

PLANNING COMMISSION AGENDA

Pending no technical difficulties, the Planning Commission meeting will be streamed via Facebook Live at <https://www.facebook.com/cityofvisalia/>

CHAIRPERSON:

Liz Wynn



VICE CHAIRPERSON:

Chris Gomez

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

MONDAY JUNE 8, 2020 AT 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. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
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.
 - Time Extension for Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15
 - Time Extension for Rose Estates Tentative Subdivision Map No. 5567
 - Adoption of Resolution Nos. 2020-01A and 2020-02A, approving Caldwell & Demaree Garden Pack Tentative Subdivision Map No. 5573 and Conditional Use Permit No. 2020-01, in accordance with action taken by the Planning Commission during the regular meeting held on May 26, 2020
5. PUBLIC HEARING – Josh Dan
Conditional Use Permit No. 2020-12: A request by George Kassab to establish a Smoke Shop in a 555 square foot tenant space located at 515 W. Murray Ave. in the D-MU (Mixed Use Downtown) Zone (APN: 093-175-008). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2020-28

6. PUBLIC HEARING – Josh Dan
Tentative Parcel Map No. 2020-04: A request to subdivide a 10,894 sq.ft. parcel into two lots, located in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) Zone District. The project site is located on the north side of East Pershing Avenue at North Tracy Street. (APN: 098-170-072) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2020-26
7. PUBLIC HEARING – Paul Bernal
 - Tentative Parcel Map No. 2019-08: A request by CRS Farming LLC, to subdivide a 5.96-acre site into eight parcels in the C-MU (Commercial Mixed Use) Zone. The project site is located on the northeast corner of N. Mooney Boulevard and W. Riggan Avenue (APN: 078-120-034). 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. 2020-19 was adopted.
 - Conditional Use Permit No. 2019-26: A request by CRS Farming LLC to establish a master planned commercial development including the development of a proposed fast food restaurant, parcels with less than the minimum five acre requirement, parcels with no public street frontage and to establish a master planned development for parcel without public street access for a C-MU (Commercial Mixed Use) zoned site. The project site is located on the northwest corner of N. Mooney Boulevard and W. Riggan Avenue (APN: 078-350-046 & 078-350-049). 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. 2020-19 was adopted.
8. CITY PLANNER/ PLANNING COMMISSION DISCUSSION-
 - Next Planning Commission Meeting Monday June 22, 2020 will be held at the Convention Center.
 - City Council Appointment of Planning Commissioners Adam Peck and Mary Beatie.

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, JUNE 18, 2020 BEFORE 5 PM

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY JUNE 22, 2020

City of Visalia

Memo



To: Planning Commission

From: Brandon Smith, Senior Planner

Date: June 8, 2020

Re: Time Extension for Rose Estates Tentative Subdivision Map No. 5567

RECOMMENDATION:

Staff recommends that the Planning Commission approve a one-year time extension of Rose Estates Tentative Subdivision Map No. 5567, extending the expiration date to May 29, 2021, pursuant to Section §66452.6(e) of the Subdivision Map Act.

BACKGROUND:

On May 29, 2018, the Visalia Planning Commission approved Rose Estates Tentative Subdivision Map No. 5567 through adoption of Resolution No. 2018-17. The tentative subdivision map was a request to subdivide 2.98 acres into six numbered lots for residential use and two lettered lots in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The site is located on the northwest corner of Walnut Avenue and Roeben Street (APN: 087-442-008).

The original expiration date for the tentative subdivision map was May 29, 2020, two years from the date of approval by the Planning Commission.

REQUEST:

The proponents of the Tentative Subdivision Map have submitted a written request received by the City of Visalia on May 27, 2020 for a one-year time extension. Time extensions may be granted pursuant to Section §66452.6(e) of the Subdivision Map Act for a total period not exceeding six years. This would be the first time extension applied for under this code for the tentative subdivision map.

Staff recommends that the one-year time extension be granted at this time in keeping with the City's practice of recommending time extensions. The extension request, if approved by the Planning Commission, will extend the expiration date of the Tentative Subdivision Map from May 29, 2020 to May 29, 2021.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date, May 29, 2021, to record a final subdivision map. If the request is denied, the applicant would have to re-file a new tentative subdivision map.

ATTACHMENTS

Letter of Request for the Time Extension; Resolution No. 2018-17; Tentative Subdivision Map; Location Map

FORESTER, WEBER & ASSOCIATES, LLC

Licensed by the

Board for Professional Engineers and Land Surveyors

1620 W. Mineral King Ave.

Visalia CA 93291

(559)732-0102 Phone

(559)732-8479 Fax

To: City of Visalia
Planning Division

May 13, 2020

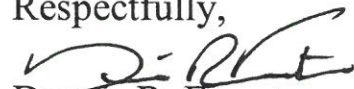
Re: Rose Estates Subdivision
TSM No. 5567

This subdivision, approved May 29, 2018 is due to expire May 29, 2020.

We request a 12 month extension of time. This is the first request.

Enclosed is the fee of \$230.00

Respectfully,



Dennis R. Forester

PLS 4076

cc: Ron Vanderweerd



City of Visalia
 315 E Acequia
 PO Box 4002
 Visalia CA 93278-4002

RECEIPT

DATE OF PAYMENT
 5/27/2020 11:51:04AM

Receipt Number : 566243

Application: **PTE20-002** ROSE ESTATES SUBDIVISION TSM NO 5567
 Address: 1620 W MINERAL KING AVE, Visalia, CA 93291
 Parcel: 093292014
 Subdivision: HYDE'S SIERRA VISTA TRACT
 Type: Time Extensions

Work Description: THIS SUBDIVISION APPROVED MAY 29, 2018 IS DUE TO EXPIRE MAY 29, 2020. WE REQUEST A 12 MONTH EXTENSION OF TIME; THIS IS THE FIRST REQUEST.

| <u>INVOICE_NBR</u> | <u>FEE_CODE</u> | <u>FEE_DESCRIPTION</u> | <u>FEE_QUANTITY</u> | <u>AMOUNT</u> | <u>PAYMENT_METHOD</u> |
|--------------------|------------------------|------------------------|---------------------|---------------|-----------------------|
| 282763 | 1526-1 | Time Extension | 1 | 230.00 | Check |
| | Acct. Code: 1821-46526 | | CASHIER: MDSHAR | | 20090 |

PAYOR: FORRESTER WEBER & ASSOCIATES LLC

TOTAL PAID: 230.00

RESOLUTION NO 2018-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING THE ROSE TENTATIVE SUBDIVISION MAP NO. 5567 A REQUEST TO SUBDIVIDE 2.98 ACRES INTO SIX NUMBERED LOTS AND TWO LETTERED LOTS. LOCATED WITHIN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 5,000 SQUARE FOOT LOT SIZE) ZONE. THE PROJECT SITE IS LOCATED ON THE NORTHWEST CORNER OF ROEBEN STREET AND WALNUT AVENUE (APN: 087-442-008).

