

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Roland Soltesz

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

MONDAY, APRIL 28, 2014; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments 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.
 - No Items on Consent Calendar
5. PUBLIC HEARING – Andy Chamberlain
Conditional Use Permit No. 2014-09: A request by Juan Martinez (Kevin Bettencourt, property owner) to establish a Night Club for live entertainment and dancing, including two pool tables, in the Commercial Downtown (CDT) zone, located at 539 N. Santa Fe Street. (APN: 094-264-017, 094-264-018). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2014-20
6. PUBLIC HEARING – Andy Chamberlain
Tentative Parcel Map No. 2014-02: A request by Larry Ritchie – owner, Randy Wasnick – agent, to subdivide two parcels totaling 76.5 acres into eight parcels and a 40.01 acre remainder in the Heavy Industrial (IH) Zone. The parcels are located at the southeast corner of Riggin Avenue and Kelsey Street (APN: 077-200-001, 077-200-045)
7. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2014-10: A request by Dwayne and Debbie Patton to allow conversion of a 4,972 square foot commercial building for use as a church, located within the Service Commercial (C-S) zone. The site is located at 2500 E. Valley Oaks Drive, on the north side of Valley Oaks Drive 500 feet east of Main

Street. (APN: 098-103-001, 002) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2014-26

8. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2014-14: a request by DBO Development No. 29, LLC to allow use of 3,000 sq. ft. inside a new 5,150 sq. ft. commercial building for a dentist office, located within the Regional Retail Commercial (C-R) zone. The site is located at 4129 S. Mooney Blvd., Suite J-1, approximately 160 feet west of Mooney Blvd. and 550 feet south of Cameron Avenue (immediately west of Buffalo Wild Wings). (APN: 126-050-040) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2014-27

9. REGULAR ITEM – Paul Scheibel
Planning Division Fee Amendments: Consideration of revisions to the Planning Division fees as contained in City of Visalia Fee Resolution No. 2013-38.

10. 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 MAY 8, 2014 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, MAY 26, 2014



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 28, 2014

PROJECT PLANNER: Andrew Chamberlain, Project Planner
Phone No.: (559) 713-4003

SUBJECT: Conditional Use Permit No. 2014-09: A request by Juan Martinez (Kevin Bettencourt, property owner) to establish a Night Club for live entertainment and dancing, including two pool tables, in the Commercial Downtown (CDT) zone, located at 539 N. Santa Fe Street. (APN: 094-264-017, 094-264-018).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2014-09, as conditioned, based upon the findings and conditions in Resolution No. 2014-14. Staff's recommendation is based on the conclusion that the request is consistent with the City General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2014-09 based on the findings and conditions in Resolution Nos. 2014-14.

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to allow live entertainment and dancing in conjunction with a restaurant/bar in the CDT zone. Located at 539 N. Santa Fe Street, the site has a 7,500 sq. ft. building with access and parking off of Race and Santa Fe Streets as shown in Exhibit "A". The site has been operated as a restaurant and restaurant/bar with nightclub in the past. The facility would operate as a restaurant/bar till 9:00 pm when it would begin a variety of nightclub activities as described in the operational statement in Exhibit "B". The proposed use would include two pool tables which would be located in the bar area.

The nightclub operation would include live music, disc jockeys, karaoke and related nightclub activities. Amplified music and dancing would only occur after 9:00 pm. The operational statement proposes to have one security person per 20 people with restrictions on loitering and a 21 year old age limit for admission to the facility when it is operating as a nightclub. The proposed nightclub hours would be 9:00 pm to 1:30 am, with food service provided until 12:00 midnight.

**Applicant's
Operational
Statement
Hours of Operation**

Live Entertainment

9:00pm to 1:30am (closing time between 1:00-2:00 am)

Seven nights a week

Restaurant/Nightclub Food Service

11:00 am to 12:00 pm

Seven days a week

Bar Menu till 12:00 midnight

BACKGROUND INFORMATION

General Plan Land Use Designation:	Commercial Downtown
Zoning:	CDT (Central Business District Retail Zone)
Surrounding Zoning and Land Use	North: QP/ Ice House Theatre South: CDT/ Service Commercial East: CDT/ Vacant West: R-1-6/ Single & Multiple Family Residential
Environmental Review:	Categorical Exemption No. 2014-20 Class 15301
Special Districts:	Design District "DRD" Downtown Design Standards
Site Plan:	2014-10

RELATED PLANS & POLICIES

None.

RELATED PROJECTS

- **Conditional Use Permit No. 2011-18** was approved by the Planning Commission on 9/12/2011, allowing live entertainment and dancing (nightclub activities) at Downtown Rookies Sports Bar and Grill.
- **Conditional Use Permit No. 2010-06** was approved by the Planning Commission on 6/28/2010, allowing live entertainment and weekly bike nights at Howie and Sons Pizza.
- **Conditional Use Permit No. 2009-44** was approved by the Planning Commission on 12/14/2009, allowing live entertainment at the Depot Restaurant.
- **Conditional Use Permit No. 2009-33** was approved by the Planning Commission on 11/09/2009, allowing live entertainment and dancing at Strings Italian Cafe.
- **Conditional Use Permit No. 2009-20** was approved by the Planning Commission on 6/08/2009, allowing live entertainment and dancing at Isla Tequila Bar and Grill.
- **Conditional Use Permit No. 2009-17** was approved by the Planning Commission on 2/23/2009, allowing live entertainment at the Cellar Door.
- **Conditional Use Permit No. 2005-40** was approved by the Planning Commission on 9/26/2005, allowing live entertainment at Crawdaddy's.

PROJECT EVALUATION

Land Use Compatibility

The Visalia Zoning Matrix identifies nightclubs as a conditional use in the CDT zone, and requires the submittal and approval of a CUP application. Through the CUP process, potential land use impacts can be addressed, thereby ensuring compatibility between the proposed use and existing surrounding uses.

Adjacent land uses include single and multiple family residential units directly adjacent to the project site on the west. Potential conflicts related to light and noise are discussed below.

Staff has concluded that the proposed nightclub will not have a negative impact on surrounding uses if operated in accordance with the conditions of this use permit. The conditions are crafted to ensure a safe environment for patrons and employees, along with the protection of the adjacent land uses including the residential units to the west of the site. Failure by the owner/operator to comply with these conditions, or a significant number of verified nuisance violations of noise, lighting, litter or related actions, may result in a Planning Commission hearing and potential revocation of their CUP.

Parking and Access

The site has approximately 57 parking stalls. Staff recognizes the existing parking lot as adequate for the proposed use based upon credit for similar uses in the recent past. Due to the changing ADA parking standards, a stall or two may be lost if re-striping is required for the handicap accessible parking stalls. There are access drives on Race Avenue and Santa Fe Street to the parking lot. No changes are proposed to the parking and access other than any required re-striping for ADA compliance.

Visalia Police Department Review

The Visalia Police Department has reviewed the proposed operational plan and met with the applicant and conducted a site visit to discuss club operations. Department representatives have reviewed the recommended conditions of approval and provided input. In addition, the Police Department has sent the letter in Exhibit "D" to the Department of Alcohol and Beverage Control in Fresno with their recommended conditions for the issuance of a liquor license.

Hours of Operation - The Police Department has requested that the hours of operation for the nightclub activities be limited to 9:00 pm to 1:00 am. Staff has prepared the conditions of approval with this recommendation.

Site Security

Trained uniformed security personal will be provided on site during and after any nightclub activities. Site security shall be maintained on both the interior and exterior of the facility. This would include the parking lot and public sidewalks directly adjacent to the site frontages. A security plan is required to be provided to the Visalia Police Department along with contact information for responsible parties to address any issues.

Noise

This site is subject to the Community Noise Standards and regulations found in the Municipal Code Chapter 8.36. This establishes standards for noise adjacent to residential land uses, which are classified as "noise sensitive" land uses. Section 8.36.040 provides the noise level standards for fixed noise sources such as a nightclub. The project will be required to maintain these standards for their site, including the parking lot and areas of common use by their patrons.

The site shares a property line with single and multiple family residential units to the west. The site is divided from the residential area by a block wall which varies between five to six feet high. There are two story units adjacent to the site which will be fully exposed to the proposed activities on the subject site.

Noise complaints may be viewed as a violation of this conditional use permit and may result in additional enforcement actions including fines or the revocation of this conditional use permit.

Lighting

The residential units to the west of the site area are fully exposed to project site lighting. Staff has included condition No. 4 which requires that all on-site lighting be installed, directed and/or shielded to prevent any direct or indirect light or glare from falling upon any adjacent residential property. This includes the existing building and parking lot lighting, and any security lighting. The existing block wall around the west and south side of the site provides shielding from vehicle lights in the parking lot.

Issues and complaints related to the site lighting may require additional enforcement actions including mitigation measures, fines or the revocation of this conditional use permit.

Conditional Use Permit Revocation Process

Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a Conditional Use Permit (CUP) for failure to comply with the condition(s) of the permit. Upon suspending a CUP the Planning Commission shall hold a public hearing within 60 days, in accordance with the Public Hearing Notice procedures, and if not satisfied that the regulations, general provisions, or conditions are being complied with, may revoke the permit, or take action as may be necessary to ensure compliance with the regulations, general provisions, or condition(s).

Environmental Review

The requested action is considered a minor alteration in land use limitations as provided in the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15301, and is therefore Categorically Exempt from a full environmental review. (Categorical Exemption No. 2014-20).

RECOMMENDED FINDINGS

1. That the proposed project, as conditioned, 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 CUP is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - 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.
 - 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.
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. 2014-20)

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed and maintained in substantial conformance with the site plan in Exhibit "A", and the operational statement in Exhibit "B, with a change in the nightclub hours of operation to be between 9:00 pm and 1:00 am; and that under Operational Statement No. 2-C, that "the age of 18" be changed to "the age of 21" for admittance to the nightclub.
2. That the requirements of Site Plan Review No. 2014-10 shall be met.
3. That the project will be required to maintain the noise standards found in Section 8.36.040 of the Municipal Code for their site, including the parking lot and areas of common use by their patrons.
4. That all lighting for the site shall be installed, directed and/or shielded to prevent any direct or indirect light or glare from falling upon any adjacent residential property. This includes the existing building and parking lot lighting, and any security lighting.
5. That the hours of operation for live entertainment and dancing shall be between the hours of 9:00 pm to 1:00 am. Live entertainment shall be restricted only to live musical acts, disc jockeys, karaoke, or similar activities in nature and intensity as determined by the City Planner. Any subsequent change to the nature or hours of the live entertainment shall require an amendment to the Conditional Use Permit.
6. Live entertainment shall be allowed on a non-amplified basis with no dancing before 9:00 pm.
7. During Live entertainment performances nightclub patrons are to be 21 years of age and older. When no live entertainment is taking place, nightclub patrons are to be 21 years and older between 9:00 p.m. and 2:00 a.m., unless otherwise allowed by a Temporary Conditional Use Permit for special events. Persons employed by the establishment or performers shall be exempt from this condition.
8. That the establishment be maintained as a bona fide restaurant. The bar area shall not exceed 25% of the public area within the leasable area of the establishment. At all times during normal meal hours the site shall act as a bona fide restaurant with a full menu offering complete meals. During times of live entertainment food service shall be provided until 12:00 midnight as identified in the operational statement.
9. There shall be no adult entertainment as defined in Visalia Municipal Code Section 17.63, including no lingerie/bathing suit shows.
10. During entertainment and/or dancing, the operator shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises. No alcoholic beverages shall be consumed on any public areas adjacent to the licensed premises under the control of the licensee.
11. During live entertainment and/or dancing the operator shall be responsible for maintaining the premises and public areas immediately in front of and adjacent to the site free of litter.
12. Public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business.
13. The parking lot and public sidewalks directly adjacent to the site shall be monitored to prevent loitering, noise, littering and related issues during and after any nightclub activities.
14. That the maximum occupancy limit shall be posted and not exceeded.

15. That all of the conditions and responsibilities of Conditional Use Permit No. 2014-09 run with the land. The owner operator shall provide a copy of this resolution and conditions of approval to any and all subsequent owners/operators who shall be subject to all of the conditions herein unless amended or revoked.
16. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses from the California Department of Alcoholic Beverage Control.
17. Official inspections on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
18. All exterior doors shall remain closed at all times when the premises are providing entertainment or music. Doors may not solely consist of a screen door or ventilated security door.
19. Patrons shall use only the main entrances of the business to enter and exit the nightclub and restaurant except in the event of an emergency.
20. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
21. The site shall be limited to two pool tables.
22. No video/arcade games shall be maintained upon the premises unless approved through the site plan review and any subsequent entitlement process.
23. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2014-09, Visalia Municipal Code Section No. 17.38.040.
24. The owner/operator shall provide proof that employees who sell alcohol have completed the following, either:
 - a) Completed training from the State of California Department of Alcoholic Beverage Control--Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or,
 - b) Completed equivalent training acceptable to the ABC Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.
25. That the owner/operator shall prepare and implement an approved Security Plan that includes the following:
 - a) Prior to any type of entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the District Commander a security plan for approval. Approval of the security plan by the District Commander or his/her designee shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval of CUP. The owner/operator shall be responsible to have the District Commander or his/her designee re-approve the security plan annually running from the anniversary date of the final approval of the CUP. The establishment is responsible for providing both the District Commander and the Planning Department a copy of the approved security plan.

- b) Identify the establishment's designated contact person for all safety and security management and shall provide the telephone numbers where the contact person may be reached 24 hours a day, seven days a week.
- c) Confirm that a manager will be on duty during business hours and will be responsible for monitoring and controlling the behavior of patrons.
- d) Identify all managers of the establishment and their contact telephone numbers.
- e) Confirm that all bartenders and other employees shall be trained to recognize the symptoms of an obviously intoxicated patron, to refuse serving alcoholic beverages to obviously intoxicated patrons, and to report emergencies to the manager on duty and to law enforcement.
- f) Confirm that first aid supplies and operational fire extinguishers are located in the kitchen (if applicable), service areas and the manager's office.
- g) Confirm that the burglar and fire alarm is monitored by a security company 24 hours a day, seven days a week.
- h) Identify an adequate number of acceptable interior security personnel and exterior security personnel who will monitor and control the behavior of customers inside and outside the building, the parking lot and any adjacent property under the establishment's control. The security personnel may be employees of the establishment or licensed security personnel retained from a security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
- i) Confirm that the security personnel shall regularly monitor the parking lot (if applicable) and any adjacent property under the establishment's control to ensure the areas are free of people loitering or causing a disturbance.
- j) The establishment shall correct any safety or security problem or security plan violation as soon as possible after receiving written notice of such problem from the Visalia Police Department. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's representative to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department.
- k) The applicant shall maintain a copy of the current Security Plan and CUP conditions of approval on the premises and shall present the Security Plan immediately upon request by a peace officer or code enforcement personnel.
- l) During times that security guards are required they must be able to provide the number of persons in the building when requested.
- m) If it is determined that the establishment becomes a public nuisance as outlined in Visalia Municipal Code 8.40.030 the Visalia Police Department may initiate proceedings to amend these conditions to require additional state licensed uniformed security and/ or to recommend suspension or revocation proceeding.
- n) In the event the physical security plan is withdrawn or revoked, no live or recorded entertained or dancing shall occur until such time as a security plan which has been approved by the Police Department and City Planner is in effect.

26. Video Camera

- a) Half an hour prior to, during, and half an hour after the times of entertainment and/or dancing a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include any outside patio area where alcoholic beverages are dispensed), Additionally, there shall be at least one camera placed to focus on each of the following areas; front door (s) and/or entry area, any area outside where patrons wait to enter the establishment and the majority of the open floor space area in the establishment.
- b) The camera storage capacity should be for at least ten (10) calendar days, The System must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.

27. 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. 2014-09.

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 & Community Noise Standards
- Resolution No. 2014-14
- Exhibit "A" – Site Plan
- Exhibit "B" – Operational Statement
- Exhibit "C" – Floor Plan
- Exhibit "D" – VPD Letter to ABC
- Site Plan Review Comments/Conditions
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

Related Plans & Policies

Conditional Use Permits

(Section 17.38)

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)

Chapter 8.36 NOISE

8.36.010 Purpose.

A. The city council of the city declares and finds that excessive levels of noise are detrimental to the public health, welfare and safety and are contrary to the public interest as follows:

1. By interfering with sleep, communication, relaxation and the full use of one's property;
2. By interfering with noise sensitive land uses;
3. By contributing to hearing impairment and a wide range of adverse physiological stress conditions; and
4. By adversely affecting the value of real property.

B. It is the intent of this chapter to protect persons from excessive levels of noise within or near noise sensitive land uses such as residences, schools, churches, hospitals or public libraries, or other uses as may be determined by the city council of the city. (Prior code § 5090.1)

8.36.020 Definitions.

The following words, phrases and terms as used in this chapter shall have the following meanings:

“Abutting” means physically adjacent to or coterminous with or separated by means of an alley or a private street less than thirty (30) feet in width.

“Ambient noise level” means the composite of noise from all sources excluding the alleged offensive noise. In this context it represents the normal or existing level of environmental noise at a given location for a specific time of the day or night.

“A weighted sound level” means the sound level in decibels as measured with a sound level meter using the A:P weighted network (scale) at slow meter response. The unit of measurement is referred to herein as dB(A).

“Construction” means construction, erection, enlargement, alteration, conversion or movement of any building, structures or land together with any scientific surveys associated therewith.

“Cumulative period” means an additive period of time composed of individual time segments which may be continuous or interrupted.

“Decibel” means a unit for measuring the amplitude of a sound, equal to twenty (20) times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals.

“Emergency work” means the use of any machinery, equipment, vehicle, manpower or other activity in a short term effort to protect, or restore safe conditions in the community, or work by private or public utilities when restoring utility service.

“Fixed noise source” means a device, machine or combination thereof which creates sounds which is affixed or installed on real property, including but not limited to residential, agricultural, industrial and commercial machinery and equipment, pumps, fans, compressors, air conditioners and refrigeration equipment.

“Hospital” means any building or portion thereof used for the accommodation and medical care of sick, injured or infirm persons including rest homes and nursing homes.

“Impulsive noise” means a noise of short duration, usually less than one second, with an abrupt onset and rapid decay.

“Intruding noise level” means the sound level created, caused, maintained or originating from an alleged offensive source, measured in decibels, at a specified location while the alleged offensive source is in operation.

“Mobile noise source” means any source other than a fixed noise source.

“Noise disturbance” means any sound which violates the standards set forth in this chapter.

“Noise sensitive land use” means residential uses, churches, hospitals, schools, public library, or other such uses which are identified in the noise element of the general plan.

“Pure tone noise” means any noise which is distinctly audible as a single pitch (frequency) or set of pitches. For the purpose of this chapter, a pure tone shall exist if the one-third octave band sound pressure level in the band which the tone exceeds the arithmetic average of the sound pressure levels of the two continuous one-third octave bands by five dB for center frequencies of five hundred (500) Hz and above and by eight dB for center frequencies between one hundred sixty (160) and four hundred (400) Hz and by fifteen (15) dB for frequencies less than or equal to one hundred twenty-five (125) Hz.

“Residential property” means a parcel of real property which is zoned in whole or in part of residential purposes.

“School” means public or private institutions conducting regular academic instruction at preschool, kindergarten, elementary, secondary or collegiate levels.

“Sound level meter” means an instrument meeting American National Standard Institute (ANSI) Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data. (Prior code § 5090.2)

8.36.030 Noise measurement criteria.

A. Any noise measurement made pursuant to the provisions of this chapter shall be made with a sound level meter using the “A” weighted network (scale) at slow meter response. Fast meter response shall be used for impulsive type sounds. Calibration of the measurement equipment utilizing an acoustical calibrator certified by its manufacturer to be in compliance with National Bureau of Standards (NBS) reference calibration levels shall be performed immediately prior to recording noise level data.

