The proposed expansion area is also designed to maintain a concentric growth pattern in line with previous expansions. Please note, per the applicant, the Cemetery District only attempts to acquire properties within the master plan boundary when they are put up for sale. Properties are purchased at fair market value and mechanisms such as eminent domain have never been employed to acquire properties.

Additional circulation improvements within the cemetery are also proposed and are discussed in further detail within the “Access and Circulation” section of this report. The original land use plan and master plan boundary map approved via Conditional Use Permit No. 2005-08 are included as Exhibits “C” and “D”.

BACKGROUND INFORMATION

General Plan Land Use Designation	Public Institutional, Residential Low Density, Residential Medium Density
Zoning	QP (Quasi Public), R-1-5 (Single-Family Residential, 5,000 sq. ft. minimum site area), R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling)
Surrounding Zoning and Land Use	<p>North: R-1-5, QP / Houston Elementary School, single-family residences.</p> <p>South: C-MU (Mixed Use Commercial), R-M-3 (Multi-Family Residential, 1,200 sq. ft. minimum site area per dwelling) / Service commercial uses, single and multi-family residences, Union Pacific Railroad.</p> <p>East: R-1-5, R-M-2 / Single and multi-family residences.</p> <p>West: R-1-5, R-M-2 / Single and multi-family residences</p>
Environmental Review:	Categorical Exemption No. 2022-42
Site Plan:	Site Plan Review No. 2022-129

RELATED PROJECTS

The Visalia Public Cemetery District previously requested an expansion to its facilities in 2005 via the following projects:

General Plan Amendment No. 2005-04, a request to change the general plan land use designations on approximately two acres from Low Density Residential, Medium Density Residential, High Density Residential and Shopping Office Commercial to Public Institutional.

Change of Zone No. 2005-03, a request to change the zoning on approximately 2 acres from R-1-6, R-M-2, R-M-3 and C-SO to QP (Quasi Public).

Conditional Use Permit No. 2005-08, a request to allow the expansion of the existing cemetery, allow the relocation of an existing maintenance facility, and adopt a Master Plan for a cemetery in the QP Zone.

The proposal was approved by the Visalia Planning Commission on May 9, 2005, and by the Visalia City Council on July 18, 2005.

PROJECT EVALUATION

Staff supports the requested General Plan Amendment, Change of Zone, and Conditional Use Permit based on project consistency with the General Plan, Zoning Ordinance, and Visalia Public Cemetery District master plan.

General Plan Consistency and Land Use Compatibility

Land Use Element/General Plan/Zoning

The Land Use Element of the 2014 Visalia General Plan does not include specific objectives or policies related to the cemetery. Section 2.13 (Institutional & Civic) of the Land Use Element only refers to cemeteries as “...*important elements of community-building.*” Visalia Municipal Code Chapter 17.52 (Quasi-Public Zone) notes that the QP zone is appropriate “...*to allow for the location of institutional, academic, community service, governmental, and nonprofit uses.*” The Public Institutional land use designation and QP zoning classification are seen as appropriate classifications for the project sites as they will be employed for burial purposes, a service of universal public utility with importance in the community as a place of mourning and remembrance.

Housing Element

The proposal will result in the reclassification of 16 cemetery owned properties from residential zonings to a QP zoning. There are 15 active residences on the project sites to be rezoned, which will eventually be removed by the Cemetery District should the proposal be approved. Expansion of the master plan boundary will affect 12 existing single-family residences located along the east side of Turner Street between Roosevelt and Allen Avenues. However, since only one property within that area is owned by the Cemetery District (1004 North Turner Street), no immediate impacts are expected on the existing housing units located within the proposed expansion area of the Cemetery District master plan.

The 2020-2023 City of Visalia Housing Element was adopted by the Visalia City Council on December 3, 2019. The Housing Element provides policies encouraging housing affordability and identifies sites for the development of affordable housing. None of the sites listed in the project proposal are identified in the Housing Element site inventory list, nor are they deed restricted for affordability. As such, the Housing Element does not contain policies that would restrict demolition of housing on the project sites. As it stands, VMC regulations would not prohibit the demolition of residential units, even on multifamily properties, if a property owner chose to remove them. So, while the proposal would represent a reduction in the housing stock of the area, existing regulations and policies do not prohibit its removal. Furthermore, the resulting reduction in housing would not cause a significant change to the City’s housing stock.

2005 Visalia Public Cemetery District Land Use Plan

Land Use Plan Consistency

The land use plan and boundary maps (i.e., master plan) previously approved in 2005 are included as Exhibits “C” and “D”. The current proposal to amend the master plan is largely in conformance with the original master plan. The 2005 master plan encourages the reclassification of sites acquired by the Cemetery District to QP / Public Institutional. Fifteen of the 16 sites currently proposed for reclassification are located within the 2005 master plan boundaries. The sole parcel located outside of the 2005 master plan boundary (1004 North Turner Street) is the impetus for the master plan boundary expansion (CUP) proposed today. Four of the 16 properties proposed for reclassification (919 West Allen Avenue, 706 and 808 North Rinaldi Street, and 816 North Turner Street) were also identified in the original land use plan as “highest priority for acquisition”.

No changes to the policies in the original land use plan are proposed. As such, the CUP request is considered appropriate as it is largely consistent with the land use plan, directs growth in a concentric fashion, and facilitates increased services to the public over a longer period of time.

Land Use Plan Conditions of Approval

When the Cemetery District land use plan was approved in 2005, a number of conditions were applied via Planning Commission Resolution No. 2005-037 to prevent disorderly growth and impacts to occupants of residences adjacent to cemetery owned properties. The conditions are as follows:

- That a minimum of 300 contiguous feet of frontage along Rinaldi Avenue shall be acquired and developed by the Cemetery in order to conduct routine cemetery operations and burial plots on properties adjacent to the street. (Condition No. 1)
- That burial plots shall not be placed in single parcels or narrow gaps between active residential units. (Condition No. 3)
- That the Cemetery District shall amend their Master Plan (CUP No. 2005-08) or apply for a “Finding of Consistency” from the Planning Commission prior to the acquisition of properties not within the proposed 20 Year Master Plan area. (Condition No. 4)

The land use reclassification and master plan boundary expansion will bring existing Cemetery District owned properties into conformance with the overall cemetery complex and will assist in removing instances of spot zoning around the cemetery perimeter. Reclassification will also allow for use of the southwest quadrant of the cemetery for operations, as sufficient frontage will now be available to comply with the 300-foot contiguous frontage requirement. However, the proposal also has the effect of bringing other non-cemetery owned properties into closer proximity with cemetery operations. As such, there remains a need to carry over the above conditions to the new Conditional Use Permit. Staff recommends the following revisions to the conditions in the new Planning Commission Resolution No. 2023-007, so that they can address existing circumstances, namely expansion of the Cemetery District into Turner Street:

- That parcels owned and/or acquired by the Visalia Public Cemetery District along Rinaldi Avenue and Turner Street shall have a combined minimum of 300 feet of contiguous frontage along said street prior to the conducting of routine cemetery operations and burial plots on those properties adjacent to the street. (Condition No. 2).
- That burial plots shall not be placed in single parcels or narrow gaps (defined as having a lot width of 50 feet or less) between active residential units. (Condition No. 3)

- That the Visalia Public Cemetery District shall amend their master plan prior to the acquisition of properties not within the master plan boundary map in Exhibit “A.” (Condition No. 4)

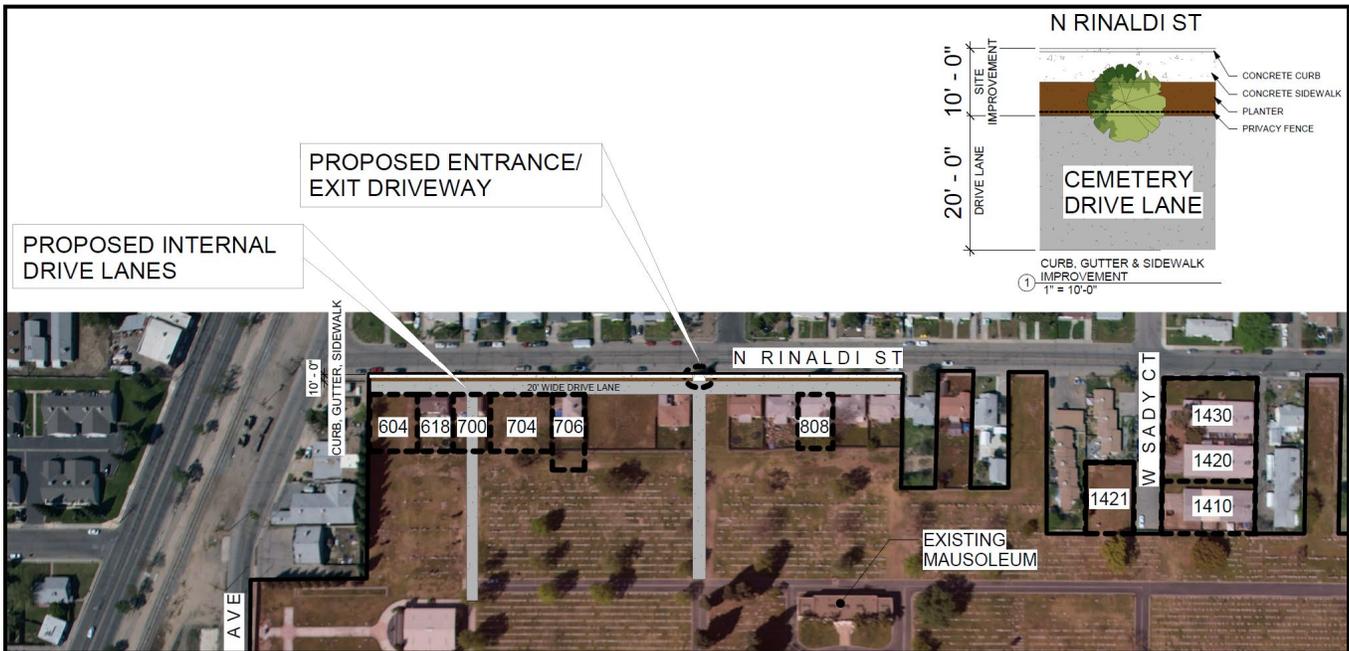
While application of the revised conditions won’t completely prevent cemetery operations from occurring adjacent to active residential units, they will prevent undue expansion of the cemetery complex, and prevent an active residence from being completely surrounded by cemetery operations.

Access and Circulation

Per Exhibit “A”, the proposal includes enhancement of internal cemetery circulation through the addition of a 20-foot-wide drive aisle and vehicular access drive along North Rinaldi Street, at the southwest cemetery quadrant (see figure below). Per the Phasing Plan in Exhibit “A”, the improvements will be installed immediately upon approval of the reclassification/boundary expansion project. The access aisle proposed along Rinaldi Street complies with development standards listed in the circulation section of the land use master plan.

The new vehicular driveway approach proposed along Rinaldi Street is not identified in the 2005 master plan. However, the addition is considered in keeping with the master plan, its design standards, and the established circulation layout of the cemetery. The addition provides a fourth entry point for the cemetery and will assist in preventing bottlenecks at the Giddings/Goshen main entrance, in particular when multiple services occur onsite.

It is anticipated that West Sady Court, between North Rinaldi Street and the cemetery, and North Turner Street, between West Roosevelt Avenue and 355 feet south of Grove Avenue, may require future rights-of-way abandonment upon further acquisition of properties by the Cemetery District. However, abandonment processes are not proposed with this action, as the Cemetery District has no immediate plans for those areas. Please note that abandonment of a public street is a separate process that requires approval by the Visalia City Council.



Public Comment

Public comment in opposition to the proposal was submitted by David Dye, property owner of 814 North Rinaldi Street, and is included in Exhibit "E". Mr. Dye's property is currently within the master plan boundaries but is not proposed for reclassification at this time. Mr. Dye notes that cemetery growth in the area has negatively affected the "community spirit" of the area, and has the effect of preventing investment in the neighborhood by property owners. Mr. Dye states that it feels like acquisition of his property by the Cemetery District is an eventuality. Mr. Dye also notes that the Cemetery District should instead address decreasing space issues through the acquisition of a second cemetery site.

As noted above, the property at 814 North Rinaldi Street is located within the boundary area of the 2005 master plan. Proposals for expansion of the master plan boundary would only affect areas along North Turner Street and West Goshen Avenue. Nothing in the master plan mandates that property owners sell their property to the Cemetery District. And as the applicant has stated, the Cemetery District has not used forcible means to acquire property.

Environmental Review

The requested action is considered exempt under Section 15061 (b) (3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption has been prepared for the project because Section 15061 (b) (3) states that the project is exempted from CEQA if the activity is covered by the common-sense exemption, which means that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have any effect on the environment. All proposals represent changes in administrative categorization with no physical effects.

RECOMMENDED FINDINGS

General Plan Amendment No. 2022-01

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, 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 General Plan Amendment from Residential Low Density and Residential Medium Density to Public Institutional is compatible with adjacent land uses and is consistent with the goals and policies of the 2005 Visalia Public Cemetery District Land Use Plan.
3. The reclassification of residential property to public institutional will not have a negative impact on the City's housing stock or Regional Housing Need Allocation as none of the sites proposed for reclassification are listed on the City's sites inventory list for Visalia's Regional Housing Needs Allocation.
4. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

Change of Zone No. 2022-02

1. That the Change of Zone is consistent with the intent of the General Plan, Zoning Ordinance, and 2005 Visalia Public Cemetery District Land Use Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements Citywide.
2. That the proposed QP (Quasi Public) zoning is consistent with the Public Institutional land use designation and compatible with adjacent land uses.
3. The reclassification of residential property to Quasi-Public will not have a negative impact on the City's housing stock as none of the sites proposed for reclassification are listed on the City's sites inventory list for Visalia's Regional Housing Needs Allocation.
4. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

Conditional Use Permit No. 2023-02

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the property at 1004 North Turner Street, which is owned by the Cemetery District and not currently located within the master plan boundary, will be brought into conformance with the master plan through inclusion within the expanded master plan boundary requested herein.
4. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

RECOMMENDED CONDITIONS OF APPROVAL

General Plan Amendment No. 2022-01 and Change of Zone No. 2022-02

There are no recommended conditions of approval for the General Plan Amendment or the Change of Zone.

Conditional Use Permit No. 2023-02

1. That the project be developed in compliance with the site plans shown in Exhibit "A", operational statement in Exhibit "B", and land use plan in Exhibit "C".

2. That parcels owned and/or acquired by Visalia Public Cemetery District along Rinaldi Avenue and Turner Street shall have a combined minimum of 300 feet of contiguous frontage along said street prior to the conducting of routine cemetery operations and burial plots on those properties adjacent to the street.
3. That burial plots shall not be placed in single parcels or narrow gaps between active residential units.
4. That the Visalia Public Cemetery District shall amend their master plan prior to the acquisition of properties not within the master plan boundary map in Exhibit "A."
5. That all other conditions of Conditional Use Permit No. 2005-08 shall be applicable unless superseded by conditions in Conditional Use Permit No. 2023-02.
6. That the Conditional Use Permit No. 2023-02 shall be null and void unless General Plan Amendment No. 2022-01 and Change of Zone No. 2022-02 are approved by the City of Visalia.
7. That all applicable federal, state and city laws, codes and ordinances be met.

APPEAL INFORMATION

General Plan Amendment No. 2022-01 and Change of Zone No. 2022-02

For General Plan Amendment No. 2022-01 and Change of Zone No. 2022-02, the Visalia Planning Commission's recommendations are advisory only and will be forwarded to the Visalia City Council. The final decision on these matters will be made by the Visalia City Council during a public hearing. Therefore, the Planning Commission's recommendations for the General Plan Amendment and Change of Zone are not appealable.

Conditional Use Permit No. 2023-02

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe Street Visalia California. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2022-43 (General Plan Amendment)
- Resolution No. 2022-44 (Change of Zone)
- Resolution No. 2023-07 (Conditional Use Permit)
- Exhibit "A" – Site Plans and Phasing Exhibit
- Exhibit "B" – Operational Statement
- Exhibit "C" – 2005 Visalia Public Cemetery District Land Use Plan
- Exhibit "D" – 2005 Visalia Public Cemetery District Master Plan Boundaries
- Exhibit "E" – E-mail from David Dye
- Environmental Document No. 2022-42
- Site Plan Review No. 2022-129 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

RELATED PLANS AND POLICIES

VISALIA MUNICIPAL CODE – TITLE 17 (ZONING)

Zoning Ordinance Chapter 17 - RESIDENTIAL ZONE

17.12.010 Purpose and intent.

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

17.12.015 Applicability.

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

17.12.020 Permitted uses.

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

- A. One-family dwellings;
- B. Raising of fruit and nut trees, vegetables and horticultural specialties;
- C. Accessory structures located on the same site with a permitted use including private garages and carports, one guest house, storehouses, garden structures, green houses, recreation room and hobby shops;
- D. Swimming pools used solely by persons resident on the site and their guests; provided, that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard;
- E. Temporary subdivision sales offices;
- F. Licensed day care for a maximum of fourteen (14) children in addition to the residing family;
- G. Twenty-four (24) hour residential care facilities or foster homes, for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provisions of Chapter 17.48;
- I. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030;
- J. Accessory dwelling units as specified in Sections 17.12.140 through 17.12.200;
- K. Adult day care up to twelve (12) persons in addition to the residing family;
- L. Other uses similar in nature and intensity as determined by the city planner;
- M. Legally existing multiple family units, and expansion or reconstruction as provided in Section 17.12.070.
- N. Transitional or supportive housing for six (6) or fewer resident/clients.
- O. In the R-1-20 zone only, the breeding, hatching, raising and fattening of birds, rabbits, chinchillas, hamsters, other small animals and fowl, on a domestic noncommercial scale, provided that there shall not be less than one thousand (1,000) square feet of site area for each fowl or animal and provided that no structure housing poultry or small animals shall be closer than fifty (50) feet to any property line, closer than twenty-five (25) feet to any dwelling on the site, or closer than fifty (50) feet to any other dwelling;
- P. In the R-1-20 zone only, the raising of livestock, except pigs of any kind, subject to the exception of not more than two cows, two horses, four sheep or four goats for each site, shall be permitted; provided, that there be no limitation on the number of livestock permitted on a site with an area of ten acres or more and provided that no stable be located closer than fifty (50) feet to any dwelling on the site or closer than one hundred (100) feet to any other dwelling;

17.12.030 Accessory uses.

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

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

17.12.040 Conditional uses.

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

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

17.12.050 Site area.

The minimum site area shall be as follows:

Zone	Minimum Site Area
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:

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

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

17.12.060 One dwelling unit per site.

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

17.12.070 Replacement and expansion of legally existing multiple family units.

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

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

17.12.080 Front yard.

A. The minimum front yard shall be as follows:

Zone	Minimum Front Yard
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.

