

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Roland Soltesz

COMMISSIONERS: Lawrence Segrue, Adam Peck, Roland Soltesz, Vincent Salinas, Brett Taylor

MONDAY SEPTEMBER 9, 2013; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S REQUESTS - The Commission requests that a five (5) minute time limit be observed for requests. Please note that issues raised under Citizen's Requests are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - Finding of Consistency between tentative and final subdivision maps of Eagle Creek Unit No. 6.
 - Finding of Consistency for minor changes to Maddox at Caldwell 6 Tentative Subdivision Map
5. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2013-26: A request by Jake Ryan Blankenship to allow a group fitness training center to occupy an existing 4,800 square foot building in the Service Commercial (C-S) zone. The site is located at 1421 E. Mineral King Avenue, on the south side of Mineral King Avenue approximately 350 feet east of Ben Maddox Way. (APN: 100-030-020). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2013-63.
6. PUBLIC HEARING – Jose Saenz
Conditional Use Permit No. 2013-27: A request by Savior's Community Church to amend Conditional Use Permit No. 2003-04 to include the existing 4,900 square foot building at 615 East Center Avenue for use as a ministry office and classrooms. This site is located in the Central Business District (CDT) zone. (APN: 094-231-260). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2013-62.
7. WORK SESSION – Paul Scheibel
Comparing the terminology and application of the terms Specific Plan and Master Plan to the City's land use process

8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting. Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS SEPTEMBER 19, 2013 BEFORE 5 PM.

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 425 E. Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, SEPTEMBER 23, 2013

City of Visalia



To: Planning Commission

From: Brandon Smith, Senior Planner (713-4636)

Date: September 9, 2013

Re: Request for Finding of Consistency Between Tentative and Final Subdivision Maps for Eagle Creek Unit No. 6

RECOMMENDATION

Staff recommends that Planning Commission make a Finding of Consistency for the final lot configuration change to Eagle Creek No. 6 Final Map, located west of the current terminus of W. Vine Avenue west of N. Denton Street, south of Ferguson Avenue and east of Shirk Street (APN: 077-740-011). The proposed final map for this unit, being the last final map for Eagle Creek, will result in one additional lot than was originally approved through the tentative subdivision map.

DISCUSSION

The property owner of Eagle Creek seeks to make a design change to the tentative subdivision map that was approved by the Planning Commission on August 23, 2004. This subdivision divided property into 272 single-family residential lots. The subdivision map has been recorded over five units, with Unit No. 5 being authorized to record by the City Council on September 3, 2013. Unit No. 6 would be the last and final map for the subdivision. Unit No. 6 borders Service Commercial zoning on the south and west sides although the Service Commercial zoning has not yet developed.

The redesign of the map would extend the length of the Vine Court cul-de-sac approximately 50 feet so that the end of the cul-de-sac nearly abuts the west property line (see attached Exhibit "A"). The street reconfiguration results in four lots fronting perpendicular onto the cul-de-sac (Lots 259 thru 262) in lieu of three "pie-shaped" lots with reduced street frontage (see attached Exhibit "B").

All lots in the Eagle Creek Unit No. 6 map will be standard lots conforming to the minimum 6,000 square foot lot size and 60-foot lot width required in the R-1-6 zone.

Staff's recommendation is to approve the requested design change and additional lot. This recommendation is based on the conclusion that the proposed design change is minor and remains consistent with the intent of the original approved tentative subdivision map. The change does not alter the overall circulation pattern originally examined by the Planning Commission. The redesign will place the buildable envelopes of lots (specifically Lots 260 and 261) closer (within five feet) to the west property line and adjacent Service Commercial zone, although future commercial development will require a 20-foot building setback from the property line. The addition of one extra lot in the subdivision is recommended as it encourages increased residential density without increasing the subject site area and remains consistent with General Plan policies and Subdivision & Zoning Ordinance regulations.

ATTACHMENTS

- Letter from Applicant dated August 29, 2013
- Exhibit "A" Proposed Site Plan
- Exhibit "B" Approved Site Plan per August 23, 2004
- Aerial Photo



Quad Knopf

August 29, 2013

Josh McDonnell, AICP
City of Visalia
315 E Acequia Ave.
Visalia, CA 93291

Subject: Eagle Creek No. 6 Finding of Consistency

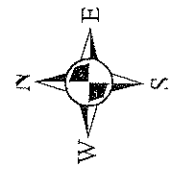
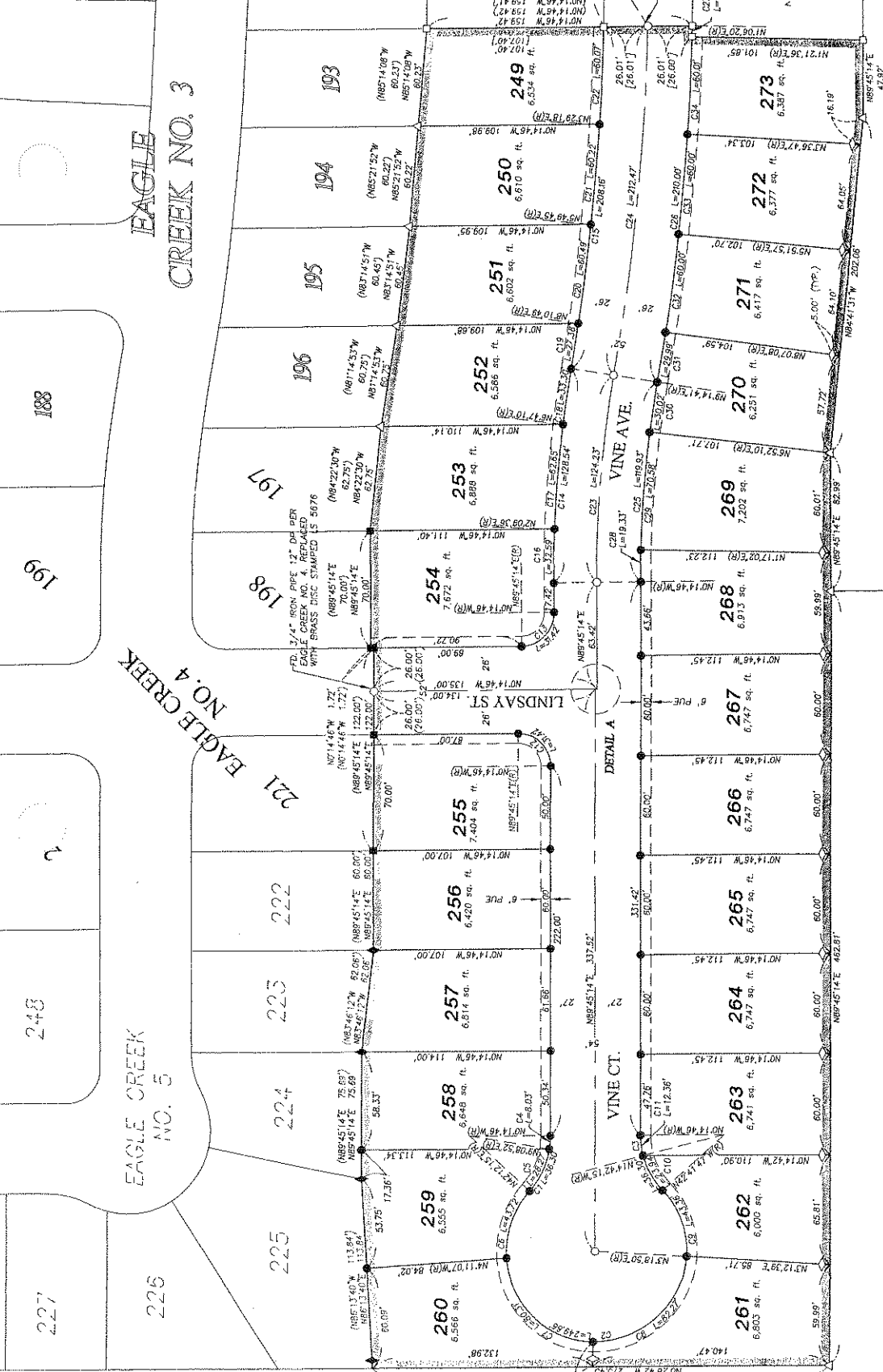
Dear Mr. McDonnell:

Please accept this letter on behalf of McMillin Homes as a request for a finding of consistency for the Eagle Creek No. 6 final map. After the tentative map was approved, the City requested a change to the final layout to accommodate storm water overland flow provisions. The change to the layout actually resulted in one additional lot over that shown on the approved tentative map for Eagle Creek 6. Included is the application fee of \$201.

Sincerely,

Steve Brandt, AICP, LEED AP
Principal Entitlements Manager

Enclosures: Application Fee Check for \$201

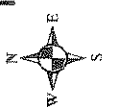


PROPOSED
EAGLE CREEK UNIT #6

Exhibit "A"



Eagle Creek Subdivision
March 2012 Aerial Photo



City of Visalia



To: Planning Commission

From: Josh McDonnell, City Planner (713-4364)
Alyssa Netto, Assistant Planner (713-4256)

Date: September 9, 2013

Re: Request for Finding of Consistency for Maddox at Caldwell 6 Tentative Subdivision Map

RECOMMENDATION

Staff recommends that Planning Commission make a Finding of Consistency for the design changes to Maddox at Caldwell 6 Tentative Subdivision Map, located to the west of South Ben Maddox Way, south of Monte Verde Avenue, and north of East Caldwell Avenue (APN: 127-520-077, 039, 025, 026, 027).

DISCUSSION

The property owner of Maddox at Caldwell 6 seeks to make design changes to the tentative subdivision map that was approved by the Planning Commission on August 14, 2006. This includes the addition of a block wall from Sheridan Court to Sunnyside Street to eliminate double frontage lots on Monte Verde Avenue (lots 17-29) and orient the lots toward the local street, Monte Vista Court.

The new proposal would redesign the cul-de-sac lots from "flag-shaped" to the traditional "pie-shaped," which results in the overall loss of eight lots, but also helps to increase the number of lots with at least 60 feet of frontage. The right-of-way frontage within the subdivision would provide a parkway between the sidewalk and curb and gutter, consistent with City standards.

The new design also includes a transit bus stop on southbound Ben Maddox Way and a pedestrian access point from Sunnyside Court to Ben Maddox Way. The proposed project includes the future extension of Edison Street per condition #2 of Resolution No. 2006-83 which was added as a condition of approval by the Planning Commission.

Staff's recommendation is to approve the requested design changes. This recommendation is based on the conclusion that the proposed design changes are minor, and remain consistent with the intent of the original approved tentative subdivision map. While the design changes reduce the number of single-family lots from 163 to 155, the change from "flag-shaped" lots to traditional "pie-shaped" lots improves circulation and access for lots located on the cul-de-sacs and provides a density of 4.26 units per acre.

ATTACHMENTS

- Letter from Applicant with overview of map changes dated August 15, 2013
- Exhibit "A" Proposed Site Plan
- Exhibit "B" Approved Site Plan per August 14, 2006
- Aerial Photo



August 15, 2013

Josh McDonnell, Assistant Director
Planning Department
City of Visalia
315 East Acequia Avenue

Re: Maddox at Caldwell 6

The intent of this letter is to provide you with an overview of the changes to the map:

- Removed the double frontage lots on Monte Verde Avenue and oriented them inward toward Monte Vista Ct.
- Propose to install a decorative masonry wall along the south side Monte Verde from Sheridan Ct. to lot 75 at Sunnyside Street.
- Re-worked the cul-de-sac lots designs from a “flagged” shaped lot to a traditional “pie” shaped design.
- The cul-de-sac at Sunnyside Ct. was extended to provide a pedestrian walkway to Ben Maddox Way.
- The sidewalk within the subdivision was made consistent to provide a parkway between the sidewalk and the curb and gutter.
- A total of 6 lots were removed to accommodate the new cul-de-sac design (removing the flagged shaped lots).
- As per site plan review comments we have shown a bus stop on Ben Maddox Way.
- Removed interior block wall and landscape lot by re-working lots 17 and 30 to include this area.
- Re-worked several interior lot sizes to increase the quantity of lots with 60’ widths

We believe that these changes are consistent with the items discussed at the meeting on July 19th, and subsequent meeting on August 13. Please call me if you have any concerns.

Thank you for your help with this project.

Sincerely,

Christopher J. Keck, P.E.

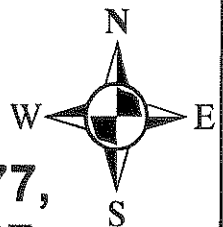
Aerial Photo



Finding of Consistency, Maddox at Caldwell 6

500 250 0 500 1,000 Feet

APN: 127-520-077,
039, 025, 026, 027





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: September 9, 2013

PROJECT PLANNERS: Brandon Smith, Senior Planner
Phone No.: (559) 713-4636

SUBJECT: Conditional Use Permit No. 2013-26: A request by Jake Ryan Blankenship to allow a group fitness training center to occupy an existing 4,800 square foot building in the Service Commercial (C-S) zone. The site is located at 1421 E. Mineral King Avenue, on the south side of Mineral King Avenue, approximately 350 feet east of Ben Maddox Way. (APN: 100-030-020)

STAFF RECOMMENDATION

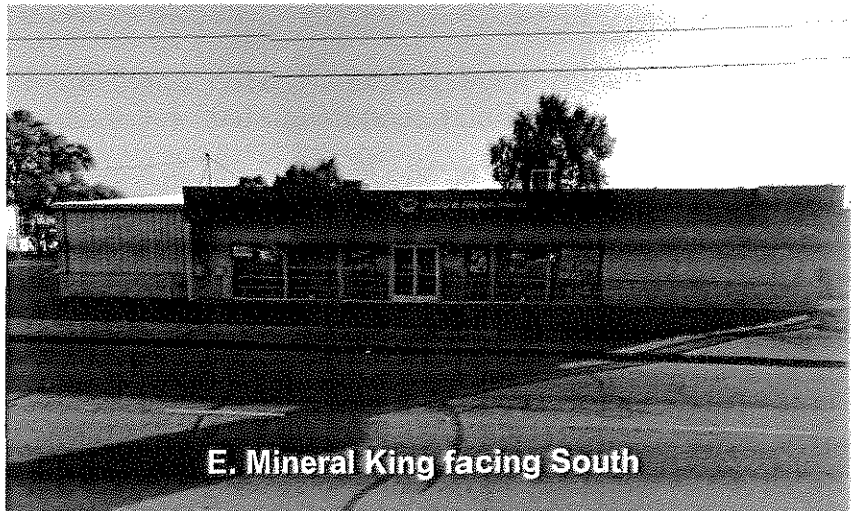
Staff recommends approval of Conditional Use Permit No. 2013-26, based on the findings and conditions in Resolution No. 2013-43. Staff's recommendation is based on the project's consistency with the policies and intent of the City's General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2013-26 based on the findings and conditions in Resolution No. 2013-43.

