

RESOLUTION NO. 2021-65

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF VISALIA RECOMMENDING APPROVAL OF ANNEXATION NO. 2021-03 AND DETACHMENT OF PROPERTY FROM COUNTY SERVICE AREA NO. 1, PERTAINING TO ONE PARCEL TOTALING 32.35-ACRES INTO THE CITY LIMITS OF VISALIA. UPON ANNEXATION, THE SITE SHALL BE ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL 5,000 SQUARE FOOT MINIMUM), WHICH IS CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL. THE PROJECT SITE IS LOCATED AT THE SOUTHEAST CORNER OF SOUTH LOVERS LANE AND EAST CHERRY AVENUE (APN: 127-030-018).

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

WHEREAS, the Planning Commission of the City of Visalia, after a duly published notice, did hold a public hearing on May 9, 2022, and

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

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

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

WHEREAS, the territory proposed to be annexed is located in Voting District 2 as identified in the Election District Map adopted by the City Council on February 22, 2022 per Resolution No. 2022-11; and

WHEREAS, the Planning Commission reviewed this proposal on May 9, 2022, and found it to be consistent with the General Plan; and

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

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

1. That Annexation is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Annexation, which will re-designate 32.35-acres of AE-20 (Agricultural Exclusive 20-acre) County zone district to R-1-5 (Single-family Residential 5,000 square foot minimum site area) City zone district, will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
3. That the parcel is not located within an Agricultural Preserve.
4. That the parcel is located within Voting District 2 per the Council Election Voting District Map.
5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-49, is hereby adopted. Furthermore, neither the design of the subdivision nor the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2021-49 for Annexation No. 2021-03 and Higgins Ranch Tentative Subdivision Map No. 5585 and Tentative Parcel Map 2022-01 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. Upon annexation, the territory shall be zoned Single-Family Residential, 5,000 square foot minimum site area (R-1-5) consistent with the pre-zoning designated by the General Plan Land Use Map which designates the site as Low Density Residential.
2. That the applicant(s) enter into a Pre-Annexation Agreement with the City which memorializes the required fees, policies, and other conditions applicable to the annexation. The draft Pre-Annexation Agreement is attached herein as Attachment "B" of Resolution No. 2021-65. The agreement is subject to final approval by the City Council of the City of Visalia.