

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

COMMISSIONERS: Mary Beatie, Chris Gomez, Chris Tavarez, Adam Peck, Marvin Hansen

**MONDAY, APRIL 10, 2023**

**VISALIA COUNCIL CHAMBERS**

**LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA**

**MEETING TIME: 7:00 PM**

1. CALL TO ORDER –
2. THE PLEDGE OF ALLEGIANCE –
3. 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.
4. CHANGES OR COMMENTS TO THE AGENDA –
5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - No Items on the Consent Calendar
6. PUBLIC HEARING – Cristobal Carrillo, Associate Planner  
  
Tentative Parcel Map No. 2023-01: A request by Visalia Shirk, LLC, A California Limited Liability Company for a lot split to subdivide a 19-acre parcel into four parcels and a remainder, located within the R-M-2 (Multifamily Residential, 3,000 sq. ft. minimum site area) and I (Industrial) Zones. The property is located at 6710 West Doe Avenue, on the northeast corner of West Doe Avenue and North Shirk Street (APN: 077-530-065, 077-530-066, 077-740-001, 077-750-001). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2023-02.

7. PUBLIC HEARING – Josh Dan, Senior Planner

Conditional Use Permit No. 2023-05: A request to establish a beauty salon in a 924 square foot office building in the O-C (Office Conversion) zone. The project site is located at 432 South Church Street (APN: 097-052-007). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2023-08.

8. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2023-08: A request by Walter Deissler to convert an existing residence into a bed and breakfast inn, located within the R-1-5 (Single Family Residential, 5,000 square foot minimum site area) Zone. The project site is located at 513 North Encina Street (APN: 094-353-011). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2023-07.

9. PUBLIC HEARING – Josh Dan, Senior Planner

Conditional Use Permit No. 2023-10: A request by the Visalia First Church to construct an electronic monument sign on a site zoned Q-P (Quasi Public). The project site is located at 3737 South Akers Street (APN: 119-100-027). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2023-12.

10. PUBLIC HEARING – Josh Dan, Senior Planner

- a. Annexation No. 2022-06: A request by AW Engineering to annex a 6.77-acre parcel into the City limits of Visalia. Upon annexation the area would be zoned R-1-5 (Single Family Residential, 5,000 square foot minimum site area) and C (Conservation), which is consistent with the General Plan land use designations for this site. The project is located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue (APN: 085-130-002). An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2022-60 be adopted.
- b. Crenshaw Tentative Subdivision Map No. 5595: A request by AW Engineering to subdivide a 6.77-acre parcel into a 34-lot single-family residential subdivision with three out lots for block wall and landscaping purposes. The project is located at 125 North Crenshaw Street, on the west side of Crenshaw Street between West Mineral King Avenue and West Oak Avenue (APN: 085-130-002). An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2022-60 be adopted.

11. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Committees and Commissions recognition event Wednesday April 12<sup>th</sup> at 5:00 pm.
- b. Planning Commission Interview Updates.

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, APRIL 20, 2023, 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 93291. 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 MONDAY, APRIL 24, 2023**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** April 10, 2023

**PROJECT PLANNER:** Cristobal Carrillo, Associate Planner  
Phone No: (559) 713-4333  
Email: [cristobal.carrillo@visalia.city](mailto:cristobal.carrillo@visalia.city)

**SUBJECT: Tentative Parcel Map No. 2023-01:** A request by Visalia Shirk, LLC, A California Limited Liability Company for a lot split to subdivide a 19-acre parcel into four parcels and a remainder, located within the R-M-2 (Multifamily Residential, 3,000 sq. ft. minimum site area) and I (Industrial) Zones. The property is located at 6710 West Doe Avenue, on the northeast corner of West Doe Avenue and North Shirk Street (APN: 077-530-065, 077-530-066, 077-740-001, 077-750-001).

## STAFF RECOMMENDATION

Staff recommends approval of Tentative Parcel Map No. 2023-01 based on the findings and conditions in Resolution No. 2023-01. Staff's recommendation is based on the conclusion that the parcel map, as conditioned, is consistent with the policies of the Visalia General Plan, Zoning and Subdivision Ordinances.

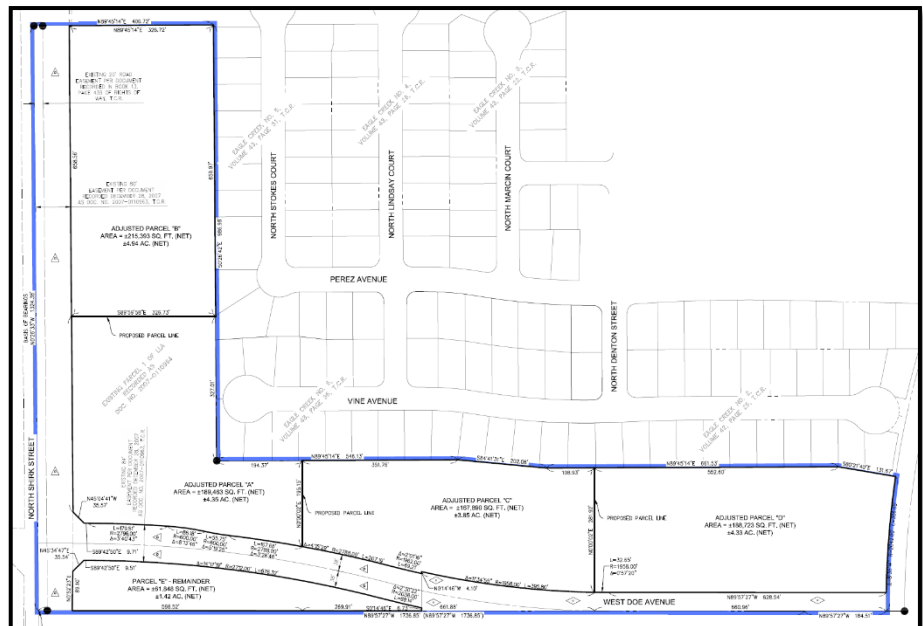
## RECOMMENDED MOTION

I move to approve Tentative Parcel Map No. 2023-01, based on the findings and conditions in Resolution No. 2023-01.

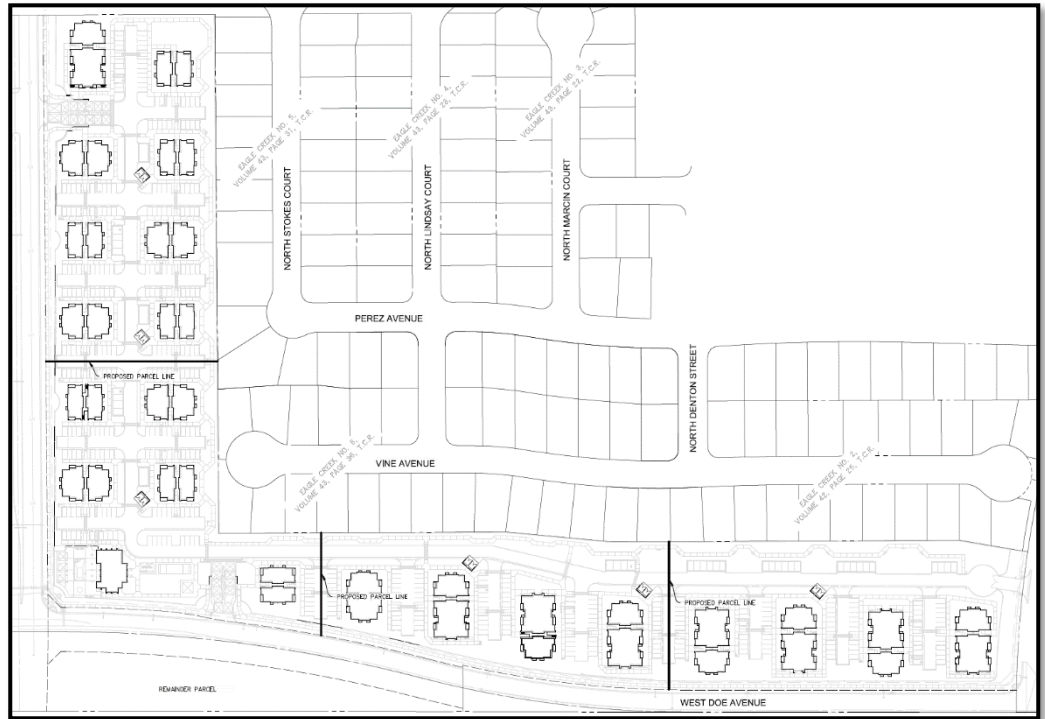
## PROJECT DESCRIPTION

Tentative Parcel Map No. 2023-01 is a request to subdivide an approximately 19-acre parcel into four parcels and a remainder lot for financing purposes. The proposal is depicted in Exhibit "A" and described in the operational statement in Exhibit "C". Parcel sizes proposed are as follows:

- Parcel A – 4.35 acres / 189,463 square feet
- Parcel B – 4.94 acres / 215,393 square feet
- Parcel C – 3.85 acres / 167,890 square feet
- Parcel D – 4.33 acres / 188,723 square feet
- Remainder – 1.42 acres / 61,848 square feet



Development of a 200-unit multifamily residential complex is ongoing at the project site, previously approved by the Planning Commission via Conditional Use Permit No. 2017-08 and upheld by the City Council. Per the development plan provided in Exhibit "B", the proposed property lines for the parcels will not conflict with any of the multifamily buildings under construction.



The project site is physically divided by West Doe Avenue through previous right-of-way allocations but retains legal designation as one parcel. The project site contains two zone designations, R-M-2 (Multifamily Residential, 3,000 sq. ft. minimum site area per dwelling unit) north of Doe Avenue, and I (Industrial) south of Doe Avenue. The Remainder parcel is proposed to separate the industrial portion of the project site from the multifamily residential portion. The Remainder parcel is currently vacant with no future development identified at this time.

## BACKGROUND INFORMATION

General Plan Land Use Designation:	Residential Medium Density, Industrial
Zoning:	R-M-2 (Multifamily Residential, 3,000 square foot minimum site area per dwelling), I (Industrial)
Surrounding Zoning and Land Use:	<p>North: R-1-5 (Single Family Residential, 5,000 square foot minimum site area), QP (Quasi-Public) / Denton Elementary School, City of Visalia Fire Station No. 55, Eagle Creek single family residential subdivision.</p> <p>South: I, R-1-5, C-S (Service Commercial) / Di Mello Toscana single family residential subdivision, mixed industrial uses, vacant commercial land.</p> <p>East: R-1-5 / Eagle Creek single family residential subdivision.</p> <p>West: IL (Light Industrial) / Mixed industrial uses.</p>
Environmental Document	Categorical Exemption No. 2023-002
Site Plan:	Site Plan Review No. 2023-004

## **RELATED PROJECTS**

**Conditional Use Permit No. 2017-08:** A request by Christopher Owhadi to construct a 200-unit apartment complex with a community building in the R-M-2 (Multiple Family Residential, 3,000 square foot minimum site area per dwelling unit) Zone. The project site is located on the northeast corner of North Shirk Street and West Doe Avenue (APN: 077-530-065, 077-530-066, 077-750-001, and 077-740-001). The proposal was reviewed and continued by the Planning Commission on April 24, 2017, and approved on August 28, 2017. The item was subsequently appealed to the Visalia City Council and heard on October 16, 2017. The City Council denied the appeal and upheld the Planning Commission approval.

## **PROJECT EVALUATION**

Staff recommends approval of the requested Tentative Parcel Map based on the project's consistency with the General Plan, Zoning and Subdivision Ordinances.