B. Exterior noise levels shall be measured within fifty (50) feet of the affected residence, school, hospital, church or public library. Where practical, the microphone shall be positioned three to five feet above the ground and away from reflective surfaces.

C. Interior noise levels shall be measured within the affected dwelling unit, at points at least four feet from the wall, ceiling or floor nearest the noise source, with windows in the normal seasonal configuration. Reported interior noise levels shall be determined by taking the arithmetic average of the readings taken at the various microphone locations. (Prior code § 5090.3)

8.36.040 Exterior noise standards--Fixed noise sources.

A. It is unlawful for any person at any location within the city to create any noise, or to allow the creation of any noise, on property owned, leased, occupied or otherwise controlled by such person which causes the exterior noise level, when measured at the property line of any affected noise sensitive land use, to exceed any of the categorical noise level standards as set forth in the following table:

NOISE LEVEL STANDARDS, dBA

Category	Cumulative Number of minutes in any one-hour time period	Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	30	50	45

2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards. (Prior code § 5090.4.1)

8.36.050 Exterior noise standards--Mobile noise sources prohibition against use.

It is unlawful to operate any of the below-listed devices, appliances, equipment or vehicles on public or private property abutting noise sensitive land uses between the weekday hours of seven p.m. and six a.m., and between the weekend hours of seven p.m. and nine a.m.

A. Power-assisted leaf blowers, lawn mowers, edgers or other power equipment used for the maintenance of property;

B. Vehicle equipment, which equipment is not expressly regulated by state or federal statute, such as car radios or sound amplification equipment which is audible more than twenty-five (25) feet from the exterior of the vehicle;

C. Construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment, except for emergency repair purposes as provided in Section [8.36.070](#);

D. Any other noises made by crying, shouting, or by means of whistle, rattle, bell, gong whether or not for the purpose of advertising or other such purposes. (Prior code § 5090.4.2)

8.36.060 Residential interior noise standards.

A. It is unlawful for any person, at any location within the city, to operate or cause to be operated, any source of sound or to allow the creation of any noise which causes the noise level when measured inside a dwelling unit to exceed any of the categorized noise level standards as set forth in the following table:

NOISE LEVEL STANDARDS, dBA

Category	Cumulative Number of minutes in any one-hour time period	Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	5	45	35
2	1	50	40
3	0	55	45

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or four recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards.

E. If the source of noise is of an impulse or voluntary nature such as shouting, loud conversation, playing or operation of audio and video equipment and is audible in a dwelling unit, the noise level in the above table shall conclusively be determined to be exceeded. (Prior code § 5090.6)

8.36.070 Noise source exemptions.

The following activities shall be exempted from the provisions of this chapter:

A. Activities conducted in public parks, public playgrounds and public or private school grounds, including but not limited to school athletic and school entertainment events during normal hours of instruction;

B. Any mechanical device, apparatus or equipment used, related to, or connected with emergency activities or emergency work;

C. Noise sources associated with the infrequent, occasional and unusual maintenance of residential property provided such activities take place between the hours of six a.m. and nine p.m. on any day except Saturday or Sunday, or between the hours of eight a.m. and nine p.m. on Saturday or Sunday;

D. Noise sources associated with a lawful commercial or industrial activity caused by installed mechanical devices or equipment, including air conditioning or refrigeration systems, installed prior to the effective date of this chapter; that this exception shall expire twelve months after the effective date of the chapter. This exception shall not apply to such mechanical devices which are not in good repair;

E. Noise sources associated with the collection of waste or garbage from commercially zoned or industrially zoned property by the city or its authorized franchisee;

F. Any activity to the extent regulation thereof has been preempted by state or federal law;

G. Notwithstanding the provisions of Sections [8.36.040](#) and [8.36.050](#), where the intruding noise source when measured as provided in Section [8.36.030](#) is an existing residential air conditioning or refrigeration system or associated equipment, the exterior noise level at the property line shall not exceed fifty-five (55) dBA. For residential air conditioning or refrigeration systems or associated equipment installed after the effective date of this chapter, the exterior noise level at the property line when measured as provided in Section [8.36.030](#) shall not exceed fifty (50) dBA;

H. Notwithstanding the provisions of Sections [8.36.040](#) and [8.36.050](#), the collection of waste or garbage from residentially zoned property or from persons authorized to engage in such activity, and who are operating truck-mounted loading or compacting equipment, shall not take place before six a.m. or after seven p.m. The noise level created by such activities when measured at a distance of fifty (50) feet in an open area shall not exceed the following standard:

1. Eighty-five (85) dBA for equipment in use, purchased or leased prior to the effective date of this chapter,

2. Eighty (80) dBA for new equipment purchased or leased after the effective date of this chapter;

I. Notwithstanding the provisions of Sections [8.36.040](#) and [8.36.050](#), noise sources associated with the operation of electrical substations shall not exceed fifty (50) dBA when measured as provided in Section [8.36.030](#). (Prior code § 5090.6)

8.36.080 Warning signs in places of public entertainment.

It is unlawful for any person to permit the operation or playing of any loudspeaker, musical instrument, motorized racing vehicle, or other source of sound for public entertainment within a building or structure wherein the noise level exceeds ninety-five (95) dBA as determined using the slow response of a sound level meter at any point normally occupied by a customer, without a conspicuous and legible sign stating "WARNING! SOUND LEVELS WITHIN MAY CAUSE HEARING IMPAIRMENT." (Prior code § 5090.7)

8.36.090 Variances.

A. The owner or operator of a noise source for which it has been determined violates any of the provisions of this chapter may file an application for variance from strict compliance with any particular provisions of this chapter where such variance will not result in a hazardous condition or a nuisance and strict compliance would be unreasonable in view of all the circumstances. The owner or operator shall set forth all actions taken to comply with such provisions, and the reasons why immediate compliance cannot be achieved. A separate application shall be filed for each noise source; provided, however, that several mobile sources under common ownership or fixed sources under common ownership on a single property may be combined into one application.

B. Upon receipt of the application and within thirty (30) days, the community development director shall either: (1) approve such request in whole or in part; (2) deny the request; or (3) refer the request directly to the city council for action thereon in accordance with the provisions of this chapter. In the event the variance is approved, reasonable conditions may be imposed which may include restrictions on noise level, noise duration and operating hours, an approved method of achieving compliance and a time schedule for its implementation. The decision of the community development director is subject to appeal to the city council upon recommendation of the planning commission by filing a written appeal not later than fifteen (15) days following the mailing of the decision to the applicant.

C. Factors which the community development director or city council must consider shall include but not be limited to the following:

1. Uses of property within the area affected by the noise;
2. Factors related to initiating and completing all remedial work;
3. Age and useful life of the existing noise source;
4. The general public interest, welfare and safety.

D. The city council may grant variances from provisions of this chapter subject to such term, conditions and requirement as may be deemed reasonable to achieve compliance with the provisions and intent of this chapter.

E. A fee may be charged to recover the actual costs in processing such variances.

F. The approved noise ordinance variance must be in the possession of any operator of mobile noise sources during otherwise prohibited by the provisions of this chapter. An approved noise ordinance variance shall also be in the possession of a fixed noise source which would otherwise violate the provisions of this chapter. Failure to have the variance in the possession of the operator or property occupant when the provisions of this chapter are violated, as indicated above, shall constitute a violation of this chapter, enforceable as provided in Section [8.36.100](#). (Prior code § 5090.8)

8.36.100 Violation--Enforcement.

A. The violation of any of the provisions of this chapter shall be a misdemeanor punishable as provided in Section [1.12.010](#). Each hour of activity which violated the provisions herein shall constitute a sole and separate violation. The provisions of this chapter may also be enforced by an injunction issued out of the court of jurisdiction. Any violation of the provisions of this chapter shall be deemed to be a public nuisance.

B. The community development director, or a designee, shall be responsible for the enforcement of Section [8.36.040](#) and Section [8.36.060](#)(A) through (D) inclusive. The chief of police shall be responsible for the enforcement of Sections [8.36.050](#) and [8.36.060](#)(E). (Prior code § 5090.9)

8.36.110 Emergency equipment.

The provisions of this chapter shall have no application to the sounding of a siren or the making of other usual signal or signals by any police or other peace officers in the performance of their duties, nor to the sounding of any siren or the making of any other usual signal upon any ambulance or firefighting equipment in the usual and customary manner. (Prior code § 5091)

RESOLUTION NO. 2014-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2014-09, A REQUEST BY JUAN MARTINEZ (KEVIN BETTENCOURT, PROPERTY OWNER) TO ESTABLISH A NIGHT CLUB FOR LIVE ENTERTAINMENT AND DANCING, INCLUDING TWO POOL TABLES, IN THE COMMERCIAL DOWNTOWN (CDT) ZONE, LOCATED AT 539 N. SANTA FE STREET. (APN: 094-264-017, 094-264-018)

WHEREAS, Conditional Use Permit No. 2014-09: is a request by Juan Martinez (Kevin Bettencourt, property owner) to establish a Night Club for live entertainment and dancing, including two pool tables, in the Commercial Downtown (CDT) zone, located at 539 N. Santa Fe Street. (APN: 094-264-017, 094-264-018); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said Commission on April 28, 2014; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit, as conditioned, 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 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, as conditioned, 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 CUP is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - 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.
 - 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.

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. 2014-20)

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 and maintained in substantial conformance with the site plan in Exhibit "A", and the operational statement in Exhibit "B, with a change in the nightclub hours of operation to be between 9:00 pm and 1:00 am; and that under Operational Statement No. 2-C, that "the age of 18" be changed to "the age of 21" for admittance to the nightclub.
2. That the requirements of Site Plan Review No. 2014-10 shall be met.
3. That the project will be required to maintain the noise standards found in Section 8.36.040 of the Municipal Code for their site, including the parking lot and areas of common use by their patrons.
4. That all lighting for the site shall be installed, directed and/or shielded to prevent any direct or indirect light or glare from falling upon any adjacent residential property. This includes the existing building and parking lot lighting, and any security lighting.
5. That the hours of operation for live entertainment and dancing shall be between the hours of 9:00 pm to 1:00 am. Live entertainment shall be restricted only to live musical acts, disc jockeys, karaoke, or similar activities in nature and intensity as determined by the City Planner. Any subsequent change to the nature or hours of the live entertainment shall require an amendment to the Conditional Use Permit.
6. Live entertainment shall be allowed on a non-amplified basis with no dancing before 9:00 pm.
7. During Live entertainment performances nightclub patrons are to be 21 years of age and older. When no live entertainment is taking place, nightclub patrons are to be 21 years and older between 9:00 p.m. and 2:00 a.m., unless otherwise allowed by a Temporary Conditional Use Permit for special events. Persons employed by the establishment or performers shall be exempt from this condition.
8. That the establishment be maintained as a bona fide restaurant. The bar area shall not exceed 25% of the public area within the leasable area of the establishment. At all times during normal meal hours the site shall act as a bona fide restaurant with a full menu offering complete meals. During times of live entertainment food service shall be provided until 12:00 midnight as identified in the operational statement.
9. There shall be no adult entertainment as defined in Visalia Municipal Code Section 17.63, including no lingerie/bathing suit shows.
10. During entertainment and/or dancing, the operator shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises. No alcoholic beverages shall be consumed on any public areas adjacent to the licensed premises under the control of the licensee.

11. During live entertainment and/or dancing the operator shall be responsible for maintaining the premises and public areas immediately in front of and adjacent to the site free of litter.
12. Public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business.
13. The parking lot and public sidewalks directly adjacent to the site shall be monitored to prevent loitering, noise, littering and related issues during and after any nightclub activities.
14. That the maximum occupancy limit shall be posted and not exceeded.
15. That all of the conditions and responsibilities of Conditional Use Permit No. 2014-09 run with the land. The owner operator shall provide a copy of this resolution and conditions of approval to any and all subsequent owners/operators who shall be subject to all of the conditions herein unless amended or revoked.
16. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses from the California Department of Alcoholic Beverage Control.
17. Official inspections on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
18. All exterior doors shall remain closed at all times when the premises are providing entertainment or music. Doors may not solely consist of a screen door or ventilated security door.
19. Patrons shall use only the main entrances of the business to enter and exit the nightclub and restaurant except in the event of an emergency.
20. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
21. The site shall be limited to two pool tables.
22. No video/arcade games shall be maintained upon the premises unless approved through the site plan review and any subsequent entitlement process.
23. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2014-09, Visalia Municipal Code Section No. 17.38.040.
24. The owner/operator shall provide proof that employees who sell alcohol have completed the following, either:
 - a) Completed training from the State of California Department of Alcoholic Beverage Control--Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or,
 - b) Completed equivalent training acceptable to the ABC Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.

25. That the owner/operator shall prepare and implement an approved Security Plan that includes the following:

- a) Prior to any type of entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the District Commander a security plan for approval. Approval of the security plan by the District Commander or his/her designee shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval of CUP. The owner/operator shall be responsible to have the District Commander or his/her designee re-approve the security plan annually running from the anniversary date of the final approval of the CUP. The establishment is responsible for providing both the District Commander and the Planning Department a copy of the approved security plan.
- b) Identify the establishment's designated contact person for all safety and security management and shall provide the telephone numbers where the contact person may be reached 24 hours a day, seven days a week.
- c) Confirm that a manager will be on duty during business hours and will be responsible for monitoring and controlling the behavior of patrons.
- d) Identify all managers of the establishment and their contact telephone numbers.
- e) Confirm that all bartenders and other employees shall be trained to recognize the symptoms of an obviously intoxicated patron, to refuse serving alcoholic beverages to obviously intoxicated patrons, and to report emergencies to the manager on duty and to law enforcement.
- f) Confirm that first aid supplies and operational fire extinguishers are located in the kitchen (if applicable), service areas and the manager's office.
- g) Confirm that the burglar and fire alarm is monitored by a security company 24 hours a day, seven days a week.
- h) Identify an adequate number of acceptable interior security personnel and exterior security personnel who will monitor and control the behavior of customers inside and outside the building, the parking lot and any adjacent property under the establishment's control. The security personnel may be employees of the establishment or licensed security personnel retained from a security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
- i) Confirm that the security personnel shall regularly monitor the parking lot (if applicable) and any adjacent property under the establishment's control to ensure the areas are free of people loitering or causing a disturbance.
- j) The establishment shall correct any safety or security problem or security plan violation as soon as possible after receiving written notice of such problem from the Visalia Police Department. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's representative to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by

telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department.

- k) The applicant shall maintain a copy of the current Security Plan and CUP conditions of approval on the premises and shall present the Security Plan immediately upon request by a peace officer or code enforcement personnel.
- l) During times that security guards are required they must be able to provide the number of persons in the building when requested.
- m) If it is determined that the establishment becomes a public nuisance as outlined in Visalia Municipal Code 8.40.030 the Visalia Police Department may initiate proceedings to amend these conditions to require additional state licensed uniformed security and/ or to recommend suspension or revocation proceeding.
- n) In the event the physical security plan is withdrawn or revoked, no live or recorded entertained or dancing shall occur until such time as a security plan which has been approved by the Police Department and City Planner is in effect.

26. Video Camera

- a) Half an hour prior to, during, and half an hour after the times of entertainment and/or dancing a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include any outside patio area where alcoholic beverages are dispensed), Additionally, there shall be at least one camera placed to focus on each of the following areas; front door (s) and/or entry area, any area outside where patrons wait to enter the establishment and the majority of the open floor space area in the establishment.
- b) The camera storage capacity should be for at least ten (10) calendar days, The System must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.

27. 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. 2014-09.

Exhibit "A"

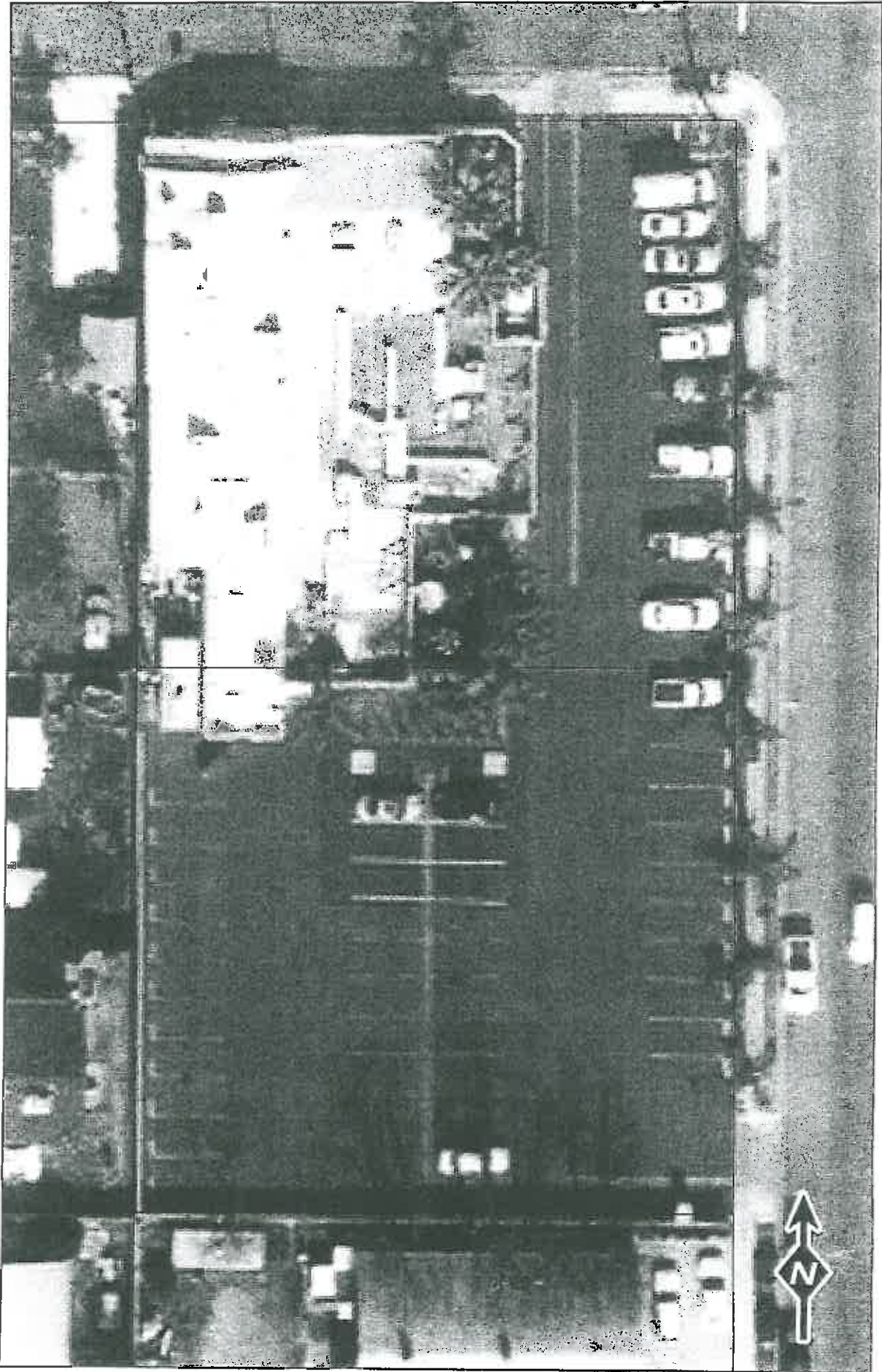


Exhibit "A"

Operations Report for CUP
El Presidente Restaurant/Night Club
539 N. Sante Fe St.

1). Security: From 9pm to 1:30am the club will employ 1 security guard per 20 people. Head of security will obtain and carry on person his/her guard card.

