

SITE PLAN REVIEW AGENDA

5/10/2023 - 9:00 A.M.

(Via Microsoft Teams)

To review supporting documents, click on the "SITE PLAN NO" link, then click on "Record Info" / "Attachments"

ITEM NO: 1 Resubmit

SITE PLAN NO: [SPR23067](#)

PROJECT TITLE: City Serve Youth Housing

DESCRIPTION: Four - two Story Modular Apartment Buildings, One Support Service Building Consisting of Laundry and Two Support Centers. (C-N)

APPLICANT: Raquel

OWNER: FARSAKIAN PROPERTIES LLC

APN: 098200070

LOCATION: 1308 E HOUSTON AVE

ITEM NO: 2 Added to Agenda

SITE PLAN NO: [SPR23072](#)

PROJECT TITLE: MoonHaven Haus

DESCRIPTION: Convert Existing Retail Space to Cafe/Restaurant (D-MU)

APPLICANT: Janet & Jason Kabeary

OWNER: TDS INVESTMENTS LLC

APN: 094327001

LOCATION: 421 W MAIN ST

ITEM NO: 3

SITE PLAN NO: [SPR23073](#)

PROJECT TITLE: The Darling Hotel

DESCRIPTION: Phase 2 Expansion/Remodel of Existing 12,000 sf Building to Provide Additional Hotel Rooms, Hotel Facilities, Kitchen, and Conference Space. (D-MU)

APPLICANT: Matthew Ainley

OWNER: COURTHOUSE SQUARE VENTURES LLC

APN: 094287001

LOCATION: 100 E CENTER AVE

ITEM NO: 4 Added to Agenda

SITE PLAN NO: [SPR23074](#)

PROJECT TITLE: 4 New Lots

DESCRIPTION: Proposing to Create New Lots, 4 in total. (X)

APPLICANT: Manveer Dosanjh

OWNER: DHALIWAL BALWANT S & BALJINDER K

APN: 077070070

LOCATION: 2300 N AKERS ST

ITEM NO: 5 Added to Agenda

SITE PLAN NO: [SPR23075](#)

PROJECT TITLE: Shirk Energy Storage

DESCRIPTION: Battery Energy Storage System (BESS)

APPLICANT: Lori Coleman

OWNER: AMERICAN INCORPORATED

APN: 077200032

LOCATION: 7626 W SUNNYVIEW AVE

AFTER REVIEW OF REGULAR AGENDA ITEMS, THE COMMITTEE WILL BE AVAILABLE TO REVIEW OFF-AGENDA ITEMS FOR INFORMAL REVIEW. THE COMMITTEE WILL BE AVAILABLE TO ANSWER QUESTIONS AT THAT TIME.

CITY OF VISALIA SITE PLAN REVIEW APPLICATION

Additional information and assistance in filling out this application can be found at the City of Visalia website (www.visalia.city) or by calling (559) 713-4440.



This application MUST be filled out in its entirety and submitted with an acceptable site plan (see site plan minimum requirements & submittal details on Page 2). Failure to provide all requested information may result in rejection of your application and exclusion from the Site Plan Review agenda.

Site Plan Review meetings are held on Wednesdays at 9:00 a.m. online utilizing Microsoft Teams. The applicant or representative must be present.

Application submittal deadline are Thursday at 4:00 p.m. to be scheduled for the next available meeting.

GENERAL PROJECT INFORMATION

Project/Business Name: CityServe Youth Housing Date: 4/12/2023

Project Description: Four - two story modular apartment buildings, one support service building consisting of laundry and two support centers.

Site Plan Review Resubmittal: Yes No If Resubmittal, Previous Site Plan Review Number: _____

Property Owner: Farsakian Properties LLC

Applicant(s) Name: CityServe TulareKings

Project Address/Location: North of Houston Ave, along the west side of Cain St in Visalia, CA

Assessor Parcel Number: 098 - 200 - 070

Parcel Size (Acreage or Square Feet): 3.44 ± acres Building or Suite Square Footage: _____

Are There Any Proposed Building Modifications: Yes No

Estimated Cost of Modifications to Building: \$ N/A

Describe All Proposed Building Modifications: N/A

--- THIS AREA FOR CITY STAFF USE ONLY ---

Date Received: 04/20/2023

SPR Agenda: 04/26/2023 Item No. _____

Zone: C-N SPR No. 23-067

Historic District: Yes No

Flood Zone: X AE X/AE

- - A SEPARATE, DETAILED OPERATIONAL STATEMENT IS HIGHLY RECOMMENDED FOR ALL SUBMITTALS - -

OPERATIONS & TRAFFIC INFORMATION

Existing/Prior Building Use: Vacant Land

Proposed Building Use: Four - two story modular apartment buildings, one support service building consisting of laundry & two support centers

Proposed Hours of Operation: N/A

Days of Week In Operation (Circle): Su M T W Th F Sa

Number of Employees Per Day: Existing 0 Proposed 0

Number of Customers Per Day (Estimated): Existing 0 Proposed 0

Predicted Peak Operating Hour: N/A

Describe Any Truck Delivery Schedule & Operations: Normal residential deliveries

Please Identify Any Unique or Specific Traffic Patterns That Will Require Accommodations For Operations, Customers, or Employees

(Provide Separate Attachment if Necessary): N/A

Describe Any Special Events Planned for the Facility: N/A

SITE PLAN MINIMUM REQUIREMENTS

SITE PLAN REQUIREMENTS

- ⇒ Submit a digital copy of the site plan(s) and completed application on a flash drive or equivalent (PDF format preferred, hard paper copies not accepted).
- ⇒ Digital copies must be clear, legible, and on a layout sized appropriately to convey all necessary project information.
- ⇒ Site plan shall provide for and indicate all of the following:
 - North arrow
 - Existing & proposed structures
 - Loading/unloading areas
 - All existing & proposed site features
 - Adjacent street names
 - Accessible path of travel from right of way
 - Site dimensions, including building
 - Refuse enclosures & containers
 - Accessible path of travel from ADA stall
 - Existing and proposed fencing at site
 - Valley oak trees (show drip line)
 - Location and width of drive approaches to site
 - Public improvements (curbs, sidewalks, utility poles, hydrants, street lights, etc.)
 - Existing & proposed landscaping
 - Tentative maps shall adhere to requirements of Visalia Municipal Code Section 16
 - Parking stalls (include ADA)

REQUIRED SIGNATURE

Applicant Information (Final comments will be mailed to the name and address provided below)

Name: CityServe TulareKings Signature of Owner or Authorized Agent* _____
 Address: 1021 South Burke Street _____
 City, State, Zip Visalia, CA 93292 Owner _____ Date _____
 Phone: 559-786-4902 Authorized Agent*  4/13/23
 Email: Raquel@cityservetularekings.com Date _____

* If signed by an authorized agent, the "Agency Authorization" information below must be completed for this application to be considered acceptable.

AGENCY AUTHORIZATION

AGENCY AUTHORIZATION FORM

OWNER:

I, Farsakian Properties LLC, declare as follows; I am the owner of certain real property bearing assessor's parcel number (APN):
098-200-070

AGENT:

I designate AW Engineering, to act as my duly authorized agent for all purposes necessary to file an application for, and obtain a permit to Site Plan Review relative to the property mentioned herein.

I declare under penalty of perjury the foregoing is true and correct.

Executed this 13th day of April, 2023.

OWNER	Signatures	AGENT
DocuSigned by: <u>John Farsakian</u>		<u>Dana Bryan</u>
Signature ID: AFABA6D71DAC460...		Signature ID: 45AKFH2A10...
<u>3655 Golden Leaf Dr., Westlake Vlg, CA 91361</u>		<u>810 W. Acequia Ave</u>
Owner Mailing Address		Agent Mailing Address
<u>(818) 667-2021</u>		<u>559-713-6139</u>
Owner Phone Number		Agent Phone Number



CityServe Lofts – Visalia (Homekey 3.0): OPERATIONAL STATEMENT
APN: 098-200-070, on behalf of CityServe TulareKings

The proposed project is located at the northern-most section of the currently vacant land located at the Northwest corner of North Cain Street and East Houston Avenue in Visalia, CA 93292. The subject of this Site Plan Review consists of a community of 92 multifamily apartments, built utilizing permanent, wood-framed modular construction. The overarching intent is to offer supportive affordable housing for transitional-age youth, 18-25 years, and other displaced low-income individuals to reduce the lack of affordable housing in Tulare County. This well-designed community will utilize and conforms to the city of Visalia's development requirements.

Project Information:

- a. Proposed Project. The intended outcome is to provide 92 affordable apartment units, consisting of 80 one-bedroom units and 12 two-bedroom units, one of which will serve as the manager's unit. The one-bedroom units will be approximately 425 sf. and the two-bedroom units will be approximately 850 sf. There will be a total of four two-story residential buildings. There will also be a 1,500 SF common amenities building with laundry, restroom, office, and multipurpose space, together with two 500 SF support buildings. These buildings will be constructed using a pre-fabricated light gauge steel panel system. Parking, landscaping, and site amenities will also be provided.
- b. Hours of Operation, Employees, Shifts & Vehicular Traffic
 - i. **Hours:** 24 hours a day 7 days/week
 - ii. **Staff:** 1 community manager and 24-hour access to management.
 - iii. **Parking:** Drive approach will be provided from Cain Street to the east of the site, and an emergency vehicle gate will be added to the west of the property, with access-controlled pedestrian gate. Per AB2162, 100% affordable housing is exempt from parking space requirements; however, parking spaces are proposed to meet the estimated needs of the tenant population.
 - iiii. **Residents Access:** The project will be a walk-in community for residents with all-weather surfacing to each unit. Bike racks will be available. An accessible path of travel will meet the requirements of the California Building Code.
- c. **Project sponsor's purpose and need for the project.** The project is to provide a supportively affordable high-quality elevated living opportunity for people whose incomes are below to Area Median Income level (AMI) in varying degrees of the need of support. The overarching goal will be to assist residents in finding an educational

pathway that supports their career goals and ultimately guides them to obtain full-time employment. Supportive services, counseling, and community mentorship will be provided.

- d. **Project Objectives.** To disrupt the cycle of homelessness by providing a supportive affordable elevated living for those people moving from temporary housing programs and other residents of Tulare County.
- e. **Adjoining facility and services.** The property is located in the Northwest area of the city of Visalia. The project will be located just north of the proposed a new healthcare facility, United Healthcare Clinic (UHC), which is planned for the northwest corner of Houston and Cain. The programs and facilities of the CityServe Lofts-Visalia include vehicle parking, laundry services, meeting spaces, and various social services that will be available to the project residents and continue on a permanent basis. Additional public facilities located in close proximity to the project include a Foodmaxx grocery store, a wellness spa, nail salon, several restaurants, an Amazon hub locker and a 24-hour gas station.
- f. **Existing Facilities.** The property is currently undeveloped and formerly was used as agricultural land.
- g. **Density Concession.** Per our conversation with Paul Bernal with the City of Visalia, the property is zoned RM2, which allows for 10-15 units/acre. Based on 3.44 acres, this equates to 51.6 units and with an 80% density bonus due to the project being 100% affordable housing, the project will provide a total of 92 units.
- h. **Other Concessions.** Per AB2162 (attached), 100% affordable housing projects are exempt from parking space requirements; however, parking spaces are proposed to meet the estimated needs of the tenant population. Per Homekey documentation, AB140 (attached) provides a CEQA exemption, as does AB2162.
- i. **Landscaping.** The property will be landscaped and the landscaping will consist of drought-tolerant plants, trees, and grass.
- j. **Lighting.** LED lighting will be placed in various locations to illuminate common spaces and parking areas to meet code requirements for egress and security.
- k. **Access & Circulation.** Per site plan map. Drive approach will be provided from Cain Street to the east of the site, and an emergency vehicle gate will be added to the west of the property, with an access-controlled pedestrian gate.
- l. **Fire Suppression.** Connection to the City of Visalia water source, and fire hydrant located as the City of Visalia requires. Each building and unit will be equipped with fire suppression equipment as per state requirements.

- m. **Grading and Compaction.** Grading and compaction will be completed per the recommendations of the geotechnical engineer and as reviewed and approved by the City of Visalia.
- n. **Stormwater protection.** A SWPPP plan will be prepared and submitted to the city prior to the commencement of work and stormwater infrastructure will be designed, approved and installed during the development.
- o. **Construction and construction schedule.** Upon approved permitting by the City of Visalia, it will take approximately 7-10 months to complete the project. This expedited timeframe is achieved with the use of volumetric modular construction for the residential buildings and prefabricated panelized construction for the common buildings. Essentially, the buildings will have been fabricated by the time the foundations are ready.
- p. **Community Center.** A community center consisting of a multi-purpose room, meeting room, laundry facilities, offices, and two restrooms will be constructed. This will be for use by the staff and residents and small gatherings of the residents.
- q. **Security and Maintenance.** Staff supervision and 24/7 access to a manager. Security will include camera coverage as well as gated controlled access to all non-residents.
- r. **Project design features.**
 - a. Electricity. Each building will be designed for solar compliance per Title 24.
 - b. Units. Offsite factory-built units are built with durable surfaces, energy efficiency, solar, and low-E windows.
- s. **Cleaning and Maintenance.** The facility will be mowed, swept, and raked weekly. Drive surfaces will be kept clean of all debris. Living units will be maintained by the maintenance staff of CityServe TulareKings and Seven Oaks church.
- t. **Waste.** Trash and recycling will be collected in dumpsters/totes weekly at the trash enclosures.
- u. **Mail.** Mail and parcel service will be provided at the central mailbox. An Amazon Hub Locker is located within a short walk from the property.
- v. **Additional Permits.** Building permit for at-risk grading, and buildings. The modular units will be reviewed and plan-checked by HCD.
- w. **Operational Management Plan.** CityServe TulareKings and their property management company will provide an Operational Management Plan to confirm the property will be

maintained in accordance with City Standards. This will be prepared and submitted for approval prior to the issuance of building permits.

- x. **Use Restriction.** The state, regional, local, or tribal Grantee shall ensure that the Project is duly encumbered with a 15-year covenant, declaration, regulatory agreement, or similar use restriction (the “Covenant”) that (a) is recorded in first position against the Project for the benefit of the Department; (b) restricts the use, operation, occupancy, and affordability of the Project in accordance with this Agreement and the applicable Program Requirements; and (c) is otherwise in form and substance acceptable to the Department

If you have any additional questions or clarifications needed, please contact Raquel Garcia at CityServe TulareKings. Office phone (559) 802-3667 or raquel@cityservetularekings.com .





CEQA Exemption in AB 140 for Homekey Round 2 Projects: Questions and Answers

AB 140 (2021) establishes a statutory exemption from the California Environmental Quality Act (CEQA) for activities funded by Homekey Round 2. (Health & Saf. Code, § 50675.1.4.) The CEQA exemption may apply when Homekey Round 2 funds—which consists of \$1.45 billion in Homekey grant funds, \$1.2 billion is derived from the state’s direct allocation of the federal Coronavirus State Fiscal Recovery Fund (CSFRF), which was established by the American Rescue Plan Act of 2021 (ARPA) (Pub. L. No. 117-2), and \$250 million is derived from the state’s General Fund—are used to provide housing for those who are experiencing homelessness or at risk of homelessness and are impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic or other communicable diseases. (Health & Saf. Code, §§ 50675.1.3, 50675.1.4; Homekey Program Notice of Funding Availability, Round 2 (Homekey Round 2 NOFA), September 9, 2021, sec. 100.)

This document provides the text of the CEQA exemption in AB 140, and also responds to some common questions that may arise as applicants are considering whether and how to use the exemption.

Project applicants and local permitting agencies should note the CEQA exemption’s relatively short effective life. The exemption remains in effect only until July 1, 2024 and is repealed as of that date. For this reason, project applicants and local permitting agencies should determine the scope of all necessary project components and consider any associated project approvals to maximize their use of the exemption.