### **Land Use Compatibility**

Staff supports the proposed tentative parcel map based on the project's consistency with the Zoning Ordinance and Subdivision Ordinance. The subdivision will result in the creation of four parcels which will exceed the minimum 3,000 square foot lot area as required for sites in the R-M-2 Zone (VMC Sec. 17.16.060). Multifamily residential development previously approved on the project site will continue to comply with required setbacks. As it stands, the proposed division lines are for financing purposes only, and the development will operate as one unified complex. This shall be enforced with Condition of Approval No. 4, which requires the recordation of shared use and access agreements as part of the parcel map proposal. Condition of Approval No. 3 is also included to enforce use of the site as a unified complex. Condition No. 3 requires compliance with conditions of approval previously applied to Conditional Use Permit No. 2017-08, the discretionary approval which permitted construction of the 200-unit multifamily complex.

The applicant has elected to designate the 1.42-acre portion of the entire 19-acre site as a "Remainder" lot. Pursuant to the Subdivision Map Act Section 66424.6, the subdivider may designate a portion of a subdivided parcel as a "Remainder", so long as it is not divided for the purpose of sale, lease, or financing. If the subdivider elects to designate a remainder, the Subdivision Map Act states that the following shall apply:

1. The designated remainder shall not be counted as a parcel for the purpose of determining whether a parcel or final map is required.
2. The fulfillment of construction requirements for improvements, including the payment of fees associated with any deferred improvements shall not be required.

Per the above, the Remainder lot is not counted as a "parcel" of the tentative parcel map.

The 1.42-acre Remainder lot will be undersized per Industrial Zone requirements (VMC Sec. 17.22.060.A.). However, the Visalia Municipal Code permits for undersized parcels to be created upon approval by the Site Plan Review Committee (VMC Sec. 17.03.015). The Site Plan Review Committee approved the proposed configuration on February 1, 2023 (see Site Plan Review No. 2023-004 comments). As it stands, as a matter of policy, development standards are not typically applied to Remainder lots due to their non-parcel status. Furthermore, the site is at present unimproved and will have no relation to the multifamily development currently under construction. Please note, any future development of the Remainder lot will be subject to Site Plan Review processes.

## **Access / Circulation / Shared Use**

Vehicular access points and onsite circulation previously approved via Conditional Use Permit No. 2017-08 and depicted in Exhibit “B” will not be altered as a result of the proposal. As previously described above, Condition No. 4 is recommended requiring recordation of shared use and access agreements as part of the proposal. The agreement shall address property owners’ responsibility for repair, maintenance, and shared use of all facilities located within the common area parcel.

## **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 Parcel 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 Parcel Map. There are no specific plans applicable to the proposed map.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed map and its affiliated development plan, which is designated as multifamily residential and industrial land use. This is included as recommended Finding No. 3 of the Tentative Parcel Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed density of development in the Residential Medium Density land use designation and R-M-2 and I zones. This is included as recommended Finding No. 4 of the Tentative Parcel 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 found not likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project’s Categorical Exemption determination under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as

	recommended Finding No. 6 of the Tentative Parcel 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 Parcel 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 Parcel Map.

**Environmental Review**

The project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended (Categorical Exemption No. 2023-002). Section 15315 is appropriate as it is located within a multifamily residential and industrial zoned area, will be divided into four parcel and a remainder, will require no variances or exceptions, has all services readily available, will be provided access through shared access agreement, has not been divided within the last two years, and does not have an average slope greater than 20 percent.

**RECOMMENDED FINDINGS**

1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained are consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, 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.
3. That the site is physically suitable for the purposed tentative parcel map and the way that it will be improved and developed and is compatible with adjacent land uses and for the specific land uses allowed under Multi-Family Residential and Industrial land use designations and the R-M-2 / I zoning designations.
4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Residential Medium Density and Industrial General Plan land use designations, and R-M-2 / I zoning designations. In particular, the proposal to create a Remainder parcel will remove an instance of incompatible zonings applied to one parcel and will formalize an existing condition wherein the project site is physically divided by a public street.
5. That the proposed tentative parcel map, its design, and 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.



6. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-002). Furthermore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

## RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2023-004.
2. That the final map be carried out in substantial compliance with the approved tentative parcel map shown in Exhibit "A", development plan in Exhibit "B", and operational statement in Exhibit "C", attached herein.
3. That the conditions of approval applied to Conditional Use Permit No. 2017-08 shall apply to Tentative Parcel Map No. 2023-01.
4. That an agreement addressing the sharing of vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final map. The agreement shall address property owners' responsibility for repair and maintenance of the easement and common area lot, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded with the recording of the Final Parcel Map.
5. That all other federal, state, regional, and local laws and city codes and ordinances be complied with.

## APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street. 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. 2023-01
- Exhibit "A" – Tentative Parcel Map
- Exhibit "B" – Development Plan
- Exhibit "C" – Operational Statement
- Categorical Exemption No. 2023-002
- Site Plan Review Comments Nos. 2023-004
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

## RELATED PLANS AND POLICIES

### **Subdivision Map Act (California Government Code Section 66410 – 66499.38)**

The following are excerpts from the California Government Code which pertain to approvals of tentative and final maps which pertain to condominium conversions:

#### **66427.**

(a) A map of a condominium project, a community apartment project, or of the conversion of five or more existing dwelling units to a stock cooperative project need not show the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided, nor shall the governing body have the right to refuse approval of a parcel, tentative, or final map of the project on account of the design or the location of buildings on the property shown on the map that are not violative of local ordinances or on account of the manner in which airspace is to be divided in conveying the condominium.

(b) A map need not include a condominium plan or plans, as defined in Section 4120 or 6540 of the Civil Code, and the governing body may not refuse approval of a parcel, tentative, or final map of the project on account of the absence of a condominium plan.

(c) Fees and lot design requirements shall be computed and imposed with respect to those maps on the basis of parcels or lots of the surface of the land shown thereon as included in the project.

(d) Nothing herein shall be deemed to limit the power of the legislative body to regulate the design or location of buildings in a project by or pursuant to local ordinances.

(e) If the governing body has approved a parcel map or final map for the establishment of condominiums on property pursuant to the requirements of this division, the separation of a three-dimensional portion or portions of the property from the remainder of the property or the division of that three-dimensional portion or portions into condominiums shall not constitute a further subdivision as defined in Section 66424, provided each of the following conditions has been satisfied:

(1) The total number of condominiums established is not increased above the number authorized by the local agency in approving the parcel map or final map.

(2) A perpetual estate or an estate for years in the remainder of the property is held by the condominium owners in undivided interests in common, or by an association as defined in Section 4100 or 6528 of the Civil Code, and the duration of the estate in the remainder of the property is the same as the duration of the estate in the condominiums.

(3) The three-dimensional portion or portions of property are described on a condominium plan or plans, as defined in Section 4120 or 6540 of the Civil Code.

*(Amended (as amended by Stats. 2012, Ch. 181, Sec. 58) by Stats. 2013, Ch. 605, Sec. 32. (SB 752) Effective January 1, 2014.)*

#### **66427.1.**

(a) The legislative body shall not approve a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project, unless it finds as follows:

(1) Each tenant of the proposed condominium, community apartment project, or stock cooperative project, and each person applying for the rental of a unit in the residential real property, has received or will have received all applicable notices and rights now or hereafter required by this chapter or Chapter 3 (commencing with Section 66451).

(2) Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has received or will receive each of the following notices:

(A) Written notification, pursuant to Section 66452.18, of intention to convert, provided at least 60 days prior to the filing of a tentative map pursuant to Section 66452.

(B) Ten days' written notification that an application for a public report will be, or has been, submitted to the Bureau of Real Estate, that the period for each tenant's right to purchase begins with the issuance of the final public report, and that the report will be available on request.

(C) Written notification that the subdivider has received the public report from the Bureau of Real Estate. This notice shall be provided within five days after the date that the subdivider receives the public report from the Bureau of Real Estate.

(D) Written notification within 10 days after approval of a final map for the proposed conversion.

(E) One hundred eighty days' written notice of intention to convert, provided prior to termination of tenancy due to the conversion or proposed conversion pursuant to Section 66452.19, but not before the local authority has approved a tentative map for the conversion. The notice given pursuant to this paragraph shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1, and 1941.2 of the Civil Code.

(F) Notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that the unit will be initially offered to the general public or terms more favorable to the tenant pursuant to Section 66452.20. The exclusive right to purchase shall commence on the date the subdivision public report is issued, as provided in Section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right.

(b) The written notices to tenants required by subparagraphs (A) and (B) of paragraph (2) of subdivision (a) shall be deemed satisfied if those notices comply with the legal requirements for service by mail.

(c) This section shall not diminish, limit, or expand, other than as provided in this section, the authority of any city, county, or city and county to approve or disapprove condominium projects.

(d) If a rental agreement was negotiated in Spanish, Chinese, Tagalog, Vietnamese, or Korean, all required written notices regarding the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project shall be issued in that language.

*(Amended by Stats. 2013, Ch. 352, Sec. 313. (AB 1317) Effective September 26, 2013. Operative July 1, 2013, by Sec. 543 of Ch. 352.)*

#### **66427.2.**

Unless applicable general or specific plans contain definite objectives and policies, specifically directed to the conversion of existing buildings into condominium projects or stock cooperatives, the provisions of Sections 66473.5, 66474, and 66474.61, and subdivision (c) of Section 66474.60 shall not apply to condominium projects or stock cooperatives, which consist of the subdivision of airspace in an existing structure, unless new units are to be constructed or added.

A city, county, or city and county acting pursuant to this section shall approve or disapprove the conversion of an existing building to a stock cooperative within 120 days following receipt of a completed application for approval of such conversion.

This section shall not diminish, limit or expand, other than as provided herein, the authority of any city, county, or city and county to approve or disapprove condominium projects.

*(Amended by Stats. 1979, Ch. 1192.)*

### **Zoning Ordinance Chapter 17.16 Multi-Family Residential Zones**

#### **17.16.010 Purpose and intent.**

In the R-M multi-family residential zones, the purpose and intent is to provide living areas within the two multi-family residential zones (one medium density and one high density) with housing facilities where development is permitted with a relatively high concentration of dwelling units, and still preserve the desirable characteristics and amenities of a low density atmosphere. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7290)

### **17.16.015 Applicability.**

The requirements in this chapter shall apply to all property within R-M zone districts. (Ord. 2017-01 (part), 2017)

### **17.16.020 Permitted uses.**

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

- A. Existing one-family dwellings;
- B. Multi-family dwellings up to eighty (80) dwelling units per site;
- C. Fruit, vegetable and horticultural husbandry;
- D. Swimming pools used only by residents on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard;
- E. Temporary subdivision sales offices;
- F. Licensed day care for a maximum of fourteen (14) children in addition to the residing family, situated within an existing single-family dwelling;
- G. Twenty-four (24) hour care facilities or foster homes for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provision of Chapter 17.48;
- I. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030;
- J. Adult day care for a maximum of twelve (12) individuals in addition to the residing family, situated within an existing single-family dwelling;
- K. Other uses similar in nature and intensity as determined by the city planner;
- L. Transitional housing or supportive housing as those terms are defined in Section 17.04.030;
- M. Single-room occupancy (SRO), as follows:
  - 1. Up to fifteen (15) units per gross acre in the R-M-2 zone district;
  - 2. Up to thirty-five (35) units per gross acre in the R-M-3 zone district.
- N. Senior citizen residential developments, meeting city standards and having a density in the Medium Density Residential range of ten (10) to fifteen (15) housing units per acre in the R-M-2 zone district or having a density in the High Density Residential range of fifteen (15) to thirty-five (35) housing units per acre in the R-M-3 zone district;
- O. Employee housing as defined in California Health and Safety Code Section 17008.