A). There will regular checks in the parking by security to maintain no loitering or gathering is being done.

B). The club will take full responsibility for clearing the parking lot of customers when the night has ended.

C). Security at all times will keep accurate head count of all patrons that enter the establishment with a counter provided by ownership.

D). Security will have a strict hands off policy and work together with all security to ensure a safe environment.

E). All security hired will go through a background process which included a criminal background process.

F). Security will ensure that occupancy of the establishment will not be exceeded and will always be posted.

2). Hours of Operation: 9pm 1:30 am. The live entertainment requested will include live musical acts, disc jockeys, karaoke, etc.

A). The live entertainment will not start before 9pm and will end at 1:30am whenever live entertainment is offered.

B). Food will be offered on all nights the live entertainment is being offered until 12am.

C). No One under the age of 18 will be allowed in unless otherwise permitted by the city of Visalia and ABC in conjunction.

Exhibit "B"

D). There will be no adult entertainment of any sort permitted in this establishment.

E). We do ask that the city allows the continued use of pools tables and video games in this establishment.

F). Any live entertainment will only be amplified after 9pm along with dancing.

3). Cleanliness:

A). The exterior of the facility will be maintained in such a way that no garbage, debris, or other objects remain visible to anybody passing by/code enforcement.

4). Alarm:

A). A security company will be contacted to monitor the facility for the fire/burglar alarm. This company will provide this service 24 hours a day and 7 days a week.

5). Cameras:

A). There are 56 cameras in the facility including 2 on the patio and 6 in the parking lot. There is also 2 cameras facing the entrance of the facility.

a). The cameras will be fully available to any law enforcement or city official to review at any time.

B). Cameras will all be hooked up to DVRs with at least 1 week storage space.

6). Restaurant:

A). There will be a bona fide restaurant established in the space allotted in the facility.

7). Contact:

Manager/consultant: Keith M. Bolender

559.300.0620/559.739.7113

Exhibit "B"

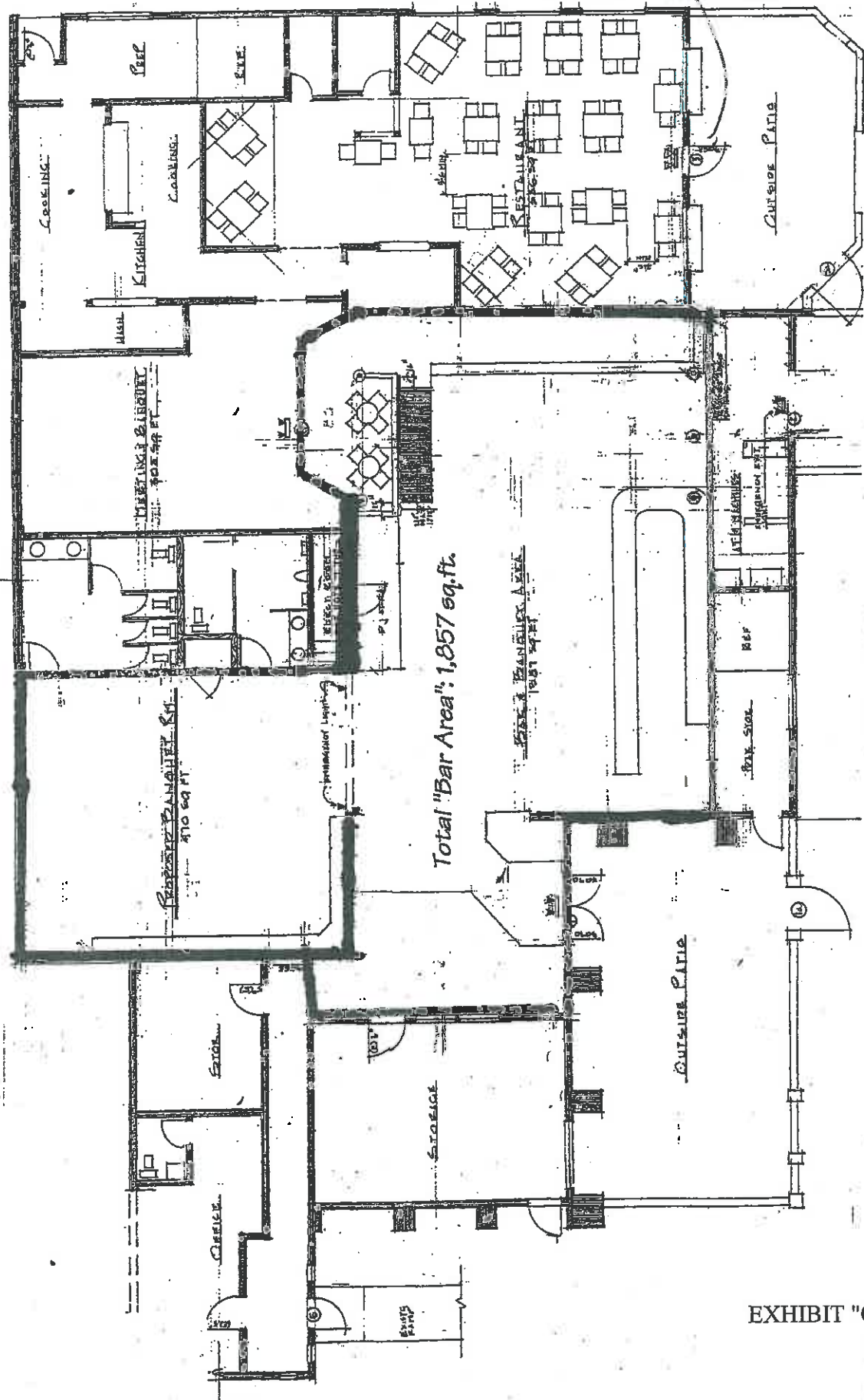
Keithbolender@gmail.com

*Any questions or concerns please do not hesitate to call me as I am available anytime.

Exhibit "B"

EXHIBIT "B"

Handwritten notes: MAY 00 1,000 sq ft 49,000 sq ft



Total "Bar Area": 1,857 sq.ft.

EXHIBIT "C"



Date: April 21, 2014
To: Corinna Borrunda – ABC Licensing Representative
Subject: Club Fuego – File # 542598

The Visalia Police Department requests the opportunity to submit reasonable conditions for the person to person transfer of the alcohol license located at 539 N. Santa Fe, formerly known as "El Presidente", per 23800(E)(1) B&P. The license in question is currently owned by Kevin Bettencourt under KCOURT Inc. The license was surrendered to ABC on November 8, 2012 due to Mr. Bettencourt closing the business. During the time that Mr. Bettencourt was operating El Presidente the location was well known to the Visalia Police Department. Officers would routinely respond to the location for fights, overly intoxicated subjects and patrons drinking in the parking lot. It is the belief of the Visalia Police Department that Mr. Bettencourt did not operate the establishment properly and failed to correct many of the problems that were leading to the excessive calls for service, please refer to the attached list of calls for service. It is the understanding of the Visalia Police Department that Mr. Bettencourt will remain the owner of the property and building.

The establishment is located in an area that is a mix of commercial and residential uses. However, there are a number of sensitive uses that border the establishment. Across the street is a community center that works with developmentally disabled adults. Next to, and behind the business is a nursing facility for elderly adults. Directly behind the establishment are single family homes and multi-family homes. Also, located one block away is a Catholic school and the largest Catholic Church in Visalia.

As previously stated, the establishment known as El Presidente has been plagued by excessive calls for police service. It is the hope of the Visalia Police Department that if reasonable conditions are placed on the establishment that conditions will help insure that people that live, work and frequent the area will be able to do so without the fear of being burdened by the establishment. Whereas, the issuance of an unrestricted license would be contrary to the public welfare and morals of the surround community.

The Visalia Police Department met with Mr. Keith Bolender, who is the current manager and consultant for Club Fuego on March 10, 2014. Mr. Bolender also possesses an ABC license at Strings Café in the City of Visalia. He also was the previous owner of the SIC Lounge in the City of Visalia. Therefore, the Visalia Police Department has a long

and positive history of working with Mr. Bolender. During our meeting we discussed our concerns and our intent to ask for conditions. We also reviewed an operations report provided to the City of Visalia by the establishment, see attached report. Detailed in the report are the actions that the establishment intends to take. We are pleased with willingness of the establishment to address these past problems with specific remedies. Many of the conditions we seek mirror what the establishment has indicated it will willingly do. It is also important to note that Club Fuego is being treated as a new business and not an existing business due to the location being unused for over one and a half years. Club Fuego has applied for but, has not been approved for a conditional use permit through the City of Visalia. Therefore, it is feasible that the establishment may be denied a conditional use permit; or that additional restrictions may be applied to the establishment through the approval of a conditional use permit.

Based on the totality of the circumstances the Visalia Police Department respectfully asks that the following conditions be added to ABC license, File # 542598

1. Live entertainment shall be permitted between the hours of 9:00 p.m. and 1:00 a.m. each day of the week
2. Dancing shall be permitted between the hours of 9:00 p.m. and 1:00 a.m. each day of the week.
3. No persons under the age of 21 shall be allowed in the establishment when there is live entertainment.
4. Entertainment provided shall not be audible beyond the area under the control of the licensee.
5. There will be a manager on duty at all times that the establishment is utilizing the alcohol license.
6. The kitchen shall remain operating and full meals shall be available each day of the week from the time the establishment opens until midnight, unless the establishment closes earlier than midnight.
7. The business will have a minimum of four uniformed and licensed security guards; two outside in front of the business and two inside on Friday and Saturday or any day when the establishment is hosting live entertainment. During these days licensed security will be required from 9:00 p.m., or any time there is live entertainment, till one hour after the bar/nightclub has closed. Licensed security guards must be licensed with the State of California and shall be certified to carry any weapons they may carry on their person.

EXHIBIT "D"

8. There shall be no adult entertainment allowed, including but not limited to topless dancers, dancers exposing their buttocks, lingerie shows, pajama parties, or dancers utilizing a vertical bar or pole, commonly known as a "stripper pole". Only employees of Club Fuego shall utilize the Go-Go Cages located above the dance area.

Colleen Mestas
Chief of Police

Brent Abbott
Sergeant, ABC Compliance Unit



MEETING DATE 2/19/2014
SITE PLAN NO. 14-010
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:
- CITY COUNCIL REDEVELOPMENT
 PLANNING COMMISSION PARK/RECREATION
 HISTORIC PRESERVATION OTHER _____

- ADDITIONAL COMMENTS** This project requires a Conditional Use Permit

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

Site Plan Review Committee



City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 2

DATE: February 19, 2014

SITE PLAN NO:
 PROJECT TITLE:
 DESCRIPTION:

RESUBMIT
 SPR14010
 RESTAURANT & NIGHT CLUB
 NIGHT CLUB AND RESTAURANT IN EXISTING 7,596
 SF BUILDING ON 31,675 SF AREA (CS ZONED)
 (DISTRICT E)
 APPLICANT: MARTINEZ JUAN
 PROP OWNER: BETTENCOURT KEVIN W & TAMARA G
 LOCATION: 539 N SANTA FE ST
 APN(S): 094-264-017 094-264-018

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 2013 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:

*Existing building - USE! / Re 49 - max occ-load!
 Or provide another exit*

Signature

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Adrian Rubalcaba 713-4271

ITEM NO: 2 DATE: FEBRUARY 19, 2014

SITE PLAN NO.: 14-010 RESUBMITTAL
PROJECT TITLE: RESTAURANT & NIGHT CLUB
DESCRIPTION: NIGHT CLUB AND RESTAURANT IN EXISTING
7,596 SF BUILDING ON 31,675 SF AREA (CS
ZONED) (DISTRICT E)
APPLICANT: MARTINEZ JUAN
PROP OWNER: BETTENCOURT KEVIN W & TAMARA G
LOCATION: 539 N SANTA FE ST
APN: 094-264-017 094-264-018

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. Contact Rafael Magallan, 713-4414.

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.

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 = 0.20%, 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 Joel Hooyer 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. REFER TO PREVIOUS COMMENTS.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 14-010 RESUBMITTAL

Date: 2/19/2014

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:8/16/2013)

(Project type for fee rates:RESTAURANT)

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 R. Salcaba

**Site Plan Review Comments For:**

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

SITE PLAN NO: SPR14010 **RESUBMIT**
 PROJECT TITLE: RESTAURANT & NIGHT CLUB
 DESCRIPTION: NIGHT CLUB AND RESTAURANT IN EXISTING 7,596 SF BUILDING ON 31,675 SF AREA (CS ZONED) (DISTRICT E)
 APPLICANT: MARTINEZ JUAN
 PROP OWNER: BETTENCOURT KEVIN W & TAMARA G
 LOCATION: 539 N SANTA FE ST
 APN(S): 094-264-017 094-264-018

The following comments are applicable when checked:

- The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2013 California Fire Code (CFC), 2013 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2013 CFC 901.6*
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

General:

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (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.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, bolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

- 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. *2013 CFC 304.3.3*
- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2013 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

Water Supply:

- Construction and demolition sites shall have an approved water supply for fire protection, either temporary or permanent, and shall be made available as soon as combustible material arrives on the site. *2013 CFC 3312*
- 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.)
- Fire hydrant spacing shall comply with the following requirements:
The exact location of fire hydrants and final decision as to the number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120 & 16.36.120(8)*
 - Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Commercial or industrial developments shall be provided with fire hydrants every three hundred (300) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Commercial or industrial developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every five hundred (500) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
- When any portion of a building is in excess of one hundred fifty (150) feet from a water supply on a public street there shall be provided on site fire hydrants and water mains capable of supplying the required fire flow. *Visalia Municipal Code 16.36.120(6)*

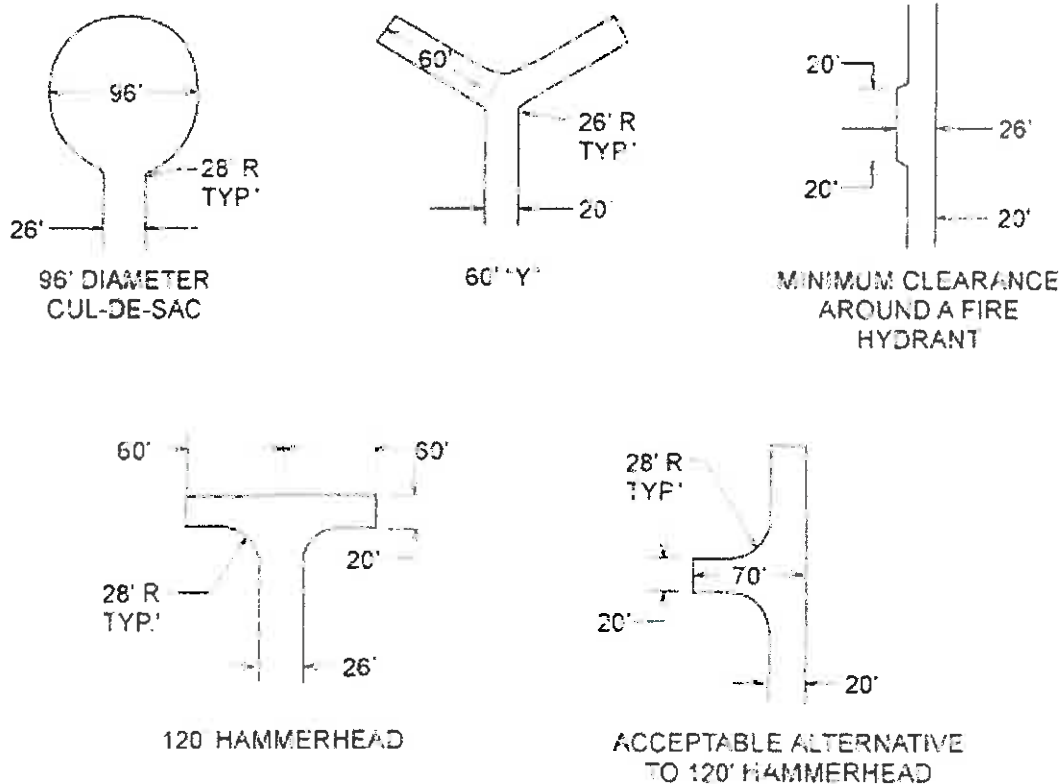
Emergency Access:

- 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 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. *2013 CFC 3310*

- Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide 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. *2013 CFC D105*

- A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radii for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2013 CFC 503.1.1*

- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.



*FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND*

Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:
2013 CFC D103.5

- Typical chain and lock shall be the type that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system.
- Gates shall be of the swinging or sliding type.
- Gates shall allow manual operation by one person. (power outages)
- Gates shall be maintained in an operative condition at all times.
- Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (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.)

In any and all new One- or two-family dwellings residential developments regardless or the number of units, street width shall be a minimum of 36 feet form curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments that don't allow parking on the streets. *2013 CFC D107.2*

Fire Protection Systems:

An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120(7)*

Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2013 CFC 904.11 & 609.2*

Special Comments:


Kurtis A. Brown
Assistant Fire Marshal

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

ITEM NO: 2
SITE PLAN NO:
PROJECT TITLE:
DESCRIPTION:
APPLICANT:
PROP OWNER:
LOCATION:
APN(S):

DATE: February 19, 2014
RESUBMIT
SPR14010
RESTAURANT & NIGHT CLUB
NIGHT CLUB AND RESTAURANT IN EXISTING 7,596
SF BUILDING ON 31,675 SF AREA (CS ZONED)
(DISTRICT E)
MARTINEZ JUAN
BETTENCOURT KEVIN W & TAMARA G
539 N SANTA FE ST
094-264-017 094-264-018

Site Plan Rev

- 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: ** REQUESTING 2170' OR CONSISTENT WITH OTHER NIGHTCLUB BUSINESSES. PD OPPOSES ALLOWING 18-20 YR OLD PATRONS DURING NIGHTCLUB HOURS 9-130M*
BWINTER 698

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

February 19, 2014

ITEM NO: 2	RESUBMITL
SITE PLAN NO:	SFR14010
PROJECT TITLE:	RESTAURANT & NIGHT CLUB
DESCRIPTION:	NIGHT CLUB AND RESTAURANT IN EXISTING 7,896 SF BUILDING ON 31,875 SF AREA (CS ZONED) (DISTRICT E)
APPLICANT:	MARTINEZ JUAN
PROP. OWNER:	BETTENCOURT KEVIN W & TAMARA G
LOCATION:	539 N SANTA FE ST
APN(S):	094-264-017 094-264-018

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 Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.

