

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

MONDAY, DECEMBER 11, 2017; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - Finding of Consistency 2017-06: A request by Nina Clancy to allow a modification to the Montessori School Master Plan for Conditional Use Permit 2013-29, allowing the interim use of two mobile classrooms. The site is located at 3514 S. Linwood Street (APN: 119-360-054). Conditional Use Permit No. 2013-29 was approved by the Planning Commission on October 28, 2013.
5. PUBLIC HEARING – Brandon Smith
Conditional Use No. 2017-35, a request by Verizon Wireless (Crown Castle MU LLC, property owner) to allow a modification that includes a 15-foot height extension to an existing telecommunications monopole located in the Light Industrial (I-L) zone. The site is located at 2410 S. Santa Fe Street, on the north side of K Avenue, 750 feet east of Santa Fe Street. (APN: 123-121-004).
6. PUBLIC HEARING – Paul Scheibel
Conditional Use Permit No. 2017-34: A request to modify the approved setbacks for CUP 2016-26 (Southern Highlands, TSM No. 5555), for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the R-M-2 (Multi-family Residential, 3,000 sq. ft. of lot area per unit), and R-1-5 (Single-family Residential, 5,000 sq. ft. of lot area per unit) Zone Districts. The project includes private and gated streets, and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-950-014) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-80.

7. WORK SESSION – Andy Chamberlain
Work Session to Update and Receive Comments on Potential Changes to Mobile Food Vending Regulations
8. 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 MONDAY DECEMBER 21, 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, JANUARY 8, 2017



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: December 11, 2017

PROJECT PLANNER: Paul Scheibel, Principal Planner
Phone No.: (559) 713-4369
E-Mail: paul.scheibel@visalia.city

SUBJECT: Conditional Use Permit No. 2017-34: A request to modify the approved setbacks for CUP 2016-26 (Southern Highlands, TSM No. 5555), for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and R-1-5 (Single-family Residential, 5,000 sq.ft. of lot area per unit) Zone Districts. The project includes private and gated streets, and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-950-014)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2017-34, as conditioned, based upon the findings and conditions in Resolution No. 2017-79. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

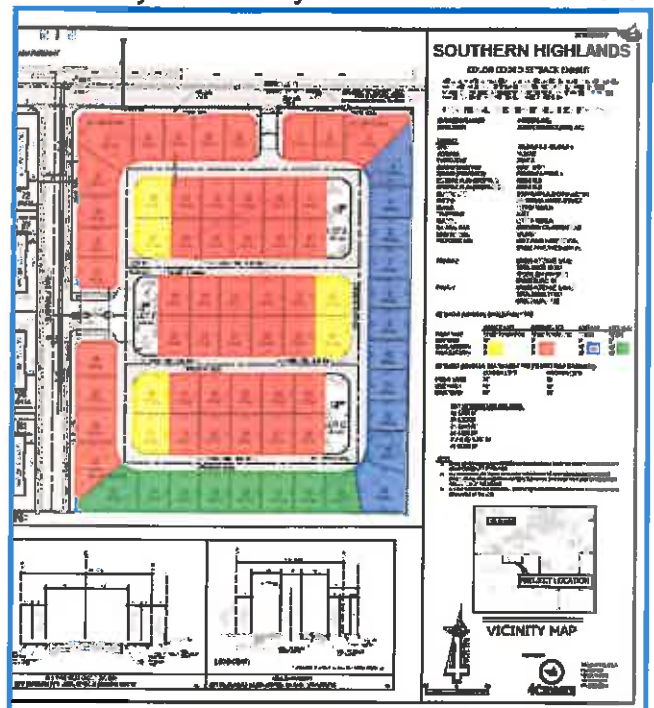
RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2017-34, based on the findings and conditions in Resolution No. 2017-79.

PROJECT DESCRIPTION

Conditional Use Permit No. 2017-34, is a request to modify the rear yard setbacks that were approved for the Residential Planned Development (PRD) on the site (CUP 2016/TSM 5555) on March 27, 2017. The revision affects only the single-family residential component of the original project. There are no revisions being proposed to the multi-family residential component of the project.

The applicant (Summit Homebuilders) desires to further reduce the rear yard setback for two-story house models from ten feet to eight feet on the lots within the interior of the tract, and along Silvervale Street. The applicant is not proposing to modify the rear yard setbacks on the eastern (Lots 4-14) and southern (Lots 15-22) perimeter lots as shown in the table on the facing page. The setbacks for Lots 4-14 and 15-22 were specially conditioned by the Planning Commission to mitigate the potential conflicts with existing and future residences bordering the



project site. A comparison of the standard single-family residential setbacks with those originally approved (CUP 2016-26), and with those being requested by this revision are shown in the table below:

COMPARISON OF SETBACK STANDARDS					
	Front to Living Spaces	Front to Garages	Rear	Side	Side Street
STANDARD CODE FOR R-1-5 ZONE	15	22	20	5	10
APPROVED BY CUP 2016-26 for SINGLE-FAMILY LOTS, SINGLE STORY / TWO-STORY	12	20	10 / 10	5	10
APPROVED BY CUP 2016-26 for LOTS 4-14, SINGLE STORY / TWO-STORY			10 / 20		
REQUESTED BY CUP 2017-34 for SINGLE-FAMILY LOTS			8 / 8		
REQUESTED BY CUP 2017-34 for LOTS 4-14, SINGLE-STORY / TWO-STORY			10/20		
REQUESTED BY CUP 2017-34 for LOTS 15-22, SINGLE-STORY / TWO-STORY			10/10		

The applicant's justification for requesting the revised rear yard setbacks is that it will allow greater flexibility in offering a variety of house models throughout the subdivision, which simultaneously will ensure for adequate on-site parking for each house model regardless of lot size. The applicant notes that the request would not affect the eastern and southern perimeter lots. This is in deference to the Planning Commission's previous concern for the project's compatibility with residences adjacent to the project site. The proposed rear yard setbacks for single-story units would remain at 10 feet for Lots 4-22. The rear yard setback for two-story units would remain at 20 feet for Lots 4-14, and ten feet for Lots 15-22.