PROJECT DESCRIPTION

Conditional Use Permit No. 2013-26 is a request to establish a group fitness training studio (Horizon Strength & Conditioning) in approximately 4,800 square feet of an existing building shown in Exhibit "A". The stand-alone building is a former Napa Parts Auto Parts store with its own drive approach and parking lot. As illustrated in the project's floor plan in Exhibit "B", the proposed workout facility consists of two training areas with equipment storage, office area, break area, and restroom.



The applicant has provided an operational statement (see Exhibit "C") stating the number of employees and the hours of operation. The studio will offer group training classes up to six times per day at one hour intervals. The fitness facility will have operating hours during two periods on weekdays between 5:00 a.m. and 8:00 p.m. and on Saturdays 10:00 a.m. to 2:00 p.m. The business will be open Monday through Saturday and closed on Sunday. There will be ten students and two instructors per class.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Service Commercial
Zoning:	C-S (Service Commercial)
Special Districts:	Design District "C"
Surrounding Zoning and Land Use	North: C-S (Service Commercial) – E. Mineral King Ave., Ford automotive dealership South: C-S (Service Commercial) – State Route 198 Freeway East: C-S (Service Commercial) – Quality Tires & Auto Care auto repair shop West: C-S (Service Commercial) – Green Olive bar/tavern
Environmental Review:	Categorical Exemption No. 2013-63
Site Plan:	Site Plan Review No. 2013-122

RELATED PLANS & POLICIES

The City Planner has determined that a private fitness center is designated as "Other Recreational Facilities" in the Zoning Ordinance Matrix. "Other Recreational Facilities" are listed as conditional uses in the C-S Zone. See attached summary of related plans and policies for CUP requirements.

RELATED PROJECTS

Two fitness studios have previously been approved in the Light Industrial zone under the classification of "Other Recreational Facilities" in the Zoning Ordinance Matrix:

- Conditional Use Permit No. 2007-55, a request by Functional Fitness to allow a 2,000 square foot personal fitness and training studio located at 7046 W. Pershing Court, Suite B, approved by the Planning Commission on November 13, 2007.
- Conditional Use Permit No. 2011-12, a request by California Fitness Academy to allow a 6,720 square foot gymnasium and fitness center located at 6910 W. Pershing Court, approved by the Planning Commission on July 11, 2011.

Conditional Use Permit No. 2013-16, a request by Tom Knox to allow a 3,800 square foot martial arts studio center at 1911 E. Main Street (approximately ½ mile northeast of the site), was approved by the Planning Commission on May 13, 2013.

PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2013-26, based on the project's consistency with the Visalia General Plan and the Zoning Ordinance.

Land Use Compatibility

The use is considered "Other Recreational Facilities" in the City's Zoning Ordinance Matrix (see Related Plans & Policies), and are considered a compatible use in this zone subject to the granting of a conditional use permit.

The building to be occupied by the fitness center is a stand-alone building with its own drive approach and parking lot, formerly occupied by an auto parts store. The property is situated between two stand-alone businesses – an auto repair shop and a bar/tavern. There is no cross vehicular access between the businesses, although the subject site is authorized use of the bar's handicap parking space.

The recreational nature of the proposed business is found to be compatible with the neighboring and surrounding uses in the Service Commercial zone. The use would not be dissimilar to other surrounding land uses – including a bar, gas station, and auto dealership – which draw the general public to their sites. The proposed fitness center would not adversely impact other business or their parking since all activities will be conducted solely on the subject site.

Parking

The parking demand for the fitness center is well exceeded based on approximately 26 parking stalls existing on-site.

The parking requirement for gymnasiums/fitness studios is one parking space per 500 square feet of floor area. Based on this requirement, a total of ten parking spaces are required. Service commercial uses are the typical land use for this site based on the site's zoning. Service Commercial uses have a minimum parking requirement of one space per 400 square feet of floor area. Based on building square footage and the number of parking spaces, the site appears to have a parking ratio of one space per 200 square feet of floor area.

Environmental Review

The requested action is considered to be Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). This category exempts the exterior and interior alterations of existing facilities. (Categorical Exemption No. 2013-63).

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required findings of the Zoning Ordinance Section 17.38.110:
 - a) The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located, because the site provides ample parking and is in close proximity to other similar uses.
 - b) The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-122.

2. That the use be operated in compliance with the site plan shown in Exhibit "A", floor plan shown in Exhibit "B", and the operational statement shown in Exhibit "C". Substantial changes to the site plan, floor plan, and/or operational statement may require an amendment to the Conditional Use Permit.
3. That any proposed building signage shall be obtained under a separate permit.
4. That all project signage shall comply with all City codes and ordinances.
5. The applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-26.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 425 East Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the city clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2013-43
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Operational Statement
- Site Plan Review Comments No. 2013-122
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Sketch

**Related Plans & Policies
Conditional Use Permits**

Section 17.18.050 List of uses as permitted (P), conditional (C), and temporary conditional (T).

The following matrix represents all of the permitted and conditional uses in the commercial, office and industrial zone districts.

-	-	<u>COMMERCIAL</u>							<u>OFFICE</u>				<u>INDUSTRIAL</u>		
		<u>C- C</u>	<u>C- N</u>	<u>C- SO</u>	<u>C- CM</u>	<u>C- R</u>	<u>C- DT</u>	<u>C- H</u>	<u>C- S</u>	<u>OG</u>	<u>PA</u>	<u>B- R- P</u>	<u>OC</u>	<u>I-L</u>	<u>I-H</u>
288	RECREATION FACILITIES														
289	Athletic and Health Clubs (gymnasiums, fitness centers, racquet clubs)		C	C	C	C	C	C		C	C	C			
295	Dance & Music Studios	C	P	P		C	P		C						
296	Martial Arts	C	P	P		C	P		C						
461	OTHER														
462	Other Uses Similar in Nature and Intensity as Determined by the City Planner	P	P	P	P	P	P	P	P	P	P	P	P	P	P
463	Other Uses Similar in Nature and Intensity as Determined by the City Planner Subject to the Granting of a Conditional Use Permit	C	C	C	C	C	C	C	C	C	C	C	C	C	C

CHAPTER 17.20: PLANNED OFFICE ZONES

17.20.010 Purposes.

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

3. Planned Office-Garden Zone—(P-OG). The purpose and intent of the planned office-garden zone district is to provide for office uses in community centers via master or specific plans and in other locations as designated and as may be determined by the city council. Garden offices are intended to buffer, through site and building design measures, residential areas from high intensity commercial uses while promoting pedestrian access to reduce traffic-related conflicts. (Prior code § 7372)

CHAPTER 17.38: CONDITIONAL USE PERMITS

17.38.010 Purposes and powers

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.030 Lapse of conditional use permit

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001; prior code § 7527)

17.38.060 Conditional use permit to run with the land

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

17.38.065 Abandonment of conditional use permit

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

17.38.080 Public hearing--Notice

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.110 Action by planning commission

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
 - 1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
 - 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

17.38.120 Appeal to city council

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

17.38.130 Effective date of conditional use permit

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

Proposed Zoning Designation _____

Proposed Land Use Designation _____

Site area (acres, or square feet if less than one acre) 25,060 SF

Existing streets directly adjacent to the site E. Mineral King

Existing use(s) _____

Existing improvements/structures - 4,800 SF building

PROPERTY OWNER(S):

If more than two owners, please provide information and signature(s) on a separate sheet.

Name (print) Galante & Galante Properties Name (print) _____

Mailing Address 2230 W. Sunnyside, Ste. #6 Mailing Address _____
Visalia, CA 93297

Phone _____ Phone _____

Statement: I/We declare under penalty of perjury that I am/we are the legal owner(s) of the property involved in this application. I/We authorize the person named in this application as the Project Main Contact to act as my/our representative with City Staff regarding the processing of this application.

Date

Property Owner Signature

Date

Property Owner Signature

PROJECT MAIN CONTACT/REPRESENTATIVE:

(This is the person who will be the main contact with City Staff, and will receive all correspondence.)

Name (print) Michael Craddock

Firm/Company Horizon Strength & Conditioning

Mailing Address 5205 W. Nicholas, Visalia 93291

Phone (818) 292-6455 Fax _____ E-Mail _____

Statement: I will be the main contact and representative of the proposed project with City Staff during the processing of this application. I declare under penalty of perjury that all statements and documents submitted with this application are true and correct to the best of my knowledge.

_____ Date

_____ Project Main Contact/Representative Signature

OTHER INVOLVED PARTIES:

Fill in all that apply.

Is the property currently in escrow? If so, to whom? _____
(Write "none" if property is not in escrow.)

Developer/Builder _____

Mailing Address _____

Phone _____ Fax _____

Contractor _____

Engineer _____

Architect _____

NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:

List the names of any and all principals, partners, and/or trustees where any property owner or developer/builder is a corporation, partnership, or trust. For corporations provide names of officers and directors. For trusts provide names of trustees and beneficiaries.

<u>Freddie J. Galante</u>	_____	_____
<u>Krista Galante</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

RESOLUTION NO. 2013-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-26, A REQUEST BY A REQUEST BY JAKE RYAN BLANKENSHIP TO ALLOW A GROUP FITNESS TRAINING CENTER TO OCCUPY AN EXISTING 4,800 SQUARE FOOT BUILDING IN THE SERVICE COMMERCIAL (C-S) ZONE. THE SITE IS LOCATED AT 1421 E. MINERAL KING AVENUE, ON THE SOUTH SIDE OF MINERAL KING AVENUE APPROXIMATELY 350 FEET EAST OF BEN MADDOX WAY. (APN: 100-030-020)

WHEREAS, Conditional Use Permit No. 2013-26 is a request by Jake Ryan Blankenship to allow a group fitness training center to occupy an existing 4,800 square foot building in the Service Commercial (C-S) zone. The site is located at 1421 E. Mineral King Avenue, on the south side of Mineral King Avenue approximately 350 feet east of Ben Maddox Way. (APN: 100-030-020); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 9, 2013; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-63). The project is therefore exempt from further environmental review pursuant to CEQA Section 15301.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required findings of the Zoning Ordinance Section 17.38.110:
 - a) The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located, because the site provides ample parking and is in close proximity to other similar uses.

- b) The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-122.
2. That the use be operated in compliance with the site plan shown in Exhibit "A", floor plan shown in Exhibit "B", and the operational statement shown in Exhibit "C". Substantial changes to the site plan, floor plan, and/or operational statement may require an amendment to the Conditional Use Permit.
3. That any proposed building signage shall be obtained under a separate permit.
4. That all project signage shall comply with all City codes and ordinances.
5. The applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-26.



Horizon Strength & Conditioning 1421 E. Mineral King



Exhibit "A"

Legend

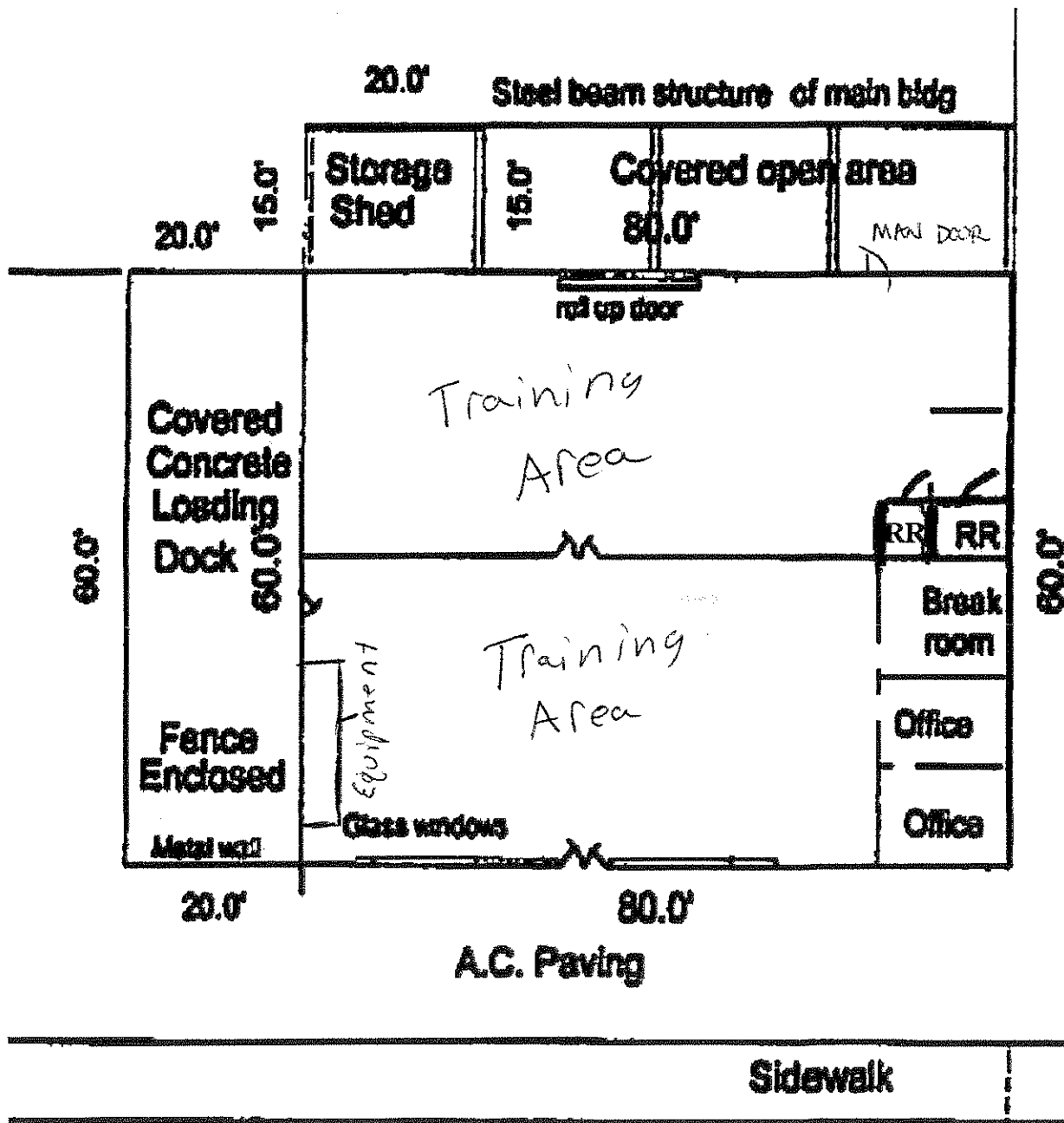
- STREET NAMES
- CITY LIMITS
- STREETS
- WATERWAYS
- PARCELS
- ADDRESSES
- 2012 AERIALS
 - Red Band, 1
 - Green Band, 2
 - Pink Band, 3

Notes

Public Map by
7/16/2015
© City of Visalia

70.8 0 35.42 70.8 Feet

NAD_1983_StatePlane_California_IV_FIPS_0404_Feet
© City of Visalia



MINERAL KING AVENUE

Exhibit "B"

Horizon Strength & Conditioning

- Type of Facility: Group Fitness Training. Classes will be run up to 6 times per day. Each group training session will last approximately 1 hour.
- Number of employees: There will be 2 employees present during business hours.
- Number of clients per hour: Each session will expect no more than 10 participants.
- Facility layout: The facility will be mostly open floors used as a training area. All fitness equipment is free weights with no permanent machines.
- Hours of operation:

Mon-Fri: 5am-10am 2pm-8pm

Sat: 10am-2pm

Sun: Closed

Exhibit "C"



MEETING DATE July 24, 2013
SITE PLAN NO. 13-122
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

- During site plan design/policy concerns were identified, schedule a meeting with
- Planning Engineering prior to resubmittal plans for Site Plan Review.
- Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Your plans must be reviewed by:

- | | |
|---|--|
| <input type="checkbox"/> CITY COUNCIL | <input type="checkbox"/> REDEVELOPMENT |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER _____ |

ADDITIONAL COMMENTS This project requires a Minor COnditional Use Permit.

