



# TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

210 N. Church Street, Suite B, Visalia 93291 Phone: (559) 623-0450 FAX: (559) 733-6720

## LAFCO MEETING AGENDA November 8, 2023 @ 2:00 P.M. BOARD OF SUPERVISORS CHAMBERS COUNTY ADMINISTRATIVE BUILDING 2800 West Burrel Avenue Visalia, CA 93291

COMMISSIONERS:  
Dennis Townsend, Chair  
Richard Feder, V. Chair  
Liz Wynn  
Pete Vander Poel  
Maribel Reynosa

ALTERNATES:  
Larry Micari  
Fred Sheriff  
Steve Harrell

EXECUTIVE OFFICER:  
Ben Giuliani

NOTE: This meeting will allow members of the public to participate in the meeting via Teleconference, pursuant to the Governor's Executive Order N-29-20 (March 17, 2020), available at <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.17.20-N-29-20-EO.pdf>

The toll free call-in number for this meeting is: 888-475-4499 | Meeting ID: 876 2737 6776 | Passcode: 399803

Executive Order N-29-20 requires agencies holding meetings via teleconferences to designate a publicly accessible location from which members of the public may observe and provide public comment. Although members of the public are encouraged to participate via teleconference, LAFCo has designated the following physical location for public participation:

### I. Call to Order

### II. Approval of Minutes from October 4, 2023 (Pages 01 - 04)

### III. Public Comment Period

At this time, members of the public may comment on any item not appearing on the agenda and that is within the scope of matters considered by the Commission. Under state law, matters presented under this item cannot be discussed or acted upon by the LAFCO Commission at this time. So that all interested parties have an opportunity to speak, any person addressing the Commission may be limited at the discretion of the chair. At all times, please use the microphone and state your name and address for the record.

### IV. Action Items and Presentations

1. Annexation to the City of Visalia and Detachment from County Service Area #1, (Pearl Woods Annexation) Case 1573-V-459 (Pages 05 - 32)  
[Public Hearing] ..... Recommended Action: Approval or Continuance

The City of Visalia has submitted a request for an annexation of approximately 67.7 acres of land located in between South Lovers Land and Road 148, just south of East Cherry Avenue. The proposal is intended to facilitate the development of approximately 273 single-family residential units. The City of Visalia has prepared a Mitigated Negative Declaration for use in this project.

**NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.**  
**In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact LAFCO Staff at 559-623-0450. Documents related to the items on this Agenda submitted to the Board after distribution of the Agenda packet are available for public inspection at 210 N Church Ste. B Visalia CA 93291**

2. Annexation to the City of Visalia and Detachment from County Service Area #1, (Shepherds Ranch II Annexation) Case 1574-V-460 (Pages 33 - 60)  
*[Public Hearing] ..... Recommended Action: Approval or Continuance*  
The City of Visalia has submitted a request for an annexation of approximately 40.46 acres of land located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue. The proposal is intended to facilitate the development of approximately 200 single-family residential units. The City of Visalia has prepared a Mitigated Negative Declaration for use in this project.
3. Annexation to the City of Visalia and Detachment from County Service Area #1, (Barr & Wood Annexation) Case 1576-V-462 (Pages 61 - 88)  
*[Public Hearing] ..... Recommended Action: Approval or Continuance*  
The City of Visalia has submitted a request for an annexation of approximately 69.35 acres of land located at the northwest corner of South Roeben Street and West Whitendale Avenue. The proposal is intended to facilitate the development of approximately 136-lot single family residential units. The City of Visalia has prepared a Mitigated Negative Declaration for use in this project.

**V. Executive Officer's Report**

1. Legislative Update (No Page)  
The legislature will reconvene on January 4, 2024
2. Upcoming Projects (No Page)  
The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO projects.

**VI. Correspondence**

1. None

**VII. Other Business**

1. CALAFCO Annual Conference Update (No Page)
2. Commissioner Report (No Page)
3. Request from LAFCO for items to be set for future agendas (No Page)

**VIII. Setting Time and Place of Next Meeting**

1. December 6, 2023 @ 2:00 P.M in the Tulare County Board of Supervisors Chambers, 2800 W. Burrell Ave., Visalia, CA 93291.

**IX. Adjournment**

**NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.**  
**In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact LAFCO Staff at 559-623-0450. Documents related to the items on this Agenda submitted to the Board after distribution of the Agenda packet are available for public inspection at 210 N Church Ste. B Visalia CA 93291**

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION  
2500 W. Burrel Avenue, Visalia, CA 93291  
Tulare County Human Resources and Development  
October 4, 2023 – Meeting Minutes**

<b>Members Present:</b>	<b>Townsend, Wynn, Reynosa, Vander Poel</b>
<b>Members Absent:</b>	<b>Feder</b>
<b>Alternates Present:</b>	<b>Sheriff, Micari</b>
<b>Alternates Absent:</b>	<b>Harrel</b>
<b>Staff Present:</b>	<b>Giuliani, Kane, and Gallo recording</b>
<b>Counsel Present:</b>	<b>Matthew Pierce</b>

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**I. Call to Order**

Chair Townsend called the meeting to order at 2:00 p.m.

**II. Approval of the September 6, 2023 Meeting Minutes**

Upon motion by Commissioner Reynosa and seconded by Commissioner Vander Poel, the Commission unanimously approved the LAFCO minutes.

**III. Public Comment Period**

Chair Townsend opened/closed the Public Comment Period at 2:01 p.m. No public comments received.

**IV. Action Items and Presentations:**

**1. Annexation to the City of Visalia and Detachment from County Service Area #1 (Pearl Woods Annexation) Case 1573-V-459**

Staff Analyst Kane reported that the City of Visalia is requesting an annexation of approximately 67.7 acres of land located in between South Lovers Lane and Road 148, just south of East Cherry Avenue.

Chair Townsend opened the Public Hearing at 2:09 p.m.

Aaron Bock, Tulare County Resource Management Agency, spoke in favor of continuation of the annexation proposal.

Paul Bernall, City of Visalia. spoke in favor of the annexation as proposed.

The Commission, County and City staff discussed issues regarding the sewer capacities of the City of Visalia and treatment of sewer effluent from the Goshen CSD.

Upon motion by Commissioner Vander Poel and second by Commissioner Sheriff, the Commission approved the continuation of the annexation to the City of Visalia and Detachment from County Service Area #1 by a 4-1 vote in favor of the continuation, with Commissioner Wynn opposed until a sewer capacity study was completed by the City of Visalia.

**2. Annexation to the City of Visalia and Detachment from County Service Area #1, (Shepherds Ranch II Annexation) Case 1574-V-460**

Staff Analyst Kane reported that the City of Visalia is requesting an annexation of approximately 40.46 acres of land located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue.

Chair Townsend opened the Public Hearing at 2:32 p.m.

Aaron Bock, Tulare County Resource Management Agency, spoke in favor of continuation of the annexation proposal.

Paul Bernall, City of Visalia. spoke in favor of the annexation as proposed.

Ernie Escobedo, QK, Inc., and consultant for the site developer, spoke in favor of the annexation as proposed.

Upon motion by Commissioner Vander Poel and second by Commissioner Reynosa, the Commission approved the continuation of the annexation to the City of Visalia and Detachment from County Service Area #1 by a 4-1 vote in favor of the continuation, with Commissioner Wynn opposed until a sewer capacity study was completed by the City of Visalia.

**3. Annexation to the City of Visalia and Detachment from County Service Area #1, (Crenshaw Annexation) Case 1575-V-461**

Staff Analyst Kane reported that the City of Visalia is requesting an annexation of approximately 7.11 acres of land located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and Est Oak Avenue. An infill annexation

Townsend opened Public Hearing at 2:38 p.m.

Paul Bernal, City of Visalia, spoke in favor of the annexation as proposed.

Peter Toor, Project Proponent, spoke in favor of the annexation as proposed.

Frances Ritchie, Visalia resident, spoke in opposition to the proposed annexation.

Upon motion by Commissioner Wynn and seconded by Commissioner Reynosa, the Commission unanimously approved the annexation to the City of Visalia and Detachment from County Service Area #1 as recommended.

**4. Annexation to the City of Visalia and Detachment from County Service Area #1, (Barr & Wood Annexation) Case 1576-V-462**

Staff Analyst Kane reported that the City of Visalia is requesting an annexation of approximately 69.35 acres of land located at the northwest corner of South Roeben Street and West Whitendale Avenue

Chair Townsend opened the Public Hearing at 2:43 p.m.

Paul Bernal, City of Visalia, spoke in favor of the annexation as proposed.

Aaron Bock, Tulare County Resource Management Agency, spoke in favor of continuation of the annexation proposal.

Upon motion by Commissioner Vander Poel and second by Commissioner Sheriff, the Commission approved the continuation of the annexation to the City of Visalia and Detachment from County Service Area #1 by a 4-1 vote in favor of the continuation, with Commissioner Wynn opposed until a sewer capacity study was completed by the City of Visalia.

**V. Executive Officer's Report**

**1. Legislative Update**

EO Giuliani stated there were no legislative updates.

**2. Upcoming Projects**

EO Giuliani reviewed projects that would be presented at upcoming meetings such as annexations from cities and Municipal Service Reviews.



**VI. Correspondence:**

None

**VII. Other Business:**

**1. Commissioner Report:**

Commissioner Wynn reminded the Commission that October was Breast Cancer Awareness Month.

**2. Request from LAFCO for items to be set for future agendas:**

Commissioner Vander Poel requested the three continued annexations to the City of Visalia be presented as one consolidated item.

**1. Setting Time and Place of Next Meeting:**

The next Local Agency Formation Commission (LAFCO) meeting is scheduled for **November 8, 2023, at 2:00 p.m.** in the Board of Supervisors Chambers in the Board of Supervisors Chambers, 2800 W. Burrel Ave., Visalia, CA 93291.

**2. Adjournment:**

The Tulare County LAFCO meeting adjourned at 2:53 p.m.

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**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT**

*October 4, 2023*

**LAFCO Case Number 1573-V-459  
Annexation 2022-05 to the City of Visalia  
(Pearl Woods Annexation)**

**Addendum Staff Report**

At the October 4<sup>th</sup> LAFCO meeting, three City of Visalia annexations were continued until a City sewer study could be completed that would provide more information regarding the City's sewer treatment plant's ability to treat wastewater from the City and the community of Goshen. The three annexations are as follows:

LAFCO Case 1573-V-459 (Pearl Woods)  
LAFCO Case 1574-V-460 (Shepherds Ranch II)  
LAFCO Case 1576-V-462 (Barr & Wood)

As of the writing of this addendum staff report, the City's sewer study has not yet been released. However, the study may be released ahead of the LAFCO meeting and will be forwarded once available for review. Depending on the Commission's review of the study, the Commission may approve the three annexations in one action or continue the annexations to the December 6<sup>th</sup> Commission meeting.

The following is the staff report from the October 4<sup>th</sup> meeting:

**PROPOSAL:** Annexation to the City of Visalia, detachment from CSA #1.

**PROPONENT:** The City of Visalia by resolution of its City Council.

**SIZE:** Approximately 68.7 acres

**LOCATION:** In between South Lovers Lane and Road 148, just south of East Cherry Avenue **(Figure 1)**

**NOTICE:** Notice for this public hearing was provided in accordance with Government Code Sections 56660 & 56661.

**SUMMARY:** The proposal is intended to facilitate the development of a 273-lot single family residential subdivision that will ultimately be developed with low density residential units **(Figure 2)**.

**APNs:** 127-030-038

## **GENERAL ANALYSIS**

### **1. Land Use:**

#### *A. Site Information*

	<b>Existing</b>	<b>Proposed (City)</b>
<b>Zoning Designation</b>	County - AE-20	Single-family residential, 5,000 sq. ft. minimum site area (R-1-5) and Quasi Public (QP)
<b>General Plan Designation</b>	Low Density Residential (LRD) Parks/Recreation (PR)	No Change
<b>Uses</b>	Undeveloped land, pecan & walnut orchard, no structures onsite	273 single-family lots, and 8.96 acre park / retention basin

#### *B. Surrounding Land Uses and Zoning and General Plan Designations:*

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
<b>North</b>	R-1-5 (Single-family residential, 5,00 sq. ft. min. site area)	Residential Low Density	Single Family Subdivision
<b>South</b>	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Residential Low Density, Residential Medium Density, Public Institutional	Undeveloped and Agricultural Use
<b>East</b>	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Undeveloped and Agricultural Use	Undeveloped and Agricultural Use
<b>West</b>	R-1-5 (Single-family residential, 5,00 sq. ft. min. site area)	Residential Low Density	Walnut Orchard to soon become Single Family Residential Subdivision

#### *C. Topography, Natural Features and Drainage*

The site is generally flat. Cameron Creek crosses the eastern portion of the site and a Tulare Irrigation District owned and operated ditch is located at the western edge of the site.

#### *D. Conformity with General Plans and Spheres of Influence:*

The project is entirely inside of the City Sphere of Influence. It is also inside the City's Tier 2 Urban Development Boundary (UDB).

## 2. Impact on Prime Agricultural Land, Agriculture and Open Space:

The site is not under Williamson Act contract.

## 3. Population:

The estimated population of the proposal area is 1. The County Elections Division has indicated that there are fewer than 12 registered voters in the proposal area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

## 4. Services and Controls - Need, Cost, Adequacy and Availability:

### Agency providing service

Service	Now	After	Method of finance
Police Protection	County of Tulare	City of Visalia	General Fund
Fire Protection	City of Visalia Fire Department (Contracted with County of Tulare)	City of Visalia Fire Department	General Fund
Water Supply	Private Wells	Cal Water	User Financed
Sewage Disposal	None	City of Visalia	Impact / User Fees
Street Lighting	None	City of Visalia	General Fund
Street Maintenance	County of Tulare	City of Visalia	General Fund
Planning/Zoning	County of Tulare	City of Visalia	General Fund
Garbage Disposal	None	City of Visalia	User Fees
Storm Drain	None	City of Visalia	Impact / User Fee
Ground Water	None	City of Visalia	Impact / User Fee

The City can provide urban services and infrastructure for development such as sewer service, fire, police, street lighting, etc., as well as planning and building services.

The City has more than enough sewer capacity in its treatment plant to accommodate this annexation proposal. Visalia's wastewater treatment plant has a capacity of 22 million gallons per day. Current estimated average daily flow is about 13 million gallons per day. Other undeveloped areas already within the city limits add a potential for another 0.5 to 1.0 million gallons per day. Based on coefficients for sewer flow per acre of a particular land use found in the City's Sewer Master Plan, this annexation proposal would add an estimated 0.05530 million (55,300) gallons per day if undeveloped lands within the annexation area were to develop. This plus the existing flows, plus anticipated future flows already in the city, would be well under the current capacity of the treatment plant.

The City has indicated that the wastewater treatment plant is nearing capacity for Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) when

EXECUTIVE OFFICER'S REPORT

1573-V-459

PAGE 3

considering approved and planned development. The City is conducting a comprehensive capacity study that is expected to be completed by the end of the year.

Water is to be provided by the California Water Service. A will-serve letter from Cal Water has been provided (Figure 4).

The City currently maintains South McAuliff Street, which is a north/south collector. South McAuliff Street provides access to the annexation area and will allow the right of way to be developed and maintained by the City.

Services which would be extended to the area, including police and fire safety services and development permit services, will be funded primarily through the City General Fund and user permit fees. Road improvements are funded through a combination of various source including, but not limited to, the General Fund, development fees, and Measure R.

**5. Boundaries and Lines of Assessment:**

The boundaries of the proposal area are definite and certain and conform to the lines of assessment and ownership.

**6. Assess Value, Tax Rates and Indebtedness:**

Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed valuation of the proposal area is as follows:

Land: \$706,167

Improvements: \$59,278

Other: \$175,954

**7. Environmental Impacts:**

The City of Visalia is the lead agency for this proposal. The City prepared an initial study/environmental checklist and on the basis of that study and other planning documents a Mitigated Negative Declaration was approved for use with this proposal. A copy of the document is included in the application materials.

**8. Landowner Consent:**

The landowner has provided signed consent to the annexation. Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area. Since this reorganization has received 100%, the protest hearing can be waived in accordance with Government Code §56662.

**9. Regional Housing Needs Assessment (RHNA):**

Pursuant to GC §56668 (I), LAFCO shall consider the extent to which the proposal will assist the receiving city and the County in achieving its fair share of

regional housing needs as determined by the appropriate council of governments.

273-lot single family residential subdivision proposed for development that are intended to serve the “Moderate” income category. A tentative subdivision map has been filed with the City of Visalia. The 6<sup>th</sup> Cycle of RHNA began on 6/30/23 and runs to 12/31/31. The table below shows the current RHNA cycle allocation.

6<sup>th</sup> Cycle City of Visalia RHNA allocation

Very Low	Low	Moderate	Above Moderate	Total
3,741	2,306	1,321	3,423	10,791

This annexation and the three other annexations on the agenda for this meeting will make the following progress towards providing its fair share of regional housing.

Very Low	Low	Moderate	Above Moderate	Total
0	0	537	136	673

The table below shows the total remaining fair share of regional housing for the City of Visalia.

Very Low	Low	Moderate	Above Moderate	Total
3,741	2,306	784	3,287	10,118

## 10. Discussion:

### Residential Land Supply and Development

The City currently has approximately a three and a half year supply of residential land. This assumes the remaining 1,052 acres of undeveloped residential land within the City develops at the current City population density of 11.2 persons per acre of developed residential land at a growth rate of 2.17% per year which is the growth rate for the City from 2000 to 2020.

With the addition of the proposed annexation and development of the 273 single family units the city would add approximately an additional 3 months of residential land supply, assuming the growth rate estimates noted above stay consistent for the City.

It should be noted that if the additional three proposed annexations and development on today’s agenda (totaling 643 units) were to be approved a total of approximately 7 months of residential land supply would be added assuming the growth rate estimates stay consistent.



### Akers/Ferguson Islands

As a result of the annexation in LAFCO case 1561-V-456 (Sycamore Heights), a fully surrounded County island was split into two smaller County islands [Figure 5]. A condition of approval was included for the annexation as follows:

*“Within one year of the recording of the Certificate of Completion for this reorganization, the City of Visalia shall submit an application for annexation of the remainder of the Akers/Ferguson islands under the streamlined island annexation procedures.”*

The Sycamore Heights annexation was recorded on 10/7/21 which put the application date for the submission of the Akers/Ferguson Islands at 10/7/22. This annexation is still in process at the City. City staff has indicated that the annexation will be submitted to LAFCO by the end of this December.

