

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Brett Taylor, Liz Wynn, Chris Gomez, Marvin Hansen, Sarrah Peariso

MONDAY, JULY 10, 2017, 7:00 PM REGULAR MEETING, 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. SWEARING IN OF NEW COMMISSIONERS-
 - Chris Gomez
 - Sarrah Peariso
4. CHANGES OR COMMENTS TO THE AGENDA–
5. 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.
 - No Items on Consent Calendar
6. REGULAR ITEM-Andy Chamberlain
Finding of Consistency No. 2017-03: A request by Bob Rose, owner Black Bear Diner, to replace the traffic control spikes with a rolling gate to prevent access to Beverly Drive, in the Commercial Mixed Use zone (CMU). The subject site is located at 900 S. Mooney Boulevard (APN: 096-023-030). The proposed action is considered "Ministerial" since it only technically requires a building permit. Ministerial Exemption No. 2107-51 has been prepared for this action.
7. PUBLIC HEARING – Rebecca Keenan
A request by the City of Visalia to rename North Burke Court to North Burke Street. The project site is located between Houston Avenue and Roosevelt Avenue, west of North Ben Maddox Way. On April 2, 2012 the City Council adopted Resolution No. 2012-18 adopting Negative Declaration No. 2012-01.
8. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2017-20: A request by Elmbridge Properties to allow a church within a 2,211 square foot portion of a building located in the C-S (Service Commercial) zone. The project site is located at 700 S. Bridge Street. (APN: 097-074-003) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-40.

9. PUBLIC HEARING – Paul Bernal

- a. The Grove Tentative Subdivision Map No. 5562: A request by Swift Homes to subdivide 11.2 acres into 60 lots consisting of 53 single-family residential lots and 7 multi-family lots for a planned unified residential development. The project site is zoned R-M-2 (Multi-Family Residential 3,000 square feet minimum site area per unit) and is located on southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-065 & 126-120-066).
- b. Conditional Use Permit No. 2017-15: A request by Swift Homes for a Planned Residential Development to allow modified development standards for a mixed single-family and multi-family unified residential development on 11.2 acres and to amend Conditional Use Permit No. 2007-09 by removing duplex units from the approved Maddox at Caldwell Unit No. 7 tentative subdivision map (Tentative Subdivision Map No. 5531). The project site is zoned R-M-2 (Multi-family Residential, 3,000 square feet minimum site area per unit), and is located on the southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-050,065, 066 & 126-590-008, 126-560-060, & 126-640-074).

An Initial Study was prepared for the project consistent with CEQA. Initial Study No. 2017-45 disclosed that environmental impacts are determined to be not significant. 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 Environmental Impact Report adequately analyzed and addressed the tentative subdivision map and conditional use permit applications.

10. 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, JULY 20, 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, JULY 24, 2017



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: July 10, 2017

PROJECT PLANNER: Paul Bernal, Principal Planner
Phone No.: (559) 713-4025
E-Mail: paul.bernal@visalia.city

SUBJECT: The Grove Tentative Subdivision Map No. 5562: A request by Swift Homes to subdivide 11.2 acres into 60 lots consisting of 53 single-family residential lots and 7 multi-family lots for a planned unified residential development. The project site is zoned R-M-2 (Multi-Family Residential 3,000 square feet minimum site area per unit) and is located on southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-065 & 126-120-066).

Conditional Use Permit No. 2017-15: A request by Swift Homes for a Planned Residential Development to allow modified development standards for a mixed single-family and multi-family unified residential development on 11.2 acres and to amend Conditional Use Permit No. 2007-09 by removing duplex units from the approved Maddox at Caldwell Unit No. 7 tentative subdivision map (Tentative Subdivision Map No. 5531). The project site is zoned R-M-2 (Multi-family Residential, 3,000 square feet minimum site area per unit), and is located on the southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-065, 066 & 126-590-008, 126-560-060, & 126-640-074).

STAFF RECOMMENDATION

The Grove Tentative Subdivision Map No. 5562

Staff recommends approval of The Grove Tentative Subdivision Map No. 5562, as conditioned, based on the findings and conditions in Resolution No. 2017-30. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

Conditional Use Permit No. 2017-15

Staff recommends approval of Conditional Use Permit No. 2017-15, as conditioned, based upon the findings and conditions in Resolution No. 2017-29. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve the Grove Tentative Subdivision Map No. 5562, based on the findings and conditions in Resolution No. 2017-30.

I move to approve Conditional Use Permit No. 2017-15, based on the findings and conditions in Resolution No. 2017-29.

PROJECT DESCRIPTION

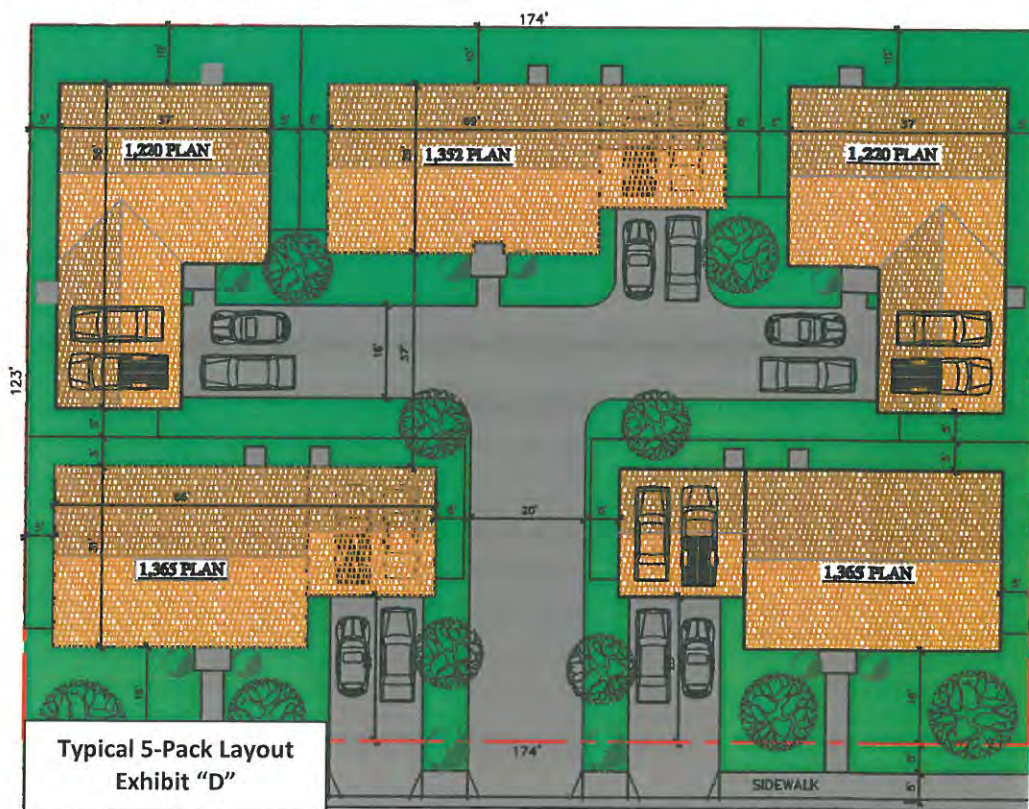
The Grove Tentative Subdivision Map No. 5562 filed by Swift Homes, is a request to subdivide 11.2-acres into 60-lots consisting of 53 single-family residential lots and 7 multi-family residential lots for a planned unified residential development (see Exhibit "A"). Conditional Use Permit (CUP) No. 2017-15 accompanies the Grove Tentative Subdivision Map No. 5562, which

is requesting the creation of a Planned Residential Development to allow modified development standards for a unified master planned project consisting of 53 single-family lots and 44 multi-family units on 11.2-acre site (see Exhibit "B").

The applicant/developer is pursuing the project pursuant to Zoning Ordinance Chapter 17.26 (Planned Development), which may allow development standards to 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 Zoning Code standards. The project proposes to deviate from standard R-1 and R-M-2 zoning development standards in order to create a unified small lot single-family subdivision with the inclusion of multi-family residential units dispersed throughout the project site.

The Grove project consists of the following:

- Modified lot sizes that range from approximately 3,100 square feet to 8,900 square feet;
- Single-family lots clustered in a typical five lot pattern with lots utilizing a shared driveway to access lots located behind lots fronting onto the local street as depicted below and as attached per Exhibit "D";



- Modified setbacks, which is discussed in greater detail under the "The Grove Proposed Setbacks" section of the staff report;
- Three single-family housing types including a 1,200 square foot home, a 1,352 square foot home and a 1,365 square foot home. All units are proposed to be one-story structures (see Exhibits "E", "F" & "G");
- Inclusion of 44 multi-family dwelling units in the form of 12 single-story duplex units and 32 two-story four unit apartment buildings (see Exhibit "B"). The single-story duplex units are located on Lots 69, 70, 94, 101, and 102 (see Exhibits "H" & "I"). The two-story four unit buildings are located on Lot 95 along the East K Avenue street frontage (see Exhibit "J");

- Construct two local streets that bisect the 11.2 acre project site. Both the single-family and multi-family lots will take vehicular access from the local streets thereby prohibiting vehicular access to Ben Maddox Way, an arterial street, and K Avenue, a collector street, that abut the project site to the north and east (see Exhibit "A" and "B");
- Construction of street frontage improvements (curb, gutter, sidewalk, and street pavement) along K Avenue and sidewalk along Ben Maddox Way. There are existing sanitary sewer and storm drain main lines that will be utilized for the project, located along Ben Maddox Way. Laterals will be extended on-site to connect the project with the existing mains. Other utility services (electricity, gas, phone/cable, and water) will be extended on-site from existing services available in the project vicinity;

In addition, CUP No. 2017-15 is also proposing to amend Conditional Use Permit No. 2007-09, which approved a Planned Residential Development (i.e., Maddox at Caldwell Unit No. 7 Tentative Subdivision Map No. 5531) for both the southeast and southwest corners of South Ben Maddox Way and East K Avenue. The amendment is proposing to remove the seven duplex units that are included in the 43-lot subdivision located on southeast corner of South Ben Maddox Way and East K Avenue (see Figure 1 below).

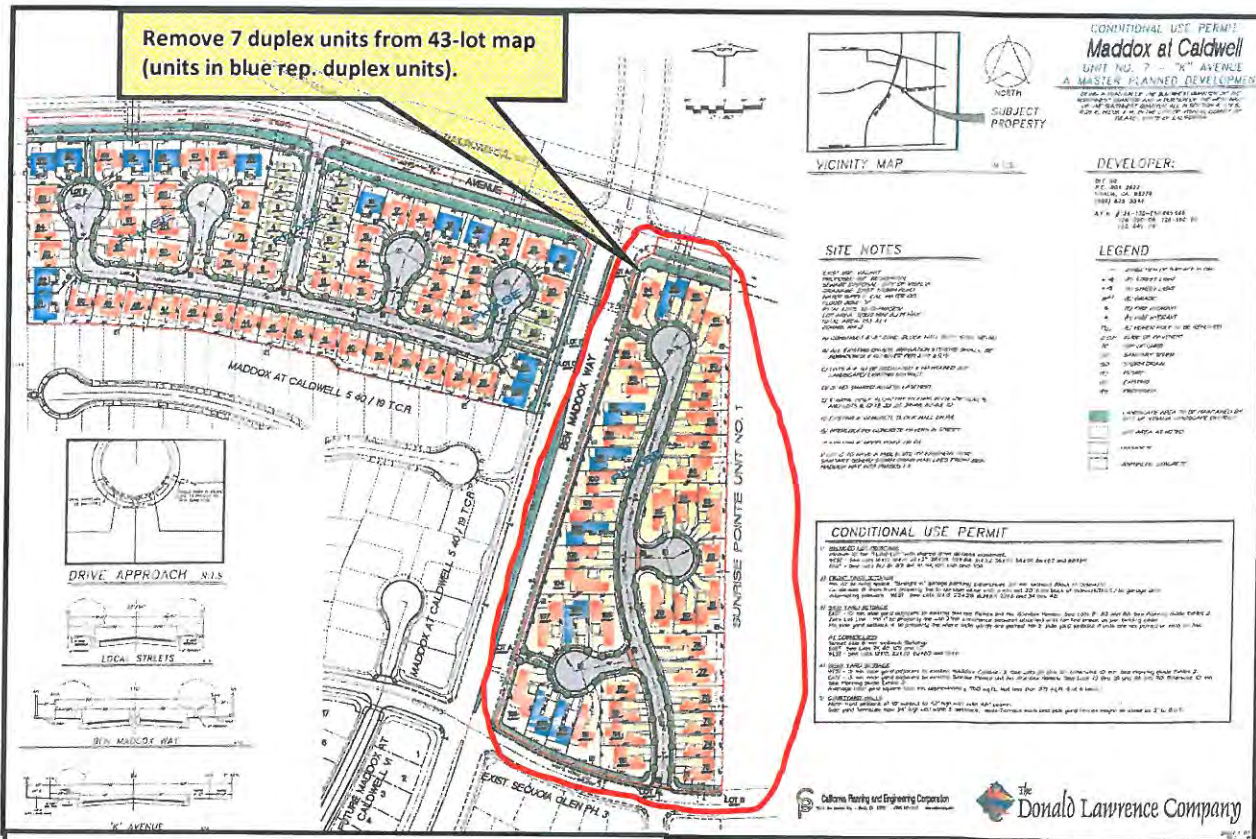
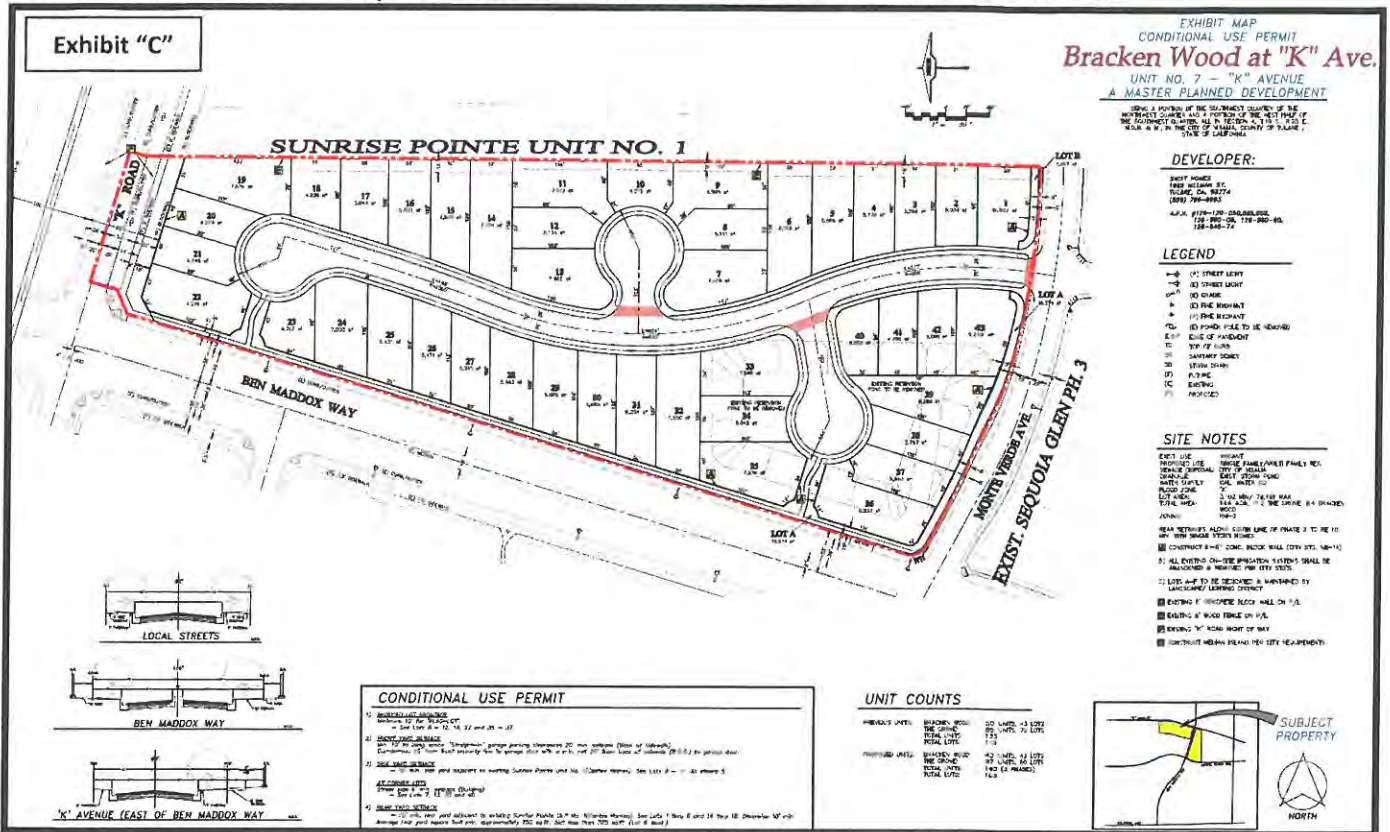


Figure 1: Maddox @ Caldwell Unit No. 7 Tentative Subdivision Map No. 5531 & CUP No. 2007-09 approved 04/23/07

During the approval process, CUP No. 2007-09 approved seven duplex units within the 43-lot subdivision located on southeast corner of South Ben Maddox Way and East K Avenue (i.e., Maddox at Caldwell Unit No. 7 Tentative Subdivision Map No. 5531). This resulted in 50 units being approved on 43-lots. The applicant intends to record the final map creating the 43-lots (see Exhibit "C" Bracken Wood at "K" Ave) but will not construct the duplex units on seven lots as approved per CUP No. 2007-09 for the Maddox at Caldwell Unit No. 7 project.

The 2009 project for the southeast corner approved density at 5.95 units per acre (50 units / 8.4 acres) for this site. This amendment would reduce the number of units from 50 to 43 resulting in a density of 5.11 units per acre (43 units / 8.4 acres), which is still within the density range approved by the Planning Commission in 2009 for Maddox at Caldwell Unit No. 7 Tentative Subdivision Map No. 5531 and Conditional Use Permit No. 2007-09.



The Grove project site is zoned R-M-2 (Multi-Family Residential 3,000 square foot minimum site area per unit) and is planned Medium Density Residential which is consistent with the General Plan Land Use Table 9-1.

The overall number of units proposed on both the southeast and southwest corners of South Ben Maddox and East K Avenue is 140 units, with 43 units proposed on the southeast corner and 97 units proposed on the southwest corner. The densities for each site, as proposed per this project, are as follows:

- 5.11 units per acre on the southeast corner of South Ben Maddox and East K Avenue (see Exhibit "A", Bracken Wood at "K" Avenue);
- 8.66 units per acre on the southwest corner of South Ben Maddox and East K Avenue (see Exhibit "A", The Grove at "K" Avenue).

The 2009 approval (i.e., Maddox at Caldwell Unit No. 7 Tentative Subdivision Map No. 5531 and CUP No. 2007-09) proposed 135 units with 50 units on the southeast corner and 85 units on the southwest corner. The densities for each site per the 2009 approval are as follows:

- 5.95 units per acre on the southeast corner of South Ben Maddox and East K Avenue (see Figure 1, Maddox at Caldwell Unit No. 7 Tentative Subdivision Map No. 5531 and CUP No. 2007-09);
- 7.58 units per acre on the southwest corner of South Ben Maddox and East K Avenue (see Figure 1, Maddox at Caldwell Unit No. 7 Tentative Subdivision Map No. 5531 and CUP No. 2007-09).

The site is bounded by a collector roadway to the north (K Avenue) and an arterial (Ben Maddox Way) to the east. The project site abuts a single-family subdivision to the south while property to the west is located in the K Road County Island in unincorporated Tulare County. The project site is currently vacant.

BACKGROUND INFORMATION

General Plan Land Use Designation	Medium Density Residential
Zoning	R-M-2 (Multi-family Residential 3,000 sq. ft. min. site area per unit)
Surrounding Zoning and Land Use	North: East K Avenue / Two lane collector street South: R-1-5 (Single-Family Residential) / Single-family residential subdivision (Maddox at Caldwell Unit 5 East: South Ben Maddox Way – Four lane divided arterial street West: A-20 County Zoning – Walnut Orchard and Vacant property (property to the west of the project site is subject to annexation and subdivision (Annexation No. 2017-01 & Reimer Tentative Subdivision Map No. 5559)
Environmental Review	Initial Study No. 2017-45, resulting in consistency with EIR prepared for the City's General Plan.
Site Plan	2017-046

RELATED PLANS & POLICIES

General Plan Amendment No. 2016-08 and Conditional Use Permit No. 2016-08

On September 12, 2016, the Planning Commission supported and recommended approval of General Plan Amendment No. 2016-08 to the City Council. General Plan Amendment No. 2016-08 was a request by Ocean Point Development to change the General Plan land use designation on 8.35 acres from Residential Low Density to Residential Medium Density. Associated with the General Plan Amendment, the Planning Commission approved Conditional Use Permit (CUP) No. 2016-18, a request by Ocean Point Development to allow a multi-family residential development consisting of 128 dwelling units (15 two-story buildings and one single-story building) on 8.35 acres. The Planning Commission's approval of CUP No. 2016-18 was appealed to the City Council. The City Council, at their October 17, 2016 meeting, reviewed the appealed project and upheld the appeal and denied CUP No. 2016-18, and General Plan Amendment No. 2016-08.

Maddox at Caldwell VII Tentative Subdivision Map No. 5531 and Conditional Use Permit No. 2007-09 was approved by the Planning Commission on April 23, 2007. The project was a request by the Donald Lawrence Fullbright Co. to divide 13.5 acres into 115 lots and to allow a planned residential development containing single and duplex units on the southwest and southeast corners of Ben Maddox Way and K Road. The applicant, Swift Homes, has indicated their intent to record the Final Map for the southeast corner of Ben Maddox Way and K Avenue thereby establishing the 43-lot subdivision as approved per the Maddox at Caldwell VII Tentative Subdivision Map No. 5531.

Conditional Use Permit No. 2003-05 was considered by the Planning Commission on March 24, 2003. The CUP was a request by George and Patricia Congleton and Donald Lawrence Fullbright Co. to allow a 254-unit apartment complex with a day care center on the southwest and southeast corners of Ben Maddox Way and K Road. The southeast corner (subject site of the proposed CUP) was proposed for 105 units. The Commission held a public hearing that included written and verbal opposition toward the project, and motioned to continue the CUP for 30 days. The CUP ultimately did not return to the Commission for further deliberation, and the application was later withdrawn by the applicant on October 2, 2003.

Conditional Use Permit No. 98-29 was approved by the Planning Commission on November 23, 1998. The CUP was a request by the Donald Lawrence Company to allow a 254-unit apartment complex with a day care center on the southwest and southeast corners of Ben Maddox Way and K Road, identical to CUP No. 2003-05. Likewise, the southeast corner (subject site of the proposed CUP) was proposed for 105 units. No construction was commenced for this project, and the CUP expired in 2001.

PROJECT EVALUATION

Staff recommends approval of the Grove Planned Residential Development, consisting of Tentative Subdivision Map No. 5562 and Conditional Use Permit No. 2017-15, as conditioned, based on projects consistency with the General Plan, Zoning and Subdivision Ordinances. Staff finds that the project is consistent with multiple objectives and policies of the General Plan Land Use Element.

Land Use Compatibility / Density

Compatibility with the surrounding area is required by the General Plan in any decision to approve a discretionary action (i.e., conditional use permit, subdivision map).

The proposed project will result in the creation of a unified and planned residential development consisting of single-family and multi-family units. Property directly to the south of the Grove development is zoned R-1-5 and developed with single-family residences, with the exception of a vacant R-M-2-zoned property located across Ben Maddox Way at the southeast corner of South Ben Maddox Way and East K Avenue.

The project has been designed with consideration given to the adjacent single-family residences to the south. All units proposed adjacent to the existing single-family neighborhood are to be developed with single-story structures. The two-story apartment buildings are proposed adjacent to K Avenue with the nearest two-story unit approximately 200-feet from the rear property line of the existing single-family development to the south. New single-family residential homes will provide a buffer between the two-story apartment units and the existing neighborhood to the south. A six-foot stucco-coated block wall is located along the adjoining property line between the Grove project and the existing single-family neighborhood to the south.

The circulation pattern for the proposed development is self-contained and will be accessed from local streets that intersect along Ben Maddox Way or K Avenue.

The City's General Plan supports efforts to establish higher-density, well-designed developments that include the integration of single and multi-family units. The quality of life in a community is closely tied to the quality of its neighborhoods in both established and developing areas. The importance of housing and neighborhood quality is illustrated in numerous planning efforts where multi-family housing has been developed and integrated within single-family developments. Examples of this include Cameron Crossing Apartments (Court & Cameron), Park Grove Apartments (Lovers Lane & Sunnyside) and Lisendra Heights (Akers & Whitendale). By encouraging high density "quality" developments that create a sense of place and include safe, well maintained sites, and structures with a high degree of architectural design, the City will continue to encourage development of a wide range of housing that fits the needs of this community.

General Plan and Zoning Ordinance Consistency

Project compatibility with the City's General Plan must be made as a finding for each of the entitlements. Staff finds that the proposed subdivision, together with the conditional use permit for the proposed development, are consistent with the City's General Plan as it pertains to development in the Residential Medium Density land use designation.

The Medium Density Residential land use designation provides for a density range of 10 to 15 dwelling units per acre (reference General Plan Policy LU-P-56). Development of the site with 97 units will yield an overall density of 8.81 units per acre.

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

However, approval of the project would require a specific finding of consistency with General Plan considerations:

1. *Development Density (General Plan Land Use Element Table 2-3, Density and Intensity Standards by Land Use Classification)*. The project does not meet the development density range (10 to 15 dwelling units per acre) for the RMD (Residential Medium Density). However, the proposed development density of 8.81 dwelling units per acre can be supported on several bases:
 - a. The site has failed to develop under approved projects at the density range (10-15 units per acre); and,
 - b. The proposed density facilitates a unique for sale residential product that is not otherwise readily available within proximity of the project site; and,
 - c. The proposed project common boundaries on the south with an existing single-family residential development. The mixed single-family/multi-family residential product type, along with the similar density range as the existing neighborhood, will serve to enhance the continuing revitalization of the existing neighborhood.

Multiple General Plan policies (LU-P-45, LU-P-52, & LU-P-56) identify the implementation of development standards to ensure that new multi-family residential development will contribute to positive land use compatibility. Although the Zoning Ordinance permits up to 60 units (no CUP required for 60 units or less), the inclusion of single-family lots and modified development standards requires a conditional use permit for the Grove development, wherein the proposed development can be reviewed for consistency and compatibility with adjacent properties.

The land use compatibility analysis below discusses the project's compatibility among adjacent uses.

The site's land use designation from 1991 to 2017 demonstrates that the unified single and multi-family residential development can be a viable land use at this location. Surrounding properties have since developed around the project site, which have left it as an infill site with no opportunity for connectivity to the adjacent subdivision to the east.

Background on General Plan Land Use and Zoning Designations

The subject site was added to the City's urban growth boundary in 1991 and designated for Residential Medium Density land use and R-M-2 zoning. Since 1991, the Planning Commission has reviewed several projects associated with the southeast and southwest corners of South Ben Maddox Way and East K Avenue, although these sites still remain vacant.

The 2014 General Plan Update changed the land use designation on the site from Residential Medium Density to Residential Low Density. However, during the comprehensive update of the City of Visalia Zoning Ordinance and Zoning Map, the City Council at their March 3, 2017 meeting reconciled the site's land use designation from Low Density Residential to Medium Density Residential which is consistent with the site's existing R-M-2 zoning designation.

The proposed project will be consistent with the Land Use Element of the General Plan, including Policy LU-P-56 for Medium Density Residential Development, and consistent with the standards for multi-family residential development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.16.

The Grove Proposed Setbacks

The project represents a comprehensively planned residential development with consideration to placement of the proposed units adjacent to existing single-family residential development and buffering higher density development from existing single-family development.

The Grove project is proposing modified setbacks as follows:

- Front Yard Setback (habitable space): 15-ft.
- Garages: *20-ft.
- Side Yard: 5-ft.
- Interior Rear Yard (typical): 5-ft.
- Rear Yard (for those lots abutting existing R-1 development to the south and future R-1 development to the west property line of the Grove project boundary) 10-ft.

*see discussion below regarding 20-ft. garage setback and Condition No. 6 for both the subdivision map and CUP.

As a comparison, the following R-M-2 zoning setback standards are as follows:

- Front Yard Setback (habitable space): 15-ft.
- Garages: 22-ft.
- Side Yard: 5-ft.
- Interior Rear Yard (typical): 5-ft.
- Rear Yard (abutting existing R-1 & west prop. line) 25-ft.

To alleviate concerns regarding the proposed 10-foot rear yard setback for all proposed single-family lots abutting existing single-family residential development and future single-family residential development (i.e., south and east property lines), the applicant noted Lot's 44 through 68, 71 through 93, and 96 through 100 will be developed with single-story dwelling units (see Exhibit "B").

Staff has included Condition No. 4 which prohibits these lots from being developed with two-story single-family residential structures, and prohibits any future two-story housing addition from being developed on these lots. To ensure future homebuyers of this restriction, the final map to be recorded shall clearly delineate the lots impacted by this condition, the final map shall include a reference to the single-story condition, and language prohibiting two-story construction on these lots shall be included in the deed for each lot impacted by this requirement (see Condition No. 5 for both the subdivision map and CUP).

Furthermore, staff has included Condition No. 6 which requires a minimum 20-foot garage setback for all garages/lots that take direct vehicular access to the local streets (i.e., Lots 45, 48, 49, 52, 55, 57, 60, 63, 64, 67, 75, 78, 79, 82, 85, 87, 90, 92, 96, and 99). This will ensure that the placement of the garage door at 20-feet from property line provides a driveway depth that adequately provide enough space to park a vehicle and keep the vehicle from extending out into the sidewalk area.

Solid Waste Collection

During the Site Plan Review process, the Solid Waste Division identified several concerns regarding the placement of trash receptacles during collection days. Based on the initial site plan submittal, the Solid Waste Division identified issues that may arise resulting in trash receptacles not being serviced due to the unique subdivision layout. To address this issue, the applicant worked with the Solid Waste Division and developed a "trash location detail" that identifies the exact location each trash receptacle shall be placed.

The attached Exhibit "K", "Trash Pick-Up Location Detail", also notes that each trash location shall be painted with white reflective paint on the pavement with the painted address on top ensuring that each individual property owner is aware of their trash receptacle location. Additionally, signage will be installed adjacent to the painted area that informs residents of the development that "No Parking on Refuse Days Btw. 6:00 a.m. to 4:00 p.m." is allowed within the trash pick-up area. The inclusion of the defined trash pick-up area reduces potential conflicts that may arise during solid waste service days due to the lot pattern proposed for the Grove project. Staff has Condition No. 7, that requires the developer to paint and install the signage as noted on the attached Exhibit "K". The maintenance of the paint and signage will be included as part of the Landscape and Lighting and Road Maintenance Agreement for this subdivision.

Good Neighbor Policies and Management and Maintenance Standards

The project is subject to the City's Good Neighbor Policies (GNP's) for the multi-family residential component of the Grove development project, as recommended in Condition No. 8 of the Conditional Use Permit No. 2017-15. The GNP's are a set of management and maintenance requirements that address the common maintenance of buildings and grounds. The GNP's prohibit the storage of boats, trailers, and recreational vehicles over one ton outside of carports, and require all buildings, mechanical equipment, and grounds to be maintained in good working order and in a neat and orderly fashion.

To ensure that these requirements are addressed and are consistent with the conditions placed on the subject multi-family project; staff recommends that management and maintenance conditions be included as a part of the conditional use permit. Among the recommended conditions is 24-hour availability for Visalia Police Department to Maintenance and/or Management staff. Maintenance and Management staff shall either be on-site or available by telephone at all times, with phone numbers to be provided to the Police Department dispatch center.

Conditions, Covenants and Restrictions (CC&R's)

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

The agreement shall address vehicular access, parking, and maintenance of the common drive aisles and shall be recorded with the final subdivision map. The agreement shall also address property owners' responsibility for repair and maintenance of the common drive aisles as well as prohibiting the placement of any structures in the driveway area that impede the ability of a vehicle to access the garage or prevents vehicles from parking in the driveway area adjacent to the garage.