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee



RECYCLED PAPER

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 2 DATE: July 24, 2013
SITE PLAN NO: SPR13122 RESUBMIT
PROJECT TITLE: HORIZON STRENGTH & CONDITIONING
DESCRIPTION: GROUP FITNESS TRAINING FACILITY IN EXISTING
4,800 SF BUILDING ON 25,060 SF AREA (CS ZONED)
(DISTRICT C)
APPLICANT: CRADDOCK MICHAEL
PROP OWNER: GALANTE FREDDIE J & KRISTA(TRS)(FJG & KG)
LOCATION: 1421 E MINERAL KING AVE
APN(S): 100-030-020

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project
Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 5 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 5 sets of plans prepared by an architect or engineer. Must comply with 2010 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (559) 230-6000*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$146.40) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot.
- Park Development fee \$ _____ per unit collected with building permits.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: _____

G. FERRERO
Signature

Site Plan Review Comments For:

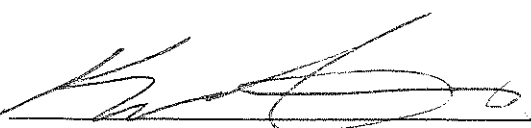
Visalia Fire Department
Kurtis Brown, Assistant Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4261 *office*
559-713-4808 *fax*

ITEM NO: 2	DATE: <u>July 24, 2013</u>
SITE PLAN NO:	SPR13122 RESUBMIT
PROJECT TITLE:	HORIZON STRENGTH & CONDITIONING
DESCRIPTION:	GROUP FITNESS TRAINING FACILITY IN EXISTING 4,800 SF BUILDING ON 25,060 SF AREA (CS ZONED) (DISTRICT C)
APPLICANT:	CRADDOCK MICHAEL
PROP OWNER:	GALANTE FREDDIE J & KRISTA (TRS) (FJG & KG)
LOCATION:	1421 E MINERAL KING AVE
APN(S):	100-030-020

The following comments are applicable when checked:

- Refer to previous comments dated .
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.)
- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding a 80,000 pound piece of fire apparatus.
- The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- Subdivision streets shall be a minimum of 36 feet wide from curb to curb to allow fire department access and to permit parking on both sides of the street.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

- A fire lane is required for this project. The location will be given to you during the site plan meeting. Fire lanes shall allow fire apparatus to be within 150 feet of all points around the building. Fire lanes shall be a minimum of 20 feet wide with no parking allowed at any time.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting though-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Special comments:


 Kurtis Brown, Assistant Fire Marshal

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDUX
VISALIA CA. 93291
713 - 4500

COMMERCIAL BIN SERVICE

ITEM NO: 2

DATE: July 24, 2013

SITE PLAN NO:

SPR13122

RESUBMIT

PROJECT TITLE:

HORIZON STRENGTH & CONDITIONING

DESCRIPTION:

GROUP FITNESS TRAINING FACILITY IN EXISTING
4,800 SF BUILDING ON 25,060 SF AREA (CS ZONED)
(DISTRICT C)

APPLICANT:

CRADDOCK MICHAEL

PROP OWNER:

GALANTE FREDDIE J & KRISTA(TRS)(FJG & KG

LOCATION:

1421 E MINERAL KING AVE

APN(S):

100-030-020

No comments.

Same comments as as

07/17/2013

Revisions required prior to submitting final plans. See comments below.

Resubmittal required. See comments below.

Customer responsible for all cardboard and other bulky recyclables to be broken down
before disposing of in recycle containers.

ALL refuse enclosures must be R-3 or R-4

Customer must provide combination or keys for access to locked gates/bins

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

Inadequate number of bins to provide sufficient service. See comments below.

Drive approach too narrow for refuse trucks access. See comments below.

Area not adequate for allowing refuse truck turning radius of :
Commercial (X) 50 ft. outside 36 ft. inside; Residential () 35 ft. outside, 20 ft. inside.

Paved areas should be engineered to withstand a 55,000 lb. refuse truck.

Bin enclosure gates are required

Hammerhead turnaround must be built per city standards.

Cul - de - sac must be built per city standards.

Bin enclosures are for city refuse containers only. Grease drums or any other
items are not allowed to be stored inside bin enclosures.

Area in front of refuse enclosure must be marked off indicating no parking

Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)

Customer will be required to roll container out to curb for service.

Must be a concrete slab in front of enclosure as per city standards



The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.

Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.



Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post see page 2 for instructions

CUSTOMER WILL ROLLOUT CONTAINER CURB SIDE FOR SERVICE.ON COLLECTION DAY.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338



City of Visalia
Police Department
303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4573

ITEM NO: 2 DATE: July 24, 2013
SITE PLAN NO: SPR13122 *RESUBMIT*
PROJECT TITLE: HORIZON STRENGTH & CONDITIONING
DESCRIPTION: GROUP FITNESS TRAINING FACILITY IN EXISTING
4,800 SF BUILDING ON 25,060 SF AREA (CS ZONED)
(DISTRICT C)
APPLICANT: CRADDOCK MICHAEL
PROP OWNER: GALANTE FREDDIE J & KRISTA(TRS)(FJG & KG)
LOCATION: 1421 E MINERAL KING AVE
APN(S): 100-030-020

Site Plan Review Comments

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact fee:
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.

- Not enough information provided. Please provide additional information pertaining to:

- Territorial Reinforcement: Define property lines (private/public space).

- Access Controlled / Restricted etc:

- Lighting Concerns:

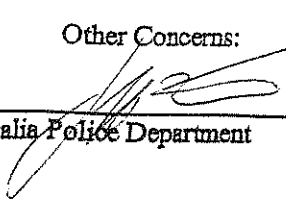
- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

- Other Concerns:



Visalia Police Department

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA NEIGHBORHOOD PRESERVATION/CODE ENFORCEMENT DIVISION

July 24, 2013

ITEM NO: 2	RESUBMTL
SITE PLAN NO:	SPR13122
PROJECT TITLE:	HORIZON STRENGTH & CONDITIONING
DESCRIPTION:	GROUP FITNESS TRAINING FACILITY IN EXISTING 4,800 SF BUILDING ON 25,060 SF AREA (CS ZONED) (DISTRICT C)
APPLICANT:	CRADDOCK MICHAEL
PROP. OWNER:	GALANTE FREDDIE J & KRISTA(TRS)(FJG & KG
LOCATION:	1421 E MINERAL KING AVE
APN(S):	100-030-020

No Comments

See Previous Site Plan Comments

Provide Shopping Cart Retrieval Plan For any Retail That Will Require Shopping Carts

Additional Comments:



Tracy Robertshaw

SITE PLAN REVIEW COMMENTS

Alyssa Netto, Planning Division (559) 713-4025

Date: July 24, 2013

SITE PLAN NO: 13-122
PROJECT TITLE: HORIZON STRENGTH & CONDITIONING
DESCRIPTION: GROUP FITNESS TRAINING FACILITY IN EXISTING 4,800 SF BUILDING ON 25,060 SF AREA (CS ZONED) (C DISTRICT)
APPLICANT TITLE: CRADDOCK MICHAEL
PROP. OWNER: CALANTE FREDDIE & KRISTA
LOCATION: 1421 E MINERAL KING AVE
APN TITLE: 100-030-020

General Plan: CS – Service Commercial
Existing Zoning: CS – Service Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Minor Conditional Use Permit for Fitness Facility
- Building Permit
- Additional information as needed

PROJECT SPECIFIC INFORMATION: 07/23/2013

1. A Minor CUP is required for this proposed use.
2. Street trees are to be planted along the Mineral King Avenue frontage, and shall be included on the building permit submittal.
3. The site shall comply with the sign ordinance. All non-conforming and/or illegal signs shall be removed from the site and/or building.

PREVIOUS COMMENTS

PROJECT SPECIFIC INFORMATION: 07/17/2013

4. A Minor CUP is required for this proposed use.
5. Provide a site plan that clearly dimensions the property and clearly labels all structures, parking stalls, on-site improvements, etc.
6. Clearly identify the area of the building the proposed gym is locating.
7. The site shall comply with the sign ordinance. All illegal signs shall be removed from the site and/or building.

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

Design District: "C" [17.30.180]

Maximum Building Height: 50 Feet

Minimum Setbacks:

Building

Landscaping

1. Front	15 Feet	15 Feet
2. Side	0 Feet	5 Feet*
3. Street side on corner lot	15 Feet	10 Feet
4. Side abutting residential zone	15 Feet	5 Feet
5. Rear	0 Feet	5 Feet*
6. Rear abutting residential zone	10 Feet	5 Feet

*(Except where building is on property line)

Minimum Site Area: 6,000 square feet

Parking: As prescribed in Chapter 17.34

Parking:

1. Provide 10 spaces based on one space per 500 square feet of gross floor area (see Zoning Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. It is highly recommended that bicycle rack(s) be provided on site plan.
6. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).

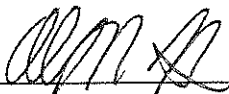
Landscaping:

1. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).
2. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
3. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature  ARN

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Ken McSheehy 713-4447
- Adrian Rubalcaba 713-4271

ITEM NO: 2 DATE: JULY 24, 2013

SITE PLAN NO.: 13-122 RESUBMITTAL
 PROJECT TITLE: HORIZON STRENGTH & CONDITIONING
 DESCRIPTION: GROUP FITNESS TRAINING FACILITY IN
 EXISTING 4,800 SF BUILDING ON 25,060 SF
 AREA (CS ZONED) (C DISTRICT)
 APPLICANT: CRADDOCK MICHAEL
 PROP OWNER: GALANTE FREDDIE J & KRISTA (TRS) (FJG &
 KG)
 LOCATION: 1421 E MINERAL KING AVE
 APN: 100-030-020

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
 - Install curb return with ramp, with _____ radius;
 - Install curb; _____ gutter
 - Drive approach size: _____ Use radius return;
 - Sidewalk: _____ width; _____ parkway width at _____
 - Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
 - Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
 - Right-of-way dedication required. A title report is required for verification of ownership.
 - Deed required prior to issuing building permit;
 - City Encroachment Permit Required.
- Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

- Traffic indexes per city standards:
- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City:
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

1. Refresh parking lot striping. Existing handicap stall and accessibility subject to comply with current ADA standards.

2. Plan check and inspection fees apply.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 13-122 RESUBMITTAL

Date: 7/24/2013

Summary of applicable Development Impact Fees to be collected at the time of building permit:

(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)

(Fee Schedule Date: 7/1/2013)

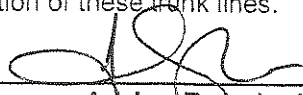
(Project type for fee rates:)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

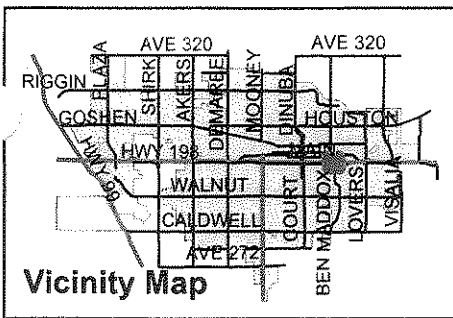
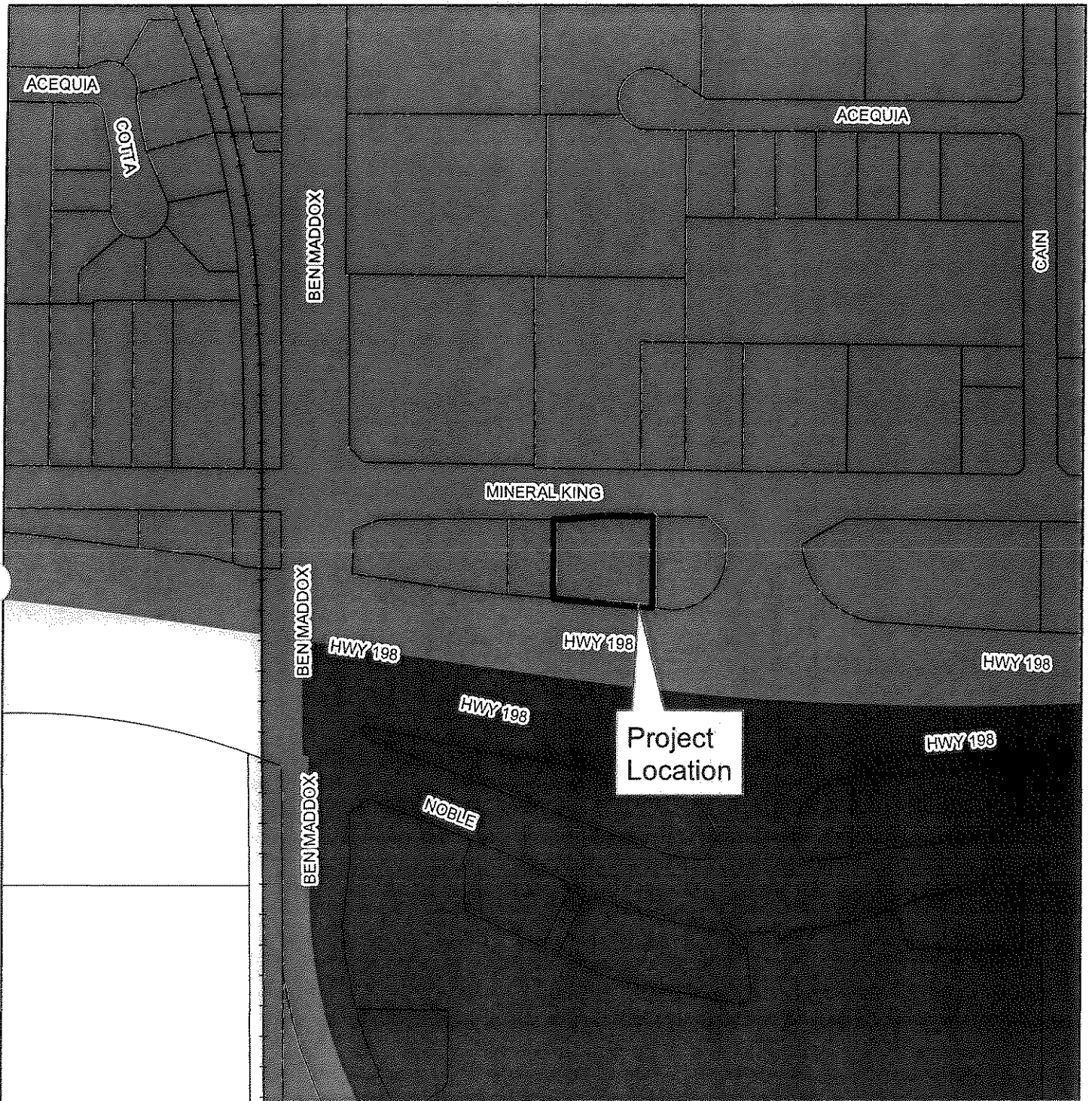
- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



