

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Adam Peck, Brett Taylor, Liz Wynn, Marvin Hansen, Chris Gomez

MONDAY, MARCH 27, 2017; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - Planning Division Fee Amendments 2017/2018: Consideration of revisions to the Planning Division fees as contained in the City of Visalia Fee Resolution.
5. PUBLIC HEARING – Paul Scheibel
 - a. Southern Highlands (PRD) Tentative Subdivision Map No. 5555: A request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of South Demaree Street and West Visalia Parkway (APNs 126-950-013 & 126-095-014). An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2016-64 has been prepared for the project.
 - b. Conditional Use Permit No. 2016-24 (Southern Highlands PRD): A request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of South Demaree Street and West Visalia Parkway (APNs 126-950-013 & 126-095-014). An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2016-64 has been prepared for the project.

6. PUBLIC HEARING – Paul Bernal

- a. Conditional Use Permit No. 2017-07: A request by Verizon Wireless to install a new 80-foot high mono-pine with a 75-foot high telecommunications tower, and outdoor equipment enclosure at the base of the tower. The site is located at 2639 East Noble Avenue (APN: 100-080-003). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2017-16.
- b. Variance No. 2017-05: A request by Verizon Wireless to install a new 80-foot high Mono-pine with a 75-foot high telecommunications tower which is less than the required 1 to 5 (vertical height to horizontal separation) from a property line and for the height of the mono-pine. The site is located at 2639 East Noble Avenue (APN: 100-080-003). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2017-16.

7. PUBLIC HEARING – Brandon Smith

Variance No. 2017-06: A request by Yesco Signs, LLC (DBO Development No. 33, property owner), to allow a variance to the maximum sign area associated with wall signage for a future retail commercial building in the Regional Retail Commercial (C-R) Zone. The site is located at 1650 W. Visalia Parkway, on the north side of Visalia Parkway one-quarter mile east of Mooney Boulevard. (APN: 126-730-026, 027) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-14.

8. PUBLIC HEARING – Paul Scheibel

- a. General Plan Amendment GPA 2016-10: A Request by Harvey May & 4-Creeks, Inc. to amend the General Plan Land Use Map by revising the Tier 1 and Tier 2 Growth Boundaries to move a 66.2-acre site from the Tier 2 Growth Boundary to the Tier 1 Growth Boundary; and, to move a 58-acre site from the Tier 1 Growth Boundary to the Tier 2 Growth Boundary. The affected sites are located generally near the northeast corner of North Akers Street and West Riggan Avenue, and south of West Riverway Drive (APN's 077-060-006, 077-060-023, 077-060-024 (partial), and 077-060-028). An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2016-63 has been prepared for the project.
- b. Lowery West Tentative Subdivision Map No. 5557: A request by Harvey May & 4-Creeks, Inc. to subdivide 50.4 acres into a 184-lot single-family residential subdivision, and a 15.77 remainder parcel. The 50.4-acre portion is proposed to be zoned R-1-6 (Single-family Residential, 6,000 square foot minimum lot size) upon annexation into the City of Visalia. The 15.8-acre remainder parcel is proposed to be zoned R-M-2 (Multi-Family Residential 3,000 square feet per unit) upon annexation into the City of Visalia. The site is located on the northeast corner of North Akers Street and West Riggan Avenue (APNs: 077-060-006 and 077-060-028). An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2016-63 has been prepared for the project.
- c. Lowery West Annexation No. 2016-02: A request by Harvey May & 4-Creeks, Inc. to annex two parcels totaling 66.2 acres into the City limits of Visalia, and to detach from Tulare County Service Area No.1. Upon annexation, approximately 50.4 acres of the site would be zoned R-1-6 (Single-Family Residential 6,000 square foot minimum site area), which is consistent with the General Plan Land Use Designation of Low Density Residential. The remaining approximately 15.8 acres parcel would be zoned R-M-2 (Multi-Family Residential 3,000 square feet per unit), which is consistent with the General Plan Land Use Designation of Medium Density Residential. The site is located on the northeast corner of North Akers Street and West Riggan Avenue (APNs: 077-060-

006 and 077-060-028). An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2016-63 has been prepared for the project.

9. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, APRIL 6, 2017 BEFORE 5 PM

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, 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.visalia.city or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 10, 2017



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: March 27, 2017

PREPARED BY: Paul Scheibel, AICP, Principal Planner (phone: 713-4636)

SUBJECT: **Planning Division Fee Amendments:** Consideration of revisions to the Planning Division fees as contained in the City of Visalia Fee Resolution

STAFF RECOMMENDATION

Staff recommends that the Planning Commission consider the proposed revisions to the Planning Division's fees, and recommend that the City Council amend the Fee Resolution as contained in this report.

RECOMMENDED MOTION

I move to recommend that the City Council amend the Fee Resolution as contained in this report.

BACKGROUND, DISCUSSION AND ANALYSIS

Background: From time to time, the City considers adjusting its processing fees charged for various services. The City last amended the Planning Division fees in 2016. The 2017 fee amendment reflects increases in the Consumer Price Index (CPI), and elimination of several fee categories for services the City no longer provides.

Recommended Fee Schedule Revisions: The Planning Division has reviewed the Fee Schedule based on its average processing costs. The costs are directly related to staff processing time and materials. Staff costs were calculated at an average of \$60.93/hour for all Planning staff positions. This average hourly rate includes all employee benefits and City facilities overhead costs, which are charged to the Planning Division under the City's accounting methods.

Based on staff's review, the recommended fee revisions reflect an across the board increase in fees of 2.26% City-wide, which reflects the cost of Consumer Price Index (CPI) applicable to Fiscal Year (FY) 2017. Proposed fee increases that exceed 2.26% are due to rounding the new fee to the nearest whole dollar.

Proposed Deleted Line Items:

1. Programmatic Subdivision Sign Permit, Subdivision Sign Program.

Justification: This type of sign permit has been eliminated with the new Sign Ordinance.

2. Census Information.

Justification: Staff has been referring inquirers to the US Census Bureau website for this information.

Next Step: The Planning Commission's actions in this regard are advisory in nature. The final action to revise the Fee Schedule will be considered by the City Council in June, 2017. The Planning Commission's review and comments will provide the City Council with the benefit of its

practical experience in reviewing the project materials, conducting hearings, and by taking testimony from applicants and Community members in the course of its discretionary review process.

Attachment: Proposed Planning Division Fees Resolution also showing CPI increases

**Community Development
Planning**

<u>FY 16-17</u>	<u>FY 17-18</u>	
Administrative Adjustment		
140.00	143.00	Administrative Adjustment
Adult-Oriented Business		
204.00	209.00	Performer Permit Application Fee
1,352.00	1,383.00	Regulatory Permit Application Fee
204.00	209.00	Performer Permit - Renewal Fee
204.00	209.00	Regulatory Permit - Renewal Fee
Agricultural Preserve		
1,933.00	1,977.00	Disestablishment
643.00	658.00	New Contract
129.00	132.00	Notice of Full Nonrenewal
515.00	527.00	Notice of Partial Nonrenewal
3,221.00	3,294.00	Cancellation
Annexation		
2,176.00	2,225.00	Amendment to Pre-Annexation Agreement
4,352.00	4,450.00	up to 15 acres
7,858.00	8,036.00	over 15 acres and up to 50 acres
11,339.00	11,595.00	over 50 acres up to 100 acres
14,179.00	14,499.00	Over 100 acres plus ...
		<i>Applicants also pay fees adopted by LAFCO and State Board</i>
Appeal		
483.00	494.00	Appeal of Planning Commission action to City Council or
Building Permit Plan Application Review		
15.00	15.00	per permit for Residential, Multifamily, Commercial
Certificate of Compliance		
490.00	501.00	Certificate of Compliance
Conditional Use Permit		
1,268.00	1,297.00	Minor / Amendment to Approved CUP
3,932.00	4,021.00	Regular / PUD / PRD
5,897.00	6,030.00	Master CUP
140.00	143.00	Temporary – Counter
227.00	232.00	Temporary – Requiring Site Plan Review
420.00	429.00	Temporary – To Planning Commission

**Community Development
Planning**

Planning (cont.)

<u>FY 16-17</u>	<u>FY 17-18</u>	
Development Agreement		
4,117.00	4,210.00	Development Agreement
1,319.00	1,349.00	Amendment to Development Agreement
Downtown News Rack Permit		
31.00	32.00	Newsrack Permit in the Downtown Design District
<u>ENVIRONMENTAL APPLICATIONS</u>		
Categorical Exemption		
68.00	70.00	Categorical Exemption
Environmental Impact Report (EIR)		
7 1/2% of Contract	7 1/2% of Contract	Processing fee
Actual Cost + 10%	Actual Cost + 10%	City Managed Consultant Work
Environmental Notices		
131.00	134.00	Environmental Notices per year; renewal needed each
Finding of Consistency		
211.00	216.00	Finding of Consistency
Initial Study / Negative Declaration or Mitigated Negative Declaration		
210.00	215.00	Review of Technical Study
691.00	707.00	Simple
2,635.00	2,695.00	Complex
NEPA Environmental Review		
701.00	717.00	Simple
3,510.00	3,589.00	Complex
General Plan Amendment		
2,246.00	2,297.00	Simple
9,970.00	10,195.00	Complex
General Plan Maintenance Fee		
374.00	382.00	per acre for new annexation Paid when LAFCO approves annexation

**Community Development
Planning**

Planning (cont.)

	<u>FY 16-17</u>	<u>FY 17-18</u>	
Home Occupation Permit			
	65.00	66.00	Home Occupation Permit-new
	16.25	16.50	Home Occupation Permit-change of location
Lot Line Adjustment			
	571.00	584.00	Lot Line Adjustment
	140.00	143.00	Legal Description Resubmittal (each)
Maps			
	7,091.00	7,251.00	Tentative Subdivision Map
	7,091.00	7,251.00	Tentative Parcel Map - commercial - over 4 lots
	2,879.00	2,944.00	Tentative Parcel Map - 4 lots or less
Noise Variance			
	140.00	143.00	Administrative
	2,176.00	2,225.00	City Council
Programmatic Subdivision Sign Permit			
	179.00	183.00	Initial
	89.00	91.00	Renewal
Sidewalk Dining Permit			
	65.00	66.00	Sidewalk Dining Permit
Specific Plan			
	11,796.00	12,063.00	Commercial / Residential
Specific Plan Amendment			
	4,984.00	5,097.00	Commercial / Residential
Subdivision Sign Program			
	46.00		Amendment
Zoning Text Amendment			
	3,650.00	3,732.00	Text Amendment
Time Extension			
	211.00	216.00	Time Extension
Variance / Exception			
	805.00	823.00	Single Family – No Site Plan
	1,362.00	1,393.00	Single Family
	2,556.00	2,614.00	Other

**Community Development
Planning**

Planning (cont.)

FY 16-17

FY 17-18

Zone Change

3,650.00	3,732.00	Change of Zone
629.00	643.00	Conditional Zone Agreement
1,823.00	1,864.00	Amendment to Conditional Zone Agreement

OTHER ADMINISTRATIVE FEES

Census Information

3.00	3.00	Per Jurisdiction
6.00	6.00	Per set

Copies (per page) - Citywide Fee

0.20	0.20	Single-sided
0.25	0.26	Double-sided
0.25	0.26	Legal
0.30	0.31	Legal double-sided
1.00	1.00	Color Letter/Legal Size
2.00	2.00	Color 11X17
5.00	5.00	Black and White 24 X 36
4.00	4.00	Fax - First Page
2.00	2.00	Fax - Add'l Pages
1.00	1.00	Micro fiche
14.00	14.00	Audio Duplication per CD

Documents

\$5 to \$100 ea	\$5 to \$100 ea	Documents
\$24 to \$39	\$24 to \$39	Document Retrieval
33.00	34.00	Zoning Verification Letters
67.00	69.00	300' Radius Map and Labels

GIS Maps

See GIS	See GIS	General Plan Land Use Map or Policies
See GIS	See GIS	Zone Map, City Aerial Photo, City with Street Index

Planning Commission

35.50	36.30	Agenda - mailed
35.50	36.30	Action Agenda - mailed

Special Services Fee/Inspections

Special Services Fee/Inspections



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: March 27, 2017

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

SUBJECT: Conditional Use Permit No. 2016-24 (Southern Highlands PRD) is a request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014)

Southern Highlands (PRD) Tentative Subdivision Map No. 5555: is a request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014)

STAFF RECOMMENDATION

Conditional Use Permit No. 2016-24

Staff recommends approval of Conditional Use Permit No. 2016-24, as conditioned, based on the findings and conditions in Resolution No. 2016-50. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Tentative Subdivision Map No. 5555

Staff recommends approval of Tentative Subdivision Map No. 5555, as conditioned, based on the findings and conditions in Resolution No. 2016-51. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

RECOMMENDED MOTION

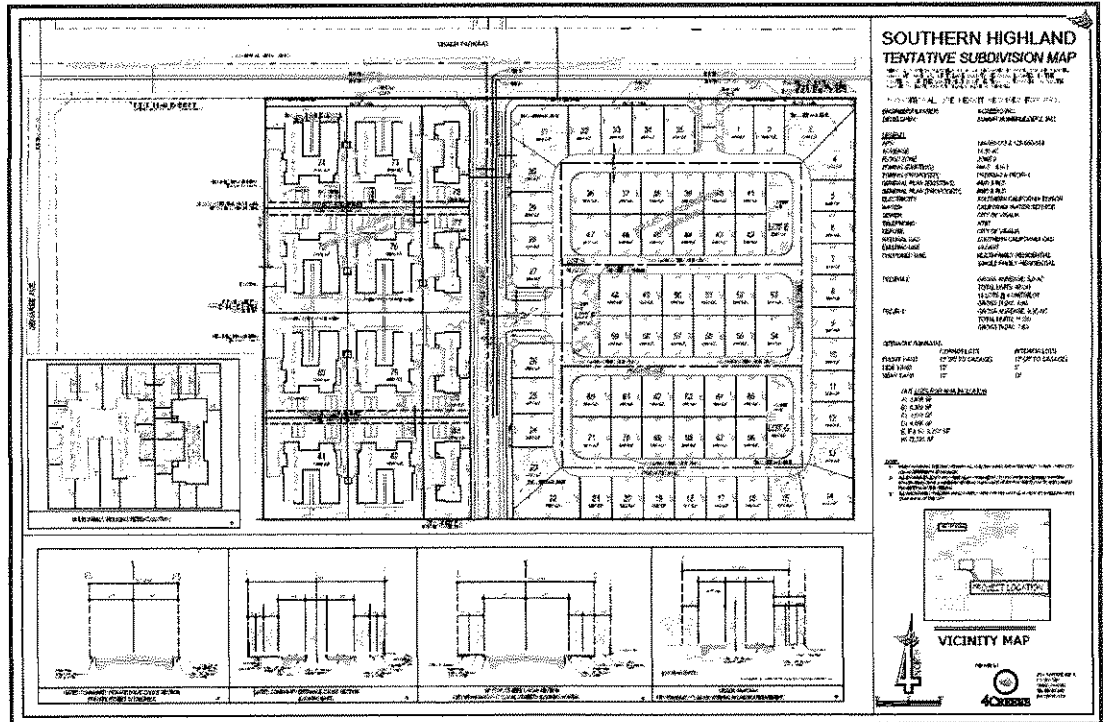
I move to approve Conditional Use Permit No. 2016-24, based on the findings and conditions in Resolution No. 2016-50.