For future Visalia annexations until the Akers/Ferguson Islands annexation is submitted, LAFCO staff will recommend the following condition of approval:

*The Certificate of Completion will not be recorded until the City of Visalia submits the annexation application for the Akers/Ferguson Islands.*

### Goshen CSD – Sewer Capacity

The Goshen Community Services District (CSD) operates and maintains a sewer collection system that discharges into the Visalia Water Reclamation Facility (WRF). The CSD has an agreement with the City to treat the wastewater with defined limits. The original agreement was executed on June 5, 1995 and was last amended on April 26, 2017. The following are the average and maximum flows from Goshen CSD’s sewer system per a District commissioned report from QK [Figure 6] that was presented to the District on February 21, 2023 and the current average and maximum flows currently allowed in the City/District agreement:

Type	2022 Average	Agreement Average	2022 Maximum	Agreement Maximum
Wastewater Flow	.326 MGD	.360 MGD	.411 MGD	.540 MGD
BOD	796 PPD	1,180 PPD	2,725 PPD	1,770 PPD
SS	676 PPD	950 PPD	2,780 PPD	1,425 PPD

BOD = Biochemical Oxygen Demand, SS = Suspended Solids, PPD = Pounds per Day, MGD = Millions of Gallons per Day

The City had requested the information from the District regarding effluent flows and loadings due to exceedances of maximum BOD and suspended solids in 2022 and concerns regarding the impact of a potential annexation (Fowler Packing). The District does have the ability to request additional capacity from the City. The QK report included three scenarios for the District to consider for amending the agreement:

Scenario	Flow Avg	Flow Max	BOD Avg	BOD Max	SS Avg	SS Max
	(MGD)	(MGD)	(PPD)	(PPD)	(PPD)	(PPD)
Fowler Packing	.468	.702	1,180	1,770	950	1,425
District Build-Out	.859	1.289	2,096	3,144	1,780	2,670
SOI Build-Out	1.655	2.483	4,029	6,059	3,430	5,145

Goshen CSD requested an amendment to the City/District sewer agreement for additional capacity from the City at their April 27<sup>th</sup>, 2023 meeting. The City denied the request on May 6<sup>th</sup>, 2023 [Figure 7]. In the denial letter, the City notes that they are in the process of completing a comprehensive capacity study that would be completed by the end of the year. At their June 22<sup>nd</sup>, 2023 meeting, Goshen CSD adopted a 6 month moratorium on new sewer connections [Figure 8].

### **RECOMMENDED ACTIONS:**

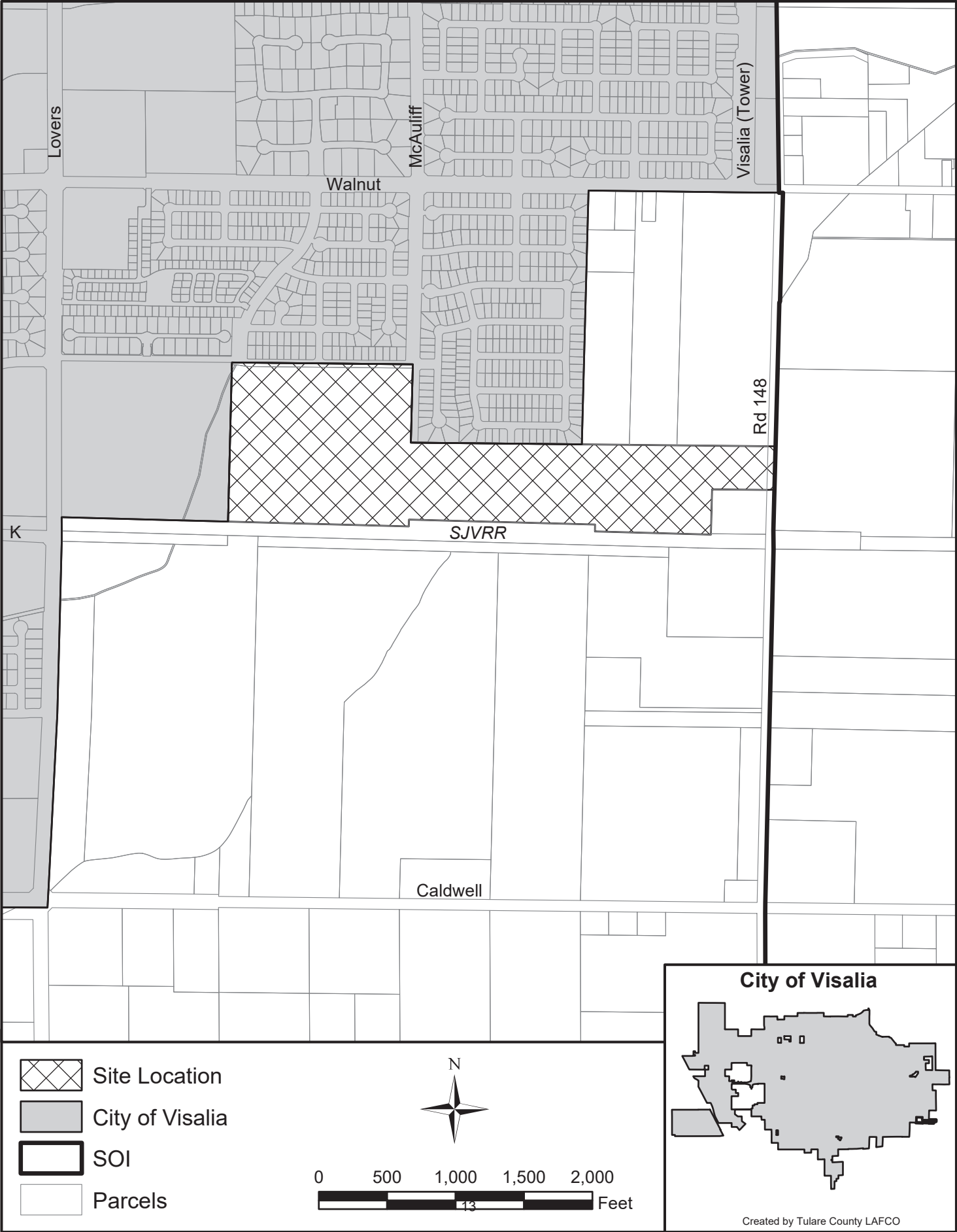
It is recommended that this proposal be approved and that the Commission take the following actions:

1. Certify that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determine that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures that have been made by or agreed to by the project proponent.
2. Find that the proposed reorganization of the City of Visalia complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1, determine that:
  - a. The boundaries of the proposed reorganization are definite and certain.
  - b. The proposed annexation is compatible with the city's General Plan.
  - c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
  - d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
  - e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
  - f. Domestic water is to be provided by the California Water Service.
  - g. All urban services and infrastructure can be provided for by the city.

4. Find that the annexation does not contain any Williamson Act contract land.
5. Find that the territory proposed for this reorganization is uninhabited.
6. Approve the proposed reorganization, to be known as LAFCO Case Number 1573-V-459, City of Visalia Reorganization, Annexation 2022-05 (Pearl Woods Annexation) subject to the following conditions:
  - a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
  - b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.
7. Waive the protest hearing for this proposal in accordance with Government Code §56662 and order the reorganization without an election.
8. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

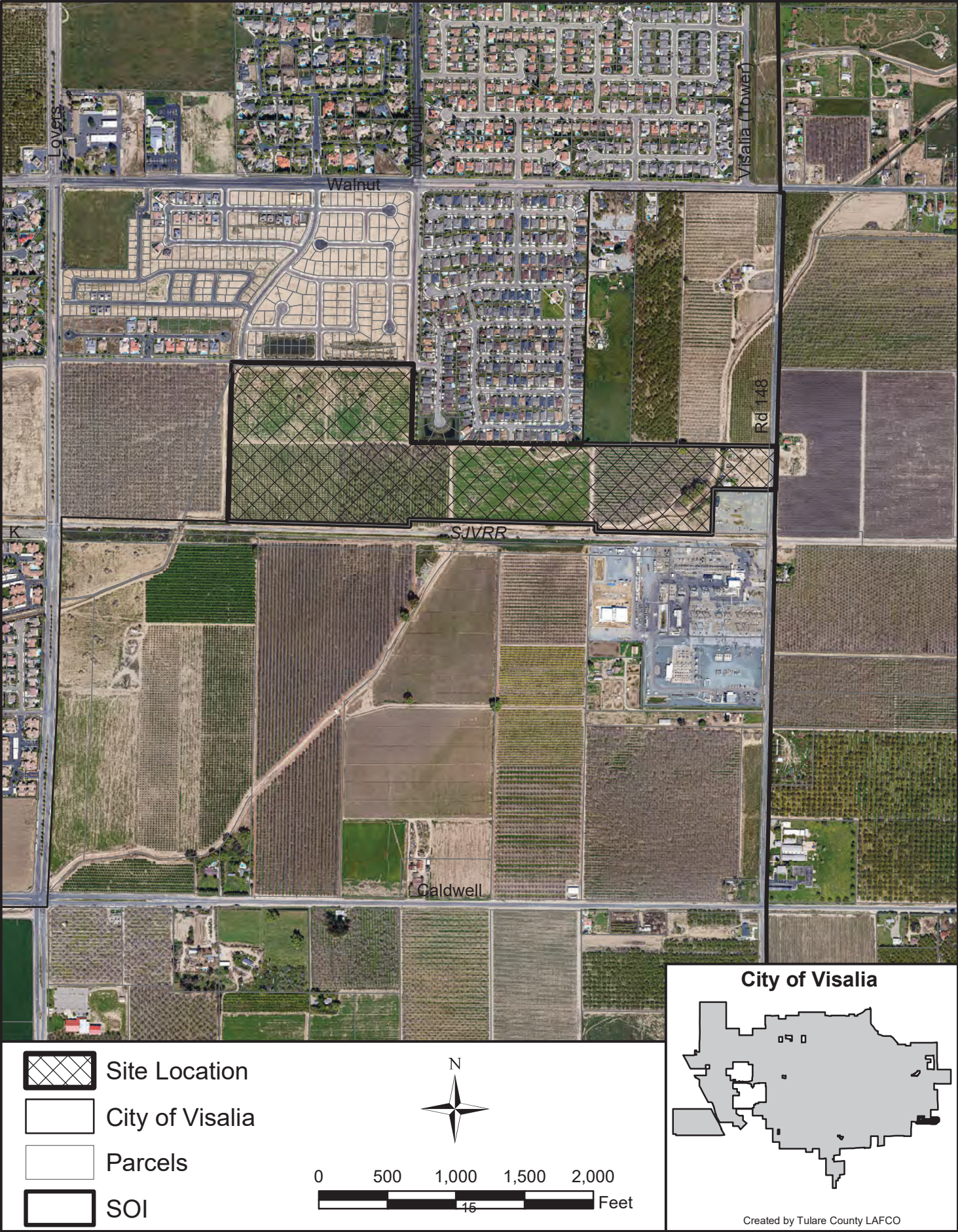
**Figures:**

- |          |  |
|----------|--|
| Figure 1 | Site Location Map  |
| Figure 2 | Pearl Woods Subdivision  |
| Figure 3 | Aerial   |
| Figure 4 | Cal Water Will-Serve Letter  |
| Figure 5 | Site Location 1561-V-456   |
| Figure 6 | QK Goshen Sewer Report   |
| Figure 7 | City of Visalia Denial Letter  |
| Figure 8 | Goshen CSD Sewer Connection Moratorium                               |
| Figure 9 | Resolution, Annexation to City of Visalia and Detachment from CSA #1 |













## CALIFORNIA WATER SERVICE

**Visalia District** 216 North Valley Oaks Drive  
Visalia, CA 93292 **Tel:** (559) 624-1600

Item IV.1 Figure 4: Will Serve Letter

August 18, 2023

Josh Dan  
City of Visalia  
315 E Acequia Ave  
Visalia, CA 93291

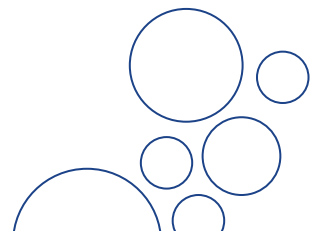
**Will Serve Letter**  
**Annexation No. 2022-05**  
**Pearl Woods**

Dear Mr. Dan:

As a regulated utility, California Water Service Company Visalia district (“Cal Water”) has an obligation to provide water service in accordance with the rules and regulations of the California Public Utility Commission (CPUC). Assuming you receive all required permits from Tulare County, Cal Water will provide water service to the above referenced project. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company’s approved tariffs on file with the CPUC. This will serve letter shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming our commitment to serve the above mentioned project. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable water at such pressure as may be available from time to time as a result of its normal operations per the company’s tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.







## CALIFORNIA WATER SERVICE

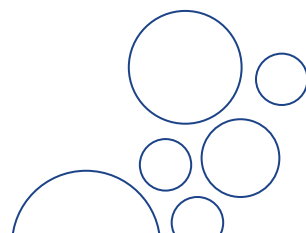
If you have any questions regarding the above, please call me Sedelia Sanchez at (559) 624-1621.

Sincerely,

*Stephen Johnson*

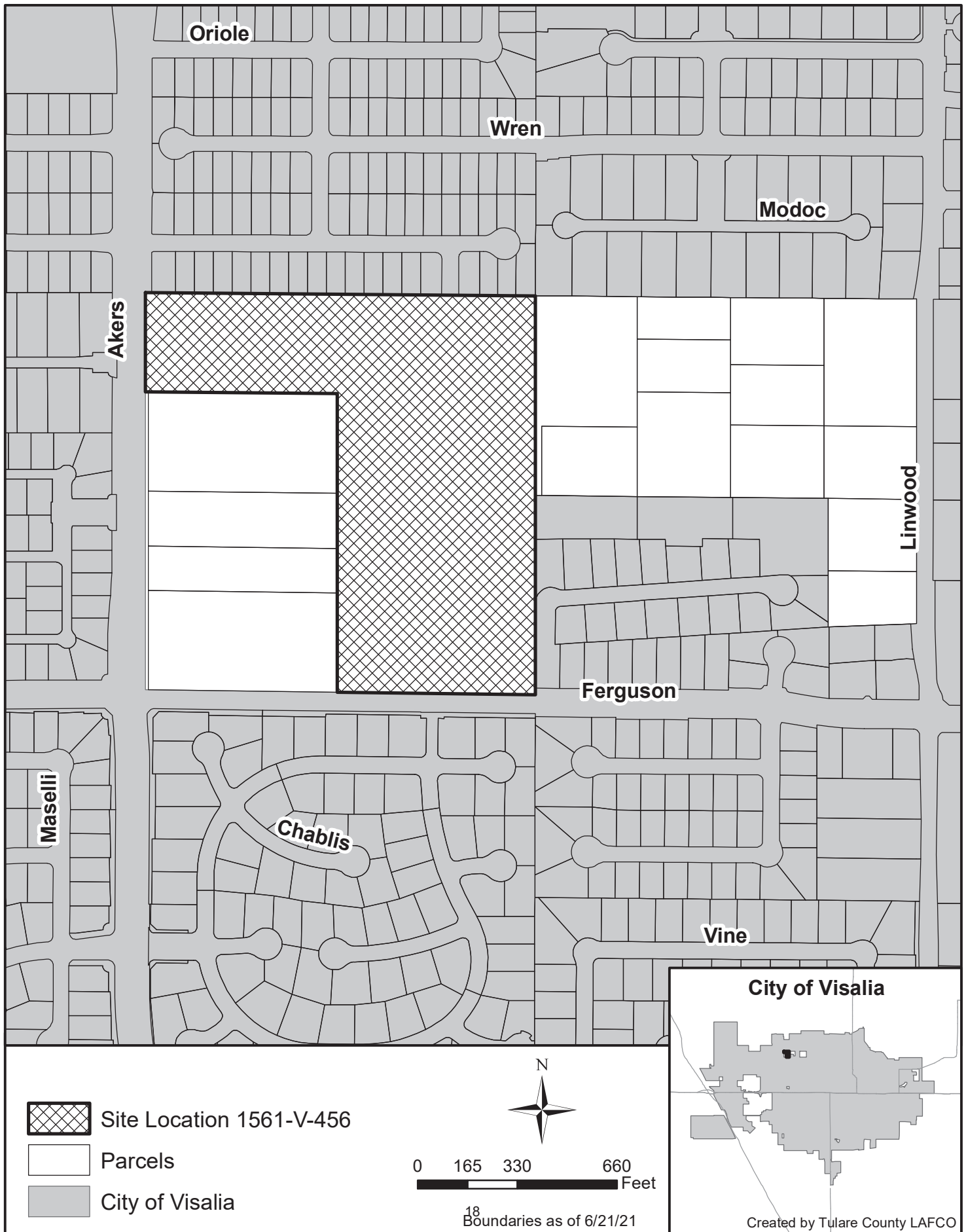
Stephen Johnson  
District Manager

cc: Ting He – Cal Water Engineering Dept.  
File



# LAFCO Case 1561-V-456

Item IV.1 Figure 5:  
Site Location 1561-V-456





# MEMO

**Date:** February 21, 2023  
**Project No.:** 230004  
**To:** Manuel Fleming, District Manager, Goshen Community Services District  
**From:** Brian Shoener, P.E.  
**Subject:** Wastewater Loading to Visalia Evaluation

## Background

The Goshen Community Services District (CSD) operates and maintains a sewer collection system that serves the District. Wastewater from the entire collection system is collected at a lift station near the intersection of Ave 305 and Effie Drive. From the lift station, wastewater is pumped into an eight-inch force main that eventually discharges to the City of Visalia Water Reclamation Facility (WRF).

The CSD had an agreement with the City of Visalia to treat the District wastewater. The agreement contains limits on the average daily (annual average) and maximum daily flow (MGD), biochemical oxygen demand (BOD) loading (lbs/day) and suspended solids (SS) loading (lbs/day). The original agreement was executed on June 5, 1995. There have been five amendments since. The last amendment, number five, was executed on April 26, 2017. Amendment five set the following limits on the District:

	<b>Average</b>	<b>Maximum</b>
<b>Wastewater Flow</b>	0.36 MGD	0.54 MGD
<b>BOD</b>	1,180 ppd	1,770 ppd
<b>SS</b>	950 ppd	1,425 ppd

Below are the 2022 data on the flows and loadings from the District:

	<b>Average</b>	<b>Maximum</b>
<b>Wastewater Flow</b>	0.326 MGD	0.411 MGD
<b>BOD</b>	796 ppd	2,725 ppd
<b>SS</b>	676 ppd	2,780 ppd

With planned growth within District boundaries and potential growth within the District Sphere of Influence (SOI), the District will require additional capacity from the City of Visalia. The City has asked the District for a formal request stating what additional capacity the District is considering.



