INITIAL STUDY

I. GENERAL

A. Project Name and Description:

The Commons at Visalia Parkway

Tentative Parcel Map No. 2019-13: A request by Lars Anderson & Associates, Inc. to subdivide a 28.7 acre site into an 11-lot commercial subdivision in the C-R (Regional Commercial) Zone.

Conditional Use Permit No. 2019-31: A request by Lars Anderson & Associates to establish a master planned commercial development consisting of approximately 138,188 sq. ft. of commercial uses., including the establishment of four retail buildings of varying sizes (56,800 sq. ft., 29,800 sq. ft. and two 10,000 sq. ft. buildings), a 4,088 sq. ft. gas station/convenience store with a 3,060 sq. ft. canopy, a 7,500 sq. ft. sit-down restaurant, two 3,000 sq. ft. drive-thru restaurants, and a 5,000 sq. ft. automotive repair store, on parcels with less than the minimum five acre site area requirement, including a parcel with no public street frontage, affecting 17.43 acres of a 28.7 acre site in the C-R (Regional Commercial) Zone.

CarMax

Zoning Text Amendment No. 2019-13: A request by CarMax to amend Zoning Ordinance Section 17.25.030 (Zoning Use Matrix) Line A22 to establish "Car Sales – New & Used" as a conditional use in the C-R (Regional Commercial) District, Citywide.

Conditional Use Permit No. 2019-42: A request by CarMax to allow an 8,526 sq. ft. used car sales and service center on a 5-acre parcel in the C-R (Regional Commercial) Zone District.

Overall development of the project site will involve two separate improvement actions. The first, proposed by Lars Anderson & Associates, is division of a 28.7 acre parcel into 11 lots for commercial use (TPM No. 2019-13). Nine of the 11 lots (Parcels C through K), consisting of 17.43 acres, are proposed for the master planned 138,188 sq. ft. commercial development, to be known as The Commons at Visalia Parkway (CUP No. 2019-31). This project will include on and off-site improvements pertaining to the development of the commercial center, including but not limited to installation of access drives, parking lots, landscaping, noise restricting block walls, utilities, curbs, gutters, sidewalks, signal lights, and acquisition of and development within public right-of-ways. Right-of-way development will include dedications to the City of Visalia and CalTrans for the widening and placement of raised medians within the existing minor arterial Visalia Parkway (City of Visalia) and Mooney Boulevard / State Route 63 (Caltrans). For purposes of environmental analysis, Parcel A of this development has been analyzed with the presumption that it will be developed with senior housing in the future. However, development of senior housing is not included as an official part of this proposal.

The second action, proposed by CarMax, will be specific to Parcel B of TPM No. 2019-13. The five-acre Parcel B is proposed for entitlement separately through CUP No. 2019-42 for use as a CarMax used auto sales and service center. Additional improvements include a carwash for CarMax use, an above ground fuel tank, a private oil containment pit, and private fuel dispenser. The project will also include construction of on-site improvements pertaining to installation of access drives, parking lots, landscaping, noise restricting block walls, utilities, curbs, gutters, and sidewalks.

Parcel B is located within the C-R (Regional Commercial) Zone. The sale of new and used vehicles within the C-R Zone is currently prohibited by the Visalia Zoning Ordinance. In order to establish the used auto sales and service use, the CarMax proposal includes a request for an amendment to the Visalia Zoning Ordinance (ZTA No. 2019-13), requesting the addition of the proposed use within the listing of conditionally permitted uses in the C-R Zone, subject to development standards.

B. Identification of the Environmental Setting:

The overall project site is 28.7 acres and contains fallow land and with no improvements. The project site is directly bounded to the north by Visalia Parkway, a two lane minor arterial street, and by Mooney Boulevard to the east, a four lane highway designated as State Route 63. Development surrounding the project site consists of a shopping center to the north, a senior mobile home park to the west, a continuation of the senior mobile home park as well as mixed commercial and office uses to the south, and agricultural land to the east.

The commercial development improvements will include widening of the unimproved west side of Mooney Boulevard to its ultimate six-lane right-of-way width along the property frontage as determined by Caltrans, and the widening of the unimproved south side of Visalia Parkway to its ultimate four-lane right-of-way width from the project site to approximately 460 feet past Dans Street to the west, as determined by the City of Visalia. All improvements for new streets will consist of through travel lanes and curb, gutter, sidewalk, and landscaping along the project frontage. Additional improvements include installation of parking lots and onsite landscaping.

The surrounding uses, Zoning, and General Plan are as follows:

	General Plan (2014 Land Use)	**Zoning (2017)**	**Existing uses**
North:	Commercial Regional	C-R (Regional Commercial)	Packwood Creek Shopping Center.
South:	Commercial Regional, Residential Low Density	C-R (Regional Commercial), R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area)	Westlake Village senior mobile home park, mixed office and commercial buildings.
East:	Commercial Regional	C-R (Regional Commercial), Tulare County jurisdiction lands	Agricultural land.
West:	Residential Low Density	R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area)	Westlake Village senior mobile home park.

