

ORDINANCE NO. 2024-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VISALIA APPROVING ZONING TEXT AMENDMENT NO. 2024-03, A REQUEST BY THE CITY OF VISALIA TO ADD TO AND AMEND REGULATIONS WITHIN THE VISALIA MUNICIPAL CODE TITLE 17 (ZONING ORDINANCE) PERTAINING TO SINGLE-FAMILY RESIDENTIAL OBJECTIVE DESIGN STANDARDS AND PLANNED RESIDENTIAL DEVELOPMENT STANDARDS APPLICABLE TO NEW SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS. THE REGULATIONS WILL APPLY CITYWIDE TO PROPERTIES WITHIN THE CITY LIMITS OF THE CITY OF VISALIA.

WHEREAS, Zoning Text Amendment No. 2024-03 is a request by the City of Visalia to add to and amend regulations within the Visalia Municipal Code Title 17 (Zoning Ordinance) pertaining to Accessory Dwelling Units and to Single-Family Residential Objective Design standards and Planned Residential Development standards applicable to new single-family residential developments. This Ordinance only pertains to the adoption of regulations pertaining to Single-Family Residential Objective Design standards and Planned Residential Development standards applicable to new single-family residential developments; and,

WHEREAS, the City of Visalia has initiated a Zoning Text Amendment to establish new objective design standards pertaining to single-family residential development, including lots below 5,000 square feet in size, and pertaining to Planned Residential Developments, in response to an increase of utilization of smaller lot sizes and new design techniques by proponents, and in response from proponents seeking to have a clear set of reliable codified objective design standards from which to design a project and ensure support by City staff and officials, and in response to recent state legislation such as Senate Bill 9 (2021) and Senate Bill 35 (2017) that allows for ministerial approval of residential developments under certain provisions; and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on November 12, 2024; and,

WHEREAS, the Planning Commission of the City of Visalia considered the Zone Text Amendment in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing, and recommended that the City Council approve Zoning Text Amendment No. 2024-03; and,

WHEREAS, the City Council of the City of Visalia, after duly published notice, held a public hearing before said City Council on December 16, 2024, and introduced said Ordinance for first reading on that date.

WHEREAS, the Planning Commission finds that the project is exempt from further review under the California Environmental Quality Act (CEQA) Guidelines, Code of Regulations Section 15061(b)(3) (common sense exemption), as the proposed zone text amendment will not in and of themselves have an effect on the environment, and that the affected sites will continue to allow for residential development consistent with the land use designations and the respective density ranges specified in the Visalia General Plan Land Use Element.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Guidelines, Code of Regulations Section 15061(b)(3).

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of the proposed Zone Text Amendment based on the following specific findings and evidence presented:

1. That the Zoning Text Amendment is consistent with the intent of the General Plan and Zoning Ordinance and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, as described in the following Land Use and Housing Element Policies:

Land Use Element Policy LU-O-21 - Preserve and enhance the character of residential neighborhoods while facilitating infill development.

Land Use Element Policy LU-O-23 - Provide a range of housing types and prices within new neighborhoods to meet the needs of all segments of the community.

Land Use Element Policy LU-P-49 - Preserve established and distinctive neighborhoods throughout the City by maintaining appropriate zoning and development standards to achieve land use compatibility in terms of height, massing and other characteristics; providing design guidelines for high-quality new development; supporting housing rehabilitation programs; and other means.

Land Use Element Policy LU-P-50 - Provide development standards to ensure that a mix of detached and attached single-family and multi-family housing types can be compatible in a single development.

Housing Element Policy 1.4 - The City shall encourage a mix of residential development types in the city, including single family homes, on a variety of lot sizes, as well as townhomes, row houses, live-work units, planned unit developments, accessory dwelling units, and multi-family housing.

Housing Element Policy 3.11 - The City shall continue to support, facilitate the construction, and provide for the development of accessory dwelling units on parcels with single-family and multi-family units while protecting the character of neighborhoods and zoned parcels as a means of providing affordable housing.

Housing Element Program 2.7 Missing Middle: The City will review and amend residential development standards to allow for and promote a mix of dwelling types and sizes, specifically missing middle-density housing types (e.g., duplexes, triplexes, courtyard buildings, townhomes) to encourage the development of housing types affordable to the local workforce.

Housing Element Program 3.15 Promoting Accessory Dwelling Units. - The City shall promote the development of ADUs, prioritizing the higher resource areas.

2. That applying the proposed Single-Family Residential Object Design standards to future housing and residential uses will reflect sound planning principles and will assist in enhancing the character of residential neighborhoods.
3. That the City has determined that the amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Common Sense Exemption, Code of Regulations Section 15061(b)(3), since there would be no possibility of a significant effect on the environment.

NOW, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VISALIA, that Zoning Text Amendment No. 2024-03, is approved, as contained in Exhibit "A" of this Ordinance.

Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivision, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Visalia hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Construction. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Effective Date. This Ordinance shall take effect thirty days after its adoption.

Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Ordinance No. 2024-__
EXHIBIT 'A'

Section 1. Visalia Municipal Code Title 17 (Zoning Ordinance) is hereby amended, to read as follows, as specified by as specified by underline & italics for additions and ~~strikeout~~ for deletions:

Chapter 17.12 Single-family Residential Zone

~~Article 2. Accessory Dwelling Units~~

~~17.12.140 Purpose and intent.~~

~~17.12.150 Definitions.~~

~~17.12.160 General provisions.~~

~~17.12.170 Process.~~

~~17.12.180 Development requirements.~~

~~17.12.190 Appeals.~~

~~17.12.200 Existing nonconforming accessory dwelling units.~~

Article 2. Single-Family Residential Objective Design Standards

17.12.140 Purpose and Applicability

17.12.150 Site Planning

17.12.160 Structure Design Standards

17.12.170 Landscaping

17.12.180 Fences, Walls, and Hedges

17.12.190 Exterior Lighting

17.12.200 Off-Street Parking Facilities

17.12.210 Useable Common Open Space Areas for Planned Unit Developments

17.12.220 Sidewalks for Planned Unit Developments

17.12.230 Exception Powers of the Planning Commission

17.12.135 Lot area less than 5,000 square feet.

A. Notwithstanding Section 17.12.050, lots in the R-1-5 zone may have a lot area of between 3,600 and 4,999 square feet if all of the following standards are met:

1. The Planning Commission finds that the development's overall density is consistent with the General Plan Low Density Residential General Plan density range of two (2) to ten (10) dwelling units per gross acre.

2. The maximum number of lots less than 5,000 square feet that may be approved by a tentative subdivision map shall be fifty (50) percent or less of the total lots.

3. Streets shall be constructed to public street standards.

4. Each subdivision with at least 15 lots that are less than 5,000 square feet in size shall make available to buyers at least three (3) different small lot floor plans with at least four (4) available elevation designs for each floor plan to construct on those lots.

5. The development is consistent with all design standards established in Chapter 17.12 Article 2 (Single-Family Residential Objective Design Standards).

~~—5. The primary frontage of the dwelling unit shall face a public street, primary entryway, circulation walkway, or open space with sidewalks that provide delineated paths of travel.~~

~~—6. The primary frontage of the dwelling unit shall include the primary entrance and at least one window.~~

~~—7. Required covered parking spaces shall be in garages. Carports are prohibited.~~

~~—8. The width of the garage shall not be greater than fifty (50) percent of the width of the dwelling unit.~~

~~—9. The garage shall not extend beyond the front building facade (living area.)~~

~~—10. All dwelling units shall include a covered front porch at least four (4) feet deep and six (6) feet wide or an uncovered front courtyard at least five (5) feet wide and five (5) feet deep that is surrounded on four sides by the dwelling unit or a wall or fence between three (3) and four (4) feet high with a pedestrian gate or entryway.~~

~~—11. The building official shall not approve a building permit for a new dwelling unit on a lot with a lot area less than 5,000 square feet until the city planner, or designee, has determined that the standards identified in this section are met.~~

~~—12. The subdivision shall provide a common, usable open space area of a minimum 3,000 square feet or two hundred fifty (250) square feet per lot under 5,000 square feet, whichever is greater. The area shall be landscaped and maintained with funding from either a homeowner's association or a landscape and lighting act district.~~

B. Notwithstanding this Chapter, lots with less than five thousand (5,000) square feet shall have the following minimum dimensions and building setback areas, unless they were approved with a planned development permit:

1. The minimum lot depth shall be seventy (70) feet.
2. The minimum lot width shall be forty-six (46) feet for interior lots and fifty-one (51) feet for corner lots.
3. The minimum front building setback area shall be twelve (12) feet for livable space and twenty (20) feet for garages.
4. The minimum rear yard building setback area shall be fifteen (15) feet.
5. The minimum interior side yard building setback area shall be five (5) feet.
6. The minimum corner side yard building setback area shall be ten (10) feet.
7. The maximum building height shall be thirty-five (35) feet.
8. Lots shall provide for a *minimum* usable open space area of a ~~minimum~~ three hundred (300) square feet. The open space shall ~~be~~ *have* a minimum *width of* fifteen (15) feet-wide.

C. Lots less having a lot area of 3,600 square feet, or lots *between 3,600 and 4,999 square feet* that do not meet *all* the standards in ~~this section~~ *Subsections A and B of Section 17.12.135* may be approved through the planned development permit process per Chapter 17.26. (Ord. 2017-01 (part), 2017)

~~Article 2. Accessory Dwelling Units~~

~~17.12.140 Purpose and intent.~~

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

~~—A. To encourage a range of housing types, styles and costs to suit the varying needs and desires of the community;~~

~~—B. To allow homeowners a means of obtaining, through tenants and accessory dwelling units, an additional source of income, companionship, security, and services;~~

~~—C. To add inexpensive rental units to the housing stock of the city;~~

~~—D. To create homeownership opportunities for moderate income households who might otherwise be excluded from the housing market, through the additional income derived from accessory dwelling units;~~

~~—E. Develop housing in single-family neighborhoods that is appropriate for a variety of stages in the household life cycle, thereby lessening fluctuations in neighborhood demand for public services;~~

~~—F. Protect the stability, property values, and character of single family residential neighborhoods by insuring that accessory dwelling units are subject to the standards that follow. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(A))~~

17.12.150 Definitions.

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

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

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

~~—"Living area" means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or an accessory structure. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(B))~~

17.12.160 General provisions.

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

~~—A. Accessory dwelling units shall only be allowed on lots located in the A and R-1 zones;~~

~~—B. In no case shall more than one accessory dwelling unit be placed on the same lot or parcel;~~