This memo will evaluate the additional capacity request to accommodate the following three scenarios:

1. Fowler Packing
2. Current District Boundary
3. Buildout of the Sphere of Influence

**Scenario 1: Fowler Packing**

Fowler Packing is a proposed 80-acre development at the southwest corner of Goshen Ave and Road 68. The development is to be for light industrial/warehouse uses. The City of Visalia uses a flow of 600 gpd/acre for light industrial developments. Therefore, the flow from the developed 80-acres would be 48,000 gpd. Assuming a BOD and SS of 220 ppm (which is what the District allocates per Equivalent Dwelling Unit (EDU)), the built-out Fowler Packing development would contribute the following:

	<b>Average</b>
<b>Wastewater Flow</b>	0.048 MGD
<b>BOD</b>	89 ppd
<b>SS</b>	89 ppd

Adding the built-out flow and loading from Fowler Packing to the existing District flow and loading would result in the following:

	<b>Average</b>	<b>Current City Contract</b>	<b>Difference</b>
<b>Wastewater Flow</b>	0.374 MGD	0.36 MGD	-0.114 MGD
<b>BOD</b>	885 ppd	1,180 ppd	295 ppd
<b>SS</b>	765 ppd	950 ppd	185 ppd

Based on this information, Fowler Packing would exhaust the flow allowance. BOD and SS loading to the City would be exceeded.

The State Water Resources Control Board (SWRCB) governs wastewater discharges in the State. When treatment plants reach 80% of the design capacity, the State requires the owner of the plant to start designing for expansion of the treatment plant capacity. For analyzing the additional capacity, the District may need from the City, this 80% number will be used. This means that the proposed development will account for 80% of what is being requested from the City. For Fowler Packing, the District should request the following from the City:

	<b>Average w/ Fowler Pkg</b>	<b>Proposed City Contract</b>	<b>Increase</b>
<b>Wastewater Flow</b>	0.374 MGD	0.468 MGD	0.128 MGD
<b>BOD</b>	885 ppd	1,180 ppd	0 ppd
<b>SS</b>	765 ppd	950 ppd	0 ppd

**Scenario 2: Build Out with Current District Boundary**

There are current lots within the existing District boundaries that are vacant or currently under development. Most of these lots are on the north side and southeast side of the District (see Figure 1). To calculate potential wastewater flow from these lots, the General Plan zoning designation, acreage, and flow per acre was used. Below is a summary of the flow calculated:

Zoning	Acreage	gpda	Flow (gpd)
M-2	105.5	1200	126,600
M-1	14	600	8,400
M1-MU	14.6	600	8,760
M-1	96.5	600	57,900
R-2-MU	47	1300	61,100
R-3-MU	27.75	2000	55,500
R-2-MU	8	1300	10,400
M-1-MU	9.75	600	5,850
M-1-MU	24.2	600	14,520
R-1	14.7	800	11,760
TOTAL (gpd)			360,790

Assuming a BOD of 292.55 ppm and a SS of 248.47 ppm (which is based on the District discharge monitoring data to Visalia for 2022), the build-out within the existing District boundaries would contribute the following:

	Average
Wastewater Flow	0.361 MGD
BOD	880 ppd
SS	748 ppd

Adding the built-out flow and loading from development within the District flow to the existing District loading would result in the following:

	Average	Current City Contract	Difference
Wastewater Flow	0.687 MGD	0.36 MGD	-0.327 MGD
BOD	1,677 ppd	1,180 ppd	-497 ppd
SS	1,424 ppd	950 ppd	-474 ppd

Based on this information, the flow, BOD, and SS loading to the City would exceed the existing contract.



For the proposed development within the District, it is assumed the proposed development plus exiting loading will account for 80% of what is being requested from the City. For build-out in the District, the District should request the following from the City:

	<b>Avg w/ District Build-out</b>	<b>Proposed City Contract</b>	<b>Increase</b>
<b>Wastewater Flow</b>	0.667 MGD	0.859 MGD	0.499 MGD
<b>BOD</b>	1,223 ppd	2,096 ppd	916 ppd
<b>SS</b>	1,223 ppd	1,780 ppd	830 ppd

### **Scenario 3: Build Out of Sphere of Influence**

There are current lots outside the existing District boundaries but within the Districts Sphere of Influence (SOI) that are vacant or currently under development. Most of these lots are on the west side of District, west of Highway 99 (see Figure 1). The development of this area was analyzed in the *Westside Wastewater Collection Study* (QK, November 2019). This study estimated a flow of 694,860 gpd from the westside. Since then, there has already been development on the westside which is account for in the District flow information from the lift station. For this analysis, a flow from the westside of 637,108 gpd will be used. Adding the westside development, development within existing District boundaries, and the existing loading results in the following:

	<b>Average w/ SOI Build-out</b>	<b>Current City Contract</b>	<b>Difference</b>
<b>Wastewater Flow</b>	1.304 MGD	0.36 MGD	-0.944 MGD
<b>BOD</b>	3,231 ppd	1,180 ppd	-2,051 ppd
<b>SS</b>	2,744 ppd	950 ppd	-1,794 ppd

Based on this information, the flow, BOD, and SS loading to the City would exceed the existing contract.

For the proposed development within the District, it is assumed the proposed development plus exiting loading will account for 80% of what is being requested from the City. For build-out in the District, the District should request the following from the City:

	<b>Avg w/ SOI Build-out</b>	<b>Proposed City Contract</b>	<b>Increase</b>
<b>Wastewater Flow</b>	1.304 MGD	1.655 MGD	1.30 MGD
<b>BOD</b>	3,231 ppd	4,039 ppd	2,859 ppd
<b>SS</b>	2,744 ppd	3,430 ppd	2,480 ppd

**SUMMARY**

Based on the analyses presented in this document, below is a summary of the proposed amended flow and loadings from the District for the three scenarios for average day:

**Proposed Amendment Parameters (Avg Day)**

Scenario		Flow	BOD	SS
		(MGD)	(ppd)	(ppd)
Fowler Packing		0.468	1,180	950
District Build-Out		0.859	2,096	1,780
SOI Build-Out		1.655	4,039	3,430

Current District  
Limits

0.36

1,180

950

Below is a summary of the proposed amended flow and loadings from the District for the three scenarios for maximum day:

**Proposed Amendment Parameters (Max Day)**

Scenario		Flow	BOD	SS
		(MGD)	(ppd)	(ppd)
Fowler Packing		0.702	1,770	1,425
District Build-Out		1.289	3,144	2,670
SOI Build-Out		2.483	6,059	5,145

Current District  
Limits

0.54

1,770

1,425

BGS





FIGURE 1 - GOSHEN CSD BOUNDARIES



**Public Works Department**  
336 N Ben Maddox Way  
Visalia, CA 93292



Tel: (559) 713-4428  
Fax: (559) 713-4818

Goshen Community Services District  
c/o Manuel Fleming  
6678 Avenue 308  
Visalia, CA 93291

May 16, 2023

Re: Proposed Amendment for Additional Capacity

Dear Mr. Fleming:

I am in receipt of your letter of April 27, 2023, enclosing a proposed Amendment No. 6 to the agreement between the City of Visalia and the Goshen Community Services District. The City is not in a position to accept your proposed Amendment No. 6 because the City has determined that there is no capacity available to accept additional wastewater discharge from Goshen CSD.

As we have previously relayed to the District staff, the City is in the process of completing a comprehensive capacity study, which we anticipate will confirm current in-house data that shows various capacity parameters, such as Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) capacities, are already near or at current state mandated reserve thresholds, especially when accounting for capacity committed to City approved and planned development. The City anticipates that more details regarding the capacity constraints, as well as specific projects to address them, will be available within six months. Until the study is complete, and plans for addressing the current constraints are arrived at, the City will not be in a position to accept any increase in contracted capacities.

It should be noted that the requested increases in capacities for the District represent between a 48% increase (BOD) and a 56% increase compared to current accepted quantities. The City had no prior reason to believe such large increases would be requested. It should also be noted that the Agreement specifically obligates the District to "make a good faith effort to notify the City of any potential increases in wastewater flow, biochemical oxygen demand, suspended solids and other potential pollutant levels, indicated by any commercial and/or industrial development inquiries, that would significantly affect the quantity and/or quality of the District's discharge to the City system as soon as such potential impacts are made known to the District." This does not appear to have occurred in this case. We encourage you to make this a regular practice so we can assist you in serving your customers.

The City has invited District staff to be involved in the City capacity study. The City continues to encourage the District to do so.

Sincerely,



Nick Bartsch  
Public Works Director  
City of Visalia

CC: Leslie Caviglia, City Manager  
Paul Bernal, Community Development Director

**BEFORE THE BOARD OF DIRECTORS  
OF THE GOSHEN COMMUNITY  
SERVICES DISTRICT**

**Board Resolution 2023-06-02**

**A RESOLUTION OF THE GOSHEN COMMUNITY SERVICES  
DISTRICT ADOPTING A TEMPORARY MORATORIUM OF THE ISSUANCE OF  
WILL SERVE LETTERS FOR NEW SEWER CONNECTIONS**

**WHEREAS**, the Goshen Community Services District ("District") operates and manages a sewer system which provides wastewater discharge service to the residential, industrial and commercial users in the unincorporated community of Goshen, California; and

**WHEREAS**, the City of Visalia and the District are parties to a Wastewater Service Agreement, most recently amended in 2007, whereby the District purchases capacity from the City of Visalia for the conveyance and treatment of the District's wastewater to the City of Visalia's wastewater treatment and disposal facility; and

**WHEREAS**, the City of Visalia recently notified the District that is currently unable to grant the District any additional capacity for increased wastewater discharge until the City completes a comprehensive capacity study and plans for addressing current capacity constraints are made and implemented; and

**WHEREAS**, the City of Visalia's inability to grant any increased capacity for increased wastewater discharge to the District significantly impairs the District's ability to approve any future applications for new sewer connections; and

**WHEREAS**, the moratorium imposed by this Resolution is intended to prevent the approval of any applications for service and issuance of Will Serve letters for new connections to the District's sewer system; and

**WHEREAS**, as additional capacity becomes available the District Board of Directors anticipates that future applications for service will be approved; however, because additional capacity may not become available within the next six months, the District Board of Directors anticipates it may need to extend the moratorium; and

**WHEREAS**, the District finds that this Resolution is necessary for the immediate preservation of the public peace, health, or safety and to ensure that the District can fulfill its obligations to its varied customers; and

**WHEREAS**, The District and the City of Visalia are pursuing long-term treatment capacity, but until the time when increased capacity is available, it is necessary to adopt a temporary moratorium on applications received for new sewer connections and the District's issuance of Will Serve letters.

**NOW THEREFORE BE IT RESOLVED** by the Goshen Community Services District as follows:

1. **Moratorium on Sewer Connections.** Except as provided in Sections 3 and 4 of this Resolution, the District shall not approve applications for sewer connections or issue Will Serve letters on or to properties located within the boundaries of the District to serve any of the following:
  - A. Any new structure that will increase its existing EDU requirements or entitlements; or
  - B. Any expansion or replacement of an existing structure that will increase its existing EDU requirements or entitlements.
2. **Duration of Moratorium.** This Resolution is effective on the date it is adopted by the Board of Directors of the Goshen Community Services District and shall remain in effect for a period of six months, unless renewed or repealed prior to its expiration date.
3. **Users with Vested Rights.** The Board of Directors reserves its rights to exercise its sole discretion to declare this Resolution inapplicable to users with vested rights to sewer connection.
  - A. Factors for demonstrating vested rights to sewer service which will be considered by the Board of Directors include the user being in possession of receipts for its payment to the District of the full amount of District sewer connection fees; Validly issued Will Serve letters from the District; receipt of all permits from other government agencies necessary for construction of the project for which sewer connection fees have been paid; and completion of substantial on site physical construction of the project.
4. **Hardship Application.** Any person aggrieved by this moratorium may file a hardship application with the Board of Directors for relief from such moratorium. The Board of Directors shall grant or deny the hardship application after public hearing and considering such factors as the Board may deem appropriate considering the purposes of the enactment of this Resolution and moratorium, including but not limited to:
  - A. Nature and extent of financial or other hardship;
  - B. Extent of proposed usage of sewer capacity;
  - C. The general magnitude of potential adverse impacts caused by this moratorium; and
  - D. Such other factors as may be significant relative to the individual property and circumstances.

The granting of any hardship shall remain in harmony with the general purpose and intent of this Resolution so that the goals hereof can be achieved and substantial justice done. In granting any hardship, the Board of Directors may impose such reasonable and additional stipulations and conditions as will in its judgment thus fulfill the purposes of this Resolution.

5. **Review and Repeal of Moratorium.** The Board of Directors reserves its rights to periodically review this Resolution, amend it, repeal it and replace it with an Ordinance or take any other such action which it deems appropriate in light of the facts and needs of the Goshen community.
6. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not affect the validity or the constitutionality of the remaining portions of this Resolution. The Board of Directors of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**THE FOREGOING RESOLUTION** was adopted upon the motion of Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ at a regular meeting of the Board of Directors of the Goshen Community Services District, held on June 22, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Board President/Chair  
Goshen Community Services District

**ATTEST:**

\_\_\_\_\_  
Manuel Fleming  
Clerk of the Board



1. The information, material and facts set forth in the application, the report of the County Assessor, and the report and recommendations of the Executive Officer (including any corrections), have been received and considered in accordance with

Government Code Section 56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The City of Visalia, as the Lead Agency, prepared an initial study/environmental checklist and on the basis of that study and other planning documents, a Mitigated Negative Declaration was approved for use with this proposal. And finds that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determines that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures that have been made by or agreed to by the project proponent.

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, material and facts presented by the following persons who appeared at the meeting and commented on the proposal:

XXXXXXXXXXXXX  
XXXXXXXXXXXXX

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. Fewer than 12 registered voters reside in the affected territory, which is considered uninhabited.
- b. The subject territory is within the Sphere of Influence of the City of Visalia.



- c. The proposed reorganization does not contain any Williamson Act contract land.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed reorganization are definite and certain.
- b. The proposed annexation is compatible with the City's General Plan.
- c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
- f. Domestic water is to be provided by the California Water Service.
- g. All other urban services and infrastructure can be provided for by the city.

7. The Commission hereby waives the protest hearing proceedings in accordance with GC §56662 and orders the annexation without an election.

8. The Commission hereby approves the proposed reorganization of the territory described in Exhibit "A," attached hereto, subject to the following conditions:

- a. No change shall be made to land-use designations or zoning for a period of two years after completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstance that necessitate a departure from the designation or zoning.
- b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the BOE.

10. The following short form designation shall be used throughout these proceedings:

LAFCO Case No. 1573-V-459, City of Visalia Annexation No. 2022-05 (Pearl Woods)

11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

12. The Executive Officer to hereby authorized to sign and file a Notice of Determination with the Tulare County Clerk.

The foregoing resolution was adopted upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at a regular meeting held on this 4<sup>th</sup> day of October 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

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Ben Giuliani, Executive Officer

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**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT**

*October 4, 2023*

**LAFCO Case Number 1574-V-460  
Annexation 2022-04 to the City of Visalia  
(Shepherds Ranch II Annexation)**

**Addendum Staff Report**

At the October 4<sup>th</sup> LAFCO meeting, three City of Visalia annexations were continued until a City sewer study could be completed that would provide more information regarding the City's sewer treatment plant's ability to treat wastewater from the City and the community of Goshen. The three annexations are as follows:

LAFCO Case 1573-V-459 (Pearl Woods)  
LAFCO Case 1574-V-460 (Shepherds Ranch II)  
LAFCO Case 1576-V-462 (Barr & Wood)

As of the writing of this addendum staff report, the City's sewer study has not yet been released. However, the study may be released ahead of the LAFCO meeting and will be forwarded once available for review. Depending on the Commission's review of the study, the Commission may approve the three annexations in one action or continue the annexations to the December 6<sup>th</sup> Commission meeting.

The following is the staff report from the October 4<sup>th</sup> meeting:

**PROPOSAL:** Annexation to the City of Visalia, detachment from CSA #1.

**PROPONENT:** The City of Visalia by resolution of its City Council.

**SIZE:** Approximately 40.46 acres

**LOCATION:** On the east side of Road 88, approximately ¼ mile south of West Goshen Avenue **(Figure 1)**

**NOTICE:** Notice for this public hearing was provided in accordance with Government Code Sections 56660 & 56661.

**SUMMARY:** The proposal is intended to facilitate the development of a 200-lot single family residential subdivision and 2.63 acre park. **(Figure 2)**

**APNs:** 081-030-036

## **GENERAL ANALYSIS**

### **1. Land Use:**

#### *A. Site Information*

	<b>Existing</b>	<b>Proposed (City)</b>
<b>Zoning Designation</b>	County - AE-20	R-1-5 (Single-Family Residential 5,000 sq. ft. minimum site area) – 38 acres, QP (Quasi-Public) – 2.6 acres
<b>General Plan Designation</b>	Low Density Residential (LRD) – 38 acres, Parks/Recreation (PR) – 2.6 acres	No Change
<b>Uses</b>	Orchard, accessory structures, no residences	Subdivision consisting of 200 single family lots, 2.63 acre park

#### *B. Surrounding Land Uses and Zoning and General Plan Designations:*

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
<b>North</b>	I-L (Light Industrial)	Light Industrial	Shops & warehouses, outdoor building material storage
<b>South</b>	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Residential Very Low Density, Residential Low Density, Parks-Recreation, Neighborhood Commercial	Orchards
<b>East</b>	R-1-5 (Single-family residential) City Zoning & AE-20 (Agricultural Exclusive 20-acre) County Zoning	Residential Low Density	Rural residences, vacant land slated for future Shepherds Ranch I subdivision
<b>West</b>	R-1-5 (Single-family residential, 5,00 sq. ft. min. site area)	Industrial	Row crops

*C. Topography, Natural Features and Drainage*

The site is relatively flat and does not contain any natural topographical features.

