MITIGATED NEGATIVE DECLARATION

Project Title: Conditional Use Permit No. 2020-07 and Tentative Parcel Map No. 2020-02.

Project Description:

Conditional Use Permit No. 2020-07 is a request by Chy Chau to develop a commercial shopping center consisting of a 4,500 square foot convenience store with a service station containing 6 fueling stations (12 vehicle fueling pumps), a 6,000 square foot gas station canopy, a 1,250 square foot quick service restaurant, a 3,000 square foot fast-food restaurant with a 14 vehicle drive-thru lane, a 1,120 square foot coffee-shop with a 10 vehicle drive-thru lane, and 21,000 square feet of retail space, to include a grocery store, on parcels with less than the minimum 5 acre lot size requirement, located on a 5.00-acre parcel within the C-N (Neighborhood Commercial) Zone.

Tentative Parcel Map No. 2020-02 is a request by Chy Chau to subdivide a 5.00-acre parcel into two parcels to facilitate development of a commercial shopping center, on a site within the C-N (Neighborhood Commercial) Zone.

The project will include the construction of on and off-site improvements such as curb/gutter/sidewalk, development of parking lots and lighting, driveways and drive aisles, landscaping, noise restricting block walls, underground storage tanks, and installation of utilities, and improvements to turn lanes at the intersection of Demaree Street and Visalia Parkway.

Project Location: The project site is located on the southeast corner of South Demaree Street and West Visalia Parkway (APN: 121-630-085).

Project Facts: Refer to Initial Study for project facts, plans and policies, and discussion of environmental effects.

Attachments:

Initial Study	(X)
Environmental Checklist	(X)
Location Map	(X)
Mitigation Measures	(X)
Local Transportation Analysis	(X)
Health Risk Assessment	(X)
Noise Study	(X)

DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

(a) The project does not have the potential to 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, 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.

(b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual 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.

(d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Mitigated Negative Declaration has been prepared by the City of Visalia Planning Division in accordance with the California Environmental Quality Act of 1970, as amended. A copy may be obtained from the City of Visalia Planning Division Staff during normal business hours.

APPROVED
Brandon Smith, AICP
Environmental Coordinator

By: 

Date Approved: September 26, 2025

Review Period: 20 days

INITIAL STUDY

I. GENERAL

A. Project Name and Description:

Conditional Use Permit No. 2020-07 is a request by Chy Chau to develop a commercial shopping center consisting of a 4,500 square foot convenience store with a service station containing 6 fueling stations (12 vehicle fueling pumps), a 6,000 square foot gas station canopy, a 1,250 square foot quick service restaurant, a 3,000 square foot fast-food restaurant with a 14 vehicle drive-thru lane, a 1,120 square foot coffee-shop with a 10 vehicle drive-thru lane, and 21,000 square feet of retail space, to include a grocery store, on parcels with less than the minimum 5 acre lot size requirement, located on a 5.00-acre parcel within the C-N (Neighborhood Commercial) Zone.

Tentative Parcel Map No. 2020-02 is a request by Chy Chau to subdivide a 5.00-acre parcel into two parcels to facilitate development of a commercial shopping center, on a site within the C-N (Neighborhood Commercial) Zone.

The project will include the construction of on and off-site improvements such as curb/gutter/sidewalk, development of parking lots and lighting, driveways and drive aisles, landscaping, noise restricting block walls, underground storage tanks, and installation of utilities, and improvements to turn lanes at the intersection of Demaree Street and Visalia Parkway.

The project site is located on the southeast corner of South Demaree Street and West Visalia Parkway (APN: 121-630-085).

B. Identification of the Environmental Setting:

The project area is composed of one parcel totaling 5.00 acres. The parcel is currently vacant with moderate right of way improvements consisting of curb, gutter, and a curb ramp, street light, and two traffic signals at the southeast corner of West Visalia Parkway and South Demaree Street. The project site is directly bounded to the north by West Visalia Parkway (a four-lane minor arterial street) and to the west by South Demaree Street (a four lane minor arterial street). Development surrounding the project site consists of single family residential subdivisions to the north, single and multifamily residential subdivisions to the east, scattered residences and vacant land to the south, and scattered residences and agricultural land to the west.