(Ord. 2020-09 (part), 2020; Ord. 2017-13 (part), 2017; Ord. 2017-01 (part), 2017; Ord. 2012-02, 2012; Ord. 9717 § 2 (part), 1997; Ord. 9605 § 30, 1996; prior code § 7291)

### **17.16.030 Accessory uses.**

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

- A. Home occupations subject to the provisions of Section 17.32.030;
- B. Accessory buildings subject to the provisions of Section 17.16.090B;
- C. Cottage food operations that meet all the requirements contained in Health and Safety Code Section 113758 and those stated in Section 17.32.035;
- D. Accessory dwelling units as specified in Sections 17.12.140 through 17.12.200.

(Ord. 2020-09 (part), 2020; Ord. 2017-01 (part), 2017; Ord. 2001-13 § 4 (part), 2001; Ord. 9717 § 2 (part), 1997; prior code § 7292)

#### **17.16.040 Conditional uses.**

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

- A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions; general hospitals, sanitariums, nursing and convalescent homes; including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- C. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers;
- D. In the R-M-3 zone only, an open air public or private parking lot, subject to all provisions of Section 17.34.030, excluding trucks over 3/4 ton;
- E. Electric distribution substations;
- F. Gas regulator stations;
- G. Public service pumping stations and/or elevated or underground tanks;
- H. Communication equipment buildings;
- I. Mobile home parks, meeting regulations specified in Section 17.32.040 and having a density in the Medium Density Residential range of ten (10) to fifteen (15) housing units per acre in the R-M-2 zone district or having a density in the High Density Residential range of fifteen (15) to thirty-five (35) housing units per acre in the R-M-3 zone district;
- J. More than eighty (80) units per site;
- K. Boarding houses and residential motels;
- L. Twenty-four (24) hour residential care facilities or foster homes for more than six (6) individuals in addition to the residing family;
- M. Adult day care in excess of twelve (12) individuals;
- N. Planned developments may utilize the provisions of Chapter 17.26;
- O. New one-family dwelling, meeting density identified in the general plan land use element designations;
- P. Other uses similar in nature and intensity as determined by the city planner;
- Q. Residential developments utilizing private streets in which the net lot area (lot area not including street area) meets or exceeds the site area prescribed by this chapter and in which the private streets are designed and constructed to meet or exceed public street standards;
- R. Residential structures up to four stories in height in the R-M-3 Zone District when the proposed structure is adjacent to an R-1 Zone District.

(Ord. 2020-09 (part), 2020; Ord. 2017-13 (part), 2017; Ord. 2017-01 (part), 2017; Ord. 2012-02, 2012; amended during 10/97 supplement: Ord. 9717 § 2 (part), 1997; Ord. 9605 § 30 (part), 1996: prior code § 7293)

#### **17.16.050 Site area and configuration.**

A. The division of (R-M) multi-family residential property less than two (2) acres shall be approved as part of a conditional use permit. (Ord. 2017-01 (part), 2017; Ord. 9717 § 2 (part), 1997: prior code § 7294)

#### **17.16.060 Site area per dwelling unit and per structure.**

The minimum site area per dwelling unit shall be three thousand (3,000) square feet in the R-M-2 zone and one thousand two hundred (1,200) square feet in the R-M-3 zone. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7295)

**17.16.070 Front yard.**

A. The minimum front yard shall be as follows:

Zone	Minimum Front Yard
R-M-2	15 feet
R-M-3	15 feet

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

C. All garage doors facing the front property line shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk. (Ord. 2017-01 (part), 2017: Ord. 2004-20 (part), 2004: Ord. 9717 § 2 (part), 1997: prior code § 7297)

**17.16.080 Side yards.**

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

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

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

(Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7298)

**17.16.090 Rear yard.**

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

**17.16.090**

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

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

C. Exceptions to the rear yard setback can be granted for multiple family units that have their rear yard abutting an alley. The exception may be granted if the rear yard area is to be used for parking. Through the site plan review process, consistency with this section may be determined for permitting purposes subject to the provisions of Section 17.28.050.

(Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: Ord. 9717 § 2 (part), 1997: prior code § 7299)

**17.16.100 Height of structures.**

The maximum height of structures shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-2 zone. The maximum height shall be four (4) stories in the R-M-3 zone. Where an R-M-2 or R-M-3 site adjoins an R-1 site, the second and subsequent stories shall be designed to limit visibility from

the second and third story to the R-1 site. Structures specified under Section 17.16.090(B) shall be exempt.

(Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: Ord. 2012-02, 2012: Ord. 2006-07 § 2 (part), 2006: Ord. 9717 § 2 (part), 1997: prior code § 7300)

**17.16.110 Off-street parking.**

Off-street parking shall be subject to the provisions of Chapter 17.34. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7301)

**17.16.120 Fences, walls and hedges.**

Fences, walls and hedges shall be subject to the provisions of Section 17.36.040. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7302)

**17.16.130 Trash enclosures.**

Enclosures for trash receptacles are permitted that comply with the specifications and requirements of Section 17.32.010 and that are approved by the site plan review committee. Enclosures within the front yard setback are permitted for multiple family dwelling units when deemed necessary by city staff because no other appropriate location for an enclosure exists on the property. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7303)

**17.16.140 Site plan review.**

A site plan review permit must be obtained for all developments other than a single-family residence in R-M zones, subject to the requirements and procedures of Chapter 17.28. (Ord. 2017-01 (part), 2017)

**17.16.150 Open space and recreational areas.**

Any multiple family project approved under a conditional use permit or site plan review permit shall dedicate at least five (5) percent of the site to open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The calculated space shall not include setback areas adjacent to a street. Shared open space could include parks, playgrounds, sports courts, swimming pools, gardens, and covered patios or gazebos open on at least three (3) sides. Further, the calculated space shall not include enclosed meeting or community rooms. The specific size, location and use shall be approved as a part of the conditional use permit. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7305)

**17.16.160 Screening.**

All parking areas adjacent to public streets and R-1 sites shall be screened from view subject to the requirements and procedures of Chapter 17.28. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7306)

**17.16.170 Screening fence.**

Where a multiple family site adjoins an R-1 site, a screening block wall or wood fence not less than six feet in height shall be located along the property line; except in a required front yard, or the street side of a corner lot and suitably maintained. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7307)

**17.16.180 Landscaping.**

All multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained. (Ord. 2017-01 (part), 2017: Ord. 9717 § 2 (part), 1997: prior code § 7308)

**17.16.190 Model good neighbor policies.**

Before issuance of building permits, project proponents of multi-family residential developments in the R-M zones that are subject to approval by the Site Plan Review Committee or the Planning Commission, shall enter into an operational management plan (Plan), in a form approved by the City for the long term maintenance and management of the development. The Plan shall include but not be

limited to: The maintenance of landscaping for the associated properties; the maintenance of private drives and open space parking; the maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages; enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and, enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission, and as may be amended by resolution. (Ord. 2017-01 (part), 2017: Ord. 2006-11 § 1, 2006)

#### **17.16.200 Signs.**

Signs shall be placed in conformance with Chapter 17.48. (Ord. 2017-01 (part), 2017)

### **Zoning Ordinance Chapter 17.22 Industrial Zones**

#### **17.22.010 Purposes.**

A. The two types of industrial zones included in this chapter are designed to achieve the following:

1. Encourage the location of new industries that do not generate substantial amounts of pollutant emissions, impacts on air quality, or other natural resources;
2. Ensure compatibility between industrial lands and adjacent dissimilar land uses;
3. Retain and strengthen the city's role as a regional manufacturing center in the Southern Central San Joaquin Valley;
4. Provide appropriate industrial areas to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise or equipment;
5. Provide adequate space to meet the needs of industrial development, including off-street parking and loading;
6. Direct industrial uses to and encourage expansion of the northwest industrial areas;
7. Protect areas appropriate for industrial use from intrusion by dwellings and other conflicting uses;
8. Protect residential and commercial properties and nuisance-free nonhazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation and other hazards and objectionable influence incidental to certain industrial uses;
9. Preserve land designated for light and heavy industrial uses by limiting the intrusion of commercial or service commercial uses.

B. The purpose of the industrial land use zones are as follows:

1. Light Industrial Zone—( I-L). The purpose and intent of the Light Industrial zone district is to provide an area for uses that are characterized by low intensity research and development, warehousing and limited manufacturing and production, processing, assembling and packaging or treatment of food products from previously prepared materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district.
2. Industrial Zone—( I). The purpose and intent of the Industrial zone district is to provide an area for uses that are characterized by the manufacturing, processing or assembling of semi-finished or finished products from raw materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district. (Ord. 2017-01 (part), 2017: prior code § 7392)

#### **17.22.015 Applicability.**

The requirements in this chapter shall apply to all property within the I and I-L zone districts. (Ord. 2017-01 (part), 2017)

#### **17.22.020 Permitted uses.**

Permitted uses in I and I-L zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017: prior code § 7393)



### **17.22.030 Conditional and temporary uses.**

Conditional and temporary uses in the I and I-L zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017: prior code § 7393)

### **17.22.040 Required conditions.**

A. No use shall be permitted and no process, equipment or materials shall be employed which is determined by the planning commission to be injurious to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinder, refuse, noise, vibration, illumination, glare or heavy truck traffic or to involve any hazard of fire or explosion or to emit electrical disturbances that adversely affect commercial or electronic equipment outside the boundaries of the site;

B. No use shall emit visible smoke of a shade equal to or darker than No. 2 on a standard Ringelmann Chart issued by the United States Bureau of Mines or smoke of an equivalent opacity, except that smoke of a shade equal to No. 3 on the Ringelmann Chart may be emitted for four minutes in any thirty (30) minute period;

C. A site plan review permit must be obtained for all development in an I-L or I zone, subject to the requirements and procedures in Chapter 17.28. (Ord. 2017-01 (part), 2017: prior code § 7395)

### **17.22.050 Off-street parking and loading facilities.**

Off-street parking facilities and off-street loading facilities shall be provided on the site of each use as prescribed in Chapter 17.34. (Ord. 2017-01 (part), 2017: prior code § 7396)

### **17.22.060 Development standards in the I-L and I zones.**

A. The I-L and I zone districts include streets of varying width, carrying capacity and intended service. The development standards vary by type of street in order to maintain a consistent streetscape and achieve a high quality visual impact necessary to sustain an attractive and viable industrial area. The following development standards shall apply to property located in the I-L and I zones:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: seventy-five (75) feet.
- C. Minimum required yards (building setbacks):
  - 1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308);
  - 2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue);
  - 3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.);
  - 4. Rear: zero (0) feet;
  - 5. Rear yards abutting an R-1 or R-M zone district: twenty (20) feet;
  - 6. Side: zero (0) feet;
  - 7. Side yards abutting an R-1 or R-M zone district: twenty (20) feet;
  - 8. Side abutting railroad right-of-way: twenty-five (25) feet.
- D. Minimum required landscaped yard (setback) areas:
  - 1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308);

2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue);

3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.);

4. Rear: zero (0) feet;

5. Rear yards abutting an R-1 or R-M zone district: ten (10) feet;

6. Side: zero (0) feet;

7. Side yards abutting an R-1 or R-M zone district: ten (10) feet;

8. Side abutting railroad right-of-way: twenty-five (25) feet.

E. Additional standards:

1. Properties subdivided into parcels of less than five acres shall provide a common or joint storm drainage facility or pond, to be maintained through a private property owners' association formed at the time of subdivision.

