

INITIAL STUDY

I. GENERAL

A. Project Name and Description:

Zoning Text Amendment Nos. 2021-07, 2021-08, and 2021-09: A request by the City of Visalia to amend portions of Visalia Municipal Code Chapter 8.36 (Noise) and Title 17 (Zoning Ordinance) as to implement programs contained in the City of Visalia 2020-2023 Housing Element pertaining to:

- Regulations for density bonuses.
- Regulations for residential uses in Downtown Mixed Use, Commercial Mixed Use, and Office Conversion Zone Districts.
- Regulations for emergency shelters, emergency warming or cooling centers, and low barrier navigation centers.

The project area is contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan, Citywide.

The proposed ZTA represents part of the second round of changes being undertaken to help fulfill the intended outcomes or objectives of the Housing Element (in an effort to help remove or overcome constraints to housing development). The first round of changes was completed in 2020 and implemented six programs pertaining to relatively straightforward changes bringing the City's Zoning Ordinance into compliance with State housing law.

Specifically, these ZTAs fulfill three implementation programs that the Element identified to be completed within approximately one year following adoption. The three implementation programs are:

HE Program 2.6 DOWNTOWN AND MIXED USE RESIDENTIAL DEVELOPMENT BY RIGHT

The City shall revise the Zoning Ordinance to allow residential development as a by right use in the Downtown Mixed Use zone district, in accordance with the density prescribed in the General Plan Land Use district, subject to performance standards. In addition, the City shall examine and consider allowing residential development as a by right use in the Conditional Mixed Use and Neighborhood Commercial zone districts while addressing issues of geographical location, segmentation, and performance standards.

HE Program 3.19 CONSISTENCY WITH STATE DENSITY BONUS LAW

The City shall review and amend its Zoning Ordinance to ensure that its density bonus regulations remain consistent with state law (Government Code Sections 65915 through 65918). This program includes the addition of a housing unit replacement program subject to the requirements of Government Code Section 65915(c)(3). The replacement program would be subject to sites identified in the site inventory where any new development (residential, mixed-use or non-residential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years.

HE Program 5.3 EMERGENCY SHELTERS PERFORMANCE STANDARDS AND EXPANSION OF ALLOWED USE

The City shall examine and make a recommendation of other zone districts where emergency shelters may be allowed as a by right (permitted) use or as a conditionally allowed use and shall develop performance standards for use in association with emergency shelters. Upon public review and approval by the legislative body, the City shall revise the Zoning Ordinance as it pertains to emergency shelters.

B. Identification of the Environmental Setting:

The project area is contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan. The City of Visalia is located within the County of Tulare, situated in the State of California.

C. Plans and Policies:

The City of Visalia General Plan Land Use Element and Land Use Diagram, adopted October 14, 2014, designate sites for residential development, including two mixed use land use designations – Downtown Mixed Use and Commercial Mixed Use – which encourage residential development in conjunction with commercial uses.

The City of Visalia 2020-2023 Housing Element identifies the community's housing needs, states the community's goals and objectives with regard to housing production, rehabilitation, and conservation to meet those needs, and defines the policies and programs that the community will implement to achieve the stated goals and objectives. The 2020-2023 Housing Element was a focused update of the 5th-Cycle Housing Element, which was originally prepared for the eight-year planning period from December 31, 2015 to December 31, 2023, and adopted by the City of Visalia on September 6, 2016. The update covered a four-year period and did not account for a new Regional Housing Needs (RHNA) projection. It is a mid-cycle or four-year update to the 5th-Cycle planning period that serves a planning period from December 31, 2019 to December 31, 2023. The 2020-2023 Housing Element, in draft form, was adopted by the City Council on December 3, 2019 and submitted to State Housing and Community Development (HCD). The State informed the City on January 23, 2020, that the Housing Element is in full compliance with state Housing Element law.

