

ORDINANCE NO. 2025-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VISALIA RECOMMENDING APPROVING CONDITIONAL ZONING AGREEMENT NO. 2024-04: A REQUEST BY DERREL'S MINI STORAGE TO ESTABLISH CONDITIONS FOR A STORAGE FACILITY ON APN: 098-050-038; AND, FOR THE HOUSING AUTHORITY OF TULARE COUNTY TO ESTABLISH CONDITIONS FOR A MULTI-FAMILY DEVELOPMENT OF AT LEAST 238 DWELLING UNITS ON APN(S): 098-050-013, 098-050-060, 098-050-061, AND 098-050-062. THE DERREL'S MINI STORAGE PROJECT SITE IS LOCATED AT 1700 E. GOSHEN AVENUE (APN: 098-050-038) WHILE THE HOUSING AUTHORITY OF TULARE COUNTY SITE IS LOCATED ON THE NORTHWEST CORNER OF EAST GOSHEN AVENUE AND NORTH LOVERS LANE (APN(S): 098-050-013, 098-050-060, 098-050-062, AND 098-050-061)

WHEREAS, Conditional Zoning Agreement No. 2024-04 is A request by Derrel's Mini Storage to establish conditions for a storage facility on APN: 098-050-038; and, for the Housing Authority of Tulare County to establish conditions for a multi-family development of at least 238 dwelling units on APN(s): 098-050-013, 098-050-060, 098-050-061, and 098-050-062. The Derrel's Mini Storage project site is located at 1700 E. Goshen Avenue (APN: 098-050-038) while the Housing Authority of Tulare County site is located on the northwest corner of East Goshen Avenue and North Lovers Lane (APN(s): 098-050-013, 098-050-060, 098-050-062, and 098-050-061).; and

WHEREAS, The Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on July 14, 2025 considered Conditional Zoning Agreement No. 2024-04 in accordance with Section 17.60.030 and Section 1760.050 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 adopted Resolution No. 2024-54, recommending that the City Council approve Conditional Zoning Agreement No. 2024-04, adopting the requested operational conditions to limit the Derrel's Mini Storage site to establish conditions for a storage facility on APN: 098-050-038; and, for the Housing Authority of Tulare County to establish conditions for a multi-family development of at least 238 dwelling units; and,

WHEREAS, The City Council of the City of Visalia, after duly published notice, held a public hearing on September 15, 2025, and considered Conditional Zoning Agreement No. 2024-04 in accordance with Section 17.60.040 and Section 1760.050 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, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project; and

WHEREAS, the City Council of the City of Visalia finds as follows:

1. That Conditional Zoning Agreement No. 2024-04 will facilitate land use compatibility by limiting the allowed uses within the Service Commercial zoning designation on the property to a mini-storage facility, which provides a compatible land use adjacent to the residential zoning designations of Single-family Residential (R-1-5) and Multi-family Residential (R-M-2).
2. That Conditional Zoning Agreement No. 2024-04 will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That an Initial Study was prepared for the project including the Conditional Zoning Agreement, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and therefore Negative Declaration No. 2024-45 be adopted for this project.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VISALIA:

That Conditional Zoning Agreement No. 2019-07 is approved as contained in Exhibit "A" of this Ordinance.

PASSED AND ADOPTED:

BRETT TAYLOR, MAYOR

ATTEST:

LESLIE CAVIGLIA, CITY CLERK

APPROVED BY CITY ATTORNEY

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

I, Leslie Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Ordinance 2025-11 passed and adopted by the Council of the City of Visalia at a regular meeting held on October 6, 2025 and certify a summary of this ordinance will be published in the Visalia Times Delta.

Dated:

LESLIE CAVIGLIA, CITY CLERK

By Reyna Rivera, Chief Deputy City Clerk

NO FEE REQUIRED PURSUANT
TO GOVT. CODE SECTION 27383
RECORDING REQUESTED BY
AND MAIL RESPONSE TO:

City of Visalia
Planning Division
315 East Acequia
Visalia, CA 93291

CONDITIONAL ZONING AGREEMENT NO. 2024-04

THIS AGREEMENT made this ____ day of ____ 2025, by _____, hereinafter called the "First Party" and the CITY OF VISALIA, a political subdivision of the State of California, hereinafter called, "Second Party."