Article 2. Accessory Dwelling Units

17.12.140 Purpose and intent.

It is the purpose of this article to provide for the following:

- A. To encourage a range of housing types, styles and costs to suit the varying needs and desires of the community;
- B. To allow homeowners a means of obtaining, through tenants and accessory dwelling units, an additional source of income, companionship, security, and services;
- C. To add inexpensive rental units to the housing stock of the city;
- D. To create homeownership opportunities for moderate income households who might otherwise be excluded from the housing market, through the additional income derived from accessory dwelling units;
- E. Develop housing in single-family neighborhoods that is appropriate for a variety of stages in the household life cycle, thereby lessening fluctuations in neighborhood demand for public services;
- F. Protect the stability, property values, and character of single family residential neighborhoods by insuring that accessory dwelling units are subject to the standards that follow. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(A))

17.12.150 Definitions.

As used in this article, the following terms are defined in this section:

"Principal dwelling unit" means a single-family dwelling unit situated on a residential lot in the A or R-1 zones to which an accessory dwelling unit as defined by this article has been or is proposed to be added.

"Accessory dwelling unit" means an additional dwelling unit having separate kitchen, sleeping, and sanitation facilities constructed or adopted within, onto, or detached from a single-family dwelling on a residential lot in the A or R-1 zones. Accessory dwelling units may also be efficiency units, as defined in Section 17958.1 of the health and Safety code, and manufacturing homes, as defined in Section 18007 of the Health and Safety Code.

"Living area" means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or an accessory structure. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(B))

17.12.160 General provisions.

An accessory dwelling unit may be established by the conversion of an attic, basement, garage (if alternative parking area is provided for the principal dwelling unit), or other portion of a principal dwelling unit. A detached accessory dwelling unit may be established by the conversion of an accessory structure or may be new construction. Second dwelling units may be mobile homes, provided that such units are subject to all applicable standards of Section [17.32.110](#), governing the placement of mobile homes on single-family lots. All applications for accessory dwelling units, whether processed as a permitted use or an exception, must comply with the general provisions stated below:

- A. Accessory dwelling units shall only be allowed on lots located in the A and R-1 zones;
- B. In no case shall more than one accessory dwelling unit be placed on the same lot or parcel;
- C. Second dwelling units shall be subject to all applicable building, fire, health and safety codes and may not have adverse impacts on any real property that is listed in the California Register of Historic Places;
- D. Second dwelling units may only be constructed on lots or parcels that are at least five thousand (5,000) square feet in area;
- E. A covenant running with the land between the city and the applicant shall be recorded with the Tulare County recorder prior to the issuance of any building permits requiring that the primary or the proposed accessory dwelling unit shall be occupied by the owner of record;
- F. The accessory dwelling unit shall be clearly subordinate to the principal dwelling unit by size, location and appearance;
- G. The second unit's scale, appearance and character shall be similar to and compatible in design with the principal dwelling unit and adjacent residences;

H. In no case shall any accessory dwelling unit be approved on a site on which the principal dwelling unit has been the subject of a garage conversion pursuant to the regulations of Section [17.32.140](#) governing such conversions.

I. Size. A manufactured home shall not be less than eight (8) feet wide by forty (40) feet long and three hundred twenty (320) square feet in living area. An efficiency unit shall not be less than one hundred fifty (150) square feet in living area and meet all space and occupancy standards of Chapter 5 of the Uniform Housing Code;

J. Access. Doorway access shall be provided either to the side or rear of the second housing unit;

K. Utility Services. Second housing units shall be provided with water, sewer, and other utilities as determined by the building official. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(C))

17.12.170 Process.

The city planner shall approve or deny accessory dwelling unit requests based upon the specified requirements. The applicant may appeal the decision of the city planner to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner, in writing, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The planning commission's review shall be limited to compliance with the specified requirements. The decision of the commission shall be final unless appealed to the council pursuant to Section [17.02.145](#). (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(D))

17.12.180 Development requirements.

The following development requirements shall apply to accessory dwelling units:

A. The increased floor area of the second unit shall not exceed twelve hundred (1,200) square feet or) fifty (50) percent of the main dwelling unit, whichever is greater, and shall be used as an accessory to the primary single family home.

B. Adequate parking area must be available on the streets adjacent to the accessory dwelling unit. If adequate on-street parking is not available in the immediate vicinity, or in the case of all second units located on cul-de-sac lots, one additional off-street parking space must be provided. Tandem parking shall not be deemed as meeting the above parking requirement. The additional parking space shall be waived if in any of the following instances:

1. The accessory dwelling unit is located within one-half (0.5) miles of public transit.

2. The accessory dwelling unit is located within an architecturally and historically significant historic district.

3. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.

4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

5. When there is a car share vehicle located within one block of the accessory dwelling unit.

C. All standards of the underlying zoning district including, but not limited to, height, lot and yard requirements, and lot coverage shall apply.

D. Detached accessory dwelling units are subject to all applicable standards for accessory structures, as stated in the development requirements for the underlying zone, unless a variance has been granted pursuant to [Chapter 17.42](#). (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(E))

17.12.190 Appeals.

The applicant may appeal the decision of the city planner to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing,

within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The planning commission's review shall be limited to compliance with the specified requirements. The decision of the commission shall be final unless appealed to the council pursuant to Section [17.02.145](#). (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(F))

17.12.200 Existing nonconforming accessory dwelling units.

An existing accessory dwelling unit situated on a lot or parcel in the A or R-1 zones shall constitute a violation of this title unless: (1) the unit meets the standards and criteria of [Chapter 17.12](#), and an agreement is recorded; or (2) the accessory dwelling unit qualifies as a permitted nonconforming use and structure under the provisions of [Chapter 17.40](#). No enlargement of habitable space shall be allowed unless the standards and criteria of [Chapter 17.12](#) are met. This shall not apply to maintenance of the unit. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(G))

Zoning Ordinance Chapter 17.16 Multi-Family Residential Zones

17.16.010 Purpose and intent.

In the R-M multi-family residential zones, the purpose and intent is to provide living areas within the two multi-family residential zones (one medium density and one high density) with housing facilities where development is permitted with a relatively high concentration of dwelling units, and still preserve the desirable characteristics and amenities of a low density atmosphere. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7290)

17.16.015 Applicability.

The requirements in this chapter shall apply to all property within R-M zone districts. (Ord. 2017-01 (part), 2017)

17.16.020 Permitted uses.

In the R-M multi-family residential zones, the following uses are permitted by right:

- A. Existing one-family dwellings;
- B. Multi-family dwellings up to eighty (80) dwelling units per site;
- C. Fruit, vegetable and horticultural husbandry;
- D. Swimming pools used only by residents on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard;
- E. Temporary subdivision sales offices;
- F. Licensed day care for a maximum of fourteen (14) children in addition to the residing family, situated within an existing single-family dwelling;
- G. Twenty-four (24) hour care facilities or foster homes for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provision of Chapter 17.48;
- I. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030;
- J. Adult day care for a maximum of twelve (12) individuals in addition to the residing family, situated within an existing single-family dwelling;

- K. Other uses similar in nature and intensity as determined by the city planner;
- L. Transitional housing or supportive housing as those terms are defined in Section 17.04.030;
- M. Single-room occupancy (SRO), as follows:
 - 1. Up to fifteen (15) units per gross acre in the R-M-2 zone district;
 - 2. Up to thirty-five (35) units per gross acre in the R-M-3 zone district.

N. Senior citizen residential developments, meeting city standards and having a density in the Medium Density Residential range of ten (10) to fifteen (15) housing units per acre in the R-M-2 zone district or having a density in the High Density Residential range of fifteen (15) to thirty-five (35) housing units per acre in the R-M-3 zone district;

O. Employee housing as defined in California Health and Safety Code Section 17008.

(Ord. 2020-09 (part), 2020; Ord. 2017-13 (part), 2017; Ord. 2017-01 (part), 2017; Ord. 2012-02, 2012; Ord. 9717 § 2 (part), 1997; Ord. 9605 § 30, 1996; prior code § 7291)

17.16.030 Accessory uses.

In the R-M multi-family residential zone, accessory uses include:

- A. Home occupations subject to the provisions of Section 17.32.030;
- B. Accessory buildings subject to the provisions of Section 17.16.090B;
- C. Cottage food operations that meet all the requirements contained in Health and Safety Code Section 113758 and those stated in Section 17.32.035;
- D. Accessory dwelling units as specified in Sections 17.12.140 through 17.12.200.

(Ord. 2020-09 (part), 2020; Ord. 2017-01 (part), 2017; Ord. 2001-13 § 4 (part), 2001; Ord. 9717 § 2 (part), 1997; prior code § 7292)

17.16.040 Conditional uses.

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

- A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions; general hospitals, sanitariums, nursing and convalescent homes; including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- C. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers;
- D. In the R-M-3 zone only, an open air public or private parking lot, subject to all provisions of Section 17.34.030, excluding trucks over 3/4 ton;
- E. Electric distribution substations;
- F. Gas regulator stations;
- G. Public service pumping stations and/or elevated or underground tanks;
- H. Communication equipment buildings;

I. Mobile home parks, meeting regulations specified in Section 17.32.040 and having a density in the Medium Density Residential range of ten (10) to fifteen (15) housing units per acre in the R-M-2 zone district or having a density in the High Density Residential range of fifteen (15) to thirty-five (35) housing units per acre in the R-M-3 zone district;

J. More than eighty (80) units per site;

K. Boarding houses and residential motels;

L. Twenty-four (24) hour residential care facilities or foster homes for more than six (6) individuals in addition to the residing family;

M. Adult day care in excess of twelve (12) individuals;

N. Planned developments may utilize the provisions of Chapter 17.26;

O. New one-family dwelling, meeting density identified in the general plan land use element designations;

P. Other uses similar in nature and intensity as determined by the city planner;

Q. Residential developments utilizing private streets in which the net lot area (lot area not including street area) meets or exceeds the site area prescribed by this chapter and in which the private streets are designed and constructed to meet or exceed public street standards;

R. Residential structures up to four stories in height in the R-M-3 Zone District when the proposed structure is adjacent to an R-1 Zone District.

(Ord. 2020-09 (part), 2020; Ord. 2017-13 (part), 2017; Ord. 2017-01 (part), 2017; Ord. 2012-02, 2012: amended during 10/97 supplement: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7293)

17.16.050 Site area and configuration.

A. The division of (R-M) multi-family residential property less than two (2) acres shall be approved as part of a conditional use permit. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7294)

17.16.060 Site area per dwelling unit and per structure.

The minimum site area per dwelling unit shall be three thousand (3,000) square feet in the R-M-2 zone and one thousand two hundred (1,200) square feet in the R-M-3 zone. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7295)

17.16.070 Front yard.

A. The minimum front yard shall be as follows:

Zone	Minimum Front Yard
R-M-2	15 feet
R-M-3	15 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. All garage doors facing the front property line shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk. (Ord. 2017-01 (part), 2017: Ord. 2004-20 (part), 2004: Ord. 9717 § 2 (part), 1997: prior code § 7297)

17.16.080 Side yards.

A. The minimum side yard for a permitted or conditional use shall be five feet subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet.

B. Side yard providing access to more than one dwelling unit shall be not less than ten feet.

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

(Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7298)

17.16.090 Rear yard.

The minimum rear yard for a permitted use shall be fifteen (15) feet in the R-M-3 zone and twenty-five (25) feet in the R-M-2 zone, subject to the following exceptions:

17.16.090

A. On a corner or reverse corner lot in R-M-2 zone 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.

B. Accessory structures not exceeding twelve (12) feet in height may be located in the required rear yard, but not closer than three feet to any lot line; provided, that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot. In placing accessory structures in a required rear yard a usable, open, rear yard area of at least one thousand two hundred (1,200) square feet shall be maintained.

C. Exceptions to the rear yard setback can be granted for multiple family units that have their rear yard abutting an alley. The exception may be granted if the rear yard area is to be used for parking. Through the site plan review process, consistency with this section may be determined for permitting purposes subject to the provisions of Section 17.28.050.

(Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7299)

17.16.100 Height of structures.

The maximum height of structures shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-2 zone. The maximum height shall be four (4) stories in the R-M-3 zone. Where an R-M-2 or R-M-3 site adjoins an R-1 site, the second and subsequent stories shall be designed to limit visibility from the second and third story to the R-1 site. Structures specified under Section 17.16.090(B) shall be exempt.

(Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: Ord. 2012-02, 2012: Ord. 2006-07 § 2 (part), 2006: Ord. 9717 § 2 (part), 1997: prior code § 7300)

17.16.110 Off-street parking.

Off-street parking shall be subject to the provisions of Chapter 17.34. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7301)

17.16.120 Fences, walls and hedges.

Fences, walls and hedges shall be subject to the provisions of Section 17.36.040. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7302)

17.16.130 Trash enclosures.

Enclosures for trash receptacles are permitted that comply with the specifications and requirements of Section 17.32.010 and that are approved by the site plan review committee. Enclosures within the front yard setback are permitted for multiple family dwelling units when deemed necessary by city staff because no other appropriate location for an enclosure exists on the property. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7303)

17.16.140 Site plan review.

A site plan review permit must be obtained for all developments other than a single-family residence in R-M zones, subject to the requirements and procedures of Chapter 17.28. (Ord. 2017-01 (part), 2017)

17.16.150 Open space and recreational areas.

Any multiple family project approved under a conditional use permit or site plan review permit shall dedicate at least five (5) percent of the site to open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The calculated space shall not include setback areas adjacent to a street. Shared open space could include parks, playgrounds, sports courts, swimming pools, gardens, and covered patios or gazebos open on at least three (3) sides. Further, the calculated space shall not include enclosed meeting or community rooms. The specific size, location and use shall be approved as a part of the conditional use permit. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7305)

17.16.160 Screening.

All parking areas adjacent to public streets and R-1 sites shall be screened from view subject to the requirements and procedures of Chapter 17.28. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7306)

17.16.170 Screening fence.

Where a multiple family site adjoins an R-1 site, a screening block wall or wood fence not less than six feet in height shall be located along the property line; except in a required front yard, or the street side of a corner lot and suitably maintained. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7307)

17.16.180 Landscaping.

All multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7308)

17.16.190 Model good neighbor policies.

Before issuance of building permits, project proponents of multi-family residential developments in the R-M zones that are subject to approval by the Site Plan Review Committee or the Planning Commission, shall enter into an operational management plan (Plan), in a form approved by the City for the long term maintenance and management of the development. The Plan shall include but not be limited to: The maintenance of landscaping for the associated properties; the maintenance of private drives and open space parking; the maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages; enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and, enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission, and as may be amended by resolution. (Ord. 2017-01 (part), 2017: Ord. 2006-11 § 1, 2006)

17.16.200 Signs.

Signs shall be placed in conformance with Chapter 17.48. (Ord. 2017-01 (part), 2017)

Zoning Ordinance Chapter 17.52 Quasi-Public Zone

17.52.010 Purpose and intent.

The purpose and intent of the quasi-public zone is to provide a zone that is intended to allow for the location of institutional, academic, community service, governmental, and nonprofit uses. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7630)

17.52.015 Applicability.

The requirements in this chapter shall apply to all property within the QP zone district. (Ord. 2017-01 (part), 2017)

17.52.020 Permitted uses.

Permitted uses in the quasi-public zone include public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public building, structures and facilities; public playgrounds, parks and community centers. Permitted uses also include wireless telecommunication facilities on parcels that are a minimum of five (5) acres, subject to the requirements of Section 17.32.163 (Regulation of Wireless Telecommunication Facilities) of the Visalia Zoning Ordinance. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030. Other uses similar in nature and intensity as determined by the city planner. (Ord. 2017-01 (part), 2017: Ord. 2015-01 § 3 (part), 2015: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7631)

17.52.030 Conditional uses.

Conditional uses in the quasi-public zone include:

- A. Public and quasi-public uses of an education or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions, general hospitals, sanitariums, nursing and convalescent homes, senior care facilities, senior housing; not including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- C. Ambulance service;
- D. Electric distribution substations;
- E. Gas regulator stations;
- F. Public service pumping stations;
- G. Communications equipment buildings;
- H. Wireless telecommunication facilities on parcels that are a less than five (5) acres subject to the Section 17.32.163 of the Visalia Zoning Ordinance;
- I. Residential development specifically designed for senior housing;

J. Other uses similar in nature and intensity as determined by the city planner. (Ord. 2017-01 (part), 2017: Ord. 2015-01 § 3 (part), 2015: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7632)

Conditional Use Permit – Zoning Ordinance Section 17.38

17.38.010 Purposes and powers

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

17.38.020 Application procedures

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

17.38.030 Lapse of conditional use permit

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

17.38.040 Revocation

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

17.38.050 New application

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

17.38.060 Conditional use permit to run with the land

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

17.38.065 Abandonment of conditional use permit

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

17.38.070 Temporary uses or structures

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

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

17.38.080 Public hearing--Notice

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

17.38.090 Investigation and report

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

17.38.100 Public hearing--Procedure

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

17.38.110 Action by planning commission

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

17.38.120 Appeal to city council

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

17.38.130 Effective date of conditional use permit

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

RESOLUTION NO. 2022-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2022-01: A REQUEST BY THE VISALIA PUBLIC CEMETERY DISTRICT TO AMEND THE GENERAL PLAN LAND USE MAP TO CHANGE THE LAND USE DESIGNATION OF 15 PARCELS TOTALING 3.33 ACRES FROM RESIDENTIAL LOW DENSITY TO PUBLIC INSTITUTIONAL, AND TO CHANGE THE LAND USE DESIGNATION OF ONE PARCEL TOTALING 0.24 ACRES FROM RESIDENTIAL MEDIUM DENSITY TO PUBLIC INSTITUTIONAL. THE PROJECT SITES ARE LOCATED AT 919 WEST ALLEN AVENUE, 618, 700, 706, 808, 918, 1010 NORTH RINALDI STREET, 1410, 1420, 1430 WEST SADY AVENUE, 816, 1004 NORTH TURNER STREET (APNS: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021)