This document offers guidance and should not be construed as legal advice. Applicants should consult with their counsel for legal advice in construing the exemption and how it may apply to their projects. It is entirely within an applicant’s discretion to determine whether to use the AB 140 CEQA exemption, whether the exemption applies to the applicant’s proposed activity, and whether some other mechanism applies and could be used to satisfy obligations under CEQA. Applicants who have additional questions may contact Department of Housing and Community Development staff at Homekey@hcd.ca.gov.



Text of the CEQA Exemption in AB 140

Pursuant to AB 140, the following CEQA statutory exemption has been added to Health and Safety Code section 50675.1.4:

(a) Notwithstanding any other law, the California Environmental Quality Act (Division 13 (commencing with section 21000) of the Public Resources Code) shall not apply to any project, including a phased project, funded pursuant to section 50675.1.3 if all of the following requirements, if applicable, are satisfied:

- (1) No units were acquired by eminent domain.
- (2) The units will be in decent, safe, and sanitary condition at the time of their occupancy.
- (3) The project proponent shall require all contractors and subcontractors performing work on the project to pay prevailing wages for any proposed rehabilitation, construction, or major alterations in accordance with Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
- (4) The project proponent obtains an enforceable commitment that all contractors and subcontractors performing work on the project will use a skilled and trained workforce for any proposed rehabilitation, construction, or major alterations in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
- (5) The project proponent submits to the lead agency a letter of support from a county, city, or other local public entity for any proposed rehabilitation, construction, or major alteration work.
- (6) Any acquisition is paid for, in whole or part, with public funds.
- (7) The project provides housing units for individuals and families who are experiencing homelessness or who are at risk of homelessness.

(8) Long-term covenants and restrictions require the units to be restricted to persons experiencing homelessness or who are at risk of homelessness, which may include lower income and very low income households, as defined by Section 50079.5, for no fewer than 55 years.

(9) The project does not result in an increase in the existing onsite development footprint of structure, structures, or improvements by more than 10 percent. Any increase to the existing, onsite development footprint shall be exclusively to support the provision of or conversion to housing for the designated population, including, but not limited to, both of the following:

(A) Achieving compliance with local, state, and federal requirements.

(B) Providing sufficient space for the provision of services and amenities.

(b) If the lead agency determines that a project is not subject to the California Environmental Quality Act pursuant to this section, and the lead agency determines to approve or to carry out that project, the lead agency shall file a notice of exemption with the Office of Planning and Research and the county clerk of the county in which the project is located in the manner specified in subdivisions (b) and (c) of section 21152 of the Public Resources Code.

(c) This section shall remain in effect only until July 1, 2024, and as of that date is repealed.



Which projects can use the exemption?

Projects that utilize money from Homekey Round 2 funds, regardless of whether they also utilize other funding sources, may be eligible for the CEQA exemption. (Health & Saf. Code, § 50675.1.4.) The eligibility requirements for these funds are set out in the Homekey Program Notice of Funding Availability, Round 2 (Homekey Round 2 NOFA), available at <https://www.hcd.ca.gov/>.

In addition to the CEQA exemption, AB 140 provides significant land-use streamlining for projects utilizing Homekey Round 2 funds. This land use “exemption” is independent of the CEQA exemption and applies to all Homekey Round 2 funded projects.

All Homekey Round 2 projects are eligible for such streamlining and are “deemed consistent and in conformity with any applicable local plan, standard, or requirement, and any applicable coastal plan, local or otherwise, and allowed as a permitted use, within the zone in which the structure is located, and shall not be subject to a conditional use permit, discretionary permit, or any other discretionary reviews or approvals.” (Health & Saf. Code, § 50675.1.3, subd. (h).) This means that any project using money from Homekey Round 2 funds for any of the purposes listed in the Homekey Round 2 NOFA is deemed consistent with all applicable local regulatory plans and regulations such as the local general plan and local codes and ordinances. Such projects do not need to undergo any discretionary local permit review or approval process (e.g., a discretionary use permit process) before being able to proceed with the project. Notably, AB 140 did not place time limits on the use of this land use exemption, in contrast to the CEQA exemption, which is time-limited.

What additional restrictions apply to projects under the exemption?

Conditions for the application of the Homekey CEQA exemption include:

- o The project utilizes Homekey Round 2 funds;
- o The project provides housing units for individuals and families who are experiencing homelessness or who are at risk of homelessness; and
- o The units will be in decent, safe, and sanitary condition at the time of their occupancy.

(Health & Saf. Code, § 50675.1.4, subds. (a)(2), (a)(7).)

Further conditions apply depending on the nature of the proposed project, and are summarized below.

Acquisition-Only Projects

Some projects proposing to use Homekey funds may be acquisition-only projects. These projects do not contemplate rehabilitation, construction, or alterations of acquired units in the near term and include no definite or foreseeable plans for such in the long term. The CEQA exemption applies to projects where applicants demonstrate all of the following:

- o No units were acquired by eminent domain;
- o Any acquisition is paid for, in whole or part, with public funds; and
- o Long-term covenants and restrictions require the units to be restricted to persons experiencing homelessness or who are at risk of homelessness, which may include lower income and very low income households, as defined by Section 50079.5, for no fewer than 55 years.(Health & Saf. Code, § 50675.1.4, subds. (a)(1), (a)(6), (a)(8).)



Acquisition-Plus and “Phased” Projects

Other projects proposing to use Homekey Round 2 funds may contemplate acquisition of units as well as rehabilitation, construction, or alteration of the acquired units.

The CEQA exemption applies to projects where applicants demonstrate all of the following:

- o No units were acquired by eminent domain;
- o Any acquisition is paid for, in whole or part, with public funds;
- o The project proponent obtains an enforceable commitment that all contractors and subcontractors performing work on the project will use a skilled and trained workforce for any proposed rehabilitation, construction, or major alterations in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code;
- o The project proponent submits to the lead agency a letter of support from a county, city, or other local public entity for any proposed rehabilitation, construction, or major alteration work;
- o Long-term covenants and restrictions require the units to be restricted to persons experiencing homelessness or who are at risk of homelessness, which may include lower income and very low income households, as defined by Section 50079.5, for no fewer than 55 years; and
- o The project does not result in an increase in the existing onsite development footprint of structure, structures, or improvements by more than 10 percent.

(Health & Saf. Code, § 50675.1.4, subds. (a)(1), (a)(4), (a)(5), (a)(6), (a)(8), (a)(9).)

Are there certain time restrictions related to the Homekey Round 2 Funds and the CEQA exemption to be aware of?

Yes. The CEQA exemption contains an important time restriction:

- o The exemption remains in effect only until July 1, 2024, and as of that date is repealed.

(Health & Saf. Code, § 50675.1.4, subd. (c).) Because of the relatively short life of the CEQA exemption, project applicants and local permitting agencies should determine the scope of all necessary project components and consider any associated approvals up front to maximize their use of the CEQA exemption.

What are some examples of activities that may increase the original project footprint and may be allowed under the exemption?

The exemption allows expansion of the footprint of the structure, structures, or other improvements on site, but only if such expansion does not increase the footprint by more than 10 percent. (Health & Saf. Code, § 50675.1.4, subd. (a)(9).)

In addition, any increase to the original footprint must be to support the conversion to housing for the designated population. (Health & Saf. Code, § 50675.1.4, subd. (a)(9).) The exemption does not define the full range of activities that fall within the scope of this purpose, but notes that expansion to support the designated population includes expansions (1) made to comply with local, state, and federal requirements, and (2) to provide enough space for the provision of services and amenities.



Examples of possible increases in the original footprint could include those required to comply with local building codes, the California Building Standards Code (Cal. Code Regs., Title 24), and the Americans with Disabilities Act (42U.S.C. § 12101, et seq.). Additionally, an increase in the original project footprint may include adding square footage to the original footprint to accommodate on-site supportive services or supportive facilities that are needed for longer term occupation than contemplated with the original use.

Once the local permitting agency has approved the project using the CEQA exemption, are there immediate next steps?

Yes. After project approval, applicants or the lead agency approving the projects who are relying on the CEQA exemption will need to file a notice of exemption with the State Clearinghouse and the relevant county clerk's office. (Health & Saf. Code, § 50675.1.4, subd. (b).) Please check the State Clearinghouse's website <<https://opr.ca.gov/clearinghouse/ceqa/>> and the relevant county clerk's office website for information about filing notices. Notices of exemption must be filed in the manner specified in Public Resources Code section 21152, subdivisions (b) and (c).

Does Health and Safety Code section 50675.1.4 provide an exemption to the National Environmental Policy Act (NEPA)?

No. The exemption in section 50675.1.4 applies to CEQA only. If the applicant uses other funds from federal grants that trigger NEPA, the applicant would need to engage in their normal processes to comply with NEPA.

Do all Homekey Round 2 projects have to utilize the CEQA exemption?

No. While the Legislature contemplated that many Homekey Round 2 projects will rely on the CEQA exemption contained in Health and Safety Code section 50675.1.4, no project is required to use the exemption. And not all funded projects will be able to meet the requirements of the CEQA exemption.

Please see the next question on other streamlining pathways that applicants may want to consider.



Are there any other streamlining pathways that may apply?

Yes. There are several other opportunities to facilitate Homekey Round 2 projects. The following list includes various streamlining options, but is not exhaustive; there may be other applicable options depending on the nature of the project. Applicants should consult with their staff, consultants, and legal counsel for appropriate advice in construing these statutory options and how (and whether) they may apply to their projects.

- SB 35 (2017): The streamlined ministerial approval process allowed under SB 35 is not a CEQA exemption but can help expedite certain affordable housing projects. The Department of Housing and Community Development has promulgated guidelines on this process (see Updated Streamlined Ministerial Approval Process (Government Code Section 65913.4) Guidelines at <https://www.hcd.ca.gov/> >.
- SB 450 (2019): SB 450 introduced a statutory exemption from CEQA for qualifying interim motel housing projects that provide transitional and supportive housing and that do not (1) result in the expansion of more than 10 percent of the floor area of any individual living unit in the structure or (2) result in any significant effects relating to traffic, noise, air quality, or water quality. (Pub. Resources Code, § 21080.50.)
- AB 2162 (2018): This bill made supportive housing a use that is permitted by right in zones where multifamily and mixed-use development is already permitted. (Gov. Code, § 65583.)
- Executive Order N-32-20: This order suspends CEQA for projects using Homeless Housing, Assistance, and Prevention Program funds.

For a list of CEQA exemptions that could facilitate Homekey Round 2 projects, please see the Governor's Office of Planning and Research's **Technical Advisory on CEQA Review of Affordable, Transitional, Interim, and Permanent Supportive Housing Projects** at https://opr.ca.gov/docs/20200715-PHK_TA.pdf >.





AB-2162 Planning and zoning: housing development: supportive housing. (2017-2018)

SHARE THIS:



Date Published: 09/27/2018 09:00 PM

Assembly Bill No. 2162

CHAPTER 753

An act to amend Section 65583 of, and to add Article 11 (commencing with Section 65650) to Chapter 3 of Division 1 of Title 7 of, the Government Code, relating to land use.

[Approved by Governor September 26, 2018. Filed with Secretary of State September 26, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2162, Chiu. Planning and zoning: housing development: supportive housing.

The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes, among other mandatory elements, a housing element. That law requires the housing element to contain, among other things, an assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs and a program that sets forth a schedule of actions during the planning period, each with a timeline for implementation. That law specifies that transitional housing and supportive housing are a residential use of property, subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

This bill would make a nonsubstantive change to this requirement.

The Planning and Zoning Law requires the rezoning of sites identified in the inventory of sites by specific deadlines where the inventory does not identify adequate sites to accommodate the need for groups of all household income levels. That law further requires this rezoning to accommodate 100% of the need for housing for very low and low-income households, as specified, on sites zoned to permit owner-occupied and rental multifamily residential use by right during the planning period and defines the term "use by right" for these purposes.

This bill would require that supportive housing be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development meets specified criteria, and would require a local government to approve, within specified periods, a supportive housing development that complies with these requirements. The bill would require that a developer of supportive housing provide the planning agency with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project and describing those services, as provided. The bill would prohibit the local government from imposing any minimum parking requirement for units occupied by supportive housing residents if the development is located within ½ mile of a public transit stop. The bill would specify that its provisions do not (1) preclude or limit the ability of a developer to seek a density bonus from the local government or (2) expand or contract the authority of a local

government to adopt or amend an ordinance, charter, general plan, specific plan, resolution, or other land use policy or regulation that promotes the development of supportive housing.

The bill would include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA does not apply to the ministerial approval of projects.

This bill, by authorizing supportive housing as a use by right under certain circumstances, would expand the exemption for the ministerial approval of projects under CEQA.

By adding to the duties of local planning officials, this bill would impose a state-mandated local program.

This bill would incorporate additional changes to Section 65583 of the Government Code proposed by AB 686 to be operative only if this bill and AB 686 are enacted and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares the following:

(a) California's homeless population increased by over 16,000 from 2016 to 2017, to 134,278 Californians experiencing homelessness at any point in time. Two to three times this number experienced homelessness during the course of last year. Twenty-five percent of the nation's total homeless population and almost half of the nation's unsheltered population reside in California. California now has one of the highest rates of homelessness per resident, twice as high as the national average.

(b) Addressing homelessness is urgent, as communities across the state face public health emergencies, including widespread Hepatitis A infection among residents experiencing homelessness in several major cities, higher mortality among homeless people with HIV and AIDS, and early mortality among people experiencing chronic homelessness.

(c) Chronic patterns of homelessness—homelessness lasting at least a year or repeatedly over three years—are on the rise in California, whereas decreasing elsewhere. As of 2017, 42 percent of those experiencing chronic homelessness nationwide live in California. The vast majority of these individuals and families have lived in California since well before becoming homeless.

(d) Evidence shows supportive housing—an affordable rental with intensive services promoting housing stability—works to reduce chronic homelessness. As a result, the Legislature has invested in supportive housing, including the No Place Like Home Program, which will generate \$2 billion in revenue bonds to build supportive housing for homeless Californians with serious mental illness.

(e) Studies reveal supportive housing benefits communities by reducing homelessness locally, addressing blight, and increasing property values. Yet one of the barriers to creating supportive housing has been local delays or denials of applications to build supportive housing, based on subjective local planning standards. Delays or denials of building applications add to the costs and timeline of development, affecting the effectiveness of state dollars.

(f) Given the urgent need to provide supportive housing to Californians experiencing chronic homelessness, streamlining and expediting the process of approving supportive housing applications will offer housing opportunities in communities with few or no opportunities to exit chronic homelessness. Further, it will promote progress in addressing the growing crisis of homelessness the Legislature intended through recent initiatives.

SEC. 2. Section 65583 of the Government Code is amended to read:

65583. The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.

(3) An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites.

(4) (A) The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

(i) The maximum number of beds or persons permitted to be served nightly by the facility.

(ii) Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.

(iii) The size and location of exterior and interior onsite waiting and client intake areas.

(iv) The provision of onsite management.

(v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.

(vi) The length of stay.

(vii) Lighting.

(viii) Security during hours that the emergency shelter is in operation.

(B) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(C) A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.

(D) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.

(5) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, local processing and permit procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7).

(6) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing.

(7) An analysis of any special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on annual and seasonal need. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period. An analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services.

(8) An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system.

(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.

(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of

preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.

(C) The analysis shall identify public and private nonprofit corporations known to the local government which have legal and managerial capacity to acquire and manage these housing developments.

(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs which can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program which have not been legally obligated for other purposes and which could be available for use in preserving assisted housing developments.

(b) (1) A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing.

(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.

(c) A program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing and subsidy programs when available, and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

(1) Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.

(A) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year housing element planning period pursuant to Section 65588, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Section 65585 or the date that is 90 days after receipt of comments from the department pursuant to subdivision (b) of Section 65585, whichever is earlier, unless the deadline is extended pursuant to subdivision (f). Notwithstanding the foregoing, for a local government that fails to adopt a housing element within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning of those sites, including adoption of minimum density and development standards, shall be completed no later than three years and 120 days from the statutory deadline in Section 65588 for adoption of the housing element.