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

	General Plan (2014 Land Use)	Zoning (2017)	Existing uses
North:	Residential Low Density	R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area)	Single family residences, Los Pinos Subdivision, Gunn Ranch Subdivision.
South:	Public/Institutional	Tulare County Jurisdiction, AE-20 (Exclusive Agricultural, 20 acre minimum)	Vacant land, single family residences.
East:	Residential Medium Density	R-M-2 (Multifamily Residential, 3,000 square foot minimum site area per dwelling)	Multifamily residences, Southern Highlands Subdivision.

West:	Residential Medium Density	Tulare County Jurisdiction, AE-20	Agricultural land, single family residence.

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 Neighborhood and the Zoning Map, adopted in 2017, designates the site as C-N (Neighborhood Commercial). The proposed development is consistent with the Land Use Element of the General Plan, and consistent with the standards for commercial zones development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.18.

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 and Zoning Ordinance 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 under IV. Mitigation Monitoring Program, will reduce potential environmental impacts related to noise impacts to a less than significant level as described below:

Transportation / Traffic – A Local Transportation Analysis prepared for the proposed project (ref.: Demaree Travel Plaza Local Transportation Analysis. CR Associates, August 2025) 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 2031, the report recommends mitigation to be incorporated into the project.

Noise – A Noise Study was prepared for the proposed project [ref.: Noise Study – Demaree Travel Plaza (SPR No. 2023-130, CUP No. 2020-07, and TPM No. 2020-02). Impact Sciences, Inc., July 15, 2025]. The Noise Study concluded that exterior noise levels would not exceed Visalia Municipal Code noise standards during the daytime or nighttime, and that operational noise levels associated with the project would be below ambient noise levels produced by existing environmental conditions. Lastly, the Noise Study concluded that with the implementation of mitigation measures to limit when loading and unloading activities can occur, the project will not disrupt nearby residential uses, in accordance with the standards contained in the City’s Noise Element and Ordinance.

Staff has incorporated the above recommendations as required mitigation measures, as indicated in Section IV (Mitigation Monitoring Program) below. 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: South Demaree Street and West Visalia Parkway
 	
To improve traffic operations at this intersection, the following improvements shall be implemented:
 	
• Restripe the eastbound approach within the existing 48-foot width between median to the edge of the curb with the following lane configuration:
  o One (1) left-turn pocket: 11-foot width/150-foot length lane.
  o Two (2) through lanes: 12-foot width lanes.
  o One (1) exclusive right turn lane: 11-foot width/250-foot length lane.
	Project Applicant	Mitigation shall be enforced and improvements completed prior to final occupancy of any building within the first phase of development.

Transportation / Traffic Impact Mitigation Measure 1.2: South Demaree Street and West Visalia Parkway
 	
To improve traffic operations at this intersection, the following improvements shall be implemented:
 	
• Westbound Left: Since the project adds trips to the affected movements, the intersection queue storage lane for the westbound-left approach should be extended to 425 feet to accommodate the calculated queue. However, the maximum extension feasible for this turning movement is approximately 50 feet due to the following:
  o City requirement of a 120-foot bay taper.
  o Physical conflict with existing eastbound left-turn pocket at the Silvervale Street and Visalia Parkway intersection.
 	
Therefore, the westbound left-turn pocket shall be extended by 50 feet with a 120-foot bay taper, which will require striping for the turn pocket and adjustment to the existing raised median along Visalia Parkway.
	Project Applicant	Mitigation shall be enforced and improvements completed prior to final occupancy of any building within the first phase of development.

• Southbound Left: Based on Section 4D.107 of the CA-MUTCD, if left-turn volume is 300 or more vehicles per hour, consideration should be given to a two-lane left-turn. Under Five-Year Cumulative with Project conditions, the peak hour volume associated with the southbound left-turn is 261 vehicles during the AM peak hour and 311 during the PM peak hour. Therefore, since the PM peak volume surpasses the threshold for consideration, the intersection shall be reconfigured with the addition of a second southbound left-turn lane. The design of the dual southbound dual left-turn configuration shall be designed satisfactorily to the City traffic engineer.		
Noise Impact Mitigation Measure 2.1: Commercial loading and unloading for all commercial and retail uses shall be limited to hours of 6:00 AM to 7:00 PM.	Project Applicant	Mitigation shall be enforced by the City of Visalia and carried out by the project applicant during operation.

V. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

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

VI. 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.
- Demaree Travel Plaza Local Transportation Analysis. CR Associates, August 2025.
- Noise Study – Demaree Travel Plaza (SPR No. 2023-130, CUP No. 2020-07, and TPM No. 2020-02). Impact Sciences, Inc., July 15, 2025.
- Health Risk Assessment – Demaree Travel Plaza (SPR No. 2023-130). Impact Sciences, Inc., February 20, 2025.

VII. NAME OF PERSON WHO PREPARED INITIAL STUDY

Cristobal Carrillo
Associate Planner

Brandon Smith, AICP
Environmental Coordinator

City of Visalia
Planning and Community Preservation

Environmental Document No. 2020-12

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Name of Proposal	Conditional Use Permit No. 2020-07 and Tentative Parcel Map No. 2020-02.		
NAME OF PROPONENT:	Chy Chau	NAME OF AGENT:	Jessika Osuna
Address of Proponent:	P.O. Box 6638 Visalia, CA 93290	Address of Agent:	Magallon Construction Company, Inc. 7035 Hughson Avenue Hughson, CA 95326
Telephone Number:	559-799-3288	Telephone Number:	209-883-4483
Date of Review	September 24, 2025	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?

2 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?

2 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. The proposed project is new commercial construction which will meet City standards for setbacks, landscaping and height restrictions. 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.

Retail uses that include gas stations, restaurants, and retail uses are considered compatible in commercial areas where potential impacts can be addressed through the Conditional Use Permit process. The project site is located along Demaree Street and Visalia Parkway, which are designated arterial roadways. The City's General Plan Land Use Map designates the site as Commercial Neighborhood. Staff believes that the proposed use 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 policies 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 project site is located within an urbanized area and 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 the use have been prepared and provided by the project proponent, demonstrating that lighting fixtures installed throughout will be directed toward the interior of the site, to avoid direct illumination spilling beyond the site boundaries into the adjacent residential uses, as required under Section 17.30.015.G of the Zoning Ordinance. Compliance with the City's Zoning Ordinance standards will be verified upon installation and prior to operation of the use. Therefore, impacts to lighting will be less than significant.

II. AGRICULTURAL RESOURCES

a. The project is not located on property that is identified by the California Department of Conservation as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, but is located on property that is listed as Farmland of Local Importance. The project site is currently vacant, and has not been used for agricultural production since at least 2007. Though the site is located on Farmland of Local Importance, the development is in accordance with the 2030 General Plan. The site is within the Tier 1 Urban Development Boundary and is designated as Neighborhood Commercial by the General Plan.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area, which includes the subject property, 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. However, the General Plan contains multiple polices 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, 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. 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.

b. The project is not located on property that is party to a Williamson Act contract. Existing City zoning for the area is C-N (Neighborhood Commercial). As such, there is no conflict with zoning for agricultural use. Furthermore, the project site is located within the Tier 1 Urban Development Boundary, and thus is exempt from the requirements of the Agricultural Land Preservation Program (Visalia Municipal Code Chapter 18.04).

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, within the City of Visalia's Urban Development Boundary, and inside the City limits 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 does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan and will therefore be a less than significant impact.

b. Development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The project will contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Also, the project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. 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 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.

   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. 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 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.

   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.

   Residences located to the north and east of the proposed project are considered sensitive receptors susceptible to air quality impacts from the proposed use. As a result, a Health Risk Assessment (HRA) was submitted. Specifically, the HRA analyzed potential impacts produced by the proposed gasoline service station on nearby sensitive receptors. This included analysis of compliance with state, regional, and local regulations (including SJVAPCD Rule 4621 and Rule 4622) and a screening level assessment for impacts to sensitive receptors. The HRA identifies residences located within 75 meters (246 feet) of the fuel pumps as the nearest sensitive receptors. The analysis in the HRA states that the Project would not exceed the thresholds of significance established by the SJVAPCD, and is in compliance with state, regional, and local regulations, including Rule 4621 and 4622. Therefore, impacts associated with health risks would be less than significant and no mitigation measures are required.

d. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people.

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.

   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 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. The project is not located within an identified sensitive riparian habitat or other natural community. Packwood Creek is located approximately 640 feet south of the project site and will not be affected by the proposed development.

