

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

**MONDAY, OCTOBER 22, 2018; 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 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.
  - Adoption of Resolution No. 2018-39, approving Variance No. 2018-10 in accordance with action taken by the Planning Commission during the regular meeting held on October 8, 2018.
5. PUBLIC HEARING – Andy Chamberlain  
Conditional Use Permit No. 2018-20: A request by Claudia Lomeli to allow a residential duplex in an existing building in the PA (Professional Administrative Office) zone. The site is located at 405 N. West Street (APN: 093-175-010). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2018-62
6. PUBLIC HEARING – Andy Chamberlain
  - General Plan Amendment No. 2018-06: A request by the Houston Investment Company to change the land use designation from Very Low Density Residential to Low Density Residential for a five (5) acre parcel. The project site is located at 2548 N. Linwood Street. (APN: 077-190-001) An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2018-49 was adopted.
  - Change of Zone No. 2018-07: A request by the Houston Investment Company to change the zoning designation from R-1-20 (Single Family Residential – minimum lot size 20,000 sq. ft.) to R-1-5 (Single Family Residential – minimum lot size 5,000 sq. ft.) for a five (5) acre parcel. The project site is located at 2548 N. Linwood Street. (APN: 077-190-001) An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2018-49 was adopted.

- Conditional Zoning Agreement No. 2018-08: A request by the Houston Investment Company to establish conditions requiring the subdivision of property to meet a minimum average lot size of 11,832 sq. ft., and a superblock connective street pattern as shown in the proposed Quintana De Oro Tentative Subdivision Map. The project site is located at 2548 N. Linwood Street. (APN: 077-190-001) An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2018-49 was adopted.
- Quintana De Oro Tentative Subdivision Map 5570: A request by the Houston Investment Company to subdivide five (5) acres into 14 lots with an average lot size of 11,832 sq. ft., and two (2) common landscaping lots totaling 3,652 sq. ft., in the R-1-20 Single Family Residential zone. The project site is located at 2548 N. Linwood Street. (APN: 077-190-001) An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2018-49 was adopted.

#### 7. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- 5-Pack City Council Work Session Update
- November 13<sup>th</sup> Planning Commission Meeting

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 Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

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, NOVEMBER 1, 2018 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](http://www.visalia.city) or from the City Clerk.

#### **THE NEXT REGULAR MEETING WILL BE HELD ON TUESDAY, NOVEMBER 13, 2018**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** October 22, 2018

**PROJECT PLANNER:** Andrew Chamberlain  
Phone: (559) 713-4003;  
E-Mail: [andrew.chamberlain@visalia.city](mailto:andrew.chamberlain@visalia.city)

**SUBJECT: General Plan Amendment No. 2018-06:** A request by the Houston Investment Company to change the land use designation from Very Low Density Residential to Low Density Residential for a five (5) acre parcel.

**Change of Zone No. 2018-07:** A request by the Houston Investment Company to change the zoning designation from R-1-20 (Single Family Residential – minimum lot size 20,000 sq. ft.) to R-1-5 (Single Family Residential – minimum lot size 5,000 sq. ft.) for a five (5) acre parcel.

**Conditional Zoning Agreement No. 2018-08:** A request by the Houston Investment Company to establish conditions requiring the subdivision of property to meet a minimum average lot size of 11,832 sq. ft., and a superblock connective street pattern as shown in the proposed Quintana De Oro Tentative Subdivision Map.

**Quintana De Oro Tentative Subdivision Map 5570:** A request by the Houston Investment Company to subdivide five (5) acres into 14 lots with an average lot size of 11,832 sq. ft., and two (2) common landscaping lots totaling 3,652 sq. ft., in the R-1-20 Single Family Residential zone.

**Location:** The project site is located at 2548 N. Linwood Street. (APN: 077-190-001)

## STAFF RECOMMENDATION

General Plan Amendment No. 2018-06: Staff recommends that the Planning Commission recommend that the City Council approve General Plan Amendment No. 2018-06, based on the findings in Resolution No. 2018-41. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Change of Zone No. 2018-07: Staff recommends that the Planning Commission recommend that the City Council approve Change of Zone No. 2018-07, based on the findings in Resolution No. 2018-42. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Conditional Zoning Agreement No. 2018-08: Staff recommends that the Planning Commission recommend that the City Council approve Conditional Zoning Agreement No. 2018-08, based on the findings and conditions in Resolution No. 2018-43. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Quintana De Oro Tentative Subdivision Map 5570: Staff recommends approval of Quintana De Oro Tentative Subdivision Map 5570, as conditioned, based on the findings and conditions in Resolution No. 2018-44. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

## RECOMMENDED MOTION

I move to recommend approval of General Plan Amendment No. 2018-06, based on the findings in Resolution No. 2018-41.

I move to recommend approval of Change of Zone No. 2018-07, based on the findings in Resolution No. 2018-42.

I move to recommend approval of Conditional Zoning Agreement No. 2018-08, based on the findings and conditions in Resolution No. 2018-43.

I move to approve Quintana De Oro Tentative Subdivision Map 5570, based on the findings and conditions in Resolution No. 2018-44.

## PROJECT DESCRIPTION

### Quintana De Oro Tentative Subdivision Map 5570

The proposed Quintana De Oro subdivision consists of dividing 5 acres into 14 single family residential lots as shown in the attached Exhibit "A". The proposed lots range in size from 10,858 sq. ft. to 13,701 sq. ft. with an average lot size of approximately 11,823 sq. ft. The project includes two landscaping lots along the Linwood Street frontage with a block wall that will be maintained through a Landscaping and Lighting Act District.

Access to the subdivision will be via Delaware St., a new 60-foot wide local street with future street stub connections to the east and south. The street stubs will provide future connectivity to the east and south of the subject site consistent with the City's Superblock Connectivity P-15 Design and Improvement Standards.

The lots established by the subdivision will meet R-1-5 zoning designation standards, including minimum setbacks. The setbacks for the proposed R-1-5 zone are as follows:

Minimum Lot Area	Front	Side	Street Side	Rear
5,000 sq. ft.	15-ft. to habitable space 22-ft. to garage	5-ft.	10-ft.	25-ft.

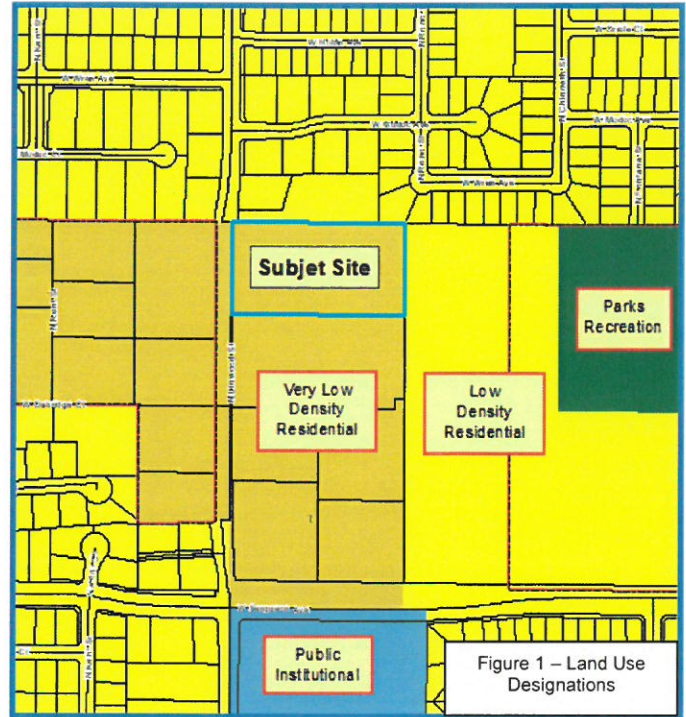
Currently the site is improved with a single-family residence and two accessory structures. All of these structures will be removed as a part of the proposed subdivision.



## General Plan Amendment (GPA) No. 2018-06

General Plan Amendment No. 2018-06 is a request to change the land use designation from Very Low Density Residential to Low Density Residential. The Very Low Density Residential designation is intended to provide for single-family detached housing on large lots of approximately ½ acre. The proposed Low Density Residential designation is intended to provide for single-family detached housing at densities typical of single-family subdivisions.

The density range for the Very Low Density Residential is two units per acre. The density range for Low Density Residential designation is 2 to 10 units per acre. The applicant is requesting approval of a subdivision map that will develop the site at 2.8 units per acre, which is consistent with the proposed Low Density Residential Land Use designation request.



The Low Density Residential designation allows lot sizes ranging from 5,000 sq. ft. to 20,000 sq. ft. The applicant is proposing an average lot size of 11,832 sq. ft.

## Change of Zone (COZ) No. 2018-07

The applicant is requesting a Change of Zone from R-1-20 to R-1-5. The R-1-5 zoning allows the developer to seek approval of the site with the proposed subdivision as shown in Exhibit “A” with 14 large single-family residential lots ranging in size from 10,858 to 13,701 sq. ft. Under the R-1-20 zone, the five acre site would potentially yield eight lots with a 60-foot wide public street. The applicant contends that the proposed average lot size of 11,832 sq. ft. is appropriate for the surrounding area which has a range of subdivisions with varying lot sizes to the north, south and west.

## Conditional Zoning Agreement (CZA) No. 2018-08

To ensure compatibility with the surrounding area, the applicant is seeking approval of a CZA. The CZA provides the mechanism to lock in the proposed development pattern (i.e., subdivision) with the lot sizes and public street circulation. CZA’s are recorded against the site and may only be amended and/or modified by the City Council. Any proposed changes to an approved CZA requires a public hearing process starting at the Planning Commission with their recommendation carried onto the City Council.

The proposed CZA will “lock” in the average lot size (11,823 sq. ft.) and public street circulation pattern as depicted in Exhibit “A”. The applicant contends that the proposed development pattern is an appropriate transition from the large lots to the south and west to the smaller lots to the north and east of the subject site.



## BACKGROUND INFORMATION

General Plan Land Use Designation:	Very Low Density Residential
Proposed General Plan Land Use Designation:	Low Density Residential
Zoning:	R-1-20 (Single-Family Residential, 20,000 sq. ft. minimum lot size)
Proposed Zoning:	R-1-5 (Single-Family Residential, 5,000 sq. ft. minimum lot size)
Surrounding Land Use and Zoning:	North: R-1-5 / Low Density Residential - Single-Family Residential South: R-1-20 / Very Low Density Residential - Single-Family Residential East: R-1-5 / Low Density Residential - Single-Family Residential West: AE – 20 (County Zoning) / Single-Family Residential (Area is in a County Island)
Environmental Review:	Negative Declaration No. 2018-49
Special Districts:	N/A
Site Plan Review No:	SPR No. 2018-110

### **RELATED PLANS & POLICIES**

Please see attached summary of related plans and policies. The proposed project is consistent with applicable plans and policies.

### **RELATED PROJECTS**

None

## PROJECT EVALUATION

Staff supports the General Plan Amendment, Change of Zone, Conditional Zoning Agreement, and Quintana De Oro Tentative Subdivision Map, as conditioned, based on the project's consistency with the Land Use Element of the General Plan, and the Zoning and Subdivision Ordinances.

### **General Plan Consistency**

Project compatibility with the City's General Plan must be made as a finding for each of the entitlements. For the Quintana De Oro Tentative Subdivision Map, a finding of General Plan consistency must also be made in accordance with California Government Code §66473.5.

Staff has found that the proposed project is consistent with the City's General Plan, particularly as it pertains to development in the Low Density Residential land use designation. Land Use Element Policy LU-P-55 specifies that the Low Density Residential land use designation shall

allow for residential development at 2 to 10 dwelling units per acre, facilitating new planned neighborhoods and infill development in established areas.

The density for the proposed Quintana De Oro subdivision is 2.8 dwelling units per acre. The proposed 2.8 units per acre density is only 0.8 units over the Very Low Residential Density range as identified in Table 2-3 "Density and Intensity Standards by Land Use Classification" of the General Plan.

The corresponding Change of Zone from the R-1-20 designation to the R-1-5 designation still maintains the single-family residential character, and through Conditional Zoning Agreement No. 2018-08, the site will be limited to a development pattern that limits the density to 2.8 units per acre, while maintaining the street pattern circulation.

The proposed entitlements, if approved, would facilitate an increase in the total number of lots the five acre site may yield by an additional six lots. The increase in the number of lots from 8 to 14 is based on proposed subdivision pattern and CZA requiring the site maintain a minimum lot size of 11,832 sq. ft.

These entitlements ensure that the site is developed in a manner that is compatible to the surrounding area while still maintaining a larger lot character for the subdivision, which is consistent with the intent of Land Use Element Policy LU-P-21 which states, "*Preserve and enhance the character of residential neighborhoods while facilitating infill development.*"

### **Land Use Compatibility**

Compatibility with the surrounding area is required by the General Plan in any decision to approve a proposed subdivision of land and planned development.

The proposed project will result in the addition of approximately six residential units for a total of 14 single family residences on five acres. The proposed land use and zoning designations will still be Single-Family Residential with a density of approximately 2.8 units per acre rather than 2 units per acre under the current Very Low Residential Density land use designation for this site. This proposed density is consistent with the adjacent densities which are one to two units per acre to the south and west of the subject site, and 2 to 10 units per acre to the north and northeast of the subject site.

Based on the Quintana De Oro tentative subdivision map and Conditional Zoning Agreement No. 2018-08, staff finds the proposed subdivision to be consistent with the surrounding development and meeting the intent of the General Plan.

### **General Plan Amendment & Change of Zone**

Staff supports the proposed General Plan Amendment from Very Low Density Residential to Low Density Residential and the corresponding Change of Zone from R-1-20 to R-1-5 based on the proposed subdivision design and street pattern, which is compatible with adjacent development.

The increase in density, based on the development pattern of the subdivision, from 2 units per acre to 2.8 units per acre is a minor increase in the permitted density range for the subject site.

To ensure a development pattern and residential density range that is compatible with the surrounding area, Conditional Zoning Agreement No. 2018-08 requires that the site maintain average lot sizes and a circulation pattern to only facilitate the development of this site at a density of 2.8 units per acre. Any request to increase the density or establish lot sizes consistent with the R-1-5 zone (5,000 sq. ft. lots) requires amending the CZA through the public hearing process.