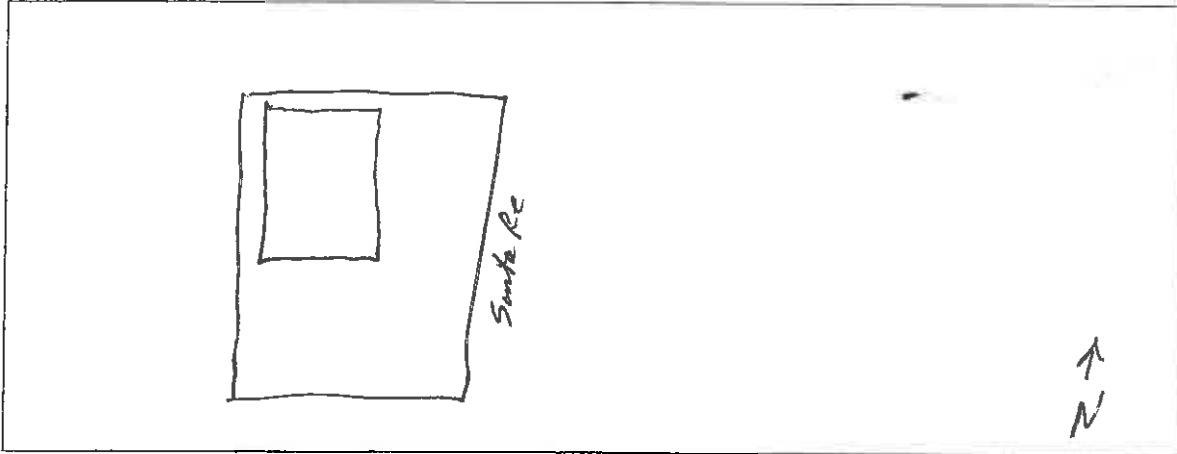
Additional Comments:

•



Leslie Blair

SITE PLAN REVIEW COMMENTS



COMMENTS: See Below None

- Please plot and protect all Valley Oak Trees.
- Landscape along parkway to be planted by developer and maintained by a maintenance district.
- All drainage from curb and gutter along streets to be connected to storm drain system.
- All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
- Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: _____

Joel Hooyer
Joel Hooyer

Parks and Urban Forestry Supervisor
559 713-4295 Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us



CITY OF VISALIA
NONSIGNIFICANT WASTEWATER
DISCHARGE PERMIT APPLICATION

Agency Use:
Permit No: _____
Code No: _____
Data Entry By: _____

PLEASE PRINT OR TYPE

APPLICANT BUSINESS NAME: _____ PHONE: _____

BUSINESS ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

BUSINESS OWNER: _____ PHONE: _____

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

CONTACT PERSON: _____ TITLE: _____

NATURE OF BUSINESS: (restaurant, market, convenience store, yogurt shop, walk-up, etc.)

NO. OF EMPLOYEES: _____ HOURS OPEN: _____ AM/PM TO _____ AM/PM

DAYS PER WEEK BUSINESS OPEN: MON TUES WED THUR FRI SAT SUN

Does your facility have a grease, oil or grit trap installed before discharge to sewer? YES NO

If yes, Name of trap: _____ Size of trap: _____ How often is trap cleaned: _____

I hereby affirm that all information furnished is true and correct
to the best of my knowledge.

Signature

Date

Public Works Department
Quality Assurance Division
7579 Ave 288
Visalia CA 93277
(559) 713-4487

CITY OF VISALIA
ORDINANCE 13.08

13.08.570 Traps required.

Grease, oil and sand traps shall be provided when, in the opinion of the City, they are necessary for the protection of the sewerage system from liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such traps shall not be required for buildings used solely for residential purposes. Such traps shall be required for example, on discharges from all service stations, automotive repair garages, car washes, restaurants, eating establishments and food preparation establishments, and such other commercial or industrial establishments as the city may designate. (Prior code § 4254)

13.08.580 Construction of traps.

All traps shall be of a type and capacity approved by the city, and shall be so located as to be readily and easily accessible for cleaning and inspection. Restaurant traps shall be gas-tight, of a type approved for restaurant use by the division of building safety. Traps for all other facilities, including service stations and garages, shall be in accordance with the adopted plan of the city for such traps or shall be the approved equal thereof as determined by the director. (Prior code § 4255)

13.08.590 Maintenance of traps.

When installed, all grease, oil and sand traps shall be maintained by the owner, at owner's expense, in continuously efficient operation at all times. (Prior code § 4256)

ITEM NO: 1

DATE: February 12, 2014

SITE PLAN NO:

SPR14010 CONTINUED

PROJECT TITLE:

RESTAURANT & NIGHT CLUB (no map)

DESCRIPTION:

NIGHT CLUB AND RESTAURANT IN EXISTING 7,596 SF BUILDING ON 31,675 SF AREA (CS ZONED) (DISTRICT E)

APPLICANT:

MARTINEZ JUAN

PROP OWNER:

BETTENCOURT KEVIN W & TAMARA G

LOCATION:

539 N SANTA FE ST

APN(S):

094-264-017 094-264-018

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

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:

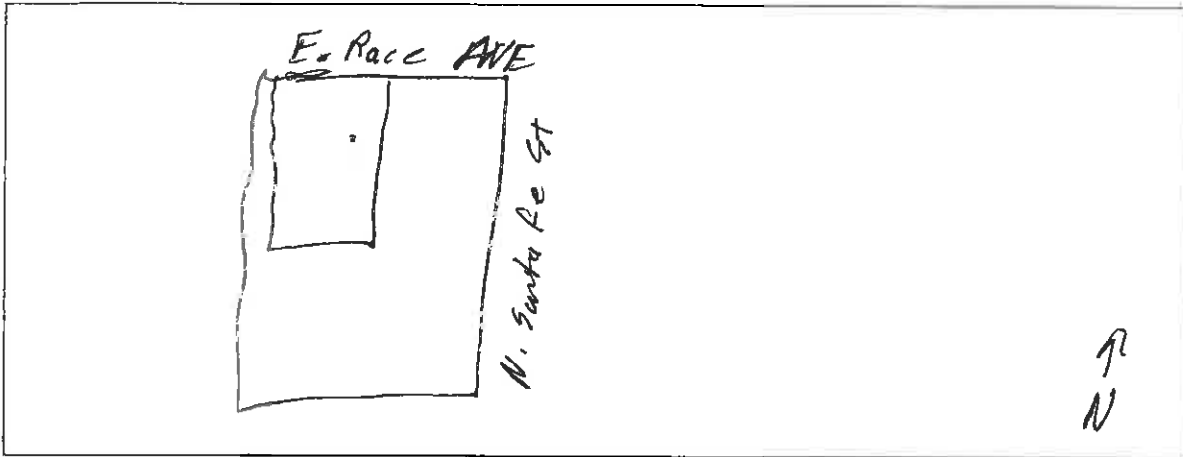
- Landscaping Concerns:
_____ /
- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

- Other Concerns: *MORE DETAILS NEEDED*
B. WINTER 198

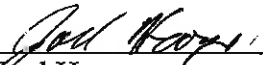
SITE PLAN REVIEW COMMENTS



COMMENTS: See Below None

- Please plot and protect all Valley Oak Trees.
- Landscape along parkway to be planted by developer and maintained by a maintenance district.
- All drainage from curb and gutter along streets to be connected to storm drain system.
- All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
- Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: _____


Joel Hooyer

Parks and Urban Forestry Supervisor
559 713-4295 Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us

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

COMMERCIAL BIN SERVICE

ITEM NO. 1 DATE: February 12, 2017
SITE PLAN NO: SPR14010 *CONTINUED*
PROJECT TITLE: RESTAURANT & NIGHT CLUB (no map)
DESCRIPTION: NIGHT CLUB AND RESTAURANT IN EXISTING 7,596
 SF BUILDING ON 31,675 SF AREA (CS ZONED)
 (DISTRICT E)
APPLICANT: MARTINEZ JUAN
PROP OWNER: BETTENCOURT KEVIN W & TAMARA G
LOCATION: 539 N SANTA FE ST
APN(S): 094-264-017 094-264-018

- No comments.
- Same comments as as 01/29/2014
- 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 be fore 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 ROLL OUT CONTAINER FOR SEERVICE.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: 1 DATE: February 12, 2014
SITE PLAN NO: SPR14010 *CONTINUED*
PROJECT TITLE: RESTAURANT & NIGHT CLUB (no map)
DESCRIPTION: NIGHT CLUB AND RESTAURANT IN EXISTING 7,596
SF BUILDING ON 31,675 SF AREA (CS ZONED)
(DISTRICT E)
APPLICANT: MARTINEZ JUAN
PROP OWNER: BETTENCOURT KEVIN W & TAMARA G
LOCATION: 539 N SANTA FE ST
APN(S): 094-264-017 094-264-018

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



AUTHORIZED SIGNATURE

2-10-14

DATE



**CITY OF VISALIA
NONSIGNIFICANT WASTEWATER
DISCHARGE PERMIT APPLICATION**

Agency Use:
Permit No: _____
Code No: _____
Data Entry By: _____

PLEASE PRINT OR TYPE

APPLICANT BUSINESS NAME: _____ PHONE: _____

BUSINESS ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

BUSINESS OWNER: _____ PHONE: _____

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

CONTACT PERSON: _____ TITLE: _____

NATURE OF BUSINESS: (restaurant, market, convenience store, yogurt shop, walk-up, etc.)

NO. OF EMPLOYEES: _____ HOURS OPEN: _____ AM/PM TO _____ AM/PM

DAYS PER WEEK BUSINESS OPEN: MON TUES WED THUR FRI SAT SUN

Does your facility have a grease, oil or grit trap installed before discharge to sewer? YES NO

If yes, Name of trap: _____ Size of trap: _____ How often is trap cleaned: _____

I hereby affirm that all information furnished is true and correct
to the best of my knowledge.

Signature Date

Public Works Department
Quality Assurance Division
7579 Ave 288
Visalia CA 93277
(559) 713-4487

CITY OF VISALIA
ORDINANCE 13.08

13.08.570 Traps required.

Grease, oil and sand traps shall be provided when, in the opinion of the City, they are necessary for the protection of the sewerage system from liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such traps shall not be required for buildings used solely for residential purposes. Such traps shall be required for example, on discharges from all service stations, automotive repair garages, car washes, restaurants, eating establishments and food preparation establishments, and such other commercial or industrial establishments as the city may designate. (Prior code § 4254)

13.08.580 Construction of traps.

All traps shall be of a type and capacity approved by the city, and shall be so located as to be readily and easily accessible for cleaning and inspection. Restaurant traps shall be gas-tight, of a type approved for restaurant use by the division of building safety. Traps for all other facilities, including service stations and garages, shall be in accordance with the adopted plan of the city for such traps or shall be the approved equal thereof as determined by the director. (Prior code § 4255)

13.08.590 Maintenance of traps.

When installed, all grease, oil and sand traps shall be maintained by the owner, at owner's expense, in continuously efficient operation at all times. (Prior code § 4256)

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

February 12, 2014

ITEM NO: 1	CONTINUED
SITE PLAN NO:	SPR14010
PROJECT TITLE:	RESTAURANT & NIGHT CLUB (no map)
DESCRIPTION:	NIGHT CLUB AND RESTAURANT IN EXISTING 7,500 SF BUILDING ON 31,675 SF AREA (OS ZONED) (DISTRICT 5)
APPLICANT:	MARTINEZ JUAN
PROP. OWNER:	BETTENDOURT KEVIN W & TAMARA G
LOCATION:	589 N SANTA FE ST
APNS#:	094-254-017 094-254-018

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 Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.

Additional Comments:

•



Leslie Blair

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: January 29, 2014 continued to February 12, 2014

SITE PLAN NO: 2014-010

PROJECT TITLE: RESTAURANT & NIGHT CLUB

DESCRIPTION: NIGHT CLUB AND RESTAURANT IN EXISTING 7,596 SF BUILDING ON 31,675 SF AREA (CDT ZONED) (DISTRICT DRD)

APPLICANT TITLE: MARTINEZ JUAN

PROP. OWNER: BETTENCOURT KEVIN W & TAMARA G

LOCATION TITLE: 539 N SANTA FE ST

APN TITLE: 094-264-017 & 018

General Plan: CDT – Central Business District

Existing Zoning: CDT – Central Business District

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit for Live Entertainment
- Security Plan
- Additional Information as needed
- Building Permit

PROJECT SPECIFIC INFORMATION: 02/19/2014

1. Comply with previous comments.
2. Staff will recommend a condition requiring all patrons to be 21 years or older during live entertainment/nightclub activities. The request to allow 18 years and older is not supported by staff.
3. Amplified music shall not be permitted on the patio area.

PREVIOUS COMMENTS

PROJECT SPECIFIC INFORMATION: 01/29/2014

1. A sit-down bona fide restaurant is a Permitted Use in the CDT zone. Ancillary Live Entertainment, if provided, required the submittal and approval of a Conditional Use Permit.
2. Staff is requesting a detailed operational statement. Provide information on number of employees, hours of operation, meal services provided, and live entertainment events. The live entertainment statement should be comprehensive of all activities proposed, security provided, etc.
3. The park strip landscaping planters along Santa Fe Street and Race Avenue shall be replanted per City standards.
4. Staff will include conditions that are designed to provide a safe environment for patrons who attend live entertainment events. The conditions are required to be complied with at all times.

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 Parking District: [Zoning Ordinance Section 17.30.019A Article 2]

1. Existing parking provided at 57 parking stalls. The site has been used as a restaurant for the past 10 years.
2. As a part of the building permit or business license, staff will be requesting a written confirmation from the property owner/manager that the 1,500 sq. ft. exemption for parking in-lieu fees for the entire building on this site is being used by this operation.

Parking:

1. Parking for restaurants shall be provided at one space per 100 square feet of building area (see Zoning Ordinance Section 17.34.020).

Fencing and Screening:

1. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
2. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
3. Outdoor retail sales prohibited.
4. Provide minimum of seven-foot high concrete block wall or masonry wall along/around the following: West property line.
5. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

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.

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.
5. 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.

Noise: NOISE ORDINANCE (Municipal Code Chapter 8.36)

The City's Noise Ordinance has standards for maximum noise levels near sensitive land uses. The project, as with all other uses in the City, will be required to meet the standards of the Noise Ordinance during construction of the project and during operation of the use on the site. It is the property owner's responsibility to ensure that the Ordinance is being met. Copies of the Noise Ordinance are available at the Community Development Department front counter or online at www.ci.visalia.ca.us. (Click on Municipal Code and then go to Chapter 8.36.)

As part of Staff's review prior to Planning Commission/City Council hearings on the proposed project, staff may determine it appropriate to review the proposed project for potential Noise Ordinance conformity. If it is determined that the proposed project may not meet the Noise Ordinance a Noise Study may be required prior to public hearing on the project.

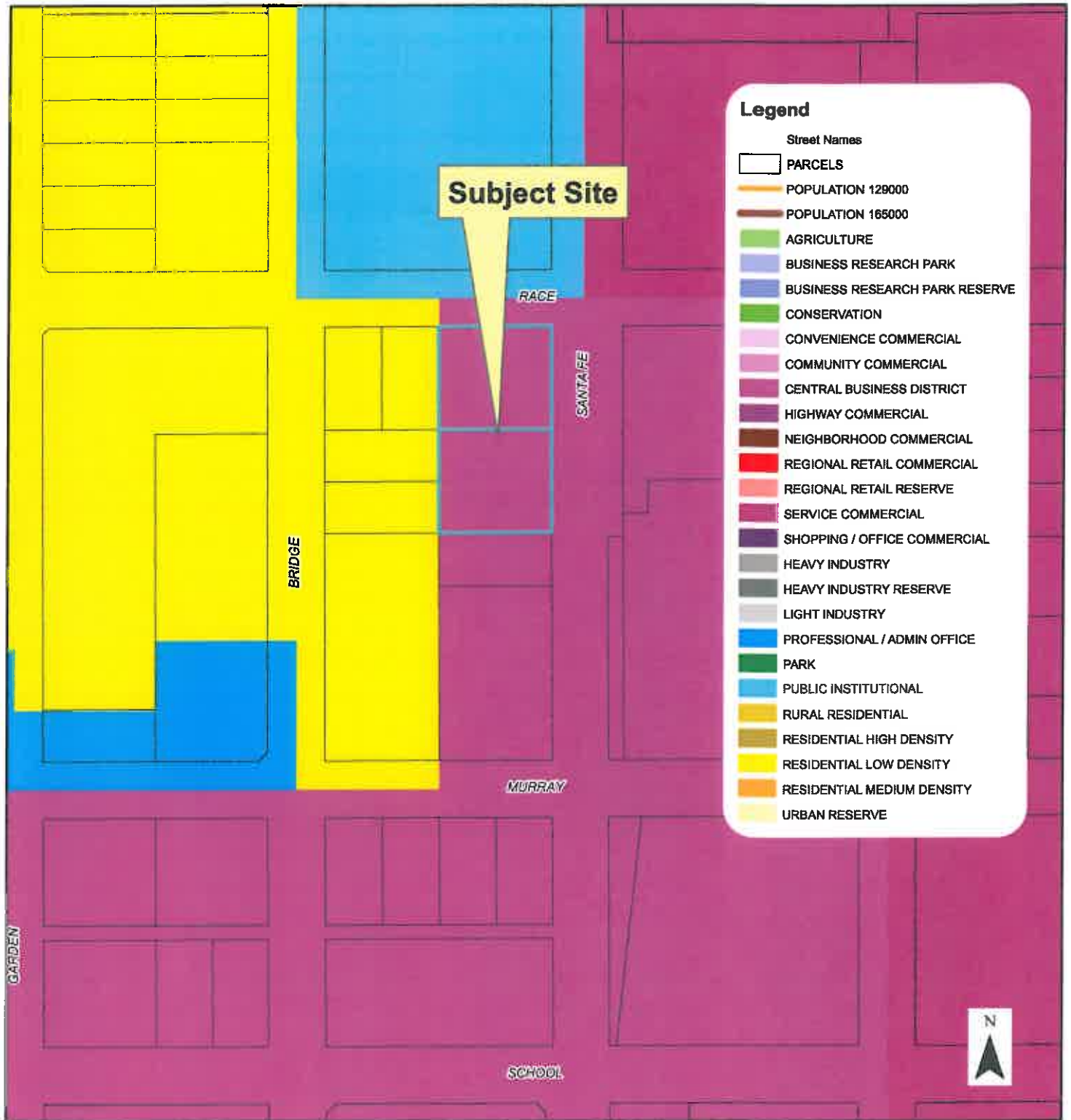
Music: Regular live music, DJ, dancing or similar entertainment requires a conditional use permit prior to any activity. Please contact staff with any questions regarding music and entertainment.

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.

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.