WHEREAS, General Plan Amendment No. 2022-01 is a request by the Visalia Public Cemetery District to amend the General Plan Land Use Map to change the land use designation of 15 parcels totaling 3.33 acres from Residential Low Density to Public Institutional, and to change the land use designation of one parcel totaling 0.24 acres from Residential Medium Density to Public Institutional. The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on February 27, 2023; and

WHEREAS, at the February 27, 2023 Planning Commission meeting the item was removed from the meeting agenda due to project description errors discovered in the public hearing notice published in the Visalia Times-Delta newspaper. The Planning Commission continued the project to the March 13, 2023 Planning Commission meeting at the request of the applicant; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 13, 2023; and

WHEREAS, at the March 13, 2023 Planning Commission meeting the item was continued due errors in the processing and mailing of public hearing notices. The Planning Commission continued the project to the March 27, 2023 Planning Commission meeting at the request of staff; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 27, 2023; and

WHEREAS, the Planning Commission of the City of Visalia considered General Plan Amendment No. 2022-01 to be in accordance with Section 17.54.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

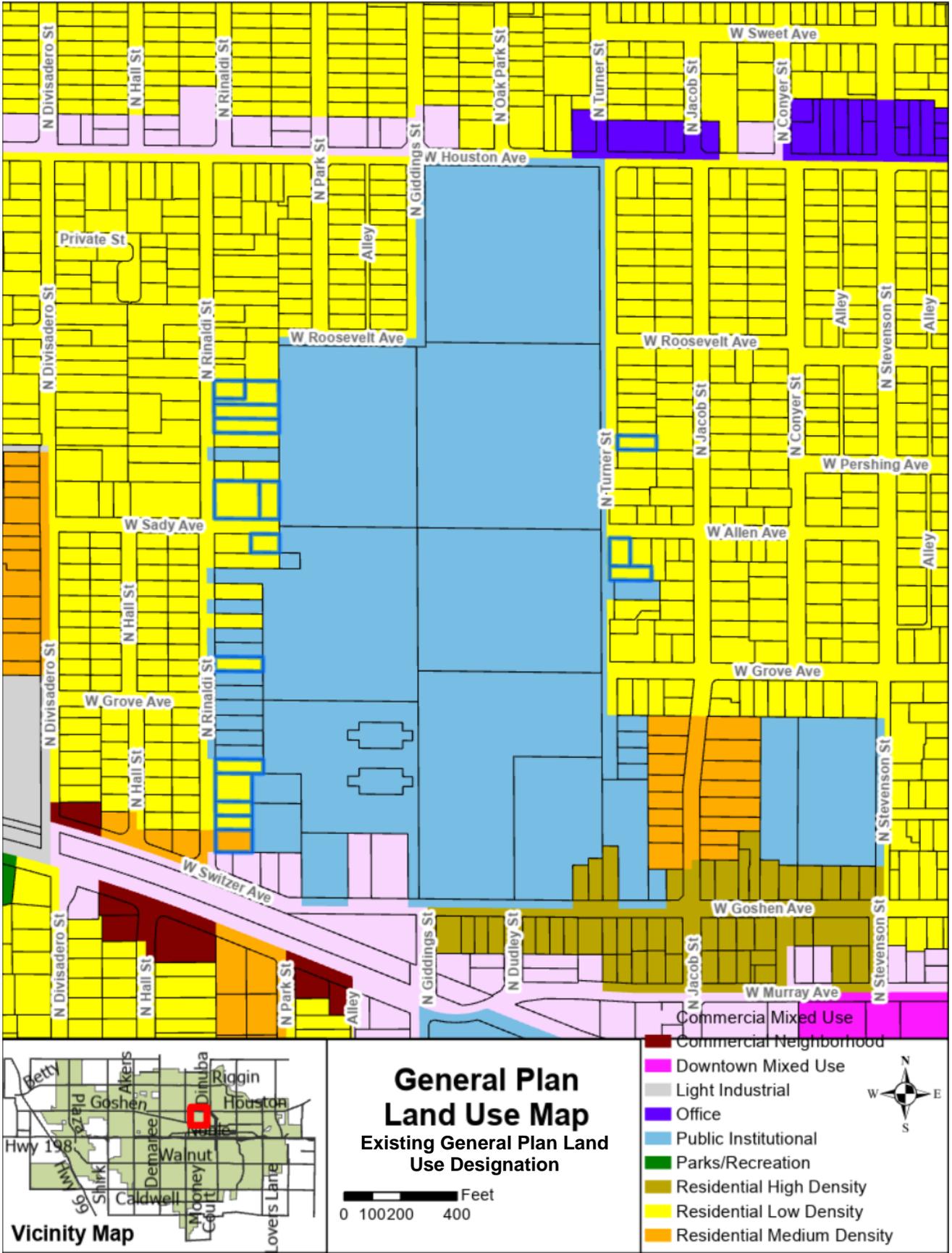
NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15061(b)(3).

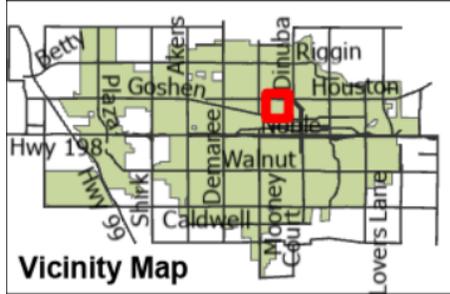
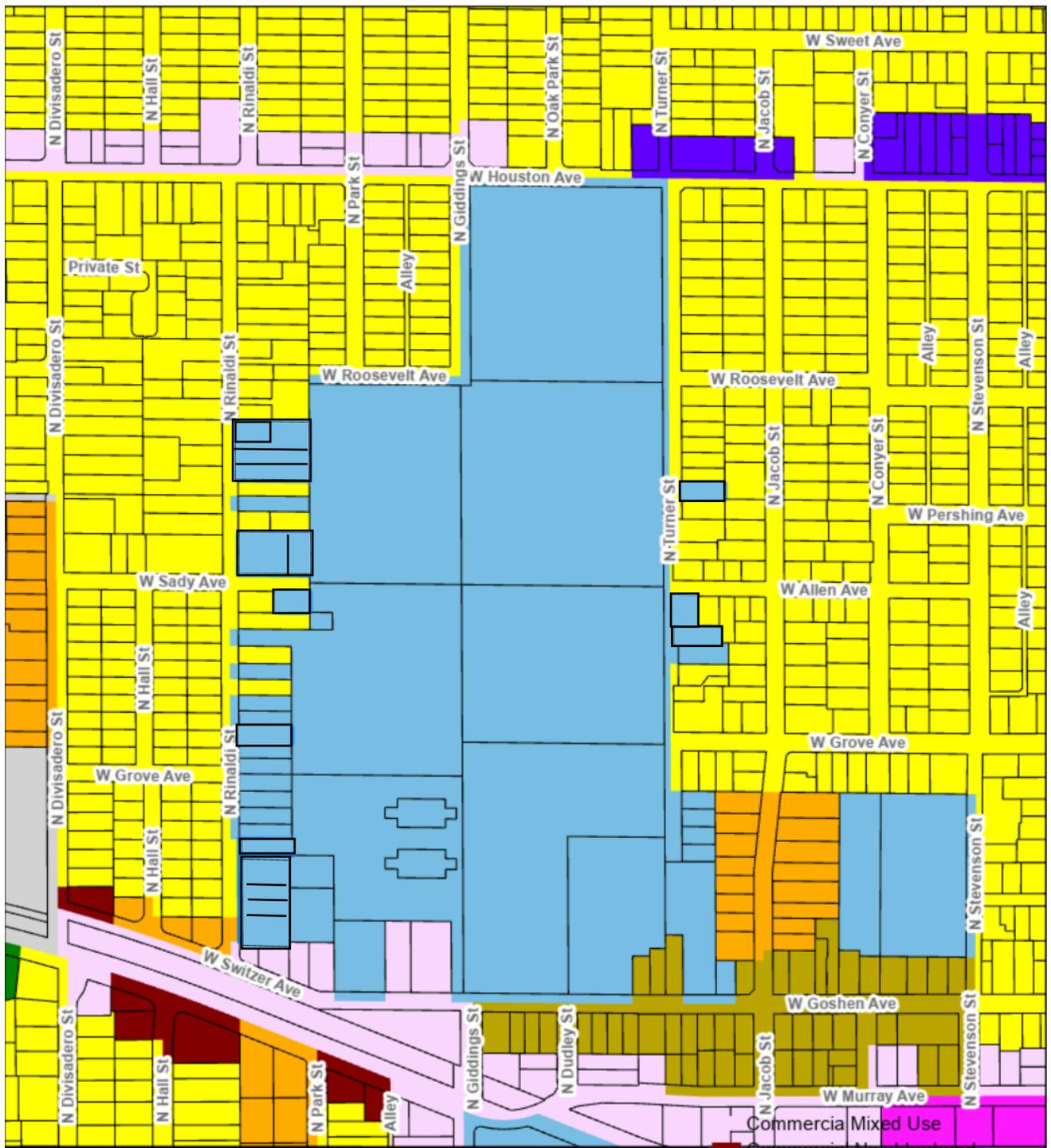
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2022-01 based on the following specific findings and evidence presented:

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, 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 General Plan Amendment from Residential Low Density and Residential Medium Density to Public Institutional is compatible with adjacent land uses and is consistent with the goals and policies of the 2005 Visalia Public Cemetery District Land Use Plan.
3. The reclassification of residential property to public institutional will not have a negative impact on the City's housing stock or Regional Housing Need Allocation as none of the sites proposed for reclassification are listed on the City's sites inventory list for Visalia's Regional Housing Needs Allocation.
4. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2022-01, as depicted per Exhibit "A", on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.54.070 of the Ordinance Code of the City of Visalia.

EXHIBIT "A"
GENERAL PLAN AMENDMENT NO. 2022-01
 Planning Commission – Resolution No. 2022-43





General Plan Land Use Map

Proposed General Plan Land Use Designation

0 100 200 400 Feet

- Commercial Neighborhood
- Downtown Mixed Use
- Light Industrial
- Office
- Public Institutional
- Parks/Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density



RESOLUTION NO. 2022-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CHANGE OF ZONE NO. 2022-02: A REQUEST BY THE VISALIA PUBLIC CEMETERY DISTRICT TO CHANGE THE ZONING DESIGNATION OF 15 PARCELS TOTALING 3.33 ACRES FROM R-1-5 (SINGLE FAMILY RESIDENTIAL, 5,000 SQ. FT. MINIMUM SITE AREA) TO QP (QUASI-PUBLIC), AND TO CHANGE THE ZONING DESIGNATION OF ONE PARCEL TOTALING 0.24 ACRES FROM R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ. FT. MINIMUM SITE AREA PER DWELLING UNIT) TO QP (QUASI-PUBLIC). THE PROJECT SITES ARE LOCATED AT 919 WEST ALLEN AVENUE, 618, 700, 706, 808, 918, 1010 NORTH RINALDI STREET, 1410, 1420, 1430 WEST SADY AVENUE, 816, 1004 NORTH TURNER STREET (APNS: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021)

WHEREAS, Change of Zone No. 2022-02 is a request by the Visalia Public Cemetery District to change the zoning designation of 15 parcels totaling 3.33 acres from R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) to QP (Quasi-Public), and to change the zoning designation of one parcel totaling 0.24 acres from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling unit) to QP (Quasi-Public). The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on February 27, 2023; and

WHEREAS, at the February 27, 2023 Planning Commission meeting the item was removed from the meeting agenda due to project description errors discovered in the public hearing notice published in the Visalia Times-Delta newspaper. The Planning Commission continued the project to the March 13, 2023 Planning Commission meeting at the request of the applicant; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 13, 2023; and

WHEREAS, at the March 13, 2023 Planning Commission meeting the item was continued due errors in the processing and mailing of public hearing notices. The Planning Commission continued the project to the March 27, 2023 Planning Commission meeting at the request of staff; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 27, 2023; and

WHEREAS, the Planning Commission of the City of Visalia considered Change of Zone No. 2022-02 to be in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

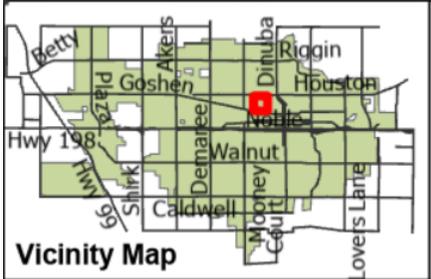
NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15061(b)(3).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of Change of Zone No. 2022-02 based on the following specific findings and evidence presented:

1. That the Change of Zone is consistent with the intent of the General Plan, Zoning Ordinance, and 2005 Visalia Public Cemetery District Land Use Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements Citywide.
2. That the proposed QP (Quasi Public) zoning is consistent with the Public Institutional land use designation and compatible with adjacent land uses.
3. The reclassification of residential property to Quasi-Public will not have a negative impact on the City's housing stock as none of the sites proposed for reclassification are listed on the City's sites inventory list for Visalia's Regional Housing Needs Allocation.
4. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of Change of Zone No. 2022-02, as depicted per Exhibit "A", on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.44.070 of the Ordinance Code of the City of Visalia.

EXHIBIT "A"
CHANGE OF ZONE NO. 2022-02
 Planning Commission – Resolution No. 2022-44



ZONING MAP
Existing Zoning
Designation

0 100 200 400 Feet

- C-N Neighborhood Commercial
- C-MU Mixed Use Commercial
- QP Quasi-Public
- R-1-5 Single-family Residential
- R-M-2 Multi-family Residential
- R-M-3 Multi-family Residential



RESOLUTION NO. 2023-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2023-02, A REQUEST BY THE VISALIA PUBLIC CEMETERY DISTRICT TO AMEND CONDITIONAL USE PERMIT NO. 2005-08, PERMITTING THE EXPANSION OF THE VISALIA PUBLIC CEMETERY DISTRICT MASTER PLANNED AREA, ENCOMPASSING 13 PARCELS TOTALING 2.8 ACRES. THE PROJECT SITES ARE LOCATED AT 914 AND 920 W. ALLEN AVENUE, 1304 W. GOSHEN AVENUE, 916, 920, 1000, 1002, 1004, 1006, 1010, 1012, 1014, 1016, AND 1020 N. TURNER STREET (APNS: 093-083-035, 093-112-001, 002, 003, 004, 005, 006, 017, 018, 019, 020, 021, 022)

WHEREAS, Conditional Use Permit No. 2023-02, is a request by the Visalia Public Cemetery District to amend Conditional Use Permit No. 2005-08, permitting the expansion of the Visalia Public Cemetery District master planned area, encompassing 13 parcels totaling 2.8 acres. The project sites are located at 914 and 920 W. Allen Avenue, 1304 W. Goshen Avenue, 916, 920, 1000, 1002, 1004, 1006, 1010, 1012, 1014, 1016, and 1020 N. Turner Street (APNs: 093-083-035, 093-112-001, 002, 003, 004, 005, 006, 017, 018, 019, 020, 021, 022); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on February 27, 2023; and

WHEREAS, at the February 27, 2023 Planning Commission meeting the item was removed from the meeting agenda due to project description errors discovered in the public hearing notice published in the Visalia Times-Delta newspaper. The Planning Commission continued the project to the March 13, 2023 Planning Commission meeting at the request of the applicant; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 13, 2023; and

WHEREAS, at the March 13, 2023 Planning Commission meeting the item was continued due errors in the processing and mailing of public hearing notices. The Planning Commission continued the project to the March 27, 2023 Planning Commission meeting at the request of staff; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 27, 2023; and

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

WHEREAS, the Planning Commission finds that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15061(b)(3).

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 project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the property at 1004 North Turner Street, which is owned by the Cemetery District and not currently located within the master plan boundary, will be brought into conformance with the master plan through inclusion within the expanded master plan boundary requested herein.
4. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

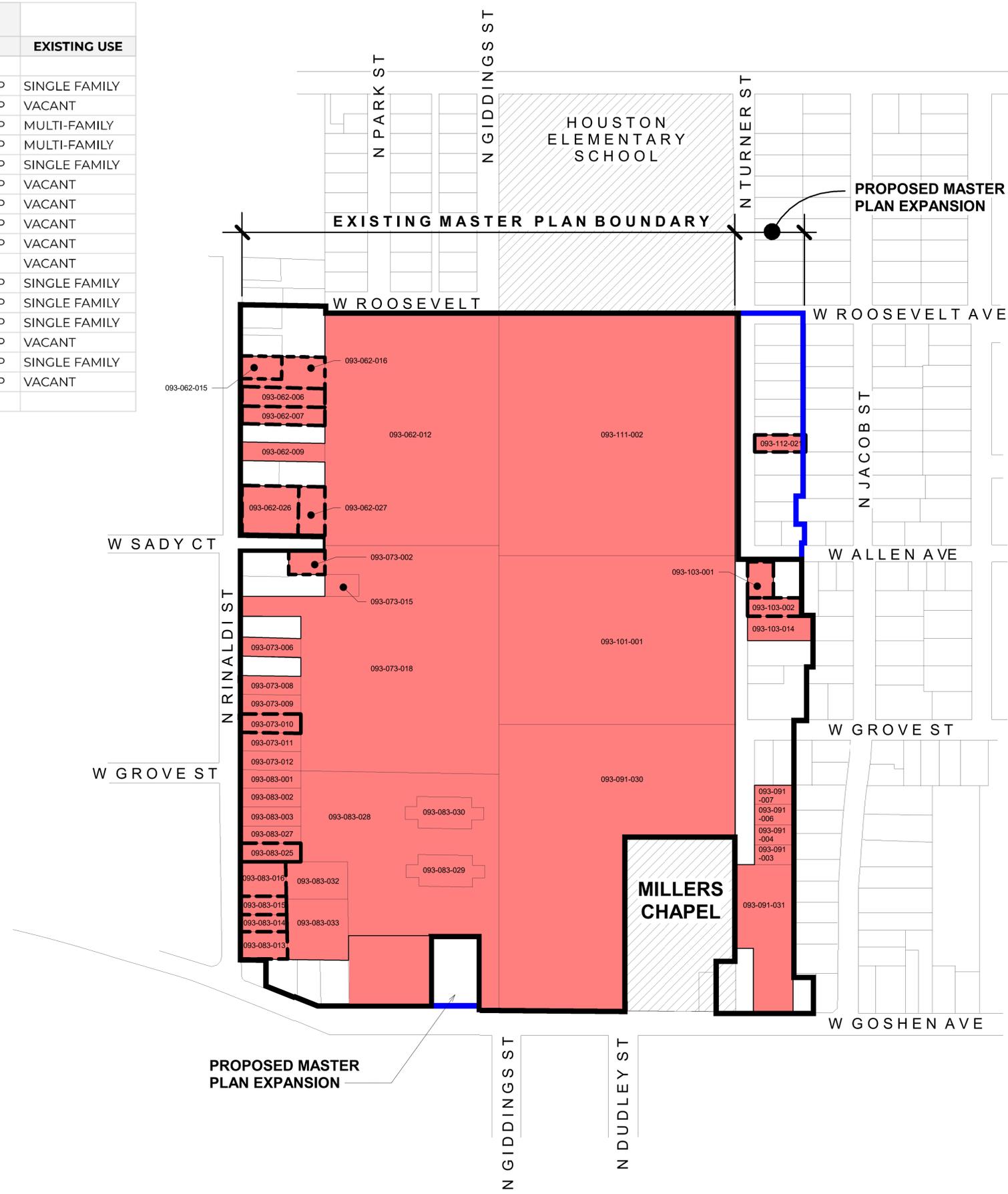
BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed in compliance with the site plans shown in Exhibit "A", operational statement in Exhibit "B", and land use plan in Exhibit "C".
2. That parcels owned and/or acquired by Visalia Public Cemetery District along Rinaldi Avenue and Turner Street shall have a combined minimum of 300 feet of contiguous frontage along said street prior to the conducting of routine cemetery operations and burial plots on those properties adjacent to the street.
3. That burial plots shall not be placed in single parcels or narrow gaps between active residential units.
4. That the Visalia Public Cemetery District shall amend their master plan prior to the acquisition of properties not within the master plan boundary map in Exhibit "A."
5. That all other conditions of Conditional Use Permit No. 2005-08 shall be applicable unless superseded by conditions in Conditional Use Permit No. 2023-02.