WHEREAS, the Rose Tentative Subdivision Map No. 5567 is a request to subdivide 2.98 acres into six numbered lots and two lettered lots, located within the R-1-5 (Single-family Residential, minimum 5,000 square foot lot size) Zone District. The project site is located on the northwest corner of Roeben Street and Walnut Avenue (APN: 087-442-008); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on May 29, 2018; and,

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

WHEREAS, the Planning Commission finds that the project is categorically exempt under CEQA Guidelines section 15332 (In-fill Project).

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

1. That the proposed location and layout of the Rose Estates Tentative Subdivision Map No. 5567, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 2.98-acre project site, which is the site of the proposed six lot residential subdivision, is specifically consistent with General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45).
2. That the proposed Rose Estates Tentative Subdivision Map No. 5567, 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.

3. That the site is physically suitable for the proposed tentative subdivision map. The Rose Estates Tentative Subdivision Map No. 5567 is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Rose Estates Tentative Subdivision Map No. 5567, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. Specifically, the project meets the development density range (2 to 10 dwelling units per acre) for the RLD (Residential Low Density) Land Use designation.
5. That the proposed Rose Estates Tentative Subdivision Map No. 5567, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The six-lot subdivision is designed to comply with the City's Engineering Improvement Standards.
6. That the project is Categorically Exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15332 (In-fill Projects).

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

1. The tentative subdivision map shall be prepared in substantial compliance with Exhibit "A".
2. That the tentative subdivision map shall be developed consistent with the comments and conditions of Site Plan Review No. 2018-031, incorporated herein by reference.
3. 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.
4. That all other federal and state laws and city codes and ordinances be complied with.
5. Before issuance of the first building permit on the project site, the project proponent shall, at their sole expense and wholly within their property boundaries, install a seven-foot tall solid fence that extends from the northwest property corner to the perimeter wall located generally at the northeast property corner. Said fence shall be treated with an anti-graffiti finish.
6. Prior to recordation of the final map, the project proponent shall prepare a buyers disclosure statement, in a form suitable to the Community Development Director or their representative. Said disclosure statement shall advise buyers that farm animals

are permitted by right in the R-1-20 Zone District, and that animal raising in the R-1-5 Zone District is limited to household pets, pursuant to Visalia Municipal Code sections 17.12.015 I., O., and P.


Commissioner Gomez offered the motion to this resolution. Commissioner Peariso seconded the motion and it carried by the following vote:

AYES: Commissioners Gomez, Peariso, Wynn, Taylor
NOES:
ABSTAINED:
ABSENT: Commissioners Hansen

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Paul Bernal, City Planner

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2018-17, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on May 29, 2018.



Paul Bernal



Brett Taylor, Chairperson

**ROSE ESTATES
TENTATIVE SUBDIVISION MAP**

SPR 18-031
R&P 3-07-2018

Being a portion of Parcel 3 of Parcel Map No. 4453, Rec. in Bk. 45 of Parcel Maps of Page 591, T.C.C. being situated in the 3rd Quarter of the 3rd Quarter of the 11th Sec. 124th T12N, R12E, MDBALDEN in the City of Walnut, County of Tulare, State of California.

FEBRUARY 2018

OWNERS:
RON VANDER WEERD
337 Commercial Ave.
Tulare, CA 93274

SURVEYOR: FORESTER, WEBER & ASSOCIATES, L.L.C.
1828
Wendell, California 93281
(559) 732-0102
e-mail: fwa@foresterweb.com

- NOTES:**
- EXISTING PROPERTY USE: VACANT
 - PROPOSED PROPERTY USE: RESIDENTIAL
 - ZONING: R-1-5
 - MINIMUM LOT AREA: 15,000 S.F.
 - MINIMUM LOT WIDTH: 30 FT.
 - MINIMUM FRONT YARD SETBACK: 10 FT.
 - MINIMUM SIDE YARD SETBACK: 5 FT.
 - MINIMUM REAR YARD SETBACK: 5 FT.
 - FLOOD ZONE: 7-5-SHOWED
 - LANDSCAPE & LIGHTING DISTRICT TO BE ESTABLISHED