In addition, the CC&R's shall prohibit the placement of carports, canopies or covered structures associated with any lot that utilizes the shared driveway access area. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.

Condition No. 9, which addresses the CC&R requirement, is included on the conditions of project approval for both the tentative subdivision map and CUP.

Street Improvements

Ingress and egress to the site will be from Ben Maddox Way and K Avenue via the two local streets proposed (see Exhibit "A"). None of the lots proposed within the Grove project shall have direct vehicle access to the major streets (Ben Maddox Way and K Avenue). The applicant is required to construct curb, gutter, sidewalk, and street paving along the south side of K Avenue and sidewalks along Ben Maddox Way as part of this project (see street sections in Exhibit "A" and "B").

Walls / Fences

The project will construct the typical city standard six-foot block wall along Ben Maddox Way and K Avenue. There is an existing six-foot block wall along the south property line of the Grove project that adjoins the existing single-family residential development. The site plan further illustrates a proposed six-foot block wall along the south property line of Lot 95 that adjoins the proposed single-family lots (Lots 80, 81, 83, 84, 86, 88, 89, 91, and 93) and the duplex lot (Lot 94). All other proposed interior fences between the proposed single-family clustered lots will be standard wood fence construction subject to height allowances as identified in the zoning ordinance.

Staff has included Condition No. 10, which requires the construction of a six-foot block wall along the south property lines of Lots 101 and 102 that adjoin single-family residential Lots 97, 98, 100 and the duplex Lot 103. The inclusion of the block wall requirement along the south property lines of Lots 101 and 102 will reduce potential noise impacts from the driveway area of these two lots, which abuts the rear and side yard area of the single-family and multi-family

dwellings. The applicant has also stated their intention to construct a block wall along the west property line of the lots abutting the K County Island. Staff has also included language in Condition No. 10 requiring the construction of a six-foot block wall along the west property lines of Lot 71 through Lot 74, and Lots 76-77.

Temporary Storm Basin

The project site will be served by existing City storm water drainage lines that handle on-site and street runoff. Usage of these lines is consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.

The temporary basin located on the northeast corner of Ben Maddox Way and Monte Verde Avenue will be filled in as a result of the entire southeast corner of vacant property located at Ben Maddox Way and K Avenue being developed with a 43-lot single-family residential subdivision (i.e., Maddox at Caldwell Unit No. 7), which was approved by the Planning Commission on April 23, 2007. Water that is now retained inside this basin is planned to be routed to the permanent storm water retention basin at Monte Vista Avenue and Burke Street west of the project site. The displacement of the holding capacity from the temporary basin to the existing permanent basin will necessitate the developer to design and provide additional capacity to the permanent basin located on the southwest corner of South Burke Street and East Monte Verde Avenue. The additional capacity for the permanent basin shall be completed prior to recording the final map as stated in Condition No. 11 of the Conditions of Project approval for both the tentative subdivision map and conditional use permit.

Single-Family and Multi-Family Elevations

The single-family residential units and the duplex units are proposed to be one-story structures. Exhibits "E", "F", "G", "H" and "I" display the proposed typical building elevations for the units proposed within the Grove development. The elevations' stucco finishes with varying accent materials, stone veneer trim, covered entryways, and pitched tile roofs are noted on the elevations.

The two-story four-plex units, Exhibit "J" include many of the exterior design elements included in the single-family and duplex units. The exterior building materials include stucco finishes with varying accent materials, stone veneer trim, covered entryways, and pitched tile roofs.

Staff has included Condition of Approval No. 15 for the CUP requiring that the building elevations be developed consistent with those provided in Exhibits "E", "F", "G", "H", "I" and "J".

Correspondence from California Water Service Company

Staff received correspondence (Exhibit "M", attached herein) from the California Water Service Company (Cal Water). Cal Water, in its correspondence dated May 18, 2017, has indicated that Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission. The determination of water availability shall remain veiled for two years from the date of their letter. The letter also states that if the project does not commence within the two-year time frame, Cal Water will be under no obligation to serve the project site unless the developer receives an updated letter from Cal Water reconfirming water availability. In addition, the letter can be rescinded at any time in the event that water supply is severely reduced by legislative, regulatory or environmental factors.

Correspondence from Neighboring Property Owner

Staff received a letter from Dominique Biello, a property owner near the project site. Her letter, dated July 5, 2017, is attached to this staff report and identified as Exhibit "N".

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 Medium 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 Medium 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 not been found likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project's Initial Study which disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the City of Visalia General Plan Program Environmental Impact Report (SCH No. 2010041078) 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

California Environmental Quality Act Section 15183(a) mandates that projects which are consistent with the development density established by general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

An Initial Study (Initial Study No. 2017-45) was prepared for this project, which disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the City of Visalia General Plan Program Environmental Impact Report (SCH No. 2010041078). The Program Environmental Impact Report was certified by Resolution No. 2014-37 on October 14, 2014. Therefore, staff concludes that the Program Environmental Impact Report adequately analyzed and addressed the tentative subdivision map and conditional use permit applications.

RECOMMENDED FINDINGS

The Grove Tentative Subdivision Map No. 5562

1. That the proposed location and layout of the Grove Tentative Subdivision Map No. 5562, 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 11.2-acre project site, which is the site of the proposed 60-lots consisting of 53 single-family residential lots and 7 multi-family residential lots for a planned unified residential development, is consistent with several land use policies including Land Use Policies LU-P-19, LU-P-45, LU-P-52, and LU-P-56 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-52 and LU-P-56 ensure that the city facilitate high quality projects by updating development standards by including smaller lot design.

2. That the proposed Grove Tentative Subdivision Map No. 5562 and associated Conditional Use Permit No. 2017-15, 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 has been designed with consideration given to the adjacent single-family residences to the south. All units proposed adjacent to the existing single-family neighborhood are to be developed with single-story structures. The two-story apartment buildings are proposed adjacent to K Avenue with the nearest two-story unit approximately 200-feet from the rear property line of the existing single-family development to the south. New single-family residential homes will provide a buffer between the two-story apartment units and the existing neighborhood to the south.
3. That the site is physically suitable for the proposed tentative subdivision map and associated conditional use permit. The Grove Tentative Subdivision Map No. 5562 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 proposed 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 within the subdivision. The completion of the local street connection proposed within the subdivision provides connection to existing major streets.
4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which is consistent with the underlying Medium Density Residential General Plan Land Use Designation. The proposed location and layout of the Grove Tentative Subdivision Map No. 5562 and the associated Conditional Use Permit No. 2017-15, 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 11.2-acre project site, which is the site of the proposed 60-lots consisting of 53 single-family residential lots and 7 multi-family residential lots for a planned unified residential development, is consistent with several land use policies including Land Use Policies LU-P-19, LU-P-52, and LU-P-56 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-52 and LU-P-56 ensure that the city facilitate high quality projects by updating development standards by including smaller lot design.
5. That the proposed Grove Tentative Subdivision Map No. 5562 and associated Conditional Use Permit No. 2017-15, 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 proposed 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. The completion of the local street connections proposed within the subdivision provides connection to the major streets.

6. That an Initial Study was prepared for the proposed project consistent with CEQA, Initial Study No. 2017-45 disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, the Program Environmental Impact Report adequately analyzed and addressed the proposed project.

Conditional Use Permit No. 2017-15

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - A. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - B. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
 - C. That the proposed project is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The project specifically supports General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45), and to encouraging a variety of housing products (LU-P-50).
 - D. Development Density (General Plan Land Use Element Table 2-3, Density and Intensity Standards by Land Use Classification). The project does not meet the development density range (10 to 15 dwelling units per acre) for the RMD (Residential Medium Density). However, the proposed development density of 8.66 units to the acre can be supported on several bases as follows: a) The site has failed to develop under approved projects at the Medium Density (10-15 units per acre); b) the proposed density facilitates a unique for sale residential product that is not otherwise available within the immediate surrounding area; and, c) the proposed project shares common local public streets and common boundaries on the south with an established single-family residential development. The new single-family residential product type, along with the similar density range as the existing neighborhood, will serve to enhance the continuing revitalization of the existing neighborhood.
3. That an Initial Study was prepared for the proposed project consistent with CEQA, Initial Study No. 2017-45 disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, the Program Environmental Impact Report adequately analyzed and addressed the proposed project.

RECOMMENDED CONDITIONS OF APPROVAL

The Grove Tentative Subdivision Map No. 5562

1. That the tentative subdivision map and entire project be developed consistent with the comments and conditions of the Site Plan Review No. 2016-046, incorporated herein by reference.
2. That the tentative subdivision map be prepared in substantial compliance with Exhibit "A".
3. That the Grove Tentative Subdivision Map No. 5562 shall be null and void unless Conditional Use Permit No. 2017-15 is approved, and shall be subject any additional conditions contained in the Conditions of Project Approval for Conditional Use Permit No. 2017-15.
4. That those lots abutting the south property line of the Grove Tentative Subdivision Map No. 5562, and adjacent to the existing Maddox at Caldwell Unit 5 residential subdivision to the south shall be developed with only single-story residential structures. Two-story residential structures and any future two-story housing addition shall be prohibited from being developed on the following lots as identified on the Grove Tentative Subdivision Map No. 5562, as follows: Lots 44 through 68, 71 through 93, and 96 through 100.
5. That the final map shall include a reference to the single-story condition, and language prohibiting two-story construction on these lots shall be included in the deed for each lot impacted by Condition No. 4.
6. That the following minimum building setbacks be maintained for the project:
 - Front Yard Setback (habitable space): 15-ft.
 - Garages: 20-ft.
 - Side Yard: 5-ft.
 - Interior Rear Yard (typical): 5-ft.
 - Rear Yard (for those lots abutting existing R-1 development to the south and future R-1 development to the west property line of the Grove project boundary) 10-ft.
7. That the developer paint and install signage as noted on the attached Exhibit "K" (Trash Pick-Up Location Detail). The trash pick-up location areas shall be painted with white reflective paint on the pavement with the painted address on top. Signage shall be installed adjacent to the painted area. Signage shall state that "No Parking on Refuse Days Btw. 6:00 a.m. to 4:00 p.m." is allowed within the trash pick-up area. The maintenance of the paint and signage will be included as part of the Landscape and Lighting and Road Maintenance Agreement for this subdivision.
8. That the owner/operator(s) of all multiple family residential units shall be subject to the following conditions:
 - A. Maintenance and Operations**
 - a. 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.

- b. 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.
- c. 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.
- d. Maintain all electrical, plumbing, heating, and other facilities in good working order.
- e. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
- f. Remove graffiti within 24 hours of it having been observed.
- g. Recreation facilities shall be for tenant use only.
- h. 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.
- i. 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.
- j. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

B. Landscape Care and Maintenance

- a. Automatic irrigation systems shall be maintained.
- b. 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.
- c. 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.
- d. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

C. 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.

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

- a. Standards of aesthetics for renters in regard to the use and conditions of the areas of the units visible from the outside (patios, entryways).
- b. Hours when noise is not acceptable, based upon Community Noise Standards, additional standards may be applied within the apartment/residential complex.
- c. Rules for use of open areas/recreational areas of the site in regard to drinking, congregating, or public nuisance activities.
- d. Prohibition on inoperable vehicles on-site, and boats, trucks (one-ton capacity and over), trailers and/or recreational vehicles.

- e. Standards of behavior for tenants that could lead to eviction.
 - f. All tenants shall read and receive a copy of the Tenant Agreement.
9. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles and shall be recorded with the final subdivision map. The agreement shall also address property owners' responsibility for repair and maintenance of the common drive aisles, repair and maintenance of shared public or private utilities, as well as prohibiting the placement of any structures in the driveway area that impede the ability of a vehicle to access the garage or prevents vehicles from parking in the driveway area adjacent to the garage. In addition, the CC&R's shall prohibit the placement of carports, canopies or covered structures associated with any lot that utilizes the shared driveway access area. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.
 10. That a City standard masonry block wall be constructed only along the Ben Maddox Way and K Avenue street frontages as noted on Exhibit "A", subdivision map, and Exhibit "B" development plan, for the Grove project. A six-foot block wall shall be constructed along the south property line of Lot 95 that adjoins the proposed single-family lots (i.e., Lots 80, 81, 83, 84, 86, 88, 89, 91, and 93) and the duplex lot (Lot 94) as noted on Exhibit "B". A six-foot block wall along the south property lines of Lots 101 and 102 that adjoin single-family residential Lots 97, 98, 100 and the duplex Lot 103 shall be constructed and a six-foot block wall shall be constructed along the west property line of the lots abutting the K County Island (i.e., Lots 71 through 74, and Lots 76-77).
 11. That the developer work with the City's Engineering Division and provide a design acceptable to the City Engineer that provides additional capacity to the permanent basin located on the southwest corner of South Burke Street and East Monte Verde Avenue. The additional capacity for the permanent basin shall be completed prior to recording the final map.
 12. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance, shall be included in the construction document plans submitted for either grading or civil improvement plans.
 13. Provide street trees per the City's Street Tree Ordinance.
 14. That all other federal and state laws and city codes and ordinances be complied with.
 15. 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 the Grove Tentative Subdivision Map No. 5562, prior to the recordation of the final map.

Conditional Use Permit No. 2017-15

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2017-046, incorporated herein by reference.
2. That the site be developed in substantial compliance with the site plan shown in Exhibit "B".
3. That the Conditional Use Permit No. 2017-15 shall be null and void unless the Grove Tentative Subdivision Map No. 5562 is approved, and shall be subject any additional conditions contained in the Conditions of Project Approval for the Grove Tentative Subdivision Map No. 5562.

4. That those lots abutting the south property line of the Grove Tentative Subdivision Map No. 5562, and adjacent to the existing Maddox at Caldwell Unit 5 residential subdivision to the south shall be developed with only single-story residential structures. Two-story residential structures and any future two-story housing addition shall be prohibited from being developed on the following lots as identified on the Grove Tentative Subdivision Map No. 5562, as follows: Lots 44 through 68, 71 through 93, and 96 through 100.
5. That the final map shall include a reference to the single-story condition, and language prohibiting two-story construction on these lots shall be included in the deed for each lot impacted by Condition No. 4.
6. That the following minimum building setbacks be maintained for the project:

• Front Yard Setback (habitable space):	15-ft.
• Garages:	20-ft.
• Side Yard:	5-ft.
• Interior Rear Yard (typical):	5-ft.
• Rear Yard (for those lots abutting existing R-1 development to the south and future R-1 development to the west property line of the Grove project boundary)	10-ft.
7. That the developer paint and install signage as noted on the attached Exhibit "K" (Trash Pick-Up Location Detail). The trash pick-up location areas shall be painted with white reflective paint on the pavement with the painted address on top. Signage shall be installed adjacent to the painted area. Signage shall state that "No Parking on Refuse Days Btw. 6:00 a.m. to 4:00 p.m." is allowed within the trash pick-up area. The maintenance of the paint and signage will be included as part of the Landscape and Lighting and Road Maintenance Agreement for this subdivision.
8. That the owner/operator(s) of all multiple family residential units shall be subject to the following conditions:

A. Maintenance and Operations

- a. 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.
- b. 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.
- c. 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.
- d. Maintain all electrical, plumbing, heating, and other facilities in good working order.
- e. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
- f. Remove graffiti within 24 hours of it having been observed.
- g. Recreation facilities shall be for tenant use only.

- h. 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.
- i. 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.
- j. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

B. Landscape Care and Maintenance

- a. Automatic irrigation systems shall be maintained.
- b. 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.
- c. 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.
- d. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

C. 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.

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

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

9. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles and shall be recorded with the final subdivision map. The agreement shall also address property owners' responsibility for repair and maintenance of the common drive aisles, repair and maintenance of shared public or private utilities, as well as prohibiting the placement of any structures in the driveway area that impede the ability of a vehicle to access the garage or prevents vehicles from parking in the driveway area adjacent to the garage. In addition, the CC&R's shall prohibit the placement of carports, canopies or covered structures associated with any lot that utilizes the shared driveway access area. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.
10. That a City standard masonry block wall be constructed only along the Ben Maddox Way and K Avenue street frontages as noted on Exhibit "A", subdivision map, and Exhibit "B" development plan, for the Grove project. A six-foot block wall shall be constructed along the south property line of Lot 95 that adjoins the proposed single-family lots (i.e., Lots 80, 81, 83, 84, 86, 88, 89, 91, and 93) and the duplex lot (Lot 94) as noted on Exhibit "B". A six-foot block wall along the south property lines of Lots 101 and 102 that adjoin single-family residential Lots 97, 98, 100 and the duplex Lot 103 shall be constructed and a six-foot block wall shall be constructed along the west property line of the lots abutting the K County Island (i.e., Lots 71 through 74, and Lots 76-77).
11. That the developer work with the City's Engineering Division and provide a design acceptable to the City Engineer that provides additional capacity to the permanent basin located on the southwest corner of South Burke Street and East Monte Verde Avenue. The additional capacity for the permanent basin shall be completed prior to recording the final map.
12. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance, shall be included in the construction document plans submitted for either grading or civil improvement plans.
13. Provide street trees per the City's Street Tree Ordinance.
14. That the Grove project located on the southwest corner of South Ben Maddox Way and East K Avenue shall not develop more than the 97 units as depicted on Exhibit "B" for the project site.
15. That the building elevations be developed in substantial compliance with the elevations shown in Exhibits E", "F", "G", "H", "I" and "J".
16. That all of the conditions and responsibilities of Conditional Use Permit No. 2017-15 shall run with the land and subsequent owner/developer shall also be subject to all of the conditions herein, unless amended or revoked.
17. That all other federal and state laws and city codes and ordinances be complied with.
18. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-15, prior to the issuance of any permit for this project.

APPEAL INFORMATION

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

Attachments:

- Related Plans and Policies
- Resolution No. 2017-30 (The Grove Tentative Subdivision Map No. 5562)
- Resolution No. 2017-29 (Conditional Use Permit No. 2017-15)
- Exhibit "A" – Grove Tentative Subdivision Map No. 5562
- Exhibit "B" – Site Plan / Development Plan for Conditional Use Permit No. 2017-15
- Exhibit "C" – The Bracken Wood Subdivision (aka Maddox @ Caldwell Unit No. 7)
- Exhibit "D" – Typical 5-Pack Single-family Lot Layout
- Exhibit "E" – Single-story 1,365 sq. ft. SFR (Plan A)
- Exhibit "F" – Single-story 1,220 sq. ft. SFR (Plan B)
- Exhibit "G" – Single-story 1,352 sq. ft. SFR (Plan C)
- Exhibit "H" – Single-story duplex units 1,134 sq. ft. and 1,051 sq. ft. (Plan D)
- Exhibit "I" – Single-story duplex units 1,106 sq. ft. and 988 sq. ft. (Plan E)
- Exhibit "J" – Two-story four-plex units
- Exhibit "K" – Trash Pick-Up Location Detail
- Exhibit "L" – Example of CC&R's
- Exhibit "M" – California Water Service Will Serve Letter dated May 18, 2017
- Exhibit "N" – Letter from Dominique Biello dated July 5, 2017
- Figure 1 – Exhibit of Maddox @ Caldwell Unit No. 7 approved April 23, 2007
- Initial Study No. 2017-45
- Site Plan Review Comments No. 2017-046
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

Conditional Use Permits (Section 17.38)

17.38.010 Purposes and powers.

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.020 Application procedures.

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
 1. Name and address of the applicant;
 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
 3. Address and legal description of the property;
 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
 5. The purposes of the conditional use permit and the general description of the use proposed;
 6. Additional information as required by the historic preservation advisory committee.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application. (Prior code § 7526)

17.38.030 Lapse of conditional use permit.

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

17.38.040 Revocation.

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)

17.38.050 New application.

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

17.38.060 Conditional use permit to run with the land.

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

17.38.065 Abandonment of conditional use permit.

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

17.38.070 Temporary uses or structures.

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
 7. Signing for temporary uses shall be subject to the approval of the city planner.
 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

17.38.080 Public hearing--Notice.

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor 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 occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report.

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

17.38.100 Public hearing--Procedure.

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

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)

17.38.120 Appeal to city council.

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

17.38.130 Effective date of conditional use permit.

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

RELATED PLANS AND POLICIES

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

General Plan Land Use:

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.

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.

LU-P-52 Facilitate high-quality building and site design for multi-family developments by updating development standards in the zoning ordinance and providing clear rules for development review and approval and by creating and adopting design guidelines to be used in the development review and approval process.

Characteristics of high-quality site and building design include connectivity to the public realm; compatibility with surrounding development; small-scale buildings with variation in architecture and massing; usable open space and recreation facilities; orientation to natural features; and solar orientation.

LU-P-56 Update the Zoning Ordinance to reflect the Medium Density Residential designation on the Land Use Diagram for development at 10 to 15 dwelling units per gross acre.

This designation can accommodate a mix of housing types including small-lot single family, townhouses, two- and four-plexes, and garden apartments, on infill lots or new development areas within walking distance of neighborhood nodes and corridors. Medium Density Residential development may also be permitted on corner lots in single-family zones and in infill areas where it can be made to be consistent with adjacent properties through the conditional use process. Development standards will ensure that new development contributes positively to the larger community environment. Projects on sites larger than five acres or involving more than 60 units will require discretionary review.

Chapter 17.16

R-M Multi-Family Residential Zone

17.16.010 Purpose and intent.

In the R-M multi-family residential zones, the purpose and intent is to provide living areas within the two multi-family residential zones (one medium density and one high density) with housing facilities where development is permitted with a relatively high concentration of dwelling units, and still preserve the desirable characteristics and amenities of a low density atmosphere.

17.16.015 Applicability.

The requirements in this chapter shall apply to all property within R-M zone districts.

17.16.020 Permitted uses.

In the R-M multi-family residential zones, the following uses are permitted by right:

- A. Existing one-family dwellings;
- B. Multi-family dwellings up to sixty (60) dwelling units per site in the R-M-2 zone and the R-M-3 zone;
- C. Fruit, vegetable and horticultural husbandry;
- D. Swimming pools used only by residents on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard;
- E. Temporary subdivision sales offices;
- F. Licensed day care for a maximum of fourteen (14) children in addition to the residing family, situated within an existing single-family dwelling;
- G. Twenty-four (24) hour care facilities or foster homes for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provision of Chapter 17.48;
- I. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030;
- J. Adult day care for a maximum of twelve (12) individuals in addition to the residing family, situated within an existing single-family dwelling;
- K. Other uses similar in nature and intensity as determined by the city planner.
- L. Transitional or supportive housing for six (6) or fewer resident/clients.
- M. Single-room occupancy (SRO), as follows:
 - 1. Up to fifteen (15) units per gross acre in the R-M-2 zone district;
 - 2. Up to twenty-nine (29) units per gross acre in the R-M-3 zone district.

17.16.030 Accessory uses.

In the R-M multi-family residential zone, accessory uses include:

- A. Home occupations subject to the provisions of Section 17.32.030;
- B. Accessory buildings subject to the provisions of Section 17.16.090B.

17.16.040 Conditional uses.

In the R-M multi-family residential zone, the following conditional uses may be permitted in accordance with the provisions of Chapter 17.38:

- A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions; general hospitals, sanitariums, nursing and convalescent homes; including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;

- C. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers;
- D. In the R-M-3 zone only, an open air public or private parking lot, subject to all provisions of Section 17.34.030, excluding trucks over 3/4 ton;
- E. Electric distribution substations;
- F. Gas regulator stations;
- G. Public service pumping stations and/or elevated or underground tanks;
- H. Communication equipment buildings;
- I. In R-M-2 zone only, mobile home parks;
- J. More than sixty (60) units per site in the R-M-2 zone, and within the R-M-3 zone;
- K. Boarding houses and residential motels;
- L. [Reserved]
- M. Senior citizen residential developments;
- N. Adult day care in excess of twelve (12) individuals;
- O. Planned developments may utilize the provisions of Chapter 17.26;
- P. New one-family dwelling, meeting density identified in the general plan land use element designations;
- Q. Other uses similar in nature and intensity as determined by the city planner;
- R. Residential developments utilizing private streets in which the net lot area (lot area not including street area) meets or exceeds the site area prescribed by this chapter and in which the private streets are designed and constructed to meet or exceed public street standards.
- S. Transitional or supportive housing for seven (7) or more resident/clients.

17.16.050 Site area and configuration.

The division of (R-M) multi-family residential property less than two (2) acres shall be approved as part of a conditional use permit.

17.16.060 Site area per dwelling unit and per structure.

The minimum site area per dwelling unit shall be three thousand (3,000) square feet in the R-M-2 zone and one thousand two hundred (1,200) square feet in the R-M-3 zone.

17.16.070 Front yard.

A. The minimum front yard shall be as follows:

Zone Minimum Front Yard

- R-M-2 15 feet
- R-M-3 15 feet

- B. On a site situated between sites improved with buildings, the minimum front yard may be the average depth of the front yards on the improved site adjoining the side lines of the site but need not exceed the minimum front yard specified above.
- C. All garage doors facing the front property line shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

17.16.080 Side yards.

- A. The minimum side yard for a permitted or conditional use shall be five feet per story subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet.
- B. Side yard providing access to more than one dwelling unit shall be not less than ten feet.
- C. On corner lots, all garage doors shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

17.16.090 Rear yard.

The minimum rear yard for a permitted use shall be fifteen (15) feet in the R-M-3 zone and twenty-five (25) feet in the R-M-2 zone, subject to the following exceptions:

- A. On a corner or reverse corner lot in R-M-2 zone the rear yard shall be twenty-five (25) feet on the narrow side or twenty (20) feet on the long side of the lot. The decision as to whether the short side or long side is used as the rear yard area shall be left to the applicant's discretion, as long as a minimum area of one thousand five hundred (1,500) square feet of usable rear yard area is maintained.
- B. Accessory structures not exceeding twelve (12) feet in height may be located in the required rear yard, but not closer than three feet to any lot line; provided, that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot. In placing accessory structures in a required rear yard a usable, open, rear yard area of at least one thousand two hundred (1,200) square feet shall be maintained.
- C. Exceptions to the rear yard setback can be granted for multiple family units that have their rear yard abutting an alley. The exception may be granted if the rear yard area is to be used for parking.

17.16.100 Height of structures.

The maximum height of structures shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-2 zone. The maximum height shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-3 zone. Where an R-M-2 or R-M-3 site adjoins an R-1 site, the second and third story shall be designed to limit visibility from the second and third story to the R-1 site. Structures specified under Section 17.16.090(B) shall be exempt.

17.16.110 Off-street parking.

Off-street parking shall be subject to the provisions of Chapter 17.34.

17.16.120 Fences, walls and hedges.

Fences, walls and hedges shall be subject to the provisions of Section 17.36.040.

17.16.130 Trash enclosures.

Enclosures for trash receptacles are permitted that comply with the specifications and requirements of Section 17.32.010 and that are approved by the site plan review committee. Enclosures within the front yard setback are permitted for multiple family dwelling units when deemed necessary by city staff because no other appropriate location for an enclosure exists on the property.

17.16.140 Site plan review.

A site plan review permit must be obtained for all developments other than a single-family residence in R-M zones, subject to the requirements and procedures of Chapter 17.28.

17.16.150 Open space and recreational areas.

Any multiple family project approved under a conditional use permit or site plan review permit shall dedicate at least five (5) percent of the site to open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The calculated space shall not include setback areas adjacent to a street. Shared open space could include parks, playgrounds, sports courts, swimming pools, gardens, and covered patios or gazebos open on at least three (3) sides. Further, the calculated space shall not include enclosed meeting or community rooms. The specific size, location and use shall be approved as a part of the conditional use permit.

17.16.160 Screening.

All parking areas adjacent to public streets and R-1 sites shall be screened from view subject to the requirements and procedures of Chapter 17.28.

17.16.170 Screening fence.

Where a multiple family site adjoins an R-1 site, a screening block wall or wood fence not less than six feet in height shall be located along the property line; except in a required front yard, or the street side of a corner lot and suitably maintained.

17.16.180 Landscaping.

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.

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.

17.16.200 Signs.

Signs shall be placed in conformance with Chapter 17.48.

RESOLUTION NO 2017-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING THE GROVE TENTATIVE SUBDIVISION MAP NO. 5562 A REQUEST BY SWIFT HOMES TO SUBDIVIDE 11.2 ACRES INTO 60 LOTS CONSISTING OF 53 SINGLE-FAMILY RESIDENTIAL LOTS AND 7 MULTI-FAMILY LOTS FOR A PLANNED UNIFIED RESIDENTIAL DEVELOPMENT. THE PROJECT SITE IS ZONED R-M-2 (MULTI-FAMILY RESIDENTIAL 3,000 SQUARE FEET MINIMUM SITE AREA PER UNIT) AND IS LOCATED ON SOUTHWEST CORNER OF SOUTH BEN MADDOX WAY AND EAST K AVENUE (APNS: 126-120-065 & 126-120-066)

WHEREAS, The Grove Tentative Subdivision Map No. 5562 is a request by Swift Homes to subdivide 11.2 acres into 60 lots consisting of 53 single-family residential lots and 7 multi-family lots for a planned unified residential development. The project site is zoned R-M-2 (Multi-Family Residential 3,000 square feet minimum site area per unit) and is located on southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-065 & 126-120-066); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on July 10, 2017; and

WHEREAS, the Planning Commission finds that Initial Study No. 2017-45 has identified that the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. The Program Environmental Impact Report adequately analyzed and addressed this proposed project.

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

1. That the proposed location and layout of the Grove Tentative Subdivision Map No. 5562, 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 11.2-acre project site, which is the site of the proposed 60-lots consisting of 53 single-family residential lots and 7 multi-family residential lots for a planned unified residential development, is consistent with several land use policies including Land Use Policies LU-P-19, LU-P-45, LU-P-52, and LU-P-56 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-52 and LU-P-56 ensure

that the city facilitate high quality projects by updating development standards by including smaller lot design.

2. That the proposed Grove Tentative Subdivision Map No. 5562 and associated Conditional Use Permit No. 2017-15, 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 has been designed with consideration given to the adjacent single-family residences to the south. All units proposed adjacent to the existing single-family neighborhood are to be developed with single-story structures. The two-story apartment buildings are proposed adjacent to K Avenue with the nearest two-story unit approximately 200-feet from the rear property line of the existing single-family development to the south. New single-family residential homes will provide a buffer between the two-story apartment units and the existing neighborhood to the south.
3. That the site is physically suitable for the proposed tentative subdivision map and associated conditional use permit. The Grove Tentative Subdivision Map No. 5562 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 proposed 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 within the subdivision. The completion of the local street connection proposed within the subdivision provides connection to existing major streets.
4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which is consistent with the underlying Medium Density Residential General Plan Land Use Designation. The proposed location and layout of the Grove Tentative Subdivision Map No. 5562 and the associated Conditional Use Permit No. 2017-15, 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 11.2-acre project site, which is the site of the proposed 60-lots consisting of 53 single-family residential lots and 7 multi-family residential lots for a planned unified residential development, is consistent with several land use policies including Land Use Policies LU-P-19, LU-P-52, and LU-P-56 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-52 and LU-P-56 ensure that the city facilitate high quality projects by updating development standards by including smaller lot design.

5. That the proposed Grove Tentative Subdivision Map No. 5562 and associated Conditional Use Permit No. 2017-15, 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 proposed 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. The completion of the local street connections proposed within the subdivision provides connection to the major streets.
6. That an Initial Study was prepared for the proposed project consistent with CEQA, Initial Study No. 2017-45 disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, the Program Environmental Impact Report adequately analyzed and addressed the proposed project.