*D. Conformity with General Plans and Spheres of Influence:*

The project is entirely inside of the City Sphere of Influence. It is also inside the City's Tier 2 Urban Development Boundary (UDB).

*E. Designate and describe, generally, the major highways and streets adjacent to the subject territory.*

Shirk Street, a north/south arterial street, is located ¼ mile to the east. The property will have access to Shirk from a local street being constructed on property to the east. Road 88, a north/south collector street, is located directly to the west. Goshen Avenue, an east/west arterial street, is located ¼ mile to the north. Mill Creek Ditch is located 300 feet to the south. State Route 198 and Mill Creek are located ½ mile to the south.

**2. Impact on Prime Agricultural Land, Agriculture and Open Space:**

The site is not under Williamson Act contract.

**3. Population:**

The estimated population of the proposal area is 0. The County Elections Division has indicated that there are fewer than 12 registered voters in the proposal area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

**4. Services and Controls - Need, Cost, Adequacy and Availability:**

**Agency providing service**

Service	Now	After	Method of finance
Police Protection	County of Tulare	City of Visalia	General Fund
Fire Protection	City of Visalia Fire Department (Contracted with County of Tulare)	City of Visalia Fire Department	General Fund
Water Supply	Private Wells	Cal Water	User Financed
Sewage Disposal	None	City of Visalia	Impact / User Fees
Street Lighting	None	City of Visalia	General Fund
Street Maintenance	County of Tulare	City of Visalia	General Fund
Planning/Zoning	County of Tulare	City of Visalia	General Fund
Garbage Disposal	None	City of Visalia	User Fees
Storm Drain	None	City of Visalia	Impact / User Fee
Ground Water	None	City of Visalia	Impact / User Fee

The City can provide urban services and infrastructure for development such as sewer service, fire, police, street lighting, etc., as well as planning and building services. Cal Water will provide domestic water and has provided a will-serve letter (Figure 4).

The City has more than enough sewer capacity in its treatment plant to accommodate this annexation proposal in terms of flow rate. Visalia's wastewater treatment plant has a capacity of 22 million gallons per day. Current estimated average daily flow is about 13 million gallons per day. Other undeveloped areas already within the city limits add a potential for another 0.5 to 1.0 million gallons per day.

The City has indicated that the wastewater treatment plant is nearing capacity for Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) when considering approved and planned development. The City is conducting a comprehensive capacity study that is expected to be completed by the end of the year.

The City currently maintains Clancey Street (Road 88 in the County), which is a north/south collector. Clancey Street will provide western access to the annexation area. Right of way along the property's frontage will be improved and maintained by the City.

Services which would be extended to the area, including police and fire safety services and development permit services, will be funded primarily through the City General Fund and user permit fees. Road improvements are funded through a combination of various source including, but not limited to, the General Fund, development fees, and Measure R.

**5. Boundaries and Lines of Assessment:**

The boundaries of the proposal area are definite and certain and conform to the lines of assessment and ownership.

**6. Assess Value, Tax Rates and Indebtedness:**

Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed valuation of the proposal area is as follows:

Land: \$1,529,388

Growing Improvements: \$317,322

Structural Improvements: \$26,010

**7. Environmental Impacts:**

The City of Visalia is the lead agency for this proposal. The City prepared an initial study/environmental checklist and on the basis of that study and other planning documents a Mitigated Negative Declaration was approved for use with this proposal. A copy of the document is included in the application materials.

**8. Landowner Consent:**

The landowner has provided signed consent to the annexation. Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area. Since this reorganization has received 100%, the protest hearing can be waived in accordance with Government Code §56662.

**9. Regional Housing Needs Assessment (RHNA):**

Pursuant to GC §56668 (I), LAFCO shall consider the extent to which the proposal will assist the receiving city and the County in achieving its fair share of regional housing needs as determined by the appropriate council of governments.

200-lot single family residential subdivision proposed for development that are intended to serve the “Moderate” income category. A tentative subdivision map has been filed with the City of Visalia. The table below shows the current RHNA cycle allocation.

6<sup>th</sup> Cycle City of Visalia RHNA allocation

Very Low	Low	Moderate	Above Moderate	Total
3,741	2,306	1,321	3,423	10,791

This annexation and the three other annexations on the agenda for this meeting will make the following progress towards providing its fair share of regional housing.

Very Low	Low	Moderate	Above Moderate	Total
0	0	537	136	673

The table below shows the total remaining fair share of regional housing for the City of Visalia.

Very Low	Low	Moderate	Above Moderate	Total
3,741	2,306	784	3,287	10,118

**10. Discussion:**

**Residential Land Supply and Development**

The City currently has approximately a three and a half year supply of residential land. This assumes the remaining 1,052 acres of undeveloped residential land within the City develops at the current City population density of 11.2 persons per

acre of developed residential land at a growth rate of 2.17% per year which is the growth rate for the City from 2000 to 2020.

With the addition of the proposed annexation and development of the 200 single family units the city would add approximately an additional 3 months of residential land supply, assuming the growth rate estimates noted above stay consistent for the City.

It should be noted that if the additional three proposed annexations and development on today's agenda (totaling 643 units) were to be approved a total of approximately 7 months of residential land supply would be added assuming the growth rate estimates stay consistent.

#### Akers/Ferguson Islands

As a result of the annexation in LAFCO case 1561-V-456 (Sycamore Heights), a fully surrounded County island was split into two smaller County islands [Figure 5]. A condition of approval was included for the annexation as follows:

*“Within one year of the recording of the Certificate of Completion for this reorganization, the City of Visalia shall submit an application for annexation of the remainder of the Akers/Ferguson islands under the streamlined island annexation procedures.”*

The Sycamore Heights annexation was recorded on 10/7/21 which put the application date for the submission of the Akers/Ferguson Islands at 10/7/22. This annexation is still in process at the City. City staff has indicated that the annexation will be submitted to LAFCO by the end of this December.

For future Visalia annexations until the Akers/Ferguson Islands annexation is submitted, LAFCO staff will recommend the following condition of approval:

*The Certificate of Completion will not be recorded until the City of Visalia submits the annexation application for the Akers/Ferguson Islands.*

#### Goshen CSD – Sewer Capacity

The Goshen Community Services District (CSD) operates and maintains a sewer collection system that discharges into the Visalia Water Reclamation Facility (WRF). The CSD has an agreement with the City to treat the wastewater with defined limits. The original agreement was executed on June 5, 1995 and was last amended on April 26, 2017. The following are the average and maximum flows from Goshen CSD's sewer system per a District commissioned report from QK [Figure 6] that was presented to the District on February 21, 2023 and the current average and maximum flows currently allowed in the City/District agreement:



Type	2022 Average	Agreement Average	2022 Maximum	Agreement Maximum
Wastewater Flow	.326 MGD	.360 MGD	.411 MGD	.540 MGD
BOD	796 PPD	1,180 PPD	2,725 PPD	1,770 PPD
Suspended Solids	676 PPD	950 PPD	2,780 PPD	1,425 PPD

BOD = Biochemical Oxygen Demand, PPD = Pounds per Day, MGD = Millions of Gallons per Day

The City had requested the information from the District regarding effluent flows and loadings due to exceedances of maximum BOD and suspended solids in 2022 and concerns regarding the impact of a potential annexation (Fowler Packing). The District does have the ability to request additional capacity from the City. The QK report included three scenarios for the District to consider for amending the agreement:

Scenario	Flow Avg	Flow Max	BOD Avg	BOD Max	SS Avg	SS Max
	(MGD)	(MGD)	(PPD)	(PPD)	(PPD)	(PPD)
Fowler Packing	.468	.702	1,180	1,770	950	1,425
District Build-Out	.859	1.289	2,096	3,144	1,780	2,670
SOI Build-Out	1.655	2.483	4,029	6,059	3,430	5,145

Goshen CSD requested an amendment to the City/District sewer agreement for additional capacity from the City at their April 27<sup>th</sup>, 2023 meeting. The City denied the request on May 6<sup>th</sup>, 2023 [Figure 7]. In the denial letter, the City notes that they are in the process of completing a comprehensive capacity study that would be completed by the end of the year. At their June 22<sup>nd</sup>, 2023 meeting, Goshen CSD adopted a 6 month moratorium on new sewer connections [Figure 8].

### **RECOMMENDED ACTIONS:**

It is recommended that this proposal be approved and that the Commission take the following actions:

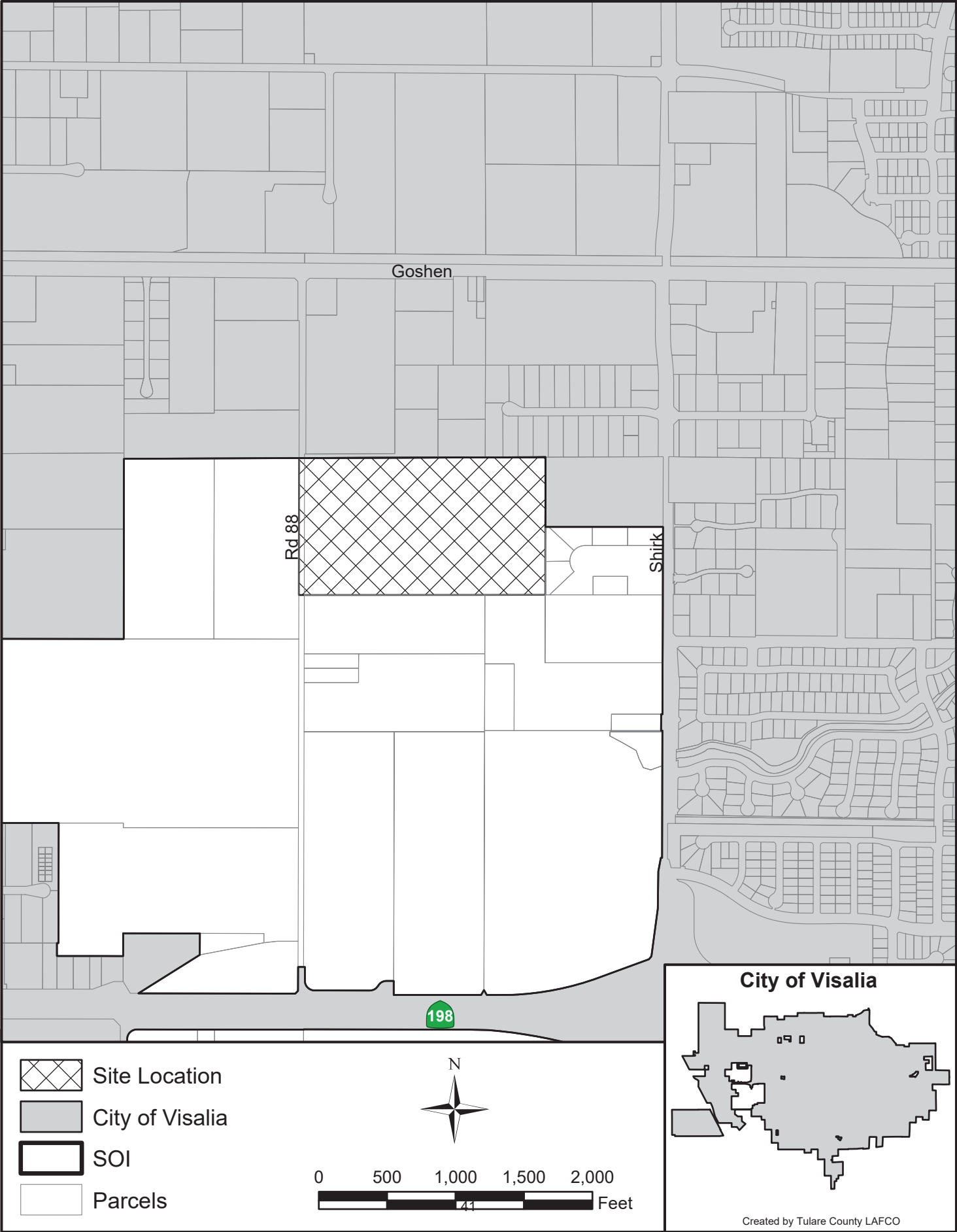
1. Certify that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determine that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures that have been made by or agreed to by the project proponent.
2. Find that the proposed reorganization of the City of Tulare complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1, determine that:
  - a. The boundaries of the proposed reorganization are definite and certain.
  - b. The proposed annexation is compatible with the city's General Plan.
  - c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.

EXECUTIVE OFFICER'S REPORT  
1574-V-460  
PAGE 7

- d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
  - e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
  - f. Domestic water is to be provided by California Water Service.
  - g. All urban services and infrastructure can be provided for by the city.
- 4. Find that the annexation does not contain any Williamson Act contract land.
  - 5. Find that the territory proposed for this reorganization is uninhabited.
  - 6. Approve the proposed reorganization, to be known as LAFCO Case Number 1574-V-460, City of Visalia Reorganization, Annexation 2022-04 (Shepherds Ranch II Annexation) subject to the following conditions:
    - a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
    - b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.
  - 7. Waive the protest hearing for this proposal in accordance with Government Code §56662 and order the reorganization without an election.
  - 8. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

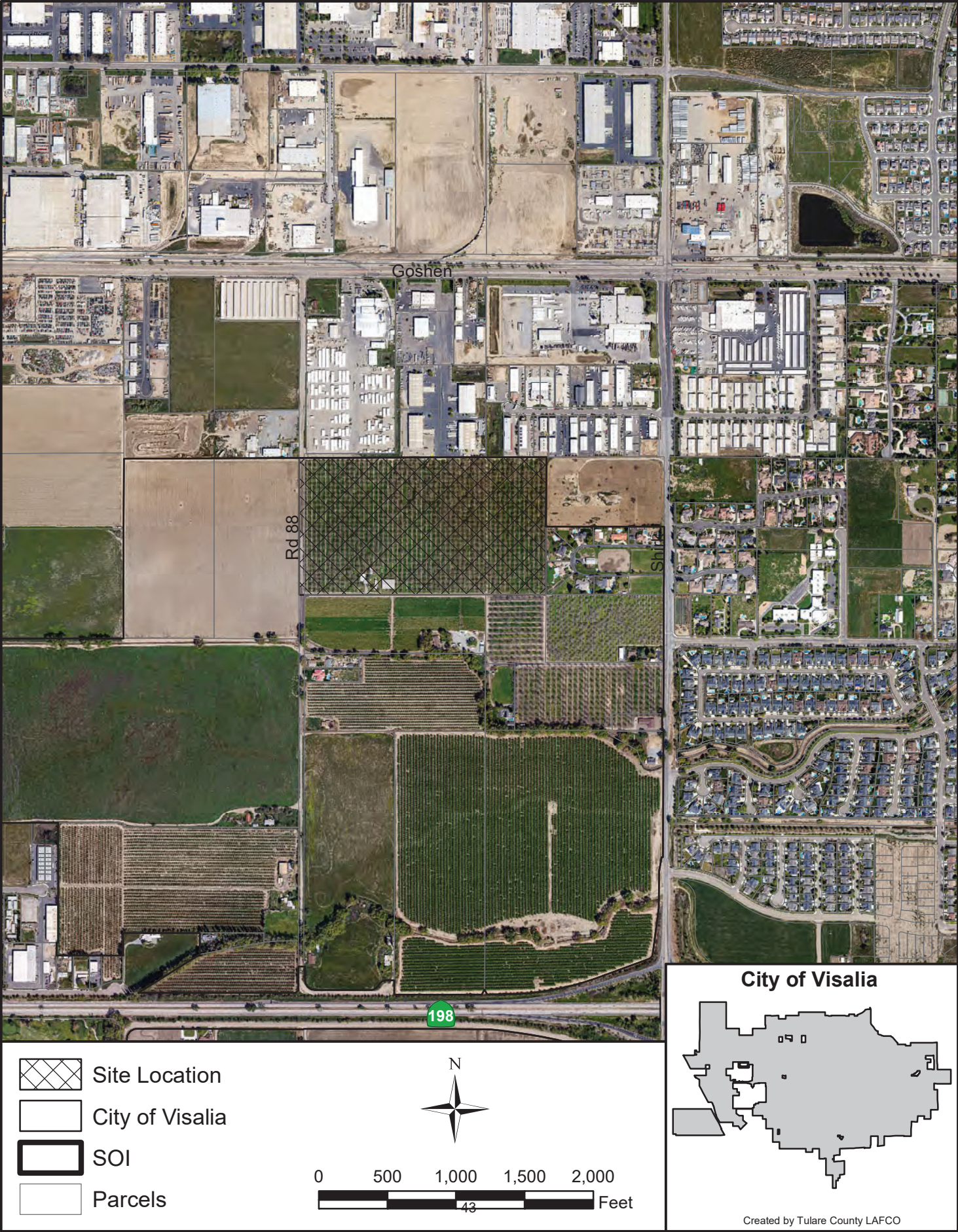
**Figures:**

- Figure 1 Site Location Map
- Figure 2 Shepherds Ranch Tentative Subdivision Map
- Figure 3 Aerial
- Figure 4 Cal Water Will-Serve Letter
- Figure 5 Site Location 1561-V-456
- Figure 6 QK Goshen Sewer Report
- Figure 7 City of Visalia Denial Letter
- Figure 8 Goshen CSD Sewer Connection Moratorium
- Figure 9 Resolution, Annexation to City of Visalia and Detachment from CSA #1













## CALIFORNIA WATER SERVICE

**Visalia District** 216 North Valley Oaks Drive  
Visalia, CA 93292 Tel: (559) 624-1600

Item IV.2 Figure 4: Will Serve Letter

October 21, 2022

Brandon Smith  
City of Visalia  
315 E Acequia Ave  
Visalia, CA 93291

**Will Serve Letter**  
**Annexation No. 2022-04**  
**Tentative Subdivision Map. No. 5589**  
**Shepherds Ranch (Iron Ridge II)-DR Horton**

Dear Mr. Smith:

California Water Service Company, Visalia District, ("Cal Water") has determined that water is available to serve the above-referenced project based on the information provided. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company's approved tariffs on file with the CPUC. This determination of water availability shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming water availability. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable water at such pressure as may be available from time to time as a result of its normal operations per the company's tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or in addition to the cost of mains and services. Developer will also be required to contribute towards Cal Water's water supply by paying facilities fees on a per lot basis as described in Rule 15. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.



## CALIFORNIA WATER SERVICE

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.

If you have any questions regarding the above, please call (559) 624-1621.

