



Legislation Details (With Text)

File #: 25-0230 **Version:** 1

Type: Public Hearing Item **Status:** Agenda Ready

File created: 6/3/2025 **In control:** Visalia City Council

On agenda: 6/16/2025 **Final action:**

Title: Ordinance Adoption - Public hearing and first reading of Ordinance No. 2024-16 to adopt Zoning Text Amendment No. 2025-01: A request by the City of Visalia to amend text within the Visalia Municipal Code Title 17 (Zoning Ordinance) to clarify and facilitate City Council adoption of Single-Family Residential Objective Design Standards and Planned Residential Development standards applicable to new single-family residential developments by Resolution rather than by Ordinance.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1 - Ordinance 2024-16 1st Reading for 6-16-2025 Agenda, 2. Attachment 2 - CC Staff Report 4-21-2025, 3. Attachment 3 - CC Staff Report 5-5-2025 Approved with Resolution

Date	Ver.	Action By	Action	Result
6/16/2025	1	Visalia City Council		

Agenda Item Wording:

Ordinance Adoption - Public hearing and first reading of Ordinance No. 2024-16 to adopt Zoning Text Amendment No. 2025-01: A request by the City of Visalia to amend text within the Visalia Municipal Code Title 17 (Zoning Ordinance) to clarify and facilitate City Council adoption of Single-Family Residential Objective Design Standards and Planned Residential Development standards applicable to new single-family residential developments by Resolution rather than by Ordinance.

Prepared by:

Brandon Smith, Principal Planner, brandon.smith@visalia.city, (559) 713-4636;
Paul Bernal, Planning and Community Preservation Director, paul.bernal@visalia.city, (559) 713-4025.

Department Recommendation:

Staff recommends that the City Council hold a public hearing and introduce the first reading of Ordinance No. 2024-16, to amend portions of Municipal Code Title 17 (Zoning Ordinance).

Summary:

This item was originally noticed and agendized for June 2, 2025. At City Council’s direction, the item and the public hearing were continued to June 16, 2025. Following is a copy of the staff report originally presented to City Council.

On April 21, 2025, staff presented to the City Council a revised draft Objective Design Standards (ODS) Ordinance (Attachment 2 contains the original staff report presented to City Council). The Ordinance was intended to establish new sections in the Zoning Ordinance and finalize the Council-directed effort to prepare regulations pertaining to ODS and Planned Residential Development (PRD) Standards applicable to new single-family residential development. The effort is in response to current growth trends where developers have been utilizing smaller lot sizes and new design

techniques. The standards address a range of topics that include appearance, landscaping, fences, off-street parking, and common open space areas within planned residential developments.

Following the public hearing, the City Council voted to adopt the Objective Design Standards and PRD Standards by resolution rather than by ordinance, since adoption by resolution allows for the standards to be modified or revised in the future without holding multiple public hearings. Resolution No. 2025-30 was subsequently adopted by the City Council on May 5, 2025.

As a result of the adoption of Resolution No. 2025-30, the ODS are only specified in the resolution without corresponding section numbers, and there is no mention in the Zoning Ordinance of the ODS requirement which is now in effect. This Zone Text Amendment and the accompanying Ordinance No. 2024-16 has therefore been initiated by staff to complete the necessary administrative revisions to the Zoning Ordinance related to the adoption of new ODS and to “close the loop” on the administrative enforcement of the ODS.

Background Discussion:

The new Ordinance is being conducted for the following purposes:

- 1) Complete the removal of redundant or obsolete objective design standards currently in the Zoning Ordinance for single-family residential lots with area less than 5,000 square feet (Section 17.12.135). The ODS work in tandem with other existing objective standards that address residential development standards in the review of eligible development applications. Such development standards for traditional single-family residential lots, found in Chapter 17.12 Article 1, and for lots below 5,000 square feet in size, found in Section 17.12.135(B), are not affected by ODS (i.e. setbacks, height).