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

1. That the tentative subdivision map and entire project be developed consistent with the comments and conditions of the Site Plan Review No. 2016-046, incorporated herein by reference.
2. That the tentative subdivision map be prepared in substantial compliance with Exhibit "A".
3. That the Grove Tentative Subdivision Map No. 5562 shall be null and void unless Conditional Use Permit No. 2017-15 is approved, and shall be subject any additional conditions contained in the Conditions of Project Approval for Conditional Use Permit No. 2017-15.
4. That those lots abutting the south property line of the Grove Tentative Subdivision Map No. 5562, and adjacent to the existing Maddox at Caldwell Unit 5 residential subdivision to the south shall be developed with only single-story residential structures. Two-story residential structures and any future two-story housing addition shall be prohibited from being developed on the following lots as identified on the Grove Tentative Subdivision Map No. 5562, as follows: Lots 44 through 68, 71 through 93, and 96 through 100.
5. That the final map shall include a reference to the single-story condition, and language prohibiting two-story construction on these lots shall be included in the deed for each lot impacted by Condition No. 4.

6. That the following minimum building setbacks be maintained for the project:
- Front Yard Setback (habitable space): 15-ft.
 - Garages: 20-ft.
 - Side Yard: 5-ft.
 - Interior Rear Yard (typical): 5-ft.
 - Rear Yard (for those lots abutting existing R-1 development to the south and future R-1 development to the west property line of the Grove project boundary) 10-ft.
7. That the developer paint and install signage as noted on the attached Exhibit "K" (Trash Pick-Up Location Detail). The trash pick-up location areas shall be painted with white reflective paint on the pavement with the painted address on top. Signage shall be installed adjacent to the painted area. Signage shall state that "No Parking on Refuse Days Btw. 6:00 a.m. to 4:00 p.m." is allowed within the trash pick-up area. The maintenance of the paint and signage will be included as part of the Landscape and Lighting and Road Maintenance Agreement for this subdivision.
8. That the owner/operator(s) of all multiple family residential units shall be subject to the following conditions:
- A. Maintenance and Operations**
- a. 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.
 - b. 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.
 - c. 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.
 - d. Maintain all electrical, plumbing, heating, and other facilities in good working order.
 - e. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
 - f. Remove graffiti within 24 hours of it having been observed.
 - g. Recreation facilities shall be for tenant use only.

- h. 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.
- i. 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.
- j. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

B. Landscape Care and Maintenance

- a. Automatic irrigation systems shall be maintained.
- b. 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.
- c. 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.
- d. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

C. 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.

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

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

9. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles and shall be recorded with the final subdivision map. The agreement shall also address property owners' responsibility for repair and maintenance of the common drive aisles, repair and maintenance of shared public or private utilities, as well as prohibiting the placement of any structures in the driveway area that impede the ability of a vehicle to access the garage or prevents vehicles from parking in the driveway area adjacent to the garage. In addition, the CC&R's shall prohibit the placement of carports, canopies or covered structures associated with any lot that utilizes the shared driveway access area. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.
10. That a City standard masonry block wall be constructed only along the Ben Maddox Way and K Avenue street frontages as noted on Exhibit "A", subdivision map, and Exhibit "B" development plan, for the Grove project. A six-foot block wall shall be constructed along the south property line of Lot 95 that adjoins the proposed single-family lots (i.e., Lots 80, 81, 83, 84, 86, 88, 89, 91, and 93) and the duplex lot (Lot 94) as noted on Exhibit "B". A six-foot block wall along the south property lines of Lots 101 and 102 that adjoin single-family residential Lots 97, 98, 100 and the duplex Lot 103 shall be constructed and a six-foot block wall shall be constructed along the west property line of the lots abutting the K County Island (i.e., Lots 71 through 74, and Lots 76-77).
11. That the developer work with the City's Engineering Division and provide a design acceptable to the City Engineer that provides additional capacity to the permanent basin located on the southwest corner of South Burke Street and East Monte Verde Avenue. The additional capacity for the permanent basin shall be completed prior to recording the final map.
12. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance, shall be included in the construction document plans submitted for either grading or civil improvement plans.
13. Provide street trees per the City's Street Tree Ordinance.
14. That all other federal and state laws and city codes and ordinances be complied with.
15. 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 the Grove Tentative Subdivision Map No. 5562, prior to the recordation of the final map.

RESOLUTION NO. 2017-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-15, A REQUEST BY SWIFT HOMES FOR A PLANNED RESIDENTIAL DEVELOPMENT TO ALLOW MODIFIED DEVELOPMENT STANDARDS FOR A MIXED SINGLE-FAMILY AND MULTI-FAMILY UNIFIED RESIDENTIAL DEVELOPMENT ON 11.2 ACRES AND TO AMEND CONDITIONAL USE PERMIT NO. 2007-09 BY REMOVING DUPLEX UNITS FROM THE APPROVED MADDOX AT CALDWELL UNIT NO. 7 TENTATIVE SUBDIVISION MAP (TENTATIVE SUBDIVISION MAP NO. 5531). THE PROJECT SITE IS ZONED R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQUARE FEET MINIMUM SITE AREA PER UNIT), AND IS LOCATED ON THE SOUTHWEST CORNER OF SOUTH BEN MADDOX WAY AND EAST K AVENUE

(APNS: 126-120-050,065, 066 & 126-590-008, 126-560-060, & 126-640-074)

WHEREAS, Conditional Use Permit No. 2017-15, is a request by Swift Homes for a Planned Residential Development to allow modified development standards for a mixed single-family and multi-family unified residential development on 11.2 acres and to amend Conditional Use Permit No. 2007-09 by removing duplex units from the approved Maddox at Caldwell Unit No. 7 tentative subdivision map (Tentative Subdivision Map No. 5531). The project site is zoned R-M-2 (Multi-family Residential, 3,000 square feet minimum site area per unit), and is located on the southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-050,065, 066 & 126-590-008, 126-560-060, & 126-640-074); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on July 10, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Chapter 17.38.110 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, the Planning Commission finds that Initial Study No. 2017-45 has identified that the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. The Program Environmental Impact Report adequately analyzed and addressed this proposed project.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia 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).
 - D. Development Density (General Plan Land Use Element Table 2-3, Density and Intensity Standards by Land Use Classification). The project does not meet the development density range (10 to 15 dwelling units per acre) for the RMD (Residential Medium Density). However, the proposed development density of 8.66 units to the acre can be supported on several bases as follows: a) The site has failed to develop under approved projects at the Medium Density (10-15 units per acre); b) the proposed density facilitates a unique for sale residential product that is not otherwise available within the immediate surrounding area; and, c) the proposed project shares common local public streets and common boundaries on the south with an established single-family residential development. The new single-family residential product type, along with the similar density range as the existing neighborhood, will serve to enhance the continuing revitalization of the existing neighborhood.
3. That an Initial Study was prepared for the proposed project consistent with CEQA, Initial Study No. 2017-45 disclosed the proposed project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, the Program Environmental Impact Report adequately analyzed and addressed the proposed project.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here in above described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2017-046, incorporated herein by reference.
2. That the site be developed in substantial compliance with the site plan shown in Exhibit "B".

3. That the Conditional Use Permit No. 2017-15 shall be null and void unless the Grove Tentative Subdivision Map No. 5562 is approved, and shall be subject any additional conditions contained in the Conditions of Project Approval for the Grove Tentative Subdivision Map No. 5562.
4. That those lots abutting the south property line of the Grove Tentative Subdivision Map No. 5562, and adjacent to the existing Maddox at Caldwell Unit 5 residential subdivision to the south shall be developed with only single-story residential structures. Two-story residential structures and any future two-story housing addition shall be prohibited from being developed on the following lots as identified on the Grove Tentative Subdivision Map No. 5562, as follows: Lots 44 through 68, 71 through 93, and 96 through 100.
5. That the final map shall include a reference to the single-story condition, and language prohibiting two-story construction on these lots shall be included in the deed for each lot impacted by Condition No. 4.
6. That the following minimum building setbacks be maintained for the project:
 - Front Yard Setback (habitable space): 15-ft.
 - Garages: 20-ft.
 - Side Yard: 5-ft.
 - Interior Rear Yard (typical): 5-ft.
 - Rear Yard (for those lots abutting existing R-1 development to the south and future R-1 development to the west property line of the Grove project boundary) 10-ft.
7. That the developer paint and install signage as noted on the attached Exhibit "K" (Trash Pick-Up Location Detail). The trash pick-up location areas shall be painted with white reflective paint on the pavement with the painted address on top. Signage shall be installed adjacent to the painted area. Signage shall state that "No Parking on Refuse Days Btw. 6:00 a.m. to 4:00 p.m." is allowed within the trash pick-up area. The maintenance of the paint and signage will be included as part of the Landscape and Lighting and Road Maintenance Agreement for this subdivision.
8. That the owner/operator(s) of all multiple family residential units shall be subject to the following conditions:
 - A. Maintenance and Operations**
 - a. 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.
 - b. 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.

- c. 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.
- d. Maintain all electrical, plumbing, heating, and other facilities in good working order.
- e. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
- f. Remove graffiti within 24 hours of it having been observed.
- g. Recreation facilities shall be for tenant use only.
- h. 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.
- i. 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.
- j. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

B. Landscape Care and Maintenance

- a. Automatic irrigation systems shall be maintained.
- b. 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.
- c. 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.
- d. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

C. 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.

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

- a. Standards of aesthetics for renters in regard to the use and conditions of the areas of the units visible from the outside (patios, entryways).
- b. Hours when noise is not acceptable, based upon Community Noise Standards, additional standards may be applied within the apartment/residential complex.

- c. Rules for use of open areas/recreational areas of the site in regard to drinking, congregating, or public nuisance activities.
 - d. Prohibition on inoperable vehicles on-site, and boats, trucks (one-ton capacity and over), trailers and/or recreational vehicles.
 - e. Standards of behavior for tenants that could lead to eviction.
 - f. All tenants shall read and receive a copy of the Tenant Agreement.
9. That an agreement addressing vehicular access, parking, and maintenance of the common drive aisles and shall be recorded with the final subdivision map. The agreement shall also address property owners' responsibility for repair and maintenance of the common drive aisles, repair and maintenance of shared public or private utilities, as well as prohibiting the placement of any structures in the driveway area that impede the ability of a vehicle to access the garage or prevents vehicles from parking in the driveway area adjacent to the garage. In addition, the CC&R's shall prohibit the placement of carports, canopies or covered structures associated with any lot that utilizes the shared driveway access area. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation of the subdivision map.
10. That a City standard masonry block wall be constructed only along the Ben Maddox Way and K Avenue street frontages as noted on Exhibit "A", subdivision map, and Exhibit "B" development plan, for the Grove project. A six-foot block wall shall be constructed along the south property line of Lot 95 that adjoins the proposed single-family lots (i.e., Lots 80, 81, 83, 84, 86, 88, 89, 91, and 93) and the duplex lot (Lot 94) as noted on Exhibit "B". A six-foot block wall along the south property lines of Lots 101 and 102 that adjoin single-family residential Lots 97, 98, 100 and the duplex Lot 103 shall be constructed and a six-foot block wall shall be constructed along the west property line of the lots abutting the K County Island (i.e., Lots 71 through 74, and Lots 76-77).
11. That the developer work with the City's Engineering Division and provide a design acceptable to the City Engineer that provides additional capacity to the permanent basin located on the southwest corner of South Burke Street and East Monte Verde Avenue. The additional capacity for the permanent basin shall be completed prior to recording the final map.
12. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance, shall be included in the construction document plans submitted for either grading or civil improvement plans.
13. Provide street trees per the City's Street Tree Ordinance.
14. That the Grove project located on the southwest corner of South Ben Maddox Way and East K Avenue shall not develop more than the 97 units as depicted on Exhibit "B" for the project site.
15. That the building elevations be developed in substantial compliance with the elevations shown in Exhibits E", "F", "G", "H", "I" and "J".
16. That all of the conditions and responsibilities of Conditional Use Permit No. 2017-15 shall run with the land and subsequent owner/developer shall also be subject to all of the conditions herein, unless amended or revoked.

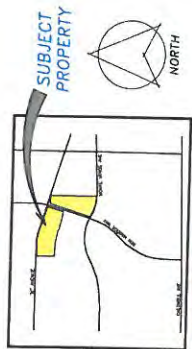
17. That all other federal and state laws and city codes and ordinances be complied with.
18. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-15, prior to the issuance of any permit for this project.

TENTATIVE SUBDIVISION The Grove at "K" Ave. And Brackenwood at "K" Ave.

BEING A PORTION OF THE SOUTHWEST QUARTER 1/4, THE
NORTHEAST QUARTER AND A PORTION OF THE WEST HALF OF
SECTION 10, TOWNSHIP 12N, RANGE 12E, COUNTY OF VISALIA,
STATE OF CALIFORNIA.

DEVELOPER:

SWIFT HOMES, INC.
1867 HILMAN ST.
TULARE, CA 93279
(559) 789-6995
A.P.N. 12-020-002.006.046,
12-020-002.006.047,
12-020-002.006.048,
12-020-002.006.049



SITE NOTES

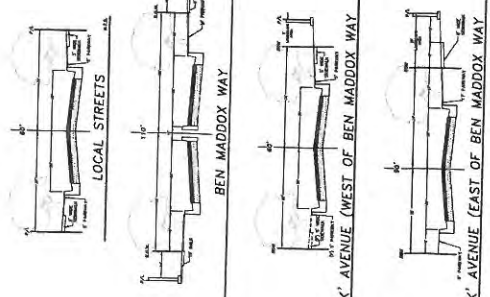
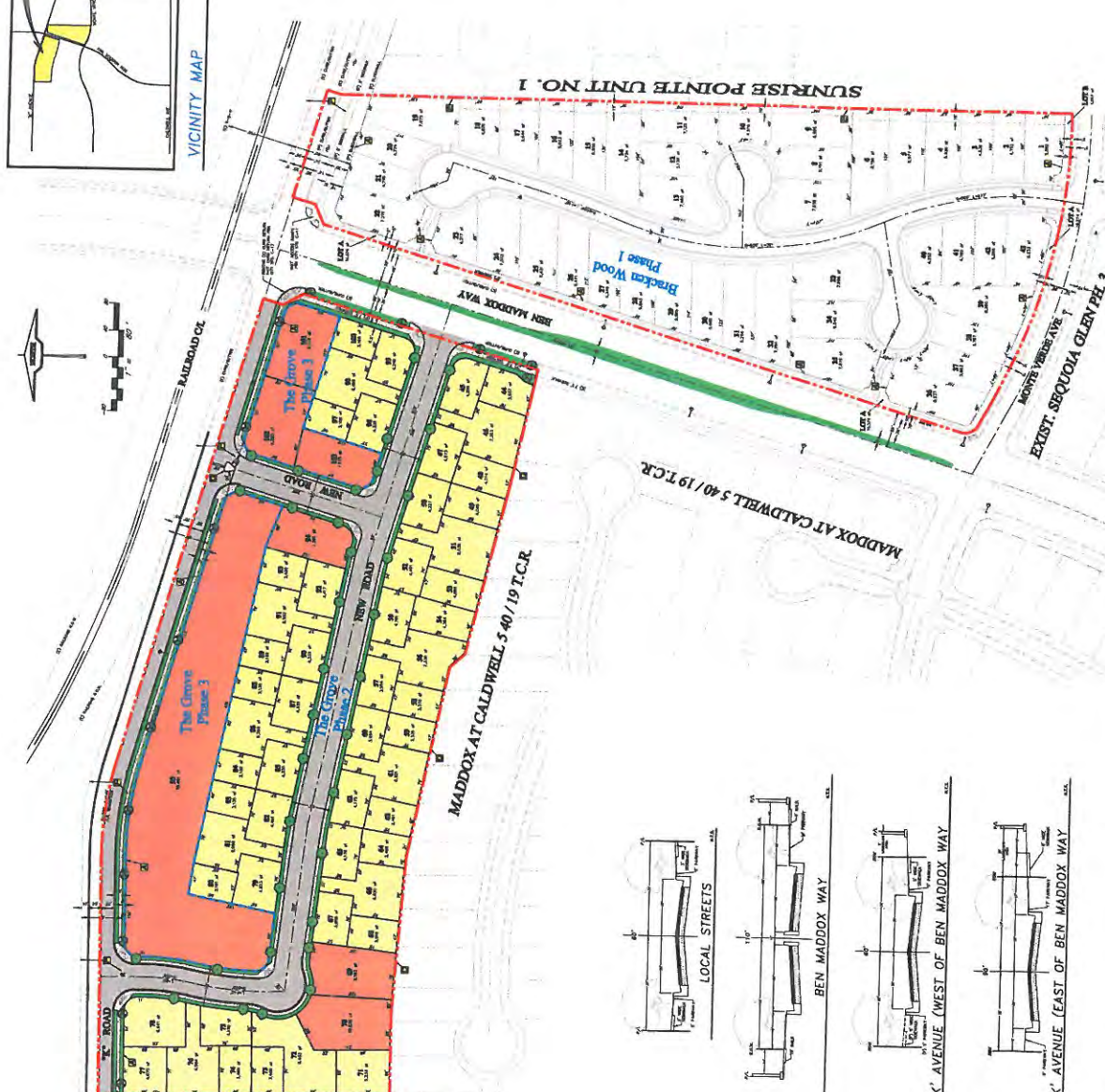
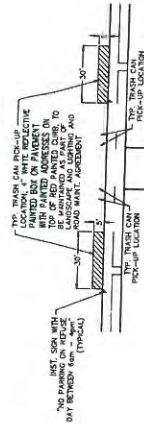
- VACANT LOTS: 100 MULTI-FAMILY RES.
- SEWER DISPOSAL: CITY OF VISALIA
- WATER SUPPLY: CITY OF VISALIA
- FLOOR ZONE: 100
- TOTAL AREA: 18.8 ACRES (1/2 THE GROVE, 8.4 BRACKENWOOD, WITH SINGLE STORY HOMES)
- REAR SETBACKS ALONG SOUTH LINE OF PHASE 2 TO BE 10'
- CONSTRUCT 6"-8" CONCRETE BLOCK WALL (CITY STD. MC-14)
- ALL EXISTING ON-SITE IRRIGATION SYSTEMS SHALL BE ABANDONED & REMOVED PER CITY STD'S
- LOTS A-F TO BE DESIGNATED & MAINTAINED BY LANDSCAPE/ LIGHTING DISTRICT
- EXISTING 6" CONCRETE BLOCK WALL ON P.A.
- EXISTING 6" WOOD FENCE ON P.A.
- EXISTING "K" ROAD RIGHT OF WAY
- CONSTRUCT MEDIAN ISLAND PER CITY REQUIREMENTS

LEGEND

- (P) STREET LIGHT
 - (P) STREET LIGHT
 - (P) STREET LIGHT
 - (P) FIRE HYDRANT
 - (P) FIRE HYDRANT
 - (P) POWER POLE TO BE REMOVED
 - E.O.P.A. EDGE OF PARADELT
 - T.C. TOP OF CURB
 - SS SANITARY SEWER
 - STORM DRAIN
 - EXISTING
 - PROPOSED
- LANDSCAPE AREA TO BE MAINTAINED BY CITY OF VISALIA LANDSCAPE DISTRICT
- SINGLE FAMILY LOT AREA AS NOTED
 - MULTI FAMILY LOT AREA AS NOTED
 - SEWER
 - ASPHALTIC CONCRETE

UNIT COUNTS

PREVIOUS UNITS	BRACKENWOOD	50 UNITS, 43 LOTS
TOTAL UNITS	155	155
TOTAL LOTS	115	115
PROPOSED UNITS	THE GROVE	43 UNITS, 43 LOTS
TOTAL UNITS	198	198
TOTAL LOTS	158	158



**EXHIBIT MAP
CONDITIONAL USE PERMIT
The Grove at "K" Ave.
UNIT NO. 7 - "K" AVENUE
A MASTER PLANNED DEVELOPMENT**

BEING A PORTION OF THE SOUTHWEST QUARTER OF THE
NEARBY QUARTER AND A PORTION OF THE WEST HALF OF
SECTION 10, TOWNSHIP 12 N., RANGE 12 E., COUNTY OF CALAVERA,
STATE OF CALIFORNIA.

DEVELOPER:

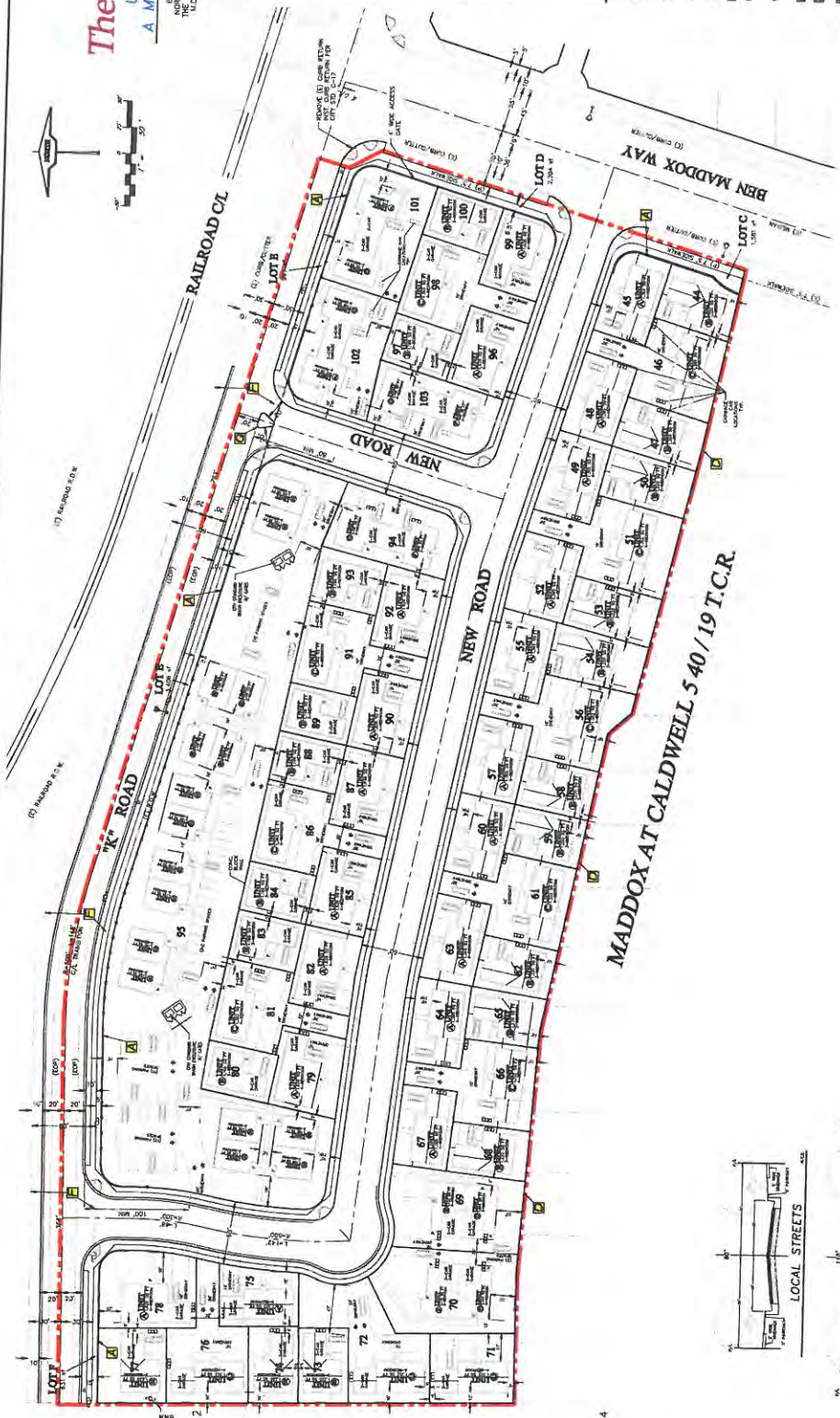
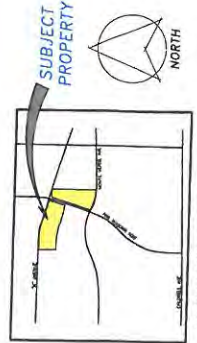
SWIFT HOMES
1889 HILLMAN ST.
SACRAMENTO, CA 95811
(916) 486-8274
A.P.N. #123-080-000, 123-080-001,
123-080-002, 123-080-003,
123-080-004, 123-080-005,
123-080-006, 123-080-007,
123-080-008, 123-080-009,
123-080-010, 123-080-011,
123-080-012

LEGEND

- (P) STREET LIGHT
- (E) DRIVE
- (I) CHASE
- (H) HYDRANT
- (F) FIRE
- (E) POWER POLE TO BE RELOCATED
- (E.O.P.) EDGE OF PARKING
- (T.C.) TOP OF CURB
- (S) SANITARY SEWER
- (D) STORM DRAIN
- (F) FUTURE
- (E) EXISTING
- (P) PROPOSED

SITE NOTES

- 1) PROPOSED USE: SINGLE FAMILY/ADULT FAMILY RES.
- 2) JURISDICTION: CITY OF SACRAMENTO, CALIFORNIA
- 3) WATER SUPPLY: CAL. WATER CO.
- 4) LOT AREA: 3,102 SQ. FT. (78.45) MAX
- 5) TOTAL AREA: 180,000 SQ. FT.
- 6) ZONING: RU-2
- 7) NEAR SETBACKS ALONG SOUTH LINE OF PHASE 2, TO BE 10' WITH SHIELD STORM DRAINS
- 8) CONSTRUCT 6" CONC. BLOCK WALL (CITY STD. NE-14)
- 9) ALL EXISTING ON-SITE IRRIGATION SYSTEMS SHALL BE MAINTAINED AND REPAIRED PER CITY STD'S.
- 10) LOTS 44 TO BE REDEVELOPED AND MAINTAINED BY LANDSCAPE/ LIGHTING DISTRICT
- 11) EXISTING 8" CONCRETE BLOCK WALL ON P/L
- 12) EXISTING 6" WOOD FENCE ON P/L
- 13) EXISTING "K" ROAD RIGHT OF WAY
- 14) CONSTRUCT MEDIAN ISLAND PER CITY REQUIREMENTS



UNIT COUNTS

PHASES UNITS	PROPOSED UNITS
BRACKEN WOOD THE GROVE, 72 LOTS	72 UNITS, 72 LOTS
TOTAL LOTS: 113	113
BRACKEN WOOD THE GROVE, 43 LOTS	43 UNITS, 43 LOTS
TOTAL LOTS: 156 (3 PHASES)	156 (3 PHASES)

CONDITIONAL USE PERMIT

- 1) FENCE WALL SETBACK: 10' MIN. SEE LOTS 45, 48 & 49, 52, 53, 57, 60, 63 & 64, 67, 70, 80, 83, 87, 90, 92, 99 & 99.
- 2) SIDE YARD SETBACK: 5' MIN. SEE LOTS 45, 48 & 49, 52, 53, 57, 60, 63 & 64, 67, 70, 80, 83, 87, 90, 92, 99 & 99.
- 3) REAR YARD SETBACK: 5' MIN. SEE LOTS 45, 48 & 49, 52, 53, 57, 60, 63 & 64, 67, 70, 80, 83, 87, 90, 92, 99 & 99.

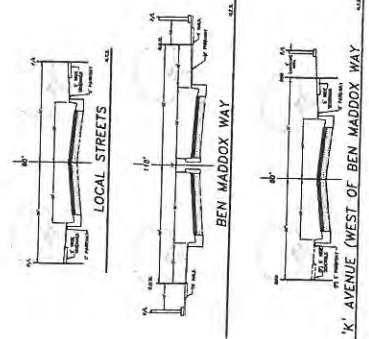


EXHIBIT MAP
CONDITIONAL USE PERMIT
Bracken Wood at "K" Ave.
UNIT NO. 7 - "K" AVENUE
A MASTER PLANNED DEVELOPMENT

BEING A PORTION OF THE SUBJECT TRACT DESCRIBED IN THE NORTHERLY CORNER AND A PORTION OF THE WEST HALF OF SECTION 26, T18S, R23E, M.13 & 14, IN THE CITY OF SAN JOAQUIN COUNTY OF CALIFORNIA.

DEVELOPER:

WEST WOODS
1889 HILMANN ST.
FOLBROOK, CA 94724
(510) 799-8993
A.P.N. #13-106-080-083-086, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

LEGEND

- (P) STREET LIGHT
- (E) STREET LIGHT
- (C) CHASE
- (I) FIRE HYDRANT
- (F) FIRE HYDRANT
- (D) POWER POLE TO BE REMOVED
- (D.P.) DEEPEN EXISTING DRAINAGE
- (S.S.) SANITARY SINKER
- (S.D.) STORM DRAIN
- (F) FUTURE
- (C) EXISTING
- (P) PROPOSED

SITE NOTES

- 1) VACANT LOTS BEHIND SUBJECT PROPERTY TO BE REMOVED
- 2) CONSTRUCT 6" CONCRETE BLOCK WALL ON P/L WITH SINGLE STONY HOLES
- 3) CONSTRUCT 8"-8" CONCRETE BLOCK WALL (CITY STD. NE-10)
- 4) ALL EXISTING ON-SITE IRRIGATION SYSTEMS SHALL BE REMOVED & REIMPOSED PER CITY STD'S.
- 5) LOTS #1-11 TO BE DEVELOPED & MAINTAINED BY LANDSCAPE/LIGHTING DISTRICT
- 6) EXISTING 6" CONCRETE BLOCK WALL ON P/L
- 7) EXISTING 6" WOOD FENCE ON P/L
- 8) EXISTING 3" ROAD RIGHT OF WAY
- 9) CONSTRUCT MEDIAN ISLAND PER CITY REQUIREMENTS

UNIT COUNTS

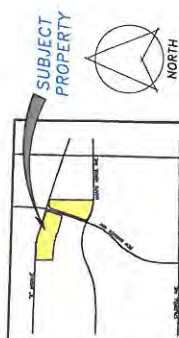
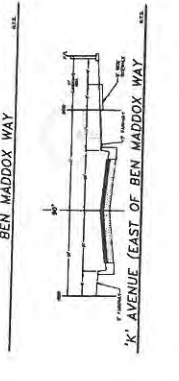
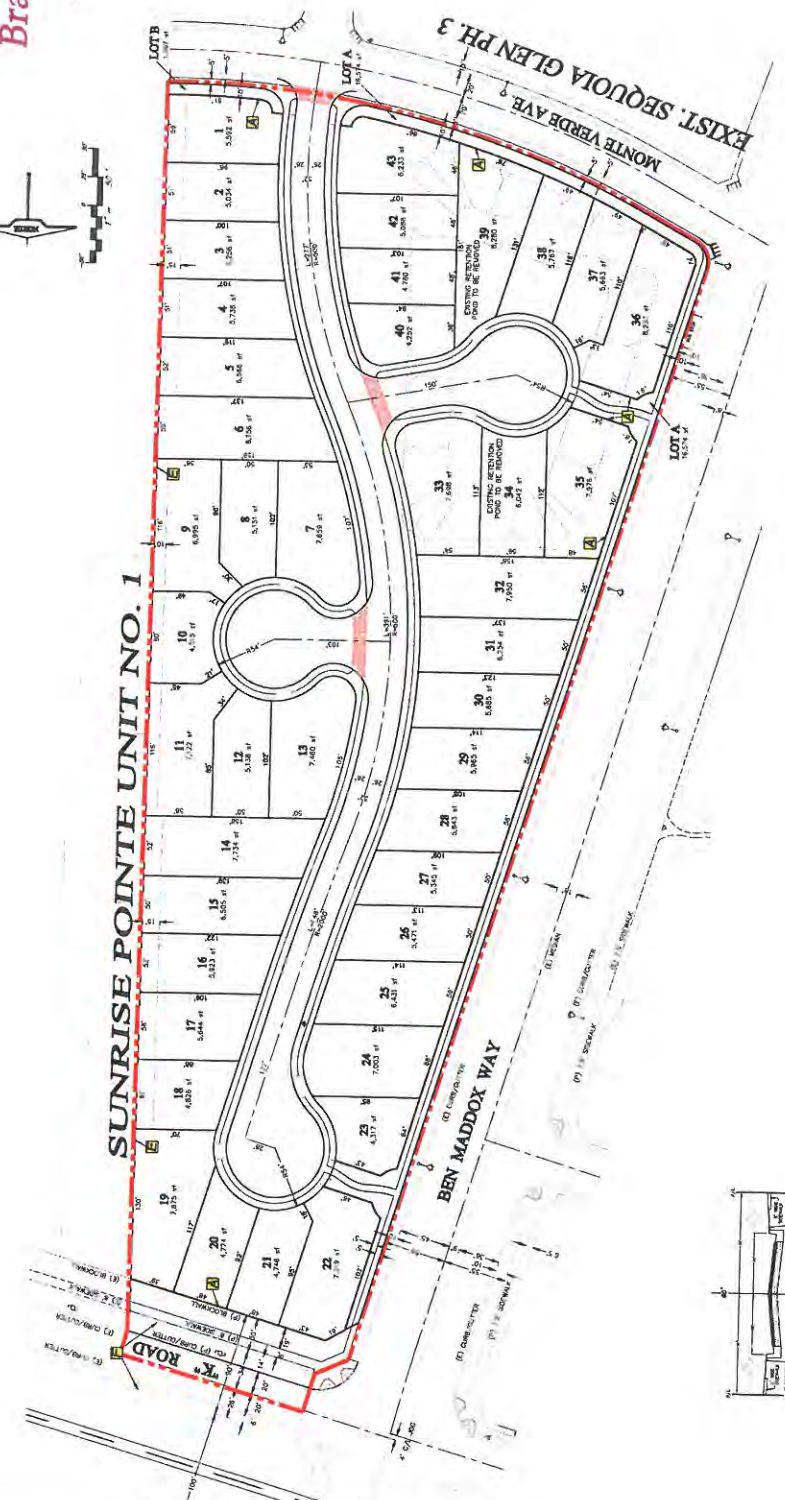
PREVIOUS UNITS:	BRACKEN WOOD: 50 UNITS, 41 LOTS
	TOTAL UNITS: 65 UNITS, 72 LOTS
PROPOSED UNITS:	TOTAL UNITS: 113
	TOTAL LOTS: 125
	43 UNITS, 43 LOTS
	140 (3 PHASES)
	123

CONDITIONAL USE PERMIT

- 1) **RELOCATED LOT LINES**
- See Lots 15, 16, 22 and 35 - 37.
- 2) **RELOCATED SIDEWALK**
- 15' min. clear zone adjacent to existing Spruce Pointe Unit No. 1 (Center Home). See Lots 1 thru 6 and 14 thru 18. Otherwise 10' min.
- 3) **SIDE WALK SETBACK**
- 10' min. clear zone adjacent to existing Spruce Pointe Unit No. 1 (Center Home). See Lots 1 thru 6 and 14 thru 18. Otherwise 5'.
- 4) **BEAR WALK SETBACK**
- 15' min. clear zone adjacent to existing Spruce Pointe Unit No. 1 (Center Home). See Lots 1 thru 6 and 14 thru 18. Otherwise 10' min.

