

RESOLUTION NO. 2022-14

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF VISALIA RECOMMENDING APPROVAL OF ANNEXATION NO. 2022-02 AND DETACHMENT OF PROPERTY FROM COUNTY SERVICE AREA NO. 1, PERTAINING TO ONE PARCEL TOTALING 59.84-ACRES INTO THE CITY LIMITS OF VISALIA. UPON ANNEXATION, THE SITE SHALL BE ZONED R-1-5 (SINGLE FAMILY RESIDENTIAL, 5,000 SQ. FT. MINIMUM), R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ. FT MINIMUM SITE AREA PER DWELLING), R-M-3 (MULTI-FAMILY RESIDENTIAL, 1,200 SQ. FT. MINIMUM SITE AREA PER DWELLING), AND C-N (COMMERCIAL NEIGHBORHOOD) WHICH ARE CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATIONS OF RESIDENTIAL LOW DENSITY, RESIDENTIAL MEDIUM DENSITY, RESIDENTIAL HIGH DENSITY, AND COMMERCIAL NEIGHBORHOOD. THE PROJECT SITE IS LOCATED AT THE NORTHWEST CORNER OF NORTH DEMAREE STREET AND WEST PRATT AVENUE WITHIN THE JURISDICTION OF THE COUNTY OF TULARE (APN: 077-050-018, 019).

**WHEREAS**, the project proponents approve to initiate proceedings for annexation to said city of territory described on the attached legal description and annexation map included as 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 November 13, 2023, and

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

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

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

**WHEREAS**, the territory proposed to be annexed is located in Voting District 1 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 November 13, 2023, and found it to be consistent with the General Plan; and

**WHEREAS**, an Initial Study was prepared which disclosed that environmental impacts are determined to be less than significant with the incorporation of mitigation to address significant impacts; and

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

1. That the Annexation is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Annexation, which will re-designate 59.84-acres of AE-40 (Agricultural Exclusive, 40-acre minimum site area) County zone district to an R-1-5 (Single Family Residential, 5,000 sq. ft. minimum), R-M-2 (Multi-Family Residential, 3,000 sq. ft minimum site area per dwelling), R-M-3 (Multi-Family Residential, 1,200 sq. ft. minimum site area per dwelling), and C-N (Commercial Neighborhood) City zone districts and will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
3. That the parcel is not located within an Agricultural Preserve.
4. That the parcel will be annexed into Voting District 1 per the Council Election Voting District Map.
5. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Mitigated Negative Declaration No. 2022-39, is hereby adopted. Furthermore, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Mitigated Negative Declaration No. 2022-39 prepared for Annexation No. 2022-02, Belissa Tentative Subdivision Map No. 5587, Conditional Use Permit No. 2022-05, and Conditional Use Permit No. 2023-22, 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 conditions:

1. Upon annexation, the territory shall be zoned R-1-5 (Single Family Residential, 5,000 sq. ft. minimum), R-M-2 (Multi-Family Residential, 3,000 sq. ft minimum site area per dwelling), R-M-3 (Multi-Family Residential, 1,200 sq. ft. minimum site area per

dwelling), and C-N (Commercial Neighborhood), consistent with the pre-zoning designated by the General Plan Land Use Map.

2. That the applicant(s) enter into a Pre-Annexation Agreement with the City which memorializes the required fees, policies, and other conditions applicable to the annexation. The draft Pre-Annexation Agreement is attached herein as Attachment "B" of Resolution No. 2022-14. The agreement is subject to final approval by the City Council of the City of Visalia.