The applicant is proposing four floor plans ranging in size from 1,110 square feet to 2,228 square feet. Plan 1 is the smallest floor plan, and is limited to a single-story model. Plan 1 also has a two-story option totaling 1,723 sq.ft. The three remaining floor plans are two-story models. (Please see Exhibits "B" thru "E" of this report).

BACKGROUND INFORMATION

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

Zoning: R-1-5 and R-M-2 (Single-family Residential, 5,000 sq.ft. lot area per unit and Multi-family Residential, 3,000 sq. ft. minimum lot are per unit)

Surrounding Land Use and Zoning: North: RLD /R-1-5/ Vacant
South: Mix of C/PI (Conservation & Public Institution), and RLD/ County/Rural residential homesites
East: RLD/ County/ single-family residences
West: NC (Neighborhood Commercial)/NC/Vacant row crops

Environmental Review: Categorical Exemption No. 2017-80

Special Districts: None

Site Plan Review No: 2016-098

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED ACTIONS

Annexation No. 97-04: Completed in December 1997, including a Restrictive Covenant Agreement that placed the OS (Open Space) Land Use and Zoning designation on the site, and limited its use to a golf course driving range (please see CUP 98-04, below). The restrictive covenant automatically ended when the site was placed into the 129,000 Urban Development Boundary (UDB) in 2004. The site was designated with a mix of LDR, MDR, and NC (Neighborhood Commercial) Land Use and Zoning designations at that time.

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

Conditional Use Permit No. 2016-24 (Southern Highlands PRD) and Tentative Subdivision Map No. 5555: A request by Summit Homebuilders, Inc. for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the RM-2 (Multi-family Residential, 3,000 square feet of lot area per unit), and R-1-6 (Single-family Residential, 6,000 square feet of lot area per unit) Zone Districts. The project includes private streets and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-095-014). The project was approved by the Planning Commission on March 27, 2017.

PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2017-34, as condition, based on projects consistency with the General Plan, and Zoning Ordinance. Staff finds that the project is consistent with the single-family residential objectives and policies of the General Plan Land Use Element.

The project represents a request to establish a planned residential development with consideration to modified rear yard setbacks. Staff recommends the Planning Commission approve the further modification to the rear yard setbacks, while retaining the previously approved setbacks for Lots 4-22. In addition, staff recommends an added condition (Condition No. 2), as follows:

For two-story units on Lots 1-3, and 31-35, second story windows facing Visalia Parkway (Arterial Street) the public street shall have at least an STC-32 rating. Alternately, the proponent may prepare a Noise study, subject to the approval of the City Planner that demonstrates interior noise levels will not exceed 45 dBa Ldn if the proponent elects to not utilize windows with a STC-32 rating for the second-story windows facing Visalia Parkway.

This condition is necessary to ensure that the reduced rear yard setbacks of houses that back on to Visalia Parkway will still meet the City's interior noise standards. The standard perimeter sound walls only mitigate road noise levels for ground floor rooms. Windows having at least an STC-32 rating have been proven to be effective in mitigating noise levels of second-story interiors.

Condition Nos. 1 and 2 set forth the specify the revised rear setbacks that are constitute this CUP amendment. Condition No.3 identifies the house footprints that are proposed for the subdivision. Condition No. 7 re-asserts that all other conditions of CUP 2017-26 and TSM No. 5555 shall remain in effect.

Land Use Compatibility

Compatibility with the surrounding area is required by the General Plan in any decision to approve a discretionary action. The proposed project will result in the creation of a planned residential development consisting of single-family homes. Property surrounding the project site is planned and zoned for single-family residential development. The project has been designed with consideration given to the adjacent single-family residences. All units adjacent to the existing single-family neighborhood will retain a 20-foot rear yard setback for two-story structures. Further, the project includes three pocket parks to provide added open space for residents.

Environmental Review

The project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-80). This exemption is based on the project being characterized as a conditional use permit, which is a minor alteration to land use limitations that does not result in changes in land use or density.

RECOMMENDED FINDINGS

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - A. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - B. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
 - C. That the proposed project is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance The project specifically supports General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45), and to encouraging a variety of housing products (LU-P-50).
3. The project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-80). This exemption is based on the project being characterized as a conditional use permit, which is a minor alteration to land use limitations that does not result in changes in land use or density.