2. An eight-foot masonry wall is required along property line where a site abuts an R-1 or R-M zone district. (Ord 2017-01 (part), 2017)

RESOLUTION NO. 2023-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2023-01: A REQUEST BY VISALIA SHIRK, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY FOR A LOT SPLIT TO SUBDIVIDE A 19-ACRE PARCEL INTO FOUR PARCELS AND A REMAINDER, LOCATED WITHIN THE R-M-2 (MULTIFAMILY RESIDENTIAL, 3,000 SQ. FT. MINIMUM SITE AREA) AND I (INDUSTRIAL) ZONES. THE PROPERTY IS LOCATED AT 6710 WEST DOE AVENUE, ON THE NORTHEAST CORNER OF WEST DOE AVENUE AND NORTH SHIRK STREET (APN: 077-530-065, 077-530-066, 077-740-001, 077-750-001)

**WHEREAS**, Tentative Parcel Map No. 2023-01 is a request by Visalia Shirk, LLC, A California Limited Liability Company for a lot split to subdivide a 19-acre parcel into four parcels and a remainder, located within the R-M-2 (Multifamily Residential, 3,000 sq. ft. minimum site area) and I (Industrial) Zones. The property is located at 6710 West Doe Avenue, on the northeast corner of West Doe Avenue and North Shirk Street (APN: 077-530-065, 077-530-066, 077-740-001, 077-750-001); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on April 10, 2023; and,

**WHEREAS**, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2023-01, as conditioned, 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 project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-002).

**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 location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained are consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, 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.
3. That the site is physically suitable for the purposed tentative parcel map and the way that it will be improved and developed and is compatible with adjacent land uses and for the specific land uses allowed under Multi-Family Residential and Industrial land use designations and the R-M-2 / I zoning designations.

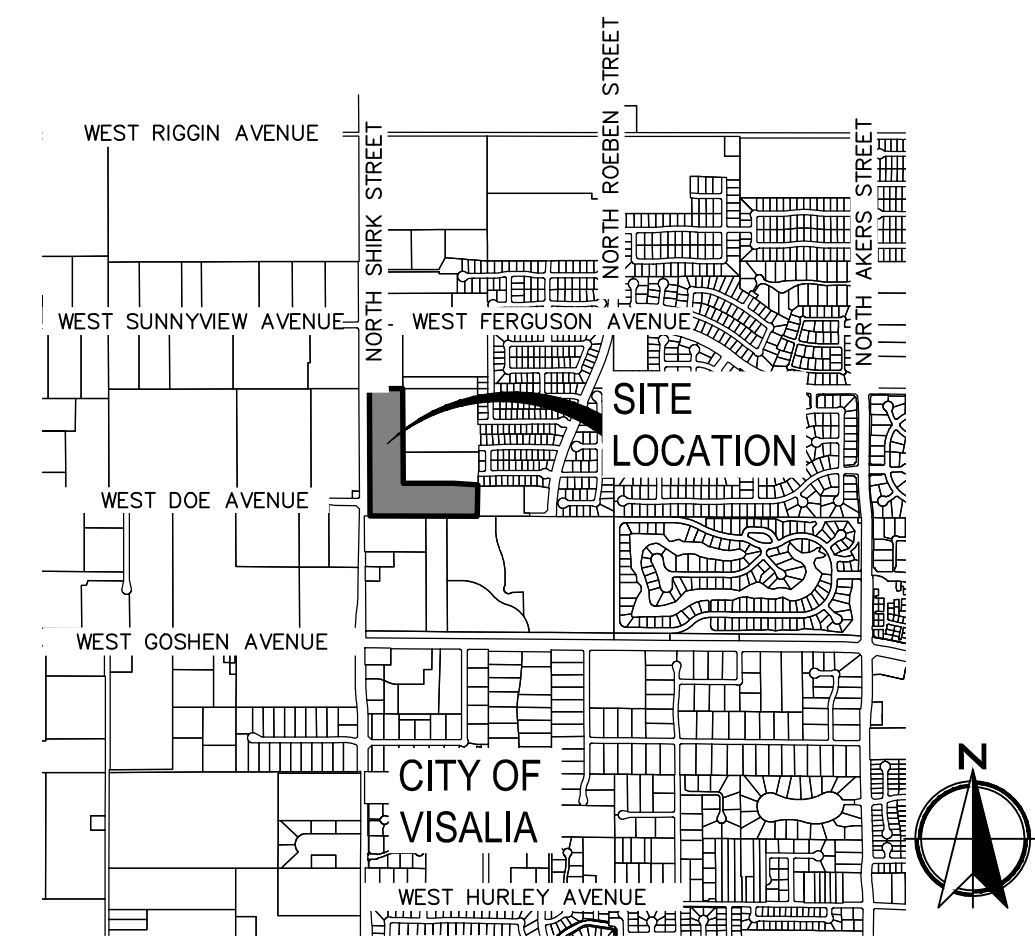
4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Residential Medium Density and Industrial General Plan land use designations, and R-M-2 / I zoning designations. In particular, the proposal to create a Remainder parcel will remove an instance of incompatible zonings applied to one parcel and will formalize an existing condition wherein the project site is physically divided by a public street.
5. That the proposed tentative parcel map, its design, and 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.
6. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-002). Furthermore, the design of the subdivision or the proposed improvements is not likely to 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 Parcel Map on the real property hereinabove 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 site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2023-004.
2. That the final map be carried out in substantial compliance with the approved tentative parcel map shown in Exhibit "A", development plan in Exhibit "B", and operational statement in Exhibit "C", attached herein.
3. That the conditions of approval applied to Conditional Use Permit No. 2017-08 shall apply to Tentative Parcel Map No. 2023-01.
4. That an agreement addressing the sharing of vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final map. The agreement shall address property owners' responsibility for repair and maintenance of the easement and common area lot, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded with the recording of the Final Parcel Map.
5. That all other federal, state, regional, and local laws and city codes and ordinances be complied with.

# TENTATIVE PARCEL MAP

IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA  
 SURVEYED AND PLATTED IN JANUARY 2023 BY GATEWAY ENGINEERING, INC.



VICINITY MAP: NOT TO SCALE

**SITE INFORMATION:**

- SITE ADDRESS: NW CORNER OF WEST DOE AVENUE & NORTH SHIRK STREET, VISALIA, CA 93291
- APN: 077-740-001; 077-750-001; 077-530-065; 077-530-066
- RECORD OWNER: VISALIA SHIRK LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
- OWNER'S ADDRESS: 29350 PACIFIC COAST HIGHWAY, STE. 12, MALIBU, CA 90265
- PHONE NO.: (424) 234-5555
- PROPOSED PARCELS: (4)
- PARCEL SIZE: PARCEL A: 336,645± SF (7.73± AC.) [GROSS] / 189,463± SF (4.35± AC.) [NET]  
 PARCEL B: 268,064± SF (6.15± AC.) [GROSS] / 215,393± SF (4.94± AC.) [NET]  
 PARCEL C: 219,240± SF (5.03± AC.) [GROSS] / 167,890± SF (3.85± AC.) [NET]  
 PARCEL D: 216,495± SF (4.97± AC.) [GROSS] / 186,723± SF (4.33± AC.) [NET]  
 PARCEL E: 61,848± SF (1.42± AC.) [GROSS] / 61,848± SF (1.42± AC.) [NET]
- ZONING: EXISTING: R-M (MULTI-FAMILY RESIDENTIAL)  
 PROPOSED: R-M (MULTI-FAMILY RESIDENTIAL)
- EXISTING GENERAL PLAN LAND USE: MULTI-FAMILY RESIDENTIAL
- PROPOSED GENERAL PLAN LAND USE: MULTI-FAMILY RESIDENTIAL
- THERE SHALL BE NO GRADE DIFFERENTIALS GREATER THAN 6 INCHES WITHIN 200 FEET OF THE SITE.
- THERE ARE NO EXISTING UNDERGROUND STRUCTURES SUCH AS PRIVATE WELLS, CESSPOOLS, SEPTIC SYSTEMS, DUMP SITES OR OTHER UNDERGROUND STRUCTURES.
- ALL IMPROVEMENTS SHALL BE AS REQUIRED BY THE CITY OF FRESNO, AND SHALL INCLUDE: SANITARY SEWER, DOMESTIC WATER, UNDERGROUND POWER, TELEPHONE, GAS, CONCRETE CURBS, GUTTERS, SIDEWALKS, PERMANENT STREET PAVEMENT, STREET LIGHTS, ETC.
- PROPOSED IMPROVEMENTS, INCLUDING SEWER, WATER, STORM SEWER, STREETLIGHTS, GUTTER, CURB, SIDEWALK, AND PERMANENT PAVEMENT SHALL BE INSTALLED PER CITY OF FRESNO STANDARD DRAWINGS.
- EXISTING UTILITY SERVICES PROVIDED BY:
 

WATER	CITY OF VISALIA
SEWER	CITY OF VISALIA
ELECTRICITY	PACIFIC GAS & ELECTRIC
GAS	PACIFIC GAS & ELECTRIC
STORM DRAIN	SURFACE

**LEGAL DESCRIPTION:**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 PURSUANT TO LOT LINE ADJUSTMENT NO. 2007-34, RECORDED DECEMBER 28, 2007, AS DOCUMENT NO. 2007-0110964 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

TOGETHER WITH THAT PORTION OF REMAINDER 1 OF SAID EAGLE CREEK NO. 2 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF REMAINDER 1 OF SAID EAGLE CREEK NO. 2; THENCE, NORTH 00°14'46" WEST, ALONG THE WEST LINE OF SAID REMAINDER 1, A DISTANCE OF 341.76 FEET; THENCE, NORTH 89°45'14" EAST, 82.99 FEET; THENCE, SOUTH 84°11'31" EAST, 202.06 FEET; THENCE, NORTH 89°45'14" EAST, 47.92 FEET TO THE SOUTHWEST CORNER OF LOT 171 OF SAID EAGLE CREEK NO. 2; THENCE, CONTINUING NORTH 89°45'14" EAST, ALONG THE SOUTH LINE OF SAID LOT 171 AND LOTS 170, 169, 168, 167, 166, 165, 164 AND 163 OF SAID EAGLE CREEK NO. 2, A DISTANCE OF 538.03 FEET TO THE NORTHWEST CORNER OF REMAINDER 2 OF SAID EAGLE CREEK NO. 2; THENCE, SOUTH 00°22'29" WEST, ALONG THE WEST LINE OF SAID REMAINDER 2, A DISTANCE OF 326.63 FEET TO THE SOUTHWEST CORNER OF SAID REMAINDER 2; THENCE, NORTH 89°57'27" WEST, ALONG THE SOUTH LINE OF REMAINDER 1 OF SAID EAGLE CREEK NO. 2, A DISTANCE OF 868.42 FEET TO THE SOUTHWEST CORNER OF SAID REMAINDER 1 AND THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE REMAINDER OF PARCEL MAP 4750, AS RECORDED IN BOOK 48 OF PARCEL MAPS, AT PAGE 55, OF TULARE COUNTY RECORDS DESCRIBED AS FOLLOWS:

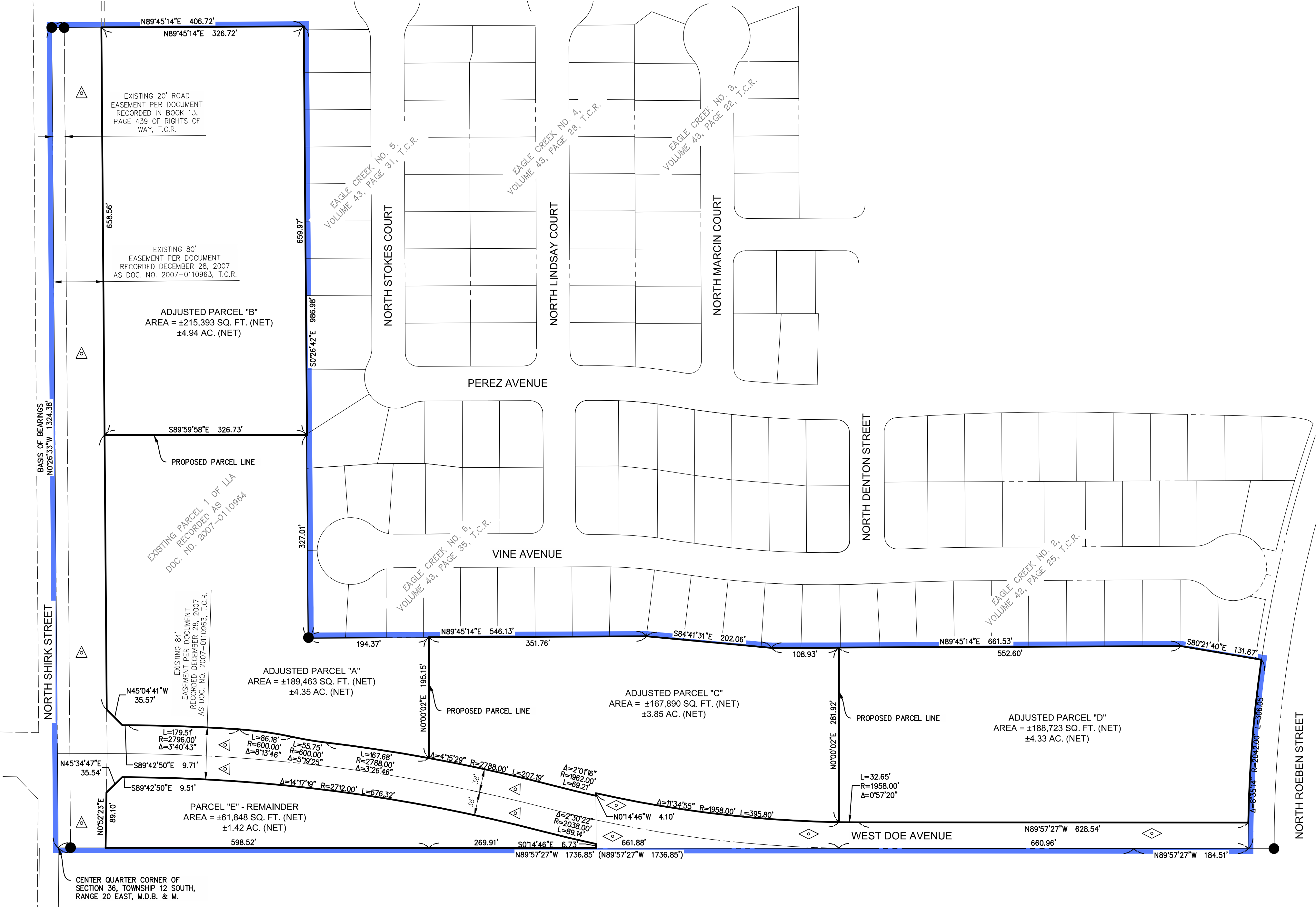
BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 22, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF THE REMAINDER OF SAID PARCEL MAP 4750; THENCE, NORTH 89°45'14" EAST, ALONG THE NORTH LINE OF SAID REMAINDER AND THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 406.72 FEET; THENCE, SOUTH 00°26'42" EAST, 986.87 FEET; THENCE, NORTH 89°45'14" EAST, 462.81 FEET TO THE EAST LINE OF THE REMAINDER OF SAID PARCEL MAP 4750, SAID LINE ALSO BEING THE WEST LINE OF REMAINDER 1 OF SAID EAGLE CREEK NO. 2; THENCE, SOUTH 00°14'46" EAST, ALONG SAID EAST LINE, 341.76 FEET TO THE SOUTHWEST CORNER OF THE REMAINDER OF SAID PARCEL MAP 4750 AND THE SOUTHWEST CORNER OF REMAINDER 1 OF SAID EAGLE CREEK NO. 2; THENCE, NORTH 89°57'27" WEST, ALONG THE SOUTH LINE OF THE REMAINDER OF SAID PARCEL MAP 4750, A DISTANCE OF 868.43 FEET TO THE SOUTHWEST CORNER OF SAID REMAINDER; THENCE, NORTH 00°26'33" WEST, ALONG THE WEST LINE OF SAID REMAINDER, 1324.32 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 22 AND THE NORTHWEST CORNER OF SAID REMAINDER AND THE POINT OF BEGINNING.

EXCEPTING THEREFROM ONE-HALF OF THE OIL, GAS, MINERALS AND HYDROCARBON SUBSTANCES FOR A PERIOD OF 25 YEARS, AS REFERRED IN THE DEED FROM HAZEL C.M. MONTAGUE TO ALBERT F. BLAIN, ET AL, DATED AUGUST 8, 1958 AND RECORDED AUGUST 22, 1958 IN BOOK 2072 PAGE 3 OF OFFICIAL RECORDS.

**BASIS OF BEARINGS**

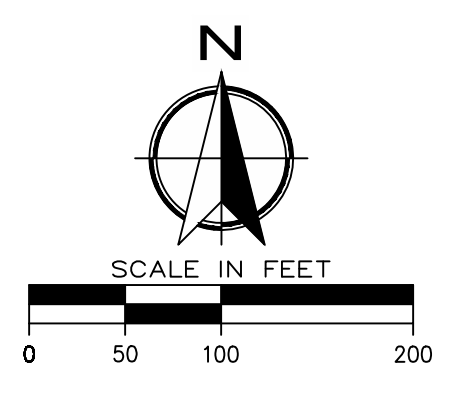
THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22, T. 18 S., R. 24 E., M.D.B. & M., TAKEN TO BE N00°26'33"W AS SHOWN ON PARCEL MAP NO. 4750, RECORDED IN VOLUME 48 OF PARCEL MAPS, AT PAGE 55, T.C.R.

**MAP PREPARED:**  
 CREATED: JANUARY 19, 2023



**SYMBOL AND LINETYPE LEGEND:**

- EXISTING CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING RIGHT OF WAY
- PROPOSED PARCEL LINE
- INDICATES SUBDIVISION BOUNDARY
- INDICATES RIGHT OF WAY NOW OFFERED FOR DEDICATION
- INDICATES RIGHT OF WAY PREVIOUSLY DEDICATED PER PARCEL MAP NO. 4750 RECORDED MARCH 29TH, 2006 AS DOCUMENT NO. 2006-0032717 IN BOOK 48 OF PARCEL MAPS, AT PAGE 55, TULARE COUNTY RECORDS



**GATEWAY ENGINEERING, INC.**  
 CIVIL ENGINEERS | LAND SURVEYORS  
 P. 559-370-0544 | F. 559-370-0545 | WWW.GATEWAYENG.COM  
 5611 EAST PRINCETON AVENUE, FRESNO, CA 93727-1377

PROFESSIONAL LAND SURVEYOR  
 CASEY WAYNE LOWRY  
 No. 8154  
 STATE OF CALIFORNIA

01/06/2023

VISALIA SHIRK LLC  
 29350 PACIFIC COAST HIGHWAY, SUITE 12  
 MALIBU, CA 90265

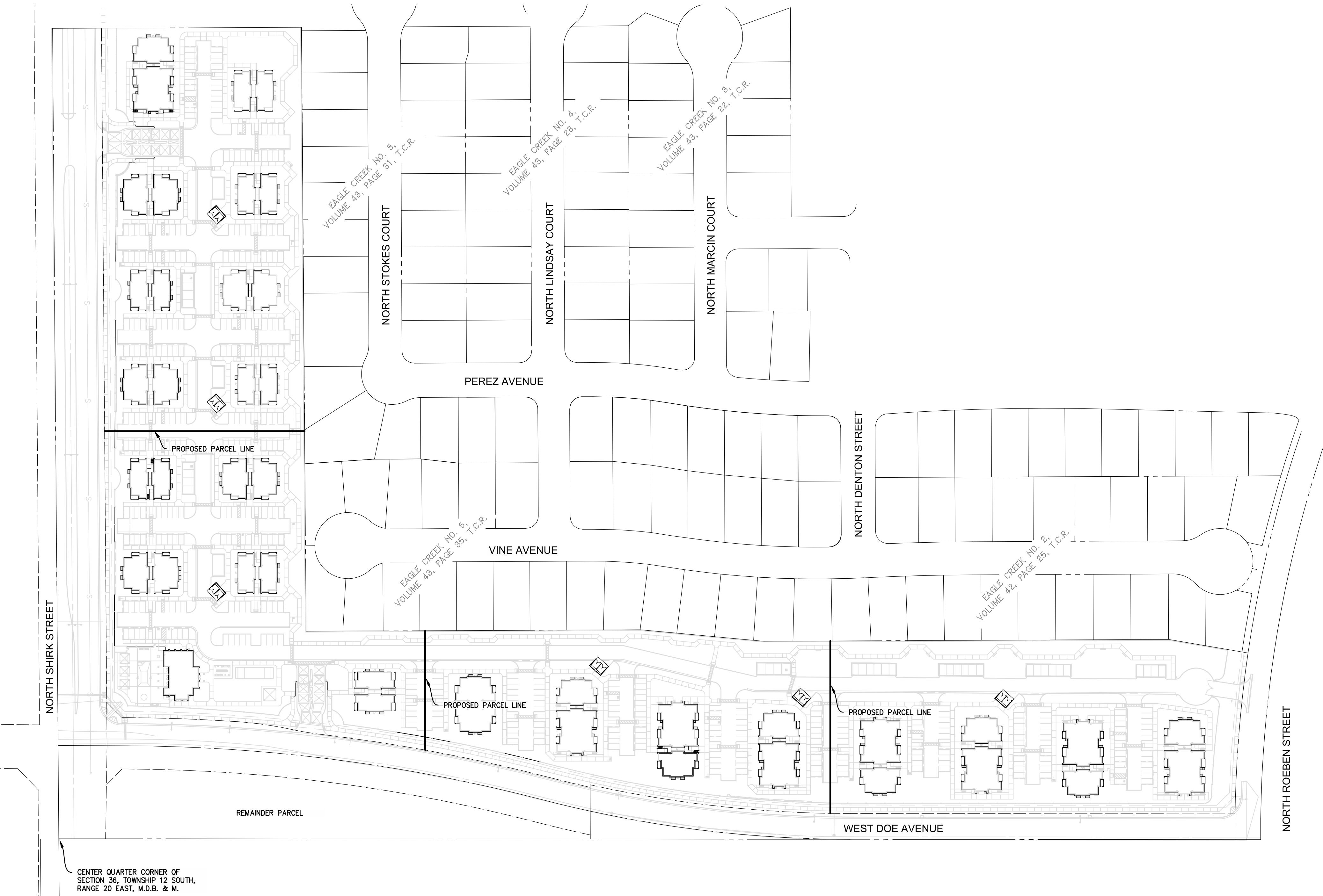
TENTATIVE PARCEL MAP

REV. NO.	DESCRIPTION	DATE

ENGINEER: D.K.B.  
 LICENSE NO: 57,133  
 DRAWN BY: V.Y.T.  
 CHECKED BY: J.L.  
 SCALE: AS SHOWN  
 PROJECT NO: 20-072  
 SHEET 1 2