   City-wide 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 in the Planning Area. With implementation of these policies and being that the project is not located within or adjacent to an identified sensitive riparian habitat or other natural community, including woodlands, impacts on woodlands will be less than significant.

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

   City-wide 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. This development would not interfere 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.

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 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 in the Planning Area. With implementation of these policies, impacts on wildlife movement corridors will be less than significant.

e. The project will not conflict with any local policies or ordinances protecting biological resources. The City of Visalia has a municipal ordinance in place to protect valley oak trees; however, no oak trees exist on the site.

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

V. CULTURAL RESOURCES

a. At the request of the Santa Rosa Rancheria Tachi-Yokut Tribe, a records search was conducted from the Native American Heritage Commission (NAHC) Sacred Lands File. The results of the search where negative. At present there are no known historical resources located within the project area. 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 will 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 zone. 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.

Policies 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 any state or local plans for renewable energy or energy efficiency. The proposed project will comply with all state and local policies related to energy efficiency.

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 will 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 project, and long-term as a result of day-to-day operation of the development.

The City has also 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.

Lastly, 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 on GHG emissions will be less than significant.

b. California passed the California Global Warming Solutions Act of 2006. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. Under AB 32, CARB must adopt regulations by January 1, 2011, to achieve reductions in GHGs to meet the 1990 emission cap by 2020. On December 11, 2008, CARB adopted its initial Scoping Plan, which functions as a roadmap of CARB's plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan.

The proposed project will not impede the State's ability to meet the GHG emission reduction targets under AB 32 and SB 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 is one school (Cottonwood Creek Elementary) that is located approximately one-quarter mile east of the project. However, 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. A Health Risk Assessment submitted with the project to evaluate impacts from the proposed service station on nearby sensitive receptors determined that the project would not exceed the thresholds of significance established by the SJVAPCD, and would be in compliance with state, regional, and local regulations. Therefore, impacts associated with health risks would be less than significant and no mitigation measures are required.

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

e. The proposed Project is located approximately 4 miles southeast of the nearest public airport (Visalia Municipal Airport). However, according to the Airport Master Plan, the Project Site is located outside of the Airport Influence Area. As such, there are no restrictions for the proposed project related to Airport Zone requirements, and implementation of the proposed Project would not result in a safety hazard for people residing or working in the Project area.

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.

The Visalia General Plan contains multiple policies, 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 site 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.

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.

Policies 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.

Policies 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.

Lastly, the project will be required to meet the City's improvement standards for directing storm water runoff to the City's storm water drainage system consistent with the City's adopted City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.

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. The project will not conflict with or obstruct implementation of a water quality plan or sustainable groundwater management plan. The General Plan contains multiple policies that address the issue under Impact 3.6-1, and the County of Tulare maintains the Tulare County Hazard Mitigation Plan and a Mass Evacuation Plan that will help to reduce the impact. The project will comply with all applicable rules and regulations regarding water quality and groundwater management and there is no impact.

XI. LAND USE AND PLANNING

a. The project will not physically divide an established community. The site is vacant and would not result in development that would split existing urban areas. The General Plan Land Use Diagram designates the project area as Neighborhood Commercial. The Zoning Map designates the site as C-N (Neighborhood Commercial), which is consistent with the General Plan Land Use Designation of Neighborhood Commercial as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan. Commercial centers that include retail shops, convenience stores, gas stations, and drive-thru restaurants are considered compatible uses in commercial areas where potential impacts can be addressed through the conditional use permit process. The site is located along Demaree Street and Visalia Parkway, both designated arterial roadways.

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.

b. The project site is within the Urban Development Boundary Tier 1. 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 Neighborhood Commercial and the Zoning Designation of C-N (Neighborhood 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 service station and drive-thru restaurants within 250 feet of residential require a Conditional Use Permit.