RECOMMENDED CONDITIONS OF APPROVAL

1. That the following minimum building setbacks be maintained for the project:

Front Yard Setback (habitable space):	12-ft.
	20-ft. garages
Side Yard:	5-ft.
Street Side:	10-ft.
Rear Yard, one-story: (except for Lots 4-14, Lots 15-22):	5-ft.
Rear Yard, one-story for Lots 4-14, Lots 15-22:	10-ft.
Rear Yard, two-story (except for Lots 4-14, Lots 15-22):	8-ft.
Rear Yard, two-story, Lots 4-14:	20-ft.
Rear Yard, two-story, Lots 15-22:	10-ft.
2. For two-story units on Lots 1-3, and 31-35, second story windows facing Visalia Parkway (Arterial Street) the public street shall have at least an STC-32 rating. Alternately, the proponent may prepare a Noise study, subject to the approval of the City Planner that demonstrates interior noise levels will not exceed 45 dBA Ldn if the proponent elects to not utilize windows with a STC-32 rating for the second-story windows facing Visalia Parkway.

2. That the building footprints be developed in substantial compliance with the footprints shown in Exhibits "B", "C", "D", "E" and "F".
3. 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.
4. Provide street trees per the City's Street Tree Ordinance.
5. That all other federal and state laws and city codes and ordinances be complied with.
6. That all other conditions of CUP 2016-26 (Southern Highlands), and TSM No. 5555, for a Planned Residential Development (PRD) shall remain in effect.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, 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. 2017-79 (Conditional Use Permit No. 2017-34)
- Operational Statement, dated November 27, 2017
- Exhibit "A" – Color Coded CUP and TSM No. 5555
- Exhibit "B" – Plan 1 Standard 1,110sf.
- Exhibit "C" – Plan 1 Pop-Top Option, 1,723 sq. ft.
- Exhibit "D" – Plan 2, Two-story 1,860 sq. ft.
- Exhibit "E" – Plan 3, Two-story 2,059 sq. ft.
- Exhibit "F" – Plan 4, Two-story, 2,228 sq. ft.
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND POLICIES

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)

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.

RESOLUTION NO. 2017-79

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-34, A REQUEST TO MODIFY THE APPROVED SETBACKS FOR CUP 2016-26 (SOUTHERN HIGHLANDS, TSM NO. 5555), FOR A PLANNED RESIDENTIAL DEVELOPMENT (PRD) TO SUBDIVIDE 14.30 ACRES INTO 12 PARCELS FOR MULTI-FAMILY UNITS, AND 71 LOTS FOR SINGLE-FAMILY RESIDENCES IN THE R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ.FT. OF LOT AREA PER UNIT), AND R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQ.FT. OF LOT AREA PER UNIT) ZONE DISTRICTS. THE PROJECT SITE IS LOCATED NEAR THE SOUTHEAST CORNER OF DEMAREE STREET AND VISALIA PARKWAY (APNS 126-950-013 & 126-950-014)

WHEREAS, Conditional Use Permit No. 2017-34, is a request to modify the approved setbacks for CUP 2016-26 (Southern Highlands, TSM No. 5555), for a Planned Residential Development (PRD) to subdivide 14.30 acres into 12 parcels for multi-family units, and 71 lots for single-family residences in the R-M-2 (Multi-family Residential, 3,000 sq.ft. of lot area per unit), and R-1-5 (Single-family Residential, 5,000 sq.ft. of lot area per unit) Zone Districts. The project includes private and gated streets, and common recreation areas. The project site is located near the southeast corner of Demaree Street and Visalia Parkway (APNs 126-950-013 & 126-950-014); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on December 11, 2017; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said Commission on December 11, 2017; and,

WHEREAS, the Planning Commission of the City of Visalia did hold and conclude said hearing on December 11, 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 the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15305.

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

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
 - c. That the proposed project is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The project specifically supports General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45), and to encouraging a variety of housing products (LU-P-50).
3. The project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-80). This exemption is based on the project being characterized as a conditional use permit, which is a minor alteration to land use limitations that does not result in changes in land use or density.

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 following minimum building setbacks be maintained for the project:

Front Yard Setback (habitable space):	12-ft.
	20-ft. garages
Side Yard:	5-ft.
Street Side:	10-ft.
Rear Yard, one-story: (except for Lots 4-14, Lots 15-22):	5-ft.
Rear Yard, one-story for Lots 4-14, Lots 15-22:	10-ft.
Rear Yard, two-story (except for Lots 4-14, Lots 15-22):	8-ft.
Rear Yard, two-story, Lots 4-14:	20-ft.
Rear Yard, two-story, Lots 15-22:	10-ft.

2. For two-story units on Lots 1-3, and 31-35, second story windows facing Visalia Parkway (Arterial Street) the public street shall have at least an STC-32 rating.

Alternately, the proponent may prepare a Noise study, subject to the approval of the City Planner that demonstrates interior noise levels will not exceed 45 dBa Ldn if the proponent elects to not utilize windows with a STC-32 rating for the second-story windows facing Visalia Parkway.

3. That the building footprints be developed in substantial compliance with the footprints shown in Exhibits "B", "C", "D", "E" and "F".
4. 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.
5. Provide street trees per the City's Street Tree Ordinance.
6. That all other federal and state laws and city codes and ordinances be complied with.
7. That all other conditions of CUP 2016-26 (Southern Highlands), and TSM No. 5555, for a Planned Residential Development (PRD) shall remain in effect.



November 22, 2017

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

Re: Southern Highlands-Revised Setbacks (SPR No.: 16-098)

Existing Single Family Project Description:

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

Purpose for Revised Setbacks:

We have requested that the Planning Commission consider a further reduction to the setbacks in order to provide for larger garages that can better accommodate truck parking. To provide larger garages, we are asking that the setbacks shown below are considered. With the proposed setbacks, the homes will be able to extend an addition 2', allowing for a larger garage.