6. That the Conditional Use Permit No. 2023-02 shall be null and void unless General Plan Amendment No. 2022-01 and Change of Zone No. 2022-02 are approved by the City of Visalia.
7. That all applicable federal, state and city laws, codes and ordinances be met.

PROPERTY INFORMATION					
ADDRESS	APN	DIMENSIONS	SQ. FOOTAGE	ZONING STATUS	EXISTING USE
918	093-062-006	50' x 230'	11,549	R-1 ZONE CHANGE TO QP	SINGLE FAMILY
916	093-062-007	50' x 230'	11,549	R-1 ZONE CHANGE TO QP	VACANT
1420-1430	093-062-026	134' x 160'	21,425	R-1 ZONE CHANGE TO QP	MULTI-FAMILY
1410	093-062-027	56.25' x 110'	9,380	R-1 ZONE CHANGE TO QP	MULTI-FAMILY
808	093-071-010	50' x 170'	6,200	R-1 ZONE CHANGE TO QP	SINGLE FAMILY
706	093-083-025	100' x 130'	8,500	R-1 ZONE CHANGE TO QP	VACANT
704	093-083-016	50' x 130'	13,000	R-1 ZONE CHANGE TO QP	VACANT
700	093-083-015	50' x 130'	6,500	R-1 ZONE CHANGE TO QP	VACANT
618	093-083-014	50' x 130'	6,500	R-1 ZONE CHANGE TO QP	VACANT
604	093-083-013	80' x 130'	10,400	RM2 ZONE CHANGE TO QP	VACANT
816	093-102-001	50' x 148'	7,414	R-1 ZONE CHANGE TO QP	SINGLE FAMILY
919	093-102-002	75' x 79.6'	7,283	R-1 ZONE CHANGE TO QP	SINGLE FAMILY
1004	093-112-021	50' x 138.6'	6,917	R-1 ZONE CHANGE TO QP	SINGLE FAMILY
1010	093-062-015	84' x 120'	7,041	R-1 ZONE CHANGE TO QP	VACANT
1000	093-062-016	60' x 110'	6,917	R-1 ZONE CHANGE TO QP	SINGLE FAMILY
1421	093-073-002	66' x 100'	6,726	R-1 ZONE CHANGE TO QP	VACANT
TOTAL			147,301		

EXHIBIT A



- LEGEND**
- CEMETERY OWNED AND CURRENT ZONE-QUASI PUBLIC
 - PROPERTIES ZONE CHANGE TO QUASI PUBLIC
 - BOUNDARY LINE DEPICTS CEMETERY MASTER PLAN
 - BOUNDARY LINE DEPICTS PROPOSED MASTER PLAN EXPANSION



SITE PLAN

② SITE PLAN -
1" = 160'-0"

WALTER DEISSLER ARCHITECT

PROPOSED ZONE CHANGE AND GENERAL PLAN AMMENDMENT VISALIA CEMETERY
 1300 W GOSHEN AVE
 VISALIA, CA 93292

No.	Description	DATE
A	PROJECT NUMBER	11/23/2021
B	DRAFT RELEASE	05/13/2022
C	PRELIMINARY SPR RELEASE	05/13/2022
1	PRELIM SPR REVIEW	10/04/2022
2	FINAL SPR REVIEW	10/04/2022
3	SPR E-SUBMITTAL	02/15/2023

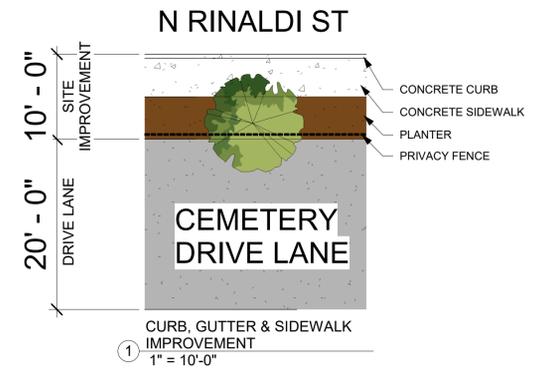
Project Number
2139.2
Drawn By
Carlos
Checked By
Walter

PD-2

set date:

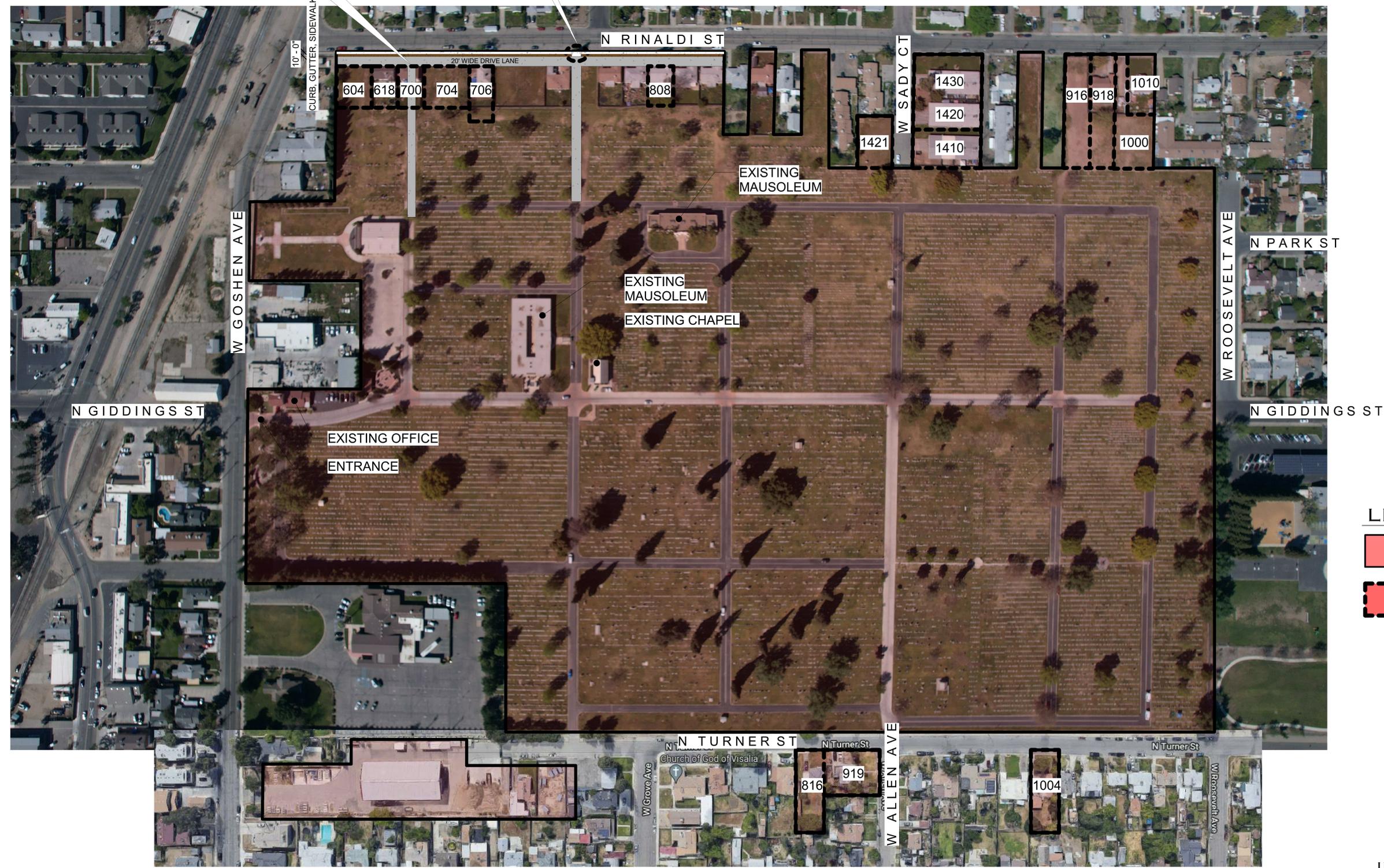


PROPOSED ZONE CHANGE AND
GENERAL PLAN AMMENDMENT
VISALIA CEMETERY
1300 W GOSHEN AVE
VISALIA, CA 93292



PROPOSED INTERNAL DRIVE LANES

PROPOSED ENTRANCE/
EXIT DRIVEWAY



LEGEND

- CEMETERY OWNED AND ZONED QP
- PROPERTIES ZONE CHANGE TO QUASI PUBLIC



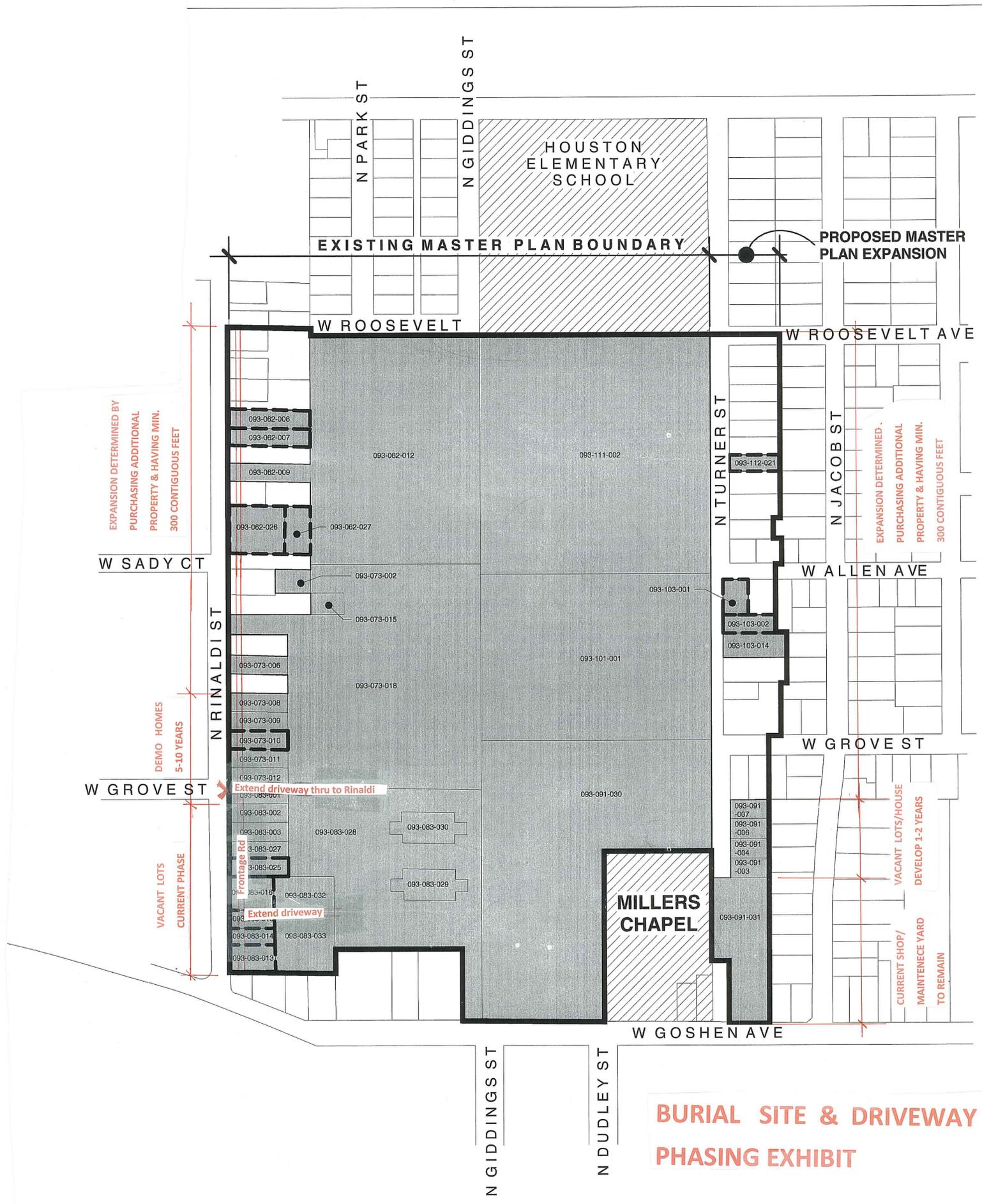
CEMETERY IMPROVEMENT

No.	Description	DATE
A		11/23/2021
B	DRAFT RELEASE	05/13/2022
C	PRELIMINARY SPR RELEASE	10/04/2022
1	PRELIM SPR REVIEW	02/15/2023
2	FINAL SPR	
3	SPR E-SUBMITTAL	02/15/2023

Project Number
2139.2
Drawn By
Carlos
Checked By
Walter

PD-1

set date:



- LEGEND**
-  CEMETERY OWNED AND CURRENT ZONE- QUASI PUBLIC
 -  PROPERTIES ZONE CHANGE TO QUASI PUBLIC
 -  BOUNDARY LINE DEPICTS CEMETERY MASTER PLAN



SITE PLAN

EXHIBIT B

Operations Statement

The Visalia Cemetery District's Mission is to provide burial services to families in a respectful and dignified manner. To achieve this goal, we need to expand the burial grounds providing various options for cremation and full body burial.

Noted on the site plan provided several of the lots are already zoned QP and our request is to bring the other lots into conformance with the 2005 Visalia Cemetery District Land Use Plan. We shall be able to expand the burial grounds as well as adhere to the 300 lineal feet of frontage which is allowed by code for burial sites. A list of Cemetery District owned properties by APN# is attached. The cemetery is not proposing a lot merger as their existing properties are not merged.

Also, as the cemetery expands, we need to enhance the internal circulation. We would install 1 thru driveway to Rinaldi noted on plans as "proposed driveway Entrance/Exit. This allows for funeral processions to arrive on site without all of them entering at the main gate to the south (Giddings). The cemetery already has south and east gates. Additionally, a new internal driveway as well as a driveway paralleling Rinaldi would be added to improve internal circulation.

The 2030 Long Range Land Use Plan Boundary does not fully extend beyond Turner. We are requesting that the Master Plan be extended as shown on the Site Plan as depicted in Blue. With the current data available there is enough capacity for about 8 years. More than 90% of the current capacity is on the west side (Rinaldi) of the cemetery. The available burial spaces currently are 1,007 full body spaces and 450 ash spaces. Expanding to the east side (Turner) is necessary to coordinate daily burials . The cemetery needs to have

options for families to select sites in different quadrants of the cemetery. This would allow families time for the burial process without interruptions from the next procession. Our current plan would force our families to either overlap which is not an option, pick a different day or to change the time. This becomes very difficult when coordinating with different mortuaries and is also very difficult for our staff. Families like to witness the burial process until the last piece of sod is placed. The service may only last 30 – 45 minutes but if they would like to witness it could take another hour and a half to finish the process. Having different areas of the cemetery available helps us give the public options.

Expanding burial sites to another quadrant allowing for multiple site locations within the Cemetery for burials. Expanding into these areas is in the intent of expansion for the cemetery. It appears by expanding these boundaries would be more consistent than the existing plan as it draws a definitive line especially along Rinaldi and to the east of Turner.

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EXHIBIT C

Visalia Public Cemetery District Land Use Plan 2005

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Visalia Public Cemetery Land Use Plan

Part 1.

PLANNING FOR VISALIA PUBLIC CEMETERY EXPANSION

Because of rapidly changing trends in cemetery management and burial techniques, the Land Use Plan for Visalia Public Cemetery is designed to be "general and flexible," in nature rather than "specific and rigid." It is intended to be a guide for future expansion and development of the cemetery facility. In order to keep current with new trends towards cemetery operations, it is important that the Land Use Plan be reviewed periodically by the Cemetery Board of Directors and amended as necessary. This document addresses medium to long-range cemetery planning issues and policies, which cover 25 years and longer. However, a comprehensive review of the Plan should occur every five to ten years.

Webster's College Dictionary defines cemetery as "a burial ground for the dead." While that simple explanation may be true in general sense, most people evaluate the cemetery on the basis of its physical attributes, facilities, maintenance and administration. From the perspective of those that are left behind, the cemetery is actually for the living. When selecting a cemetery, one should consider the cemetery's beauty, appearance, and upkeep. Does it have an air of permanence, suggesting good administration? Other factors to consider include interment options, lot selections, aftercare services, and space to accommodate future generations.