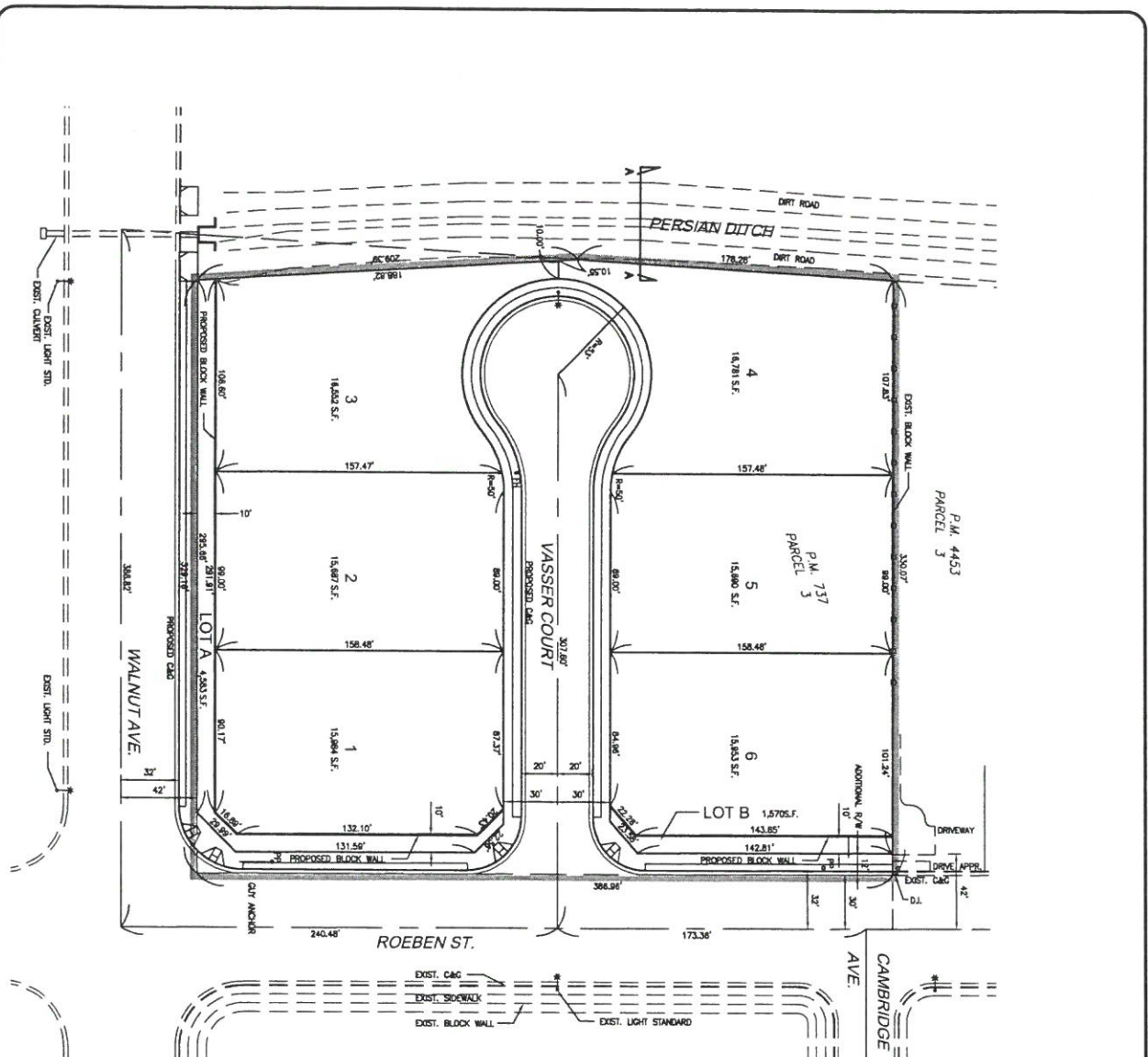
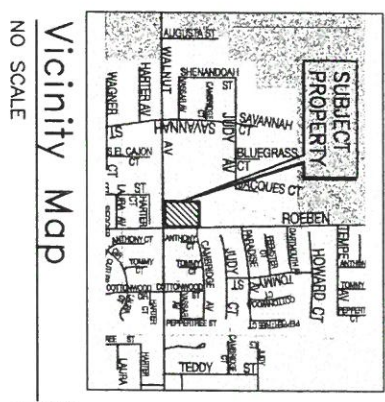
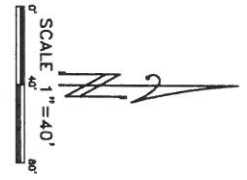
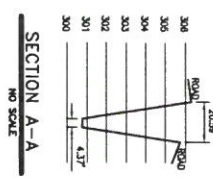
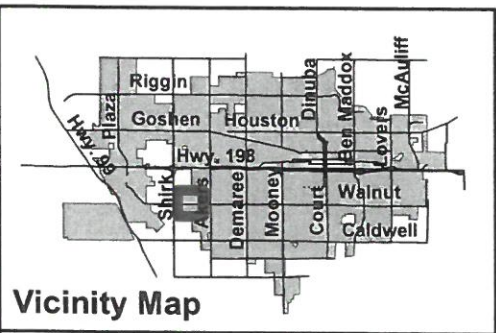
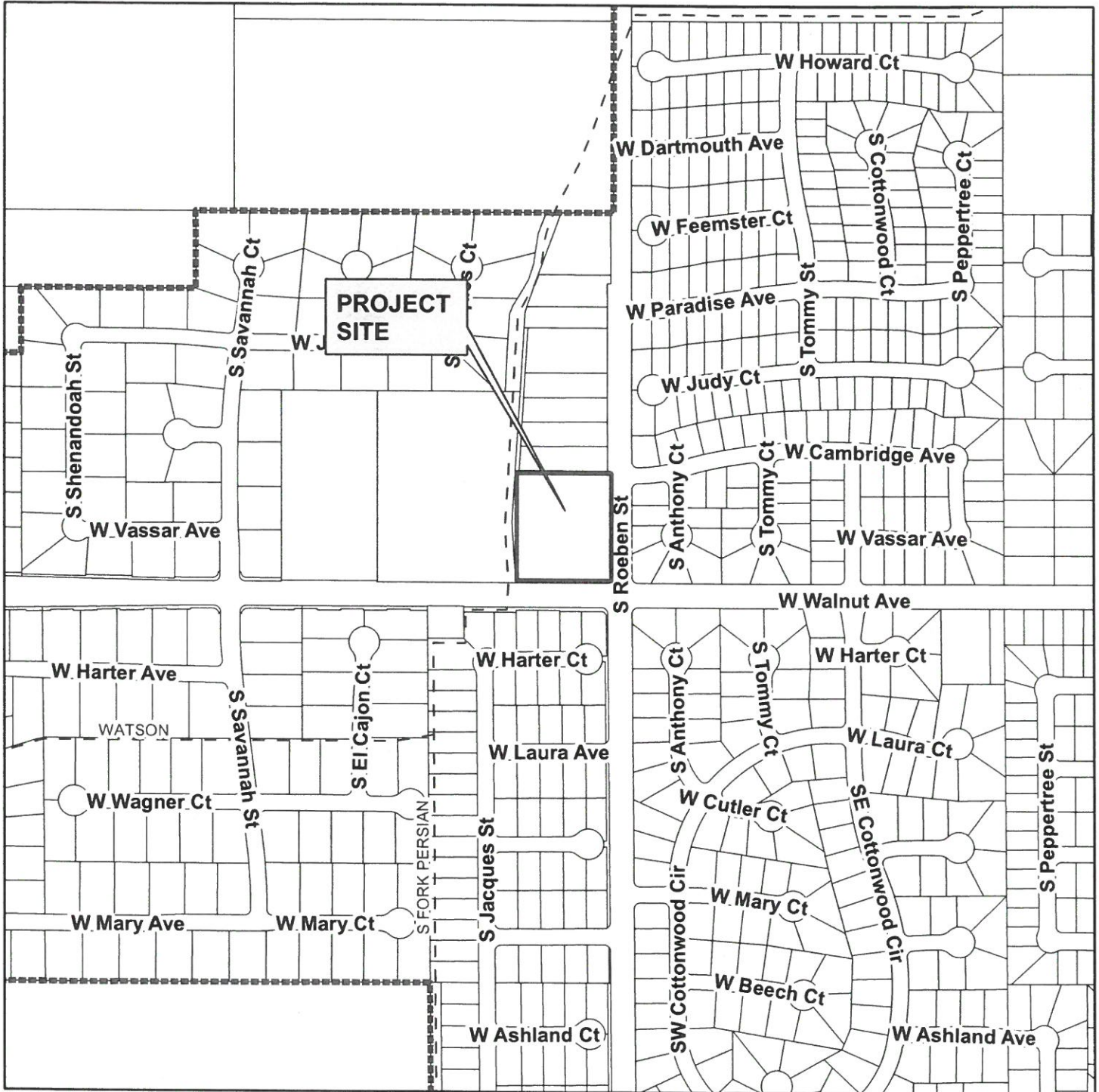


EXHIBIT "A"

TSM 5567 Rose Estates



Vicinity Map



— WATERWAYS
 + RAILROADS

City of Visalia

Memo



To: Planning Commission

From: Brandon Smith, Senior Planner

Date: June 8, 2020

Re: Time Extension for Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15

RECOMMENDATION:

Staff recommends that the Planning Commission approve a one-year time extension of Tentative Parcel Map No. 2008-06, extending the expiration date to May 12, 2021, pursuant to Section §66452.6(e) of the Subdivision Map Act.

