

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VISALIA APPROVING CHANGE OF ZONE NO. 2022-02, A REQUEST BY THE VISALIA PUBLIC CEMETERY DISTRICT TO CHANGE THE ZONING DESIGNATION OF 14 PARCELS TOTALING 3.17 ACRES FROM R-1-5 (SINGLE FAMILY RESIDENTIAL, 5,000 SQ. FT. MINIMUM SITE AREA) TO QP (QUASI-PUBLIC), AND TO CHANGE THE ZONING DESIGNATION OF ONE PARCEL TOTALING 0.24 ACRES FROM R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ. FT. MINIMUM SITE AREA PER DWELLING UNIT) TO QP (QUASI-PUBLIC). THE PROJECT SITES ARE LOCATED AT 919 WEST ALLEN AVENUE, 618, 700, 706, 808, 918, 1010 NORTH RINALDI STREET, 1410, 1420, 1430 WEST SADY AVENUE, AND 816 NORTH TURNER STREET (APNS: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002)

WHEREAS, Change of Zone No. 2022-02 is a request by the Visalia Public Cemetery District to change the zoning designation of 14 parcels totaling 3.17 acres from R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) to QP (Quasi-Public), and to change the zoning designation of one parcel totaling 0.24 acres from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling unit) to QP (Quasi-Public). The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, and 816 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on February 27, 2023; and

WHEREAS, at the February 27, 2023 Planning Commission meeting the item was removed from the meeting agenda due to project description errors discovered in the public hearing notice published in the Visalia Times-Delta newspaper. The Planning Commission continued the project to the March 13, 2023 Planning Commission meeting at the request of the applicant; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 13, 2023; and

WHEREAS, at the March 13, 2023 Planning Commission meeting the item was continued due errors in the processing and mailing of public hearing notices. The Planning Commission continued the project to the March 27, 2023 Planning Commission meeting at the request of staff; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 27, 2023; and

WHEREAS, the Planning Commission of the City of Visalia considered the Change of Zone in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing, and recommended approval of said Change of Zone; and

WHEREAS, the Planning Commission of the City of Visalia adopted Resolution No. 2022-44 recommending approval of Change of Zone No. 2022-02; and

WHEREAS, the City Council of the City of Visalia, after ten days published notice, held a public hearing for Change of Zone No. 2022-02 on May 1, 2023; and

WHEREAS, the City Council of the City of Visalia considered the Change of Zone in accordance with Section 17.44.090 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing, and voted to remand the project back to City of Visalia staff for additional analysis and to provide the public with an opportunity to attend a future public outreach meeting with Visalia Public Cemetery District staff; and

WHEREAS, the Visalia Public Cemetery District held a public outreach meeting on June 15, 2023, and collected comment from members of the public, including residents of properties along North Turner Street and North Rinaldi Street; and

WHEREAS, the City Council of the City of Visalia, after ten days published notice, held a public hearing for Change of Zone No. 2022-02 on November 20, 2023.

WHEREAS, the project is exempt under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption).