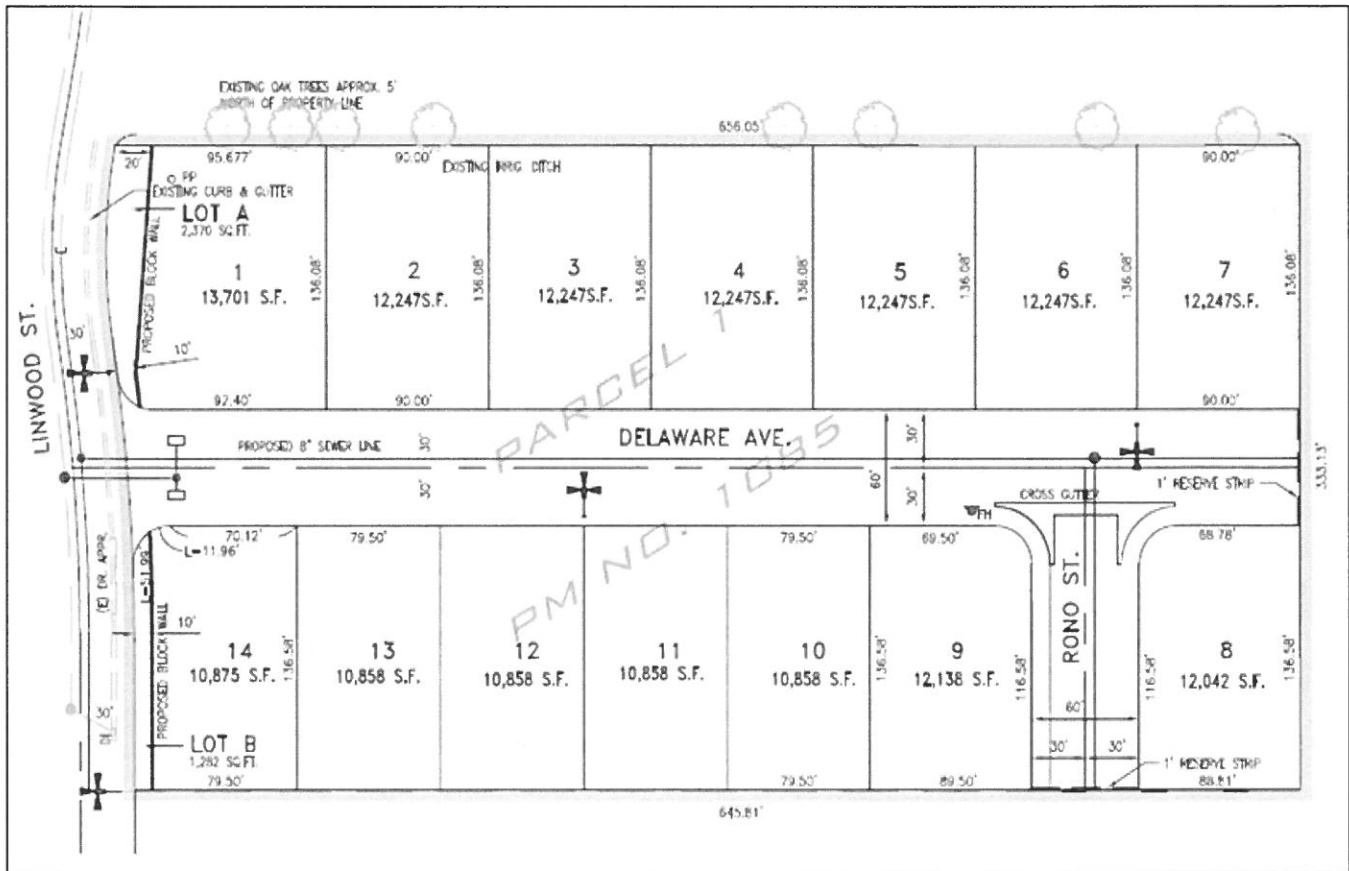
The City of Visalia has supported and encouraged increased density where they can be made to be compatible with adjacent land uses. This minor increase in density provides for a better overall utilization of community infrastructure by consuming less land for additional housing units, while still retaining a development pattern that is consistent with the surrounding area.

The proposed subdivision is located on a five acre parcel that is surrounded by urban development. The proposed subdivision is consistent with the existing development pattern in the area and would not conflict with the adjacent Very Low Density developments.

**Proposed Lots**

The proposed subdivision will consist of 14 residential lots that conform and/or exceed the standard single-family residential standards for lot size and setbacks. The lots will be required to meet R-1-5 zone setback standards, including a 15-foot setback to living space, a 22-foot setback to a front-loading garage, a 5-foot setback to an interior side property line, a 10-foot setback to a street side property line, and a 25-foot setback to a rear property line.

However, the associated CZA will require that the site be subdivided to comply with the map attached in Exhibit "A". The proposed lots range in size from 10,858 sq. ft. to 13,701 sq. ft. with an average lot size of approximately 11,823 sq. ft.



**Street Widths and Improvements**

Linwood Street is a 60-foot wide collector status roadway. The frontage of the proposed subdivision is currently improved with curb, gutter and a storm drain inlet. Frontage improvements associated with the proposed subdivision include sidewalks and street lights along the frontage.



Linwood St., south of the proposed development is developed to a Rural Residential standard with bio-swales and no curbs or gutter on both sides of the street. The rural residential improvements were done in the County prior to the area being annexed into the City.

North of the proposed subdivision, Linwood St. is developed to City standards with curb, gutter, sidewalks and street lights.

The proposed local interior street (Delaware) will be developed to the 60-foot Local Street Standard with curb, gutter, parkway landscaping and sidewalks.

### **Trip Generation Estimate**

The number of lots proposed in the subdivision, and the resulting number of trips in the a.m. and p.m. peak hours did not require the preparation of a Traffic Impact Analysis for this project.

The Average Daily Trips (ADT) for a single family residence is approximately 9.57 ADT's per day. The proposed increase in density from approximately 8 single-family residential units to 14 single-family residential units results in approximately 57 additional vehicle trips per day. The increase from approximately 77 ADT's to 134 ADT's for the proposed subdivision is not a significant increase resulting in any required mitigation for this project. Based upon these numbers the City Traffic Engineer did not require a Traffic Impact Analysis.

### **Infrastructure**

**Water Service:** California Water Service has provided a will serve letter for the proposed tentative subdivision map, attached as Exhibit "D". The letter indicates that it will remain valid for a period of two years from the date of the letter.

Staff has included Map Condition of Approval No. 5 requiring the applicant to provide a valid will-serve letter prior to the issuance of a building permit. Notwithstanding that Cal Water has provided the letter attached as Exhibit "D", if a period of two years pass before a building permit is issued then the attached letter becomes invalid and the applicant/builder will need to obtain a new letter.

**Sanitary Sewer:** The subdivision will have sanitary sewer flows directed into the City's sewer system.

**Storm Drainage:** The subdivision will have stormwater flows directed into the City's storm drain system.

### **Walls and Fences**

The proposed development will have a seven-foot high block wall along the Linwood Street frontage at the back of the Landscape and Lighting lot. Interior fencing or walls is by developer's choice since there are no required fencing standards between single family residential developments.

### **Development Setbacks**

The project would utilize the R-1-5 zone development standards for setbacks. However, the average minimum lot size for this subdivision will be established through Conditional Zoning Agreement No. 2018-08, requiring an average lot size of 11,832 sq. ft.

### **Creation of Maintenance District**

A Landscaping and Lighting District shall be formed to maintain the landscape lots and block wall along the Linwood Street frontage.

## **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 and associated entitlements, which are seeking a land use designation of Low Density Residential which will support the development of the site at a density of 2.8 units per acre. 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 and associated entitlements, which are seeking a land use designation of Low Density Residential which will support the development of the site at a density of 2.8 units per acre. This is included as recommended Finding No. 4 of the Tentative Subdivision Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvement of the map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat. This finding is further supported by the project’s determination of no new effects 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**

An Initial Study was prepared for the tentative subdivision map. Initial Study No. 2018-49 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. Staff concludes that the Environmental Impact Report adequately analyzed and addressed the proposed project. Therefore, Negative Declaration No. 2018-49 was prepared for the proposed actions identifying that there are no separate mitigation measures required.

**RECOMMENDED FINDINGS**

**General Plan Amendment No. 2018-06**

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment from Very Low Density Residential to Low Density Residential does not change the single-family residential character of the subject site or adjacent properties.
3. That the proposed General Plan Amendment from Very Low Density Residential to Low Density Residential in conjunction with Conditional Zoning Agreement No. 2018-08 will result in a minor density increase from 2 units per acre to 2.8 units per acre resulting in an increase in the number of lots from 8 single-family lots to 14 single-family lots for the 5 acre subject site.
4. That Conditional Zoning Agreement No. 2018-08 will limit the density to 2.8 units per acre (14 lots) which is consistent with the adjacent residential land uses of Very Low Density Residential and Low Density Residential.
5. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project.

### **Change of Zone No. 2018-07**

1. That Change of Zone No. 2018-07 is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed R-1-5 zoning designation is consistent with the Low Density Residential designation of the General Plan.
3. That applying R-1-5 (Low Density Residential) Zoning Ordinance development standards is compatible with adjacent land uses.
4. That Change of Zone No. 2018-07, as conditioned through Conditional Zoning Agreement No. 2018-08, is compatible with the adjacent developments and land uses.
5. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project.

### **Conditional Zoning Agreement No. 2018-08**

1. That Conditional Zoning Agreement No. 2018-08 will facilitate land use compatibility by limiting the average lot size and providing a standard single family residential street pattern resulting in enhanced superblock connectivity.
2. That Conditional Zoning Agreement No. 2018-08 will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project.

### **Quintana De Oro Tentative Subdivision Map 5570**

1. That the proposed location and layout of the Quintana De Oro Tentative Subdivision Map 5570 is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. There are no specific plans applicable to the project site.
2. That the proposed location of the tentative subdivision map and the conditions under which it would be built or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the proposed Quintana De Oro Tentative Subdivision Map 5570, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. That the proposed tentative subdivision map would be compatible with adjacent land uses. The project site is bordered by existing residential development and a collector street.
4. That the site is physically suitable for single family residential use as the Quintana De Oro Tentative Subdivision Map 5570, which is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance.
5. That the site is physically suitable for the proposed unit density of 2.8 units per acre as proposed by the Quintana De Oro Tentative Subdivision Map 5570, which is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance.

6. That the proposed Quintana De Oro Tentative Subdivision Map 5570 will not conflict with any easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
7. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project. Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **General Plan Amendment No. 2018-06**

There are no recommended conditions for the General Plan Amendment, note that conditions pertaining to Change of Zone No. 2018-07 are included in Conditional Zoning Agreement No. 2018-08.

### **Change of Zone No. 2018-07**

There are recommended conditions for Change of Zone No. 2018-07 that have been included in Conditional Zoning Agreement No. 2018-08.

### **Conditional Zoning Agreement No. 2018-08**

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2018-110, incorporated herein by reference.
2. That the subdivision be prepared in substantial compliance with the Quintana De Oro Tentative Subdivision Map 5570 as shown in Exhibit "A".
3. That Conditional Zoning Agreement No. 2018-08 is recorded, with proof of recordation provided to staff, prior to recordation of any portion of the subdivision map.
4. That Conditional Zoning Agreement No. 2018-08 shall be conditioned with the following:
  - a. That the average lot sizes shall be approximately 11,832 sq. ft.
  - b. That the public street circulation pattern shall be as shown in Exhibit "A" of the Quintana De Ore Tentative Subdivision Map 5570 – map attached as an Exhibit.

### **Quintana De Oro Tentative Subdivision Map 5570**

1. That Quintana De Oro Tentative Subdivision Map 5570 be prepared in substantial compliance with the subdivision map shown in Exhibit "A", and in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2018-110, incorporated herein by reference.
2. That General Plan Amendment No. 2018-06, Change of Zone No. 2018-07, and Conditional Zoning Agreement No. 2018-08 are approved and recorded as required.
3. That the block walls located within the Landscape and Lighting District Lots shall transition to three feet in height at a point no less than 15 feet from the property line along Delaware Avenue.
4. That the setbacks for the single-family residential lots shall comply with the R-1-5 zone district standards for the front, side, street side yard, and rear yard setbacks.

5. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
6. That all applicable federal, state, regional, and city policies and ordinances be met.

## **APPEAL INFORMATION**

### General Plan, Change of Zone and Conditional Zoning Agreement

The Planning Commission's decisions on these matters are advisory only. The final decisions will be by the Visalia City Council after one or more public hearings. Therefore, the Planning Commission's decisions in these matters are not appealable.

### Tentative Subdivision Map

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.visalia.city](http://www.visalia.city) or from the City Clerk.

### Attachments:

- Related Plans and Policies
- Resolution No. 2016-25 - Change of Zone No. 2016-04
- Resolution No. 2016-24 - Conditional Use Permit No. 2016-13
- Resolution No. 2016-28 - Tentative Parcel Map No. 2016-05
- Exhibit "A" – Tentative Subdivision Map
- Exhibit "B" – Quintana De Oro Tentative Subdivision Map 5570
- Exhibit "C" – Conditional Zoning Agreement No. 2018-08
- Exhibit "D" – California Water Service Letter
- Negative Declaration No. 2018-49
- Site Plan Review Comments No. 2018-110
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

## RELATED PLANS AND POLICIES

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

### **Zoning Ordinance Chapter 17 - RESIDENTIAL ZONE**

#### **17.12.010 Purpose and intent.**

In the R-1 single-family residential zones (R-1-5, R-1-12.5, and R-1-20), the purpose and intent is to provide living area within the city where development is limited to low density concentrations of one-family dwellings where regulations are designed to accomplish the following: to promote and encourage a suitable environment for family life; to provide space for community facilities needed to compliment urban residential areas and for institutions that require a residential environment; to minimize traffic congestion and to avoid an overload of utilities designed to service only low density residential use.