~~—C. Second dwelling units shall be subject to all applicable building, fire, health and safety codes and may not have adverse impacts on any real property that is listed in the California Register of Historic Places;~~

~~—D. Second dwelling units may only be constructed on lots or parcels that are at least five thousand (5,000) square feet in area;~~

~~—E. A covenant running with the land between the city and the applicant shall be recorded with the Tulare County recorder prior to the issuance of any building permits requiring that the primary or the proposed accessory dwelling unit shall be occupied by the owner of record;~~

~~—F. The accessory dwelling unit shall be clearly subordinate to the principal dwelling unit by size, location and appearance;~~

~~—G. The second unit's scale, appearance and character shall be similar to and compatible in design with the principal dwelling unit and adjacent residences;~~

~~—H. In no case shall any accessory dwelling unit be approved on a site on which the principal dwelling unit has been the subject of a garage conversion pursuant to the regulations of Section 17.32.140 governing such conversions.~~

~~—I. Size. A manufactured home shall not be less than eight (8) feet wide by forty (40) feet long and three hundred twenty (320) square feet in living area. An efficiency unit shall not be less than one hundred fifty (150) square feet in living area and meet all space and occupancy standards of Chapter 5 of the Uniform Housing Code;~~

~~—J. Access. Doorway access shall be provided either to the side or rear of the second housing unit;~~

~~—K. Utility Services. Second housing units shall be provided with water, sewer, and other utilities as determined by the building official. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(C))~~

~~17.12.170 Process.~~

~~—The city planner shall approve or deny accessory dwelling unit requests based upon the specified requirements. The applicant may appeal the decision of the city planner to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner, in writing, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The planning commission's review shall be limited to compliance with the specified requirements. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(D))~~

~~17.12.180~~ Development requirements.

~~—The following development requirements shall apply to accessory dwelling units:~~

~~—A. The increased floor area of the second unit shall not exceed twelve hundred (1,200) square feet or) fifty (50) percent of the main dwelling unit, whichever is greater, and shall be used as an accessory to the primary single family home.~~

~~—B. Adequate parking area must be available on the streets adjacent to the accessory dwelling unit. If adequate on-street parking is not available in the immediate vicinity, or in the case of all second units located on cul-de-sac lots, one additional off-street parking space must be provided. Tandem parking shall not be deemed as meeting the above parking requirement. The additional parking space shall be waived if in any of the following instances:~~

~~—1. The accessory dwelling unit is located within one-half (0.5) miles of public transit.~~

~~—2. The accessory dwelling unit is located within an architecturally and historically significant historic district.~~

~~—3. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.~~

~~—4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.~~

~~—5. When there is a car share vehicle located within one block of the accessory dwelling unit.~~

~~—C. All standards of the underlying zoning district including, but not limited to, height, lot and yard requirements, and lot coverage shall apply.~~

~~—D. Detached accessory dwelling units are subject to all applicable standards for accessory structures, as stated in the development requirements for the underlying zone, unless a variance has been granted pursuant to Chapter 17.42. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(E))~~

~~17.12.190~~ Appeals.

~~—The applicant may appeal the decision of the city planner to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting~~

following the filing of the appeal. The planning commission's review shall be limited to compliance with the specified requirements. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(F))

~~17.12.200 Existing nonconforming accessory dwelling units.~~

~~—An existing accessory dwelling unit situated on a lot or parcel in the A or R-1 zones shall constitute a violation of this title unless: (1) the unit meets the standards and criteria of Chapter 17.12, and an agreement is recorded; or (2) the accessory dwelling unit qualifies as a permitted nonconforming use and structure under the provisions of Chapter 17.40. No enlargement of habitable space shall be allowed unless the standards and criteria of Chapter 17.12 are met. This shall not apply to maintenance of the unit. (Ord. 2017-01 (part), 2017: Ord. 2003-23 § 2, 2003: Ord. 9717 § 2 (part), 1997: prior code § 7283(G))~~

Article 2: Single-Family Residential Objective Design Standards

17.12.140 Purpose and Applicability

A. Purpose. The purpose of this Chapter is to establish objective design standards that provide developers with a clear understanding of the City's expectations for all residential project design and streamline the construction of housing units by reducing subjectivity in the entitlement process. All applicable development projects are required to comply with all design standards found in this Chapter in addition to all applicable Building Permit requirements, Zoning Ordinance requirements, City Engineering Division Design and Improvement Standards, and all other applicable City, County, and State provisions.

B. Applicability. The standards of this Chapter apply to all new single-family residential developments on lots regardless of parcel size, unless exceptions from individual standards are granted through an exception per Section 17.12.230, or except as described below.