(B) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2. The identification of sites shall include all components specified in Section 65583.2.

(C) Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.

(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.

(3) Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. Transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Supportive housing, as defined in Section 65650, shall be a use by right in all zones where multifamily and mixed uses are permitted, as provided in Article 11 (commencing with Section 65650).

(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.

(5) Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

(6) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance.

(7) Include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals.

(8) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.

(d) (1) A local government may satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters pursuant to paragraph (4) of subdivision (a) by adopting and implementing a multijurisdictional agreement, with a maximum of two other adjacent communities, that requires the participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.

(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit toward its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.

(3) Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:

(A) How the joint facility will meet the jurisdiction's emergency shelter need.

(B) The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility.

(C) The amount and source of the funding that the jurisdiction contributes to the facility.

(4) The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.

(e) Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following:

(1) A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review

pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.

(2) Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.

(f) The deadline for completing required rezoning pursuant to subparagraph (A) of paragraph (1) of subdivision (c) shall be extended by one year if the local government has completed the rezoning at densities sufficient to accommodate at least 75 percent of the units for low- and very low income households and if the legislative body at the conclusion of a public hearing determines, based upon substantial evidence, that any of the following circumstances exist:

(1) The local government has been unable to complete the rezoning because of the action or inaction beyond the control of the local government of any other state, federal, or local agency.

(2) The local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints.

(3) The local government must undertake a major revision to its general plan in order to accommodate the housing-related policies of a sustainable communities strategy or an alternative planning strategy adopted pursuant to Section 65080.

The resolution and the findings shall be transmitted to the department together with a detailed budget and schedule for preparation and adoption of the required rezonings, including plans for citizen participation and expected interim action. The schedule shall provide for adoption of the required rezoning within one year of the adoption of the resolution.

(g) (1) If a local government fails to complete the rezoning by the deadline provided in subparagraph (A) of paragraph (1) of subdivision (c), as it may be extended pursuant to subdivision (f), except as provided in paragraph (2), a local government may not disapprove a housing development project, nor require a conditional use permit, planned unit development permit, or other locally imposed discretionary permit, or impose a condition that would render the project infeasible, if the housing development project (A) is proposed to be located on a site required to be rezoned pursuant to the program action required by that subparagraph and (B) complies with applicable, objective general plan and zoning standards and criteria, including design review standards, described in the program action required by that subparagraph. Any subdivision of sites shall be subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)). Design review shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(2) A local government may disapprove a housing development described in paragraph (1) if it makes written findings supported by substantial evidence on the record that both of the following conditions exist:

(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(3) The applicant or any interested person may bring an action to enforce this subdivision. If a court finds that the local agency disapproved a project or conditioned its approval in violation of this subdivision, the court shall issue an order or judgment compelling compliance within 60 days. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders to ensure that the purposes and policies of this subdivision are fulfilled. In any such action, the city, county, or city and county shall bear the burden of proof.

(4) For purposes of this subdivision, "housing development project" means a project to construct residential units for which the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of at least 49 percent of the housing units for very low, low-, and

moderate-income households with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing.

(h) An action to enforce the program actions of the housing element shall be brought pursuant to Section 1085 of the Code of Civil Procedure.

SEC. 2.5. Section 65583 of the Government Code is amended to read:

65583. The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.

(3) An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites.

(4) (A) The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

(i) The maximum number of beds or persons permitted to be served nightly by the facility.

(ii) Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.

(iii) The size and location of exterior and interior onsite waiting and client intake areas.

(iv) The provision of onsite management.

(v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.

(vi) The length of stay.

(vii) Lighting.

(viii) Security during hours that the emergency shelter is in operation.

(B) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(C) A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.

(D) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.

(5) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, local processing and permit procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7).

(6) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing.

(7) An analysis of any special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on annual and seasonal need. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period. An analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services.

(8) An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system.

(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.

(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total

number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.

(C) The analysis shall identify public and private nonprofit corporations known to the local government that have legal and managerial capacity to acquire and manage these housing developments.

(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs that can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program that have not been legally obligated for other purposes and that could be available for use in preserving assisted housing developments.

(b) (1) A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing.

(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.

(c) A program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, that may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing and subsidy programs when available, and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

(1) Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.

(A) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year housing element planning period pursuant to Section 65588, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Section 65585 or the date that is 90 days after receipt of comments from the department pursuant to subdivision (b) of Section 65585, whichever is earlier, unless the deadline is extended pursuant to subdivision (f). Notwithstanding the foregoing, for a local government that fails to adopt a housing element within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning of those sites, including adoption of minimum density and development standards, shall be completed no later than three years and 120 days from the statutory deadline in Section 65588 for adoption of the housing element.

(B) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2. The identification of sites shall include all components specified in Section 65583.2.

(C) Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.

(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.

(3) Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. Transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Supportive housing, as defined in Section 65650, shall be a use by right in all zones where multifamily and mixed uses are permitted, as provided in Article 11 (commencing with Section 65650).

(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.

(5) Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law.

(6) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance.

(7) Include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals.

(8) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.

(9) (A) Affirmatively further fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2. The program shall include an assessment of fair housing in the jurisdiction that shall include all of the following components:

(i) A summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction's fair housing enforcement and fair housing outreach capacity.

(ii) An analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs within the jurisdiction, including displacement risk.

(iii) An assessment of the contributing factors for the fair housing issues identified under clause (ii).

(iv) An identification of the jurisdiction's fair housing priorities and goals, giving highest priority to those factors identified in clause (iii) that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance, and identifying the metrics and milestones for determining what fair housing results will be achieved.

(v) Strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies and encouraging development of new affordable housing in areas of opportunity, as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing, and protecting existing residents from displacement.

(B) A jurisdiction that completes or revises an assessment of fair housing pursuant to Subpart A (commencing with Section 5.150) of Part 5 of Subtitle A of Title 24 of the Code of Federal Regulations, as published in Volume 80 of the Federal Register, Number 136, page 42272, dated July 16, 2015, or an analysis of impediments to fair housing choice in accordance with the requirements of Section 91.225 of Title 24 of the Code of Federal Regulations in effect prior to August 17, 2015, may incorporate relevant portions of that assessment or revised assessment of fair housing or analysis or revised analysis of impediments to fair housing into its housing element.

(C) The requirements of this paragraph shall apply to housing elements due to be revised pursuant to Section 65588 on or after January 1, 2021.

(d) (1) A local government may satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters pursuant to paragraph (4) of subdivision (a) by adopting and implementing a multijurisdictional agreement, with a maximum of two other adjacent communities, that requires the participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.

(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit toward its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.

(3) Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:

(A) How the joint facility will meet the jurisdiction's emergency shelter need.

(B) The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility.

(C) The amount and source of the funding that the jurisdiction contributes to the facility.

(4) The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.

(e) Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following:

(1) A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.

(2) Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.

(f) The deadline for completing required rezoning pursuant to subparagraph (A) of paragraph (1) of subdivision (c) shall be extended by one year if the local government has completed the rezoning at densities sufficient to accommodate at least 75 percent of the units for low- and very low income households and if the legislative body at the conclusion of a public hearing determines, based upon substantial evidence, that any of the following circumstances exist:

(1) The local government has been unable to complete the rezoning because of the action or inaction beyond the control of the local government of any other state, federal, or local agency.

(2) The local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints.

(3) The local government must undertake a major revision to its general plan in order to accommodate the housing-related policies of a sustainable communities strategy or an alternative planning strategy adopted pursuant to Section 65080.

The resolution and the findings shall be transmitted to the department together with a detailed budget and schedule for preparation and adoption of the required rezonings, including plans for citizen participation and expected interim action. The schedule shall provide for adoption of the required rezoning within one year of the adoption of the resolution.

(g) (1) If a local government fails to complete the rezoning by the deadline provided in subparagraph (A) of paragraph (1) of subdivision (c), as it may be extended pursuant to subdivision (f), except as provided in paragraph (2), a local government may not disapprove a housing development project, nor require a conditional use permit, planned unit development permit, or other locally imposed discretionary permit, or impose a condition that would render the project infeasible, if the housing development project (A) is proposed to be located on a site required to be rezoned pursuant to the program action required by that subparagraph and (B) complies with applicable, objective general plan and zoning standards and criteria, including design review standards, described in the program action required by that subparagraph. Any subdivision of sites shall be subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)). Design review shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(2) A local government may disapprove a housing development described in paragraph (1) if it makes written findings supported by substantial evidence on the record that both of the following conditions exist:

(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(3) The applicant or any interested person may bring an action to enforce this subdivision. If a court finds that the local agency disapproved a project or conditioned its approval in violation of this subdivision, the court shall issue an order or judgment compelling compliance within 60 days. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders to ensure that the purposes and policies of this subdivision are fulfilled. In any such action, the city, county, or city and county shall bear the burden of proof.

(4) For purposes of this subdivision, "housing development project" means a project to construct residential units for which the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of at least 49 percent of the housing units for very low, low-, and moderate-income households with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing.

(h) An action to enforce the program actions of the housing element shall be brought pursuant to Section 1085 of the Code of Civil Procedure.

SEC. 3. Article 11 (commencing with Section 65650) is added to Chapter 3 of Division 1 of Title 7 of the Government Code, to read:

Article 11. Supportive Housing

65650. For purposes of this article, the following definitions shall apply:

(a) "Supportive housing" shall have the same meaning as defined in Section 50675.14 of the Health and Safety Code.

(b) "Supportive services" shall have the same meaning as defined in Section 65582.

(c) "Target population" shall have the same meaning as defined in Section 50675.14 of the Health and Safety Code.

(d) "Use by right" shall have the same meaning as defined in subdivision (i) of Section 65583.2.

65651. (a) Supportive housing shall be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development satisfies all of the following requirements:

(1) Units within the development are subject to a recorded affordability restriction for 55 years.

(2) One hundred percent of the units, excluding managers' units, within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income Californians. For purposes of this paragraph, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code.

(3) At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.

(4) The developer provides the planning agency with the information required by Section 65652.

(5) Nonresidential floor area shall be used for onsite supportive services in the following amounts:

(A) For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.

(B) For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

(6) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.

(7) Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

(b) The local government may require a supportive housing development subject to this article to comply with objective, written development standards and policies; provided, however, that the development shall only be subject to the objective standards and policies that apply to other multifamily development within the same zone.

(c) Notwithstanding any other provision of this section to the contrary, the local government shall, at the request of the project owner, reduce the number of residents required to live in supportive housing if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:

(1) The owner demonstrates that it has made good faith efforts to find other sources of financial support.

(2) Any change in the number of supportive service units is restricted to the minimum necessary to maintain project's financial feasibility.

(3) Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any supportive housing units.

(d) If the proposed housing development is located within a city with a population of fewer than 200,000 or the unincorporated area of a county with a population of fewer than 200,000, and the city or the unincorporated area of the county has a population of persons experiencing homelessness of 1,500 or fewer, according to the most recently published homeless point-in-time-count, the development, in addition to the requirements of subdivision (a), shall consist of 50 units or fewer to be a use by right pursuant to this article. A city or county described in this subdivision may develop a policy to approve as a use by right proposed housing developments with a limit higher than 50 units.

65652. A developer of supportive housing subject to this article shall provide the planning agency with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, as required by Section 65651, and describing those services, which shall include all of the following:

(a) The name of the proposed entity or entities that will provide supportive services.

(b) The proposed funding source or sources for the provided onsite supportive services.

(c) Proposed staffing levels.

65653. (a) The local government shall approve a supportive housing development that complies with the applicable requirements of this article.

(b) The local government shall notify the developer whether the application is complete within 30 days of receipt of an application to develop supportive housing in accordance with this article. The local government shall complete its review of the application within 60 days after the application is complete for a project with 50 or fewer units, or **within 120 days after the application is complete for a project with more than 50 units.**

65654. If the supportive housing development is located within one-half mile of a public transit stop, the local government shall not impose any minimum parking requirements for the units occupied by supportive housing residents.

65655. This article shall not be construed to do either of the following:

(a) Preclude or limit the ability of a developer to seek a density bonus from the local government pursuant to Section 65915.

(b) Expand or contract the authority of a local government to adopt or amend an ordinance, charter, general plan, specific plan, resolution, or other land use policy or regulation that promotes the development of supportive housing.

65656. The Legislature finds and declares that the provision of adequate supportive housing to help alleviate the severe shortage of housing opportunities for people experiencing homelessness in this state and of necessary services to the target population described in Section 50675.14 of the Health and Safety Code is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this article applies to all cities, including charter cities.

SEC. 4. Section 2.5 of this bill incorporates amendments to Section 65583 of the Government Code proposed by both this bill and Assembly Bill 686. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, (2) each bill amends Section 65583 of the Government Code, and (3) this bill is enacted after Assembly Bill 686, in which case Section 2 of this bill shall not become operative.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SITE PLAN

BEING A PORTION OF THE REMAINDER OF PARCEL MAP NO. 4016 AS RECORDED IN BOOK 41 OF PARCEL MAPS AT PAGE 20 OF OFFICIAL RECORDS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.
APRIL 2023

OWNER
FARSAKATIAN PROPERTIES, LLC
3465 GOLDEN LEAF DR
WESTLAKE VILLAGE, CA 91361
(818) 706-3210

AUTHORIZED AGENT
AW ENGINEERING
810 W. ACEQUIA AVE
VISALIA, CA 93291
(559) 713-6139

DEVELOPER
CITYSERVE TULARE HOMEKEY
1021 S. BIKE STREET
VISALIA, CA 93222

SITE DATA

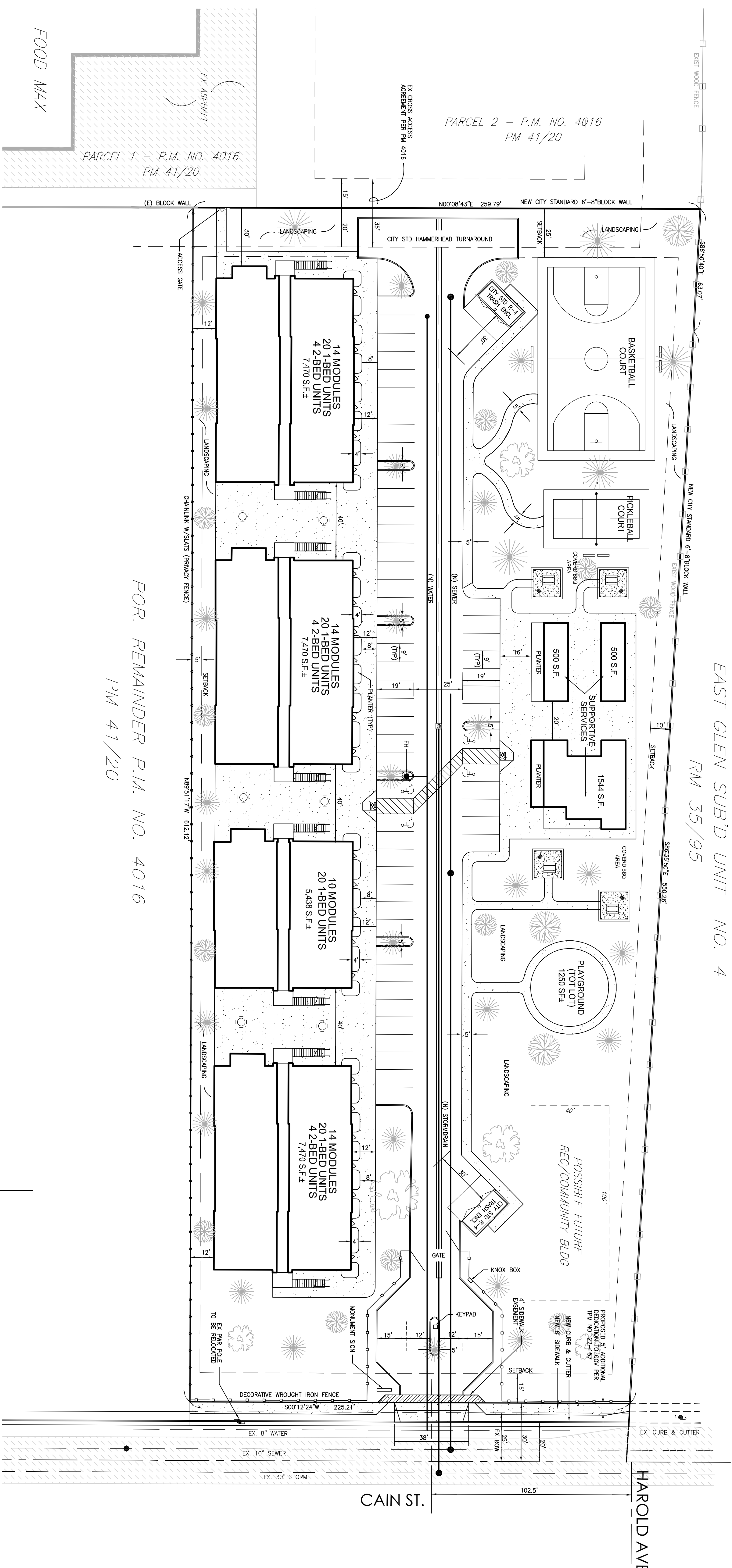
APN: FOR: 098-200070
ZONING DESIGNATION: C-N (NEIGHBORHOOD COMMERCIAL) / RM-2
EMING USE: VACANT FIELD
PROPOSED USED: RM-2
TOTAL AREA: 3.44 AC ±
FLOOD ZONE: ZONE X (FVNE) (06/7/2019) EFF 6/1/2009
ELECTRICITY: SOUTHERN CALIFORNIA Edison
WATER: CAL WATER
SEWER: CITY OF VISALIA
STORM DRAIN: CITY OF VISALIA
REFUSE: CITY OF VISALIA
TELEPHONE: AT&T
LANDSCAPING: 33%