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia upon the development of the area.

C. Plans and Policies:

The General Plan Land Use Diagram, adopted October 14, 2014, designates the site as Commercial Regional and the Zoning Map, adopted in 2017, designates the site as C-R (Regional Commercial). The proposed shopping center project is consistent with the Land Use Element of the General Plan. The proposed used auto sales and service lot is consistent with the Land Use Element, which supports retail establishments that serve residents and businesses of the region at large in Regional Commercial areas. However, the use is not permitted within the C-R Zone. The project proponent of the used auto sales and service lot has submitted a zone text amendment request (ZTA No. 2019-13) to amend the Zoning Ordinance to allow the use in the C-R Zone.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project that cannot be mitigated to a less than significant impact. The City of Visalia Land Use Element, Circulation Element, Zoning and Subdivision Ordinances contain policies and regulations that are designed to mitigate impacts to a level of non-significance.

III. MITIGATION MEASURES

The following mitigation measures, which are listed below, will reduce potential environmental impacts related to transportation/traffic and noise impacts to a less than significant level as shown below:

Transportation / Traffic – A Traffic Impact Analysis prepared for the proposed projects (ref.: Traffic Impact Analysis: Proposed Commons at Visalia Parkway Shopping Center. Peters Engineering Group, January 10, 2020) has concluded that roadway operating conditions for intersections and roadways in the vicinity of the project area either are or will be significantly impacted with the addition of the proposed project. To ensure that intersections and roadways will operate at acceptable LOS "D" or better through the year 2027, the Analysis Report recommends mitigation to be incorporated into the project.

Therefore, to ensure that there will not be significant impacts to transportation/traffic in association with the project, the project shall be developed with the mitigation measures as described in the "Summary of Potentially-Significant Impacts and Recommendations" section (page 91 through 92) of the above-referenced Traffic Impact Analysis. The mitigations are included as an attachment to the Mitigated Negative Declaration.

Noise – Two Acoustical Analyses were prepared for the proposed project, as follows:

Study 1: Environmental Noise & Vibration Assessment: Visalia Parkway & S. Mooney Boulevard Retail Development. Bollard Acoustical Consultants, Inc., January 15, 2020; and

Study 2: CarMax Development: Noise Study Report, September 2019. VRPA Technologies, Inc., November 19, 2019.

The Acoustical Analyses have concluded that an exterior noise level in excess of the 65 dB DNL standard for noise-sensitive land uses, specified in the City's Noise Element, exists on the project site. To ensure that community noise standards are met for the master planned commercial development and used auto sales and service center, the project developers have proposed the placement of block walls located on the west and south sides of the main project site. Submittal of an additional Noise Study upon future development compliance with Noise Ordinance measures is also proposed. Further acoustical analysis is also recommended as mitigation upon future development of buildings within the proposed commercial complex, and upon possible development of a senior housing complex or other sensitive land use on Parcel A. The recommendations will allow for development of the shopping center and used auto sales and service center in accordance with the standards contained in the City's Noise Element and Ordinance.

Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed in substantial compliance with the mitigation contained in the "Impacts and Mitigation Measures" section (pages 20 through 53) of Study 1 and the "Impact Determinations and Recommended Mitigation" section (pages 28 through 30) of Study 2. As described in the analyses, the project shall contain the following features:

Study 1

1) The construction of a solid noise barrier measuring 7-feet in height along the west and portion of the south project property boundaries.

2) Conformance with the standards and policies within Visalia Municipal Code Chapter 8.36 (Noise) and the Visalia General Plan for development of buildings "Major 1" and "Major 2", addressing noise level impacts on adjacent residential areas and Parcel A from HVAC equipment, truck delivery circulation, and loading dock activity, to be verified prior to issuance of Building Permits and accompanied by physical noise measurement readings.

3) Compliance with construction noise control measures within Visalia Municipal Code Chapter 8.36 (Noise).

Study 2

1) Compliance with Visalia Municipal Code Chapter 8.36 (Noise).

Staff has incorporated the above recommendations as required mitigation measures. Therefore, to ensure that transportation/traffic and noise requirements are met for the proposed projects, the project shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.9 and 2.1 through 2.7. These mitigation measures are included in Section IV below as part of this Initial Study.