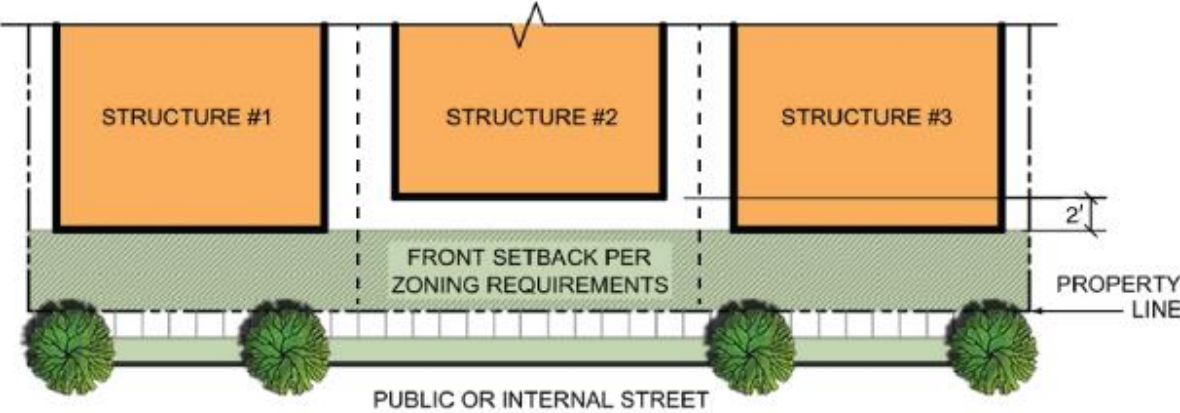
1. For the purposes of this Chapter, accessory dwelling units (ADUs) are considered accessory structures to a single-family residence and are subject to all applicable design standards for accessory structures established in this Chapter except where they interfere with State law or the City's ADU Ordinance.

2. Buildings and structures listed on the City's Local Register of Historic Structures are excluded from the requirements of this Chapter but are subject to committee review (see Chapter 17.56).

17.12.150 Site Planning

A. Site Placement

1. Site Area. Developments with two or more structures shall be staggered with a minimum of two-foot variation measured from the front setback with the intent of providing a varied street elevation so that front setbacks and structures on adjacent parcels differ by a minimum of two feet and a maximum of six feet.

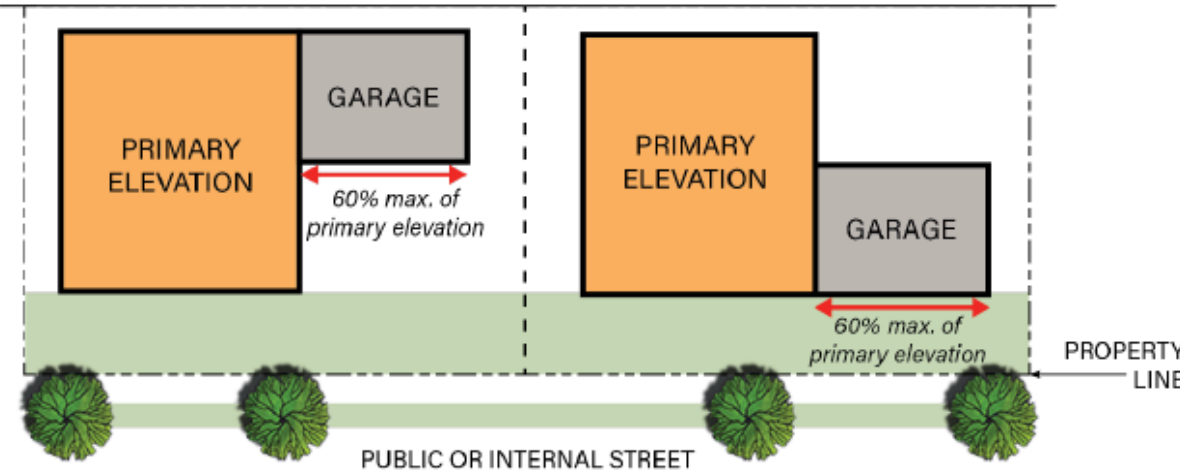


2. Orientation

a. The primary elevation of the residence shall face the primary public or private right-of-way on which the parcel is located. For the purposes of this Section the primary elevation is that in which the front door or front entryway is located.

b. On corner lots, the primary elevation is considered the elevation that is facing the street in which the residential address is associated with and front door or front entryway is located. The applicant/developer/property owner may file for an address change if they would like to change what street the primary elevation is located.

c. Garages. Garages (attached or detached) shall be setback farther from or equal to the primary elevation and shall not exceed 60 percent of the width of the primary elevation.



B. Site Development.

1. Setbacks. Structure setbacks shall be subject to the provisions of the applicable zone of which the subject parcel is located in. For single-family provisions please see Chapter 17.12. For lots less than 5,000 square feet the setback requirements specified in Section 17.12.135 shall apply.

2. Height. Structure height shall be subject to the provisions of the applicable zone of which the subject parcel is located in. For single-family provisions please see Chapter 17.12. For lots less than 5,000 square feet the height requirements specified in Section 17.12.135 shall apply.