I move to approved Tentative Subdivision Map No. 5555, based on the findings and conditions in Resolution No. 2016-51.

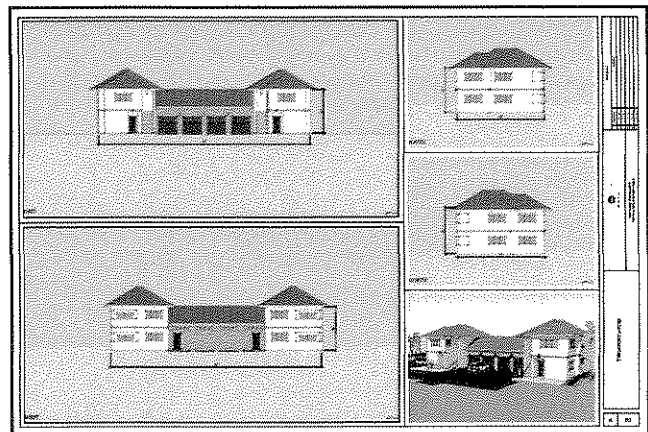
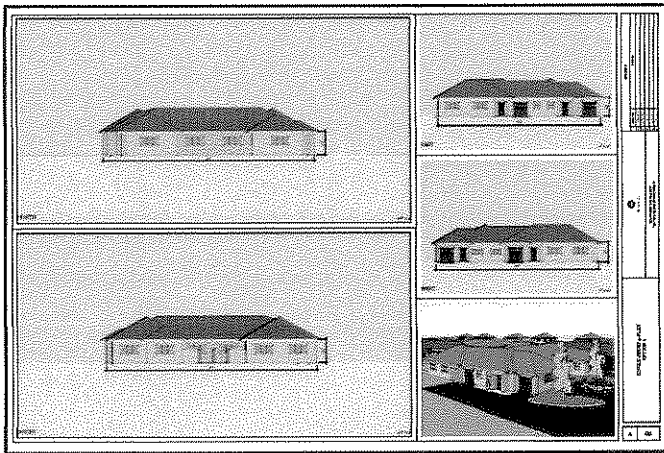
PROJECT DESCRIPTION

Tentative Subdivision Map (TSM) No. 5555 and Conditional Use Permit (CUP) No. 2016-24 is a Planned Residential Development (PRD) project to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences. The project site has two Zoning designations. The western five acres is in the R-M-2 (Multi-family Residential, 3,000 square feet of lot area per unit) Zone District. The eastern 7.6-acre portion is in the R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone District.

The project includes one public street (Silvervale St.) that will bisect the western R-M-2 zoned portion of the project site from the R-1 zoned portion of the project site. The multi-family buildings will be a two-story four-plex design with enclosed garage spaces. The R-1 portion of the project will be developed with single-family residences on small lots (average 3,400 sq.ft.). The multi-family portion will have common area drive-aisles and uncovered guest parking. The single-family portion will have a gated entrance and 30-foot wide private streets. The private streets will not have sidewalks or separate landscape

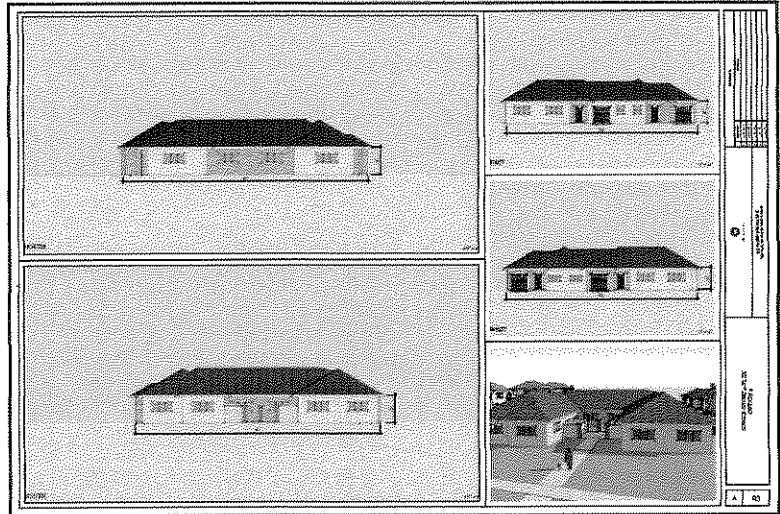


medians. The single-family residential portion will have three pocket parks. The south side of Visalia Parkway will be completed with the project.



medians. The single-family residential portion will have three pocket parks. The south side of Visalia Parkway will be completed with the project.

Conditional Use Permit (CUP) No. 2016-24 accompanies TSM 5555, making the project a Planned Residential Development (PRD). The PRD allows the proposed project to spread the Low and Medium development densities applied to the two portions of the project. The overall project objective is to develop the site with both single-family and multi-family residential components, rather than maintaining a more disparate density range (R-1= 2-10 units per acre, R-M-2= 10-15 units per acre) than would occur if the two portions of the site were developed independently of each other.



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 the R-1 (Single-family Residential) and the R-M-2 (Multi-family Residential, minimum 3,000 sq.ft. of lot area per unit) development standards in order to create a mixed density residential development with a unified theme, and at a scale and efficiency that capitalizes on the most advantageous elements of both housing types. The MDR portion of the project proposes a development density of 10 units per acre, which is at the low end of the 10-15 units per acre called for in the General Plan. The SFR portion of the project proposes a development density of 7.6 units per acre, which is at the high end of the 2-10 units per acre called for in the General Plan.

The proposed SFR lot sizes range in size from 3,250 sq.ft. to 6,850 square feet. The average lot size will be 3,400 sq.ft. All lots will be a minimum 50 feet in width and 65 feet in depth. The lots backing on to the existing residences to the east will have minimum lot depths of 67 feet. The proponent is required to have a Home Owner's Association (HOA) to maintain the common areas such as the access gate and the private streets.

The proposed MDR units will be a mix of one-story and two-story four-plex buildings. Each building will be situated on its own salable lot that is also fully self-sufficient for meeting open space, landscaping, and parking standards. The lots will share refuse containers, common drive-aisles, and pedestrian paths. The proponent proposes a HOA for the common area maintenance of the overall multi-family component.

Pursuant to Chapter 17.26, the applicant is requesting special setbacks and standards, as follows:

COMPARISON OF SETBACK STANDARDS					
	Front to Living Spaces	Front to Garages	Rear	Side	Side Street
STANDARD CODE FOR R-1-6 (R-1-5 BY NEW ZO)	15	22	20	5	10
SINGLE-FAMILY CORNER LOTS	12	20	10	5	10
SINGLE-FAMILY INTERIOR LOTS	12	20	10	5	N/A
STANDARD CODE FOR R-M-2	15	22	25	5	10
MULTI-FAMILY CORNER LOTS	15	N/A	15	10	10
MULTI-FAMILY INTERIOR LOTS	15	NA	15	10	N/A

BACKGROUND INFORMATION

General Plan Land Use Designation: Mix of RLD and RMD (Residential Low and Medium Density)

Zoning: Mix of R-1-6 and R-M-2 (Single-family Residential, 6,000 sq.ft. lot area per unit and Multi-family Residential, 3,000 sq. ft. minimum lot are per unit)

Surrounding Land Use and Zoning: North: RLD /R-1-6/ Vacant
 South: Mix of C/PI (Conservation & Public Institution), and RLD/ County/Rural residential homesites
 East: RLD/ County/ single-family residences
 West: NC (Neighborhood Commercial)/NC/Vacant row crops

Environmental Review: Negative Declaration No. 2016-64

Special Districts: None

Site Plan Review No: 2016-098

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED ACTIONS

Annexation No. 97-04: Completed in December 1997, including a Restrictive Covenant Agreement that placed the OS (Open Space) Land Use and Zoning designation on the site, and limited its use to a golf course driving range (please see CUP 98-04, below). The restrictive covenant automatically ended when the site was placed into the 129,000 Urban Development

Boundary (UDB) in 2004. The site was designated with a mix of LDR, MDR, and NC (Neighborhood Commercial) Land Use and Zoning designations at that time.

Conditional Use Permit No. CUP 98-04: A request to establish a golf course driving range with a small clubhouse. Approved by the Planning Commission on March 9, 1998. The project was not constructed.

PROJECT EVALUATION

Staff recommends approval of the Southern Highlands PRD, consisting of Tentative Subdivision Map No. 5555, and Conditional Use Permit CUP 2016-24, 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 an integral mix of single-family and multi-family housing units that will complement the overall range of new housing options in the southern portion of the City. The proposed development density (7.6 units per acre) of the single-family residential component is more than 40% higher than the current average (4.5 units per acre) single-family residential development density in the City. The Multi-family component fully achieves the density range of 10-15 units per acre prescribed for the RMD Land Use designation.

The proposed modifications to the SFR and MFR lot sizes can be supported on the basis that the resulting buildable lots, as conditioned, will be fully functional without undue intrusion or conflict with the lot configurations of adjacent residences. Specifically, Condition No. 8 requires that a minimum 20-foot rear yard setback be maintained for all two-story units on Lots 4 through 15, in order to preserve the privacy of the existing residences to the east. All other lots will have a minimum 10-foot rear yard. This can be supported on the basis that the 10-foot rear yard setback for these reduced-sized lots is proportionate with the 20-foot rear yard setbacks that is standard for a 6,000 sq.ft. residential lot. Further, the project includes three pocket parks to provide added open space for residents.

The reduced garage setbacks (20 feet instead of the minimum 22-foot standard) can be supported on the basis that the 20-foot garage setback will be uniformly applied throughout the subdivision, thus making it the accepted standard unique to that subdivision. Further, the proposed subdivision will have private streets of reduced roadway width, and have a gated access to the subdivision. The side yard setbacks being proposed are the same as the standards of the new Zoning Ordinance.

Recommended Special Conditions

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

- Lots 4 through 15 shall maintain a minimum 20-foot rear yard setback for any two-story structures.

This Special Condition is recommended to minimize potential interface conflicts with the existing residences that are adjacent to the east.

- Prior to recordation of the final map affecting lots 74 through 83, the proponent shall form a Homeowner's Association (HOA) for the administration and maintenance of all common areas, and for enforcement of the Model Good Neighbor Policies (VMC 17.16.190).

This Special Condition is recommended because the multi-family units are intended to be owned by separate parties. Consequently, a common management entity is important to the ongoing physical viability and operational efficiency of the multi-family component. The applicant has indicated their intent to form a HOA for both components of the project. The single-family component requires a HOA by virtue of the private streets and access gate. The multi-family component would not specifically require an HOA without imposition of this Special Condition.

- Prior to occupancy of the first residential unit, a Class 1 bike trail/path of travel shall be installed from the required Class 1 bike trail along the project frontage west to the intersection of Visalia Parkway and Demaree Street. The final design and location of the trail/path shall be as approved by the City Engineer.

The project's western boundary is approximately 320 feet east of the intersection of Visalia Parkway and Demaree Street. The trail/path of travel extension, within the public right of way but along a separate undeveloped lot, is considered to be essential for the safety and convenience of residents of the project. In particular, the paved pathway would serve school children traveling to the elementary schools on the north side of Visalia Parkway via the signalized crosswalk at that intersection.

- All Mitigation Measures contained in Mitigated Negative Declaration No. 2016-64 shall be addressed and incorporated into the grading plans for the project.

Pursuant to AB 52, early consultation and coordination with representatives of the five Native American tribes with historic ties to the area occurred between November 2016 and February 2017. This included a site visit. No direct evidence of archeological or significant Native American resources were found on the site. However, based on the recommendation of Tribal representatives, all grading activities shall include a procedure for ceasing grading activities to consult with subject matter experts in the event potential resources are discovered.

General Plan Consistency

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

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 Subdivision 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 has been found to be consistent with the City's General Plan. This is included as recommended Finding No. 1 of the Tentative Subdivision 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 and its affiliated development plan, which is designated as Low Density Residential. This is included as recommended Finding No. 3 of the Tentative Subdivision Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed map and its affiliated development plan, which is designated as Low Density Residential. This is included as recommended Finding No. 4 of the Tentative Subdivision 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. This finding is further supported by the project's Negative Declaration under the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 6 of the Tentative Subdivision 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 Subdivision 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 Subdivision Map.

Environmental Review

Mitigated Negative Declaration No. 2016-64 has been prepared for the project. The mitigation measures apply to the potential for archeological and Native American resources being unearthed during grading operations. The project site was the subject of an early consultation and coordination process among the City and the five Tribes with historic ties to the area. A 30-day review and comment period through the State Clearing House for the Initial Study began on

February 23, 2017, and ended on March 27, 2017. No formal comments were received. Consequently, the Mitigated Negative Declaration for the project is recommended for adoption.

RECOMMENDED FINDINGS

Tentative Subdivision Map No. 5555

1. That the proposed location and layout of the Southern Highlands Tentative Subdivision Map No. 5555, 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 project site, which is the site of the proposed 71 lot small lot residential subdivision and the 12-lot multi-family component, 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).
2. That the proposed Southern Highlands Tentative Subdivision Map No. 5555, 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 Southern Highlands Tentative Subdivision Map No. 5555 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 project 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 is consistent with the underlying Low Density Residential and Medium Density Residential General Plan Land Use designations. The proposed location and layout of the project, 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.
5. That the proposed Southern Highlands Tentative Subdivision Map No. 5555 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 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.