The City of Visalia Zoning Ordinance also contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

IV. MITIGATION MONITORING PROGRAM

Mitigation Measure	Responsible Party	Timeline
Transportation / Traffic Impact Mitigation Measure 1.1: For the Visalia Parkway/Main Project Site access intersection (between Parcel B and C) a full opening with traffic signals shall be installed. The driveway to the project site shall be designed and constructed to be aligned with the future widened width of the existing driveway on the north side of Visalia Parkway, serving the Packwood Creek Shopping Center, in order to facilitate signalization. Specifically, the intersection shall be designed to accommodate lane configurations as follows: • Eastbound: one left-turn lane, one through lane, and one right-turn lane; • Westbound: one left-turn lane and one through lane with a shared right turn; • Northbound: one shared left-turn/through and one right-turn lane; and • Southbound: one shared left-turn/through/right-turn lane (existing Packwood Creek Shopping Center driveway).	Project Applicant: The Commons at Visalia Parkway	Mitigation shall be enforced and improvements completed prior to issuance of a Building Permit for construction of any buildings within the project area.
Transportation / Traffic Impact Mitigation Measure 1.2: For the Visalia Parkway/Mooney Boulevard intersection, a median shall be installed on Visalia Parkway, west of the intersection, as indicated on the January 10, 2020 Commons at Visalia Parkway site plan. Widening of the intersection shall also be completed to accommodate lane configurations as	Project Applicant: The Commons at Visalia Parkway	Mitigation shall be enforced and improvements completed prior to issuance of a Building Permit for construction of any buildings within the project area.

follows: • Eastbound: two left-turn lanes, one through lane, and one right-turn lane; • Westbound: two left-turn lanes and one through lane with a shared right turn; • Northbound: one left-turn lane and two through lanes with a shared right turn; • Southbound: one left-turn lane, three through lanes, and one right-turn lane.		
Noise Impact Mitigation Measure 2.1: The Commons at Visalia Parkway - The construction of a solid noise barrier measuring 7-feet in height and 250 feet long, to be placed along the southern property boundary, just south of "Major 2" as shown on the January 10, 2020 Commons at Visalia Parkway site plan, beginning approximately 370 feet west of the eastern project site boundary. Noise mitigation will also include construction of a 6-foot tall block wall along the western 620 feet of the southern project site boundary, and the entire western project site boundary, both adjacent to residential areas. CarMax - The construction of a 6-foot tall masonry wall, totaling 547 feet in length, to be placed along the southern, western, and eastern boundaries of the service center area, south of the vehicle sales area, and west of the customer parking area, as indicated on the revised January 13, 2020 CarMax site plan.	Project Applicant: The Commons at Visalia Parkway, CarMax as noted.	The sound walls shall be constructed with the development of the projects, and shall be completed by each respective applicant prior to the occupation of any buildings on each site.
Noise Impact Mitigation Measure 2.2: Future development of buildings "Major 1" and "Major 2", as shown on the January 10, 2020 Commons at Visalia Parkway site plan, shall comply with noise standards and policies listed within Visalia Municipal Code Chapter 8.36 (Noise Ordinance) and the Visalia General Plan by incorporating mitigation features as stated in Study 1, including: <u>HVAC Equipment Operation</u> • Ensuring mechanical equipment satisfies the applicable General Plan and Municipal Code noise level limits at existing residential uses and potential residential development on Parcel A; • Location of mechanical equipment on the rooftop of commercial buildings away from existing residences (to the extent feasible); • Screening of mechanical equipment behind building parapets; • Construction of localized noise barriers around mechanical equipment that effectively attenuate	Future developers of buildings "Major 1" and "Major 2".	Mitigation shall be enforced and carried out prior to issuance of a Building Permit, or required entitlement if applicable, for buildings listed as "Major 1" and "Major 2" on the January 10, 2020 Commons at Visalia Parkway site plan.

noise exposure to a state of compliance with the applicable General Plan and Municipal Code noise limits at existing residential uses. Truck Circulation/Deliveries • The construction of a solid noise barrier along the boundary of the project property and Parcel A. • The restriction of truck deliveries to daytime hours only. • The implementation of window construction upgrades. Conformance with the standards and policies within the Noise Ordinance and General Plan for development of buildings "Major 1" and "Major 2" shall be verified prior to issuance of Building Permits and shall be accompanied by physical noise measurement readings.		
Noise Impact Mitigation Measure 2.3: For construction activities related to the Commons at Visalia Parkway shopping center and CarMax, compliance with the standards of Visalia Municipal Code Chapter 8.36 (Noise Ordinance) shall be required, to include the prohibition of operation of construction equipment between the weekday hours of 7:00 p.m. and 6:00 a.m., and between the weekend hours of 7:00 p.m. and 9:00 a.m., use of mufflers on equipment, use of electrically powered equipment where feasible, location of staging areas away from noise-sensitive receptors, use of speed limits on project area/site access roads during construction, and construction schedule notification to nearby residences.	Project Applicant: The Commons at Visalia Parkway, CarMax	Mitigation shall be enforced by the City of Visalia, and carried out by both project applicants during construction.

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan as the project relates to surrounding properties.

V. SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this Mitigated 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.
- CarMax Development: Noise Study Report, September 2019. VRPA Technologies, Inc., November 19, 2019.
- Environmental Noise & Vibration Assessment: Visalia Parkway & S. Mooney Boulevard Retail Development. Bollard Acoustical Consultants, Inc., January 15, 2020.
- Traffic Impact Analysis: Proposed Commons at Visalia Parkway Shopping Center. Peters Engineering Group, January 10, 2020.