Sincerely,

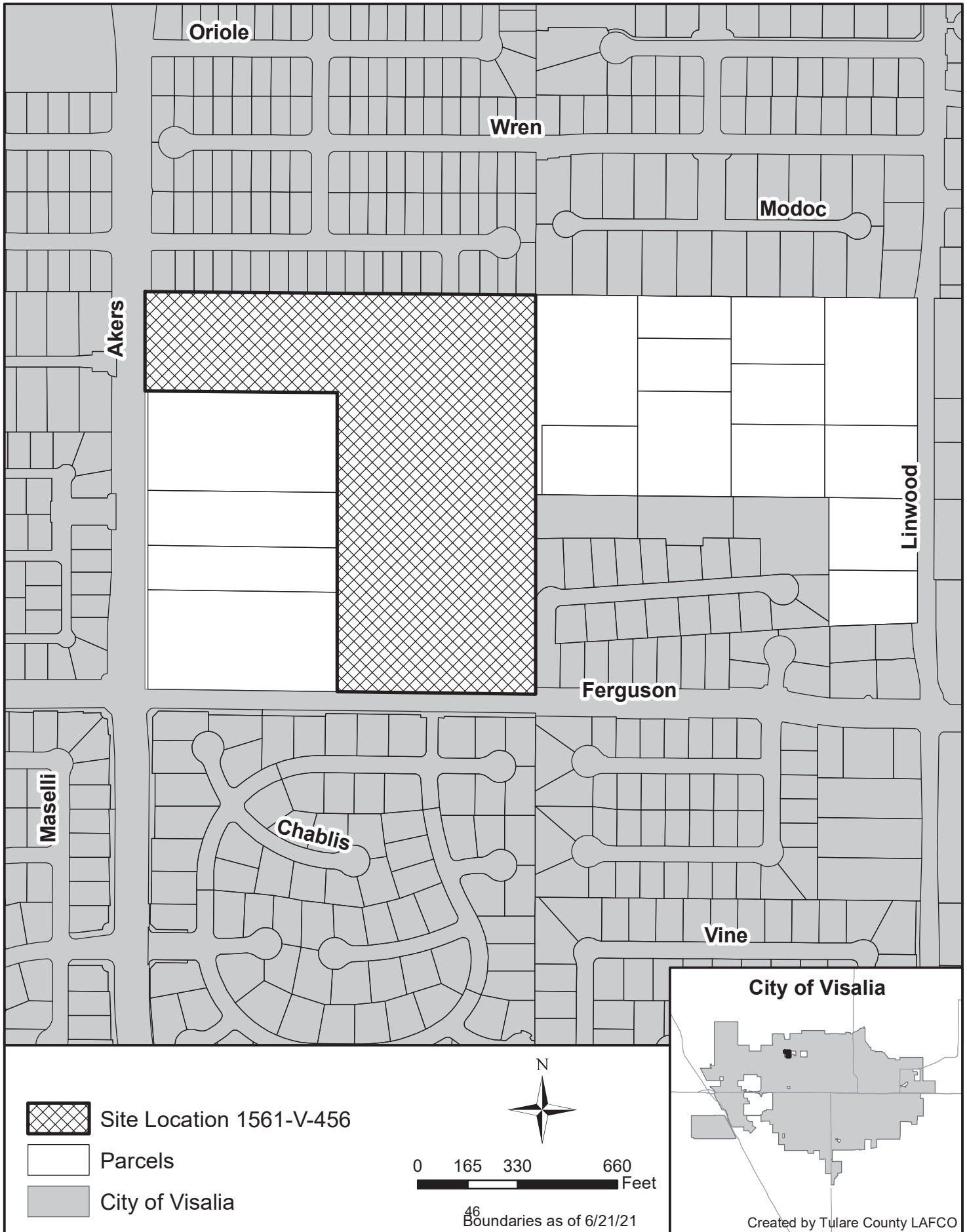
*Stephen Johnson*

Stephen Johnson  
District Manager

cc: Rashmi Kashyap – Cal Water Engineering Dept.  
File

# LAFCO Case 1561-V-456

Item IV.2 Figure 5:  
Site Location 1561-V-456





# MEMO

**Date:** February 21, 2023  
**Project No.:** 230004  
**To:** Manuel Fleming, District Manager, Goshen Community Services District  
**From:** Brian Shoener, P.E.  
**Subject:** Wastewater Loading to Visalia Evaluation

## Background

The Goshen Community Services District (CSD) operates and maintains a sewer collection system that serves the District. Wastewater from the entire collection system is collected at a lift station near the intersection of Ave 305 and Effie Drive. From the lift station, wastewater is pumped into an eight-inch force main that eventually discharges to the City of Visalia Water Reclamation Facility (WRF).

The CSD had an agreement with the City of Visalia to treat the District wastewater. The agreement contains limits on the average daily (annual average) and maximum daily flow (MGD), biochemical oxygen demand (BOD) loading (lbs/day) and suspended solids (SS) loading (lbs/day). The original agreement was executed on June 5, 1995. There have been five amendments since. The last amendment, number five, was executed on April 26, 2017. Amendment five set the following limits on the District:

	<b>Average</b>	<b>Maximum</b>
<b>Wastewater Flow</b>	0.36 MGD	0.54 MGD
<b>BOD</b>	1,180 ppd	1,770 ppd
<b>SS</b>	950 ppd	1,425 ppd

Below are the 2022 data on the flows and loadings from the District:

	<b>Average</b>	<b>Maximum</b>
<b>Wastewater Flow</b>	0.326 MGD	0.411 MGD
<b>BOD</b>	796 ppd	2,725 ppd
<b>SS</b>	676 ppd	2,780 ppd

With planned growth within District boundaries and potential growth within the District Sphere of Influence (SOI), the District will require additional capacity from the City of Visalia. The City has asked the District for a formal request stating what additional capacity the District is considering.



This memo will evaluate the additional capacity request to accommodate the following three scenarios:

1. Fowler Packing
2. Current District Boundary
3. Buildout of the Sphere of Influence

### **Scenario 1: Fowler Packing**

Fowler Packing is a proposed 80-acre development at the southwest corner of Goshen Ave and Road 68. The development is to be for light industrial/warehouse uses. The City of Visalia uses a flow of 600 gpd/acre for light industrial developments. Therefore, the flow from the developed 80-acres would be 48,000 gpd. Assuming a BOD and SS of 220 ppm (which is what the District allocates per Equivalent Dwelling Unit (EDU)), the built-out Fowler Packing development would contribute the following:

	<b>Average</b>
<b>Wastewater Flow</b>	0.048 MGD
<b>BOD</b>	89 ppd
<b>SS</b>	89 ppd

Adding the built-out flow and loading from Fowler Packing to the existing District flow and loading would result in the following:

	<b>Average</b>	<b>Current City Contract</b>	<b>Difference</b>
<b>Wastewater Flow</b>	0.374 MGD	0.36 MGD	-0.114 MGD
<b>BOD</b>	885 ppd	1,180 ppd	295 ppd
<b>SS</b>	765 ppd	950 ppd	185 ppd

Based on this information, Fowler Packing would exhaust the flow allowance. BOD and SS loading to the City would be exceeded.

The State Water Resources Control Board (SWRCB) governs wastewater discharges in the State. When treatment plants reach 80% of the design capacity, the State requires the owner of the plant to start designing for expansion of the treatment plant capacity. For analyzing the additional capacity, the District may need from the City, this 80% number will be used. This means that the proposed development will account for 80% of what is being requested from the City. For Fowler Packing, the District should request the following from the City:

	<b>Average w/ Fowler Pkg</b>	<b>Proposed City Contract</b>	<b>Increase</b>
<b>Wastewater Flow</b>	0.374 MGD	0.468 MGD	0.128 MGD
<b>BOD</b>	885 ppd	1,180 ppd	0 ppd
<b>SS</b>	765 ppd	950 ppd	0 ppd



**Scenario 2: Build Out with Current District Boundary**

There are current lots within the existing District boundaries that are vacant or currently under development. Most of these lots are on the north side and southeast side of the District (see Figure 1). To calculate potential wastewater flow from these lots, the General Plan zoning designation, acreage, and flow per acre was used. Below is a summary of the flow calculated:

Zoning	Acreage	gpda	Flow (gpd)
M-2	105.5	1200	126,600
M-1	14	600	8,400
M1-MU	14.6	600	8,760
M-1	96.5	600	57,900
R-2-MU	47	1300	61,100
R-3-MU	27.75	2000	55,500
R-2-MU	8	1300	10,400
M-1-MU	9.75	600	5,850
M-1-MU	24.2	600	14,520
R-1	14.7	800	11,760
TOTAL (gpd)			360,790

Assuming a BOD of 292.55 ppm and a SS of 248.47 ppm (which is based on the District discharge monitoring data to Visalia for 2022), the build-out within the existing District boundaries would contribute the following:

	Average
Wastewater Flow	0.361 MGD
BOD	880 ppd
SS	748 ppd

Adding the built-out flow and loading from development within the District flow to the existing District loading would result in the following:

	Average	Current City Contract	Difference
Wastewater Flow	0.687 MGD	0.36 MGD	-0.327 MGD
BOD	1,677 ppd	1,180 ppd	-497 ppd
SS	1,424 ppd	950 ppd	-474 ppd

Based on this information, the flow, BOD, and SS loading to the City would exceed the existing contract.



For the proposed development within the District, it is assumed the proposed development plus exiting loading will account for 80% of what is being requested from the City. For build-out in the District, the District should request the following from the City:

	<b>Avg w/ District Build-out</b>	<b>Proposed City Contract</b>	<b>Increase</b>
<b>Wastewater Flow</b>	0.667 MGD	0.859 MGD	0.499 MGD
<b>BOD</b>	1,223 ppd	2,096 ppd	916 ppd
<b>SS</b>	1,223 ppd	1,780 ppd	830 ppd

### **Scenario 3: Build Out of Sphere of Influence**

There are current lots outside the existing District boundaries but within the Districts Sphere of Influence (SOI) that are vacant or currently under development. Most of these lots are on the west side of District, west of Highway 99 (see Figure 1). The development of this area was analyzed in the *Westside Wastewater Collection Study* (QK, November 2019). This study estimated a flow of 694,860 gpd from the westside. Since then, there has already been development on the westside which is account for in the District flow information from the lift station. For this analysis, a flow from the westside of 637,108 gpd will be used. Adding the westside development, development within existing District boundaries, and the existing loading results in the following:

	<b>Average w/ SOI Build-out</b>	<b>Current City Contract</b>	<b>Difference</b>
<b>Wastewater Flow</b>	1.304 MGD	0.36 MGD	-0.944 MGD
<b>BOD</b>	3,231 ppd	1,180 ppd	-2,051 ppd
<b>SS</b>	2,744 ppd	950 ppd	-1,794 ppd

Based on this information, the flow, BOD, and SS loading to the City would exceed the existing contract.

For the proposed development within the District, it is assumed the proposed development plus exiting loading will account for 80% of what is being requested from the City. For build-out in the District, the District should request the following from the City:

	<b>Avg w/ SOI Build-out</b>	<b>Proposed City Contract</b>	<b>Increase</b>
<b>Wastewater Flow</b>	1.304 MGD	1.655 MGD	1.30 MGD
<b>BOD</b>	3,231 ppd	4,039 ppd	2,859 ppd
<b>SS</b>	2,744 ppd	3,430 ppd	2,480 ppd

**SUMMARY**

Based on the analyses presented in this document, below is a summary of the proposed amended flow and loadings from the District for the three scenarios for average day:

**Proposed Amendment Parameters (Avg Day)**

Scenario		Flow	BOD	SS
		(MGD)	(ppd)	(ppd)
Fowler Packing		0.468	1,180	950
District Build-Out		0.859	2,096	1,780
SOI Build-Out		1.655	4,039	3,430

Current District  
Limits

0.36

1,180

950

Below is a summary of the proposed amended flow and loadings from the District for the three scenarios for maximum day:

**Proposed Amendment Parameters (Max Day)**

Scenario		Flow	BOD	SS
		(MGD)	(ppd)	(ppd)
Fowler Packing		0.702	1,770	1,425
District Build-Out		1.289	3,144	2,670
SOI Build-Out		2.483	6,059	5,145

Current District  
Limits

0.54

1,770

1,425

BGS



FIGURE 1 - GOSHEN CSD BOUNDARIES



**Public Works Department**  
336 N Ben Maddox Way  
Visalia, CA 93292



Tel: (559) 713-4428  
Fax: (559) 713-4818

Goshen Community Services District  
c/o Manuel Fleming  
6678 Avenue 308  
Visalia, CA 93291

May 16, 2023

Re: Proposed Amendment for Additional Capacity

Dear Mr. Fleming:

I am in receipt of your letter of April 27, 2023, enclosing a proposed Amendment No. 6 to the agreement between the City of Visalia and the Goshen Community Services District. The City is not in a position to accept your proposed Amendment No. 6 because the City has determined that there is no capacity available to accept additional wastewater discharge from Goshen CSD.

As we have previously relayed to the District staff, the City is in the process of completing a comprehensive capacity study, which we anticipate will confirm current in-house data that shows various capacity parameters, such as Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) capacities, are already near or at current state mandated reserve thresholds, especially when accounting for capacity committed to City approved and planned development. The City anticipates that more details regarding the capacity constraints, as well as specific projects to address them, will be available within six months. Until the study is complete, and plans for addressing the current constraints are arrived at, the City will not be in a position to accept any increase in contracted capacities.

It should be noted that the requested increases in capacities for the District represent between a 48% increase (BOD) and a 56% increase compared to current accepted quantities. The City had no prior reason to believe such large increases would be requested. It should also be noted that the Agreement specifically obligates the District to "make a good faith effort to notify the City of any potential increases in wastewater flow, biochemical oxygen demand, suspended solids and other potential pollutant levels, indicated by any commercial and/or industrial development inquiries, that would significantly affect the quantity and/or quality of the District's discharge to the City system as soon as such potential impacts are made known to the District." This does not appear to have occurred in this case. We encourage you to make this a regular practice so we can assist you in serving your customers.

The City has invited District staff to be involved in the City capacity study. The City continues to encourage the District to do so.

Sincerely,



Nick Bartsch  
Public Works Director  
City of Visalia

CC: Leslie Caviglia, City Manager  
Paul Bernal, Community Development Director



**BEFORE THE BOARD OF DIRECTORS  
OF THE GOSHEN COMMUNITY  
SERVICES DISTRICT**

**Board Resolution 2023-06-02**

**A RESOLUTION OF THE GOSHEN COMMUNITY SERVICES  
DISTRICT ADOPTING A TEMPORARY MORATORIUM OF THE ISSUANCE OF  
WILL SERVE LETTERS FOR NEW SEWER CONNECTIONS**

**WHEREAS**, the Goshen Community Services District ("District") operates and manages a sewer system which provides wastewater discharge service to the residential, industrial and commercial users in the unincorporated community of Goshen, California; and

**WHEREAS**, the City of Visalia and the District are parties to a Wastewater Service Agreement, most recently amended in 2007, whereby the District purchases capacity from the City of Visalia for the conveyance and treatment of the District's wastewater to the City of Visalia's wastewater treatment and disposal facility; and

**WHEREAS**, the City of Visalia recently notified the District that is currently unable to grant the District any additional capacity for increased wastewater discharge until the City completes a comprehensive capacity study and plans for addressing current capacity constraints are made and implemented; and

**WHEREAS**, the City of Visalia's inability to grant any increased capacity for increased wastewater discharge to the District significantly impairs the District's ability to approve any future applications for new sewer connections; and

**WHEREAS**, the moratorium imposed by this Resolution is intended to prevent the approval of any applications for service and issuance of Will Serve letters for new connections to the District's sewer system; and

**WHEREAS**, as additional capacity becomes available the District Board of Directors anticipates that future applications for service will be approved; however, because additional capacity may not become available within the next six months, the District Board of Directors anticipates it may need to extend the moratorium; and

**WHEREAS**, the District finds that this Resolution is necessary for the immediate preservation of the public peace, health, or safety and to ensure that the District can fulfill its obligations to its varied customers; and

**WHEREAS**, The District and the City of Visalia are pursuing long-term treatment capacity, but until the time when increased capacity is available, it is necessary to adopt a temporary moratorium on applications received for new sewer connections and the District's issuance of Will Serve letters.

**NOW THEREFORE BE IT RESOLVED** by the Goshen Community Services District as follows:

1. **Moratorium on Sewer Connections.** Except as provided in Sections 3 and 4 of this Resolution, the District shall not approve applications for sewer connections or issue Will Serve letters on or to properties located within the boundaries of the District to serve any of the following:
  - A. Any new structure that will increase its existing EDU requirements or entitlements; or
  - B. Any expansion or replacement of an existing structure that will increase its existing EDU requirements or entitlements.
2. **Duration of Moratorium.** This Resolution is effective on the date it is adopted by the Board of Directors of the Goshen Community Services District and shall remain in effect for a period of six months, unless renewed or repealed prior to its expiration date.
3. **Users with Vested Rights.** The Board of Directors reserves its rights to exercise its sole discretion to declare this Resolution inapplicable to users with vested rights to sewer connection.
  - A. Factors for demonstrating vested rights to sewer service which will be considered by the Board of Directors include the user being in possession of receipts for its payment to the District of the full amount of District sewer connection fees; Validly issued Will Serve letters from the District; receipt of all permits from other government agencies necessary for construction of the project for which sewer connection fees have been paid; and completion of substantial on site physical construction of the project.
4. **Hardship Application.** Any person aggrieved by this moratorium may file a hardship application with the Board of Directors for relief from such moratorium. The Board of Directors shall grant or deny the hardship application after public hearing and considering such factors as the Board may deem appropriate considering the purposes of the enactment of this Resolution and moratorium, including but not limited to:
  - A. Nature and extent of financial or other hardship;
  - B. Extent of proposed usage of sewer capacity;
  - C. The general magnitude of potential adverse impacts caused by this moratorium; and
  - D. Such other factors as may be significant relative to the individual property and circumstances.

The granting of any hardship shall remain in harmony with the general purpose and intent of this Resolution so that the goals hereof can be achieved and substantial justice done. In granting any hardship, the Board of Directors may impose such reasonable and additional stipulations and conditions as will in its judgment thus fulfill the purposes of this Resolution.