The City of Visalia Zoning Ordinance is enacted to preserve and promote the public health, safety and welfare of the city and of the public generally and to facilitate growth and expansion of the municipality in a precise and orderly manner. More specifically, the zoning ordinance is adopted in order to achieve the following objectives:

- Foster a workable relationship among land uses;
- Promote the stability of existing land uses which conform to the district in which they occur;
- Ensure that public and private lands ultimately are used for purposes which are appropriate and most beneficial for the city;
- Prevent excessive population densities;
- Avoid a concentration of structures adjoining each other or juxtaposed too closely together in close proximity to each other;
- Promote a safe, effective traffic circulation system;
- Require adequate off-street parking and truck loading facilities;
- Facilitate the appropriate location of community facilities and institutions;
- Coordinate land use policies and regulations of the city in order to facilitate the transition of land areas from county to municipal jurisdiction and to protect agricultural producers in areas planned for urban expansion;
- Implement the goals, policies and map of the general plan.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project. The City of Visalia Land Use Element and Zoning Ordinance contain policies and regulations that are designed to mitigate impacts of residential development to a level of non-significance.

III. MITIGATION MEASURES

There are no mitigation measures for this project.

IV. MITIGATION MONITORING PROGRAM

No mitigation is required for this project to reduce significance.

V. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan and the Zoning Ordinance. The project is compatible with the General Plan as the project relates to bringing consistency among the General Plan Elements and the Zoning Ordinance.

VI. SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan) passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sewer System Master Plan. City of Visalia, 1994.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.
- Visalia 5th-cycle Housing Element Update. City of Visalia. September 6, 2016.
- Initial Study / Negative Declaration No. 2015-56 for the Visalia Housing Element Update. City of Visalia, April 25, 2016.
- Visalia City Council Resolution No. 2016-55 (Approving the 5th Cycle Visalia Housing Element Update) passed and adopted September 6, 2016.
- Visalia City Council Resolution No. 2016-54 (Adopting Negative Declaration No. 2015-56) passed and adopted September 6, 2016.
- Visalia 2020-2023 Housing Element Update. City of Visalia. December 3, 2019.
- Initial Study / Negative Declaration No. 2019-63 for the Visalia Housing Element Update. City of Visalia, September 30, 2019.
- Visalia City Council Resolution No. 2019-65 (Approving the 2020-2023 Housing Element Update) passed and adopted December 3, 2019.
- Visalia City Council Resolution No. 2019-64 (Adopting Negative Declaration No. 2019-63) passed and adopted December 3, 2019.

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY


Brandon Smith, AICP
Senior Planner


Brandon Smith, AICP
Environmental Coordinator

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST**

Name of Proposal	Zoning Text Amendment Nos. 2021-07, 2021-08, and 2021-09	
NAME OF PROPONENT:	City of Visalia Community Development Dept.	NAME OF AGENT: City of Visalia Community Development Dept.
Address of Proponent:	315 E. Acequia Avenue Visalia, CA 93291	Address of Agent: 315 E. Acequia Avenue Visalia, CA 93291
Telephone Number:	(559) 713-4359	Telephone Number: (559) 713-4359
Date of Review	October 13, 2021	Lead Agency: City of Visalia

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact 2 = Less Than Significant Impact
3 = Less Than Significant Impact with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- 2 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 1 c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?

- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 2 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard?
- 1 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 d) Result in other emissions, such as those leading to odors adversely affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 2 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 2 c) Have a substantial adverse effect on federally protected wetlands (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 2 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

V. CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Public Resources Code Section 15064.5?
- 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 1 c) Disturb any human remains, including those interred outside of formal cemeteries?