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY

Cristobal Carrillo
Associate Planner

Paul Scheibel, AICP
Environmental Coordinator

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Name of Proposal The Commons at Visalia Parkway
Tentative Parcel Map No. 2019-13 and Conditional Use Permit No. 2019-31
CarMax
Zone Text Amendment No. 2019-13 and Conditional Use Permit No. 2019-42

NAME OF PROPONENT:	The Commons at Visalia Parkway Lars Anderson & Associates, Inc. CarMax CarMax	NAME OF AGENT:	The Commons at Visalia Parkway Lars Anderson & Associates, Inc. CarMax Steve Brandt, QK
Address of Proponent:	The Commons at Visalia Parkway 4694 W. Jacquelyn Avenue Fresno, CA 93722 CarMax 901 E. Main Street Visalia, CA 93292	Address of Agent:	The Commons at Visalia Parkway 4694 W. Jacquelyn Avenue Fresno, CA 93722 CarMax 901 E. Main Street Visalia, CA 93292
Telephone Number:	The Commons at Visalia Parkway (559) 276-2790 CarMax (559) 733-0440	Telephone Number:	The Commons at Visalia Parkway (559) 276-2790 CarMax (559) 733-0440
Date of Review	January 12, 2020	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:

1 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?

2 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?

1 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?

1 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:

3 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?

3 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

a. This project 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 altered by the project.

Auto sales lots and commercial centers that include gas stations, convenience stores, retail shops, drive-thru and sit-down restaurants, and automotive shops are considered compatible uses in commercial areas where potential impacts can be addressed through the Conditional Use Permit process. The project site is located along Mooney Boulevard and Visalia Parkway, which are designated arterial roadways. The City's General Plan Land Use Map designates the site as Commercial Regional. Staff believes that the proposed commercial center is consistent in nature and character with existing and future uses surrounding the project site, subject to the inclusion of mitigation measures and the conditions of project approval for this project.

The Visalia General Plan contains multiple polices 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 on the site.

c. The proposed project includes commercial development that will be aesthetically consistent with surrounding development and with General Plan policies. Furthermore, the City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.

d. The project will create new sources of light that are typical of commercial development. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent properties.

Conceptual photometric plans and lighting specs for both the shopping center and auto sales lot have been provided, demonstrating the lighting fixtures installed throughout and directed toward the interior of the site. The on-site lighting for the auto sales and shopping center use is directed and focused so as to avoid direct illumination spilling beyond the site boundaries into the adjacent residential uses, as required under Section 17.30.015.H of the Zoning Ordinance. The conceptual photometric plans demonstrate that lighting for the proposed uses along the respective property lines do not exceed 0.5 lumens.

II. AGRICULTURAL RESOURCES

a. The project is not located on property that is identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

b. The project is not located on property that is party to a Williamson Act contract. Existing City zoning for the area is C-R (Regional Commercial). As such zoning for agricultural use will not be affected.

c. There is no forest land or timberland currently located on the site, nor does the site conflict with a zoning for forest land, timberland, or timberland zoned timberland production.

d. There is no forest or timberland currently located on the site.

e. The project will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. The subject property is 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 project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project 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. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. The project will result in a net increase of criteria pollutants. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. 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, 3.3-2, and 3.3-3 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.

The project 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, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510)

procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

c. Residences located near the proposed project may be exposed to pollutant concentrations due to construction activities. The use of construction equipment will be temporary and is subject to SJVAPCD rules and regulations. The impact is considered as less than significant. Furthermore, the proposal for a change to the text of the Zoning Ordinance permitting auto sales in the C-R Zone itself does not involve the generation of objectionable odors.

d. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people. The proposal for a change to the text of the Zoning Ordinance permitting auto sales in the C-R Zone itself does not involve the generation of objectionable odors.

IV. BIOLOGICAL RESOURCES

a. The site has no known 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. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

In addition, staff conducted an on-site visit to the site on February 12, 2020 to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). 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 polices, 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 polies, impacts on special-status species will be less than significant.

b. The project is not located within an identified sensitive riparian habitat or other natural community. Packwood Creek is located approximately 1,300 feet west of the project site and will not be affected by the proposed development.

c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

d. 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 Area. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within in 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 the project site will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance. There are no Valley Oak trees onsite.

f. There are no local or regional habitat conservation plans for the area.