6. That Mitigated Negative Declaration No. 2016-64 has been prepared for the project. The 30-day review and comment period for the Initial Study began on February 23, 2017, and ended on March 27, 2017. No formal comments were received. Consequently, the Mitigated Negative Declaration for the project can be adopted as prepared.

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).
3. That Mitigated Negative Declaration No. 2016-64 has been prepared for the project. The 30-day review and comment period for the Initial Study began on February 23, 2017, and ended on March 27, 2017. No formal comments were received. Consequently, the Mitigated Negative Declaration for the project can be adopted as prepared.

RECOMMENDED CONDITIONS OF APPROVAL

Tentative Subdivision Map No. 5555

1. The tentative subdivision map shall be prepared in substantial compliance with Exhibit "A".
2. 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.
3. That Conditional Use Permit No. 2016-24 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
4. That Tentative Subdivision Map No. 5555 shall be null and void unless Conditional Use Permit No. 2016-24 is approved.
5. 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.
6. That all other federal and state laws and city codes and ordinances be complied with.
7. 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 Subdivision Map No. 5555, prior to the recordation of the parcel map.
8. Lots 4 through 15 shall maintain a minimum 20-foot rear yard setback for any two-story structures.

9. Prior to recordation of the final map affecting lots 74 through 83, the proponent shall form a Homeowner's Association (HOA) for the administration and maintenance of all common areas, and for enforcement of the Model Good Neighbor Policies (VMC 17.16.190).
10. Prior to occupancy of the first residential unit, a Class 1 bike trail/path of travel shall be installed from the required Class 1 bike trail along the project frontage west to the intersection of Visalia Parkway and Demaree Street. The final design and location of the trail/path shall be as approved by the City Engineer.
11. All Mitigation Measures contained in Mitigated Negative Declaration No. 2016-64 shall be addressed and incorporated into the grading plans for the project.

Conditional Use Permit No. 2016-24

1. That the planned development be prepared in substantial compliance with Exhibit "A".
2. That the planned development shall be developed consistent with the comments and conditions of Site Plan Review No. 2016-098, incorporated herein by reference.
3. That Tentative Subdivision Map No. 5555 shall be approved, and that requirements of the subdivision map which relate to this conditional use permit shall be fulfilled.
4. That Conditional Use Permit No. 2016-24 shall be null and void unless Tentative Subdivision Map No. 5555 is approved.
5. That all of the conditions and responsibilities of Conditional Use Permit No. 2016-24 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
6. That all applicable federal, state, regional, and city policies and ordinances be met.
7. 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. 2016-24, prior to the issuance of any building permit for this project.
8. Lots 4 through 15 shall maintain a minimum 20-foot rear yard setback for any two-story structures.
9. Prior to recordation of the final map affecting lots 74 through 83, the proponent shall form a Homeowner's Association (HOA) for the administration and maintenance of all common areas, and for enforcement of the Model Good Neighbor Policies (VMC 17.16.190).
10. Prior to occupancy of the first residential unit, a Class 1 bike trail/path of travel shall be installed from the required Class 1 bike trail along the project frontage west to the intersection of Visalia Parkway and Demaree Street. The final design and location of the trail/path shall be as approved by the City Engineer.
11. All Mitigation Measures contained in Mitigated Negative Declaration No. 2016-64 shall be addressed and incorporated into the grading plans for the 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. 2016-51 (Tentative Subdivision Map No. 5555)
 2. Resolution No. 2016-50 (Conditional Use Permit No. 2016-24)
 - Exhibit "A" – Tentative Subdivision Map 5555 /CUP 2017-02 (Southern Highlands)
 - Exhibit "B" - Model Good Neighbor Policies
 3. Operational Statement
 4. Site Plan Review Comments 2016-098
 5. Negative Declaration No. 2016-64
 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)

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 2016-51

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE SUBDIVISION MAP NO. 5555, FOR A PLANNED RESIDENTIAL DEVELOPMENT (PRD) TO SUBDIVIDE 14.30 ACRES INTO 12 PARCELS FOR MULTI-FAMILY UNITS, AND 71 LOTS FOR SINGLE-FAMILY RESIDENCES IN THE RM-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQUARE FEET OF LOT AREA PER UNIT), AND R-1-6 (SINGLE-FAMILY RESIDENTIAL, 6,000 SQUARE FEET OF LOT AREA PER UNIT) ZONE DISTRICTS. THE PROJECT INCLUDES PRIVATE STREETS AND COMMON RECREATION AREAS. THE PROJECT SITE IS LOCATED NEAR THE SOUTHEAST CORNER OF DEMAREE STREET AND VISALIA PARKWAY (APNS 126-950-013 & 126-095-014)

WHEREAS, Tentative Subdivision Map #5555 is a request to subdivide 14.30 acres into 73 lots for residential development. The project is zoned R-M-2 (Multi-family Residential, 3,000 sq. ft. of lot area per unit), and R-1-6 (Single-family Residential, 6,000 sq.ft. of lot area per unit), and is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on March 27, 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. 2016-64 has identified that the proposed project has no new effects that could occur, and new mitigation measures that would be required that had not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078) have been included. The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014.

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 Southern Highlands Tentative Subdivision Map No. 5555, 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 project site, which is the site of the proposed 71 lot small lot residential subdivision and the 12-lot multi-family component, 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).

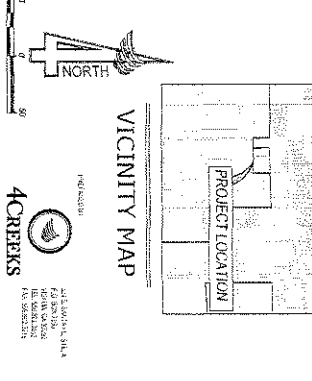
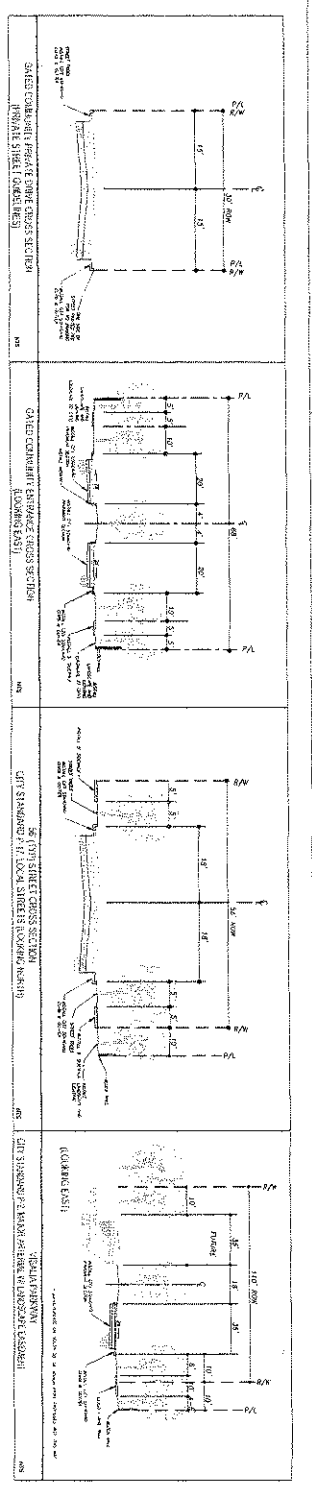
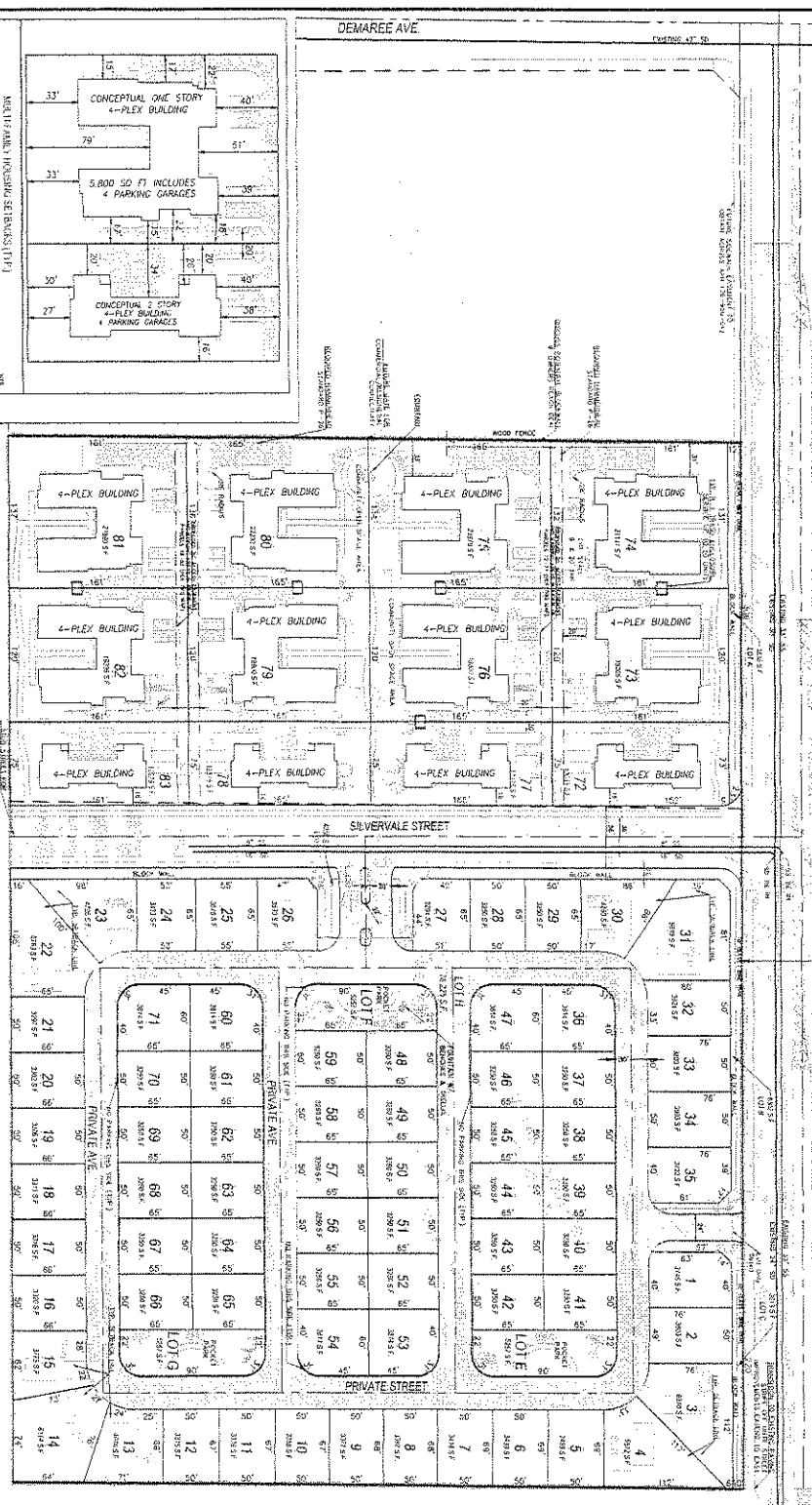
2. That the proposed Southern Highlands Tentative Subdivision Map No. 5555, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is 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 Southern Highlands Tentative Subdivision Map No. 5555 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 project 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 is consistent with the underlying Low Density Residential and Medium Density Residential General Plan Land Use designations. The proposed location and layout of the project, 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.
5. That the proposed Southern Highlands Tentative Subdivision Map No. 5555 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 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.
6. That Mitigated Negative Declaration No. 2016-64 has been prepared for the project. The 30-day review and comment period for the Initial Study began on February 23, 2017, and ended on March 27, 2017. No formal comments were received.

Consequently, the Mitigated Negative Declaration for the project can be adopted as prepared.

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".
2. 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.
3. That Conditional Use Permit No. 2016-24 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
4. That Tentative Subdivision Map No. 5555 shall be null and void unless Conditional Use Permit No. 2016-24 is approved.
5. 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.
6. That all other federal and state laws and city codes and ordinances be complied with.
7. 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 Subdivision Map No. 5555, prior to the recordation of the parcel map.
8. Lots 4 through 15 shall maintain a minimum 20-foot rear yard setback for any two-story structures.
9. Prior to recordation of the final map affecting lots 74 through 83, the proponent shall form a Homeowner's Association (HOA) for the administration and maintenance of all common areas, and for enforcement of the Model Good Neighbor Policies (VMC 17.16.190).
10. Prior to occupancy of the first residential unit, a Class 1 bike trail/path of travel shall be installed from the required Class 1 bike trail along the project frontage west to the intersection of Visalia Parkway and Demaree Street. The final design and location of the trail/path shall be as approved by the City Engineer.
11. All Mitigation Measures contained in Mitigated Negative Declaration No. 2016-64 shall be addressed and incorporated into the grading plans for the project.