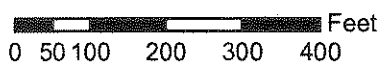
Adrian Rubalcaba

Conditional Use Permit No. 2013-26

The site is located at 1421 E. Mineral King Avenue, on the south side of Mineral King Avenue, approximately 350 feet east of Ben Maddox Way. (APN: 100-030-020)



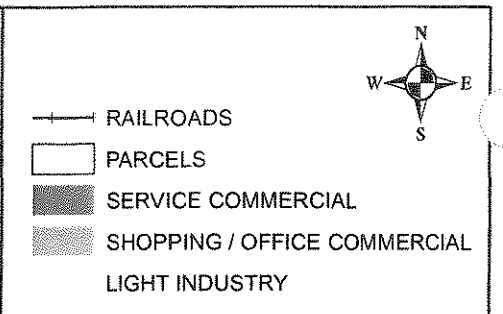
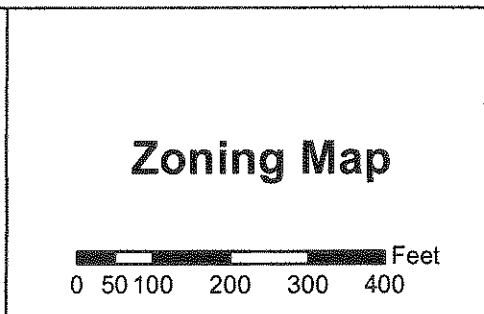
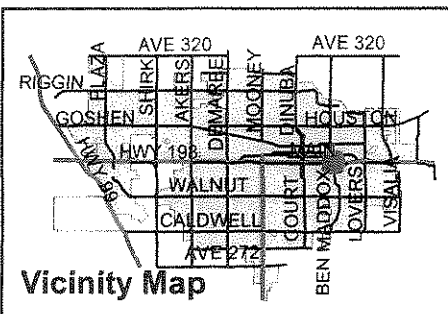
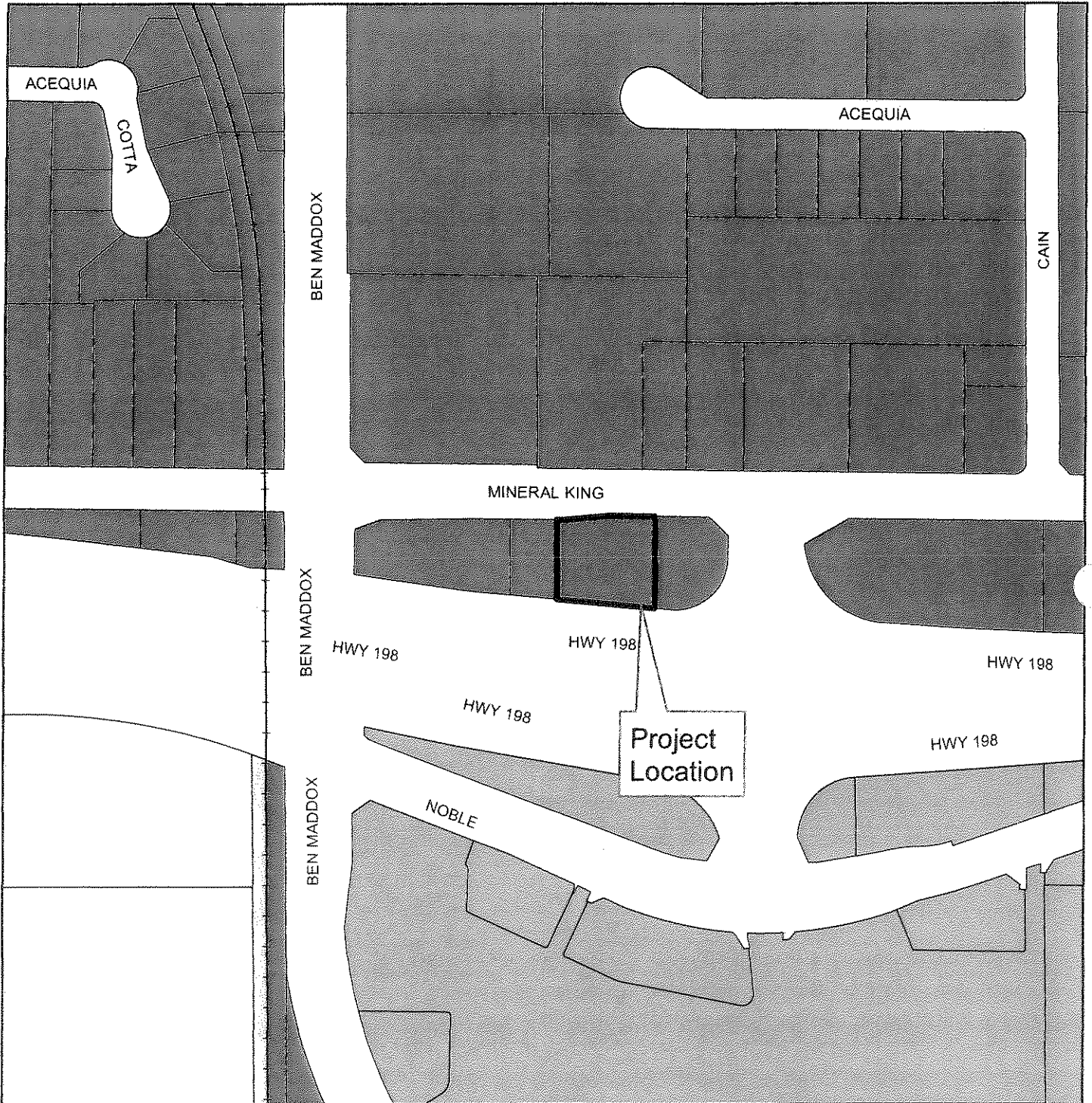
General Plan Land Use Map



- RAILROADS
- PARCELS
- SERVICE COMMERCIAL
- SHOPPING / OFFICE COMMERCIAL
- LIGHT INDUSTRY

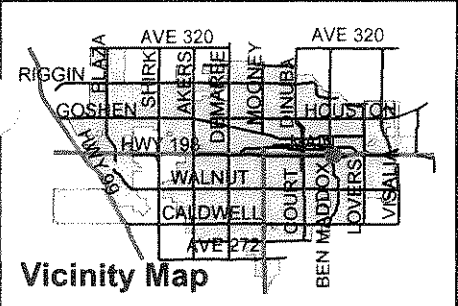
Conditional Use Permit No. 2013-26

The site is located at 1421 E. Mineral King Avenue, on the south side of Mineral King Avenue, approximately 350 feet east of Ben Maddox Way. (APN: 100-030-020)



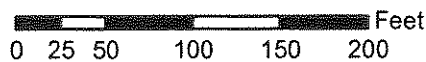
Conditional Use Permit No. 2013-26

The site is located at 1421 E. Mineral King Avenue, on the south side of Mineral King Avenue, approximately 350 feet east of Ben Maddox Way. (APN: 100-030-020)



Aerial Photo

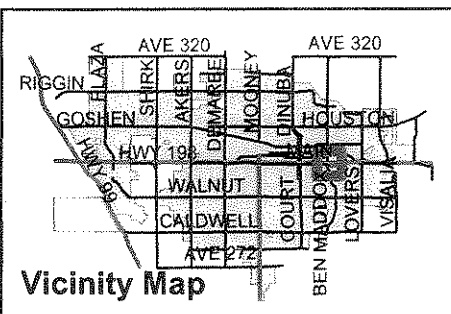
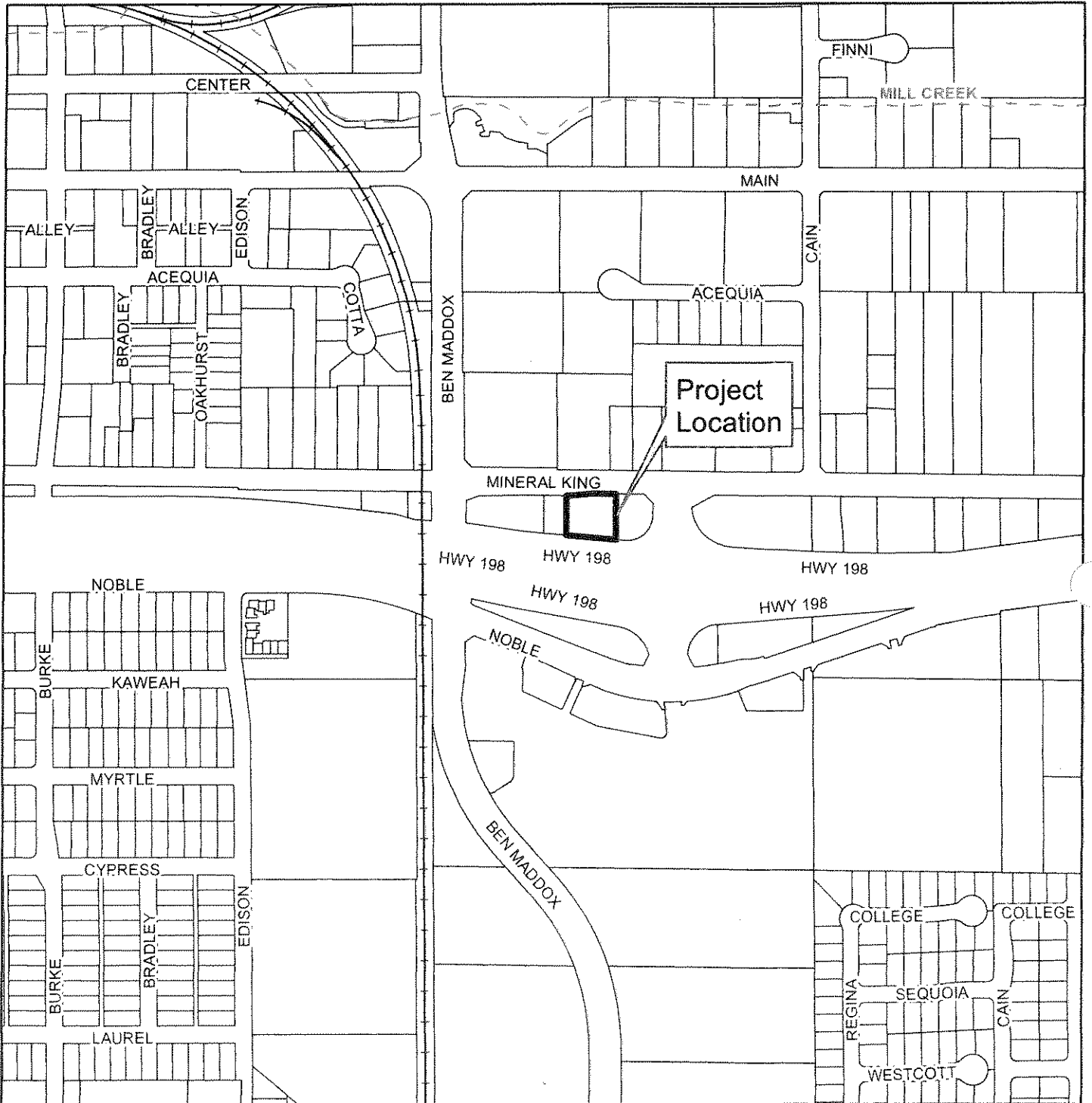
Photo Taken March 2012



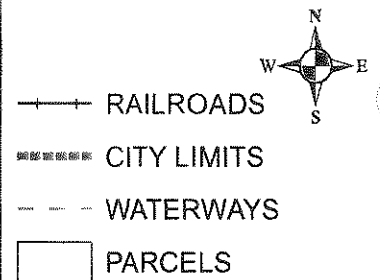
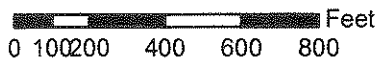
- +—+—+ RAILROADS
- CITY LIMITS
- - - WATERWAYS
- PARCELS

Conditional Use Permit No. 2013-26

The site is located at 1421 E. Mineral King Avenue, on the south side of Mineral King Avenue, approximately 350 feet east of Ben Maddox Way. (APN: 100-030-020)



Location Map





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: September 9, 2013

PROJECT PLANNER: Jose Saenz, Planning Intern
Phone: (559) 713-4330

SUBJECT: Conditional Use Permit No. 2013-27: A request by Savior's Community Church to amend Conditional Use Permit No. 2003-04 to include the existing 4,900 square foot building at 615 East Center Avenue for use as Sunday School classrooms. This site is located in the Central Business District (CDT) zone. (APN: 094-231-260)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2013-27, based on the findings and conditions in Resolution No. 2013-42. Staff's recommendation is based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

PROJECT DESCRIPTION

Conditional Use Permit No. 2013-27 is a request to amend Conditional Use Permit No. 2013-04 to include an existing 4,900 square foot building for use as Sunday School classrooms as shown in Exhibit "A". The proposed facility for this CUP is ancillary to the church sanctuary located to the west of this site at 515 East Center Avenue. The Sunday School classrooms are associated with the adjoining church to the west.

The proposed facility will consist of six (6) classrooms and a kitchen. According to the Operational Statement in Exhibit "C", Sunday school classes will be held Sundays between 9:00 a.m. to 1:00 p.m. Additionally, the kitchen facility will be utilized periodically to prepare food for small and large church gatherings. However, in the event the church desires to change the daily operations of the kitchen, including providing on-site feeding programs or "soup" kitchens, staff will require the applicant to file for Site Plan Review and file an amendment to their CUP.