PARKING DATA

51 STANDED SPACES
4 HANDICAP SPACES
15 TOTAL SPACES

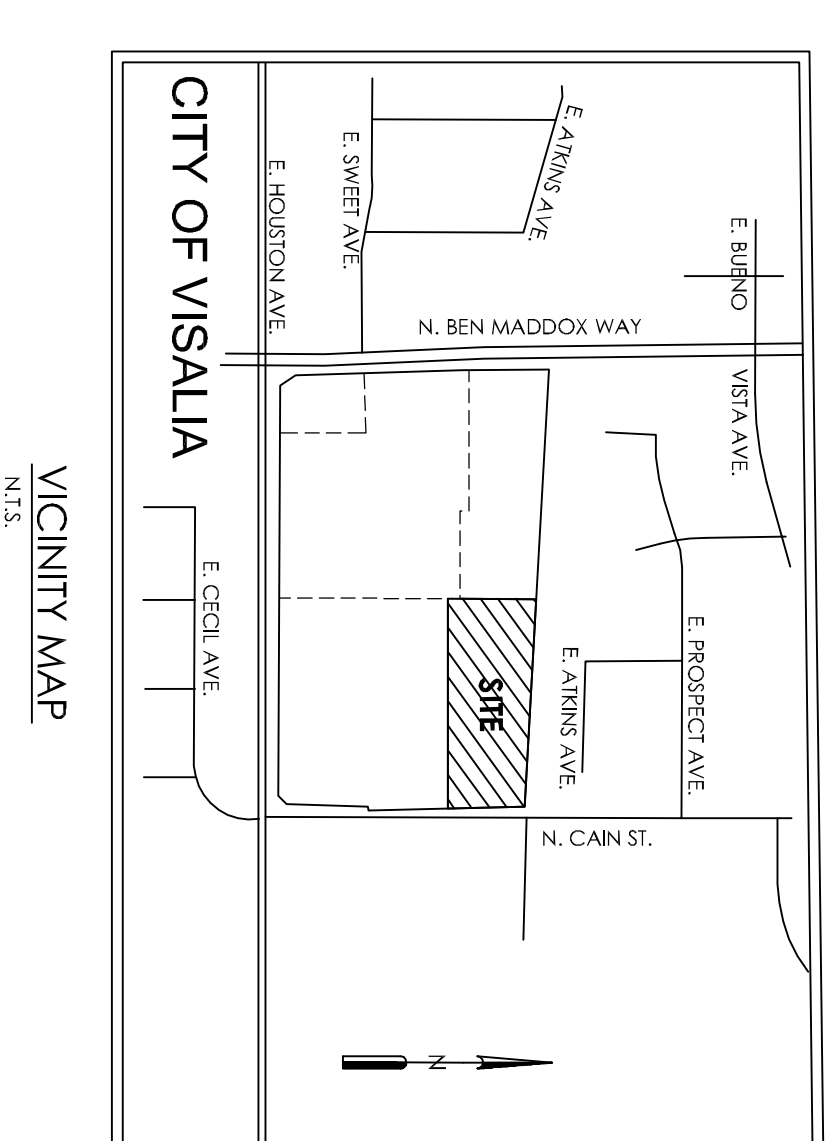
MODULAR UNITS DATA

80 1-BEDROOM UNITS
80 2-BEDROOM UNITS
92 TOTAL UNITS



POR. REMAINDER P.M. NO. 4016
PM 41/20

SCALE 1" = 30'
0" 30' 60'



VICINITY MAP
N.T.S.

SCALE:	AS NOTED	REV. NO.	REV. BY	DATE	APPROVED BY
DATE:	2-15-22				JESSE ALLEN WILLIAMS R.C.E. 64742
DRAWN BY:	BM				
CHECKED BY:					

REVISIONS	

A.W. ENGINEERING		SITE PLAN
810 W. ACEQUIA VISALIA, CA, 93291		
FOR CITYSERVE TULARE HOMEKEY		SCALE: AS NOTED
		JOB #: 23061
		FLOOD ZONE: X
		SHEET 1
		OF 1
		SHEETS 1

CITY OF VISALIA SITE PLAN REVIEW APPLICATION

Additional information and assistance in filling out this application can be found at the City of Visalia website (www.visalia.city) or by calling (559) 713-4440.



This application MUST be filled out in its entirety and submitted with an acceptable site plan (see site plan minimum requirements & submittal details on Page 2). Failure to provide all requested information may result in rejection of your application and exclusion from the Site Plan Review agenda.

Site Plan Review meetings are held on Wednesdays at 9:00 a.m. online utilizing Microsoft Teams. The applicant or representative must be present.

Application submittal deadline are Thursday at 4:00 p.m. to be scheduled for the next available meeting.

GENERAL PROJECT INFORMATION

Project/Business Name: MoonHaven Haus Date: 4/25/2023

Project Description: Convert Existing retail space to cafe/restaurant

Site Plan Review Resubmittal: Yes No If Resubmittal, Previous Site Plan Review Number: _____

Property Owner: _____

Applicant(s) Name: Janet & Jason Kabeary

Project Address/Location: 421 W. Main St

Assessor Parcel Number: 094-327-001

Parcel Size (Acreage or Square Feet): 16971 sf Building or Suite Square Footage: _____

Are There Any Proposed Building Modifications: Yes No

Estimated Cost of Modifications to Building: \$ 30000

Describe All Proposed Building Modifications: Addition of Kitchen

--- THIS AREA FOR CITY STAFF USE ONLY ---

Date Received: 04/27/2023

SPR Agenda: 05/10/2023 Item No. _____

Zone: D-MU SPR No. 23-072

Historic District: Yes No

Flood Zone: X AE X/AE

-- A SEPARATE, DETAILED OPERATIONAL STATEMENT IS HIGHLY RECOMMENDED FOR ALL SUBMITTALS --

OPERATIONS & TRAFFIC INFORMATION

Existing/Prior Building Use: Hair Salon

Proposed Building Use: Cafe/Restaurant

Proposed Hours of Operation: 7am to 8pm daily

Days of Week In Operation (Circle): Su M T W Th F Sa

Number of Employees Per Day: Existing _____ Proposed 5

Number of Customers Per Day (Estimated): Existing _____ Proposed 100

Predicted Peak Operating Hour: 12pm-1pm

Describe Any Truck Delivery Schedule & Operations: _____

Please Identify Any Unique or Specific Traffic Patterns That Will Require Accommodations For Operations, Customers, or Employees

(Provide Separate Attachment if Necessary): _____

Describe Any Special Events Planned for the Facility: _____

SITE PLAN MINIMUM REQUIREMENTS

SITE PLAN REQUIREMENTS

- ⇒ Submit a digital copy of the site plan(s) and completed application on a flash drive or equivalent (PDF format preferred, hard paper copies not accepted).
- ⇒ Digital copies must be clear, legible, and on a layout sized appropriately to convey all necessary project information.
- ⇒ Site plan shall provide for and indicate all of the following:
 - North arrow
 - Existing & proposed structures
 - Loading/unloading areas
 - All existing & proposed site features
 - Adjacent street names
 - Accessible path of travel from right of way
 - Site dimensions, including building
 - Refuse enclosures & containers
 - Accessible path of travel from ADA stall
 - Existing and proposed fencing at site
 - Valley oak trees (show drip line)
 - Location and width of drive approaches to site
 - Public improvements (curbs, sidewalks, utility poles, hydrants, street lights, etc.)
 - Existing & proposed landscaping
 - Tentative maps shall adhere to requirements of Visalia Municipal Code Section 16
 - Parking stalls (include ADA)

REQUIRED SIGNATURE

Applicant Information (Final comments will be mailed to the name and address provided below)

Name: <u>Janet & Jason Kabeary</u>	Signature of Owner or Authorized Agent*	
Address: <u>3213 S. Virmargo Ct</u>		
City, State, Zip <u>Visalia, CA</u>	Owner	Date
Phone: <u>559-493-9719</u>		
Email: <u>jjkabeary@gmail.com</u>	Authorized Agent*	Date

* If signed by an authorized agent, the "Agency Authorization" information below must be completed for this application to be considered acceptable.

AGENCY AUTHORIZATION

AGENCY AUTHORIZATION FORM

OWNER:

I, Ted D Sheely, declare as follows; I am the owner of certain real property bearing assessor's parcel number (APN):

094-327-001

AGENT:

I designate _____, to act as my duly authorized agent for all purposes necessary to file an application for, and obtain a permit to _____ relative to the property mentioned herein.

I declare under penalty of perjury the foregoing is true and correct.

Executed this _____ day of _____, 20____.

OWNER	Signatures	AGENT
<u>Ted D Sheely</u>		
Signature of Owner		Signature of Agent
<u>555 Philan Circle</u>		
Owner Mailing Address		Agent Mailing Address
<u>Lemoore CA 93245</u>		
<u>559-947-3355</u>		
Owner Phone Number		Agent Phone Number

MOON HAVEN HAUS

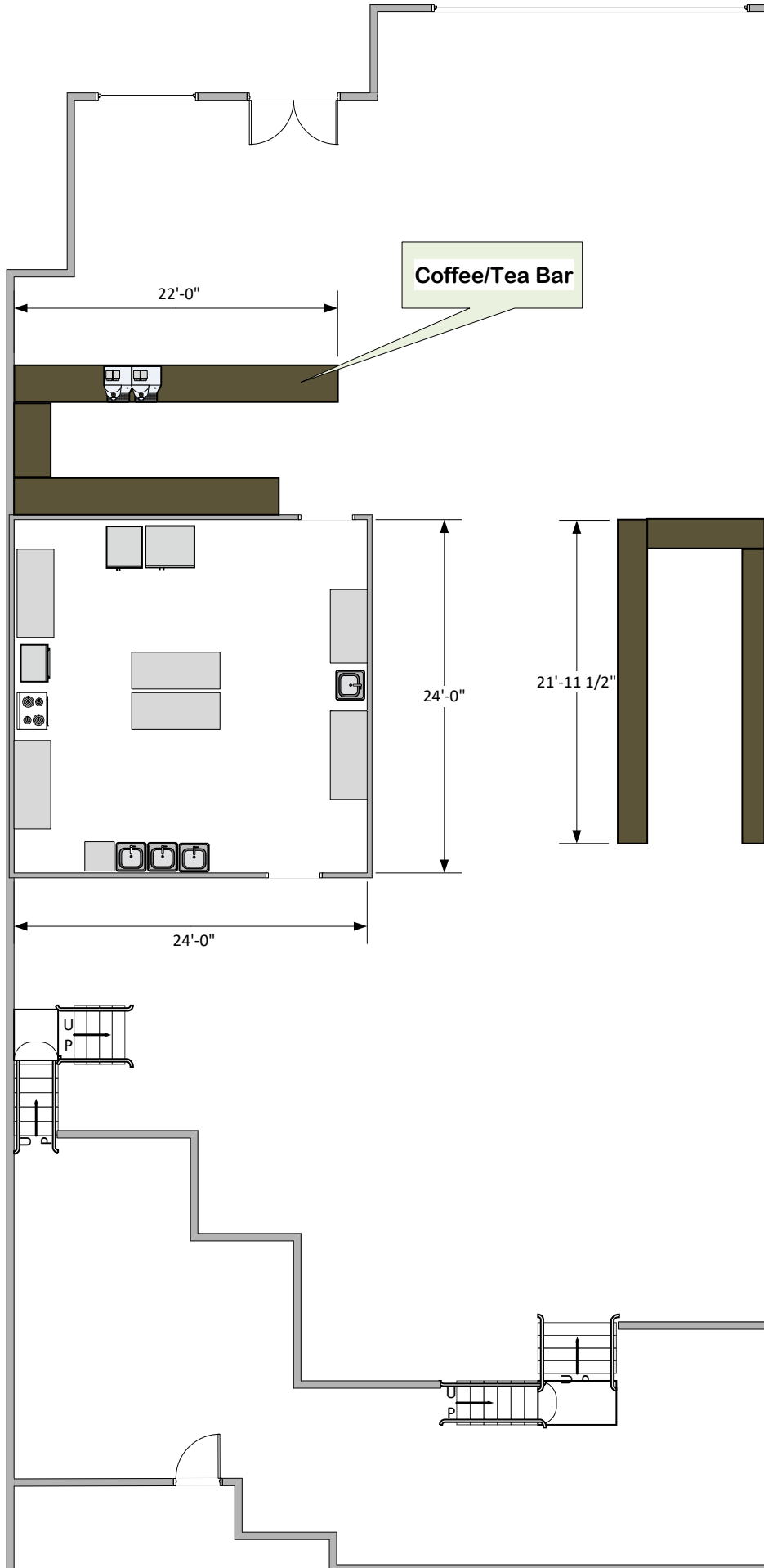
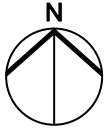
Vegan Café & Herbiary

Operational Statement

- Counter service café/restaurant. Providing espresso drinks, coffee, tea, light meals, baked goods.
- Food and drink items, bulk herbs, books, pottery.
- The existing site was a hair salon, but has been empty for years.
- Proposed hours will be 7am to 7pm Mon-Sun.
- 10 to 20 customers at one given time
- 6-8 future employees
- No employees will live on the site.
- No service or delivery vehicles
- Espresso machine, coffee and tea machine, coffee grinders, mixer, toaster, blender, gas stove, gas oven, refrigerators, freezer, dishwasher.
- No hazardous materials or waste to be produced

3/32" = 1' 0"

April 25, 2023



Proposed Additions

421 W. Main St
Visalia, CA 93291

The changes to the space would include adding:

Kitchen area
24ft x 24ft
(576sq ft)

U shaped counter
10ft x 22ft

U shaped counter
10ft x 22ft

CITY OF VISALIA SITE PLAN REVIEW APPLICATION

- Additional information and assistance in filling out this application can be found at the City of Visalia website (www.visalia.city) or by calling (559) 713-4440-



This application MUST be filled out in its entirety and submitted with an acceptable site plan (see site plan minimum requirements & submittal details on Page 2). Failure to provide all requested information may result in rejection of your application and exclusion from the Site Plan Review agenda.