VI. ENERGY

Would the project:

- 2 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- 2 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
- 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- 1 ii) Strong seismic ground shaking?
- 1 iii) Seismic-related ground failure, including liquefaction?
- 1 iv) Landslides?
- 1 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 2 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 2 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
- 2 i) result in substantial erosion or siltation on- or off-site;
- 2 ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; or
- 2 iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- 2 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 2 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

XII. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

XIII. NOISE

Would the project result in:

- 1 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Generation of excessive groundborne vibration or groundborne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 1 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

XV. PUBLIC SERVICES

Would the project:

- 1 a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - 1 i) Fire protection?
 - 1 ii) Police protection?
 - 1 iii) Schools?
 - 1 iv) Parks?
 - 1 v) Other public facilities?

XVI. RECREATION

Would the project:

- 1 a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 1 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XVII. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- 1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

XVIII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 1 a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 1 b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 2 a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- 2 b) Have sufficient water supplies available to service the project and reasonable foreseeable future development during normal, dry, and multiple dry years?
- 1 c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to,

pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

- 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- 2 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2019

Authority: Public Resources Code sections 21083 and 21083.09

Reference: Public Resources Code sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3/ 21084.2 and 21084.3

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

Adopting the Zoning Text Amendment is needed to incorporate and implement the new policies and concepts established with the adoption of the General Plan Housing Element. This is a necessary requirement to enable regulatory enforcement of the new plan policies and to achieve consistency with the General Plan and implement ordinances as required by State law. No specific housing developments are approved as part of the Zoning Text Amendment; therefore, the text amendments would not directly result in aesthetic impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

- a. The Zoning Text Amendment will not adversely affect the view of any scenic vistas. The Sierra Nevada mountain range may be considered a scenic vista, but views of the range will not be adversely impacted or significantly by adoption of the Zoning Text Amendment.

The Visalia General Plan and Zoning Ordinance contain several policies and standards that together work to reduce the potential for impacts to the development of land as designated by the General Plan. With implementation of these policies and the existing City standards, impacts to land use development consistent with the General Plan will be less than significant.

- b. There are no scenic resources and no state scenic highway designations within the City of Visalia. State Route 198, a divided highway, bisects the project area and is eligible for designation. Adopting the Zoning Text Amendment will not, by itself, impact the scenic character of State Route 198.
- c. The Zoning Text Amendment would constitute no more than a furtherance of the urban character of the project area. Furthermore, the City has development standards contained in the Zoning Ordinance related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded by any subsequent development. Thus, adoption of the Zoning Text Amendment would not substantially degrade the existing visual character of sites within the City of Visalia.
- d. Adopting the Zoning Text Amendment will not, by itself, create new light sources or sources of glare that would adversely affect day or nighttime views in the area. The City's existing development standards require that light be directed and/or shielded so it does not fall upon adjacent properties upon future development as required under Section 17.30.015.H of the Zoning Ordinance. Therefore, the potential lighting and glare effects associated with the adoption of the Zoning Text Amendment would result in a less-than-significant land use impact.

II. AGRICULTURAL RESOURCES

- a. The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated, through the use of agricultural conservation easements or by other means. However, the General Plan contains multiple policies that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan policies identified under Impact 3.5-1 of the EIR serve as the mitigation that assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

- b. Adopting the Zoning Text Amendment will not, by itself, result in the conversion of land in agricultural use, an agricultural preserve, or a land conservation contract. The City adopted urban development boundaries as mitigation measures for conversion of prime agricultural land.
- c. There is no forest land or timberland currently located in the City of Visalia, nor does the project conflict with a zoning for forest land, timberland, or timberland zoned Timberland Production.
- d. There is no forest or timberland currently located within the city.
- e. The Zoning Text Amendment will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. Properties designated for housing in the Housing Element sites inventory are currently designated for an urban rather than agricultural land use. Properties that are vacant may develop in a way that is consistent with their zoning and land use designated at any time. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur.

III. AIR QUALITY

- a. The City of Visalia is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Adoption of the Zoning Text Amendment in itself does not disrupt implementation of

the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.