Signature 

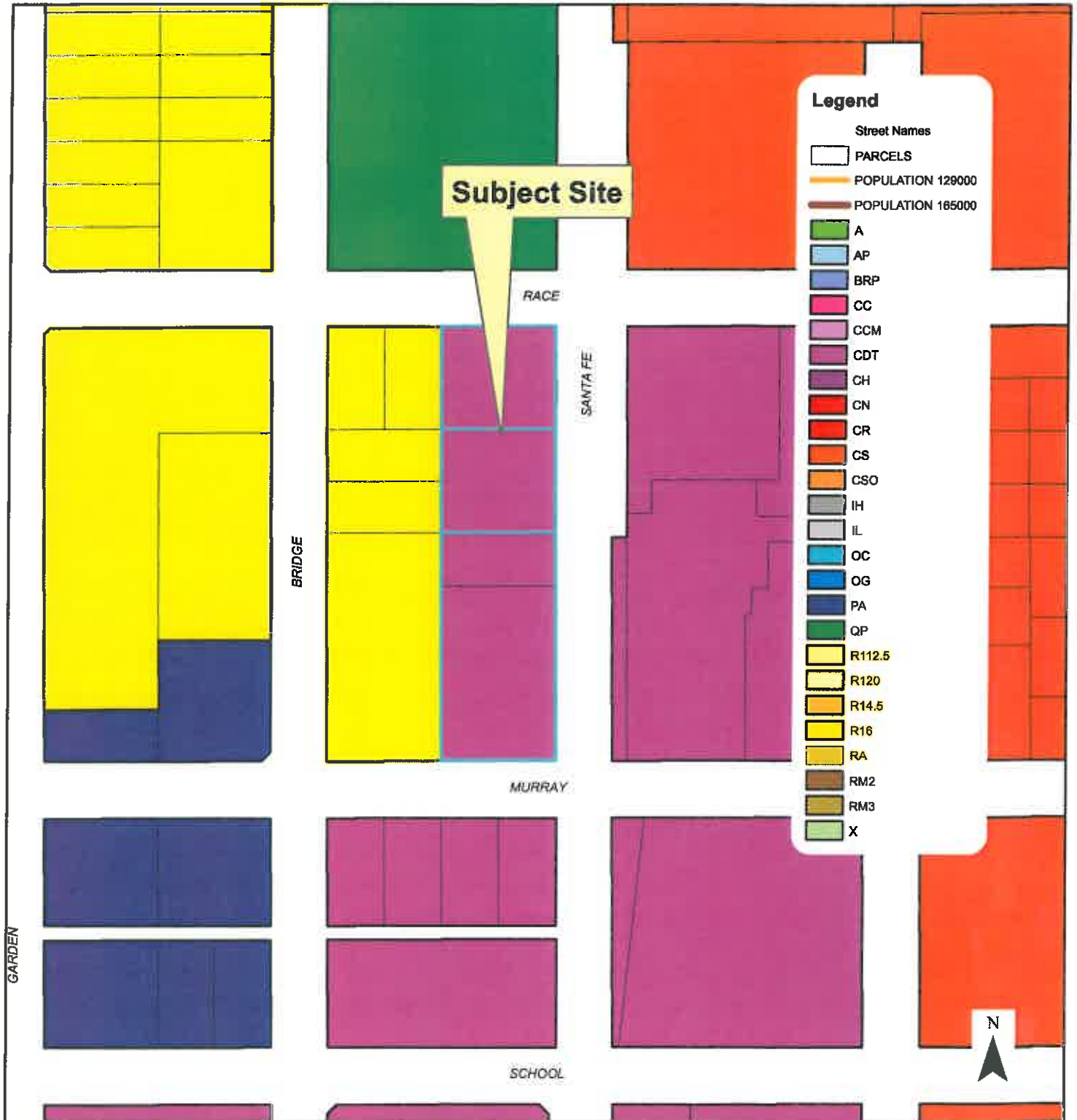
City of Visalia



Land Use Designations

CUP No. 2014-09

City of Visalia



Zoning Designations

CUP No. 2014-09

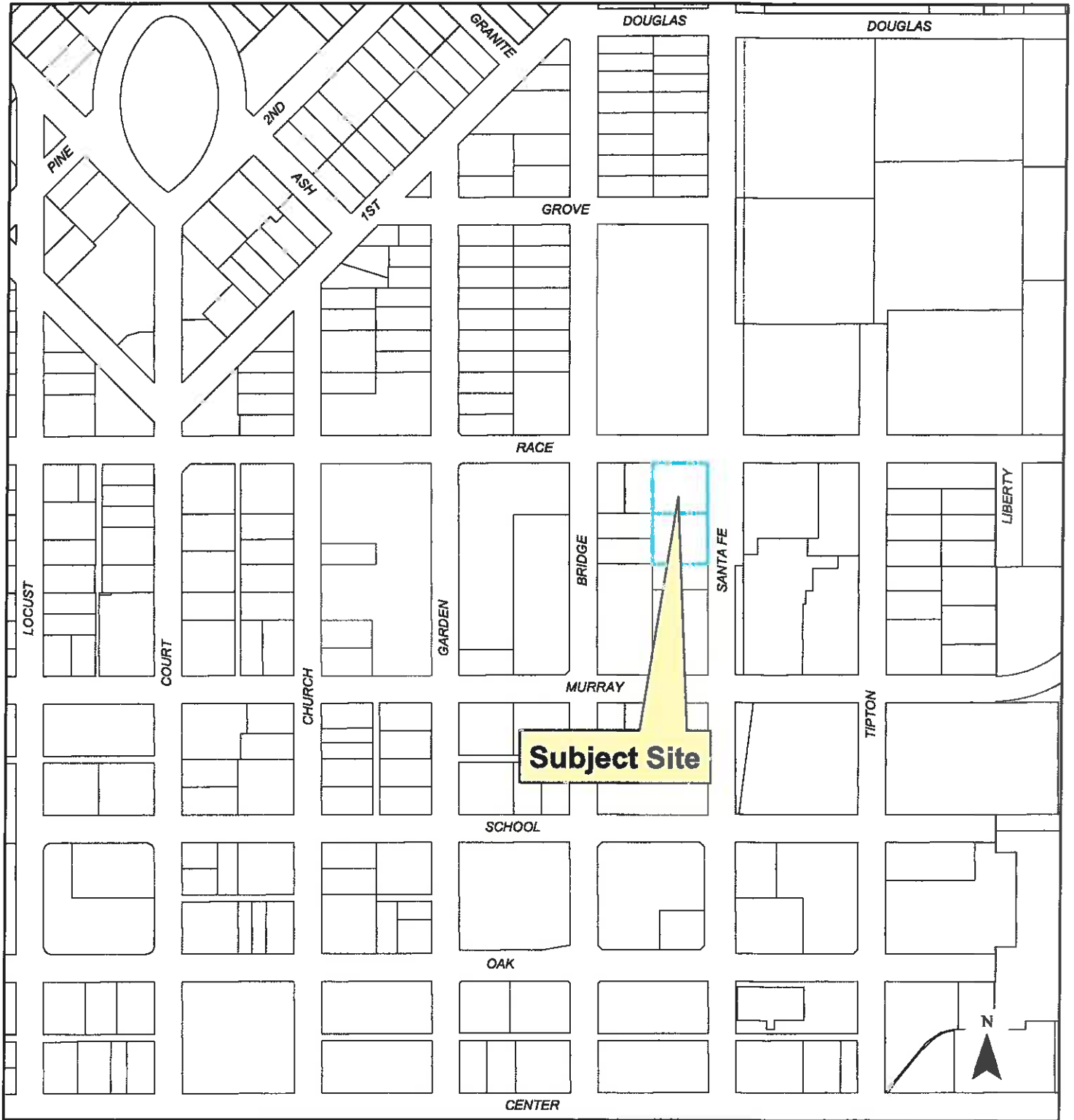
City of Visalia



Aerial Photo

CUP No. 2014-09

City of Visalia



Location Map

CUP No. 2014-09

City of Visalia



To: Planning Commission

From: Andrew Chamberlain, Senior Planner (713-4003)

Date: April 28, 2014

Re: Request to Continue Tentative Parcel Map No 2014-02

RECOMMENDATION

Staff recommends that Planning Commission continue Tentative Parcel Map No. 2014-02 to a date undetermined. The map would be re-noticed for the future public hearing.

DISCUSSION

Staff set this item for public hearing with the intent of utilizing a Categorical Exemption process for the required California Environmental Quality Act (CEQA) process. As a parcel map with more than four parcels, staff subsequently determined that a Negative Declaration (ND) process is required, including the need for additional studies from the applicant and a public review period for the ND prior to the public hearing.

ATTACHMENTS

- Exhibit "A" – Tentative Parcel Map
- Exhibit "B" – Location Map

Exhibit "A"

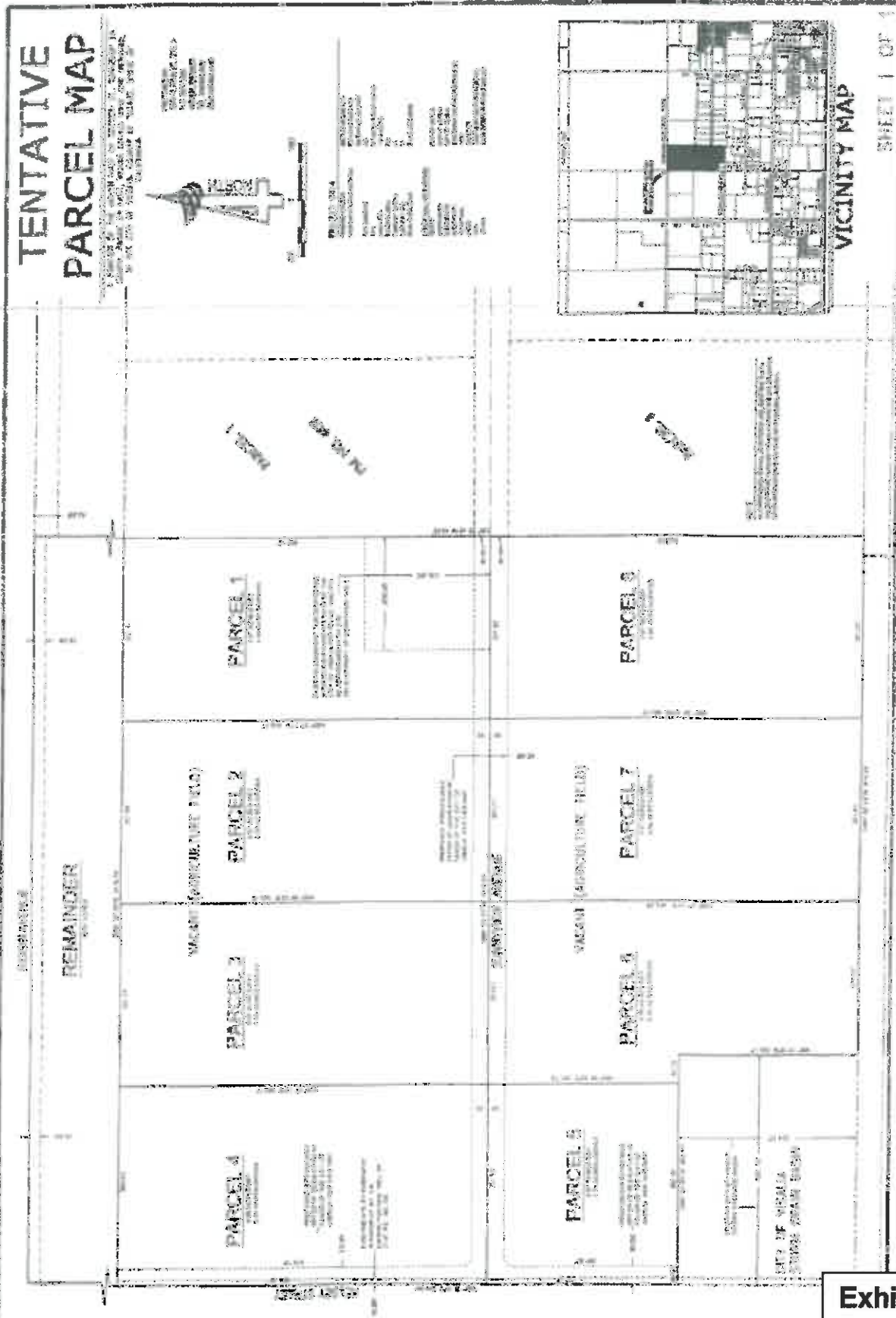
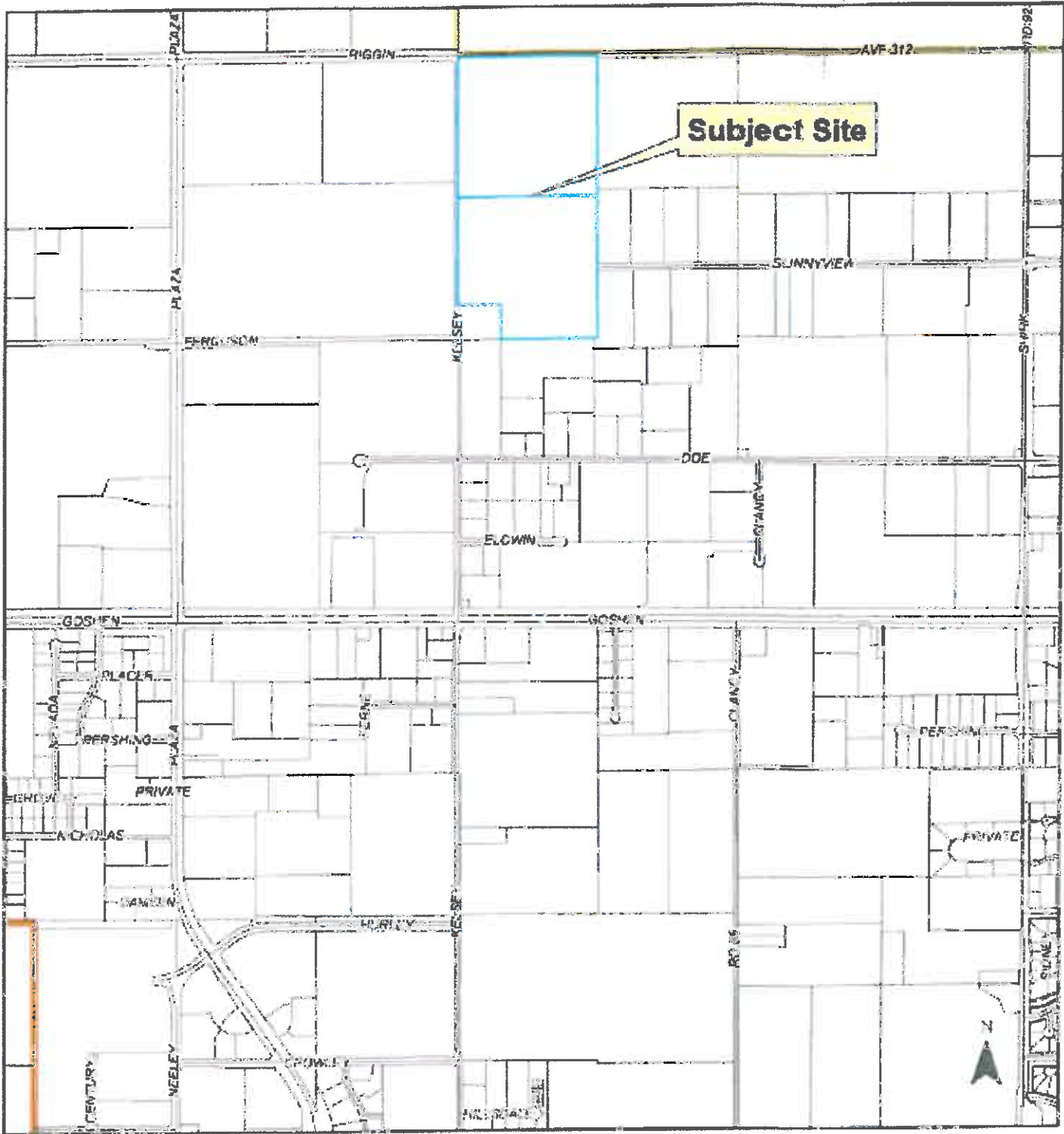


Exhibit "A"

City of Visalia



Location Map



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 28, 2014

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

SUBJECT: Conditional Use Permit No. 2014-10: A request by Dwayne and Debbie Patton to allow conversion of a 4,972 square foot commercial building for use as a church, located within the Service Commercial (C-S) zone. The site is located at 2500 E. Valley Oaks Drive, on the north side of Valley Oaks Drive 500 feet east of Main Street. (APN: 098-103-001, 002)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2014-10 based upon the findings and conditions in Resolution No. 2014-16. 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. 2014-10 based on the findings and conditions listed in Resolution No. 2014-16.

PROJECT DESCRIPTION

Conditional Use Permit is a request to allow usage of a property for a church with less than 200 seats in the Service Commercial zone. The church will be locating within an existing 4,972 square foot building located at 2500 E. Valley Oaks Drive among other existing commercial buildings. A Conditional Use Permit is required since churches up to 200 seats are a conditionally-allowed use in the Service Commercial (C-S) zone.



The proposed site plan, attached as Exhibit "A", depicts the existing 4,972 square foot building sectioned into a sanctuary, two areas for storage, and office space. The building and site was previously occupied by a plumbing contractor (Koller Plumbing Company). Minor alterations are proposed to add a wheelchair accessible restroom off of the sanctuary and to restripe parking stalls. The site has parking stalls located to the east and west of the building. The 23 existing parking stalls on the east are spread across two parcels, though the parcels are for the exclusive use of the building proposed for church use. The 11 existing parking stalls on the west are located on the subject site, though vehicular access is from an off-site drive approach and driveway.

The floor plan (see Exhibits "B" and "C") states that the sanctuary will have 80 seats, although the available on-site parking would allow for additional seats in the sanctuary provided that

occupancy load requirements are met. The applicant's operational statement (see Exhibit "D") notes this site will hold Tuesday and Friday night services from 6:00 p.m. to 7:30 p.m. and Sunday services from 10:30 am to 12:30 p.m. with no special events planned.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Service Commercial
Zoning:	C-S (Service Commercial)
Surrounding Land Use and Zoning	North: Mill Creek / R-1-6 (Single-Family Residential) Existing residence South: C-S (Service Commercial) / Corporate Offices East: C-S (Service Commercial) / Life Skills Learning Center West: C-S (Service Commercial) / Contractor
Environmental Review:	Categorical Exemption No. 2014-26
Special Districts:	Design District "C"
Site Plan:	2014-026

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED ACTIONS

Conditional Use Permit No. 2012-04 was a request by Elmbridge Properties, L.P., to allow a 60-seat church to occupy 3,449 sq. ft. of an existing building in the Service Commercial (C-S) zone, located at 650 S. Bridge Street. This project was approved by the Planning Commission on January 23, 2012.

PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2012-04, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

Churches and other religious institutions with up to 200 seats are identified as a conditional use in several of Visalia's zoning classifications. Among the zones which conditionally allow churches are Central Business District and Service Commercial, Professional Office, and Light Industrial. Churches that locate in these zones frequently utilize preexisting buildings or portions thereof, as opposed to constructing a new facility. Churches that utilize preexisting buildings, like the subject church, should be evaluated for their compatibility with the building, other existing uses in the building, and the surrounding neighborhood.

The proposed church can be made compatible to the building if handicap accessibility improvements are made to the site. According to the site plan, a handicap accessible parking stall will be installed outside of the building. A second handicap accessible parking stall is also required based on Building Division Site Plan Comments. The project's floor plan also shows the addition of a new restroom compliant with ADA (Americans with Disabilities Act of 1990) standards. Staff has included these required improvements (including the additional ADA parking stall) as a condition of project approval.

The proposed church is located within a commercial subdivision that contains a variety of uses including contractors, professional offices, public service offices, and an educational center. The church proposes to operate during non-peak hours (i.e. evenings and Sundays), which would not significantly conflict with other commercial uses in the vicinity that generally operate during weekdays.

Staff has concluded that the proposed church will not adversely impact the residential land use to the north based on the physical separation across from Mill Creek and the lack of direct street access.

With regard to the areas on the floor plan marked as storage, staff has included a condition of approval that any new activities occurring in the storage areas which are not associated with activities described in the operational statement will be subject to additional City review and may be determined to require an amendment to the Conditional Use Permit.

Parking and Shared Access Agreement

The Zoning Ordinance requires churches to provide one parking space for every four seats in the primary meeting room or for every 30 square feet, whichever is greater. Staff has traditionally applied the seat-to-parking-space ratio toward churches as it provides a more accurate parking assessment for the use.

The church meets the parking requirements of the City Zoning Ordinance. The sanctuary provides 80 total seats, which would require 20 parking spaces. There are 34 on-site parking spaces associated with the subject site - 23 parking stalls are on the east side of the building and 11 spaces are on the west side. Both parking lots have access from Valley Oaks Drive. The easterly parking lot is spread across separate parcels under common ownership and therefore requires a shared access and parking agreement. In addition, the westerly parking area is located on the subject property but is accessed from a driveway belonging to the neighboring parcel and therefore requires a shared access and parking agreement.

The shared parking and access agreement are effective as described in the statement attached as Exhibit "E". The statement confirms that the proposed church is allowed access to and use of these parking areas, and that the church and the business to the west do not have overlapping hours of operation.

A majority of the site's parking spaces have restricted access by existing on-site gates. Staff has included a condition of approval that will require the gates to be open and/or unlocked during church operating hours, to ensure that the required on-site parking is accessible.

Environmental Review

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-26).

Projects determined to meet this classification consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of the use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized in the Class 1 are not intended to be all-inclusive of the types of projects.