BACKGROUND INFORMATION

General Plan Land Use Designation:	CDT (Central Business District)
Zoning:	CDT (Central Business District)
Surrounding Land Use and Zoning	North: C-S (Service Commercial) Above & Beyond Auto Body Repair South: C-S (Service Commercial) Fresh Cut Flower Wholesale Business East: C-S (Service Commercial) Auto Repair Business West: CDT (Central Business District) Sanctuary for Savior's Church
Environmental Review:	Categorical Exemption No. 2013-62 under Section 15301
Special Districts:	Design District "DRD"
Site Plan	2013-130

RELATED PROJECTS

The Planning Commission on March 24, 2003, per Resolution No. 2003-24, approved Conditional Use Permit No. 2003-04. The CUP was a request by Savior's Community Church to allow a church facility to be located at 515 East Center Avenue. (APN: 094-231-24)

PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2013-27, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

Churches and other religious institutions are a conditional use in the Central Business District (CDT) zone. The proposed project is surrounded by retail and service commercial uses. The use of the church and Sunday school classes does not conflict with adjacent land uses, including surrounding businesses, which are primarily closed on Sundays. The proposed facility will consist of church classes for children that will be held on Sunday mornings between 9:00 a.m. through 1:00 p.m. The church office functions occur at another location and would not impact this site. Staff anticipates minimal conflict with adjacent land uses for the proposed church facility based upon the operational statement in Exhibit "C".

Parking

In calculating parking requirements for church facilities, the City calculates the parking requirement based on sanctuary seating given that this is typically the highest parking generator. The previously approved Conditional Use Permit No. 2003-04, for the main sanctuary required 152 parking spaces. The parking requirement for the church was achieved by providing some parking spaces on-site while the remaining spaces were provided per a shared parking agreement with surrounding commercial businesses.

A copy of 2003 shared parking agreement is attached to this report (see Exhibit "D"). The applicant has noted a modification to this agreement, per Exhibit "B", which identifies the removal of four parking stalls from the Foreign Auto Works site. The removal of this business from the parking agreement is due to the site being sold and redeveloped for the new ImagineU children's museum. However, with the removal of four stalls from the parking agreement, the church still exceeds the number of parking spaces required as noted per the "Parking Summary" on Exhibit "B".

Staff concludes the proposed ancillary facility, to be used for Sunday school when the church is in service, does not require additional parking spaces. Based on the Zoning Ordinance parking requirements for churches, and per the applicant's operation statement, the ancillary building/use does not require additional parking stalls. The function of the building from the church's main office to a Sunday school facility will decrease the daily intensity of this building.

However, in the event the church desires to change and/or intensify the use of this building, including leasing/renting/using this building by another church congregation, Condition No. 2, if adopted, requires amendment to the CUP. This will ensure changes to this site are adequately analyzed and parking requirements are met through either Parking In-lieu fees or a modified shared parking agreement if the Planning Commission were to approve such a CUP amendment.

Landscaping

Staff conducted a site visit and noted the landscaping islands in the parking lot and landscaping planter along Center Avenue are in need of replanting. Staff recommends Condition No. 3 be approved requiring the landscaping planter along Center Avenue and the tree wells located in

the parking lot be replanted with trees. Staff identified the need for two “street trees” for the landscape planter along Center Avenue and two “parking lot” trees for each of the two large planters located in the parking lot. The Zoning Ordinance Section 17.30.130 requires one fifteen (15) gallon tree for each twenty feet of frontage of a required landscape setback. In addition, the Zoning Ordinance requires one fifteen (15) gallon tree for landscape islands. Staff has identified the recommended landscaping requirements in Exhibit “E”.

Children’s Playground

There is an existing children’s playground on the west side of the parking lot, as depicted on Exhibit “A”. The playground was originally located adjacent to the church building but was relocated to its current location sometime in 2007-2008. Staff recommends the Planning Commission approve the playground as part of this CUP. The playground does not affect the daily use of the site nor does it reduce the parking requirements for the church sanctuary.

Staff recommends Condition No. 4 of CUP No. 2013-27 be adopted with this project. This condition requires the removal of the barbed wire attached to the top of the chain-linked fence around the playground. Staff’s recommendation to remove the barbed wire is based on the site being located in the Central Business District, which is identified as being the core of the community with a strong emphasis on maintaining and enhancing the historic character of the City. The placement of barbed wire fencing, which is visible from Central Avenue, diminishes the Central Business District’s built environment that is currently experiencing new development. The applicant, if they preferred, could erect a seven-foot fence around the playground area pursuant to obtaining a building fence permit and meeting the fence height requirements for commercial properties as stated in Section 17.36.050 of the Zoning Ordinance.

Environmental Review

The requested action is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2013-62).

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required findings of the Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the Central Business District zone in which the site is located. Should the church wish to change the time and/or intensity of the use, they would be required to amend the conditional use permit and at that time may be required to pay into the Parking In-Lieu District based upon the impact.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2013-62).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-130.
2. That the use be operated in compliance with the site plan shown in Exhibit "A" and the operational statement shown in Exhibit "C". Substantial changes to the site plan, and/or operational statement will require Site Plan Review and a potential amendment to the Conditional Use Permit, prior to said changes.
3. That the landscaping planter along Center Avenue and parking lot landscaping islands be planted with trees as depicted in Exhibit "E". In addition, landscaping on the property shall be refurbished to meet Zoning Ordinance requirements.
4. That the barbed wire shall be removed from the chain-linked fence around the playground.
5. That building signage shall be obtained under a separate permit.
6. That the parking lot on the proposed site be restriped.
7. That all applicable federal, state and city codes and ordinances be met.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-27.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 425 East Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the city clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2013-42
- Exhibit "A" – Site Plan
- Exhibit "B" – Parking Summary and Master Plan
- Exhibit "C" – Operational Statement
- Exhibit "D" – Operational Statement and Parking Summary
- Exhibit "E" – Tree Locations
- Site Plan Review No. 2013-130
- Location Map
- Aerial Photo
- General Plan Land Use Map
- Zoning Map

Related Plans & Policies Conditional Use Permits

17.38.010 Purposes and powers

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.020 Application procedures

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
 - 1. Name and address of the applicant;
 - 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
 - 3. Address and legal description of the property;
 - 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
 - 5. The purposes of the conditional use permit and the general description of the use proposed;
 - 6. Additional information as required by the historic preservation advisory committee.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application. (Prior code § 7526)

17.38.030 Lapse of conditional use permit

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

17.38.040 Revocation

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)

17.38.050 New application

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of

the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

17.38.060 Conditional use permit to run with the land

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

17.38.065 Abandonment of conditional use permit

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

17.38.070 Temporary uses or structures

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
 - 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
 - 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
 - 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
 - 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
 - 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
 - 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
 - 7. Signing for temporary uses shall be subject to the approval of the city planner.
 - 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996; prior code § 7532).

17.38.080 Public hearing--Notice

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.

- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

17.38.100 Public hearing--Procedure

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

17.38.110 Action by planning commission

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
 - 1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
 - 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

17.38.120 Appeal to city council

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

17.38.130 Effective date of conditional use permit

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

RESOLUTION NO. 2013-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-27, A REQUEST BY SAVIOR'S COMMUNITY CHURCH TO AMEND CONDITIONAL USE PERMIT NO. 2003-04 TO INCLUDE THE EXISTING 4,900 SQUARE FOOT BUILDING AT 615 EAST CENTER AVENUE FOR USE AS A MINISTRY OFFICE AND CLASSROOMS. THIS SITE IS LOCATED IN THE CENTRAL BUSINESS DISTRICT (CDT) ZONE. (APN: 094-231-260).

WHEREAS, Conditional Use Permit No. 2013-27, is a request by Savior's Community Church to amend Conditional Use Permit No. 2003-04 to include the existing 4,900 square foot building at 615 East Center Avenue for use as a ministry office and classrooms. This site is located in the Central Business District (CDT) zone. (APN: 094-231-260); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 9, 2013; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2013-27, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines (Categorical Exemption No. 2013-62).

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15301.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required findings of the Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the Central Business District zone in which the site is located. Should the church wish to change the time and/or intensity of the use, they would be required to amend the conditional use permit and at that time may be required to pay into the Parking In-Lieu District based upon the impact.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2013-62).

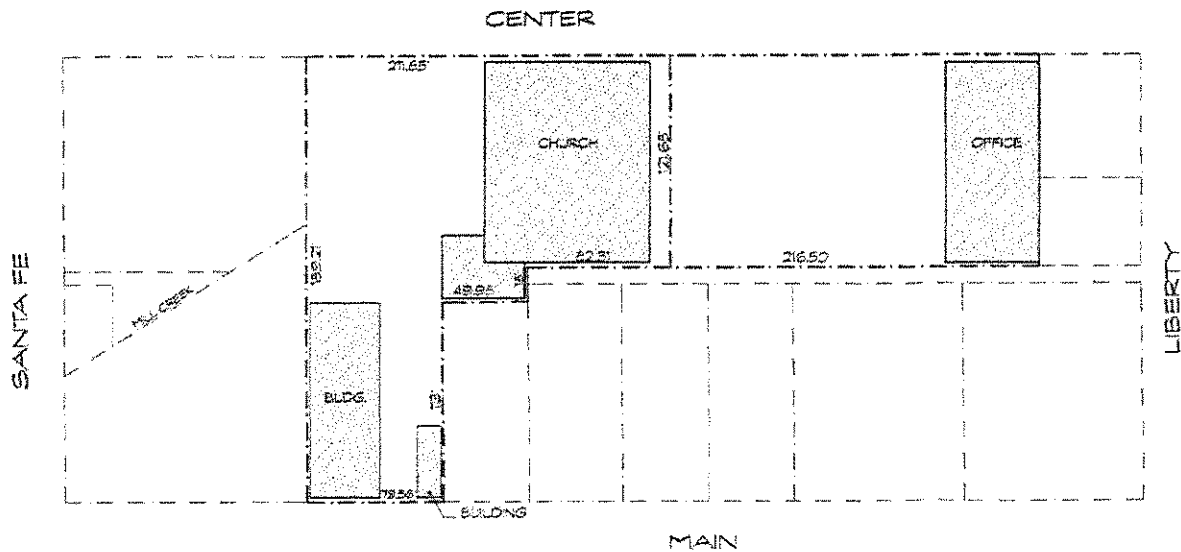
BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-130.
2. That the use be operated in compliance with the site plan shown in Exhibit "A" and the operational statement shown in Exhibit "C". Substantial changes to the site plan, and/or operational statement will require Site Plan Review and a potential amendment to the Conditional Use Permit, prior to said changes.
3. That the landscaping planter along Center Avenue and parking lot landscaping islands be planted with trees as depicted in Exhibit "E". In addition, landscaping on the property shall be refurbished to meet Zoning Ordinance requirements.
4. That the barbed wire shall be removed from the chain-linked fence around the playground.
5. That building signage shall be obtained under a separate permit.
6. That the parking lot on the proposed site be restriped.
7. That all applicable federal, state and city codes and ordinances be met.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-27.

Conditional Use Permit 2013-27

PARKING SUMMARY	
1. ON-SITE PARKING (ON WEST SIDE OF PROPERTY) (INCLUDES 2 DESIGNATED HANDICAP PARKING SPACES)	30 SPACES
2. SAVIORS CHURCH, (ADJASCENT TO EAST, ON CENTER ST.)	46 SPACES
3. 721 E. CENTER PARKING LOT, (1/10th OF A MILE TO EAST ON CENTER ST.)	35 SPACES
4. UHL RUBBER AND TIRES CO. (1/10th OF A MILE TO EAST ON MAIN ST.)	20 SPACES
5. ADDITIONAL CITY PARKING LOT, (DIRECTLY ACROSS STREET)	30 SPACES
TOTAL AVAILABLE: 161 SPACES	
<p>* THERE ARE MANY ON STREET PARKING SPACES AVAILABLE IN THE IMMEDIATE AREA, AS THE PROPERTY IS IN A COMMERCIAL DISTRICT THAT HAS NO OTHER BUSINESSES OPERATING DURING THE PEAK USE TIME OF SUNDAY MORNINGS BETWEEN 9 am & 1 pm.</p>	

Master Plan





Operational Statement for

Savior's Community DBA Radiant Church

BACKGROUND

Savior's Community has been a functioning church body in the Visalia area for over 33 years, and currently has between 300-400 members, comprised primarily of families. We currently hold only 1 combined meeting weekly (our Sunday morning Worship Service), and have had this same pattern for our 33 year history. Our other weekly meetings happen primarily off-site in homes and small group settings. We have met as a church in our current location in the downtown area for approximately 11 years, and previously occupied rented space for 20+ years at Central Valley Christian School, using their gymnasium. We carry a great burden for our local community, and desire to impact the Visalia area in ways that are beneficial and positive. As noted above, Savior's Community will be officially changing names to Radiant Church as of September 1, 2013.

WORSHIP CENTER – 515 E. Center

We have occupied this property as a church since July 2002, and as mentioned above, we hold 1 corporate meeting per week, on Sunday mornings between 9 am and 1 pm. The Worship Center is used as our primary assembly room for our adults, along with that property also containing 5 classrooms used for children. Our weekly use is during "off-peak" times, and is also very limited, in that we only occupy the facility for 3-4 hours on each Sunday morning. We anticipate that there will be periodic Sunday evening and midweek meetings, along with other "Special Events" (such as weddings or funerals) that will occur, along with some use of our Worship Center by groups within our church. As mentioned earlier, the majority of other church related meetings are held off-site in homes, or some in our Office/Ministry Center.

◆ PARKING –

- ✓ With our original CUP we submitted signed parking agreements (SEE ATTACHED) totaling 94 spaces, along with a 30 space on-site parking lot. The City also allowed us to factor in 30 spaces from the City parking lot across the street, as we are in a commercial district that has no other businesses in operation during our peak-use time of Sunday mornings between 9 am and 1 pm. This brought our total parking to 154 spaces, which are 2 over our required number of 152.
- ✓ Since that original date, we will soon be losing 4 spaces that we had originally through Foreign Auto Parts, as the IMAGINEU Children's Museum will soon be building on that property. However, we added 25 additional spaces in January 2004 with the purchase of the adjacent property to the east, which brings our current parking total to 175 spaces.

CHURCH OFFICES & MINISTRY CENTER – 615 E. Center

We have occupied this property as a church since January of 2004, and use this primarily as church offices during the week and for classes for our children during our Sunday morning meetings. We also have other church related functions in this property such as: monthly Board meetings, Elder's meetings, weekly Youth meetings, and various small group meetings. With the restructuring of the interior layout of this building many of the daily functions of this facility will decrease, as it will no longer serve primarily as an office building but as an ancillary facility for our Sunday morning services. The new layout is anticipated to house 6 rooms that will facilitate the care of the children on Sunday mornings. Additionally the kitchen facility will be utilized periodically to prepare food for large and small events, wedding receptions, ministry opportunities and daily use by the staff of the church. At this time it is not our intention to facilitate on-site feeding programs, any such use in the future would be brought back to the City for review. As a church, we anticipate the ongoing use of these 2 properties to largely remain the same, with any additional uses to be discussed with the City of Visalia to achieve any necessary permits, or approvals.