#### **17.12.015 Applicability.**

The requirements in this chapter shall apply to all property within R-1 zone districts.

#### **17.12.020 Permitted uses.**

In the R-1 single-family residential zones, the following uses shall be permitted by right:

- A. One-family dwellings;
- B. Raising of fruit and nut trees, vegetables and horticultural specialties;
- C. Accessory structures located on the same site with a permitted use including private garages and carports, one guest house, storehouses, garden structures, green houses, recreation room and hobby shops;
- D. Swimming pools used solely by persons resident 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;
- G. Twenty-four (24) hour residential care facilities or foster homes, for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provisions 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. Accessory dwelling units as specified in Sections 17.12.140 through 17.12.200;
- K. Adult day care up to twelve (12) persons in addition to the residing family;
- L. Other uses similar in nature and intensity as determined by the city planner;
- M. Legally existing multiple family units, and expansion or reconstruction as provided in Section 17.12.070.
- N. Transitional or supportive housing for six (6) or fewer resident/clients.
- O. In the R-1-20 zone only, the breeding, hatching, raising and fattening of birds, rabbits, chinchillas, hamsters, other small animals and fowl, on a domestic noncommercial scale, provided that there shall not be less than one thousand (1,000) square feet of site area for each fowl or animal and provided that no structure housing poultry or small animals shall be closer than fifty (50) feet to any property line, closer than twenty-five (25) feet to any dwelling on the site, or closer than fifty (50) feet to any other dwelling;
- P. In the R-1-20 zone only, the raising of livestock, except pigs of any kind, subject to the exception of not more than two cows, two horses, four sheep or four goats for each site, shall be permitted; provided, that there be no limitation on the number of livestock permitted on a site with an area of ten acres or more and provided that no stable be located closer than fifty (50) feet to any dwelling on the site or closer than one hundred (100) feet to any other dwelling;

**17.12.030 Accessory uses.**

In the R-1 single-family residential zone, the following accessory uses shall be permitted, subject to specified provisions:

- A. Home occupations subject to the provisions of Section 17.32.030;
- B. Accessory buildings subject to the provisions of Section 17.12.100(B).
- C. Cottage Food Operations subject to the provisions of Health and Safety Code 113758 and Section 17.32.035.

**17.12.040 Conditional uses.**

In the R-1 single-family residential zone, the following conditional uses may be permitted in accordance with the provisions of Chapter 17.38:

- A. Planned development subject to the provisions of Chapter 17.26;
- B. 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;
- C. Public and private charitable institutions, general hospitals, sanitariums, nursing and convalescent homes; not including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- D. 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, ambulance service and other public building, structures and facilities; public playgrounds, parks and community centers;
- E. Electric distribution substations;
- F. Gas regulator stations;
- G. Public service pumping stations, i.e., community water service wells;
- H. Communications equipment buildings;
- I. Planned neighborhood commercial center subject to the provisions of Chapter 17.26;
- J. Residential development specifically designed for senior housing;
- K. Mobile home parks in conformance with Section 17.32.040;
- L. [Reserved.] M. 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 article and in which the private streets are designed and constructed to meet or exceed public street standards;
- N. Adult day care in excess of twelve (12) persons;
- O. Duplexes on corner lots;
- P. Twenty-four (24) hour residential care facilities or foster homes for more than six individuals in addition to the residing family;
- Q. Residential structures and accessory buildings totaling more than ten thousand (10,000) square feet;
- R. Other uses similar in nature and intensity as determined by the city planner.
- S. Transitional or supportive housing for seven (7) or more resident/clients.

**17.12.050 Site area.**

The minimum site area shall be as follows:

<b>Zone</b>	<b>Minimum Site Area</b>
R-1-5	5,000 square feet
R-1-12.5	12,500 square feet
R-1-20	20,000 square feet

A. Each site shall have not less than forty (40) feet of frontage on the public street. The minimum width shall be as follows:

<b>Zone</b>	<b>Interior Lot</b>	<b>Corner Lot</b>
R-1-5	50 feet	60 feet
R-1-12.5	90 feet	100 feet
R-1-20	100 feet	110 feet



B. Minimum width for corner lot on a side on cul-de-sac shall be eighty (80) feet, when there is no landscape lot between the corner lot and the right of way.

**17.12.060 One dwelling unit per site.**

In the R-1 single-family residential zone, not more than one dwelling unit shall be located on each site, with the exception to Section 17.12.020(J).

**17.12.070 Replacement and expansion of legally existing multiple family units.**

In accordance with Sections 17.12.020 legally existing multiple family units may be expanded or replaced if destroyed by fire or other disaster subject to the following criteria:

A. A site plan review permit as provided in Chapter 17.28 is required for all expansions or replacements.

B. Replacement/expansion of unit(s) shall be designed and constructed in an architectural style compatible with the existing single-family units in the neighborhood. Review of elevations for replacement/expansion shall occur through the site plan review process. Appeals to architectural requirements of the site plan review committee shall be subject to the appeals process set forth in Chapter 17.28.050.

C. Setbacks and related development standards shall be consistent with existing single-family units in the neighborhood.

D. Parking requirements set forth in Section 17.34.020 and landscaping requirements shall meet current city standards and shall apply to the entire site(s), not just the replacement unit(s) or expanded area, which may result in the reduction of the number of units on the site.

E. The number of multiple family units on the site shall not be increased.

F. All rights established under Sections 17.12.020 and 17.12.070 shall be null and void one hundred eighty (180) days after the date that the unit(s) are destroyed (or rendered uninhabitable), unless a building permit has been obtained and diligent pursuit of construction has commenced. The approval of a site plan review permit does not constitute compliance with this requirement.

**17.12.080 Front yard.**

A. The minimum front yard shall be as follows:

<b>Zone</b>	<b>Minimum Front Yard</b>
R-1-5	Fifteen (15) feet for living space and side-loading garages and twenty-two (22) feet for front-loading garages or other parking facilities, such as, but not limited to, carports, shade canopies, or porte cochere. A Porte Cochere with less than twenty-two (22) feet of setback from property line shall not be counted as covered parking, and garages on such sites shall not be the subject of a garage conversion.

R-1-12.5	Thirty (30) feet
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R-1-20	Thirty-five (35) feet
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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. On cul-de-sac and knuckle lots with a front lot line of which all or a portion is curvilinear, the front yard setback shall be no less than fifteen (15) feet for living space and side-loading garages and twenty (20) feet for front-loading garages.

**17.12.090 Side yards.**

A. The minimum side yard shall be five feet in the R-1-5 and R-1-12.5 zone subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet and twenty-two (22) feet for front loading garages or other parking facilities, such as, but not limited to, carports, shade canopies, or porte cocheres.

B. The minimum side yard shall be ten feet in the R-1-20 zone subject to the exception that on the street side of a corner lot the side yard shall be not less than twenty (20) feet.

C. On a reversed corner lot the side yard adjoining the street shall be not less than ten feet.

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

E. Side yard requirements may be zero feet on one side of a lot if two or more consecutive lots are approved for a zero lot line development by the site plan review committee.

F. The placement of any mechanical equipment, including but not limited to, pool/spa equipment and evaporative coolers shall not be permitted in the five-foot side yard within the buildable area of the lot, or within five feet of rear/side property lines that are adjacent to the required side yard on adjoining lots. This provision shall not apply to street side yards on corner lots, nor shall it prohibit the surface mounting of utility meters and/or the placement of fixtures and utility lines as approved by the building and planning divisions.

**17.12.100 Rear yard.**

In the R-1 single-family residential zones, the minimum yard shall be twenty-five (25) feet, subject to the following exceptions:

A. On a corner or reverse corner lot 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. The remaining side yard to be a minimum of five feet.

B. Accessory structures not exceeding twelve (12) feet may be located in the required rear yard but not closer than three feet to any lot line provided that not more than twenty (20) percent of the area of the required rear yard shall be covered by structures enclosed on more than one side and not more than forty (40) percent may be covered by structures enclosed on only one side. On a reverse corner lot an accessory structure shall not be located closer to the rear property line than the required side yard on the adjoining key lot. An accessory structure shall not be closer to a side property line adjoining key lot and not closer to a side property line adjoining the street than the required front yard on the adjoining key lot.

C. Main structures may encroach up to five feet into a required rear yard area provided that such encroachment does not exceed one story and that a usable, open, rear yard area of at least one thousand five hundred (1,500) square feet shall be maintained. Such encroachment and rear yard area shall be approved by the city planner prior to issuing building permits.

**17.12.110 Height of structures.**

In the R-1 single-family residential zone, the maximum height of a permitted use shall be thirty-five (35) feet, with the exception of structures specified in Section 17.12.100(B).

**17.12.120 Off-street parking.**

In the R-1 single-family residential zone, subject to the provisions of Chapter 17.34.

**17.12.130 Fences, walls and hedges.**

In the R-1 single-family residential zone, fences, walls and hedges are subject to the provisions of Section 17.36.030.

## **Article 2. Accessory Dwelling Units**

**17.12.140 Purpose and intent.**

It is the purpose of this article to provide for the following:

- A. To encourage a range of housing types, styles and costs to suit the varying needs and desires of the community;
- B. To allow homeowners a means of obtaining, through tenants and accessory dwelling units, an additional source of income, companionship, security, and services;
- C. To add inexpensive rental units to the housing stock of the city;
- D. To create homeownership opportunities for moderate income households who might otherwise be excluded from the housing market, through the additional income derived from accessory dwelling units;
- E. Develop housing in single-family neighborhoods that is appropriate for a variety of stages in the household life cycle, thereby lessening fluctuations in neighborhood demand for public services;
- F. Protect the stability, property values, and character of single family residential neighborhoods by insuring that accessory dwelling units are subject to the standards that follow.

### **17.12.150 Definitions.**

As used in this article, the following terms are defined in this section:

“Principal dwelling unit” means a single-family dwelling unit situated on a residential lot in the A or R-1 zones to which an accessory dwelling unit as defined by this article has been or is proposed to be added.

“Accessory dwelling unit” means an additional dwelling unit having separate kitchen, sleeping, and sanitation facilities constructed or adopted within, onto, or detached from a single-family dwelling on a residential lot in the A or R-1 zones. Accessory dwelling units may also be efficiency units, as defined in Section 17958.1 of the health and Safety code, and manufacturing homes, as defined in Section 18007 of the Health and Safety Code.

“Living area” means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or an accessory structure.

### **17.12.160 General provisions.**

An accessory dwelling unit may be established by the conversion of an attic, basement, garage (if alternative parking area is provided for the principal dwelling unit), or other portion of a principal dwelling unit. A detached accessory dwelling unit may be established by the conversion of an accessory structure or may be new construction. Second dwelling units may be mobile homes, provided that such units are subject to all applicable standards of Section 17.32.110, governing the placement of mobile homes on single-family lots. All applications for accessory dwelling units, whether processed as a permitted use or an exception, must comply with the general provisions stated below:

- A. Accessory dwelling units shall only be allowed on lots located in the A and R-1 zones;
- B. In no case shall more than one accessory dwelling unit be placed on the same lot or parcel;
- C. Second dwelling units shall be subject to all applicable building, fire, health and safety codes and may not have adverse impacts on any real property that is listed in the California Register of Historic Places;
- D. Second dwelling units may only be constructed on lots or parcels that are at least five thousand (5,000) square feet in area;
- E. A covenant running with the land between the city and the applicant shall be recorded with the Tulare County recorder prior to the issuance of any building permits requiring that the primary or the proposed accessory dwelling unit shall be occupied by the owner of record;
- F. The accessory dwelling unit shall be clearly subordinate to the principal dwelling unit by size, location and appearance;
- G. The second unit's scale, appearance and character shall be similar to and compatible in design with the principal dwelling unit and adjacent residences;
- H. In no case shall any accessory dwelling unit be approved on a site on which the principal dwelling unit has been the subject of a garage conversion pursuant to the regulations of Chapter 17.32.140 governing such conversions.
- I. Size. A manufactured home shall not be less than eight (8) feet wide by forty (40) feet long and three hundred twenty (320) square feet in living area. An efficiency unit shall not be less than one hundred fifty (150) square feet in living area and meet all space and occupancy standards of Chapter 5 of the Uniform Housing Code;
- J. Access. Doorway access shall be provided either to the side or rear of the second housing unit;
- K. Utility Services. Second housing units shall be provided with water, sewer, and other utilities as determined by the building official.

### **17.12.170 Process.**

The city planner shall approve or deny accessory dwelling unit requests based upon the specified requirements. The applicant may appeal the decision of the city planner to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner, in writing, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The planning commission's review shall be limited to

compliance with the specified requirements. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.

**17.12.180 Development requirements.**

The following development requirements shall apply to accessory dwelling units:

- A. The increased floor area of the second unit shall not exceed twelve hundred (1,200) square feet or ) fifty (50) percent of the main dwelling unit, whichever is greater, and shall be used as an accessory to the primary single family home.
- B. Adequate parking area must be available on the streets adjacent to the accessory dwelling unit. If adequate on-street parking is not available in the immediate vicinity, or in the case of all second units located on cul-de-sac lots, one additional off-street parking space must be provided. Tandem parking shall not be deemed as meeting the above parking requirement. The additional parking space shall be waived if in any of the following instances:
  - 1. The accessory dwelling unit is located within one-half (0.5) miles of public transit.
  - 2. The accessory dwelling unit is located within an architecturally and historically significant historic district.
  - 3. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
  - 4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
  - 5. When there is a car share vehicle located within one block of the accessory dwelling unit.
- C. All standards of the underlying zoning district including, but not limited to, height, lot and yard requirements, and lot coverage shall apply.
- D. Detached accessory dwelling units are subject to all applicable standards for accessory structures, as stated in the development requirements for the underlying zone, unless a variance has been granted pursuant to Chapter 17.42.

**17.12.190 Appeals.**

The applicant may appeal the decision of the city planner to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The planning commission's review shall be limited to compliance with the specified requirements. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.

