

REPORT TO CITY OF VISALIA PLANNING COMMISSION



HEARING DATE: March 13, 2017

PROJECT PLANNER: Paul Bernal, Principal Planner
paul.bernal@visalia.city
(559) 713-4025

SUBJECT: **Tentative Parcel Map No. 2016-01** is a request by Sierra Village and Iwik Farms LLC, to subdivide approximately 39-acres into five parcels and ten non-buildable lots in the County of Tulare (City of Visalia jurisdiction pending). The 39-acre project site is located north of the existing Sierra Village Retirement Community and is bounded by State Route 198 to the north, the Village West Shopping Center to the east, and Roeben Street to the west (APNs: 087-450-001, 002, 003, 004 & 005).

STAFF RECOMMENDATION

Tentative Parcel Map No. 2016-01

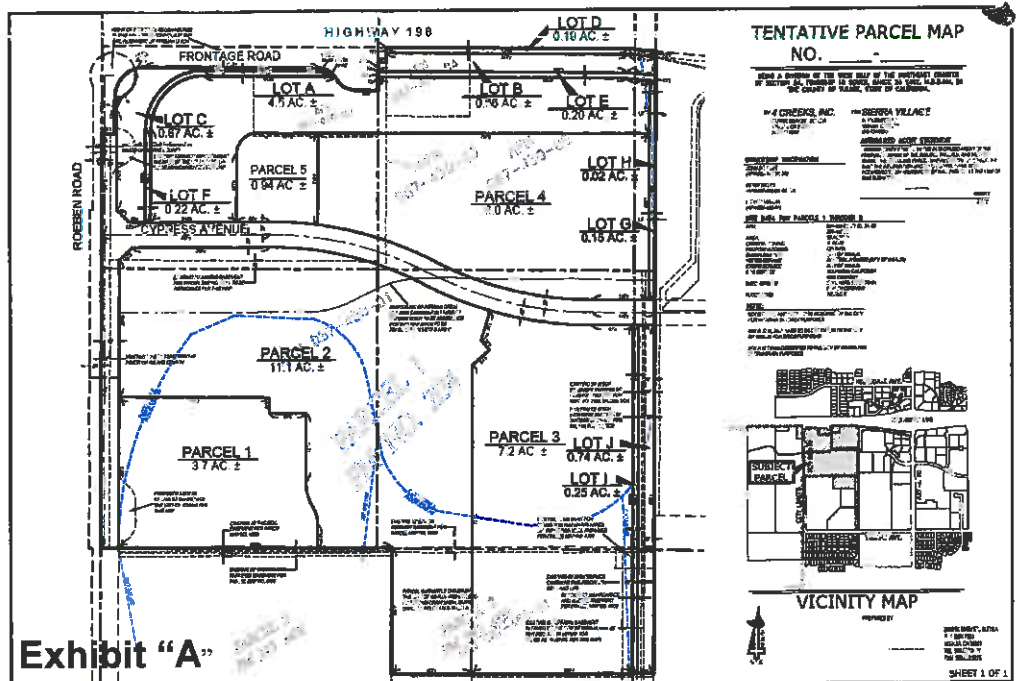
Staff recommends approval of Tentative Parcel Map No. 2016-01, as conditioned, based on the findings and conditions in Resolution No. 2016-01. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

RECOMMENDED MOTION

I move to adopt Resolution No. 2016-01, as conditioned, approving Tentative Parcel Map No. 2016-01.

PROJECT DESCRIPTION

Tentative Parcel Map No. 2016-01 is proposing to subdivide the entire 39-acre project site into five parcels and ten non-buildable lots (see Exhibit "A"). The ten non-buildable lots are designated for riparian setbacks, Persian Ditch realignment and storm drainage purposes. The subdivision of the property will result in the relocation and construction of a new storm drain basin, ditch relocation, and dedication of right-of-way for the future extension of Cypress Avenue west to Roeben Street and the future widening of Roeben Street. The construction of curb, gutter, sidewalks, and the paved street will be deferred until time of development of the first of the five buildable parcels.



Relocation and construction of the storm drain basin shall be completed prior to recording of the final parcel map. This will enable future development of the project site to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific lift station and accompanying outfall channel locations on the project site will be determined through coordination with the Persian-Watson ditch company.

The new location of the storm drain basin provides for a 200-foot landscape buffer along State Route 198 and will provide a visual buffer to vehicles traveling past the site on State Route 198. The 200-foot landscape setback also complies with the City's desire to preserve the agricultural character of the area as discussed during the adoption of the General Plan. The General Plan contains Objectives and Policies that are to be implemented when development occurs within this area as stated in the Open Space and Conservation section (Object OSC-O-5) and the Parks, Schools, Community Facilities and Utilities Section (Policy PSCU-P-11), and Land Use Section per Policy LU-P-37.

In addition to the relocation of the storm basin, the north branch of the Persian-Watson ditch will also be relocated, and the main channel retrofitted in order for the storm drain basin and future development of the entire project site to function properly. The Persian-Watson ditch will be located north of the future storm basin. The construction of this channel shall be completed prior to recordation of the final parcel map.

The project proponents are also requesting to annex 38-acres of the overall 39-acre site (one acre is in the City limits). Approximately 38-acres of the project site are located in the County of Tulare while the remaining one-acre site is within the City Limits of Visalia. Annexation No. 2016-01 is a request by Sierra Village Inc., and Iwik Farms LLC to annex approximately 38-acres into the City limits of Visalia. Upon annexation, six acres will be zoned Open Space while the remaining 33-acres will be zoned C-MU (Commercial Mixed Use), which is consistent with the General Plan Land Use Designation of Commercial Mixed Use as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan.

The annexation filing was authorized by the City Council at their August 19, 2009 meeting. The site is located in within the Tier I of the City's Land Use Diagram, and is thus eligible for annexation into the city at the current time. If the City Council adopts a resolution initiating the annexation, staff will prepare an annexation application and file it with the Tulare County Local Agency Formation Commission.

No development entitlements beyond the tentative parcel map have been filed for the project site. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review. A conceptual development plan that accompanied the parcel map during the Site Plan Review process is attached to the staff report (see Exhibit "B"). The development plan depicts the potential development capacity of the project area but as stated is not being formally proposed at this time.

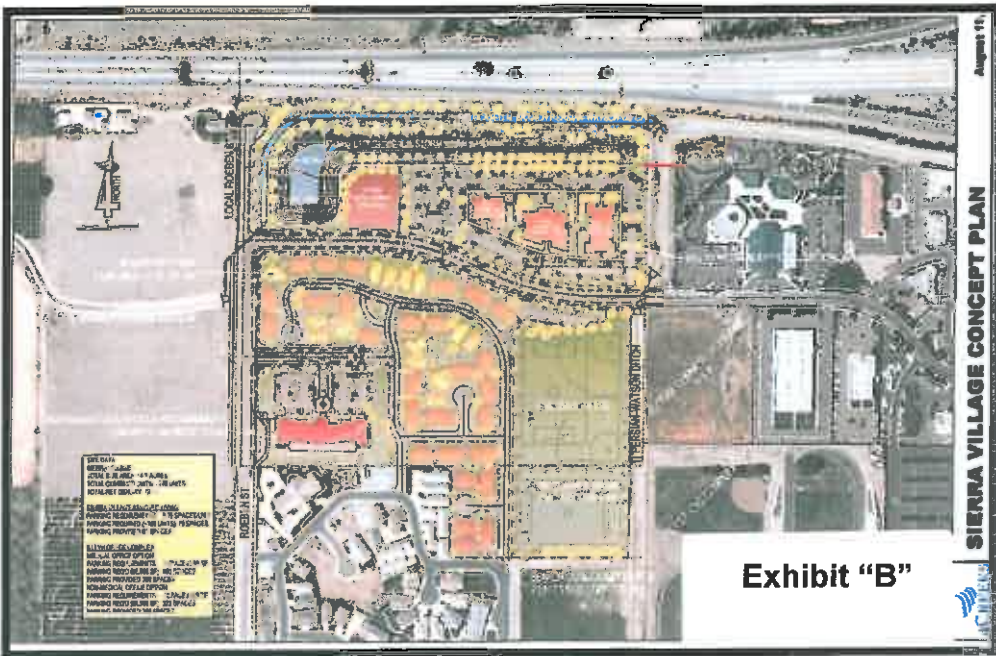


Exhibit "B"

BACKGROUND INFORMATION

- General Plan Land Use Designation: Commercial Mixed Use and Open Space
- County Zoning: County AE-20 (Exclusive Agricultural 20-acre minimum)
- City Zoning: C-SO/C-MU – (Shopping / Office Commercial being changed to Commercial Mixed Use with the adoption of the Zoning Ordinance and Zone Map update approved by City Council on March 6, 2017)
Q-P – (Quasi-Public)
- Surrounding Zoning and Land Use:
 - North: State Route 198
 - South: Q-P – Sierra Village Assisted Living Retirement Community
 - East: C-SO – Visalia Adventure Park and Village West Shopping Center
 - West: AE- 20 (County) – Roeben Street (Rural Roadway) and Agricultural land
- Environmental Review: Mitigated Negative Declaration No. 2016-01
- Special Districts: None
- Site Plan Review: SPR No. 2013-125 & SPR No. 2009-096

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED PROJECTS

The project site is part of the Sierra Village expansion area that had formally submitted for entitlement review (General Plan, Specific Plan Amendment and Change of Zone), including the submittal of an Environmental Impact Report (EIR). The applicants have withdrawn their entitlements and EIR and have elected to revise the scope of their project by revising their annexation application and continuing with the processing of the parcel map application by utilizing the City's General Plan and EIR adopted by the City Council on October 14, 2014.

PROJECT EVALUATION

Staff recommends approval of Tentative Parcel Map No. 2016-01 based on the project's consistency with the Land Use Element of the General Plan, Zoning and Subdivision Ordinances and policies for approval of the tentative parcel map. The following potential issue areas have been identified for the proposed project.

Current General Plan Consistency

The subdivision of the 39-acre project site is located within Tier I and is thus consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; *"Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy,"* while LU-P-20 states; *"allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram."*

Furthermore, the project is consistent with Policy LU-P-34. The conversion of the site from agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; *"the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."*

The General Plan Land Use Diagram, adopted October 14, 2014, designates the entire 39-acre project area as follows:

- 6-acres of Conservation,
- 33-acres of Commercial Mixed Use.

The recently adopted Zoning Map (adopted by City Council on February 6, 2017) identifies the following:

- ±1-acre of O-S (Open Space) zoning,
- 38-acres of County zoning (if annexed would be Pre-Zoned Open Space and Commercial Mixed Use).

An annexation application has been filed requesting annexation of the 38-acres that are within the Tulare County jurisdiction. If annexed, the following zoning designations would be applied to the entire 39-acre project area:

- 6-acres of O-S (Open Space) zoning,
- 33-acres of C-MU (Commercial Mixed Use) zoning.

The O-S and C-MU zoning is consistent with the General Plan Land Use Designation of Conservation and Commercial Mixed Use of the General Plan Land Use Designation Map.

Compatibility with the surrounding area is required by the General Plan in the decision to approve any proposed tentative parcel map. The entire 39-acre project site, which will be bisected by the future Cypress Avenue alignment, is bounded by State Route 198 to the north, the Village West Shopping Center to the east, Roeben Street to the west and the Sierra Village Retirement Community to the south. Staff finds that the proposed tentative parcel map is compatible with the surrounding area and abutting existing urban development.

The General Plan also emphasizes compatibility with surrounding areas. Properties to the west of the project site are in active agricultural production, and staff recognizes the importance of protecting farmlands from urban development. Therefore, staff has included Condition No. 5, which requires notification and signed acknowledgment of the "Right to Farm" Act to any potential residential occupants of a future residential development within the plan area. Although the tentative parcel map is not associated with any development plans, this condition notifies any future developer that any future residential development is required to inform potential residences of adjacent farming operations and that the abutting agricultural operations are protected and cannot be declared a nuisance if operating in a manner consistent with recognized standards.

Sierra Village Project

The tentative parcel map and annexation are the latest entitlements filed for the project area commonly referred as Sierra Village. The Sierra Village project area has a lengthy history associated with how this area was to be planned and developed. The City Council discussed development along the Highway 198 corridor in 2004. Based on those discussions, the property owners that comprise the 39-acre area elected to pursue annexation and future development of the area.

The initial Sierra Village project identified the following:

- Expansion of Sierra Village to accommodate existing and projected demand of quality senior and assisted living facilities;
- Development of a professional/office center that provides for full and optimum utilization of the parcel due to its location and ability to serve the community's need for goods and services;
- Development of the parcel that will be compatible with surrounding land uses;
- Addition of playing fields to be utilized by Central Valley Christian School;
- Addition of the westerly extension of Cypress Avenue to Roeben Street; and
- Relocation of Persian Ditch adjacent to the north of the Project site.

The entitlements associated with the "Sierra Village" project included the following:

- Annexation
- A General Plan Amendment;
- Change of Zone to C-SO Shopping/Office Commercial and Q-P Quasi-Public; and
- Amendment to the West Visalia Specific Plan.

However, with the adoption of the City's General Plan and new Citywide Environmental Impact Report (EIR), many entitlements associated with the Sierra Village project no longer became necessary (i.e., General Plan Amendment, Change of Zone and Specific Plan Amendment). The adopted General Plan provided a land use designation for the Sierra Village project of Conservation and Commercial Mixed Use, which is consistent with the applicant's preliminary development concept plans. Under the 1991 General Plan, the project area was identified as Agriculture to reflect the use occurring at the project site at that time. Rather than pursuing the

project entitlements as submitted, staff encouraged the applicant to proceed with the revising the Annexation application and proceed with the Tentative Parcel Map, as submitted.

The property, subject to the public review process including LAFCO proceedings, would be Pre-Zoned with the Commercial Mixed Use and Open Space zoning designations, which are consistent with the Commercial Mixed Use land use designation as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the Visalia General Plan.

Prior to submittal of any development entitlement (i.e., CUP/Parcel Map/Variance, etc.), Site Plan Review shall be required to address comments, concerns and development standards related to the proposed project. This requirement is included as Condition No. 6 of Tentative Parcel Map No. 2016-01.

Infrastructure Improvements (Storm Drainage)

The project area is served by an existing storm drainage basin and collection system. Storm drain lines are currently stubbed in Cypress Avenue and Roeben Street. The project, when developed, will be required to extend these storm drain lines connecting to the existing City storm water drainage lines that handle on-site and street runoff. Usage of these lines shall be consistent with the City Storm Drain Master Plan. In addition, the existing on-site storm water drainage basin, which is located between the Central Valley Christian (CVC) school's baseball fields and the Sierra Village Senior Community, will be relocated to the northern boundary of the project site prior to recordation of the final parcel map (see Condition No. 7). This will enable future development of the area to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will also necessitate installation of a lift station. The specific location of the lift station and associated outfall channel will be determined through coordination with the Persian-Watson ditch company.

Conversely, the north branch of the Persian-Watson ditch will be relocated and the main channel retrofitted in order for the storm drain basin and future development of the entire project to function properly. The Persian-Watson ditch will be relocated north of the future storm drain basin to ultimately lie between the new basin and State Route 198. The construction of this channel will be required to be completed prior to the recordation of the final parcel map.

Condition No. 8 of Tentative Parcel Map No. 2016-01 requires the relocation and construction of the Persian-Watson ditch prior to recordation of the Final Parcel Map. In addition, Condition No. 8 requires the applicant/developer shall comply with Biological Resources Mitigation Measure. This mitigation measure was crafted to address the Army Corps of Engineers letter dated April 14, 2016 (see Exhibit "E"). The mitigation measure states:

Prior to the recordation of a final parcel map, the project proponent shall prepare and submit complete permit applications to the resource agencies, to the extent preliminary wetland delineation is required to complete the permit it shall be included but a jurisdictional determination shall not be required unless the applicant intends to dispute jurisdiction, and receive an approved Section 404 (of the Clean Water Act) Individual Permit from the Department of the Army U.S. Army Corps of Engineers, a Section 401 (of the Clean Water Act) Water Quality Certification from the Central Valley Regional Water Quality Control Board, and/or a Section 1602 (of Fish and Game Code) Streambed Alteration Agreement from the California Department of Fish and Wildlife regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with copies of the approved permits, certifications, and/or agreements prior to the recordation of the final parcel map.

As previously stated, no development entitlements have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review. A conceptual development plan that accompanied the parcel map during the Site Plan Review process and is attached to the staff report (see Exhibit "B") depicts the potential development capacity of the project area but as stated is not being proposed at this time.

Deferred Street Improvements

Dedication of right-of-way is required for Cypress Avenue and Roeben Street. Infrastructure improvements including construction of the curb, gutter, sidewalks and construction of the roadways will be deferred until time of development of the first of the five new parcels.

Deferring street improvements with an associated parcel map is routinely done. Once refined and precise development plans are formulated, staff can identify the scope of improvements required for development based on the impacts of the project. Deferring improvements has been applied on a range of projects, including large industrial areas that are subdivided via the parcel map process, and have a development plan depicting how the smaller parcels will be developed over time.

When constructed, Roeben Street will be designed to a 70-foot wide collector street while Cypress Avenue will be designed as a 60-foot wide "minor" collector roadway with a width of 46-feet from face of curb to face of curb.

Phasing Plan

The applicant has provided a Phasing Plan (see Exhibit "D") and a narrative summary (see Exhibit "C") that provides an overview on how the applicant/property owners' envision the Phasing of infrastructure and street improvements. As previously stated, two infrastructure items shall be completed prior to recording the Final Parcel map. The infrastructure projects are the relocation/construction of the Persian-Watson ditch, and relocation/construction of the storm drain basin.

Any future development plans for Parcels 1 through 5 when filed through the Site Plan Review process, will be reviewed to determine the scope and timing of the necessary required off-site infrastructure improvements required to support the project. Projects that require discretionary review will include the conditions that outline the scope and timing for the completion of infrastructure improvements.

Annexation

The applicants of the parcel map have also requested annexation of 38-acres. Staff is currently processing the request for annexation along with this tentative parcel map. Consent has been obtained from all property owners of the parcels to be annexed.

Cities are allowed to approve tentative maps prior to annexation, but may not approve the final parcel map until after the land is annexed. The Local Agency Formation Commission will need to approve the annexation prior to the map being effective. Staff has included a condition to this effect. The Tulare County Local Agency Formation Commission will need to approve and record the annexation prior to the map being effective. Staff has included this as Conditions No. 3 and Condition No. 4.

Proposed Parcels and Lots

The project will be subdivided into five parcels and 10 non-buildable lots. The 10 non-buildable lots are designated for riparian setbacks, and ditch and storm drainage purposes. The remaining five parcels range in size from 0.94 acres to 11.1 acres. The conceptual development plan depicts the development potential of each parcel. Future development, including any additional subdividing of these parcels will be subject to the Site Plan Review process and may require additional discretionary review.

Valley Oak Trees

The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on the project site will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.

Per Section 12.24 of the Visalia Oak Tree ordinance, trees determined to be dead or in poor health, may be removed if they are deemed detrimental to the public's safety and welfare. The removal of dead or unhealthy valley oak trees is a less than significant impact and reduces the exposure of unhealthy and unstable trees that can be a deterrent to the public's safety and welfare. Healthy valley oak trees shall be protected at all times.

Correspondence from California Water Service Company

Staff received correspondence (Exhibit "F", attached herein) from the California Water Service Company (Cal Water). Cal Water, in its correspondence dated March 11, 2016, has indicated that they agree to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission. The determination of water availability shall remain voided for two years from the date of their letter. The letter also states that if the project does not commence within the two-year time frame, Cal Water will be under no obligation to serve the project site unless the developer receives an updated letter from Cal Water reconfirming water availability. In addition, the letter can be rescinded at any time in the event that water supply is severely reduced by legislative, regulatory or environmental factors.

Subdivision Map Act Findings

California Government Code Section 66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven "negative" findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff's analysis are below. Recommended findings in response to this Government Code section are included in the recommended findings for the approval of the tentative parcel map.

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed map has been found to be consistent with the City's General Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map. There are no specific plans applicable to the proposed map.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the map have been found to be consistent with the City's General Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map. There are no specific plans applicable to the proposed map.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed map, which is designated as Open Space and Commercial Mixed Use. This is included as recommended Finding No. 3 of the Tentative Parcel Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed map, which is designated as Open Space and Commercial Mixed Use. This is included as recommended Finding No. 4 of the Tentative Parcel Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvement of the map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat. The project Initial Study No. 2016-01, resulting in a Mitigated Negative Declaration, further supports this finding. The mitigation measures contained in the Mitigation Monitoring Program will effectively reduce the environmental impacts to a level that is less than significant is included as recommended Finding No. 6 of the Tentative Parcel Map.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Parcel Map.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.	The proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 5 of the Tentative Parcel Map.

Environmental Review

An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The Initial Study disclosed that there are significant, adverse environmental impacts related to Biological Resources/Hazards and Hazardous Materials that either are or will occur with the addition of the proposed project. However, with the incorporation of mitigation measure, these impacts could be reduced to less than significant levels.

Mitigated Negative Declaration No. 2016-01, circulated for this project (see attachment), contains a Mitigation Monitoring Program that includes the following:

- Prior to the recordation of a final parcel map, the project proponent shall prepare and submit complete permit applications to the resource agencies, to the extent preliminary wetland delineation is required to complete the permit it shall be included but a jurisdictional determination shall not be required unless the applicant intends to dispute jurisdiction, and receive an approved Section 404 (of the Clean Water Act) Individual Permit from the Department of the Army U.S. Army Corps of Engineers, a Section 401 (of the Clean Water Act) Water Quality Certification from the Central Valley Regional Water Quality Control Board, and/or a Section 1602 (of Fish and Game Code) Streambed Alteration Agreement from the California Department of Fish and Wildlife regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with copies of the approved permits, certifications, and/or agreements prior to the recordation of the final parcel map.
- Prior to recordation of the final parcel map, the project proponent shall record deed notices, which disclose as part of the real estate transactions the properties proximity to the airport, location of the property within the airport area zones (Compatibility Zone "D") and existence of aircraft overflights.

The mitigation measures contained in the Mitigation Monitoring Program will effectively reduce the environmental impacts to a level that is less than significant. Therefore, staff recommends that Mitigated Negative Declaration No. 2016-01 and the Mitigation Monitoring Program contained within be adopted for this project.

RECOMMENDED FINDINGS

Tentative Parcel Map No. 2016-01

1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The site of the proposed parcel map is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy," while LU-P-20 states; allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.

The project is also consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I." The General Plan Land Use Diagram, adopted October 14, 2014, designates the project site for Conservation and Commercial Mixed Use.

2. That the proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing urban development to the east and south while State Route 198 abuts the project site to the north. Properties to the west are under the County of Tulare jurisdiction and are still in agricultural production.

3. That the site is physically suitable for the proposed tentative parcel map. Tentative Parcel Map No. 2016-01 is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The parcel map is conditioned to complete the relocation and construction of both the Persian-Watson ditch and storm drainage basin, and future development of the project site is conditioned to comply with all City standards for street design and extension of utilities when development plans are finalized and submitted through the City review process.
4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Conservation and Commercial Mixed Use General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map No. 2016-01, its improvements and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The site of the proposed parcel map is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy," while LU-P-20 states; allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.

The project is also consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."

5. That the proposed Tentative Parcel Map No. 2016-01, design of the parcel map or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The existing on-site storm water drainage basin and the north branch of the Persian-Watson ditch shall be relocated and constructed prior to recording the final parcel map as included in the conditions of approval contained Resolution No. 2016-01.
6. That an Initial Study was prepared for the annexation and tentative parcel map consistent with CEQA. The Initial Study disclosed that there are significant, adverse environmental impacts related to Biological Resources/Hazards and Hazardous Materials that either are or will occur with the addition of the proposed project. Mitigated Negative Declaration No. 2016-01 circulated for this project contains a Mitigation Monitoring Program. The mitigation measures contained in the Mitigation Monitoring Program will effectively reduce the environmental impacts to a level that is less than significant. Therefore, staff recommends that Mitigated Negative Declaration No. 2016-01 and the Mitigation Monitoring Program contained within be adopted for Tentative Parcel Map No. 2016-01 and that the Planning Commission recommends that the City Council adopt Mitigated Negative Declaration No. 2016-01 for Annexation No. 2016-01.

RECOMMENDED CONDITIONS

Tentative Parcel Map No. 2016-01

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2009-096 and Site Plan Review No. 2013-125.
2. That Tentative Parcel Map No. 2016-01 shall be prepared in substantial compliance with Exhibit "A".
3. That Tentative Parcel Map No. 2016-01 approval shall lapse one year from the date of Planning Commission approval, unless the annexation of the property is completed. The Tentative Subdivision Map shall become effective on the date that the Local Agency Formation Commission (LAFCO) Board approves the annexation (Annexation No. 2016-01), and the two year initial period for filing the final map shall commence on that date.
4. That Annexation No. 2016-01 shall be recorded prior to the recordation of the final parcel map.
5. That the developer/property owners shall inform any future residences/residential property owners of potential residential developments within in the plan area sign and acknowledge the "Right to Farm" Act. This informs future residential owners that the surrounding farming operations are protected and cannot be declared a nuisance if operating in a manner consistent with proper and accepted customs and standards.
6. Prior to submittal of any development entitlement (i.e., CUP/Parcel Map/Variance, etc.), Site Plan Review shall be required for any development plan. The Site Plan Review Committee shall provide comments addressing and/or identifying conditions, concerns, issues and development standards related to the proposed development plan.
7. The existing Storm Drain Basin shall be relocated and constructed in the area of the project site (i.e., Lot A) as noted on the Tentative Parcel Map No. 2016-01, prior to recordation of the Final Parcel Map.
8. The Persian-Watson Ditch shall be relocated and constructed to its new location (i.e., Lots B, C, H and J) as noted on the Tentative Parcel Map No. 2016-01, prior to recordation of the Final Parcel Map. Prior to the recordation of a final parcel map, the project proponent shall prepare and submit complete permit applications to the resource agencies, to the extent preliminary wetland delineation is required to complete the permit it shall be included but a jurisdictional determination shall not be required unless the applicant intends to dispute jurisdiction, to the resource agencies, and receive an approved Section 404 (of the Clean Water Act) Individual Permit from the Department of the Army U.S. Army Corps of Engineers, a Section 401 (of the Clean Water Act) Water Quality Certification from the Central Valley Regional Water Quality Control Board, and/or a Section 1602 (of Fish and Game Code) Streambed Alteration Agreement from the California Department of Fish and Wildlife regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with copies of the approved permits, certifications, and/or agreements prior to the recordation of the final parcel map.
9. Prior to recordation of the final parcel map, the project proponent shall record deed notices, which disclose as part of the real estate transactions the properties proximity to the airport, location of the property within the airport area zones (Compatibility Zone "D") and existence of aircraft overflights.

10. That development around the Valley Oak Trees is subject to the City's Standard Specification for Building Around Valley Oak Trees. Any Valley Oak Tree identified for tree trimming shall be subject to a Valley Oak Tree Trimming Permit.
11. That all applicable federal, state, regional, and city policies and ordinances be met.
12. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Tentative Parcel Map No. 2016-01.
13. That all mitigation measures in Mitigated Negative Declaration No. 2016-01 are hereby incorporated as conditions of approval.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.28.080, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe St., Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the City's website www.ci.visalia.ca.us or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2016-01 – Tentative Parcel Map No. 2016-01
- Exhibit "A" – Tentative Parcel Map No. 2016-01
- Exhibit "B" – Conceptual Development Plan of Tentative Parcel Map No. 2016-01
- Exhibit "C" – Applicant's Construction Improvement Summary for Tentative Parcel Map No. 2016-01
- Exhibit "D" – Conceptual Infrastructure Phase Plan
- Exhibit "E" – Army Corps of Engineers letter dated April 14, 2016
- Exhibit "F" – California Water Service Company letter dated March 11, 2016
- Mitigated Negative Declaration No. 2016-01
- Site Plan Review Comments No. 2013-125 and 2009-096
- General Plan Land Use Map
- Zoning Map
- Aerial Maps
- Vicinity Map

RELATED PLANS AND POLICIES

General Plan and Zoning: The following General Plan and Zoning Ordinance policies apply to the proposed project:

General Plan Land Use Policy:

- LU-P-19:** Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy. The General Plan Land Use Diagram establishes three growth rings to accommodate estimated City population for the years 2020 and 2030. The Urban Development Boundary I (UDB I) shares its boundaries with the 2012 city limits. The Urban Development Boundary II (UDB II) defines the urbanizable area within which a full range of urban services will need to be extended in the first phase of anticipated growth with a target buildout population of 178,000. The Urban Growth Boundary (UGB) defines full buildout of the General Plan with a target buildout population of 210,000. Each growth ring enables the City to expand in all four quadrants, reinforcing a concentric growth pattern.
- LU-P-20:** Allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.
- LU-P-34:** Work with Tulare County and other state and regional agencies, neighboring cities, and private land trust entities to prevent urban development of agricultural land outside of the current growth boundaries and to promote the use of agricultural preserves, where they will promote orderly development and preservation of farming operations within Tulare County. Conduct additional investigation of the efficacy of agricultural conservation easements by engaging local, regional, and state agencies and stakeholders in order to further analyze their ongoing efforts and programs that attempt to mitigate impacts from the conversion of agricultural lands through the use of agricultural conservation easements. Support regional efforts to prevent urban development of agricultural lands, specifically at the county level. Tulare County's General Plan 2030 Update Policy contains two policies (AG-1.6 Conservation Easements and AG-1.18 Farmland Trust and Funding Sources) that discuss establishing and implementing an Agricultural Conservation Easement Program (ACEP). The City supports the implementation of these measures by the County, in which the City may then participate. Such a regional program could include a fee to assist and support agricultural uses, and would be most feasibly and strategically developed on a countywide or other regional basis.

In addition to supporting regional efforts to prevent urban development of agricultural lands, the City shall create and adopt a mitigation program to address conversion of Prime Farmland and Farmland of Statewide Importance in Tiers II and III. This mitigation program shall require a 1:1 ratio of agricultural land preserved to agricultural land converted and require agricultural land preserved to be equivalent to agricultural land converted. The mitigation program shall also require that the agricultural land preserved demonstrate adequate water supply and agricultural zoning, and shall be located outside the City UDB, and within the southern San Joaquin Valley. The mitigation program shall, to the extent feasible and practicable, be integrated with the agricultural easement programs adopted by the County and nearby cities. The City's mitigation program shall allow mitigation to be provided by purchase of conservation easement or payment of fee, but shall indicate a preference for purchase of easements. The mitigation program shall require easements to be held by a qualifying entity, such as a local land trust, and require the submission of annual monitoring reports to the City. The mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I, or conversion of agricultural lands for agricultural processing uses, agricultural buffers, public facilities, and roadways.