5. **Review and Repeal of Moratorium.** The Board of Directors reserves its rights to periodically review this Resolution, amend it, repeal it and replace it with an Ordinance or take any other such action which it deems appropriate in light of the facts and needs of the Goshen community.
6. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not affect the validity or the constitutionality of the remaining portions of this Resolution. The Board of Directors of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**THE FOREGOING RESOLUTION** was adopted upon the motion of Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ at a regular meeting of the Board of Directors of the Goshen Community Services District, held on June 22, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Board President/Chair  
Goshen Community Services District

**ATTEST:**

\_\_\_\_\_  
Manuel Fleming  
Clerk of the Board

**BEFORE THE LOCAL AGENCY FORMATION COMMISSION**  
**OF THE**  
**COUNTY OF TULARE, STATE OF CALIFORNIA**

In the Matter of the Proposed Annexation            )  
to the City of Visalia and Detachment from        )            **RESOLUTION NO. 23-XXX**  
CSA #1. LAFCO Case 1574-V-460,                    )  
City of Visalia Annexation No. 2022-04            )  
(Shepherds Ranch II)                                    )

**WHEREAS**, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to annex certain territories described in attached Exhibit “A” made a part hereof; and

**WHEREAS**, this Commission has read and considered the Resolution of Application and application materials, the report of the County Assessor and the Executive Officers report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

**WHEREAS**, on October 4, 2023 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:**

1. The information, material and facts set forth in the application, the report of the County Assessor, and the report and recommendations of the Executive Officer (including any corrections), have been received and considered in accordance with

Government Code Section 56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The City of Visalia, as the Lead Agency, prepared an initial study/environmental checklist and on the basis of that study and other planning documents, a Mitigated Negative Declaration was approved for use with this proposal. And finds that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determines that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures that have been made by or agreed to by the project proponent.

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, material and facts presented by the following persons who appeared at the meeting and commented on the proposal:

XXXXXXXXXXXXX  
XXXXXXXXXXXXX

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. Fewer than 12 registered voters reside in the affected territory, which is considered uninhabited.
- b. The subject territory is within the Sphere of Influence of the City of Visalia.



- c. The proposed reorganization does not contain any Williamson Act contract land.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed reorganization are definite and certain.
- b. The proposed annexation is compatible with the City's General Plan.
- c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
- f. Domestic water is to be provided by the California Water Service.
- g. All other urban services and infrastructure can be provided for by the city.

7. The Commission hereby waives the protest hearing proceedings in accordance with GC §56662 and orders the annexation without an election.

8. The Commission hereby approves the proposed reorganization of the territory described in Exhibit "A," attached hereto, subject to the following conditions:

- a. No change shall be made to land-use designations or zoning for a period of two years after completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstance that necessitate a departure from the designation or zoning.
- b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the BOE.

10. The following short form designation shall be used throughout these proceedings:

LAFCO Case No. 1574-V-460, City of Visalia Annexation No. 2022-04  
(Shepherds Ranch II)

11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

12. The Executive Officer to hereby authorized to sign and file a Notice of Determination with the Tulare County Clerk.

The foregoing resolution was adopted upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at a regular meeting held on this 4<sup>th</sup> day of October 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

---

Ben Giuliani, Executive Officer

ak

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT**

*October 4, 2023*

**LAFCO Case Number 1576-V-462  
Annexation 2022-03 to the City of Visalia  
(Barr and Wood Annexation)**

**Addendum Staff Report**

At the October 4<sup>th</sup> LAFCO meeting, three City of Visalia annexations were continued until a City sewer study could be completed that would provide more information regarding the City's sewer treatment plant's ability to treat wastewater from the City and the community of Goshen. The three annexations are as follows:

LAFCO Case 1573-V-459 (Pearl Woods)  
LAFCO Case 1574-V-460 (Shepherds Ranch II)  
LAFCO Case 1576-V-462 (Barr & Wood)

As of the writing of this addendum staff report, the City's sewer study has not yet been released. However, the study may be released ahead of the LAFCO meeting and will be forwarded once available for review. Depending on the Commission's review of the study, the Commission may approve the three annexations in one action or continue the annexations to the December 6<sup>th</sup> Commission meeting.

The following is the staff report from the October 4<sup>th</sup> meeting:

**PROPOSAL:** Annexation to the City of Visalia, detachment from CSA #1.

**PROPONENT:** The City of Visalia by resolution of its City Council.

**SIZE:** Approximately 69.35 acres

**LOCATION:** At the northwest corner of South Roeben Street and West Whitendale Avenue **(Figure 1)**

**NOTICE:** Notice for this public hearing was provided in accordance with Government Code Sections 56660 & 56661.

**SUMMARY:** The proposal is intended to facilitate the development of a 136-lot single family residential subdivision and 3.7 acre park. **(Figure 2)**

**APNs:** 119-022-041

## **GENERAL ANALYSIS**

### **1. Land Use:**

#### *A. Site Information*

	<b>Existing</b>	<b>Proposed (City)</b>
<b>Zoning Designation</b>	County - AE-20	R-1-20 (Single-Family Residential 20,000 sq. ft. minimum site area) – 69.35 acres
<b>General Plan Designation</b>	Very Low Density Residential – 69.35 acres	No Change
<b>Uses</b>	Agricultural, no residences	Private subdivision consisting of 136 single family lots, 3.7 – acre park

#### *B. Surrounding Land Uses and Zoning and General Plan Designations:*

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
<b>North</b>	R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size) zone)	Very Low Density Residential	Oak Meadows Estates and Roeben Ranch residential subdivision
<b>South</b>	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Reserve	Shirk Dairy, undeveloped agricultural land
<b>East</b>	R-1-5 (Single Family Residential, 5,000 square foot minimum site area), QP (Quasi-Public)	Residential Low Density	Roeben Ranch and Lisendra Heights residential subdivisions, Sunset Park
<b>West</b>	AE-20 (Agricultural Exclusive 20-acre) County Zoning	Reserve	Orchard, agricultural uses (possible dairy)

#### *C. Topography, Natural Features and Drainage*

The site is relatively flat and does not contain any natural topographical features.

#### *D. Conformity with General Plans and Spheres of Influence:*

The project is entirely inside of the City Sphere of Influence. It is also inside the City's Tier 2 Urban Development Boundary (UDB).

#### *E. Designate and describe, generally, the major highways and streets adjacent to the subject territory.*

Shirk Street, a north/south arterial street, is adjacent to the project site to the west. Roeben Street, a north/south collector street, is adjacent to the project site from the east. Whitendale Avenue, a east/west collector street, is adjacent to the

project site from the south and will connect both Shirk and Roeben. Caldwell Avenue, an east/west arterial street, is located a ½ mile to the south. Walnut Avenue, an east/west arterial street, is located a ¼ mile to the north. The South Fork Persian Ditch traverses north/south through the eastern portion of the project site. State Route 198 is located 1¼ miles to the north and State Route 99 is located 1¼ miles to the west. and Mill Creek are located ½ mile to the south. Lastly the Watson Ditch is located a ¼ of a mile to the north.

## **2. Impact on Prime Agricultural Land, Agriculture and Open Space:**

The site is not under Williamson Act contract.

## **3. Population:**

The estimated population of the proposal area is 0. The County Elections Division has indicated that there are fewer than 12 registered voters in the proposal area. Therefore, pursuant to GC Section 56046, the annexation area is uninhabited.

## **4. Services and Controls - Need, Cost, Adequacy and Availability:**

### **Agency providing service**

Service	Now	After	Method of finance
Police Protection	County of Tulare	City of Visalia	General Fund
Fire Protection	City of Visalia Fire Department (Contracted with County of Tulare)	City of Visalia Fire Department	General Fund
Water Supply	Private Wells	Cal Water	User Financed
Sewage Disposal	None	City of Visalia	Impact / User Fees
Street Lighting	None	City of Visalia	General Fund
Street Maintenance	County of Tulare	City of Visalia	General Fund
Planning/Zoning	County of Tulare	City of Visalia	General Fund
Garbage Disposal	None	City of Visalia	User Fees
Storm Drain	None	City of Visalia	Impact / User Fee
Ground Water	None	City of Visalia	Impact / User Fee

The City can provide urban services and infrastructure for development such as sewer service, fire, police, street lighting, etc., as well as planning and building services. Cal Water will provide domestic water and has provided a will-serve letter (Figure 4).

The City has more than enough sewer capacity in its treatment plant to accommodate this annexation proposal in terms of flow rate. Visalia's wastewater treatment plant has a capacity of 22 million gallons per day. Current estimated average daily flow is about 13 million gallons per day. Other undeveloped areas

already within the city limits add a potential for another 0.5 go 1.0 million gallons per day.

The City has indicated that the wastewater treatment plant is nearing capacity for Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) when considering approved and planned development. The City is conducting a comprehensive capacity study that is expected to be completed by the end of the year.

The City currently maintains Roeben Street, a north/south collector, and Shirk Road (Road 92 in the County), which is a north/south arterial. Roeben Street will provide access to the annexation area from the east, while Shirk Street will provide access from the west. Right of way along the property's frontage will be improved and maintained by the City.

Services which would be extended to the area, including police and fire safety services and development permit services, will be funded primarily through the City General Fund and user permit fees. Road improvements are funded through a combination of various sources including, but not limited to, the General Fund, development fees, and Measure R funds.

**5. Boundaries and Lines of Assessment:**

The boundaries of the proposal area are definite and certain and conform to the lines of assessment and ownership.

**6. Assess Value, Tax Rates and Indebtedness:**

Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed valuation of the proposal area is as follows:

Land: \$443,764

Structural Improvements: \$33,465

**7. Environmental Impacts:**

The City of Visalia is the lead agency for this proposal. The City prepared an initial study/environmental checklist and on the basis of that study and other planning documents a Mitigated Negative Declaration was approved for use with this proposal. A copy of the document is included in the application materials.

**8. Landowner Consent:**

The landowner has provided signed consent to the annexation. Notice was mailed to all landowners and registered voters within 300 feet of the reorganization area. Since this reorganization has received 100%, the protest hearing can be waived in accordance with Government Code §56662.



**9. Regional Housing Needs Assessment (RHNA):**

Pursuant to GC §56668 (I), LAFCO shall consider the extent to which the proposal will assist the receiving city and the County in achieving its fair share of regional housing needs as determined by the appropriate council of governments.

136-lot single family residential private subdivision proposed for development that are intended to serve the “Above Moderate” income category. A tentative subdivision map has been filed with the City of Visalia. The table below shows the current RHNA cycle allocation.

6<sup>th</sup> Cycle City of Visalia RHNA allocation

Very Low	Low	Moderate	Above Moderate	Total
3,741	2,306	1,321	3,423	10,791

This annexation and the three other annexations on the agenda for this meeting will make the following progress towards providing its fair share of regional housing.

Very Low	Low	Moderate	Above Moderate	Total
0	0	537	136	673

The table below shows the total remaining fair share of regional housing for the City of Visalia.

Very Low	Low	Moderate	Above Moderate	Total
3,741	2,306	784	3,287	10,118

**10. Discussion:**

**Residential Land Supply and Development**

The City currently has approximately a three and a half year supply of residential land. This assumes the remaining 1,052 acres of undeveloped residential land within the City develops at the current City population density of 11.2 persons per acre of developed residential land at a growth rate of 2.17% per year which is the growth rate for the City from 2000 to 2020.

With the addition of the proposed annexation and development of the 136 single family units the city would add approximately an additional 1 month of residential land supply, assuming the growth rate estimates noted above stay consistent for the City.

It should be noted that if the additional three proposed annexations and development on today's agenda (totaling 643 units) were to be approved a total of approximately 7 months of residential land supply would be added assuming the growth rate estimates stay consistent.

#### Akers/Ferguson Islands

As a result of the annexation in LAFCO case 1561-V-456 (Sycamore Heights), a fully surrounded County island was split into two smaller County islands [Figure 5]. A condition of approval was included for the annexation as follows:

*"Within one year of the recording of the Certificate of Completion for this reorganization, the City of Visalia shall submit an application for annexation of the remainder of the Akers/Ferguson islands under the streamlined island annexation procedures."*

The Sycamore Heights annexation was recorded on 10/7/21 which put the application date for the submission of the Akers/Ferguson Islands at 10/7/22. This annexation is still in process at the City. City staff has indicated that the annexation will be submitted to LAFCO by the end of this December.

For future Visalia annexations until the Akers/Ferguson Islands annexation is submitted, LAFCO staff will recommend the following condition of approval:

*The Certificate of Completion will not be recorded until the City of Visalia submits the annexation application for the Akers/Ferguson Islands.*

#### Goshen CSD – Sewer Capacity

The Goshen Community Services District (CSD) operates and maintains a sewer collection system that discharges into the Visalia Water Reclamation Facility (WRF). The CSD has an agreement with the City to treat the wastewater with defined limits. The original agreement was executed on June 5, 1995 and was last amended on April 26, 2017. The following are the average and maximum flows from Goshen CSD's sewer system per a District commissioned report from QK [Figure 6] that was presented to the District on February 21, 2023 and the current average and maximum flows currently allowed in the City/District agreement:

Type	2022 Average	Agreement Average	2022 Maximum	Agreement Maximum
Wastewater Flow	.326 MGD	.360 MGD	.411 MGD	.540 MGD
BOD	796 PPD	1,180 PPD	2,725 PPD	1,770 PPD
Suspended Solids	676 PPD	950 PPD	2,780 PPD	1,425 PPD

BOD = Biochemical Oxygen Demand, PPD = Pounds per Day, MGD = Millions of Gallons per Day

The City had requested the information from the District regarding effluent flows and loadings due to exceedances of maximum BOD and suspended solids in 2022 and concerns regarding the impact of a potential annexation (Fowler Packing). The District does have the ability to request additional capacity from the City. The QK report included three scenarios for the District to consider for amending the agreement:

Scenario	Flow Avg	Flow Max	BOD Avg	BOD Max	SS Avg	SS Max
	(MGD)	(MGD)	(PPD)	(PPD)	(PPD)	(PPD)
Fowler Packing	.468	.702	1,180	1,770	950	1,425
District Build-Out	.859	1.289	2,096	3,144	1,780	2,670
SOI Build-Out	1.655	2.483	4,029	6,059	3,430	5,145

Goshen CSD requested an amendment to the City/District sewer agreement for additional capacity from the City at their April 27<sup>th</sup>, 2023 meeting. The City denied the request on May 6<sup>th</sup>, 2023 [Figure 7]. In the denial letter, the City notes that they are in the process of completing a comprehensive capacity study that would be completed by the end of the year. At their June 22<sup>nd</sup>, 2023 meeting, Goshen CSD adopted a 6 month moratorium on new sewer connections [Figure 8].

### **RECOMMENDED ACTIONS:**

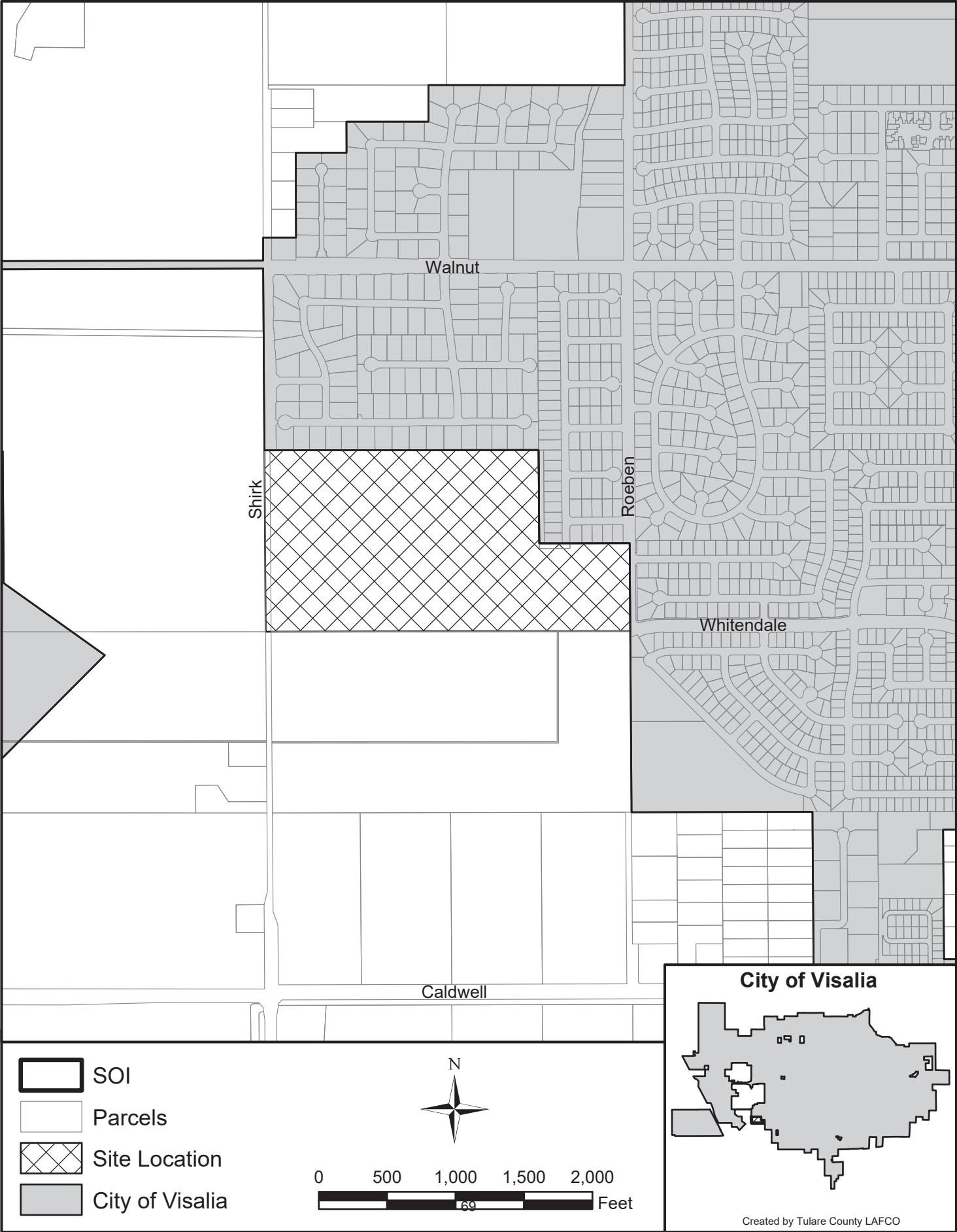
It is recommended that this proposal be approved and that the Commission take the following actions:

1. Certify that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determine that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures that have been made by or agreed to by the project proponent.
2. Find that the proposed reorganization of the City of Visalia complies with the policies and priorities of the Cortese-Knox-Hertzberg Act, Section 56377.
3. Pursuant to LAFCO Policy and Procedure Section C-1, determine that:
  - a. The boundaries of the proposed reorganization are definite and certain.
  - b. The proposed annexation is compatible with the city's General Plan.
  - c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
  - d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
  - e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.