3. Front Doors / Front Entryways.

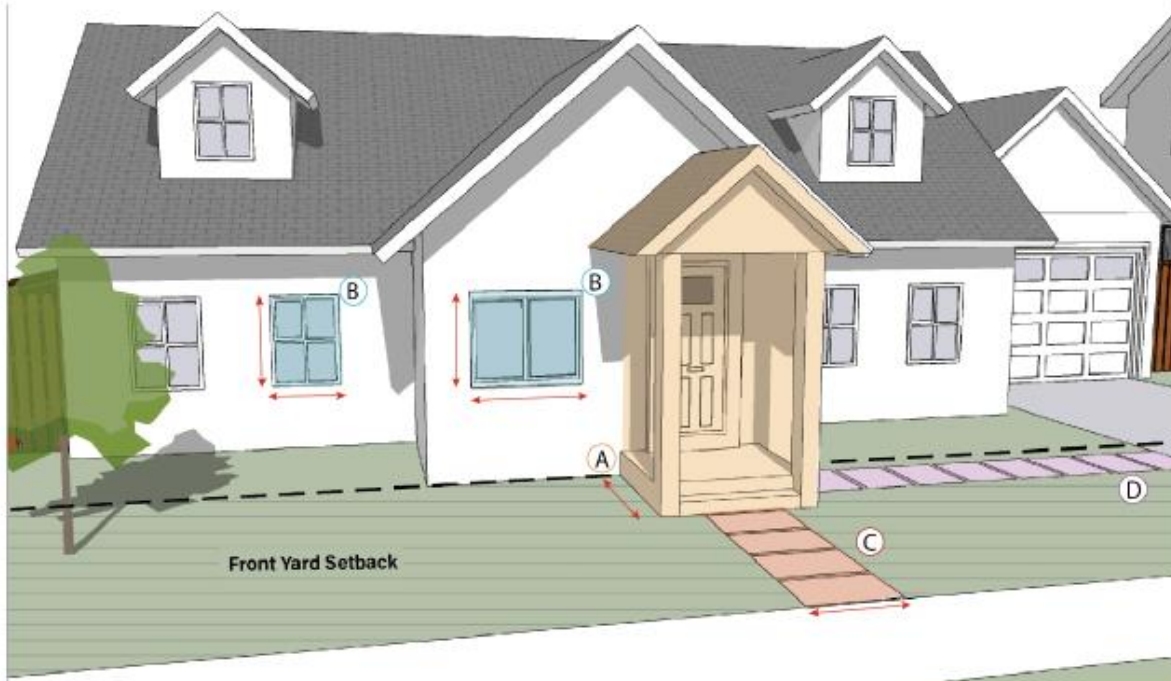
a. The main entry to the residence shall be located on the primary elevation.

b. The primary elevation shall include a minimum of one window that is at least three feet by four feet.

c. Front entryways shall include a covered porch that complies with standards established in Section 17.32.090 of this Title. A porch can be recessed and/or projecting, however a canopy or awning alone cannot be utilized to fulfill this standard.

d. A minimum three-foot wide pedestrian walkway, other than the driveway, shall provide direct access to the front door / front entryway of the residence from the primary sidewalk, or primary right-of-way if no sidewalk is present. Pedestrian walkways can be constructed with any materials (i.e., aggregate or natural stone or rock, brick, gravel, wood, poured concrete), except for dirt or topsoil.

e. In addition to the pedestrian walkway described in Subparagraph 3.d, a minimum three-foot pedestrian walkway may be provided to connect the front door / front entryway to the driveway. The walkway shall match the material as the pedestrian walkway from the front door / front entryway to the sidewalk.



- (A) Covered porch on the front entry that may project up to 6 feet into the front yard setback.
- (B) Primary elevation shall include at least one window measuring 3 foot (height/width) by 4 foot (height/width).
- (C) Three foot wide pedestrian walkway from the front entry to the primary sidewalk/public right-of-way.
- (D) Optional three-foot pedestrian walkway from the front entry to driveway.

17.12.160 Structure Design Standards.

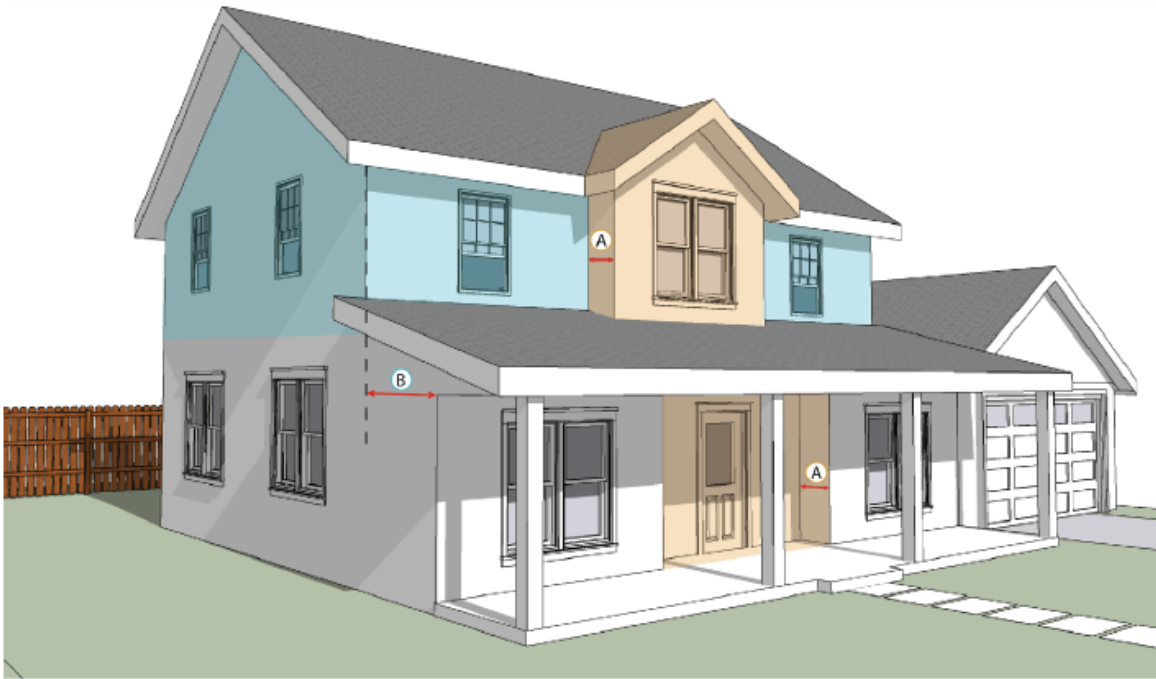
A. Massing. To provide for visually interesting structures, primary elevations wider than 25 feet shall incorporate at least one of the following massing elements for every 15 feet:

1. Projections. A projection shall project at least two feet, but no more than six feet, from the main elevation plane and be at least eight feet wide. A projected area shall be capped with an eave or gable that matches the same materials and style as the main structure. A projection may extend into the required setback if it complies with Section 17.32.090 (Yard requirements – Exceptions) of this Title.