Conditional Use Permit No. 2008-15 was also approved together with the parcel map and is linked with the timeline of the tentative parcel map based on a condition of approval. Therefore, the expiration date of Conditional Use Permit No. 2008-15 would also be extended by the time extension request.

BACKGROUND:

On May 12, 2008, the Visalia Planning Commission approved Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15 through adoption of Resolution Nos. 2008-29 and 30. The tentative parcel map was a request to divide 2.08 acres into four parcels including a common access and parking lot, and the conditional use permit (CUP) was a request to expand a Planned Unit Development (PUD) of industrial units without public street frontage on 2.08 acres. The project site has a zone designation of C-S (Service Commercial) and is located at 744 E. Douglas Avenue.

The original expiration date for Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15 was May 12, 2010, two years from the date of approval by the Planning Commission. This map along with all tentative map entitlements approved throughout the state remained in effect by a series of State legislative time extensions enacted between July 2008 and October 2015. Consequently, the expiration date for the parcel map and CUP was ultimately extended to May 12, 2019. A one-year time extension request was filed with the City in 2019 prior to the map expiration, which was approved by the Planning Commission on July 8, 2019. The current expiration date of the map and CUP is May 12, 2020.

REQUEST:

The proponents of the Tentative Parcel Map have submitted a written request received by the City of Visalia on May 5, 2020 for a one-year time extension. Time extensions may be granted pursuant to Section §66452.6(e) of the Subdivision Map Act for a total period not exceeding six years. This would be the second time extension applied for under this code for the Tentative Parcel Map.

Staff recommends that the one-year time extension be granted at this time in keeping with the City's practice of recommending time extensions. The extension request, if approved by the Planning Commission, will extend the expiration date of Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15 from May 12, 2020 to May 12, 2021.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date, May 12, 2021, to record a final parcel map. If the request is denied, the applicant would have to file a new tentative parcel map and conditional use permit

ATTACHMENTS

1. Letter of Request for the Time Extension
2. Approved Resolution No. 2008-29 for CUP No. 2018-15
3. Approved Resolution No. 2008-30 for Tentative Parcel Map No. 2008-06
4. Site Plan
5. Tentative Parcel Map
6. Location Map

FORESTER, WEBER & ASSOCIATES, LLC

Licensed by the
Board of Professional Engineers and Land Surveyors
1620 W. Mineral King Ave. Suite B
Visalia, California 93291
TEL (559) 732-0102, FAX (559) 732-8479

TO: City of Visalia
Planning Dept.

DATE: 05 May 2020

FROM: Fred Weber

SUBJECT: Extension of time
TPM 2008-06

On behalf of our client, Marty Zeeb, we are requesting a 1 year extension of time for the referenced project. Our records show that the map will expire on 12 May 2020.

Attached is a check payable to the City of Visalia in the amount of \$230.00.

744 E Douglas

Thank you for your consideration in this matter



Fred Weber



City of Visalia
 315 E Acequia
 PO Box 4002
 Visalia CA 93278-4002

RECEIPT

DATE OF PAYMENT
 5/5/2020 2:21:49PM

Receipt Number : 565103

Application: **PTE20-001** TMP2008-06
 Address: 744 E DOUGLAS AVE, Visalia, CA 93292
 Parcel: 094120050
 Subdivision:
 Type: Time Extensions

Work Description: TIME EXTENSION FOR TMP2008-06

| <u>INVOICE NBR</u> | <u>FEE CODE</u> | <u>FEE DESCRIPTION</u> | <u>FEE QUANTITY</u> | <u>AMOUNT</u> | <u>PAYMENT METHOD</u> |
|--------------------|-----------------|----------------------------|---------------------|---------------|-----------------------|
| 268542 | 1526-1 | Time Extension | 1 | 230.00 | Check |
| | Acct. Code: | 1821-46526 | | | 2651 |
| | Comments: | EXTEND BZS MAP TPM 2008-06 | | | |

CASHIER: MDSHAR

PAYOR: BZS

TOTAL PAID: **230.00**

RESOLUTION NO. 2008-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2008-15 TO
ALLOW THE EXPANSION OF A PLANNED UNIT DEVELOPMENT (PUD) OF
INDUSTRIAL UNITS IN THE CS (SERVICE COMMERCIAL) ZONE LOCATED AT
744 E. DOUGLAS AVENUE

WHEREAS, Conditional Use Permit No. 2008-15 is a request by Marty Zeeb (Forester, Weber & Associates, Agent) to expand a Planned Unit Development (PUD) of industrial units without public street frontage on 2.08 acres in the CS (Service Commercial) Zone on property located at 744 E. Douglas Avenue (APNs: 094-120-050 and 094-360-016); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 12, 2008; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2008-25).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to 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 No. 2007-164.
2. That the site be developed substantially consistent with the site plan shown in Exhibit "A".
3. That all applicable federal, state and city codes and ordinances be met.
4. That the expanded common area be incorporated into the property owners association for the maintenance of the common access and landscaping.
5. That the shared access and parking agreement be amended to include the expansion area.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2008-15.
7. That the time for initiation of this conditional use permit be tied to Parcel Map No. 2008-06.

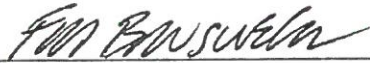
Commissioner Lane offered the motion to this resolution. Commissioner Peck seconded the motion and it carried by the following vote:

AYES: Commissioners Lane, Peck, Salinas, Segrue
NOES:
ABSTAINED: Commissioner Logan
ABSENT:

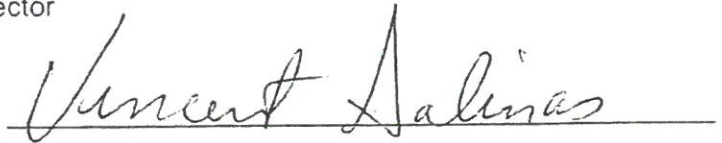
STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Fred Brusuelas, AICP
Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No.2008-29, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on May 12, 2008.