SOUTHERN HIGHLAND TENTATIVE SUBDIVISION MAP

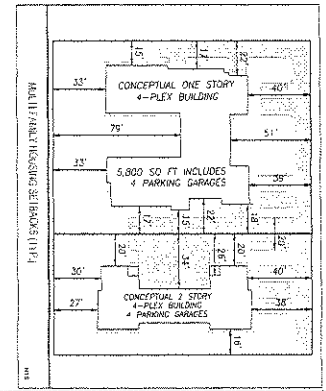
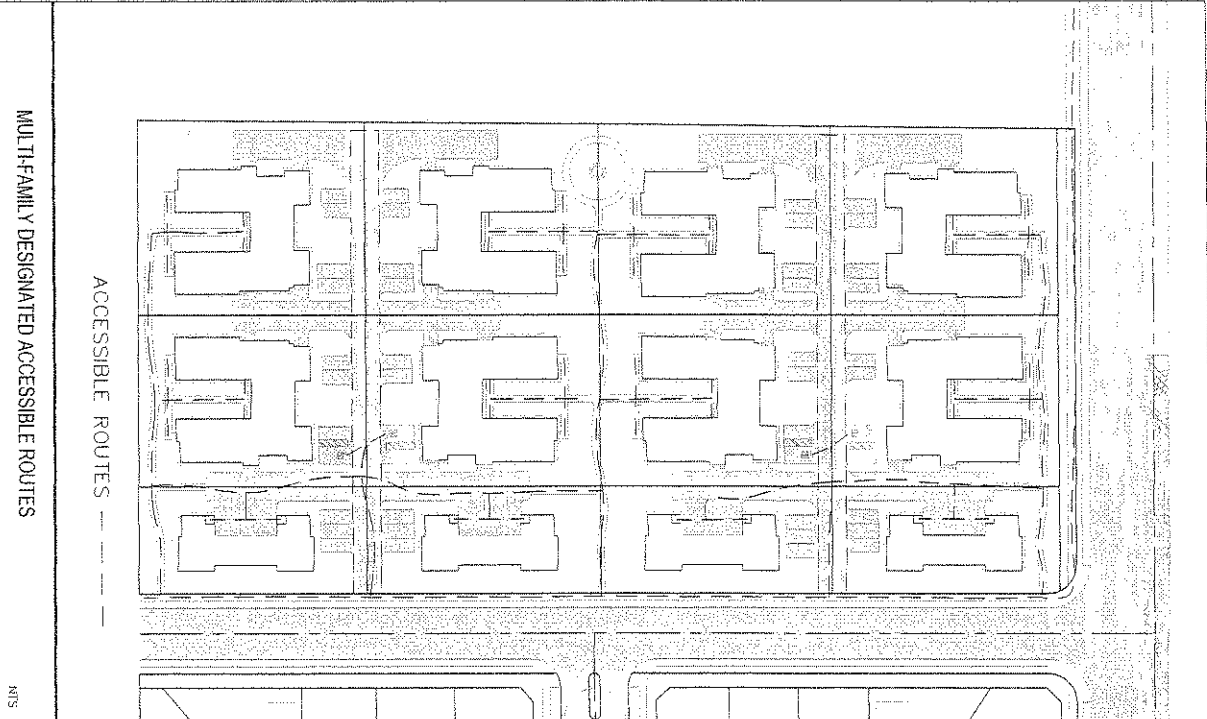
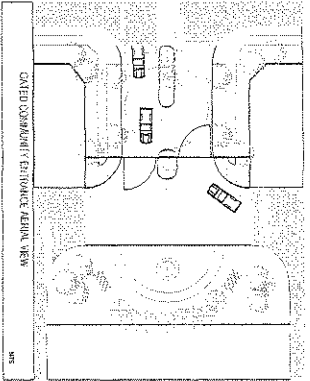
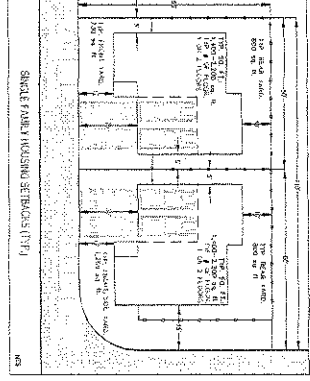
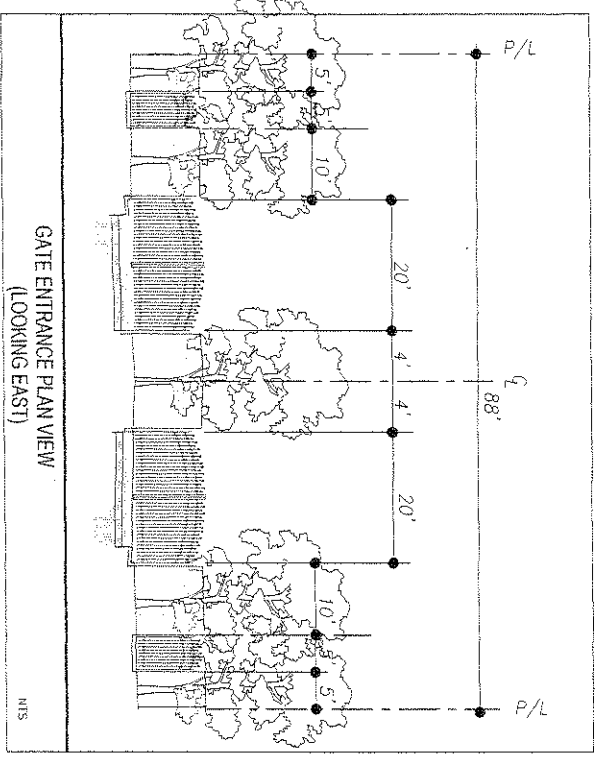


- LEGEND**
- 128 569 013 128 569 014
 - 14 30 AC
 - ZONE X
 - RMZ 2 3&4
 - PROPOSED STRENGTH I
 - CONCRETE TYPICAL WALLS
 - 3 INCH 8 RD
 - SOUTHERN CALIFORNIA Edison CALIFORNIA WATER SERVICE
 - CITY OF VESNA
 - ART
 - OUT OF VESNA
 - SOUTHERN CALIFORNIA GAS
 - NATURAL GAS
 - EXISTING USE
 - PROMISED USE
- PROJ-1**
- CONCEPT LOT 5
 - FRONT YARD 12' TO 10' GARAGE
 - REAR YARD 10'
 - OUT LOT (SOUTH INCLUDES)
 - A1 3,200 SF
 - D1 4,068 SF
 - E, F, G1 5,250 SF
 - H1 7,828 SF
- PROJ-2**
- GROSS ACREAGE: 30 AC
 - FOYAL QUIN 49 DU
 - 12 LOTS @ 4 UNITS/LOT
 - GROSS DUE: 510
 - GROSS ACREAGE: 9.30 AC
 - FOYAL QUIN 71 DU
 - GROSS DUE: 180
- BACKS AREAS:**
- CONCEPT LOT 5
 - FRONT YARD 12' TO 10' GARAGE
 - REAR YARD 10'
- NOTES:**
1. ALL LOTS ARE TO BE DEVELOPED IN ACCORDANCE WITH THE CITY OF VESNA'S ZONING ORDINANCE.
 2. THE CITY OF VESNA'S ZONING ORDINANCE IS APPLICABLE TO ALL LOTS.
 3. THE CITY OF VESNA'S ZONING ORDINANCE IS APPLICABLE TO ALL LOTS.
 4. ALL LOTS ARE TO BE DEVELOPED IN ACCORDANCE WITH THE CITY OF VESNA'S ZONING ORDINANCE.
 5. ALL LOTS ARE TO BE DEVELOPED IN ACCORDANCE WITH THE CITY OF VESNA'S ZONING ORDINANCE.

**SOUTHERN HIGHLAND
TENTATIVE
SUBDIVISION MAP**

DETAILS PAGE

NOTE: A RESUBDIVISION MAP IS REQUIRED TO BE FILED WITH THE COUNTY CLERK'S OFFICE WITHIN 90 DAYS OF THE DATE OF THIS TENTATIVE SUBDIVISION MAP. A RESUBDIVISION MAP IS REQUIRED TO BE FILED WITHIN 90 DAYS OF THE DATE OF THIS TENTATIVE SUBDIVISION MAP. *CONDITIONAL USE PERMIT REQUIRED FOR PRO.



RESOLUTION NO. 2016-50

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2016-24 (SOUTHERN HIGHLANDS PRD) A REQUEST FOR A PLANNED RESIDENTIAL DEVELOPMENT (PRD) TO SUBDIVIDE 14.30 ACRES INTO 12 PARCELS FOR MULTI-FAMILY UNITS, AND 71 LOTS FOR SINGLE-FAMILY RESIDENCES IN THE RM-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQUARE FEET OF LOT AREA PER UNIT), AND R-1-6 (SINGLE-FAMILY RESIDENTIAL, 6,000 SQUARE FEET OF LOT AREA PER UNIT) ZONE DISTRICTS. THE PROJECT INCLUDES PRIVATE STREETS AND COMMON RECREATION AREAS. THE PROJECT SITE IS LOCATED NEAR THE SOUTHEAST CORNER OF DEMAREE STREET AND VISALIA PARKWAY (APNS 126-950-013 & 126-095-014)

WHEREAS, Conditional Use Permit No. 2016-24, is a request for a Planned Development to allow multi-family and single-family residential units with modified development standards on 14.30 acres. The project site is zoned R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit) and R-1-6 (Single-family Residential, 6,000 sq.ft. of lot area per unit), and is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 27, 2017; and,

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2016-24, 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, with mitigation measures applied, no significant environmental impacts would result from this project.

NOW, THEREFORE, BE IT RESOLVED, that Negative Declaration No. 2016-64 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 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).
3. That Mitigated Negative Declaration No. 2016-64 has been prepared for the project. The 30-day review and comment period for the Initial Study began on February 23, 2017, and ended on March 27, 2017. No formal comments were received. Consequently, the Mitigated 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".
2. That the planned development shall be developed consistent with the comments and conditions of Site Plan Review No. 2016-098, incorporated herein by reference.
3. That Tentative Subdivision Map No. 5555 shall be approved, and that requirements of the subdivision map which relate to this conditional use permit shall be fulfilled.
4. That Conditional Use Permit No. 2016-24 shall be null and void unless Tentative Subdivision Map No. 5555 is approved.
5. That all of the conditions and responsibilities of Conditional Use Permit No. 2016-24 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
6. That all applicable federal, state, regional, and city policies and ordinances be met.
7. 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. 2016-24, prior to the issuance of any building permit for this project.
8. Lots 4 through 15 shall maintain a minimum 20-foot rear yard setback for any two-story structures.
9. Prior to recordation of the final map affecting lots 74 through 83, the proponent shall form a Homeowner's Association (HOA) for the administration and maintenance of all common areas, and for enforcement of the Model Good Neighbor Policies (VMC 17.16.190).
10. Prior to occupancy of the first residential unit, a Class 1 bike trail/path of travel shall be installed from the required Class 1 bike trail along the project frontage west to the intersection of Visalia Parkway and Demaree Street. The final design and location of the trail/path shall be as approved by the City Engineer.

11. All Mitigation Measures contained in Mitigated Negative Declaration No. 2016-64 shall be addressed and incorporated into the grading plans for the project.

SOUTHERN HIGHLAND
TENTATIVE SUBDIVISION MAP

LEGEND

ACREAGE
14.99 AC
ZONE R-1
PROPOSED 2A PUD-1
ROAD & RLD
SAVIER HIGH CALIFORNIA EDISON
CALIFORNIA WATER SERVICE
CITY OF VISALIA
A-11
CITY OF VISALIA
UNIMPROVED CALIFORNIA GAS
VACANT
MULTIFAMILY RESIDENTIAL
SINGLE FAMILY RESIDENTIAL

PROB: 2

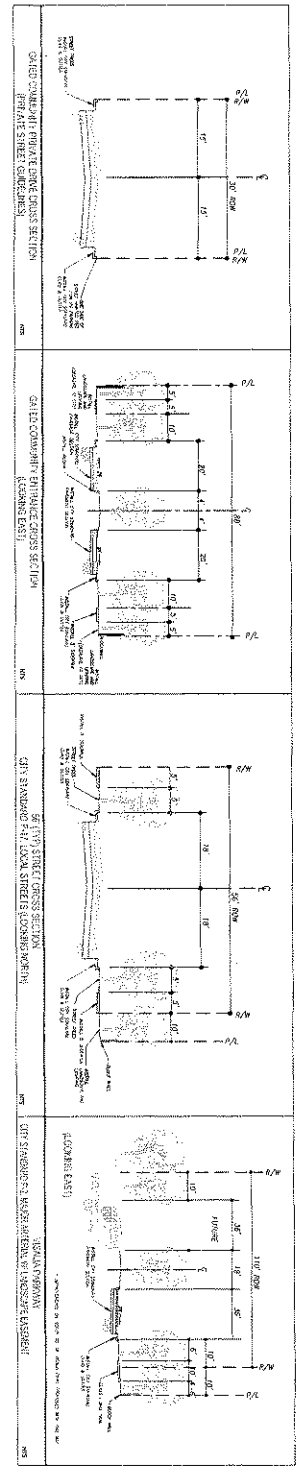
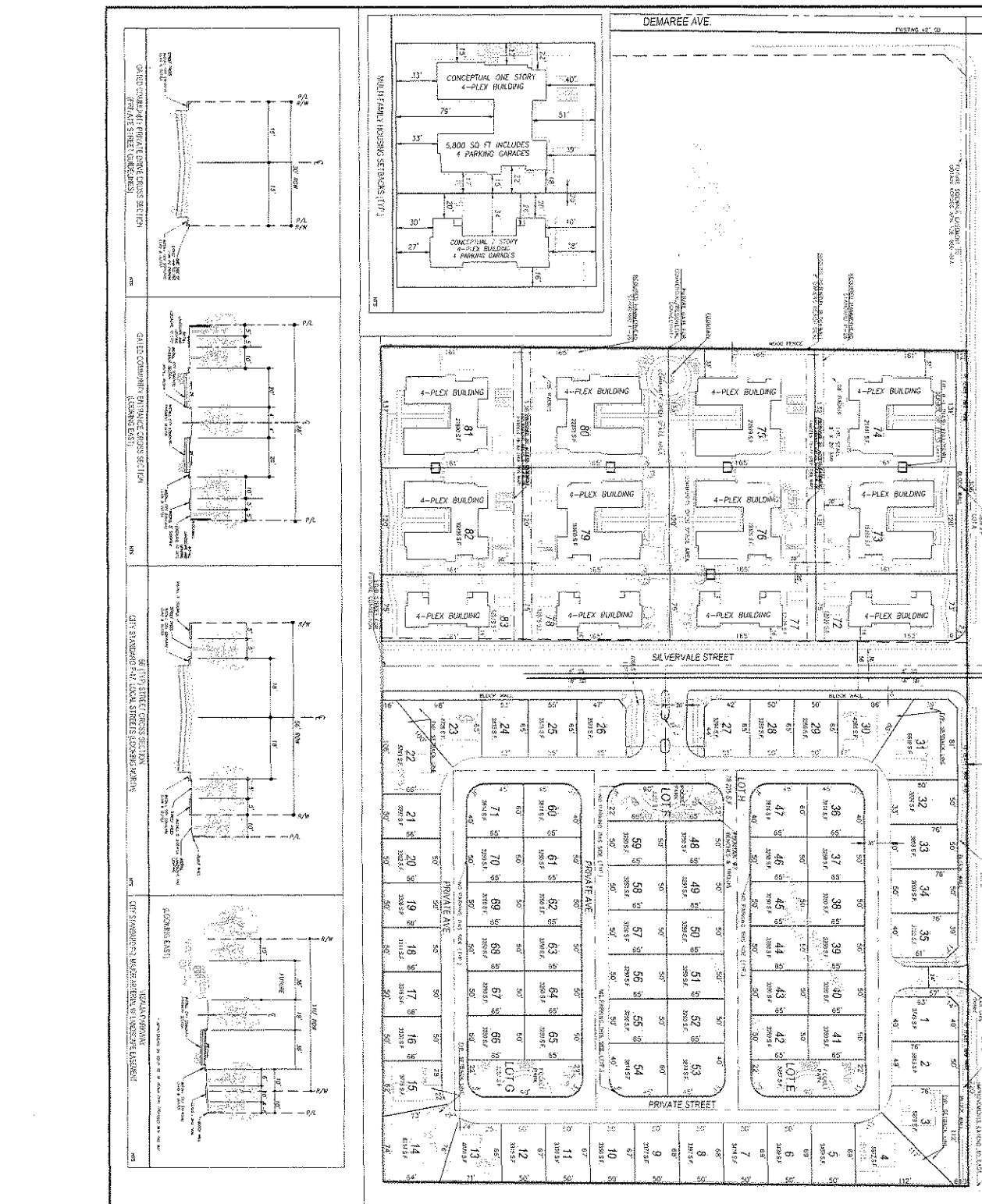
NET GROSS AREA: 50 AC
TOTAL UNITS: 48 DU
TOTAL GROSS SQ FT: 3,014,800
TOTAL UNITS: 21 DU
GROSS GROUND: 7.62