Lastly, 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-67 for Neighborhood 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. A noise study for the project was conducted by Impact Sciences, Inc. The study determined that the project's drive-thru and loading/unloading operations would not exceed Visalia Municipal Code noise standards during the daytime or nighttime and that noise levels from operation of the use would be imperceptible given the existing environmental conditions. Furthermore, as demonstrated in Table 5 and Attachment C of the noise study, placement of a 7-foot tall concrete wall along the eastern property boundary of the project site, as already required by City of Visalia Zoning Ordinance development standards between residential and commercial uses, will attenuate noise levels from loading and unloading activities experienced at the residences to the east of the project site. This, coupled with implementation of a mitigation measure limiting loading and unloading activities to daylight hours between 6:00 a.m. and 7:00 p.m. will ensure that nearby residential uses are not disrupted during nighttime hours.

Noise levels will increase temporarily during the construction of these facilities but shall remain within noise limits and will be restricted to the allowed hours of construction defined by the City of Visalia Noise Ordinance.

Temporary increase in ambient noise levels is considered to be less than significant.

Furthermore, the Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to sensitive land uses. With the implementation of Noise Impact Policies and existing City Standards, noise impacts to new noise sensitive land uses would be less than significant.

b. Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the project. 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. The project will not expose people residing or working in the project area to excessive noise levels resulting from aircraft operations.

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.

XV. PUBLIC SERVICES

a.

i. Current fire protection facilities are located at the Visalia Station 52, located approximately 1.25 miles northeast 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 Neighborhood Commercial urban use.

A traffic study [Demaree Travel Plaza – Local Transportation Analysis. CR Associates, August 2025] has been provided by the applicant, for the purpose of analyzing traffic conditions related to the Demaree Travel Plaza development (Project).

The project trip generation was estimated using the Institute of Transportation of Engineers (ITE) Trip Generation Manual (11th Edition), consistent with the City of Visalia's Procedures for Traffic Impact Analysis (PTIA). Additionally, appropriate pass-by trip reductions were applied for land uses, if applicable, based on ITE pass-by trip reductions and coordination with the City of Visalia.

The Proposed Project is expected to generate approximately 6,813 daily trips with 421 AM (218-in/203-out) peak hour trips and 403 PM (203-in/200-out) peak hour trips.

The following seven (7) roadway segments and nine (9) study intersections were selected for analysis:

Roadway Segments

- Demaree Street, north of Caldwell Avenue – City of Visalia
- Demaree Street, between Caldwell Avenue and Visalia Parkway – City of Visalia
- Demaree Street, between Visalia Parkway and Avenue 272 – County of Tulare
- Caldwell Avenue, west of Demaree Street – City of Visalia
- Caldwell Avenue, east of Demaree Street – City of Visalia
- Visalia Parkway, west of Demaree Street – City of Visalia
- Visalia Parkway, east of Demaree Street – City of Visalia

Intersections

- Demaree Street & Caldwell Avenue (Signal) – City of Visalia
- Demaree Street & Packwood Avenue (Signal) – City of Visalia
- Chinowth Street & Visalia Parkway (SSSC) – City of Visalia

- Demaree Street & Visalia Parkway (Signal) – City of Visalia
- Dans Street & Visalia Parkway (AWSC) – City of Visalia
- County Center Drive & Visalia Parkway (SSSC) – City of Visalia
- Demaree Street & Avenue 272 (Signal) – County of Tulare
- Project Driveway #1 & Visalia Parkway (SSSC)[1] – City of Visalia
- Demaree Street & Project Driveway #2 (SSSC)[1] – City of Visalia

Note:
SSSC = Side-Street Stop-Controlled
AWSC = All-Way Stop-Controlled
1 This intersection provides project access and does not currently exist; therefore, analysis provided under "with Project" scenarios only.

The level of service (LOS) analysis conducted as a part of this study was used to evaluate the effects of the Proposed Project on the circulation network and used as a metric for measurement of effective movements within the City. It is important to note that a portion of the project study area resides within the County of Tulare jurisdiction. Study facilities within the City of Visalia were evaluated using City of Visalia standards. The study facilities that reside outside City jurisdiction were evaluated using County of Tulare standards.

Based upon the analysis within the study for the implementation of the Proposed Project, improvement requirements are needed to improve the LOS to acceptable or pre-project conditions.

The study concluded regarding roadway segment analysis that no improvements are required.