Adopted rear yard setbacks: 10' min. (Lots 1 thru 6 and 14 thru 18). Otherwise 10' min.

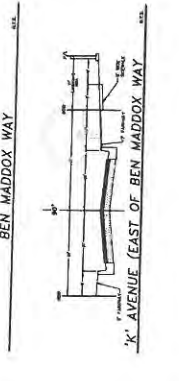
SUNRISE POINTE UNIT NO. 1



VICINITY MAP

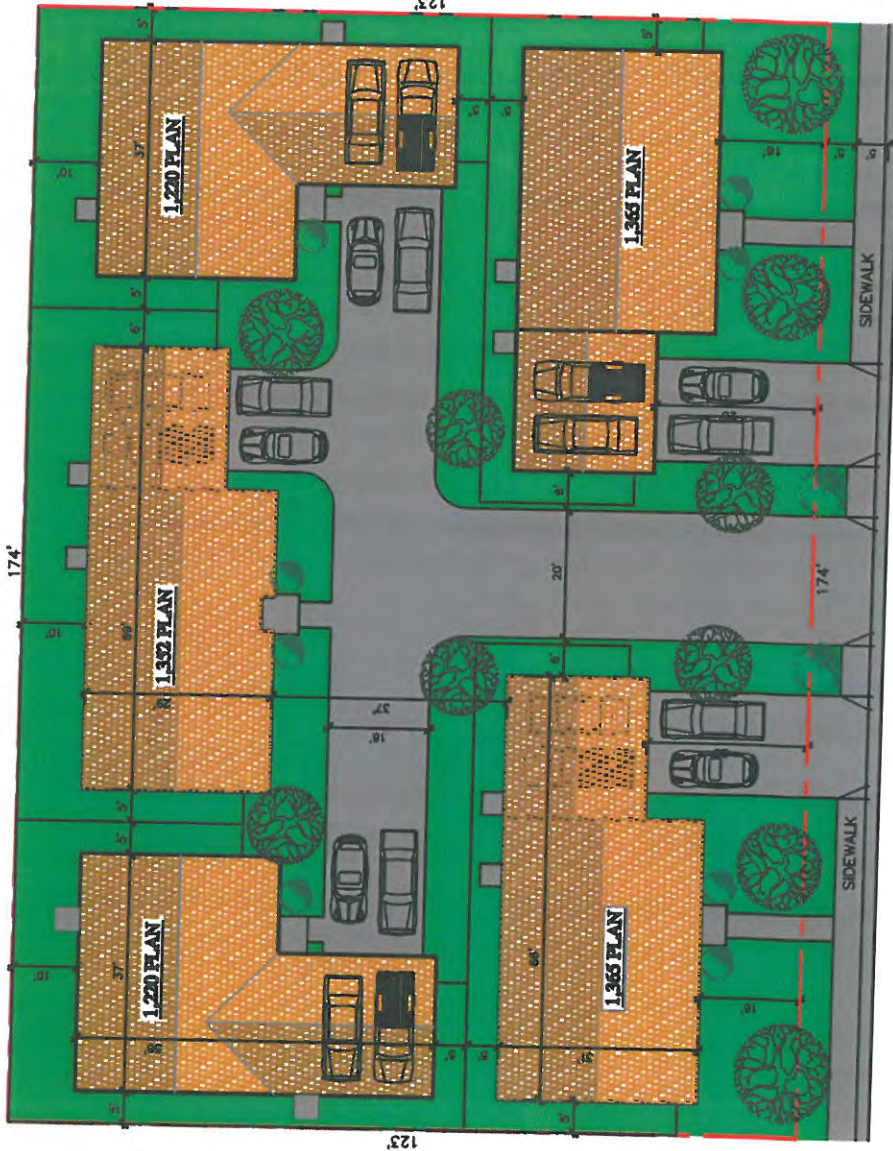
UNIT COUNTS

CONDITIONAL USE PERMIT



TYPICAL 5-PACK LAYOUT

NOT TO SCALE 174' x 123'

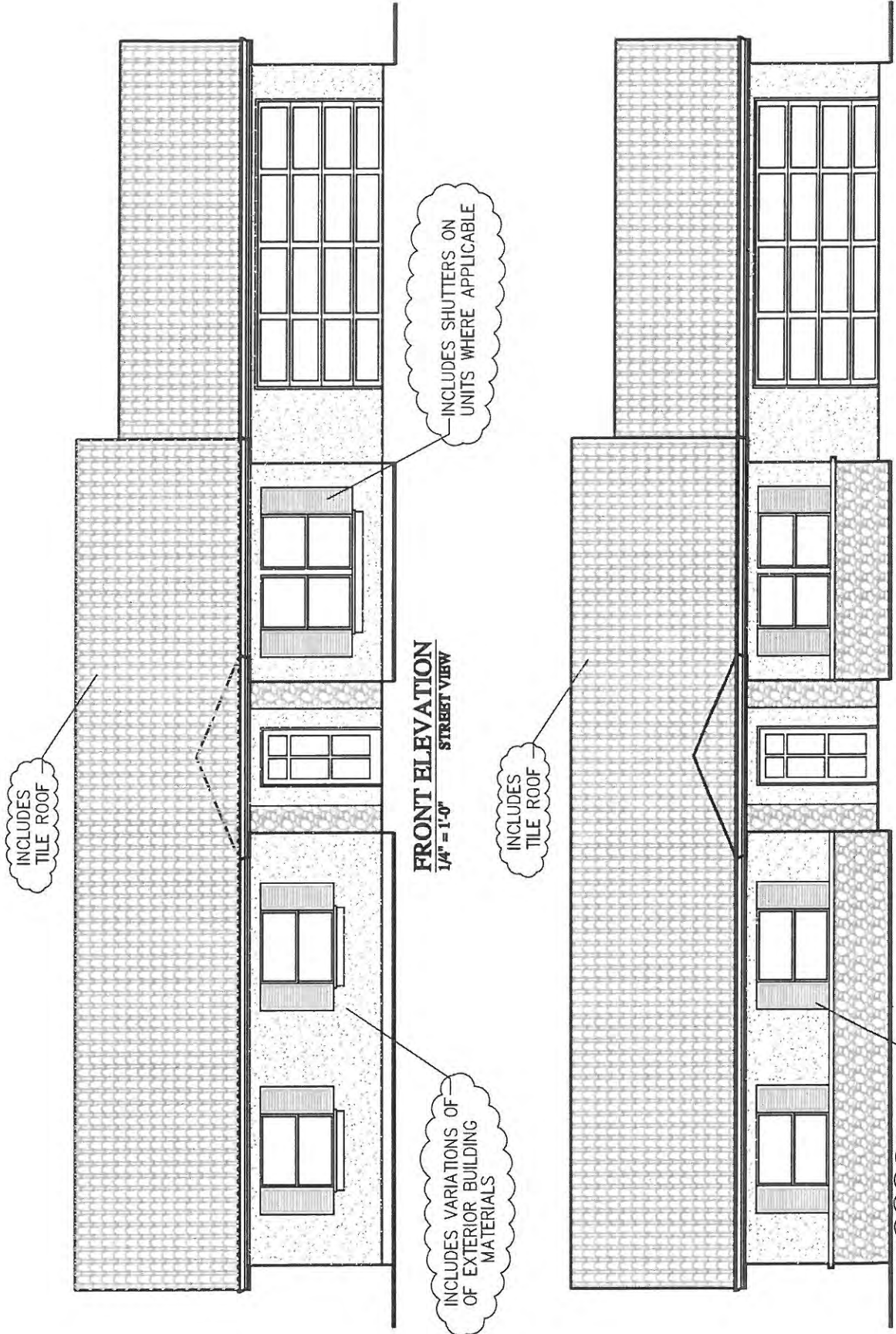


SETBACKS (MINIMUM)
LOTS FRONTING ON
PUBLIC ROAD

FRONTYARD: 15' (18' TO GARAGE)
 SIDEYARD: 5'
 REAR YARD: 5'

INTERIOR LOTS

FRONTYARD: 5' (18' TO GARAGE)
 SIDEYARD: 5'
 REAR YARD: 10'



INCLUDES
TILE ROOF

FRONT ELEVATION
1/4" = 1'-0"
STREET VIEW

INCLUDES VARIATIONS OF
EXTERIOR BUILDING
MATERIALS

INCLUDES SHUTTERS ON
UNITS WHERE APPLICABLE

INCLUDES
TILE ROOF

FRONT ELEVATION
1/4" = 1'-0"
STREET VIEW

INCLUDES SHUTTERS ON
UNITS WHERE APPLICABLE

PLAN "A"



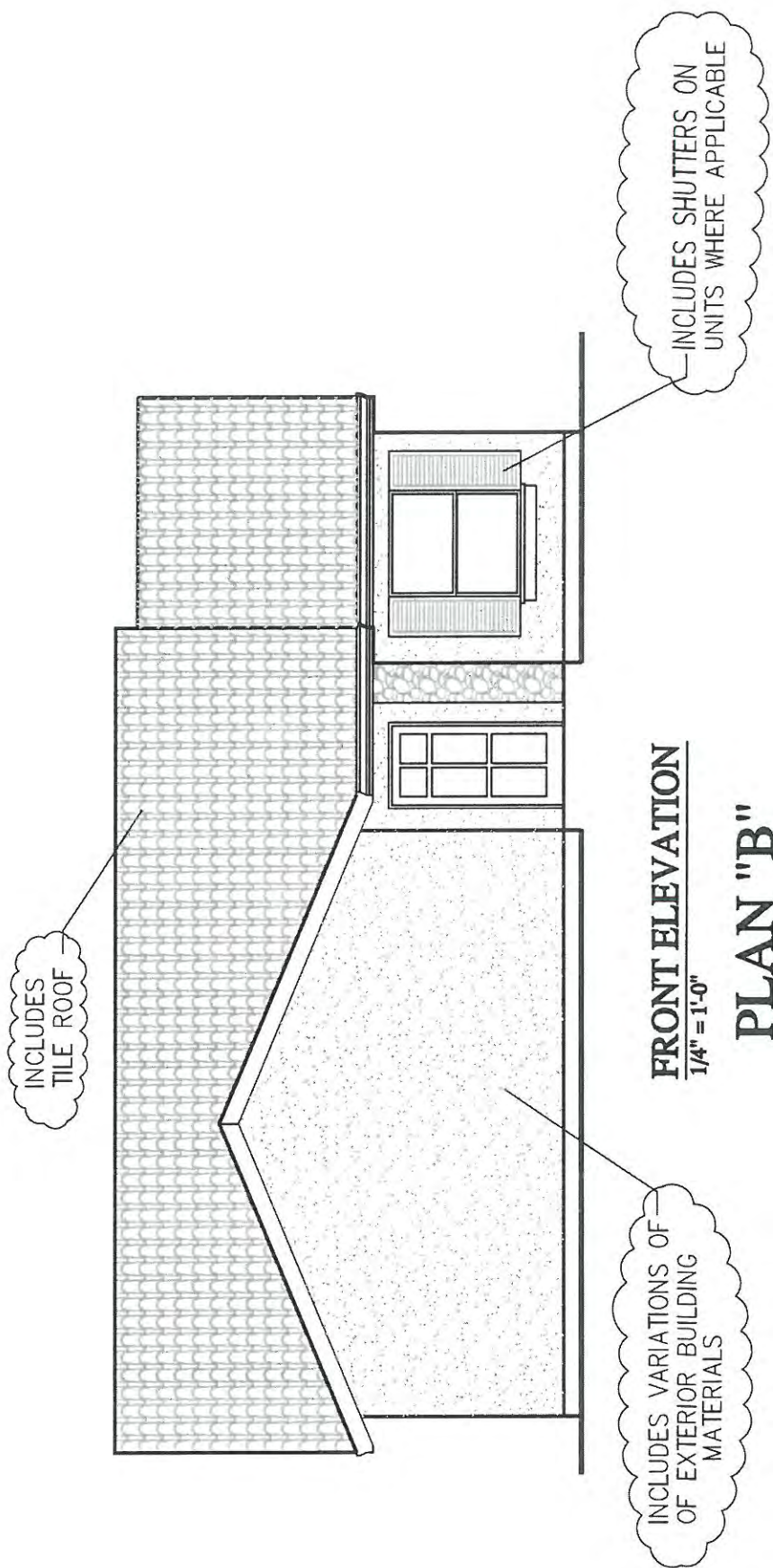
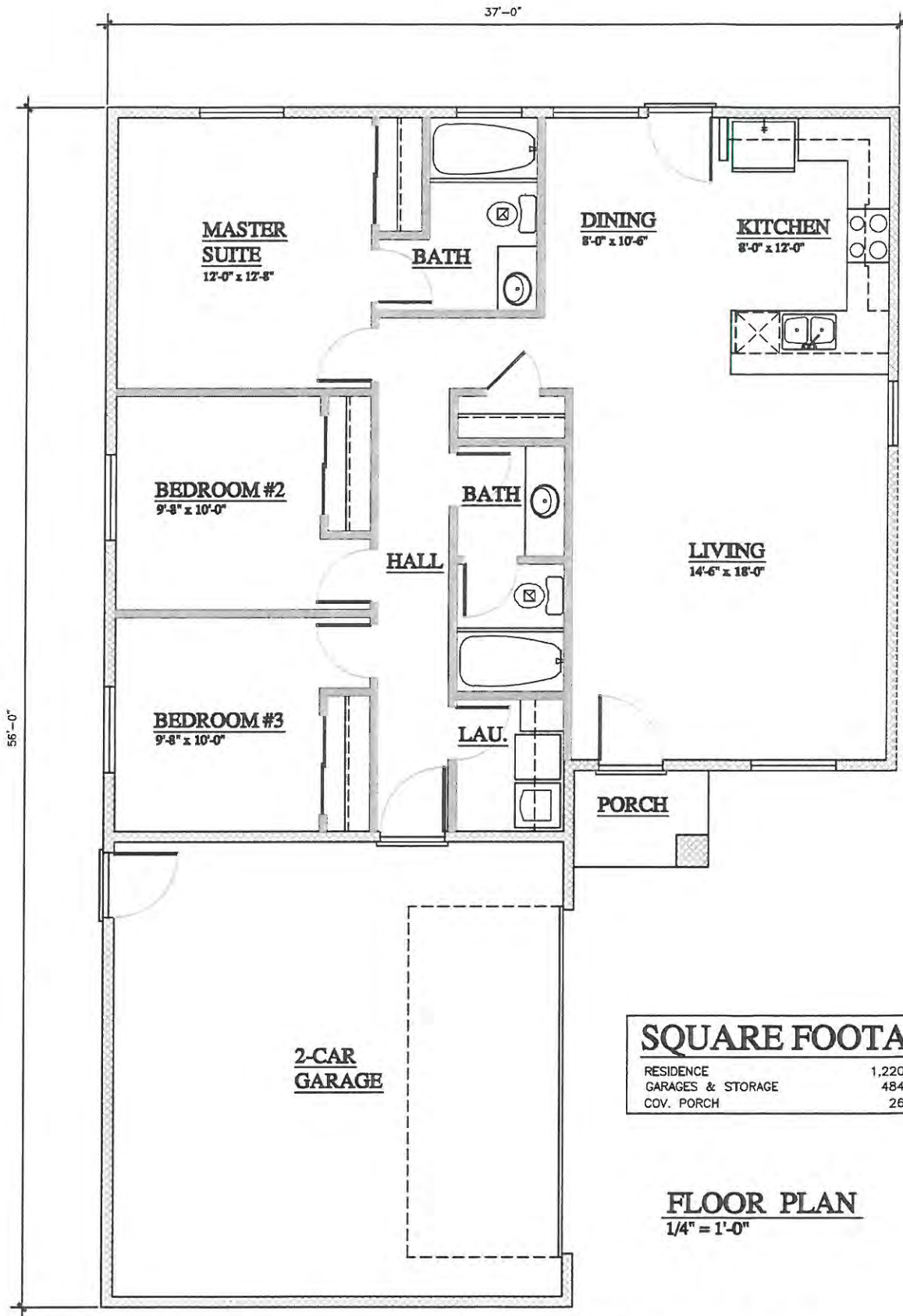


Exhibit "F"



SQUARE FOOTAGE

RESIDENCE	1,220 SQ. FT.
GARAGES & STORAGE	484 SQ. FT.
COV. PORCH	26 SQ. FT.

FLOOR PLAN

1/4" = 1'-0"

PLAN "B"

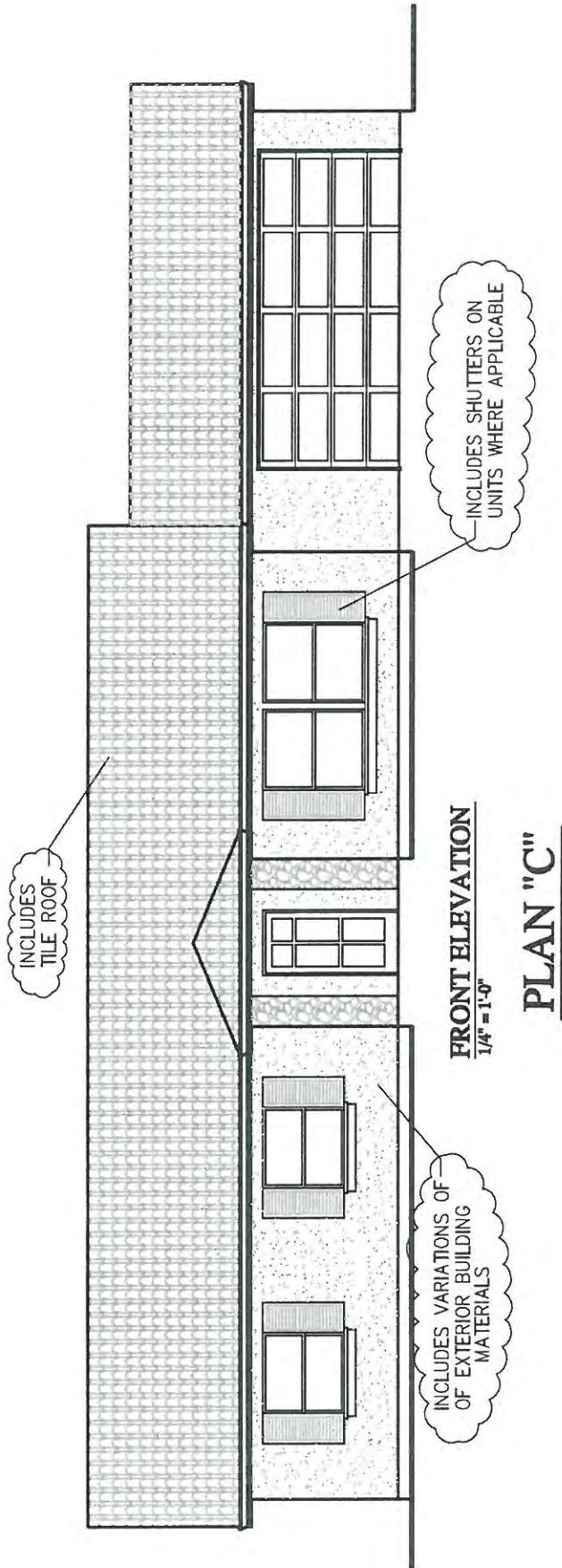
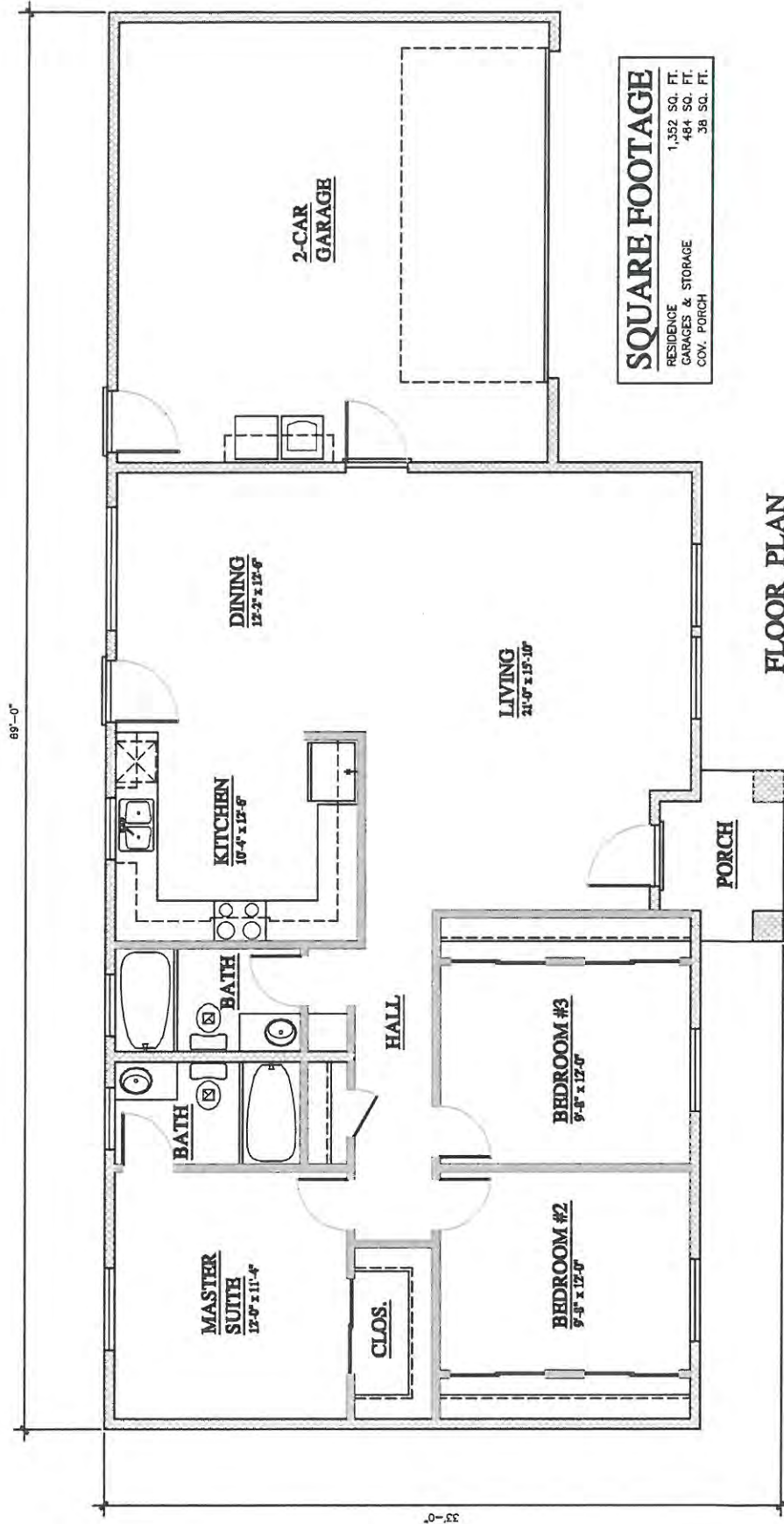
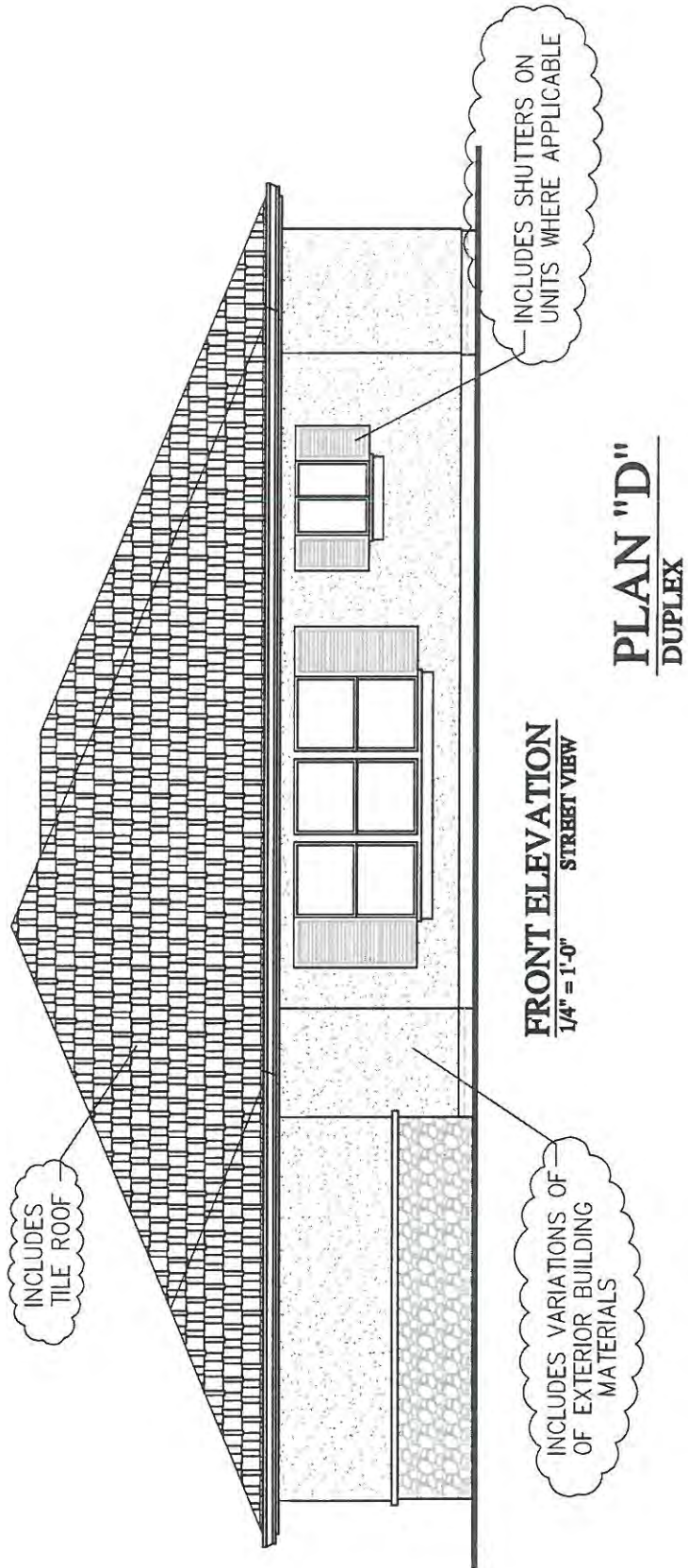


Exhibit "G"





PLAN "D"
DUPLEX

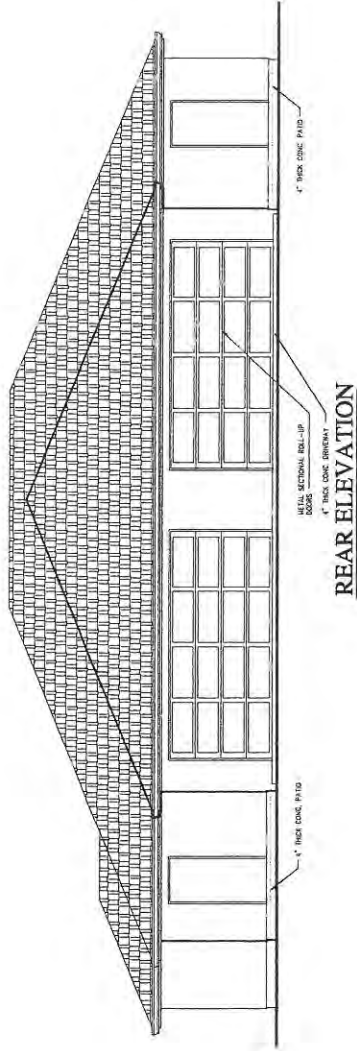
FRONT ELEVATION
1/4" = 1'-0" STREET VIEW

INCLUDES
TILE ROOF

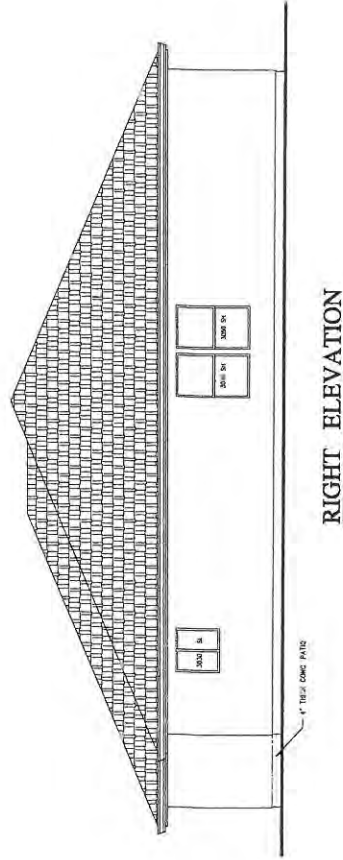
INCLUDES SHUTTERS ON
UNITS WHERE APPLICABLE

INCLUDES VARIATIONS OF
EXTERIOR BUILDING
MATERIALS

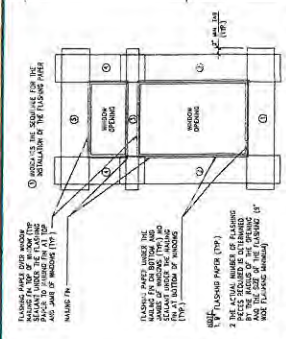
Exhibit "H"



REAR ELEVATION



RIGHT ELEVATION



8H WINDOW FLASHING

SCALE 1/4" = 1'-0"

SCALE 1/4" = 1'-0"

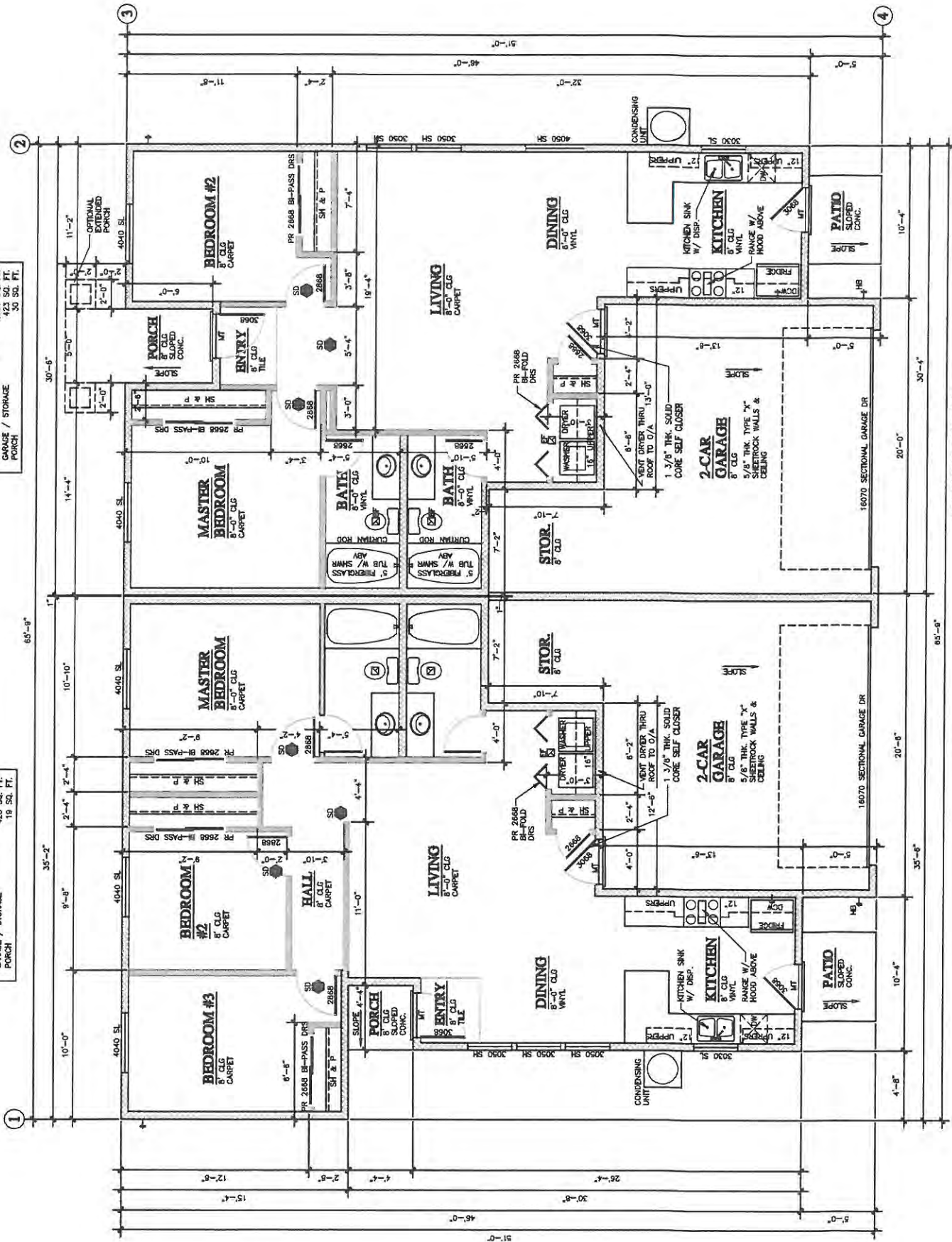
EXTERIOR ELEVATIONS / DETAIL

2-BEDROOM UNIT

SQUARE FOOTAGE	
RESIDENCE	1,051 SQ. FT.
GARAGE / STORAGE	423 SQ. FT.
PORCH	30 SQ. FT.

