

RESOLUTION NO. 2026-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA DENYING THE APPEAL AND UPHOLDING PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 2025-24, A REQUEST BY D.R. HORTON TO ALLOW A PLANNED UNIT DEVELOPMENT ON A ±15.3-ACRE PORTION OF ASSESSOR'S PARCEL NUMBER 127-020-021 CONSISTING OF 153 SINGLE-FAMILY RESIDENTIAL UNITS, PRIVATE STREETS, TWO GATED ENTRIES, LANDSCAPING AND LIGHTING LOTS, AND PARK AREAS, TO BE LOCATED WITHIN A PROPOSED R-M-2 ZONE (APN: 127-020-021)

WHEREAS, Conditional Use Permit No. 2025-24, is a request by D.R. Horton to allow a planned unit development on a ±15.3-acre portion of Assessor's Parcel Number 127-020-021 consisting of 153 single-family residential units, private streets, two gated entries, landscaping and lighting lots, and park areas, to be located within an R-M-2 zone proposed under Annexation No. 2025-04; and

WHEREAS, on June 8, 2026, the Planning Commission adopted a Mitigated Negative Declaration and conditionally approved Conditional Use Permit No. 2025-24; and

WHEREAS, the applicant timely appealed the Planning Commission's decision pursuant to Section 17.02.145 of the Visalia Municipal Code; and

WHEREAS, the City Council conducted a de novo public hearing on July 20, 2026, considered the entire administrative record, including the Planning Commission staff report, the appeal, the City Council staff report, public testimony, and all evidence presented; and

WHEREAS, by Resolution No. 2026-46, the City Council adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and found that no subsequent or supplemental environmental review is required.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Visalia:

1. Finds that the proposed location of Conditional Use Permit No. 2025-24 is in accordance with the objectives of the Zoning Ordinance and the purposes of the applicable zoning district. The proposed Planned Residential Development is consistent with the City's adopted General Plan and implements the purposes and intent of Chapter 17.26 of the Visalia Municipal Code by providing a coordinated residential development with private streets, common open space, and integrated pedestrian circulation.
2. Finds that the proposed location of Conditional Use Permit No. 2025-24, together with the Conditions of Approval, will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity. In particular, the City Council has independently considered the issues raised in the

appeal concerning Planning Commission Condition No. 7(j) requiring sidewalks within the Planned Residential Development. Although previous Planned Residential Developments have not consistently required sidewalks throughout private street systems, the City Council finds that sidewalks throughout the proposed development are appropriate because they provide a continuous and accessible pedestrian circulation system, further the pedestrian circulation objectives of Section 17.26.040(F)(3) of the Visalia Municipal Code, and can be accommodated within the applicant's proposed private street design without materially affecting the subdivision layout. The City Council further finds that previous discretionary approvals do not establish mandatory development standards for future Planned Residential Developments and do not preclude the City Council from imposing conditions that better implement the City's adopted planning policies and objectives.

3. Confirms the Planning Commission's conditional approval of Conditional Use Permit No. 2025-24, subject to the Conditions of Approval dated June 8, 2026.

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2026-49 passed and adopted by the Council of the City of Visalia at a regular meeting held on July 20, 2026.

Dated: July 21, 2026

LESLIE B. CAVIGLIA, CITY CLERK

City Clerk

By Reyna Rivera, Chief Deputy