2. Recessions. A recession shall be at least two feet deep, but no more than six feet deep, from the main elevation plane and be at least five feet wide.

3. Second Floor Stepbacks. For two-story structures, the second floor may be stepped back by at least six feet, but no more than 12 feet, from the ground floor wall plane. The stepback shall extend along at least 50 percent of the length of the wall plane. The stepback may be continuous or composed of multiple segments that together total the required length.

4. Bay Window. A protruding window that is at least two feet from wall plane.



A Projection or recession measuring between two to six feet from the wall plane.

B Second floor stepback measuring between six and 12 feet from first floor.

B. Articulation. Structures shall be vertically (height) and horizontally (depth) articulated along the primary elevations.

1. Vertical Articulations. Vertical articulations shall include a change in total height of a minimum of two feet, or a change in roof pitch or form, or the inclusion of a gable or dormer, and such articulation shall occur at intervals of a maximum of 15 feet.

2. Horizontal Articulation. Horizontal articulations shall include a change of wall plane by a minimum depth of two feet at intervals of a maximum of 20 feet.



- (A) Vertical Articulation through the inclusion of a dormer.
- (B) Horizontal Articulation - Change of wall plane by a minimum of 2 feet.

C. Fenestration.

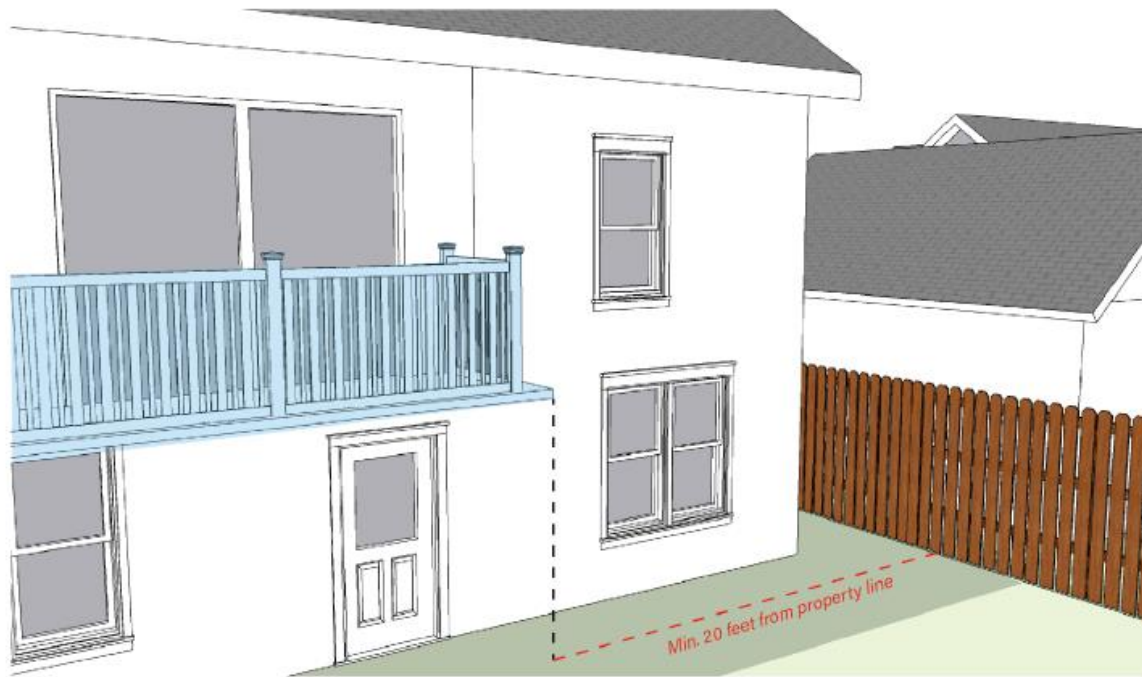
1. All windows and doors shall include one of the following exterior design details:

a. A recess of at least two inches from the wall plane.

b. Wood, metal, stucco covered foam, or engineered wood trim around the entire window or door with a minimum width of three inches and minimum depth of three-quarters of an inch.

2. If used, shutters shall be sized to cover 100 to 105 percent of the window and match the exact window shape.

D. Balconies. No portion of a second floor balcony shall be within 20 feet of the adjacent property line (except on the primary elevation), unless the side(s) of the balcony facing the adjacent property(ies) is screened from view.