**17.12.200 Existing nonconforming accessory dwelling units.**

An existing accessory dwelling unit situated on a lot or parcel in the A or R-1 zones shall constitute a violation of this title unless: (1) the unit meets the standards and criteria of Chapter 17.12, and an agreement is recorded; or (2) the accessory dwelling unit qualifies as a permitted nonconforming use and structure under the provisions of Chapter 17.40. No enlargement of habitable space shall be allowed unless the standards and criteria of Chapter 17.12 are met. This shall not apply to maintenance of the unit.

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**Chapter 17.44 - ZONING AMENDMENTS**

**17.44.010 Purpose.**

As a general plan for Visalia is put into effect, there will be a need for changes in zoning boundaries and other regulations of this title. As the general plan is reviewed and revised periodically, other changes in

the regulations of this title may be warranted. Such amendments shall be made in accordance with the procedure prescribed in this chapter.

#### **17.44.020 Initiation.**

A. A change in the boundaries of any zone may be initiated by the owner of the property within the area for which a change of zone is proposed or by his authorized agent. If the area for which a change of zone is proposed is in more than one ownership, all of the property owners or their authorized agents shall join in filing the application, unless included by planning commission resolution of intention.

B. A change in boundaries of any zone, or a change in a zone regulation, off-street parking or loading facilities requirements, general provision, exception or other provision may be initiated by the city planning commission or the city council in the form of a request to the commission that it consider a proposed change; provided, that in either case the procedure prescribed in Sections 17.44.040 and 17.44.090 shall be followed.

#### **17.44.030 Application procedures.**

A. A property owner or his authorized agent may file an application with the city planning commission for a change in zoning boundaries on a form prescribed by the commission and that said application shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property for which the change in zoning boundaries is proposed, the authorized agent of the owner, or is or will be the plaintiff in an action in eminent domain to acquire the property involved;
3. Address and legal description of the property;
4. The application shall be accompanied by such sketches or drawings as may be necessary to clearly show the applicant's proposal;
5. Additional information as required by the historic preservation advisory board.

B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of processing the application.

#### **17.44.040 Public hearing—Notice.**

The city planning commission shall hold at least one public hearing on each application for a change in zone boundaries and on each proposal for a change in zone boundaries or of a zone regulation, off-street parking or loading facilities requirements, general provisions, exception or other provision of this title initiated by the commission or the city council. Notice of the public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by publication in a newspaper of general circulation within the city, and by mailing 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 that is the subject of the hearing.

#### **17.44.050 Investigation and report.**

The city planning staff shall make an investigation of the application or the proposal and shall prepare a report thereon that shall be submitted to the city planning commission.

#### **17.44.060 Hearing.**

A. At the public hearing, the city planning commission shall review the application or the proposal and may receive pertinent evidence as to why or how the proposed change is necessary to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020.

B. If the commission's recommendation is to change property from one zone designation to another, the commission may recommend that conditions be imposed so as not to create problems adverse to the public health, safety and general welfare of the city and its residents.

**17.44.070 Action of city planning commission.**

The city planning commission shall make a specific finding as to whether the change is required to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020. The commission shall transmit a report to the city council recommending that the application be granted, conditionally approved, or denied or that the proposal be adopted or rejected, together with one copy of the application, resolution of the commission or request of the Council, the sketches or drawings submitted and all other data filed therewith, the report of the city engineer and the findings of the commission.

**17.44.080 [Reserved].**

**17.44.090 Action of city council.**

A. Upon receipt of the resolution or report of the city planning commission, the city council shall review the application or the proposal and shall consider the resolution or report of the commission and the report of the city planning staff.

B. The city council shall make a specific finding as to whether the change is required to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020. If the council finds that the change is required, it shall enact an ordinance amending the zoning map or an ordinance amending the regulations of this title, whichever is appropriate. The city council may impose conditions on the change of zone for the property where it finds that said conditions must be imposed so as not to create problems inimical to the public health, safety and general welfare of the city and its residents. If conditions are imposed on a change of zone, said conditions shall run with the land and shall not automatically be removed by a subsequent reclassification or change in ownership of the property. Said conditions may be removed only by the city council after recommendation by the planning commission. If the council finds that the change is not required, it shall deny the application or reject the proposal.

**17.44.100 Change of zoning map.**

A change in zone boundary shall be indicated on the zoning map.

**17.44.110 New application.**

Following the denial of an application for a change in a zone boundary, no application for the same or substantially the same change shall be filed within one year of the date of denial of the application.

**17.44.120 Report by city planner.**

On any amendment to the zoning code changing property from one zone classification to another, the city planner shall inform the planning commission and the city council of any conditions attached to previous zone changes as a result of action taken pursuant to Sections 17.44.060, 17.44.070 and 17.44.090.

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**Chapter 17.54  
GENERAL PLAN AMENDMENTS**

**17.54.010 Purpose.**

As the general plan for Visalia is implemented, there may be a need for amendments to land use boundaries and policies of the general plan. Such amendments shall be made in accordance with the procedure prescribed in this chapter.

**17.54.020 Initiation.**

A. An amendment to the land use boundaries of the general plan may be initiated by any interested person or the owners of the property within the area for which the amendment is proposed. The area of a proposed land use amendment and/or policy amendment may be expanded in scope by the planning commission in the resolution of intention.

B. An amendment to land use boundaries and/or policies may be initiated by the city planning commission or the city council by adoption of a resolution of intention.

#### **17.54.030 Application procedures.**

A. An application for an amendment shall be filed by the applicant with the city planning commission on a form prescribed by the commission. Said application shall include the following data:

1. Name and address of the applicant;

2. Statement that the applicant is the owner of the property for which a land use boundary amendment is proposed or the authorized agent of the owner. In the case of a policy amendment the statement shall indicate the interest of the applicant;

3. Address and legal description of the subject property, if applicable;

4. The application shall include material deemed necessary by the city planner to clearly show the applicant's proposal.

B. The application shall be accompanied by a fee set by resolution of the city council to cover the cost of processing the application.

#### **17.54.040 Public hearing—Notice.**

Notice of the public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by publication in a newspaper of general circulation within the city, and by mailing notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area under consideration if an amendment to the land use element is under consideration.

#### **17.54.050 Investigation and report.**

The city planning staff shall make an investigation of the application or the proposal and shall prepare a report thereon that shall be submitted to the city planning commission.

#### **17.54.060 Hearing.**

At the public hearing, the city planning commission shall review the application or the proposal and may receive pertinent evidence regarding the proposed amendment.

#### **17.54.070 Action of city planning commission.**

Within forty-five (45) days following the public hearing, the city planning commission shall make a specific recommendation and shall transmit a report to the city council. The report shall include a resolution recommending either approval or denial of the proposed amendment, together with pertinent information and the report of the city planning staff.

#### **17.54.080 Action of the city council.**

A. Upon receipt of the resolution and report of the city planning commission, the city council shall hold at least one public hearing with public notice as prescribed in Section 17.54.040. Following the noticed public hearing, the city council shall approve, deny or modify the city planning commission recommendation.

B. If the element or amendment has been approved by the city planning commission, the city council shall not modify the recommendation until the proposed change or modification has

been referred back to the city planning commission for a report and a copy of the report has been filed with the city council. Failure of the city planning commission to report within forty (40) days after the reference, or such longer period as may be designated by the city council shall be deemed to be approval of the proposed change or modification. It shall not be necessary for the city planning commission to hold a public hearing on such proposed change or modification.

C. The adoption of a general plan element, or amendment, shall be by resolution of the city council.



RESOLUTION NO. 2018-41

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2018-06: A REQUEST BY THE HOUSTON INVESTMENT COMPANY TO CHANGE THE LAND USE DESIGNATION FROM VERY LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL FOR A FIVE (5) ACRE PARCEL, LOCATED AT 2548 N. LINWOOD STREET. (APN: 077-190-001)

**WHEREAS**, General Plan Amendment No. 2018-06 is a request by the Houston Investment Company to change the land use designation from Very Low Density Residential to Low Density Residential for a five (5) acre parcel, located at 2548 N. Linwood Street. (APN: 077-190-001); and,

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on October 22, 2018; and,

**WHEREAS**, the Planning Commission of the City of Visalia finds that General Plan Amendment No. 2018-06, to be in accordance with Section 17.54.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing.

**WHEREAS**, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2018-49 for General Plan Amendment No. 2018-06 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2016-02 based on the following specific findings and evidence presented:

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment from Very Low Density Residential to Low Density Residential does not change the single-family residential character of the subject site or adjacent properties.
3. That the proposed General Plan Amendment from Very Low Density Residential to Low Density Residential in conjunction with Conditional Zoning Agreement No. 2018-08 will result in a minor density increase from 2 units per acre to 2.8 units per acre resulting in an increase in the number of lots from 8 single-family lots to 14 single-family lots for the 5 acre subject site.

4. That Conditional Zoning Agreement No. 2018-08 will limit the density to 2.8 units per acre (14 lots) which is consistent with the adjacent residential land uses of Very Low Density Residential and Low Density Residential.
5. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2018-06 on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.54.080 of the Ordinance Code of the City of Visalia.

## RESOLUTION NO. 2018-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CHANGE OF ZONE NO. 2018-07, A REQUEST BY THE HOUSTON INVESTMENT COMPANY TO CHANGE THE ZONING DESIGNATION FROM R-1-20 (SINGLE FAMILY RESIDENTIAL – MINIMUM LOT SIZE 20,000 SQ. FT.) TO R-1-5 (SINGLE FAMILY RESIDENTIAL – MINIMUM LOT SIZE 5,000 SQ. FT.) FOR A FIVE (5) ACRE PARCEL, FOR PROPERTY LOCATED AT 2548 N. LINWOOD STREET. (APN: 077-190-00)

**WHEREAS**, Change of Zone No. 2018-07 is a request by the Houston Investment Company to change the zoning designation from R-1-20 (Single Family Residential – minimum lot size 20,000 sq. ft.) to R-1-5 (Single Family Residential – minimum lot size 5,000 sq. ft.) for a five (5) acre parcel, for property located at 2548 N. Linwood Street. (APN: 077-190-00); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on October 22, 2018; and

**WHEREAS**, the Planning Commission of the City of Visalia considered the change of zone in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2018-49 for General Plan Amendment No. 2018-06 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of the proposed Change of Zone based on the following specific findings and evidence presented:

1. That Change of Zone No. 2018-07 is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed R-1-5 zoning designation is consistent with the Low Density Residential designation of the General Plan.
3. That applying R-1-5 (Low Density Residential) Zoning Ordinance development standards is compatible with adjacent land uses.
4. That Change of Zone No. 2018-07, as conditioned through Conditional Zoning Agreement No. 2018-08, is compatible with the adjacent developments and land uses.

5. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project.

RESOLUTION NO. 2018-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CONDITIONAL ZONING AGREEMENT NO. 2018-08: A REQUEST BY THE HOUSTON INVESTMENT COMPANY TO ESTABLISH CONDITIONS REQUIRING THE SUBDIVISION OF PROPERTY TO MEET A MINIMUM AVERAGE LOT SIZE OF 11,832 SQ. FT., AND A SUPERBLOCK CONNECTIVE STREET PATTERN AS SHOWN IN THE PROPOSED QUINTANA DE ORO TENTATIVE SUBDIVISION MAP. THE PROJECT SITE IS LOCATED AT 2548 N. LINWOOD STREET. (APN: 077-190-001)

**WHEREAS**, Conditional Zoning Agreement No. 2018-08 is a request by the Houston Investment Company to establish conditions requiring the subdivision of property to meet a minimum average lot size of 11,832 sq. ft., and a superblock connective street pattern as shown in the proposed Quintana De Oro Tentative Subdivision Map. The project site is located at 2548 N. Linwood Street. (APN: 077-190-001); and,

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on October 22, 2018; and,

**WHEREAS**, the Planning Commission of the City of Visalia considered the CZA Amendment in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and,

**WHEREAS**, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2018-49 for Conditional Zoning Agreement No. 2018-08 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of Conditional Zoning Agreement No. 2018-08 based on the following specific findings and evidence presented:

1. That Conditional Zoning Agreement No. 2018-08 will facilitate land use compatibility by limiting the average lot size and providing a standard single family residential street pattern resulting in enhanced superblock connectivity.
2. That Conditional Zoning Agreement No. 2018-08 will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia recommends approval to the City Council of Conditional Zoning Agreement No. 2018-08, as shown in Exhibit "C", on the real property as described in Exhibit "A" (Quintana De Oro Tentative Subdivision Map 5570), in accordance with the terms of this resolution and under the provisions of Chapter 17.44 of the Ordinance Code of the City of Visalia, based upon the following conditions:

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2018-110, incorporated herein by reference.
2. That the subdivision be prepared in substantial compliance with the Quintana De Oro Tentative Subdivision Map 5570 as shown in Exhibit "A".
3. That Conditional Zoning Agreement No. 2018-08 is recorded, with proof of recordation provided to staff, prior to recordation of any portion of the subdivision map.
4. That Conditional Zoning Agreement No. 2018-08 shall be conditioned with the following:
  - a. That the average lot sizes shall be approximately 11,832 sq. ft.
  - b. That the public street circulation pattern shall be as shown in Exhibit "A" of the Quintana De Ore Tentative Subdivision Map 5570 – map attached as an Exhibit.

RESOLUTION NO 2018-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING QUINTANA DE ORO TENTATIVE SUBDIVISION MAP 5570: A REQUEST BY THE HOUSTON INVESTMENT COMPANY TO SUBDIVIDE FIVE (5) ACRES INTO 14 LOTS WITH AN AVERAGE LOT SIZE OF 11,832 SQ. FT., AND TWO (2) COMMON LANDSCAPING LOTS TOTALING 3,652 SQ. FT., IN THE R-1-20 SINGLE FAMILY RESIDENTIAL ZONE, AT 2548 N. LINWOOD STREET. (APN: 077-190-00).

**WHEREAS**, Quintana De Oro Tentative Subdivision Map 5570 is a request by the Houston Investment Company to subdivide five (5) acres into 14 lots with an average lot size of 11,832 sq. ft., and two (2) common landscaping lots totaling 3,652 sq. ft., in the R-1-20 Single Family Residential zone, at 2548 N. Linwood Street. (APN: 077-190-00); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on October 22, 2018; and

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

**WHEREAS**, an Initial Study, was prepared which disclosed that no significant environmental impacts would result from this project, and mitigation measures would not be required.