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 Zoning Ordinance. Specifically, the project is consistent with the required finding 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 zone in which the site is located.
 - 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.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-26).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the projects be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2014-026.
2. That the site be developed in substantial compliance with the approved site plan and floor plan provided in Exhibits "A", "B", and "C".
3. That the facility be operated in compliance with the operational statement in Exhibit "D", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That the site may not be used for any church purposes prior to meeting any required building permit improvements needed to occupy the site for church purposes.
5. That the maximum seating capacity of the sanctuary shall be limited to 136 persons based on available parking and City parking standards, subject to the maximum building occupancy determined by the City Building Safety Division and/or Fire Department.
6. That any building signage shall require a separate building permit.
7. That the on-site gates located on the east side of the building remain unlocked and/or open during church operating hours.
8. That any new activities occurring in areas identified on the Site Plan (Exhibit "A") as storage which are not associated with activities described in the operational statement (Exhibit "D") will be subject to additional City review and may be determined to require an amendment to the Conditional Use Permit.
9. That all applicable federal, state and city laws, codes and ordinances be met.
10. 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. 2014-10.

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
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan #1
- Exhibit "C" – Floor Plan #2
- Exhibit "D" – Operational Statement
- Exhibit "E" – Shared Parking Agreement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

RELATED PLANS AND POLICIES

Related Plans & Policies Conditional Use Permits

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)

17.38.040 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)

17.38.060 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)

17.38.090 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)

Chapter 17.40: Nonconforming Uses and Structures

17.40.030 Existing uses.

An existing use of land or structure shall not be deemed to be a nonconforming use solely because of the lack of off-street parking facilities; however, property on the site used for off-street parking and off-street loading at the time of the adoption of this chapter shall not be reduced in a capacity to less than the number of spaces or berths prescribed in Chapter 17.34 or reduced in area to less than the minimum standards prescribed in Chapter 17.34. Where an existing use is expanded, the parking requirements of Chapter 17.34 shall apply only to the addition. (Prior code § 7542)

RESOLUTION NO. 2014-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2014-10, A REQUEST BY DWAYNE AND DEBBIE PATTON TO ALLOW CONVERSION OF A 4,972 SQUARE FOOT COMMERCIAL BUILDING FOR USE AS A CHURCH, LOCATED WITHIN THE SERVICE COMMERCIAL (C-S) ZONE. THE SITE IS LOCATED AT 2500 E. VALLEY OAKS DRIVE, ON THE NORTH SIDE OF VALLEY OAKS DRIVE 500 FEET EAST OF MAIN STREET. (APN: 098-103-001, 002)

WHEREAS, Conditional Use Permit No. 2014-10 is a request by Dwayne and Debbie Patton to allow conversion of a 4,972 square foot commercial building for use as a church, located within the Service Commercial (C-S) zone. The site is located at 2500 E. Valley Oaks Drive, on the north side of Valley Oaks Drive 500 feet east of Main Street. (APN: 098-103-001, 002); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on April 28, 2014; 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 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 Zoning Ordinance. Specifically, the project is consistent with the required finding 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 zone in which the site is located.
 - 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.

3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-26).

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 projects be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2014-026.
2. That the site be developed in substantial compliance with the approved site plan and floor plan provided in Exhibits "A", "B", and "C".
3. That the facility be operated in compliance with the operational statement in Exhibit "D", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That the site may not be used for any church purposes prior to meeting any required building permit improvements needed to occupy the site for church purposes.
5. That the maximum seating capacity of the sanctuary shall be limited to 136 persons based on available parking and City parking standards, subject to the maximum building occupancy determined by the City Building Safety Division and/or Fire Department.
6. That any building signage shall require a separate building permit.
7. That the on-site gates located on the east side of the building remain unlocked and/or open during church operating hours.
8. That any new activities occurring in areas identified on the Site Plan (Exhibit "A") as storage which are not associated with activities described in the operational statement (Exhibit "D") will be subject to additional City review and may be determined to require an amendment to the Conditional Use Permit.
9. That all applicable federal, state and city laws, codes and ordinances be met.
10. 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. 2014-10.

PROJECT INFORMATION
 PROJECT NO. 14018
 PROJECT NAME: CAL-TECH ELECTRIC
 PROJECT ADDRESS: 2000 EAST VALLEY OAK DRIVE, VESALIA, CA 92592
CLIENT: CAL-TECH ELECTRIC
DESIGNER: SIERRA ELECTRIC

CONTRACTOR INFORMATION:
 CONTRACTOR: SIERRA ELECTRIC
 ADDRESS: 2000 EAST VALLEY OAK DRIVE, VESALIA, CA 92592
OWNER INFORMATION:
 OWNER: CAL-TECH ELECTRIC
 ADDRESS: 2000 EAST VALLEY OAK DRIVE, VESALIA, CA 92592

PERMITS:
 CITY OF VESALIA
 PERMIT NO. 14018
 PERMIT DATE: 2/26/14

2B UNSEX RESTROOM
 (M) UNSEX RESTROOM

2D PROJECT UTILITIES
 ELECTRICAL: CAL-TECH ELECTRIC
 GAS: CAL-TECH ELECTRIC
 WATER: CAL-TECH ELECTRIC
 SANITATION: CAL-TECH ELECTRIC
 WASTE: CAL-TECH ELECTRIC
 TELEPHONE: CAL-TECH ELECTRIC
 LANDSCAPING: CAL-TECH ELECTRIC

2F PROJECT INFORMATION
CONTRACTOR INFORMATION:
 CONTRACTOR: SIERRA ELECTRIC
 ADDRESS: 2000 EAST VALLEY OAK DRIVE, VESALIA, CA 92592
OWNER INFORMATION:
 OWNER: CAL-TECH ELECTRIC
 ADDRESS: 2000 EAST VALLEY OAK DRIVE, VESALIA, CA 92592

2H PARKING INFORMATION
 CITY OF VESALIA
 PERMIT NO. 14018
 PERMIT DATE: 2/26/14

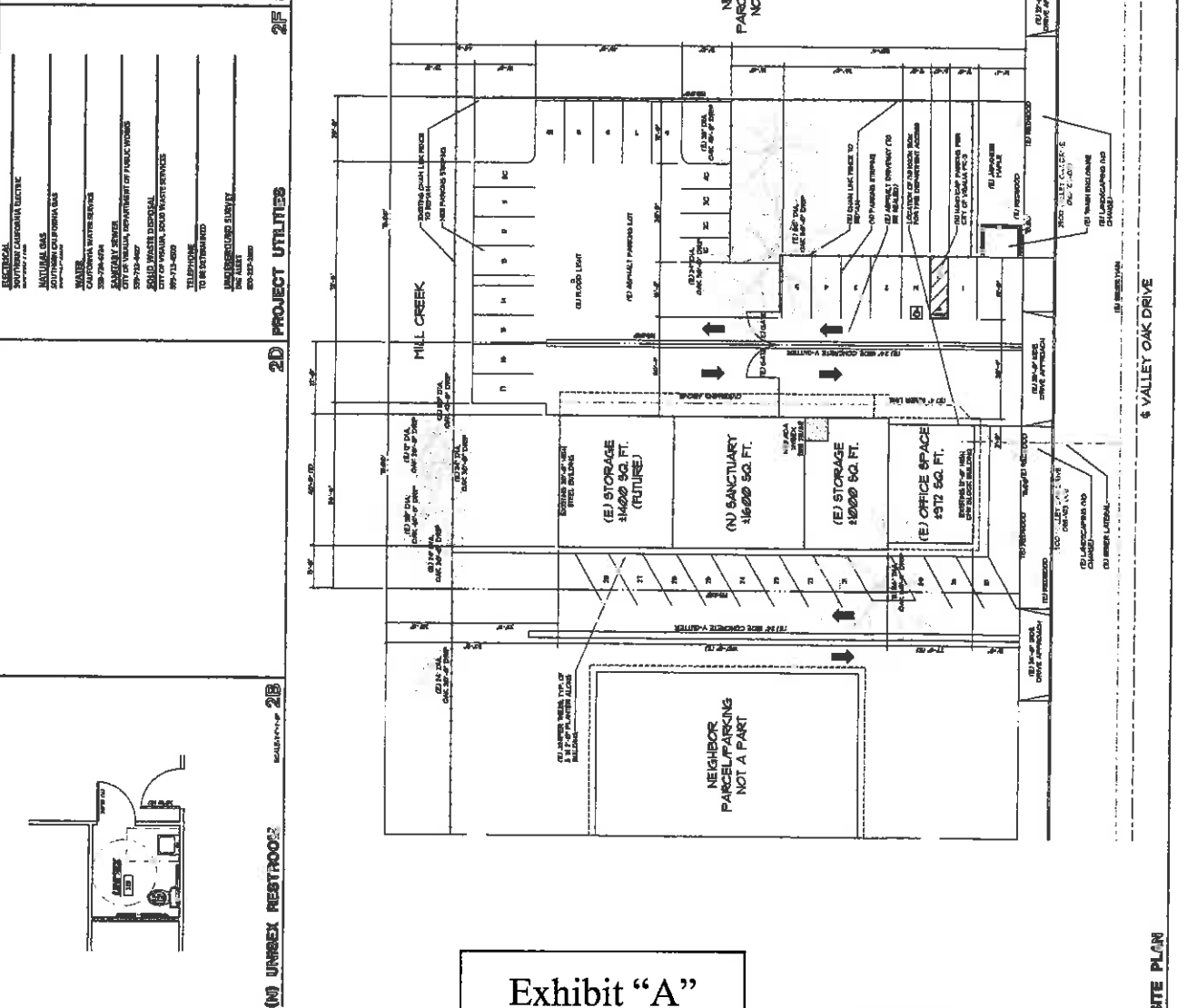


Exhibit "A"

SITE PLAN

THIS IS AN OFFICIAL ENGINEER'S WORK AND MAY NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

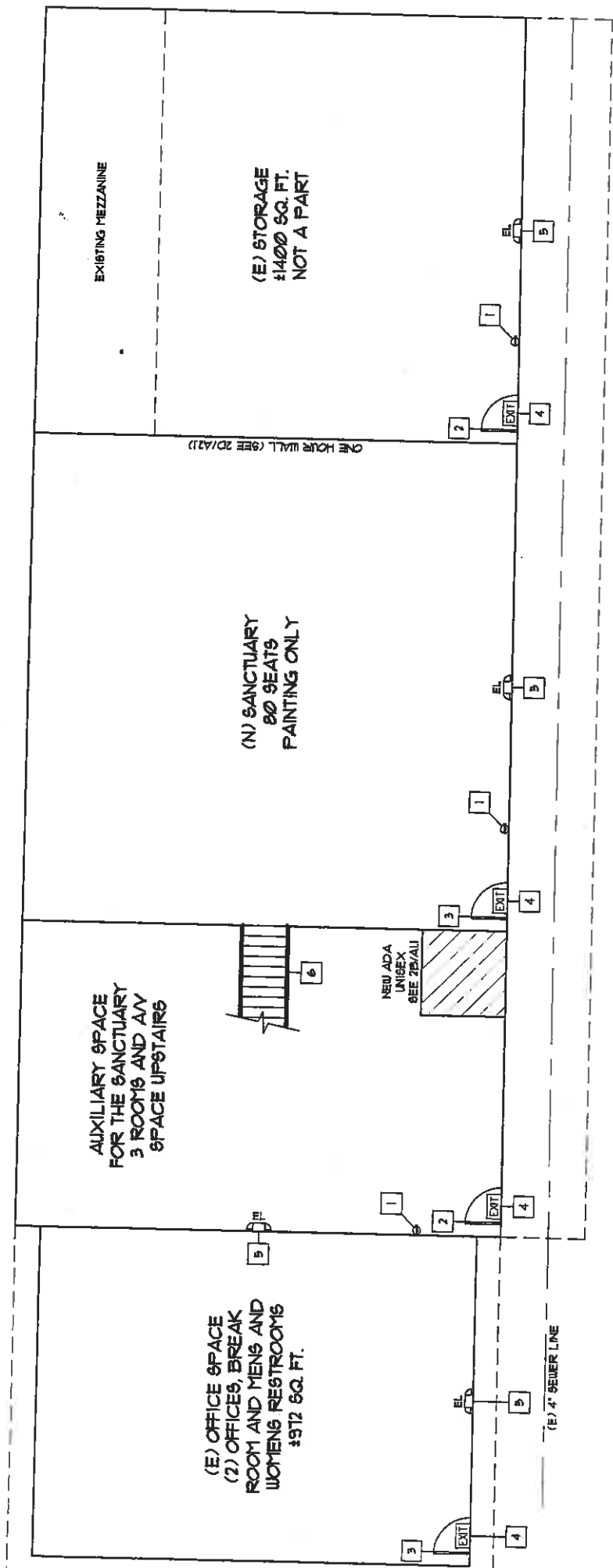


Exhibit "B"

ENCE ONLY)

SCALE 1/8"

1. ALL HEIGHTS SHOWN AS CEILING HEIGHTS ARE ABOVE THE FINISH FLOOR AND ARE SHOWN FOR REFERENCE ONLY.

Number	Description
1	2x10nc rafted fire

Visalia Christian Fellowship
 Basic Floor plan 2500 Valley Oaks Dr.

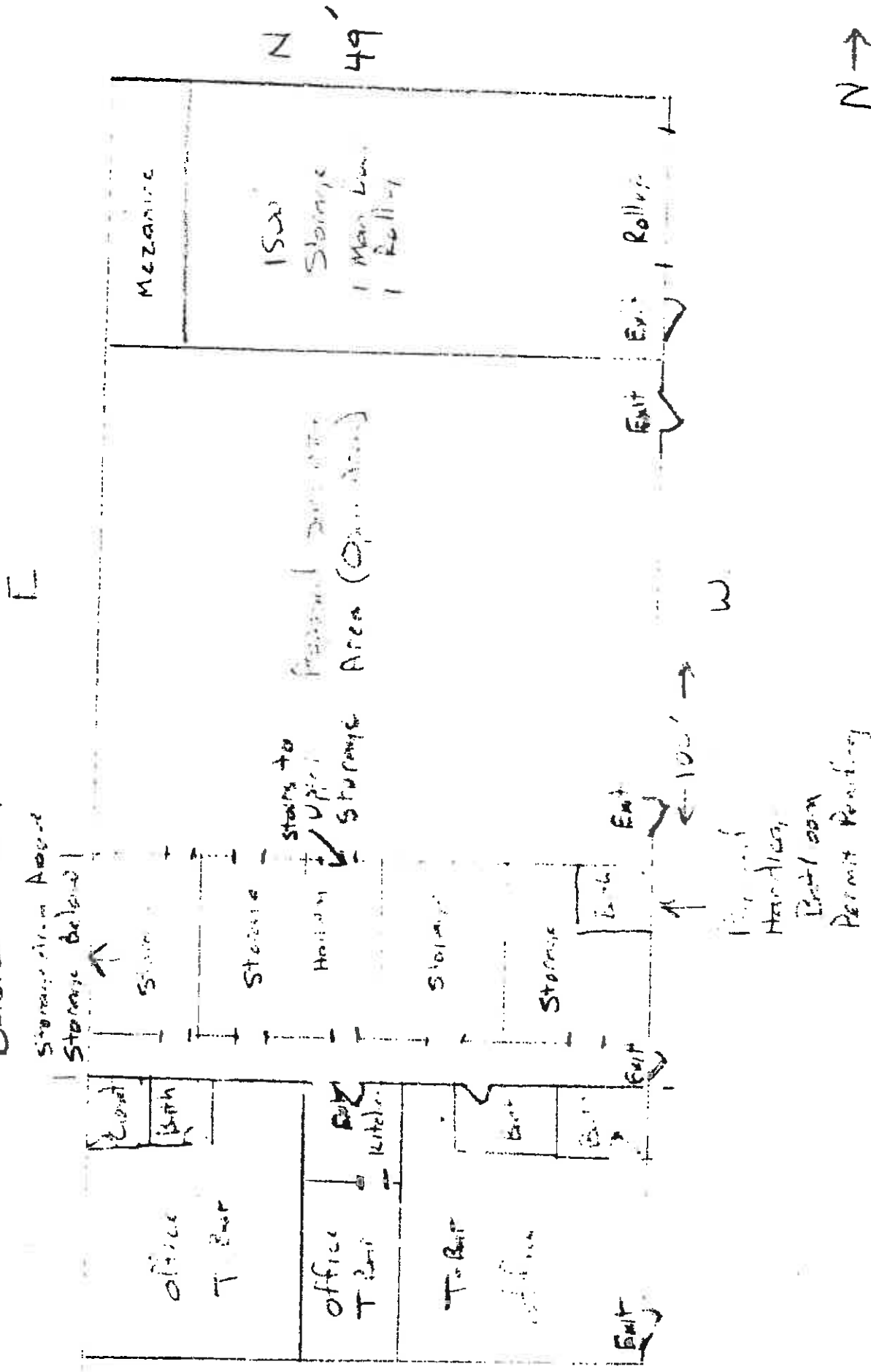


Exhibit "C"

Gilbert Gracia

**Visalia Christian Fellowship Church
Weekly Schedule**

Tuesday: 6:00 pm. - 7:00 pm. Bible Study

Friday : 6:00 pm. - 7:30 pm. Prayer

Sunday : 10:30 am. - 12:30 pm. Worship Service

No special events planned.

Pastor Gilbert Gracia 4/22/14

Dwayne & Debbie Patton Properties

LIC. 949802

950 N. BURKE ST., SUITE A

VISALIA, CA 93292

PHONE: (559) 733-8016 FAX: (559) 733-8017

Shared parking agreement

This document is to verify shared parking agreement between Patton/ Lawrence properties at Valley Oaks Dr. 2500 and 2436 addresses. Parking area will be shared and will not overlap in time. parking should be adequate for both businesses to use with no interference from adjoining tenant. Proposed tenant for 2500 address is scheduled after 6:00 pm on weekdays and 10:30-12:30 Sundays am start time.

Dwayne Patton



4/22/14

Mark Lawrence





MEETING DATE 3/5/2014
SITE PLAN NO. 14-026
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
- | | | |
|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Planning | <input type="checkbox"/> Engineering prior to resubmittal plans for Site Plan Review. | |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation | <input type="checkbox"/> 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.

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

Site Plan Review Committee



City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 4 DATE: March 05, 2014
 SITE PLAN NO: SPR14026
 PROJECT TITLE: CUP FOR CHURCH
 DESCRIPTION: CONDITIONAL USE PERMIT FOR CHURCH IN
 ~~EXISTING~~ 4,972 SF BUILDING ON 16,095 SF AREA
 (CS ZONED) (DISTRICT C)
 APPLICANT: PATTON DWAYNE
 PROP OWNER: PATTON DWAYNE & DEBBIE
 LOCATION: 2500 E VALLEY OAKS DR
 APN(S): 098-103-002

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 2013 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 AE * 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: Change in USE from a "B-USE to BK A3" - Permits Req'd.
2 ADA parking stalls (w/one Van stall)
Accessible Route and one (1) van separation walls.

