

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291
(559) 713-4359

FILED
TULARE COUNTY
FEB 22 2023

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

ASSESSOR/CLERK RECORDER
BY:

Conditional Use Permit No. 2022-23

PROJECT TITLE

The project site is located at the Southwest corner of East K Avenue and South Ben Maddox Way (APN APNs: 126-750-050 & 126-750-051)

PROJECT LOCATION

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

A request by to establish a 292-unit multi-family residential development on 10.8 acres in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, Attn: Brandon Smith, 315 E. Acequia Avenue, Visalia CA 93291, (559) 713-4636, brandon.smith@visalia.city

NAME OF LEAD AGENCY APPROVING PROJECT

Maracor Development Inc., Attn: Chris Hawke, 61 Moraga Way, Suite 4, Orinda, CA 94563, (925) 389-6836, chawke@maracordev.com

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

N/A

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15183
- Emergency Project - Section 15071
- Categorical Exemption - State type and Section number:
- Statutory Exemptions- State code number:

The project is consistent with a Community Plan, General Plan, or Zoning and its related development density, for which an environmental impact report (EIR) has been certified (i.e., City of Visalia General Plan General Plan Program EIR certified by Resolution No. 2014-37, adopted on October 14, 2014); therefore, the project is ministerially exempt under the findings of State CEQA Guidelines Section 15183.

REASON FOR PROJECT EXEMPTION

Brandon Smith, Principal Planner

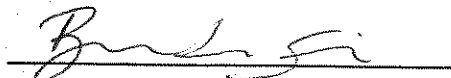
CONTACT PERSON

(559) 713-4636

AREA CODE/PHONE

February 21, 2023

DATE



Brandon Smith, AICP
ENVIRONMENTAL COORDINATOR

**The California Environmental Quality Act
(CEQA) Section 15183 Findings:**

Application: Conditional Use Permit No. 2022-23 **Environmental Review** 2022-51

Location: Southwest corner of East K Avenue and South Ben Maddox Way

Assessor's Parcel Number: 126-750-050 & 126-750-051

General Plan Designation: Residential Medium Density **Zoning:** R-M-2

State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

The City of Visalia finds 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.**

The following findings are made in compliance with CEQA Section 15183 – Project consistent with a Community Plan or Zoning.

In approving a project meeting the requirements of CEQA Section 15183, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

1. Is the project consistent with the General Plan and Zoning designations for the site (including density for residential developments)? Yes X No

If yes, please explain below. If no, the project does not qualify for this exemption.

Comment/Finding:

As indicated above, the General Plan designation for this site is Residential Medium Density (RMD) which allows 10 to 15 dwelling units per acre. The proposed project would provide 27 units per acre which, while exceeding the City of Visalia General Plan's density range associated with the RMD designation, is permitted under State Density Bonus Law (Government Code Section 65915) with a density bonus of 80 percent above the base density because the project is providing units entirely for lower income households.

The site is zoned R-M-2 and has a land use designation which allows for residential land uses, and requires that more than 80 units per site in the R-M-2 zone obtain approval of a Conditional Use Permit. The proposed project is consistent with the zoning designation and its standards.

2. Are there any impacts that weren't evaluated in the General Plan EIR that are peculiar to the project or the parcel on which the project would be located? Yes No X

If yes, an initial study or detailed analysis is necessary to determine if specific impacts will need to be mitigated.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

All potential impacts from this development were evaluated with the General Plan EIR. The site is consistent with the General Plan and zoning and has no unique features that were not evaluated with the General Plan EIR.

3. Are there project specific impacts which the General Plan EIR failed to analyze as significant effects.
Yes _____ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

The proposed project would not result in any additional impacts that were not evaluated with the General Plan EIR.

4. Is there substantial new information which would result in more severe impacts than anticipated by the General Plan EIR?
Yes _____ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

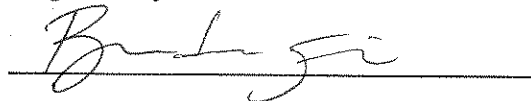
There is no new information as a result of the proposed project that would result in more severe impacts. This project is consistent with the General Plan density and circulation element and the land use designation for Residential Medium Density (RMD). All potential impacts were evaluated with the General Plan EIR.

On the basis of this evaluation, in accordance with the requirements of Section 15183 of the CEQA Guidelines:

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | 1. It is found that subsequent negative declaration will need to be prepared. |
| <input type="checkbox"/> | 2. It is found that an addendum Negative Declaration will need to be prepared. |
| <input type="checkbox"/> | 3. That a subsequent EIR will need to be prepared. |
| <input checked="" type="checkbox"/> | 4. No further documentation is required. |

Date: February 21, 2023

Prepared By:



Brandon Smith
Principal Planner

Prepare a notice of exemption using CEQA section 15183 based on this analysis.