SEWERAGE MAINLINE
CORNER LOTS
12 (21 TO GAVAGE)
SIDE YARD
10'
REAR YARD
10'

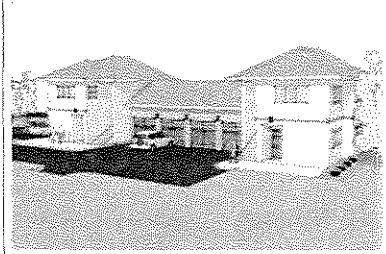
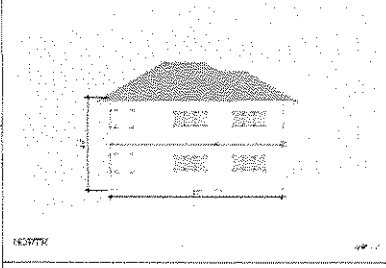
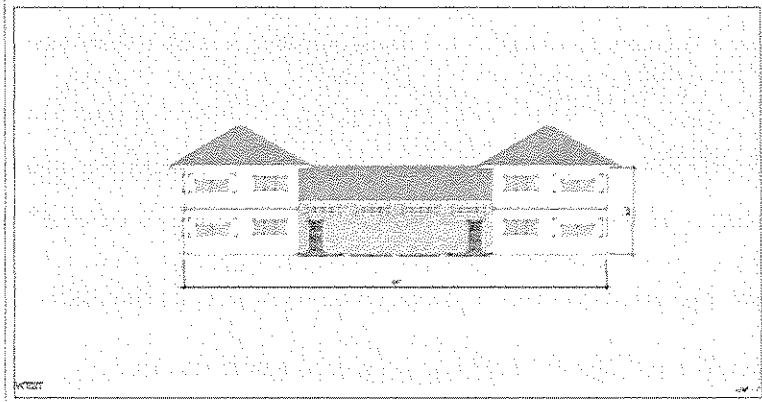
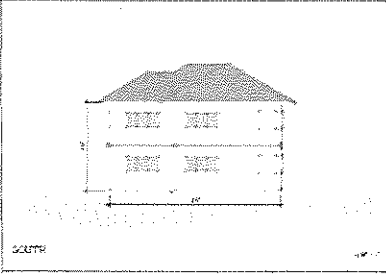
OUT LOT CROWN INCLUSION
A 1,072 SF
B 1,392 SF
C 1,873 SF
D 1,866 SF
E 1,676 SF
F 1,676 SF
G 1,225 SF

48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83

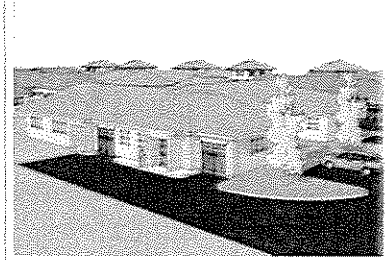
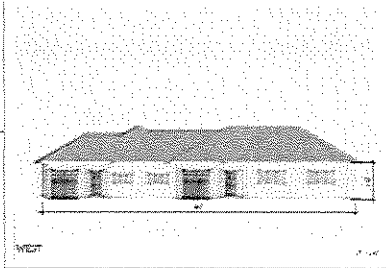
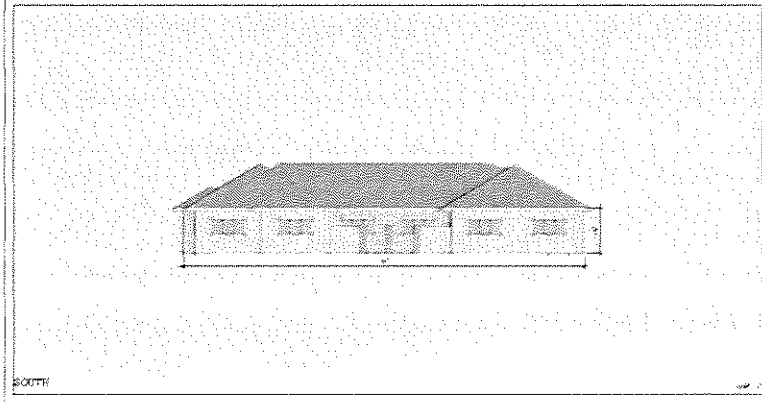
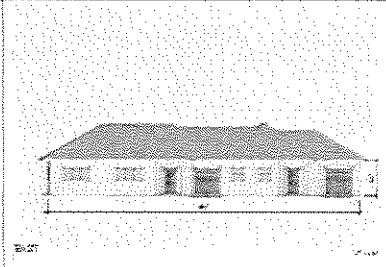
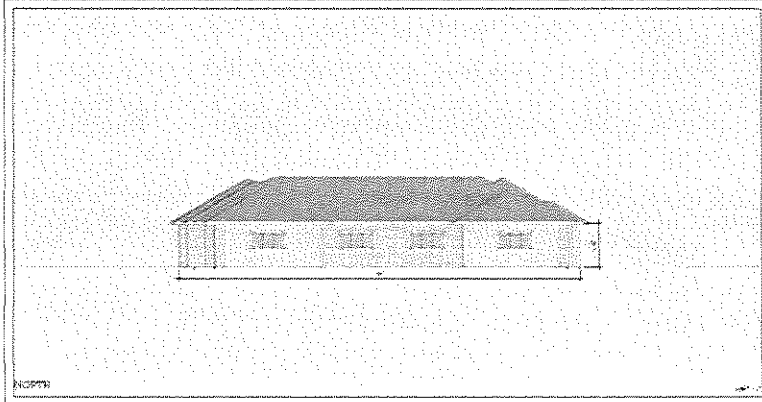
CONCEPTUAL ONE STORY 4-PLEX BUILDING
5,800 SQ FT INCLUDES 4 PARKING GARAGES
CONCEPTUAL TWO STORY 4-PLEX BUILDING



ACCREPXS
211 S. LINDEN AVE. #4
VISALIA, CA 93291
TEL: (559) 261-1100
FAX: (559) 261-1100



PROJECT NO.	13388B
DATE	11/11/11
DRAWN BY	...
CHECKED BY	...
SCALE	1/8" = 1'-0"
ARCHITECT	
THOMPSON & PINE	
11111 1st Street, Suite 100	
Phoenix, AZ 85001	
TEL: 602.998.1111	
FAX: 602.998.1112	
WWW.THOMPSONANDPINE.COM	
A 01	



PROJECT NO.	13388B
DATE	11/11/11
DRAWN BY	...
CHECKED BY	...
SCALE	1/8" = 1'-0"
ARCHITECT	
THOMPSON & PINE	
11111 1st Street, Suite 100	
Phoenix, AZ 85001	
TEL: 602.998.1111	
FAX: 602.998.1112	
WWW.THOMPSONANDPINE.COM	
A 02	

The Model Good Neighbor Policies are adopted by Resolution 2006-60 to read as follows:

17.16.190 Model Good Neighbor Policies.

Before issuance of building permits, project proponents of multi-family residential developments in the R-M zones that are subject to approval by the Site Plan Review Committee or the Planning Commission, shall enter into an operational management plan (Plan), in a form approved by the City for the long term maintenance and management of the development. The Plan shall include but not be limited to: The maintenance of landscaping for the associated properties; the maintenance of private drives and open space parking; the maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages; enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and, enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission, and as may be amended by resolution. A statement referencing the applicability of the Plan to the project, and noting the Plan's availability at the City Community Development Department shall be recorded with the Tulare County Recorder. This Section shall be enforceable on a continuous basis pursuant to Chapter 17.46.

A. Operational Management Plan Required

Before issuance of a building permit for a multi-family project in the R-M zone that is subject to review and approval by the Site Plan Review Committee or the Planning Commission, an operational management plan (Plan) shall be established for the long-term maintenance and management of the project. The Plan shall include but not be limited to the following:

- a. The maintenance of landscaping for the associated properties;
- b. The maintenance of private drives and open space parking;
- c. The maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages;
- d. Enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and
- e. Enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission.

B. Plan Shall Be Recorded

Before issuance of a building permit for the project, applicant shall prepare a statement in a form approved by the Planning Director, referencing the applicability of the Plan to the project, and noting the Plan's availability at the City Community Development Department. The statement shall be recorded with the Tulare County Recorder.

C. Maintenance and Operations

1. All development standards, City codes, and ordinances shall be continuously met for this apartment/residential complex. Buildings and premises, including paint/siding, roofs, windows, fences, parking lots, and landscaping shall be kept in good repair. Premises shall be kept free of junk, debris.
2. Provide a regular program for the control of infestation by insects, rodents, and other pests at the initiation of the tenancy and control infestation during the tenancy.
3. Where the condition is attributable to normal wear and tear, make repairs and arrangements necessary to put and keep the premise in as good condition as it by law or rental agreement should have been at the commencement of tenant occupation.

4. Maintain all electrical, plumbing, heating, and other facilities in good working order.
5. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
6. Remove graffiti within 24 hours of it having been observed.
7. Recreation facilities shall be for tenant use only.
8. Provide 24-hour access for Visalia Police Department to Maintenance and/or Management Staff. Maintenance and/or Management Staff shall be available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
9. Establish and conduct a regular program of routine maintenance for the apartment/residential complex. Such a program shall include, but not necessarily be limited to regular inspections of common areas and scheduled re-paintings, re-plantings, and other similar activities that typically require attention at periodic intervals but not necessarily continuously.
10. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

D. Landscape Care and Maintenance

1. Automatic irrigation systems shall be maintained.
2. All plant materials (trees, shrubs, and groundcover) shall be maintained so that harm from physical damage or injury arising from vehicle damage, lack of water, chemical damage, insects, and other pests is minimized.
3. It is the responsibility of the property owners to seek professional advice and spray and treat trees, shrubs, and groundcover for diseases which can be successfully controlled if such untreated diseases are capable of destroying an infected tree or other trees within a project.
4. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

E. Parking - The parking of inoperative vehicles on-site, and boats, trucks (one-ton capacity and over), trailers, and/or recreational vehicles in the apartment/residential complex is not allowed.

F. Tenant Agreement - The tenant agreement for the complex must contain the following:

1. Standards of aesthetics for renters in regard to the use and conditions of the areas of the units visible from the outside (patios, entryways).
2. Hours when noise is not acceptable, based upon Community Noise Standards, additional standards may be applied within the apartment/residential complex.
3. Rules for use of open areas/recreational areas of the site in regard to drinking, congregating, or public nuisance activities.
4. Prohibition on inoperable vehicles on-site, and boats, trucks (one-ton capacity and over), trailers and/or recreational vehicles.
5. Standards of behavior for tenants that could lead to eviction.
6. All tenants shall read and receive a copy of the Tenant Agreement.



December 6, 2016

Paul Scheibel
Planning Division
315 East Acequia Ave
Visalia, CA 93291

RE: OPERATIONAL STATEMENT

Entitlements Required:

Tentative Subdivision Map & Conditional Use Permit (PRD)

Project Description:

Southern Highland Tentative Subdivision Map is being submitted by 4 Creeks Inc. on behalf of Summit Homebuilders Inc. and pertains to 14.30 acres of property located at APN: 126-950-013 & 126-950-014 at the southeast corner of Demaree Street and Visalia Parkway and is currently RM-2 (Multi-family Residential, 3,000 sq. ft. of lot area per unit and R-1-6 (Single-family Residential, 6,000 sq. ft. of lot area per unit) zoned districts. The project is also consistent with the City's General Plan with the Residential Medium Density (RMD), and Residential Low Density (RLD) land use designations. The project will require a Conditional Use Permit No. 2016-24 (Sothern Highlands PRD) required for a Planned Residential Development and gated community.

The proposed development will consist of Multi-Family and Single Family Residential parcels. The Multi-Family piece will have a PRD/RM-2 Zoning and a gross acreage of 5 acres. This section of the development will consist of 12 parcels with 4 units per lot for a total of 48 dwelling units on 12 parcels at a density of 10.0 dwelling units per acre. The Single Family piece will have a PRD/R-1 Zoning and a gross acreage of 7.63 acres. This section of the development will consist of 71 parcels with 1 unit per lot for a total of 71 dwelling units on 71 parcels at a density of 7.63 dwelling units per acre.