- Site Plan Review meetings are held on Wednesdays at 9am at City Hall East - 315 E Acequia Ave - Applicant(s) or Representative(s) must be present -
 - Application submittal deadline is 4pm on Thursdays to be scheduled for the next available meeting -

GENERAL PROJECT INFORMATION

Project/Business Name: The Darling Hotel Date: 5/4/23
 Project Description: Phase 2 expansion/remodel of existing 12,000sf building to provide additional hotel rooms, hotel facilities, kitchen, and conference space.
 Site Plan Review Resubmittal: Yes No If Resubmittal, Previous Site Plan Review Number: 21-211 R&P
 Property Owner: Courthouse Square Ventures, LLC
 Applicant(s) Name: Matthew Ainley
 Project Address/Location: 100 E. Center Ave, Visalia, CA 93292
 Assessor Parcel Number: 094-287-001
 Parcel Size (Acreage or Square Feet): 1 Acre Building or Suite Square Footage: 12,000sf

Are There Any Proposed Building Modifications: Yes No
 Estimated Cost of Modifications to Building: \$ 1,200,000
 Describe All Proposed Building Modifications:
Interior remodel of space and exterior facade updates

- - - THIS AREA FOR CITY STAFF USE ONLY - - -

Date Received: 05/04/2023
 SPR Agenda: 05/10/2023 Item No. _____
 Zone: D-MU SPR No. 23-073
 Historic District: Yes No
 Flood Zone: X AE X/AE

- - **A SEPARATE, DETAILED OPERATIONAL STATEMENT IS HIGHLY RECOMMENDED FOR ALL SUBMITTALS** - -

OPERATIONS & TRAFFIC INFORMATION

Existing/Prior Building Use: Probation Department for Tulare County, currently vacant
 Proposed Building Use: Additional hotel rooms, hotel facilities, and event space
 Proposed Hours of Operation: Varies, hotel rooms 24/7
 Days of Week In Operation (Circle): Su M T W Th F Sa
 Number of Employees Per Day: Existing 50 Proposed 5-8
 Number of Customers Per Day (Estimated): Existing _____ Proposed _____
 Predicted Peak Operating Hour: _____
 Describe Any Truck Delivery Schedule & Operations: No additional
 Please Identify Any Unique or Specific Traffic Patterns That Will Require Accommodations For Operations, Customers, or Employees (Provide Separate Attachment if Necessary): _____
 Describe Any Special Events Planned for the Facility: _____


SITE PLAN MINIMUM REQUIREMENTS

SITE PLAN REQUIREMENTS

- ⇒ Submit a digital copy of the site plan(s) and completed application on a flash drive or equivalent (PDF format preferred, hard paper copies not accepted).
- ⇒ Digital copies must be clear, legible, and on a layout sized appropriately to convey all necessary project information.
- ⇒ Site plan shall provide for and indicate all of the following:
 - North arrow
 - Existing & proposed structures
 - Loading/unloading areas
 - All existing & proposed site features
 - Adjacent street names
 - Accessible path of travel from right of way
 - Site dimensions, including building
 - Refuse enclosures & containers
 - Accessible path of travel from ADA stall
 - Existing and proposed fencing at site
 - Valley oak trees (show drip line)
 - Location and width of drive approaches to site
 - Public improvements (curbs, sidewalks, utility poles, hydrants, street lights, etc.)
 - Existing & proposed landscaping
 - Tentative maps shall adhere to requirements of Visalia Municipal Code Section 16
 - Parking stalls (include ADA)

REQUIRED SIGNATURE

Applicant Information (Final comments will be mailed to the name and address provided below)

Name: <u>Matthew Ainley</u>	Signature of Owner or Authorized Agent*	5.4.2023
Address: <u>324 S. Santa Fe St.</u>		Date
City, State, Zip <u>Visalia, CA 93292</u>	Ow _____	_____
Phone: <u>559-802-3052</u>	Authorized Agent*	Date
Email: <u>matta@4-creeks.com</u>		

* If signed by an authorized agent , the "Agency Authorization" information below must be completed for this application to be considered acceptable.

AGENCY AUTHORIZATION FORM

AGENCY AUTHORIZATION

OWNER:

I, _____, declare as follows; I am the owner of certain real property bearing assessor's parcel number (APN):

AGENT:

I designate _____, to act as my duly authorized agent for all purposes necessary to file an application for, and obtain a permit to _____ relative to the property mentioned herein.

I declare under penalty of perjury the foregoing is true and correct.

Executed this _____ day of _____, 20____.

<u>OWNER</u>	Signatures	<u>AGENT</u>
Signature of Owner		Signature of Agent
Owner Mailing Address		Agent Mailing Address
Owner Phone Number		Agent Phone Number

DARLING HOTEL EXPANSION





4CREEKS

605 Santa Rosa Street,
San Luis Obispo, CA

805.904.4394
info@4-creeks.com
www.4-creeks.com

PROJECT INFORMATION

Project Description:

This project includes the expansion of The Darling Hotel with the renovation of the existing adjacent probation building to include (4) additional hotel rooms, an assembly hall, a commercial kitchen, additional laundry facilities, offices, a multi-use room, and additional storage.

Site improvements are limited to the addition of outdoor patios for the new hotel suites and exterior facade improvements include cosmetic adjustments and new glazing for hotel suite egress.

APN:	094-287-001 and 092-281-007
Zoning:	Mixed Use Downtown
Proposed Occupancy:	R-1, Assembly, and Business
Total Floor Area:	12,675 sq ft

PROJECT DIRECTORY

Owner:

Courthouse Square Adventures LLC	Contact: finance@thedarlingvisalia.com
1255 Forest Trails Drive	Phone: 559.737.3748
Castle Pines, CO 80108	

Architect:

Will Ruoff - 4Creeks	Contact: willr@4-creeks.com
324 S Santa Fe Street	Phone: 805.235.5333
Visalia, CA 93292	

SHEET INDEX

Architectural Sheets

- A1.0 Proposed Site Plan
- A2.0 Demo Floor Plan
- A2.1 Proposed Floor Plan
- A2.2 Equipment Plan
- A3.0 Exterior Elevations
- A4.0 Material Board
- A5.0 Front Rendering

SET NOT FOR
CONSTRUCTION

For planning purposes
only, do not scale drawings



AGENCIES AND UTILITIES

California Water Service Company
phone: (559) 624-1662
216 n. Valley Oaks Drive
Visalia, ca 93291

Southern California Gas Company
phone: (559) 739-2331
404 n. Tipton st.
Cisalia, ca 93292

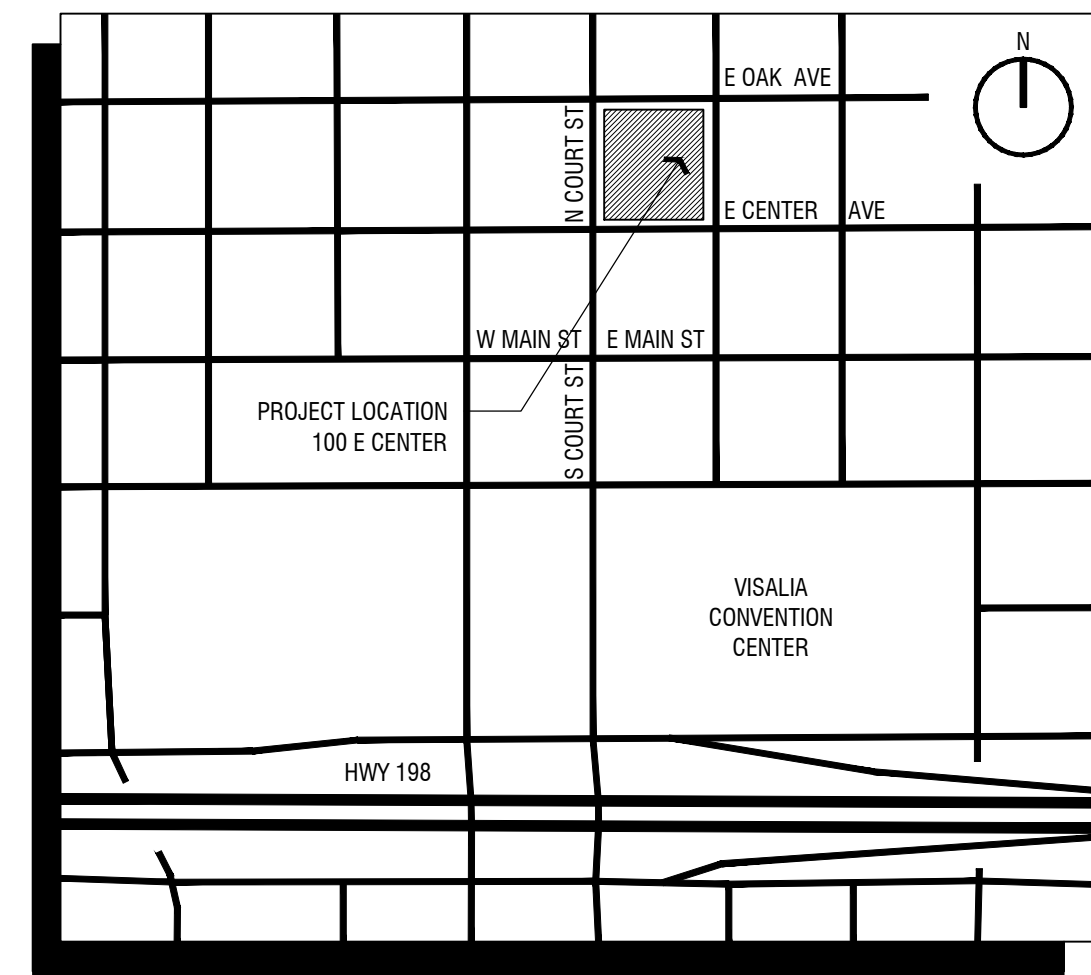
Comcast Cable
phone: (559) 735-2104
1031 n. Plaza drive
Visalia, ca 93291

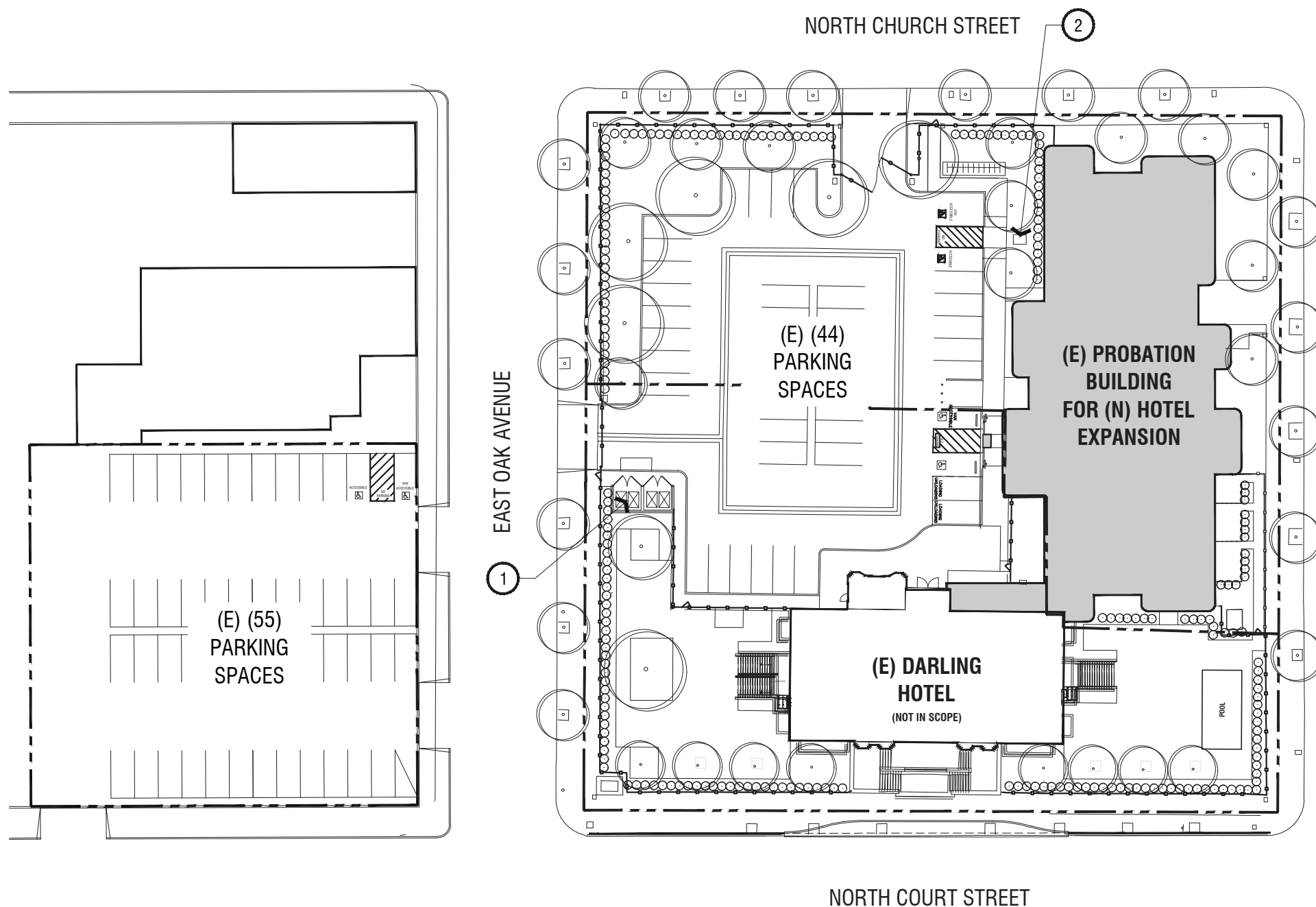
AT&T California
phone: (559) 739-6646
217 w. Cequia ave.
Visalia, ca 93291

Southern California Edison (SCE)
phone: (559) 685-3269
2425 s. Blackstone st.
Tulare, ca 93274

Building Safety Division
phone: (559) 713-4495
315 e. Acequia ave
Visalia, ca 93291

VICINITY MAP

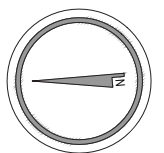




SHARED PARKING CALCULATIONS

PARKING REQUIRED			PARKING FACTOR	SPACES REQUIRED
HOTEL*	GUEST ROOMS	32 ROOMS	1 / EA. GUEST RM	32
	MEETING/ASSEMBLY	552 SF	1 / 70 SF	8
	FOOD & BEVERAGE	2,020 SF	1 / 200 SF	11
	HOTEL STAFF	8-10 STAFF		5
	TOTAL			56
PROBATION EXPANSION	GUEST ROOMS	4 ROOMS	1 / EA. GUEST RM	4
	MEETING/ASSEMBLY	3,736 SF	1 / 70 SF	53
	HOTEL STAFF	5-6 STAFF		3
	TOTAL			60
COMBINED TOTAL				116
REQ'D COMBINED TOTAL W/30% REDUCTION*				81
TOTAL PROVIDED				99