Chuck Clark
 Signature



Site Plan Review Comments For:
Visalia Fire Department
Kurtis A. Brown, Assistant Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4261 office
559-713-4808 fax

SITE PLAN NO: SPR14026
PROJECT TITLE: CUP FOR CHURCH
DESCRIPTION: CONDITIONAL USE PERMIT FOR CHURCH IN EXISTING 4,972 SF BUILDING ON 16,095 SF AREA (CS ZONED) (DISTRICT C)
APPLICANT: PATTON DWAYNE
PROP OWNER: PATTON DWAYNE & DEBBIE
LOCATION: 2500 E VALLEY OAKS DR
APN(S): 098-103-002

The following comments are applicable when checked:

- The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2013 California Fire Code (CFC), 2013 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2013 CFC 901.6*
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

General:

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (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.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

- 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. *2013 CFC 304.3.3*
- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2013 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

Water Supply:

- Construction and demolition sites shall have an approved water supply for fire protection, either temporary or permanent, and shall be made available as soon as combustible material arrives on the site. *2013 CFC 3312*
- 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.)
- Fire hydrant spacing shall comply with the following requirements:
The exact location of fire hydrants and final decision as to the number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120 & 16.36.120(8)*
 - Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Commercial or industrial developments shall be provided with fire hydrants every three hundred (300) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Commercial or industrial developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every five hundred (500) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
- When any portion of a building is in excess of one hundred fifty (150) feet from a water supply on a public street there shall be provided on site fire hydrants and water mains capable of supplying the required fire flow. *Visalia Municipal Code 16.36.120(6)*

Emergency Access:

- 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 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. *2013 CFC 3310*
- Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide 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. *2013 CFC D105*
- A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radii for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2013 CFC 503.1.1*
- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

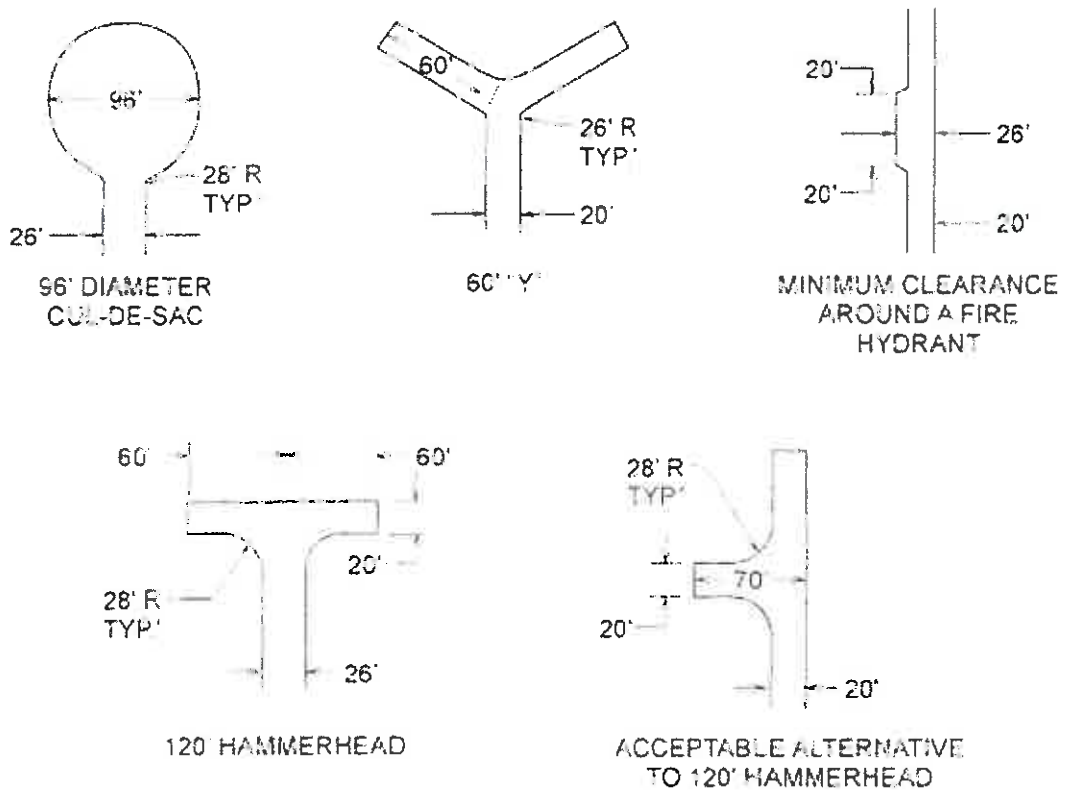


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:

2013 CFC D103.5

- Typical chain and lock shall be the type that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system.
- Gates shall be of the swinging or sliding type.
- Gates shall allow manual operation by one person. (power outages)
- Gates shall be maintained in an operative condition at all times.
- Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (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.)

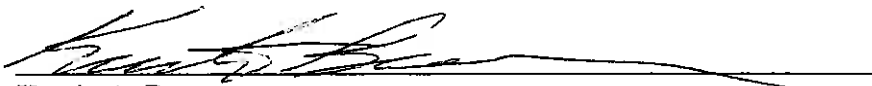
In any and all new One- or two-family dwellings residential developments regardless of the number of units, street width shall be a minimum of 36 feet from curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments that don't allow parking on the streets. *2013 CFC D107.2*

Fire Protection Systems:

An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120(7)*

Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2013 CFC 904.11& 609.2*

Special Comments:


Kurtis A. Brown
Assistant Fire Marshal

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

ITEM NO: 4 DATE: March 05, 2014
SITE PLAN NO: SPR14026
PROJECT TITLE: CUP FOR CHURCH
DESCRIPTION: CONDITIONAL USE PERMIT FOR CHURCH IN
EXISTING 4,972 SF BUILDING ON 16,095 SF AREA
(CS ZONED) (DISTRICT C)
APPLICANT: PATTON DWAYNE
PROP OWNER: PATTON DWAYNE & DEBBIE
LOCATION: 2500 E VALLEY OAKS DR
APN(S): 098-103-002

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:

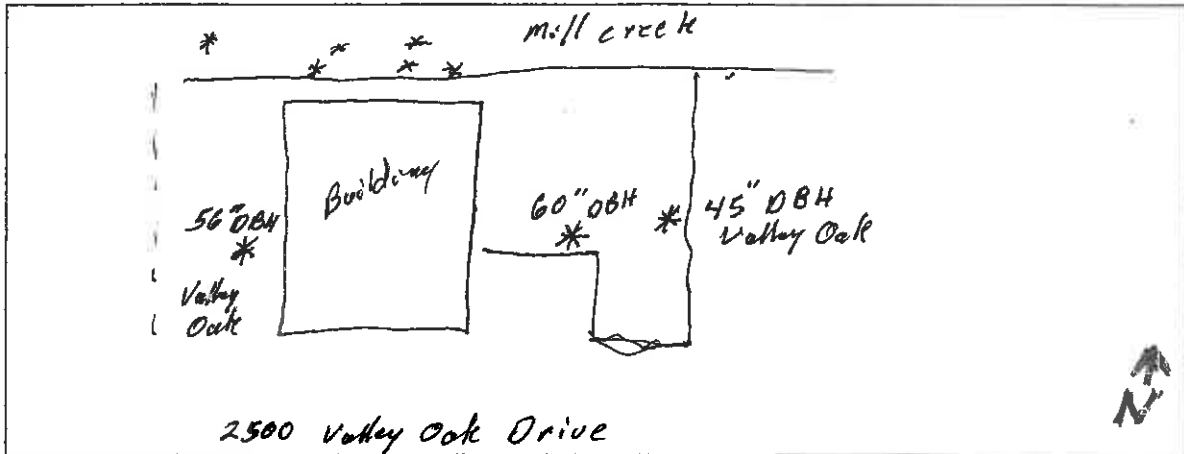
- Landscaping Concerns:
_____ /
- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

- Other Concerns:
B. Winter CEP

SITE PLAN REVIEW COMMENTS



COMMENTS: See Below None

- Please plot and protect all Valley Oak Trees.
- Landscape along parkway to be planted by developer and maintained by a maintenance district.
- All drainage from curb and gutter along streets to be connected to storm drain system.
- All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
- Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: _____

3 Valley Oak trees on property

1) 56\" DBH

2) 60\" DBH

3) 45\" DBH

Joel Hooyer
Joel Hooyer
Parks and Urban Forestry Supervisor
559 713-4295 Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 5, 2014

ITEM NO:	4
SITE PLAN NO:	SPR14028
PROJECT TITLE:	CLIP FOR CHURCH
DESCRIPTION:	CONDITIONAL USE PERMIT FOR CHURCH IN EXISTING 4,872 SF BUILDING ON 10,025 S AREA (C9 ZONE) (DISTRICT C)
APPLICANT:	PATTON DWAYNE
PROP. OWNER:	PATTON DWAYNE & DEBBIE
LOCATION:	2500 E VALLEY OAKS DR
APRIS:	395-103-002

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 Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.

Additional Comments:

- Restripe parking



Leslie Blair

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

COMMERCIAL BIN SERVICE

SITE PLAN NO: SPR14026
PROJECT TITLE: CUP FOR CHURCH
DESCRIPTION: CONDITIONAL USE PERMIT FOR CHURCH IN EXISTING 4,972 SF BUILDING ON 16,095 SF AREA (CS ZONED) (DISTRICT C)
APPLICANT: PATTON DWAYNE
PROP OWNER: PATTON DWAYNE & DEBBIE
LOCATION: 2500 E VALLEY OAKS DR
APN(S): 090-103-002

- 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 be fore 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 SERVICE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 4 DATE: MARCH 5, 2014

SITE PLAN NO.: 14-026
 PROJECT TITLE: CUP FOR CHURCH
 DESCRIPTION: CONDITIONAL USE PERMIT FOR CHURCH IN EXISTING 4,972 SF BUILDING ON 16,095 SF AREA (CS ZONED) (DISTRICT C)
 APPLICANT: PATTON DWAYNE
 PROP OWNER: PATTON DWAYNE & DEBBIE
 LOCATION: 2500 E VALLEY OAKS DR
 APN: 098-103-002

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. Contact Rafael Magallan, 713-4414.

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.

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 Joel Hooyer 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:

A building permit is required and shall incorporate the following conditions:

- 1. Parking lot improvements to comply with City standards.***
- 2. Proposed handicap stall shall meet van-accessible standards and include an accessible path of travel from stall location to the building entrance.***
- 3. An accessible path of travel from the public sidewalk to the building entrance is required.***
- 4. Proposed church use in previous service commercial building will incur impact fees. Additional plan check and inspection fees apply with building permit. Refer to page 3 for fee summary. Previous service commercial use will be credited towards associated church impact fees.***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 14-026
Date: 3/5/2014

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.)

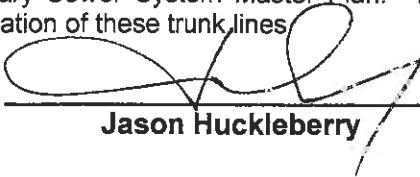
(Fee Schedule Date:8/16/2013)
(Project type for fee rates:CHURCH)

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

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$1,020/1KSF X 1.6 = \$1,632
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$5.60/SEAT X SEATS - (\$32.80) TREATMENT PLANT FEE: \$13.00/SEAT X SEATS
<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

SITE PLAN REVIEW COMMENTS

Andrew Chamberlain, Planning Division (559) 713-4003

Date: March 5, 2014

SITE PLAN NO: 2014-026
PROJECT TITLE: CUP FOR CHURCH
DESCRIPTION: CONDITIONAL USE PERMIT FOR CHURCH IN EXISTING 4,972 SF BUILDING ON 16,095 SF AREA (CS ZONED) (DISTRICT C)
APPLICANT: PATTON DWAYNE
PROP. OWNER: PATTON DWAYNE & DEBBIE
LOCATION TITLE: 2500 E VALLEY OAKS DR
APN TITLE: 098-103-001 & 002

General Plan: C & CS – Conservation & Service Commercial
Existing Zoning: CS – Service Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit – required for church in the CS zone.
- Additional Information as needed
- Building Permit

PROJECT SPECIFIC INFORMATION: 03/05/2014

1. Churches in the CS zone require a conditional use permit. The church is limited to a maximum of 200 person occupancy in the sanctuary.
2. Provide a detailed operational statement related to the hours of use and intensity for the facility, include any special uses or events so they may be included in the CUP request.
3. A shared parking agreement is required for the parking area on the primary site since it is a separate parcel.
4. A separate shared parking agreement is required for the stalls on the west side of the property which are partially on the adjacent property.
5. The CUP application will need to include the shared parking as a part of the action. Provide a brief part of the operational statement showing that the church and business to the west do not operate during the same hours wherein the parking would be available for shared use.
6. The Valley Oak Trees are to be maintained and protected in accordance with City requirements.
7. Provide a basic floor plan for the proposed use of the building as a part of the CUP application.

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 25 spaces based on 1 space per four seats (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. No repair work or vehicle servicing allowed in a parking area.
5. It is highly recommended that bicycle rack(s) be provided on site plan.
6. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents (Zoning Ordinance Section 17.34.030.J).
7. 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).
8. 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.

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130.F).
3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
4. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
5. Outdoor retail sales prohibited.

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. 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)

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.

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.

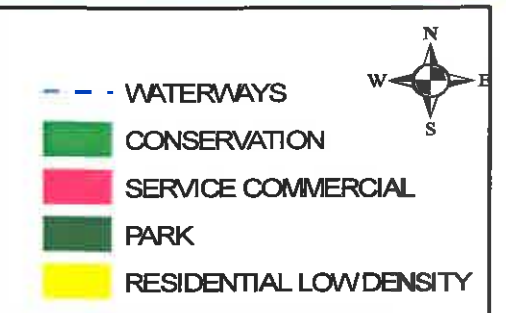
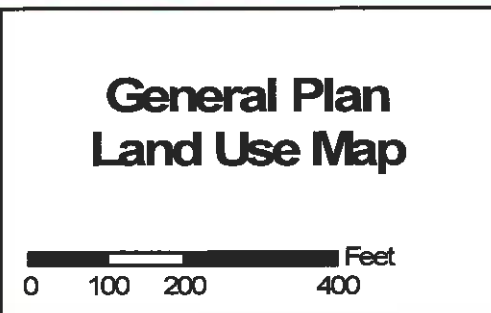
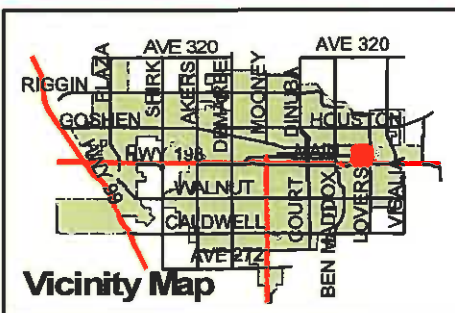
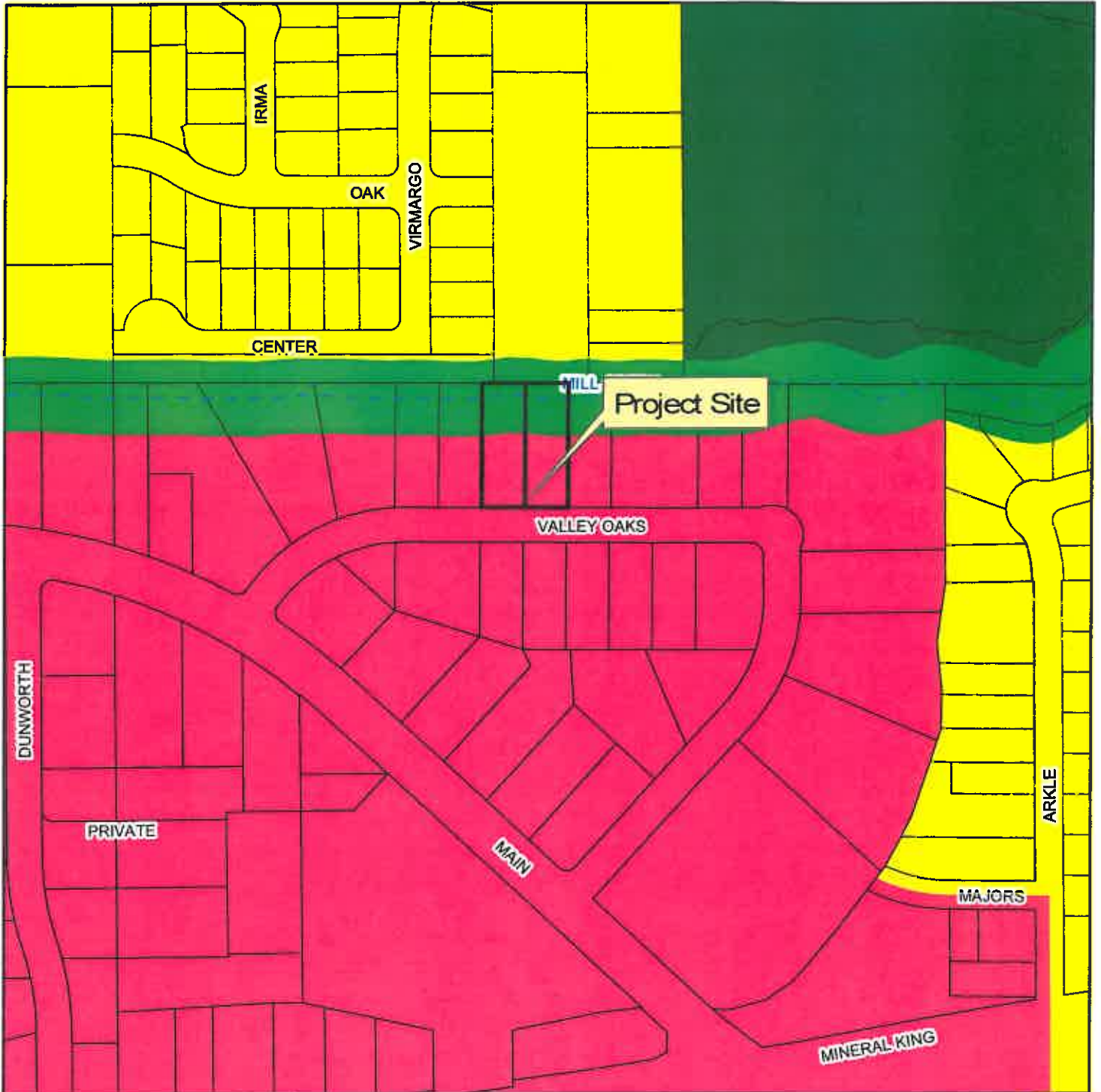
NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