In expanding the Visalia Public Cemetery, decisions must be made as to whether new development will be along "traditional" lines, allowing monuments, or of park or garden plan, permitting only flush monument sections, or a combination of the two. Since flush memorials require less space than monuments, lots can be smaller and the grave space per acre yield in non-monument gardens is greater than monument cemeteries. There are three primary considerations when determining the type of development to be undertaken:

- **Demand.** Public preference, or demand for: monument lots or flush memorial lots; cremation; interment; or above-ground mausoleum burial.
- **Supply.** The available supply of monument and non-monument land available in the cemetery.
- **Management.** The relationship between the type of development and the cemetery management's attitudes in reacting to current burial trends.

Local Trends in Cemetery Burials

Cemetery burial techniques and public preferences are changing rapidly in Visalia as it is in many other areas. In recent years, Visalia Public Cemetery land has been absorbed for burial space at a much slower pace than in the past. Cremation burials (60%) are now the prevalent choice over conventional casket burials because of reduced expense and, as a result, of recent Catholic acceptance of cremations. Cremations may now represent only 15% to 20% of the cost of a casket funeral. Also, about 65% of casket gravesites currently have companion burials, with two persons interred in the same gravesite. It is also becoming more common to inter four cremations in a regular gravesite, which further reduces burial costs and the absorption of cemetery land. Typically, a regular gravesite in the Visalia Public Cemetery measures 4' wide by 10' long, while an ash gravesite measures 4' wide by 4' long.

Based on a recent audit, the Visalia Public Cemetery is currently experiencing approximately 500 burials per year. However, due to an increase in multiple burials, regular gravesites are being sold at an average rate of less than 210 per year.

Gravesite Burials Visalia Public Cemetery

<u>Year</u>	<u>Total Gravesite Burials</u>	<u>Single Gravesite Burials</u>	<u>Double Gravesite Burials</u>
1999	194	75	119
2000	215	99	116
2001	200	72	128
<u>2002</u>	<u>226</u>	<u>99</u>	<u>127</u>
4 Yr Totals	835	345	490

Visalia Cemetery Historical Background

The City of Visalia is the oldest incorporated City between Los Angeles and Stockton. The area was first settled in the late 1840's. In 1852, a group of settlers built a fort and named it "Fort Visalia," after early settler Nathaniel Vise. Visalia was also incorporated in 1852, the same year Tulare County was created. In 1862, during the Civil War, Camp Babbitt, comprised of three companies of Union soldiers, was established at the southwest corner of Bridge and Race Streets in Visalia. At that time, Visalia's population was estimated at 1500 persons. The first formal cemetery in Visalia was set up in 1854 on Locust Street between Race and Murray Streets and was called the "All Hallows Eve" Cemetery. The Cemetery was then moved in 1863 to its present location at Giddings Street between Goshen and Houston Avenues.

The earliest cemetery records are lost, but records that are more complete have been kept since 1875. The Visalia Cemetery was first incorporated in 1916. It is estimated that nearly 40,000 persons have been buried at the current Visalia Public Cemetery site, which now comprises approximately 68 acres of plotted land.

Cemetery Expansion and Recent Land Acquisition

Based on current burial trends, the Visalia Public Cemetery estimates that there is enough space existing in the 68 acres of plotted cemetery grounds to accommodate burials to the year 2030. In addition, the District owns a total of twenty-one adjacent residential and vacant parcels, which are planned for future cemetery use. Eleven of these parcels have frontage on Rinaldi Street, five have frontage on Turner Street and two have frontage on Goshen Avenue, and two are currently used by the cemetery for burials and dirt storage. These sites are described as follows:

A.P.N.	Address
093-062-009	912 N. Rinaldi
093-073-006	816 N. Rinaldi
093-073-008	812 N. Rinaldi
093-073-009	810 N. Rinaldi
093-073-011	806 N. Rinaldi
093-073-012	804 N. Rinaldi
093-083-001	720 N. Rinaldi
093-083-002	716 N. Rinaldi
093-083-003	712 N. Rinaldi
093-083-027	708 N. Rinaldi
093-102-020	812 N. Turner
093-091-007	712 N. Turner
093-091-006	708 N. Turner
093-091-004	704 N. Turner
093-091-003	700 N. Turner
093-091-002	640 N. Turner
093-091-024	1036 W. Goshen
093-091-023	1018 W. Goshen
093-083-031	1408 W. Goshen

093-083-032 } These two APN's have already been
 093-083-033 } acquired by the Cemetery District and are
 being used as burial sites and for storage.
 The APN's need to be included as part of
 the Cemetery maintenance property.

*The City is to notify property owners within 300 feet of above listed parcels.

Long Range Expansion and Acquisition Plans

It is the policy of the Visalia Public Cemetery Board to pursue the acquisition and purchase of adjacent properties for future expansion. In order to implement a "Long Range Land Use Plan for the Cemetery," the following neighboring properties are considered as having the highest priority for acquisition:

<u>Owner</u>	<u>A.P.N.</u>	<u>Address</u>
Gomez, Guillermo	093-073-005	818 N. Rinaldi
Dye, Raymond	093-073-007	814 N. Rinaldi
Enos, Wanda	093-073-010	808 N. Rinaldi ✓
Kelly, Timbrell	093-083-025	706 N. Rinaldi ✓
Rivera, Celeris	093-091-025	1046 W. Goshen
The Berean Christian Church	093-091-009	1021 W. Grove Street
Jordon, Bill	093-091-010	1013 W. Grove Street
Church of God	093-102-015	806 N. Turner Street
	093-102-018	1020 W. Grove Ave
Sirordia, Leonard & Christine	093-102-019	808 N. Turner Street
Thomas, Joe & Betty	093-102-003	915 W. Allen Street
Warren, Dana & Terri	093-102-001	816 N. Turner Street ✓
	093-102-002	919 W. Allen Street ✓

Zoning and General Plan Designations

The Visalia Public Cemetery is currently zoned (Q.P.) Quasi Public and the General Plan Designation is Public Institutional. As the Cemetery expands, it is appropriate that the acquired parcels be consistent with the City Plans and that they be rezoned to Q.P. and the General Plan Designations be amended to Public Institutional as necessary.

Part 2.

ELEMENTS OF THE CEMETERY LAND USE PLAN

Cemetery District Management

The Visalia Public Cemetery District has a five member Board of Directors that is appointed by the Tulare County Board of Supervisors for overlapping two-year terms. Directors are eligible for reappointment. The Cemetery Staff includes the District Manager, an administrative assistant, a receptionist, and five maintenance personnel. The Cemetery is open from 7:00 a.m. to 7:00 p.m. daily.

The Visalia Public Cemetery District covers an approximately 215 square-mile area of Tulare County. Cities and Communities served include Visalia, the largest city in Tulare County and the smaller, unincorporated areas of Goshen, Packwood, Chatham, Ivanhoe, Elbow Creek, Taurusa, Stone Corral, and Union. This area contains about 40% of the population of Tulare County. However, annual tax revenues generated by the District amount to slightly more than \$38,000. Many rural cemeteries serve districts, which have smaller populations, but generate much greater revenue because the state laws relating to Cemetery taxes are based on land area served and not population.

Land Use Plan Elements

The Cemetery Land Use Plan consists of several planning principals, objectives and goals, which will assure continuity in future cemetery land use design and development. These elements will be reviewed periodically by the District Board of Directors and amended periodically as required.

Office / Administration Building

The main office and administrative building will remain at its current location located just north of the main gate near Goshen Avenue. The existing Main Office / Administration Building was expanded in 2004. The addition consists of a two-story building housing a combined conference room / family privacy meeting room and storage.

Maintenance Facility

The existing Maintenance Facility, including shop, vehicle and equipment storage, landscape materials storage and other maintenance activities will be relocated from the existing area northwest of the administrative office, to a new location on the properties known as the "Weddle" parcel east of the Miller Memorial Chapel. The new maintenance site is currently vacant. Preliminary plans call for restricted access from Goshen Avenue with limited access to the cemetery from Turner Street, north of Miller Memorial site.

Chapels and Memorial Services

Within the City of Visalia, funerals are arranged and accommodated by several privately owned memorial chapels and facilities. The District owns and maintains a small chapel within the Cemetery at the corner of Main Street and 2nd Street. Some consideration may be given regarding the future acquisition of the Church of God properties at the northeast corner of Turner Avenue and Grove Street. This facility is adjacent to the cemetery and could meet future needs to provide memorial services for larger funeral groups.

Cemetery Plot Design

Acquisition of the 13 previously described residential properties (see page 5), along with the 21 properties currently owned by the Cemetery, should result in approximately seven (7.00) acres of additional burial site land. Both monument gardens and non-monument garden areas will be maintained and traditional sections will be expanded as needed.

Mausoleums

A mausoleum is a stately structure intended for above ground burials. The Visalia Public Cemetery is unique in that it is the only Cemetery in California that is allowed by state law to own its mausoleum. The Cemetery has two mausoleums – the old mausoleum, constructed in the late 1920's, and the newer mausoleum, which was constructed by the City of Visalia and deeded to the Cemetery District in the mid 1960's along with the Visalia Memorial Gardens. These structures may be maintained and even expanded in the future. However, with the exception of the Visalia Public Cemetery, state law prohibits public cemeteries from constructing or owning a mausoleum.

Mortuaries and Crematory Services

Cremation services are provided by several of the local mortuaries and funeral homes. Public cemeteries, by law, are not permitted to own their own mortuaries or provide cremation services.

Special Land Marks and Memorial Areas

Several special areas have been provided on the cemetery grounds. Located just east of the main gate to the cemetery, the "Eagles Niche" is a special place where cremation remains are placed and offers an aesthetic and serene place for contemplation. The "Eagles Niche" and the "Blue Star Memorial," which was donated by the Visalia Garden Club are surrounded by a Memorial Rose Garden. Also nearby is a scattering garden and a baby land area. The "Fireman's Memorial" is located across from the chapel at the northeast corner of Main Street and 2nd Street in the cemetery. The "Memorial Gardens" are situated south of the old City mausoleum on Main Street. Funds are now being solicited from donations and gifts for the construction of a "Veteran's Memorial Wall" to be located to the south and across the street from the Memorial gardens. The \$750,000 memorial walls will honor the lives of the local military heroes and display the pride Visalia has toward its veterans.

Circulation and Access

The design standards for streets and circulation within the cemetery are expected to remain essentially unchanged in the future. The intent is to accommodate funeral services with a minimum of disruption. The following principals of design will be maintained within the cemetery grounds:

Entrances:

- Retain limited public access to the main gate at Giddings and Goshen.
- Retain limited access gate for maintenance / emergencies at Turner Street.
- After the new maintenance facilities are developed at the Weddle site on Goshen, construct a new maintenance gate at Turner Street adjacent and north of Miller Funeral Chapel.
- Retain the pedestrian entrance at the north end of the cemetery.

Road Widths:

Maintain existing roadway width standards at 20' and 25' for minor roads and 30' for major roads.

On-Road Parking:

Retain policy of parallel road parking on interior streets for burial services.

Storm Drainage:

Retain rolled curbs at edges of paved streets with drainage to Goshen Avenue storm drain.

EXHIBIT D



VISALIA PUBLIC CEMETERY DISTRICT

20 YEAR MASTER PLAN - EXHIBIT B

SCALE 1" = 100'



CEMETERY



SCOTT & ASSOCIATES

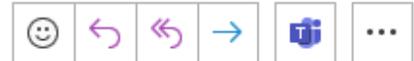
ARCHITECT

Comments on Cemetery Expansion



David Dye <daviddye1014@hotmail.com>

To Planning



Mon 8:30 AM

Retention Policy 45 Day Retention (45 days)

Expires 05/04/2023

You replied to this message on 03/21/2023 3:40 PM.

Some people who received this message don't often get email from daviddye1014@hotmail.com. [Learn why this is important](#)

March 20, 2023

City of Visalia Planning Commission

Re: General Plan Amendment No. 2022-01
Change of Zone No. 2022-02
Conditional use Permit No. 2023-02
Hearing Date: March 27, 2023

Dear Visalia City Planning Commission:

Thank you for giving me the opportunity to express my opinion regarding the Visalia Public Cemetery District's ("VPCD") expansion plans and their above-referenced requests.

My name is David Dye. I am 66 years of age and have lived at 814 North Rinaldi Street since I was 3. I grew up here, learned to play sports here with my brother and other neighborhood kids and learned to swim in my neighbor's pool.

I can show you where each of our pets are buried. My parents, who purchased this residence in May of 1960, have both passed and are buried in the cemetery approximately 80 feet due east of the back fence of the property. Their plot was specifically selected to keep them close to home.

This residence, now my residence, is NOT one of the residences affected by the VPCD's current expansion request - yet. But due to the number of homes on Rinaldi Street that have been removed in the past years, I hardly feel comfortable. Should I spend the time and money painting my house, if needed? Or putting on a new roof? Or would that be a senseless waste of time and money?

There used to be a solid community spirit in this neighborhood. It is still there but it has certainly waned over the years as the neighborhood has shrunk.

It is evident that decreasing space is a significant issue for the VPCD. It is also obvious that purchasing surrounding residential properties near the cemetery is a short-term solution to a much bigger issue. Visalia is a fast-growing city that will continue to grow. There is a clear need for a second cemetery to supplement the current cemetery site, a site that was developed many generations ago when Visalia's population was a minute fraction of its current population. Please stop tearing down our homes and invest in a long-term solution to VPCD's needs by investing in a new parcel of land for a second cemetery.

Respectfully,

David Dye

Sent from [Outlook](#)

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291
(559) 713-4359

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

General Plan Amendment No. 2022-01, Change of Zone No. 2022-02, and Conditional Use Permit No. 2023-02 – Visalia Public Cemetery District Project.

PROJECT TITLE

General Plan No. 2022-01 and Change of Zone No. 2022-02: The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021).

Conditional Use Permit No. 2023-02: The project sites are located at 914 and 920 W. Allen Avenue, 1304 W. Goshen Avenue, 916, 920, 1000, 1002, 1004, 1006, 1010, 1012, 1014, 1016, and 1020 N. Turner Street (APNs: 093-083-035, 093-112-001, 002, 003, 004, 005, 006, 017, 018, 019, 020, 021, 022).

PROJECT LOCATION

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

General Plan No. 2022-01: A request by the Visalia Public Cemetery District to amend the General Plan Land Use Map to change the land use designation of 15 parcels totaling 3.33 acres from Residential Low Density to Public Institutional, and to change the land use designation of one parcel totaling 0.24 acres from Residential Medium Density to Public Institutional.

Change of Zone No. 2022-02: A request by the Visalia Public Cemetery District to change the zoning designation of 15 parcels totaling 3.33 acres from R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) to QP (Quasi-Public), and to change the zoning designation of one parcel totaling 0.24 acres from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling unit) to QP (Quasi-Public).

Conditional Use Permit No. 2023-02: A request by the Visalia Public Cemetery District to amend Conditional Use Permit No. 2005-08, permitting the expansion of the Visalia Public Cemetery District master planned area, encompassing 13 parcels totaling 2.8 acres.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, 315 E. Acequia Avenue, Visalia, CA 93291, (559) 713-4443,
crisobal.carrillo@visalia.city

NAME OF PUBLIC/LEAD AGENCY APPROVING PROJECT

Walter Deissler, 2135 E. Harvard Court, Visalia CA 93292, wdeis@hotmail.com, (559) 901-0500

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Walter Deissler, 2135 E. Harvard Court, Visalia CA 93292, wdeis@hotmail.com, (559) 901-0500

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - _____
- Common Sense Exemption – Section 15061(b)(3)
- Statutory Exemptions- State code number:

The requested action is considered exempt under Section 15061 (b) (3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption has been prepared for the project because Section 15061 (b) (3) states that the project is exempted from CEQA if the activity is covered by the common-sense exemption, which means that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have any effect on the environment. All proposals represent changes in administrative categorization with no physical effects.

REASON FOR PROJECT EXEMPTION

Cristobal Carrillo, Associate Planner
CONTACT PERSON

(559) 713-4443
AREA CODE/PHONE

DATE

Brandon Smith
ENVIRONMENTAL COORDINATOR



August 30, 2022

Wdeis1@hotmail.com

Site Plan Review No. 2022-129:

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

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

This is your Site Plan Review Permit; your Site Plan Review became effective **August 3, 2022**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion.