- f. Domestic water is to be provided by the California Water Service.
- g. All urban services and infrastructure can be provided for by the city.
- 4. Find that the annexation does not contain any Williamson Act contract land.
- 5. Find that the territory proposed for this reorganization is uninhabited.
- 6. Approve the proposed reorganization, to be known as LAFCO Case Number 1576-V-462, City of Visalia Reorganization, Annexation 2022-03 (Barr and Wood Annexation) subject to the following conditions:
  - a. No change be made to land use designations or zoning for a period of two years after the completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the designation or zoning.
  - b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the Board of Equalization.
- 7. Waive the protest hearing for this proposal in accordance with Government Code §56662 and order the reorganization without an election.
- 8. Authorize the Executive Officer to sign and file a Notice of Determination with the Tulare County Clerk.

**Figures:**

- Figure 1 Site Location Map
- Figure 2 Barr & Wood Subdivision Map
- Figure 3 Aerial
- Figure 4 Cal Water Will-Serve Letter
- Figure 5 Site Location 1561-V-456
- Figure 6 QK Goshen Sewer Report
- Figure 7 City of Visalia Denial Letter
- Figure 8 Goshen CSD Sewer Connection Moratorium
- Figure 9 Resolution, Annexation to City of Visalia and Detachment from CSA #1





**BARR-WOOD SUBDIVISION**  
**TENTATIVE SUBDIVISION MAP**  
**PLANNED DEVELOPMENT (PD)**

THE CITY OF VISALIA, CALIFORNIA, HAS REVIEWED THIS TENTATIVE SUBDIVISION MAP FOR CONFORMANCE WITH THE SUBDIVISION MAP ACT, CHAPTER 4, DIVISION 2, ARTICLE 1, OF THE CALIFORNIA GOVERNMENT CODE, AND THE SUBDIVISION MAP ACT, CHAPTER 4, DIVISION 2, ARTICLE 1, OF THE CALIFORNIA GOVERNMENT CODE, AND HAS DETERMINED THAT THIS TENTATIVE SUBDIVISION MAP IS IN SUBstantial CONFORMANCE WITH THE SUBDIVISION MAP ACT, CHAPTER 4, DIVISION 2, ARTICLE 1, OF THE CALIFORNIA GOVERNMENT CODE, AND THE SUBDIVISION MAP ACT, CHAPTER 4, DIVISION 2, ARTICLE 1, OF THE CALIFORNIA GOVERNMENT CODE.

ENGINEER/PLANNER: 4-CREEKS INC.  
APN: 119-022-041  
ACREAGE: 69.38 ±  
PROPOSED LOTS: 136  
FLOOD ZONE: R-1.20 PREZONE  
EXISTING ZONING: VERY LOW DENSITY RESIDENTIAL  
EXISTING GENERAL PLAN: SOUTHERN CALIFORNIA Edison  
ELECTRICITY: CAL WATER  
WATER: AT&T  
TELEPHONE: CITY OF VISALIA  
REFUSE DISPOSAL: SOUTHERN CALIFORNIA GAS  
NATURAL GAS: AE-20  
EXISTING USE: VERY LOW DENSITY RESIDENTIAL  
PROPOSED USE:

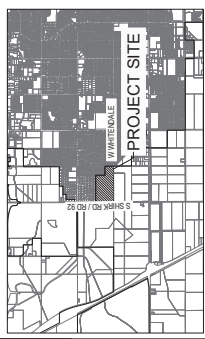
DENSITY: 136  
LOTS: 136  
GROSS ACREAGE: 69.38  
GROSS DENSITY: 1.96 DU/AC  
NET ACREAGE: 48.72  
NET DENSITY: 2.79 DU/AC

PROPOSED SETBACKS (MINIMUM):

FRONT YARD: 30'  
SIDE YARD: 5'  
CORNER LOTS: 10' (27 GARAGE STREET SIDE)  
REAR YARD: 25' SHORT SIDE OR 20' LONG SIDE

OUTLOTS

LOT A: LANDSCAPE DEDICATION 7.31 ACRES  
LOT B: LANDSCAPE DEDICATION 36.82 ACRES  
LOT C: LANDSCAPE DEDICATION 94.94 ACRES  
LOT D: PATHWAY TO PARK 12.205 ACRES  
LOT E: PATHWAY TO PARK 19.248 ACRES  
LOT F: RECESSED PARK / OPEN SPACE 3.7 ACRES  
LOT G: LANDSCAPE DEDICATION 4.238 ACRES  
LOT H: LANDSCAPE DEDICATION 5.908 ACRES  
LOT I: LANDSCAPE DEDICATION 3.372 ACRES  
LOT J: LANDSCAPE DEDICATION 1.6 ACRES  
LOT K: STORMWATER BASIN 1.6 ACRES  
LOT L: CANAL 22.332 ACRES  
LOT M: CANAL 13.913 ACRES  
LOT N: PRIVATE STREETS 79.2 ACRES



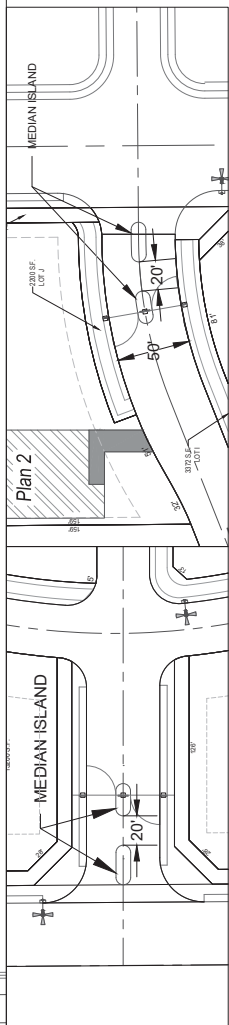
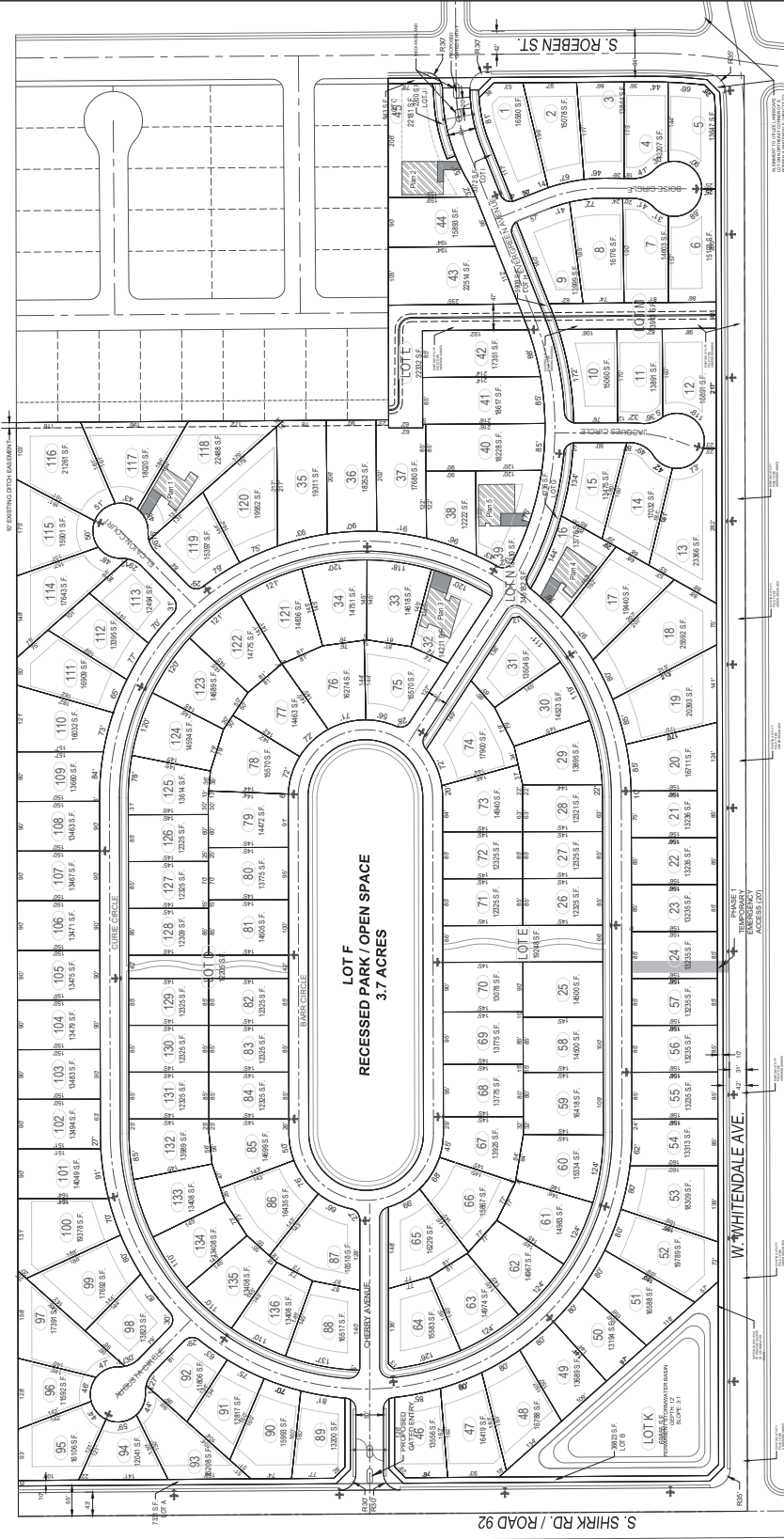
VICINITY MAP



324 S. SANTA FE, STE. A  
P.O. BOX 7389  
VISALIA, CA 93292  
TEL: 558.662.3632  
FAX: 558.662.3675



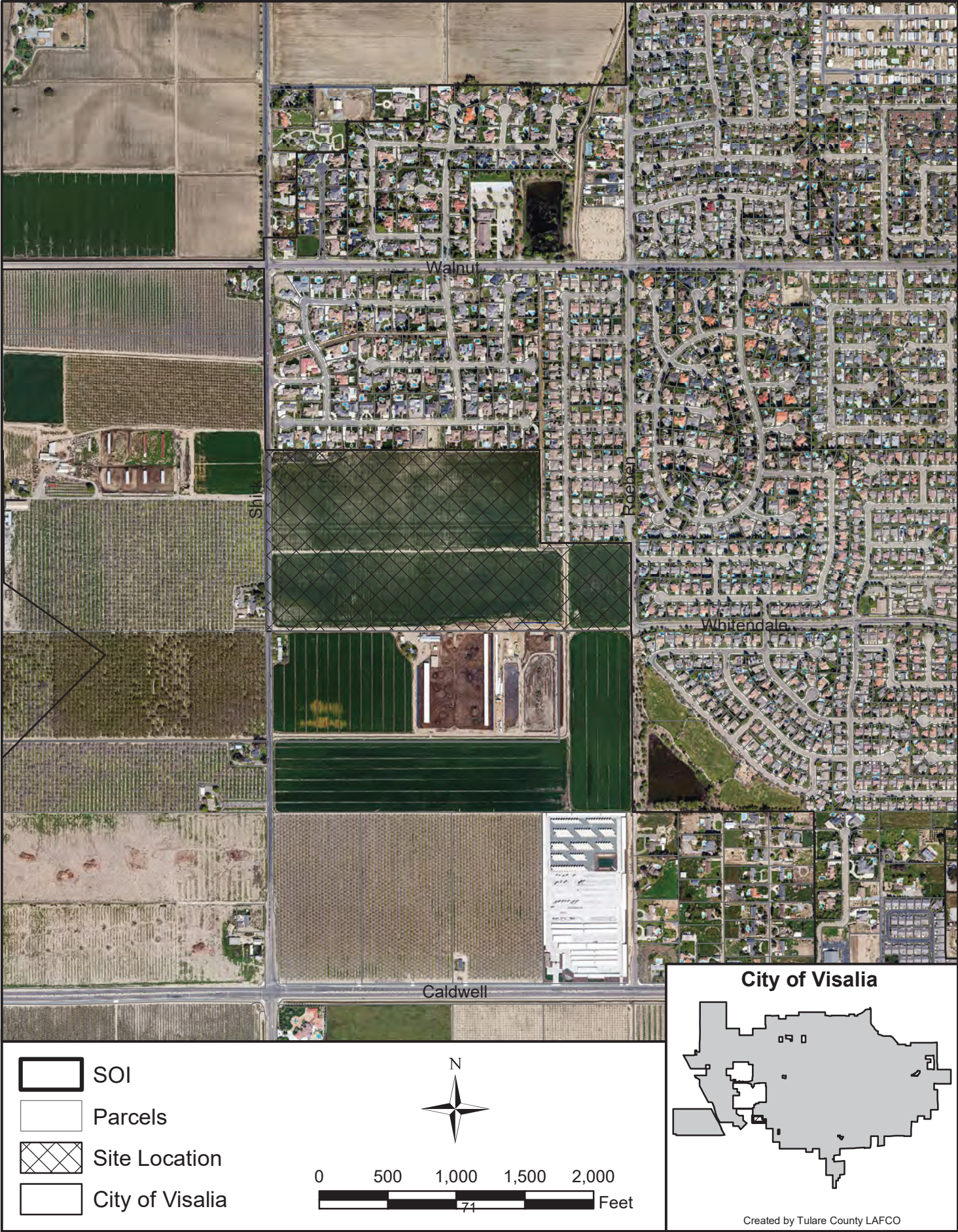
PREPARED BY:



WEST GATE ENTRY  
SCALE 1" = 40'

EAST GATE ENTRY  
SCALE 1" = 40'









## CALIFORNIA WATER SERVICE

**Visalia District** 216 North Valley Oaks Drive  
Visalia, CA 93292 **Tel:** (559) 624-1600

Item IV.3 Figure 4: Will Serve Letter

June 29, 2023

Cristobal Carrillo  
City of Visalia  
315 E Acequia Ave  
Visalia, CA 93291

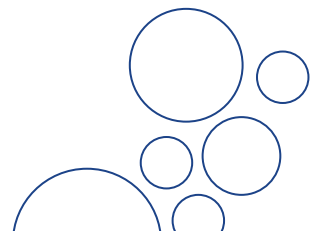
**Will Serve Letter**  
**Annexation No. 2022-02**  
**Woodside Homes**

Dear Mr. Carrillo:

As a regulated utility, California Water Service Company Visalia district ("Cal Water") has an obligation to provide water service in accordance with the rules and regulations of the California Public Utility Commission (CPUC). Assuming you receive all required permits from Tulare County, Cal Water will provide water service to the above referenced project. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company's approved tariffs on file with the CPUC. This will serve letter shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming our commitment to serve the above mentioned project. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable water at such pressure as may be available from time to time as a result of its normal operations per the company's tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.





## CALIFORNIA WATER SERVICE

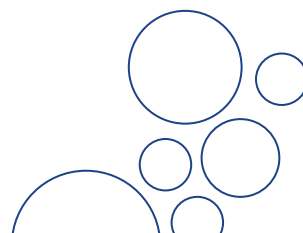
If you have any questions regarding the above, please call me Sedelia Sanchez at (559) 624-1621.

Sincerely,

*Stephen Johnson*

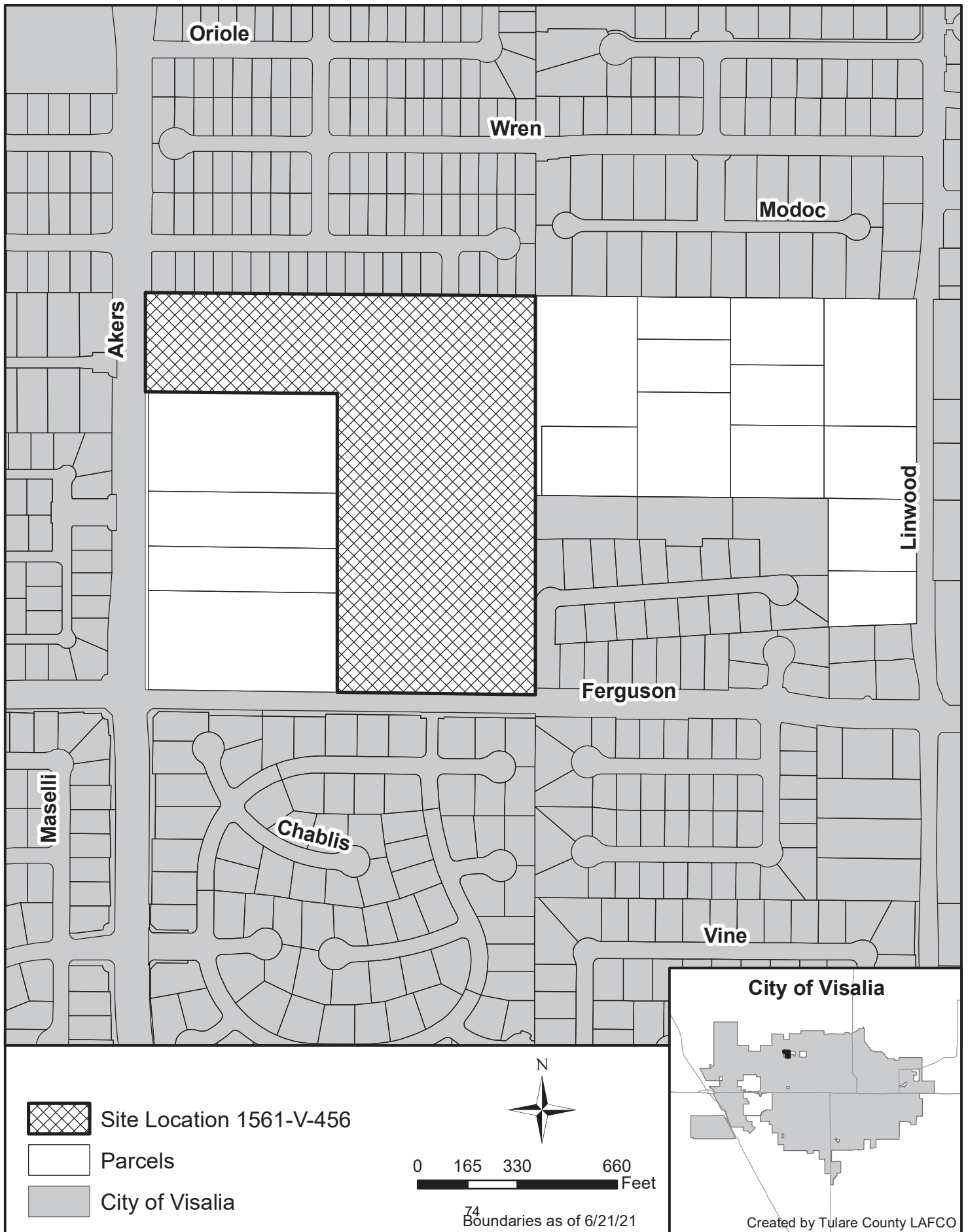
Stephen Johnson  
District Manager

cc: Ting He – Cal Water Engineering Dept.  
File



# LAFCO Case 1561-V-456

Item IV.3 Figure 5:  
Site Location 1561-V-456







# MEMO

**Date:** February 21, 2023  
**Project No.:** 230004  
**To:** Manuel Fleming, District Manager, Goshen Community Services District  
**From:** Brian Shoener, P.E.  
**Subject:** Wastewater Loading to Visalia Evaluation

## Background

The Goshen Community Services District (CSD) operates and maintains a sewer collection system that serves the District. Wastewater from the entire collection system is collected at a lift station near the intersection of Ave 305 and Effie Drive. From the lift station, wastewater is pumped into an eight-inch force main that eventually discharges to the City of Visalia Water Reclamation Facility (WRF).