	Front Yard (Garage)	Front Yard (Living Area)	Side Yard	Rear Yard (1-Story)	Rear Yard (2-Story)
Corner Lots	20'	12'	10' (Street Side)	5'	8'
Interior Lots	20'	12'	5'	5'	8'
Lots 4-14	20'	12'	5'	10'	20'
Lots 15-22	20'	12'	5'	10'	10'

Thank you for your consideration and if there any further questions, please feel free to contact me at (559) 802-3052.

Steven J. Macias
Civil Engineer

SOUTHERN HIGHLANDS

COLOR CODED SETBACK EXHIBIT

3804 A. SECTION 13 & 14 MEASURED IN 1967 170' OF PARCEL VARIOUS AT 1/4 AC. 1/4 OF TULARE COUNTY NEIGHBORHOOD LOCATED IN THE NORTH 1/4 OF THE SECTION 13 & 14 TOWNSHIP 15 NORTH RANGE 25 EAST MOUNT DIABLO BASE & MERIDIAN

CONDITIONAL USE PERMIT REQUIRED FOR PRD.

ENGINEER/DRAWER: 4CREKS INC.
DEVELOPER: SERRA HOMES/LA ZORIS, INC.

LEGEND:
 APN: 128-050-013 & 128-050-014
 ACREAGE: 14.30 AC
 FLOOD ZONE: ZONE X
 ZONING (EXISTING): RM-2 & R-1
 ZONING (PROPOSED): PRD-R-2 & PRD-R-1
 GENERAL PLAN (EXISTING): RMD & RLD
 GENERAL PLAN (PROPOSED): RMD & RLD
 ELECTRICITY: SOUTHERN CALIFORNIA EDSON
 WATER: CALIFORNIA WATER SERVICE
 SEWER: CITY OF VISALIA
 TELEPHONE: AT&T
 REFUSE: CITY OF VISALIA
 NATURAL GAS: SOUTHERN CALIFORNIA GAS
 EXISTING USE: VACANT
 PROPOSED USE: MULTI-FAMILY RESIDENTIAL
 SINGLE FAMILY RESIDENTIAL

PRD-R-2: GROSS ACREAGE: 5.0 AC
 TOTAL UNITS: 48 DU
 12 LOTS @ 4 UNITS/LOT
 GROSS DUA/C: 10
 PRD-R-1: GROSS ACREAGE: 9.30 AC
 TOTAL UNITS: 71 DU
 GROSS DUA/C: 7.83

SETBACKS (MINIMUM): SINGLE-FAMILY PRD

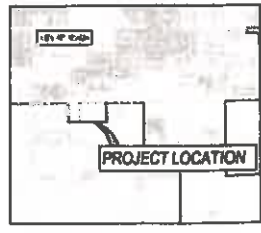
	CORNER LOTS (1/2 LOT TO LANE)	INTERIOR LOTS (1/2 LOT TO BARRAGE)	LOTS 1-4	LOTS 15-22
FRONT YARD:	15'	5'	5'	5'
SIDE YARD:	5'	5'	5'	5'
REAR (-6 STORY):	5'	5'	5'	5'
REAR (+STORY):	5'	5'	5'	5'

SETBACKS (MINIMUM): MULTI-FAMILY PRD (TO MEET RM-2 STANDARDS)

	CORNER LOTS	INTERIOR LOTS
FRONT YARD:	15'	15'
SIDE YARD:	10'	10'
REAR YARD:	10'	15'

- OUT LOTS FOR HOA INCLUSION**
- A) 3,888 SF
 - B) 8,302 SF
 - C) 3,013 SF
 - D) 4,088 SF
 - E, F & G: 5,157 SF
 - H) 18,225 SF