WITNESSETH

WHEREAS, First Party is the owner of real property, herein called the "Property" situated in the City of Visalia, which Property is described in Item (d) of Exhibit I of this Agreement; and

WHEREAS, the Property is now zoned as specified in Item (a) of Exhibit I; and

WHEREAS, First Party has applied for a rezoning of the Property pursuant to which application the Property is being rezoned from its present classification to the classification or classifications specified in Item (b) of Exhibit I; and

WHEREAS, hearings have been held upon said application before the City Council of the City of Visalia, State of California, and after having considered the matter presented, it has been determined that certain conditions to the rezoning of said real property must be imposed so as not to create any problems inimical to the health safety and the general welfare of the City of Visalia and its residents.

NOW, THEREFORE, IT IS MUTUALLY UNDERSTOOD AND AGREED that inasmuch as the rezoning specified in Item (b) of Exhibit I is being granted, the rezoning shall be subject to the conditions specified in the following paragraphs:

1. That Exhibit I, as completed and attached hereto, are incorporated into and made a part of this Agreement with the same force and effect as if fully set forth herein.

2. That First Party shall comply with the additional conditions, if any, specified in Item (e) of Exhibit I of this Agreement.
3. In the event First Party, and successor in interest of First Party, or any person in possession of the property described in Item (d) of Exhibit I violates or fails to perform any of the conditions of this Agreement within thirty (30) days after notice thereof as provided in Paragraph 4, the City Council of the Second Party may instruct the City Attorney of Second Party to institute legal proceedings to enforce the provisions of this Agreement.
4. Notice of violation of provisions of this Agreement shall be sent to First Party at the address specified in Item (c) of the Exhibit I and to the street address of the property described in Item (c) of Exhibit I. Any subsequent title holder, any lien holder, or party in possession of the property shall also receive notice of such violation at an address other than as specified in Item (c) of Exhibit I by which the notice is to be sent, with reference to this Agreement and the Resolution authorizing its execution.
5. Each and every one of the provisions of this Agreement herein contained shall bind and inure to the benefit of the successor in interest of each and every party hereto, in the same manner as if they had herein been expressly named.
6. Zoning of the property as indicated in Item (b) of Exhibit I shall not be consummated until such time as the Agreement has been recorded in the office of the Tulare County Recorder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

BY: _____
"First Party"

CITY OF VISALIA, A political subdivision of the State of California

ATTEST: _____
Clerk of the City Council
"Second Party"

BY: _____
City Manager

EXHIBIT I
CONDITIONAL ZONING AGREEMENT NO. 2025-04

(a)The properties are now zoned:

R-M-3 (Multi-family Residential, 1,200 square foot minimum site area per dwelling) and R-1-5 (Single-family Residential, 5,000 square foot minimum lot size).

(b)The zoning reclassification of the properties are from its present zoning to:

C-S (Service Commercial) and R-M-3 (Multi-family Residential, 1,200 square foot minimum site area per dwelling).

(c)Notice to First Party pursuant to Paragraph No. 4, shall be addressed to:

(d)"Property" as used in this Agreement, includes:

APN: 098-050-038
1700 East Goshen Avenue

And,

APN(s): 098-050-013, 098-050-060, 098-050-061, and 098-050-062
Located on the northwest corner of East Goshen Avenue and North Lovers Lane.

(e)The additional conditions with which First Party shall comply, pursuant to Paragraph No. 2, of this Agreement, are as follows:

- A. That the site located at APN: 098-050-038 shall only be developed in accordance with a mini-storage facility as depicted per the site plan provided in Exhibit "A", and that no other "permitted" and/or "conditionally permitted" uses in the C-S zone, as identified in Chapter 17.25.030 Uses in the Commercial, Mixed Use, Office, and Industrial Zones, shall be allowed on this site.
- B. That the four Housing Authority of Tulare County parcels (APN(s): 098-050-013, 098-050-060, 098-050-062, and 098-050-061) shall be developed as one cohesive residential development plan that requires a minimum residential unit count of 238 units.

- C. That the applicant be required to implement and abide by the guidelines of the Soils Management Plan (SMP) provided by Salem Engineering Group.