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

Respectfully,

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

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE August 3, 2022
SITE PLAN NO. 2022-129
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

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

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

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

- | | | |
|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Planning | <input type="checkbox"/> Engineering prior to resubmittal plans for Site Plan Review. | |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation | <input type="checkbox"/> Fire Dept. |

REVISE AND PROCEED (see below)

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

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

Your plans must be reviewed by:

- | | |
|--|--|
| <input checked="" type="checkbox"/> CITY COUNCIL | <input type="checkbox"/> REDEVELOPMENT |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input checked="" type="checkbox"/> GPA, COZ, FOC | |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER – |
| <input checked="" type="checkbox"/> <u>ADDITIONAL COMMENTS:</u> | |

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

SITE PLAN REVIEW COMMENTS

Cristobal Carrillo, Planning Division, 559-713-4443

Date: August 3, 2022

SITE PLAN NO: 2022-129
PROJECT TITLE: Visalia Cemetery District
DESCRIPTION: Change Properties to QP Zone that Cemetery District Owns Per Land Use Plan 2003
APPLICANT: Walter Deissler
PROP. OWNER: Visalia Public Cemetery District
LOCATION TITLE: 618 N. Rinaldi Street
APN TITLE: 093-062-006, 007, 015, 026, 027, 093-083-013, 014, 015, 025, 093-102-001, 002, 093-112-021, 093-073-010
GENERAL PLAN: Public/Institutional, Low Density Residential
ZONING: QP (Quasi-Public), R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- General Plan Amendment
- Change of Zone
- Finding of Consistency

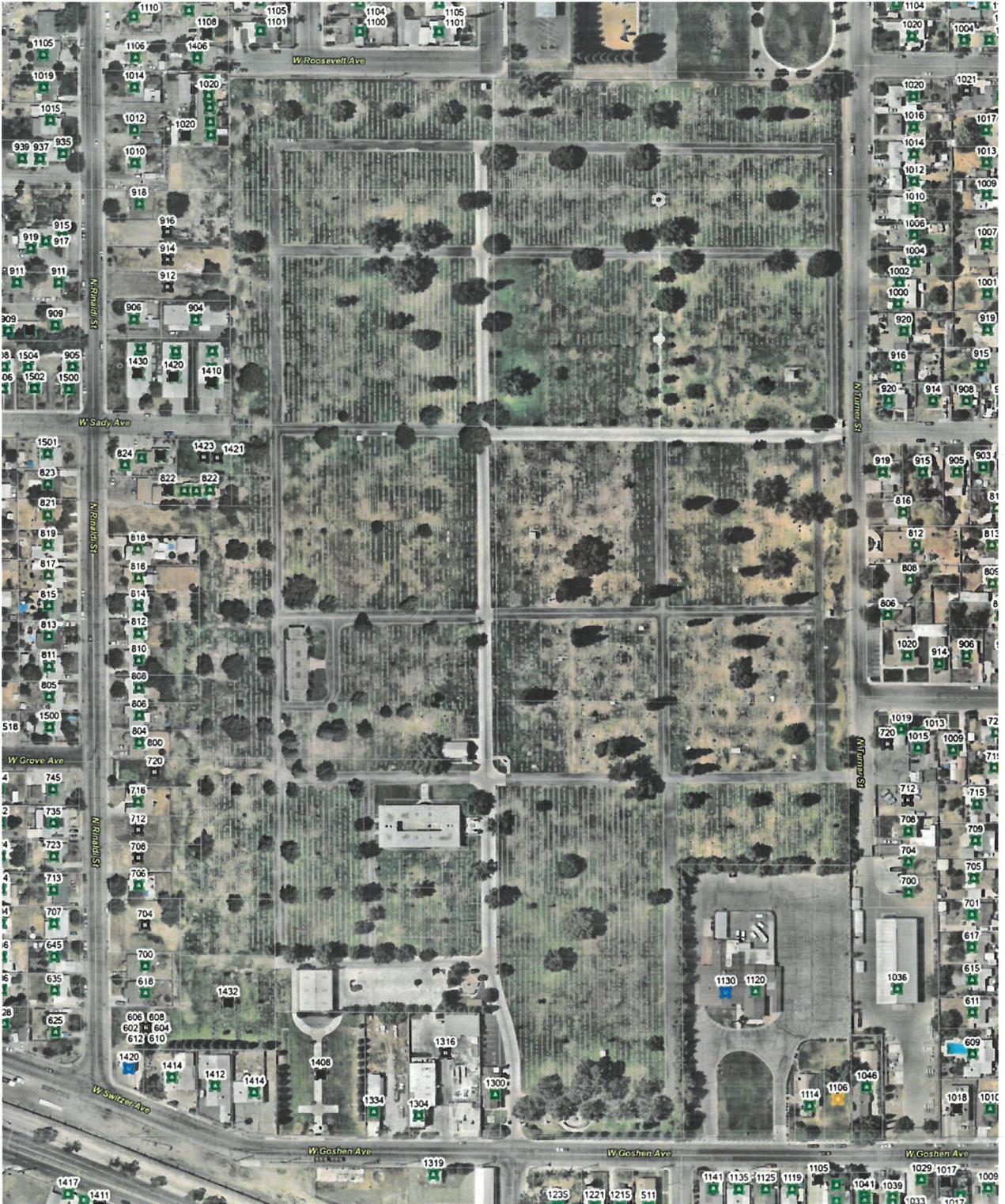
PROJECT SPECIFIC INFORMATION: August 3, 2022

1. A General Plan Amendment from Low Density Residential to Public/Institutional shall be required.
2. A Change of Zone from R-1-5 to QP shall be required.
3. The original master plan for the project outlined the growth areas for the cemetery (see approvals for Conditional Use Permit No. 2005-08, General Plan Amendment No. 2005-04, and Change of Zone No. 2005-08). This proposal proposes additional growth outside of what was initially planned for. A Finding of Consistency shall be filed to allow for the small increase in project area.
4. The project shall comply with all original requirements of the cemetery master plan, as identified in Conditional Use Permit No. 2005-08, General Plan Amendment No. 2005-04, and Change of Zone No. 2005-08.
5. The Rinaldi Street drives shall be consolidated so that only one driveway provides access to Rinaldi Street. It is highly recommended that the driveway be used, and that it be aligned with Grove Avenue to the west.
6. The project submittal shall show the entire master planned area.
7. Provide an Operational Statement describing the project in full.

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.

[Handwritten signature]

Signature _____



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

<input type="checkbox"/>	Adrian Rubalcaba	713-4271
<input type="checkbox"/>	Ather Razaq	713-4268
<input checked="" type="checkbox"/>	Edelma Gonzalez	713-4364
<input type="checkbox"/>	Jaklin Rowley	713-4369
<input type="checkbox"/>	Luqman Ragabi	713-4362
<input type="checkbox"/>	Lupe Garcia	713-4197

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with radius;
- Install curb; gutter
- Drive approach size: Use radius return;
- Sidewalk: 5' width; parkway width at **Rinaldi St, Turner St, & Sady**
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership. **RINALDY, TURNER & SADY**
- Deed required prior to issuing building permit; **FOR ANY PUBLIC IMPROVEMENT ENCROACHMENTS**
- City Encroachment Permit Required. **FOR ALL WORK NEEDED WITHIN PUBLIC RIGHT-OF-WAY**
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .20%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.

ITEM NO: 6 DATE: AUG 3, 2022

SITE PLAN NO.: 22-129
 PROJECT TITLE: VISALIA CEMETERY DISTRICT
 DESCRIPTION: CHANGE PROPERTIES TO QP ZONE THAT CEMETERY DISTRICT OWNS PER LAND USE PLAN 2003.

APPLICANT: WALTER DEISLER
 PROP OWNER: VISALIA PUBLIC CEMETERY DISTRICT
 LOCATION: 618, 916, 918, 1010 N RINALDI ST. 1410, 1420 W SADY AVE. 816, 1004 N TURNER ST. 919 W ALLAN AVE

APN: 093-062-006, 007, 015, 026, 027.
 093-083-013, 014, 015, 025.
 093-102-001, 002.
 093-112-021, & 093-073-010.

- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- Traffic indexes per city standards:
- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements.
- A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

- 1. A building permit is required, standard plan check and inspection fees will apply.**
- 2. Missing frontage improvements are required along Rinaldi, Turner, and Sady. Include sidewalk, street trees, with Landscape and irrigation.**
- 3. Impact fees will be required for undeveloped lots.**
- 4. Easement may be required.**
- 5. Comply with Traffic Safety Divisionas comments for drive approach locations.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **22-129**
Date: **08/03/2022**

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

(Fee Schedule Date:**07/21/2022**)
(Project type for fee rates:**TBD**)

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

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

Reimbursement:

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



Edelma Gonzalez



Site Plan Comments

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

Date	August 3, 2022
Item #	6
Site Plan #	22129
APN:	093062006 and additional

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

Corbin Reed
Fire Marshal

City of Visalia
Building: Site Plan
Review Comments

SPR22124
VISALIA CEMETERY DISTRICT
618 N. RINALDI ST.

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

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

Additional comments: _____

VAL GARCIA 8/3/22
Signature



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

Date: 08/03/2022
 Item: 6
 Site Plan: SPR22129
 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: _____

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

August 3, 2022

ITEM NO: 6
SITE PLAN NO: SPR22129
PROJECT TITLE: Visalia Cemetery District
DESCRIPTION: Change Properties to QP Zone that Cemetery District Owns Per Land Use Plan 2003.
APPLICANT: Walter Deisler
OWNER: VISALIA PUBLIC CEMETERY DISTRICT
VISALIA CEMETERY DISTRICT
VISALIA PUB CEM DIST
APN: 093062006
093062007
093062015
093062026
093062027
093083013
093083014
093083015
093083025
093102001
093102002
093112021
093073010
LOCATION: 618 N RINALDI ST

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

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

Additional Comments:

- Recommend combine 3 proposed driveways on Rinaldi to one/two driveways. Driveway does not align with Grove Ave. Needs to either align or be eliminated.
- Provide operational statement for ingress/egress. How is site circulation handled for multiple events on the same day? Local road for exiting?

Leslie Blair

Leslie Blair

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

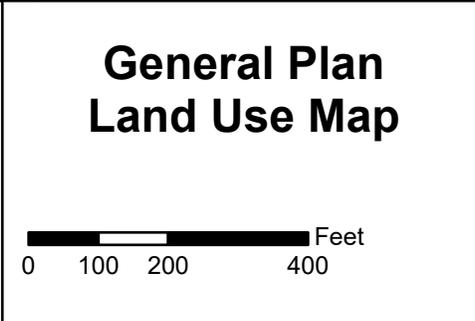
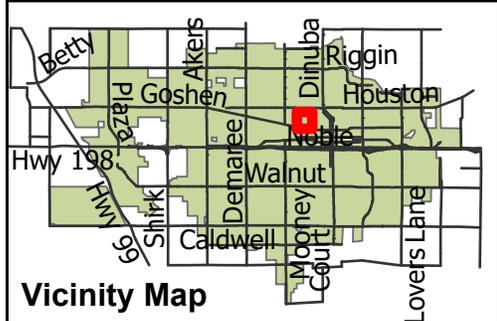
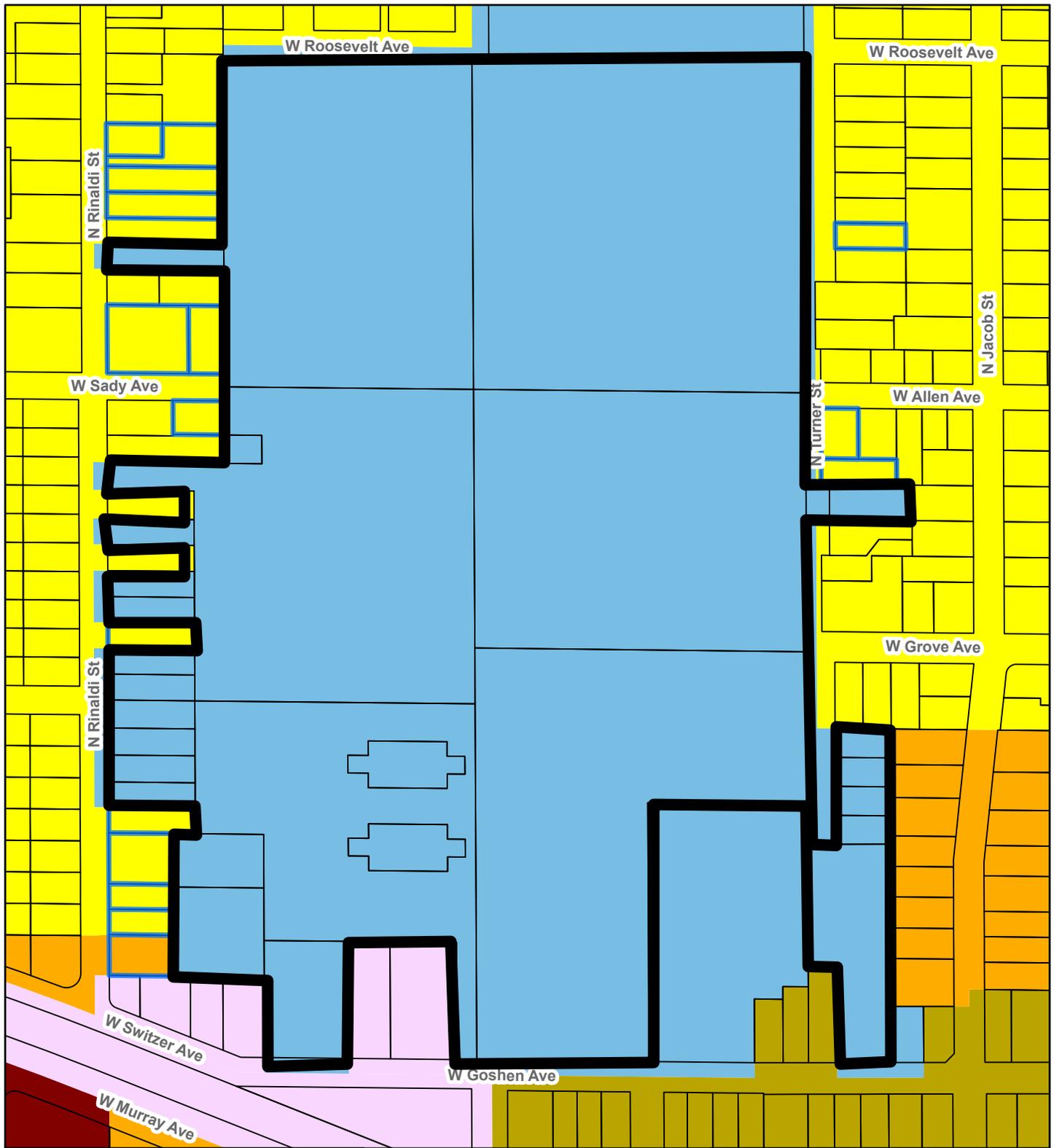
22129

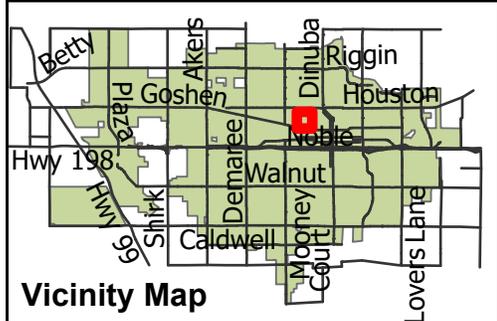
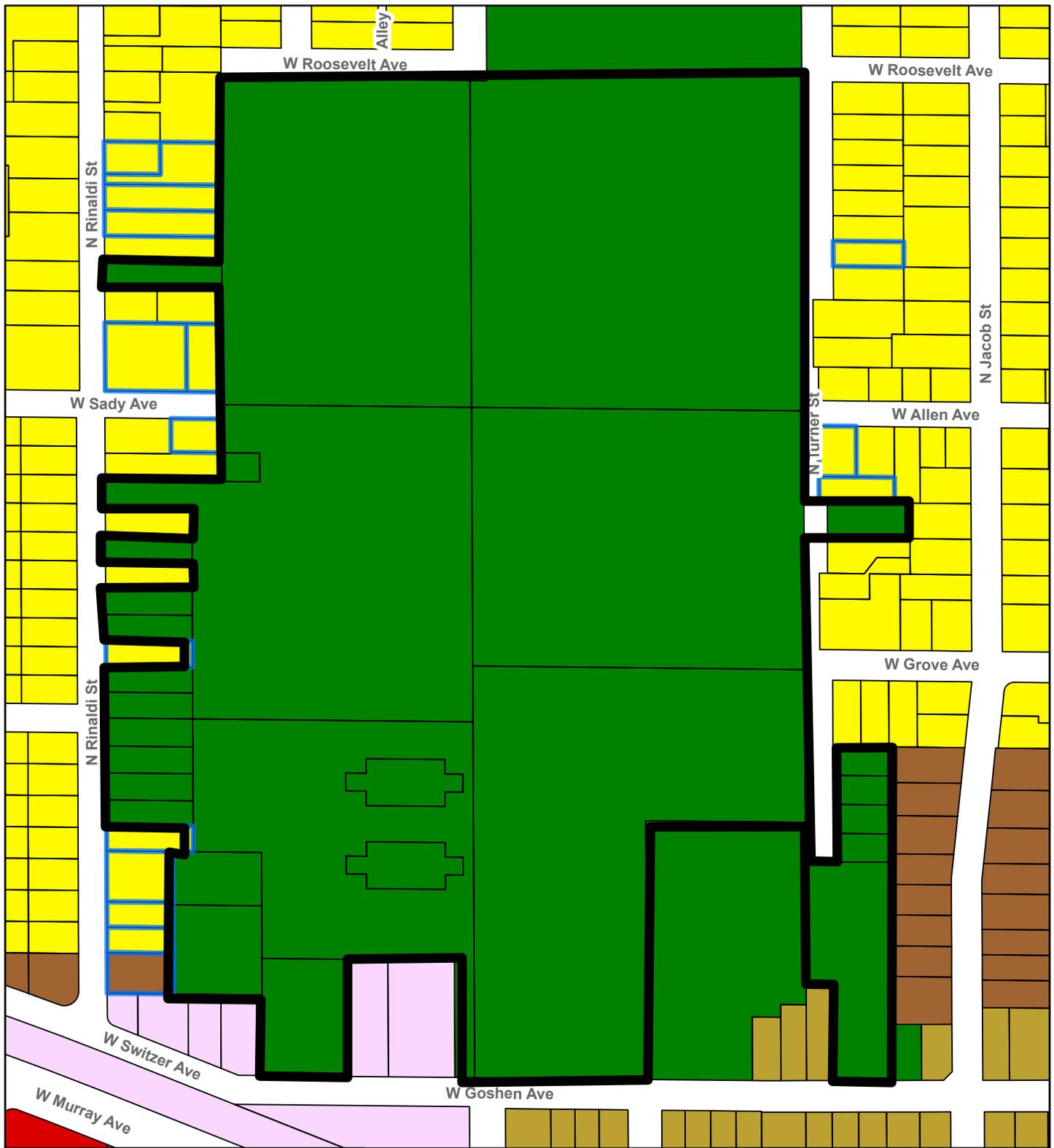
August 3, 2022

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

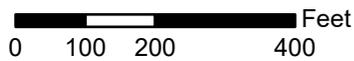
Jason Serpa, Solid Waste Manager, 559-713-4533
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532