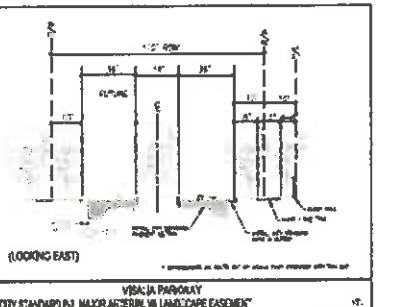
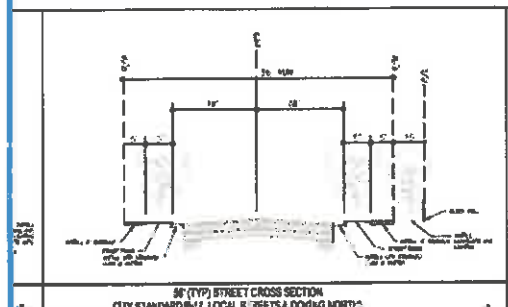
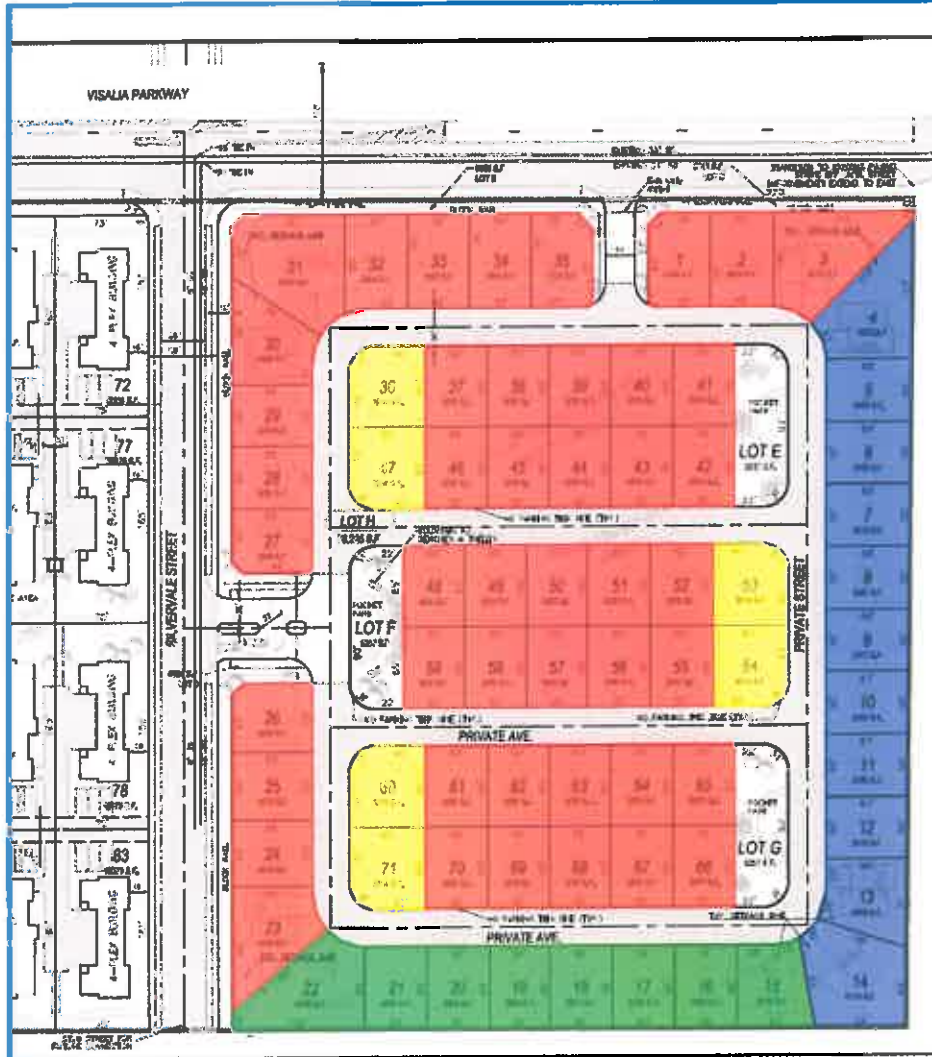
- NOTES:**
- WHEN OBTAINING BUILDING PERMITS ALL BUILDING SHALL BE THE REALTY COMPLY WITH CITY HOA ACCESSIBILITY STANDARDS
 - ALL ENTRANCES MUST HAVE VERTICAL CLEARANCE OF 8' FOR THE FLOOR TO THE LOWEST PROJECTION OF THE CEILING
 - ALL MULTI-FAMILY BUILDING SHALL COMPLY WITH PRIVATE GARAGE ACCESS TO DRIVING UNITS STANDARDS OF THE CITY