The CSD had an agreement with the City of Visalia to treat the District wastewater. The agreement contains limits on the average daily (annual average) and maximum daily flow (MGD), biochemical oxygen demand (BOD) loading (lbs/day) and suspended solids (SS) loading (lbs/day). The original agreement was executed on June 5, 1995. There have been five amendments since. The last amendment, number five, was executed on April 26, 2017. Amendment five set the following limits on the District:

	<b>Average</b>	<b>Maximum</b>
<b>Wastewater Flow</b>	0.36 MGD	0.54 MGD
<b>BOD</b>	1,180 ppd	1,770 ppd
<b>SS</b>	950 ppd	1,425 ppd

Below are the 2022 data on the flows and loadings from the District:

	<b>Average</b>	<b>Maximum</b>
<b>Wastewater Flow</b>	0.326 MGD	0.411 MGD
<b>BOD</b>	796 ppd	2,725 ppd
<b>SS</b>	676 ppd	2,780 ppd

With planned growth within District boundaries and potential growth within the District Sphere of Influence (SOI), the District will require additional capacity from the City of Visalia. The City has asked the District for a formal request stating what additional capacity the District is considering.



This memo will evaluate the additional capacity request to accommodate the following three scenarios:

1. Fowler Packing
2. Current District Boundary
3. Buildout of the Sphere of Influence

**Scenario 1: Fowler Packing**

Fowler Packing is a proposed 80-acre development at the southwest corner of Goshen Ave and Road 68. The development is to be for light industrial/warehouse uses. The City of Visalia uses a flow of 600 gpd/acre for light industrial developments. Therefore, the flow from the developed 80-acres would be 48,000 gpd. Assuming a BOD and SS of 220 ppm (which is what the District allocates per Equivalent Dwelling Unit (EDU)), the built-out Fowler Packing development would contribute the following:

	Average
Wastewater Flow	0.048 MGD
BOD	89 ppd
SS	89 ppd

Adding the built-out flow and loading from Fowler Packing to the existing District flow and loading would result in the following:

	Average	Current City Contract	Difference
Wastewater Flow	0.374 MGD	0.36 MGD	-0.114 MGD
BOD	885 ppd	1,180 ppd	295 ppd
SS	765 ppd	950 ppd	185 ppd

Based on this information, Fowler Packing would exhaust the flow allowance. BOD and SS loading to the City would be exceeded.

The State Water Resources Control Board (SWRCB) governs wastewater discharges in the State. When treatment plants reach 80% of the design capacity, the State requires the owner of the plant to start designing for expansion of the treatment plant capacity. For analyzing the additional capacity, the District may need from the City, this 80% number will be used. This means that the proposed development will account for 80% of what is being requested from the City. For Fowler Packing, the District should request the following from the City:

	Average w/ Fowler Pkg	Proposed City Contract	Increase
Wastewater Flow	0.374 MGD	0.468 MGD	0.128 MGD
BOD	885 ppd	1,180 ppd	0 ppd
SS	765 ppd	950 ppd	0 ppd

**Scenario 2: Build Out with Current District Boundary**

There are current lots within the existing District boundaries that are vacant or currently under development. Most of these lots are on the north side and southeast side of the District (see Figure 1). To calculate potential wastewater flow from these lots, the General Plan zoning designation, acreage, and flow per acre was used. Below is a summary of the flow calculated:

Zoning	Acreage	gpda	Flow (gpd)
M-2	105.5	1200	126,600
M-1	14	600	8,400
M1-MU	14.6	600	8,760
M-1	96.5	600	57,900
R-2-MU	47	1300	61,100
R-3-MU	27.75	2000	55,500
R-2-MU	8	1300	10,400
M-1-MU	9.75	600	5,850
M-1-MU	24.2	600	14,520
R-1	14.7	800	11,760
TOTAL (gpd)			360,790

Assuming a BOD of 292.55 ppm and a SS of 248.47 ppm (which is based on the District discharge monitoring data to Visalia for 2022), the build-out within the existing District boundaries would contribute the following:

	Average
Wastewater Flow	0.361 MGD
BOD	880 ppd
SS	748 ppd

Adding the built-out flow and loading from development within the District flow to the existing District loading would result in the following:

	Average	Current City Contract	Difference
Wastewater Flow	0.687 MGD	0.36 MGD	-0.327 MGD
BOD	1,677 ppd	1,180 ppd	-497 ppd
SS	1,424 ppd	950 ppd	-474 ppd

Based on this information, the flow, BOD, and SS loading to the City would exceed the existing contract.



For the proposed development within the District, it is assumed the proposed development plus exiting loading will account for 80% of what is being requested from the City. For build-out in the District, the District should request the following from the City:

	<b>Avg w/ District Build-out</b>	<b>Proposed City Contract</b>	<b>Increase</b>
<b>Wastewater Flow</b>	0.667 MGD	0.859 MGD	0.499 MGD
<b>BOD</b>	1,223 ppd	2,096 ppd	916 ppd
<b>SS</b>	1,223 ppd	1,780 ppd	830 ppd

### **Scenario 3: Build Out of Sphere of Influence**

There are current lots outside the existing District boundaries but within the Districts Sphere of Influence (SOI) that are vacant or currently under development. Most of these lots are on the west side of District, west of Highway 99 (see Figure 1). The development of this area was analyzed in the *Westside Wastewater Collection Study* (QK, November 2019). This study estimated a flow of 694,860 gpd from the westside. Since then, there has already been development on the westside which is account for in the District flow information from the lift station. For this analysis, a flow from the westside of 637,108 gpd will be used. Adding the westside development, development within existing District boundaries, and the existing loading results in the following:

	<b>Average w/ SOI Build-out</b>	<b>Current City Contract</b>	<b>Difference</b>
<b>Wastewater Flow</b>	1.304 MGD	0.36 MGD	-0.944 MGD
<b>BOD</b>	3,231 ppd	1,180 ppd	-2,051 ppd
<b>SS</b>	2,744 ppd	950 ppd	-1,794 ppd

Based on this information, the flow, BOD, and SS loading to the City would exceed the existing contract.

For the proposed development within the District, it is assumed the proposed development plus exiting loading will account for 80% of what is being requested from the City. For build-out in the District, the District should request the following from the City:

	<b>Avg w/ SOI Build-out</b>	<b>Proposed City Contract</b>	<b>Increase</b>
<b>Wastewater Flow</b>	1.304 MGD	1.655 MGD	1.30 MGD
<b>BOD</b>	3,231 ppd	4,039 ppd	2,859 ppd
<b>SS</b>	2,744 ppd	3,430 ppd	2,480 ppd

**SUMMARY**

Based on the analyses presented in this document, below is a summary of the proposed amended flow and loadings from the District for the three scenarios for average day:

**Proposed Amendment Parameters (Avg Day)**

Scenario		Flow	BOD	SS
		(MGD)	(ppd)	(ppd)
Fowler Packing		0.468	1,180	950
District Build-Out		0.859	2,096	1,780
SOI Build-Out		1.655	4,039	3,430

Current District  
Limits

0.36

1,180

950

Below is a summary of the proposed amended flow and loadings from the District for the three scenarios for maximum day:

**Proposed Amendment Parameters (Max Day)**

Scenario		Flow	BOD	SS
		(MGD)	(ppd)	(ppd)
Fowler Packing		0.702	1,770	1,425
District Build-Out		1.289	3,144	2,670
SOI Build-Out		2.483	6,059	5,145

Current District  
Limits

0.54

1,770

1,425

BGS





FIGURE 1 - GOSHEN CSD BOUNDARIES



**Public Works Department**  
336 N Ben Maddox Way  
Visalia, CA 93292



Tel: (559) 713-4428  
Fax: (559) 713-4818

Goshen Community Services District  
c/o Manuel Fleming  
6678 Avenue 308  
Visalia, CA 93291

May 16, 2023

Re: Proposed Amendment for Additional Capacity

Dear Mr. Fleming:

I am in receipt of your letter of April 27, 2023, enclosing a proposed Amendment No. 6 to the agreement between the City of Visalia and the Goshen Community Services District. The City is not in a position to accept your proposed Amendment No. 6 because the City has determined that there is no capacity available to accept additional wastewater discharge from Goshen CSD.

As we have previously relayed to the District staff, the City is in the process of completing a comprehensive capacity study, which we anticipate will confirm current in-house data that shows various capacity parameters, such as Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) capacities, are already near or at current state mandated reserve thresholds, especially when accounting for capacity committed to City approved and planned development. The City anticipates that more details regarding the capacity constraints, as well as specific projects to address them, will be available within six months. Until the study is complete, and plans for addressing the current constraints are arrived at, the City will not be in a position to accept any increase in contracted capacities.

It should be noted that the requested increases in capacities for the District represent between a 48% increase (BOD) and a 56% increase compared to current accepted quantities. The City had no prior reason to believe such large increases would be requested. It should also be noted that the Agreement specifically obligates the District to "make a good faith effort to notify the City of any potential increases in wastewater flow, biochemical oxygen demand, suspended solids and other potential pollutant levels, indicated by any commercial and/or industrial development inquiries, that would significantly affect the quantity and/or quality of the District's discharge to the City system as soon as such potential impacts are made known to the District." This does not appear to have occurred in this case. We encourage you to make this a regular practice so we can assist you in serving your customers.

The City has invited District staff to be involved in the City capacity study. The City continues to encourage the District to do so.

Sincerely,



Nick Bartsch  
Public Works Director  
City of Visalia

CC: Leslie Caviglia, City Manager  
Paul Bernal, Community Development Director

**BEFORE THE BOARD OF DIRECTORS  
OF THE GOSHEN COMMUNITY  
SERVICES DISTRICT**

**Board Resolution 2023-06-02**

**A RESOLUTION OF THE GOSHEN COMMUNITY SERVICES  
DISTRICT ADOPTING A TEMPORARY MORATORIUM OF THE ISSUANCE OF  
WILL SERVE LETTERS FOR NEW SEWER CONNECTIONS**

**WHEREAS**, the Goshen Community Services District ("District") operates and manages a sewer system which provides wastewater discharge service to the residential, industrial and commercial users in the unincorporated community of Goshen, California; and

**WHEREAS**, the City of Visalia and the District are parties to a Wastewater Service Agreement, most recently amended in 2007, whereby the District purchases capacity from the City of Visalia for the conveyance and treatment of the District's wastewater to the City of Visalia's wastewater treatment and disposal facility; and

**WHEREAS**, the City of Visalia recently notified the District that is currently unable to grant the District any additional capacity for increased wastewater discharge until the City completes a comprehensive capacity study and plans for addressing current capacity constraints are made and implemented; and

**WHEREAS**, the City of Visalia's inability to grant any increased capacity for increased wastewater discharge to the District significantly impairs the District's ability to approve any future applications for new sewer connections; and

**WHEREAS**, the moratorium imposed by this Resolution is intended to prevent the approval of any applications for service and issuance of Will Serve letters for new connections to the District's sewer system; and

**WHEREAS**, as additional capacity becomes available the District Board of Directors anticipates that future applications for service will be approved; however, because additional capacity may not become available within the next six months, the District Board of Directors anticipates it may need to extend the moratorium; and

**WHEREAS**, the District finds that this Resolution is necessary for the immediate preservation of the public peace, health, or safety and to ensure that the District can fulfill its obligations to its varied customers; and

**WHEREAS**, The District and the City of Visalia are pursuing long-term treatment capacity, but until the time when increased capacity is available, it is necessary to adopt a temporary moratorium on applications received for new sewer connections and the District's issuance of Will Serve letters.

**NOW THEREFORE BE IT RESOLVED** by the Goshen Community Services District as follows:

1. **Moratorium on Sewer Connections.** Except as provided in Sections 3 and 4 of this Resolution, the District shall not approve applications for sewer connections or issue Will Serve letters on or to properties located within the boundaries of the District to serve any of the following:
  - A. Any new structure that will increase its existing EDU requirements or entitlements; or
  - B. Any expansion or replacement of an existing structure that will increase its existing EDU requirements or entitlements.
2. **Duration of Moratorium.** This Resolution is effective on the date it is adopted by the Board of Directors of the Goshen Community Services District and shall remain in effect for a period of six months, unless renewed or repealed prior to its expiration date.
3. **Users with Vested Rights.** The Board of Directors reserves its rights to exercise its sole discretion to declare this Resolution inapplicable to users with vested rights to sewer connection.
  - A. Factors for demonstrating vested rights to sewer service which will be considered by the Board of Directors include the user being in possession of receipts for its payment to the District of the full amount of District sewer connection fees; Validly issued Will Serve letters from the District; receipt of all permits from other government agencies necessary for construction of the project for which sewer connection fees have been paid; and completion of substantial on site physical construction of the project.
4. **Hardship Application.** Any person aggrieved by this moratorium may file a hardship application with the Board of Directors for relief from such moratorium. The Board of Directors shall grant or deny the hardship application after public hearing and considering such factors as the Board may deem appropriate considering the purposes of the enactment of this Resolution and moratorium, including but not limited to:
  - A. Nature and extent of financial or other hardship;
  - B. Extent of proposed usage of sewer capacity;
  - C. The general magnitude of potential adverse impacts caused by this moratorium; and
  - D. Such other factors as may be significant relative to the individual property and circumstances.

The granting of any hardship shall remain in harmony with the general purpose and intent of this Resolution so that the goals hereof can be achieved and substantial justice done. In granting any hardship, the Board of Directors may impose such reasonable and additional stipulations and conditions as will in its judgment thus fulfill the purposes of this Resolution.

5. **Review and Repeal of Moratorium.** The Board of Directors reserves its rights to periodically review this Resolution, amend it, repeal it and replace it with an Ordinance or take any other such action which it deems appropriate in light of the facts and needs of the Goshen community.
6. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not affect the validity or the constitutionality of the remaining portions of this Resolution. The Board of Directors of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**THE FOREGOING RESOLUTION** was adopted upon the motion of Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ at a regular meeting of the Board of Directors of the Goshen Community Services District, held on June 22, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Board President/Chair  
Goshen Community Services District

**ATTEST:**

\_\_\_\_\_  
Manuel Fleming  
Clerk of the Board



**BEFORE THE LOCAL AGENCY FORMATION COMMISSION**  
**OF THE**  
**COUNTY OF TULARE, STATE OF CALIFORNIA**

In the Matter of the Proposed Annexation            )  
to the City of Visalia and Detachment from        )            **RESOLUTION NO. 23-XXX**  
CSA #1. LAFCO Case 1576-V-462,                    )  
City of Visalia Annexation No. 2022-03            )  
(Barr and Wood)                                        )

**WHEREAS**, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to annex certain territories described in attached Exhibit “A” made a part hereof; and

**WHEREAS**, this Commission has read and considered the Resolution of Application and application materials, the report of the County Assessor and the Executive Officers report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

**WHEREAS**, on October 4, 2023 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:**

1. The information, material and facts set forth in the application, the report of the County Assessor, and the report and recommendations of the Executive Officer (including any corrections), have been received and considered in accordance with

Government Code Section 56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The City of Visalia, as the Lead Agency, prepared an initial study/environmental checklist and on the basis of that study and other planning documents, a Mitigated Negative Declaration was approved for use with this proposal. And finds that the Commission has reviewed and considered the Mitigated Negative Declaration prepared by the City of Visalia for this project and determines that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures that have been made by or agreed to by the project proponent.

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, material and facts presented by the following persons who appeared at the meeting and commented on the proposal:

XXXXXXXXXXXXX  
XXXXXXXXXXXXX

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. Fewer than 12 registered voters reside in the affected territory, which is considered uninhabited.
- b. The subject territory is within the Sphere of Influence of the City of Visalia.

- c. The proposed reorganization does not contain any Williamson Act contract land.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed reorganization are definite and certain.
- b. The proposed annexation is compatible with the City's General Plan.
- c. There is a demonstrated need for municipal services and controls and that the city has the capability of meeting this need.
- d. There is a mutual social and economic interest between the residents of the city and the proposed annexation territory.
- e. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.
- f. Domestic water is to be provided by the California Water Service.
- g. All other urban services and infrastructure can be provided for by the city.

7. The Commission hereby waives the protest hearing proceedings in accordance with GC §56662 and orders the annexation without an election.

8. The Commission hereby approves the proposed reorganization of the territory described in Exhibit "A," attached hereto, subject to the following conditions:

- a. No change shall be made to land-use designations or zoning for a period of two years after completion of the annexation, unless the city council makes a finding at a public hearing that a substantial change has occurred in circumstance that necessitate a departure from the designation or zoning.
- b. The applicant must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the BOE.

10. The following short form designation shall be used throughout these proceedings:

LAFCO Case No. 1576-V-462, City of Visalia Annexation No. 2022-03 (Barr and Wood)

11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

12. The Executive Officer to hereby authorized to sign and file a Notice of Determination with the Tulare County Clerk.

The foregoing resolution was adopted upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at a regular meeting held on this 4<sup>th</sup> day of October 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

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Ben Giuliani, Executive Officer

ak