Operational Statement for:

The Savior's Community Church

BACKGROUND

The Savior's Community Church has been a functioning church body in the Visalia area for over 22 years, and currently has between 200 and 250 members, comprised primarily of families. We currently hold one combined gathering per week (our Sunday morning Worship Service), and have had this same pattern for our 22 year history. For the last 18 years, our Sunday morning Worship Service has been held at Central Valley Christian School, on Tulare and Akers Rd. Church meetings other than our Sunday morning Service are held primarily in homes and small group settings. We carry a great burden for our local community, and throughout our existence we have sought to impact the Visalia area in ways that are beneficial and positive. Because of this commitment to community involvement, we have sought to locate and be involved in the Central Visalia area, as opposed to moving toward the outskirts, as seems to be the trend.

CHURCH OFFICES & MINISTRY CENTER

Our Church administrative offices are located off-site, along with additional space that is used for various meetings throughout the month. Most of our Church related functions outside of our Sunday Morning Service are conducted at this alternate site. These meetings include: Board Meetings, Elders Meetings, Youth Meetings, and various small group meetings. We have occupied this facility since June of 2002, and anticipate an ongoing concurrent use with our Worship Center.

WORSHIP CENTER - 515 E. Center Street

As mentioned above, we hold 1 corporate meeting per week, on Sunday mornings, from 9 am to 1 pm. We have signed a 10-year lease agreement with the owners of the Planing Mill, located at 515 E. Center St., and currently use it as our Sunday morning worship facility. Our weekly corporate meetings have between 200-250 people in attendance, including children. Our weekly use is not only "off-peak", but is also very limited in that we will primarily occupy our facility for approximately 3-4 hours per Sunday morning. We anticipate that there will be periodic "Special Events" (such as weddings or funerals) that will occur; along with limited use of our Worship Center by small groups within our Church. *(As mentioned above, the majority of other Church related meetings will be held off-site, at our Office and Ministry Center.)*

Parking Issues

We understand that there are parking guidelines and restrictions that we will need to work with.

- Our leased property includes 30 parking spaces, including 2 handicapped.
- We have obtained written parking agreements with several of the surrounding businesses, designating ample spaces for our Church's use for Sunday mornings. These signed agreements have been submitted and are available upon request.
- A 30-space public parking lot is located directly across the street, behind the Buddhist Church. (approximately 150 feet from our front door).

Savior's Community

C

• **Offices & Ministry Center:** 915 E. Main • Visalia, CA 93292

• **Worship Center:** The Planing Mill • 515 E. Center • Visalia, CA 93292

Tel 559-733-2236 • Fax 559-733-2238 • E-Mail SavComChur@aol.com

EXHIBIT "D"

Parking Summary of The Savior's Community Church

The following arrangements have been made to provide for our parking needs on Sunday mornings:

1. On-Site parking, <i>(on West side of property)</i> <i>(includes 2 designated handicap parking spaces)</i>	30 spaces
2. Sombrero Restaurant & Taqueria, <i>(adjacent to East, on Center St.)</i>	35 spaces
3. Foreign Auto Works, <i>(across street, on Tipton)</i>	4 spaces
4. 721 E. Center Parking Lot, <i>(1/10th of a mile to East on Center St.)</i>	35 spaces
5. UHL Rubber and Tires Co., <i>(1/10th of a mile East on Main St.)</i>	20 spaces
TOTAL AVAILABLE SPACES:	<hr/> 124 spaces

6. Additional City Parking Lot, *(directly across street)* 30 spaces

*** There are many on-street parking spaces available to us in our immediate area, as we are in a commercial district that has no other businesses operating during our peak-use time of Sunday mornings between 9 am & 1 pm.*

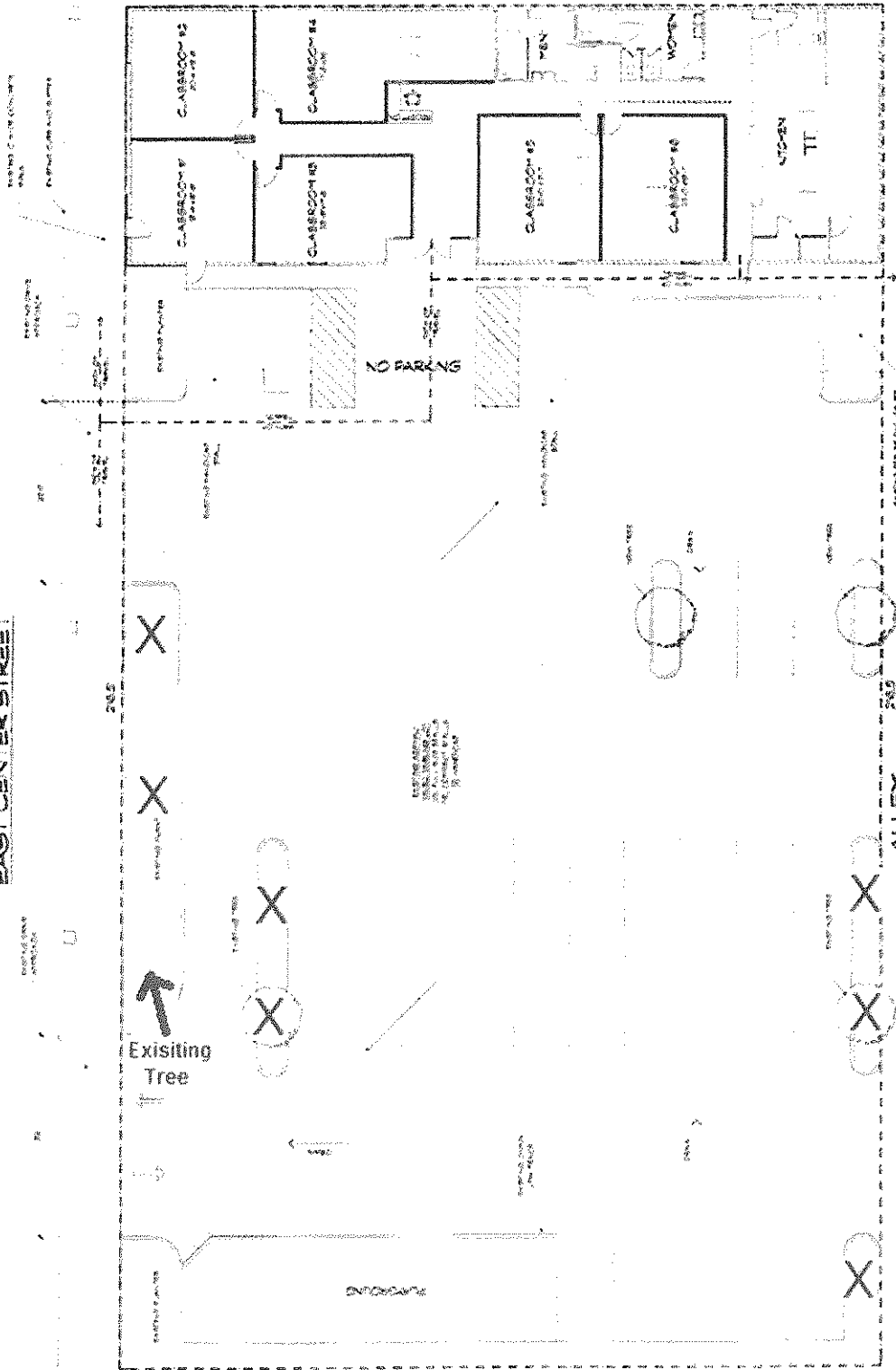
Savior's Community

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EXHIBIT "D"

EAST CENTER STREET



X = New Tree

SITE PLAN

PROJECT ADDRESS: 69 E CENTER STREET
APN: 034-25-028



MEETING DATE July 31, 2013
SITE PLAN NO. 13-130
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

- RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.
- During site plan design/policy concerns were identified, schedule a meeting with
- Planning Engineering prior to resubmittal plans for Site Plan Review.
- Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

- A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
- Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
- Your plans must be reviewed by:
- | | |
|---|--|
| <input type="checkbox"/> CITY COUNCIL | <input type="checkbox"/> REDEVELOPMENT |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER _____ |

ADDITIONAL COMMENTS This project requires a Conditional Use Permit Amendment.

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.



MEETING DATE 7-31-13
SITE PLAN NO. 13-130
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.



Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

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- REVISE AND PROCEED** (see below)
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 - Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
 - Your plans must be reviewed by:
 - CITY COUNCIL
 - PLANNING COMMISSION *CUP AMEND.*
 - HISTORIC PRESERVATION
 - REDEVELOPMENT
 - PARK/RECREATION
 - OTHER _____

ADDITIONAL COMMENTS _____

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 4 DATE: July 31, 2013
SITE PLAN NO: SPR13130
PROJECT TITLE: INTERIOR REMODEL
DESCRIPTION: INTERIOR REMODEL TO CREATE CLASSROOMS FOR THE DIFFERENT AGE GROUPS OF THE CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF BUILDING ON 26,358 SF AREA (CDT ZONED) (DISTRICT DRD)
APPLICANT: SAVIORS CHURCH
PROP OWNER: CH-THE SAVIORS COMMUNITY CHURCH INC
LOCATION: 615 E CENTER AVE

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project
Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 5 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 5 sets of plans prepared by an architect or engineer. Must comply with 2010 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (559) 230-6000*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$146.40) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot.
- Park Development fee \$ _____ per unit collected with building permits.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: _____

G. FERRELLA 7-30-13
Signature

Site Plan Review Comments For:

Visalia Fire Department
Kurtis Brown, Assistant Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4261 *office*
559-713-4808 *fax*

ITEM NO: 4 DATE: July 31, 2013
SITE PLAN NO: SPR13130
PROJECT TITLE: INTERIOR REMODEL
DESCRIPTION: INTERIOR REMODEL TO CREATE CLASSROOMS
FOR THE DIFFERENT AGE GROUPS OF THE
CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF
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(DISTRICT DRD)
APPLICANT: SAVIORS CHURCH
PROP OWNER: CH-THE SAVIORS COMMUNITY CHURCH INC
LOCATION: 615 E CENTER AVE

The following comments are applicable when checked:

- Refer to previous comments dated .
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.)
- The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting though-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Special comments:


 Kurtis Brown, Assistant Fire Marshal

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500

COMMERCIAL BIN SERVICE

ITEM NO. 2

SITE PLAN NO:
PROJECT TITLE:
DESCRIPTION:

SPR13130
INTERIOR REMODEL
INTERIOR REMODEL TO CREATE CLASSROOMS
FOR THE DIFFERENT AGE GROUPS OF THE
CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF
BUILDING ON 26,358 SF AREA (CDT ZONED)
(DISTRICT DRD)
SAVIORS CHURCH
CH-THE SAVIORS COMMUNITY CHURCH INC
615 E CENTER AVE

APPLICANT:
PROP OWNER:
LOCATION:

No comments.

Same comments as as

Revisions required prior to submitting final plans. See comments below.

Resubmittal required. See comments below.

Customer responsible for all cardboard and other bulky recyclables to be broken down
before disposing of in recycle containers.

ALL refuse enclosures must be R-3 or R-4

Customer must provide combination or keys for access to locked gates/bins

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

Inadequate number of bins to provide sufficient service. See comments below.

Drive approach too narrow for refuse trucks access. See comments below.

Area not adequate for allowing refuse truck turning radius of :
Commercial (X) 50 ft. outside 36 ft. inside; Residential () 35 ft. outside, 20 ft. inside.

Paved areas should be engineered to withstand a 55,000 lb. refuse truck.

Bin enclosure gates are required

Hammerhead turnaround must be built per city standards.

Cul - de - sac must be built per city standards.

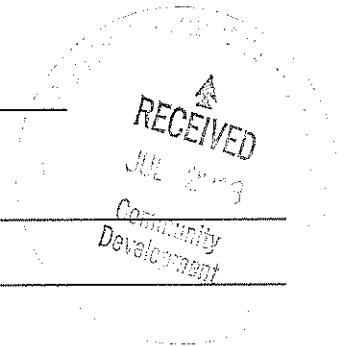
Bin enclosures are for city refuse containers only. Grease drums or any other
items are not allowed to be stored inside bin enclosures.

Area in front of refuse enclosure must be marked off indicating no parking

Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)

Customer will be required to roll container out to curb for service.

Must be a concrete slab in front of enclosure as per city standards





The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.

Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.



Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post see page 2 for instructions

EXISTING REFUSE SERVICE AND ENCLOSURE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Ken McSheehy 713-4447
- Adrian Rubalcaba 713-4271

ITEM NO: 4 DATE: JULY 31, 2013

SITE PLAN NO.: 13-130
 PROJECT TITLE: INTERIOR REMODEL
 DESCRIPTION: INTERIOR REMODEL TO CREATE CLASSROOMS FOR THE DIFFERENT AGE GROUPS OF THE CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF BUILDING ON 26,358 SF AREA (CDT ZONED) (DISTRICT DRD)
 APPLICANT: SAVIORS CHURCH
 PROP OWNER: CH-THE SAVIORS COMMUNITY CHURCH INC
 LOCATION: 615 E CENTER AVE
 APN: 094-231-026

SITE PLAN REVIEW COMMENTS

REQUIREMENTS (indicated by checked boxes)

- Install curb return with ramp, with _____ radius;
- Install curb; gutter
- Drive approach size: Use radius return;
- Sidewalk: _____ width; parkway width at _____
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. ANY WORK IN CITY RIGHT-OF-WAY**
 Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____; _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

- Traffic indexes per city standards:
- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

- 1. The pedestrian path of travel from City right-of-way to building front entrance shall comply to ADA standards. Path of travel to be modified to avoid going behind parked vehicles.***
- 2. Modifications to existing handicap stalls may be necessary to comply with current City and ADA standards.***
- 3. Refer to Fire Dept. comments and requirements.***
- 4. Plan check and inspection fees apply, due at time of building permit issuance.***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 13-130 RESUBMITTAL

Date: 7/31/2013

Summary of applicable Development Impact Fees to be collected at the time of building permit:

(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)

(Fee Schedule Date:7/1/2013)

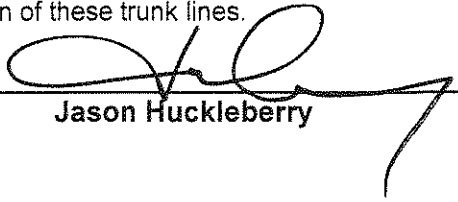
(Project type for fee rates:SCHOOL)

Existing uses may qualify for credits on Development Impact Fees. **RETAIL**

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



Jason Huckleberry

City of Visalia
Police Department
303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4573

ITEM NO: 4 DATE: July 31, 2013
SITE PLAN NO: SPR13130
PROJECT TITLE: INTERIOR REMODEL
DESCRIPTION: INTERIOR REMODEL TO CREATE CLASSROOMS
 FOR THE DIFFERENT AGE GROUPS OF THE
 CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF
 BUILDING ON 26,358 SF AREA (CDT ZONED)
 (DISTRICT DRD)
APPLICANT: SAVIORS CHURCH
PROP OWNER: CH-THE SAVIORS COMMUNITY CHURCH INC
LOCATION: 615 E CENTER AVE

Site Plan Review Comments

- No Comment at this time.