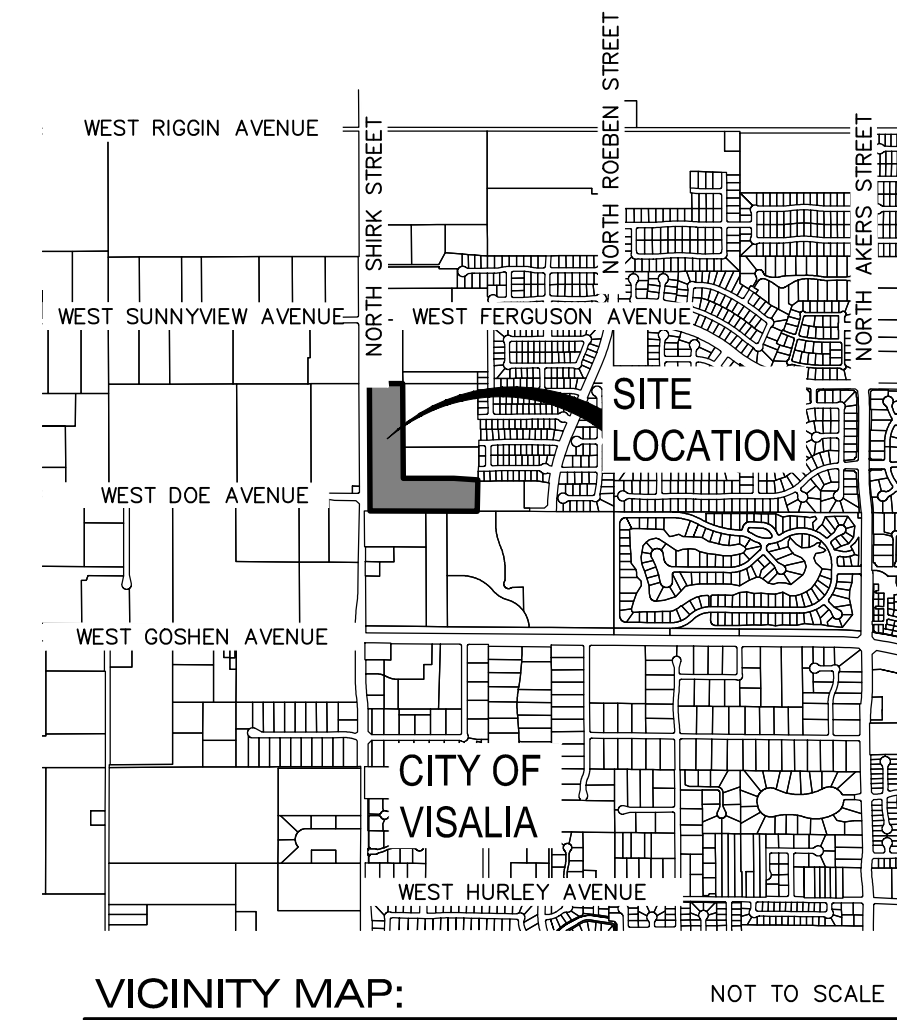
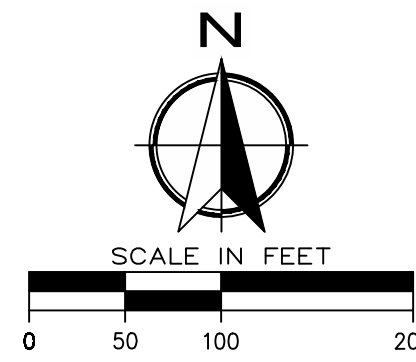
# TENTATIVE PARCEL MAP

IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA  
 SURVEYED AND PLATTED IN JANUARY 2023 BY GATEWAY ENGINEERING, INC.



**SYMBOL AND LINETYPE LEGEND:**

- EXISTING CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING RIGHT OF WAY
- PROPOSED PARCEL LINE
- INDICATES SUBDIVISION BOUNDARY



VICINITY MAP: NOT TO SCALE

**GATEWAY ENGINEERING, INC.**  
 CIVIL ENGINEERS | LAND SURVEYORS  
 P. 559-370-0544 | F. 559-370-0545 | WWW.GATEWAYENG.COM  
 9511 EAST PRINCETON AVENUE, FRESNO, CA 93727-1377



01/06/2023

VISALIA SHIRK, LLC  
 29350 PACIFIC COAST HIGHWAY, SUITE 12  
 MALIBU, CA 90265

TENTATIVE PARCEL MAP

DATE

DESCRIPTION

REV No.

ENGINEER: D.K.B.  
 LICENSE No: 57,133  
 DRAWN BY: V.Y.T.  
 CHECKED BY: J.L.  
 SCALE: AS SHOWN  
 PROJECT No: 20-072

SHEET

2 2

MAP PREPARED:

CREATED: JANUARY 19, 2023

01/19/2023 11:58:46 AM G:\GATEWAY\PROJECTS\2023\20-072 VISALIA\20-072 TENTATIVE MAP\FIG-2023-001.DWG  
 VISALIA APES CONSTRUCTION STAMPING/INTEGRATIVE MAP 02-072 TENTATIVE MAP FIG-2023-001.DWG  
 VISALIA APES CONSTRUCTION STAMPING/INTEGRATIVE MAP 02-072 TENTATIVE MAP FIG-2023-001.DWG  
 VISALIA APES CONSTRUCTION STAMPING/INTEGRATIVE MAP 02-072 TENTATIVE MAP FIG-2023-001.DWG

# EXHIBIT C

## **Operational Statement**

### **Project:**

Visalia Apartments

This project pertains to APN # 077-740-001, 077-750-001, 074-530-065, 077-530-066 that is currently under construction.

The parcel is to be divided into 4 parcels of 4.35, 4.94, 3.85 and 4.33 Acres with a remainder parcel of 1.42 acres for the purpose of project financing.

**Environmental Document # 2023-002**

**NOTICE OF EXEMPTION**

City of Visalia  
315 East Acequia Ave.  
Visalia, CA 93291  
(559) 713-4444

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

Tentative Parcel Map No. 2023-01

---

**PROJECT TITLE**

The property is located at 6710 West Doe Avenue, on the northeast corner of West Doe Avenue and North Shirk Street (APN: 077-530-065, 077-530-066, 077-740-001, 077-750-001).

---

**PROJECT LOCATION - SPECIFIC**

Visalia

Tulare

---

**PROJECT LOCATION - CITY**

---

**COUNTY**

Tentative Parcel Map No. 2023-01: A request by Visalia Shirk, LLC, A California Limited Liability Company for a lot split to subdivide a 19-acre parcel into four parcels and a remainder, located within the R-M-2 (Multifamily Residential, 3,000 sq. ft. minimum site area) and I (Industrial) Zones.

---

**DESCRIPTION - Nature, Purpose, & Beneficiaries of Project**

City of Visalia, Cristobal Carrillo, Associate Planner, 315 E. Acequia Avenue, Visalia, CA 93291. (559) 713-4443, [cristobal.carrillo@visalia.city](mailto:cristobal.carrillo@visalia.city)

---

**NAME OF PUBLIC AGENCY APPROVING PROJECT**

Visalia Shirk, LLC, Attn: Paul Owhadi, 29350 Pacific Coast Hwy, St. 12, Malibu CA 90265, (424) 234-5555, [dan@gatewayeng.com](mailto:dan@gatewayeng.com)

---

**NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT**

Dan Bond, Gateway Engineering, 405 Park Creek Drive, Clovis CA 93611, (559) 320-0344, [dan@gatewayeng.com](mailto:dan@gatewayeng.com)

---

**NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT**

**EXEMPT STATUS:** (Check one)

- Ministerial - Section 15073  
 Declared Emergency - Section 15071  
 Emergency Project - Section 15071  
 Categorical Exemption - State type & Section number: **15315**  
 Statutory Exemptions - State code number:

The project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended (Categorical Exemption No. 2023-002). Section 15315 is appropriate as it is located within a multifamily residential and industrial zoned area, will be divided into four parcel and a remainder, will require no variances or exceptions, has all services readily available, will be provided access through shared access agreement, has not been divided within the last two years, and does not have an average slope greater than 20 percent.

---

**REASON FOR PROJECT EXEMPTION**

Cristobal Carrillo, Associate Planner

**CONTACT PERSON**

(559) 713-4443

**AREA CODE/PHONE**

January 9, 2023

**DATE**

Brandon Smith, AICP

**ENVIRONMENTAL COORDINATOR**





February 23, 2023

## Site Plan Review No. 2023-004

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **February 1, 2023**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal", is written over a large, light blue circular scribble.

Paul Bernal  
Community Development Director  
315 E. Acequia Ave.  
Visalia, CA 93291

### Attachment(s):

- Site Plan Review Comments



MEETING DATE February 1, 2023  
 SITE PLAN NO. 2023-004  
 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

TPM

HISTORIC PRESERVATION

OTHER – Lot Line Adjustment

**ADDITIONAL COMMENTS:**

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440 Site Plan Review Committee

# SITE PLAN REVIEW COMMENTS

**Josh Dan, Planning Division (559) 713-4003**

Date: February 1, 2023

SITE PLAN NO: 2023-004 – C  
PROJECT TITLE: 2 Lot Parcel Map Tuscany Villas  
DESCRIPTION: TPM to subdivide 23-acre parcel into four parcels and a remainder  
APPLICANT: Dan Bond  
PROP. OWNER: Visalia Shirk LLC  
LOCATION TITLE: 6824 W. Doe Avenue  
APN TITLE: 077-750-001, 000-011-769, 000-011-770, 077-530-066  
GENERAL PLAN: Medium Density Residential, Industrial  
ZONING: R-M-2 (Multi-Family Residential, 3,000 sq. ft. Minimum Site Area), I (Industrial)

## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

## **Project Requirements**

- Tentative Parcel Map
- Compliance with Conditional Use Permit No. 2017-08

### **PROJECT SPECIFIC INFORMATION:** February 1, 2023

1. A Tentative Parcel Map shall be required.
2. The Tentative Parcel Map shall comply with all conditions of CUP No. 2017-08.
3. Shared use and access agreements shall be required.

### **PROJECT SPECIFIC INFORMATION:** January 25, 2023

1. A Tentative Parcel Map shall be required.
2. A condition shall be applied to the Tentative Parcel Map requiring compliance with all conditions of Conditional Use Permit No. 2017-08, the Shirk & Doe multifamily complex project.
3. It is highly recommended that the applicant split off the portion of the project site that is zoned I (Industrial) so that it is its own Remainder parcel.
4. Shared use and access agreements shall be required.
5. The applicant shall correctly identify the blue border for the project site.
6. The applicant shall provide an exhibit depicting the existing/future improvements onsite, verifying that the proposed property lines will not cross through any buildings.
7. Comply with the requirements of the Solid Waste Division regarding placement of trash enclosures.
8. Comply with the Engineering Division regarding the depiction of right of way improvements on the parcel map.