Fred Brusuelas, AICP
Community Development Assistant Director



Vincent Salinas, Chairperson

RESOLUTION NO. 2008-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA
APPROVING TENTATIVE PARCEL MAP NO 2008-06: A REQUEST TO DIVIDE 2.08
ACRES INTO FOUR PARCELS. THE SITE IS LOCATED AT 744 E. DOUGLAS
AVENUE

WHEREAS, Tentative Parcel Map No. 2008-06 is a request by Marty Zeeb (Forester, Weber & Associates, Agent) to divide 2.08 acres into four parcels, including a common access and parking lot in the CS (Service Commercial) Zone on property located at 744 E. Douglas Avenue (APNs: 094-120-050 and 094-360-016); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said Commission on May 12, 2008; and

WHEREAS, the Planning Commission of the City of Visalia finds the parcel map in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt 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 makes the following specific findings based on the evidence presented:

1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map would be compatible with adjacent land uses.
3. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
4. That the project is Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2008-25)

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the parcel map on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 16.28.070 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 07-165.

2. That the site be developed in substantial compliance with the tentative map shown in Exhibit "B".
3. That the expanded common area be incorporated into the property owners association for the maintenance of the common access and landscaping.
4. That the shared access and parking agreement be amended to include the expansion area.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Parcel Map No. 2008-06, prior to the issuance of any building permits for this project.

Commissioner Lane offered the motion to this resolution. Commissioner Peck seconded the motion and it carried by the following vote:

AYES: Commissioners Lane, Peck, Salinas, Segrue
NOES:
ABSTAINED: Commissioner Logan
ABSENT:


STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Fred Brusuelas, AICP
Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No.2008-30, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on May 12, 2008.



Fred Brusuelas, AICP
Community Development Assistant Director



Vincent Salinas, Chairperson

SITE PLAN

August, 2007

SHED LOT 1 OF DOUGLAS BUSINESS PARK REC. B, VOL. 31 OF MAPS AT PG. 23 I.C.M. IN THE CITY OF VESALE, COUNTY OF TARRANT, STATE OF CALIFORNIA.

OWNERS:

MARTY ZEHR, ET AL.
132 N. ARLERS
VESALE, CALIFORNIA 91381

SURETOR:

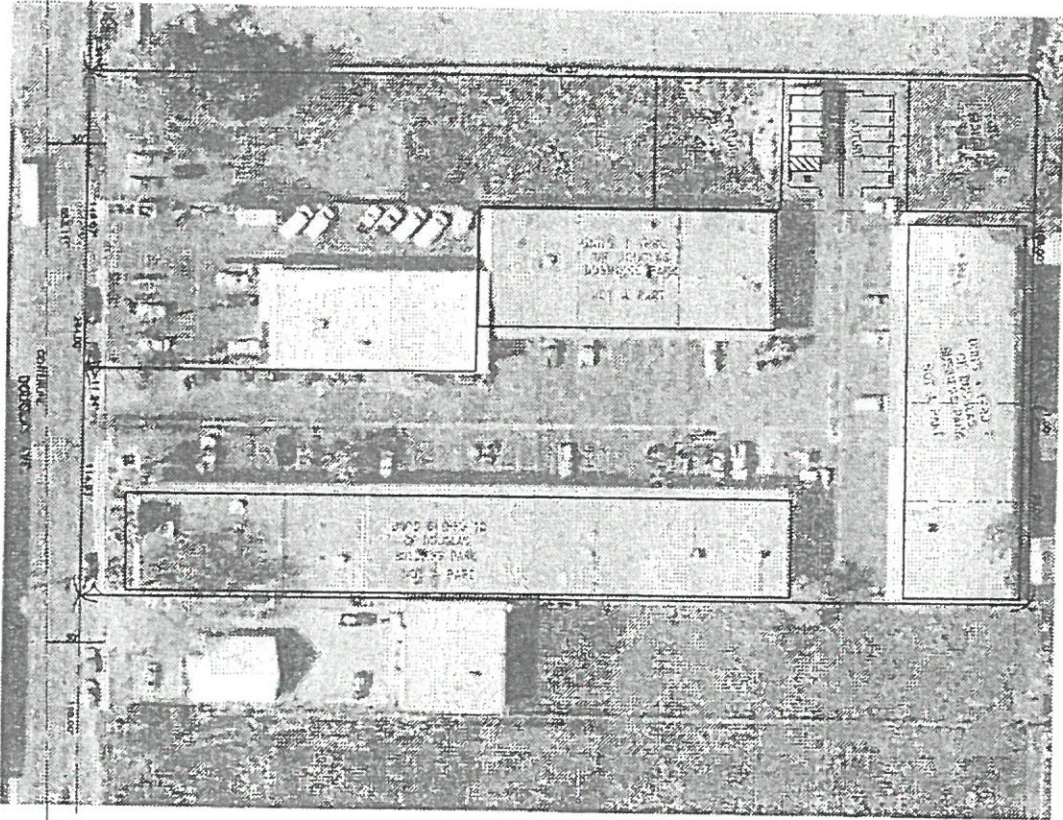
FORRESTER, WEBER & ASSOCIATES L.L.C.
1820 W. Sherman King Ave., Suite B
Vesale, CA 91381
(323) 712-0102

NOTES:

EXISTING PROPERTY USE: COMMERCIAL
PROPOSED PROPERTY USE: COMMERCIAL
A.P.N.: 064-018-018
ZONING: M-1
CITY OF VESALE
STREET ADDRESS: 138 N. ARLERS
FIELD OF SUBJECT PROPERTY: 108 AC. ±

EXHIBIT SIZES

ADDITIONAL HANDICAP SPACES: 1
ADDITIONAL STANDING SPACES: 10
TOTAL ADDITIONAL PARKING: 11



1/4 COR. OF SEC. 28-18/23

COR. OF THE N.E. 1/4 OF SEC. 28-18/23



Vicinity Map
IN SCALE

TENTATIVE PARCEL MAP

BLK 107 LOT 1 OF DOUGLAS BUSINESS PARK REC. IN VOL. 31 OF MAPS AT PG. 83 T.C.B. SITUED IN THE N.E. 1/4 OF THE SEC. 28 T18N. R34E. W34E. W34E. LOCATED IN THE CITY OF VADIA, COUNTY OF TARRANT, STATE OF CALIFORNIA.