**NOW, THEREFORE, BE IT RESOLVED**, that Negative Declaration No. 2018-49 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed location and layout of the Quintana De Oro Tentative Subdivision Map 5570 is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. There are no specific plans applicable to the project site.
2. That the proposed location of the tentative subdivision map and the conditions under which it would be built or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

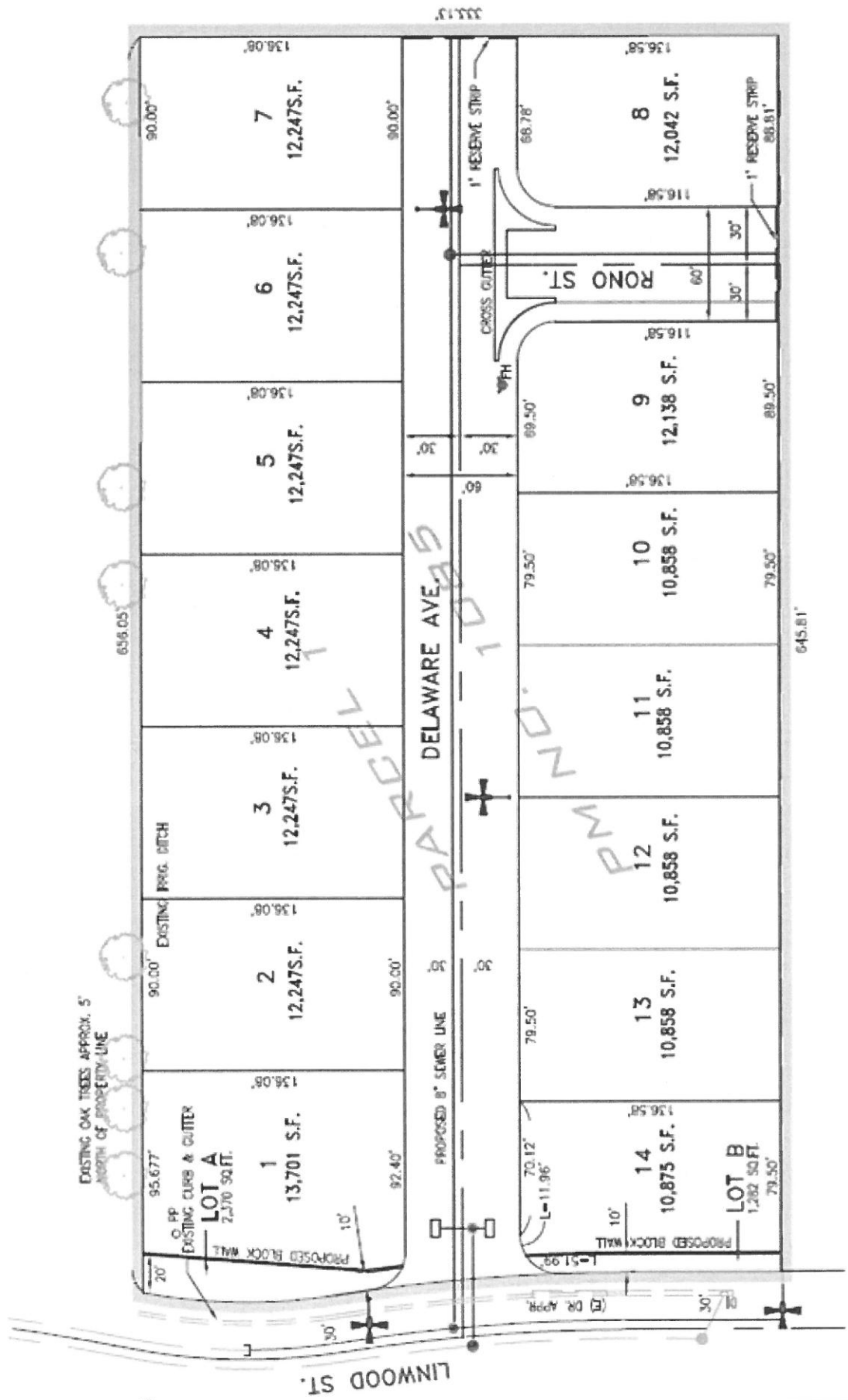
3. That the proposed Quintana De Oro Tentative Subdivision Map 5570, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. That the proposed tentative subdivision map would be compatible with adjacent land uses. The project site is bordered by existing residential development and a collector street.
4. That the site is physically suitable for single family residential use as the Quintana De Oro Tentative Subdivision Map 5570, which is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance.
5. That the site is physically suitable for the proposed unit density of 2.8 units per acre as proposed by the Quintana De Oro Tentative Subdivision Map 5570, which is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance.
6. That the proposed Quintana De Oro Tentative Subdivision Map 5570 will not conflict with any easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
7. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project. Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

**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 Quintana De Oro Tentative Subdivision Map 5570 be prepared in substantial compliance with the subdivision map shown in Exhibit "A", and in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2018-110, incorporated herein by reference.
2. That General Plan Amendment No. 2018-06, Change of Zone No. 2018-07, and Conditional Zoning Agreement No. 2018-08 are approved and recorded as required.
3. That the block walls located within the Landscape and Lighting District Lots shall transition to three feet in height at a point no less than 15 feet from the property line along Delaware Avenue.
4. That the setbacks for the single-family residential lots shall comply with the R-1-5 zone district standards for the front, side, street side yard, and rear yard setbacks.



5. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
6. That all applicable federal, state, regional, and city policies and ordinances be met.



333.13



Exhibit - A

# QUINTANA DE ORO PRELIMINARY SUBDIVISION MAP

BEING PARCELS 1 & 2 OF PARCEL MAP NO. 1055 REC. IN BK. 11 OF PARCEL MAPS AT PG. 68 T.O.R. COUNTY OF TARRANT, TEXAS, BEING THE TRACT OF LAND DESCRIBED AS A.C. & S.E. LOCATED IN THE CITY OF NEVADA, COUNTY OF TARRANT, STATE OF TEXAS.

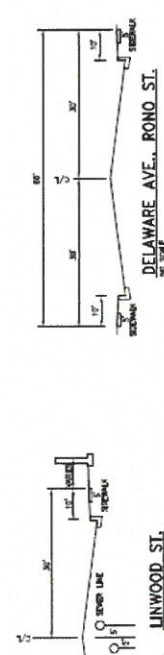
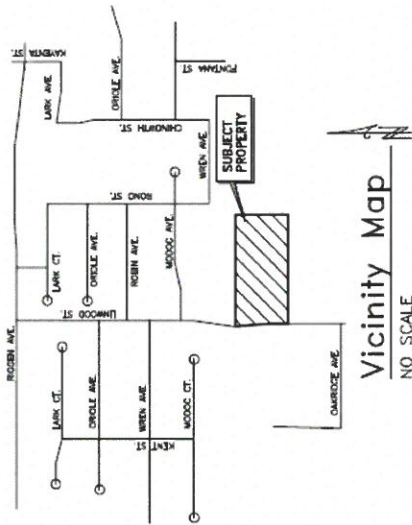
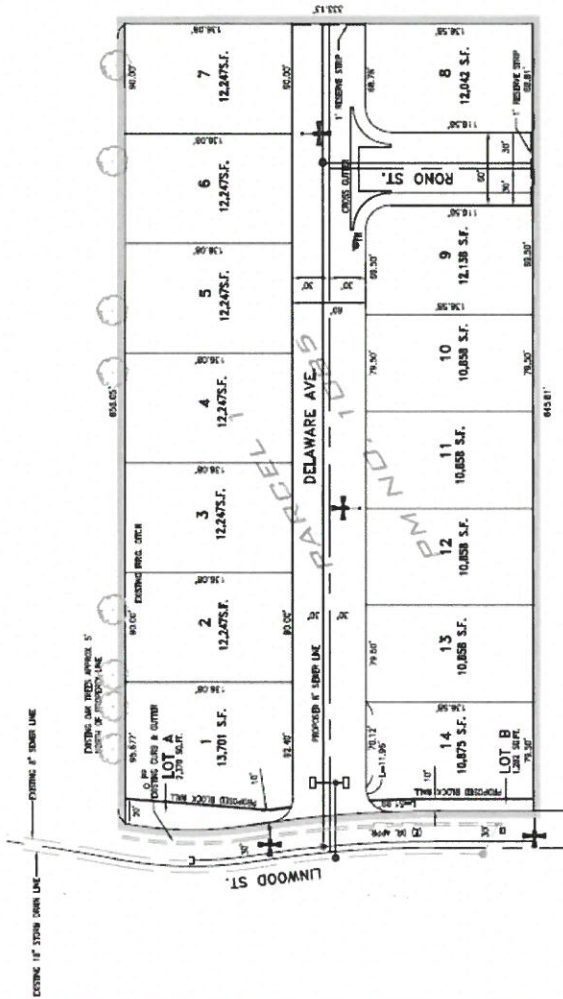
DATE: 2018  
REV. JULY 14, 2018  
REV. JULY 23, 2018

OWNER: HOUSTON INVESTMENT CO.

SURVEYOR: **PORESTER, WEBBER & ASSOCIATES**  
1820 W. Mineral King Ave., Suite B  
Vadalia, California 93281  
(559) 732-0102

**NOTES:**

- GENERAL PLAN LAND USE: R-1A
- PLANNED DEVELOPMENT: 100%
- PROPOSED PROPERTY USE: RESIDENTIAL
- ZONING: R-1A
- APPLICABLE ORDINANCES: CITY OF NEVADA
- STORM DRAIN: 18"
- APN: 077-004-001
- ADJACENT PARCELS: "L" & "M"
- UTILITIES: SEE UTILITY DISTRICT RECORDS
- UTILITY PROVIDERS: BIRMINGHAM CO. & TEXAS CO.
- CONDUIT: CONDUIT CABLE



NO FEE REQUIRED PURSUANT  
TO GOVT. CODE SECTION 27383  
RECORDING REQUESTED BY  
AND MAIL RESPONSE TO:

City of Visalia  
Planning Division  
315 East Acequia  
Visalia, CA 93291

**CONDITIONAL ZONING AGREEMENT NO. 2018-08**

**THIS AGREEMENT** made this \_\_\_\_ day of \_\_\_\_ 2018, by \_\_\_\_\_, hereinafter called the "First Party" and the CITY OF VISALIA, a political subdivision of the State of California, hereinafter called, "Second Party."

**WITNESSETH**

**WHEREAS**, First Party is the owner of real property, herein called the "Property" situated in the City of Visalia, which Property is described in Item (d) of Exhibit I of this Agreement; and

**WHEREAS**, the Property is now zoned as specified in Item (a) of Exhibit I; and

**WHEREAS**, First Party has applied for a rezoning of the Property pursuant to which application the Property is being rezoned from its present classification to the classification or classifications specified in Item (b) of Exhibit I; and

**WHEREAS**, hearings have been held upon said application before the City Council of the City of Visalia, State of California, and after having considered the matter presented, it has been determined that certain conditions to the rezoning of said real property must be imposed so as not to create any problems inimical to the health safety and the general welfare of the City of Visalia and its residents.

**NOW, THEREFORE, IT IS MUTUALLY UNDERSTOOD AND AGREED** that inasmuch as the rezoning specified in Item (b) of Exhibit I is being granted, the rezoning shall be subject to the conditions specified in the following paragraphs:

1. That Exhibits I and II, as completed and attached hereto, are incorporated into and made a part of this Agreement with the same force and effect as if fully set forth herein.
2. That First Party shall comply with the additional conditions, if any, specified in Item (e) of Exhibit I of this Agreement.

**Exhibit - C**

3. In the event First Party, and successor in interest of First Party, or any person in possession of the property described in Item (d) of Exhibit I violates or fails to perform any of the conditions of this Agreement within thirty (30) days after notice thereof as provided in Paragraph 4, the City Council of the Second Party may instruct the City Attorney of Second Party to institute legal proceedings to enforce the provisions of this Agreement.
4. Notice of violation of provisions of this Agreement shall be sent to First Party at the address specified in Item (c) of the Exhibit I and to the street address of the property described in Item (c) of Exhibit I. Any subsequent title holder, any lien holder, or party in possession of the property shall also receive notice of such violation at an address other than as specified in Item (c) of Exhibit I by which the notice is to be sent, with reference to this Agreement and the Resolution authorizing its execution.
5. Each and every one of the provisions of this Agreement herein contained shall bind and inure to the benefit of the successor in interest of each and every party hereto, in the same manner as if they had herein been expressly named.
6. Zoning of the property as indicated in Item (b) of Exhibit I shall not be consummated until such time as the Agreement has been recorded in the office of the Tulare County Recorder.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement the day and year first above written.

BY: \_\_\_\_\_  
"First Party"

CITY OF VISALIA, A political subdivision of the State of California

ATTEST: \_\_\_\_\_  
Clerk of the City Council  
"Second Party"

BY: \_\_\_\_\_  
City Manager

**Exhibit - C**

**EXHIBIT I**  
**CONDITIONAL ZONING AGREEMENT NO. 2018-08**

(a)The property is now zoned:

R-1-20 (Single-family Residential, 20,000 square foot minimum lot size)

(b)The zoning reclassification of the property is from its present zoning to:

R-1-5 (Single-family Residential, 5,000 square foot minimum lot size)

(c)Notice to First Party pursuant to Paragraph No. 4, shall be addressed to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(d)"Property" as used in this Agreement, includes:

Being Parcels 1 & 2 of Parcel Map No. 1085 Rec. in Bk. 11 of Parcel Maps at Pg. 86 T.C.R. Being a portion of the SW ¼ of the NE ¼ of Section 23 T.18S., R24E., M.D.B. & M. located in the City of Visalia, County of Tulare, State of California.

(e)The additional conditions with which First Party shall comply, pursuant to Paragraph No. 2, of this Agreement, are as follows:

1. That the average lot sizes shall be approximately 11,832 sq. ft.
2. That the public street circulation pattern shall be as shown in Exhibit "A" of the Quintana De Ore Tentative Subdivision Map 5570 - map attached as an Exhibit.