RESOLUTION NO 2016-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2016-01, A REQUEST BY SIERRA VILLAGE AND IWIK FARMS LLC, TO SUBDIVIDE APPROXIMATELY 39-ACRES INTO FIVE PARCELS AND TEN NON-BUILDABLE LOTS IN THE COUNTY OF TULARE (CITY OF VISALIA JURISDICTION PENDING). THE 39-ACRE PROJECT SITE IS LOCATED NORTH OF THE EXISTING SIERRA VILLAGE RETIREMENT COMMUNITY AND IS BOUNDED BY STATE ROUTE 198 TO THE NORTH, THE VILLAGE WEST SHOPPING CENTER TO THE EAST, AND ROEBEN STREET TO THE WEST (APNS: 087-450-001, 002, 003, 004 & 005).

WHEREAS, Tentative Parcel Map No. 2016-01 is a request by Sierra Village and Iwik Farms LLC, to subdivide approximately 39-acres into five parcels and ten non-buildable lots in the County of Tulare (City of Visalia jurisdiction pending). The 39-acre project site is located north of the existing Sierra Village Retirement Community and is bounded by State Route 198 to the north, the Village West Shopping Center to the east, and Roeben Street to the west (APNs: 087-450-001, 002, 003, 004 & 005).; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on March 13, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds the tentative parcel map in accordance with Section 16.16 of the Subdivision Ordinance of the City of Visalia, and with Section 17.26 of the Zoning Code of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared and disclosed that there are significant, adverse environmental impacts related to Biological Resources/Hazards and Hazardous Materials that either are or will occur with the addition of the proposed project. However, with the incorporation of mitigation measure, these impacts could be reduced to less than significant levels.

NOW, THEREFORE, BE IT RESOLVED, that Mitigated Negative Declaration No. 2016-01 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Visalia approves the proposed tentative parcel map based on the following specific findings and based on the evidence presented:

1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The site of the proposed parcel map is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy," while LU-P-20 states; allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.

The project is also consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I." The General Plan Land Use Diagram, adopted October 14, 2014, designates the project site for Conservation and Commercial Mixed Use.

2. That the proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing urban development to the east and south while State Route 198 abuts the project site to the north. Properties to the west are under the County of Tulare jurisdiction and are still in agricultural production.
3. That the site is physically suitable for the proposed tentative parcel map. Tentative Parcel Map No. 2016-01 is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The parcel map is conditioned to complete the relocation and construction of both the Persian-Watson ditch and storm drainage basin, and future development of the project site is conditioned to comply with all City standards for street design and extension of utilities when development plans are finalized and submitted through the City review process.
4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Conservation and Commercial Mixed Use General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map No. 2016-01, its improvements and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The site of the proposed parcel map is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth

strategy,” while LU-P-20 states; allow annexation and development of residential, commercial, and industrial land to occur within the “Tier I” Urban Development Boundary (UDB) at any time, consistent with the City’s Land Use Diagram.

The project is also consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; “the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I.”

5. That the proposed Tentative Parcel Map No. 2016-01, design of the parcel map or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The existing on-site storm water drainage basin and the north branch of the Persian-Watson ditch shall be relocated and constructed prior to recording the final parcel map as included in the conditions of approval contained Resolution No. 2016-01.
6. That an Initial Study was prepared for the annexation and tentative parcel map consistent with CEQA. The Initial Study disclosed that there are significant, adverse environmental impacts related to Biological Resources/Hazards and Hazardous Materials that either are or will occur with the addition of the proposed project. Mitigated Negative Declaration No. 2016-01 circulated for this project contains a Mitigation Monitoring Program. The mitigation measures contained in the Mitigation Monitoring Program will effectively reduce the environmental impacts to a level that is less than significant. Therefore, staff recommends that Mitigated Negative Declaration No. 2016-01 and the Mitigation Monitoring Program contained within be adopted for Tentative Parcel Map No. 2016-01 and that the Planning Commission recommends that the City Council adopt Mitigated Negative Declaration No. 2016-01 for Annexation No. 2016-01.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative parcel map on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.04.040 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2009-096 and Site Plan Review No. 2013-125.
2. That Tentative Parcel Map No. 2016-01 shall be prepared in substantial compliance with Exhibit “A”.
3. That Tentative Parcel Map No. 2016-01 approval shall lapse one year from the date of Planning Commission approval, unless the annexation of the property is completed. The Tentative Subdivision Map shall become effective on the date that the Local Agency Formation Commission (LAFCO) Board approves the annexation (Annexation No. 2016-01), and the two year initial period for filing the final map shall commence on that date.

4. That Annexation No. 2016-01 shall be recorded prior to the recordation of the final parcel map.
5. That the developer/property owners shall inform any future residences/residential property owners of potential residential developments within in the plan area sign and acknowledge the "Right to Farm" Act. This informs future residential owners that the surrounding farming operations are protected and cannot be declared a nuisance if operating in a manner consistent with proper and accepted customs and standards.
6. Prior to submittal of any development entitlement (i.e., CUP/Parcel Map/Variance, etc.), Site Plan Review shall be required for any development plan. The Site Plan Review Committee shall provide comments addressing and/or identifying conditions, concerns, issues and development standards related to the proposed development plan.
7. The existing Storm Drain Basin shall be relocated and constructed in the area of the project site (i.e., Lot A) as noted on the Tentative Parcel Map No. 2016-01, prior to recordation of the Final Parcel Map.
8. The Persian-Watson Ditch shall be relocated and constructed to its new location (i.e., Lots B, C, H and J) as noted on the Tentative Parcel Map No. 2016-01, prior to recordation of the Final Parcel Map. Prior to the recordation of a final parcel map, the project proponent shall prepare and submit complete permit applications to the resource agencies, to the extent preliminary wetland delineation is required to complete the permit it shall be included but a jurisdictional determination shall not be required unless the applicant intends to dispute jurisdiction, to the resource agencies, and receive an approved Section 404 (of the Clean Water Act) Individual Permit from the Department of the Army U.S. Army Corps of Engineers, a Section 401 (of the Clean Water Act) Water Quality Certification from the Central Valley Regional Water Quality Control Board, and/or a Section 1602 (of Fish and Game Code) Streambed Alteration Agreement from the California Department of Fish and Wildlife regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with copies of the approved permits, certifications, and/or agreements prior to the recordation of the final parcel map.
9. Prior to recordation of the final parcel map, the project proponent shall record deed notices, which disclose as part of the real estate transactions the properties proximity to the airport, location of the property within the airport area zones (Compatibility Zone "D") and existence of aircraft overflights.
10. That development around the Valley Oak Trees is subject to the City's Standard Specification for Building Around Valley Oak Trees. Any Valley Oak Tree identified for tree trimming shall be subject to a Valley Oak Tree Trimming Permit.
11. That all applicable federal, state, regional, and city policies and ordinances be met.

12. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Tentative Parcel Map No. 2016-01.
13. That all mitigation measures in Mitigated Negative Declaration No. 2016-01 are hereby incorporated as conditions of approval.

TENTATIVE PARCEL MAP NO. 2016-01

BEING A PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MARIANA IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.

BY: 4 CREEKS, INC.
13 COLONYWAY
1800 N. MAIN ST., SUITE A
P.O. BOX 1780
YUBA, CA 95993

FOR: SIERRA VILLAGE
13 COLONYWAY
1800 N. MAIN ST., SUITE A
P.O. BOX 1780
YUBA, CA 95993

AUTHORIZED AGENT STATEMENT
I, THE AGENT, HEREBY CERTIFY THAT I AM THE AUTHORIZED AGENT OF THE PROPERTY OWNER OF THE SUBJECT PARCEL, AND I HEREBY CERTIFY THAT THE INFORMATION SHOWN IS CORRECT AND TRUE, ACCORDING TO MY KNOWLEDGE OF SAID PARCEL, AT THE TIME OF THIS SUBMITTAL.

OWNER'S INFORMATION:
OWNER: 4 CREEKS, INC.
ADDRESS: 13 COLONYWAY, 1800 N. MAIN ST., SUITE A, P.O. BOX 1780, YUBA, CA 95993

PREPARED BY:
DATE:

APPROVED BY:
DATE:

APPROVED BY:
DATE:

APPROVED BY:
DATE:

APPROVED BY:
DATE:

APPROVED BY:
DATE:

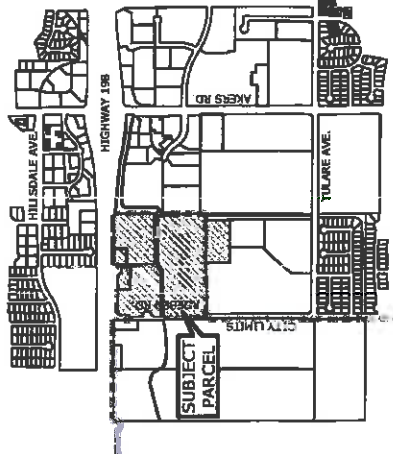
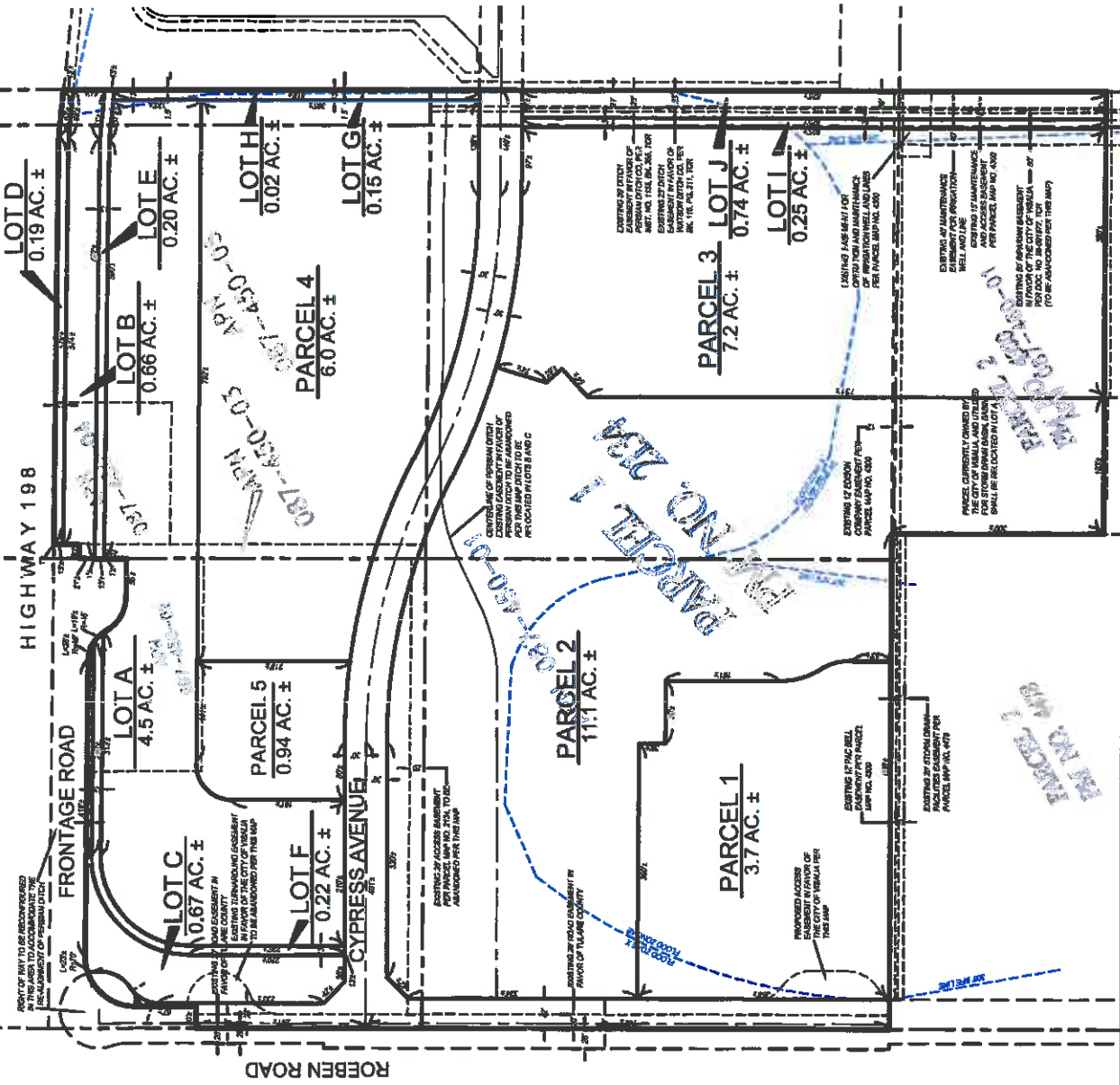
APPROVED BY:
DATE:

APPROVED BY:
DATE:

APPROVED BY:
DATE:

APPROVED BY:
DATE:

APPROVED BY:
DATE:





Sierra Village Parcel Map Construction Improvement Summary

Introduction

The intent of this memo is to establish the phasing and construction requirements for the proposed Sierra Village Parcel Map. The primary areas of concern are the storm drain basin relocation, the ditch relocation, Roeben Street construction, and Cypress Avenue construction.

The timing of the ditch construction and storm drain basin are tied to outside factors, such as the season or amount of rainfall that either the Valley floor or the Sierra Nevada Mountains might receive. Therefore, it is important to establish a game plan for providing the construction of these items.

Overall Proposed Project Phasing

For future construction timing reasons, the parcel map has been broken into 3 main phases with optional timing situations. It is unknown at this time the market requirements for the various types of uses, so a reasonable expectation has been proposed. The following is the phase breakdown:

- Phase 1
 - Storm Drain Basin relocation
 - Ditch relocation
 - Sierra Village single unit expansion
 - CVC ballfields
 - Portion of Roeben St.
 - Portion of Cypress St.

The Phase 1 street improvement requirements could be contingent on findings with the Traffic Impact Study. It would seem reasonable that the full build-out of Roeben and Cypress with Phase 1 would not be necessary to facilitate traffic generated by the project site. All entrances to the Sierra Village project would be functional and at least 2 of the entrances to the Billys office portion would be functional.

- Phase 2 (this is variable, depending on either the Sierra Village Assisted Living Complex or the Billys Office Complex)
 - Cypress and Roeben completed build-out
 - Either Sierra Village Assisted Living Complex
 - Or Billys Office Complex

It is unsure which would develop first, but the development of either would trigger the completion of the street construction.

- Phase 3
 - "Future development" office portion



Storm Drain Basin Relocation

It is our understanding that the storm drain basin will need to be constructed and in operation prior to the parcel map recording. This will enable Sierra Village and CVC to obtain the existing City of Visalia storm drain basin property and for the City of Visalia to have an operating storm drain basin at the new site immediately south of Highway 198. This construction will include the lift station installation, as the existing basin does not have the capacity required to serve the tributary area. The lift station location and outfall channel will be determined through coordination with the Persian-Watson ditch company.

Persian-Watson Ditch Relocation

The north branch of the Persian-Watson Ditch will need to be relocated and the main channel retro-fitted, in order for the storm drain basin and future developments to function properly. This relocation will need to be constructed and the timing of the connections and work within the existing channel will need to be carefully coordinated with the ditch company. There is typically a very small window of opportunity between winter flood releases and entitlement irrigation deliveries in the early spring. If the connection is not made in the early spring, then it is usually necessary to wait until late summer or early fall to make the connections. The construction of this channel will need to be in-place and operational as a requirement of the parcel map.

Roeben Street

The City has determined that Roeben will be a 70' collector right of way. In order to achieve this, the centerline of Roeben Street will need to shift to accommodate the existing portion of the street that has been built along the existing Sierra Village project. This will keep the eastern curb and gutter lined up proceeding to the north. The construction of Roeben Street could be linked as a requirement of the first phase of development.

Cypress Avenue

The City has determined that Cypress should be built to a 60' minor collector status roadway. This would have a 60' right of way and a 46' curb to curb width. The upsizing versus a standard local street will be reimbursed per standard transportation impact policies. The construction of Cypress Avenue could be linked as a requirement of the first phase of development.

Exhibit "E"



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

April 14, 2016

Regulatory Division (SPK-2014-00634)

Mr. Paul Bernal
City of Visalia
315 E. Acequia Street
Visalia, California 93291

Dear Mr. Bernal:

We are responding to your Notice of a Proposed Mitigated Negative Declaration request for comments on the Sierra Village project. This project has your Annexation Number of 2016-01. This approximately 39.0-acre project site is located on the Persian-Watson Ditch in Section 34, Township 18 South, Range 24 East, MDB&M, Latitude 36.3250648129762°, Longitude -119.356201916509°, Tulare County, California.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, some ditches, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

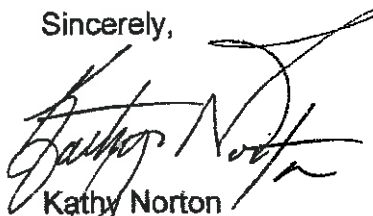
To ascertain the extent of waters on the project site, the applicant should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

If waters of the United States are going to be impacted, cultural resource sites within the defined federal permit area, will need to be evaluated according to the standards of the National Environmental Policy Act. All eligible or potentially eligible cultural resource sites to the National Register of Historic Places within the permit area will be subject to Section 106 of the National Historic Preservation Act, 1966, as amended. The Corps of Engineers must also comply with the terms and conditions of the Federal Endangered Species Act with regards to our permitting process. You may need to supply a recent biological assessment of the project site for us to comply with the federal Endangered Species Act

Please refer to identification number SPK-2014-00634 in any correspondence concerning this project. If you have any questions, please contact me at the letterhead address, Room 1350, by email at Kathy.Norton@usace.army.mil, or telephone at 916-557-5260. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Norton", written over a white background.

Kathy Norton
Sr. Project Manager
California South Branch

cc:

Sierra Village, Inc., and Meda Billys, P.O. Box 6546, Visalia, California 93290



CALIFORNIA WATER SERVICE

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



March 11, 2016

City of Visalia
Planning Division
315 E Acequia Ave
Visalia, CA 93291

Will Serve Letter

Tentative Parcel Map No, 2016-01, APN 087-450-001, 002, 003, 004, 005; 087-460-001
Developer: John and Willie DeJong and Iwik Farms LLC

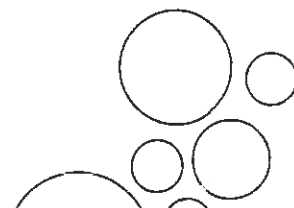
Gentlemen:

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 City of Visalia, 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 potable¹ 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,² 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.

¹ This portion of the letter to be modified accordingly in the event the development for which this letter is being generated is to be served with potable and non potable water.

² For the districts that collect facility fees on a per lot basis, delete the reference to wells as a special facility here and add in the following sentence, "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"





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.

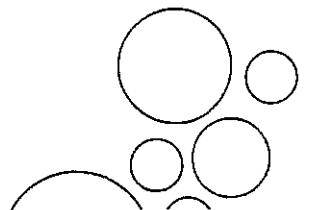
If you have any questions regarding the above, please call me at (559) 624-1600.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Charles".

Eric Charles
Acting Assistant District Manager

cc: Ting He – Cal Water Engineering Dept
File



CITY OF VISALIA
315 E. ACEQUIA STREET
VISALIA, CA 93291

**NOTICE OF A PROPOSED
MITIGATED NEGATIVE DECLARATION**

Project Title: Annexation No. 2016-01 and Tentative Parcel Map No. 2016-01

Project Description: The project proponents are requesting to annex and subdivide 39-acres, herein referred to as the project. Approximately 38-acres of the project are located in the County of Tulare while the remaining one-acre site is within the City Limits of Visalia.

Annexation No. 2016-01 is a request by Sierra Village, Inc., and Meda Billys to annex approximately 38-acres into the City limits of Visalia. Upon annexation 6.44 acres will be zoned Quasi-Public while the remaining 32.56-acres will be zoned C-SO (Shopping / Office Commercial), which is consistent with the General Plan Land Use Designation of Mixed Use Commercial as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan.

Tentative Parcel Map No. 2016-01 is proposing to subdivide the entire 39-acre project into five parcels and 10 non-buildable lots. The 10 non-buildable lots are designated for riparian setbacks, and ditch and storm drainage purposes. The subdivision of the property will result in the relocation and construction of a new storm drain basin, ditch relocation, and dedication of right-of-way for Cypress Avenue and Roeben Street. Infrastructure improvements including construction of the curb, gutter and street will be deferred until time of development of the first of the five buildable parcels. Roeben Street will be designed as a 70-foot wide collector street while Cypress Avenue will be designed as a 60-foot wide "minor" collector roadway with a width of 46-feet from face of curb to face of curb.

Relocation and construction of the storm drain basin shall be completed prior to recording of the final parcel map. This will enable future development of the project to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific lift station and an accompanying outfall channel locations on the project site will be determined through coordination with the Persian-Watson ditch company.

The north branch of the Persian-Watson ditch will also be relocated and the main channel retrofitted in order for the storm drain basin and future development of the entire project to function properly. The construction of this channel shall be completed prior to recordation of the final parcel map.

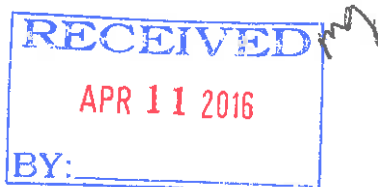
No development entitlements beyond the tentative parcel map have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review.

Project Location: The 39-acre project is located north of the existing Sierra Village Retirement Community and is bounded by State Route 198 to the north, Cypress Avenue to the east, and Roeben Street to the east (APNs: 087-450-001, 002, 003, 004 & 005).

Contact Person: Paul Bernal, Principal Planner

Phone: (559) 713-4025

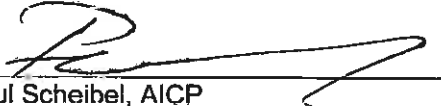
Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because of the reasons listed below:



Reasons for Mitigated Negative Declaration: Initial Study No. 2016-01 has not identified any significant, adverse environmental impact(s) that may occur because of the project. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA.

Comments on this proposed Mitigated Negative Declaration will be accepted from April 11, 2016 to May 10, 2016.

Date: 4-5-16

Signed: 
Paul Scheibel, AICP
Environmental Coordinator
City of Visalia

MITIGATED NEGATIVE DECLARATION

Project Title: Annexation No. 2016-01 and Tentative Parcel Map No. 2016-01

Project Description: The project proponents are requesting to annex and subdivide 39-acres, herein referred to as the project. Approximately 38-acres of the project are located in the County of Tulare while the remaining one-acre site is within the City Limits of Visalia.

Annexation No. 2016-01 is a request by Sierra Village, Inc., and Meda Billys to annex approximately 38-acres into the City limits of Visalia. Upon annexation 6.44 acres will be zoned Quasi-Public while the remaining 32.56-acres will be zoned C-SO (Shopping / Office Commercial), which is consistent with the General Plan Land Use Designation of Mixed Use Commercial and Parks/Recreation as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan.

Tentative Parcel Map No. 2016-01 is proposing to subdivide the entire 39-acre project into five parcels and 10 non-buildable lots. The 10 non-buildable lots are designated for riparian setbacks, and ditch and storm drainage purposes. The subdivision of the property will result in the relocation and construction of a new storm drain basin, ditch relocation, and dedication of right-of-way for Cypress Avenue and Roeben Street. Infrastructure improvements including construction of the curb, gutter and street will be deferred until time of development of the first of the five buildable parcels. Roeben Street will be designed as a 70-foot wide collector street while Cypress Avenue will be designed as a 60-foot wide "minor" collector roadway with a width of 46-feet from face of curb to face of curb.

Relocation and construction of the storm drain basin shall be completed prior to recording of the final parcel map. This will enable future development of the project to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific lift station and an accompanying outfall channel locations on the project will be determined through coordination with the Persian-Watson ditch company.

The north branch of the Persian-Watson ditch will also be relocated and the main channel retrofitted in order for the storm drain basin and future development of the entire project to function properly. The construction of this channel shall be completed prior to recordation of the final parcel map.

No development entitlements beyond the tentative parcel map have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review.

Project Location: The 39-acre project is located north of the existing Sierra Village Retirement Community and is bounded by State Route 198 to the north, Cypress Avenue to the east, and Roeben Street to the east (APNs: 087-450-001, 002, 003, 004 & 005).

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

Attachments:

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Mitigation Measures	(X)
Traffic Impact Statement	()

DECLARATION OF NO SIGNIFICANT EFFECT:

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

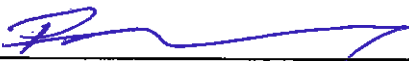
- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict

the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

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

APPROVED
Paul Scheibel, AICP
Environmental Coordinator

By:  _____

Date Approved: 4-6/6

Review Period: 30 days

INITIAL STUDY

I. GENERAL

A. Annexation No. 2016-01 and Tentative Parcel Map No. 2016-01: The project proponents are requesting to annex and subdivide 39-acres, herein referred to as the project. Approximately 38-acres of the project are located in the County of Tulare while the remaining one-acre site is within the City Limits of Visalia.

Annexation No. 2016-01 is a request by Sierra Village, Inc., and Meda Billys to annex approximately 38-acres into the City limits of Visalia. Upon annexation 6.44 acres will be zoned Quasi-Public while the remaining 32.56-acres will be zoned C-SO (Shopping / Office Commercial), which is consistent with the General Plan Land Use Designation of Mixed Use Commercial and Parks/Recreation as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan.

Tentative Parcel Map No. 2016-01 is proposing to subdivide the entire 39-acre project into five parcels and 10 non-buildable lots. The 10 non-buildable lots are designated for riparian setbacks, and ditch and storm drainage purposes. The subdivision of the property will result in the relocation and construction of a new storm drain basin, ditch relocation, and dedication of right-of-way for Cypress Avenue and Roeben Street. Infrastructure improvements including construction of the curb, gutter and street will be deferred until time of development of the first of the five buildable parcels. Roeben Street will be designed as a 70-foot wide collector street while Cypress Avenue will be designed as a 60-foot wide "minor" collector roadway with a width of 46-feet from face of curb to face of curb.

Relocation and construction of the storm drain basin shall be completed prior to recording of the final parcel map. This will enable future development of the project to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific lift station and an accompanying outfall channel locations on the project will be determined through coordination with the Persian-Watson ditch company.

The north branch of the Persian-Watson ditch will also be relocated and the main channel retrofitted in order for the storm drain basin and future development of the entire project to function properly. The construction of this channel shall be completed prior to recordation of the final parcel map.

No development entitlements beyond the tentative parcel map have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review.

B. Identification of the Environmental Setting:

The 39-acre project is located north of the existing Sierra Village Retirement Community and is bounded by State Route 198 to the north, Cypress Avenue to the east, and Roeben Street to the east. The Visalia Adventure Park entertainment facility is located to the east of the project while County zoned property is located to the west. The county zoned property is in agricultural production.

The surrounding uses, Zoning, and General Plan for the 25-acre parcel are as follows:

	General Plan (2014 Land Use)	Zoning (1993)	Existing uses
North:	State Route 198	State Route 198	Highway 198
South:	Public Institutional	Q-P – Quasi-Public	Sierra Village Assisted Living Retirement Community
East:	Commercial Mixed Use	C-SO – Shopping / Office Commercial	Visalia Adventure Park and Village West Shopping Center
West:	Low Density Residential	Roeben Street & AE-20 County Zoning	Roeben Street (Rural Roadway) and Agricultural land

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

C. Plans and Policies: The General Plan Land Use Diagram, adopted October 14, 2014, designates the project as Commercial Mixed Use and Parks/Recreation. The Zoning Map, adopted in 1993, designates 38-acres as County zoning. The project includes a request to annex the 38-acres that are part of a County Island. If annexed, the entire 39-acre parcel would be zoned C-SO (Shopping / Office Commercial) and Q-P (Quasi-Public), which is consistent with the General Plan Land Use Designation of Commercial Mixed Use and Parks/Recreation as noted in Table 9-1 Consistency Between the Plan and Zoning of the General Plan.

The proposed project is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy," while LU-P-20 states, "allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram." The project is located in the Tier 1 UDB.

Furthermore, the project is consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."

II. ENVIRONMENTAL IMPACTS

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

III. MITIGATION MEASURES

The following mitigation measures will reduce environmental impacts related to **Biological Resources and Hazards and Hazardous Materials** to a less than significant impact:

Biological Resources – Prior to the recordation of a final parcel map, the project proponent shall prepare and submit complete permit applications to the resource agencies, ***to the extent preliminary wetland delineation is required to complete the permit it shall be included but a jurisdictional determination shall not be required unless the applicant intends to dispute jurisdiction***, to the resource agencies, and receive an approved Section 404 (of the Clean Water Act) Individual Permit from the Department of the Army U.S. Army Corps of Engineers, a Section 401 (of the Clean Water Act) Water Quality Certification from the Central Valley Regional Water Quality Control Board, and/or a Section 1602 (of Fish and Game Code) Streambed Alteration Agreement from the California Department of Fish and Wildlife regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with copies of the approved permits, certifications, and/or agreements prior to the recordation of the final parcel map.

Hazards and Hazardous Materials – Prior to recordation of the final parcel map, the project proponent shall record deed notices which disclose as part of the real estate transactions the properties proximity to the airport, location of the property within the airport area zones (Compatibility Zone "D") and existence of aircraft overflights.

Therefore, to ensure that these requirements are met for the proposed project, the project shall be developed and shall operate in substantial compliance with the Biological Resource Mitigation Measure 1.1 and Hazards and Hazardous Materials Mitigation Measure 1.2. These mitigation measures are included as an attachment to the Mitigated Negative Declaration.