VICINITY MAP



3804 A. SECTION 13, 14
 P.O. BOX 108
 VISALIA, CA 93280
 TEL: 583.5620
 FAX: 583.5620



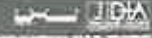


MAIN FLOOR | 1 110 SF

PLAN 1 | STANDARD (1-STORY) | 1,110 SF TOTAL



SOUTHERN HIGHLANDS
City of Yorba, California

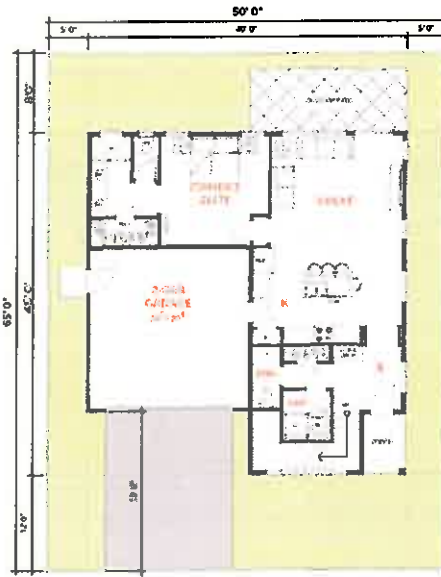


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EXHIBIT B



UPPER FLOOR | 622 SF



MAIN FLOOR | 1,101 SF

PLAN 1 | POP-TOP OPTION (2-STORIES) | 1,723 SF TOTAL



SOUTHERN HIGHLANDS
City of Visalia, California



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EXHIBIT C

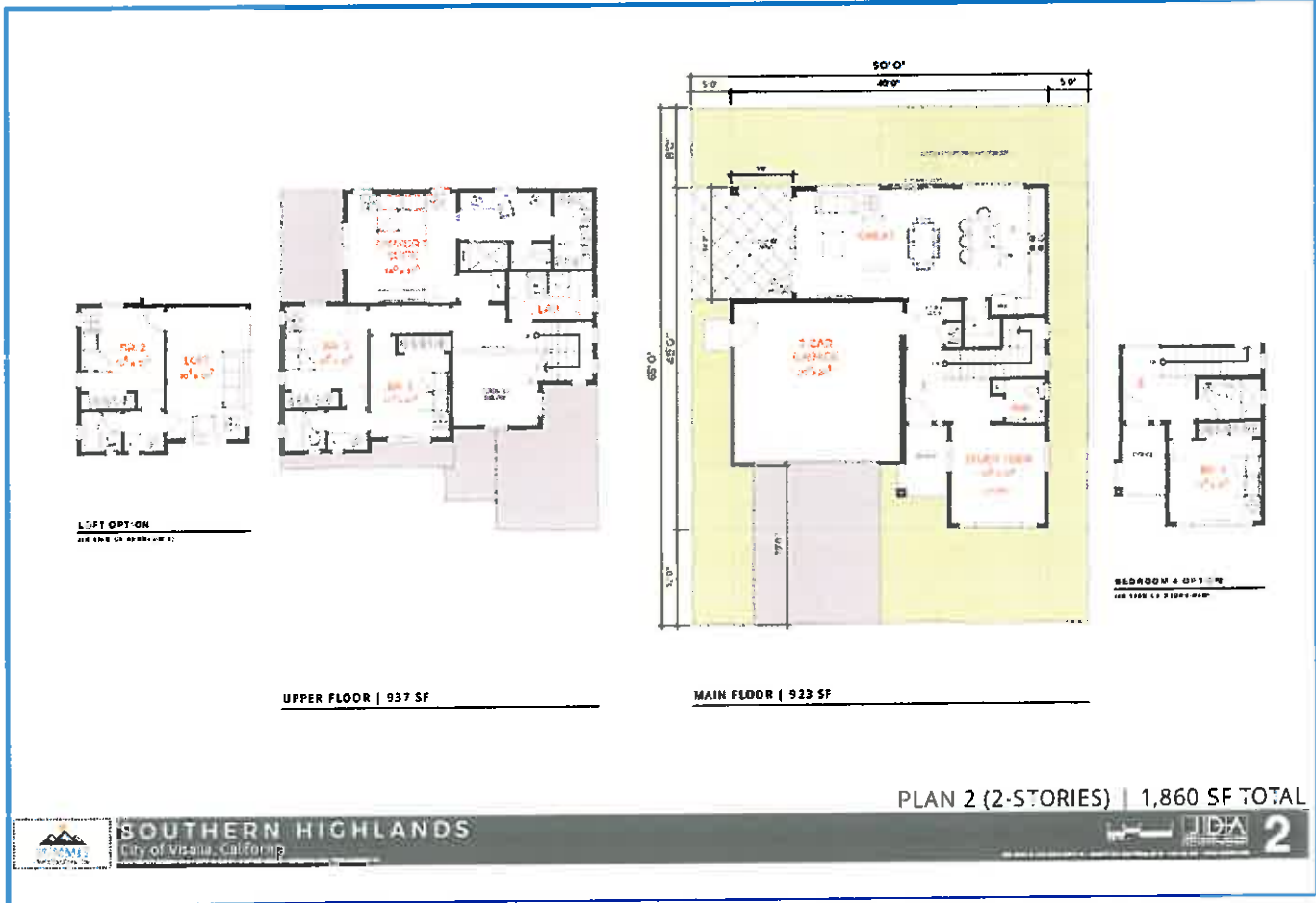