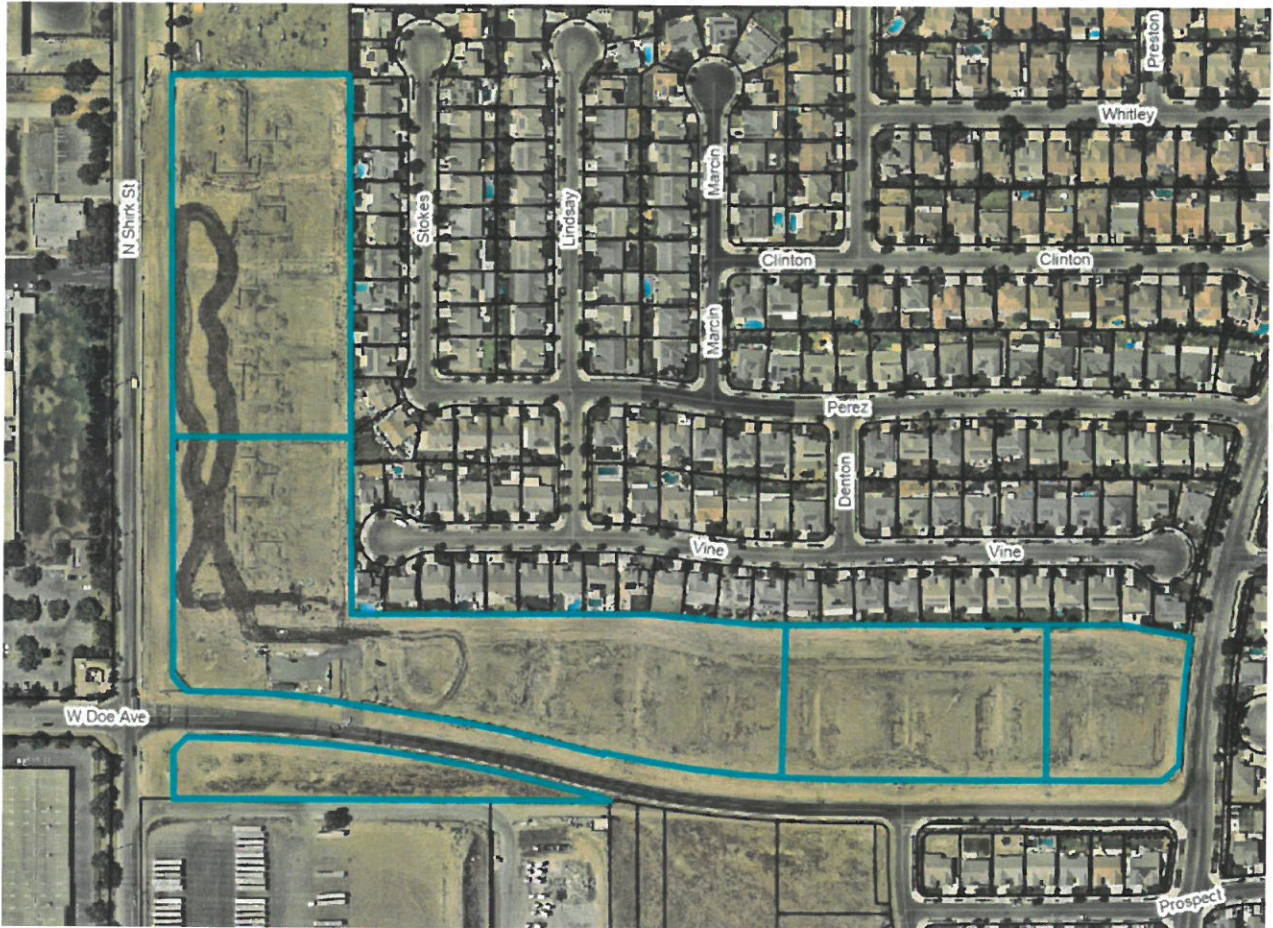

### **PROJECT SPECIFIC INFORMATION:** January 18, 2023

4. A Tentative Parcel Map shall be required.
5. A condition shall be applied to the Tentative Parcel Map requiring compliance with all conditions of Conditional Use Permit No. 2017-08, the Shirk & Doe multifamily complex project.
6. It is highly recommended that the applicant split off the portion of the project site that is zoned I (Industrial) so that it is its own parcel.
7. Shared use and access agreements shall be required.

8. The applicant shall correctly identify the blue border for the project site.

**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:



**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

- Adrian Rubalcaba 713-4271
- Ather Razaq 713-4268
- Edelma Gonzalez 713-4364
- Jaklin Rowley 713-4369
- Luqman Ragabi 713-4362

<b>ITEM NO: 4    DATE: FEBRUARY 01, 2023</b>	
SITE PLAN NO.:	23-004 2 <sup>ND</sup> RESUBMITTAL
PROJECT TITLE:	2 LOT PARCEL MAP TUSCANY VILLAS
DESCRIPTION:	TENTATIVE PARCEL MAP TO SUBDIVIDE 23-ACRE PARCEL INTO TWO PARCELS IN THE R-M-2 ZONE
APPLICANT:	DAN BOND
PROP. OWNER:	VISALIA SHIRK LLC
LOCATION:	6824 W DOE AVE
APN:	077-750-001

**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  
**GRANT DEED DEDICATION IN FEE FOR SHIRK AND DOE STREET RIGHT-OF-WAY.**
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required.  CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: David Deel (Planning) 488-4088
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- 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. Tentative parcel map has been modified. TPM is now proposing 4 parcels North of Doe and a remainder parcel South of Doe Ave as recommended per previous SPR comments.***
- 2. Tentative map indicates right-of-way for W. Doe Ave and N. Shirk St. to be dedicated in fee. If desired to dedicate by separate instrument, refer to city website for grant deed processing and format.***
- 3. Parcel Map to comply with multi-family development conditions of approval per previous SPR 17-004 and Conditional Use Permit.***

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **23-004 2<sup>ND</sup> RESUBMITTAL**  
Date: **02/01/2023**

**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:**08/20/2022**)  
(Project type for fee rates:**Tentative Parcel Map**)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drainage Acquisition Fee	
<input type="checkbox"/> Park Acquisition Fee	
<input type="checkbox"/> Northeast Acquisition Fee Total	
Storm Drainage	
Block Walls	
Parkway Landscaping	
Bike Paths	
<input type="checkbox"/> Waterways Acquisition Fee	

**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.

  
**Edelma Gonzalez**

SPR 23004  
PARCEL MAP  
6824 W DOE AVE

City of Visalia  
Building: Site Plan  
Review Comments

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 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.
- Park Development fee \$ \_\_\_\_\_, per unit collected with building permits.
- Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VAL CARCIA 1/31/23  
Signature






**Site Plan Comments**

Visalia Fire Department  
Corbin Reed, Fire Marshal  
420 N. Burke  
Visalia CA 93292  
559-713-4272 office  
prevention.division@visalia.city

Date            January 31, 2023  
Item #            4  
Site Plan #      23004  
APN:              077750001

- 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 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- This item is a **resubmittal**. Please see comments from previous submittals.



---

Corbin Reed  
Fire Marshal



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

Date: 01/31/2023  
 Item: 4  
 Site Plan: SPR23004  
 Name: Vincent Muto

**Site Plan Review Comments**

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact Fee:  
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
Effective date - August 17, 2001.
- Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:
  - Territorial Reinforcement: Define property lines (private/public space).
  - Access Controlled/ Restricted etc.
  - lighting Concerns:
  - Traffic Concerns:
  - Surveillance Issues:
  - Line of Sight Issues:
  - Other Concerns:

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

February 1, 2023

ITEM NO: 4      Resubmit  
SITE PLAN NO: SPR23004      ASSIGNED TO: Cristobal Carrillo  
PROJECT TITLE: 2 LOT PARCEL MAP TUSCANY VILLAS      [Cristobal.Carrillo@visalia.city](mailto:Cristobal.Carrillo@visalia.city)  
DESCRIPTION: TENTATIVE PARCEL MAP TO SUBDIVIDE 23-ACRE PARCEL INTO TWO PARCELS IN THE R-M-2 ZONE.  
APPLICANT: DAN BOND  
OWNER: VISALIA SHIRK LLC  
APN: 077750001  
LOCATION: 6824 W DOE AVE

**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 at time of development.
- Install Street Name Blades at Locations at time of development.
- Install Stop Signs at **local road intersection with collector/arterial** Locations.
- Construct parking per City Standards PK-1 through PK-4 at time of development.
- Construct drive approach per City Standards at time of development.
- Traffic Impact Analysis required (CUP)
  - Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
  - Trip Generation - Provide documentation as to concurrence with General Plan.
  - Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
  - Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

**Additional Comments:**

---

**Leslie Blair**

CITY OF VISALIA  
SOLID WASTE DIVISION  
336 N. BEN MADDOX  
VISALIA CA. 93291  
713 - 4532  
COMMERCIAL BIN SERVICE

23004

February 1, 2023

- 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 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.

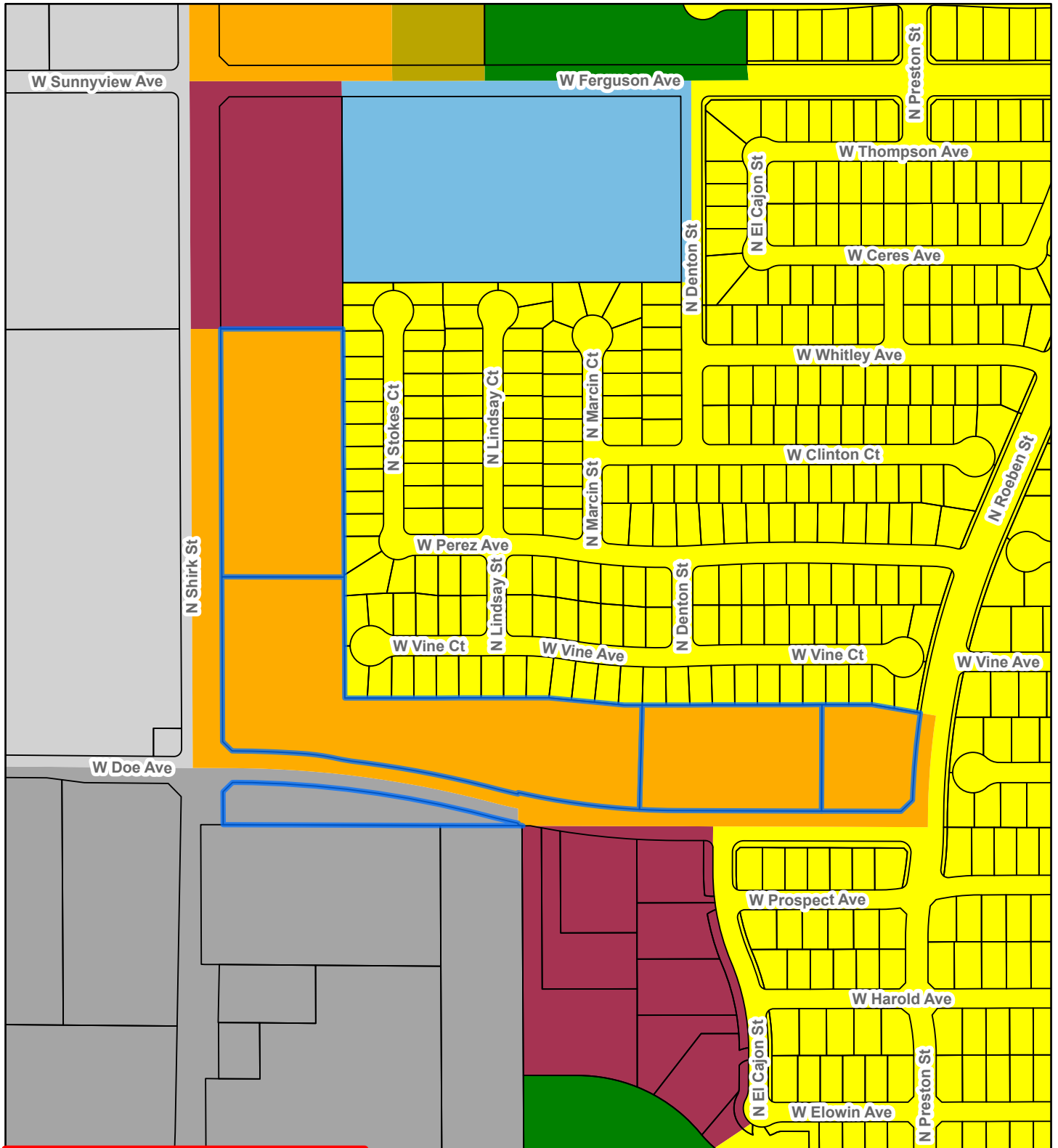
Comment

Customer provided the approved building layout, identifying enclosures at each parcel as requested. No additional comments.