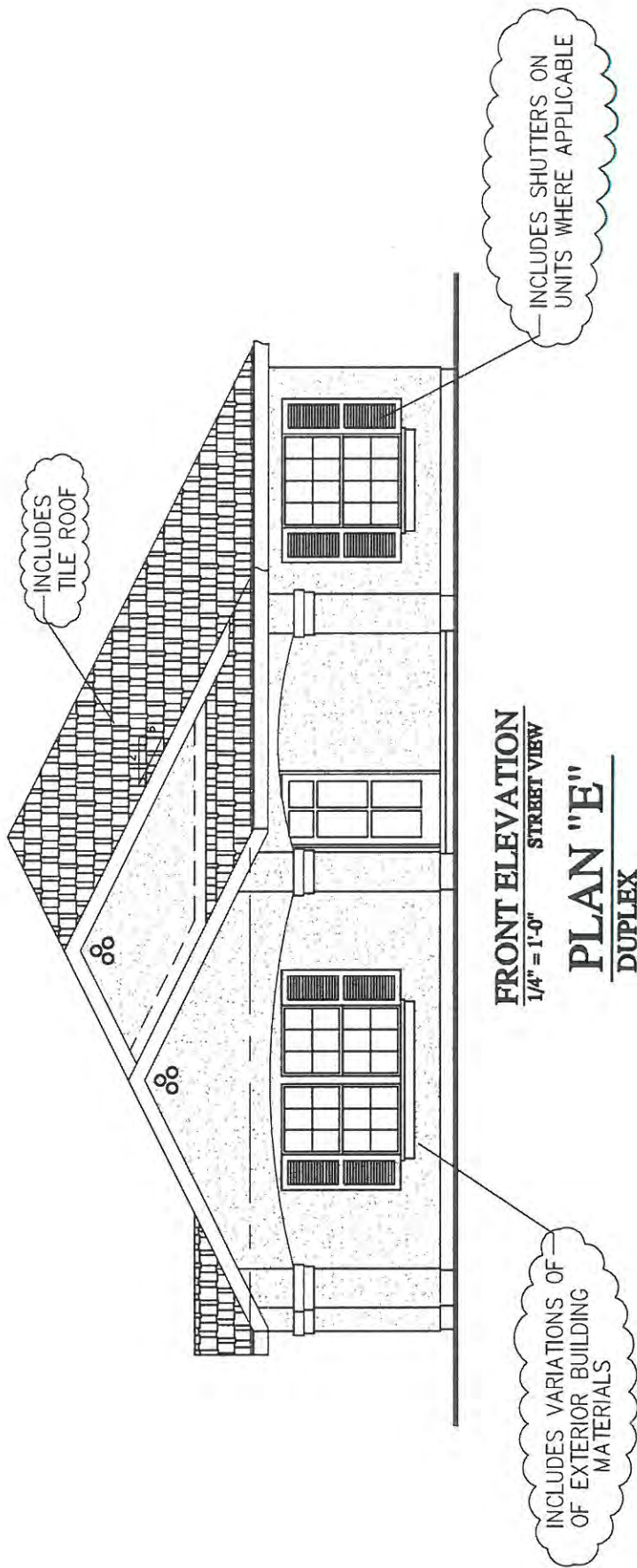
3-BEDROOM UNIT

SQUARE FOOTAGE	
RESIDENCE	1,134 SQ. FT.
GARAGE / STORAGE	423 SQ. FT.
PORCH	19 SQ. FT.



FLOOR PLAN
1/4" = 1'-0"

PLAN "D"



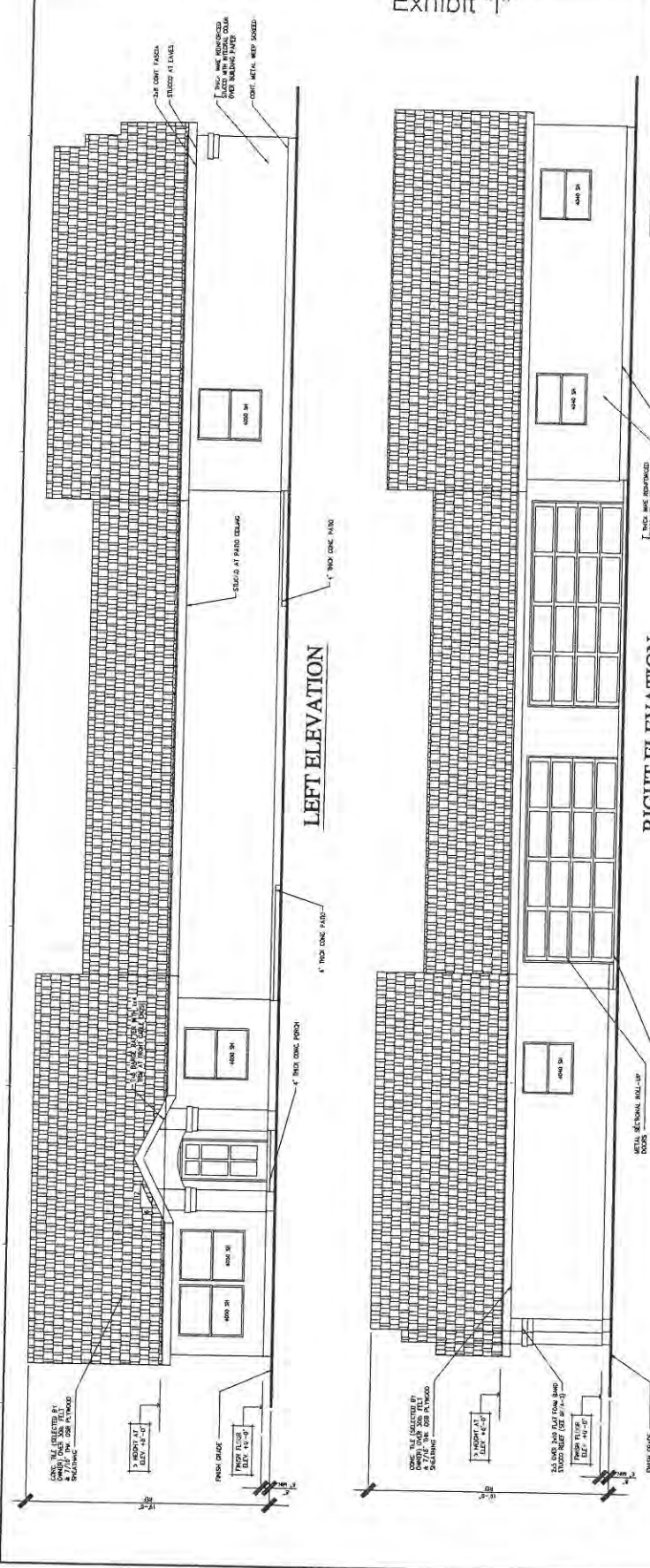
INCLUDES
TILE ROOF

INCLUDES SHUTTERS ON
UNITS WHERE APPLICABLE

FRONT ELEVATION
1/4" = 1'-0" STREET VIEW
PLAN "E"
DUPLEX

INCLUDES VARIATIONS OF
OF EXTERIOR BUILDING
MATERIALS

Exhibit "I"

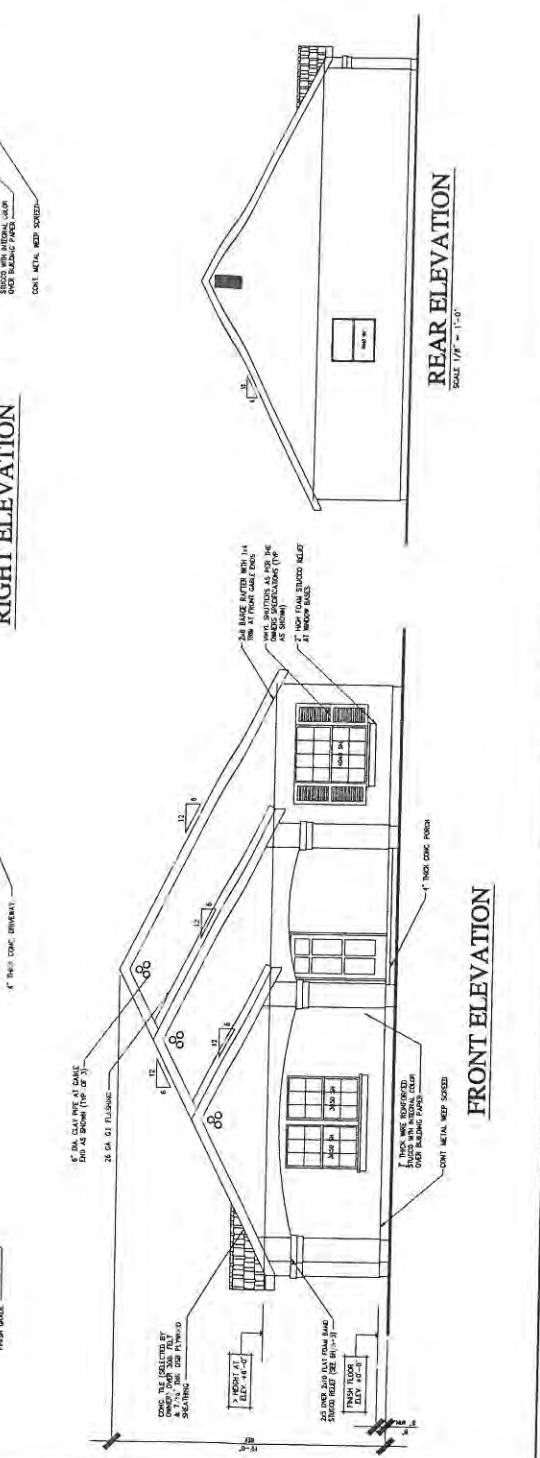


LEFT ELEVATION

RIGHT ELEVATION

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITIES.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
7. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
8. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM WEATHER.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSING OF ALL WASTE AND DEBRIS.
10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL WORK DONE.
11. ALL WORK SHALL BE COMPLETED TO THE SATISFACTION OF THE ARCHITECT AND LOCAL AUTHORITIES.

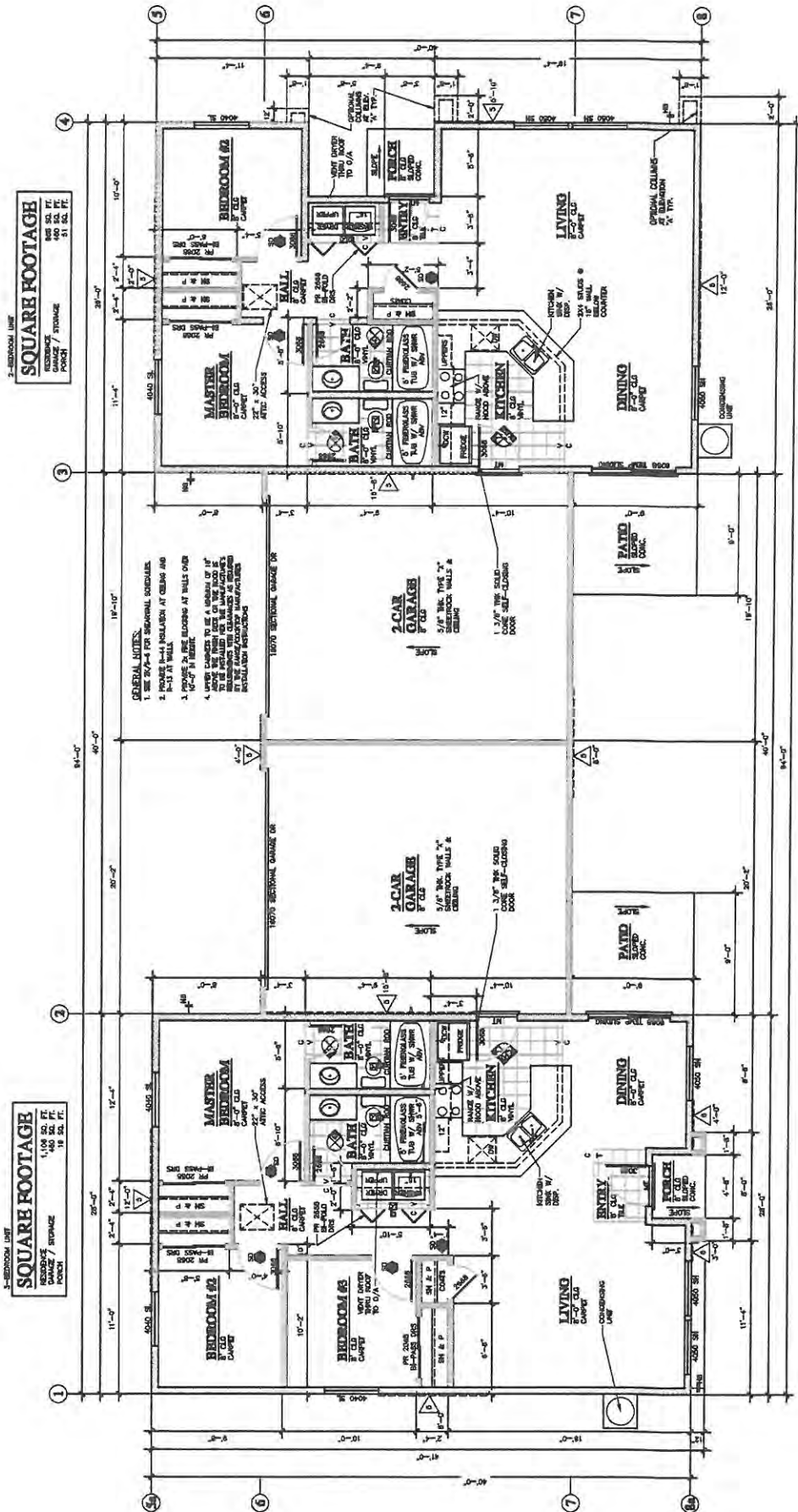
EXTERIOR ELEVATION NOTES
SCALE 1/4" = 1'-0"



FRONT ELEVATION

REAR ELEVATION

EXTERIOR ELEVATIONS / DETAILS / NOTES
SCALE 1/4" = 1'-0"



3-BEDROOM UNIT

SQUARE FOOTAGE	
RESIDENCE	845 SQ. FT.
GARAGE / STORAGE	480 SQ. FT.
PORCH	21 SQ. FT.

3-BEDROOM UNIT

SQUARE FOOTAGE	
RESIDENCE	1,108 SQ. FT.
GARAGE / STORAGE	118 SQ. FT.
PORCH	19 SQ. FT.

GENERAL NOTES:

- SEE 207-4 FOR GENERAL SCHEDULES.
- ALL WALLS TO BE INSULATED AT CEILING AND 10'-0" H. MIN.
- PROVIDE IN FINE RECORDS AT WALLS OVER 10'-0" H. MIN.
- UNDER CARPETS TO BE A MINIMUM OF 2" OF INSULATION. TO BE INSTALLED OVER THE SUBFLOORING. TO BE FINISHED TO MEET ALL APPLICABLE REGULATORY REQUIREMENTS.

2-CAR GARAGE
3/4" BK. TYP. 2" CONCRETE WALLS & CEILING
1 3/4" BK. SOLID CORE SELF-CLOSING DOOR

2-CAR GARAGE
3/4" BK. TYP. 2" CONCRETE WALLS & CEILING
1 3/4" BK. SOLID CORE SELF-CLOSING DOOR

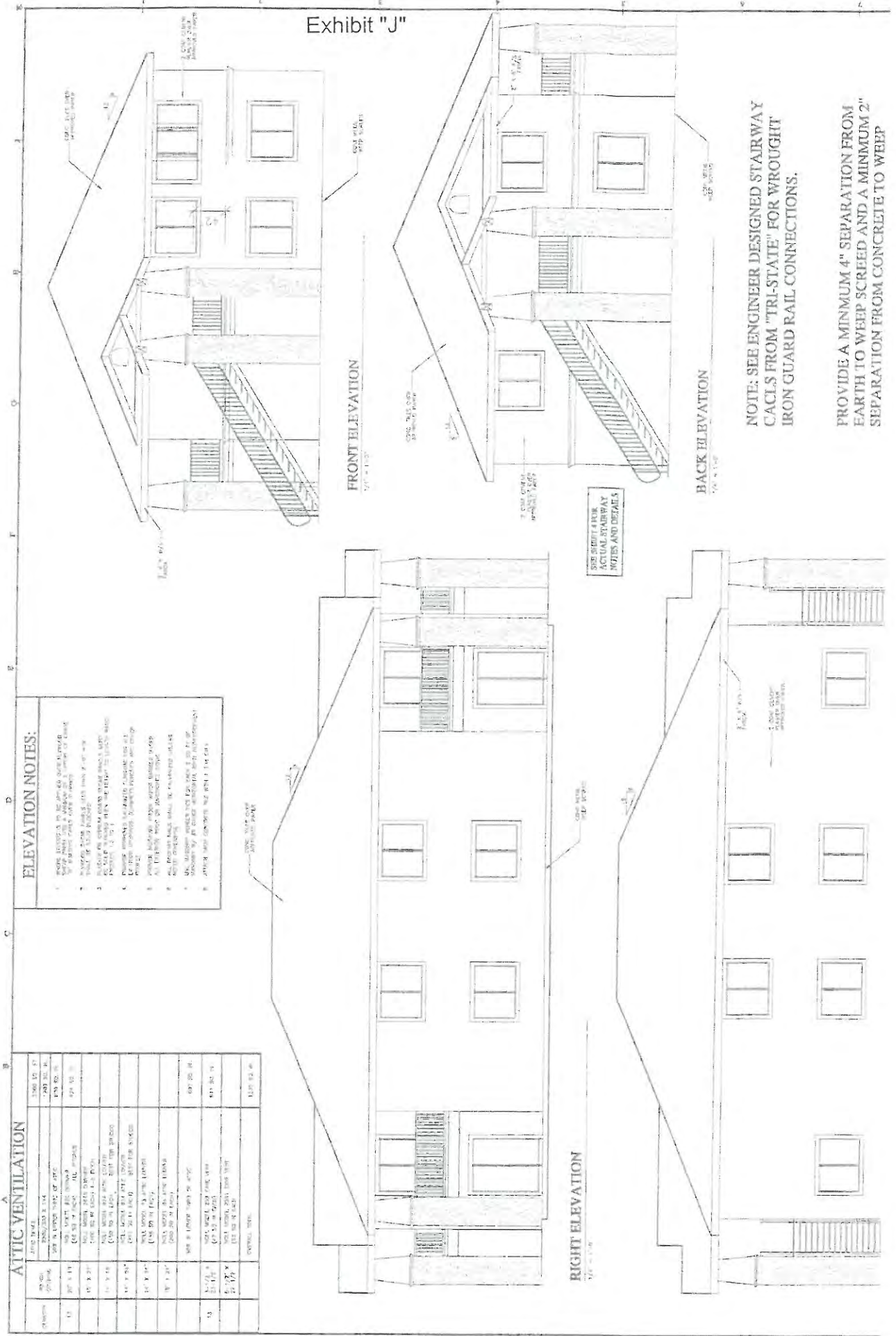


Includes Tile Roof

Includes variations of exterior building material

Includes shutters on units when applicable

Exhibit "J"



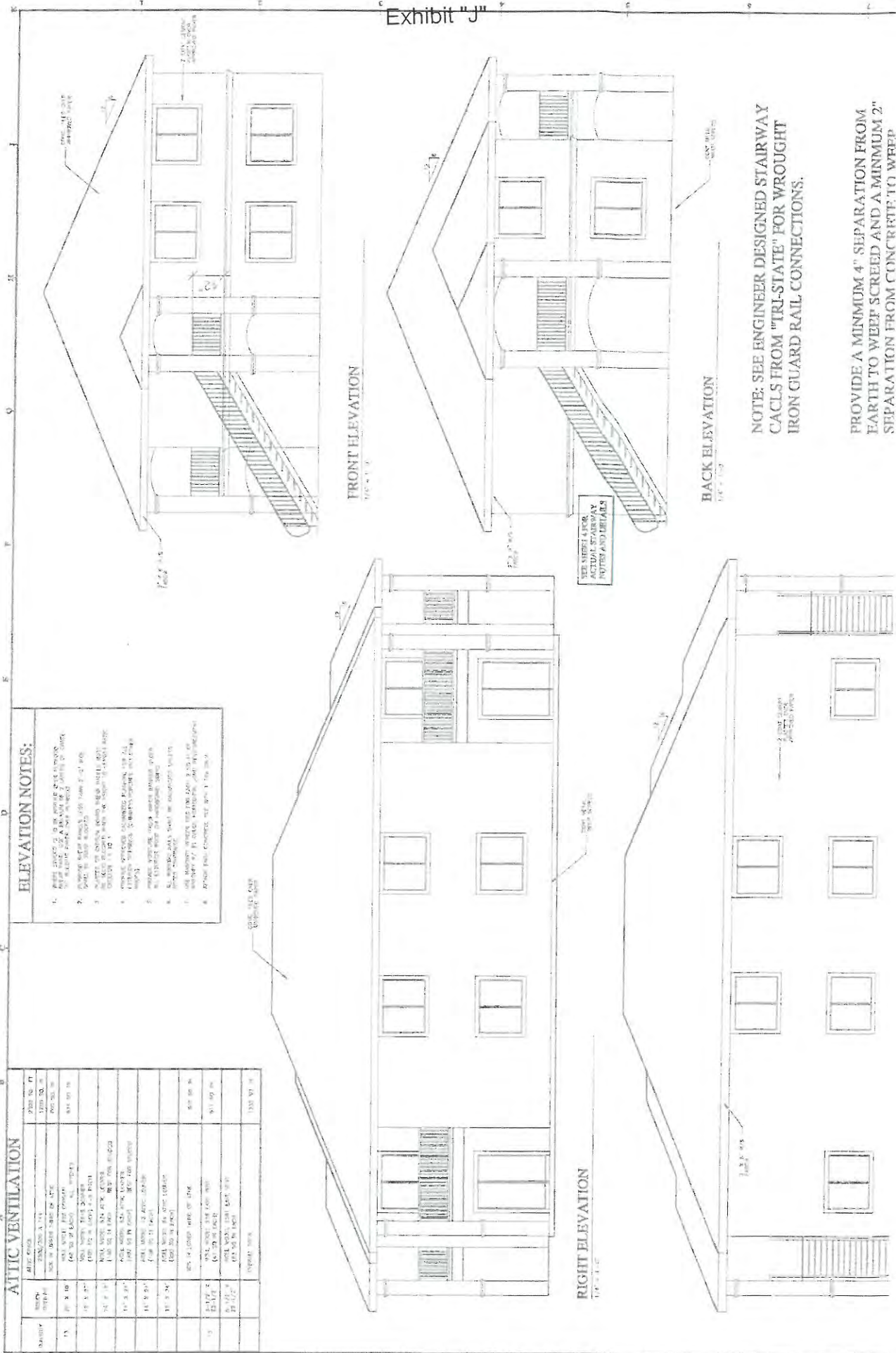
- ELEVATION NOTES:**
1. WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

ATTIC VENTILATION

NO.	DESCRIPTION	AMOUNT
1	2" x 4" x 8" ...	1,000 SQ. FT.
2	4" x 8" x 16" ...	2,000 SQ. FT.
3	6" x 12" x 24" ...	3,000 SQ. FT.
4	8" x 16" x 32" ...	4,000 SQ. FT.
5	10" x 20" x 40" ...	5,000 SQ. FT.
6	12" x 24" x 48" ...	6,000 SQ. FT.
7	14" x 28" x 56" ...	7,000 SQ. FT.
8	16" x 32" x 64" ...	8,000 SQ. FT.
9	18" x 36" x 72" ...	9,000 SQ. FT.
10	20" x 40" x 80" ...	10,000 SQ. FT.
11	22" x 44" x 88" ...	11,000 SQ. FT.
12	24" x 48" x 96" ...	12,000 SQ. FT.
13	26" x 52" x 104" ...	13,000 SQ. FT.
14	28" x 56" x 112" ...	14,000 SQ. FT.
15	30" x 60" x 120" ...	15,000 SQ. FT.
16	32" x 64" x 128" ...	16,000 SQ. FT.
17	34" x 68" x 136" ...	17,000 SQ. FT.
18	36" x 72" x 144" ...	18,000 SQ. FT.
19	38" x 76" x 152" ...	19,000 SQ. FT.
20	40" x 80" x 160" ...	20,000 SQ. FT.
21	42" x 84" x 168" ...	21,000 SQ. FT.
22	44" x 88" x 176" ...	22,000 SQ. FT.
23	46" x 92" x 184" ...	23,000 SQ. FT.
24	48" x 96" x 192" ...	24,000 SQ. FT.
25	50" x 100" x 200" ...	25,000 SQ. FT.
26	52" x 104" x 208" ...	26,000 SQ. FT.
27	54" x 108" x 216" ...	27,000 SQ. FT.
28	56" x 112" x 224" ...	28,000 SQ. FT.
29	58" x 116" x 232" ...	29,000 SQ. FT.
30	60" x 120" x 240" ...	30,000 SQ. FT.
31	62" x 124" x 248" ...	31,000 SQ. FT.
32	64" x 128" x 256" ...	32,000 SQ. FT.
33	66" x 132" x 264" ...	33,000 SQ. FT.
34	68" x 136" x 272" ...	34,000 SQ. FT.
35	70" x 140" x 280" ...	35,000 SQ. FT.
36	72" x 144" x 288" ...	36,000 SQ. FT.
37	74" x 148" x 296" ...	37,000 SQ. FT.
38	76" x 152" x 304" ...	38,000 SQ. FT.
39	78" x 156" x 312" ...	39,000 SQ. FT.
40	80" x 160" x 320" ...	40,000 SQ. FT.
41	82" x 164" x 328" ...	41,000 SQ. FT.
42	84" x 168" x 336" ...	42,000 SQ. FT.
43	86" x 172" x 344" ...	43,000 SQ. FT.
44	88" x 176" x 352" ...	44,000 SQ. FT.
45	90" x 180" x 360" ...	45,000 SQ. FT.
46	92" x 184" x 368" ...	46,000 SQ. FT.
47	94" x 188" x 376" ...	47,000 SQ. FT.
48	96" x 192" x 384" ...	48,000 SQ. FT.
49	98" x 196" x 392" ...	49,000 SQ. FT.
50	100" x 200" x 400" ...	50,000 SQ. FT.

NOTE: SEE ENGINEER DESIGNED STAIRWAY CACLS FROM "TRI-STATE" FOR WROUGHT IRON GUARD RAIL CONNECTIONS.

PROVIDE A MINIMUM 4" SEPARATION FROM EARTH TO WEEP SCREED AND A MINIMUM 2" SEPARATION FROM CONCRETE TO WEEP



ELEVATION NOTES:

1. REFER TO SECTION 10.00 FOR NOTES ON FINISHES.
2. REFER TO SECTION 10.00 FOR NOTES ON FINISHES.
3. REFER TO SECTION 10.00 FOR NOTES ON FINISHES.
4. REFER TO SECTION 10.00 FOR NOTES ON FINISHES.
5. REFER TO SECTION 10.00 FOR NOTES ON FINISHES.
6. REFER TO SECTION 10.00 FOR NOTES ON FINISHES.
7. REFER TO SECTION 10.00 FOR NOTES ON FINISHES.
8. REFER TO SECTION 10.00 FOR NOTES ON FINISHES.