EXHIBIT D

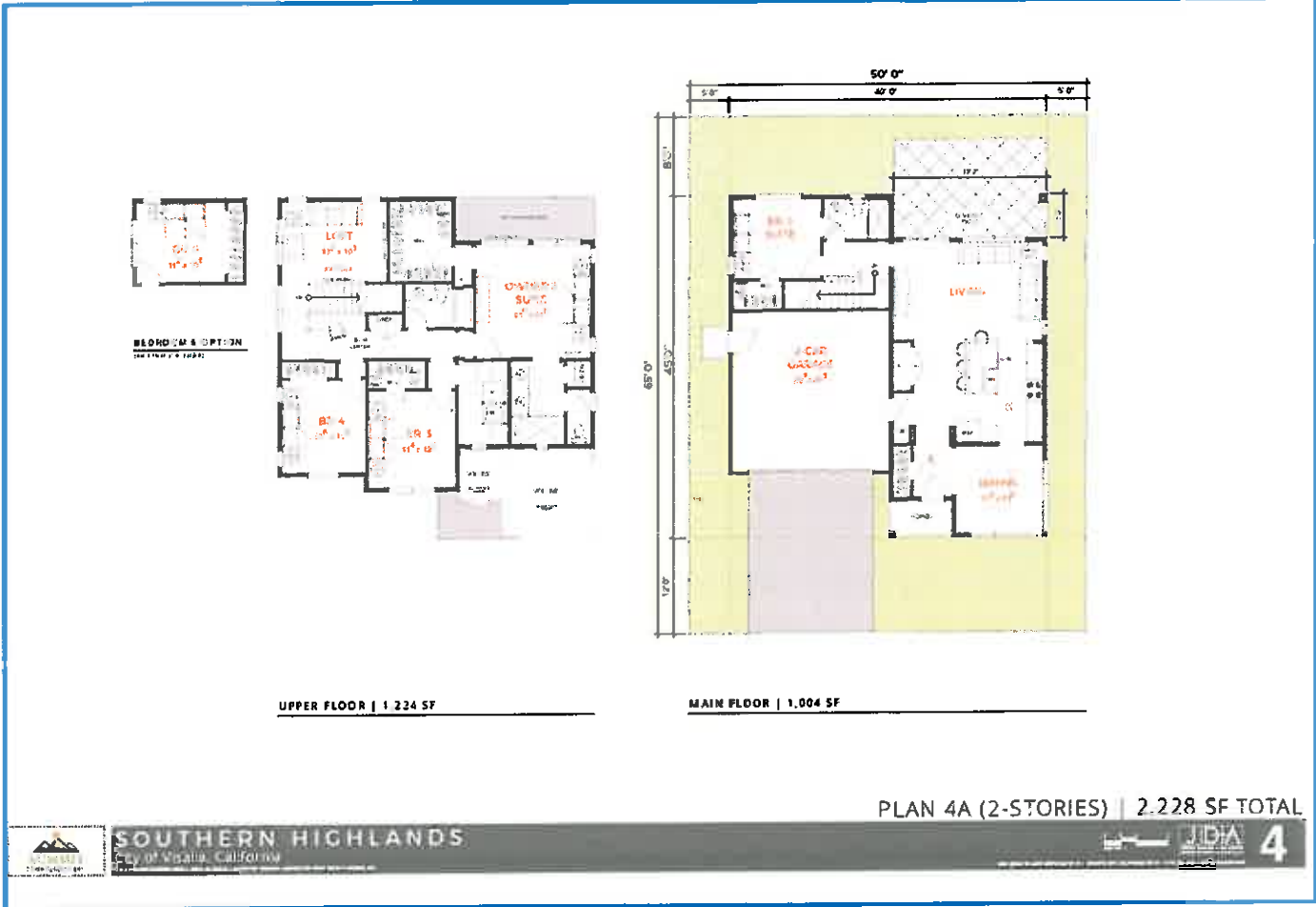


EXHIBIT E

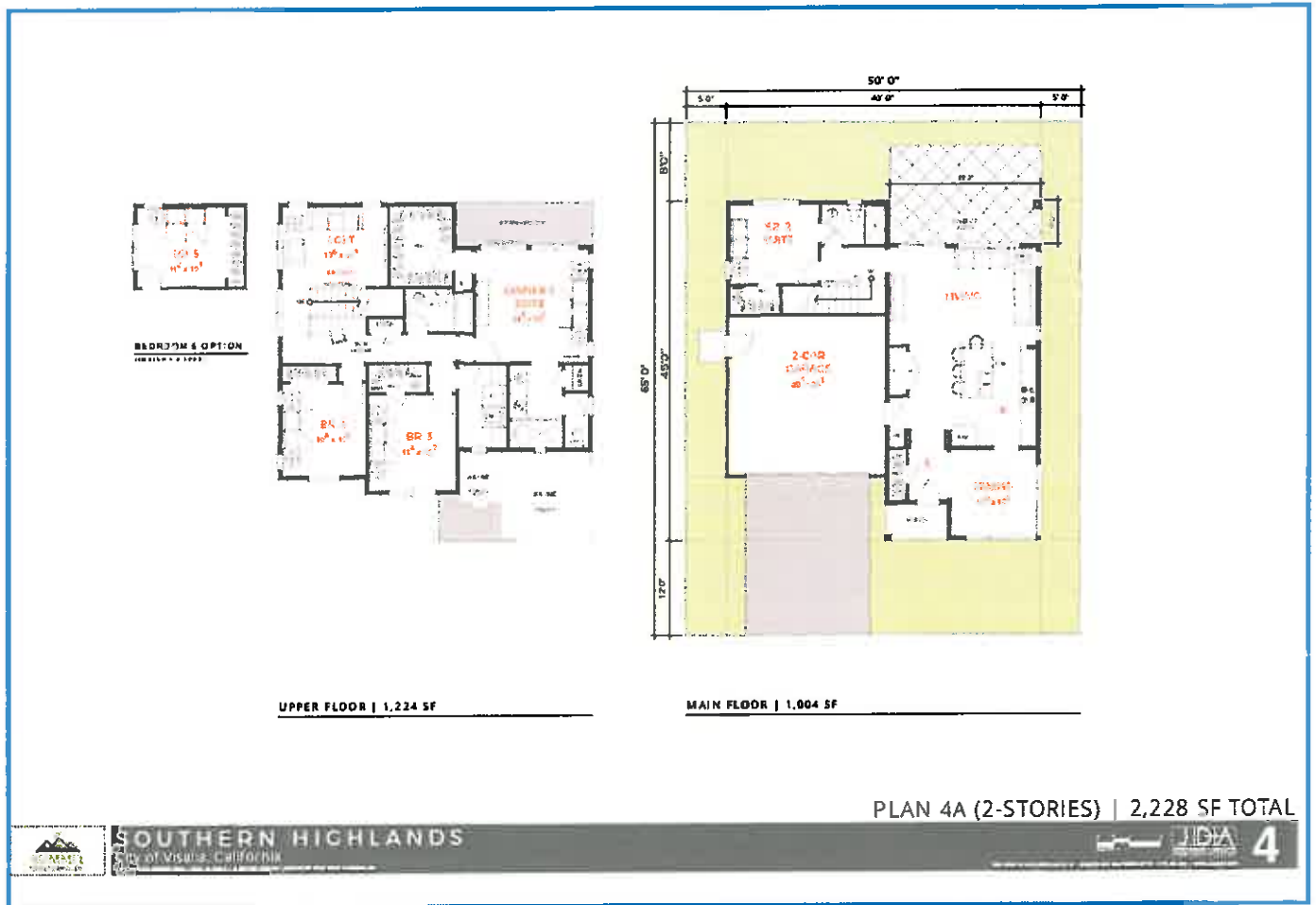
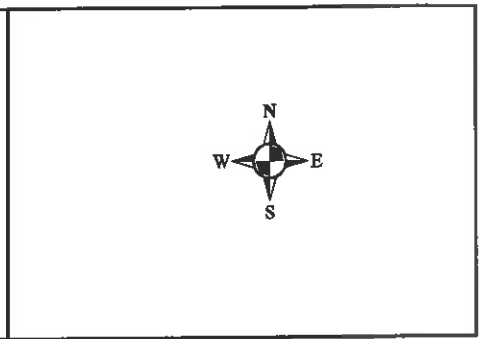
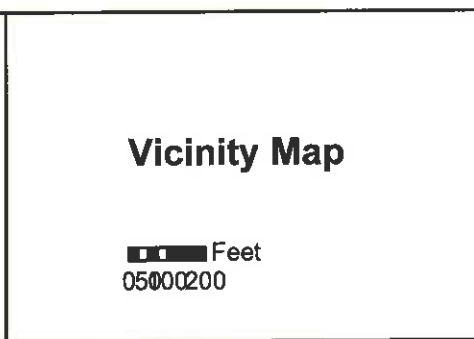
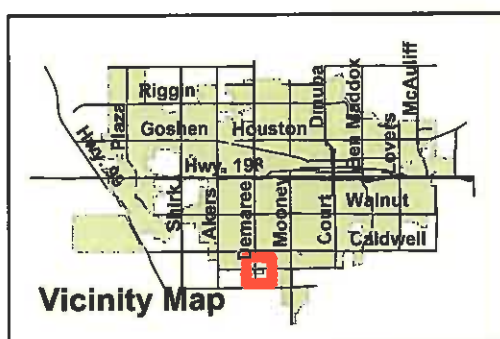
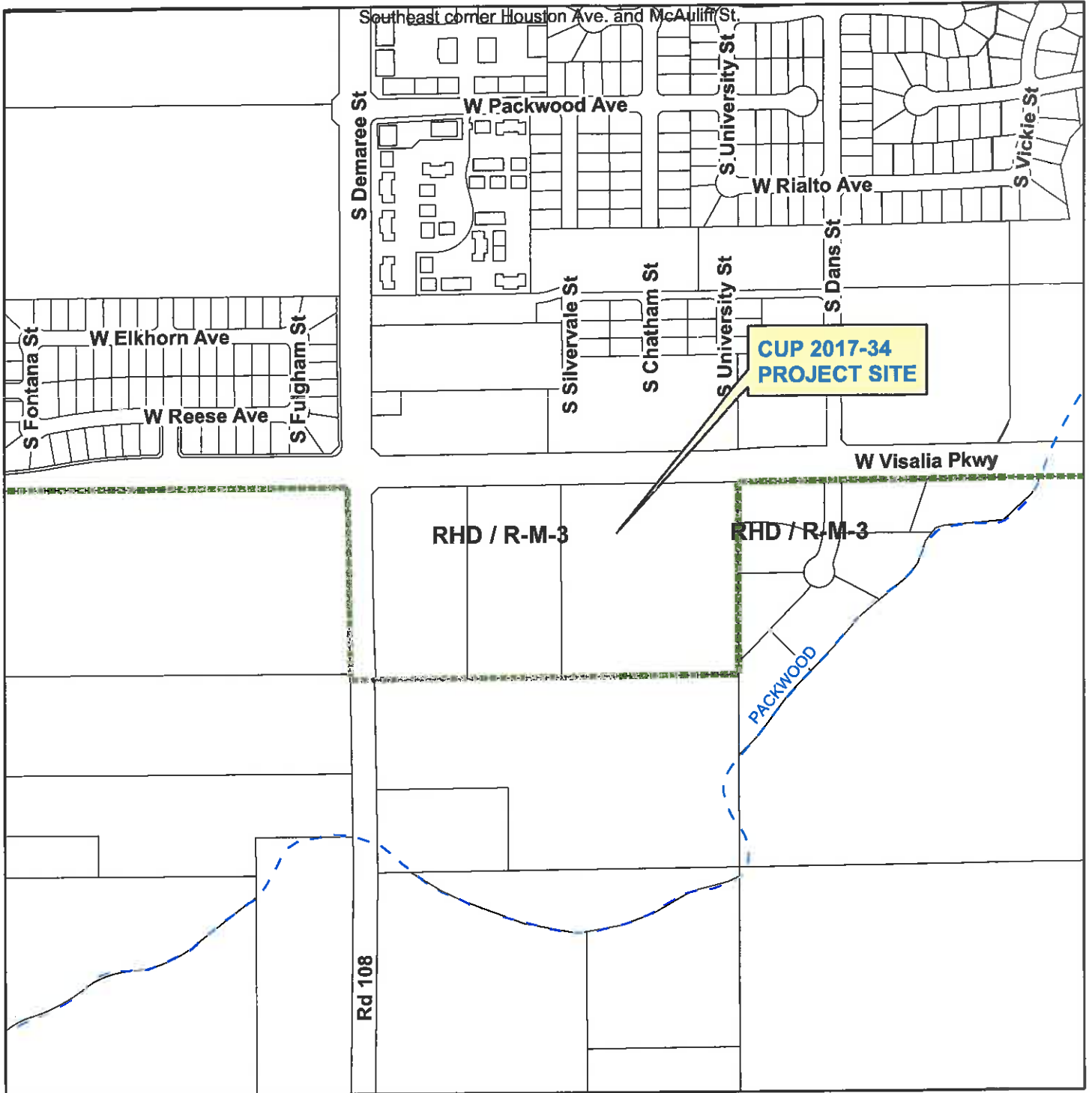


EXHIBIT F

CUP 2017-34



CUP 2017-34