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

IV. MITIGATION MONITORING PROGRAM

<u>Mitigation Measure</u>	<u>Responsible Party</u>	<u>Timeline</u>
<p>Biological Resource Mitigation Measure 1.1: Prior to the recordation of a final parcel map, the project proponent shall prepare and submit complete permit applications to the resource agencies, <i>to the extent preliminary wetland delineation is required to complete the permit it shall be included but a jurisdictional determination shall not be required unless the applicant intends to dispute jurisdiction</i>, to the resource agencies, and receive an approved Section 404 (of the Clean Water Act) Individual Permit from the Department of the Army U.S. Army Corps of Engineers, a Section 401 (of the Clean Water Act) Water Quality Certification from the Central Valley Regional Water Quality Control Board, and/or a Section 1602 (of Fish and Game Code) Streambed Alteration Agreement from the California Department of Fish and Wildlife regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with copies of the approved permits, certifications, and/or agreements prior to the recordation of the final parcel map.</p>	Project Applicant	Mitigation shall be enforced and carried out as part of the final parcel map process.
<p>Hazards and Hazardous Materials Mitigation Measure 1.2: Prior to recordation of the final parcel map, the project proponent shall record deed notices which disclose as part of the real estate transactions the properties proximity to the airport, location of the property within the airport area zones (Compatibility Zone "D") and existence of aircraft overflights.</p>	Project Applicant	Mitigation shall be enforced and carried out as part of the final parcel map process.

V. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

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

VI. SUPPORTING DOCUMENTATION

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

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.

- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.

VII. NAME OF PERSON WHO PREPARED INITIAL STUDY


Paul Bernal
Principal Planner


Paul Scheibel, AICP
Environmental Coordinator

- 2 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

V CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 1 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 1 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI GEOLOGY AND SOILS

Would the project:

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

VII GREENHOUSE GAS EMISSIONS

Would the project:

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

VIII HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- 3 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

IX HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?

- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

- 1 f) Otherwise substantially degrade water quality?

- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- 1 j) Inundation by seiche, tsunami, or mudflow?

X LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

XI MINERAL RESOURCES

Would the project:

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

XII NOISE

Would the project:

- 2 a) Cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 2 c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XIII POPULATION AND HOUSING

Would the project:

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

XIV PUBLIC SERVICES

Would the project:

- 1 a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically

altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- 1 i) Fire protection?
- 1 ii) Police protection?
- 2 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

XV RECREATION

Would the project:

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

XVI TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- 2 b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVII UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?

- 1 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

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

Revised 2009

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

- a. The proposed project is to annex 38-acres into the city limits and subdivide the 39-acre project into five parcels and 10 non-buildable lots. The subdivision of the property will require the relocation and construction of a new storm drain basin and relocation and construction of the Persian-Watson Ditch. Additionally, right-of-way will be dedicated for the future construction of Cypress Avenue and widening of Roeben Street. No development entitlements have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review.

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

- b. There are no scenic resources on the site.
- c. The proposed project is to annex 38-acres into the city limits and subdivide the entire 39-acre project into 5 parcels and 10 non-buildable lots. The subdivision of the property will require the relocation and construction of a new storm drain basin and relocation and construction of the Persian-Watson Ditch. Additionally, right-of-way will be dedicated for the future construction of Cypress Avenue and widening of Roeben Street. No development entitlements have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project, when developed, will create new sources of light that are typical of urban development.

II. AGRICULTURAL RESOURCES

- a. The project is located on property that has seven acres identified as Prime Farmland on maps prepared by the California Resources, and will involve the conversion of the property to non-agricultural use.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area, which includes the subject property, into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated. However, the General Plan contains multiple policies that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan policies identified under Impact 3.5-1 of the EIR serve as the mitigation, which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to

occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

The 39-acre project is within the Urban Development Tier 1 Boundary. Development of residential, commercial, and industrial lands in Tier 1 may occur at any time. The proposed project is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy," while LU-P-20 states; allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.

Furthermore, the project is consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."

- b. A majority of the project is part of a County Island and has a County AE-40 zoning designation. The project is bordered by existing urban development to the north, east and south. Property to the west is in the County and is in agricultural production and will remain in the County.
- c. There is no forest or timber land currently located on the site.
- d. There is no forest or timber land currently located on the site.
- e. The proposed annexation and parcel map will result in the conversion of farmland to a non-agricultural use. However, the project has not been actively farmed and/or has not been in active agricultural production for several years. The City's General Plan designates this property for urban development by designating the site for Commercial Mixed Use development. In addition, the project is located in the City's Urban Development Tier 1 Boundary. Development of lands in Tier 1 may occur at any time consistent with the City's Land Use Diagram. The request to annex the project and subdivide the site is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy," while LU-P-20 states; allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time.

Furthermore, the project is consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; "the

mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I.”

No development entitlements have been filed for the project. Future development plans will be subject to the City’s Site Plan Review process and may be subject to further environmental and/or discretionary review. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.

III. AIR QUALITY

- a. The project is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). A portion of the project area abuts State Route 198, a “Freeway”, which is identified as a potential source of toxic air contaminant emissions per the California Air Resource Board’s (CARB) Air Quality and Land Use Handbook: A Community Health Perspective. Any potential to locate a sensitive land use receptor (i.e., residential housing, senior care facilities, schools, etc.) within 500-feet of the “freeway” would result in the requirement for the proponent of the project to prepare and submit a Health Risk Assessment. At this time, the project entails the parcelization of the area and annexation of the property into the City Limits. No development entitlements have been filed for the project. When future development plans are submitted, the development plan will be subject to the City’s Site Plan Review process and may be subject to further environmental and/or discretionary review. If sensitive land use receptors are proposed, staff will analyze the distance to determine if the sensitive land use receptor is within 500-feet of the “freeway” thereby requiring the preparation of a Health Risk Assessment. The project in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.
- b. Development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The project will contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Also the project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan’s goals of accommodating a certain amount of growth to occur within the Planning Area.

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

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. The project will result in a net increase of criteria pollutants. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1, 3.3-2, and 3.3-3 serve as the mitigation, which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan’s goals of accommodating a certain amount of growth to occur within the Planning Area.

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

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

- d. Residences located near the proposed project may be intermittently exposed to pollutant concentrations due to construction activities. The use of construction equipment will be temporary and is subject to SJVAPCD rules and regulations. The impact is considered as less than significant.
- e. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people.

IV. BIOLOGICAL RESOURCES

- a. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use. In addition, staff had conducted an on-site visit to the site in February 2016 to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

Based on the above, the site has no known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

- b. The project will require the relocation and construction of the storm drain basin prior to recording of the final parcel map. This will enable future development of the site to have an operating storm basin immediately south of State

Route 198. The construction of this storm drain basin will include a lift station installation. The specific location lift station and accompanying outfall channel will be determined through coordination with the Persian-Watson ditch company. Additionally, the north branch of the Persian-Watson ditch will be relocated and the main channel retrofitted in order for the storm drain basin and future development of the entire project to function properly. The construction of this channel will need to be completed as a requirement the final parcel map. As a result, BiolMitigation Measures 1.1 is included which requires that prior to the recordation of a final parcel map, the project proponent shall prepare and submit a Section 404 (of the Clean Water Act) Individual Permit to the Corps, Section 401 (of the Clean Water Act) Water Quality Certification to the Central Valley Regional Water Quality Control Board, and/or Section 1602 (of Fish and Game Code) Streambed Alteration Agreement to the California Department of Fish and Wildlife for their review and approval regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with a copy of the approved permit, certification, and/or agreement prior to the recordation of the final parcel map. This mitigation measure is included as an attachment to the Mitigated Negative Declaration.

- c. Biological Resource Mitigation Measure 1.1: Prior to the recordation of a final parcel map, the project proponent shall prepare and submit complete permit applications to the resource agencies, *to the extent preliminary wetland delineation is required to complete the permit it shall be included but a jurisdictional determination shall not be required unless the applicant intends to dispute jurisdiction*, to the resource agencies, and receive an approved Section 404 (of the Clean Water Act) Individual Permit from the Department of the Army U.S. Army Corps of Engineers, a Section 401 (of the Clean Water Act) Water Quality Certification from the Central Valley Regional Water Quality Control Board, and/or a Section 1602 (of Fish and Game Code) Streambed Alteration Agreement from the California Department of Fish and Wildlife regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with copies of the approved permits, certifications, and/or agreements prior to the recordation of the final parcel map.
- d. This development would not act as a barrier to animal movement. This site was evaluated in the Visalia General Plan Update EIR for conversion to urban use.
- e. The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on the project will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.
- f. There are no local or regional habitat conservation plans for the area.

V. CULTURAL RESOURCES

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.

- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area.
- d. There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

VI. GEOLOGY AND SOILS

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. The project does not involve the use of septic tanks or alternative wastewater disposal systems since sanitary sewer lines are used for the disposal of wastewater at this location.

VII. GREENHOUSE GAS EMISSIONS

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

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

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

- b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020.

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

VIII. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the project.
- b. Construction activities associated with development of the project may include maintenance of on-site construction equipment, which could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There are three schools located within one-quarter mile from the project (Willow Glenn Elementary School, El Diamante High School, and Central Valley Christian Private School). However, there is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites within one-quarter mile of school sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The project area is located within two miles of a public airport. The project is located in Zone D of the Visalia Airport Plan. Zone D is the Outer Traffic Pattern area and requires deed notices to potential property owners and any structures greater than 150-feet requires review by the Airport Land Use Commission.

As a result, Mitigation Measure 1.2 is included which requires that prior to recordation of the final parcel map, the project proponent shall record deed notices which disclose as part of the real estate transactions the properties proximity to the airport, location of the property within the airport area zones (Compatibility Zone "D") and existence of aircraft overflights.

- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wild lands within or near the project area.

IX. HYDROLOGY AND WATER QUALITY

- a. The project will not violate any water quality standards of waste discharge requirements. The site, when developed, will meet the City's improvement standards for directing storm water runoff to existing City storm water drainage systems; consistent with the City's adopted City Storm Drain Master Plan.
- b. The project will not substantially deplete groundwater

supplies in the project vicinity. The project will be served by a water lateral for domestic, irrigation, and fire protection use. California Water Service issued a Will Serve Letter, dated March 11, 2016, stating that water is available to serve the project. The determination of water availability shall remain valid for two years from the date of their letter. The letter also states that if the project does not commence within the two-year time frame, Cal Water will be under no obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming water availability. In addition, the letter can be rescinded at any time in the event that water supply is severely reduced by legislative, regulatory or environmental factors.

- c. The project will not result in substantial erosion on- or off-site.
- d. The project will not substantially alter the existing drainage pattern of the site or area, alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The project will require the relocation and construction of the storm drain basin prior to recording of the final parcel map. This will enable future development of the site to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific location lift station and accompanying outfall channel will be determined through coordination with the Persian-Watson ditch company. As a result, Mitigation Measures 1.1 is included which requires that prior to the recordation of a final parcel map, the project proponent shall prepare and submit a Section 404 (of the Clean Water Act) Individual Permit to the Corps, Section 401 (of the Clean Water Act) Water Quality Certification to the Central Valley Regional Water Quality Control Board, and/or Section 1602 (of Fish and Game Code) Streambed Alteration Agreement to the California Department of Fish and Wildlife for their review and approval regarding the relocation of the Persian-Watson Ditch. The proponent shall provide the City with a copy of the approved permit, certification, and/or agreement prior to the recordation of the final parcel map. This mitigation measure is included as an attachment to the Mitigated Negative Declaration.
- e. The project will not create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The project will require the relocation and construction of the storm drain basin prior to recording of the final parcel map. This will enable future development of the site to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific location lift station and accompanying outfall channel will be determined through coordination with the Persian-Watson ditch company. As a result, Mitigation Measures 1.1 is included which requires that prior to the recordation of a final parcel map, the project proponent shall prepare and submit a Section 404 (of the Clean Water Act) Individual Permit to the Corps, Section 401 (of the Clean Water Act) Water Quality Certification to the Central Valley Regional Water Quality Control Board, and/or Section 1602 (of Fish and Game Code) Streambed Alteration Agreement to the California Department of Fish and Wildlife for their review and approval regarding the

relocation of the Persian-Watson Ditch. The proponent shall provide the City with a copy of the approved permit, certification, and/or agreement prior to the recordation of the final parcel map. This mitigation measure is included as an attachment to the Mitigated Negative Declaration.

- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project area is located within Zone AE and X02, which indicates that a portion of the project is in a flood zone area. No development entitlements have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review. However, as part of the development review process, any proposed development will have to comply with local, state and federal requirements when building in a flood zone area.
- h. The project area is located within Zone AE and X02, which indicates that a portion of the project is in a flood zone area. No development entitlements have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review. However, as part of the development review process, any proposed development will have to comply with local, state and federal requirements when building in a flood zone area.
- i. The project would not expose people or structures to risks from failure of levee or dam. The project is located downstream from the Terminus Dam; in the case of dam failure, there will be 4 hours of warning to evacuate the site.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, which will contribute to the lack of impacts by mudflow occurrence.

X. LAND USE AND PLANNING

- a. The project will not physically divide an established community. The General Plan Land Use Diagram, adopted October 14, 2014, designates the entire 39-acre project area as Commercial Mixed Use. The Zoning Map, adopted in 1993, designates the site as County zoning. The project includes a request to annex 34-acres that are part of a County Island. If annexed, the 34-acres would be zoned C-SO (Shopping / Office Commercial), which is consistent with the General Plan Land Use Designation of Commercial Mixed Use as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan. The remaining five acres are within the City Limits.

The project is within the Urban Development Tier 1 Boundary. Development of residential lands in Tier 1 may occur at any time. The proposed project is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy," while LU-P-20 states; allow annexation and development of residential, commercial, and industrial land to occur within the "Tier I" Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.

Furthermore, the project is consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."

The project will be subdivided into five parcels and 10 non-buildable lots. The 10 non-buildable lots are designated for riparian setbacks, and ditch and storm drainage purposes. The subdivision of the property will result in the relocation and construction of new storm drain basin, ditch relocation, and dedication of right-of-way for Cypress Avenue and Roeben Street. Infrastructure improvements including construction of the curb, gutter and street will be deferred until time of development of either one of the five parcels. Roeben Street will be designed to a 70-foot wide collector street while Cypress Avenue will be designed as a 60-foot wide "minor" collector roadway with a width of 46-feet from face of curb to face of curb.

Relocation and construction of the storm drain basin will be done prior to recordation of the final parcel map. This will enable future development of the site to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific location of the lift station and associated outfall channel will be determined through coordination with the Persian-Watson ditch company.

The north branch of the Persian-Watson ditch will be relocated and the main channel retrofitted in order for the storm drain basin and future development of the entire project to function properly. The construction of this channel will need to be completed prior to the recordation of the final parcel map.

No development entitlements have been filed for the project. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review.

The proposed annexation and parcel map will result in the conversion of farmland to a non-agricultural use. However, the project has not been actively farmed and/or has not been in active agricultural production for several years.

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

- b. The project will not physically divide an established community. The General Plan Land Use Diagram, adopted October 14, 2014, designates the entire 39-acre project area as Commercial Mixed Use. The Zoning Map, adopted in 1993, designates the site as County zoning. The project includes a request to annex 34-acres that are part of a County Island. If annexed, 34-acres would be zoned C-SO (Shopping / Office Commercial), which is consistent with the General Plan Land Use Designation of Commercial Mixed Use as identified in Table 9-1

“Consistency Between the Plan and Zoning” of the General Plan.

The project is within the Urban Development Tier 1 Boundary. Development of residential lands in Tier 1 may occur at any time. The proposed project is consistent with Land Use Policies LU-P-19 and LU-P-20 of the General Plan. Policy LU-P-19 states; “Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan’s phased growth strategy,” while LU-P-20 states; allow annexation and development of residential, commercial, and industrial land to occur within the “Tier I” Urban Development Boundary (UDB) at any time, consistent with the City’s Land Use Diagram.

Furthermore, the project is consistent with Policy LU-P-34. The conversion of the site from an agricultural use, which has not occurred on the site in the past 10 years, to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; “the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I.”

The project will be subdivided into five parcels and 10 non-buildable lots. The 10 non-buildable lots are designated for riparian setbacks, and ditch and storm drainage purposes. The subdivision of the property will result in the relocation and construction of new storm drain basin, ditch relocation, and dedication of right-of-way for Cypress Avenue and Roeben Street. Infrastructure improvements including construction of the curb, gutter and street will be deferred until time of development of either one of the five parcels. Roeben Street will be designed to a 70-foot wide collector street while Cypress Avenue will be designed as a 60-foot wide “minor” collector roadway with a width of 46-feet from face of curb to face of curb.

Relocation and construction of the storm drain basin will be done prior to recordation of the final parcel map. This will enable future development of the site to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific location of the lift station and associated outfall channel will be determined through coordination with the Persian-Watson ditch company.

The north branch of the Persian-Watson ditch will be relocated and the main channel retrofitted in order for the storm drain basin and future development of the entire project to function properly. The construction of this channel will need to be completed prior to recordation of the final parcel map.

No development entitlements have been filed for the project. Future development plans will be subject to the City’s Site Plan Review process and may be subject to further environmental and/or discretionary review.

The proposed annexation and parcel map will result in the conversion of farmland to a non-agricultural use. However, the project has not been actively farmed and/or has not been in active agricultural production for several years.

The Visalia General Plan contains multiple policies, identified under Impact 3.1-2 of the EIR, that together work to reduce the potential for impacts to the development of land as designated by the General Plan.

With implementation of these policies and the existing City standards, impacts to land use development consistent with the General Plan will be less than significant.

- c. The project does not conflict with any applicable habitat conservation plan or natural community conservation plan as it is located on a vacant dirt lot with no significant natural habitat present.

XI. MINERAL RESOURCES

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

XII. NOISE

- a. The project will result in noise generation typical of urban development, but not in excess of standards established in the City of Visalia’s General Plan or Noise Ordinance. Traffic and related noise impacts from the proposed project will occur with the relocation and construction of both the storm drain basin and Persian-Watson Ditch. Noise levels will increase temporarily during the construction of these facilities but shall remain within the noise limits and restricted to the allowed hours of construction defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant.

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

- b. Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the project. Construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time; thus the impacts will be less than significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.
- c. Ambient noise levels will increase beyond current levels as a result of the project, however these levels will be typical of noise levels associated with urban development and not in excess of standards established in the City of Visalia’s General Plan or Noise Ordinance. Noise associated with the establishment of new urban uses was previously evaluated with the General Plan for the conversion of land to urban uses.

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

- d. Noise levels will increase during the construction of the project but shall remain within the limits defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant.
- e. The project area is within two miles of a public airport. The

project will not expose people residing or working in the project area to excessive noise levels.

The project is located in Zone D of the Visalia Airport Plan. Zone D is the Outer Traffic Pattern area and requires deed notices to potential property owners and any structures greater than 150-feet requires review by the Airport Land Use Commission. As a result, Mitigation Measure 1.2 is included which requires that prior to recordation of the final parcel map, the project proponent shall record deed notices which disclose as part of the real estate transactions the properties proximity to the airport, location of the property within the airport area zones (Compatibility Zone "D") and existence of aircraft overflights.

- f. There is no private airstrip near the project area.

XIII. POPULATION AND HOUSING

- a. The project will not directly induce substantial population growth that is in excess of that planned in the General Plan.
- b. Development of the site will not displace any housing on the site.
- c. Development of the site will not displace any people on the site.

XIV. PUBLIC SERVICES

- a.
 - i. Fire protection facilities are located at the Visalia Station 53 can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
 - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
 - iii. The project will generate new students for which existing schools in the area may accommodate. In addition, to address direct impacts, the project will be required to pay residential impact fees. These fees are considered to be conclusive mitigation for direct impacts. The project includes residential units that will create a need for park facilities.
 - iv. Other public facilities can adequately serve the site without a need for alteration.

XV. RECREATION

- a. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

XVI. TRANSPORTATION AND TRAFFIC

- a. Development and operation of the project is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. The project will result in an

increase in traffic levels on arterial and collector roadways, although the City of Visalia's Circulation Element has been prepared to address this increase in traffic.

- b. Development of the site will result in increased traffic in the area, but will not cause a substantial increase in traffic on the city's existing circulation pattern. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for urban use.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The project will not result in inadequate emergency access.
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVII. UTILITIES AND SERVICE SYSTEMS

- a. The project, if annexed, will subdivide the 39-acre project into five parcels and 10 non-buildable parcels. The project does involve relocation and construction of the storm drain basin will need to be completed prior to recordation of the final parcel map. This will enable future development of the site to have an operating storm basin immediately south of State Route 198. The construction of this storm drain basin will include a lift station installation. The specific location of the lift station and associated outfall channel will be determined through coordination with the Persian-Watson ditch company. Additionally, the north branch of the Persian-Watson ditch will be relocated and the main channel retrofitted in order for the storm drain basin and future development of the entire project to function properly. The construction of this channel will be completed prior to the recordation of the final parcel map. There is no development plan proposed for this property. Future development of the site will connect and/or extended City sanitary sewer lines, consistent with the City Sewer Master Plan.
- b. The project will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c. There are currently stubbed storm drain lines in Cypress Avenue and Roeben Street. The project, when developed, will be required to extend these storm drain lines connecting to the existing City storm water drainage lines that handle on-site and street runoff. Usage of these lines shall be consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.
- d. California Water Service Company has determined that there are sufficient water supplies to support the site, and that service can be extended to the site. California Water Service issued a Will Serve Letter, dated March 11, 2016, stating that water is available to serve the project. The determination of water availability shall remain voided for two years from the date of their letter. The letter also states that if the project does not commence within the

two-year time frame, Cal Water will be under no obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming water availability. In addition, the letter can be rescinded at any time in the event that water supply is severely reduced by legislative, regulatory or environmental factors.

- e. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE**

- a. The project will not affect the habitat of a fish or wildlife species or a plant or animal community. This site was

evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia's General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

- b. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

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

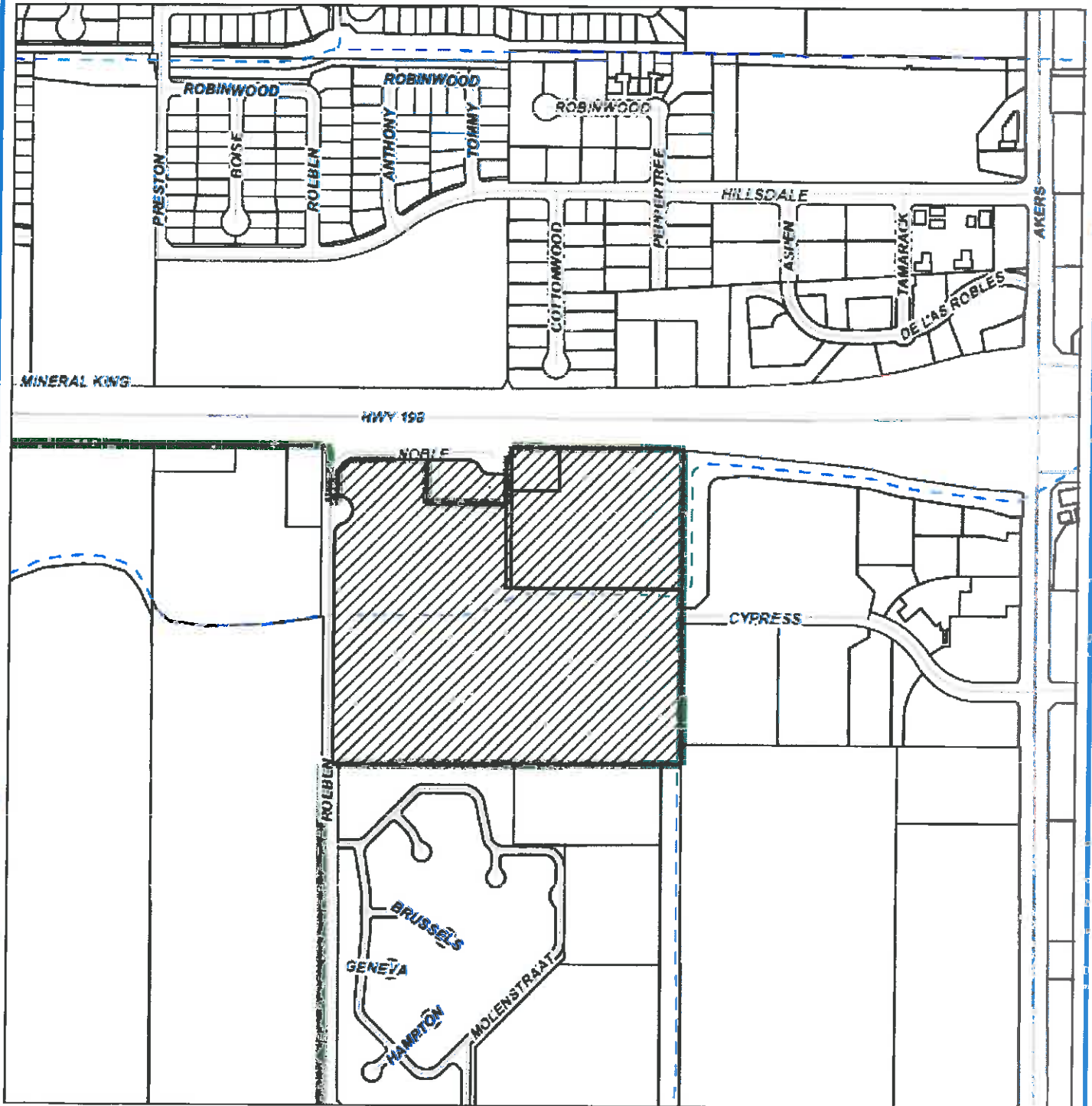


Paul Scheibel, AICP
Environmental Coordinator

April 11, 2016
Date

Annexation No. 2016-01 & Tentative Parcel Map No. 2016-01

APN:087-450-001, 002, 003,004, 005, & 087-460-001



Vicinity Map



DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 445-5868

FAX (559) 488-4088

TTY 711

www.dot.ca.gov

RECEIVED

MAY 02 2016

COMM. DEVELOP.
CITY OF VISALIA*Serious drought.
Help save water!*

April 28, 2016

06-TUL-198-6.76
2135-IGR/CEQA
ANNEXATION 2016-01
TENTATIVE PARCEL MAP 2016-01
SCH # 2016011050

Mr. Paul Scheibel, AICP
Environmental Coordinator
City of Visalia - Community Development - Planning Division
315 E. Acequia Avenue
Visalia, CA 93291

Dear Mr. Scheibel:

Thank you for the opportunity to review the Mitigated Negative Declaration for Annexation No. 2016-01 and Tentative Parcel Map 2016-01, to annex and divide a 39 acre site into 5 buildable lots for future development and 10 unbuildable lots for riparian setbacks and storm drainage facilities.

The project is located in the southwest quadrant of the State Route (SR) 198/Akers Street interchange, on the east side of Roeben Drive, north of Tulare Avenue, and north of the existing Sierra Village retirement community. Caltrans has the following comments:

1. The annexation and parcel map will not impact SR 198.
2. However, future development of the 5 newly created lots will potentially impact SR 198 due to the close proximity of the lots to the interchange and the potential for vehicle trips to use the interchange. Traffic studies may be needed to analyze impacts to state facilities.
3. Please forward to Caltrans for review any proposed developments on the 5 newly created lots.
4. As stated in the project documents, part of the project will relocate and construct a new ponding basin directly south of SR 198. If the construction of the ponding basin requires any temporary encroachment into the State right-of-way, an encroachment permit will need to be approved prior to any work.
5. An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents)

Mr. Paul Scheibel –Annexation 2016, TPM 2016-01
April 28, 2016
Page 2 of 2

shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

If you have any other questions, please call David Deel, Associate Transportation Planner, at (559) 488-7396.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Navarro', written over a horizontal line.

MICHAEL NAVARRO, Chief
Planning North Branch



STATE OF CALIFORNIA
 GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
 STATE CLEARINGHOUSE AND PLANNING UNIT



EDMUND G. BROWN JR.
 GOVERNOR

KEN ALEX
 DIRECTOR

May 18, 2016

RECEIVED

MAY 20 2016

COMM. DEVELOPMENT
 CITY OF VISALIA

Paul Scheibel/Paul Bernal
 City of Visalia
 315 East Acequia Avenue
 Visalia, CA 93291

Subject: Annexation No. 2016-01 and Tentative Parcel Map No. 2016-01
 SCH#: 2016041050

Dear Paul Scheibel/Paul Bernal:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on May 17, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
 Director, State Clearinghouse

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Annexation No. 2016-01 and Tentative Parcel Map No. 2016-01

Lead Agency: City of Visalia Contact Person: Paul Scheibel, AICP / Paul Bernal
Mailing Address: 315 E. Acequia Phone: (559) 713-4369 / (559) 713-4025
City: Visalia Zip: 93291 County: Tulare

Project Location: County: Tulare City/Nearest Community: Visalia
Cross Streets: S. Akers St. / W. Cypress Ave. Zip Code: 93291
Longitude/Latitude (degrees, minutes and seconds): Section: 34 Twp.: 18 Range: 24E Base: Visalia
Assessor's Parcel No.: various Waterways: Persian-Watson Ditch
Within 2 Miles: State Hwy #: 63 & 198 Airports: Visalia Municipal Airport Railways: Schools: CVC, El Diamante, V.B.W.

Document Type:

- CEQA: [] NOP [] Draft EIR [] Early Cons [] Supplement/Subsequent EIR [] Neg Dec [] Mit Neg Dec
NEPA: [] NOI [] EA [] Draft EIS [] FONSI
Other: [] Joint Document [] Final Document [] Other:

Local Action Type:

- [] General Plan Update [] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [] Other:

Development Type:

- [] Residential: Units Acres
[] Office: Sq.ft. Acres Employees
[] Commercial: Sq.ft. Acres Employees
[] Industrial: Sq.ft. Acres Employees
[] Educational:
[] Recreational:
[] Water Facilities: Type MGD
[] Transportation: Type
[] Mining: Mineral
[] Power: Type MW
[] Waste Treatment: Type MGD
[] Hazardous Waste: Type
[] Other: Annexation / Parcel Map

Project Issues Discussed in Document:

- [x] Aesthetic/Visual [] Fiscal [x] Recreation/Parks [x] Vegetation
[x] Agricultural Land [x] Flood Plain/Flooding [] Schools/Universities [x] Water Quality
[x] Air Quality [x] Forest Land/Fire Hazard [] Septic Systems [x] Water Supply/Groundwater
[x] Archeological/Historical [x] Geologic/Seismic [] Sewer Capacity [x] Wetland/Riparian
[x] Biological Resources [] Minerals [x] Soil Erosion/Compaction/Grading [] Growth Inducement
[] Coastal Zone [] Noise [] Solid Waste [x] Land Use
[x] Drainage/Absorption [x] Population/Housing Balance [x] Toxic/Hazardous [x] Cumulative Effects
[] Economic/Jobs [x] Public Services/Facilities [] Traffic/Circulation [] Other:

Present Land Use/Zoning/General Plan Designation:

Fallow land / County AE-20 / Commercial Mixed Use

Project Description: (please use a separate page if necessary)
Please see attached project description.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input checked="" type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District #6 | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input checked="" type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB #5f |
| <input checked="" type="checkbox"/> Caltrans Planning | <input checked="" type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input checked="" type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region #4 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date April 18 2016 Ending Date May 19, 2016

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: <u>City of Visalia</u>
Address: _____	Address: <u>315 E. Acequia</u>
City/State/Zip: _____	City/State/Zip: <u>Visalia, CA 93291</u>
Contact: _____	Phone: <u>559.713.4359</u>
Phone: _____	

Signature of Lead Agency Representative:  Date: 4/14/16

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

**Document Details Report
State Clearinghouse Data Base**

SCH# 2016041050
Project Title Annexation No. 2016-01 and Tentative Parcel Map No. 2016-01
Lead Agency Visalia, City of

Type MND Mitigated Negative Declaration
Description The project proponents are requesting to annex and subdivide 39 acres, herein referred to as the project. Approximately 38 acres of the project are located in the County of Tulare while the remaining one acre site is within the City Limits of Visalia.