Operational Details:

The existing site is currently vacant without any dwelling units or other buildings or improvements for habitation or human use. The proposed project is for residential development and would be inhabited 24 hours per day with activity at any hour of the day. However, each owner should adhere to any noise standards set forth by the City of Visalia Code. Other facts pertinent to this project are as follows; the entire project is name "Southern Highlands." However, there are two communities within this development, a piece that contains multi-family housing and a piece that consist of single family housing. The multi-family portion of the project will be non-gated, and the single family portion of the project will be a gated community. The multi-family portion will further be named "Solaro @

Visalia Office

324 S. Santa Fe St. Ste. A
Visalia, California 93292
P: (559) 802.3052
F: (559) 802.3215

Porterville Office

881 W. Morton Ave., Suite D
Porterville, California 93257
P: (559) 781. 0102
F: (559) 781.6840

www.4-creeks.com



Southern Highland” and the single-family portion will further be named “Villas @ Southern Highland.” These two communities will be separate in development, CC&R’s and divided by the centerline of north-south street to be named “Silvervale Street.” Each community will be responsible for the maintenance of all open space, parks, landscape and lighting districts, sidewalks and walkway through their respective Home Owners Associations (HOA’s). Each HOA will be responsible for the ongoing operation of maintaining common areas and the enforcement of the Good Neighbor Policies adopted by the City of Visalia, Resolution No. 2006-60, relative to how the maintenance of common areas will be accomplished. The rules of each HOA community, Solaro @ Southern Highland and Villas @ Southern Highland will be outlined in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for its respective community and will be provided with Final Map submittal to the City.

Visalia Office

324 S. Santa Fe St. Ste. A
Visalia, California 93292
P: (559) 802.3052
F: (559) 802.3215

Porterville Office

881 W. Morton Ave., Suite D
Porterville, California 93257
P: (559) 781. 0102
F: (559) 781.6840

www.4-creeks.com



MEETING DATE August 10, 2016
 SITE PLAN NO. 16-098
 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
 - SUBDIVISION MAP & CUP
 - HISTORIC PRESERVATION Other

ADDITIONAL COMMENTS:

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



QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: 3 DATE: August 10, 2016
SITE PLAN NO: SPR16098
PROJECT TITLE: DEMAREE @ VISALIA PKWY TENTATIVE
DESCRIPTION: SMALL LOT SINGAL FAMILY AND MULTI-FAMILY
RESIDENTIAL DEVELOPMENT (RM2/R-1-6) (X)
APPLICANT: DUDA DAVID
PROP OWNER: RAVI HOMES LLC
LOCATION: APNS:000-010-907, 000-010-908 - SE CORNER OF
APN(S): 126-950-013

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 - $\frac{3}{4}$ 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

[Handwritten Signature]

AUTHORIZED SIGNATURE

8-5-16

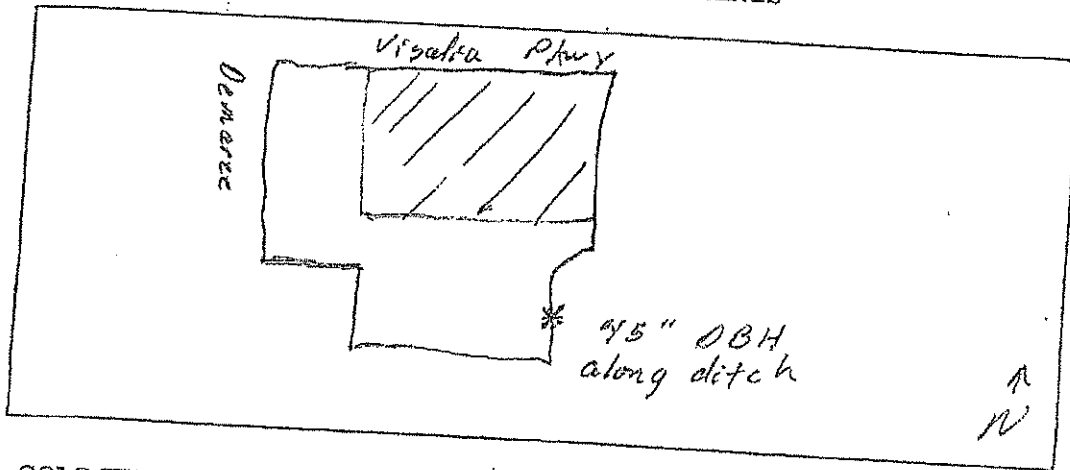
DATE

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

Date: 7-12-16

Site Plan Review # 16098

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:

1 - 45" DBH Valley Oak
Need to submit plans for Park

Joel Hooyer
Joel Hooyer
Parks and Urban Forestry Supervisor
559 713-4295 Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us

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

ITEM NO: 3 DATE: August 10, 2016
SITE PLAN NO: SPR16098
PROJECT TITLE: DEMAREE @ VISALIA PKWY TENTATIVE
DESCRIPTION: SMALL LOT SINGLE FAMILY AND MULTI-FAMILY
RESIDENTIAL DEVELOPMENT (RM2/R-1-6) (X)
DUDA DAVID
APPLICANT: RAVI HOMES LLC
PROP OWNER:
LOCATION: APNS:000-010-907, 000-010-908 - SE CORNER OF
APN(S): 126-950-013

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 or 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:
 466

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: August 10, 2016

SITE PLAN NO: 2016-098 RESUBMITTAL
PROJECT TITLE: DEMAREE @ VISALIA PKWY TENTATIVE SUBDIVISION MAP
DESCRIPTION: SMALL LOT SINGAL FAMILY AND MULTI-FAMILY RESIDENTIAL DEVELOPMENT (RM2/R-1-6) (X)
APPLICANT: DUDA DAVID
PROP. OWNER: RAVI HOMES LLC
LOCATION TITLE: SOUTH SIDE OF VISALIA PARKWAY BETWEEN S. DEMAREE ST. & S. DANS ST.
APN TITLE: N/A
GENERAL PLAN: Low and Medium Density Residential
EXISTING ZONING: R-M-1 & R-M-2 – Single-Family Residential 6,000 sq. ft. min. lot area & Multi-Family Residential 3,000 sq. ft. site area per unit

Planning Division Recommendation:

- Revise and Proceed
 Resubmit
 Revise and Proceed Off Agenda

Project Requirements

- Subdivision Map
- Conditional Use Permit (CUP) for Private Street, Small Lot PRD & Multi-Family subdivision
- Comply with P-22 Superblock Connectivity
- Building Permits
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 08/10/2016

1. Comply with previous comments from the July 13, 2013 meeting.
2. Staff recommends the developer do outreach to the County island residences to the east.
3. The density proposed for the multi-family development complies with Policy LU-P-47 of the General Plan. The density proposed at 8.0 units per acre meets the density requirements as defined in Table 2-7 of the General Plan.
4. Comply with Engineering Divisions comment regarding the construction of the Class 1 Bike Lane along the south side of Visalia Parkway. Revise the Visalia Parkway cross-section detailing the Class 1 Bike Lane.
5. CC&R's shall be submitted at time of Final Map processing.
6. Provide building elevations for the multi-family units with the submittal of the CUP/Subdivision application.
7. Comply with all other City Division's comments and conditions.

PREVIOUS COMMENTS

PROJECT SPECIFIC INFORMATION: 07/13/2016

Private Street Planned Residential Subdivision

1. A tentative subdivision map and CUP are required for this proposed project. The CUP is required for the private gated subdivision, and the small lot Planned Residential Development.
2. Depict the buildable lot areas on each of the lots and call out the setbacks proposed for this subdivision.

3. Consideration to retain a 20-ft. rear yard setback should be required along all lots abutting Visalia Parkway.
4. All lots shall maintain a 20-ft. setback to the garage/covered parking area.
5. The Homeowners Association shall maintain all landscape areas including the proposed pocket parks, and landscaping areas within the private roadways leading up to the private gates.
6. Note the location of all proposed block walls.
7. Staff has concerns with the "dead-end" private streets adjacent to Lots 11, 52, 47 and 48. The site plan exhibit shall provide clarification if the streets are designed to accommodate an emergency exit or second point of access for emergency vehicles and solid waste trucks.
8. The gated entry point shall be redesigned to accommodate a turn-around for vehicles that cannot access the subdivision. Note the location of the keypad pedestal.
9. The development shall comply with the P-22 Super Block Connectivity standard. The public north/south street should be moved further to the east. Comply with the Traffic Engineer and Engineering Divisions comments regarding the local street connections.
10. A local half-street to facilitate east/west traffic patterns is required along the south boundary of this development plan. The half east/west street provides local street connectivity to the future residential plan areas within the "super block".
11. Provide elevations for the single-family dwellings.

Multi-Family Development

1. A subdivision map and CUP are required for the multi-family component of this development plan.
2. Pursuant to Section 17.16.050 "Site area and configuration" in the multi-family residential zone, the minimum site area shall be two acres unless a smaller site is approved as part of a conditional use permit.
3. Depict the buildable lot area for each lot within the multi-family development.
4. Depict all common area and guest parking stalls for each multi-family lot.
5. Cross-access agreements shall be required if shared driveways are proposed with this development.
6. Depict the location of the block wall along Visalia Parkway.
7. Provide building elevations for the multi-family units.
8. Staff will recommended a solid block wall be constructed along the property line shared by the single and multi-family developments.

Off-Site Improvement

1. A paved pedestrian pathway constructed west of the multi-family development along Parcel 1 of Parcel Map 5159 will be conditioned as a requirement of this project. This requirement will facilitate pedestrian connectivity to a controlled intersection that will allow residents of the single and multi-family developments to safely access Cottonwood Elementary and Perry Park

- Staff 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.

R-1-6 Single Family Residential Zone [17.12]

Maximum Building Height: 35 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Front	15 Feet	15 Feet
➤ Front Garage (garage w/door to street)	22 Feet	22 Feet

➤ Side	5 Feet	5 Feet
➤ Street side on corner lot	10 Feet	10 Feet
➤ Rear	25 Feet*	25 Feet

Minimum Site Area: 6,000 square feet

Accessory Structures:

Maximum Height: 12 feet (as measured from average grade next to the structure)

Maximum Coverage: 20% of required Rear Yard (last 25 feet by the width)

Reverse Corner Lots: No structure in the 25 feet of adjacent lot's front yard area, see Zoning Ordinance Section 17.12.100 for complete standards and requirements.

DEVELOPMENT STANDARDS - R-M-2 [17.16]

Maximum Building Height: 35 Feet

<u>Minimum Setbacks:</u>	Building	Landscaping
➤ Front	15 Feet	15 Feet
➤ Side (per story)	5 Feet	5 Feet*
➤ Street side on corner lot	10 Feet	10 Feet
➤ Rear	25 Feet	25 Feet

Minimum Site Area: 3,000 square feet per unit

- Common open space
 - Screen 2nd story windows when adjacent to an R-1 Site, Single-Family Residential
 - Conditional Use Permit for 60 or more units
 - Alley exception for rear setback to parking structure, open space still needed
 - Minimum site area 2 acres, unless CUP, zoning action, or Master Plan approved by SPR
 - Screen all parking areas adjacent to public streets. Parking subject to Chapter 17.34.
- See Zoning Ordinance Section 17.16 for complete standards and requirements.

Parking:

1. Provide two covered parking spaces for each single-family residential dwelling. Provide 1.5 spaces for each multi-family dwelling unit (see Zoning Ordinance Section 17.34.020).

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 minimum seven-foot high concrete block wall or masonry wall along/around the following: **At the rear of the landscape and lighting lot for Visalia Parkway and the shared property line between the single and multi-family development.**
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. (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. 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.

The Model Good Neighbor Policies are adopted by Resolution 2006-60 to read as follows:

17.16.190 Model Good Neighbor Policies.

Before issuance of building permits, project proponents of multi-family residential developments in the R-M zones that are subject to approval by the Site Plan Review Committee or the Planning Commission, shall enter into an operational management plan (Plan), in a form approved by the City for the long term maintenance and management of the development. The Plan shall include but not be limited to: The maintenance of landscaping for the associated properties; the maintenance of private drives and open space parking; the maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages; enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and, enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission, and as may be amended by resolution. A statement referencing the applicability of the Plan to the project, and noting the Plan's availability at the City Community Development Department shall be recorded with the Tulare County Recorder. This Section shall be enforceable on a continuous basis pursuant to Chapter 17.46.

A. Operational Management Plan Required

Before issuance of a building permit for a multi-family project in the R-M zone that is subject to review and approval by the Site Plan Review Committee or the Planning Commission, an operational management plan (Plan) shall be established for the long-term maintenance and management of the project. The Plan shall include but not be limited to the following:

- a. The maintenance of landscaping for the associated properties;
- b. The maintenance of private drives and open space parking;
- c. The maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages;
- d. Enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and
- e. Enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission.

B. Plan Shall Be Recorded

Before issuance of a building permit for the project, applicant shall prepare a statement in a form approved by the Planning Director, referencing the applicability of the Plan to the project, and noting the Plan's availability at the City Community Development Department. The statement shall be recorded with the Tulare County Recorder.

C. Maintenance and Operations

1. All development standards, City codes, and ordinances shall be continuously met for this apartment/residential complex. Buildings and premises, including paint/siding, roofs, windows, fences, parking lots, and landscaping shall be kept in good repair. Premises shall be kept free of junk, debris.
2. Provide a regular program for the control of infestation by insects, rodents, and other pests at the initiation of the tenancy and control infestation during the tenancy.
3. Where the condition is attributable to normal wear and tear, make repairs and arrangements necessary to put and keep the premise in as good condition as it by law or rental agreement should have been at the commencement of tenant occupation.

4. Maintain all electrical, plumbing, heating, and other facilities in good working order.
5. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
6. Remove graffiti within 24 hours of it having been observed.
7. Recreation facilities shall be for tenant use only.
8. Provide 24-hour access for Visalia Police Department to Maintenance and/or Management Staff. Maintenance and/or Management Staff shall be available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
9. Establish and conduct a regular program of routine maintenance for the apartment/residential complex. Such a program shall include, but not necessarily be limited to regular inspections of common areas and scheduled re-paintings, re-plantings, and other similar activities that typically require attention at periodic intervals but not necessarily continuously.
10. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

D. Landscape Care and Maintenance

1. Automatic irrigation systems shall be maintained.
2. All plant materials (trees, shrubs, and groundcover) shall be maintained so that harm from physical damage or injury arising from vehicle damage, lack of water, chemical damage, insects, and other pests is minimized.
3. It is the responsibility of the property owners to seek professional advice and spray and treat trees, shrubs, and groundcover for diseases which can be successfully controlled if such untreated diseases are capable of destroying an infected tree or other trees within a project.
4. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

E. Parking - The parking of inoperative vehicles on-site, and boats, trucks (one-ton capacity and over), trailers, and/or recreational vehicles in the apartment/residential complex is not allowed.