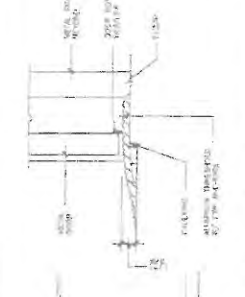
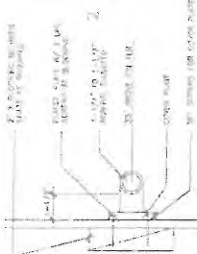
ATTIC VENTILATION

NO.	DESCRIPTION	AREA (SQ. FT.)	TYPE
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**NOTE: SEE ENGINEER DESIGNED STAIRWAY
CALLS FROM "TRI-STATE" FOR WROUGHT
IRON GUARD RAIL CONNECTIONS.**

**PROVIDE A MINIMUM 4" SEPARATION FROM
EARTH TO WEEP SCREED AND A MINIMUM 2"
SEPARATION FROM CONCRETE TO WEEP**

SHEAR PANEL SCHEDULE	
MARK	DESCRIPTION
1	1/2" THICK SHEAR PANEL WITH 1/4" ALUMINUM STRIPS
2	1/2" THICK SHEAR PANEL WITH 1/4" ALUMINUM STRIPS AND 1/4" ALUMINUM STRIPS
3	1/2" THICK SHEAR PANEL WITH 1/4" ALUMINUM STRIPS AND 1/4" ALUMINUM STRIPS
4	1/2" THICK SHEAR PANEL WITH 1/4" ALUMINUM STRIPS AND 1/4" ALUMINUM STRIPS
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49	1/2" THICK SHEAR PANEL WITH 1/4" ALUMINUM STRIPS AND 1/4" ALUMINUM STRIPS
50	1/2" THICK SHEAR PANEL WITH 1/4" ALUMINUM STRIPS AND 1/4" ALUMINUM STRIPS

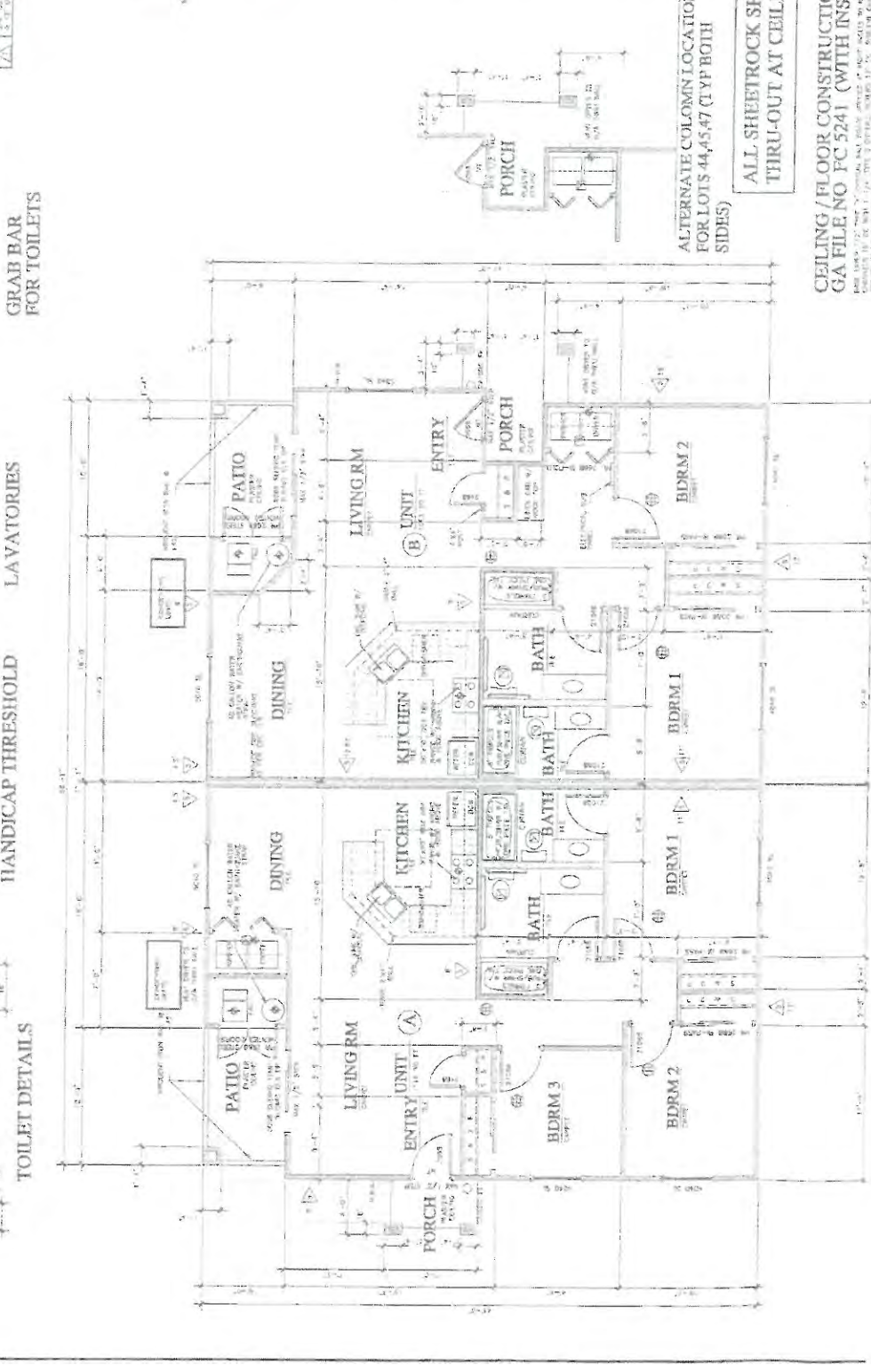


DOOR & WINDOW NOTES

1. ALL DOORS TO BE 3' 0" HIGH BY 4' 0" WIDE.
2. ALL WINDOWS TO BE 4' 0" HIGH BY 6' 0" WIDE.
3. ALL DOORS TO BE 1 3/4" THICK.
4. ALL WINDOWS TO BE 1 1/2" THICK.
5. ALL DOORS TO BE 1 3/4" THICK.
6. ALL WINDOWS TO BE 1 1/2" THICK.
7. ALL DOORS TO BE 1 3/4" THICK.
8. ALL WINDOWS TO BE 1 1/2" THICK.
9. ALL DOORS TO BE 1 3/4" THICK.
10. ALL WINDOWS TO BE 1 1/2" THICK.

GENERAL NOTES

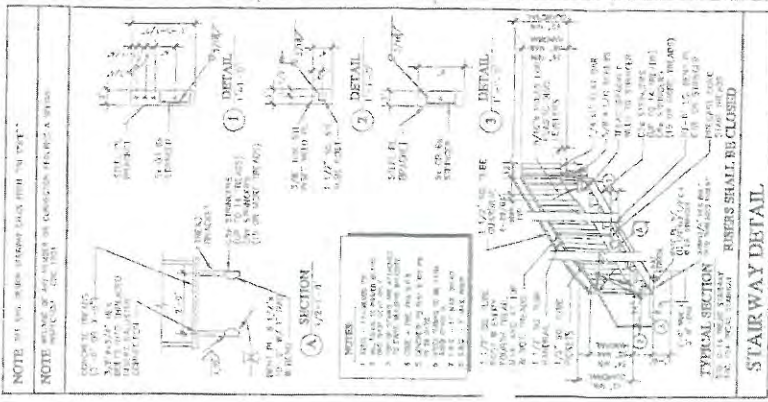
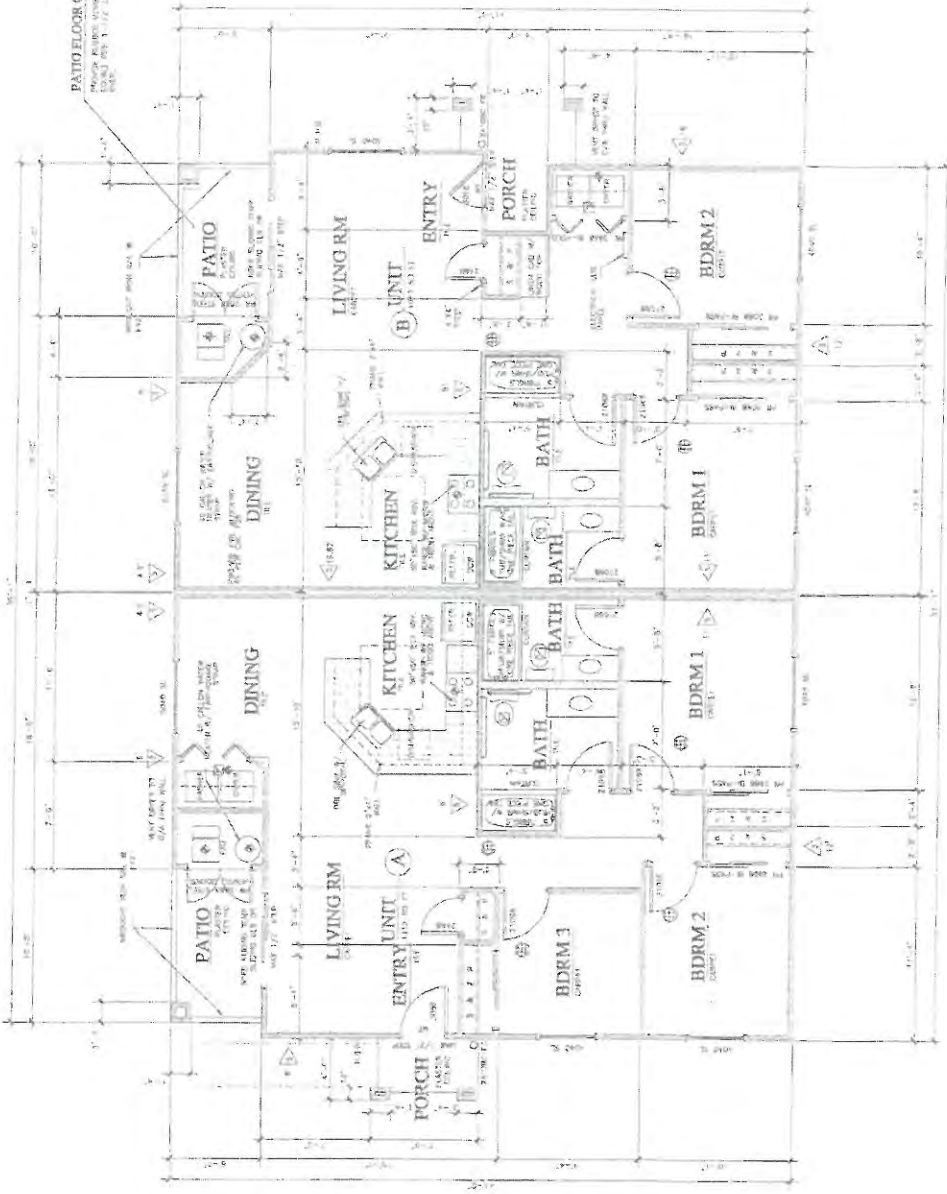
1. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE BOOK.
2. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL MECHANICAL AND PLUMBING CODE BOOK.
3. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL ELECTRICAL CODE BOOK.
4. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL FIRE AND SAFETY CODE BOOK.
5. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING DEPARTMENT CODE BOOK.
6. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL ENERGY EFFICIENCY CODE BOOK.
7. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL SMOKE ALARMS AND CARBON MONOXIDE DETECTORS CODE BOOK.
8. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL ACCESSIBILITY STANDARDS FOR BUILDINGS AND FACILITIES CODE BOOK.
9. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL GREEN BUILDING CONSTRUCTION CODE BOOK.
10. ALL WORK TO BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL WELL-BEING AND PERFORMANCE CODE BOOK.



MARK	BRACING ANCHORAGE	ALLOWABLE
Δ	1/2" ANCHOR BOLT 1/2" DIA 12" LONG BY 3/8" HOOK	5000/L
Δ	1/2" ANCHOR BOLT 1/2" DIA 12" LONG BY 3/8" HOOK	5000/L
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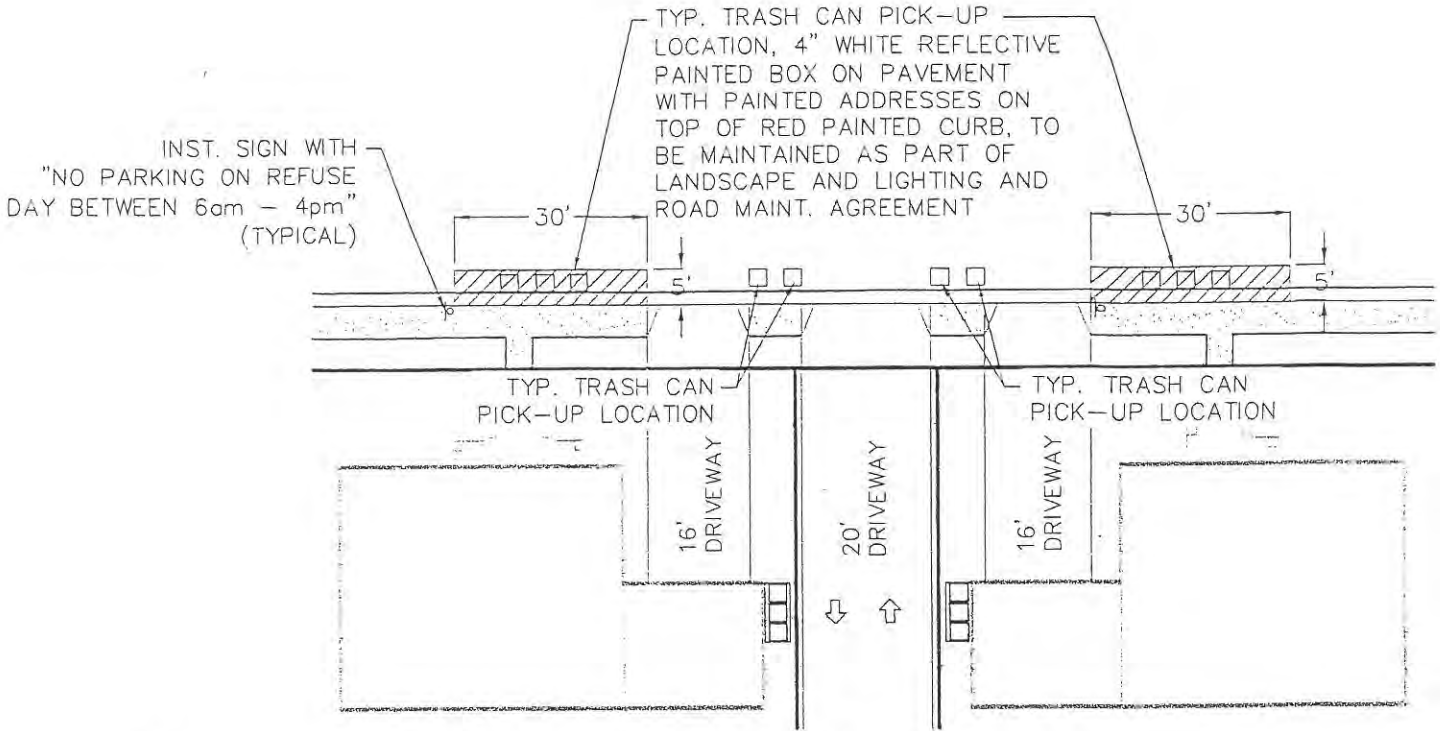
SHEAR PANEL SCHEDULE

PATIO FLOOR CONSTRUCTION
CONCRETE FLOOR WITH 2" POLYURETHANE INSULATION
OVER 1/2" ANCHOR BOLTS AT 24" ON CENTER



STAIRWAY DETAIL

Exhibit "K"



TRASH PICK-UP LOCATION DETAIL

SCALE: 1"=30'

When Recorded Return to:

Christine Bryant
Fresno Lennar, Inc.
8080 N. Palm Ave. Suite 110
Fresno, CA 93711

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

REC FEE 36.00

08:00AM 09-Oct-2006 | LS
Page 1 of 10



EXAMPLE

**DECLARATION AND ESTABLISHMENT OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR LA PALOMA**

THIS DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS
for La Paloma ("Declaration") is made this 6th day of October, 2006 by LENNAR FRESNO,
INC., a California Corporation ("Declarant").

RECITALS

A. Declarant is the owner of that certain real property in the City of ~~Lemoore~~ ^{TULARE},
County of Tulare, California, more particularly described as follows (the
"Property"):

Lots 1 through 25, inclusive of La Paloma No.1 in the City of Tulare, County of Tulare, State of
California, according to the map thereof recorded in Volume 42 of Maps, at Page 18, Tulare
County Records.

B. Declarant intends by this Declaration to establish a general plan for the
development, improvement, maintenance and protection of the Property designed to preserve the
value and residential qualities of the land, and hereby impresses certain protective covenants,
conditions and restrictions on each and every lot and parcel comprising the Property and which
shall run with the land for the mutual benefit of all future Property owners and their successors
and assigns.

NOW, THEREFORE, in order to establish such plan and effect such desires, Declarant
declares that the Property shall be held, conveyed, hypothecated, encumbered, leased, rented,
used, occupied and improved, subject to the following limitations, covenants conditions and
restrictions herein set forth, all of which are declared and agreed to be in furtherance of a general
plan for the improvement, protection, use, maintenance and sale of all of the Property and all of
which are declared and agreed to be for the purpose of enhancing, maintaining and protecting the
security, value, desirability and attractiveness of said Property. All of the limitations,
restrictions, covenants and conditions contained herein shall run with the Property and inure to

the benefit of and pass with all of such Property and certain other real property owned by Declarant and shall be binding on the heirs, assignees and successors in-interest of any owner thereof.

ARTICLE I

DEFINITIONS

1.1. **City.** "City" means the City of Tulare, California, the City in which the Property is located and its various departments, divisions, employees and representatives.

1.2. **County.** "County" means the County of Tulare, California, the County in which the Property is located and its various departments, divisions, employees and representatives.

1.3. **Declarant.** "Declarant" shall mean Lennar Fresno, Inc., a California Corporation, and its successors and assigns if such successors and assigns acquire any or all of Declarant's interest in the Property for the purpose of development or sale, and Declarant has expressly transferred or assigned to such successors or assigns its rights and duties as Declarant to a portion or all of the Property. A successor Declarant shall also be deemed to include the beneficiary under any deed of trust securing an obligation from a then existing Declarant encumbering all or any portion of the Property, which beneficiary has acquired any such Property by foreclosure, power of sale or deed in lieu of such foreclosure or sale.

1.4. **Declaration.** "Declaration" means and refers to this Declaration of Covenants, Conditions and Restrictions as amended from time to time.

1.5. **Improvements.** "Improvement" includes, but is not limited to all construction, installation, alteration and remodeling of buildings, Outbuildings (as defined herein), walls, roofs, foundation, decks, fencing, landscaping, retaining walls, stairs, structures, hedges, windbreaks, plants, trees and shrubs, poles, signs, or any other physical alteration of the natural terrain of the Property or the alteration of any building or structure on the natural terrain of the Property.

1.6. **Lot.** "Lot" means and refers to each plot of land indicated upon the Subdivision Map (as defined herein) creating a single-family homesite, together with all Improvements thereon and all easements appurtenant thereto.

1.7. **Outbuilding.** "Outbuilding" includes servant and guest quarters, pool houses, green houses, storage facilities and detached garages.

1.8. **Owner.** "Owner" shall refer to the record owner, or owners if more than one (including Declarant), of the recorded fee simple title to any Lot included in the Property. A contract purchaser under a recorded installment land sales contract shall be included as an "Owner," but those merely having a security interest in property for the performance of an

obligation shall not be deemed "Owners."

1.9. **Property.** "Property" includes all of the real property described in the Recitals section of this Declaration.

1.10. **Residence.** "Residence" shall include all improvements and appurtenances upon any single family residential dwelling constructed or to be constructed on a Lot.

1.11. **Structure.** "Structure" means any Residence or Outbuilding.

1.12. **Subdivision Map.** "Subdivision Map" refers to the Final Subdivision Map recorded for the Property in the County of Tulare creating individual lots.

ARTICLE II

COVENANTS AND USE RESTRICTIONS

2.1. **Use and Occupancy of Residence.** No Residence or Lot within the Property shall be improved or used for any purpose other than for single family residential purposes.

2.2 **Temporary Structures.** No structure of a temporary nature, including but not limited to a tent, shack, basement, greenhouse, garage, outbuilding or partially completed dwelling shall, at any time, be used on any Lot as a residence, temporarily or permanently. Notwithstanding, trailers or temporary structures for use incidental to the initial construction of the Property or the initial sales of Residences may be maintained by Declarant within the Property, but shall be promptly removed on completion of all initial construction and all initial sales.

2.3. **Lease of Residence.** All tenants and lessees of any Owner shall abide by and be subject to all provisions of this Declaration. Any lease or rental agreement must specify that failure to abide by such provision shall be a default under the lease or rental agreement. No Owner may lease his Lot or Residence situated thereon for hotel, motel or transient purposes. Any lease or rental agreement must include the following language:

"The undersigned, as lessee or tenant, acknowledges that he is familiar with all of the provisions governing the use and occupancy of the residence as contained in the Declaration of Covenants, Conditions & Restrictions on record with the Tulare County Recorder's Office."

2.4. **Rezoning and Resubdivision Prohibited.** None of the Lots subject to this Declaration may be rezoned or resubdivided, or split into Lots of lessor size or joined with other Lots to increase the size from the size of the original Lot, without the prior written consent of the Declarant.

2.5. **Commercial Use.** Except as otherwise provided in this Declaration, no part of

the Property shall be used or caused to be used or allowed or authorized in any way, directly or indirectly, to be used for any business, commercial, industrial, manufacturing, mercantile, storing, vending, or other such non-residential purpose. Notwithstanding, any Residence on Lots owned by Declarant may be used by Declarant or its designees as models, sales offices, storage areas, construction offices and related facilities, and as a design center for the purpose of developing, improving and selling Residences in the development of which the Property is a part. Declarant shall also be entitled to install signs, flags and banners within the Property for such purposes.

2.6. **Outbuildings.** All Outbuildings shall be located and maintained on any Lot to the rear of the residence located thereon, where possible and feasible, and shall be located so as not to create a visual nuisance of neighboring Owners. There shall be no more than one (1) Outbuilding erected and maintained on each Lot and such Outbuilding shall conform generally in design and exterior materials to the finish of the Residence on the Lot.

2.7. **Structural Requirements and Limitations.** Only new materials, and no second-hand materials, will be permitted in the construction of any Residences or Outbuildings. All exterior colors, textures, and materials, including roofs, must be completely finished with wood, stucco, brick, stone or other material, and must be set forth in the plans and specifications and approved by the . The exterior building design of all Residences and Outbuildings shall be of a like concept, design, or material that will not detract from the general appearance of the neighborhood.

2.8. **Setback Lines.** No Structure shall be located on any Lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the Subdivision Map or as required by the City of Tulare or County of Tulare.

2.9. **Maintenance of Structures.** The exteriors of all Structures shall be maintained in a clean, attractive, and well-kept condition and in conformity with the general plan established by this Declaration and the aesthetic appearance of the Property. In the event that the exterior of any Structure needs to be repaired or remodeled, said Structure shall be repaired or remodeled in a manner which is identical or substantially similar to the exterior of the Structure at the time that the Structure was conveyed from Declarant to the original purchaser. Any other Improvements permitted to be constructed on the Property shall conform with the general plan established by this Declaration and the aesthetic appearance of the Property.

2.10. **Landscaping.** Every Owner shall be responsible for landscaping and thereafter maintaining his or her Lot in a sightly and well-kept condition and shall maintain landscaping which shall be in conformity and harmony with the external design of the Residences and the general plan established by this Declaration for the Property.

2.11. **Noxious or Offensive Activities.** No rubbish or debris of any kind shall be placed or permitted to accumulate on or adjacent to a Lot and no odors shall be permitted to arise therefrom, which might render any Lot or portion thereof unsanitary, unsightly, harmful or

detrimental to any of the Property in the vicinity thereof or to the occupants thereof.

2.12. **Antennas and Satellite Dishes.** No television or radio poles, antennae or antennae poles, satellite dishes, wires, equipment or external fixtures other than those originally installed by Declarant shall be constructed, erected or maintained within the Property or any structures on it; provided, however, that the foregoing restriction shall not be construed to limit the installation or use of video or television antennas within the Property, including a satellite dish (collectively, "Antenna"), except as otherwise prohibited or restricted by law, that is of a size and type consistent with the provisions of Section 1376 of the California Civil Code or any successor statute or law or 47 U.S.C. Section 303 or the regulations promulgated thereunder, or any successor statutes or law.

2.13. **Laundry Equipment.** No laundry or wash shall be dried or hung upon any outside clotheslines.

2.14. **Window Treatment.** The windows of each residence shall be covered with window coverings consisting of drapes, shutters or shades. Windows shall not be painted or covered by foil, cardboard, linens or similar materials. No aluminum foil, reflective film or similar treatment shall be placed on windows or glass doors.

2.15. **Machinery and Equipment.** No heavy machinery or equipment of any kind, including but not limited to farm equipment, vehicles and instrumentalities, or other objects that are not commonly associated with residential landscaping shall be placed, operated or maintained upon or adjacent to any Lot except such machinery or equipment as is usual and customary in connection with the use, maintenance or construction of a Residence, a swimming pool, spa or landscaping on a Lot.

2.16. **Wells, Derricks and Mines.** No wells from which there is produced, water, oil, or gas may be operated on any Lot, nor may any machinery, appliance, or structure be placed, operated, or maintained on any Lot for use in connection with any development, trading, manufacturing, or repairing business. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted on any party of the Property, and no oil wells, tanks, tunnels, or mineral excavation or shafts shall be permitted on the surface of any of the Property or within five hundred (500) feet below the surface of any of the Property. No derrick or other structure designed for use in boring water, oil or natural gas shall be erected, maintained or permitted within the Property.

2.17. **Parking.** No Owner shall leave his or her automobile parked or left within the Property other than a garage or on the driveway on such Owner's Lot. The driveway area shall be maintained such that at all times two (2) automobiles may be parked and contained entirely within the driveway and do not encroach upon any adjacent yard area, sidewalk or street. No inoperable or wrecked vehicles or equipment shall be parked on the Property at any time other than in an Owner's garage for purposes of temporary storage, repair or restoration. Guests of the Owner may park temporarily on the street adjacent to the Residence of Lot.

2.18. **Trailers, Boats and Motor Vehicles.** All boats, golf carts, campers, vans, and recreational vehicles shall be kept and parked within the garage or side-yard located on such Lot.

2.19. **Pets and Animals.** No pets or other animals are permitted to be maintained within the Lot or Residence except for recognized domesticated household pets which are not kept, bred or raised for commercial purposes.

2.20. **Grades, Slopes and Drainage.** No change in the established grade, elevation or drainage of the Lots, and no change in the established slope or ratio of the cuts and fills, which alters established drainage patterns will be permitted without the prior written consent of the Declarant. No Owner of a Lot shall in any way interfere with or change the established drainage pattern over his or her Lot or change the drainage pattern over any adjoining or other Lots. For the purpose hereof, "established grade, elevation and drainage" is defined as the drainage which occurred at the time the Lot was conveyed to the original purchaser (or as may be required under the Subdivision Map). No Owner shall interfere or cause obstructions to be placed within any drainage situated on any Lot. Owners of Lots on which brow ditches and subsurface drains, culverts and drainage courses are located shall be responsible for maintaining such brow ditches, drains, culverts and drainage courses, in good condition, order and repair. Declarant shall not have any responsibility for any such brow ditches and subsurface drains, culverts, and drainage courses not located on Lots owned by Declarant.

2.21. **Exterior Lighting.** Any exterior electrical, gas or other artificial lighting installed on any Lot shall be positioned, screened, or otherwise directed or situated and of such controlled focus and intensity so as not to unreasonably disturb the residences of any other Lot(s). All Christmas and other holiday lighting shall be removed from the Residence and Lot within fifteen (15) days after the passing of said holiday.

2.22 **Signs.** No signs of any kind or other advertising device of any character for any purpose or use whatsoever, may be erected, placed, posted, pasted, painted or displayed for any purpose, except as permitted herein. An Owner may erect one (1) sign on his Lot advertising the Residence or Residence Lot for sale. Such sign must be of customary size and shape in the real estate sales community, and must be fastened to a post or stake in the ground no greater than six (6) feet in height. Political signs may be erected upon a Lot by the Owner of such Lot pertaining to advocating the election of one or more political candidates or the sponsorship of a political party, issue or proposal provided that such signs shall not be erected more than ninety (90) days in advance of the election to which they pertain and shall be removed within five (5) days after such election.

2.23 **Compliance with Laws.** No Owner shall permit anything to be done or kept in, on or about his or her Residence that violates any law, ordinance, statute, rule or regulation of any local, county, state or federal agency. Each Lot is also subject to any applicable restrictions or conditions as set forth on the Subdivision Map.

2.24 **Fences; Walls.** Each Owner shall maintain in a good condition and repair the portion of such fencing and wall adjacent to said Owner's Lot.

2.25. **Sight Distance at Intersections:** No fence, wall, hedge, tree or shrub planting shall be placed or permitted to remain on any Lot in violation of the sight distance/sight line requirements established by the City and the County.

2.26. **Mail Boxes.** Mail boxes shall be erected and maintained in locations designated by the U.S. Postal Service.

2.27. **Setbacks.** No Structure or Residence shall be constructed or maintained upon any Lot nearer to any front or side lot line than the minimum building setback lines shown on the Subdivision Map or as required by the City or County.

2.28 **Water and Sewage System.** No individual water supply system or sewage disposal system shall be permitted on any Lot, including, without limitation, water wells, cesspools or septic tank.

ARTICLE III

EASEMENTS AND RIGHTS OF WAY

3.1. The Property, including all Residences on it, is subject to easements and rights of way for erecting, constructing, maintaining and operating public sewers, and poles, wires and conduits for lighting, heating, power, telephone, television, and any other method of conducting and performing any public or quasi-public utility service or function beneath the surface of the ground, as the easements and rights of way are more particularly set forth on the Subdivision Map, or as they may hereafter be located and utilized by Declarant.

ARTICLE IV

ENFORCEMENT

4.1. The provisions in this Declaration will inure to the benefit of and be enforceable by Declarant, Declarant's successors or assigns, and the Owner of any of the Property, and each of their legal representatives, heirs, successors, or assigns. Enforcement will be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages. The failure to enforce any covenant or restriction in this Declaration will not be deemed a waiver of the right to enforce thereafter.

4.2. **Attorneys Fees.** In legal or equitable proceedings for the enforcement of this Declaration or in any legal or equitable proceeding to restrain the violation of this Declaration or any provision thereof, the losing party or parties shall pay the reasonable attorneys fees of the

prevailing party or parties, in such amount as may be fixed by the arbitrator or court in such proceedings. All remedies provided herein or at law or equity shall be cumulative and not inclusive.

ARTICLE V

TERM OF DECLARATION

5.1. **Term.** The covenants and restrictions of this Declaration shall run with the land and will be binding on all persons and parties claiming under them for a term of forty (40) years from the date this Declaration is recorded, after which time the covenants and restrictions shall be automatically extended for successive periods of ten (10) years each, unless an instrument signed by two-thirds (2/3rds) of the then Owners of Lots and Residences has been recorded, agreeing to change the covenants and restrictions in whole or in part.

ARTICLE VI

MISCELLANEOUS PROVISIONS

6.1. **Effect of Declaration.** Reference in any deed, mortgage, trust deed or any other recorded documents to the easements, restrictions and covenants herein described or to this Declaration shall be sufficient to create and reserve such easements and covenants to the respective grantees, mortgagees, or trustees of said parcels as fully and completely as if those easements, restrictions and covenants were fully related and set forth in their entirety in said documents.

6.2. **Constructive Notice and Acceptance.** Every person who now or hereafter owns or acquires any right, title, estate or interest in or to any portion of the Property is and shall be conclusively deemed to have consented and agreed to every covenant, condition and restriction contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquired an interest in said property.

6.3. **Rights of Lender.** Any Owner of a Lot may encumber his land by deed of trust or mortgage. The beneficiary of any bona fide deed of trust or mortgage made in good faith and for value encumbering any portion of the Property is referred to in this Section 6.3 as a "lender." A breach of any of the provisions of this Declaration shall not affect or impair the lien or charge of any bona fide deed of trust or mortgage made in good faith and for value encumbering any portion of the Property. A lender who acquires title by foreclosure or deed in lieu of foreclosure shall not be obligated to cure any breach of this Declaration which is noncurable or of a type which is not practical or feasible to cure but otherwise this Declaration shall be binding upon and effective against any Owner who acquires title by foreclosure, by Trustee's sale or otherwise. It is intended that any loan to facilitate the resale of any portion of the Property after foreclosure or deed in lieu of foreclosure is a loan made in good faith and for value.