**Exhibit - C**

# QUINTANA DE ORO PRELIMINARY SUBDIVISION MAP

BEING PARCELS 1 & 2 OF PARCEL MAP NO. 1035 REC. IN BK. 11 OF PARCEL MAPS AT PG. 68 T.C.R.  
BEING A PORTION OF THE SW 1/4 OF THE 1/4 OF SEC. 23, T18S, R7E, M.D.B. & M.  
LOCATED IN THE CITY OF HOUSTON, COUNTY OF TARRANT, STATE OF TEXAS.

JUNE 2019  
REV. JULY 18, 2018  
REV. JULY 23, 2018

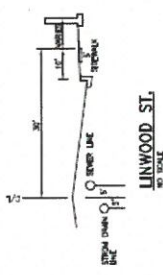
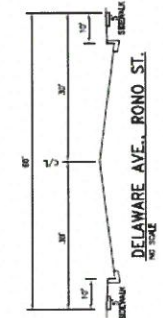
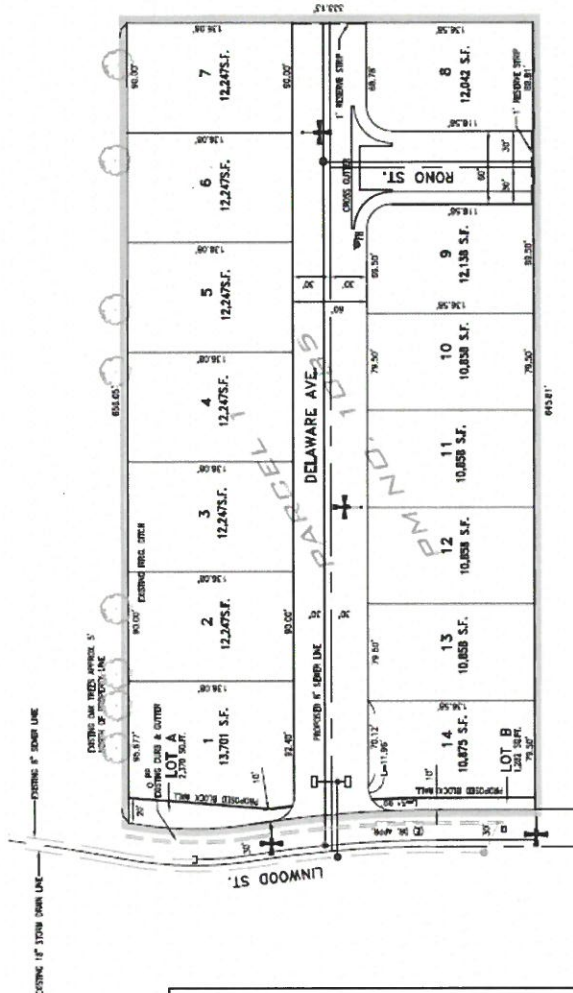
OWNER: HOUSTON INVESTMENT CO.

SURVEYOR: FORESTER, WEBER & ASSOCIATES  
1820 W. Alameda Street, Suite B  
Houston, Texas 77057  
(281) 732-0102

NOTES:  
GENERAL PLAN LAND USE: R-1  
EXISTING PROPERTY USE: VACANT  
ZONING: RESIDENTIAL  
WATER: CAL WATER  
SEWER: THE CITY OF HOUSTON  
STORM DRAIN: THE CITY OF HOUSTON  
FLOOD ZONE: "X-1" SHADY  
LANDSCAPE AND LIGHTING ACT DISTRICT REQUIRED  
UTILITY PROVIDERS: ENRON CO.  
AT&T C&S  
COMCAST CABLE



Exhibit - A



Conditional Zoning  
Agreement No. 2018-08

Exhibit - C



## CALIFORNIA WATER SERVICE

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

October 4, 2018

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

**Will Serve Letter**  
**Tentative Subdivision Map No. 5570**  
**For 2548 N. Linwood Street**  
**APN: 077-190-001**  
**Developer: Houston Investment Company**

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 potable<sup>1</sup> 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,<sup>2</sup> in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

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

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

Sincerely,

A handwritten signature in blue ink that reads "Tamara Kelly".

Tamara Kelly  
District Manager

cc: Devi Prasanna – Cal Water Engineering Dept.  
File

**Exhibit - D**



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

**NOTICE OF A PROPOSED  
INITIAL STUDY AND NEGATIVE DECLARATION**

**Project Title: Quintana De Oro Tentative Subdivision Map No. 5570, General Plan Amendment No. 2018-06, Change of Zone No. 2018-07, and Conditional Zoning Agreement No. 2018-08**

**Project Description:** The Quintana De Oro Tentative Subdivision Map project proponents are requesting to develop a 5-acre site with a single-family residential subdivision. The project includes a General Plan amendment and Change of Zone from "Very Low Density Residential" to "Low Density Residential" to allow 14 single-family residential parcels instead of 10 single-family residential parcels. The Conditional Zoning Agreement locks in the proposed parcel average size, number, and circulation pattern. The project includes two lettered lots for exterior subdivision walls and landscaping, to be maintained through a Homeowners Association (HOA). The following four entitlements make up the project:

- **Quintana De Oro Tentative Subdivision Map No. 5570** is a request by Houston Investment Company to subdivide a five acre parcel into 14 lots for single-family residential use, and two lettered lots for landscaping and lighting district purposes. The subdivision of property will include the creation of public local streets that will provide access to the lots.
- **General Plan Amendment No. 2018-06:** A request by the Houston Investment Company to change the land use designation from Very Low Density Residential to Low Density Residential for a five (5) acre parcel.
- **Change of Zone No. 2018-07:** A request by the Houston Investment Company to change the zoning designation from R-1-20 (Single-Family Residential – minimum lot size 20,000 sq. ft.) to R-1-5 (Single-Family Residential – minimum lot size 5,000 sq. ft.) for a five (5) acre parcel.
- **Conditional Zoning Agreement No. 2018-08:** A request by the Houston Investment Company to establish conditions requiring the subdivision of property to meet a minimum average lot size of approximately 11,832 sq. ft., and a superblock connective street pattern as shown in the proposed Quintana De Oro Tentative Subdivision Map.

The existing site contains a single-family residential unit and has been used as a large single-family home site for several decades. The site has not been in agricultural production in the last 20 years and is kept clear of vegetation by annual disking.

**Project Location:** The site is located at 2548 N. Linwood Street (APN: 077-190-001) within the City of Visalia situated in Tulare County.


**Contact Person:** Andrew Chamberlain, Planner Phone: (559) 713-4003 Email: [andrew.chamberlain@visalia.city](mailto:andrew.chamberlain@visalia.city)

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

**Reasons for Negative Declaration:** Initial Study No. 2018-49 has not identified any significant, adverse environmental impact(s) that may occur because of the project. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA.

Comments on this proposed Negative Declaration will be accepted from September 27, 2018 to October 17, 2018.

Date: 9-26-18

Signed:   
Paul Scheibel, AICP  
Environmental Coordinator  
City of Visalia

## NEGATIVE DECLARATION

**Project Title:** Quintana De Oro Tentative Subdivision Map No. 5570, General Plan Amendment No. 2018-06, Change of Zone No. 2018-07, and Conditional Zoning Agreement No. 2018-08

**Project Description:** The Quintana De Oro Tentative Subdivision Map project proponents are requesting to develop a 5-acre site with a single-family residential subdivision. The project includes a General Plan amendment and Change of Zone from "Very Low Density Residential" to "Low Density Residential" to allow 14 single-family residential parcels instead of 10 single-family residential parcels. The Conditional Zoning Agreement locks in the proposed parcel average size, number, and circulation pattern. The project includes two lettered lots for exterior subdivision walls and landscaping, to be maintained through a Homeowners Association (HOA).

The proposed action consists of four entitlements:

- **Quintana De Oro Tentative Subdivision Map No. 5570** is a request by Houston Investment Company to subdivide a five acre parcel into 14 lots for single-family residential use, and two lettered lots for landscaping and lighting district purposes. The subdivision of property will include the creation of public local streets that will provide access to the lots.
- **General Plan Amendment No. 2018-06:** A request by the Houston Investment Company to change the land use designation from Very Low Density Residential to Low Density Residential for a five (5) acre parcel.
- **Change of Zone No. 2018-07:** A request by the Houston Investment Company to change the zoning designation from R-1-20 (Single-Family Residential – minimum lot size 20,000 sq. ft.) to R-1-5 (Single-Family Residential – minimum lot size 5,000 sq. ft.) for a five (5) acre parcel.
- **Conditional Zoning Agreement No. 2018-08:** A request by the Houston Investment Company to establish conditions requiring the subdivision of property to meet a minimum average lot size of approximately 11,832 sq. ft., and a superblock connective street pattern as shown in the proposed Quintana De Oro Tentative Subdivision Map.

The existing site contains a single-family residential unit and has been used as a large single-family home site for several decades. The site has not been in agricultural production in the last 20 years and is kept clear of vegetation by annual disking.

**Project Location:** The site is located at 2548 N. Linwood Street (APN: 077-190-001) within the City of Visalia situated in Tulare County.

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

### Attachments:

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

YOL

**DECLARATION OF NO SIGNIFICANT EFFECT:**

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

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

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

APPROVED  
Paul Scheibel, AICP  
Environmental Coordinator

By: 

Date Approved: 9-26-18

Review Period: 20 days

**CITY OF VISALIA PLANNING DIVISION  
 INITIAL STUDY / ENVIRONMENTAL DOCUMENT NO. 2018-49**

**I. GENERAL**

**A. Project Description:**

**Quintana De Oro Tentative Subdivision Map No. 5570** is a request by Houston Investment Company to subdivide a five acre parcel into 14 lots for single-family residential use, and two lettered lots for landscaping and lighting district purposes. The subdivision of property will include the creation of public local streets that will provide access to the lots.

**General Plan Amendment No. 2018-06:** A request by the Houston Investment Company to change the land use designation from Very Low Density Residential to Low Density Residential for a five (5) acre parcel.

**Change of Zone No. 2018-07:** A request by the Houston Investment Company to change the zoning designation from R-1-20 (Single-Family Residential – minimum lot size 20,000 sq. ft.) to R-1-5 (Single-Family Residential – minimum lot size 5,000 sq. ft.) for a five (5) acre parcel.

**Conditional Zoning Agreement No. 2018-08:** A request by the Houston Investment Company to establish conditions requiring the subdivision of property to meet a minimum average lot size of approximately 11,832 sq. ft., and a superblock connective street pattern as shown in the proposed Quintana De Oro Tentative Subdivision Map.

**Project Location:** The site is located at 2548 N. Linwood Street (APN: 077-190-001) within the City of Visalia situated in Tulare County.

**B. Identification of the Environmental Setting:**

The project site is five acres with as single-family residential unit used as a home site. The site is bounded by existing home sites on the north, south and east sides, with Linwood Street along the west side of the site. The site is surrounded by single-family residential development on four sides.

The entire site has been used as a large residential lot for over 20 years, with no agricultural production. There is an abandoned irrigation ditch along the north side of the site which will be filled and graded as a part of the proposed subdivision development. There are eight Valley Oak Trees on the adjacent property to the north with tree canopies which overhang the subject site.

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

	<b>General Plan (2014 Land Use)</b>	<b>Zoning (2017)</b>	<b>Existing uses</b>
North:	Low Density Residential	R-1-5	Single-Family Residential
South:	Very Low Density Residential	R-1-20	Single-Family Residential
East:	Low Density Residential	R-1-5	Single-Family Residential
West:	Very Low Density Residential	AE – 20 (County Zoning)	Single-Family Residential

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 Very Low Density Residential and the Zoning Map designates the site as R-1-20 (Single-Family Residential 20,000 square foot minimum area). The proposed project is requesting to keep the single-family residential land use and reduce

the minimum site area from 20,000 sq. ft. to an average lot size of approximately 11,800 sq. ft. through the proposed general plan amendment, change of zone, and conditional zoning agreement.

## **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. City of Visalia, March 2017.

## **VI. NAME OF PERSON WHO PREPARED INITIAL STUDY**

  
\_\_\_\_\_  
Andrew Chamberlain  
Principal Planner

  
\_\_\_\_\_  
Paul Scheibel, AICP  
Environmental Coordinator



(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:

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

#### VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
  - 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?

#### 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?

- 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. TRIBAL CULTURAL RESOURCES**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature,

**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 result in:

- 2 a) 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) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 2 c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 d) 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)?



place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 2 a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 2 b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

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 2016

Authority: Public Resources Code sections 21083 and 21083.09

Reference: Public Resources Code sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3/ 21084.2 and 21084.3

#### XVIII. 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?

#### XIX. 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

## 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 5 acres for development of single-family residential units. The development of the project site with residential units is consistent with the Very Low and Low Density Residential General Plan Land Use Designations and R-1-20 & R-1-5 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 that 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-1-20 (Single-Family Residential – minimum parcel size of 20,000 sq. ft., and requesting a change to R-1-5 (Single-family Residential 5,000 square feet minimum site area) which is consistent with the land use designations of Very Low and Low Density Residential for the project site. There are no known Williamson Act contracts on 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 that

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.

Development of the project will not be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The project is 5 acres with 14 parcels resulting in 14 residential units, which is less than the 50 residential units which would trigger Rule 9510.

- 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 that 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.

- 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 September 2018 to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species. The site has been used as a large single-family

residential estate lot since the 1970's, with lawns and open space with no native topographic features or biota.

Citywide 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.

Citywide 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.

Citywide 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. Citywide 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 wastewater disposal systems since sanitary sewer lines are used for the disposal of wastewater at this location.

**VII. GREENHOUSE GAS EMISSIONS**

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

The City has prepared and adopted a Climate Action Plan (CAP) which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan

and its impacts are also evaluated in the Visalia General Plan Update EIR.

The Visalia General Plan and the CAP both include policies 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 that could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There is an existing school located 1/8 mile south of the project site. Notwithstanding, the project will not involve hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste.
- 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 that 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 wastewater 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 X02, which indicates an area that is outside of the 100-year flood hazard area.
- h. 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 that 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.