Lead Agency Contact

Name Paul Scheibel/Paul Bernal
Agency City of Visalia
Phone (559) 713-4369/-4025 **Fax**
email
Address 315 East Acequia Avenue
City Visalia **State** CA **Zip** 93291

Project Location

County Tulare
City Visalia
Region
Lat / Long
Cross Streets S. Akers St/W. Cypress Ave
Parcel No. various
Township 18 **Range** 24E **Section** 34 **Base** Visalia

Proximity to:

Highways 63 & 198
Airports Visalia Municipal Airport
Railways
Waterways Persian-Watson Ditch
Schools CVC, El Diamante, V.B
Land Use Fallow land/County AE-20/Commercial Mixed Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 6; Regional Water Quality Control Bd., Region 5 (Redding); Native American Heritage Commission

Date Received 04/15/2016 **Start of Review** 04/18/2016 **End of Review** 05/17/2016



MEETING DATE July 17, 2013
SITE PLAN NO. 13-125
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

- RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.
- During site plan design/policy concerns were identified, schedule a meeting with
- Planning Engineering prior to resubmittal plans for Site Plan Review.
- Solid Waste Parks and Recreation Fire Dept.
-

- REVISE AND PROCEED** (see below)
- A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
- Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
- Your plans must be reviewed by:
- | | |
|---|--|
| <input checked="" type="checkbox"/> CITY COUNCIL | <input type="checkbox"/> REDEVELOPMENT |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER _____ |
-

ADDITIONAL COMMENTS _____

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee



#9

MEETING DATE July 17, 2013

SITE PLAN NO. 13-125

PARCEL MAP NO.

SUBDIVISION

LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with
 Planning Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

HISTORIC PRESERVATION

OTHER _____

ADDITIONAL COMMENTS _____

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee

Site Plan Review Comments For:

Visalia Fire Department
Kurtis Brown, Assistant Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4261 *office*
559-713-4808 *jax*

ITEM NO: 9

DATE: July 17, 2013

SITE PLAN NO: SPR13125
PROJECT TITLE: TENTATIVE PARCEL MAP
DESCRIPTION: TENTATIVE PARCEL MAP WITH PASING ON 39
ACRES (X ZONED) (REFER 09-096)
4 CREEKS
APPLICANT: DE JONG JOHN & WILLIE
PROP OWNER: 432 S ROEBEN ST
LOCATION: 087-450-001 087-450-002 087-450-003 087-450-004
APN(S): 087-450-005

The following comments are applicable when checked:

- Refer to previous comments dated .
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There are fire hydrants required for this project.
- The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, bolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting though-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Special comments:



Kurtis Brown, Assistant Fire Marshal

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA NEIGHBORHOOD PRESERVATION/CODE ENFORCEMENT DIVISION

July 17, 2013

ITEM NO: 9
SITE PLAN NO: SPR13125
PROJECT TITLE: TENTATIVE PARCEL MAP
DESCRIPTION: TENTATIVE PARCEL MAP WITH PASING ON 39 ACRES (X ZONED) (REFER 09-096)
APPLICANT: 4 CREEKS
PROP. OWNER: DE JONG JOHN & WILLIE
LOCATION: ~~4015 FORTY~~ 4015 FORTY
APN(S): 087-450-001 087-450-002
087-450-003 087-450-004
087-450-005

ITEM NO: 9

No Comments

See Previous Site Plan Comments

Provide Shopping Cart Retrieval Plan For any Retail That Will Require Shopping Carts

Additional Comments:


Tracy Robertshaw

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500

COMMERCIAL BIN SERVICE

SITE PLAN NO: SPR13125
PROJECT TITLE: TENTATIVE PARCEL MAP
DESCRIPTION: TENTATIVE PARCEL MAP WITH PAVING ON 39
ACRES (X ZONED) (REFER 09-096)
4 CREEKS
APPLICANT:
PROP OWNER: DE JONG JOHN & WILLIE
LOCATION: 432 S ROEBEN ST
APN(S): 007-450-001 087-450-002 087-450-003 087-450-004
087-450-005

- No comments.
- Same comments as as
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down
be fore disposing of in recycle containers.
ALL refuse enclosures must be R-3 or R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :
Commercial (X) 50 ft. outside 36 ft. inside; Residential () 35 ft. outside, 20 ft. inside.
Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other
items are not allowed to be stored inside bin enclosures.
Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards

The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.

Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post see page 2 for instructions

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

ITEM NO: 9 DATE: July 17, 2013
SITE PLAN NO: SPR13125
PROJECT TITLE: TENTATIVE PARCEL MAP
DESCRIPTION: TENTATIVE PARCEL MAP WITH PASING ON 39
 ACRES (X ZONED) (REFER 09-096)
APPLICANT: 4 CREEKS
PROP OWNER: DE JONG JOHN & WILLIE
LOCATION: 432 S ROEBEN ST
APN(S): 087-450-001 037-450-002 087-450-003 087-450-004
 087-450-005

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER – ¾ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED – NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA
PUBLIC WORKS DEPARTMENT
QUALITY ASSURANCE DIVISION
7579 AVENUE 288
VISALIA, CA 93277

J. A. King
AUTHORIZED SIGNATURE
7-16-13
DATE

**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckleberry 713-4259
 Ken McSheehy 713-4447
 Adrian Rubalcaba 713-4164

ITEM NO: 9 DATE: JULY 17, 2013

SITE PLAN NO.: 13-125
PROJECT TITLE: TENTATIVE PARCEL MAP
DESCRIPTION: TENTATIVE PARCEL MAP WITH PHASING ON 39 ACRES (X ZONED) (REFER 09-096)
APPLICANT: 4 CREEKS
PROP. OWNER: DE JONG JOHN & WILLIE
LOCATION: EAST OF ROEBEN & SOUTH OF 198
APN: 087-450-001, 002, 003, 004, 005

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work; Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership. by map by deed
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required. CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: David Deel (planning) 488-4088
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy. Access required on ditch bank, 12' minimum. Provide 25' wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site

basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.

- Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements. A permit is required to remove oak trees. The City will evaluate Oak trees with removal permit applications. Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application. A pre-construction conference is required. Contact: David Pendergraft, City Arborist, 713-4295
 - Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
 - Relocate existing utility poles and/or facilities.
 - Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
 - Provide "R" value tests: each at
 - Traffic indexes per city standards: **Roeben design T.I.=8.0, Cypress T.I. = 5.5**
 - All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
 - All lots shall have separate drive approaches constructed to City Standards.
 - Install street striping as required by the City Engineer.
 - Install sidewalk: **6' ft. wide, with 10' ft. wide parkway on Cypress & Roeben**
 - Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
 - Subject to existing Reimbursement Agreement to reimburse prior developer:
 - Abandon existing wells per City of Visalia Code. A building permit is required.
 - Remove existing irrigation lines & dispose off-site. Remove existing leach fields and septic tanks.
 - Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
 - If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
 - If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments Resubmit with additional information Redesign required

Additional Comments:

- 1. Refer to previous SPR 09-096 comments; note current City policy/programs may supercede previous requirements.**
- 2. Phase 1 will encompass a section of full Cypress street improvements and full construction of culvert over Persian ditch; approx. 3/4 street improvements on Roeben, across Parcel 1; and basin/corridor completion.**
- 3. Phase 2 shall complete final Cypress and Roeben build out.**
- 4. A section of Roeben St. is a funded collector street therefore pavement in excess of Developer's 6' frontage paveout responsibility is reimbursable. Further coordination with City Engineer is necessary.**
- 5. Impact fees vary upon each development.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 13-125
Date: 7/17/2013

Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:

(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)

(Fee Schedule Date:7/1/2013)
(Project type for fee rates:VARIES)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	TBD
<input checked="" type="checkbox"/> Sewer Front Foot Fee	TBD
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	TBD
<input checked="" type="checkbox"/> Park Acquisition Fee	TBD
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	TBD

Additional Development Impact Fees will be collected at the time of issuance of building permits.

City Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject planned facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



Adrian Rubalcaba

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

July 17, 2013

ITEM NO:	9
SITE PLAN NO:	SPR13125
PROJECT TITLE:	TENTATIVE PARCEL MAP
DESCRIPTION:	TENTATIVE PARCEL MAP WITH PAVING ON 38 ACRES (X ZONED) (REFER 09-090)
APPLICANT:	4 CREEKS
PROP. OWNER:	DE JONG JOHN & WILLIE
LOCATION:	8216 FARMER LEC
APN(S):	087-450-001 087-450-002 087-450-003 087-450-004 087-450-005

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Study required.

Additional Comments:

•



DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 488-7396

FAX (559) 488-4088

TTY 711

www.dot.ca.gov*Flex your power!
Be energy efficient!*

August 28, 2013

2135-IGR/CEQA
6-TUI-198-6.76 +/-
SPR 13125
TENTATIVE PARCEL MAP
SIERRA VILLAGE
4 CREEKS INC.
AGENDA 7/17/2013

Ms. Sandra Cloyd
City of Visalia
Public Works Department Engineering Services
315 East Acequia Avenue
Visalia, CA 93291

Dear Ms. Cloyd:

Thank you for the opportunity to review the Site Plan Review 13125 for a tentative parcel map to reconfigure and create four (4) new parcels on 39 acres and establish phased development of the new parcels. The included map titled "Sierra Village Concept Plan" indicates the proposed uses and development phasing of the vacant lots.

The tentative parcel map indicates current zoning is Agriculture and proposed zoning is Quasi-Public and Planned Professional/Administration Office. The project is located in the southwest quadrant of State Route (SR) 198 and Akers Avenue interchange, approximately ½ mile west of Akers Avenue along Cypress Avenue.

Caltrans previously reviewed this tentative parcel map on 9/30/2009 and 12/17/2009 under SPR 09-096 and requested a Traffic Impact Study (TIS) be prepared. This recommendation still continues to be valid for SPR 13125.

In February 2010, Caltrans reviewed the TIS *Scope* and provided comments via email to the traffic consultant (ND Engineering). In May 2010, Caltrans received the Notice of Preparation (NOP) for the Environmental Impact Report (EIR). The Transportation and Traffic section of the Initial Study for the NOP indicated that a TIS would be included and circulated with the Draft EIR. To date Caltrans has not seen or reviewed the DEIR or the TIS.

A Traffic Impact Study (TIS) is needed to assess the project related impacts to the State Highway system and appropriate mitigation measures. Based on the proposed development identified on the parcel map and proximity to SR 198, it is anticipated that traffic generated from the proposed developments could have a significant impact to the on/off ramps at SR 198. Currently, SR 198

Ms. Sandra Cloyd – SP 13125
August 28, 2013
Page 2 of 2

westbound and eastbound off ramps to Akers Avenue are operating near capacity. The TIS should calculate a fair share cost estimate for interchange improvements where mitigation is necessary. Please have the preparer of the traffic study reference the Caltrans Guide for the Preparation of Traffic Impact Studies, dated December 2002, and send the scope of the TIS to Caltrans before the traffic study is conducted. Caltrans Guide, while advisory, contains Best Practices and gives insight into Caltrans' expectations when reviewing a traffic study.

Please be advised that any future development in the vicinity of a State Route, whether the entitlement is deemed by the lead agency to be discretionary or ministerial should be sent to Caltrans for review.

Please send a response to our comments and a copy of the resolution related to the proposed project. If you have any questions, please call me at (559) 488-7396.

Sincerely,



DAVID DEEL
Associate Transportation Planner
North Planning Branch

Enclosure

DEPARTMENT OF TRANSPORTATION

DISTRICT 6

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 488-7396

FAX (559) 488-4088

TTY (559) 488-4066

*Fix your power!
Be energy efficient!*

September 30, 2009

2135-IGR/CEQA

6-TUL-198-6.75 +/-

SPR 09-096

TENTATIVE PARCEL MAP

SIERRA VILLIAGE / 4 CREEK, INC.

AUGUST 26, 2009 AGENDA

Ms. Sandra Cloyd
City of Visalia
Public Works Department Engineering Services
315 East Acequia Avenue
Visalia, CA 93291

Dear Ms. Cloyd:

Thank you for the opportunity to review the site plan review 09-096 for tentative parcel map to create four (4) new parcels. The project is located in the southwest quadrant of State Route (SR) 198 and Akers Avenue interchange, approximately 1/4 mile west of Akers Avenue along Cypress Avenue. The parcel map has indicated that current zoning is Agriculture however proposed zoning is Quasi-Public and Planned Professional/Administration Office. In addition, the concept map indicates proposed development of the vacant lots. Caltrans has the following comments:

A Traffic Impact Study (TIS) is needed to assess the project related impacts to the State Highway system and appropriate mitigation measures. Based on the proposed development identified on the parcel map and proximity to SR 198, it is anticipated that traffic generated from the proposed developments could have a significant impact to the on/off ramps at SR 198. Currently, SR 198 westbound and eastbound off ramps to Akers Avenue are operating near capacity. The TIS should calculate a fair share cost estimate for interchange improvements where mitigation is necessary. Please have the preparer of the traffic study reference the Caltrans Guide for the Preparation of Traffic Impact Studies, dated December 2002, and send the scope of the TIS to Caltrans before the traffic study is conducted. Caltrans Guide, while advisory, contains Best Practices and gives insight into Caltrans' expectations when reviewing a traffic study.

Please be advised that any future development in the vicinity of a State Route, whether the entitlement is deemed by the lead agency to be discretionary or ministerial should be sent to Caltrans for review. Please send a response to our comments prior to staff's recommendations to the Planning Commission and the City Council. If you have any other questions, please call me at (559) 488-7396.

Sincerely,

PAUL-ALBERT MARQUEZ
Central Planning Branch Chief

A handwritten signature in black ink, appearing to read "David Deel".

David Deel
Transportation Planner
District 6

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 488-7396

FAX (559) 488-4088

TTY (559) 488-4066

*Max your power!
Be energy efficient!*

December 17, 2009

2135-IGR/CEQA
6-TUL-198-6.76 +/-
SPR 09-096 (RESUBMITTED)
TENTATIVE PARCEL MAP
SIERRA VILLAGE / 4 CREEK, INC.
12/9/2009 AGENDAMs. Sandra Cloyd
City of Visalia
Public Works Department Engineering Services
315 East Acequia Avenue
Visalia, CA 93291

Dear Ms. Cloyd:

Thank you for the opportunity to review the site plan review 09-096 for tentative parcel map to create five (5) new parcels. Caltrans previously reviewed this tentative parcel map on 9/30/2009 however the project at that time was to create 4 parcels. The project is located in the southwest quadrant of State Route (SR) 198 and Akers Avenue interchange, approximately ½ mile west of Akers Avenue along Cypress Avenue. The parcel map has indicated that current zoning is Agriculture however proposed zoning is Quasi-Public and Planned Professional/Administration Office. In addition, the concept map indicates proposed development of the vacant lots. Caltrans has the following comments:

The previous Caltrans comments dated 9/30/2009 (copy enclosed) continue to be valid.

Please be advised that any future development in the vicinity of a State Route, whether the entitlement is deemed by the lead agency to be discretionary or ministerial should be sent to Caltrans for review. Please send a response to our comments prior to staff's recommendations to the Planning Commission and the City Council. If you have any other questions, please call me at (559) 488-7396.

Sincerely,

PAUL-ALBERT MARQUEZ
Central Planning Branch Chief

A handwritten signature in black ink, appearing to read "David Deel".

David Deel
Transportation Planner
District 6

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: July 17, 2013

SITE PLAN NO: 13-125
PROJECT TITLE: SIERRA VILLAGE DEVELOPMENT PLAN & PARCEL MAP
DESCRIPTION: NEW 49,034 SF SCHOOL ON 10.3 ACRES (R16 & RM2 ZONED)
APPLICANT TITLE: 4 CREEKS
PROP. OWNER: DE JONG JOHN & WILLIE
LOCATION: 432 S ROEBEN ST
APN TITLE: 087-450-001, 002, 003, 004 & 005

General Plan: Agriculture
Existing Zoning: County

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Building Permit
- Additional information as needed

PROJECT SPECIFIC INFORMATION: 07/17/2013

1. The site development plan is consistent with the project description and development plan included in the Environmental Impact Report (EIR).
2. Prior to proceeding to a public hearing, staff will require the EIR fee be paid in full as noted in staff's letter to the project applicants.

CITY GENERAL PLAN CONSISTENCY

Applicants have the option of applying for an amendment to the General Plan Land Use Map. The final decision to approve the land use designation change would be made by the City Council after an initial review and recommendation by the Planning Commission.

Parking:

1. Parking requirements will be assessed as follows: Group care facilities: one parking space for each three beds; One parking space per dwelling unit for senior citizen housing developments. Senior citizen means a person of fifty-five (55) years of age or older. Senior citizen housing development shall be defined as a multi-family project wherein the units are made available solely to senior citizens; Offices, including all public and professional offices, except as otherwise specified: one parking space for each two hundred fifty (250) square feet of floor area, with a minimum of four parking spaces, and Dental and medical clinics and offices: one parking space for each two hundred (200) square feet of floor area, or four parking spaces for each doctor, whichever is greater (see Zoning Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. It is highly recommended that bicycle rack(s) be provided on site plan.

6. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
7. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents (Zoning Ordinance Section 17.34.030.J).
8. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.
9. Provide transit facilities on site plan.
10. Provide shared parking/access agreements. Said agreements/ easements to be approved and recorded prior to issuance of building permits (Zoning Ordinance Section 17.34.050).
11. Provide off-street loading facility (Zoning Ordinance Section 17.34.070 & 17.34.080).
12. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130.F).
3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
4. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
5. Outdoor retail sales prohibited.
6. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
7. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights (Zoning Ordinance Section 17.30.130.F).
8. If there is an anticipated grade difference of more than 12-inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.
9. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

1. On September 30, 2009, the State Model Water Efficient Landscape Ordinance (MWELo) was finalized by the State Department of Water Resources to comply with AB 1881. AB 1881 along with the MWELo became effective on January 1, 2010. As of January 1, 2010, the State Model Water Efficient Landscape Ordinance became effective by adoption of a City urgency ordinance on December 21, 2009. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the**

project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.

2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).
3. In the P(R-M) multi-family residential zone, all multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained. (Zoning Ordinance Section 17.16.180)
4. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
5. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
6. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
7. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
8. Provide a detailed landscape and irrigation plan for review prior to issuance of building permits. Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.
9. Provide a conceptual landscape plan for resubmittal or planning commission review.
10. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

Please note that the project is subject to SJVAPCD Rule 9510. The applicant is encouraged to do early indirect source modeling consultation with the Air District (please see http://www.aqmd.gov/rules/proposed/2301/sjvapcd_rule9510.pdf).

Valley Oak Tree

NOTE: Any development under the canopy of a Valley Oak Tree must be reviewed and approved by David Pendergraft – City Arborist, 559-713-4295. Applicants should not prepare any final plans without a review and approval of a detailed site plan by David Pendergraft or his appointee.

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature 



MEETING DATE 9/9/2009
SITE PLAN NO. 09-096
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with
 Planning Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

HISTORIC PRESERVATION

OTHER _____

ADDITIONAL COMMENTS _____

If you have any questions or comments, please call Dennis Lehman, Building Official, Site Plan Chairman at 713-4495.

Site Plan Review Committee

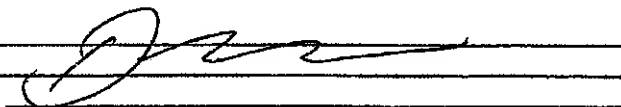


Building Site Plan Review Comments

ITEM NO: 4
SITE PLAN NO:
PROJECT:
APPLICANT TITLE:
LOCATION TITLE:
APN TITLE:

DATE: SEPTEMBER 9, 2009
09-096
TENTATIVE PARCEL MAP
PARCEL MAP TO CREATE 5 PARCELS
ON 39 ACRES (QP, X, A ZONED)
4 CREEKS INC., DE JONG, IWIK
FARMS (PROP. OWNERS)
SEC ROEBEN & NOBLE
087-450-001, 002, 003, 004, 005, 087-
460-001

- Submit 4 sets of engineered plans and 2 sets of calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- Meet city and state requirements for the physically handicapped.
- Submit 3 sets of plans signed by an architect or engineer. Must comply with 2007 California Building Code Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Maintain sound transmission control between units.
- Maintain fire-resistive requirements at property lines.
- Obtain required permits for Air Pollution Board, Tulare County.
- Location of cashier must provide clear view of gas pump island
- Calculations of free-standing carport.
- Treatment connection charge to be assessed based on use.
- Must comply with state energy requirements.
- Plans must be approved by the Tulare County Health Department.
- Common area must comply with requirements for access by the handicapped.
- Project is located in flood zone ____*. Minimum finished floor elevation requires _____.
*Flood Zone determination and finished floor elevation are based on the official FEMA NAVD 88 elevation converted to the equivalent NGVD 29 elevation using FEMA's established conversion factor of 2.73. Effective June 16, 2009.
- All accessible units required to be adaptable for the physically handicapped.
- Acceptable as submitted Arrange for an on-site inspection.
- Hazardous materials report. A demolition permit is required.
- School Development fees. Commercial \$0.47 per square foot. Residential \$3.48 per square foot.
- Park Development fee \$_____, per unit collected with building permits.
- Existing address must be changed to be consistent with city address policy.



Signature

Site Plan Review Comments For:

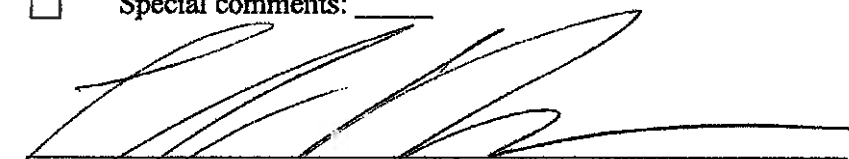
Visalia Fire Department
Charles Norman, Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4486 *office*
559-713-4808 *fax*

ITEM NO: 4
SITE PLAN NO: 09-096
PROJECT: TENTATIVE PARCEL MAP
APPLICANT TITLE: PARCEL MAP TO CREATE 5 PARCELS
ON 39 ACRES (QP, X, A ZONED)
4 CREEKS INC., DE JONG, IWIK
FARMS. (PROP. OWNERS)
LOCATION TITLE: SEC ROEBEN & NOBLE
APN TITLE: 087-450-001, 002, 003, 004, 005, 087-
460-001
DATE: SEPTEMBER 9, 2009

The following comments are applicable when checked:

- No comments at this time for this project.
- Refer to previous comments dated 8-26-09.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.
- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Building Department counter.
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Building Department counter.

- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. The FDC is required to be within 50 feet of the Cal Water fire hydrant. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1433.90 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: _____



Charles Norman, Fire Marshal

Site Plan Review Comments For:


Visalia Fire Department
Charles Norman, Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4486 office
559-713-4808 fax

Item # 2 Date 8-26-09
Site Plan # 09-096
Project Tent parcel Map
Applicant 4 Creeks/DeJong
Location Roeben/Noble
APN 087-450-001, 002, 003, 004 087-460-001

The following comments are applicable when checked:

- No comments at this time for this project.
- Refer to previous comments dated .
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.
- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Building Department counter.
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Building Department counter.

- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. The FDC is required to be within 50 feet of the Cal Water fire hydrant. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1433.90 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: Comply w/ Minimum Street Widths and hydrant spacing per Visalia Municipal Code



Charles Norman, Fire Marshal

**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

ITEM NO: 4	DATE: <u>SEPTEMBER 9, 2009</u>
SITE PLAN NO:	09-096
PROJECT:	TENTATIVE PARCEL MAP
APPLICANT TITLE:	PARCEL MAP TO CREATE 5 PARCELS ON 39 ACRES (GP, X, A ZONED)
LOCATION TITLE:	4 CREEKS INC., DE JONG, IWIK FARMS (PROP. OWNERS)
APN TITLE:	SEC ROEBEN & NOBLE 087-450-001, 002, 003, 004, 005, 087- 460-001

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER – ¾ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED – NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA
PUBLIC WORKS DEPARTMENT
QUALITY ASSURANCE DIVISION
7579 AVENUE 288
VISALIA, CA 93277

J. R. Knight

AUTHORIZED SIGNATURE

9-9-09

DATE

SITE PLAN REVIEW COMMENTS

Brandon Smith, AICP, Planning Division (559) 713-4636

Date: September 9, 2009

SITE PLAN NO: 09-096
PROJECT: TENTATIVE PARCEL MAP
PARCEL MAP TO CREATE 4 PARCELS ON 39 ACRES
(QP, X, A ZONED)
APPLICANT TITLE: 4 CREEKS INC., DE JONG, IWIK FARMS (PROP. OWNERS)
LOCATION TITLE: SEC ROEBEN & NOBLE
APN TITLE: 087-450-001, 002, 003, 004, 005, 087-460-001

General Plan: A, C, & PI – Agriculture, Conservation & Public Institutional
Existing Zoning: A, County, QP – Agriculture, County & Quasi-Public

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements:

- Tentative Parcel Map

PROJECT SPECIFIC INFORMATION: September 9, 2009

1. No new comments. See previous comments from August 26, 2009.

PROJECT SPECIFIC INFORMATION: August 26, 2009

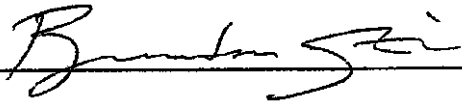
1. The Tentative Parcel Map divides the subject property in accordance with the proposed Sierra Village expansion project. The Sierra Village expansion project requires an Annexation, General Plan Amendment, Change of Zone, and Specific Plan Amendment, all of which must be approved with or prior to the Tentative Parcel Map.
2. The Tentative Parcel Map has been prepared on the assumption that the above-referenced entitlements are in effect. Any relevant Design District or other Zoning Ordinance standards would take effect in correlation with these entitlements.
3. A shared agreement for access is required between Parcels 1, 2, and 3.
4. Change "Remainder" lot to "Parcel 5".
5. The South Fork Persian Ditch is also a community waterway subject to riparian setbacks per the Conservation, Open Space, Recreation and Parks Element as amended. A lot to be dedicated to the City for ditch purposes and a lot to be acquired by the City for riparian setback purposes must be added on the South Fork Persian Ditch. Contact Paul Shepard at the Parks and Recreation Department for further details.
6. Indicate any phasing on the parcel map as appropriate.

CITY GENERAL PLAN CONSISTENCY

Staff's initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

Signature  _____

**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

Doug Damko 713-4268
 Ken McSheehy 713-4447
 Adrian Rubalcaba 713-4164

ITEM NO: 4 DATE: SEPTEMBER 9, 2009

SITE PLAN NO.: 09-096 RESUBMITTAL
PROJECT: PARCEL MAP TO CREATE 4 PARCELS ON 39 ACRES (QP, X, A ZONED)
APPLICANT: 4 CREEKS INC., DE JONG, IWIK FARMS (PROP. OWNERS)
LOCATION: SEC ROEBEN & NOBLE
APN: 087-450-001, 002, 003, 004, 005, 087-460-001

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS:** (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work; Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership. by map by deed
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required. CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: Al Dias (planning) 488-7306
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map. Contact Doug Damko, 713-4268, 315 E. Acequia Ave. **district to include street lights and local street maintenance**
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. **Persian/Watson** Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3426 for Tulare Irrigation Canal, Packwood and Cameron Creeks, Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy. Access required on ditch bank, 12' minimum. Provide **25 ft** wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system. **see additional comments**
- Storm Drain master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. A permanent basin is required. A temporary basin is required until a permanent facility is provided. **see additional comments**
- Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements. A permit is required to remove oak trees. The City will evaluate Oak

- trees with removal permit applications. Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application. A pre-construction conference is required. Contact: David Pendergraft, City Arborist, 713-4295
- Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Provide "R" value tests: 1 each at 600 ft. Intervals
- Traffic indexes per city standards:
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- All lots shall have separate drive approaches constructed to City Standards.
- Install street striping as required by the City Engineer **a striping plan is required for Cypress Ave and Roeben St**
- Install sidewalk: ft. wide, with ft. wide parkway on **sidewalk deferred until development permits for each parcel**
- Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Abandon existing wells per City of Visalia Code. A building permit is required.
- Remove existing irrigation lines & dispose off-site. Remove existing leach fields and septic tanks.
- Dust control is required on site during construction and for all material excavated, graded, and/or transported.
- Storm Water Discharge permit is required.

- Comply with prior comments Resubmit with additional information Redesign required

Additional Comments:

- 1. These site plan comments are written such that all public improvements will be required to be completed with the recordation of the parcel map.**
- 2. No phasing is shown so all improvements are assumed to be completed under one improvement agreement. If phasing is desired, it must be shown on the map. Additional comments are needed if phasing is desired.**
- 3. The proposed parcel map is the land division component of the Sierra Village master planned project.**
- 4. The City's role as a property owner for the proposed parcel map, particularly in regards to transfer of ownership of the drainage basin from the current parcel to the proposed parcel Lot A, will need to be addressed prior to recording of the proposed parcel map.**
- 5. The submittal of the proposed parcel map is premature. The tentative parcel map must be submitted concurrently with the applications for the GPA, SPA and COZ. The final map cannot be recorded until the annexation is complete and all entitlements approved by City Council.**
- 6. All conditions of approval established with the annexation agreement, GPA, SPA and COZ will be applicable to the proposed parcel map.**
- 7. The alignments of the streets and the street width dimensions shown are acceptable. Roeben St is a designated 70' R/W collector in the TIF program. Roeben St cross-section will be per Plate P-37. Cypress Ave cross-section will be per plate P-16 modified with 7' R/W and 46' curb-to-curb.**

8. The relocation of the city owned drainage basin and the two inflow storm drain lines will be required with this proposed parcel map and potentially prior to this parcel map depending on the property negotiations between the City and Mr De Jong and Ms Billys. All costs associated with the relocation of the basin and storm drain lines will be subject to further discussion and negotiation between all parties involved and as agreed to by City Council.