F. Tenant Agreement - The tenant agreement for the complex must contain the following:

1. Standards of aesthetics for renters in regard to the use and conditions of the areas of the units visible from the outside (patios, entryways).
2. Hours when noise is not acceptable, based upon Community Noise Standards, additional standards may be applied within the apartment/residential complex.
3. Rules for use of open areas/recreational areas of the site in regard to drinking, congregating, or public nuisance activities.
4. Prohibition on inoperable vehicles on-site, and boats, trucks (one-ton capacity and over), trailers and/or recreational vehicles.
5. Standards of behavior for tenants that could lead to eviction.
6. All tenants shall read and receive a copy of the Tenant Agreement.

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

August 10, 2016

ITEM NO: 3	RESUBMTL
SITE PLAN NO:	SPR16098
PROJECT TITLE:	DEMAREE @ VISALIA PKWY TENTATIVE SUBDIVISION MAP
DESCRIPTION:	SMALL LOT SINGAL FAMILY AND MULTI-FAMILY RESIDENTIAL DEVELOPMENT (RM2/R-1-6) (X)
APPLICANT:	DUDA DAVID
PROP. OWNER:	RAVI HOMES LLC
LOCATION:	APNS:000-010-907, 000-010-908 - SE CORNER OF DEMAREE & VISALIA PARKWAY
APN(S):	126-950-013

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* Locations.
- Install Stop Signs at *at all intersections with an arterial or collector.*
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.

Additional Comments:

- At Visalia Pkwy gated entrance – Restricted to right out only
- At Visalia Pkwy-New Street intersection – Restricted to no left outs. Right ins & right outs, & left ins allowed only
- Projected to generate 39 PM peak hour trips; therefore, a TIA is not required.



Leslie Blair

**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 3 DATE: AUGUST 10, 2016

SITE PLAN NO.: 16-098 RESUBMITTAL
PROJECT TITLE: DEMAREE @ VISALIA PKWY TENTATIVE
SUBDIVISION MAP
DESCRIPTION: SMALL LOT SINGLE FAMILY AND MULTI-FAMILY
RESIDENTIAL DEVELOPMENT (RM2/R16) (X)
APPLICANT: DUDA DAVID
PROP. OWNER: RAVI HOMES LLC
LOCATION: APNS: 000-010-907, 000-010-908 - SE CORNER
OF DEMAREE & VISALIA PARKWAY
APN: 000-010-907

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. **SEE ADDITIONAL COMMENTS**

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.
 - 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 ST = 5.5, VISALIA PKWY = 11.0**
 - 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. **VISALIA PKWY**
 - All lots shall have separate drive approaches constructed to City Standards.
 - Install street striping as required by the City Engineer.
 - Install sidewalk: **10'** ft. wide, with **6'** ft. wide parkway on **VISALIA PKWY, SEE ADDL COMMENTS**
 - 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 private subdivision shall maintain adequate street width to comply with Fire Code by providing "no parking" zones as delineated.**
- 2. Gated entrance turn-around area is adequate as shown.**
- 3. Proposed non city standard street knuckle will need to demonstrate adequate Solid Waste & Fire truck maneuverability onsite.**
- 4. Maintenance of Lots A-H for landscaping, block wall, and equipment will be required to be maintained by private development. All public street lights on Silvervale & Visalia Pkwy and the local street pavement maintenance will be maintained by a Landscape and Lighting District; to be formed as part of the final map.**
- 5. Curb ramp radius at all connecting streets to Visalia Parkway shall meet City 30' radius standards.**
- 6. The City has previously acquired the ultimate right-of-way for Visalia Parkway. Proposed subdivision will be required to fully construct Visalia Pkwy, with median improvements, along project frontage, including the connection to existing improvements across westerly parcel. In addition, improvements**

to widen Visalia Parkway to the east beyond the project frontage will be necessary; City Engineer to further determine extents of easterly widening.

7. Visalia Parkway is a funded arterial roadway in the City's Circulation Element. Costs of pavement beyond 8' from face of curb and median improvements are reimbursable to the developer in the form of Transportation Impact Fee credits. Costs of required offsite improvements, beyond project frontage, are reimbursable per the terms set forth in the City's Transportation Impact Fee program. Transitional/temporary improvement costs are not reimbursable.

8. Per proposed access points on Visalia Parkway, a median break for the public local street for left-in movements only will be granted. Proposed access into gated community will be restricted to right-in, right-out movements only.

9. Additional surface improvements across adjacent parcel (within right-of-way) to the west will be required to create an accessible public path of travel and bike lane from proposed development to existing intersection at Demaree and Visalia Pkwy.

10. A Class 1 bike path will be required along the south side of Visalia Parkway. The proposed street cross section shall be adjusted for a 6' parkway, 10' bike lane, and 4' landscape lot to block wall. Refer to City standards for Class 1 bike path design criteria.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 16-098 RESUBMITTAL
Date: 8/10/2016

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:8/2/2016 **SUBJECT TO FEE INCREASE EFFECTIVE OCT. 2016**)
(Project type for fee rates:SFD + MULTI-FAM)

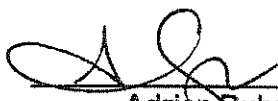
Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$732/UNIT - SFD \$414/UNIT - MULTI-FAMILY
<input checked="" type="checkbox"/> Sewer Front Foot Fee	\$40/LF X 938 LF (VISALIA PKWY) = \$37,520
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	\$2,910/AC - LOW DENSITY \$4,737/AC - MED DENSITY
<input checked="" type="checkbox"/> Park Acquisition Fee	\$1,440/UNIT - SFD \$1,269/UNIT - MULTI-FAM
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$2,374/AC - LOW DENSITY \$3,864/AC - MED DENSITY

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 For:
Visalia Fire Department
Kurtis A. Brown,
Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4261 office
559-713-4808 fax

ITEM NO: 2

DATE: July 13, 2016

SITE PLAN NO: SPR16098
PROJECT TITLE: DEMAREE @ VISALIA PKWY TENTATIVE
DESCRIPTION: SMALL LOT SINGLE FAMILY AND MULTI-FAMILY RESIDENTIAL DEVELOPMENT (RM2/R-1-6) (X)
APPLICANT: DUDA DAVID
PROP OWNER: RAVI HOMES LLC
LOCATION: APNS:000-010-907, 000-010-908 - SE CORNER OF
APN(S): 000-010-907

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 served are 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.

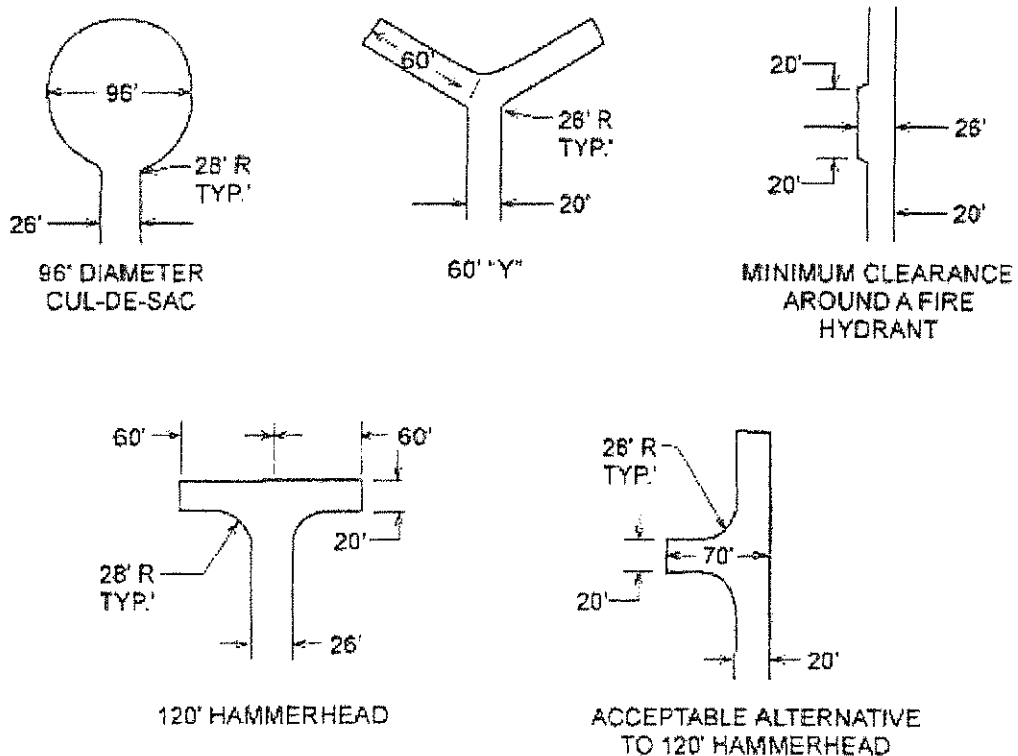


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

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.)

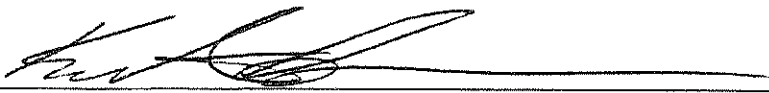
In and all new One- or two-family dwellings residential developments regardless of the number of units, street width shall be a minimum of 36 feet from curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments 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:



Kurtis A. Brown
Fire Marshal

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

**NOTICE OF A PROPOSED
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: The project proponents are requesting to develop 14.3 acres for a mix of single-family residential and multi-family residential homes. The project site is located in the City of Visalia, County of Tulare.

Conditional Use Permit No. 2016-24 (Southern Highlands) is a request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014).

Southern Highlands (PRD) Tentative Subdivision Map No. 5555: is a request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014).

Project Location: . The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014).


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. 2016-64 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 Negative Declaration will be accepted from February 21, 2017 to March 24, 2017.

Date: 2-17-17

Signed: 
Paul Scheibel, AICP
Environmental Coordinator
City of Visalia

MITIGATED NEGATIVE DECLARATION

Project Description: The project proponents are requesting to develop 14.3 acres for a mix of single-family residential and multi-family residential homes. The project site is located in the City of Visalia, County of Tulare.

Conditional Use Permit No. 2016-24 (Southern Highlands) is a request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014).

Southern Highlands (PRD) Tentative Subdivision Map No. 5555: is a request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014).

No development entitlements beyond the conditional use permit and tentative subdivision 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 project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014).

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	()

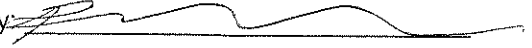
DECLARATION OF NO SIGNIFICANT EFFECT:

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: 2-17-12

Review Period: 30 days

INITIAL STUDY

I. GENERAL

A. Project Description:

Conditional Use Permit No. 2016-24 (Southern Highlands) is a request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014).

Southern Highlands (PRD) Tentative Subdivision Map No. 5555: is a request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014).

Project Location: The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014). The site is currently vacant and undeveloped. It has been tilled for row crop production.

B. Identification of the Environmental Setting:

The surrounding uses are as follows:

	General Plan (2014 Land Use)	Zoning (1993)	Existing uses
North:	RLD	R-1-6	Homesite and vacant land approved for SFR subdivision
South:	Mix of C/PI (Conservation Public Institution), and RLD Residential Low Density	County	Rural Residential homesites
East:	RLD	County	Single-family residences
West:	NC (Neighborhood Commercial)	NC (Neighborhood Commercial)	Vacant row crop land

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

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, also designates the site as a mix of R-M-2 and R-1-6 zoning. This is consistent with the General Plan Land Use Designation of Low Density and 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 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 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.

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

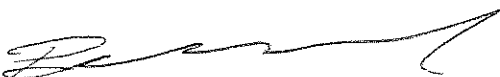
The proposed project would be compatible with the General Plan, Zoning and Subdivision Ordinances as it relates to surrounding properties.

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.
- Site Plan Exhibit
- Letter, Chairman Kenneth Woodrow, Eshom Valley Band of Indians/Wuksachi Tribe, dated 12/23/16

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 Conditional Use Permit No. CUP 2016-24 & Tentative Subdivision Map No. 5555

NAME OF PROPONENT: Summit Homebuilders, Inc.

NAME OF AGENT: David Duda – 4Creeks, Inc.

Address of Proponent: 324 S. Santa Fe St., Ste. A,
 Visalia CA 93292

Address of Agent: 324 S. Santa Fe St. Ste. A
 Visalia CA 93292

Telephone Number: (559) 802-3052

Telephone Number: (559) 802-3052

Date of Review February 17, 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?
- 3 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 3 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
- 3 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)?
- 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. 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 14.3-acre development site is on property that is 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 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 14.3-acre annexation site is within the Urban Development Tier 1 Boundary. 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. 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 conversion of the site from an agricultural use 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. The site has a Residential zoning designation. The project is bordered by existing urban development to the north and east.
- 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 subdivision map will result in the conversion of farmland to a non-agricultural use. The City's General Plan designates this property for urban development by designating this site for Residential. In addition, the project proposes to locate the development project 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 project site and subdivision 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 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. 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 had 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. Packwood Creek, 180 feet southeast of the project site, is a confined waterway that is partially denuded of vegetation and dredged regularly. No portion of the project will encroach on Packwood Creek or its recognized 50-foot riparian setback from the top of its northern bank. This eliminates the potential to foster riparian habitat, or to adversely impact any existing 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. 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 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.

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 (Cottonwood Elementary). 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 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 or 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 October 12, 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.
- 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 500X, which indicates that the project site is in a very low probability flood zone area.
- h. The project area is located within Zone 500X, which indicates that site is in a very low probability 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 project site as Low Density and Medium Density Residential. The project is consistent with General Plan Land Use policies that encourage concentric growth, avoiding pre-mature conversion of farmland and maintaining the viability of existing farmland by avoiding potential conflicts between agricultural production and urban uses.
- b. The project will not physically divide an established community. The General Plan Land Use Diagram, adopted October 14, 2014, designates the entire project area as Residential. There are no uses in the area that will directly conflict with the proposed residential development of the project area.

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.

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 2, located at 5025 W. Walnut Ave., 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 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 Demaree and Visalia Parkway. 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 October 12, 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. TRIBAL CULTURAL RESOURCES

The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe. 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, the tribal contacts for the five Tribes with historic presence in the Planning Area were contacted individually. This contact did not result in additional resources being identified.