- b. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in air quality impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

Subsequent development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. Furthermore, subsequent development may contribute to a net increase of criteria pollutants and contribute to exceeding the thresholds. Future projects could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

Future development is required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's grading regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential impacts associated with air quality standard violations to a less than significant level.

In addition, any future development may be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. In such cases, the proponent will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD, when warranted.

- c. Adoption of the Zoning Text Amendment will not, by itself, involve any housing construction and thus would not result directly in the exposure of any sensitive receptors to substantial pollutant concentrations.
- d. Adoption of the Zoning Text Amendment will not involve the generation of objectionable odors that would affect a substantial number of people.

IV. **BIOLOGICAL RESOURCES**

- a. Adopting the Zoning Text Amendment will not, by itself, directly impact any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use. The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the

removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-1 of the EIR, that together work to reduce the potential for impacts on special-status species likely to occur in the Planning Area. With implementation of these policies, impacts on special-status species will be less than significant.

- b. Adopting the Zoning Text Amendment will not, by itself, have a direct impact on any protected or endangered species or their habitats.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within the Planning Area. With implementation of these policies, impacts on woodlands will be less than significant.

- c. Adopting the Zoning Text Amendment will not, by itself, have a direct impact on any federally protected wetlands as defined by Section 404 of the Clean Water Act.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.

- d. Adopting the Zoning Text Amendment will not interfere nor act as a barrier to animal movement since it is not site specific.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within the Planning Area. With implementation of these policies, impacts on wildlife movement corridors will be less than significant.

- e. The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on subsequent development sites will be under the jurisdiction of this ordinance.
- f. There are no local or regional habitat conservation plans for the area.

V. CULTURAL RESOURCES

- a. Adopting the Zoning Text Amendment will not, by itself, impact any known or unknown historical resources located within the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing historical or cultural resources.
- b. Adopting the Zoning Text Amendment will not, by itself, impact any known or unknown archaeological resources located within the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing unknown archaeological resources.
- c. Adopting the Zoning Text Amendment will not, by itself, impact any known or unknown human remains buried in the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing unknown human remains.

VI. ENERGY

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in energy impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

Policies identified under Impacts 3.4-1 and 3.4-2 of the EIR will reduce any potential impacts of projects to a less than significant level. With implementation of these policies and the existing City standards, impacts to energy will be less than significant.

- b. The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, based on the discussion above.

VII. GEOLOGY AND SOILS

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in geology and soil impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- b. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in geology and soil impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- c. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.

- e. Subsequent housing development will not involve the use of septic tanks or alternative wastewater disposal systems since sanitary sewer lines are used for the disposal of wastewater throughout the City of Visalia.
- f. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in geology and soil impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

VIII. GREENHOUSE GAS EMISSIONS

- a. Adoption of the Zoning Text Amendment is not expected to generate Greenhouse Gas (GHG) emissions in the short-term. There are no construction activities being considered by this project. The project is a policy document to bring housing policies in the City into consistency with State Housing law.

The City has prepared and adopted a Climate Action Plan (CAP), which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR.

The Visalia General Plan and the CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan. Implementation of the General Plan and CAP policies will result in fewer emissions than would be associated with a continuation of baseline conditions. Thus, the impact to GHG emissions will be less than significant.

- b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 baseline levels by 2020 and to a level 80% below 1990 baseline levels by 2050. In addition, the State has enacted SB 32 which included provisions for reducing the GHG emission levels to a level 40% below 1990 baseline levels by 2030.

The proposed project will not impede the State's ability to meet the GHG emission reduction targets under AB 32. Current and probable future state and local GHG reduction measures will continue to reduce subsequent housing developments' contribution to climate change. As a result, the project will not contribute significantly, either individually or cumulatively, to GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the adoption of the Zoning Text Amendment.
- b. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in hazards and hazardous materials impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

- c. There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites.
- d. The project does not impact any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The project area includes the Visalia Municipal Airport and is consistent with the Airport Land Use Compatibility Plan.
- f. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- g. There are no wild lands within or near the City of Visalia.