* PREVIOUSLY APPROVED PER SPR 2018-28 & CUP 2018-10



324 S Santa Fe Street,
Visalia, CA

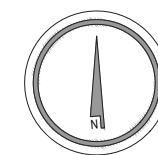
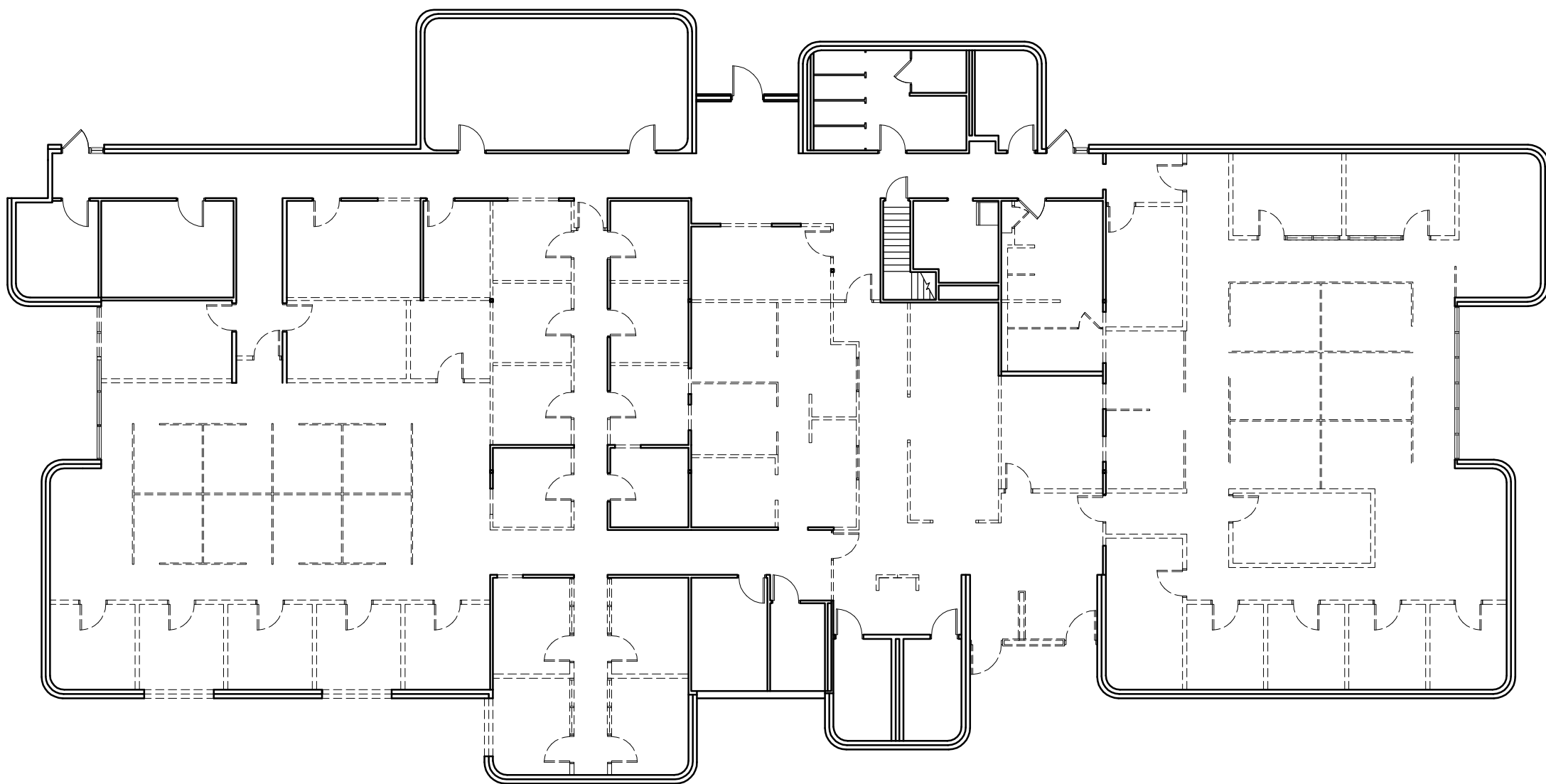
559.802.3052
info@4-creeks.com
www.4-creeks.com

SET NOT FOR CONSTRUCTION
For planning purposes only, do not scale drawings

PROPOSED SITE PLAN

SCALE 1/16" = 1'-0"

A1.0



324 S Santa Fe Street,
Visalia, CA

559.802.3052
info@4-creeks.com
www.4-creeks.com

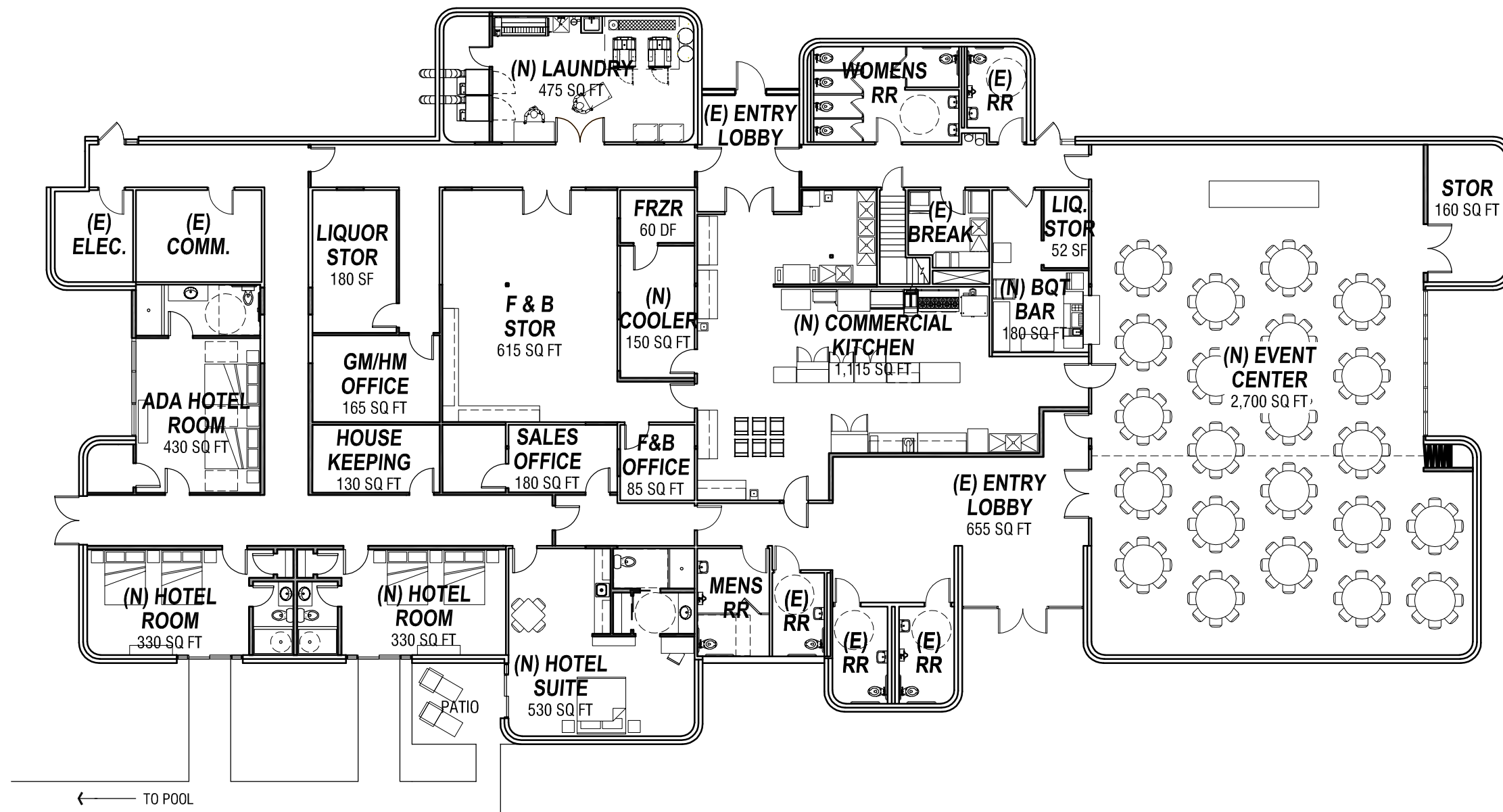
SET NOT FOR CONSTRUCTION
For planning purposes only, do not scale drawings

DEMO FLOOR PLAN

SCALE 1/16" = 1'-0"

A2.0





324 S Santa Fe Street,
Visalia, CA

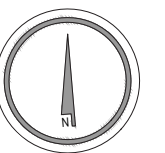
559.802.3052
info@4-creeks.com
www.4-creeks.com

SET NOT FOR CONSTRUCTION
For planning purposes only, do not scale drawings

PROPOSED FLOOR PLAN

SCALE 1/16" = 1'-0"

A2.1



EQUIPMENT

KITCHEN LINE

- 1 - COMMERCIAL CONVECTION OVEN
- 2 - 10/12 BURNER RANGE WITH CONVECTION OVENS
- 3 - PROOFING/HOLDING OVEN
- 4 - 48IN CHARBROILER
- 5 - 48IN GRIDDLE
- 6 - SALAMANDER/BROILER
- 7 - DEEP FRYERS
- 8 - STEAM TABLE
- 9 - HAND SINK
- 10 - STAINLESS WORKTABLE(S)
- 11 - HEATED OVER SHELF (FOR SS WORKTABLE)
- 12 - SANDWICH PREP COOLER
- 13 - WORKTOP COOLER
- 14 - FREEZER

PREP & STORAGE

- 15 - HEAVY DUTY WALL SHELVES
- 16 - SPEED RACKS (6)
- 17 - WORK TABLES WITH BACKSPLASH FOR WALLS
- 18 - LARGE WORK TABLE FOR PLATTING
- 19 - ICE CREAM MAKER
- 20 - KNIFE RACKS/HOLDERS (2)
- 21 - COMMERCIAL MIXER
- 22 - MEAT SLICER
- 23 - EQUIPMENT STAND (FOR MEAT SLICER)
- 24 - WALK-IN COOLER
- 25 - WALK-IN FREEZER
- 26 - HAND SINK
- 27 - PREP SINK

DISH AREA

- 28 - THREE COMPARTMENT SINK
- 29 - HAND SINK
- 30 - PREP SINK
- 31 - COMMERCIAL DISHWASHER
- 32 - CLEAN DISH TABLE
- 33 - SOILED DISH TABLE
- 34 - MOP SINK

MISCELLANEOUS

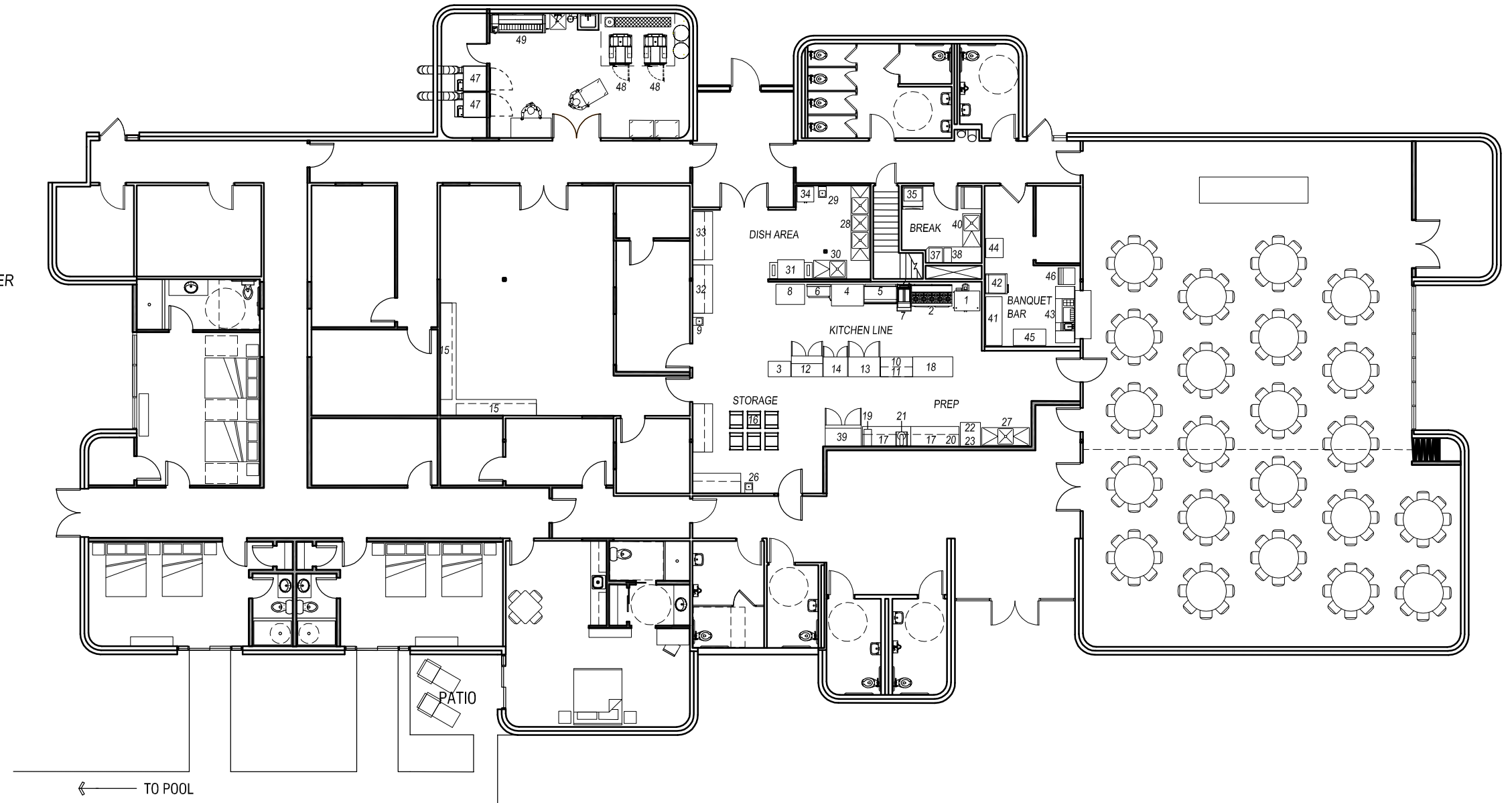
- 35 - ICE MACHINE
- 36 - BEVERAGE TABLE
- 37 - COFFEE MAKER
- 38 - ICED TEA BREWER
- 39 - REACH-IN FRIDGE
- 40 - PREP SINK

BANQUET BAR

- 41 - BAR REFRIGERATION
- 42 - REACH IN COOLER
- 43 - COCKTAIL STATION
- 44 - ICE MACHINE
- 45 - BEER DISPENSER COOLER
- 46 - GLASS WASHER

LAUNDRY EQUIPMENT

- 47 - TUMBLE DRYER
- 48 - WASHER/EXTRACTOR
- 49 - ROLL IRON



324 S Santa Fe Street,
Visalia, CA

559.802.3052
info@4-creeks.com
www.4-creeks.com

SET NOT FOR CONSTRUCTION
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EQUIPMENT LAYOUT

SCALE 1/16" = 1'-0"

A2.2



EAST ELEVATION

SCALE: 1/32" = 1'-0"



NORTH ELEVATION

SCALE: 1/32" = 1'-0"



WEST ELEVATION

SCALE: 1/32" = 1'-0"



SOUTH ELEVATION

SCALE: 1/32" = 1'-0"

324 S Santa Fe Street,
Visalia, CA

559.802.3052
info@4-creeks.com
www.4-creeks.com

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EXTERIOR ELEVATIONS

A3.0





WHITE STUCCO



DARK GRAY TRIM



BLACK METAL FENCING



DECORATIVE TILE



324 S Santa Fe Street,
Visalia, CA

559.802.3052
info@4-creeks.com
www.4-creeks.com

SET NOT FOR CONSTRUCTION
For planning purposes only, do not scale drawings

MATERIAL BOARD

A4.0



324 S Santa Fe Street,
Visalia, CA

559.802.3052
info@4-creeks.com
www.4-creeks.com

SET NOT FOR CONSTRUCTION
For planning purposes only, do not scale drawings

FRONT RENDERING

A5.0



CITY OF VISALIA SITE PLAN REVIEW APPLICATION

Additional information and assistance in filling out this application can be found at the City of Visalia website (www.visalia.city) or by calling (559) 713-4440.



This application MUST be filled out in its entirety and submitted with an acceptable site plan (see site plan minimum requirements & submittal details on Page 2). Failure to provide all requested information may result in rejection of your application and exclusion from the Site Plan Review agenda.

Site Plan Review meetings are held on Wednesdays at 9:00 a.m. online utilizing Microsoft Teams. The applicant or representative must be present.