- Request opportunity to comment or make recommendations as to safety issues as plans are developed.

- Public Safety Impact fee:
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.

- Not enough information provided. Please provide additional information pertaining to:

- Territorial Reinforcement: Define property lines (private/public space).

- Access Controlled / Restricted etc:

- Lighting Concerns:

- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

- Other Concerns:



Visalia Police Department

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA NEIGHBORHOOD PRESERVATION/CODE ENFORCEMENT DIVISION

July 31, 2013

ITEM NO: <u>4</u>	120-090-039	RESUBMTL
SITE PLAN NO:	SPR13130	
PROJECT TITLE:	INTERIOR REMODEL	
DESCRIPTION:	INTERIOR REMODEL TO CREATE CLASSROOMS FOR THE DIFFERENT AGE GROUPS OF THE CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF BUILDING ON 26,358 SF AREA (CDT ZONED) (DISTRICT DRD)	
APPLICANT:	SAVIORS CHURCH	
PROP. OWNER:	CH-THE SAVIORS COMMUNITY CHURCH INC	
LOCATION:	615 E CENTER AVE	
APN(S):	094-231-026	

No Comments

See Previous Site Plan Comments

Provide Shopping Cart Retrieval Plan For any Retail That Will Require Shopping Carts

Additional Comments:



Tracy Robertshaw

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

July 31, 2013

ITEM NO: 4	RESUBMTL
SITE PLAN NO:	SPR13130
PROJECT TITLE:	INTERIOR REMODEL
DESCRIPTION:	INTERIOR REMODEL TO CREATE CLASSROOMS FOR THE DIFFERENT AGE GROUPS OF THE CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF BUILDING ON 26,358 SF AREA (CDT ZONED) (DISTRICT DRD)
APPLICANT:	SAVIORS CHURCH
PROP. OWNER:	CH-THE SAVIORS COMMUNITY CHURCH INC
LOCATION:	615 E CENTER AVE
APN(S):	094-231-026

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at City approved locations.
- Install Stop Signs at City approved locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Study required.

Additional Comments:

•



Eric Bons

**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

ITEM NO: 4 DATE: July 31, 2013

SITE PLAN NO: SPR13130

PROJECT TITLE: INTERIOR REMODEL

DESCRIPTION: INTERIOR REMODEL TO CREATE CLASSROOMS
FOR THE DIFFERENT AGE GROUPS OF THE
CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF
BUILDING ON 26,358 SF AREA (CDT ZONED)
(DISTRICT DRD)

APPLICANT: SAVIORS CHURCH

PROP OWNER: CH-THE SAVIORS COMMUNITY CHURCH INC

LOCATION: 615 E CENTER AVE

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER – ¾ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED – NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA
PUBLIC WORKS DEPARTMENT
QUALITY ASSURANCE DIVISION
7579 AVENUE 288
VISALIA, CA 93277

[Handwritten Signature]

AUTHORIZED SIGNATURE

7-26-13

DATE

SITE PLAN REVIEW COMMENTS

Alyssa Netto, Planning Division (559) 713-4256

Date: July 31, 2013

SITE PLAN NO: 13-130
PROJECT TITLE: INTERIOR REMODEL
DESCRIPTION: INTERIOR REMODEL TO CREATE CLASSROOMS FOR THE DIFFERENT AGE GROUPS OF THE CHILDREN IN THE MINISTRY IN EXISTING 4,840 SF BUILDING ON 26,358 SF AREA (CDT ZONED) (DISTRICT DRD)
APPLICANT TITLE: SAVIORS CHURCH
PROP. OWNER: CH-THE SAVIORS COMMUNITY CHURCH INC
LOCATION: 615 E CENTER AVE
APN TITLE: 094-231-026

General Plan: CDT – Central Business District
Existing Zoning: CDT – Central Business District

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Amendment to Conditional Use Permit No. 2003-04
- Building Permit
- Additional information as needed

PROJECT SPECIFIC INFORMATION: 07/31/2013

1. This project will require an amendment to Conditional Use Permit 2003-04 for 515 E Center Ave to include the parcel at 615 E Center Ave.
2. All landscaping islands must include one or two trees based upon island size. Replace or replant any trees and shrubs along the street frontage.
3. The parking lot must be re-stripped prior to or as a part of the building permit package.

PREVIOUS COMMENTS

PROJECT SPECIFIC INFORMATION: 07/24/2013

1. This project will require an amendment to Conditional Use Permit 2003-04 for 515 E Center Ave to include the parcel at 615 E Center Ave.
2. The playground area must be depicted on the site plan.
3. A detailed parking analysis showing how to site meets the 152 stall parking requirement should be included with resubmitted materials.
4. All landscaping islands must include one or two trees based upon island size. Replace or replant any trees and shrubs along the street frontage.
5. A detailed operational statement should be submitted when the project reapplies to Site Plan Review.

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

Downtown Retail Design District Guidelines – (At end of document)

Parking:

1. Provide 152 spaces based on one space per 30 square feet of assembly floor area (see Zoning Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide 6 handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. A planter is required every other row. Said planter shall contain trees on twenty (20) foot centers (Zoning Ordinance Section 17.30.130.C.6).
6. It is highly recommended that bicycle rack(s) be provided on site plan.
7. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
8. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.
9. Provide shared parking/access agreements. Said agreements/ easements to be approved and recorded prior to issuance of building permits (Zoning Ordinance Section 17.34.050).
10. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

Landscaping:

1. On September 30, 2009, the State Model Water Efficient Landscape Ordinance (MWELo) was finalized by the State Department of Water Resources to comply with AB 1881. AB 1881 along with the MWELo became effective on January 1, 2010. As of January 1, 2010, the State Model Water Efficient Landscape Ordinance became effective by adoption of a City urgency ordinance on December 21, 2009. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.**
 2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).
 3. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
 4. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
 5. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
 6. Provide a detailed landscape and irrigation plan for review prior to issuance of building permits. Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.
 7. Provide a conceptual landscape plan for resubmittal or planning commission review.
- Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant

materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.

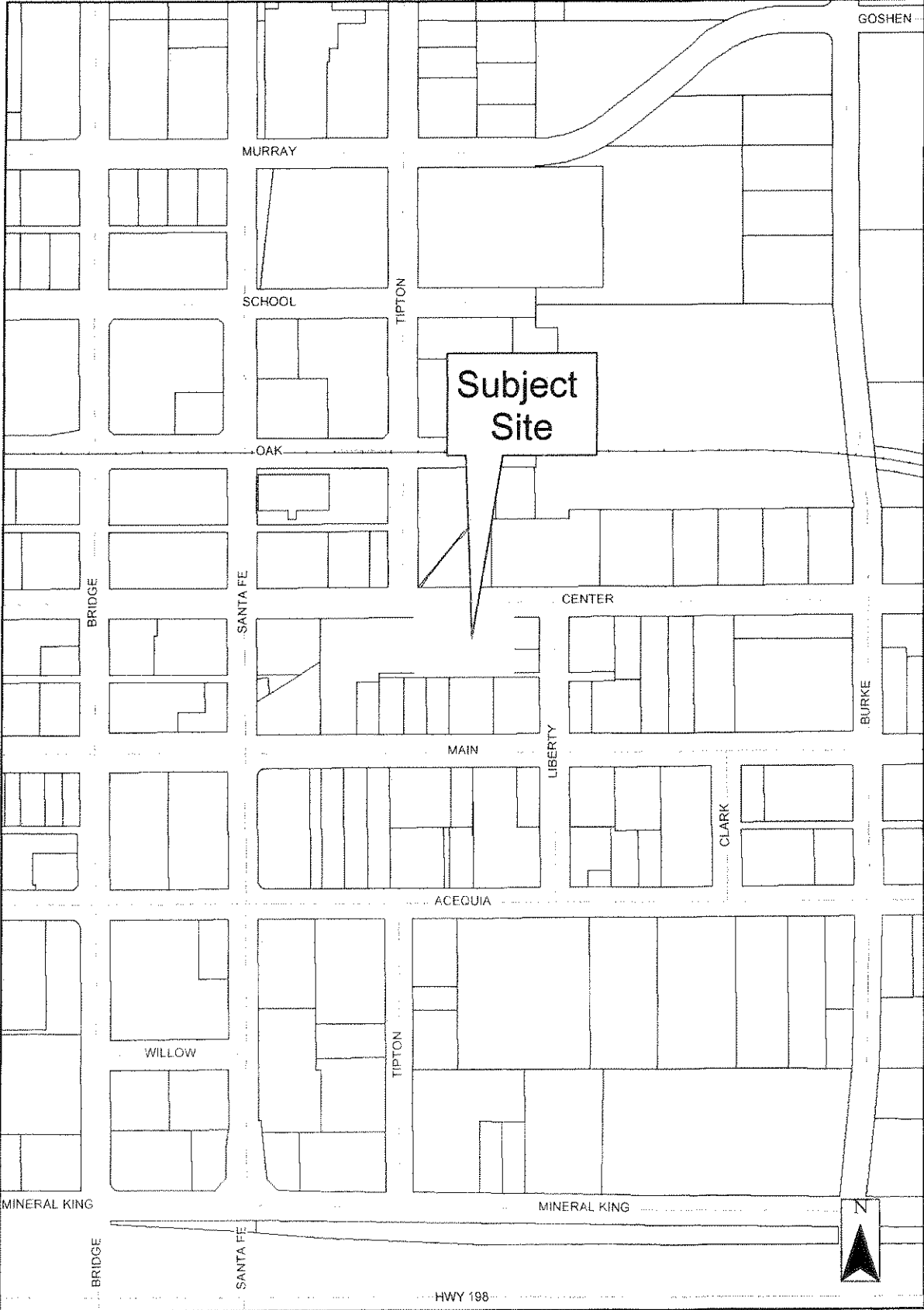
In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