APRIL 2007

OWNERS:

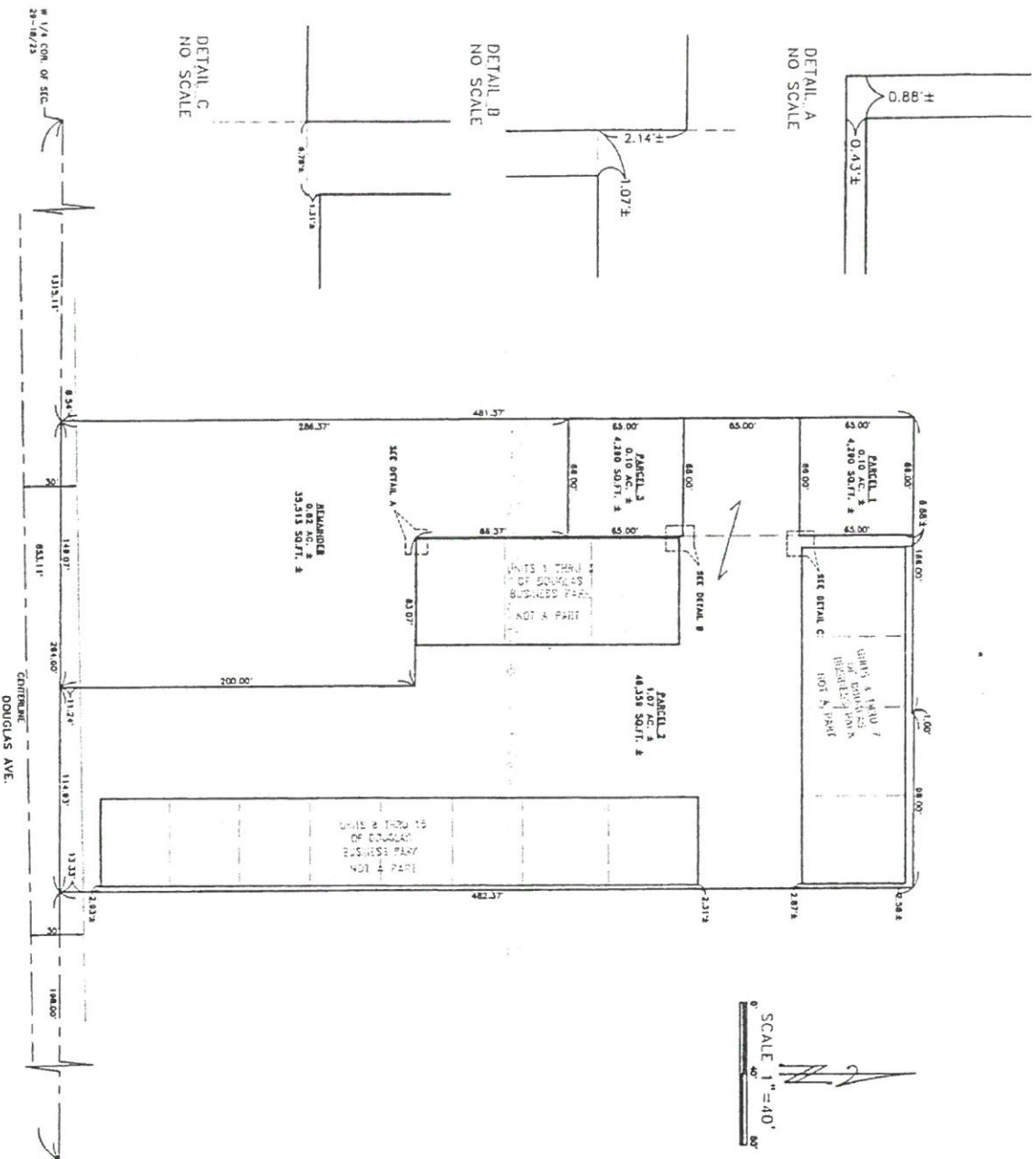
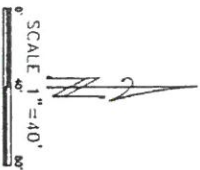
MARTY ZEEB, ET AL.
132 N. AVENUE
VADIA, CALIFORNIA, 92381

SURVEYOR:

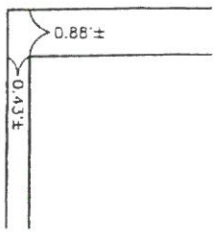
FORESTER, WEBER & ASSOCIATES L.L.C.
1820 W. UNIVERSITY BLVD., SUITE 100
VADIA, CALIFORNIA 92381
(951) 733-0102

NOTES:

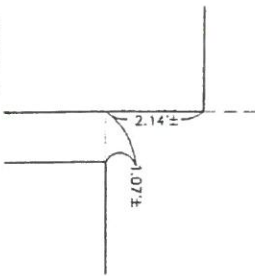
- EXISTING PROPERTY USE: CONDOMINIUM
- PROPOSED PROPERTY USE: SUITE
- ZONE: C-1
- APPLICABLE ORDINANCE: 91-04-018
- WATER: CITY OF VADIA
- SEWER: CITY OF VADIA
- STORM DRAINAGE: CITY OF VADIA
- AREA OF SUBJECT PROPERTY: 2.08 AC. ±



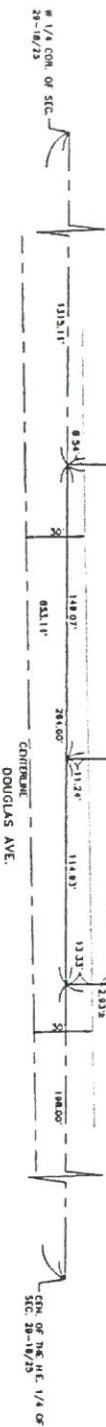
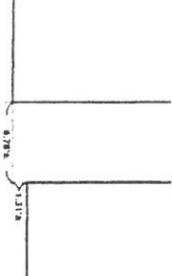
DETAIL A
NO SCALE



DETAIL B
NO SCALE



DETAIL C
NO SCALE



Vicinity Map
NO SCALE

Conditional Use Permit No. 2008-15
Parcel Map No. 2008-06



Vicinity Map



City of Visalia



To: Planning Commission

From: Brandon Smith, Senior Planner (559) 713-4636
Paul Bernal, City Planner (559) 713-4025

Date: June 8, 2020

Re: Adoption of Resolution Nos. 2020-01A and 2020-02A, approving Caldwell & Demaree Garden Pack Tentative Subdivision Map No. 5573 and Conditional Use Permit No. 2020-01, in accordance with action taken by the Planning Commission during the regular meeting held on May 26, 2020

SUMMARY

On May 26, 2020, the Planning Commission held a public hearing for Caldwell & Demaree Garden Pack Tentative Subdivision Map No. 5573 and Conditional Use Permit No. 2020-01, a request by 4Creeks and San Joaquin Valley Homes to divide a 19.03-acre parcel into an 89-lot single-family residential subdivision and planned unit development (PUD) with private streets, private access driveways, landscaped lots, and a pocket park. On Friday, May 22, 2020, prior to the public hearing, the applicants submitted revised exhibits to City staff that reflected a redesigned 92-lot subdivision. At the public hearing, the Planning Commission voted 5-0 to approve the entitlements, subject to the revised 92-unit subdivision exhibit and directed staff and applicant work on a revised solid waste service plan accommodating residential can and commercial bin service.