Application submittal deadline are Thursday at 4:00 p.m. to be scheduled for the next available meeting.

GENERAL PROJECT INFORMATION

Project/Business Name: _____ Date: 5/3/23

Project Description: Proposing to create new lots, 4 in total.

Site Plan Review Resubmittal: Yes No If Resubmittal, Previous Site Plan Review Number: _____

Property Owner: Balwant Dhaliwal

Applicant(s) Name: Manveer Dosanjh

Project Address/Location: 2300 N. Akers Visalia, CA 93291

Assessor Parcel Number: 077-070-070

Parcel Size (Acreage or Square Feet): 2.5 acre Building or Suite Square Footage: _____

Are There Any Proposed Building Modifications: Yes No

Estimated Cost of Modifications to Building: \$ _____

Describe All Proposed Building Modifications: _____

--- THIS AREA FOR CITY STAFF USE ONLY ---

Date Received: 05/03/2023

SPR Agenda: 05.10.23 Item No. _____

Zone: X SPR No. 23-074

Historic District: Yes No

Flood Zone: X AE X/AE

-- A SEPARATE, DETAILED OPERATIONAL STATEMENT IS HIGHLY RECOMMENDED FOR ALL SUBMITTALS --

OPERATIONS & TRAFFIC INFORMATION

Existing/Prior Building Use: _____

Proposed Building Use: _____

Proposed Hours of Operation: _____

Days of Week In Operation (Circle): Su M T W Th F Sa

Number of Employees Per Day: Existing _____ Proposed _____

Number of Customers Per Day (Estimated): Existing _____ Proposed _____

Predicted Peak Operating Hour: _____

Describe Any Truck Delivery Schedule & Operations: _____

Please Identify Any Unique or Specific Traffic Patterns That Will Require Accommodations For Operations, Customers, or Employees

(Provide Separate Attachment if Necessary): _____

Describe Any Special Events Planned for the Facility: _____

SITE PLAN MINIMUM REQUIREMENTS

SITE PLAN REQUIREMENTS

- ⇒ Submit a digital copy of the site plan(s) and completed application on a flash drive or equivalent (PDF format preferred, hard paper copies not accepted).
- ⇒ Digital copies must be clear, legible, and on a layout sized appropriately to convey all necessary project information.
- ⇒ Site plan shall provide for and indicate all of the following:
 - North arrow
 - Existing & proposed structures
 - Loading/unloading areas
 - All existing & proposed site features
 - Adjacent street names
 - Accessible path of travel from right of way
 - Site dimensions, including building
 - Refuse enclosures & containers
 - Accessible path of travel from ADA stall
 - Existing and proposed fencing at site
 - Valley oak trees (show drip line)
 - Location and width of drive approaches to site
 - Public improvements (curbs, sidewalks, utility poles, hydrants, street lights, etc.)
 - Existing & proposed landscaping
 - Tentative maps shall adhere to requirements of Visalia Municipal Code Section 16
 - Parking stalls (include ADA)

REQUIRED SIGNATURE

Applicant Information (Final comments will be mailed to the name and address provided below)

Name: <u>Manveer Dosanjh</u>	Signature of Owner or Authorized Agent*	
Address: <u>2511 Logan St.</u>	<u>CVEAS, Inc</u>	<u>5/3/23</u>
City, State, Zip: <u>Selma, CA 93662</u>	Owner COMPANY	Date
Phone: <u>559-891-8811</u>	<u>Manveer Dosanjh</u>	<u>5/3/23</u>
Email: <u>projmgmt@CVEAS.com</u>	Authorized Agent*	Date

* If signed by an authorized agent, the "Agency Authorization" information below must be completed for this application to be considered acceptable.

AGENCY AUTHORIZATION

AGENCY AUTHORIZATION FORM

OWNER:

I, _____, declare as follows; I am the owner of certain real property bearing assessor's parcel number (APN):

AGENT:

I designate _____, to act as my duly authorized agent for all purposes necessary to file an application for, and obtain a permit to _____ relative to the property mentioned herein.

I declare under penalty of perjury the foregoing is true and correct.

Executed this _____ day of _____, 20____.

<u>OWNER</u>	Signatures	<u>AGENT</u>
Signature of Owner		Signature of Agent
Owner Mailing Address		Agent Mailing Address
Owner Phone Number		Agent Phone Number

Operational Statement

For

Proposed use to remain the same

2300 N. Akers Visalia, CA 93291

Proposed to remain the same use as before.

The owner would like for CVEAS, INC. to create a Tentative Parcel Map. We would like to propose in creating 4 lots in total. One of the lots we will have an existing house, the others will remain as is.

1. Existing/ Prior Building use: Residential home , existing house and fence
2. Proposed Building use: Will not be proposing.
3. Proposed Hours of Operation: No hours of operational
4. Days in week In Operation: None
5. Number of Employees / Customers: 0
6. Truck Delivery Schedule & Operations: None
7. Any other information: See Master Plan Statement

TENTATIVE PARCEL MAP No. _____

IN THE COUNTY OF TULARE,
STATE OF CALIFORNIA

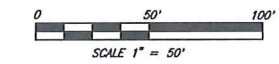
BEING A DIVISION OF PARCEL 2 OF PARCEL MAP NO.
3411, IN THE COUNTY OF TULARE, STATE OF
CALIFORNIA, RECORDED IN BOOK 34, PAGE 13 OF
PARCEL MAPS, TULARE COUNTY RECORDS

CONSISTING OF ONE SHEET
FOR

BALWANT & BALJINDER DHALIWAL
JANUARY, 2022

OWNERS INFO:

BALWANT S. & BALJINDER K. DHALIWAL
2300 N. AKERS STREET
VISALIA, CA 93291
TEL: (559) 623.6204
EMAIL: DOUBLEDMINIMART@SBCGLOBAL.NET
APN: 077-070-070



OWNERS' CERTIFICATE:

WE, HEREBY APPLY FOR APPROVAL OF DIVISION OF REAL PROPERTY SHOWN ON THE
TENTATIVE PARCEL MAP AND CERTIFY THAT WE ARE A LEGAL OWNERS OF SAID PROPERTY
AND THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY
KNOWLEDGE AND BELIEF.

BALWANT S. DHALIWAL _____ DATE _____
BALJINDER K. DHALIWAL _____ DATE _____

SURVEY CONTROL DATUM
HORIZONTAL (BASIS OF BEARINGS):
THE WEST LINE OF THE NW QTR. OF SECTION
TAKEN AS NORTH PER (R-1)
VERTICAL (BENCH MARK):
FOUND BM#57 CH-X ON NORTH DOBDOWN EAST
SIDE OF BEN MADDOX SOUTH OF THE BRIDGE
ELEV. = 345.110' NGS29 DATUM

EXISTING USE	SINGLE FAMILY
PROPOSED USE	SINGLE FAMILY
STORM DRAIN BY	CITY OF VISALIA
WATER BY	DOM. WELL
SEWER BY	SEPTIC LEACH LINE
APN:	077-070-070

**CVEAS CENTRAL VALLEY
ENGINEERING AND SURVEYING**
2511 LOGAN STREET Selma, CA 93662 Tel. (559) 891-8811 Fax (559) 891-8815
WWW.CVEAS.COM Email: info@cveas.com

DATE OF SURVEY	10/20/2022
JOB NO.	22124MX
DRAWN BY	NS
CHECK BY	N.SAHOTA
DRAWING NAME	TPM
DATE	1/26/2023
REVISION DATE	

LEGEND:

- ORIGINAL BOUNDARY
- - - NEW DIVISION
- SECTION LINE
- - - ROAD RIGHT OF WAY
- X - FENCE
- - - OVERHEAD LINE

(R-1) RECORD DATA PER PARCEL MAP No. 544, RECORDED IN BOOK 6 OF PARCEL MAPS AT PAGE 44 T.C.R.

● MONUMENTS FOUND AND ACCEPTED AS DESCRIBED OR AS NOTED.

NTS NOT TO SCALE

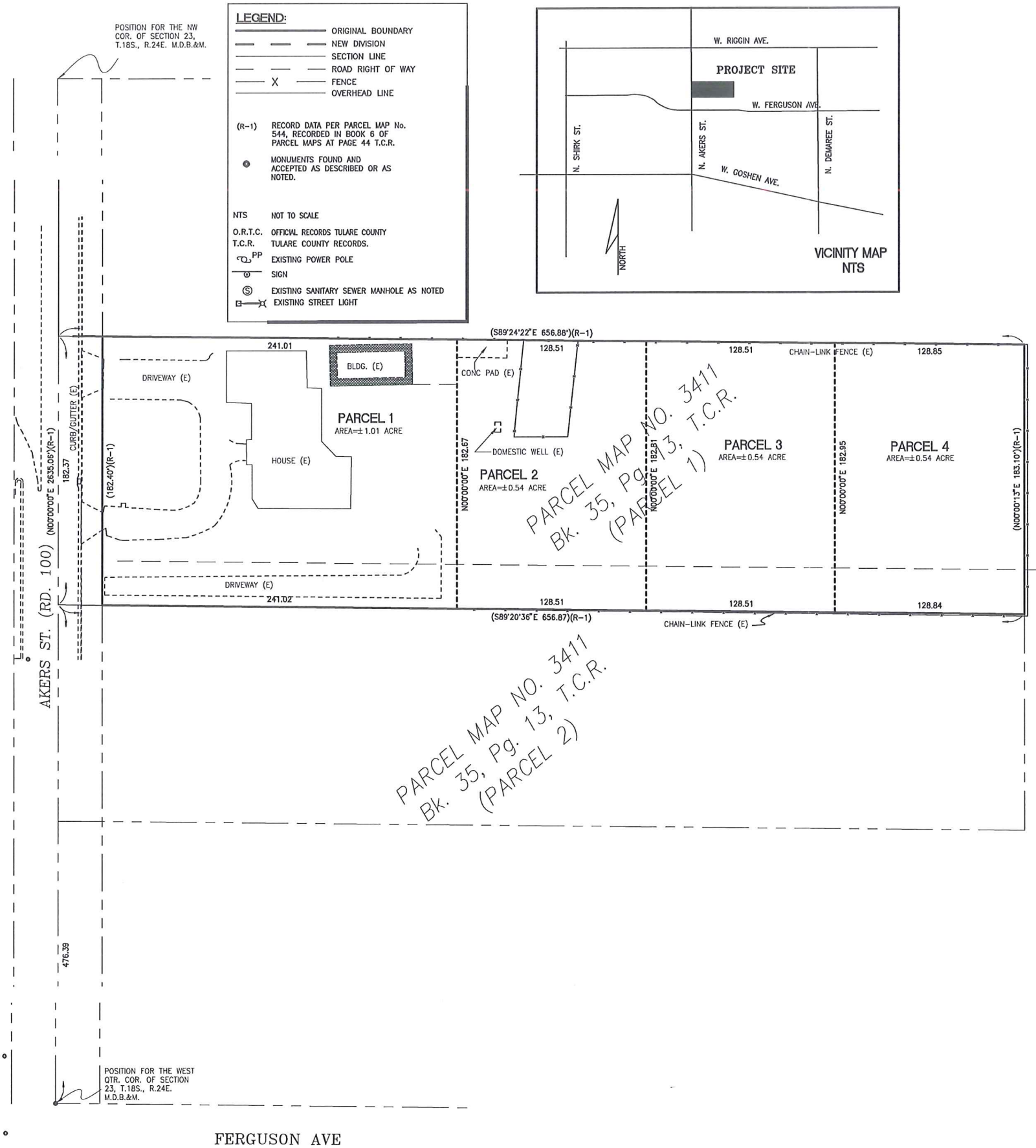
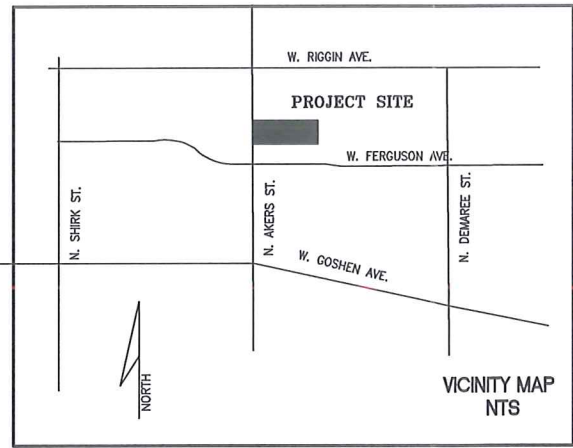
O.R.T.C. OFFICIAL RECORDS TULARE COUNTY
T.C.R. TULARE COUNTY RECORDS.

⊕ PP EXISTING POWER POLE

⊙ SIGN

⊕ EXISTING SANITARY SEWER MANHOLE AS NOTED

⊕ EXISTING STREET LIGHT



POSITION FOR THE NW COR. OF SECTION 23, T.18S., R.24E. M.D.B.&M.

POSITION FOR THE WEST QTR. COR. OF SECTION 23, T.18S., R.24E. M.D.B.&M.

FERGUSON AVE

CITY OF VISALIA SITE PLAN REVIEW APPLICATION

Additional information and assistance in filling out this application can be found at the City of Visalia website (www.visalia.city) or by calling (559) 713-4440.



This application **MUST** be filled out in its entirety and submitted with an acceptable site plan (see site plan minimum requirements & submittal details on Page 2). Failure to provide all requested information may result in rejection of your application and exclusion from the Site Plan Review agenda.

Site Plan Review meetings are held on Wednesdays at 9:00 a.m. online utilizing Microsoft Teams. The applicant or representative must be present.

Application submittal deadline are Thursday at 4:00 p.m. to be scheduled for the next available meeting.

GENERAL PROJECT INFORMATION

Project/Business Name: Shirk Energy Storage Date: 4/17/2023

Project Description: Battery Energy Storage System (BESS)

Site Plan Review Resubmittal: Yes No If Resubmittal, Previous Site Plan Review Number: _____

Property Owner: Corwyn "Butch" Oldfield

Applicant(s) Name: VESI 15, LLC

Project Address/Location: 7626 W Sunnyview Avenue, Visalia

Assessor Parcel Number: 0 7 7 - 2 0 0 - 0 3 2

Parcel Size (Acreage or Square Feet): 4.69 + 0.45 + 0.2 = 5.32 acres Building or Suite Square Footage: _____

Are There Any Proposed Building Modifications: Yes No

Estimated Cost of Modifications to Building: \$ N/A

Describe All Proposed Building Modifications: _____

--- THIS AREA FOR CITY STAFF USE ONLY ---

Date Received: 04/17/2023

SPR Agenda: 05/10/2023 Item No. _____

Zone: I SPR No. 23-075

Historic District: Yes No

Flood Zone: X AE X/AE

-- A SEPARATE, DETAILED OPERATIONAL STATEMENT IS HIGHLY RECOMMENDED FOR ALL SUBMITTALS --

OPERATIONS & TRAFFIC INFORMATION

Existing/Prior Building Use: Vacant, undeveloped land

Proposed Building Use: Energy Storage

Proposed Hours of Operation: Please see attached Operational Statement

Days of Week In Operation (Circle): Su M T W Th F Sa

Number of Employees Per Day: Existing 0 Proposed 0

Number of Customers Per Day (Estimated): Existing 0 Proposed 0

Predicted Peak Operating Hour: Please see attached Operational Statement

Describe Any Truck Delivery Schedule & Operations: Please see attached Operational Statement

Please Identify Any Unique or Specific Traffic Patterns That Will Require Accommodations For Operations, Customers, or Employees

(Provide Separate Attachment if Necessary): Please see attached Operational Statement

Describe Any Special Events Planned for the Facility: Please see attached Operational Statement

SITE PLAN MINIMUM REQUIREMENTS

SITE PLAN REQUIREMENTS

- ⇒ Submit a digital copy of the site plan(s) and completed application on a flash drive or equivalent (PDF format preferred, hard paper copies not accepted).
- ⇒ Digital copies must be clear, legible, and on a layout sized appropriately to convey all necessary project information.
- ⇒ Site plan shall provide for and indicate all of the following:
 - North arrow
 - All existing & proposed site features
 - Site dimensions, including building
 - Existing and proposed fencing at site
 - Public improvements (curbs, sidewalks, utility poles, hydrants, street lights, etc.)
 - Existing & proposed structures
 - Adjacent street names
 - Refuse enclosures & containers
 - Valley oak trees (show drip line)
 - Existing & proposed landscaping
 - Parking stalls (include ADA)
 - Loading/unloading areas
 - Accessible path of travel from right of way
 - Accessible path of travel from ADA stall
 - Location and width of drive approaches to site
 - Tentative maps shall adhere to requirements of Visalia Municipal Code Section 16

REQUIRED SIGNATURE

Applicant Information (Final comments will be mailed to the name and address provided below)

Name: VESI 15, LLC
 Address: 1801 Market Street, Suite 1801
 City, State, Zip Philadelphia, PA 19103
 Phone: 484-474-5350
 Email: jmowry@ormat.com

Signature of Owner or Authorized Agent*

Owner AMERICAN INCORPORATED

Authorized Agent* Jeri Coleman

5/4/2023

5/4/2023

Date

* If signed by an authorized agent , the "Agency Authorization" information below must be completed for this application to be considered acceptable.