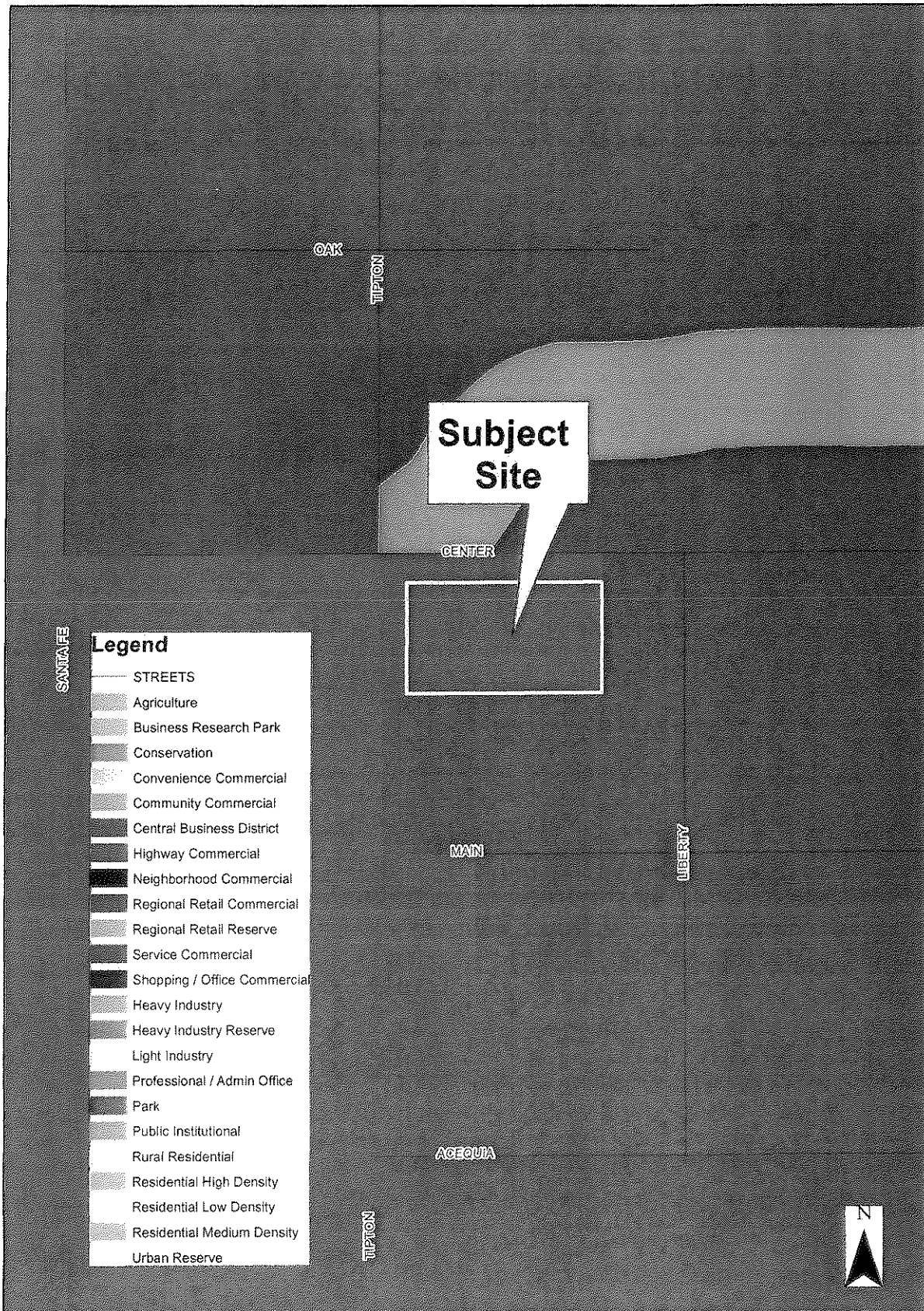
Signature  

City of Visalia



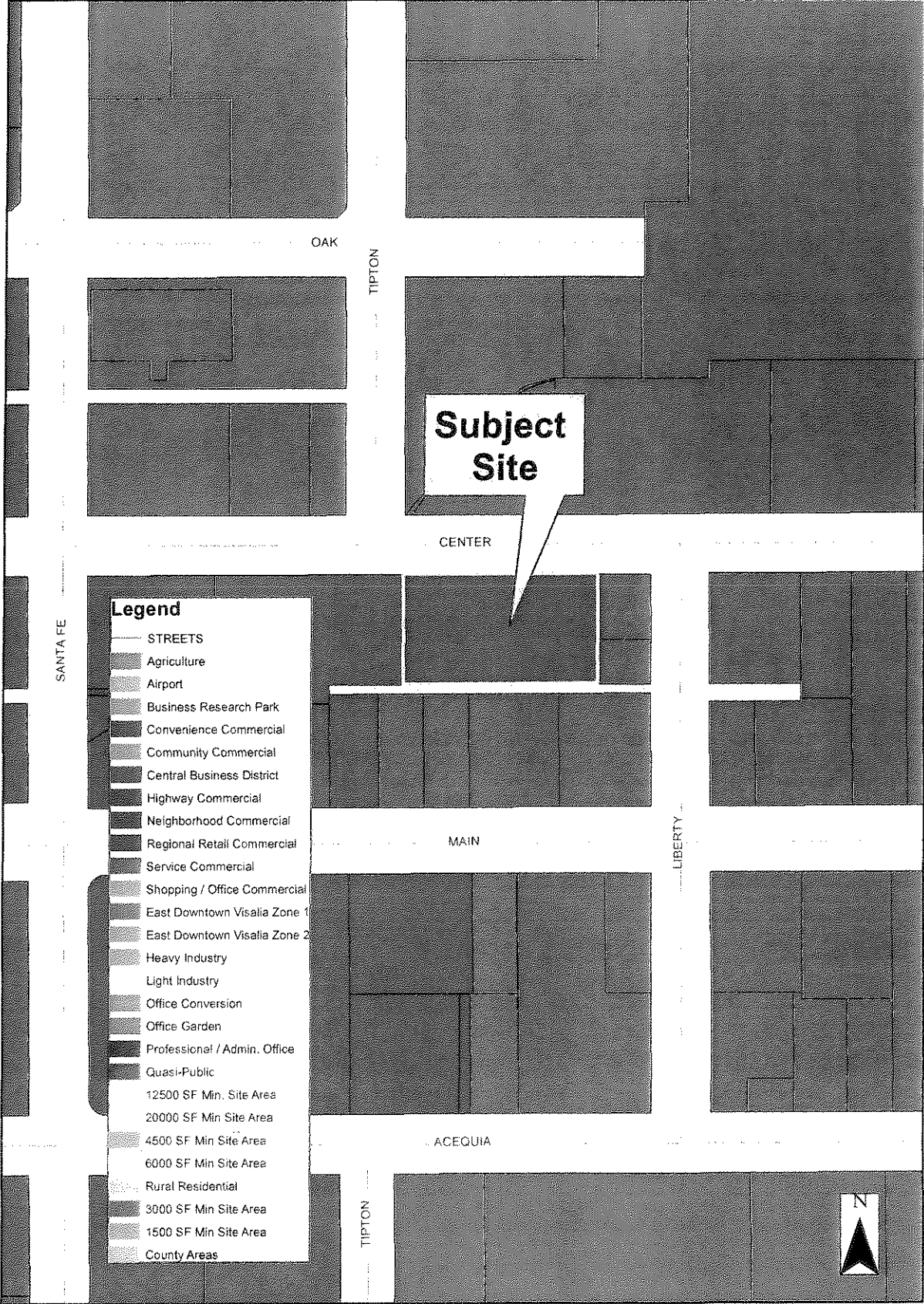
Location Map

City of Visalia



General Plan Land Use Map

City of Visalia



Zoning Map

City of Visalia



Aerial Photo

City of Visalia



Aerial Photo 2 - Combined Sites

City of Visalia



To: Planning Commission

From: Josh McDonnell, AICP,
Assistant Community Development Director/City Planner (713-4364)

Paul Scheibel, AICP (713-4369) *TS*

Date: September 9, 2013

Re: **Specific Plans as Compared with Master Plans**

Background

The subject of Specific Plans compared with Master Plans was recently raised by the Planning Commission during the consideration of a multi-phased commercial project. The Planning Commission's questions centered on the practical differences and comparative degree of formality between the two types of plans, and the relative levels of entitlement and obligation implicit in the two types of Plans. These questions have been raised in various contexts over the past several years, including public hearings on the Business Research Park (BRP) Zoning Text Amendment (ZTA 2010-06), and several individual development projects that proposed multiple phases of development.

Overview

Differentiating the terms- Specific Plans and Master Plans: The two terms are often used interchangeably throughout the City's Zoning Code provisions. However, under state law, and by extension the City's Municipal Code, the two terms are not synonymous terms in the Land Use and Zoning vernacular. In short, Specific Plans are creations of California state Planning and Zoning law (CGC 65454), which contains detailed definitions, standards and criteria for this type of land use entitlement. Conversely, Master Plans are not referenced in state Planning and Zoning law. Consequently their definition, purpose, and tangible entitlement value are whatever the City determines them to be thru its Municipal Code.

Discussion

Specific Plans – State Law: Specific Plans are defined in State Planning and Zoning Law (Article 8, Section 65450-65457) (please see Attachment 1), and in Chapter 12.04 of the Municipal Code (please see Attachment 2).

State law allows Specific Plans to carry the same regulatory weight as a city's General Plan and Zoning Ordinance. By state law, a Specific Plan requires detailed information in text and diagram formats that specifies such key features as:

- Diagrams depicting the proposed project and the area affected by the Specific Plan

- The development uses being proposed, and their process for entitlement (permitted by right or conditionally allowed) and the proposed distribution of land uses if the Specific Plan proposes multiple land uses (eg residential, commercial, public, industrial)
- A plan for infrastructure and services to support the Specific Plan
- A financing plan to carry out the project
- A statement of the Specific Plan's consistency with the City's General Plan.

Specific Plans – Visalia Municipal Code: The City has six adopted Specific Plans. Three are exclusive to private development projects, and three are for areas of the City intended to be developed over an extended period of time for which specialized land uses or infrastructure were needed. The Northeast Area Specific Plan is an example of this methodology.

The Zoning Code (VMC Chapter 17) does not define or otherwise amplify the term "Specific Plan" (or "Master Plan"). However, Municipal Code Chapter 12 (Streets, Sidewalks and Public Places) provides codified direction on the process for review and adoption of Specific Plans. In particular, the City Code specifies how public improvements and infrastructure are to be sized and funded where they would affect a Specific Plan area. This Municipal Code provision provides the implementing authority for assessing public infrastructure fees for properties within the Northeast Area Specific Plan.

Under the City's Zoning Ordinance and General Plan, a Specific Plan is required for projects in the Community Commercial (CCM) Zone District. The Orchard Walk and Village at Willow Creek developments are examples of development projects that were entitled and constructed under the auspices of a Specific Plan, prepared in conformance with State law.

As noted above, the City has resolved the basic question of when a Specific Plan is necessary for entitling a development project, or for setting forth the detailed land uses and infrastructure financing for certain areas of the City. However, it can be safely concluded that an adopted Specific Plan provides legally binding entitlements for properties included in the Specific Plan area. A Specific Plan also incurs a level of obligation (both monetarily and with development standards that exceed typical Zoning standards) in exchange for those entitlements. Once adopted, a Specific Plan remains in effect and binding on all property owners as well as on the City in perpetuity, unless it is amended or revoked by formal action by the City Council.

Master Plans are not defined or formally recognized in State Planning law (nor are they defined in the City Zoning Code). The term "master plan" means a physical document or product when used in the land use document context. The term can also denote the end result of a process (master planned and planning). Consequently, the term is often misconstrued when used in the public discussion realm.

There are several private developments and City-sponsored Planning documents that are referred to as either Master Plans or Strategic Plans. Private developments include the Plaza Business Park Master Plan (including the Fresno Pacific University campus), and the Gateway Business Park Master Plan. City-sponsored Master (or Strategic)

Plans include the East Downtown Strategic Plan, and the Industrial Area Master Plan. By City practice, Master or Strategic Plans have been "accepted" by the City Council instead of being adopted by Resolution or Ordinance.

During the consideration of ZTA 2010-06 which focused on a series of proposed changes to the City's BRP Zone, the Planning Commission recommended that the term "master plan" be retained in the Zoning Code provisions for the BRP Zone.

In doing so, the Planning Commission affirmed its expectation that "master plan" infers a comprehensive and detailed development plan that exceeds the normal level of detail contained in a Conditional Use Permit (CUP) development application in the BRP Zone, and by extension, throughout the entire City. However, it also inferred that not all complex or multi-phased projects rise to a level necessitating the preparation of a Specific Plan. The City Council affirmed the Planning Commission's conclusions by adoption of ZTA 2010-06.

A Master Plan used in the current context of City land use entitlements connotes a background reference document that serves as a supplemental document of a basic development entitlement, such as a CUP. A Master Plan may contain details for the present and future phases of the entitlement (such as the first development phase of a multi-phased CUP, where the development details and even the timing of the subsequent phases are unknown). That way the expectations for the design and function of the future development phases on the project site are fully documented.

A Master Plan neither stands on its own as an entitlement document, nor as an enforceable set of development standards or restrictions. However, this does not make a Master Plan a moot effort for ensuring that a project achieves the Decision Authority's vision in approving the original project.

The Master Plan's provisions can become binding on all phases of an entitlement by incorporating the Master Plan into the conditions of approval for the basic project entitlement. In doing so, the Decision Authority's vision and standards for the project are made known to both the project's successors, City staff, and to future Decision Authorities. The standards contained in the Master Plan can be modified or eliminated with subsequent discretionary entitlement only if the Decision Authority takes action to amend the conditions of approval that were placed on the original project.

Next Steps

Staff anticipates presenting this information, as well as any additional information provided by the Planning Commission, to the City Council as a Worksession item at a future date. Based on further direction/information from the Council, staff will take action as directed by the City Council. This could include initiating a ZTA to define and formalize the Master Plan concept in the Zoning Code, or to take no action to change the City's provisions relative to Master Plans.

Attachments:

- 1- State Planning and Zoning Law, Article 8, Sections 65450 through 654576t
- 2- Visalia Municipal Code Chapter 12

GOVERNMENT CODE

SECTION 65450-65457

65450. After the legislative body has adopted a general plan, the planning agency may, or if so directed by the legislative body, shall, prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan.

65451. (a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:

(1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

(3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

(4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

(b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.

65452. The specific plan may address any other subjects which in the judgment of the planning agency are necessary or desirable for implementation of the general plan.

65453. (a) A specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.

(b) A specific plan may be repealed in the same manner as it is required to be amended.

65454. No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan.

65455. No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan.

ATTACHMENT 1

65456. (a) The legislative body, after adopting a specific plan, may impose a specific plan fee upon persons seeking governmental approvals which are required to be consistent with the specific plan. The fees shall be established so that, in the aggregate, they defray but as estimated do not exceed, the cost of preparation, adoption, and administration of the specific plan, including costs incurred pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code. As nearly as can be estimated, the fee charged shall be a prorated amount in accordance with the applicant's relative benefit derived from the specific plan. It is the intent of the Legislature in providing for such fees to charge persons who benefit from specific plans for the costs of developing those specific plans which result in savings to them by reducing the cost of documenting environmental consequences and advocating changed land uses which may be authorized pursuant to the specific plan.

(b) Notwithstanding Section 66016, a city or county may require a person who requests adoption, amendment, or repeal of a specific plan to deposit with the planning agency an amount equal to the estimated cost of preparing the plan, amendment, or repeal prior to its preparation by the planning agency.

(c) Copies of the documents adopting or amending the specific plan, including the diagrams and text, shall be made available to local agencies, and shall be made available to the general public as follows:

(1) Within one working day following the date of adoption, the clerk of the legislative body shall make the documents adopting or amending the plan, including the diagrams and text, available to the public for inspection.

(2) Within two working days after receipt of a request for a copy of the documents adopting or amending the plan, including the diagrams and text, accompanied by payment for the reasonable cost of copying, the clerk shall furnish the requested copy to the person making the request.

(d) A city or county may charge a fee for a copy of a specific plan or amendments to a specific plan in an amount that is reasonably related to the cost of providing that document.

65457. (a) Any residential development project, including any subdivision, or any zoning change that is undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified after January 1, 1980, is exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code. However, if after adoption of the specific plan, an event as specified in Section 21166 of the Public Resources Code occurs, the exemption provided by this subdivision does not apply unless and until a supplemental environmental impact report for the specific plan is prepared and certified in accordance with the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code. After a supplemental environmental impact report is certified, the exemption specified in this subdivision applies to projects undertaken pursuant to the specific plan.

(b) An action or proceeding alleging that a public agency has approved a project pursuant to a specific plan without having previously certified a supplemental environmental impact report for the specific plan, where required by subdivision (a), shall be commenced within 30 days of the public agency's decision to carry out

or approve the project.



Print

Visalia, CA Municipal Code

Chapter 12.04 ADOPTION OF SPECIFIC PLANS

Sections:

- 12.04.010 Adoption.
- 12.04.020 Application to ordinances of city council.
- 12.04.030 Rules and regulations.
- 12.04.040 Boards in aid of administration.
- 12.04.050 Street improvement--Conformance with plan.
- 12.04.060 Open space and landscaping--Conformance with plan.
- 12.04.070 Improvements--Cost distribution.

12.04.010 Adoption.

A. The planning commission shall hold a public hearing on any specific plan, or amendment to any specific plan, and submit their findings and recommendation to city council.

B. City council shall reject or adopt by resolution the specific plan, or specific plan amendment, by a majority vote. (Prior code § 7197.0)

12.04.020 Application to ordinances of city council.

Nothing in this chapter applies to the adoption or amendment of any ordinance by the legislative body, except ordinances expressly adopting or amending a specific plan initiated pursuant to this chapter. (Prior code § 7197.1)

12.04.030 Rules and regulations.

The city council may determine and establish administrative rules and procedures for the application and enforcement of specific plans and regulations, and may assign or delegate such administrative functions, powers and duties to the planning or other agency as may be necessary or desirable. (Prior code § 7197.2)

12.04.040 Boards in aid of administration.

The city council may create boards of review, appeal, and adjustment, in connection with any portion of the specific plan. (Prior code § 7197.3)

12.04.050 Street improvement--Conformance with plan.

No street shall be improved and no sewers or connections or other improvements shall be laid or authorized in any street within any territory for which there is an adopted specific street or highway plan until the matter has been referred to the planning commission for a report as to conformity with such specific street or highway plan unless one of the following conditions applies:

- A. The street has been accepted, opened or has otherwise received the legal status of a public street prior to the adoption of the plan;
- B. It corresponds with streets shown on the plan;
- C. It corresponds with streets shown on a subdivision map or record of survey approved by the legislative body;
- D. It corresponds with streets shown on a subdivision map previously approved by the planning commission;
- E. It is a local residential street not shown on the specific plan and is approved by the site plan review committee. (Prior code § 7197.4)

12.04.060 Open space and landscaping--Conformance with plan.

No street shall be improved, no sewers or connections or other improvements shall be laid or public building or works, including school buildings, constructed within any territory for which the Council has adopted a specific plan regulating the development of the use of open-space land and landscaping until a finding has been made that the open space and landscaping are in substantial compliance with the adopted specific plan. (Prior code § 7197.5)

12.04.070 Improvements--Cost distribution.

The cost of all public improvements of specific benefit to the area for which there is an adopted specific plan may be distributed among all properties in the plan area based on benefit. City council shall assess the cost of improvements to each property, based on the benefit to that property. The assessment process shall include public hearing affording each property owner affected an opportunity to be heard. The public hearing process may be waived on any parcel where the property owner has voluntarily agreed to the assessment. This agreement shall be recorded and run with the property ownership. The parcel assessment may be collected at the time of building permit issuance and may replace other existing fees where the same improvements are paid for through a new collection method. (Prior code § 7197.6)