E. Design Details.

1. Materials

a. No more than four materials or finishes (not including roofing, door, or window materials) shall be used on each elevation, and no more than five materials or

finishes (not including roofing, door, or window materials) in total shall be used across all elevations.

b. The following materials are prohibited from use as exterior finishes (excluding windows and doors):

i. Vinyl siding

ii. Plastic

iii. Raw, non-treated/coated metal

2. Colors. A minimum of two, but no more than five, colors (or tints, shades, or tones of the same color) shall be used on the entire exterior of the building.

3. Accessory Structures. All accessory structures (i.e., accessory dwelling units, garages, workshops, storage sheds) visible from the primary street shall be constructed of the same materials, colors, roof type as the primary structure. This standard only applies to accessory structures constructed together with the primary dwelling unit.

17.12.170 Landscaping.

A. All areas not occupied by structures or pavement in the front yard area shall be landscaped. Landscaped areas shall consist of plantings, turf, mulch, or bark.

B. All landscape areas shall meet the requirements of the State Model Water Efficient Landscape Ordinance, or if applicable, the Water Efficient Landscape Ordinance of the City of Visalia. [Source: 17.30.015.C.1.a]

C. Trees. New developments shall plant a minimum of one tree along the street frontage. Trees shall be 15 gallons at the time of planting.

D. Pavement or hardscape shall not make up more than 50 percent of the front yard, unless necessary to meet other standards required by this Chapter.

17.12.180 Fences, Walls, and Hedges.

A. Height. Fences, walls, and hedges shall not exceed seven feet in height if on the side or rear yard setbacks, or three feet in height if in the front yard setback. A front yard fence or wall may be allowed to a height of up to four feet only if the portion exceeding three feet, at minimum, is constructed with a material that has a visibility percentage of at least 50 percent (i.e., lattice fencing). These standards also apply within five feet of the street side property line for corner lots.

B. Materials. The following materials are prohibited from use as fencing:

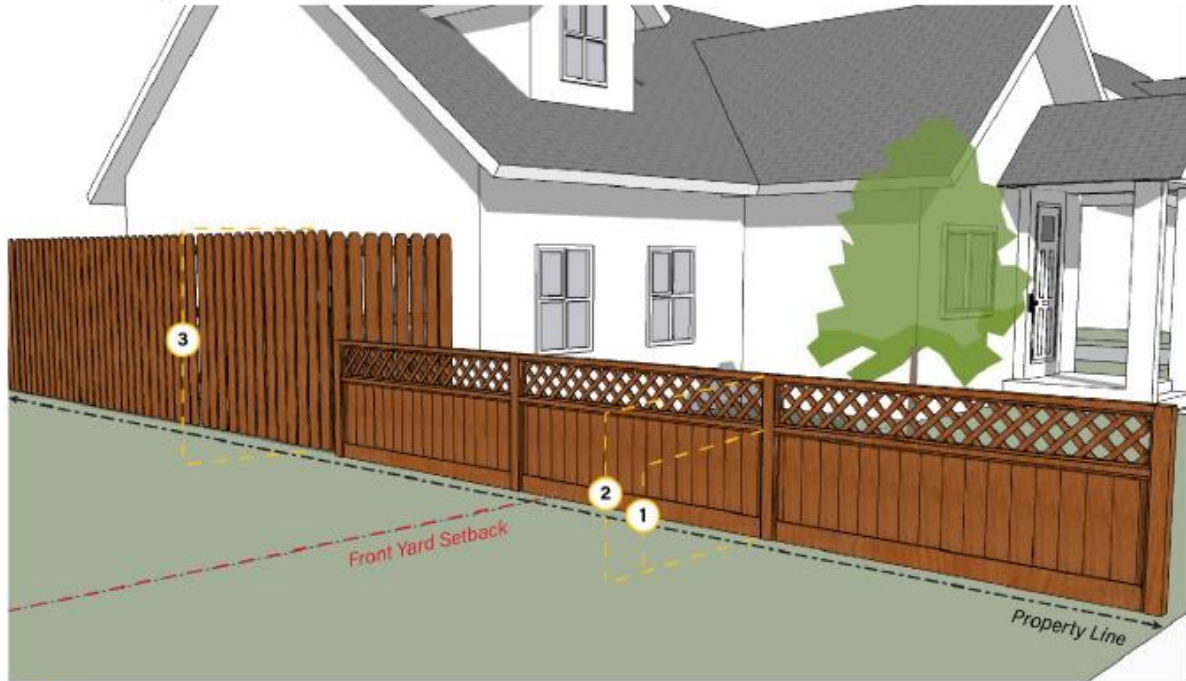
1. Barbed wire

2. Electric charged fencing

3. Corrugated Paneling

4. Chain link (except for three to four-foot height fences within the front yard and street side yard setback)

4. Chain link (except for three to four-foot height fences within the front yard and street side yard setback)



- 1 Maximum height of three feet in front yard setback.
- 2 Maximum height of four feet in front yard setback if top one foot of fence is at 50 percent visibility.
- 3 Maximum height of seven feet in on side and rear yard setback.

17.12.190 Exterior Lighting.

A. All entryways, porch areas, pedestrian pathways, and gates shall include lighting for safety and security. All exterior lighting fixtures shall comply with all of the following standards:

1. Be fully shielded and directed downward (not above the horizontal plane) and shall not spill onto adjacent properties;
2. Be no more than of eight feet above the ground plane;
3. Ground-mounted light fixtures to illuminate driveways, landscaped areas, or pedestrian pathways shall be no more than three feet in height; and
4. Use light emitting diodes (LEDs) with a maximum temperature of 3000 kelvins.