V. CULTURAL RESOURCES

a. There are no known historical resources located within the project area. Furthermore, staff conducted an on-site visit to the site on February 12, 2020 to observe conditions and did not observe any evidence of historical or cultural resources of significance. If some potentially historical or cultural resource is unearthed during development all work will cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.

b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work will cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.

c. There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

VI. ENERGY

a. Development of the site will require the use of energy supply and infrastructure. However, the use of energy will be typical of that associated with commercial development associated with the underlying zoning. Furthermore, the use is not considered the type of use or intensity that would result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation. The project will be required to comply with California Building Code Title 24 standards for energy efficiency. Furthermore, the proposal for a change to the text of the Zoning Ordinance permitting auto sales in the C-R Zone itself will not require the use of energy resources or infrastructure.

Polices identified under Impacts 3.4-1 and 3.4-2 of the EIR will reduce any potential impacts 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 in section VI.a above.

VII. GEOLOGY AND SOILS

a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.

b. The development of this site will require movement of topsoil. 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.

c. The project area is relatively flat and the underlying soil is not known to be unstable. 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. The project does not involve the use of septic tanks or alternative wastewater disposal systems since sanitary sewer lines are available for connection for the disposal of wastewater at this location.

f. There are no known unique paleontological resources or geologic features located within the project area. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

VIII. GREENHOUSE GAS EMISSIONS

a. The project is expected to generate Greenhouse Gas (GHG) emissions in the short-term as a result of the construction of the commercial center and auto sales lot, and long-term as a result of day-to-day operation of the proposed commercial center.

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. Although emissions will be generated as a result of the projects, 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.

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 the project's 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 project.

b. Construction activities associated with development of the project may include maintenance of on-site construction equipment that could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.

c. There are no schools located within one-quarter mile from the project. There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites within one-quarter mile of school sites.

d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.

e. The City's adopted Airport Master Plan shows the project area is located outside of all Airport Zones. There are no restrictions for the proposed project related to Airport Zone requirements.

The project area is not located within 2 miles of a public airport.

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 project area.

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), of which the project site area falls within the jurisdiction of.

Adherence to these regulations results in projects incorporating measures that reduce pollutants. The project will be required to adhere to municipal wastewater requirements set by the Central Valley RWQCB and any permits issued by the agency.

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

water quality. In particular, the proposal for a change to the text of the Zoning Ordinance permitting auto sales in the C-R Zone itself does not affect hydrology or water quality onsite.

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. The project will not substantially deplete groundwater supplies in the project vicinity. The project will be served by a water lateral for domestic, irrigation, and fire protection use. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. The project will result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer. However, as the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. The project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conversation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge. The proposal for a change to the text of the Zoning Ordinance permitting auto sales in the C-R Zone itself will not deplete groundwater resources.

c.

i. The development of this site will require movement of topsoil. 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. Development of the site 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 to a less than significant level.

Polices identified under Impact 3.6-2 of the EIR will reduce any potential impacts to a less than significant level. With implementation of these policies and the existing City standards, impacts to groundwater supplies will be less than significant.

iii. Development of the site 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 to a less than significant level.

Polices identified under Impact 3.6-2 of the EIR will reduce any potential impacts to a less than significant level. With implementation of these policies and the existing City standards, impacts to groundwater supplies will be less than significant.

Furthermore, the project will be 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 project area is located sufficiently inland and distant from bodies of water, and outside potentially hazardous areas for seiches and tsunamis. The site 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. Development of the site has the potential to affect drainage patterns 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. With implementation of these policies and the existing City standards, impacts to erosion will be less than significant.

XI. LAND USE AND PLANNING

a. The project will not physically divide an established community, as the site is vacant and would not result in development that would split existing urban areas. The General Plan Land Use Diagram, adopted October 14, 2014, designates the 28.7-acre project area as Regional Commercial. The Zoning Map, adopted on April 6, 2017, designates the site as C-R (Regional Commercial), which is consistent with the General Plan Land Use Designation of Regional Commercial as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan. Commercial centers that include gas stations/convenience stores, automotive shops, retail shops, drive-thru and sit down restaurants, drive-thru lanes, and auto sales lots, are considered compatible uses in commercial areas where potential impacts can be addressed through the conditional use permit process. The site is located along Mooney Boulevard and Visalia Parkway, both designated arterial roadways.

The Visalia General Plan contains multiple polices, 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.

b. The project site is within the Urban Development Tier 1 Boundary. Development of commercial lands in Tier 1 may occur at any time. The proposed project is consistent with Land Use Policies LU-P-19 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."

The project as a whole does not conflict with any land use plan, policy or regulation of the City of Visalia. The site's General Plan Land Use Designation of Regional

Commercial and the Zoning Designation of C-R (Regional Commercial) are consistent with each other based on the underlying allowed land uses and density ranges as identified in Table 9-1 "*Consistency between the Plan and Zoning*" of the General Plan. The City of Visalia's Zoning Ordinance allows for commercial development as a permitted use, though the subdivision of land requires a Tentative Parcel Map and the specific uses identified in the commercial development together with parcels less than five acres in size with no street access require a Conditional Use Permit.