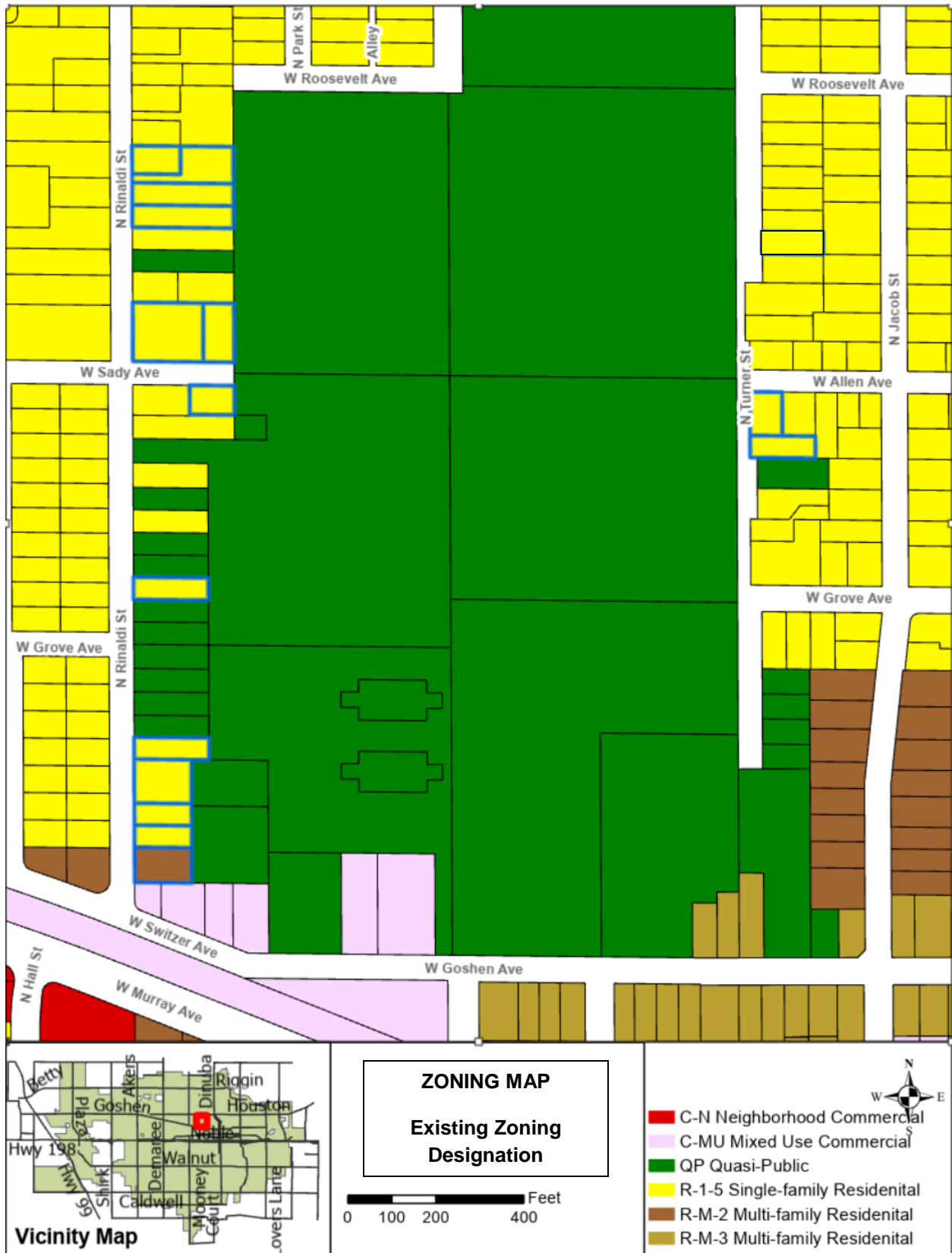
NOW, THEREFORE, BE IT RESOLVED the City Council concurs that the project is exempt from further environmental review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption).

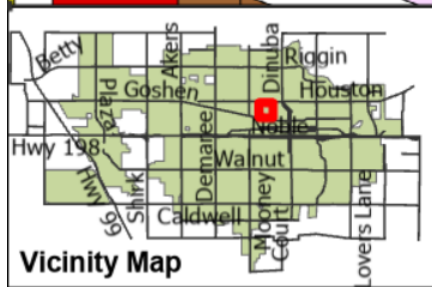
NOW, THEREFORE, BE IT FURTHER RESOLVED, the City Council of the City of Visalia approves Change of Zone No. 2022-02, as shown on Attachment “A” of this Ordinance, on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.44.090 of the Ordinance Code of the City of Visalia, based on the following specific findings and evidence presented:

1. That the Change of Zone is consistent with the intent of the General Plan, Zoning Ordinance, and 2005 Visalia Public Cemetery District Land Use Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements Citywide.
2. That the proposed QP (Quasi Public) zoning is consistent with the Public Institutional land use designation and compatible with adjacent land uses.
3. The reclassification of residential property to Quasi-Public will not have a negative impact on the City’s housing stock as none of the sites proposed for reclassification are listed on the City’s sites inventory list for Visalia’s Regional Housing Needs Allocation.
4. The potential loss of Low Density Residential/R-1-5 Zone land use capacity is less than 1% and will not significantly affect the overall availability of low-density residential land for development within the City.
5. The potential loss of fourteen residential units because of potential expansion of the public cemetery is considered less than significant to the residential capacity within the City.
6. That the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) (common sense exemption), as the proposed master plan boundary expansion, change in land use designation, and change in zoning classification will not in and of themselves have an effect on the environment.

ATTACHMENT "A"
 AN ORDINANCE OF THE CITY COUNCIL
 AMENDING THE ZONING MAP AS FOLLOWS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VISALIA:
Section 1: The Zoning Map is hereby amended as follows:





ZONING MAP

Proposed Zoning Designation

0 100 200 400 Feet

- C-N Neighborhood Commercial
- C-MU Mixed Use Commercial
- QP Quasi-Public
- R-1-5 Single-family Residential
- R-M-2 Multi-family Residential
- R-M-3 Multi-family Residential

Section 2: This property and Zoning Map of the City of Visalia is hereby amended to show said property changes.

Section 3: This Ordinance shall take effect thirty days after passage hereof.