6.4. **Mutuality: Reciprocity: Runs With Land.** All restrictions, conditions,

covenants and agreements contained herein are made for the direct, mutual and reciprocal benefit of each and every part and Lot on the Property; shall create mutual, equitable servitudes and burdens upon each Lot in favor of every other Lot; shall create reciprocal rights and obligations between the respective Owners of all Lots and privity of contract and estate between all grantees of such Lots, their heirs, successors and assigns; and shall, as to the Owner of each Lot, his heirs, successors and assigns, operate as covenants running with the land, for the benefit of all other Lots.

6.5. **Notice.** All notices required under this Declaration shall be in writing and delivered by first class, certified or registered mail United States mail. Delivery shall be deemed to have been effectuated three (3) business days after a copy of the notice has been deposited in the United States mail.

6.6. **Severability.** Should any provision in this Declaration be void or become invalid or unenforceable in law or equity by judgment or court order, the remaining provisions hereof shall be and remain in full force and effect.

6.7. **Headings.** The headings used in this Declaration are for convenience only and are not to be used to interpret the meaning of any of the provisions of this Declaration.

6.8. **No Racial Restriction.** No Owner shall execute or cause to be recorded any instrument which imposes a restriction upon the sale, leasing or occupancy of his Lot on the basis of race, sex, color or creed.

6.9. **Number: Gender.** The singular shall include the plural and the plural the singular unless the context requires the contrary, and the masculine, feminine and neuter shall each include the masculine, feminine or neuter, as the context requires.

6.10. **Exhibits.** All exhibits referred to herein are incorporated by reference.

6.11. **Binding Effect.** This Declaration shall inure to the benefit of and be binding on the successors and assigns of Declarant, and the heirs, personal representatives, grantees, tenants, successors and assigns of the Owners.

IN WITNESS WHEREOF, this Declaration has been executed as of the date first above written.

DECLARANT:

Lennar Fresno, Inc.
A California Corporation

By: 

Mike Miller, Division President



CALIFORNIA WATER SERVICE

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

May 18, 2017

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

Will Serve Letter
Tentative Subdivision Map No. 5562
For Southwest corner of South Ben Maddox Way and East K Avenue
APNs: 126-120-065, 126-120-066
Developer: Swift Homes

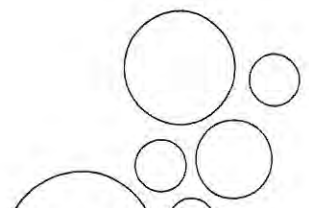
Gentlemen:

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

Cal Water will provide such potable¹ water at such pressure as may be available from time to time as a result of its normal operations per the company's tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells,² in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

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

² For the districts that collect facility fees on a per lot basis, delete the reference to wells as a special facility here and add in the following sentence, "Developer will also be required to contribute towards Cal Water's water supply by paying facilities fees on a per lot basis as described in Rule 15"





CALIFORNIA WATER SERVICE

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

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

Sincerely,

A handwritten signature in cursive script that reads "Tamara Kelly".

Tamara Kelly
District Manager

cc: Ting He – Cal Water Engineering Dept.
File

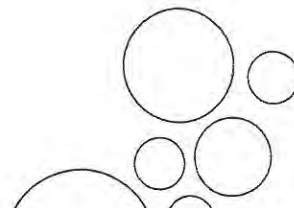


Exhibit "N"

Subject: Correspondence for Visalia Planning Commission CUP No. 2017-15 & The Grove Tentative Subdivision Map No. 5562

Dominique Biello
1524 E. Monte Vista Ct.
Visalia, Ca 93292
Email: dabiello@gmail.com

July 5, 2017

City of Visalia Planning Division
Re: Paul Bernal
315 E. Acequia Ave.
Visalia, Ca 93291

Dear Mr. Paul Bernal & Visalia Planning Commission Members,

I am writing this letter in regards to the development of the two properties on the southwest and southeast corners of Ben Maddox Way and K Road in southeast Visalia. Last September of 2016, my neighbors and I were against the proposed development of a large apartment complex on the southeast corner of Ben Maddox Way and K Road. We appealed the planning division's decision and our appeal was upheld by Visalia City Council in October of 2016. The owner of the properties then appealed to keep the land zoned R-M-2 in January 2017 and the Visalia City Council upheld the owner's appeal despite previous statements from council members against R-M-2 zoning of the said properties. Upon reflection, it is understandable that the owner's appeal to keep the zoning ordinance of R-M-2 was upheld.

I, myself, was concerned because I felt we as a community were then left unsure of what could happen to these properties especially after our community's organization to stop large development with lack of community concern from happening. I am pleased to hear that the current developer, Swift Homes, seeking approval of the southwest portion of the properties did hear our community's concerns and took them into account when submitting his conceptual designs. I met with Mr. Paul Bernal prior to this meeting to see the proposed designs for both sides of Ben Maddox and I feel like this unified development is going to be a nice addition to our community. Nothing is ever perfect, but I do appreciate the fact that the developer took our concerns to heart. Understandably, there may be concern/disagreement by some community members on different aspects of the development at hand; however, I feel that this is a good compromise. I wanted to express this to the commission and the developer, Swift Homes, but I am unable to attend the meeting due to a prior commitment. I am looking forward to seeing the three phases developed on both sides of Ben Maddox as I know that Swift Homes, a local home builder company, strives to produce quality subdivisions.

Sincerely,

Dominique Biello

INITIAL STUDY

I. GENERAL

A. The Grove Tentative Subdivision Map No. 5562 filed by Swift Homes, is a request to subdivide 11.2 acres into 60 lots consisting of 53 single-family residential lots and 7 multi-family lots for a planned unified residential development. Conditional Use Permit (CUP) No. 2017-15 accompanies The Grove Tentative Subdivision Map No. 5562, requesting the creation of a Planned Residential Development to allow modified development standards for a mixed single-family and multi-family unified residential development on the 11.2-acre site.

In addition, CUP No. 2017-15 is proposing to amend Conditional Use Permit No. 2007-09, which approved a Planned Residential Development on both southeast and southwest corners of South Ben Maddox Way and East K Avenue. CUP No. 2007-09 approved seven duplex units within the 43-lot subdivision located on southeast corner of South Ben Maddox Way and East K Avenue (i.e., Maddox at Caldwell Unit No. 7 Tentative Subdivision Map No. 5531, resulting in 50 units being developed on 43-lots. The applicant intends to record a final map creating the 43-lots but will not construct the duplex units on seven lots as approved per the entire Planned Residential Development for the Maddox at Caldwell Unit No. 7 project.

The Grove Tentative Subdivision Map No. 5562 and CUP No. 2017-15 includes two local streets that bisect the entire project site. All lots created by the project will take vehicular access off of the local streets thereby prohibiting vehicular access to Ben Maddox Way, an arterial road and K Avenue, a collector street that abut the project site to the north and east.

Lots 44 through 68, 71 through 93, and 96 through 100 will be developed with single-story, single-family units. The cluster lot development incorporates deviations to setbacks but will include a 10-foot rear yard setback for all dwelling units abutting existing and proposed residential development. The lot sizes for the R-1 lots range in size from 3,100 square feet to 8,000 square feet.

The project will also include multi-family dwelling units in the form of single-story duplexes and two-story four unit apartment buildings. The single-story duplex units are located on Lots 69, 70, 94, 101, and 102. The two-story four unit buildings are located on Lot 95. The duplex units are dispersed within the subdivision while the two-story four unit buildings are primarily located along East K Avenue frontage.

This project includes construction of street frontage improvements (curb, gutter, sidewalk, and street pave-out) along K Avenue and sidewalk along Ben Maddox Way. There are existing sanitary sewer and storm drain main lines that will be utilized for the project, located along Ben Maddox Way. Laterals will be extended on-site to connect the project with the existing mains. Other utility services (electricity, gas, phone/cable, and water) will be extended on-site from existing services available in the project vicinity.

The project site is zoned R-M-2 (Multi-Family Residential 3,000 square foot minimum site area per unit) and is planned Medium Density Residential, which is consistent with the R-M-2 zoning. The project will be developed with a density of 12.5 units per acre, which is within the density range of 10 to 15 units per acre for the Medium Density Residential land use designation.

The Grove project site is located on southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-065 & 126-120-066).

B. Identification of the Environmental Setting:

The Grove project site is located at the southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-065 & 126-120-066). The site is bounded by a collector roadway to the north (K Avenue) and an arterial (Ben Maddox Way) to the east. The project site abuts a single-family subdivision to the south while property to the west is located in the K Road County Island in unincorporated Tulare County. The project site is currently vacant.

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

	General Plan (2014 Land Use)	Zoning (2017)	Existing uses
North:	N/A	N/A	East K Avenue (collector street)
South:	Low Density Residential	R-1-5 (Single-Family Residential 5,000 sq. ft. min. area)	Planned Residential Development Single-Family Subdivision (Maddox at Caldwell 5).
East:	N/A	N/A	South Ben Maddox Way (arterial street)
West:	Low Density Residential	A-20 County Zoning	Walnut Orchard and Vacant property

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

C. Plans and Policies: The General Plan Land Use Diagram designates the site as Medium Density Residential. During the 2017 Strategic Zoning Ordinance Update, the City Council at their January 17, 2017 meeting adopted the property owners request to re-designate the project site from Low Density Residential to Medium Density Residential, which is consistent with the existing R-M-2 zoning for the project site. The proposed project is consistent with the Land Use Element of the General Plan.

II. ENVIRONMENTAL IMPACTS

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

III. MITIGATION MEASURES

There are no mitigation measures for this project. The City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

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

V. SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this 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.
- City of Visalia Zoning Ordinance Update, March 2017.

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY



Paul Bernal
Principal Planner



Paul Scheibel, AICP
Environmental Coordinator

**INITIAL STUDY
 ENVIRONMENTAL CHECKLIST**

Name of Proposal	The Grove Tentative Subdivision Map No. 5562 and Conditional Use Permit No. 2017-15		
NAME OF PROPONENT:	Swift Homes	NAME OF AGENT:	Greg Nunley
Address of Proponent:	1969 Hillman Street	Address of Agent:	1969 Hillman Street
	Tulare, CA 93274		Tulare, CA 93274
Telephone Number:	(559) 799-6993	Telephone Number:	(559) 799-6993
Date of Review	June 22, 2017	Lead Agency:	City of Visalia

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

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

I. AESTHETICS

Would the project:

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

II. AGRICULTURAL RESOURCES

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

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

III. AIR QUALITY

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

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

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

V. CULTURAL RESOURCES

Would the project:

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

VI. GEOLOGY AND SOILS

Would the project:

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

VII. GREENHOUSE GAS EMISSIONS

Would the project:

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

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- 1 f) 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?
- 2 f) Otherwise substantially degrade water quality?
- 2 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?
- 2 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 2 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:

- 1 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?
- 1 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?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

XV. RECREATION

Would the project:

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

XVI. TRANSPORTATION / TRAFFIC

Would the project:

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

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

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

Revised 2009

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

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

The project is proposing to subdivide 11.2 acres for development of a Planned Residential Development consisting of both single-family residential units and multi-family residential units (duplexes and fourplexes). The development of the project site with residential units is consistent with the Medium Density Residential General Plan Land Use Designation and R-M-2 zoning as identified in Table 9-1 "Consistency between the Plan and Zoning" of the General Plan.

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

- b. There are no scenic resources on the site.
- c. The proposed project includes residential development that will be aesthetically consistent with surrounding development and with General Plan policies. Furthermore, the City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project will create new sources of light that are typical of residential development. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent properties.

II. AGRICULTURAL RESOURCES

- a. The project is located on property that is not identified as farmland based on maps prepared by the California Department of Conservation and contained within the Visalia General Plan, Figure 6-4

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area 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, through the use of agricultural conservation easements or by other means. 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.

Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

- b. The project site is zoned R-M-2 (Multi-family Residential 3,000 square feet minimum area unit) which is consistent with the land use designation of Medium Density Residential for the project site. The project is bordered collector street to the north, K Avenue, an arterial roadway to the east, Ben Maddox Way, and a single-family residential subdivision to the south. Property to the west is located in a County Island of unincorporated Tulare County but is being considered for annexation to the City of Visalia. There are no known Williamson Act contracts on any areas within the subject property.
- c. There is no forest land or timberland currently located on the site, nor does the site conflict with a zoning for forest land, timberland, or timberland zoned Timberland Production.
- d. There is no forest or timberland currently located on the site.
- e. The project will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. The subject property is currently designated for an urban rather than agricultural land use. Properties that are vacant may develop in a way that is consistent with their zoning and land use designated at any time. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur.

III. AIR QUALITY

- a. The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.
- b. 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 exposed to pollutant concentrations due to construction activities. The use of construction equipment will be temporary and is subject to SJVAPCD rules and regulations. The impact is considered as less than significant.
- e. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people.

IV. BIOLOGICAL RESOURCES

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

In addition, staff had conducted an on-site visit to the site in June 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.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-1 of the EIR, that together work to reduce the potential for impacts on special-status species likely to occur in the Planning Area. With implementation of these polices, impacts on special-status species will be less than significant.

- b. The project is not located within or adjacent to an identified sensitive riparian habitat or other natural community.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within in the Planning Area. With implementation of these policies, impacts on woodlands will be less than significant.

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

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within in the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.

- d. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning. Such

effects would be considered significant. However, the General Plan contains multiple polices, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within in the Planning Area. With implementation of these polices, impacts on wildlife movement corridors will be less than significant.

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

There are no Valley Oak trees onsite.

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

V. CULTURAL RESOURCES

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

VI. GEOLOGY AND SOILS

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

sewer lines are used for the disposal of waste water at this location.

VII. GREENHOUSE GAS EMISSIONS

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

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

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

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

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

VIII. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the project.
- b. Construction activities associated with development of the project may include maintenance of on-site construction equipment which could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There are no schools located within one-quarter mile from the project site. A school site is designated 0.21 miles to the east of the site according to the Visalia General Plan, Figure 5-2, although no school has been proposed at this location. The closest existing school is located 0.26 miles northeast of the project site (Annie R. Mitchell Elementary School). Notwithstanding, there is no reasonably foreseeable condition or incident involving the project that could affect these sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The City's adopted Airport Master Plan shows the project area is located outside of all Airport Zones. There are no

restrictions for the proposed project related to Airport Zone requirements.

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

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

IX. HYDROLOGY AND WATER QUALITY

- a. Development projects associated with buildout under the Visalia General Plan are subject to regulations which serve to ensure that such projects do not violate water quality standards of waste discharge requirements. These regulations include the Federal Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) permit program. State regulations include the State Water Resources Control Board (SWRCB) and more specifically the Central Valley Regional Water Quality Control Board (RWQCB), of which the project site area falls within the jurisdiction of.

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

Furthermore, the Visalia General Plan contains multiple polices, identified under Impact 3.6-2 and 3.9-3 of the EIR, that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.

- b. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. The project will result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer. However, as the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. The project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.
- c. Development of the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. Impaired storm water runoff may then be intercepted and directed to a storm drain or water body, unless allowed to stand in a detention area. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

The Visalia General Plan contains multiple polices, identified under Impact 3.6-1 of the EIR, that together work to reduce the potential for erosion. With implementation of these policies and the existing City standards, impacts to erosion will be less than significant.

- d. Development of the site will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts to a less than significant level.

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

- e. Development of the site will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts to a less than significant level.

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

Furthermore, the project will be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system, consistent with the City's adopted City Storm Drain Master Plan.

- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality. As previously discussed, the Visalia General Plan contains multiple polices, identified under Impact 3.6-2 and 3.9-3 of the EIR, that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.
- g. The project area is located within Zone X500, which indicates an area that is outside of the 100-year flood hazard area.
- h. The project area is located within Zone X500, which indicates an area that is outside of the 100-year flood hazard area.
- i. The project area along with the entirety of the City of Visalia lies within the dam inundation area of Terminus Dam, located adjacent to Lake Kaweah approximately 15 miles to the east. The dam is capable of handling up to a 1,000-year flood. In the case of dam failure however, people and structures would be exposed to flooding risk. This impact is considered significant and unavoidable.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the placement of people and structures to an area at risk of dam failure. The General Plan contains multiple polices that address the issue, and the County of Tulare maintains the Tulare County Hazard Mitigation Plan and a Mass Evacuation Plan that will help to reduce the impact. The General Plan policies identified under Impact 3.6-5 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.

Because there is still a significant impact, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

- j. The project area is located sufficiently inland and distant from bodies of water, and outside potentially hazardous areas for seiches and tsunamis. The site is also relatively flat, which will contribute to the lack of impacts by mudflow occurrence. Therefore there will be no impact related to these hazards.

X. LAND USE AND PLANNING

- a. The project will not physically divide an established community. The proposed project is to be developed on land designated for residential development. The project site is surrounded on all sides by urban development and is bordered by two major roadways, Ben Maddox Way and K Avenue.
- b. The project as a whole does not conflict with any land use plan, policy or regulation of the City of Visalia. The site's General Plan Land Use Designation of Medium Density Residential and the Zoning Designation of R-M-2 (Multi-family Residential, one unit per 3,000 square feet) are consistent with each other based on the underlying allowed land uses and density ranges as identified in Table 9-1 "Consistency between the Plan and Zoning" of the General Plan.

A comprehensive update of the City of Visalia Zoning Ordinance and Zoning Map was approved by the City Council at their March 3, 2017 City Council meeting. The comprehensive Zoning update resulted in the City Council reconciling the site's land use designation from Low Density Residential to Medium Density Residential which is consistent with the site's existing R-M-2 zoning designation.

The proposed project will be consistent with the Land Use Element of the General Plan, including Policy LU-P-56 for Medium Density Residential Development, and consistent with the standards for multi-family residential development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.16.

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

XI. MINERAL RESOURCES

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

XII. NOISE

- a. The project will result in noise generation typical of urban development, but not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. Traffic and related noise impacts from the proposed project will occur along Ben Maddox Way (an arterial roadway) on the west, K Avenue (a collector roadway) on

the north, and Monte Vista Avenue (a local roadway) on the south. The City's standards for setbacks and construction of walls along major streets and between residential uses will reduce noise levels to a level that is less than significant. Noise levels will also increase temporarily during the construction of the project 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.

- 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. The City's standards for setbacks and construction of walls along major streets and between residential uses reduce noise levels to a level that is less than significant. Noise associated with the establishment of new residential uses was previously evaluated with the General Plan for the conversion of land to urban uses.
- 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 2 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.

XIII. POPULATION AND HOUSING

- a. The project will not result in additional population growth for the site beyond the anticipated Medium Density Residential General Plan land use designation for the project site. It is estimated that there would be approximately 291 persons residing on the 11.2-acre site. The number of persons residing within the project area is calculated on an average household size of three persons multiplied by the total number of units (97 units). The 97 units are comprised of 53 single-family dwelling units and 44 multi-family units.

The population growth induced by the project is not considered as substantial for this location. This has been determined on the basis that the growth will not contribute in a substantial change in the long-term buildout population assumed in the Visalia General Plan, assuming that all vacant properties identified in the plan are developed at planned residential densities. The increase will also not result in substantial population growth for an area of the City beyond what existing and future services are capable of providing, as discussed elsewhere in this environmental evaluation. Therefore, impacts are determined to be less than significant.

- b. Development of the site will not displace any housing on the site.
- c. Development of the site will not displace any people on the site.

XIV. PUBLIC SERVICES

- a.
 - i. Current fire protection facilities are located at the Visalia Station 56, located approximately one mile northeast of the property, and can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
 - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
 - iii. The project will 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.
 - iv. Other public facilities can adequately serve the site without a need for alteration.

XV. RECREATION

- a. The project will directly generate new residents and will therefore directly increase the use of existing parks and other recreational facilities but not at a level that will cause or accelerate substantial adverse impacts or reduce acceptable service levels.
- b. The proposed project does not include public recreational facilities or require the construction or expansion of any existing recreational facilities within the area that would otherwise have an adverse physical effect on the environment.

The Visalia General Plan contains multiple polices, identified under Impact 3.9-7 of the EIR, that together work to address the quality and management of recreational facilities and the development of new recreational facilities with progressive growth of the City. With implementation of these policies and the existing City standards, impacts will be less than significant.

XVI. TRANSPORTATION AND TRAFFIC

- a. Development and operation of the project is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. The project will result in an increase in traffic levels on arterial and collector roadways, although the City of Visalia's Circulation Element has been prepared to address this increase in traffic.
- b. Development of the site will result in increased traffic in the area, but will not cause a substantial increase in traffic on the city's existing circulation pattern. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for urban use.

The General Plan states that within the 2030 buildout period, the Ben Maddox & K intersection will operate with LOS standard "C" and "D" utilizing all-way stop control.

Being that the Ben Maddox & K intersection is an intersection of an arterial and collector street, the intersection would be eligible for an upgrade to signalization similar to other intersections, which would assist to improve the LOS standard. While the proposed project in itself does not warrant improvements to these intersections at this time, the City will continue to monitor and evaluate this intersection and carry out improvements for signalization when such measure is critically necessary.

- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs associated with the project that are considered hazardous.
- e. The project will not result in inadequate emergency access
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVII. UTILITIES AND SERVICE SYSTEMS

- a. The project will be connecting to existing City sanitary sewer lines, consistent with the City Sewer Master Plan. The Visalia wastewater treatment plant has a current rated capacity of 22 million gallons per day, but currently treats an average daily maximum month flow of 12.5 million gallons per day. With the completed project, the plant has more than sufficient capacity to accommodate impacts associated with the proposed project. The proposed project will therefore not cause significant environmental impacts.
- 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. The project site will be accommodated by existing City storm water drainage lines that handle on-site and street runoff. Usage of these lines is consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.

The temporary basin located on the northeast corner of Ben Maddox Way and Monte Verde Avenue will be filled in as a result of the entire southeast corner of vacant property located at Ben Maddox Way and K Avenue being developed with a 43-lot single-family residential subdivision (i.e., Maddox at Caldwell Unit No. 7), which was approved by the Planning Commission on April 23, 2007. The removal of the temporary basin will require the developer to design and provide more capacity to the permanent basin located on the southwest corner of South Burke Street and East Monte Verde Avenue.

- 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 May 18, 2017, 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, and that is:

- 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.

Further, the EIR (SCH 2010041078) for the 2014 General Plan update included a thorough review of sacred lands files through the California Native American Heritage Commission. The sacred lands file did not contain any known cultural resources information for the Visalia Planning Area


XIX. MANDATORY FINDINGS OF SIGNIFICANCE

- a. The project will not affect the habitat of a fish or wildlife species or a plant or animal community. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia's General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- b. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

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


Paul Scheibel, AICP
Environmental Coordinator

June 22, 2017
Date



MEETING DATE April 12, 2017
SITE PLAN NO. 17-046
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:
- | | |
|---|--|
| <input type="checkbox"/> CITY COUNCIL | <input type="checkbox"/> REDEVELOPMENT |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input checked="" type="checkbox"/> CUP & FM | |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER -TCUP |

ADDITIONAL COMMENTS: LOCAL STREE @ K ROAD OFF AGENDA

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



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

SPR # 17046
Address 1406 e. 'k' Ave.
Name The Grove at "K" road

COMMERCIAL BIN SERVICE

- See comments below
- Same comments as
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down
be fore disposing of in recycle containers.
- ALL refuse enclosures must be R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indica 16-06
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :
Commercial (X) 50 ft. outside 36 ft. inside; Residential () 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other
items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)
with no less than 38' clear space in front of the bin, included the front concrete pad.
Customer will be required to roll container out to curb for service.



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

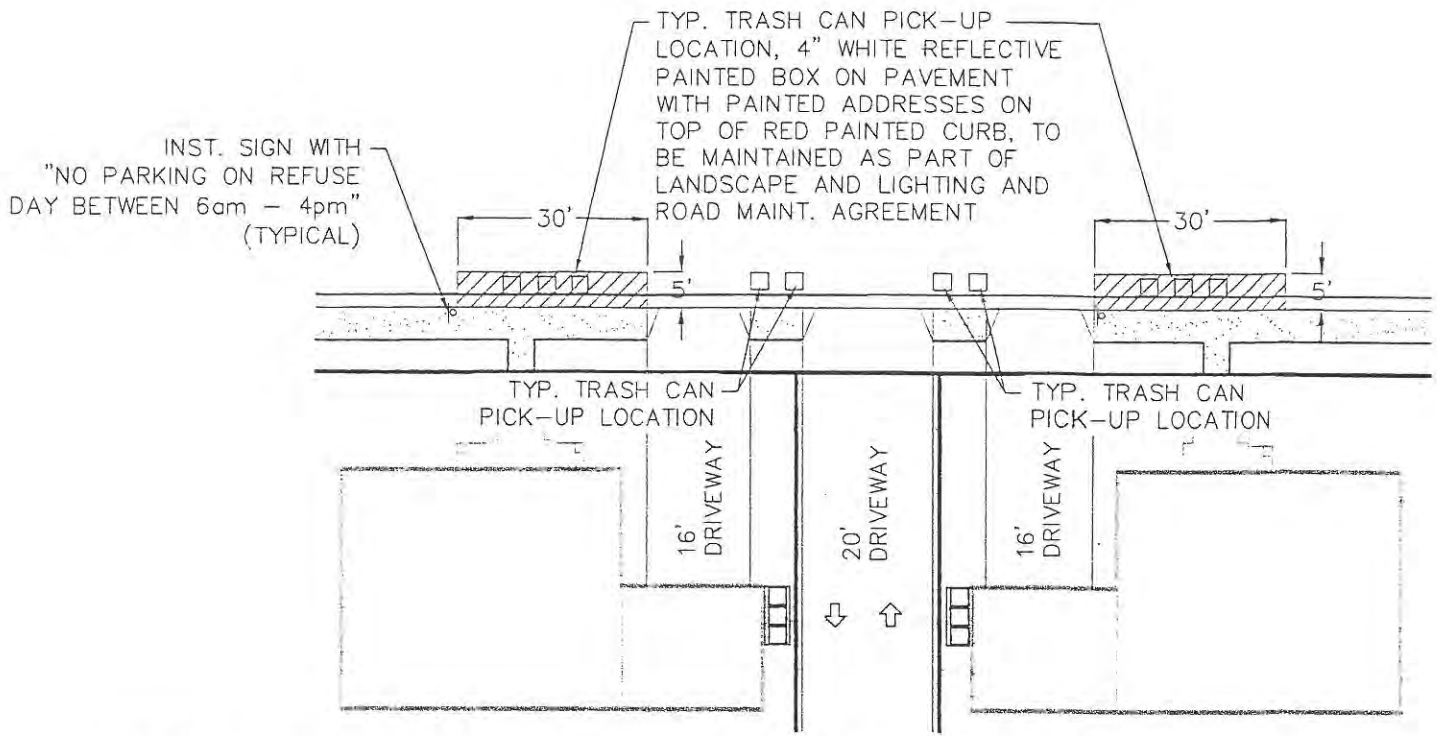


Roll off compactor's must have a clearance of 3 feet from any wall on both sides and
there must be a minimum of 53 feet clearance in front of the compactor
to allow the truck enough room to provide service.

COMMENTS

Can location marks, red curb and spacing are all satisfactory.

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



TRASH PICK-UP LOCATION DETAIL

SCALE: 1"=30'

**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 3 DATE: APRIL 12, 2017

SITE PLAN NO.: 17-046 4TH RESUBMITTAL
PROJECT TITLE: THE GROVE AT "K" ROAD
DESCRIPTION: PROPOSED DEVELOPMENT FOR THE GROVE
AT "K" ROAD (RM2) (X)
APPLICANT: GREAT VALLEY
PROP. OWNER: CONGLETON GEORGE & PATRICIA (TRS)
LOCATION: 1405 E K AVE
APN: 126-120-065

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
- LOCAL STREETS, BEN MADDOX, & K**
- 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. **AS NEEDED ON K ROAD**
 - 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: **REFER TO CITY PAVEMENT STANDARDS**
 - All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
 - All lots shall have separate drive approaches constructed to City Standards.
 - Install street striping as required by the City Engineer.
 - Install sidewalk: 5'- 8" ft. wide, with 10' ft. wide parkway on **BEN MADDOX & K**
 - 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:

New site plan includes associated subdivision to the east of Ben Maddox. Refer to further conditions by the Planning Dept. regarding this phase. Conditions of approval for this phase (separate map) still apply. The development requires the existing temp basin to be backfilled requiring additional storm drain improvements to the existing basin at Burke and Monte Vista. Expansion of the basin would be required or an alternative method be entertained given the time of year.

Conditions regarding the new map west of Ben Maddox are as follows:

- 1. Proposed subdivision will require public improvements to Ben Maddox, K Ave, and the proposed local street frontages. Improvements to include, but not limited to, street lights, sidewalk, parkway landscaping, block walls, pavement, curb returns, and utility pole relocations.*
- 2. Proposed duplex and 4-plex units adjacent to Ben Maddox will require a Fire access man gate. Refer to Fire Dept. comments.*
- 3. The curb return at K & Ben Maddox shall comply with 35' radius dual ramp City standards.*
- 4. Local street connections to Ben Maddox and K Ave shall have 30' radius returns per City standards. The local street nearest Ben Maddox will have restricted access due to future signal design and left turn pocket at K & Ben Maddox. Redesign of local street connection at K will be required at time of improvement plan submittal, to restrict access to right in/out movements only - Site plan to indicate*

future controlled access, to be determined by City Engineer. Applicant shall submit "OFF AGENDA" a tentative design plan to control access in this area.

5. K Road cross section shall indicate existing and future/proposed improvements. Pole relocations are required.

6. Local street widths shall meet current City 60' standard. Ben Maddox shall meet existing 110' right-of-way standards.

7. K Ave, a 60' collector, shall comply with previous City std. collector details of a 46' curb-to-curb width and 7' parkways. Due to existing SCE pole line, additional design considerations may need to be entertained and the current City 60' collector standard may be utilized. Further coordination with City Engineer is required for extent of improvements (to be determined).

8. Sewer and storm mains shall be extended to the project limits. There is existing storm and sewer mains in Ben Maddox that will be required to be extended. Further review is required by the City Engineer.

9. Block wall shall be installed along Ben Maddox and existing sidewalk width shall be continued to K Road. Proposed wrought iron fencing along K Road will be acceptable.

10. A Landscape and Lighting District will need to be established for the local street, street light, street tree, landscape lots, and block wall maintenance. The landscaping fronting K Ave. shall also be considered to be incorporated into the L&LD so that individual lot owners are not forced to maintain the landscaping.

11. Proposed drive approaches nearest the arterial or collector streets shall comply with distance setback of 100' from the curb return. A min. 80' when measured from curb line to drive approach is acceptable. Refer to City standards.

12. A tentative map shall be submitted separately through the SPR process.

13. Comply with further comments from the Building, Fire, Planning, and Traffic Dept's.

14. Development impact fees will apply at time of final map, site improvements, and building permits.

15. Solid Waste recommends commercial bin service for the entire project due to high potential for congested "unserviceable" residential cans. Proposed dedicated service areas for residential can service is acceptable. Refer to Solid Waste comments.

16. Comply with accessibility standards for 4-plex units.

17. Refer to Urban Forestry Dept. conditions for existing oak trees in the area, west of the subdivision. Existing oak tree crown drip lines on the neighboring property may encroach into proposed building areas.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 17-046 4th RESUBMITTAL

Date: 4/12/2017

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

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

(Fee Schedule Date:10/1/2016)

(Project type for fee rates:SFD + DUPLEX/4-PLEX)


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	SFD \$751/UNIT MFD \$425/UNIT
<input checked="" type="checkbox"/> Sewer Front Foot Fee	\$41/LF
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	\$4,858/AC
<input checked="" type="checkbox"/> Park Acquisition Fee	SFD \$1,477/UNIT MFD \$1,301/UNIT
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$3,963/AC

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

City Reimbursement:

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



Adrian Bubalcaba

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 12, 2017

ITEM NO: 3	RESUBMITL
SITE PLAN NO: SPR17046	
PROJECT TITLE: THE GROVE AT "K" ROAD	
DESCRIPTION: PROPOSED DEVELOPMENT FOR THE GROVE AT "K" ROAD (RM2) (X)	
APPLICANT: GREAT VALLEY	
PROP. OWNER: CONGLETON GEORGE & PATRICIA (TRS)	
LOCATION: 1405 E K AVE	
APN(S): 120-120-065	

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 *street intersections*.
- Install Stop Signs at *intersections with arterial and collectors*.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.
- Provide more traffic information such as _____ . Depending on development size, characteristics, etc., a TIA may be required.