- i. 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 four sides by urban development and is bordered by one Collector status roadway, Linwood Street on the side.
- 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 Very Low Density

Residential zoned R-1-20 (20,000 sq. ft. parcel size) is proposed to change to Low Density Residential and the Zoning Designation to R-1-5 (Single-family Residential, 5,000 square foot minimum lot size) which are both consistent with the underlying allowed residential land uses and density ranges as identified in Table 9-1 "Consistency between the Plan and Zoning" of the General Plan. The City of Visalia's Zoning Ordinance allows for single-family residences as a permitted use.

The proposed project will be consistent with the Land Use Element of the General Plan, including Policy LU-P-54 for Very Low Density Residential Development, and Policy LU-P-55 for Low Density Residential Development, consistent with the standards for single-family residential development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.12.

- 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 Linwood Street (a collector roadway) on the west side of the site. 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 two miles of a public airport. The project will not expose people residing or working in the project area to excessive noise levels.
- f. There is no private airstrip near the project area.

#### XIII. POPULATION AND HOUSING

- a. The project will result in additional population growth for the site but not beyond the anticipated Very Low and/or the Low Density Residential General Plan land use designations. It is estimated that there would be approximately 42 persons residing on the 5-acre site being developed for residential uses. 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 (14 units). The proposed change from Very Low Density to Low Density as proposed in this action would increase the planned residential population of the subject site from approximately 30 people to 42 people for the 5 acre site. The 12 person increase over 5 acres is not significant in terms of the General Plan EIR or the planned population for the subject site.

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, but will replace the existing single-family residence with a new one.
- 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 5, located approximately 1.6 miles west 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. Current park 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.
- v. 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 policies, 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.
- 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. 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.

- 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).

- 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, because it is an isolated infill site surrounded by existing urban development.

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.

Additionally, invitations for early consultation were sent to the five California Native American tribes with a historic presence in the Visalia Planning Area. No formal response was received by any of the tribal representatives.

**XVIII. 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.
- 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 September, 2018, stating that water is available to serve the residential subdivision portion of 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.

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.

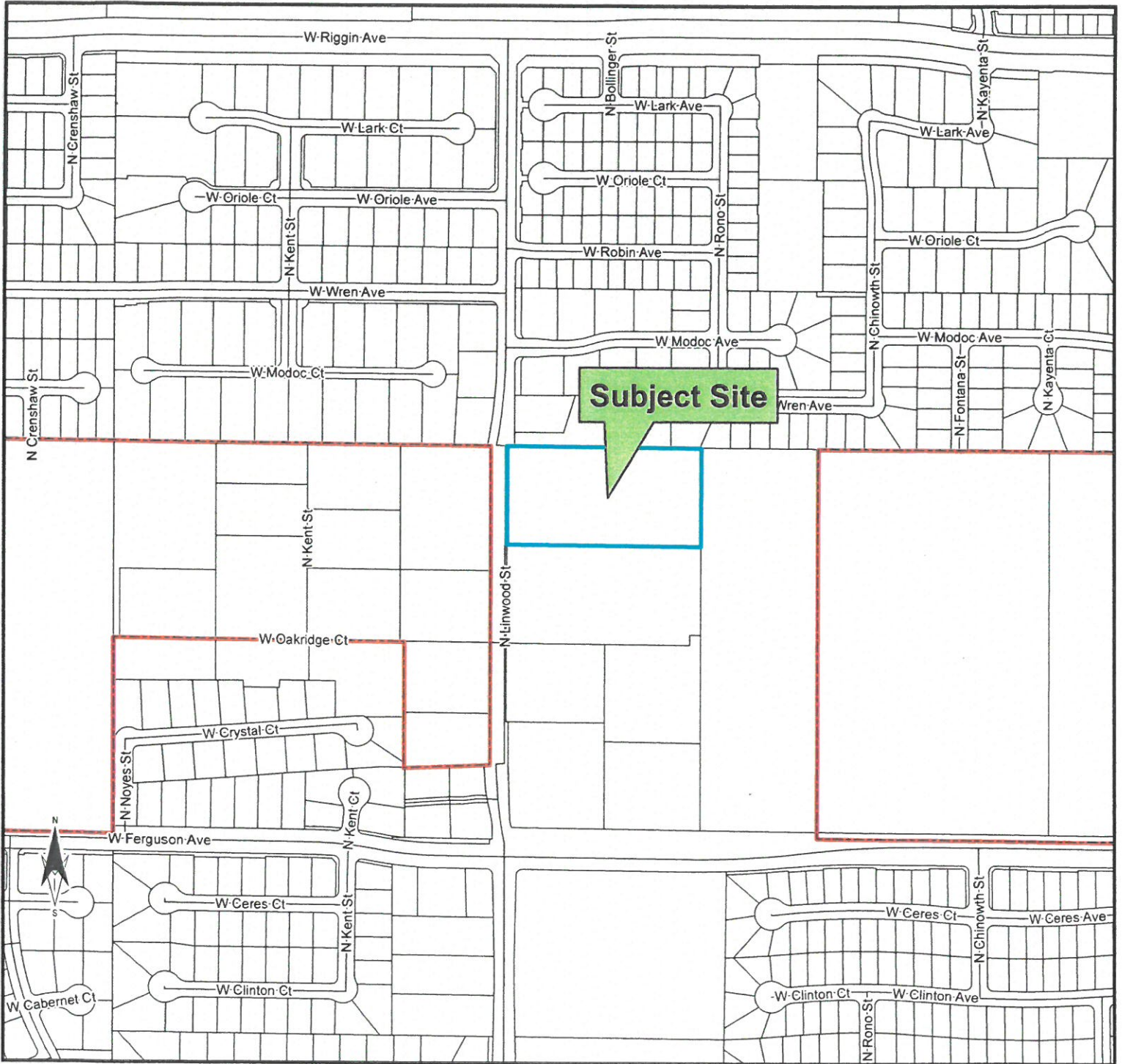
I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General 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

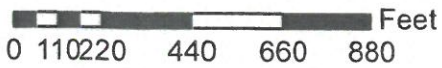
September 26, 2018  
Date



# City of Visalia



## Location Map



# QUINTANA DE ORO PRELIMINARY SUBDIVISION MAP

BEING PARCELS 1 & 2 OF PARCEL MAP NO. 1085 REC. IN BK. 11 OF PARCEL MAPS AT PG. 88 T.C.R.  
 BEING PARCELS 1 & 2 OF PARCEL MAP NO. 1085 REC. IN BK. 11 OF PARCEL MAPS AT PG. 88 T.C.R.  
 LOCATED IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.

JUNE 2018  
 REV. JULY 18, 2018  
 REV. JULY 23, 2018

OWNER: HOUSTON INVESTMENT CO.

SURVEYOR: FORESTER, WEBER & ASSOCIATES  
 1820 W. Mineral King Ave., Suite B  
 Visalia, California 93291  
 (559) 732-0102

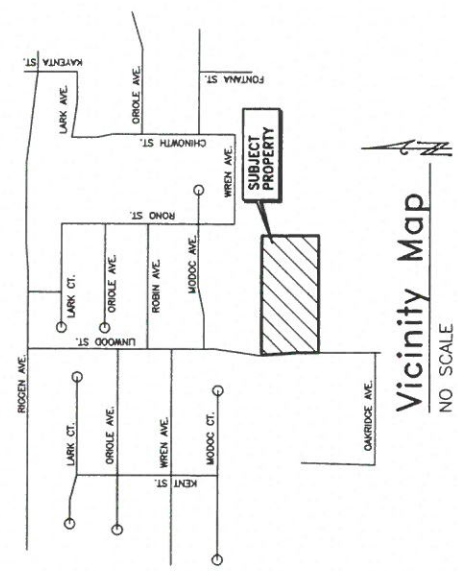
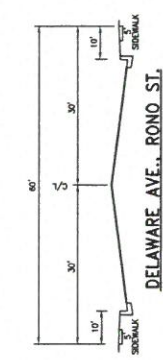
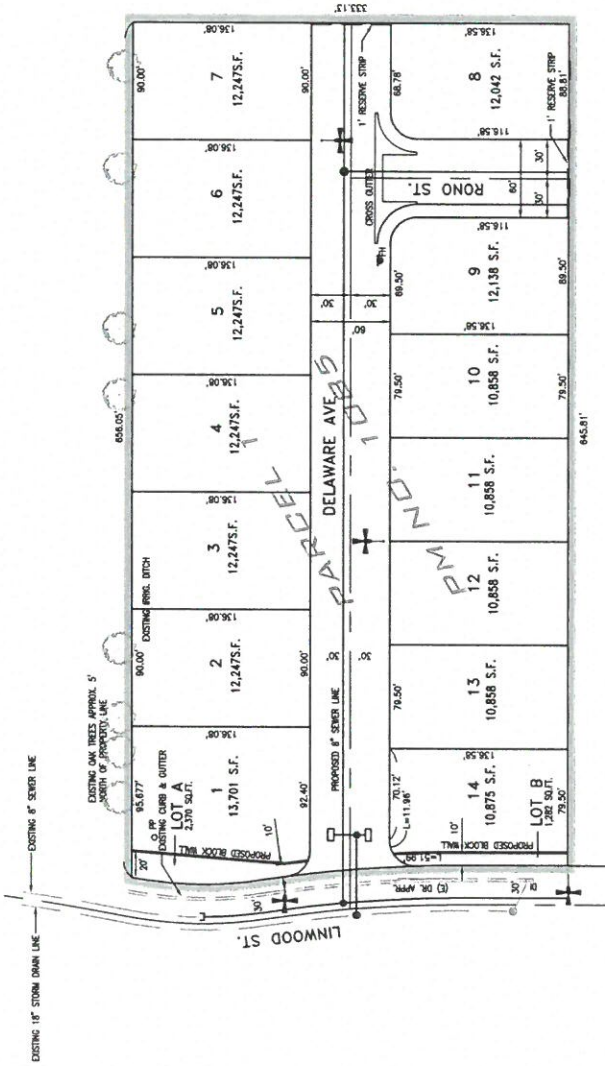
NOTES:

- GENERAL PLAN LAND USE: R-1
- EXISTING PROPERTY USE: VACANT
- PROPOSED PROPERTY USE: RESIDENTIAL
- ZONING: R-1
- WATER: OIL WATER
- SEWER: 15" DIA. ST. PIPE
- STORM DRAIN BY: THE CITY OF VISALIA
- AREA: 5 AC. ±
- FLOOD ZONE: "X" UNSHADED
- LANDSCAPE AND LIGHTING ACT DISTRICT REQUIRED
- UTILITY PROVIDERS: EDISON CO.  
 THE GAS CO.  
 COMCAST CABLE

SCALE 1" = 60'



LEGEND  
 FH : FIRE HYDRANT  
 LIGHT STD.





# 2

MEETING DATE: July 25, 2018  
SITE PLAN NO. 18-110 RESUBMITTAL  
PARCEL MAP NO.  
SUBDIVISION:  
LOT LINE ADJUSTMENT NO.

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

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

**REVISE AND PROCEED** (see below)

- A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
- Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

GPA, CZA, COZ, TSM

HISTORIC PRESERVATION

OTHER: \_\_\_\_\_

**ADDITIONAL COMMENTS :**

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

*Site Plan Review Committee*



**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

Jason Huckleberry 713-4259  
 Adrian Rubalcaba 713-4271  
 Diego Corvera 713-4209

ITEM NO: 2 DATE: JULY 25, 2018

SITE PLAN NO.: 18-110R2  
PROJECT TITLE: QUINTANA DE ORO  
DESCRIPTION: 14 LOT SINGLE FAMILY SUBDIVISION (R1-20)(X)  
APPLICANT: FORESTER WEBER & ASSOCIATES  
PROP. OWNER: HOUTSON TURNER  
LOCATION: 2548 N LINWOOD  
APN: 077-190-001

**SITE PLAN REVIEW COMMENTS**

REQUIREMENTS (Indicated by checked boxes)

Submit improvements plans detailing all proposed work;  Subdivision Agreement will detail fees & bonding requirements

Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.

The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.

A preconstruction conference is required prior to the start of any construction.

Right-of-way dedication required. A title report is required for verification of ownership.  by map  by deed

City Encroachment Permit Required which shall include an approved traffic control plan. **ALL WORK IN THE PUBLIC RIGHT-OF-WAY**

CalTrans Encroachment Permit Required.  CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: David Deel (Planning) 488-4088

Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.

Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.

Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.

Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.

Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.

Final Map & Improvements shall conform to the City's Waterways Policy.  Access required on ditch bank, 12' minimum.  Provide wide riparian dedication from top of bank.

Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.

Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.  Prepared by registered civil engineer or project architect.  All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a)  directed to the City's existing storm drainage system; b)  directed to a permanent on-site basin; or c)  directed to a temporary on-site basin is

required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.

- Show Valley Oak trees with drip lines and adjacent grade elevations.  Protect Valley Oak trees during construction in accordance with City requirements.  A permit is required to remove Valley Oak trees. Contact Public Works Admin at (559)713-4428 for a Valley Oak tree evaluation or permit to remove.  Valley 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.
- Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Provide "R" value tests: each at
- Traffic indexes per city standards:
- 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: ft. wide, with ft. wide parkway on
- Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Abandon existing wells per City of Visalia Code. A building permit is required.
- Remove existing irrigation lines & dispose off-site.  Remove existing leach fields and septic tanks.
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments  Resubmit with additional information  Redesign required

**Additional Comments:**

- 1. Project will incur impact fees, see sheet 3 for further details.**
- 2. Per Super Block Std we will need the new road "Rono St" to punch out to the south. This road will need to be full width.**
- 3. Streetlights will need to be installed per city standards.**
- 4. Stop sign and street signs will need to be placed at the end of the street, and street layout will meet city local street standards.**
- 5. Line of sight will need to be reviewed during plan check.**
- 6. Need to determine location of existing power poles and if they can be undergrounded.**
- 7. Cross gutter will be exceptable at Delaware St and Rono St. This will not be acceptable as a new city standard, this application is an exception.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 18-110R2  
Date: 7/25/2018

Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:  
(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)

(Fee Schedule Date:7/1/2018)  
(Project type for fee rates:RESIDENTIAL)

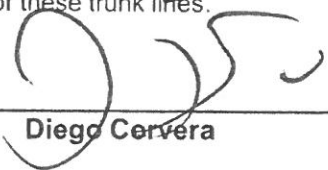
Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	772/UNIT
<input checked="" type="checkbox"/> Sewer Front Foot Fee	\$42/FT
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	\$3066/AC
<input checked="" type="checkbox"/> Park Acquisition Fee	\$1518/UNIT
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$2502/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.