AGENCY AUTHORIZATION

AGENCY AUTHORIZATION FORM

OWNER:

I, Corwyn "Butch" Oldfield, declare as follows; I am the owner of certain real property bearing assessor's parcel number (APN):

077

200

032

AGENT:

I designate SWCA Environmental Consultants, to act as my duly authorized agent for all purposes necessary to file an application for, and obtain a permit to development of an energy storage facility relative to the property mentioned herein.

I declare under penalty of perjury the foregoing is true and correct.

Executed this 4th day of May, 2023.

OWNER	AGENT
 Signature of Owner	 Signature of Agent
<u>AMERICAN INC.</u> Owner Mailing Address	<u>SWCA</u> Agent Mailing Address
<u>1345 N. American St</u> Owner Mailing Address	<u>320 N Halstead Street</u> Agent Mailing Address
<u>Visalia, CA 93291</u> Owner Mailing Address	<u>Pasadena, CA 91107</u> Agent Mailing Address
<u>559-730-6910</u> Owner Phone Number	<u>610-613-3925</u> Agent Phone Number



Shirk CA BESS Operational Statement

INTRODUCTION

The purpose of this operational statement is to provide additional narrative of the proposed utility scale energy storage project (Project) including the main purpose/use of the system, typical conditions during operation, and overall safety. The Project will consist of a proposed 80-megawatt (MW) Battery Energy Storage System (BESS) which will be comprised of outdoor rated utility grade enclosures that will store energy from the grid and discharge energy into the grid to provide support services for the bulk power system in the region (SCE locally and CAISO regionally).

The site equipment will consist of main units, auxiliary components, and an equipment storage container. Each of the main units will include a battery enclosure and a second enclosure that houses a transformer, inverter, and switchgear. The main units will be positioned in nine rows on the property (with three rows for future augmentation). The system will use lithium-ion batteries which are optimally suited due to their high energy density and rechargeable nature. The BESS will require the installation of about a half mile of 66kV 3-phase overhead power lines in order to connect to the existing power lines running along N Shirk Road.

The Project will support the energy storage targets stipulated in Assembly Bill 205. The BESS will be owned and operated by VESI 15 LLC, a wholly owned subsidiary Viridity Energy Solutions Inc. (VESI), which will coordinate with the regional grid operator (CAISO) to store and discharge power as needed. VESI's control center manages a growing fleet of energy storage assets across the US and is located in downtown Philadelphia.

Existing BESS sites in Operation:

Nationally, Viridity owns and operates several energy storage facilities. They include three facilities in New Jersey (Plumsted 20 MW, Stryker 20 MW, Howell 7 MW), two facilities in Texas (Rabbit Hill 20 MW, Upton 25 MW), and two facilities in California. In California, Viridity operates Vallecito BESS (10 MW) and Pomona BESS (20 MW) facilities. Below are two representative photos of operational BESS facilities showing existing conditions.



viridity energy
An **ORMAT** Company



Figure 1 – Plumsted BESS (20 MW) located in New Jersey showing cabinet enclosures on concrete pads surrounded by gravel drive



Figure 2 – Stryker BESS (20 MW) located in New Jersey showing enclosures on concrete pads surrounded by gravel apron

New BESS sites in Construction Phase:

In addition to the operational facilities mentioned above, Viridity is in construction phase or soon to be in construction phase on several BESS facilities across the nation. Some of these facilities include a 20 MW BESS in Sussex County NJ (Andover), 20 MW BESS in Hunterdon County NJ, (East Flemington), 80 MW BESS in Tulare County CA (Bottleneck), and a 35 MW BESS + Solar facility in Imperial County CA (Brawley). Below is a photo of the Andover BESS during construction phase.



Figure 3 – Andover BESS (20 MW) in construction showing enclosures, foundations, gravel apron, fence and lighting/lightning arrester poles

SHIRK BESS PROJECT CONSTRUCTION

Following the City's approval of the required Building and Electrical permits, VESI's construction contractors will begin the site preparation work which includes removal of vegetation, clearing, and grading. During construction, construction Best Management Practices (BMPs) will be used to limit erosion and surface runoff off. Once the site is prepared, the work moves to pouring of concrete and installation of electrical equipment. Construction is typically scheduled between 7:00 AM and 6:00 PM during weekdays, with potential for additional hours or days (pending City approval) if unanticipated schedule delays occur. Construction and installation can include between 10-15 craft workers and supervisors at any given time, with vehicles parked along adjacent roads.



The major component of the BESS is the outdoor rated enclosures which contain the lithium-ion batteries that store the energy as DC electricity. Within the cabinets, individual lithium-ion cells are bundled into modules, which are placed on racks inside the enclosures. The number of cells/modules/racks varies by the energy requirements of the project. Additional equipment is required for the operation of the BESS, including fencing for security, inverters (to convert the DC from the batteries to AC, to be injected into the grid), transformers (to match the local grid voltage), as well as a control panel and switchgear. Concurrent with the installation of the site, VESI will also install several utility poles for the “attachment line” connecting the BESS to the SCE power lines along Route 88 then connecting to the Tap Station near intersection of N Shirk St and Route 88. Once the poles are in place, SCE will dispatch their field crew to install the required equipment (lines, switches, and meters). The site then undergoes a commissioning phase where the electrical protection equipment is tested before connecting to the grid to ensure proper installation and functioning. The BESS is then energized, and additional safety checks and performance tests are performed. The commissioning phase can last up to three weeks before the site is approved by CAISO and SCE to begin commercial operation.

SHIRK BESS PROJECT OPERATION

Once the site is commissioned it begins commercial operation to provide 24/7 grid support services. During normal operation, no staff are required on site. The system will be remotely monitored and operated by a Network Operations Center (NOC) located in VESI’s Philadelphia office. The NOC is staffed 24/7 and constantly monitors both the operation of the equipment and operating conditions at the site using Supervisory Control and Data Acquisition (SCADA) systems and remotely operable video cameras. The NOC also controls access to the site, since the BESS will have remotely controlled coded locks on the gates. Typically, site visits are for routine maintenance of the equipment which can require up to 2 individuals in a single vehicle. Such routine visits are expected to occur between 12 and 18 times per year.

During normal operation of the site, the efficiency of the batteries will gradually degrade requiring a larger maintenance event halfway through the project life span, typically year 7 of a 15-year project, when the equipment is augmented. During this augmentation the site will be disconnected from the electrical grid, and fresh batteries will be added to the system to restore it to peak efficiency. The system augmentation can require more staff on site, including up to 10 craft workers and is typically completed in under a month depending on the size of the system.

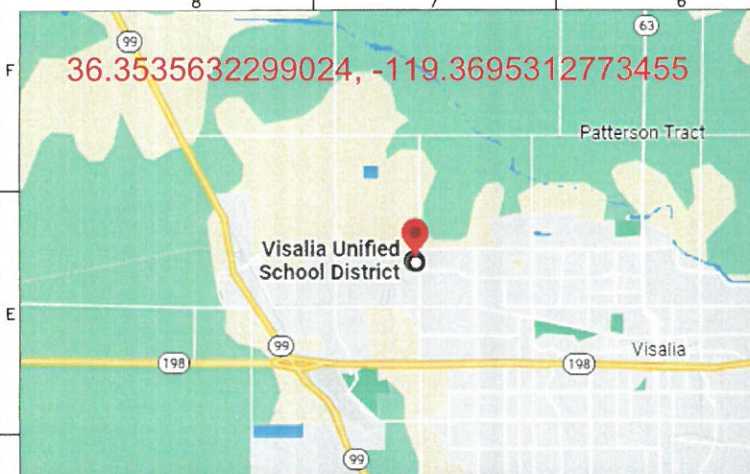
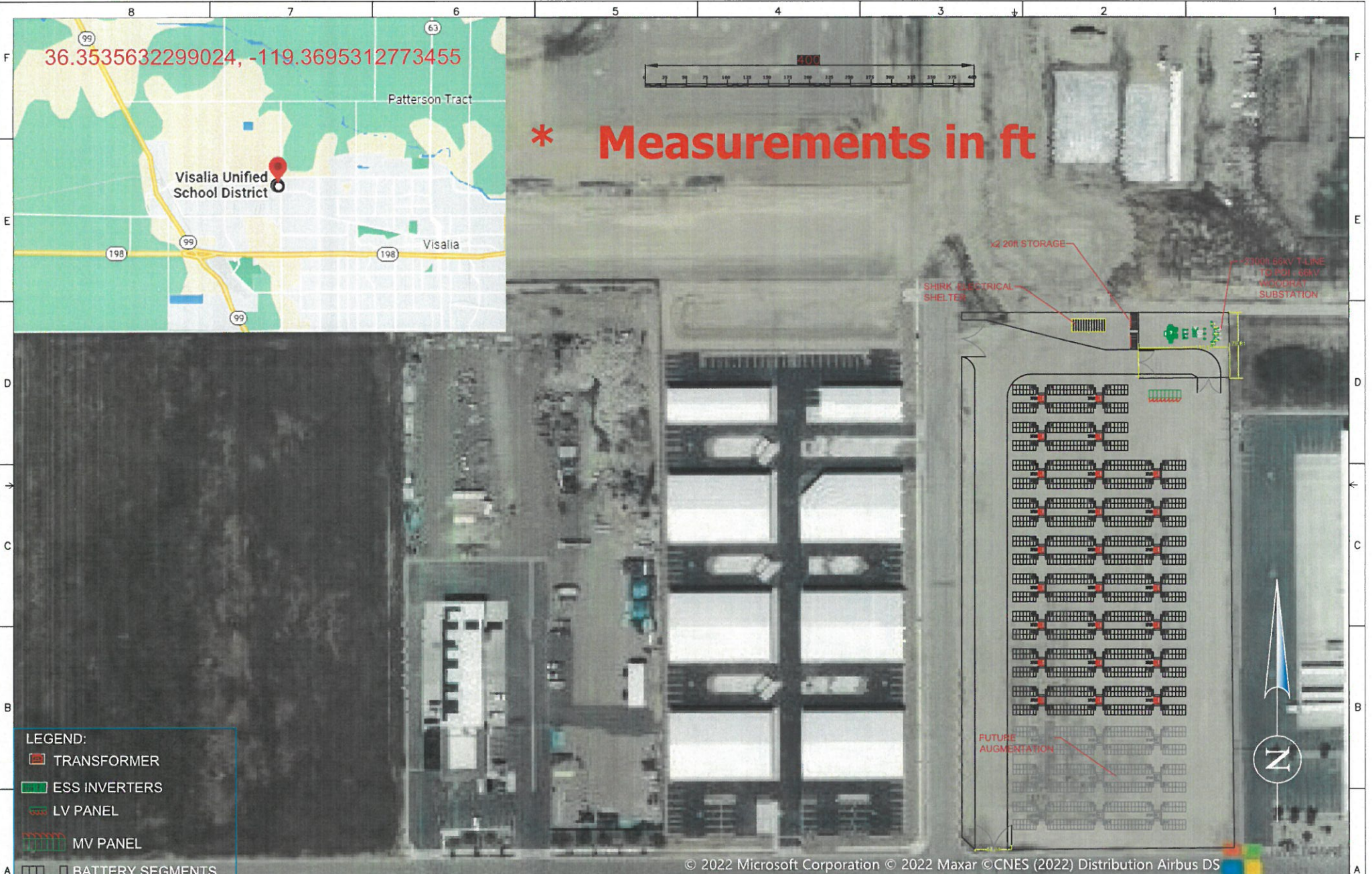
After 15 years of operation a BESS project may require a significant overhaul to continue operations or repowering (if market conditions are still favorable), or the BESS will be decommissioned. If the site is still commercially viable, the repowering will require an effort similar to an augmentation event. Decommissioning will likely require 15-20 craftworkers to remove the installed equipment which will be removed and disposed of in the most responsible manner available at the time. The concrete pads can either be left on site or removed, as dictated by the terms of the lease and future use of the site.

SAFETY

VESI's goal is to operate the site in a safe and reliable manner. For security purposes the site will be fenced off with chain-link and wooden fence which has locked gates for vehicular and walking access. Signage will be located on the fencing indicating the name of the site and appropriate contacts in case of an emergency. The site will also have at least two (2) remotely operated cameras (capable of infrared/night vision) which are monitored by the NOC to verify the conditions reported by the SCADA systems. Low-level lighting will be installed at strategic locations around the facility to enhance the safety of the site. All lighting is directed downward to minimize glare and spillover to adjacent properties and can be operated by a motion sensor.

One of the primary safety concerns of operating a BESS is the risk of lithium-ion battery fire, however such risks can be managed through proper planning, storage methods, climate controls and response protocols. The battery cabinets are designed to conform with the National Fire Protection Association (NFPA) 855 safety standards and are UL certified. Protective measures include the installation of fire detection and suppression systems. Each enclosure includes a sensor system to detect temperature variations or smoke which can then activate alarms at the NOC as well as on-site visual and audible alarms. In addition to triggering alarms, the activation of these systems will engage built-in fire suppressants and immediately stops the operation of the system, opens isolation contacts to isolate it electrically from the grid and engages HVAC fire control mode. Each enclosure has an aerosol fire suppression tank rated for electrical fires designed to prevent fires from growing, should they develop. VESI will work with local authorities during any response effort and coordinate communications with vendors as needed in the unlikely event a fire would occur.

As certifications, regulations, BMPs, and the industry continue to evolve, VESI works to build systems that comply with the prevailing standards at the time of the construction. VESI will coordinate with local Fire Department officials at all stages of the Project's life cycle to address fire-fighting safety. During initial commissioning VESI will ensure that fire fighting staff are provided site orientation and appropriate documentation on the installed equipment (such as emergency response plans and vendor documents on fire-fighting recommendations as available). It is also expected that site orientations will be coordinated by VESI as needed to ensure that all responding officials are familiar with the layout of the site during the operational life of the Project.



*** Measurements in ft**

LEGEND:

- TRANSFORMER
- ESS INVERTERS
- LV PANEL
- MV PANEL
- BATTERY SEGMENTS

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				FILENAME:		APPROVED:		TITLE:	
				DATE: OCT.11.2022		R.S		SHIRK BESS 80MW, 480MWh LAYOUT DRAWING	
				DATE: OCT.11.2022		CHECKED: Z.S		DWG. NO. 0.002.97.101.0	
				DATE: OCT.11.2022		DRAWN: LH		SHEET 1 of 1	
1	EQUIPMENT CHANGED TO ABS	MER.15.2022	LH	Z.S	ROEY SH				
0	ISSUE FOR DESIGN	OCT.11.2022	LH	Z.S	ROEY SH				
REV	DESCRIPTION	DATE	BY	CHECK	APPR				