9. The ditch lots and riparian setback lots appear to reflect the proper ditch locations and setback requirements. Cross sections should be shown on the tentative map. The project applicants are responsible for the full costs of relocating Persian Ditch including land dedication and the extended culvert at Cypress Ave and Roeben St. The project applicants are also responsible for the full costs of the new culvert crossing at Cypress Ave for the South Fork of Persian Ditch.

10. The conversion of the subject property from agricultural to urban uses is not addressed in the Sewer System Master Plan. The subject property is adjacent to Basin 6 and can only potentially be served by this basin. The existing 27" and 12" trunk lines in Akers serve Basin 6. The only nearby sewer line that could potentially serve the subject property is an 8" line in Cypress Ave. This 8" line already serves 26 acres of commercially zoned CSO properties. A special study will be required analyzing the impact of adding the subject property to Basin 6 and also analyzing the options for connections and line capacities. The special study is required to be submitted with the annexation application. The special study is subject to review and approval by City engineering staff.

11. Acquisition development impact fees for storm drainage, parks and waterways will be due with the recording of the parcel map and will be calculated based on the approved development master plan.

12. Additional comments and conditions will be considered with subsequent site plan review of the site development plans needed for the annexation, GPA, SPA and COZ.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **09-096 RESUBMITTAL**
Date: **SEPTEMBER 9, 2009**

Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:

(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)

(Fee Schedule Date:)
(Project type for fee rates:mixed use)

Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	dependent on proposed zone
<input checked="" type="checkbox"/> Park Acquisition Fee	dependent on proposed zone
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	dependent on proposed zone

Additional Development Impact Fees will be collected at the time of issuance of building permits.

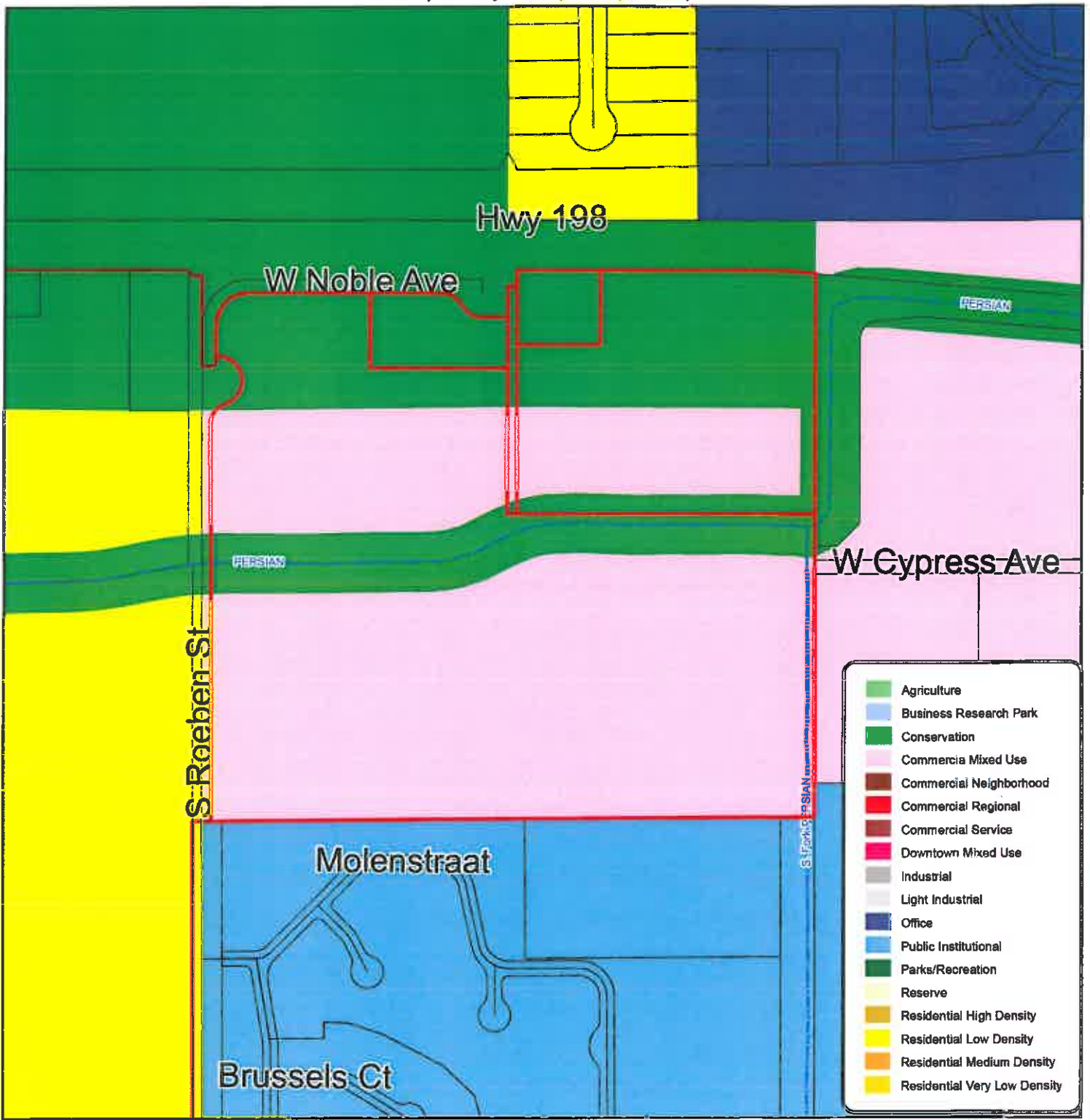
City Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject planned facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



Doug Damko

Annexation No. 2016-01 & Tentative Parcel Map No. 2016-01
APN: 087-450-001, 002, 003,004, 005, & 087-460-001



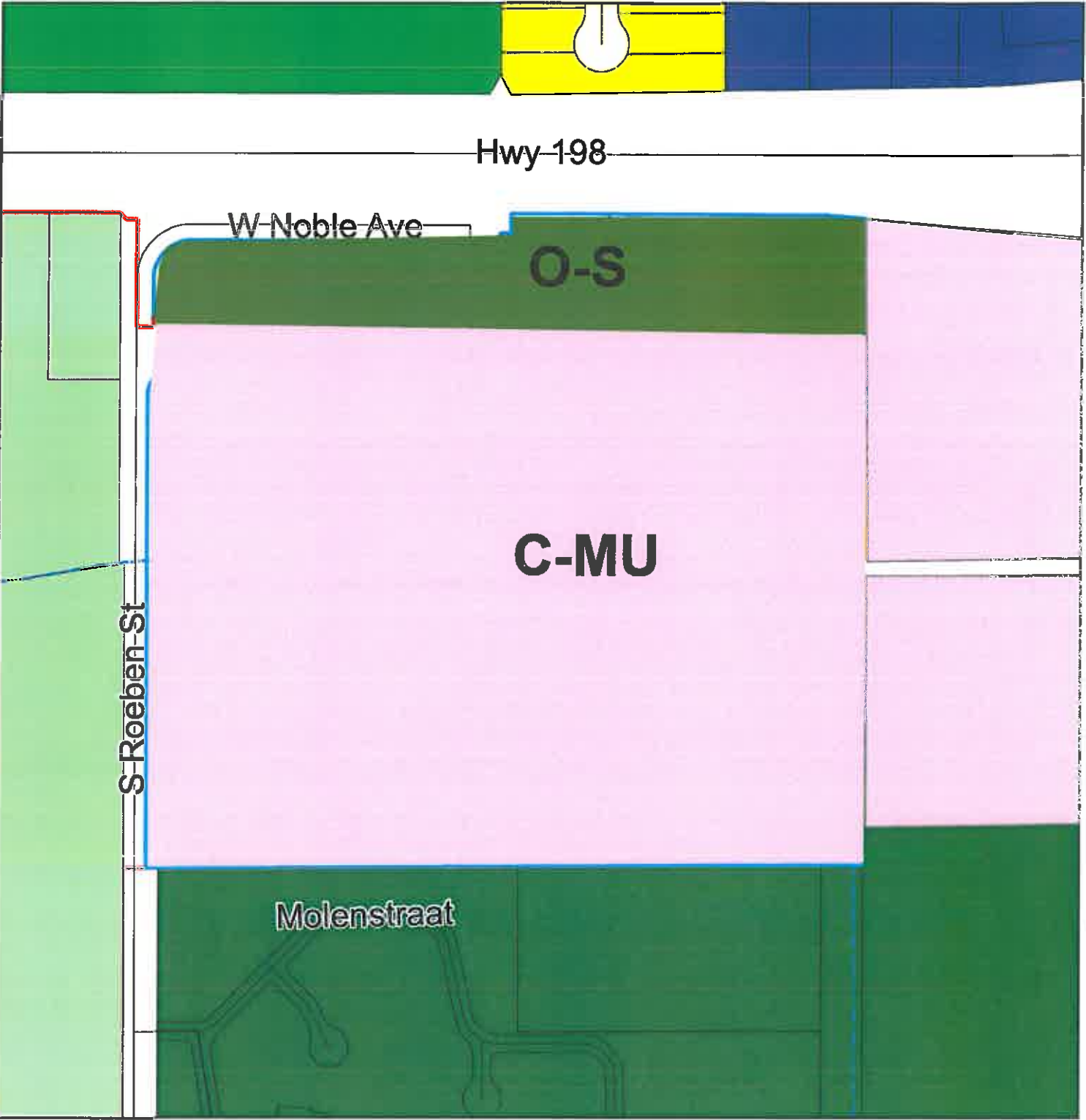
	Agriculture
	Business Research Park
	Conservation
	Commercial Mixed Use
	Commercial Neighborhood
	Commercial Regional
	Commercial Service
	Downtown Mixed Use
	Industrial
	Light Industrial
	Office
	Public Institutional
	Parks/Recreation
	Reserve
	Residential High Density
	Residential Low Density
	Residential Medium Density
	Residential Very Low Density



General Plan Land Use Map



Annexation No. 2016-01 & Tentative Parcel Map No. 2016-01
APN: 087-450-001, 002, 003,004, 005, & 087-460-001

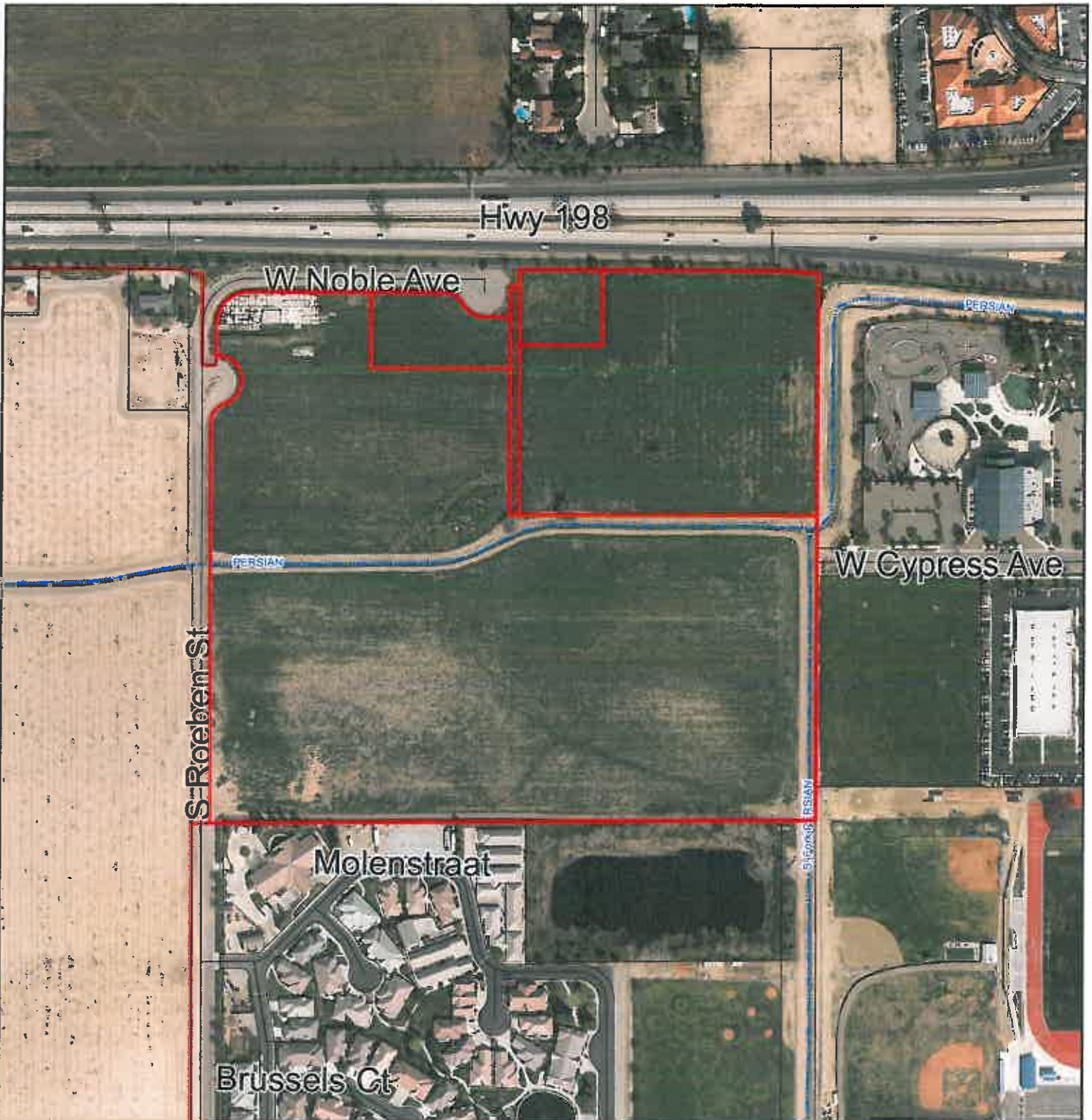


Zoning Map



300 150 0 300 600 Feet

Annexation No. 2016-01 & Tentative Parcel Map No. 2016-01
APN: 087-450-001, 002, 003,004, 005, & 087-460-001

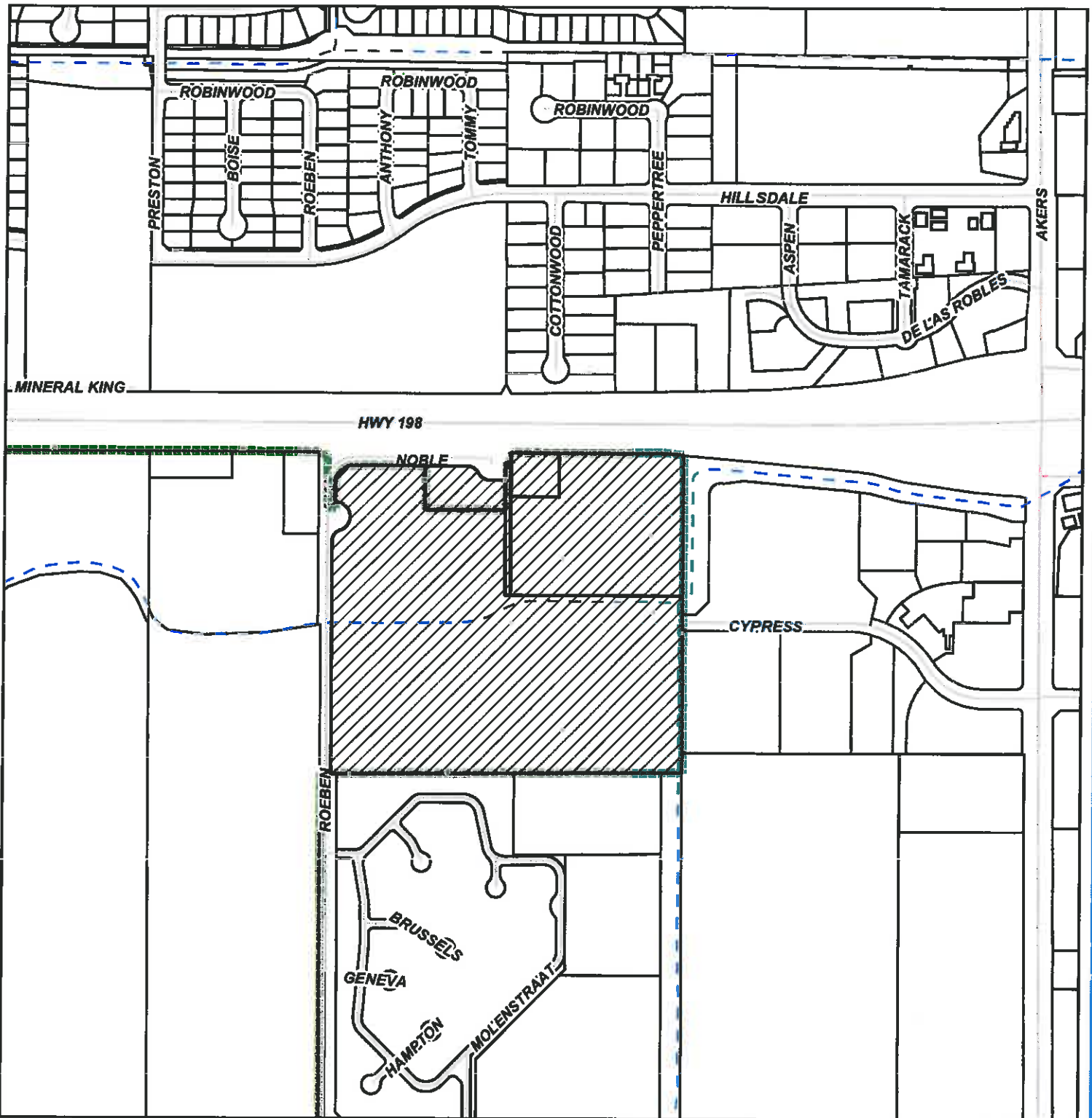


Aerial Photo



Annexation No. 2016-01 & Tentative Parcel Map No. 2016-01

APN:087-450-001, 002, 003,004, 005, & 087-460-001



Vicinity Map





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: March 13, 2017

PROJECT PLANNER: Paul Scheibel, AICP, Principal Planner
Phone No.: (559) 713-4369

SUBJECT: Tentative Subdivision Map No. 5558: A request to subdivide 8.76 acres into 51 lots for residential development. The project is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004)

Conditional Use Permit No. 2017-02: A request by Joe Gong for a Planned Development to allow 51 single-family residential units with modified development standards on 8.76 acres. The project site is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004)

STAFF RECOMMENDATION

Tentative Subdivision Map No. 5558

Staff recommends approval of Tentative Subdivision Map No. 5558, as conditioned, based on the findings and conditions in Resolution No. 2017-03. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

Conditional Use Permit No. 2017-02

Staff recommends approval of Conditional Use Permit No. 2017-02, as conditioned, based on the findings and conditions in Resolution No. 2017-02. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

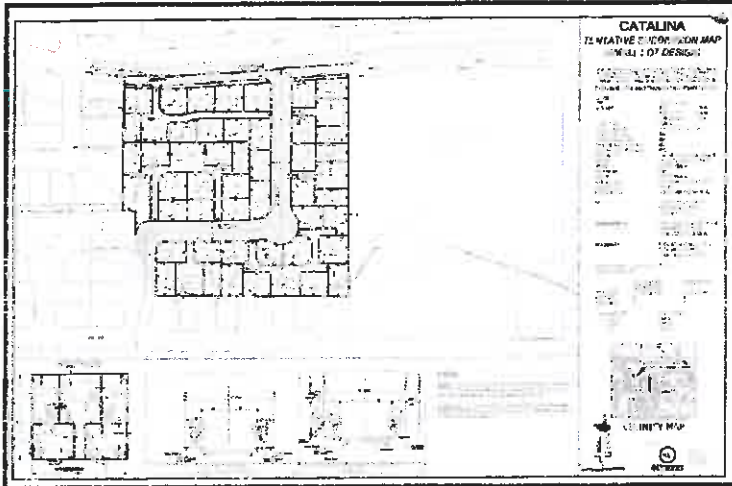
RECOMMENDED MOTION

I move to approved Tentative Subdivision Map No. 5558, based on the findings and conditions in Resolution No. 2017-03.

I move to approve Conditional Use Permit No. 2017-02, based on the findings and conditions in Resolution No. 2017-02.

PROJECT DESCRIPTION

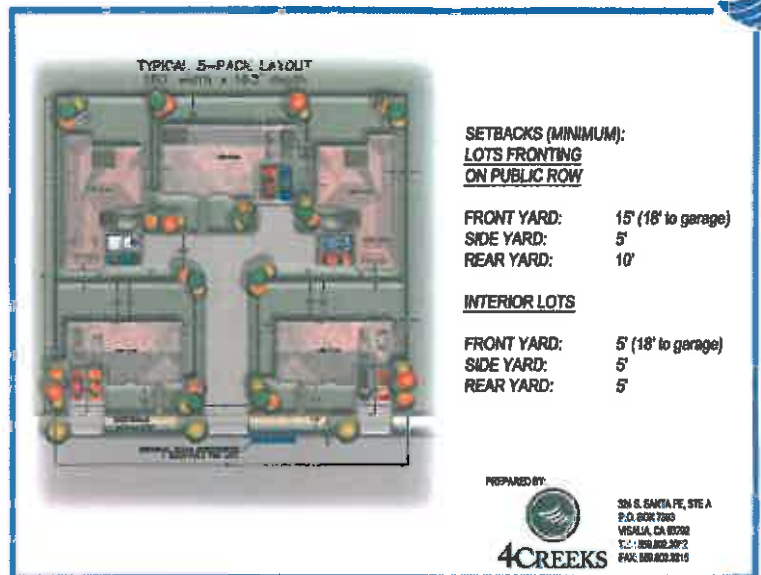
Tentative Subdivision Map (TSM) No. 5558 is a proposal to subdivide an 8.76-acre parcel into 51 lots for residential development. Conditional Use Permit (CUP) No. 2017-02 accompanies the TSM 5558, making the project a Planned Residential Development (PRD). The PRD allows the proposed single-family residences to have unique access and development standards. The overall project objective is to develop the site for a single-family residential neighborhood, rather than the more traditional duplex or small apartment complex typically associated with residential projects in the Medium Density (10-15 units per acre) land use and zoning (minimum 3,000 square feet of lot area per unit) district.



Pursuant to Zoning Ordinance Chapter 17.26 (Planned Development), development standards may be deviated in order to maximize the benefits that may be derived from a more unique project that could not otherwise be accommodated by adherence to the Code standards. The proposed project is being processed under this Code provision. The project proposes to deviate from either the R-1 (Single-family Residential) or the R-M-2 (Multi-family Residential, minim 3,000 sq.ft. of lot area per unit) development standards in order to create a single-family residential product

but at a scale and efficiency that is more typical of multi-family developments.

The proposed lot sizes range from approximately 4,800sq.ft. to over 13,700sq.ft. (lot sizes include common access drives), while proposed house sizes will range from 1,200sq.ft. to 1,560sq.ft. All units are proposed to be one-story structures. The project relies on modified yard setbacks as follows:



COMPARISON OF SETBACK STANDARDS					
	Front to Living Spaces	Front to Garages	Rear	Side	Side Street
R-M-2	15	22	25	5	10
Project Lots fronting Public Street	15	18	10	5	5
Project Interior Lots	5	5	5	5	5
R-1-6 (R-1-5 w/ New ZO)	15	22	20	5	10

Access to the project will be from Highland St., connecting at Ferguson Ave., and from the extension of Conyer St. extending from the existing neighborhood to the south, connecting to Perez Ave. within the project site. The majority of the lots will take access from the public street

(Highland/Perez/Conyer) via shared 22-foot wide drive aisles. These drive aisles are proposed to be regulated and maintained through a Declaration of Shared Driveway Easement and Maintenance Agreement document to be recorded on each of the for-sale lots. This proposal is analyzed further in the Project Evaluation portion of this report.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Residential Medium Density
Zoning:	R-M-2 (Multi-family Residential, 3,000 sq. ft. minimum lot are per unit)
Surrounding Land Use and Zoning:	North: R-M-2 / Vacant South: R-1-6 / Single Family Residences East: CSO/ Fairway Shopping Center West: R-1-6 / Single Family Residences
Environmental Review:	Negative Declaration No. 2017-10
Special Districts:	None
Site Plan Review No:	2016-098

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED ACTIONS

General Plan Amendment GPA 2002-03, Change of Zone ZC 2002-04, Conditional Use Permit CUP 2002-12: Approved by the City Council On June 22, 2002. Changed the land use and zoning designation on approximately 18 acres from Low Density Residential and Medium Density Residential to High Density Residential and Shopping Office/Commercial. The 18-acre site is bounded by Dinuba Blvd. to the east, Ferguson Ave. to the north, Conyer St. alignment to the west, and Vine Ave. to the south. CUP 2002-12 allowed 160 multi-family units on eight acres. The project ultimately facilitated development of the Food For Less shopping center. The multi-family project on the current project site (APN 090-280-004) was not developed.

General Plan Amendment No. 2007- 07, Change of Zone No. 2007- 08, Vineyard Villas Tentative Subdivision Map No. 5532, and Conditional Use Permit No. 2007-19: Approved by the City Council on January 7, 2008. A request by Fairway Properties to change the land use and zoning designation from Residential High Density (RM-3) to Residential Medium Density on 7.9 acres. TSM 5532 and CUP 2007-19 allowed a Planned Residential Development (PRD) with 66 attached residences on 7.9 acres, located at the southeast corner of Ferguson Ave. and Conyer St. (APN: 090-280-004)

PROJECT EVALUATION

Staff recommends approval of the Catalina PRD, consisting of Tentative Subdivision Map No. 5558, and Conditional Use Permit CUP 2017-02, as conditioned, based on the project's consistency with the Land Use Element Policies of the General Plan, Zoning Ordinance, and the Subdivision Ordinance for the tentative parcel map.

Planned Residential Development

The proposed small lot subdivision offers a unique for-sale housing product that will complement and enhance the existing single-family residential neighborhoods to the south and west. The proposed house sizes (1,200 to 1,560 square feet) are significantly below the average new single-family house size of 2,178 sq.ft. In addition, the average lot sizes, after subtracting the common area drive aisles, will average approximately 5,050 sq.ft. This is approximately 17% more compact development than standard single-family residential subdivision, yet provides over 80% more lot area per unit on average than a living unit on a standard R-M-2 lot (3,000 sq.ft. of lot area per unit).

Recommended Conditions

In addition to the standard conditions applicable to a TSM and CUP project, staff recommends two Special Conditions to be placed on the both the TSM and CUP components of the project:

1. Prior to recordation of the final map, the Applicant shall modify the Map exhibit to affect the proposed property boundaries and net square footages of Lots 3, 8, 16, 24, 30, and 45, to eliminate singular ownership of the common drive aisles associated with those lots. The Applicant shall either revise the proposed lot boundaries of all the benefitting lots to reflect approximately equal ownership of the common drive aisles; or, shall create a common area lot for each drive aisle. Such revision shall be subject to the approval of the City Engineer and City Planner.

Staff recommends this condition to provide proportionate equity in the ownership and responsibility of the common drive aisles commensurate with the shared benefits being derived by the drive aisles. As presently depicted, the Lots identified above would carry a large and disproportionate ownership, tax, and maintenance burden on a single lot owner. The Applicant has indicated their concurrence with this condition.

2. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles shall be recorded with the final subdivision map. The agreement shall address property owners' responsibility for repair and maintenance of the common drive aisles. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.

The Applicant proposes a Declaration of Shared Driveway Easement and Maintenance Agreement to provide for the operation and maintenance of the shared drive aisles. A sample Agreement is provided as an attachment to this report.

General Plan Consistency

The project, as conditioned, is not inconsistent with any General Plan policies. The project specifically supports General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45), and encouraging a variety of housing products (LU-P-50).

However, approval of the project would require specific findings of consistency with two General Plan considerations:

1- *Development Density (General Plan Land Use Element Table 2-3, Density and Intensity Standards by Land Use Classification)*. The project does not meet the development density range (10 to 15 dwelling units per acre) for the RMD (Residential Medium Density).

However, the proposed development density of 5.82 dwelling units/acre can be supported on several bases: A- The site has failed to develop under approved projects at the High Density (15-35 units per acre); and, B- The proposed density facilitates a unique entry level, for sale residential product that is not otherwise available within 7/8ths mile of the project site (Northeast Area Specific Plan); and, C- The proposed project shares a common local public street and common boundaries on the south and west with an older single-family residential development. The new single-family residential product type, along with the similar density range as the existing neighborhood, will serve to enhance the continuing revitalization of the existing neighborhood.

2- General Plan Housing Element Regional Housing Needs Allocation (RHNA) Land Inventory. The project's 51 units is less than the 95 units of Low income projected to be developed according to the RHNA Land Inventory. However, the RHNA Land Inventory shows there is an excess of undeveloped Medium Density Residential Land that equates to 1,545 potential housing units [3,293 (available) -, minus 1,545 (required) = 1,545 excess]. Consequently, there would be no unaccounted for loss of affordable housing land resulting from the project.

Environmental Review

Negative Declaration No. 2017-10 has been prepared for the project. The 20-day review and comment period for the Initial Study began on February 20, 2017, and ended on March 11, 2017. No formal comments were received. Consequently, the Negative Declaration for the project is recommended for adoption.

RECOMMENDED FINDINGS

Tentative Subdivision Map No. 5558

1. That the proposed location and layout of the Catalina Tentative Subdivision Map No. 5558, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 8.76-acre project site, which is the site of the proposed 51 lot small lot residential subdivision, is specifically consistent with General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45), and to encouraging a variety of housing products (LU-P-50). Additionally,

General Plan Housing Element Regional Housing Needs Allocation (RHNA) Land Inventory. The project's 51 units is less than the 95 units of Low income projected to be developed according to the RHNA Land Inventory. However, the RHNA Land Inventory shows there is an excess of undeveloped Medium Density Residential Land that equates to 1,545 potential housing units [3,293 (available) -, minus 1,545 (required) = 1,545 excess]. Consequently, there would be no unaccounted for loss of affordable housing land resulting from the project.