X. HYDROLOGY AND WATER QUALITY

- a. Development projects associated with buildout under the Visalia General Plan are subject to regulations that serve to ensure that such projects do not violate water quality standards of waste discharge requirements. These regulations include the Federal Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) permit program. State regulations include the State Water Resources Control Board (SWRCB) and more specifically the Central Valley Regional Water Quality Control Board (RWQCB). Adherence to these regulations results in subsequent projects incorporating measures that reduce pollutants.

Furthermore, there are no reasonably foreseeable reasons why the adoption of the project would result in the degradation of water quality.

The Visalia General Plan contains multiple polices, identified under Impact 3.6-2 and 3.9-3 of the EIR, that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.

- b. Adoption of the Zoning Text Amendment, in itself, will not substantially deplete groundwater supplies in the City of Visalia. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines. Furthermore, the City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.

c.

- i. No specific housing developments are approved as part of Zoning Text Amendment. For subsequent projects, which will be subject to project-specific environmental review, existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- ii. No specific housing developments are approved as part of Zoning Text Amendment. For subsequent projects, which will be subject to project-specific environmental review, development of sites will create additional impervious surfaces. However, existing and planned improvements to storm water drainage

facilities as required through the Visalia General Plan policies assist in reducing potential impacts.

Polices identified under Impact 3.6-2 of the EIR assist in reducing potential impacts to a less than significant level.

- iii. No specific housing developments are approved as part of Zoning Text Amendment. For subsequent projects, which will be subject to project-specific environmental review, development of sites will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts.

Polices identified under Impact 3.6-2 of the EIR will reduce any potential impacts to a less than significant level.

Furthermore, all developments are required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system consistent with the City's adopted City Storm Drain Master Plan.

- d. The City of Visalia is located sufficiently inland and distant from bodies of water, and outside potentially hazardous areas for seiches and tsunamis. Visalia is also relatively flat, which will contribute to the lack of impacts by mudflow occurrence. Therefore there will be no impact related to these hazards.
- e. No specific housing developments are approved as part of Zoning Text Amendment. For subsequent projects, which will be subject to project-specific environmental review, drainage patterns may be affected in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. Impaired storm water runoff may then be intercepted and directed to a storm drain or water body, unless allowed to stand in a detention area. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

The Visalia General Plan contains multiple polices, identified under Impact 3.6-1 of the EIR, that together work to reduce the potential for erosion.

XI. LAND USE AND PLANNING

- a. Adopting the Zoning Text Amendment will not, by itself, physically divide an established community
- b. The Zoning Text Amendment does not propose to rezone or re-designate any land that was not already allowed to have residential development. Generally, residential development at greater densities is encouraged by the Housing Element policies. However, all identified potential residential development sites as well as generally increased development densities throughout the City, have been adequately analyzed for their consistency with urban infrastructure and service capacities as well as for land use consistency for the sites and relative to existing urban development within the City. The analysis concludes that the residential development patterns facilitated through the Housing Element are consistent

with the City's existing land use and population buildout scenarios that were developed for the 2014 General Plan, and further analyzed for environmental effects in the General Plan Program EIR.

The Visalia General Plan contains multiple policies, identified under Impact 3.1-2 of the EIR, that together work to reduce the potential for impacts to the development of land as designated by the General Plan. With implementation of these policies and the existing City standards, impacts to land use development consistent with the General Plan will be less than significant.

XII. MINERAL RESOURCES

- a. No mineral areas of regional or statewide importance exist within the Visalia area.
- b. There are no mineral resource recovery sites delineated in the Visalia area.

XIII. NOISE

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in noise impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- b. Adopting the Zoning Text Amendment will not, by itself, result in ground-borne vibration or ground-borne noise levels.
- c. The project area includes the Visalia Municipal Airport; however, the project will not impact airport operations. There are no private airstrips within the City of Visalia.