The study concluded regarding intersections that since implementation of the Proposed Project would deteriorate LOS to unacceptable levels or further deteriorate traffic operations at a study intersection already operating as unacceptable LOS, improvements would be required at the following two (2) intersections:

- Demaree St & Visalia Pkwy – To improve traffic operations at this intersection, the following improvements would need to be implemented:
    - Restripe the eastbound approach within the existing 48-foot width between median to the edge of the curb with the following lane configuration:
        - One (1) left-turn pocket: 11-foot width/150-foot length lane
        - Two (2) through lanes: 12-foot width lanes
        - One (1) exclusive right turn lane: 11-foot width/250-foot length lane

With the improvements listed above, the affected intersection under Five-Year Cumulative with Project conditions would operate at acceptable LOS during both the AM and PM peak hours.

Since implementation of the Proposed Project would make the intersection queue to extend past the available storage, improvements would be required at the following intersection:

- Demaree St & Visalia Pkwy – To improve traffic operations at this intersection, the following improvements would need to be implemented:
    - Westbound Left: Since the project adds trips to the affected movements, the intersection queue storage lane for the westbound-left approach should be extended to 425 feet to accommodate the calculated queue. However, the maximum extension feasible for this turning movement is approximately 50 feet due to the following:
        - City requirement of a 120-foot bay taper
        - Physical conflict with existing eastbound left-turn pocket at the Silvervale Street and Visalia Parkway intersection.

      Therefore, it is recommended that the westbound left-turn pocket be extended by 50 feet with a 120-foot bay taper, which would require striping for the turn pocket and adjustment to the existing raised median along Visalia Parkway.
    - Southbound Left: Based on Section 4D.107 of the CA-MUTCD, if left-turn volume is 300 or more vehicles per hour, consideration should be given to a two-lane left-turn. Under Five-Year Cumulative with Project conditions, the peak hour volume associated with the southbound left-turn is 261 vehicles during the AM peak hour and 311 during the PM peak hour. Therefore, since the PM peak volume surpasses the threshold for consideration, it is recommended that the intersection be reconfigured with the addition of a second southbound left-turn lane. The design of the dual southbound dual left-turn configuration should be designed satisfactorily to the City traffic engineer.

With the improvements listed above, the affected intersection under Five-Year Cumulative with Project conditions would increase left-turn storage capacity for the westbound and southbound approaches.

Furthermore, based on the City of Visalia VMT Thresholds and Implementation Guidelines adopted on March 15, 2021, the Proposed Project would be screened out from conducting a detailed VMT analysis based on the following criteria:

- The project involves local-serving retail space of less than 50,000 square feet.

- Mixed-use project consistent with the City's General Plan and located within green-colored VMT zones (per City of Visalia VMT screening map), are presumed to have similar low VMT profiles and could be screened out from further VMT analysis.

Since the Proposed Project is consistent with the City's General Plan, consist of local-serving retail space, and is located within a green-colored VMT zone per the City of Visalia VMT screening map for mixed-used developments, a detailed VMT analysis is not required. Therefore, the Proposed Project may be presumed to have a less than significant VMT impact.

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. Tribal notification was circulated in accordance with Assembly Bill (AB) 52. A response was received from the Santa Rosa Rancheria Tachi Yokut Tribe. At the request of the Santa Rosa Rancheria Tachi-Yokut Tribe, a records search was conducted from the Native American Heritage Commission (NAHC) Sacred Lands File. The results of the search where negative.

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.

Pre-consultation letters were sent to local tribes in accordance with AB 52, providing tribes with a 30-day early review period. Staff received correspondence from the Santa Rosa Rancheria Tachi Yokut Tribe. At the request of the Santa Rosa Rancheria Tachi-Yokut Tribe, a records search was conducted from the Native American Heritage Commission (NAHC) Sacred Lands File. The results of the search where negative.

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 development onsite will be required to install City storm water drainage lines that handle on-site and street runoff. Usage of these lines is consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.

b. The California Water Service will provide water services for the project, and previously issued a Will Serve Letter in March 2020. As a condition to development, the applicant shall be required to obtain a new Will Serve Letter from the California Water Service prior to development occurring.

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 extending from adjacent off-site locations to the project site; 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. This initial study/mitigated negative declaration found the project could have significant impacts on transportation / traffic and noise. However, implementation of the identified mitigation measures for each respective section would ensure that impacts are less than significant with mitigation incorporation.

Furthermore, 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. 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.**



September 25, 2025

Brandon Smith, AICP
Environmental Coordinator

Date