Additional Comments:

- Access from North-South roadway just west of Ben Maddox will be restricted to right in, right out only access.


Leslie Blair

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4636

Date: April 12, 2017

SITE PLAN NO: 2017-046 RESUBMIT
PROJECT TITLE: THE GROVE AT "K" ROAD
DESCRIPTION: PROPOSED DEVELOPMENT FOR THE GROVE AT "K" ROAD (RM2) (X)
APPLICANT: GREAT VALLEY
PROP. OWNER: CONGLETON GEORGE & PATRICIA (TRS)
LOCATION TITLE: 1405 E K AVE
APN TITLE: 126-120-065
GENERAL PLAN: Low Density Residential going to Medium Density Residential
EXISTING ZONING: R-M-2 – Multi-family Residential 3,000 sq. ft. min. lot area per unit

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Tentative Subdivision Map
- Conditional Use Permit
- Establishment of Covenants, Conditions & Restrictions or a Homeowners Association
- House Elevations
- Building Permits
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION (04/12/2017):

1. Comply with previous comments.
2. The parking requirement applied to the two-story units is calculated at 1.75 stalls per unit.
3. Provide elevations for all units proposed within the development with the application submittals (Tent. Subdivision Map/CUP).
4. Comply with Engineering Divisions requirement regarding the median island design.
5. Provide a unit count that breaks down the number of single-family homes, number of duplex units and number of two-story units.
6. A condition to the project will be recommended requiring the Single-Family Residential (5-Pac) Development portion keep the shared driveway areas in front of the garage free and clear of any structures.

Previous Comments

PROJECT SPECIFIC INFORMATION (04/05/2017):

1. Comply with previous conditions.
2. Two-story multi-family does not meet the required 1.75 parking requirement or 1.5 for multi-family units with three bedrooms. Meet parking requirement. This is more urgent because parking will be prohibited on the street during solid waste collection days.
3. Meet 10-foot rear yard for those lots abutting west property line.
4. A condition will be in report limiting all units abutting existing R-1 to single-story development.
5. HAVAC units shall be ground mounted and not placed on the roofs of residential units abutting existing SFR.
6. Redesign area as noted by Fire Department.
7. Remove parking from rear yard for duplex units abutting south property line and relocate just north of the units.

Previous Comments

PROJECT SPECIFIC INFORMATION (03/29/2017):

1. Comply with previous conditions.
2. Staff does not support the five-foot rear yard setback for those lots abutting the existing single-family residential and for those lots abutting the west property line.
3. Clarify the number of units proposed on with this development.
4. Solid Waste comments need to be addressed with the next SPR submittal.
5. Provide detailed layout of privacy fencing/landscaping/solid waste can storage/red curb areas shown as "No Parking".
6. Through the CUP process, restrictions on parking, storage locations of solid waste cans, units not being eligible for garage conversions, no storage of boats/trailers/unlicensed vehicles/campers/and similar vehicles outside of the garage.

Previous Comments

PROJECT SPECIFIC INFORMATION (03/15/2017):

1. Indicate any proposed phasing on the subdivision map.
2. Provide a cross-section detail for K Avenue and Ben Maddox way on the tentative subdivision map.
3. A Tentative Subdivision Map and Conditional Use Permit are required for the project due to a planned residential development that includes the creation of lots that do not abut a local street and development standards that deviate from the R-M-2 zoning standards.
4. The applicant shall note on the map any additional Offers of Dedication. If additional right-of-way is required the block wall shall be located in the appropriate location accounting for the additional right-of-way along K Avenue and Ben Maddox Way. A revised development plan and subdivision map shall be submitted.
5. Based on the recommendations associated with a similar approved residential project, staff will be recommending a condition requiring the creation of Covenants, Conditions & Restrictions to address the long-term maintenance of the shared private roadway and shared parking stalls including maintenance of all common areas. The applicant is strongly encouraged to establish a Homeowners Association to serve this purpose.
6. The Covenants Conditions & Restrictions shall incorporate the Good Neighbor Policies as Conditions of Approval for the multi-family residential development.
7. Provide house and duplex elevations with the tentative subdivision map and CUP application submittals.
8. The housing units adjoining the southern boundary of the property shall be single-story due to the standard rear yard setback not being met adjacent to the existing housing.
9. A block wall is required along the west property line next to future Low Density Residential uses.
10. A block wall is required along Ben Maddox and K Ave similar to subdivisions that abut major streets.
11. The City Planner will recommend a condition be included as part of the subdivision map and CUP requiring a "Deed Restriction" that prohibits the conversion of garages for any dwelling unit within the development plan and require the interior garage area to be a minimum of 20-ft. by 20-ft.
12. Provide a site plan that is fully dimensioned.
13. An additional 0.25 parking spaces per dwelling unit for guest spaces will be recommended for the two-story multi-family based on these units having three bedrooms each. (reference Zoning Ordinance Code Section 17.34.020.A.2)
14. How does this development intend to address Open Space requirements of the R-M-2 zone?
15. Per Section 17.16.150 Open space and recreational areas: Any multiple family project approved under a conditional use permit or site plan review permit shall dedicate at least five (5) percent of the site to open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The calculated space shall not include setback areas adjacent to a street. Shared open space could include parks, playgrounds, sports courts, swimming

pools, gardens, and covered patios or gazebos open on at least three (3) sides. Further, the calculated space shall not include enclosed meeting or community rooms. The specific size, location and use shall be approved as a part of the conditional use permit.

Previous Comments

PROJECT SPECIFIC INFORMATION (03/01/2017):

1. Staff does not support individual private driveways onto K Ave. as depicted.
2. Provide a cross-section detail for K Avenue and Ben Maddox way on the tentative subdivision map.
3. A Tentative Subdivision Map and Conditional Use Permit are required for the project due to the creation of lots that do not abut a local street and are accessible via a private driveway.
4. The applicant shall note on the map any additional Offers of Dedication. If additional right-of-way is required the block wall shall be located in the appropriate location accounting for the additional right-of-way along K Avenue and Ben Maddox Way. A revised development plan and subdivision map shall be submitted.
5. Staff will recommend a condition requiring the creation of a Homeowners Association to address the long-term maintenance of the shared private roadway and shared parking stalls including maintenance of all common areas.
6. Staff will incorporate the Good Neighbor Policies as Conditions of Approval for the duplex unit development.
7. Provide house and duplex elevations with the tentative subdivision map and CUP application submittals.
8. Note if all the units proposed within this development are single story.
9. A block wall will requirement along the west property line shall be a condition of the project.
10. The City Planner will recommend a condition be included as part of the subdivision map and CUP requiring a "Deed Restriction" that prohibits the conversion of garages for any dwelling unit within the development plan and require the interior garage area to be a minimum of 20-ft. by 20-ft.
11. Provide a site plan that is fully dimensioned.
12. How is guest parking addressed for the duplex units? Provide guest parking for all multi-family units.
13. A block wall is required along Ben Maddox and K Ave similar to subdivisions that abut major streets.
14. How does this development intend to address Open Space requirements of the R-M-2 zone?
15. Per Section 17.16.150 Open space and recreational areas: Any multiple family project approved under a conditional use permit or site plan review permit shall dedicate at least five (5) percent of the site to open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The calculated space shall not include setback areas adjacent to a street. Shared open space could include parks, playgrounds, sports courts, swimming pools, gardens, and covered patios or gazebos open on at least three (3) sides. Further, the calculated space shall not include enclosed meeting or community rooms. The specific size, location and use shall be approved as a part of the conditional use permit.

- 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.

DEVELOPMENT STANDARDS - R-M-2 [17.16]

17.16.050 Site area and configuration.

- A. The division of (R-M) multi-family residential property less than two (2) acres shall be approved as part of a conditional use permit.

17.16.060 Site area per dwelling unit and per structure.

The minimum site area per dwelling unit shall be three thousand (3,000) square feet in the R-M-2 zone and one thousand two hundred (1,200) square feet in the R-M-3 zone.

17.16.070 Front yard.

A. The minimum front yard shall be as follows:

Zone Minimum Front Yard

R-M-2 15 feet

R-M-3 15 feet

B. On a site situated between sites improved with buildings, the minimum front yard may be the average depth of the front yards on the improved site adjoining the side lines of the site but need not exceed the minimum front yard specified above.

C. All garage doors facing the front property line shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

17.16.080 Side yards.

A. The minimum side yard for a permitted or conditional use shall be five feet per story subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet.

B. Side yard providing access to more than one dwelling unit shall be not less than ten feet.

C. On corner lots, all garage doors shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

17.16.090 Rear yard.

The minimum rear yard for a permitted use shall be fifteen (15) feet in the R-M-3 zone and twenty-five (25) feet in the R-M-2 zone, subject to the following exceptions:

A. On a corner or reverse corner lot in R-M-2 zone the rear yard shall be twenty-five (25) feet on the narrow side or twenty (20) feet on the long side of the lot. The decision as to whether the short side or long side is used as the rear yard area shall be left to the applicant's discretion, as long as a minimum area of one thousand five hundred (1,500) square feet of usable rear yard area is maintained.

B. Accessory structures not exceeding twelve (12) feet in height may be located in the required rear yard, but not closer than three feet to any lot line; provided, that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot. In placing accessory structures in a required rear yard a usable, open, rear yard area of at least one thousand two hundred (1,200) square feet shall be maintained.

C. Exceptions to the rear yard setback can be granted for multiple family units that have their rear yard abutting an alley. The exception may be granted if the rear yard area is to be used for parking.

Parking:

Multi-family dwelling: 1.5 parking spaces per dwelling unit for all multi-family developments with the following exceptions:

- a. One parking space per dwelling unit for senior citizen housing developments. Senior citizen means a person of fifty-five (55) years of age or older. Senior citizen housing development shall be defined as a multi-family project wherein the units are made available solely to senior citizens,
- b. Planning Commission shall have the authority to require an additional .25 parking spaces per dwelling unit for guest parking spaces under the following circumstances:
 - i. Should on-street parking not be available to provide a minimum of .25 spaces per unit;

- ii. Within developments that include more than fifty (50) percent of the units as three or four bedroom units.
- c. In cases where multi-family developments do not require planning commission review, the site plan review committee shall have similar authority as described above.

Fencing and Screening:

1. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
2. If there is an anticipated grade difference of more than 12-inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.
3. 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.
4. Provide minimum of 7-foot high concrete block wall or masonry wall along/around the following: West Property Line, Ben Maddox Way and K Avenue

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).

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. 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.

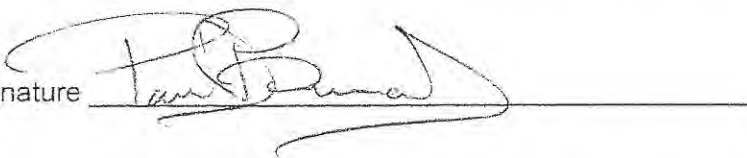
E. Parking - The parking of inoperative vehicles on-site, and boats, trucks (one-ton capacity and over), trailers, and/or recreational vehicles in the apartment/residential complex is not allowed.

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



QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: 3 DATE: April 12, 2017
SITE PLAN NO: SPR17046 *RESUBMIT*
PROJECT TITLE: THE GROVE AT "K" ROAD
DESCRIPTION: PROPOSED DEVELOPMENT FOR THE GROVE AT "K"
 ROAD (RM2) (X)
APPLICANT: GREAT VALLEY
PROP OWNER: CONGLETON GEORGE & PATRICIA (TRS)
LOCATION: 1405 E K AVE
APN(S): 126-120-065

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

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

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

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



AUTHORIZED SIGNATURE

4-10-17

DATE



Site Plan Review Comments For:

Visalia Fire Department
Kurtis A. Brown, Fire Marshal
707 W Accquia
Visalia, CA 93291
559-713-4261 Office
559-713-4808 Fax

ITEM NO: 3 DATE: April 12, 2017
SITE PLAN NO: SPR17046 **RESUBMIT**
PROJECT TITLE: THE GROVE AT "K" ROAD
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APN(S): 126-120-065

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 2016 California Fire Code (CFC), 2016 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. *2016 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.
- Construction and demolition sites prior to and during construction shall comply with the following:
 - Water Supply for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. *2016 CFC 3312*
 - An all-weather, 20 feet width Construction Access Road capable of holding a 75,000 pound fire apparatus. Fire apparatus access shall be provided within 100 feet of temporary or permanent fire department connections. *2016 CFC 3310*
- 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. *2016 CFC 505.1*
- All hardware on exit doors, illuminated exit signs and emergency lighting shall comply with the 2016 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- 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. *2016 CFC 304.3.3*

- A Knox Box key lock system is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. The key box shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation. *2016 CFC 506.1*
- 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 2016 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 for Residential, Commercial & Industrial:

Residential

- Fire hydrant spacing and location shall comply with the following requirements:
The exact location and 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(5)*
 - 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 & Industrial

- Where a portion of the facility or building is more than 400 feet from a hydrant on a fire apparatus access road, on-site fire hydrant(s) shall be provided. *2016 CFC 507.5.1*
- Due to insufficient building information, the number and distance between fire hydrants cannot be determined by the Site Plan Review process. The number of fire hydrants and distance between required fire hydrants shall be determined by utilizing type of construction and square footage in accordance with *CFC 2016 Appendix C102 & C103 & CFC 507.5.1*
- To determine fire hydrant location(s) and distribution the following information was provided to the Site Plan Review committee: **Type of construction** _____ **Square footage** _____

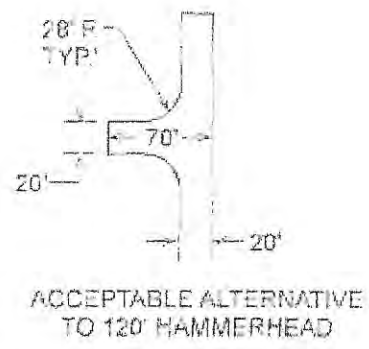
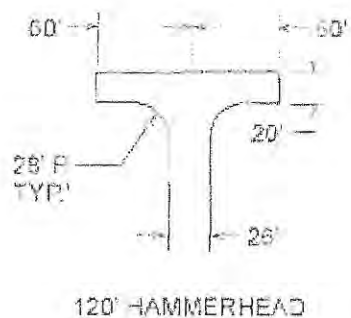
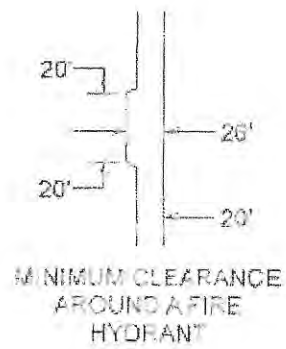
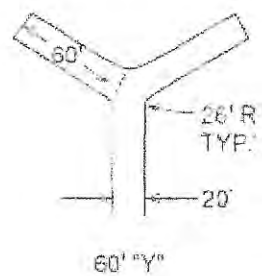
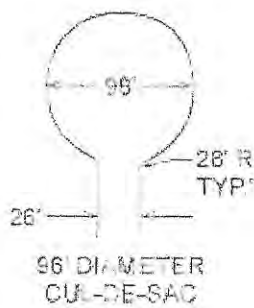
Emergency Access

- A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend 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. Fire apparatus access

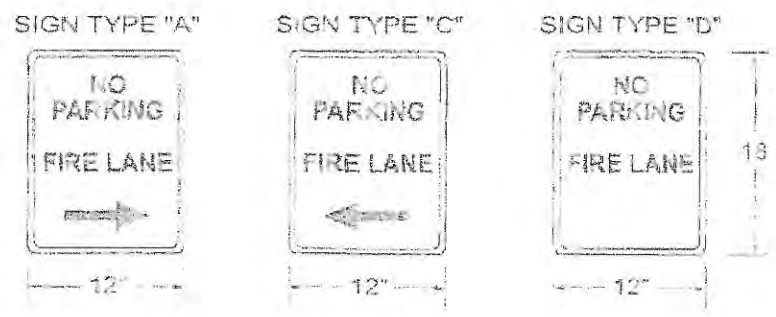
roads shall have an unobstructed width of not less than 20 feet. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. 2016 CFC 503.1.1

- Buildings or portions of buildings or facilities with a vertical distance between the grade plan and the highest roof surface that 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.
 - Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.

- ☒ Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. 2016 CFC Table D103.4



- ☒ Approved No PARKING – FIRE LANE signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. 2013 CFC 503.3/ D103.6



- On site Fire Apparatus Access Roads shall be provided and have an unobstructed width of not less than the following:
 - 20 feet width, exclusive of shoulders (No Parking)
 - More than 26 feet width, exclusive of shoulders (No Parking one side)
 - More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)

- Marking- approved signs, other approved notices or marking that include the words "NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. *CFC 503.3*

- Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:
2016 CFC D103.5
 - 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 Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation.)

- Streets shall meet the City of Visalia's Design & Improvement Standards for streets to ensure that fire apparatus can make access to all structures in the event of an emergency.


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). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. *2016 CFC 912 and Visalia Municipal Code 8.20.010 subsection C103.4*

- Locking fire department connection (FDC) caps are required. The caps shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. *2016 CFC 912.4.1*

- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2016 CFC 904.12 & 609.2*

Special Comments:



Kurtis A. Brown
Fire Marshal

ITEM #3

ITEM NO: 3	DATE: April 12, 2017
SITE PLAN NO: SPR17046	RESUBMIT
PROJECT TITLE: THE GROVE AT "K" ROAD	
DESCRIPTION: PROPOSED DEVELOPMENT FOR THE GROVE AT "K" ROAD (RM2) (X)	
APPLICANT: GREAT VALLEY	
PROP OWNER: CONGLETON GEORGE & PATRICIA(TRS)	
LOCATION: 1405 E K AVE	
APN(S): 126-120-065	

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

Site Plan Review Comments

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact fee:
 Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
 Effective date - August 17, 2001

 Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:

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

- Access Controlled / Restricted etc:

- Lighting Concerns:

- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

- Other Concerns:

Visalia Police Department


City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 3 DATE: April 12, 2017
SITE PLAN NO: SPR17046 RESUBMIT
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NOTE: These are general comments and DO NOT copy.
Please refer to the applicable California Codes & local ordinance for additional requirements.

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

Special comments: _____


Signature _____ Date: 4/12/17

Susan Currier

From: Deel, David@DOT <david.deel@dot.ca.gov>
Sent: Friday, April 07, 2017 2:54 PM
To: Susan Currier; 'siteplan@lists.ci.visalia.ca.us'
Cc: Jason Huckleberry; Navarro, Michael@DOT; Paul Bernal
Subject: RE: Site Plan Review Agenda for April 5, 2017

Susan & All:

Caltrans has a "NO COMMENT" on:
SPR 16172 RESUB Repair shop
SPR 17046 RESUB 90 unit MFR PUD
SPR 17062 Used Car lot for 8 cars
SPR 17063 Barber Shop remodel

Thanks,

DAVID DEEL | 559.488.7396 | CALTRANS D6

From: Susan Currier [mailto:Susan.Currier@visalia.city]
Sent: Monday, April 03, 2017 11:41 AM
To: 'siteplan@lists.ci.visalia.ca.us' <siteplan@lists.ci.visalia.ca.us>
Subject: Site Plan Review Agenda for April 5, 2017

Please find the attached Agenda. NEW LOCATION—303 E. Acequia Ave. Visalia Convention Center, Sierra B

*Susan Currier
Planning Assistant
City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291
(559) 713-4436
Fax (559) 713-4813
Email susan.currier@visalia.city
Website www.visalia.city*

The Site Plan Review Agenda is sent out weekly.

If you no longer wish to receive this agenda,
please send a blank email to the following address to unsubscribe:

siteplan-unsubscribe@lists.ci.visalia.ca.us

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

SPR # 17046
Address 1406 e. 'k' Ave.
Name The Grove at "K" road

COMMERCIAL BIN SERVICE

- See comments below
- Same comments as
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers.
- ALL refuse enclosures must be R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated 16-06
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :
Commercial (X) 50 ft. outside 36 ft. inside; Residential () 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.



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



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

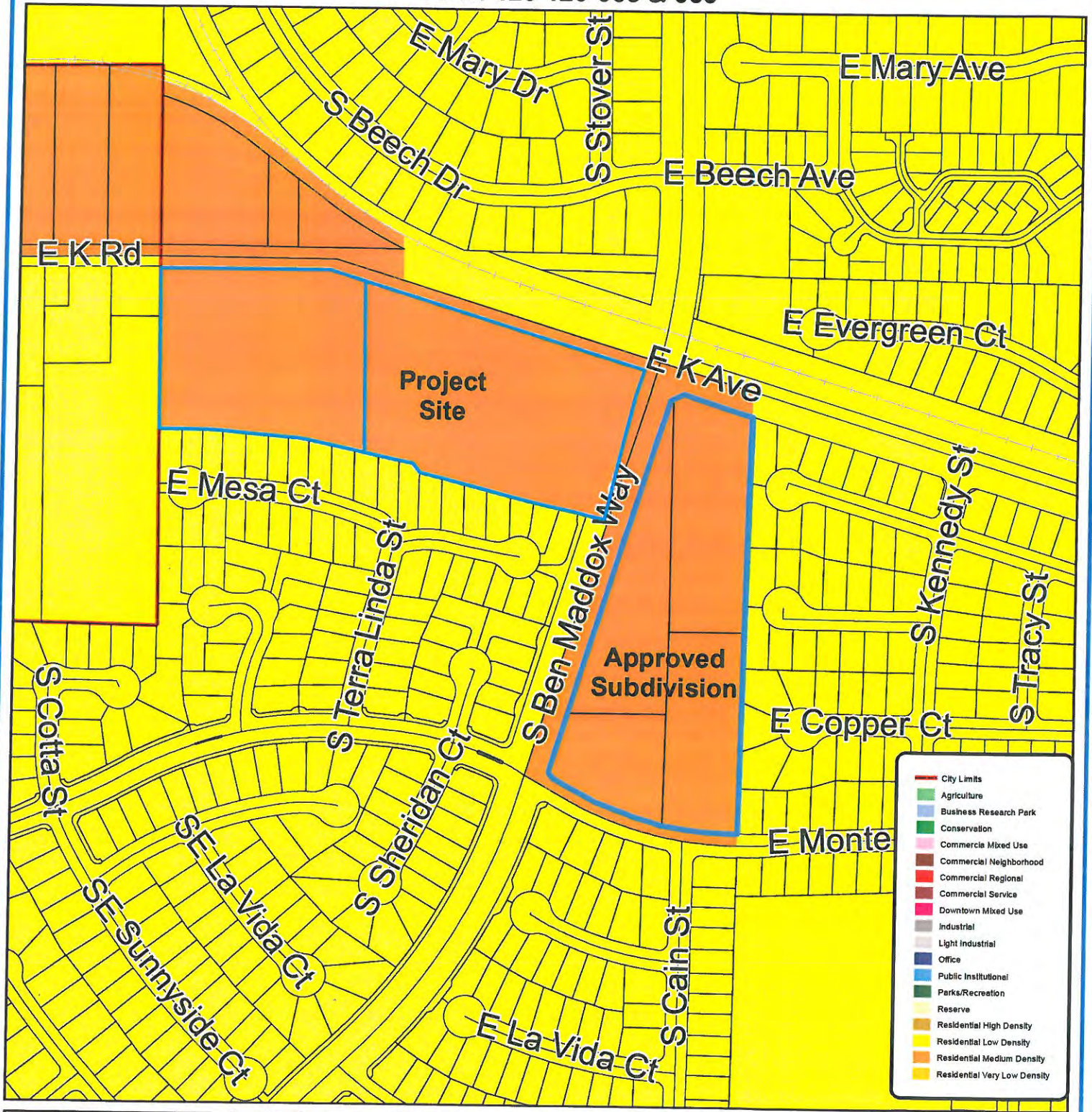
COMMENTS

Can location marks, red curb and spacing are all satisfactory.

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

The Grove Tentative Subdivision Map No. 5562 & CUP No. 2017-15

APN: 126-120-065 & 066



General Plan Land Use Map



The Grove Tentative Subdivision Map No. 5562 & CUP No. 2017-15

APN: 126-120-065 & 066

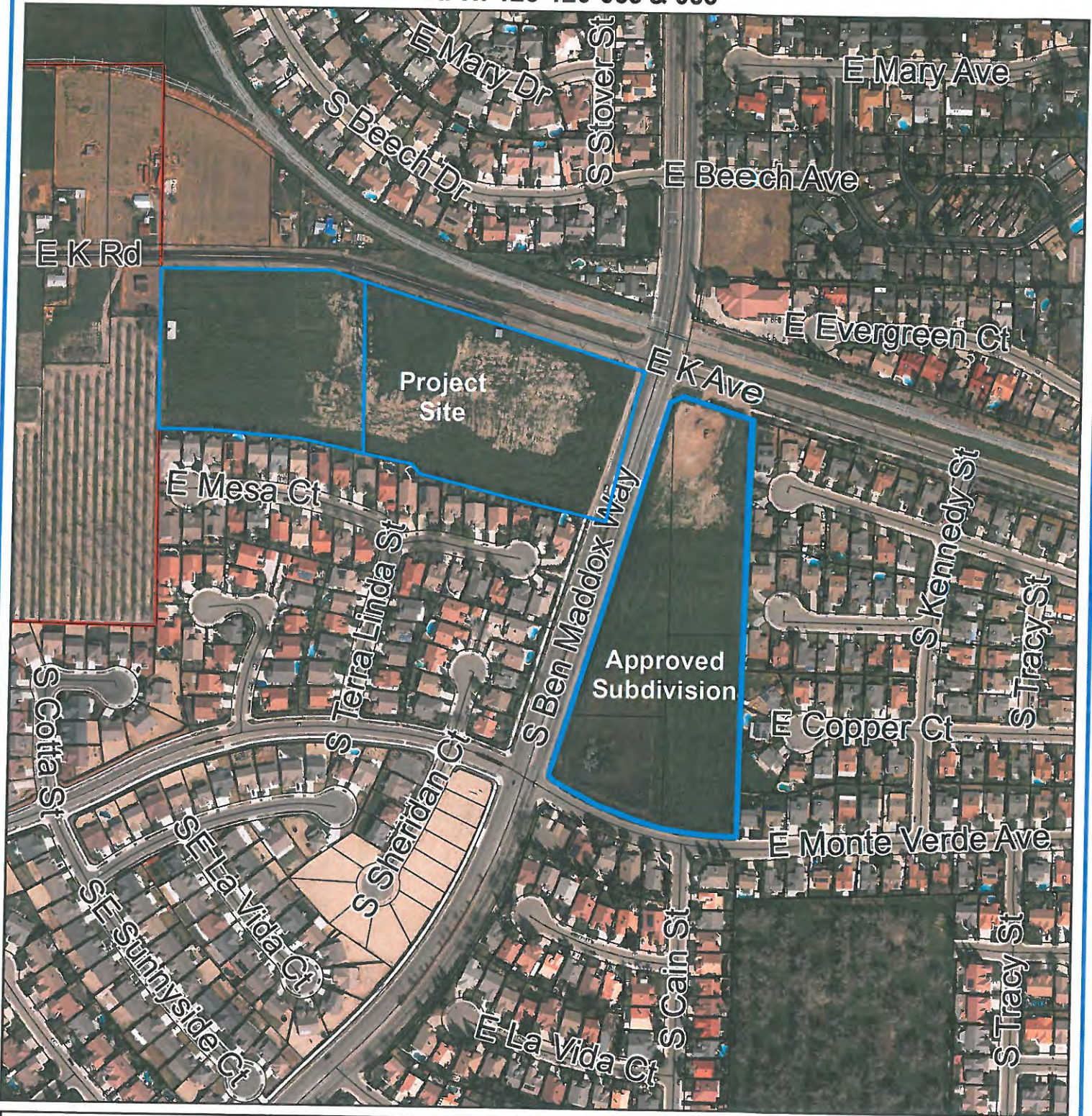


Zoning Map



The Grove Tentative Subdivision Map No. 5562 & CUP No. 2017-15

APN: 126-120-065 & 066



Aerial Map



The Grove Tentative Subdivision Map No. 5562 & CUP No. 2017-15

APN: 126-120-065 & 066

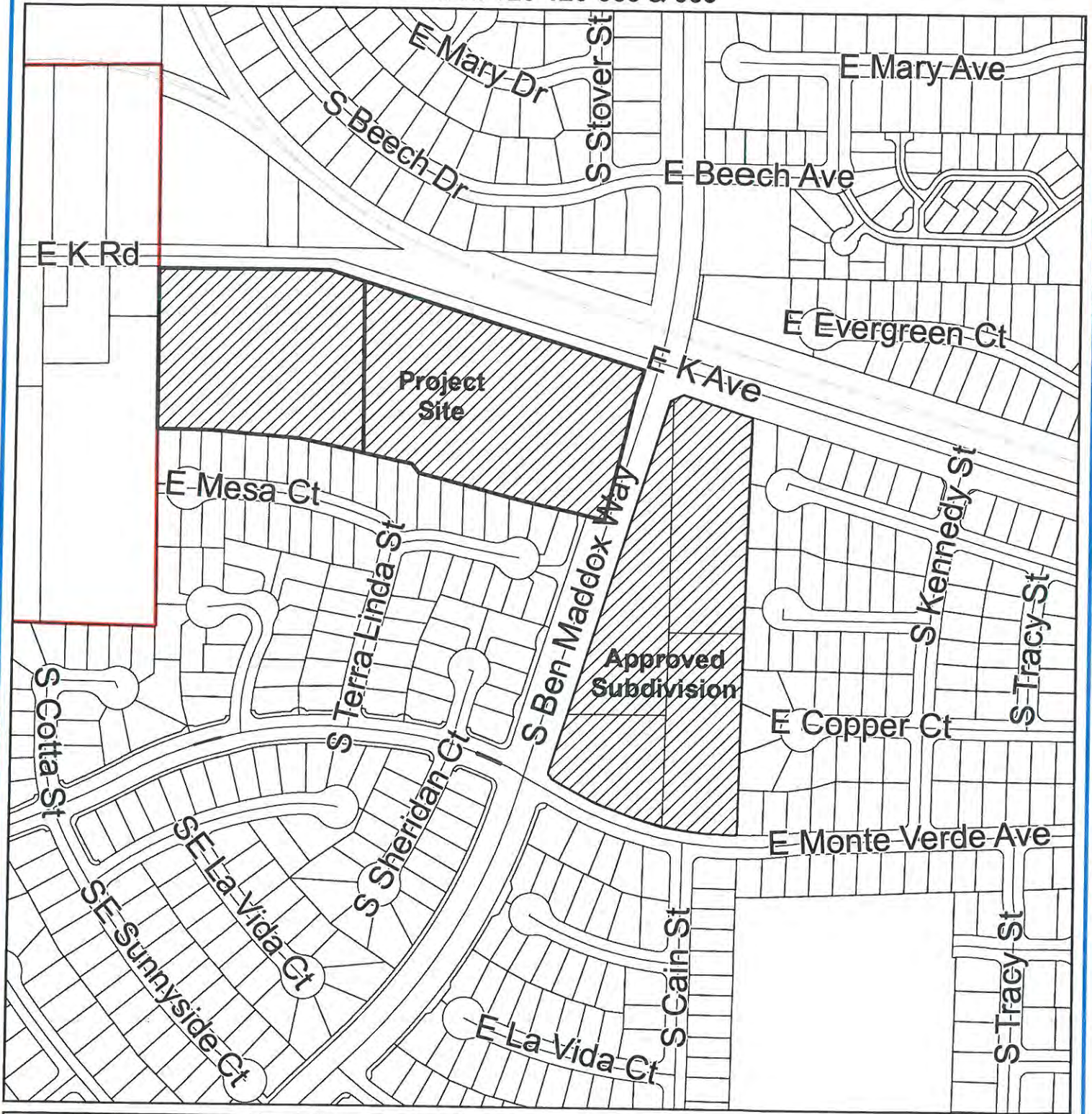


Aerial Map



The Grove Tentative Subdivision Map No. 5562 & CUP No. 2017-15

APN: 126-120-065 & 066



Vicinity Map