XIV. POPULATION AND HOUSING

- a. Adoption of the Zoning Text Amendment will not, by itself, directly induce substantial unplanned population growth that is in excess of that planned in the General Plan.
- b. Adoption of the Zoning Text Amendment will not, by itself, displace any housing or people on the site. The area being developed is currently vacant land.

XV. PUBLIC SERVICES

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, adopting the Zoning Text Amendment will not, by itself, result in substantial adverse impacts associated with the provision of new or physically altered public facilities.
 - i. Adopting the Zoning Text Amendment will not, by itself, require new fire protection services or facilities.
 - ii. Adopting the Zoning Text Amendment will not, by itself, require new police protection services or facilities.
 - iii. Adopting the Zoning Text Amendment will not, by itself, directly generate new students.
 - iv. Adopting the Zoning Text Amendment will not, by itself, directly generate the need for additional park facilities.
 - v. Adopting the Zoning Text Amendment will not, by itself, require other public services or facilities.

XVI. RECREATION

- a. Adopting the Zoning Text Amendment will not, by itself, directly generate new residents and will therefore not directly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b. Adopting the Zoning Text Amendment will not, by itself, require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

XVII. TRANSPORTATION AND TRAFFIC

- a. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in transportation and traffic impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- b. No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly result in transportation and traffic impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.
- c. No specific housing developments are approved as part of Zoning Text Amendment.
- d. The project will not result in inadequate emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

- a. No specific housing developments are approved as part of Zoning Text Amendment
- b. No specific housing developments are approved as part of Zoning Text Amendment

Further, the EIR (SCH 2010041078) for the 2014 General Plan update included a thorough review of sacred lands files through the California Native American Heritage Commission. The sacred lands file did not contain any known cultural resources information for the Visalia Planning Area.

XIX. UTILITIES AND SERVICE SYSTEMS

No specific housing developments are approved as part of Zoning Text Amendment; therefore, the project, in itself, would not directly impact utilities and service systems. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 15060 et seq. of the CEQA Guidelines.

- a. Adopting the Zoning Text Amendment will not, by itself, result in any impacts to utilities and service systems. All subsequent developments will be required to comply with regulations pertaining to utilities and service systems.
- b. Adopting the Zoning Text Amendment will not, by itself, result in any impacts to utilities and service systems. All subsequent developments will be required to comply with regulations pertaining to utilities and service systems.
- c. The City has determined that there is adequate capacity existing to serve subsequent housing development's projected wastewater treatment demands at the City wastewater treatment plant during the planning period of the Housing Element.
- d. Adopting the Zoning Text Amendment will not, by itself, result in any impacts to utilities and service systems. All subsequent developments will be required to comply with regulations pertaining to utilities and service systems.
- e. Adopting the Zoning Text Amendment will not, by itself, result in any impacts to utilities and service systems. All subsequent developments will be required to comply with regulations pertaining to utilities and service systems.

XX. WILDFIRE

- a. Adopting the Zoning Text Amendment will not, by itself, result in any impacts from wildfire.
- b. The City of Visalia is relatively flat and the underlying soil is not known to be unstable, and therefore not in a location that is likely to exacerbate wildfire risks.
- c. Adopting the Zoning Text Amendment will not, by itself, result in any impacts from wildfire.
- d. Adopting the Zoning Text Amendment will not, by itself, result in any impacts from wildfire.

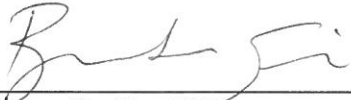
XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- a. The project will not affect the habitat of a fish or wildlife species or a plant or animal community. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia's General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- b. The Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update considered the conversion of lands to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c. The Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update considered the conversion of lands to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- ☐ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☒ I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37 adopted on October 14, 2014. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**



Brandon Smith, AICP
Environmental Coordinator

October 13, 2021

Date