B. Permanently installed light fixtures that blink, revolve or flash are prohibited.

17.12.200 Off-Street Parking Facilities.

A. The number and type of off-street parking facilities for a single-family residential development shall comply with the requirements of the underlying zoning district as established in Chapter 17.34. In addition to the provisions in Chapter 17.34, all off-street parking facilities shall comply with the following standards:

B. Covered parking areas shall be in garages. Carports are allowed only if they do not serve as the required covered parking (e.g., porte cocheres, carports in front of garages). [Source: 17.12.135.A.7]

C. Uncovered parking areas (i.e., driveways) shall be paved with concrete or a permeable or impermeable surface. [Source: 17.34.030.P]

D. Off-Street Guest Parking Facilities for Planned Unit Developments. Planned unit developments with four or more dwelling units shall provide off-street guest parking spaces when on-street parking is not allowed on the streets within the development. Planned unit developments shall provide a minimum of one guest parking space per four dwelling units within the total project. If a fraction occurs based on the specified number of guest spaces, the project applicant shall round up to the next round number of guest spaces.

17.12.210 Useable Common Open Space Areas for Planned Unit Developments.

A. Useable Common Open Space. Planned unit developments shall provide usable outdoor passive/active open space with outdoor amenities as required in Table 1 (Outdoor Amenities). Useable common open space means an unobstructed area or areas, accessible to all occupants of the structure it serves, having no dimension less than 10 feet in any direction. Useable common open space excludes areas designated for parking, including surface parking, carports, or garages. A minimum of 60 percent of the common useable open space shall be provided as landscaped green area (not hardscaped).

B. Recreational Amenities. Recreation amenities as required in Table 1 (Outdoor Amenities) can be either passive or active as described below, or a combination of the two.

1. Passive Recreational Amenities. Passive recreation refers to recreational activities that require minimal to no facilities or development to perform such activities. Passive recreation amenities include, but are not limited to, community gardens, outdoor gathering/seating area, picnic/barbeque area, pet area/dog park, courtyard/plaza. All passive recreational amenity area shall be a minimum of 200 square feet unless otherwise stated.

2. Active Recreational Amenities. Active recreation refers to recreational activities that require specific facilities or equipment to perform such activities. Active recreational amenities include, but are not limited to, playground/tot lot, sports court/field, fitness area, swimming pool, clubhouse w/kitchen, community room. All passive recreational amenity area shall be a minimum of 500 square feet unless otherwise stated.

C. Seating. Seating shall be provided for all common open space areas.

D. Playgrounds/tot lots shall be located in an area with direct visibility from a minimum of three dwelling units to allow for casual surveillance.

Table 1

Open Space and Recreational Requirements

<u>Number of Units in Project</u>	<u>Minimum Number of Amenities¹</u>	<u>Minimum Total Area²</u>
<u>Less than 5</u>	<u>1</u>	<u>500 sq. ft.</u>
<u>5-10¹</u>	<u>1</u>	<u>500 sq. ft. plus 100 sq. ft per unit over 5 units</u>
<u>11-30</u>	<u>2</u>	<u>1,000 sq. ft. plus 150 sq. ft per unit over 10 units</u>
<u>31-60</u>	<u>2</u>	<u>4,000 sq. ft. plus 165 sq. ft per unit over 30 units</u>
<u>61-100</u>	<u>2</u>	<u>9,000 sq. ft. plus 200 sq. ft per unit over 60 units</u>
<u>101-150</u>	<u>3 plus 1 additional amenity for every 50 units over 200</u>	<u>17,000 sq. ft. plus 250 sq. ft per unit over 100 units</u>

1 – Minimum number of amenities can be passive or active amenities as described in Subsection 17.12.210.B

2 - Minimum Total Area means the combined area of all amenities. Each amenity must still meet all applicable standards established in this Section.

17.12.220 Sidewalks for Planned Unit Developments.

Sidewalks within a Planned Unit Development shall incorporate the following standards:

A. Shall be a minimum width of five feet; and

B. Shall implement the concrete specifications for sidewalks and ramps as determined by the City of Visalia City Engineering Division Design and Improvement Standards.

17.12.230 Exception Powers of the Planning Commission

The planning commission may grant one or more exceptions to any of the regulations prescribed in Chapter 17.12 Article 2 (Single-family Residential Objective Design Standards) by using the following exception process. Applicants seeking an exception shall follow the same procedures as those prescribed in Chapter 17.42 for obtaining a variance. City staff shall prepare a separate form for applicants seeking an exception to file. In reviewing a request for an exception, the commission is not required to make any or all of the five findings required for a variance action found in Section 17.42.090. Rather, the commission must make a finding that the standards requested through this exception process become an integral part of the site development (e.g., design, material, contour, height, distance, color, texture) and do not adversely affect the established and distinctive character of any existing neighborhoods that are adjacent to the site being developed to achieve land use compatibility in terms of height, massing

and other characteristics. The decision by the planning commission over the requested exception may be appealed to city council in the same manner as a variance under the appeal provisions of Section 17.02.145. If the exception is approved, then the exception shall be subject to revocation or lapse in the same manner as a variance under Chapter 17.42. If a request for an exception is denied or revoked, then no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one year of the date of denial or revoked unless the planning commission or city council specifically allow such further applications in the decision for denial or revocation.