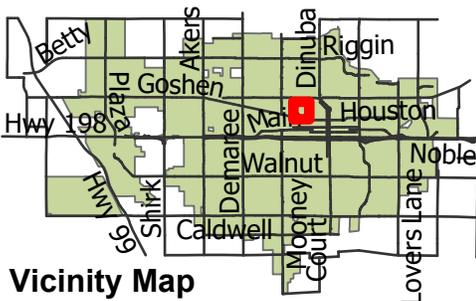
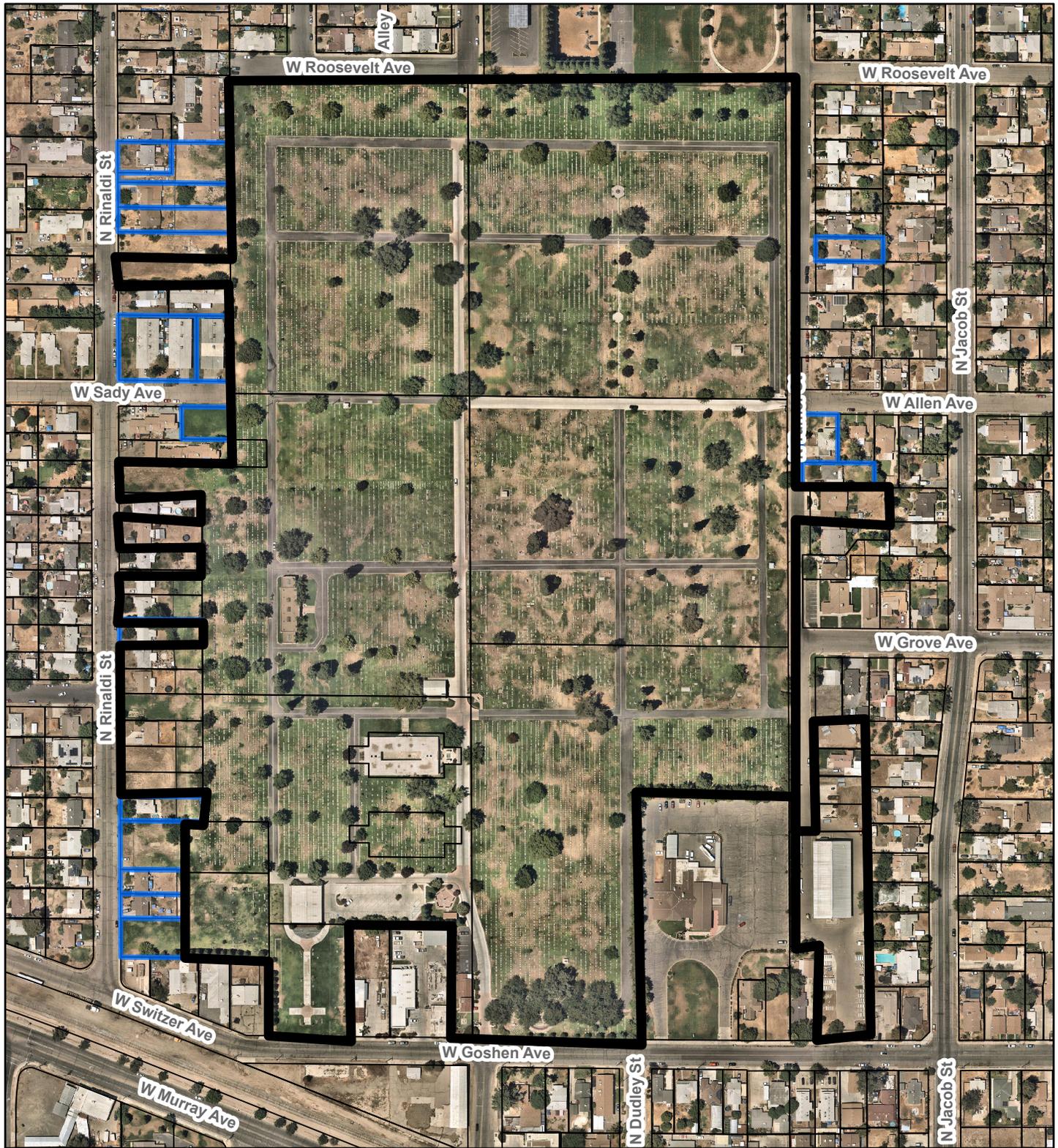


Zoning Map



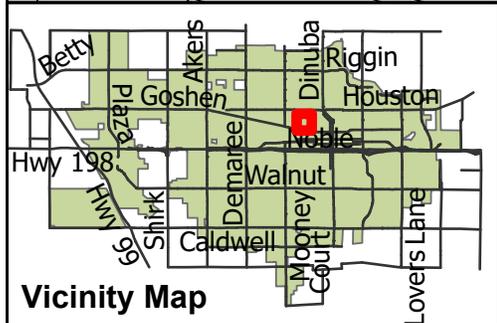
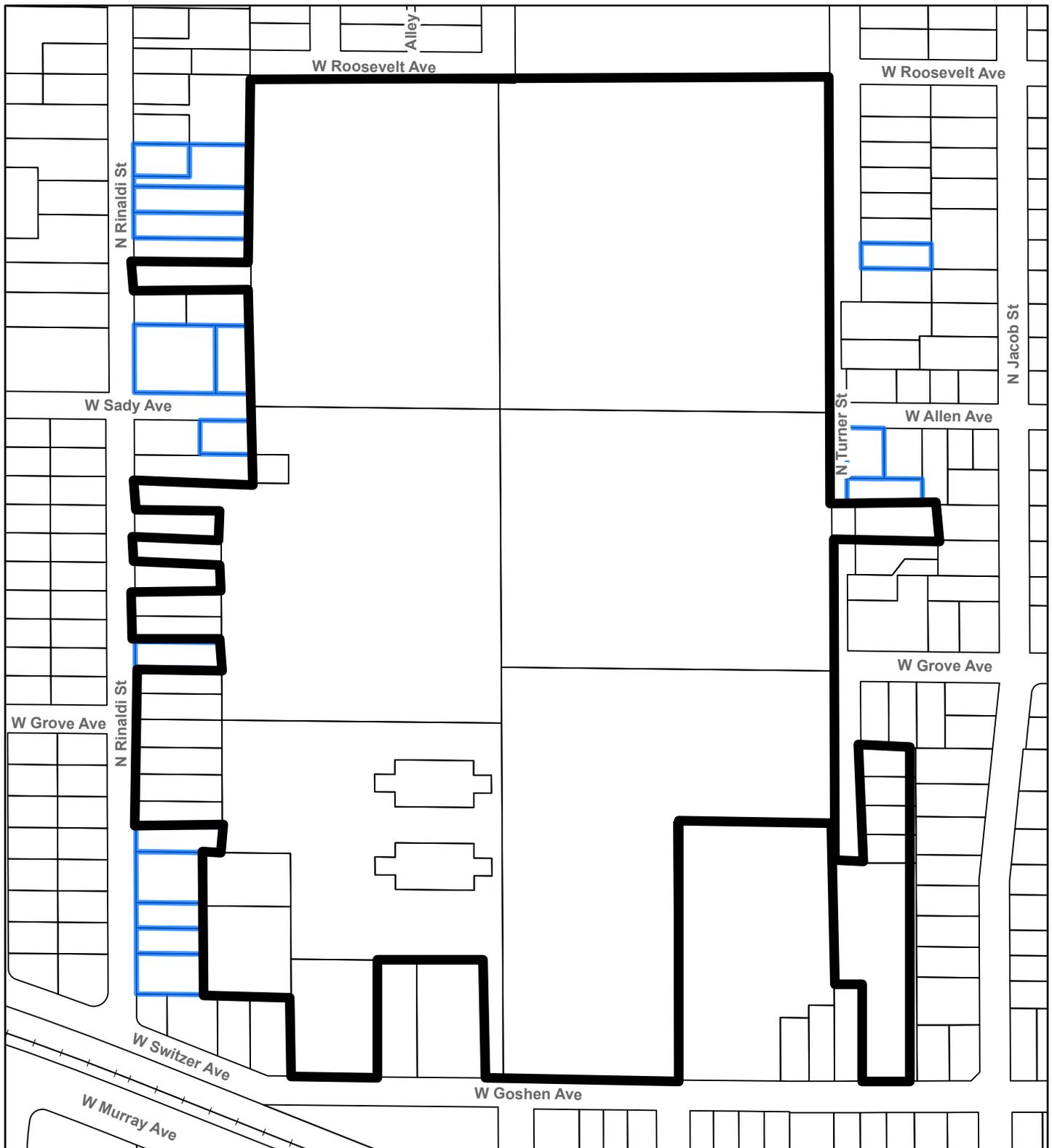
- C-N Neighborhood Commercial
- C-MU Mixed Use Commercial
- QP Quasi-Public
- R-1-5 Single-family Residential
- R-M-2 Multi-family Residential
- R-M-3 Multi-family Residential



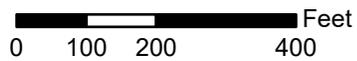


Aerial Photo





Location Map



City of Visalia
Memo



To: Planning Commission

From: Cristobal Carrillo, Associate Planner (559) 713-4443

Date: March 27, 2023

Re: Late Correspondence for Planning Commission Agenda Items No. 6: General Plan Amendment No. 2022-01, Change of Zone No. 2022-02, and Conditional Use Permit No. 2023-02

The Planning Division has received one item of correspondence after the Planning Commission agenda packets were printed for distribution to Commission members. The attached e-mail is from Vanessa Gonzalez, regarding concerns and opposition to General Plan Amendment No. 2022-01, Change of Zone No. 2022-02, and Conditional Use Permit No. 2023-02.

General plan amendment no. 2022-01



vanessa gonzalez <vanessagz@hotmail.com>
To Planning



03/27/2023

You replied to this message on 03/27/2023 4:51 PM.

[Some people who received this message don't often get email from vanessagz@hotmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Planning Division,

Thank you for the opportunity to share my thoughts on the plan to expand the cemetery.

My name is Vanessa Gonzalez and I am a Visalia resident and homeowner in the 300 feet of the proposed expansion.

I am writing this letter to state that at the last election cycle I heard many of the now elected city council members promise to focus on homelessness and building more low-income housing as a top priority. It is my belief that this expansion and any future expansions would go against that very promise.

Our city cemetery is located in the center of the city surrounded by many low-income families in an area that is by most measures the most "affordable" by these families. From what I see Visalia has not built or is building any low-income housing projects. I see plenty of homes being built but none that are affordable to the families in the area. The families in this area are limited in their options based on socio-economic status and at times immigration status. This expansion and any future expansion ONLY displaces these low-income families, with no options for new low-income housing. We are losing low-income housing and it is not being replaced with new housing for them. This can lead to further risk to increasing the homelessness population. I would also like to note that this isn't just an issue of class, but of race, as the population of this area is majority Latino/Hispanic. I am saddened that this vulnerable population is being displaced. These are my neighbors and possibly my own family if this expansion continues.

We all know that there is no end to expansion. There is no end to death, unfortunately and the will continue to ask for my land, possibly displacing me and my children, and more of my vulnerable neighbors. So what do I propose? I would like you all to consider the possibility of expanding the cemetery in a new location. For example, I know that Exeter and Dinuba have their cemeteries away from the city so that any expansions not displace families. Please consider other lands outside of the city limits. There is no reason for the cemetery to continue to expel families.

Thank you,

Vanessa Gonzalez
701 N Jacob St.
Visalia, CA 93291

City of Visalia
Memo



To: Planning Commission

From: Cristobal Carrillo, Associate Planner (559) 713-4443

Date: March 27, 2023

Re: Late Correspondence for Planning Commission Agenda Item No. 6: General Plan Amendment No. 2022-01, Change of Zone No. 2022-02, and Conditional Use Permit No. 2023-02

The resolutions provided with the staff report for General Plan Amendment No. 2022-01, Change of Zone No. 2022-02, and Conditional Use Permit No. 2023-02 have been revised to include additional findings pertaining to Government Code Section 66300. Revised copies of the resolutions are attached review and consideration.

RESOLUTION NO. 2022-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2022-01: A REQUEST BY THE VISALIA PUBLIC CEMETERY DISTRICT TO AMEND THE GENERAL PLAN LAND USE MAP TO CHANGE THE LAND USE DESIGNATION OF 15 PARCELS TOTALING 3.33 ACRES FROM RESIDENTIAL LOW DENSITY TO PUBLIC INSTITUTIONAL, AND TO CHANGE THE LAND USE DESIGNATION OF ONE PARCEL TOTALING 0.24 ACRES FROM RESIDENTIAL MEDIUM DENSITY TO PUBLIC INSTITUTIONAL. THE PROJECT SITES ARE LOCATED AT 919 WEST ALLEN AVENUE, 618, 700, 706, 808, 918, 1010 NORTH RINALDI STREET, 1410, 1420, 1430 WEST SADY AVENUE, 816, 1004 NORTH TURNER STREET (APNS: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021)

WHEREAS, General Plan Amendment No. 2022-01 is a request by the Visalia Public Cemetery District to amend the General Plan Land Use Map to change the land use designation of 15 parcels totaling 3.33 acres from Residential Low Density to Public Institutional, and to change the land use designation of one parcel totaling 0.24 acres from Residential Medium Density to Public Institutional. The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on February 27, 2023; and

WHEREAS, at the February 27, 2023 Planning Commission meeting the item was removed from the meeting agenda due to project description errors discovered in the public hearing notice published in the Visalia Times-Delta newspaper. The Planning Commission continued the project to the March 13, 2023 Planning Commission meeting at the request of the applicant; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 13, 2023; and

WHEREAS, at the March 13, 2023 Planning Commission meeting the item was continued due errors in the processing and mailing of public hearing notices. The Planning Commission continued the project to the March 27, 2023 Planning Commission meeting at the request of staff; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 27, 2023; and

WHEREAS, the Planning Commission of the City of Visalia considered General Plan Amendment No. 2022-01 to be in accordance with Section 17.54.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment; and

WHEREAS, the Planning Commission finds that the 2005 Visalia Public Cemetery District land use master plan and boundary map was established in 2005, prior to the 2019 enactment of Government Code Section 66300 (Housing Crisis Act of 2019) for the preservation of residential land use capacity, as such, the areas identified by the Cemetery District master plan in 2005 for future rezone and growth of the public cemetery are not subject to the provisions of Government Code Section 66300(i), which prohibits changes in land use designations to a less intensive use that result in a net loss of residential capacity; and

WHEREAS, the Planning Commission finds that the only properties under this decision subject to Government Code Section 66300(i) are the twelve properties within the proposed master plan boundary expansion, located east of North Turner Street, between West Allen Avenue and West Roosevelt Avenue. These areas total 2.13 acres of Low Density Residential / R-1-5 Zone land. This comprises 0.228 percent of the total Low Density Residential land available within the Tier 1 Urban Development Boundary of the City of Visalia; and

WHEREAS, the Planning Commission finds that there are a total of 13 units located within the proposed master plan boundary expansion area, which could be removed if the Cemetery District were to acquire and develop the properties, however, Government Code Section 66300 does not address impacts from the loss of individual residential units, only the loss of residential land use capacity and the capacity loss is insignificant; and

WHEREAS, the Planning Commission finds that there are a total of 13 units located within the proposed master plan boundary expansion area, which would be removed if the Cemetery District were to acquire and develop the properties, per analysis of land available for the development of single family residences (June 13, 2022 City Council Report “Overview of the City of Visalia Urban Development Boundaries and discussion on Residential Housing Inventories within Tier I and Tier II”), there are still approximately 932-acres of undeveloped single-family residential land in Urban Development Boundary Tier I, providing space for the development of roughly 2,000 single family residential lots.

WHEREAS, the Planning Commission notes that the revised land use designation still permits the conditional construction of residential housing, which represents maintenance of some residential land use capacity.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15061(b)(3).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2022-01 based on the following specific findings and evidence presented:

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, 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 General Plan Amendment from Residential Low Density and Residential Medium Density to Public Institutional is compatible with adjacent land uses and is consistent with the goals and policies of the 2005 Visalia Public Cemetery District Land Use Plan.
3. The reclassification of residential property to public institutional will not have a negative impact on the City's housing stock or Regional Housing Need Allocation as none of the sites proposed for reclassification are listed on the City's sites inventory list for Visalia's Regional Housing Needs Allocation.
4. The potential loss of Low Density Residential/R-1-5 Zone land use capacity is less than 1% and will not significantly affect the overall availability of low-density residential land for development within the City.
5. The potential loss of thirteen residential units because of potential expansion of the public cemetery is considered less than significant to the residential capacity within the City.
6. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2022-01, as depicted per Exhibit "A", on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.54.070 of the Ordinance Code of the City of Visalia.

Commissioner Gomez offered the motion to this resolution. Commissioner Tavarez seconded the motion and it carried by the following vote:

AYES: Commissioners Gomez, Tavarez, Beatie, Hansen
 NOES:
 ABSTAINED:
 ABSENT: Commissioner Peck

STATE OF CALIFORNIA)
 COUNTY OF TULARE) ss
 CITY OF VISALIA)

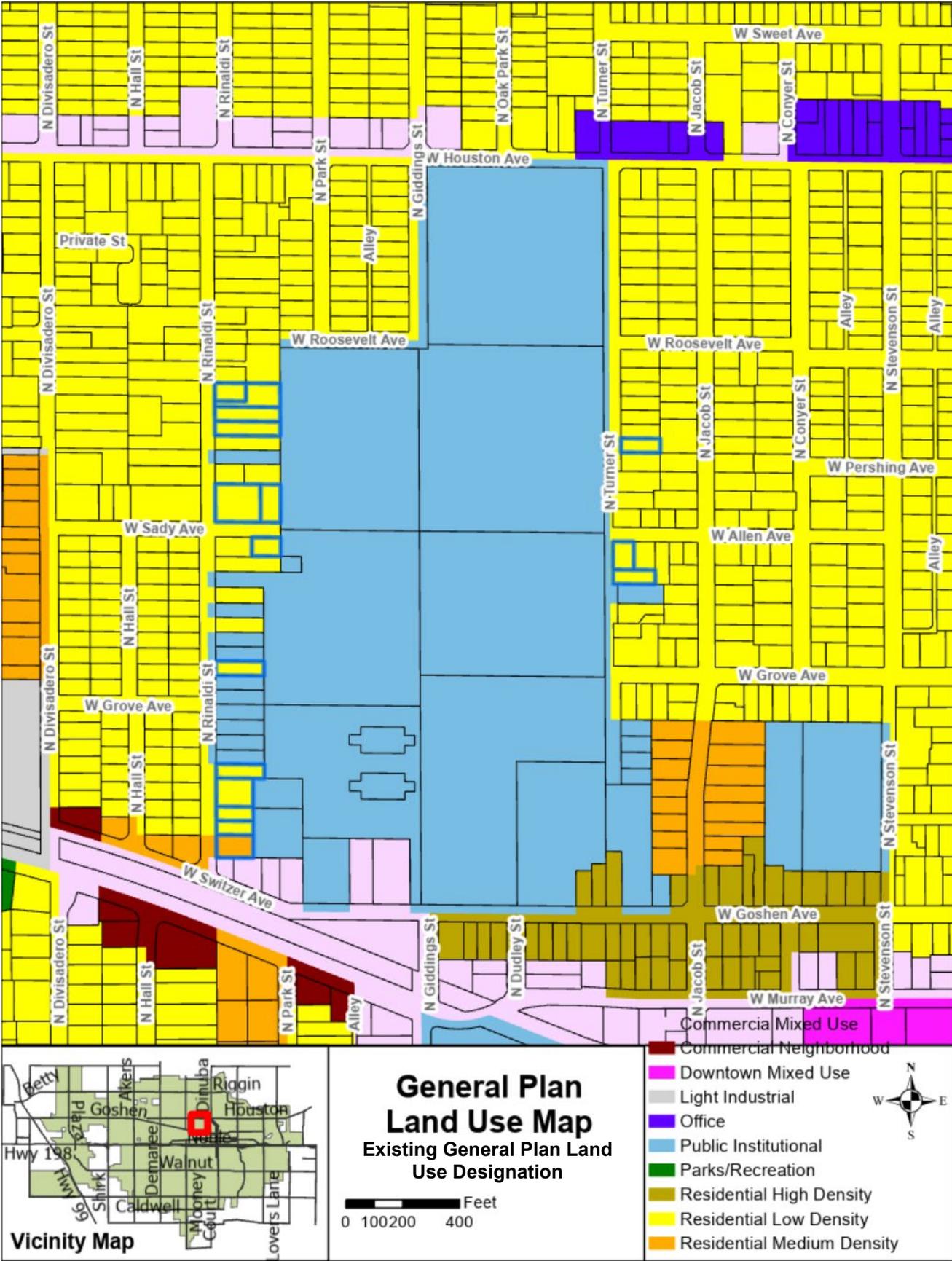
ATTEST: Paul Bernal, Community Development Director