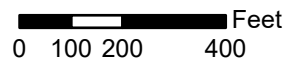
Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniqa, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532





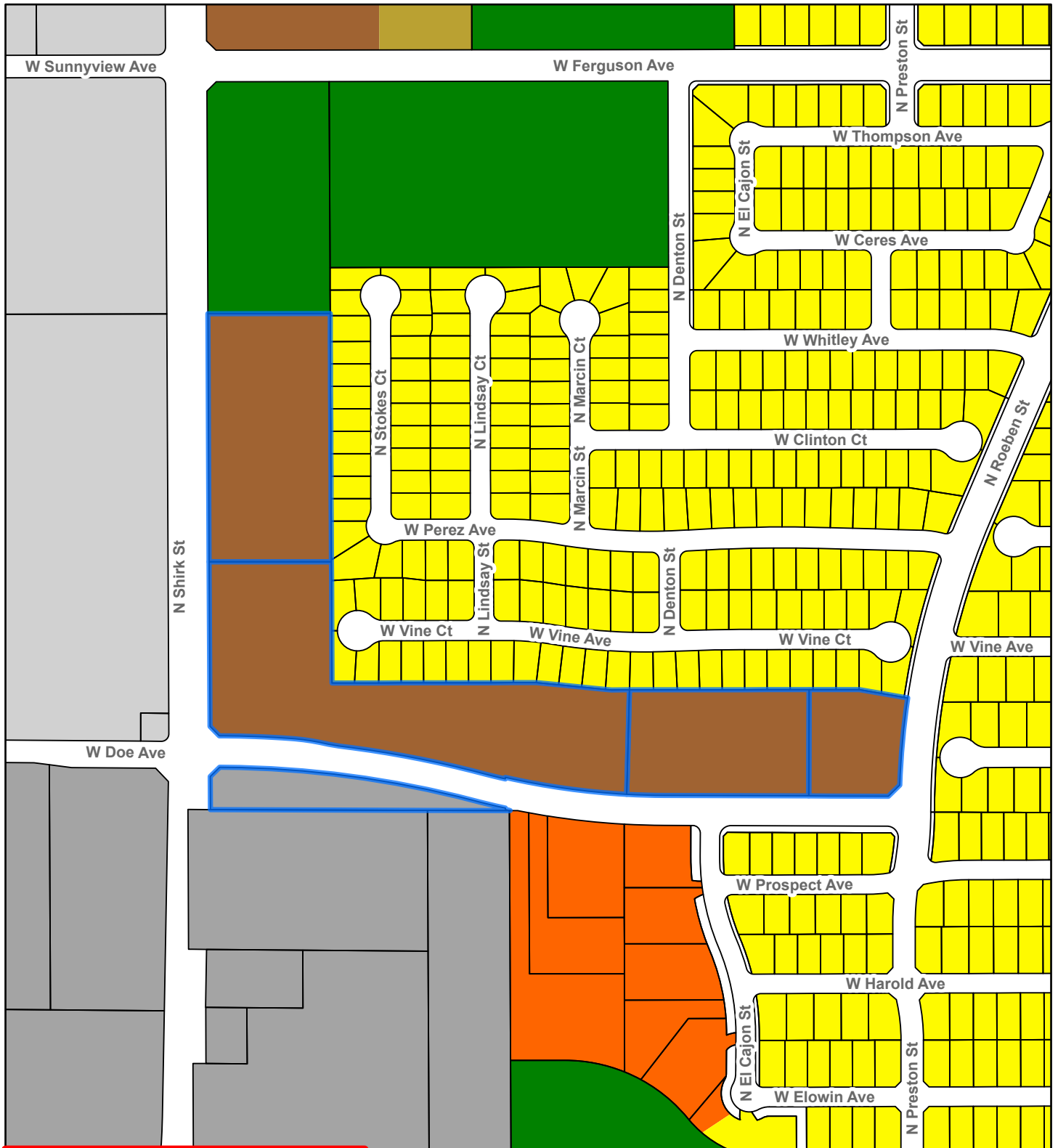
# General Plan Land Use Map



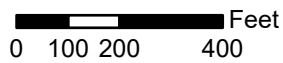
- Commercial Service
- Industrial
- Light Industrial
- Public Institutional
- Parks/Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density



Shirk



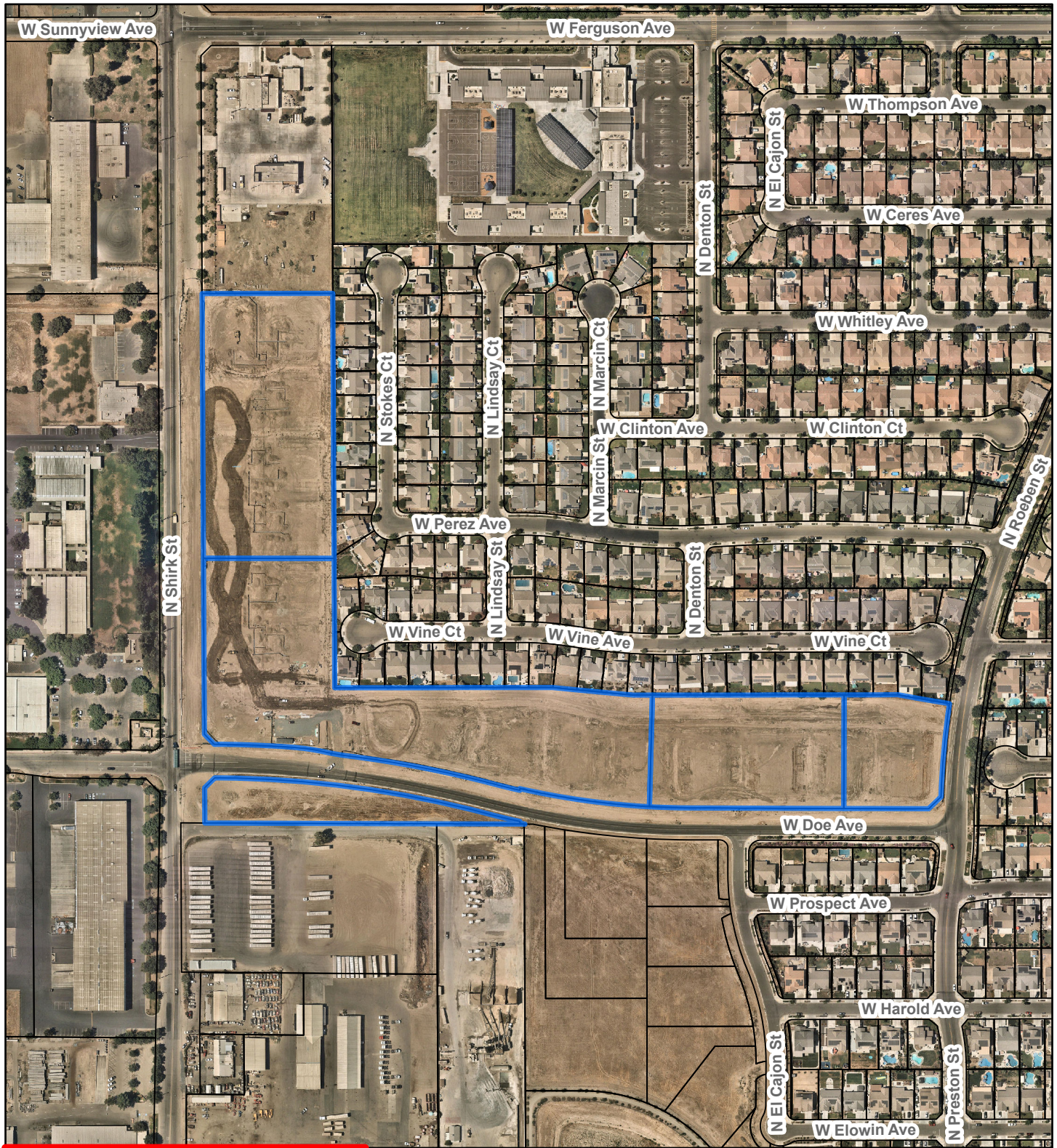
# Zoning Map



- C-S Service Commercial
- I Industrial
- I-L Light Industrial
- O-PA Professional / Admin Office
- QP Quasi-Public
- R-1-5 Single-family Residential
- R-M-2 Multi-family Residential
- R-M-3 Multi-family Residential



Shirk



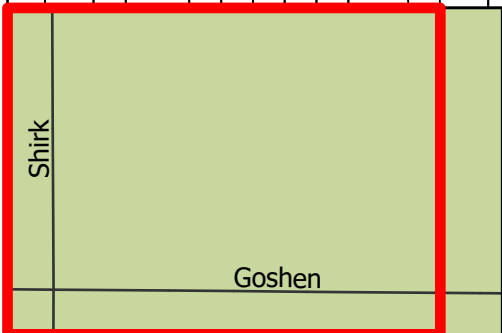
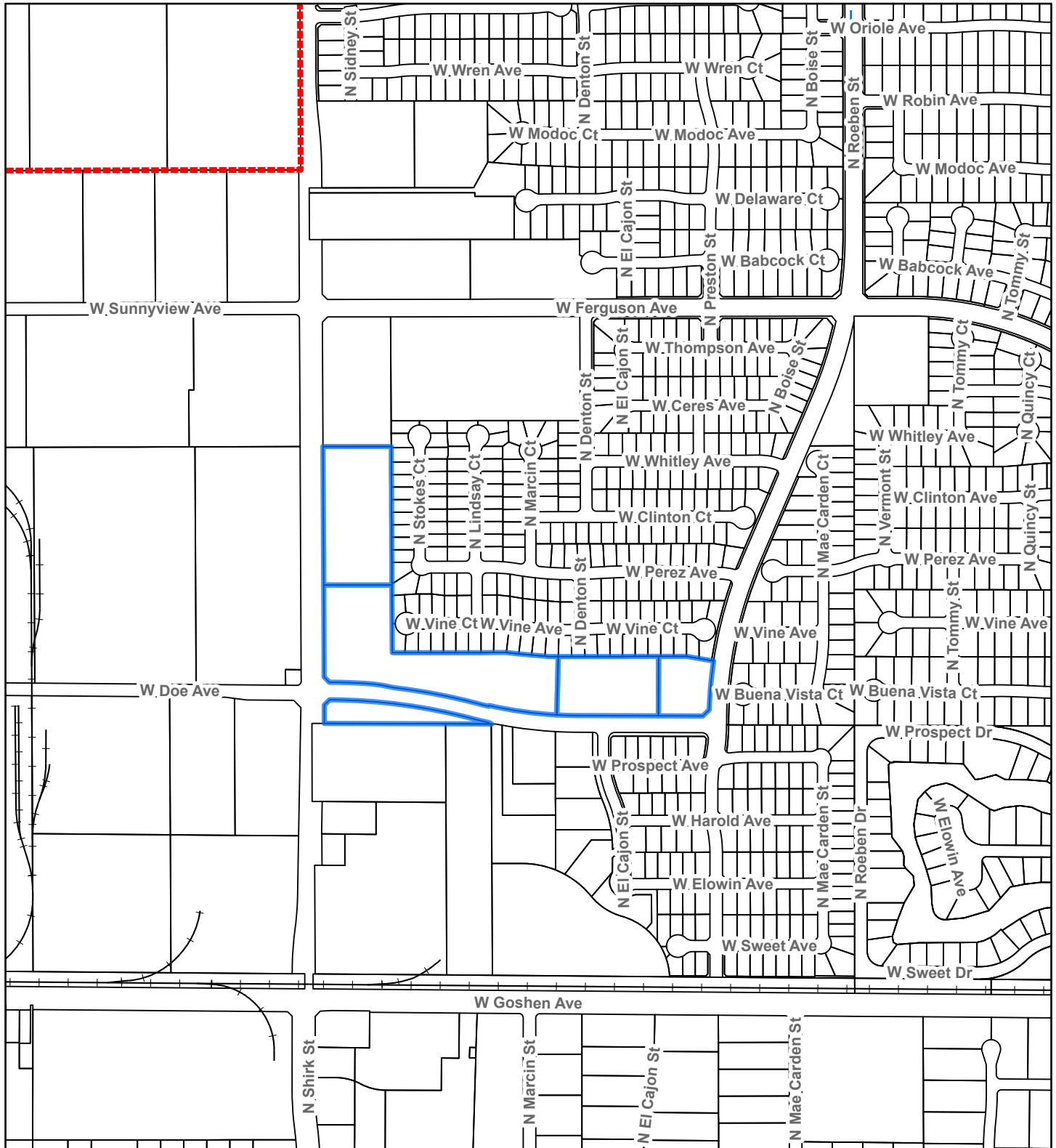
Shirk

## Aerial Photo



0 100 200 400 Feet





# Location Map