The resolutions included with the May 26, 2020 Planning Commission staff report were written for denial of the project, which was the original recommended action. The Planning Commission's action to approve the project requires that new resolutions reflecting the approval must be prepared.

The new resolutions are included as an attachment to this memorandum and incorporate the following:

- Submittal (and subsequent approval) of revised tentative subdivision map and conditional use permit exhibits that increased the project's residential lot count from 89 to 92 units and added an off-street parking lot.
- Findings for approval as conveyed by the Planning Commissioners.
- Approval conditions for the project. The recommended conditions are based on conditions for similar subdivision/PUD developments in the City.
- Conditions that outline plans for solid waste service utilizing hybrid residential / commercial service, together with "no parking" restrictions during service times.

ATTACHMENT

- Resolution No. 2020-01A, approving Conditional Use Permit No. 2020-01
- Resolution No. 2020-02A, approving Caldwell & Demaree Garden Pack Tentative Subdivision Map No. 5573

RESOLUTION NO. 2020-01A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2020-01: A REQUEST TO ALLOW A PLANNED UNIT DEVELOPMENT ON A 19.03-ACRE PARCEL CONSISTING OF 92 SINGLE-FAMILY RESIDENCES, PRIVATE STREETS, AND GATED ENTRY, LOCATED WITHIN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 5,000 SQUARE FOOT LOT SIZE) ZONE. THE PROJECT SITE IS LOCATED AT THE SOUTHWEST CORNER OF DEMAREE STREET AND PACKWOOD AVENUE. (APN: 119-070-074).

WHEREAS, Conditional Use Permit No. 2020-01 was originally submitted as a request to allow a planned unit development on a 19.03-acre parcel consisting of 89 single-family residences, private streets, and gated entry, located within the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The project site is located at the southwest corner of Demaree Street and Packwood Avenue. (APN: 119-070-074); and

WHEREAS, on May 22, 2020, the project applicant submitted a revised tentative subdivision map submittal and planned unit development submittal that increased the total number of residential lots on the subject site by three lots and included an additional common area lot for off-street parking purposes, thereby subdividing the 19.03-acre parcel into 92 lots for residential use; and,

WHEREAS, the City of Visalia determined that said revised tentative subdivision map and conditional use permit submittals do not constitute a substantial change to the proposed project or its Initial Study and Negative Declaration prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines; and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 26, 2020; and

WHEREAS, Section 17.38.010 of the Zoning Ordinance of the City of Visalia provides: "In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits."; and

WHEREAS, the Planning Commission of the City of Visalia finds the planned unit development in accordance with Chapters 17.26 and 17.38 of the Zoning

Ordinance of the City of Visalia based on the testimony presented at the public hearing; and,

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2020-20 for Conditional Use Permit No. 2020-01 that 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 conditional use permit based on the following specific findings and based on the evidence presented:

1. That Conditional Use Permit No. 2020-01 and the affiliated Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573, together with its improvement and design and the conditions under which it will be maintained, is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
2. That Conditional Use Permit No. 2020-01 and the affiliated Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573, together with its improvement and design, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The planned unit development will be maintained as a gated subdivision that prevents pass-through traffic and will have privately maintained streets. These elements will aid in promoting a safe, effective traffic circulation system that can accommodate both vehicular and active transportation, despite the development not incorporating sidewalks into the private internal street design.
3. That an Initial Study was prepared for this project, consistent with California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant, and that Negative Declaration No. 2020-20 is hereby adopted. 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 Conditional Use Permit No. 2020-01 on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the planned unit development shall be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review Nos. 2019-176 and 2019-185, incorporated herein by reference.
2. That the project be prepared in substantial compliance with the planned unit development attached as Exhibit "B", which incorporates a total of 92 single-family residential units and an off-street parking lot.
3. That the project be developed in substantial compliance with the elevation and floor plan exhibits attached as Exhibits "C", "D", and "E", which depict single-story structures.
4. That Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
5. That the timeline for the lapse of this Conditional Use Permit shall be tied to the timeline for Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573.
6. That the minimum yard setbacks associated with the project shall be as follows:

| | <u>Street-Fronting Lots</u> | <u>Interior Lots</u> |
|--------------------|-----------------------------|----------------------|
| • Front Yard | 15-ft. | 5-ft. |
| • Garages | 22-ft. | 22-ft. |
| • Side Yard | 5-ft. | 5-ft.* |
| • Street Side Yard | 10-ft. | 10-ft. |
| • Rear Yard | 10-ft. | 5-ft.* |

* Interior lots will have one 15-ft. side yard to compensate for a 5-ft. rear yard.

7. That prior to recordation of the final map for this project, the proponent shall form a Homeowner's Association (HOA) for the administration and maintenance of all common areas, including areas identified on the tentative subdivision map as Lots 'A' through 'F'.
8. That solid waste service for all residential lots shall be a hybrid of both residential and commercial service. The HOA will have its own account that provides one commercial bin for green waste service for the entire development, and four commercial bins for trash and recycle service servicing Lots 6-10 (5 units), 16-20 (5 units), 41-45 (5 units), and 51-55 (5 units), totaling 20 units. The commercial service will provide a 4-yard bin (or equivalent based on future City service requirements) for the green waste and four commercial pairs (one pair of a 3-yard trash and a 3-yard recycle or equivalent based on future City service requirements) for each of the four physical corner 5 packs. The remaining units will have their own residential service with only the trash and recycle cans (two 90-gallon cans each per unit or equivalent based on future City service requirements). The HOA will be responsible to bill proportionally all units for the green waste and the commercial trash and recycle service for the 20 units identified herein. Because the standard service includes

both solid waste and sewer/storm water fees, all units and the HOA will have an account.

9. That the HOA will be responsible for providing, administering, and enforcing a “no parking” restriction for a 6-hour period on a normal week day in order for the Solid Waste to be serviced. This shall include the placement and maintenance of appropriate signs along the private streets as necessary. The exact day and time restriction shall be coordinated with the City of Visalia Solid Waste Division prior to first Certificate of Occupation. Should vehicles or obstructions prevent the collection of any waste stream, the HOA will be responsible to correct it prior to the next service day.
10. 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.
11. That all applicable federal, state, regional, and city regulations and ordinances be complied with.

RESOLUTION NO 2020-02A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CALDWELL & DEMAREE GARDEN UNIT TENTATIVE SUBDIVISION MAP NO. 5573: A REQUEST TO SUBDIVIDE A 19.03-ACRE PARCEL INTO 92 LOTS FOR RESIDENTIAL USE AND ADDITIONAL LOTS FOR PRIVATE STREETS, LANDSCAPING AND LIGHTING DISTRICT LOTS, AND A POCKET PARK, LOCATED WITHIN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 5,000 SQUARE FOOT LOT SIZE) ZONE. THE PROJECT SITE IS LOCATED AT THE SOUTHWEST CORNER OF DEMAREE STREET AND PACKWOOD AVENUE. (APN: 119-070-074).