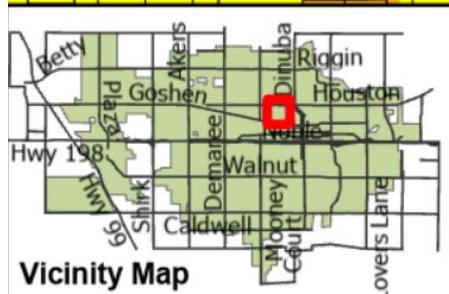
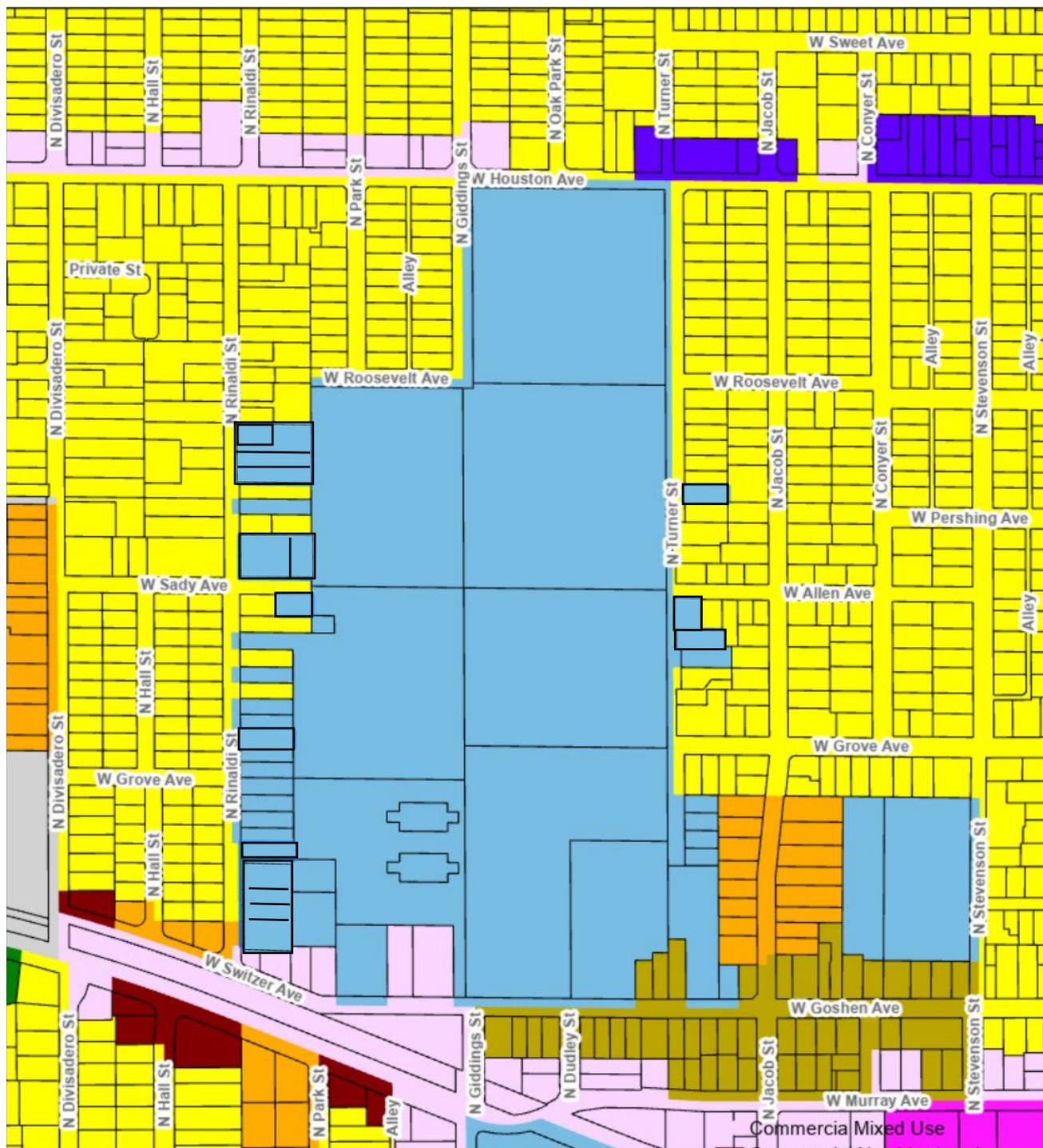
I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2022-43, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on March 27, 2023.

Paul Bernal, Community Development Director

Marvin Hansen, Chairperson

EXHIBIT "A"
GENERAL PLAN AMENDMENT NO. 2022-01
 Planning Commission – Resolution No. 2022-43





General Plan Land Use Map

Proposed General Plan Land Use Designation

0 100 200 400 Feet

- Commercial Neighborhood
- Downtown Mixed Use
- Light Industrial
- Office
- Public Institutional
- Parks/Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density



RESOLUTION NO. 2022-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CHANGE OF ZONE NO. 2022-02: A REQUEST BY THE VISALIA PUBLIC CEMETERY DISTRICT TO CHANGE THE ZONING DESIGNATION OF 15 PARCELS TOTALING 3.33 ACRES FROM R-1-5 (SINGLE FAMILY RESIDENTIAL, 5,000 SQ. FT. MINIMUM SITE AREA) TO QP (QUASI-PUBLIC), AND TO CHANGE THE ZONING DESIGNATION OF ONE PARCEL TOTALING 0.24 ACRES FROM R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ. FT. MINIMUM SITE AREA PER DWELLING UNIT) TO QP (QUASI-PUBLIC). THE PROJECT SITES ARE LOCATED AT 919 WEST ALLEN AVENUE, 618, 700, 706, 808, 918, 1010 NORTH RINALDI STREET, 1410, 1420, 1430 WEST SADY AVENUE, 816, 1004 NORTH TURNER STREET (APNS: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021)

WHEREAS, Change of Zone No. 2022-02 is a request by the Visalia Public Cemetery District to change the zoning designation of 15 parcels totaling 3.33 acres from R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) to QP (Quasi-Public), and to change the zoning designation of one parcel totaling 0.24 acres from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling unit) to QP (Quasi-Public). The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on February 27, 2023; and

WHEREAS, at the February 27, 2023 Planning Commission meeting the item was removed from the meeting agenda due to project description errors discovered in the public hearing notice published in the Visalia Times-Delta newspaper. The Planning Commission continued the project to the March 13, 2023 Planning Commission meeting at the request of the applicant; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 13, 2023; and

WHEREAS, at the March 13, 2023 Planning Commission meeting the item was continued due errors in the processing and mailing of public hearing notices. The Planning Commission continued the project to the March 27, 2023 Planning Commission meeting at the request of staff; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 27, 2023; and

WHEREAS, the Planning Commission of the City of Visalia considered Change of Zone No. 2022-02 to be in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment; and

WHEREAS, the Planning Commission finds that the 2005 Visalia Public Cemetery District land use master plan and boundary map was established in 2005, prior to the 2019 enactment of Government Code Section 66300 (Housing Crisis Act of 2019) for the preservation of residential land use capacity, as such, the areas identified by the Cemetery District master plan in 2005 for future rezone and growth of the public cemetery are not subject to the provisions of Government Code Section 66300(i), which prohibits changes in land use designations to a less intensive use that result in a net loss of residential capacity; and

WHEREAS, the Planning Commission finds that the only properties under this decision subject to Government Code Section 66300(i) are the twelve properties within the proposed master plan boundary expansion, located east of North Turner Street, between West Allen Avenue and West Roosevelt Avenue. These areas total 2.13 acres of Low Density Residential / R-1-5 Zone land. This comprises 0.228 percent of the total Low Density Residential land available within the Tier 1 Urban Development Boundary of the City of Visalia; and

WHEREAS, the Planning Commission finds that there are a total of 13 units located within the proposed master plan boundary expansion area, which could be removed if the Cemetery District were to acquire and develop the properties, however, Government Code Section 66300 does not address impacts from the loss of individual residential units, only the loss of residential land use capacity and the capacity loss is insignificant; and

WHEREAS, the Planning Commission finds that there are a total of 13 units located within the proposed master plan boundary expansion area, which would be removed if the Cemetery District were to acquire and develop the properties, per analysis of land available for the development of single family residences (June 13, 2022 City Council Report “Overview of the City of Visalia Urban Development Boundaries and discussion on Residential Housing Inventories within Tier I and Tier II”), there are still approximately 932-acres of undeveloped single-family residential land in Urban Development Boundary Tier I, providing space for the development of roughly 2,000 single family residential lots.

WHEREAS, the Planning Commission notes that the revised land use designation still permits the conditional construction of residential housing, which represents maintenance of some residential land use capacity.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15061(b)(3).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of Change of Zone No. 2022-02 based on the following specific findings and evidence presented:

1. That the Change of Zone is consistent with the intent of the General Plan, Zoning Ordinance, and 2005 Visalia Public Cemetery District Land Use Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements Citywide.
2. That the proposed QP (Quasi Public) zoning is consistent with the Public Institutional land use designation and compatible with adjacent land uses.
3. The reclassification of residential property to Quasi-Public will not have a negative impact on the City's housing stock as none of the sites proposed for reclassification are listed on the City's sites inventory list for Visalia's Regional Housing Needs Allocation.
4. The potential loss of Low Density Residential/R-1-5 Zone land use capacity is less than 1% and will not significantly affect the overall availability of low-density residential land for development within the City.
5. The potential loss of thirteen residential units because of potential expansion of the public cemetery is considered less than significant to the residential capacity within the City.
6. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of Change of Zone No. 2022-02, as depicted per Exhibit "A", on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.44.070 of the Ordinance Code of the City of Visalia.

Commissioner Gomez offered the motion to this resolution. Commissioner Tavarez seconded the motion and it carried by the following vote:

AYES: Commissioners Gomez, Tavarez, Beatie, Hansen

NOES:

ABSTAINED:

ABSENT: Commissioner Peck

STATE OF CALIFORNIA)
 COUNTY OF TULARE) ss
 CITY OF VISALIA)

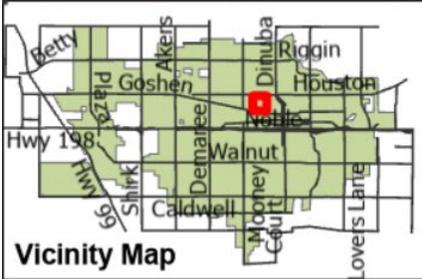
ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2022-44, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on March 27, 2023.

Paul Bernal, Community Development Director

Marvin Hansen, Chairperson

EXHIBIT "A"
CHANGE OF ZONE NO. 2022-02
 Planning Commission – Resolution No. 2022-44



ZONING MAP
Existing Zoning
Designation

0 100 200 400 Feet

- C-N Neighborhood Commercial
- C-MU Mixed Use Commercial
- QP Quasi-Public
- R-1-5 Single-family Residential
- R-M-2 Multi-family Residential
- R-M-3 Multi-family Residential



RESOLUTION NO. 2023-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2023-02, A REQUEST BY THE VISALIA PUBLIC CEMETERY DISTRICT TO AMEND CONDITIONAL USE PERMIT NO. 2005-08, PERMITTING THE EXPANSION OF THE VISALIA PUBLIC CEMETERY DISTRICT MASTER PLANNED AREA, ENCOMPASSING 13 PARCELS TOTALING 2.8 ACRES. THE PROJECT SITES ARE LOCATED AT 914 AND 920 W. ALLEN AVENUE, 1304 W. GOSHEN AVENUE, 916, 920, 1000, 1002, 1004, 1006, 1010, 1012, 1014, 1016, AND 1020 N. TURNER STREET (APNS: 093-083-035, 093-112-001, 002, 003, 004, 005, 006, 017, 018, 019, 020, 021, 022)

WHEREAS, Conditional Use Permit No. 2023-02, is a request by the Visalia Public Cemetery District to amend Conditional Use Permit No. 2005-08, permitting the expansion of the Visalia Public Cemetery District master planned area, encompassing 13 parcels totaling 2.8 acres. The project sites are located at 914 and 920 W. Allen Avenue, 1304 W. Goshen Avenue, 916, 920, 1000, 1002, 1004, 1006, 1010, 1012, 1014, 1016, and 1020 N. Turner Street (APNs: 093-083-035, 093-112-001, 002, 003, 004, 005, 006, 017, 018, 019, 020, 021, 022); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on February 27, 2023; and

WHEREAS, at the February 27, 2023 Planning Commission meeting the item was removed from the meeting agenda due to project description errors discovered in the public hearing notice published in the Visalia Times-Delta newspaper. The Planning Commission continued the project to the March 13, 2023 Planning Commission meeting at the request of the applicant; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 13, 2023; and

WHEREAS, at the March 13, 2023 Planning Commission meeting the item was continued due errors in the processing and mailing of public hearing notices. The Planning Commission continued the project to the March 27, 2023 Planning Commission meeting at the request of staff; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 27, 2023; and

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

WHEREAS, the Planning Commission finds that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment; and

WHEREAS, the Planning Commission finds that the 2005 Visalia Public Cemetery District land use master plan and boundary map was established in 2005, prior to the 2019 enactment of Government Code Section 66300 (Housing Crisis Act of 2019) for the preservation of residential land use capacity, as such, the areas identified by the Cemetery District master plan in 2005 for future rezone and growth of the public cemetery are not subject to the provisions of Government Code Section 66300(i), which prohibits changes in land use designations to a less intensive use that result in a net loss of residential capacity; and

WHEREAS, the Planning Commission finds that the only properties under this decision subject to Government Code Section 66300(i) are the twelve properties within the proposed master plan boundary expansion, located east of North Turner Street, between West Allen Avenue and West Roosevelt Avenue. These areas total 2.13 acres of Low Density Residential / R-1-5 Zone land. This comprises 0.228 percent of the total Low Density Residential land available within the Tier 1 Urban Development Boundary of the City of Visalia; and

WHEREAS, the Planning Commission finds that there are a total of 13 units located within the proposed master plan boundary expansion area, which could be removed if the Cemetery District were to acquire and develop the properties, however, Government Code Section 66300 does not address impacts from the loss of individual residential units, only the loss of residential land use capacity and the capacity loss is insignificant; and

WHEREAS, the Planning Commission finds that there are a total of 13 units located within the proposed master plan boundary expansion area, which would be removed if the Cemetery District were to acquire and develop the properties, per analysis of land available for the development of single family residences (June 13, 2022 City Council Report “Overview of the City of Visalia Urban Development Boundaries and discussion on Residential Housing Inventories within Tier I and Tier II”), there are still approximately 932-acres of undeveloped single-family residential land in Urban Development Boundary Tier I, providing space for the development of roughly 2,000 single family residential lots.

WHEREAS, the Planning Commission notes that the revised land use designation still permits the conditional construction of residential housing, which represents maintenance of some residential land use capacity.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15061(b)(3).

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 project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:

- a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the property at 1004 North Turner Street, which is owned by the Cemetery District and not currently located within the master plan boundary, will be brought into conformance with the master plan through inclusion within the expanded master plan boundary requested herein.
4. The reclassification of residential property to public institutional will not have a negative impact on the City's housing stock or Regional Housing Need Allocation as none of the sites proposed for reclassification are listed on the City's sites inventory list for Visalia's Regional Housing Needs Allocation.
5. The potential loss of Low Density Residential/R-1-5 Zone land use capacity is less than 1% and will not significantly affect the overall availability of low-density residential land for development within the City.
6. The potential loss of thirteen residential units because of potential expansion of the public cemetery is considered less than significant to the residential capacity within the City.
7. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

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

1. That the project be developed in compliance with the site plans shown in Exhibit "A", operational statement in Exhibit "B", and land use plan in Exhibit "C".
2. That parcels owned and/or acquired by Visalia Public Cemetery District along Rinaldi Avenue and Turner Street shall have a combined minimum of 300 feet of contiguous frontage along said street prior to the conducting of routine cemetery operations and burial plots on those properties adjacent to the street.
3. That burial plots shall not be placed in single parcels or narrow gaps between active residential units.
4. That the Visalia Public Cemetery District shall amend their master plan prior to the acquisition of properties not within the master plan boundary map in Exhibit "A."
5. That all other conditions of Conditional Use Permit No. 2005-08 shall be applicable unless superseded by conditions in Conditional Use Permit No. 2023-02.
6. That the Conditional Use Permit No. 2023-02 shall be null and void unless General Plan Amendment No. 2022-01 and Change of Zone No. 2022-02 are approved by the City of Visalia.

7. That all applicable federal, state and city laws, codes and ordinances be met.

Commissioner Gomez offered the motion to this resolution. Commissioner Tavarez seconded the motion and it carried by the following vote:

AYES: Commissioners Tavarez, Beatie, Hansen

NOES: Commissioner Gomez

ABSTAINED:

ABSENT: Commissioner Peck

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2023-07 passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on March 27, 2023.

Paul Bernal, Community Development Director

Marvin Hansen, Chairperson