A Zone Text Amendment is required in order to add the auto sales and service use as a conditionally permitted use within the C-R Zone. The amendment will not conflict with the overall Regional Commercial General Plan and Zoning designations applied to the project site as the proposed use remains retail in nature. The amendment will also not result in environmental effects beyond other retail uses allowed within the land use designation.

The proposed project will be consistent with the Land Use Element of the General Plan, including Policies LU-P-62, LU-P-65, AND LU-P-69 for Regional Commercial Development, and consistent with the standards for commercial development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapters 17.18 and 17.30.

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. The project will result in noise generation typical of urban development. The Visalia Noise Element and City Ordinance contain criterion for acceptable noise levels inside and outside residential living spaces. This standard is 65 dB DNL for outdoor activity areas associated with residences and 45 dB DNL for indoor areas.

Two Acoustical Analyses were prepared for the proposed project, one addressing the proposed commercial shopping center/tentative parcel map (Study 1: Environmental Noise & Vibration Assessment: Visalia Parkway & S. Mooney Boulevard Retail Development. Bollard Acoustical Consultants, Inc., January 15, 2020), and another addressing the proposed CarMax used auto sales and service center (Study 2: CarMax Development: Noise Study Report, September 2019. VRPA Technologies, Inc., November 19, 2019). The purpose of the studies are to determine if noise levels associated with the projects will comply with the City's applicable noise level standards. The acoustical analyses are intended to determine project-related noise levels for all aspects of the proposed projects.

The analysis within Study 1 is based upon the Commons at Visalia Parkway shopping center site plan dated January 10, 2020. The analysis within Study 2 is based upon the CarMax site plan dated November 6, 2019. For both studies, noise measurements were tabulated by referencing physical noise measurements at various points throughout each project site, and by disseminating information concerning the proposed uses, equipment, activities, and infrastructure of each proposed project.

The analyses conducted background/ambient short-term noise level measurements at each project site during AM and PM hours. The intent of the measurements was to quantify existing (without project) ambient noise levels during daytime and nighttime hours.

For Study 1, the analysis concludes that implementation of the Commons commercial shopping center and tentative parcel map has the potential to result in short-term noise impacts to surrounding land uses due to construction activities. Worst-case on-site project construction equipment noise levels at the nearest residential uses are expected to range from approximately 82 to 96 dB. Thus, it is possible that a portion of the project construction equipment could result in substantial short-term increases over ambient maximum noise levels. As a result, noise impacts associated with construction activities are identified as being potentially significant. Mitigation Measure No. 2.3 is proposed in order to reduce said impacts to a level of less than significance.

Study 1 also analyzed the long term impacts of noise as a result of truck delivery circulation/operations and HVAC operation, on stationary sources (existing residential to the west and south, and potential residential development on Parcel A in particular). Results of the analysis show that truck delivery activities, loading dock activities, and HVAC operations have the potential to create a significant impact at sensitive receptors in the study area. Therefore, to ensure that community noise standards are met for the proposed shopping center, the project site shall be developed and shall operate in substantial compliance with Mitigation Measures 2.1 through 2.3. These mitigation measures are included in Section IV as part of this Mitigated Negative Declaration.

For Study 2, the analysis concludes that implementation of the CarMax facility has the potential to result in short-term noise impacts to surrounding land uses due to construction activities. Construction noise represents a short-term impact on ambient noise levels. Although most of the types of exterior construction activities associated with the Project will not generate continually high noise levels, occasional single-event disturbances from grading and construction activities are possible. Mitigation Measure No. 2.3 is proposed in order to reduce said impacts to a level of less than significance.

Study 2 also analyzed the long term impacts of noise as a result of traffic and stationary sources (the proposed carwash in particular). Results of the analysis show that project traffic and stationary sources, including carwash operation, will not create a significant impact at sensitive receptors in the study area. Nevertheless, a 6-foot tall block wall along the south, east, and west sides of the vehicle service area, which includes the carwash, is proposed by CarMax to reduce noise impacts. The block wall is included within Mitigation Measure No. 2.1. Otherwise, no mitigation measures are needed.

b. Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the projects. Construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time; thus the impacts will be less than

significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.

c. The project area is not within two miles of a public airport, and there is no private airstrip near the project area.

XIV. POPULATION AND HOUSING

a. The project will not directly induce substantial unplanned population growth that is in excess of that planned in the General Plan.

b. Development of the site will not displace any housing or people on the site. The area being developed is currently vacant land.

XV. PUBLIC SERVICES

a.

i. Current fire protection facilities are located at the Visalia Station 52, located approximately one mile north of the property, and can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.

ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.

iii. The project will not generate new students for which existing schools in the area may accommodate.

iv. Current park facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.

v. Other public facilities can adequately serve the site without a need for alteration.

XVI. RECREATION

a. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment. Nor will the project increase the use of existing neighborhood and regional parks as no residential uses are proposed.

b. The proposed project does not include recreational facilities or 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. Development and operation of the project is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. The project will result in an increase in traffic levels on arterial and collector roadways, although the City of Visalia's Circulation Element has been prepared to address this increase in traffic.

b. Development of the site will result in increased traffic in the immediate area; but will not cause a substantial increase in traffic Citywide. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for Regional Commercial urban use.