WHEREAS, Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573 was originally submitted as a request to subdivide a 19.03-acre parcel into 89 lots for residential use and additional lots for private streets, landscaping and lighting district lots, and a pocket park, located within the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The project site is located at the southwest corner of Demaree Street and Packwood Avenue. (APN: 119-070-074); and,

WHEREAS, on May 22, 2020, the project applicant submitted a revised tentative subdivision map submittal and planned unit development submittal that increased the total number of residential lots on the subject site by three lots and included an additional common area lot for off-street parking purposes, thereby subdividing the 19.03-acre parcel into 92 lots for residential use; and,

WHEREAS, the City of Visalia determined that said revised tentative subdivision map and conditional use permit submittals do not constitute a substantial change to the proposed project or its Initial Study and Negative Declaration prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines; and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 26, 2020; and,

WHEREAS, the Planning Commission of the City of Visalia finds the tentative subdivision map consistent with the City of Visalia General Plan objectives and policies of the Residential Low Density land use designation and in accordance with Section 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, the Planning Commission of the City of Visalia also finds the tentative subdivision map in accordance with Chapter 17.26 of the Zoning Ordinance of the City of Visalia based on the 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby adopts Negative Declaration No. 2020-20 for Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573 that 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 Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573 and the affiliated Conditional Use Permit No. 2020-01, together with its improvement and design and the conditions under which it will be maintained, is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 19.03-acre project site, which is the site of the proposed 92 lot single-family residential subdivision, is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19 states “ensure that growth occurs in a compact and concentric fashion by implementing the General Plan’s phased growth strategy.”
2. That the proposed Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573 and the affiliated Conditional Use Permit No. 2020-01, together with its improvement and design, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The subdivision will be maintained as a gated subdivision that prevents pass-through traffic and will have privately maintained streets. These elements will aid in promoting a safe, effective traffic circulation system that can accommodate both vehicular and active transportation, despite the subdivision not incorporating sidewalks into the private internal street design.
3. That the site is physically suitable for the type of tentative subdivision map and planned development based on its ability to handle residential uses and its infrastructure needs. The “5-pack” design of the project incorporates increased residential density and necessitates less public infrastructure improvements than residential subdivisions without planned development permits. The subdivision has incorporated various design elements, including an off-street guest parking lot, pocket park, and use of water service meters with backflow preventers and easements, to accommodate for the increased density and reduced street improvements. The planned development’s functionality has been demonstrated with the completion of a similarly designed and constructed residential subdivision (Lowery West, also known as Ashton Park) located within the City of Visalia.
4. That the site is physically suitable for the proposed density of the tentative subdivision map and planned development based on falling within the Low Density Residential density range at a density of 5.3 units per acre. The “5-pack” design of the project incorporates increased residential density and necessitates less public infrastructure improvements than residential subdivisions without planned development permits. The subdivision has incorporated various design elements, including an off-street guest parking lot, pocket park, and use of water service

meters with backflow preventers and easements, to accommodate for the increased density and reduced street improvements.

5. That the proposed Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573 and the design of the subdivision or its type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The subdivision is designed to comply with the City's Engineering Improvement Standards. Areas of dedication will be obtained as part of the tentative map recording for new street improvements, including the construction of curb, gutter, curb return, sidewalk, parkway landscaping, and pavement.
6. That the Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573 and the affiliated Conditional Use Permit No. 2020-01 will be compatible with adjacent existing single-family residential land uses, and will be compatible with adjacent future multi-family residential land uses based on the site's increased residential density associated with the planned residential development and the gated entry element. The planned development's compatibility has been demonstrated with the completion of a similarly designed and constructed residential subdivision (Lowery West, also known as Ashton Park) located within the City of Visalia and also adjacent to single-family residential uses.
7. That an Initial Study was prepared for this project, consistent with California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant, and that Negative Declaration No. 2020-20 is hereby adopted. 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 Caldwell & Demaree Garden Unit Tentative Subdivision Map No. 5573 on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.04.040 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the tentative subdivision map shall be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review Nos. 2019-176 and 2019-185, incorporated herein by reference.
2. That the project be prepared in substantial compliance with the subdivision map attached as Exhibit "A", which incorporates a total of 92 single-family residential units and an off-street parking lot.
3. That the project be developed in substantial compliance with the elevation and floor plan exhibits attached as Exhibits "C", "D", and "E", which depict single-story structures.
4. That Conditional Use Permit No. 2020-01 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
5. That the minimum yard setbacks associated with the project shall be as follows:

| | <u>Street-Fronting Lots</u> | <u>Interior Lots</u> |
|--------------------|-----------------------------|----------------------|
| • Front Yard | 15-ft. | 5-ft. |
| • Garages | 22-ft. | 22-ft. |
| • Side Yard | 5-ft. | 5-ft.* |
| • Street Side Yard | 10-ft. | 10-ft. |
| • Rear Yard | 10-ft. | 5-ft.* |

* Interior lots will have one 15-ft. side yard to compensate for a 5-ft. rear yard.

6. That prior to recordation of the final map for this project, the proponent shall form a Homeowner's Association (HOA) for the administration and maintenance of all common areas, including areas identified on the tentative subdivision map as Lots 'A' through 'F'.
7. That solid waste service for all residential lots shall be a hybrid of both residential and commercial service. The HOA will have its own account that provides one commercial bin for green waste service for the entire development, and four commercial bins for trash and recycle service servicing Lots 6-10 (5 units), 16-20 (5 units), 41-45 (5 units), and 51-55 (5 units), totaling 20 units. The commercial service will provide a 4-yard bin (or equivalent based on future City service requirements) for the green waste and four commercial pairs (one pair of a 3-yard trash and a 3-yard recycle or equivalent based on future City service requirements) for each of the four physical corner 5 packs. The remaining units will have their own residential service with only the trash and recycle cans (two 90-gallon cans each per unit or equivalent based on future City service requirements). The HOA will be responsible to bill proportionally all units for the green waste and the commercial trash and recycle service for the 20 units identified herein. Because the standard service includes both solid waste and sewer/storm water fees, all units and the HOA will have an account.
8. That the HOA will be responsible for providing, administering, and enforcing a "no parking" restriction for a 6-hour period on a normal week day in order for the Solid Waste to be serviced. This shall include the placement and maintenance of appropriate signs along the private streets as necessary. The exact day and time restriction shall be coordinated with the City of Visalia Solid Waste Division prior to first Certificate of Occupation. Should vehicles or obstructions prevent the collection of any waste stream, the HOA will be responsible to correct it prior to the next service day.
9. 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.
10. That all applicable federal, state, regional, and city regulations and ordinances be complied with.