  
\_\_\_\_\_  
Diego Cervera

# SITE PLAN REVIEW COMMENTS

**Andrew Chamberlin - 713-4003**

Date: July 25, 2018

SITE PLAN NO: 2018-110- C  
PROJECT TITLE: Quintana De Oro Tent Sub 14 lots  
DESCRIPTION: Quintana De Oro Tent Sub 14 lots. (R-1-5) (X)  
APPLICANT: FORESTER-WEBER & ASSOCIATES  
PROP. OWNER: Houston  
LOCATION TITLE: 2548 N. Linwood  
APN TITLE: 077-190-001  
GENERAL PLAN: Low Density Residential  
EXISTING ZONING: R-1-20 – Single-Family Residential (20,000 sq. ft. minimum lot size)

## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

## **Project Requirements**

- COZ to accommodate lot sizes approx. 11,838 sq. ft. average – (R-1-5)
- GPA from Very Low Density Residential to Low Density Residential LUE designation
- CZA – Conditional Zoning Agreement for R-1-5 zone (Lot size and configuration)
- Tentative Subdivision Map
- Building Permits

## **PROJECT SPECIFIC INFORMATION (07/25/2018):**

1. See previous comments.
2. The use of a Conditional Zoning Agreement that requires the same lot and street configuration, along with the same average lot sizes may be used to request approval of the project.
3. Provide a detail of the block wall along the LLA lot frontage.
4. If block walls are to be used along the entire subdivision, provide a detail that the Engineering Department will approve for the stub streets, related to their future extension. Walls need to meet the required lot setbacks for tentative map lots 7, 8, and 9, when they are extended in the future.
5. Plot and protect Valley Oak Trees.

## **PROJECT SPECIFIC INFORMATION (07/11/2018):**

1. See previous comments.
2. The Fire Dept. has indicated that a full cul-de-sac would be required for truck maneuvers to exit the site – one alternative is to keep the stub to the east at PL and move the south stub to the west one lot to form a “T” intersection that would meet Fire and Solid Waste turning requirements.
3. In the review of this item staff would be supporting a GPA / COZ to the Low Density Residential designation and R-1-12.5 zoning designation. Staff is not supportive of the R-1-5 zoning designation as a transition from the existing R-1-20 zoning designation.
4. The LLA lot along the Linwood frontage may be tapered down to 15-10 feet in depth, simply retaining the 20 feet at the north end to match the development to the north.
5. Any existing wells on the site will need to be abandoned per City standards.
6. A barricade may be required at stub street ends.

**PROJECT SPECIFIC INFORMATION (06/20/2018):**

1. A tentative subdivision map is required.
2. A change of zone would be required to allow the proposed lots which are well under the minimum 20,000 sq. ft. R-1-20 lot size.
3. A general plan amendment is required to change the land use designation from Very Low Density Residential to Low Density Residential
4. Provide a street stub to the south at the east end of the site to provide future superblock circulation. May also allow future street stubs to the east.
5. An LLA or HOA will be required for the maintenance of the landscape area along Linwood.
6. Processing a new map would include a condition nullifying any previous map which may be active on the site.
7. The driveways on lots 1 and 14 should be located on the east side of the lots to reduce potential vehicle conflicts at the corner.
8. Provide/illustrate sidewalk location on the Linwood frontage.

- Staff initial finding is that the proposed site plan IS NOT 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.

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**R-1-20 Single Family Residential Zone [17.12]**

**Maximum Building Height:** 35 Feet

**Minimum Setbacks:**

	<b>Building</b>	<b>Landscaping</b>
➤ Front	35 Feet	35 Feet
➤ Side	10 Feet	10 Feet
➤ Street side on corner lot	20 Feet	20 Feet
➤ Rear	25 Feet	25 Feet

\*May encroach up to five feet with prior approval or on cul-de-sac lots.

**Minimum Site Area:** 20,000 square feet

**Accessory Structures:**

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

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

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

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**R-1-5 Single Family Residential Zone [17.12]**

**Maximum Building Height:** 35 Feet

**Minimum Setbacks:**

	<b>Building</b>	<b>Landscaping</b>
➤ Front	15 Feet	15 Feet
➤ Front Garage (garage w/door to street)	22 Feet	22 Feet
➤ Side	5 Feet	5 Feet
➤ Street side on corner lot (long side of lot)	10 Feet	10 Feet
➤ Street side on corner to garage door	22 Feet	22 Feet
➤ Rear	25 Feet*	25 Feet



**Minimum Site Area:** 5,000 square feet

**Accessory Structures:**

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

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

Reverse Corner Lots: No structure in the 15 feet of adjacent lot's front yard area, see Zoning Ordinance Section 17.12.100 for complete standards and requirements.

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**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 \_\_\_\_\_



City of Visalia  
Building: Site Plan  
Review Comments

STR 18110  
LINWOOD  
077-190-001

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

- A building permit will be required. **FOR BLOCK WALL** *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. *(Small Tenant Improvements)*
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set 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 and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be 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 permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- 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.
- Park Development fee \$ \_\_\_\_\_, per unit collected with building permits.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: NEW LANDSCAPING SHALL MEET THE  
MVELO REQUIREMENTS.

VAL GARCIA 7/25/18  
Signature



**Site Plan Review Comments For:**  
Visalia Fire Department  
Kurtis A. Brown, Fire Marshal  
420 N. Burke  
Visalia, CA 93291  
559-713-4261 Office  
559-713-4808 Fax

Date: 7/25/18  
Item: 2  
Site Plan # 18110 RESUBMIT  
Project: QUINTANA DE ORO  
Description: 14 LOT SINGLE FAMILY SUBDIVISION  
Applicant: FORESTER, WEBER & ASSOCIATES  
Location: 2548 N. LILWOOD  
APN: 077-190-001

**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**

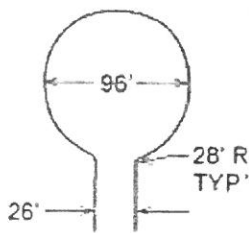
- A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire apparatus 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*

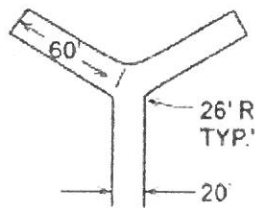
Buildings or portions of buildings or facilities with a vertical distance between the grade plan and the highest roof surface that exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

- 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.

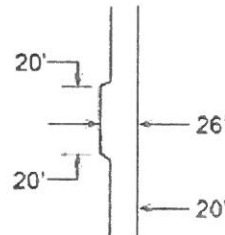
Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. *2016 CFC Table D103.4*



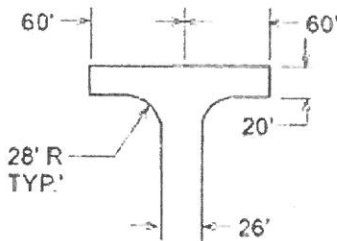
96' DIAMETER CUL-DE-SAC



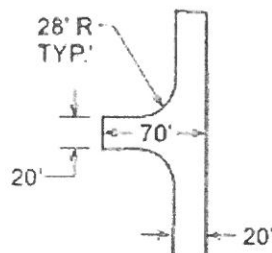
60' "Y"



MINIMUM CLEARANCE AROUND A FIRE HYDRANT



120' HAMMERHEAD



ACCEPTABLE ALTERNATIVE TO 120' HAMMERHEAD

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*

SIGN TYPE "A"



12"

SIGN TYPE "C"



12"

SIGN TYPE "D"



12"

18"

- 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 1 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

SPR 18110

**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 or improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.

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

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

Access Controlled / Restricted etc:

Lighting Concerns:

Landscaping Concerns:

Traffic Concerns:

Surveillance Issues:

Line of Sight Issues:

Other Concerns:

*B. [Signature]*

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

July 25, 2018

ITEM NO. 2	RESUBMITTAL
SITE PLAN NO:	SPR18110
PROJECT TITLE:	Quintana De Oro
DESCRIPTION:	14 lot single family subdivision. (R-1-20) (X)
APPLICANT:	Forster, Weber & Associates, LLC
OWNER:	Houston Investments
APN:	077-190-001
LOCATION:	

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

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at *intersections*.
- Install Stop Signs residential street intersecting with arterial/collector status roadways..
- 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:**

- Sight distance concern Delaware at Linwood due to curvature in roadway.

  
\_\_\_\_\_  
Leslie Blair



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

18110

COMMERCIAL BIN SERVICE

- No comments.
- See comments below
- 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.
- 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.
- City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

**Comment**

**Site Plan Review Comments For:**  
California Water Service Co.  
Mike Morton, Superintendent  
216 N. Valley Oaks Dr.  
Visalia, CA 93292  
559-624-1663 Office  
559-735-3189 Fax

Date: 07/25/2018  
Item # 2  
Site Plan # 18110  
Project: Quintana De Oro Subdivision  
Description:  
Applicant:  
Location: 2548 N. Linwood  
APN:

**The following comments are applicable when checked:**

- No Comments at this time
  
- Fire Hydrants  
Comments- Verify location of fire hydrant once plan progresses. Installation per CWS spec and location to be approved by CWS and VFD
  
- Service's  
Comments- Service to be installed per CWS spec
  
- Main's  
Comments- Main extension will be required on Linwood from existing main at north end south to end of development and street crossing required to continue into development.  
Need to keep proper separation from other utilities and per CWS spec.
  
- Back flow requirements  
Comments- Back flow will be required on irrigation services.

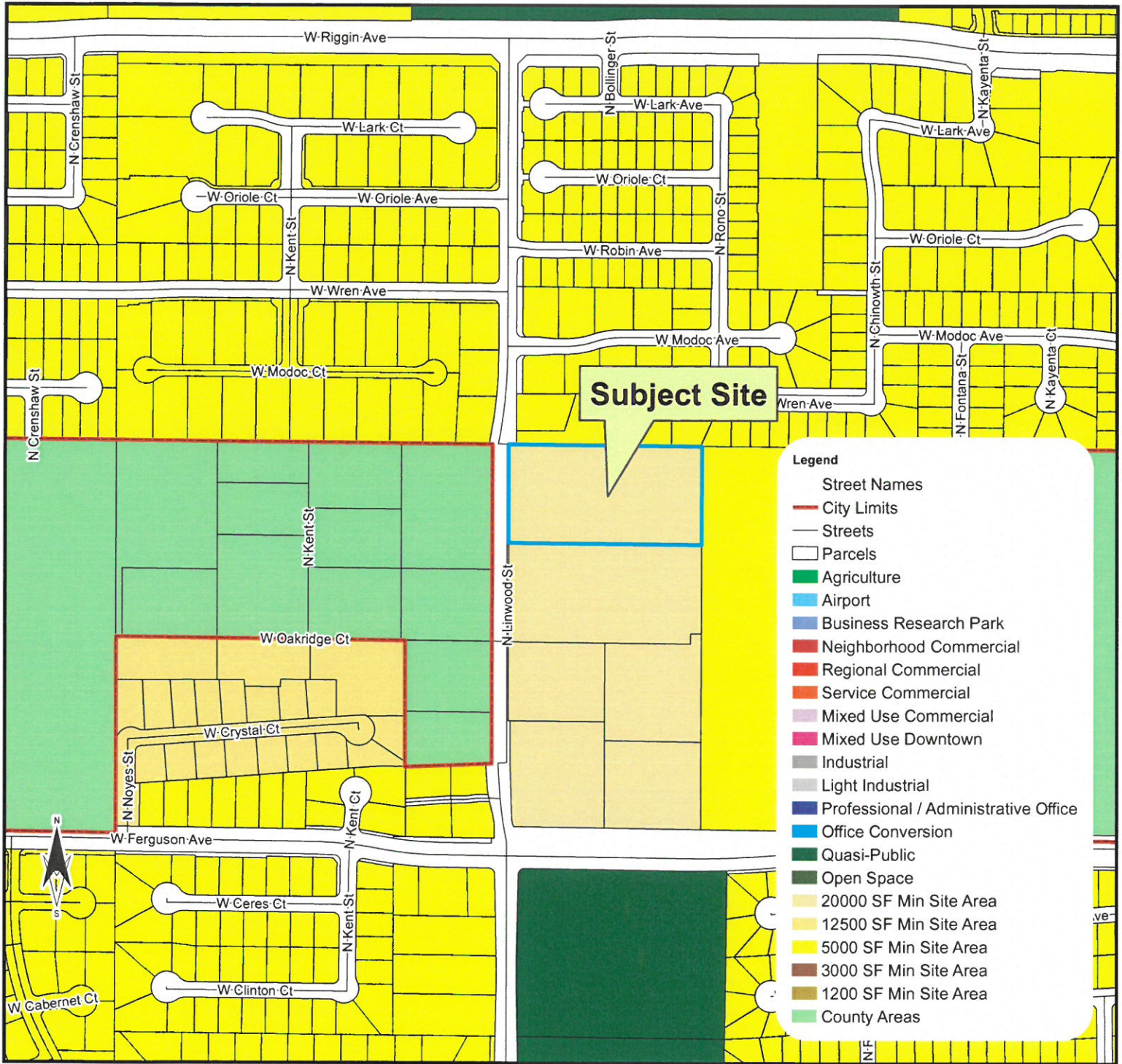
**Additional Comments:**

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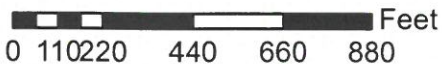
Mike Morton  
Superintendent



# City of Visalia



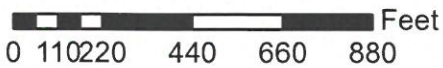
## Zoning Designations



# City of Visalia



## Location Map



# City of Visalia



## Aerial Photo