2. That the proposed Catalina Tentative Subdivision Map No. 5558, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. That the proposed tentative subdivision map would be compatible with adjacent land uses. The project site is bordered by existing residential development, a collector street and shopping center.
3. That the site is physically suitable for the proposed tentative subdivision map. The Catalina Tentative Subdivision Map No. 5558 is consistent with the intent of the General Plan,

Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The 51-lot subdivision is designed to comply with the City's Engineering Improvement Standards "P-15 – Super Block Connectivity". This policy is to provide full access via the local street connectivity within a superblock thereby reducing trips onto collectors and arterials. The superblock connectivity design allows for through movement and good connections between and within neighborhoods. The completion of the local street connection proposed within the subdivision provides connection to existing neighborhoods. The construction of this local street connection provides an improved path of travel for vehicles and pedestrians of the surrounding area.

4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which although not consistent with the underlying Medium Density Residential General Plan Land Use Designation. The proposed location and layout of the Catalina Tentative Subdivision Map No. 5558, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. Specifically, the project does not meet the development density range (10 to 15 dwelling units per acre) for the RMD (Residential Medium Density). However, the proposed development density of 5.82 can be supported on several bases:
 - A- The site has failed to develop under approved projects at the High Density (15-35 units per acre); and,
 - B- The proposed density facilitates a unique entry level, for sale residential product that is not otherwise available within 7/8ths mile of the project site (Northeast Area Specific Plan); and,
 - C- The proposed project shares a common local public street and common boundaries on the south and west with an older single-family residential development. The new single-family residential product type, along with the similar density range as the existing neighborhood, will serve to enhance the continuing revitalization of the existing neighborhood.
5. That the proposed Catalina Tentative Subdivision Map No. 5558, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The nine-lot subdivision is designed to comply with the City's Engineering Improvement Standards "P-15 – Super Block Connectivity". This policy is to provide full access via the local street connectivity within a superblock thereby reducing trips onto collectors and arterials. The superblock connectivity design allows for through movement and good connections between and within neighborhoods. The completion of the local street connection proposed within the nine lot subdivision provides connection to existing neighborhoods. The construction of this local street connection provides an improved path of travel for vehicles and pedestrians of the surrounding area. Additionally easements shown on the map as to be abandoned have already been authorized by previous City Council action.
6. That an Initial Study was prepared for the proposed project consistent with CEQA, Initial Study No. 2017-10 disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, the Program Environmental Impact Report adequately analyzed and addressed the proposed project.

Conditional Use Permit No. 2017-02

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - A. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - B. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
 - C. That the proposed project is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The project specifically supports General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45), and to encouraging a variety of housing products (LU-P-50).
 - D. Development Density (General Plan Land Use Element Table 2-3, Density and Intensity Standards by Land Use Classification). The project does not meet the development density range (10 to 15 dwelling units per acre) for the RMD (Residential Medium Density). However, the proposed development density of 5.82 can be supported on several bases: A- The site has failed to develop under approved projects at the High Density (15-35 units per acre); and, B- The proposed density facilitates a unique entry level, for sale residential product that is not otherwise available within 7/8ths mile of the project site (Northeast Area Specific Plan); and, C- The proposed project shares a common local public street and common boundaries on the south and west with an older single-family residential development. The new single-family residential product type, along with the similar density range as the existing neighborhood, will serve to enhance the continuing revitalization of the existing neighborhood.
 - E. General Plan Housing Element Regional Housing Needs Allocation (RHNA) Land Inventory. The project's 51 units is less than the 95 units of Low income projected to be developed according to the RHNA Land Inventory. However, the RHNA Land Inventory shows there is an excess of undeveloped Medium Density Residential Land that equates to 1,545 potential housing units [3,293 (available) -, minus 1,545 (required) = 1,545 excess]]. Consequently, there would be no unaccounted for loss of affordable housing land resulting from the project.
3. That Negative Declaration No. 2017-10 has been prepared for the project. The 20-day review and comment period for the Initial Study began on February 20, 2017, and ended on March 11, 2017. No formal comments were received. Consequently, the Negative Declaration for the project can be adopted as prepared.

RECOMMENDED CONDITIONS OF APPROVAL

Tentative Subdivision Map No. 5558

1. The tentative subdivision map shall be prepared in substantial compliance with Exhibit "A", excepting that prior to recordation of the final map, the Applicant shall modify the map exhibit to affect the proposed property boundaries and net square footages of Lots 3, 8, 16, 24, 30, and 45, to eliminate singular ownership of the common drive aisles associated with those lots. The Applicant shall either revise the proposed lot boundaries of all the benefitting lots to reflect approximately equal ownership of the common drive aisles; or, shall create a common area lot for each drive aisle. Such revision shall be subject to the approval of the City Engineer and City Planner.
2. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles shall be recorded with the final subdivision map. The agreement shall address property owners' responsibility for repair and maintenance of the common drive aisles. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.
3. That the tentative parcel map shall be developed consistent with the comments and conditions of Site Plan Review No. 2016-098, incorporated herein by reference.
4. That Conditional Use Permit No. 2017-02 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
5. That Tentative Subdivision Map No. 5558 shall be null and void unless Conditional Use Permit No. 2017-02 is approved.
6. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
7. That all other federal and state laws and city codes and ordinances be complied with.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Tentative Parcel Map No. 2015-07, prior to the recordation of the parcel map.

Conditional Use Permit No. 2017-02

1. That the planned development be prepared in substantial compliance with Exhibit "A", excepting that that prior to recordation of the final map, the Applicant shall modify the map exhibit to affect the proposed property boundaries and net square footages of Lots 3, 8, 16, 24, 30, and 45, to eliminate singular ownership of the common drive aisles associated with those lots. The Applicant shall either revise the proposed lot boundaries of all the benefitting lots to reflect approximately equal ownership of the common drive aisles; or, shall create a common area lot for each drive aisle. Such revision shall be subject to the approval of the City Engineer and City Planner.
2. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles shall be recorded with the final subdivision map. The agreement shall address property owners' responsibility for repair and maintenance of the common drive aisles. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.

3. That the planned development shall be developed consistent with the comments and conditions of Site Plan Review No. 2016-098, incorporated herein by reference.
4. That Tentative Subdivision Map No. 5888 shall be approved, and that requirements of the subdivision map which relate to this conditional use permit shall be fulfilled.
5. That Conditional Use Permit No. 2017-02 shall be null and void unless Tentative Subdivision Map No. 5558 is approved.
6. That all of the conditions and responsibilities of Conditional Use Permit No. 2017-02 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
7. That all applicable federal, state, regional, and city policies and ordinances be met.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-02, prior to the issuance of any building permit for this project.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.28.080, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the City Clerk.

Attachments:

- Related Plans & Policies
 1. Resolution No. 2017-03 (Tentative Subdivision Map No. 5888)
 2. Resolution No. 2017-02 (Conditional Use Permit No. 2017-02)
Exhibit "A" – Tentative Subdivision Map 5558 /CUP 2017-02 (Catalina)
 3. Sample Declaration Of Shared Driveway Easement And Maintenance Agreement
 4. Site Plan Review Comments
 5. Negative Declaration No. 2017-10
 6. General Plan Land Use Map
 7. Zoning Map
 8. Aerial Map

RELATED PLANS AND POLICIES

City of Visalia General Plan Land Use Element

LU-P-19 Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy. *The General Plan Land Use Diagram establishes three growth rings to accommodate estimated City population for the years 2020 and 2030. The Urban Development Boundary I (UDB I) shares its boundaries with the 2012 city limits. The Urban Development Boundary II (UDB II) defines the urbanizable area within which a full range of urban services will need to be extended in the first phase of anticipated growth with a target buildout population of 178,000. The Urban Growth Boundary (UGB) defines full buildout of the General Plan with a target buildout population of 210,000. Each growth ring enables the City to expand in all four quadrants, reinforcing a concentric growth pattern.*

LU-P-45 Promote development of vacant, underdeveloped, and/or redevelopable land within the City limits where urban services are available and adopt a bonus/incentive program to promote and facilitate infill development in order to reduce the need for annexation and conversion of prime agricultural land and achieve the objectives of compact development established in this General Plan. *Techniques to be used include designation of infill opportunity zones as part of the implementation process and provision of incentives, such as reduced parking and streamlined review, and residential density bonuses, and floor area bonuses for mixed use and/or higher-density development, subject to design criteria and findings of community benefit.*

LU-P-50 Provide development standards to ensure that a mix of detached and attached single-family and multi-family housing types can be compatible in a single development. *Development standards may include but not be limited to requiring heights, setbacks, and building massing to be in scale with surrounding uses or to provide a transition in scale and character; and establishing the spacing of curb cuts and location of parking.*

City of Visalia Subdivision Ordinance [Title 16 of Visalia Municipal Code]

16.16.030 Tentative subdivision maps.

A. The tentative map shall be prepared by a registered civil engineer or a licensed land surveyor in accord with the provisions of the Subdivision Map Act and this title and shall be filed with the city planner. Such filing shall be prior to the completion of final surveys of streets and lots and before the start of any grading or construction work within the proposed subdivision.

B. A minimum of thirty (30) copies of the tentative map, and accompanying reports and statements shall be submitted to the city planner at the time of filing. Filing of required documents will be deemed official upon written receipt from the city planner. (Ord. 9605 § 32 (part), 1996: prior code § 9100)

16.16.090 Staff reports.

Any report or recommendation on a tentative map by the staff of the commission or council shall be in writing and a copy thereof served on the subdivider at least three days prior to any hearing or action on such map by the commission or council. (Prior code § 9135)

16.16.100 Hearing and notice.

A. The city planning commission shall hold a public hearing on an application for a tentative subdivision map or vesting tentative subdivision map.

B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area proposed for subdivision. (Prior code § 9140)

16.16.110 Commission approval.

Within fifty (50) days after the tentative map has been filed with the city planner or at such later date as may be required to concurrently process the appurtenant environmental impact review documents required by state law and local ordinances, the commission shall report in writing to the subdivider their decision regarding approval, conditional approval, or disapproval of the map and the conditions on which such action is based. (Ord. 9605 § 32 (part), 1996: prior code § 9145)

16.16.120 Council action.

The city council may overrule or modify any ruling or determination of the commission in regard to a tentative map and may make conditional exceptions if special circumstances pertaining to the property involved justify a variance from the provisions of this title. (Prior code § 9150)

16.16.130 Expiration of maps and extensions.

A. Expiration. The approval or conditional approval of a tentative map shall expire twenty-four (24) months from the date the map was approved or conditionally approved.

B. Extension. The person filing the tentative map may request an extension of the tentative map approval or conditional approval by written application to the city planner who shall forward it to the planning commission for action. Such application shall be filed before the approval or conditional approval is due to expire. The application shall state the reasons for requesting the extension.

C. Time Limit on Extensions. An extension or extensions of tentative map approval or conditional approval shall not exceed an aggregate of three years. (Ord. 9605 § 32 (part), 1996: prior code § 9155)

Section 16.28.080 Appeals.

If the applicant is dissatisfied with the decision of the planning commission, he may, within ten days after the decision of the planning commission, appeal in writing to the council for a hearing thereon. Such hearing need not be concluded on the day thus set but may be continued. (Prior code § 9245)

Section 16.28.110 Right-of-way dedications.

A. Pursuant to the Subdivision Map Act, the subdivider shall provide such dedication of right-of-way and/or easements as may be required by the planning commission.

B. The planning commission may, at its discretion, require that offers of dedication or dedication of streets include a waiver of direct access rights to any such streets from any property shown on the final map as abutting thereon, in accord with the provisions of the Subdivision Map Act. (Prior code § 9260)

Chapter 16.28: PARCEL MAPS

Section 16.28.020 Advisory agency.

The planning commission is designated as the advisory agency referred to in Article 2 of the Subdivision Map Act and is charged with the duty of making investigations and reports on the design and improvement of proposed divisions of land under this chapter. The city planner is designated as the clerk to the advisory agency with authority to receive parcel maps. (Ord. 9605 § 32 (part), 1996: prior code § 9215)

Section 16.28.060 Hearing and notice.

A. The city planning commission shall hold a public hearing on an application for a tentative parcel map or vesting tentative parcel map.

B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area proposed for subdivision. (Prior code § 9235)

Section 16.28.070 Consideration of tentative parcel maps.

The commission shall review the tentative parcel map and approve, conditionally approve, or disapprove the map within thirty (30) days after the receipt of such map, or at such later date as may be required to concurrently process the appurtenant environmental impact require documents required by state law and local regulations adopted in implementation thereof. (Prior code § 9240)

Section 16.28.080 Appeals.

If the applicant is dissatisfied with the decision of the planning commission, he may, within ten days after the decision of the planning commission, appeal in writing to the council for a hearing thereon. Such hearing need not be concluded on the day thus set but may be continued. (Prior code § 9245)

Section 16.28.110 Right-of-way dedications.

A. Pursuant to the Subdivision Map Act, the subdivider shall provide such dedication of right-of-way and/or easements as may be required by the planning commission.

B. The planning commission may, at its discretion, require that offers of dedication or dedication of streets include a waiver of direct access rights to any such streets from any property shown on the final map as abutting thereon, in accord with the provisions of the Subdivision Map Act. (Prior code § 9260)

City of Visalia Zoning Ordinance [Title 17 of Visalia Municipal Code]

Chapter 17.26: PLANNED DEVELOPMENT

Section 17.26.010 Purpose and intent.

The purpose and intent of the PD regulations contained in this chapter is to provide for land development consisting of a related group of residential housing types or commercial uses, including but not limited to, attached or detached single-family housing, cluster housing, patio homes, town houses, apartments, condominiums or cooperatives or any combination thereof and including related open spaces and community services consisting of recreational, commercial and offices, infrastructure, maintenance and operational facilities essential to the development, all comprehensively planned. Such land development normally requires deviation from the normal zoning regulations and standards regarding lot size, yard requirements, bulk and structural coverage in an effort to maximize the benefits accruing to the citizens of Visalia. (Ord. 9718 § 2 (part), 1997: prior code § 7410)

17.26.040 Development standards.

The following is a list of development standards considered to be necessary to achieve the purpose and intent of this chapter:

A. Site Area.

1. The minimum site area for a planned residential development shall be one acre of gross site area.
2. The minimum site area for a planned unit development shall be ten acres.
3. The minimum site area for a planned commercial development shall be five acres.
4. The minimum site area for a planned industrial development shall be twenty (20) acres.
5. Parcels smaller than the minimums stated above may be considered if the planning commission finds there are unique circumstances (shape, natural features, location, etc.) which would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.

B. Density. The average number of dwelling units per net area shall not exceed the maximum density prescribed by the site area regulations or the site area per dwelling in which the planned unit

development is located, subject to a density bonus which may be granted by the city council upon recommendation by the planning commission. A density bonus may be granted as part of a planned development based on the following guidelines:

Percent of Net Site in Usable Open Space	Area Percent of Density Bonus
6% to 10%	6%
11% to 20%	10%
21% to 25%	16%
Over 25%	20%

C. **Usable Open Space.** Usable open space shall be provided for all planned developments which include residential uses, except as provided in this section. Such open space shall include a minimum of five percent of the net site area of the residential portion of a planned development. The requirement for mandatory usable open space may be waived in developments wherein the net lot area of each lot meets or exceeds minimum standard in the underlying zone classification.

D. **Site Design Criteria.**

1. Location of proposed uses and their relationship to each other with a planned development shall be consistent with general plan policies and ordinance requirements.

2. The natural environment of a site is to be considered as part of the design criteria. Such features as natural ponding areas, waterways, natural habitats, and mature vegetation are to be considered.

3. If a planned development is located adjacent to a major arterial street, or other existing possible land use conflict, adequate buffering shall be included in the plan.

E. **Landscaping and Structural Coverage.** Landscaping provided within a planned development shall conform with the general standards imposed by the underlying zone. Additional landscaping may be required as part of a planned development due to unusual circumstances.

F. **Circulation.**

1. Vehicle circulation shall be based on a street pattern as outlined within the circulation element of the general plan. Use of private streets and variations to normal city street standards are encouraged.

2. There shall be no direct vehicle access from individual lots onto major arterial streets.

3. Pedestrian access and bicycle paths should be incorporated within planned developments. Such paths and bikeways to be separated from vehicle streets when possible.

G. **Parking.**

1. Required parking shall conform with the existing parking standards required under the zoning ordinance.

2. Guest parking and storage parking shall be encouraged and may be required in planned development.

3. All parking shall be screened from adjacent public right-of-way. Such screening may include dense plantings, fences, landscaped berms, or grade separation.

4. Parking clusters shall be provided rather than large (single) parking areas.

H. **Trash Enclosures.**

1. Trash enclosures shall be provided as specified by the city solid waste department.

2. Such enclosures shall be screened from view from adjacent structures and roadways and be provided with solid gates. (Ord. 9718 § 2 (part), 1997: prior code § 7413)

Chapter 17.38: CONDITIONAL USE PERMITS

Section 17.38.110 Action by planning commission.

A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:

1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;

2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.

C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

RESOLUTION NO 2017-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA
APPROVING CATALINA TENTATIVE SUBDIVISION MAP #5558
A REQUEST BY TO SUBDIVIDE 8.76 ACRES INTO 51 LOTS FOR RESIDENTIAL
DEVELOPMENT. THE PROJECT IS ZONED R-M-2 (MULTI-FAMILY RESIDENTIAL,
3,000 SQ.FT. OF LOT AREA PER UNIT), AND IS LOCATED ON THE SOUTH SIDE OF
FERGUSON AVE., APPROXIMATELY 650 FEET WEST OF DINUBA BLVD. (APN 090-
280-004)

WHEREAS, Catalina Tentative Subdivision Map #5558 is a request to subdivide 8.76 acres into 51 lots for residential development. The project is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on March 13, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds the tentative subdivision map in accordance with Section 16.16 of the Subdivision Ordinance of the City of Visalia, and with Section 17.26 of the Zoning Code of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds that Initial Study No. 2017-10 has identified that the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. The Program Environmental Impact Report adequately analyzed and addressed this proposed project.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia approves the proposed tentative subdivision map based on the following specific findings and based on the evidence presented:

1. That the proposed location and layout of the Catalina Tentative Subdivision Map No. 5558, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 8.76-acre project site, which is the site of the proposed 51 lot small lot residential subdivision, is specifically consistent with General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45), and to encouraging a variety of housing products (LU-P-50). Additionally,

General Plan Housing Element Regional Housing Needs Allocation (RHNA) Land Inventory. The project's 51 units is less than the 95 units of Low income projected to be developed according to the RHNA Land Inventory. However, the RHNA Land Inventory shows there is an excess of undeveloped Medium Density Residential Land that equates to 1,545 potential housing units [3,293 (available) -, minus 1,545 (required) = 1,545 excess]]. Consequently, there would be no unaccounted for loss of affordable housing land resulting from the project.

2. That the proposed Catalina Tentative Subdivision Map No. 5558, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. That the proposed tentative subdivision map would be compatible with adjacent land uses. The project site is bordered by existing residential development, a collector street and shopping center.
3. That the site is physically suitable for the proposed tentative subdivision map. The Catalina Tentative Subdivision Map No. 5558 is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The 51-lot subdivision is designed to comply with the City's Engineering Improvement Standards "P-15 – Super Block Connectivity". This policy is to provide full access via the local street connectivity within a superblock thereby reducing trips onto collectors and arterials. The superblock connectivity design allows for through movement and good connections between and within neighborhoods. The completion of the local street connection proposed within the subdivision provides connection to existing neighborhoods. The construction of this local street connection provides an improved path of travel for vehicles and pedestrians of the surrounding area.
4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which although not consistent with the underlying Medium Density Residential General Plan Land Use Designation. The proposed location and layout of the Catalina Tentative Subdivision Map No. 5558, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. Specifically, the project does not meet the development density range (10 to 15 dwelling units per acre) for the RMD (Residential Medium Density). However, the proposed development density of 5.82 can be supported on several bases:
 - A- The site has failed to develop under approved projects at the High Density (15-35 units per acre); and,
 - B- The proposed density facilitates a unique entry level, for sale residential product that is not otherwise available within 7/8ths mile of the project site (Northeast Area Specific Plan); and,
 - C- The proposed project shares a common local public street and common boundaries on the south and west with an older single-family residential development. The new single-family residential product type, along with the similar density range as the existing neighborhood,

will serve to enhance the continuing revitalization of the existing neighborhood.

5. That the proposed Catalina Tentative Subdivision Map No. 5558, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The nine-lot subdivision is designed to comply with the City's Engineering Improvement Standards "P-15 – Super Block Connectivity". This policy is to provide full access via the local street connectivity within a superblock thereby reducing trips onto collectors and arterials. The superblock connectivity design allows for through movement and good connections between and within neighborhoods. The completion of the local street connection proposed within the nine lot subdivision provides connection to existing neighborhoods. The construction of this local street connection provides an improved path of travel for vehicles and pedestrians of the surrounding area. Additionally easements shown on the map as to be abandoned have already been authorized by previous City Council action.
6. That an Initial Study was prepared for the proposed project consistent with CEQA, Initial Study No. 2017-10 disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, the Program Environmental Impact Report adequately analyzed and addressed the proposed project.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative subdivision map on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 16.16.030 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. The tentative subdivision map shall be prepared in substantial compliance with Exhibit "A", excepting that prior to recordation of the final map, the Applicant shall modify the map exhibit to affect the proposed property boundaries and net square footages of Lots 3, 8, 16, 24, 30, and 45, to eliminate singular ownership of the common drive aisles associated with those lots. The Applicant shall either revise the proposed lot boundaries of all the benefitting lots to reflect approximately equal ownership of the common drive aisles; or, shall create a common area lot for each drive aisle. Such revision shall be subject to the approval of the City Engineer and City Planner.
2. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles shall be recorded with the final subdivision map. The agreement shall address property owners' responsibility for repair and maintenance of the common drive aisles. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.

3. That the tentative parcel map shall be developed consistent with the comments and conditions of Site Plan Review No. 2016-098, incorporated herein by reference.
4. That Conditional Use Permit No. 2017-02 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
5. That Tentative Subdivision Map No. 5558 shall be null and void unless Conditional Use Permit No. 2017-02 is approved.
6. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
7. That all other federal and state laws and city codes and ordinances be complied with.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Tentative Parcel Map No. 2015-07, prior to the recordation of the parcel map.

RESOLUTION NO. 2017-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-02, A REQUEST BY JOE GONG FOR A PLANNED DEVELOPMENT TO ALLOW 51 SINGLE-FAMILY RESIDENTIAL UNITS WITH MODIFIED DEVELOPMENT STANDARDS ON 8.76 ACRES. THE PROJECT SITE IS ZONED R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ.FT. OF LOT AREA PER UNIT), AND IS LOCATED ON THE SOUTH SIDE OF FERGUSON AVE., APPROXIMATELY 650 FEET WEST OF DINUBA BLVD. (APN 090-280-004)

WHEREAS, Conditional Use Permit No. 2017-02, is a request by by Joe Gong for a Planned Development to allow 51 single-family residential units with modified development standards on 8.76 acres. The project site is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 13, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2017-02, as conditioned, to be in accordance with Chapter 17.26.10 of the Zoning Ordinance of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared, and adopted which disclosed that no significant environmental impacts would result from this project.

NOW, THEREFORE, BE IT RESOLVED, that Negative Declaration No. 2017-10 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - A. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - B. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

- C. That the proposed tentative subdivision map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance The project specifically supports General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45), and to encouraging a variety of housing products (LU-P-50).
 - D. Development Density (General Plan Land Use Element Table 2-3, Density and Intensity Standards by Land Use Classification). The project does not meet the development density range (10 to 15 dwelling units per acre) for the RMD (Residential Medium Density). However, the proposed development density of 5.82 can be supported on several bases: A- The site has failed to develop under approved projects at the High Density (15-35 units per acre); and, B- The proposed density facilitates a unique entry level, for sale residential product that is not otherwise available within 7/8ths mile of the project site (Northeast Area Specific Plan); and, C- The proposed project shares a common local public street and common boundaries on the south and west with an older single-family residential development. The new single-family residential product type, along with the similar density range as the existing neighborhood, will serve to enhance the continuing revitalization of the existing neighborhood.
 - E. General Plan Housing Element Regional Housing Needs Allocation (RHNA) Land Inventory. The project's 51 units is less than the 95 units of Low income projected to be developed according to the RHNA Land Inventory. However, the RHNA Land Inventory shows there is an excess of undeveloped Medium Density Residential Land that equates to 1,545 potential housing units [3,293 (available) -, minus 1,545 (required) = 1,545 excess]. Consequently, there would be no unaccounted for loss of affordable housing land resulting from the project.
3. That Negative Declaration No. 2017-10 has been prepared for the project. The 20-day review and comment period for the Initial Study began on February 20, 2017, and ended on March 11, 2017. No formal comments were received. Consequently, the Negative Declaration for the project can be adopted as prepared.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.26.10 of the Ordinance Code of the City of Visalia, subject to the following conditions:

- 1. That the planned development be prepared in substantial compliance with Exhibit "A", excepting that that prior to recordation of the final map, the Applicant shall modify the map exhibit to affect the proposed property boundaries and net square footages of Lots 3, 8, 16, 24, 30, and 45, to eliminate singular ownership of the common drive aisles associated with those lots. The Applicant shall either revise the proposed lot boundaries of all the benefitting lots to reflect approximately equal ownership of the common drive aisles; or, shall create a common area lot for each drive aisle. Such revision shall be subject to the approval of the City Engineer and City Planner.
- 2. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles shall be recorded with the final subdivision map. The agreement shall address property owners' responsibility for repair and maintenance of the common drive aisles. The City Planner and City Engineer shall review for

approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.

3. That the planned development shall be developed consistent with the comments and conditions of Site Plan Review No. 2016-098, incorporated herein by reference.
4. That Tentative Subdivision Map No. 5888 shall be approved, and that requirements of the subdivision map which relate to this conditional use permit shall be fulfilled.
5. That Conditional Use Permit No. 2017-02 shall be null and void unless Tentative Subdivision Map No. 5558 is approved.
6. That all of the conditions and responsibilities of Conditional Use Permit No. 2017-02 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
7. That all applicable federal, state, regional, and city policies and ordinances be met.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-02, prior to the issuance of any building permit for this project.

TYPICAL 5-PACK LAYOUT
180' width x 163' depth



SETBACKS (MINIMUM):
LOTS FRONTING
ON PUBLIC ROW

- FRONT YARD:** 15' (18' to garage)
- SIDE YARD:** 5'
- REAR YARD:** 10'

INTERIOR LOTS

- FRONT YARD:** 5' (18' to garage)
- SIDE YARD:** 5'
- REAR YARD:** 5'

PREPARED BY:



4CREEKS

324 S. SANTA FE, SITE A
 P.O. BOX 7598
 VISALIA, CA 93292
 TEL: 559.802.3052
 FAX: 559.802.3215



2006-0094750

7
J

RECORDING REQUESTED BY:
FIRST AMERICAN TITLE INS. CO.

Recorded
Official Records
County of
Tulare
GREGORY B. HARDCASTLE
Clerk Recorder

REC FEE 27.00

RECORDING REQUESTED BY, AND
WHEN RECORDED, MAIL TO:

SPROUL TRÓST LLP
Attn: Curtis C. Sproul, Esq.
2424 Professional Drive
Roseville, California 95661

08:00AM 13-Sep-2006 Page 1 of 7



(Space Above For Recorder's Use)

A 1

DECLARATION OF SHARED DRIVEWAY EASEMENT
AND
MAINTENANCE AGREEMENT

(Palm Ranch Unit 1)

READ, APPROVED AND ACCEPTED

DATE: _____

By: _____

By: _____

(00906973.DOC; 1)

3

**DECLARATION OF SHARED DRIVEWAY EASEMENT
AND MAINTENANCE AGREEMENT
(Palm Ranch Unit 1)**

THIS DECLARATION OF SHARED DRIVEWAY EASEMENT AND MAINTENANCE AGREEMENT ("Declaration") is made this 10th day of July, 2006, by Reynen & Bardis Communities, Inc. a California corporation ("Declarant").

RECITALS

A. Declarant owns that certain real property located in the County of Tulare, State of California, hereinafter referred to as the "Development", and more particularly described as follows:

All of ~~Plat~~ 111 of ~~the~~ Master Parcel Map of "Palm Ranch, Unit No. 1", Recorded in Book 42 of ~~Plat~~ Maps, at Page 26, Tulare County Records, County of Tulare, State of California.

B. The above-referenced Subdivision Map depicts certain easements (the "Driveway Easements"), the paved portion of which is a driveway, to provide access to each of the following Lots (the "Easement Lots"), as shown on the Subdivision Map: 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16, 18, 19, 21, 23, 24, 26, 27, 29, 30, 32, 33, 35, 36, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 50, 51, 53, 54, 56, 57, 59, 61, 62, 63, 65, 67, 68, 69, 71, 73, 74, 75, 77, 79, 80, 82, 83, 85, 86, 88, 90, 91, 92, 94, 96, 97, 98, 100, 102, 103, 104, 106, 108, 109, 110 and 112. The Owners of the Easement Lots are referred to in this Easement as the "Easement Lot Owners". The Driveway Easement also travels over Lots 2, 5, 8, 11, 14, 17, 20, 22, 25, 28, 31, 34, 37, 40, 49, 52, 55, 58, 60, 64, 66, 70, 72, 76, 78, 81, 84, 87, 89, 93, 95, 99, 101, 105, 107 and 111 (the "Burdened Lots"), but does not provide access to the garage that services the residence constructed by the Declarant on the Burdened Lots. The Owners of the Burdened Lots are referred to herein as the "Burdened Lot Owners". Currently the Declarant is the owner of each of the Easement Lots and the Burdened Lots and is therefore the sole Easement Lot Owner. However, this Declaration is appurtenant to the Easement Lots and shall be binding on successor Owners of the Easement Lots. The easements created herein shall become effective upon the first sale of any such Lot to a purchaser other than the Declarant.

C. The Declarant has established a general plan for the development, maintenance, care, improvement, protection, use, occupancy and management of the Lots comprising the Development and, in furtherance thereof, has imposed covenants, restrictions, reservations rights, easements, equitable servitudes, liens and charges upon the property comprising the Development by the recordation of a "Declaration of Covenants, Conditions and Restrictions for "Palm Ranch Unit 1" on Sept. 12, 2006, as Document No. 2006-094246, Official Records of Tulare County, California (the "Declaration").

D. Among other responsibilities, the Declaration obligates the Easement Lot Owners to maintain, repair, and replace the roadway improvements within the Driveway Easement.