A Traffic Impact Analysis Report was conducted for the project (ref.: Traffic Impact Analysis: Proposed Commons at Visalia Parkway Shopping Center. Peters Engineering Group, January 10, 2020) which studied key roadways and intersections in the vicinity of the project site. The analysis considered existing roadway conditions and 5-year, 10-year, and 20-year cumulative conditions, with and without the project. The analysis identified recommended roadway and intersection improvements to the vicinity of the project to ensure that the project will operate at acceptable LOS "D" conditions or better through the 20 year period.

Among the recommended mitigation measures in the Analysis were measures that address existing roadway conditions where operating conditions are below acceptable standards.

The intersection of Visalia Parkway and the main project site entrance (located south of Visalia Parkway, approximately 770 feet west of the Visalia Parkway and Mooney Boulevard intersection), is recommended for the installation of traffic signals. The proposed driveway shall be aligned with the existing driveway on the north side of Visalia Parkway to facilitate signalization. The intersection must be designed to accommodate the ultimate lane configurations as follows:

Eastbound: one left-turn lane, one through lane, and one right-turn lane;

Westbound: one left-turn lane and one through lane with a shared right turn;

Northbound: one shared left-turn/through and one right-turn lane;

Southbound: one shared left-turn/through/right-turn lane (existing driveway).

This is included as Mitigation Measure No. 1.1.

The intersection of Mooney Boulevard and Visalia Parkway at the southwest corner of the project site is planned for the construction of a median on Visalia Parkway. The TIA recommends that the median construction accommodate widening of the intersection to the ultimate lane configurations based on 20-year analyses; however, the minimum lane configurations required in the 10-year with Project condition are as follows:

Eastbound: two left-turn lanes, one through lane, and one right-turn lane

Westbound: two left-turn lanes and one through lane with a shared right turn

Northbound: one left-turn lane and two through lanes with a shared right turn

Southbound: one left-turn lane, three through lanes, and one right-turn lane.

This is included as Mitigation Measure No. 1.2.

For all other affected intersections listed in the report, the TIA states that the project shall mitigate its impacts by providing an equitable share of development [transportation] impact fees for the future signalization or installation of traffic signals for the intersections identified. The City of Visalia will continue to monitor and evaluate

the intersections identified and carry out improvements for controlled movements when such measures are critically necessary.

The California Department of Transportation (Caltrans) has reviewed the project, and provided correspondence as a Responsible Agency, because the project takes vehicular access from Mooney Boulevard, a State Highway designated as State Route 63. Caltrans provided a letter providing comments on the first draft of the Traffic Impact Analysis on November 12, 2019, wherein Caltrans recommended changes to trip generation figures, additional analysis of westbound through lanes on Visalia Parkway, and revisions to the site plan affecting the number of lanes proposed on State Route 63. Responses to the comments were provided to Caltrans via a November 26, 2019 memo that was subsequently approved by Caltrans on December 12, 2019. Revisions were then incorporated into the January 10, 2020 version of the TIA.

c. There are no planned geometric designs associated with the project that are considered hazardous.

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. The site is not 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).

b. The site has been determined to not 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

In response to an invitation for early consultation sent out on July 23, 2019, the City of Visalia received one response on August 13, 20219 from the Santa Rosa Rancheria Tachi Yokut Tribe, requesting to be retained to give a cultural presentation to construction staff regarding the law and the potential to discover cultural resources onsite. When staff reached out to the tribe on August 15, 2019 for further information, no additional return correspondence was received.

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

a. The project will be connecting to existing City sanitary sewer lines, consistent with the City Sewer Master Plan.

The Visalia wastewater treatment plant has a current rated capacity of 22 million gallons per day, but currently treats an average daily maximum month flow of 12.5 million gallons per day. With the completed project, the plant has more than sufficient capacity to accommodate impacts associated with the proposed project. The proposed project will therefore not cause significant environmental impacts.

The project site will be accommodated by an extension of the City's sanitary sewer lines. As part of the project, existing sanitary sewer mains will be extended off-site along Mooney Boulevard and Visalia Parkway. Usage of these lines is consistent with the City Sewer System Master Plan. These improvements will not cause significant environmental impacts.