Additionally, invitations for early consultation were sent to the five Tribes with a historic presence in the Visalia Planning Area. The Tribal representative of the Wuksachi Tribe requested formal consultation pursuant to AB 52. Following extended conversations and an onsite visit conducted on January 19, 2017, no specific

concerns relative to the project site or surrounding areas were identified. No further information was received from the Tribal representative. Consequently, the City, acting as the Lead Agency determined that mitigation measures requiring stop work and expert review and clearance of potential resources uncovered during grading operations is adequate to mitigate potentialities as suggested by the Tribal representative.

Mitigation Measure 18.1 has been added to this MND and will be included as project conditions of approval. These measures require that, 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.

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.

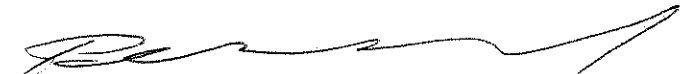
IXX MANDATORY FINDINGS OF SIGNIFICANCE

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

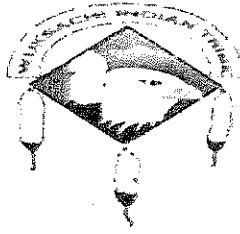
DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

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



12/23/2016
Susan Currie
Planner assistant
City of Visalia
315 E Acequia Ave
Visalia, Ca 93291

RE: Formal Request for Tribal Consultation Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code section 21080.3.1, subs. (b), (d) and (e) for Conditional Use Permit no 2016-24 Southern Highland (PRD) Tentative Subdivision map no 5555

Dear Susan Currie:

This letter constitutes a formal request for tribal consultation under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e)) for the mitigation of potential project impacts to tribal cultural resource for the above referenced project. The Wuksachi Indian Tribe, requested formal notice and information for all projects within your agency's geographical jurisdiction and received notification on December 13 2016 regarding the above referenced project.

The Wuksachi Indian Tribe, Requests consultation on the following topics checked below, which shall be included in consultation if requested (Public Resources Code section 21080.3.2, subd. (a)):

- Alternatives to the project
- Recommended mitigation measures
- Significant effects of the project

The Wuksachi Indian Tribe also requests consultation on the following Discretionary topics checked below (Public Resources Code section 21080.3.2, subd. (a)):

- Type of environmental review necessary
- Significance of tribal cultural resources, including any regulations, policies or standards used by your agency to determine significance of tribal cultural resources
- Significance of the project's impacts on tribal cultural resources
- Project alternatives and/or appropriate measures for preservation or mitigation that we may recommend, including, but not limited to:
 1. (1) Avoidance and preservation of the resources in place, pursuant to Public Resources Code section 21084.3, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks or other open space, to incorporate the resources with culturally appropriate protection and management criteria;

2. (2) Treating the resources with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resources, including but not limited to the following:
 1. Protecting the cultural character and integrity of the resource;
 2. Protection the traditional use of the resource; and
 3. Protecting the confidentiality of the resource.
3. (3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
4. (4) Protecting the resource.

Additionally, The Wuksachi Indian tribe would like to receive any cultural Resources assessments or other assessments that have been completed on all or part of the project's potential "area of project effect" (APE), including, but not limited to:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.
2. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission. The request form can be found at <http://www.nahc.ca.gov/isif/request.html>.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

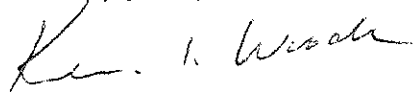
We would like to remind your agency that CEQA Guidelines section 15126.4, subdivision (b)(3) states that preservation in place is the preferred manner of mitigating impacts to archaeological sites. Section 15126.4, subd. (b)(3) of the CEQA Guidelines has been interpreted by the California Court of Appeal to mean that "feasible preservation in place must be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of impacts." *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48, disapproved on other grounds, *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439.

The Wuksachi Indian Tribe., expects to begin consultation within 30 days of your receipt of this letter. Please contact The Wuksachi Indian Tribe lead contact person identified in the attached request for notification.

Kenneth Woodrow
Chair Wuksachi Indian Tribe.
1179 Rockhaven Ct
Salinas Ca 93906

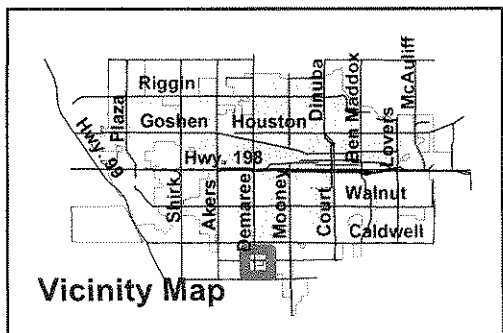
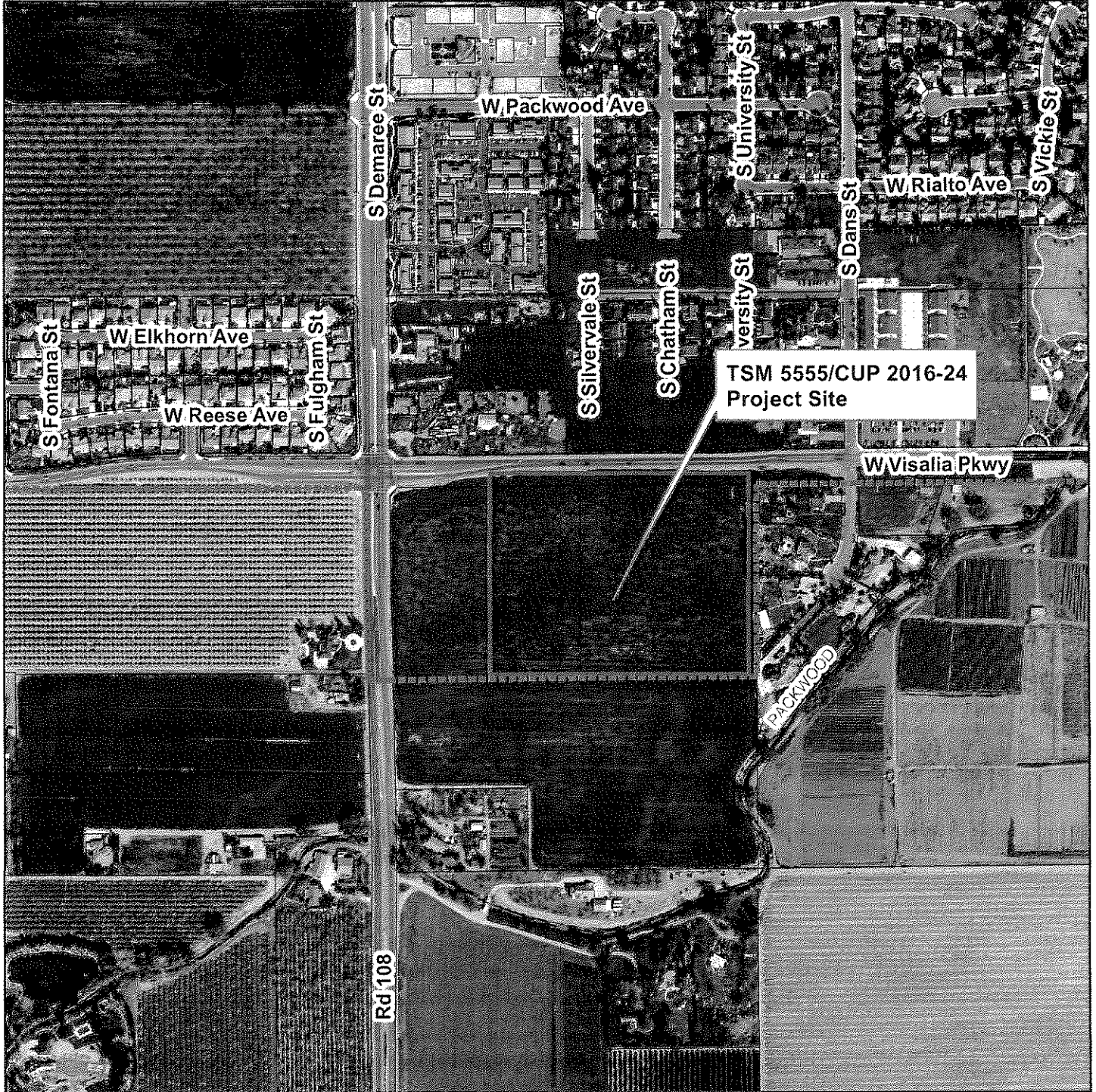
831-443-9702
Kwood8934@aol.com

Cordially yours,



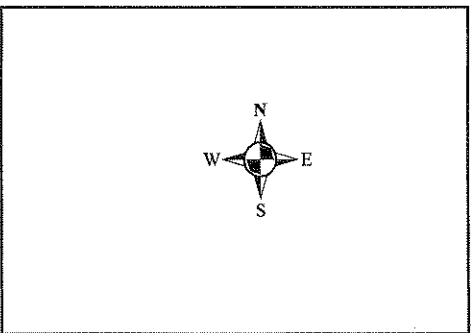
Kenneth Woodrow
Chair Wuksachi Indian

CC: Native American Heritage Commission

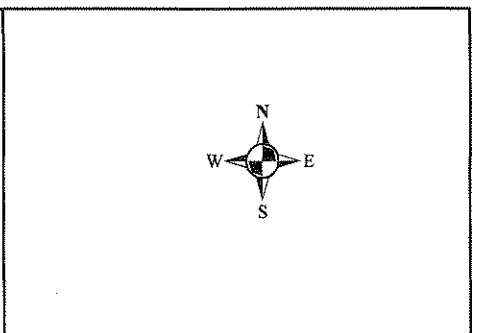
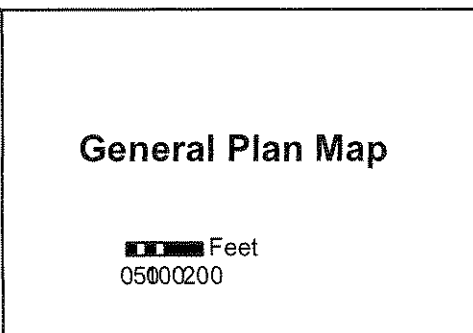
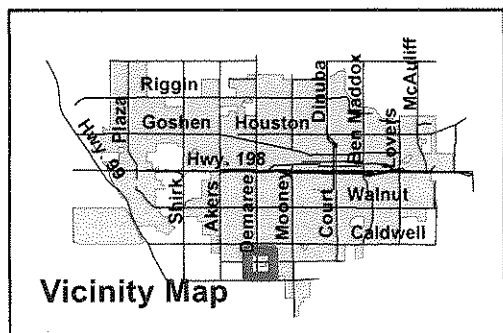
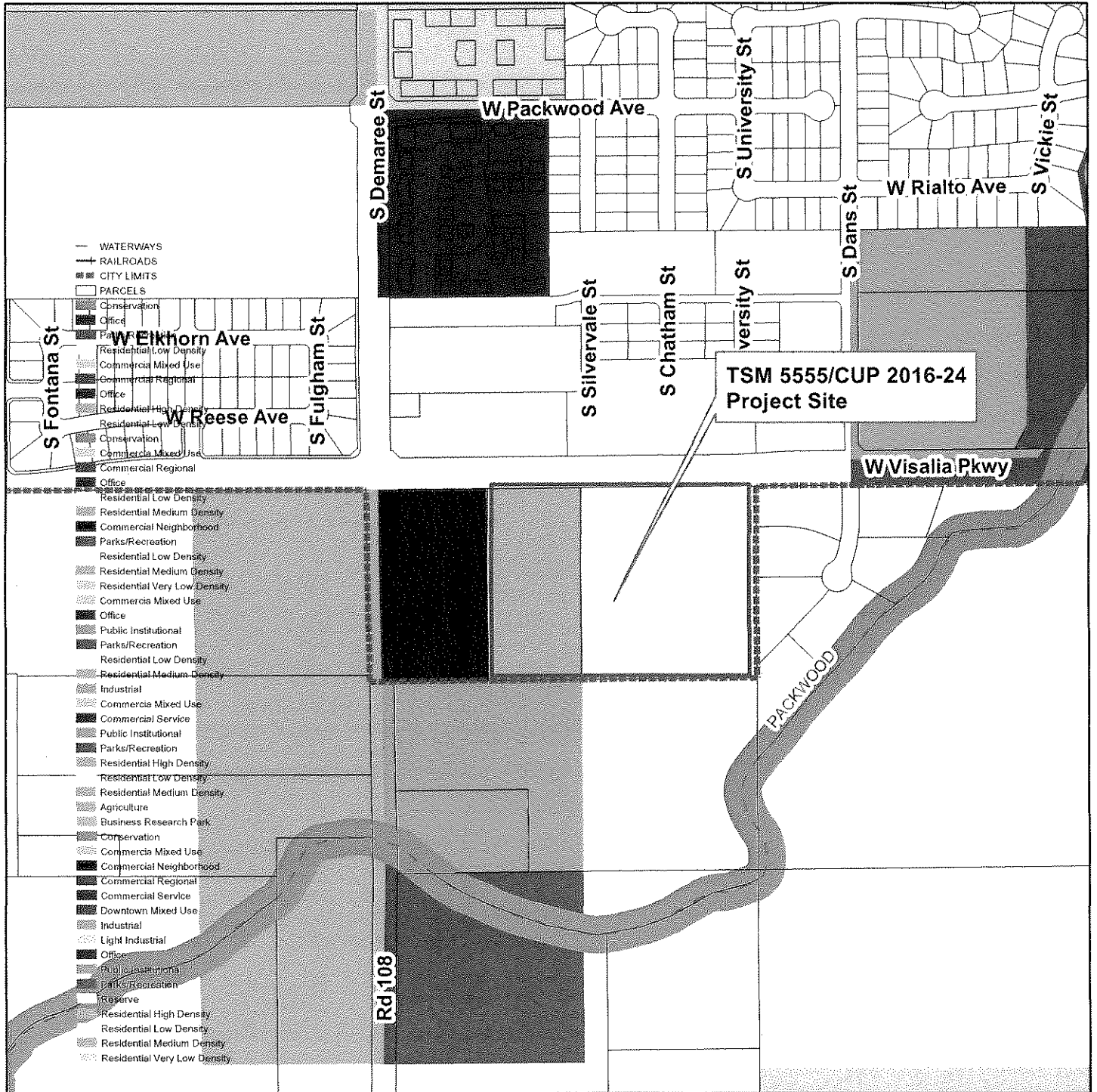


Aerial Map
Photo Taken March 2016

05000200 Feet



TSM 5555/CUP 2016-24



TSM 5555/CUP 2016-24