However, many objective design standards found in Section 17.12.135 that were intended to apply exclusively to lot sizes below 5,000 square feet have been superseded with the now-approved ODS standards that are applicable to all development in Single-Family Residential zone districts. As a result, certain objective standards in Section 17.12.135 are being removed. Below is a brief list of objective standards being removed from Zoning Ordinance Section 17.12.135 that pertain to lots less than 5,000 square feet:

- Primary frontage orientation
- Primary frontage entrance and window requirement
- Garage width
- Garage protrusion
- Common usable open space requirement
- Covered front porch requirement

- 2) Add implementing language at the end of Chapter 17.12 (i.e. Section 17.12.160) for the adopted-by-resolution ODS. The purpose of this language would be to explain how the adopted-by-resolution ODS is applicable to single-family residential development and how it will be administered. A similar example of Zoning Ordinance text that refers to a set of adopted-by-resolution regulations is Section 17.16.190 for the City’s Model Good Neighbor Policies that are applicable to Multi-family Residential development: (link:

https://codelibrary.amlegal.com/codes/visalia/latest/visalia_ca/0-0-0-34073)

The proposed implementing language proposed for inclusion in the Zoning Ordinance Chapter 17.12 for the ODS is stated as follows:

17.12.160 Objective Design Standards.

Project proponents of single-family residential developments that are subject to approval by the Site Plan Review Staff or the Planning Commission are required to adhere to the Objective Design Standards as specified by Resolution No. 2025-30 of the Visalia City Council passed on May 5, 2025, and may be subsequently amended by resolution. The purpose of the standards are to provide proponents with a clear understanding of the City's expectations for all residential project design and streamline the construction of housing units by reducing subjectivity in the entitlement process. Before the issuance of a building permit for each primary dwelling unit, the project proponent shall demonstrate each unit's compliance with the Objective Design Standards, utilizing any forms approved by the City for determining compliance.

Fiscal Impact: None.

Prior Council Action:

- On December 16, 2024, City staff introduced separate Ordinances to adopt new regulations pertaining to Accessory Dwelling Units (ADUs) and ODS / PRD standards. The City Council proceeded with introducing the 1st Reading of the ADU Ordinance (which was subsequently passed with the 2nd Reading on January 21, 2025), and delayed action on the ODS Ordinance to allow additional time for interested parties to meet with staff.
- On April 21, 2025, the City Council held a public hearing to consider the first reading of a revised draft Ordinance for the ODS / PRD standards, and voted 3-2 to approve with an alternative motion to adopt by Resolution rather than Ordinance.
- On May 5, 2025, the City Council approved a consent calendar item for the adoption by Resolution No. 2025-30 of Objective Design Standards in accordance with the City Council's prior action taken on April 21, 2025.

Other: None.

Alternatives: The City Council may either approve or not approve the first reading of the Ordinance. Not approving the Ordinance would result in no language contained in the Zoning Ordinance that directs a project proponent to the standards, together with conflicting objective standards for lots below 5,000 square feet in size. Therefore, this alternative is not recommended.

Recommended Motion (and Alternative Motions if expected):

I move to introduce for first reading Ordinance No. 2024-16 for Zone Text Amendment No. 2025-01 to amend text within the Visalia Municipal Code Title 17 (Zoning Ordinance) to clarify and facilitate City Council adoption of Single-Family Residential Objective Design Standards and Planned Residential Development standards applicable to new single-family residential developments by Resolution rather than by Ordinance.

Environmental Assessment Status: The Zoning Text Amendment for the clarification and facilitation of the City Council adoption of the Objective Design Standards is exempt from CEQA per the CEQA Common Sense Exemption Section 15061(b)(3) that applies to projects which clearly do not have the potential for causing a significant effect on the environment. The project, in itself, does not allow construction of any building or structure, but sets forth design regulations that shall be followed. The regulations do not change allowable uses or building intensities. It can be seen with certainty that there is no possibility that the project may have a significant effect on the environment and thus is not subject to CEQA review.

CEQA Review: The Zoning Text Amendment for the clarification and facilitation of the City Council adoption of the Objective Design Standards is exempt from CEQA per the CEQA Common Sense Exemption Section 15061(b)(3) that applies to projects which clearly do not have the potential for causing a significant effect on the environment. The project, in itself, does not allow construction of any building or structure, but sets forth design regulations that shall be followed. The regulations do not change allowable uses or building intensities. It can be seen with certainty that there is no possibility that the project may have a significant effect on the environment and thus is not subject to CEQA review.

Deadline for Action: 6/16/2025

Attachments:

Attachment 1: Draft Ordinance No. 2024-16

Attachment 2: City Council staff report from April 21, 2025

Attachment 3: City Council staff report from May 5, 2025, with Adopted Resolution No. 2025-30