The project site will be accommodated by City storm water drainage lines that handle on-site and street runoff. As part of the project, a storm drain main will be extended off-site along Mooney Boulevard and Visalia Parkway. Usage of these lines is consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.

b. California Water Service Company has determined that there are sufficient water supplies to support the site, and that service can be extended to the site.

c. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant.

d. Current solid waste disposal facilities can adequately serve the site without a need for alteration.

e. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

XX. WILDFIRE

a. The project is located on a site that is adjacent on multiple sides by existing development. The site will be further served by multiple points of access. In the event of an emergency response, coordination would be made with the City's Engineering, Police, and Fire Divisions to ensure that adequate access to and from the site is maintained.

b. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that is likely to exacerbate wildfire risks.

c. The project is located on a site that is adjacent on multiple sides by existing development. New project development will require the installation and maintenance of associated infrastructure; however the infrastructure would be typical of commercial development and would be developed to the standards of the underlying responsible agencies.

d. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that would expose persons or structures to significant risks of flooding or landslides.

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 Genera 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. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's 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.

c. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia 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.

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.**

__X__ 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.**

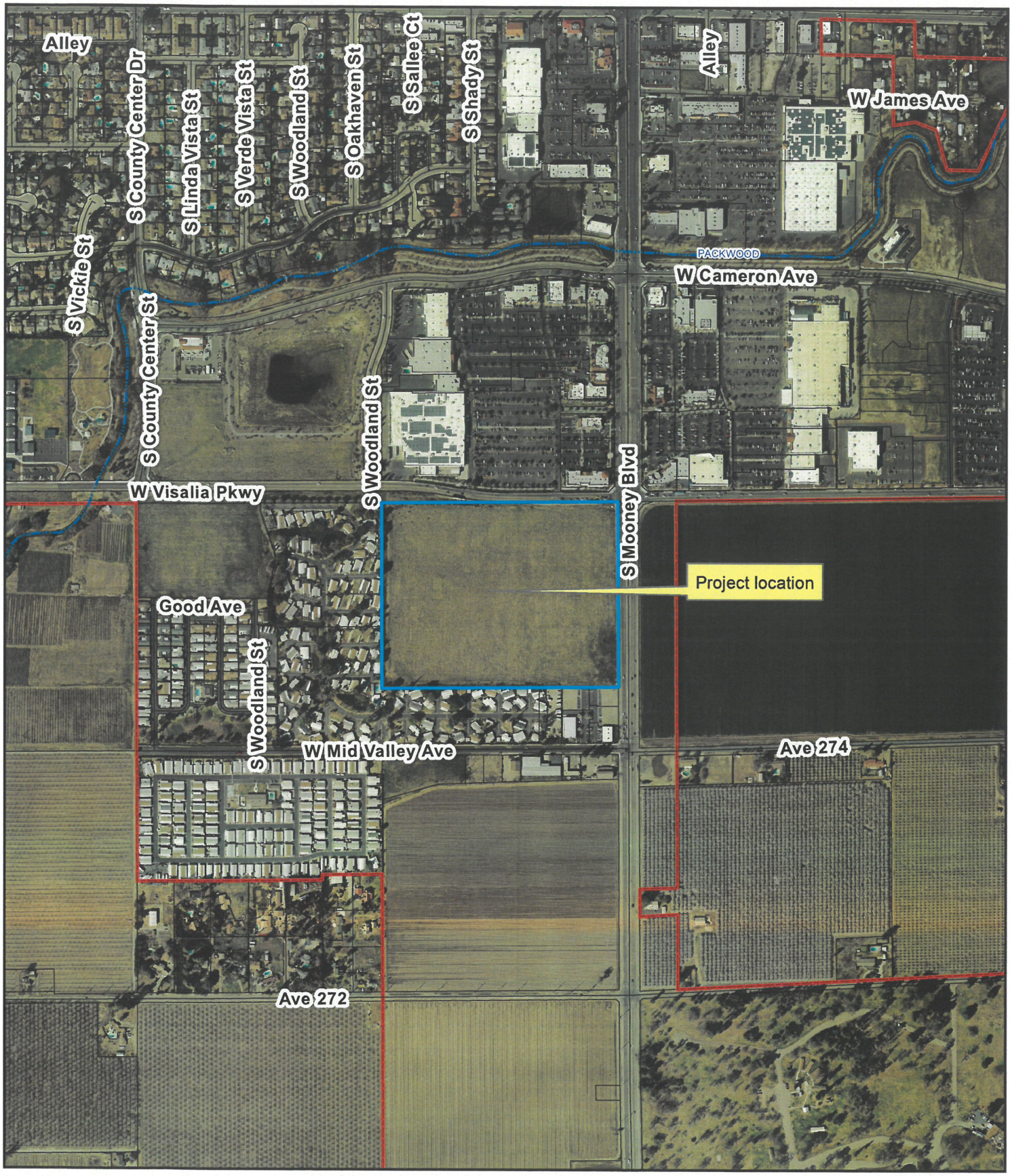
___ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

___ 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.**

Paul Scheibel, AICP
Environmental Coordinator

2-12-20
Date



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0 285 570 1140
Feet

TPM No. 2019-13 & CUP No. 2019-31,
ZTA No. 2019-13 & CUP No. 2019-42

Location Map

Streets
Railroad
Waterways
City Limits
Parcels

VISALIA
Founded 1852