E. In order to ensure that the Easement Lot Owners will have vehicular and pedestrian ingress, egress, and access from the garage on their Lots to the public streets within the Development and to effectuate the maintenance obligations of the Driveway Easement, Declarant desires to create, establish and reserve herein non-exclusive reciprocal easements appurtenant to each of the Easement Lots for ingress, egress, access, and maintenance along, over and across the Driveway Easement. This Declaration is intended to establish and create easements and covenants that will run with the land in accordance with California Civil Code section 1468.

DECLARATION ESTABLISHING DRIVEWAY EASEMENTS

NOW, THEREFORE, the Declarant hereby declares as follows:

1. Access and Utility Easements Over the Driveway Easement. Declarant hereby grants and hereby reserves, on behalf of itself (for so long as the Declarant owns any Easement Lot), and for the other Easement Lot Owners, and their successors and assigns who acquire an interest in any of the Easement Lots, a non-exclusive reciprocal easement appurtenant to and for the benefit of each Easement Lot for vehicular and pedestrian ingress, egress, access, maintenance, drainage, and utilities, on, over and across the Driveway Easement. The easements granted and reserved hereby are appurtenant to the real property comprising the Easement Lots and the Burdened Lots. The easements so granted are subject to the provisions set forth in this Easement, the Declaration, and those easements created by the Subdivision Map referenced in Recital "A", above. For purposes of this Declaration, each of the Easement Lots is both a benefited and a burdened Lot, whereas the Burdened Lots are simply subject to the Driveway Easement.

2. Use Restriction on Use of the Driveway Easement. No Easement Lot Owner or Burdened Lot Owner shall use any portion of the Driveway Easement in any manner that impairs or obstructs the passage of pedestrians or vehicles for the purpose of ingress, egress, and access to the garages and residences serviced by the Driveway Easement. No Easement Lot Owner or resident of an Easement Lot shall permit the regular use of the Driveway Easement by vehicles with a gross carrying capacity in excess of three quarter tons or other heavy machinery or equipment that is likely to cause extraordinary wear and tear to the paved surface of the Driveway Easement. Occasional access and use by vehicles larger than those authorized hereunder shall be permitted, as when access is required for construction projects involving an Easement Lot or the delivery of goods or services to Owners or residents of an Easement Lot. The Driveway

Easement is not to be used for the parking of vehicles. Instead, vehicles shall be parked entirely within the garages that are accessed by the Driveway Easement.

3. Maintenance and Repair of the Driveway Easement.

3.1. Obligation to Maintain the Driveway Easement. In order to maintain property values throughout the Development the Easement Lot Owners shall have an obligation, one to another, as well as, to other residents of the Development, to maintain the Driveway Easement in a neat and attractive condition that is commensurate with the quality of maintenance that is prevailing for other Driveway Easements in the Development.

3.2. Procedures for Commencing Maintenance or Repair Work. In the event that any Easement Lot Owner determines that the Driveway Easement requires repair, replacement, or other maintenance, such Owner shall, before commencing any such work: (i) obtain and provide to each of the other Easement Lot Owner(s) a written estimate of the cost of the work, and (ii) attempt to obtain the prior consent of such other Easement Lot Owner(s) before commencing the work and incurring associated expenses. The notice of the proposed scope of work and the estimated expenses to complete the proposed project shall be given to all Easement Owners at least thirty (30) days prior to commencement of the work or execution of a contract for the work. The Owners of either of the Burdened Lots shall also have the right to provide notice to the Easement Lot Owners of repairs or maintenance to the Driveway Easement that the noticing Burdened Lot Owner(s) believes to be necessary or appropriate.

So long as all Easement Lot Owners are given notice of the proposed scope of work and the estimated expenses to complete the project, the decision of a majority of the Easement Lot Owners to undertake the project and incur the associated expenses shall be binding on all of the Easement Lot Owners. If the proposed improvement or repair project is rejected by a majority of the Easement Lot Owners, the proponent of the project acting individually or joined by other Easement Lot Owners and/or Burdened Lot Owners who wish to proceed with the project may seek to resolve the matter in accordance with Civil Code section 845 which provides a process for the resolution of easement maintenance disputes involving private rights of way.

3.3. Allocation of Expenses. Except as provided in Section 3.4, below, all Easement Lot Owners shall share equally in the cost of maintaining, repairing and replacing the Driveway Easement. When costs are incurred pursuant to this Easement, each Easement Lot Owner shall pay his or her respective share of any Driveway Easement maintenance or repair expenses within twenty (20) days of receipt of a billing statement. If any Easement Lot Owner does not pay his or her share within that twenty (20) day period, all or any of the other Easement Lot Owners shall have the right to pursue collection pursuant to the Small Claims Court Act (California Code of Civil Procedure sections 116.110 et seq.). The Burdened Lot Owners shall have no

responsibility for any portion of those Driveway Easement repair or maintenance expenses.

3.4. Individual Responsibility for Intentional Damage or Extraordinary Wear. Each Easement Lot Owner is solely responsible for the cost of repair, replacement or other maintenance to the Driveway Easement that is necessitated as a result of extraordinary wear and tear or intentional damage caused by such Lot Owner or the Owner's tenants or other occupants of the Easement Lot Owner's residence.

4. Release, Waiver and Indemnity. Each Easement Lot Owner shall be liable for, and shall release, defend, indemnify and hold harmless such Owner's adjacent Easement Lot Owner(s) and Burdened Lot Owners from and against, any and all claims, suits, judgments, losses, damages or liabilities of any nature (including, but not limited to, property damage, personal injury, wrongful death, actual attorneys' fees and costs of suit) arising from or related to each such Easement Lot Owner's use of, or each such Owner's maintenance and repair to, or other improvement activities in, the Driveway Easement, unless the claim results from the gross negligence of another Easement Lot Owner or Burdened Lot Owner, his or her tenants, guests or invitees.

5. Notice Regarding Insurance Liability Protection. Each Easement Lot Owner and Burdened Lot Owner should consult with his or her insurance agent or broker regarding the advisability of maintaining in full force and effect, at the Owner's sole cost and expense, a comprehensive general policy of liability insurance naming any other Easement Lot Owners and Burdened Lot Owners as additional insureds and covering injury, death or disability of any person, or damage to property, occurring in, on or about the such other Owner's property that is subject to the Driveway Easement.

6. Enforcement. All of the provisions of this Declaration shall be enforceable as equitable servitudes and constitute covenants running with the land pursuant to applicable law, including, but not limited to, California Civil Code sections 845 and 1468, so as to be binding upon each successor Easement Lot Owner.

7. Amendment. This Declaration may only be amended in a writing executed by all Easement Lot Owners and Burdened Lot Owners at the time of such amendment; provided, however, in no event shall any amendment be made that would be inconsistent with any provisions in the Declaration pertaining to Driveway Easements or in any way that increases the burdens imposed on the Burdened Lots and their Owners (unless the consent of both Burdened Lot Owners is also obtained).

8. Attorneys' Fees; Prejudgment Interest. If the services of an attorney are required by any Easement Lot Owner or Burdened Lot Owner to secure the performance of this Easement or otherwise upon the breach or default of another Easement Lot Owner, or if any judicial remedy or arbitration is necessary to enforce or interpret any provision of this Easement or the rights and duties of any person in relation thereto, the prevailing party shall be entitled to reasonable attorneys' fees, costs and other expenses, in addition

to any other relief to which such party may be entitled. Any award of damages following pursuit of any judicial remedy or arbitration as a result of the breach of this Declaration or any of its provisions shall include an award of prejudgment interest from the date of the breach at the maximum amount of interest allowed by law:

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first noted above.

DECLARANT:

**REYNEN & BARDIS COMMUNITIES
INC., a California corporation**

By: 

Name: _____

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On July 10, 2006, before me, Lori A. Rispoli
a Notary Public in and for the State of California, personally appeared
John L. Reegan, personally known to me (or proved to me
on the basis of satisfactory evidence) to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he or she executed the same in his or her
authorized capacity and that, by his or her signature on the instrument, the person or the
entity upon behalf of which he or she acted, executed the instrument.

WITNESS my hand and official seal.

(Notarial Seal)



Lori A. Rispoli
Notary Public in and for said State



MEETING DATE December 7, 2016
SITE PLAN NO. 16-151
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with
 Planning Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

Tentative Subdivision Map

HISTORIC PRESERVATION

OTHER -

ADDITIONAL COMMENTS:

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.2
Site Plan Review Committee

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500

16-151

ferguson & conyer

COMMERCIAL BIN SERVICE

No comments.

Same comments as

Revisions required prior to submitting final plans. See comments below.

Resubmittal required. See comments below.

Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing in recycle containers.

ALL refuse enclosures must be R-3 OR R-4

Customer must provide combination or keys for access to locked gates/bins

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

Inadequate number of bins to provide sufficient service. See comments below.

Drive approach too narrow for refuse trucks access. See comments below.

Area not adequate for allowing refuse truck turning radius of :
Commercial (X) 50 ft. outside 36 ft. inside; Residential () 35 ft. outside, 20 ft. inside.

Paved areas should be engineered to withstand a 55,000 lb. refuse truck.

Bin enclosure gates are required

Hammerhead turnaround must be built per city standards.

Cul - de - sac must be built per city standards.

Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.

Area in front of refuse enclosure must be marked off indicating no parking

Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.

Customer will be required to roll container out to curb for service.

Must be a concrete slab in front of enclosure as per city standards
The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.

Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post
see page 2 for instructions

COMMENTS

Residential can service ok.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338
Earl Nielsen, Solid Waste Manager

**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

ITEM NO: 9 DATE: December 07, 2016
SITE PLAN NO: SPR16151 **RESUBMIT**
PROJECT TITLE: FERGUSON RESIDENTIAL 5-PACK DESIGN
DESCRIPTION: TENTATIVE SUBDIVISION MAP CONSISTING OF 51
RESIDENTIAL UNITS. CUP FOR PRD
APPLICANT: GONG JOE
PROP OWNER: GONG JOE Y & CORA Y (TRS FAM REV TR)
LOCATION: SE CORNER OF FERGUSON AVE & CONYER ST
APN(S): 090-280-004


YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER – ¾ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED – NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA
PUBLIC WORKS DEPARTMENT
QUALITY ASSURANCE DIVISION
7579 AVENUE 288
VISALIA, CA 93277



AUTHORIZED SIGNATURE

12-2-16

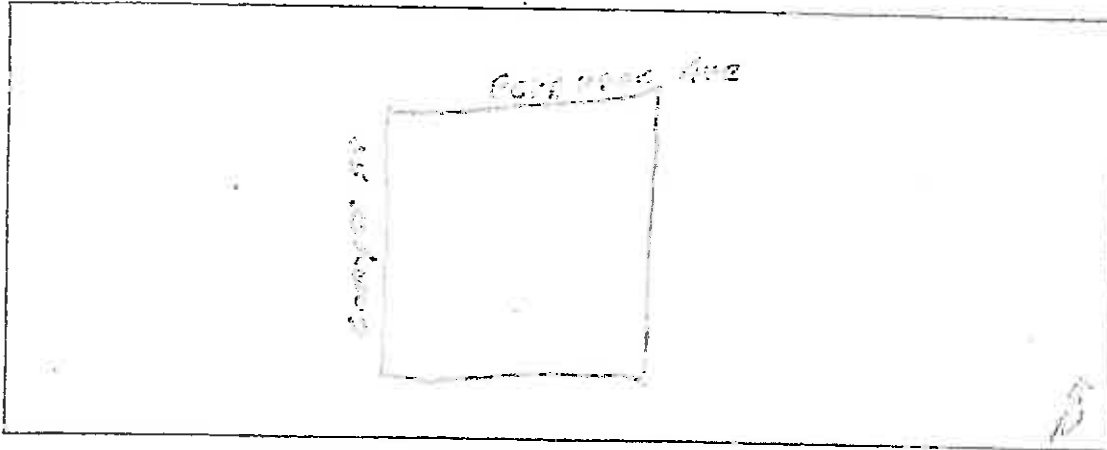
DATE

City of Visalia
Parks and Urban Forestry
336 N. Ben Maddox Way
Visalia, CA 93292

Date: 10-13-16 / 11/3/16 / 12-6-16

Site Plan Review # 13151

SITE PLAN REVIEW COMMENTS



COMMENTS: See Below None

- Please plot and protect all Valley Oak Trees.
- Landscape along parkway to be planted by developer and maintained by a maintenance district.
- All drainage from curb and gutter along streets to be connected to storm drain system.
- All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
- Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: _____

~~Must plant the protected trees and maintain.~~
~~No new trees allowed.~~
~~No trees.~~
~~No trees.~~

Joel Hooyer

Parks and Urban Forestry Supervisor

559 713-6295

Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us


City of Visalia
Building: Site Plan
Review Comments

ITEM NO: **9** **December 07, 2016**
 SITE PLAN NO: **SPR16151** **RESUBMIT**
 PROJECT TITLE: **FERGUSON RESIDENTIAL 5-PACK DESIGN**
 DESCRIPTION: **TENTATIVE SUBDIVISION MAP CONSISTING OF 51 RESIDENTIAL UNITS. CUP FOR PRD GONG JOE**
 APPLICANT: **GONG JOE**
 PROP OWNER: **GONG JOE Y & CORA Y (TRS FAM REV TR)**
 LOCATION: **SE CORNER OF FERGUSON AVE & CONYER ST**
 APN(S): **090-280-004**

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project
 Please refer to the applicable California Codes & local ordinance for additional requirements.

- Business Tax Certification is required. *For information call (559) 713-4326*
- A building permit will be required. *For information call (559) 713-4444*
- Submit 4 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 4 sets of plans prepared by an architect or engineer. Must comply with 2013 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking, common area and public right of way must comply with requirements for access for persons with disabilities.
- Multi family units shall be accessible or adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required clearance from San Joaquin Valley Air Pollution Board. Prior to am demolition work
For information call (661) 392-5500
- Location of cashier must provide clear view of gas pump island
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-7400*
- Project is located in flood zone AE * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.56 per square foot. Residential \$3.75 per square foot.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments
- See previous comments dated: _____

Special comments: _____


 Signature _____ Date: 12/07/16



Site Plan Review Comments For:

City of Visalia
Fire Department
707 W Acequia
Visalia, CA 93291
559-713-4261 office
559-713-4808 fax

ITEM NO: 9

DATE: December 07, 2016

SITE PLAN NO: SPR16151 **RESUBMIT**
PROJECT TITLE: FERGUSON RESIDENTIAL 5-PACK DESIGN
DESCRIPTION: TENTATIVE SUBDIVISION MAP CONSISTING OF 51
RESIDENTIAL UNITS. CUP FOR PRD
GONG JOE
APPLICANT: GONG JOE Y & CORA Y (TRS FAM REV TR)
PROP OWNER: SE CORNER OF FERGUSON AVE & CONYER ST
LOCATION: 090-280-004
APN(S):

The following comments are applicable when checked:

- The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2013 California Fire Code (CFC), 2013 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2013 CFC 901.6*
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

General:

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, bolt locks, and panic and fire exit hardware.
- Provide illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. *2013 CFC 304.3.3*

- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2013 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

Water Supply:

- Construction and demolition sites shall have an approved water supply for fire protection, either temporary or permanent, and shall be made available as soon as combustible material arrives on the site. *2013 CFC 3312*

- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.

- There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.)

- Fire hydrant spacing shall comply with the following requirements:
The exact location of fire hydrants and final decision as to the number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120 & 16.36.120(8)*
 - Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Commercial or industrial developments shall be provided with fire hydrants every three hundred (300) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Commercial or industrial developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every five hundred (500) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

- When any portion of a building is in excess of one hundred fifty (150) feet from a water supply on a public street there shall be provided on site fire hydrants and water mains capable of supplying the required fire flow. *Visalia Municipal Code 16.36.120(6)*

Emergency Access:

- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. 2013 CFC 3310

- Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. 2013 CFC D105

- A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. 2013 CFC 503.1.1

- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

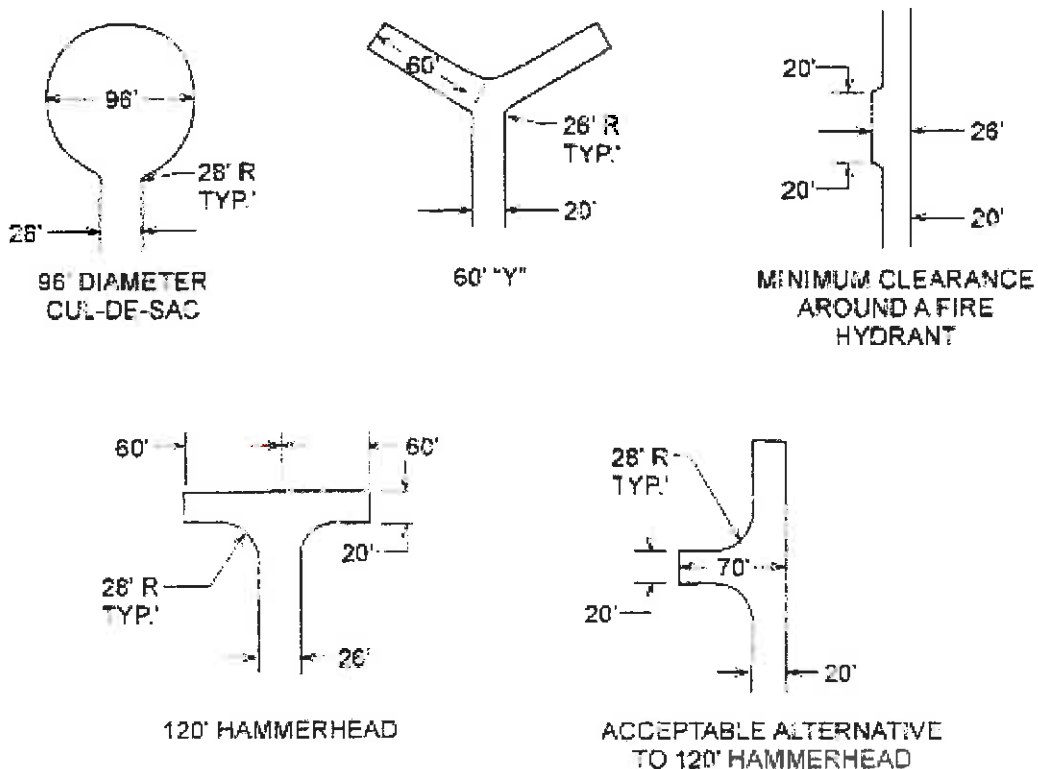


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND


- Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:
2013 CFC D103.5
- Typical chain and lock shall be the type that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system.
 - Gates shall be of the swinging or sliding type.
 - Gates shall allow manual operation by one person. (power outages)
 - Gates shall be maintained in an operative condition at all times.
 - Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- In any and all new One- or two-family dwellings residential developments regardless of the number of units, street width shall be a minimum of 36 feet from curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments that don't allow parking on the streets. *2013 CFC D107.2*

Fire Protection Systems:

- An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120(7)*
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2013 CFC 904.11& 609.2*

Special Comments:

- SEE MAP FOR TURNING RADIUS CORRECTION.


KURTIS BROWN
FIRE MARSHAL

City of Visalia
Police Department
303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4370

ITEM NO: 9

DATE: December 07, 2016

SITE PLAN NO:

SPR16151

RESUBMIT

PROJECT TITLE:

FERGUSON RESIDENTIAL 5-PACK DESIGN

DESCRIPTION:

TENTATIVE SUBDIVISION MAP CONSISTING OF 51
RESIDENTIAL UNITS. CUP FOR PRD
GONG JOE

APPLICANT:

GONG JOE Y & CORA Y (TRS FAM REV TR)

PROP OWNER:

SE CORNER OF FERGUSON AVE & CONYER ST

LOCATION:

APN(S):

090-280-004

Site Plan Review Comments

No Comment at this time.

Request opportunity to comment or make recommendations as to safety issues as plans are developed.

Public Safety Impact fee:

Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.

Not enough information provided. Please provide additional information pertaining to:

Territorial Reinforcement: Define property lines (private/public space).

Access Controlled / Restricted etc:

Lighting Concerns:

Landscaping Concerns:

Traffic Concerns:

Surveillance Issues:

Line of Sight Issues:

Other Concerns:

Visalia Police Department

U92

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025 Andrew Chamberlain 713-4003

Date: December 07, 2016

SITE PLAN NO: 2016-151 RESUBMITTAL
PROJECT TITLE: Tentative Subdivision – Small Lot
DESCRIPTION: Tentative Subdivision – Small Lot (R-M-2)
APPLICANT: Joe Gong
PROP. OWNER: Joe Gong
LOCATION TITLE: S/E cor. Conyer & Ferguson
APN TITLE: 090-280-004
GENERAL PLAN: Medium Density Residential
EXISTING ZONING: R-M-2

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Tentative Map
- Conditional Use Permit – for lots without public street frontage (PUD)
- Variance to R-M-2 setbacks (may be covered under CUP)
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION (12-07-2016):

1. Provide a looped drive between lots 43/44 and 47/48 to meet Fire Department requirements.
2. Re-design map removing access drives to Ferguson Ave and restricting this access point to Emergency Exit Only for Fire/Police.
3. Provide detailed layout of privacy fencing/landscaping/solid waste can storage/red curb areas shown as "No Parking".
4. Show how guest parking will be accommodated.
5. The "Typical 5-Pack Layout" shown on this plan has been used in the City of Tulare, and may be applicable for this project.
6. ~~The "7-Pack Layouts" shown at the south side of Highland Court will not be supported by staff due to the depth of the layout and number of turns to reach the units.~~
7. The setback along the south property line, adjacent to the existing single-family residential units, should be maximized.
8. Unit density is 7.21 units per acre which is below the Medium Density Residential density range of 10 to 15 units per acre.
9. See Fire and Police comments.
10. Through the CUP process, restrictions on parking, storage locations of solid waste cans, units not being eligible for garage conversions, no storage of boats/trailers/unlicensed vehicles/campers/and similar vehicles outside of the garage.
11. Would the units be allowed patio cover expansions/additions, storage sheds, swimming pools, if so what are the standards.

PROJECT SPECIFIC INFORMATION: October 19/2016

1. Provide detailed layout of privacy fencing/landscaping/solid waste can storage/red curb areas shown as "No Parking".
2. Will this section of Highland Court need to be red curbed or signed for no parking on trash days to accommodate the solid waste cans.
3. Show how guest parking will be accommodated.

4. The "Typical 5-Pack Layout" shown on this plan has been used in the City of Tulare, and may be applicable for this project.
5. The "7-Pack Layouts" shown at the south side of Highland Court will not be supported by staff due to the depth of the layout and number of turns to reach the units.
6. The setback along the south property line, adjacent to the existing single family residential units, should be maximized.
7. Provide a % figure for the proposed Pocket Park related to the net area for the project.
8. Unit density is 7.21 units per acre which is below the Medium Density Residential density range of 10 to 15 units per acre.
9. See Fire and Police comments.
10. See Engineering comments related to the Conyer Street frontage and improvements.
11. Through the CUP process, restrictions on parking, storage locations of solid waste cans, units not being eligible for garage conversions, no storage of boats/trailers/unlicensed vehicles/campers/and similar vehicles outside of the garage.
12. Would the units be allowed patio cover expansions/additions, storage sheds, swimming pools, if so what are the standards.
13. Staff recommends that the strip (4-6 feet) of landscaping directly adjacent to the main access drives street connection be maintained as a part of the LLA/HOA/other, and that solid waste cans may not be stored in this location.

- Staff initial finding is that the proposed site plan MAY BE CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide screened trash enclosure with solid screening gates (ZO Section 17.30.130.F).
3. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
4. If there is an anticipated grade difference of more than 12-inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.
5. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

1. The City has adopted the State Water Efficient Landscape Ordinance. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.**
2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).

3. In the P(R-M) multi-family residential zone, all multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained. (ZO Section 17.16.180)
4. All landscape areas to be protected with 6-inch concrete curbs (ZO Section 17.30.130.F).
5. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
6. Provide a detailed landscape and irrigation plan as a part of the building permit package.
7. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls.
8. Provide a detailed landscape and irrigation plan for review prior to issuance of building permits. Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.
9. Provide a conceptual landscape plan for resubmittal or planning commission review.
10. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).
11. Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature 

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

December 7, 2016

ITEM NO: 9	RESUBMTL
SITE PLAN NO.	SPR16151
PROJECT TITLE:	FERGUSON RESIDENTIAL 5-PACK DESIGN
DESCRIPTION:	TENTATIVE SUBDIVISION MAP CONSISTING OF 31 RESIDENTIAL UNITS. CUP FOR PRD
APPLICANT:	GONG JOE
PROP. OWNER:	GONG JOE Y & CORA Y (TRS FAM REV TR)
LOCATION:	SE CORNER OF FERGUSON AVE & CONYER ST
APNS#:	090-266-004

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at *intersections*.
- Install Stop Signs at on local street with collector/arterial status roadway.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.
 - Provide more traffic information such as a TIA may be required.
 - Depending on development size, characteristics, etc.,

Additional Comments:

•



Leslie Blair

**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 9 DATE: DECEMBER 7, 2016

SITE PLAN NO.: 16-151 2ND RESUBMITTAL
PROJECT TITLE: FERGUSON RESIDENTIAL 5-PACK DESIGN
DESCRIPTION: TENTATIVE SUBDIVISION MAP CONSISTING OF
53 RESIDENTIAL UNITS. CUP FOR PRD
APPLICANT: GONG JOE
PROP. OWNER: GONG JOE Y & CORA Y (TRS FAM REV TR)
LOCATION: SE CORNER OF FERGUSON AVE & CONYER ST
APN: 090-280-004

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work; Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership. by map by deed
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required. CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: David Deel (Planning) 488-4088
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy. Access required on ditch bank, 12' minimum. Provide wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site

basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.

- Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements. A permit is required to remove oak trees. The City will evaluate Oak trees with removal permit applications. Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application. A pre-construction conference is required. Contact: Joel Hooyer, City Arborist, 713-4295
 - Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
 - Relocate existing utility poles and/or facilities. **AS NECESSARY FOR PUBLIC STREET CONSTRUCTION**
 - Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
 - Provide "R" value tests: **1** each at **300' INTERVALS**
 - Traffic indexes per city standards: **LOCAL & COLLECTOR**
 - All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
 - All lots shall have separate drive approaches constructed to City Standards.
 - Install street striping as required by the City Engineer.
 - Install sidewalk: **5 ft. wide, with 10 ft. wide parkway on FERGUSON AVE.**
 - Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
 - Subject to existing Reimbursement Agreement to reimburse prior developer:
 - Abandon existing wells per City of Visalia Code. A building permit is required.
 - Remove existing irrigation lines & dispose off-site. Remove existing leach fields and septic tanks.
 - Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
 - If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
 - If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments Resubmit with additional information Redesign required

Additional Comments:

- 1. Proposed subdivision will need to meet Fire Dept. and Solid Waste Dept. requirements. Revise accordingly.***
- 2. Comply with local and collector status City street standards and specifications.***
- 3. A Landscape and Lighting District will need to be formed to maintain the landscape lots and block wall along Ferguson Ave., all street lights, pocket park, street maintenance to Highland Ct. and Conyer St.***
- 4. Proposed subdivision will require the abandonment of the City owned ditch lot and existing public right-of-way for the future Conyer alignment. The Right-of-way Summary Abandonment fee of \$2,073 will apply, to be collected at time of final map. Refer to City format and procedures.***
- 5. Street lights will be required to be installed along all street frontages. Refer to City standards for placement and design.***
- 6. N. Highland Ct. will be further reviewed for street name accuracy.***
- 7. Refer to further conditions set forth by the Planning Dept.***

8. Sewer and Storm Drain master plan shall be submitted with civil plan. There are existing mains in Ferguson Ave. Extend mains to serve development.

9. The radius of the the curb returns at the local street connections to Ferguson Ave. shall comply with the City's 30' R standard.

10. The existing block wall along the east side of proposed project and existing fence along southerly development shall not retain more than 6" of soil per City standards. A new fence or wall will be required if soil retention is greater than 6".

11. Subdivision is located in a high risk flood zone. Additional construction and elevation requirements will be necessary per City standards and CA Building Codes.

12. Development impact fees will apply. Refer to page 4 for fee summary.

13. The parkway frontages along N. Highland Ct. and Conyer St. will be required to be maintained by their respective lot owners. The Landscape and Lighting District will only account for the maintenance of the street trees along these parkway frontages.

14. Additional right-of-way will be required at the corner lots to accommodate a City standard curb ramp return.

15. The proposed access drive for resident ingress/egress to Ferguson Ave. is not supported. A 20' wide "Fire emergency vehicle exit only" lane will be supported to assist with design constraints. The exit cannot be utilized by residents. New design shall be submitted as an "off-agenda" item for further approval.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **16-151 2nd RESUBMITTAL**

Date: **12/7/2016**

Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:

(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)

(Fee Schedule Date:**10/1/2016**)

(Project type for fee rates:**SFD**)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
------------------------	------------------------

<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$751/UNIT
---	-------------------

Sewer Front Foot Fee

<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	\$4,858/AC
--	-------------------

<input checked="" type="checkbox"/> Park Acquisition Fee	\$1,477/AC
--	-------------------

Northeast Acquisition Fee Total
Storm Drainage
Block Walls
Parkway Landscaping
Bike Paths

<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$2,435/AC
---	-------------------

Additional Development Impact Fees will be collected at the time of issuance of building permits.

City Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject planned facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



Adrian Rubalcaba

**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 9 DATE: DECEMBER 7, 2016

SITE PLAN NO.: 16-151 2ND RESUBMITTAL
PROJECT TITLE: FERGUSON RESIDENTIAL 5-PACK DESIGN
DESCRIPTION: TENTATIVE SUBDIVISION MAP CONSISTING OF
53 RESIDENTIAL UNITS. CUP FOR PRD
APPLICANT: GONG JOE
PROP. OWNER: GONG JOE Y & CORA Y (TRS FAM REV TR)
LOCATION: SE CORNER OF FERGUSON AVE & CONYER ST
APN: 090-280-004

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work; Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership. by map by deed
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required. CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: David Deel (Planning) 488-4088
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy. Access required on ditch bank, 12' minimum. Provide wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site

basin: ; maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.

- Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements. A permit is required to remove oak trees. The City will evaluate Oak trees with removal permit applications. Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application. A pre-construction conference is required. Contact: Joel Hooyer, City Arborist, 713-4295
 - Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
 - Relocate existing utility poles and/or facilities. **AS NECESSARY FOR PUBLIC STREET CONSTRUCTION**
 - Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
 - Provide "R" value tests: **1** each at **300' INTERVALS**
 - Traffic indexes per city standards: **LOCAL & COLLECTOR**
 - All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
 - All lots shall have separate drive approaches constructed to City Standards.
 - Install street striping as required by the City Engineer.
 - Install sidewalk: **5 ft. wide, with 10 ft. wide parkway on FERGUSON AVE.**
 - Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
 - Subject to existing Reimbursement Agreement to reimburse prior developer:
 - Abandon existing wells per City of Visalia Code. A building permit is required.
 - Remove existing irrigation lines & dispose off-site. Remove existing leach fields and septic tanks.
 - Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
 - If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
 - If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments Resubmit with additional information Redesign required

Additional Comments:

- 1. Proposed subdivision will need to meet Fire Dept. and Solid Waste Dept. requirements. Revise accordingly.***
- 2. Comply with local and collector status City street standards and specifications.***
- 3. A Landscape and Lighting District will need to be formed to maintain the landscape lots and block wall along Ferguson Ave., all street lights, pocket park, street maintenance to Highland Ct. and Conyer St.***
- 4. Proposed subdivision will require the abandonment of the City owned ditch lot and existing public right-of-way for the future Conyer alignment. The Right-of-way Summary Abandonment fee of \$2,073 will apply, to be collected at time of final map. Refer to City format and procedures.***
- 5. Street lights will be required to be installed along all street frontages. Refer to City standards for placement and design.***
- 6. N. Highland Ct. will be further reviewed for street name accuracy.***
- 7. Refer to further conditions set forth by the Planning Dept.***

8. Sewer and Storm Drain master plan shall be submitted with civil plan. There are existing mains in Ferguson Ave. Extend mains to serve development.

9. The radius of the the curb returns at the local street connections to Ferguson Ave. shall comply with the City's 30' R standard.

10. The existing block wall along the east side of proposed project and existing fence along southerly development shall not retain more than 6" of soil per City standards. A new fence or wall will be required if soil retention is greater than 6".

11. Subdivision is located in a high risk flood zone. Additional construction and elevation requirements will be necessary per City standards and CA Building Codes.

12. Development impact fees will apply. Refer to page 4 for fee summary.

13. The parkway frontages along N. Highland Ct. and Conyer St. will be required to be maintained by their respective lot owners. The Landscape and Lighting District will only account for the maintenance of the street trees along these parkway frontages.

14. Additional right-of-way will be required at the corner lots to accommodate a City standard curb ramp return.

15. The proposed access drive for resident ingress/egress to Ferguson Ave. is not supported. A 20' wide "Fire emergency vehicle exit only" lane will be supported to assist with design constraints. The exit cannot be utilized by residents. New design shall be submitted as an "off-agenda" item for further approval.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **16-151 2nd RESUBMITTAL**

Date: **12/7/2016**

Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:

(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)

(Fee Schedule Date:**10/1/2016**)

(Project type for fee rates:**SFD**)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$751/UNIT
<input type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	\$4,858/AC
<input checked="" type="checkbox"/> Park Acquisition Fee	\$1,477/AC
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$2,435/AC

Additional Development Impact Fees will be collected at the time of issuance of building permits.

City Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject planned facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



Adrian Rubalcaba

CITY OF VISALIA
315 E. ACEQUIA STREET
VISALIA, CA 93291

**NOTICE OF A PROPOSED
NEGATIVE DECLARATION**

Project Title: Tentative Subdivision Map No. 5558 and Conditional Use Permit CUP 2017-02 Catalina Planned Unit Development

Project Description:

Catalina Tentative Subdivision Map No. 5558: A request to subdivide 8.76 acres into 51 lots for residential development. The project is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004)

Conditional Use Permit (CUP) No. 2017-02: A request by Joe Gong for a Planned Development to allow 51 single-family residential units with modified development standards on 8.76 acres. The project site is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004)

Project Location: South side of Ferguson Ave., approximately 600 feet west of Dinuba Blvd. (APN 090-280-004)

Contact Person: Paul Scheibel, AICP, Principal Planner

Phone: (559) 713-4369

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration: Initial Study No. 2017-10 has not identified any significant, adverse environmental impact(s) that may occur because of the project that cannot be mitigated to a level of non-significance. Mitigation measures to be applied to this project are as follows:

Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA.

Comments on this proposed Mitigated Negative Declaration will be accepted from February 21, 2017, to March 11, 2017.

Date: _____

Signed: _____

Paul Scheibel, AICP
Environmental Coordinator
City of Visalia

MITIGATED NEGATIVE DECLARATION

Project Title: Annexation No. 2016-02, General Plan Amendment (GPA) 2016-10 and Tentative Subdivision Map No. 5557 (Lowery West Annexation)

Project Description:

Catalina Tentative Subdivision Map No. 5558: A request to subdivide 8.76 acres into 51 lots for residential development. The project is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004)

Conditional Use Permit (CUP) No. 2017-02: A request by Joe Gong for a Planned Development to allow 51 single-family residential units with modified development standards on 8.76 acres. The project site is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004)

Project Location: South side of Ferguson Ave., approximately 600 feet west of Dinuba Blvd. (APN 090-280-004)

Contact Person: Paul Scheibel, AICP, Principal Planner Phone: (559) 713-4369

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration: Initial Study No. 2017-10 has not identified any significant, adverse environmental impact(s) that may occur because of the project that cannot be mitigated to a level of non-significance. Mitigation measures to be applied to this project are as follows:

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

Attachments:

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Mitigation Measures	(X)
Traffic Impact Statement	()

DECLARATION OF NO SIGNIFICANT EFFECT:

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

- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

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

APPROVED
Paul Scheibel, AICP
Environmental Coordinator

By: _____

Date Approved: _____

Review Period: 20 days

INITIAL STUDY

I. GENERAL

A. Project Information:

Project Title: Annexation No. 2016-02, General Plan Amendment (GPA) 2016-10 and Tentative Subdivision Map No. 5557 (Lowery West Annexation)

Project Description:

Catalina Tentative Subdivision Map No. 5558: A request to subdivide 8.76 acres into 51 lots for residential development. The project is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004)

Conditional Use Permit (CUP) No. 2017-02: A request by Joe Gong for a Planned Development to allow 51 single-family residential units with modified development standards on 8.76 acres. The project site is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and is located on the south side of Ferguson Ave., approximately 650 feet west of Dinuba Blvd. (APN 090-280-004)

Project Location: South side of Ferguson Ave., approximately 600 feet west of Dinuba Blvd. (APN 090-280-004)

Contact Person: Paul Scheibel, AICP, Principal Planner Phone: (559) 713-4369

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration: Initial Study No. 2017-10 has not identified any significant, adverse environmental impact(s) that may occur because of the project that cannot be mitigated to a level of non-significance. Mitigation measures to be applied to this project are as follows:

B. Identification of the Environmental Setting:

The 66.2-acre project is located on the northeast corner of Akers Street and Riggin Avenue (APNs 077-060-006 and 077-060-028). The 58-acre site is located approximately 1,800 feet northeast of the northeast corner of Akers St. and Riggin Ave., and south of Riverway Drive (APNs 077-060-023 and 077-060-024 (partial)).

The surrounding uses are as follows:

	General Plan (2014 Land Use)	Zoning (1993)	Existing uses
North:	RMD	R-M-2 (Multi-family Residential, Minimum 3,000 sq ft. of lot area per unit)	Vacant
South:	RLD	R-1-6	Single-family subdivision
East:	CMU (Commercial Mixed Use)	CSO (Shopping Office Commercial)	Shopping center
West:	RLD	R-1-6	Single-family subdivision

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

C. Plans and Policies: The General Plan Land Use Diagram, adopted October 14, 2014, generally designates the project area as Residential. The Zoning Map, adopted in 1993, designates the project site as R-M-2, which is consistent with the General Plan Land Use Designation of Medium Density Residential, as noted in Table 9-1 Consistency Between the Plan and Zoning of the General Plan.

The proposed project is consistent with Land Use Policies LU-P-19 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."

II. ENVIRONMENTAL IMPACTS

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

To ensure that these requirements are met for the proposed project, the project shall be developed and shall operate in substantial compliance with the standard zoning and subdivision standards of the Visalia Municipal Code, and by the special conditions placed on the project through the City's discretionary authority.

The City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts including, but not limited to light/glare, visibility screening, noise, biological, cultural, safety, and transportation mobility to eliminate and/or reduce potential impacts to a level of non-significance.

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The proposed project is compatible with the General Plan, Zoning and Subdivision Ordinances as it relates to surrounding properties.

V. SUPPORTING DOCUMENTATION

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

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.

VII. NAME OF PERSON WHO PREPARED INITIAL STUDY

Paul Scheibel, AICP
Principal Planner

Josh McDonnell, AICP
City Planner

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST**

Name of Proposal	Tentative Subdivision Map No. 5558, Conditional Use Permit (CUP) 2017-02		
NAME OF PROPONENT:	Joe Gong	NAME OF AGENT:	Rich Freeman- QK Consultants
Address of Proponent:	3440 Border Links Visalia CA 93292	Address of Agent:	901 E. Main Street Visalia CA 93292
Telephone Number:	(559) 732-2660	Telephone Number:	(559) 733-0440
Date of Review	February 22, 2017	Lead Agency:	City of Visalia

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

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

I AESTHETICS

Would the project:

- 2 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

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

II AGRICULTURAL RESOURCES

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

III AIR QUALITY

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

- 2 a) Conflict with or obstruct implementation of the applicable air quality plan?

- 2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 1 d) Expose sensitive receptors to substantial pollutant concentrations?
- 1 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 2 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 2 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 2 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 2 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

V. CULTURAL RESOURCES

Would the project:

- 2 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 2 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 2 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 2 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGY AND SOILS

Would the project:

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

VII. GREENHOUSE GAS EMISSIONS

Would the project:

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

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?
- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- 1 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Inundation by seiche, tsunami, or mudflow?

X. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with

jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

XI MINERAL RESOURCES

Would the project:

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

XII NOISE

Would the project:

- 2 a) Cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 2 c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XIII POPULATION AND HOUSING

Would the project:

- 2 a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIV PUBLIC SERVICES

Would the project:

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

XV RECREATION

Would the project:

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

XVI TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- 2 b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the

county congestion management agency for designated roads or highways?

- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVII UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 1 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII TRIBAL CULTURAL RESOURCES

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

2 a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

2 b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

IXX MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656. Revised 2009

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

- a. This project will not adversely affect the view of any scenic vistas. The Sierra Nevada mountain range may be considered a scenic vista, but views of the range will not be adversely impacted or significantly altered by the project.
- b. There are no scenic resources on the site.
- c. Future development plans will be subject to the City's Site Plan Review process and may be subject to further environmental and/or discretionary review. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project, when developed, will create new sources of light that are typical of urban development.

I. AGRICULTURAL RESOURCES

- a. The site is vacant land but has not been used for agricultural production. The project is on property that is identified as Prime Farmland on maps prepared by the California Resources. The site is not under Williamson Act Contract.

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

The project site is within the Urban Development Tier 1 UDB. Development of residential, commercial, and industrial lands in Tier 1 may occur at any time. The proposed project is consistent with Land Use

Policy LU-P-19 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy." Consequently, the project would not have a significant impact on agricultural resources, although it would benefit the goal of facilitating compact urban development projecting from existing urban development, which was identified as a mitigating factor to preserving the viability of agricultural lands in or near the City of Visalia.

The project is consistent with Policy LU-P-34. The development of the site to urban use does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states; "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."

- b. The site has a RMD land use designation. The project is bordered by existing urban development to the south, east, and west.
- c. There is no forest or timber land currently located on the site.
- d. There is no forest or timber land currently located on the site.
- e. The City's General Plan designates this property for urban development by designating the site for Residential. In addition, the project site is in the City's Urban Development Tier 1 Boundary. Development of lands in Tier 1 may occur at any time consistent with the City's Land Use Diagram.

II. AIR QUALITY

- a. The project is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.
- b. Development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The project will contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Also the project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction

and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

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

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. The project will result in a net increase of criteria pollutants. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1, 3.3-2, and 3.3-3 serve as the mitigation, which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

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

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

- d. Residences located near the proposed project may be intermittently exposed to pollutant concentrations due to construction activities. The use of construction equipment will be temporary and is

subject to SJVAPCD rules and regulations. The impact is considered as less than significant.

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

iii. BIOLOGICAL RESOURCES

- a. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use. In addition, staff conducted an on-site visit to the site in December 2016 to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

Based on the above, the site has no known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

- b. There are no riparian habitats in the project area. Modoc Ditch is a confined waterway that is denuded of any vegetation and dredged regularly thus eliminating the potential to foster riparian habitat.
- c. There are no jurisdictional waterways on the project site.
- d. This development would not act as a barrier to animal movement. This site was evaluated in the Visalia General Plan Update EIR for conversion to urban use.
- e. The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on the project will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.
- f. There are no local or regional habitat conservation plans for the area.

IV. CULTURAL RESOURCES

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

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

V. GEOLOGY AND SOILS

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. The project does not involve the use of septic tanks or alternative wastewater disposal systems since sanitary sewer lines are used for the disposal of wastewater at this location.

VI. GREENHOUSE GAS EMISSIONS

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

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

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

- b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020.

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

VII. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the project.
- b. Construction activities associated with development of the project may include maintenance of on-site construction equipment, which could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There is one school located within one-quarter mile from the project (Ridgeview Middle School). There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites within one-quarter mile.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.

- e. The project area is not located within two miles of a public airport.
- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wild lands within or near the project area.

VIII. HYDROLOGY AND WATER QUALITY

- a. The project will not violate any water quality standards of waste discharge requirements. The site, when developed, will meet the City's improvement standards for directing storm water runoff to existing City storm water drainage systems; consistent with the City's adopted City Storm Drain Master Plan.
- b. The project will not substantially deplete groundwater supplies in the project vicinity. The project will be served by a water lateral for domestic, irrigation, and fire protection use. California Water Service issued a Will Serve Letter stating that water is available to serve the project. The determination of water availability shall remain valid for two years from the date of their letter. The letter also states that if the project does not commence within the two-year time frame, Cal Water will be under no obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming water availability. In addition, the letter can be rescinded at any time in the event that water supply is severely reduced by legislative, regulatory or environmental factors.
- c. The project will not result in substantial erosion on- or off-site.
- d. The project will not substantially alter the existing drainage pattern of the site or area, alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
- e. The project will not create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project area is located within Zone X, which indicates that the project site is not in a flood zone area.
- h. The project area is located within Zone X, which indicates that site is not in a flood zone area.

- i. The project would not expose people or structures to risks from failure of levee or dam. The project is located downstream from the Terminus Dam; in the case of dam failure, there will be 4 hours of warning to evacuate the site.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, which will contribute to the lack of impacts by mudflow occurrence.

IX. LAND USE AND PLANNING

- a. The project will not physically divide an established community. The General Plan Land Use Diagram, adopted October 14, 2014, designates the 8.76-acre portion of the site as Residential. The project is consistent with General Plan Land Use policies that encourage concentric growth, and avoiding premature conversion of farmland and maintaining the viability of existing farmland.
- b. The project will not physically divide an established community. The General Plan Land Use Diagram, adopted October 14, 2014, designates the project site as Residential. There are no uses in the area that will directly conflict with the proposed residential development of the project site.

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

- c. The project does not conflict with any applicable habitat conservation plan or natural community conservation plan as it is located on a vacant dirt lot with no significant natural habitat present.

X. MINERAL RESOURCES

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

XI. NOISE

- a. The project will result in noise generation typical of urban development, but not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. Noise levels will increase temporarily during the construction of these facilities but shall remain within the noise limits and restricted to the allowed hours of construction defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant.

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

- b. Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the project. Construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time; thus the impacts will be less than significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.
- c. Ambient noise levels will increase beyond current levels as a result of the project, however these levels will be typical of noise levels associated with urban development and not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. Noise associated with the establishment of new urban uses was previously evaluated with the General Plan for the conversion of land to urban uses.

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

- d. Noise levels will increase during the construction of the project but shall remain within the limits defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant.
- e. The project area is not within two miles of a public airport. The project will not expose people residing or working in the project area to excessive noise levels.
- f. There is no private airstrip near the project area.

XII. POPULATION AND HOUSING

- a. The project will not directly induce substantial population growth that is in excess of that planned in the General Plan.
- b. Development of the site will not displace any housing on the site.
- c. Development of the site will not displace any people on the site.

XIII. PUBLIC SERVICES

- a.
 - i. Fire protection facilities are located at the Visalia

Station 54 and can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.

- ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
- iii. The project will generate new students for which existing schools in the area may accommodate. In addition, to address direct impacts, the project will be required to pay residential impact fees. These fees are considered to be conclusive mitigation for direct impacts. The project includes residential units that will create a need for park facilities.
- iv. Other public facilities can adequately serve the site without a need for alteration.

XIV. RECREATION

- a. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

XV. TRANSPORTATION AND TRAFFIC

- a. Development and operation of the project is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. The project will result in an increase in traffic levels on arterial and collector roadways, although the City of Visalia's Circulation Element has been prepared to address this increase in traffic.
- b. Development of the site will result in increased traffic in the area, but will not cause a substantial increase in traffic on the city's existing circulation pattern. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for urban use.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The project will not result in inadequate emergency access.
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVI. UTILITIES AND SERVICE SYSTEMS

- a. Future development of the site will connect to, and/or extended existing City sanitary sewer lines, consistent with the City Sewer Master Plan.
- b. The project will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c. There are currently storm drain lines in Ferguson. The project, when developed, will connect to these storm drain lines connecting to the existing City storm water drainage lines that handle on-site and street runoff. Usage of these lines shall be consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.
- d. California Water Service Company has determined that there are sufficient water supplies to support the site, and that service can be extended to the site. California Water Service issued a Will Serve Letter, stating that water is available to serve the project. The determination of water availability shall remain voided for two years from the date of their letter. The letter also states that if the project does not commence within the two-year time frame, Cal Water will be under no obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming water availability. In addition, the letter can be rescinded at any time in the event that water supply is severely reduced by legislative, regulatory or environmental factors.
- e. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

XVIII. TRIBAL CULTURAL RESOURCES

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

to a California Native American tribe. Further:

- a. The site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- b. The site has been determined to not be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

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

Additionally, invitations for early consultation were sent to the five Tribes with a historic presence in the Visalia Planning Area. No Tribal representatives requested formal consultation pursuant to AB 52.

IXX. MANDATORY FINDINGS OF SIGNIFICANCE

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

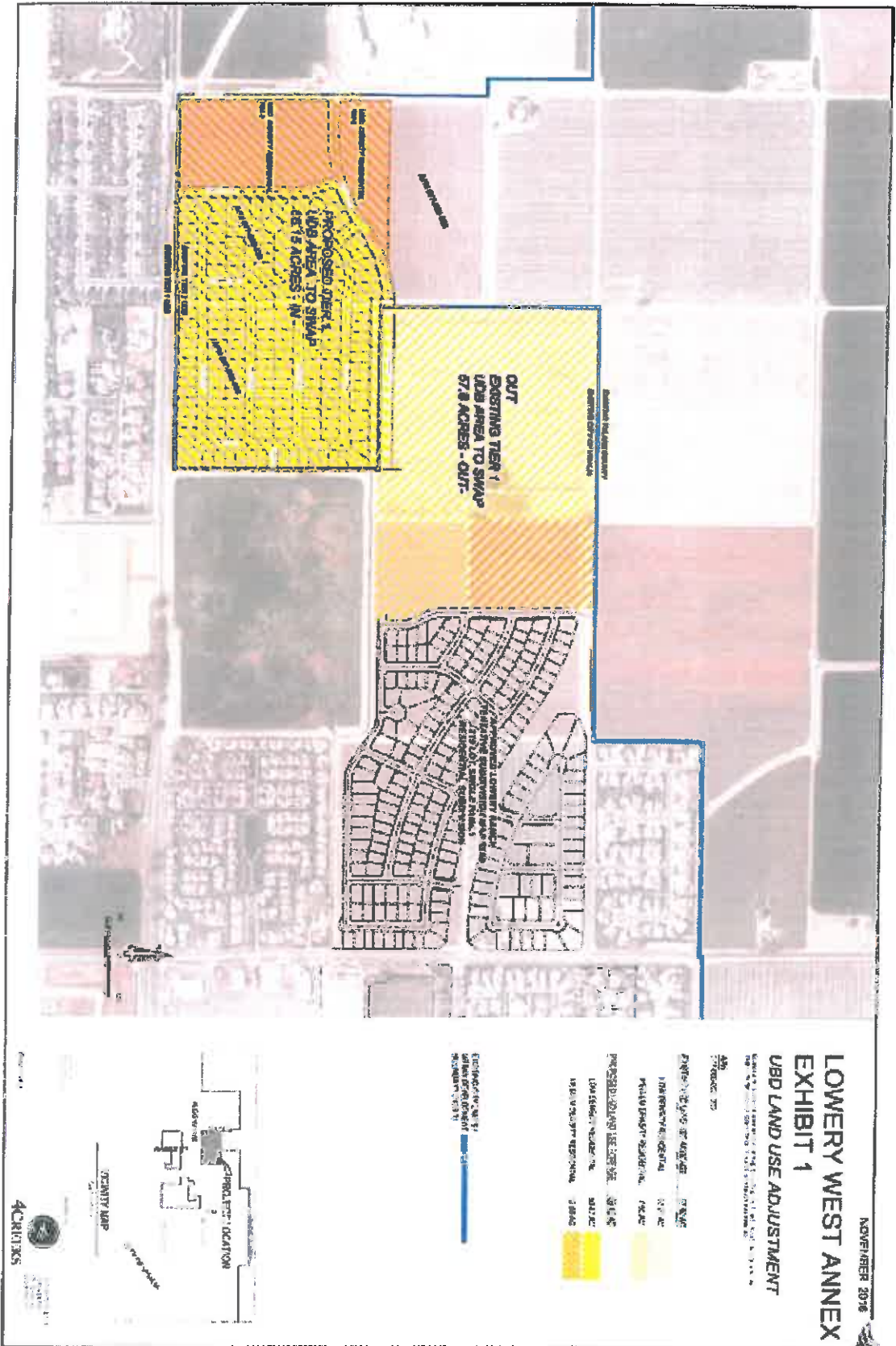
DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

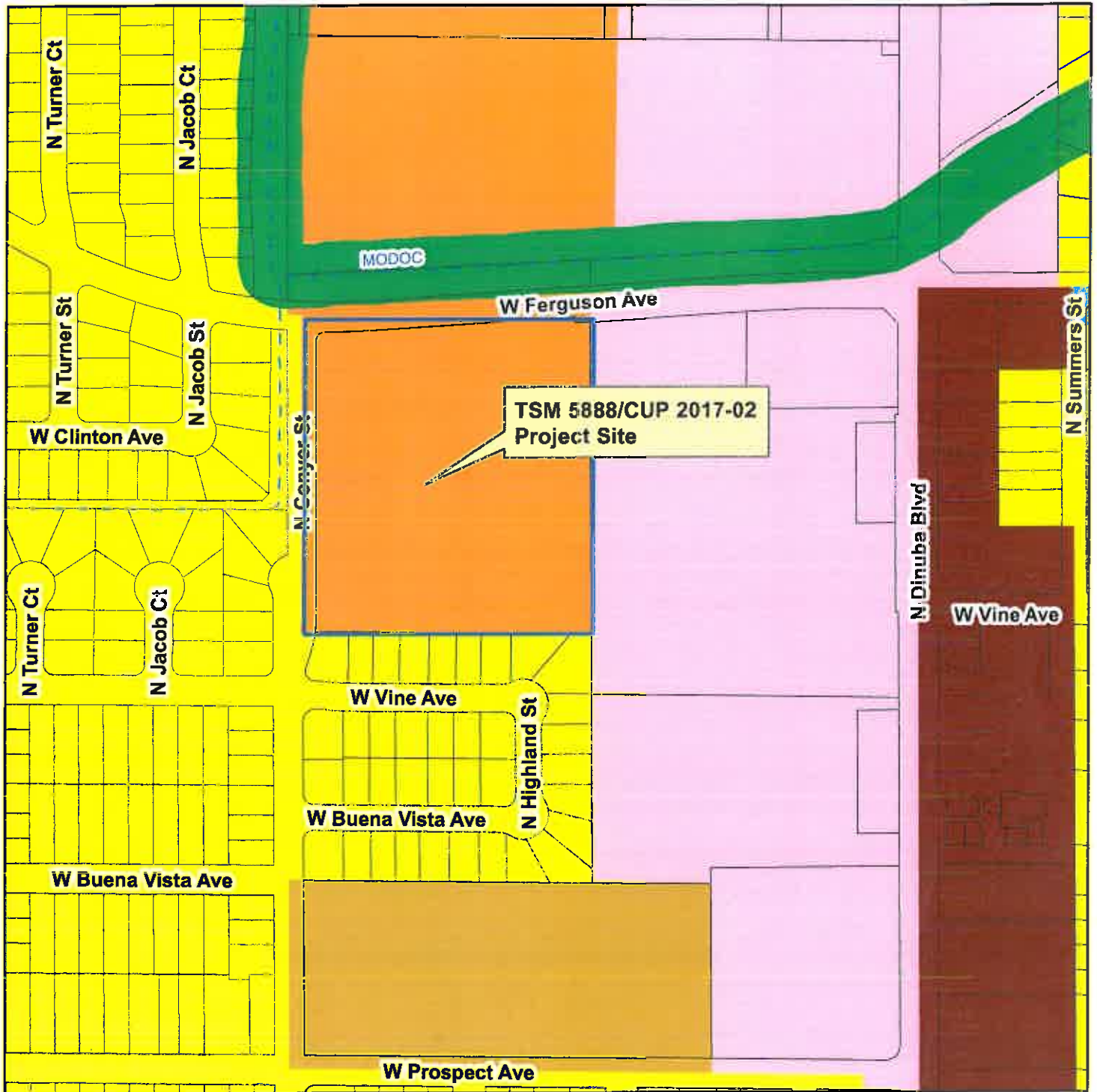
On the basis of this initial evaluation:

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

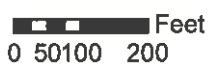
Paul Scheibel, AICP
Environmental Coordinator

February 21, 2017
Date

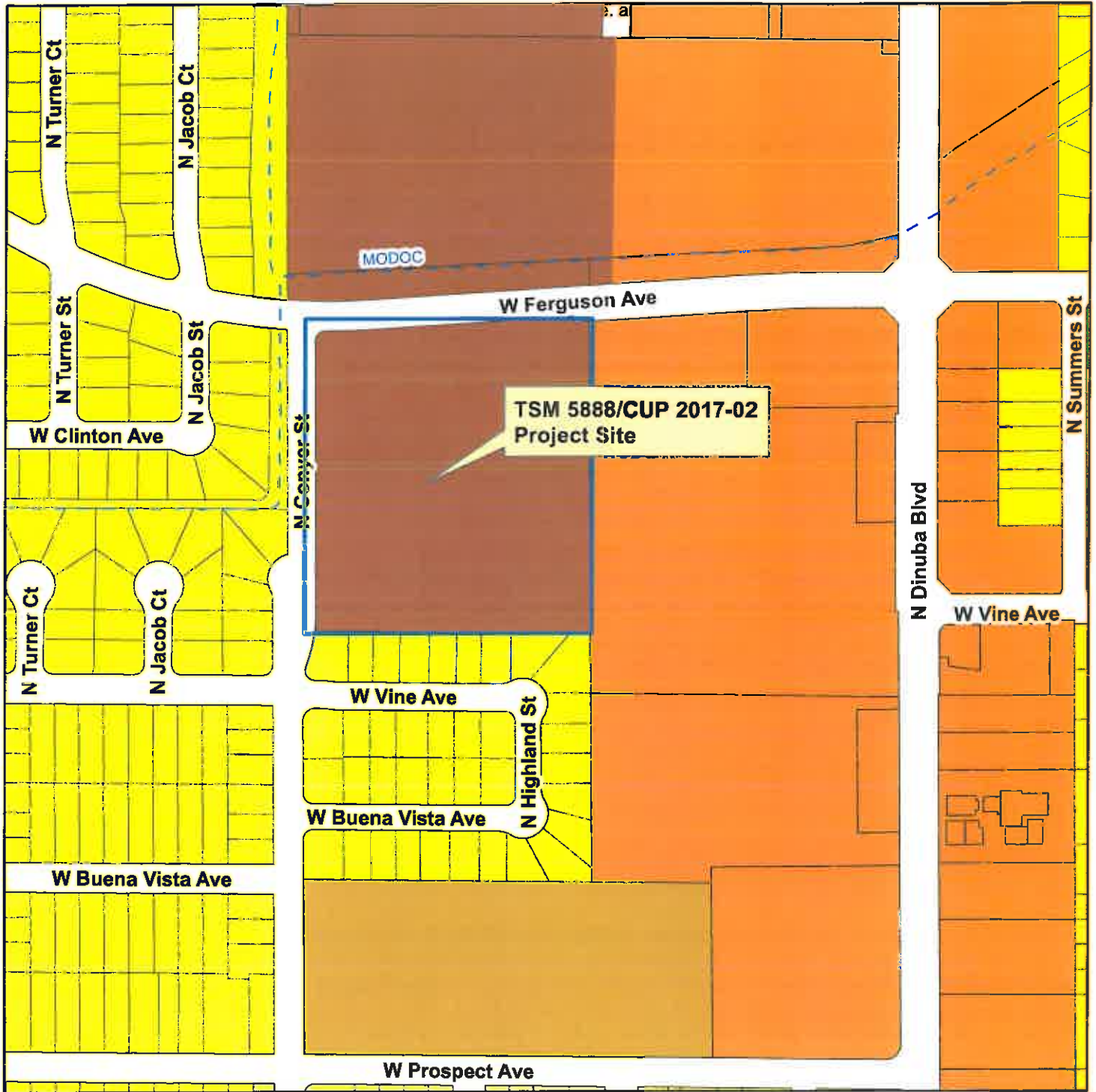




**General Plan
RMD**
Photo Taken March 2016



TSM 5558/CUP 2017-02



Zoning
R-M-2

Photo Taken March 2016

0 50 100 200 Feet

A north arrow pointing upwards, with 'N' at the top, 'S' at the bottom, 'E' on the right, and 'W' on the left. Below the arrow is the page number '7'.



Aerial Map
Photo Taken March 2016

0 50 100 200 Feet

8