Signature 



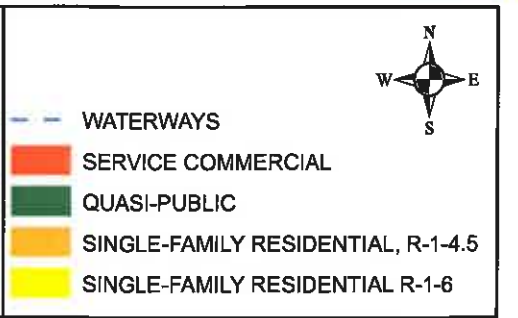
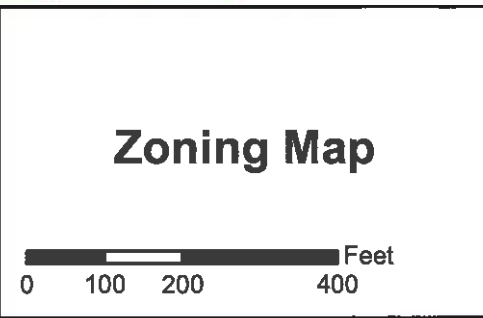
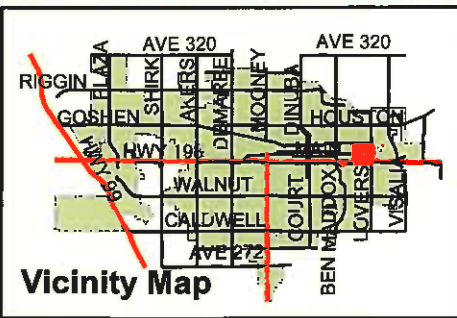
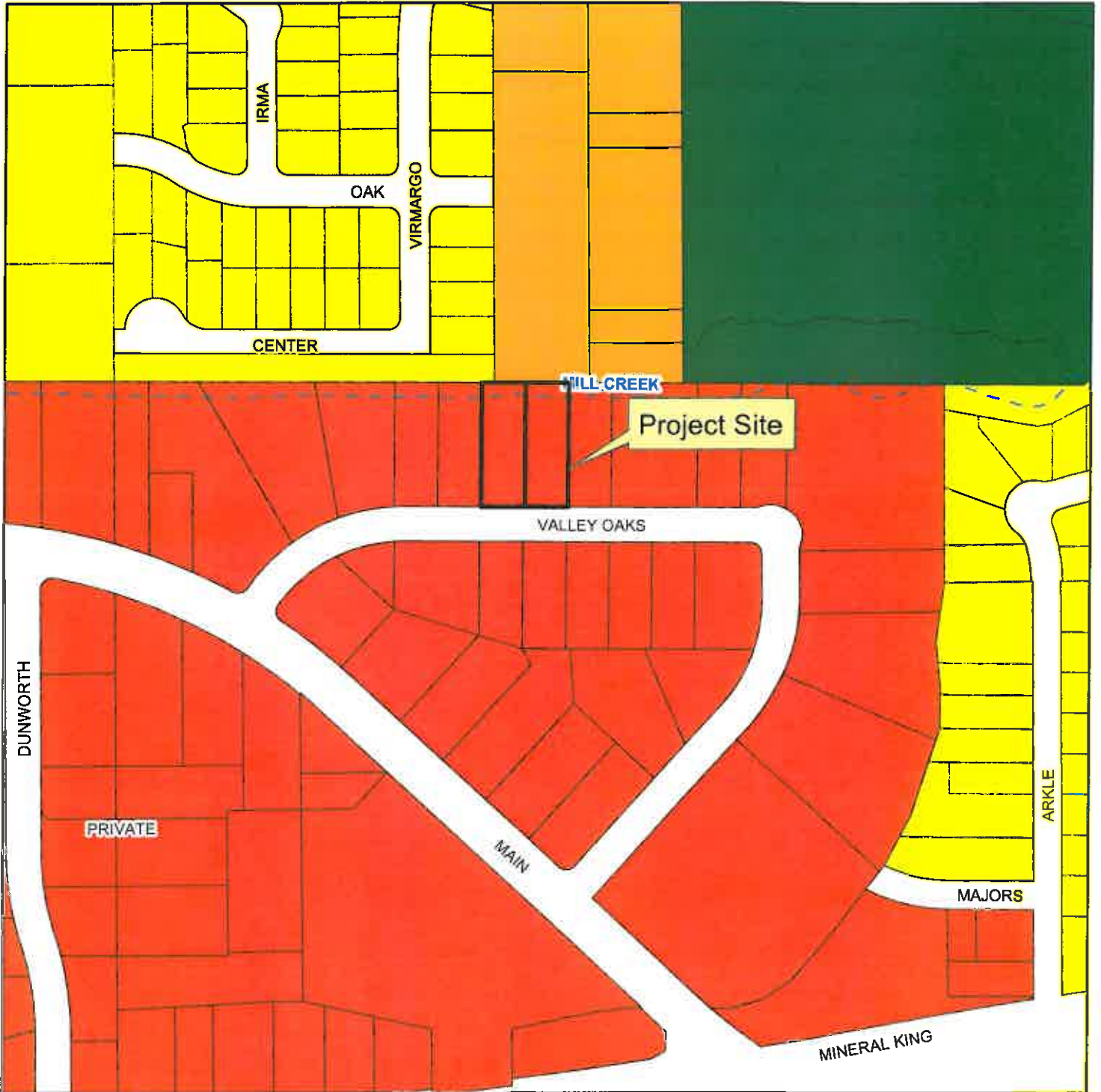
Conditional Use Permit No. 2014-10

The site is located at 2500 E. Valley Oaks Drive, on the north side of Valley Oaks Drive 500 feet east of Main Street. (APN: 098-103-001, 002)



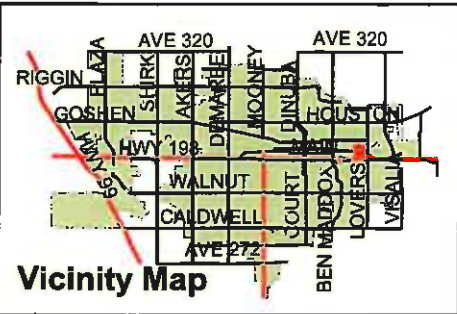
Conditional Use Permit No. 2014-10

The site is located at 2500 E. Valley Oaks Drive, on the north side of Valley Oaks Drive 500 feet east of Main Street. (APN: 098-103-001, 002)



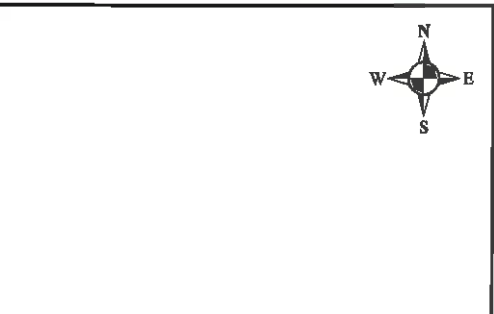
Conditional Use Permit No. 2014-10

The site is located at 2500 E. Valley Oaks Drive, on the north side of Valley Oaks Drive 500 feet east of Main Street. (APN: 098-103-001, 002)



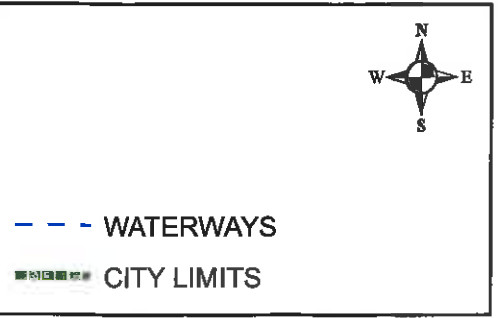
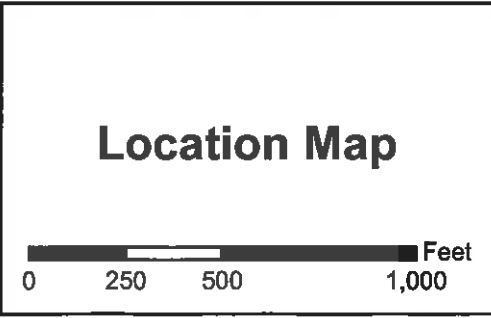
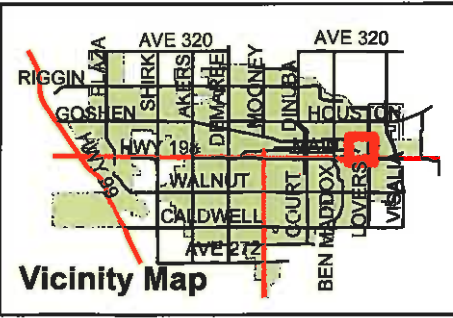
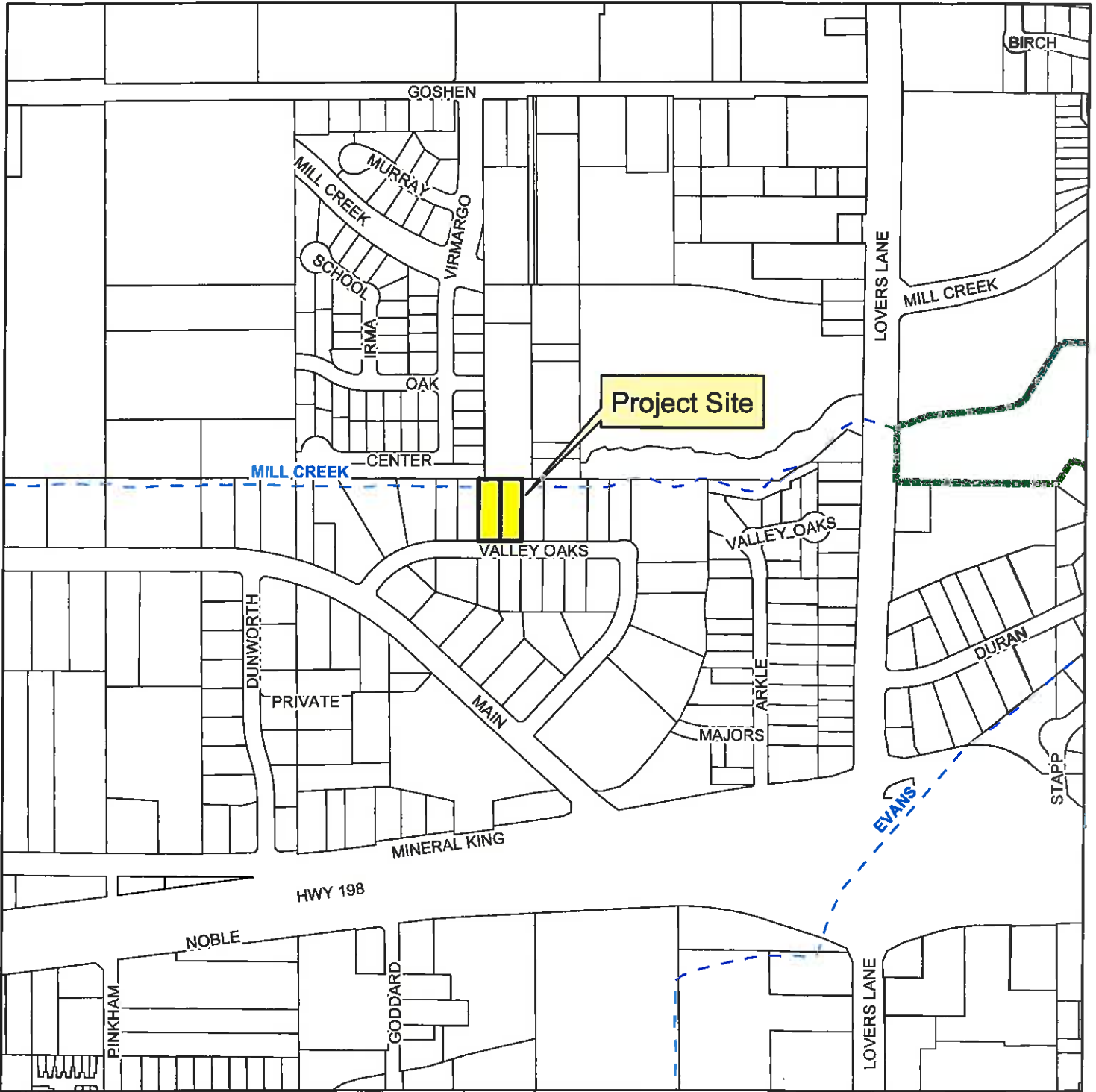
Aerial Photo
Photo Taken March 2012

0 25 50 100 Feet



Conditional Use Permit No. 2014-10

The site is located at 2500 E. Valley Oaks Drive, on the north side of Valley Oaks Drive 500 feet east of Main Street. (APN: 098-103-001, 002)





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 28, 2014

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

SUBJECT: Conditional Use Permit No. 2014-14: a request by DBO Development No. 29, LLC to allow use of 3,000 sq. ft. inside a new 5,150 sq. ft. commercial building for a dentist office, located within the Regional Retail Commercial (C-R) zone. The site is located at 4129 S. Mooney Blvd., Suite J-1, approximately 160 feet west of Mooney Blvd. and 550 feet south of Cameron Avenue (immediately west of Buffalo Wild Wings). (APN: 126-050-040)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2014-14, based on the findings and conditions in Resolution No. 2014-22. Staff's recommendation is based on the project's consistency with the policies and intent of the City's General Plan, Zoning Ordinance, and South Packwood Creek Specific Plan.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2014-14 based on the findings and conditions in Resolution No. 2014-22.

PROJECT DESCRIPTION

Conditional Use Permit No. 2014-14 is a request to establish a 3,000 square foot dental office in the Regional Retail Commercial zone. The project site is located on the west side of Mooney Boulevard as shown in Exhibit "A", in the Packwood West shopping center developed under the South Packwood Creek Specific Plan. The dental office will be located on the west side of a new 5,150 square foot pad building as shown in Exhibit "B". The pad has parking along the north side and as part of the large parking field to the west. Building elevations and a floor plan have been submitted as Exhibits "C" and "D".

The applicant's Project Details sheet submitted as part of the application in Exhibit "E" states that the hours would typically be Monday through Saturday from 7:00 am to 7:00 pm. There would initially be five staff persons on-site with the ability to expand to twelve staff persons. This description is supported by the floor plan submitted with the project.

The site is zoned C-R (Regional Retail Commercial) and is located within a developed shopping center containing restaurants, retail, and commercial services including barbers and photocopying services. Pursuant to Section 17.18.010.B.6 of the Visalia Municipal Code (VMC), the C-R zone district to provide areas for retail establishments that are designed to serve a regional service trade area, including limited office uses. The C-R zone identifies medical offices including dentists as conditional uses which require a Conditional Use Permit.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Regional Retail Commercial
Zoning:	C-R (Regional Retail Commercial)
Special Districts:	Design District "A" South Packwood Creek Specific Plan
Surrounding Zoning and Land Use	North: C-R – Parking Field, Commercial Pad (Chilis) South: C-R – Commercial Pad (Chipotle, Starbucks) East: C-R – Commercial Pad (Buffalo Wild Wings) West: C-R – Parking Field, Anchor Tenant (Target)
Environmental Review:	Categorical Exemption No. 2014-27
Site Plan:	N/A

RELATED PROJECTS

On April 14, 2014, the Planning Commission approved CUP No. 2014-13 to allow a dental office in a commercial pad building within the Orchard Walk East Shopping Center located in the C-CM zone.

PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2014-14, based on the project's consistency with the General Plan, the Zoning Ordinance, and the South Packwood Creek Specific Plan.

Land Use Compatibility

Staff has concluded that the proposed dental office is consistent with this location based upon the project details statement in Exhibit "E". Furthermore, the floor area size, at 3,000 sq. ft., is consistent with the size of other in-line tenants in the center. The South Packwood Creek Specific Plan was established to accommodate a broad variety of uses of which medical offices are an allowable conditional use as presented in this request. The requested dental office is consistent with the Specific Plan.

Consistency with Adopted Plans

The project is consistent with the City's General Plan, Zoning Ordinance and the South Packwood Creek Specific Plan. The building pad is currently under construction and is one of the last two buildings being constructed as part of "Packwood West" which is anchored by Target. The proposed dental office is consistent with the intent of the South Packwood Creek Specific Plan. The building elevation associated with the use will not deviate from the architectural theme that would otherwise be used for the building and shopping center.

Access and Parking

This site is accessed through existing vehicle access points for the center as illustrated in Exhibit "A". The parking established for the center was developed to accommodate a mix of uses including retail, banks, and restaurants which have some of the highest parking demands. No changes to the approved parking and access for the center would occur as a result of the proposed dentist office. Parking spaces are being constructed to the north of the building,

although the 1,655 parking spaces in the Packwood West Shopping Center are intended for use with all tenants within the center.

Environmental Review

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2014-27).

Projects determined to meet this classification consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of the use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized in the Class 1 are not intended to be all-inclusive of the types of projects.

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 Zoning Ordinance. Specifically, the project is consistent with the required finding 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.
 - 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.
3. That the proposed project is consistent with the South Packwood Creek Specific Plan.
4. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2014-27).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed in compliance with the site plan shown in Exhibit "B" and operational plan shown in Exhibit "E".
2. That substantial changes to the site plan and/or operational plan, or an intensification of the land use wherein the parking demand exceeds the parking required for the land use, may require evaluation by the Site Plan Review committee and/or an amendment to this Conditional Use Permit.
3. That any project signage shall be obtained under a separate permit.
4. That all applicable federal, state, regional, county and city laws, codes and ordinances be met.
5. 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. 2014-14.

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
- Exhibit "A" – Site Plan – Packwood West
- Exhibit "B" – Site Plan – Building J
- Exhibit "C" – Building Elevations
- Exhibit "D" – Floor Plan
- Exhibit "E" – Project Details Sheet
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

Related Plans & Policies

Conditional Use Permits

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)

17.38.040 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)

17.38.060 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)

17.38.090 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)

Chapter 17.40: Nonconforming Uses and Structures

17.40.030 Existing uses.

An existing use of land or structure shall not be deemed to be a nonconforming use solely because of the lack of off-street parking facilities; however, property on the site used for off-street parking and off-street loading at the time of the adoption of this chapter shall not be reduced in a capacity to less than the number of spaces or berths prescribed in Chapter 17.34 or reduced in area to less than the minimum standards prescribed in Chapter 17.34. Where an existing use is expanded, the parking requirements of Chapter 17.34 shall apply only to the addition. (Prior code § 7542)

RESOLUTION NO. 2014-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2014-14, A REQUEST BY DBO DEVELOPMENT NO. 29, LLC TO ALLOW USE OF 3,000 SQ. FT. INSIDE A NEW 5,150 SQ. FT. COMMERCIAL BUILDING FOR A DENTIST OFFICE, LOCATED WITHIN THE REGIONAL RETAIL COMMERCIAL (C-R) ZONE. THE SITE IS LOCATED AT 4129 S. MOONEY BLVD., SUITE J-1, APPROXIMATELY 160 FEET WEST OF MOONEY BLVD. AND 550 FEET SOUTH OF CAMERON AVENUE (IMMEDIATELY WEST OF BUFFALO WILD WINGS). (APN: 126-050-040)

WHEREAS, Conditional Use Permit No. 2014-14 is a request by DBO Development No. 29, LLC to allow use of 3,000 sq. ft. inside a new 5,150 sq. ft. commercial building for a dentist office, located within the Regional Retail Commercial (C-R) zone. The site is located at 4129 S. Mooney Blvd., Suite J-1, approximately 160 feet west of Mooney Blvd. and 550 feet south of Cameron Avenue (immediately west of Buffalo Wild Wings). (APN: 126-050-040); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on April 28, 2014; 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 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 Zoning Ordinance. Specifically, the project is consistent with the required finding 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 zone in which the site is located.
 - 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.

3. That the proposed project is consistent with the South Packwood Creek Specific Plan.
4. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2014-27).

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 compliance with the site plan shown in Exhibit "B" and operational plan shown in Exhibit "E".
2. That substantial changes to the site plan and/or operational plan, or an intensification of the land use wherein the parking demand exceeds the parking required for the land use, may require evaluation by the Site Plan Review committee and/or an amendment to this Conditional Use Permit.
3. That any project signage shall be obtained under a separate permit.
4. That all applicable federal, state, regional, county and city laws, codes and ordinances be met.
5. 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. 2014-14.



Perkowitz + Ruth
ARCHITECTS
1111 Ocean Blvd, 23rd Floor, Long Beach, CA 90802
Tel: 562.592.8000 Fax: 562.592.8001
www.perkowitzruth.com

PACKWOOD WEST
BUILDING J
4750 WOODLAND
VISALIA, CA

DATE	10/11/10
BY	JLR
CHECKED BY	JLR
PROJECT NO.	10-1111
SHEET NO.	10-1111-01
TITLE	SITE PLAN

Project No. 10-1111-01

SHEET NO.

A0.50

EXISTING SITE PLAN SHOWN FOR REFERENCE ONLY

SCOPE OF WORK

- 1. PREPARE ARCHITECTURAL SITE PLAN FOR CONSTRUCTION PERMITS AND RECORD SETS.
- 2. PREPARE ARCHITECTURAL SITE PLAN FOR CONSTRUCTION PERMITS AND RECORD SETS.
- 3. PREPARE ARCHITECTURAL SITE PLAN FOR CONSTRUCTION PERMITS AND RECORD SETS.
- 4. PREPARE ARCHITECTURAL SITE PLAN FOR CONSTRUCTION PERMITS AND RECORD SETS.
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- 10. PREPARE ARCHITECTURAL SITE PLAN FOR CONSTRUCTION PERMITS AND RECORD SETS.

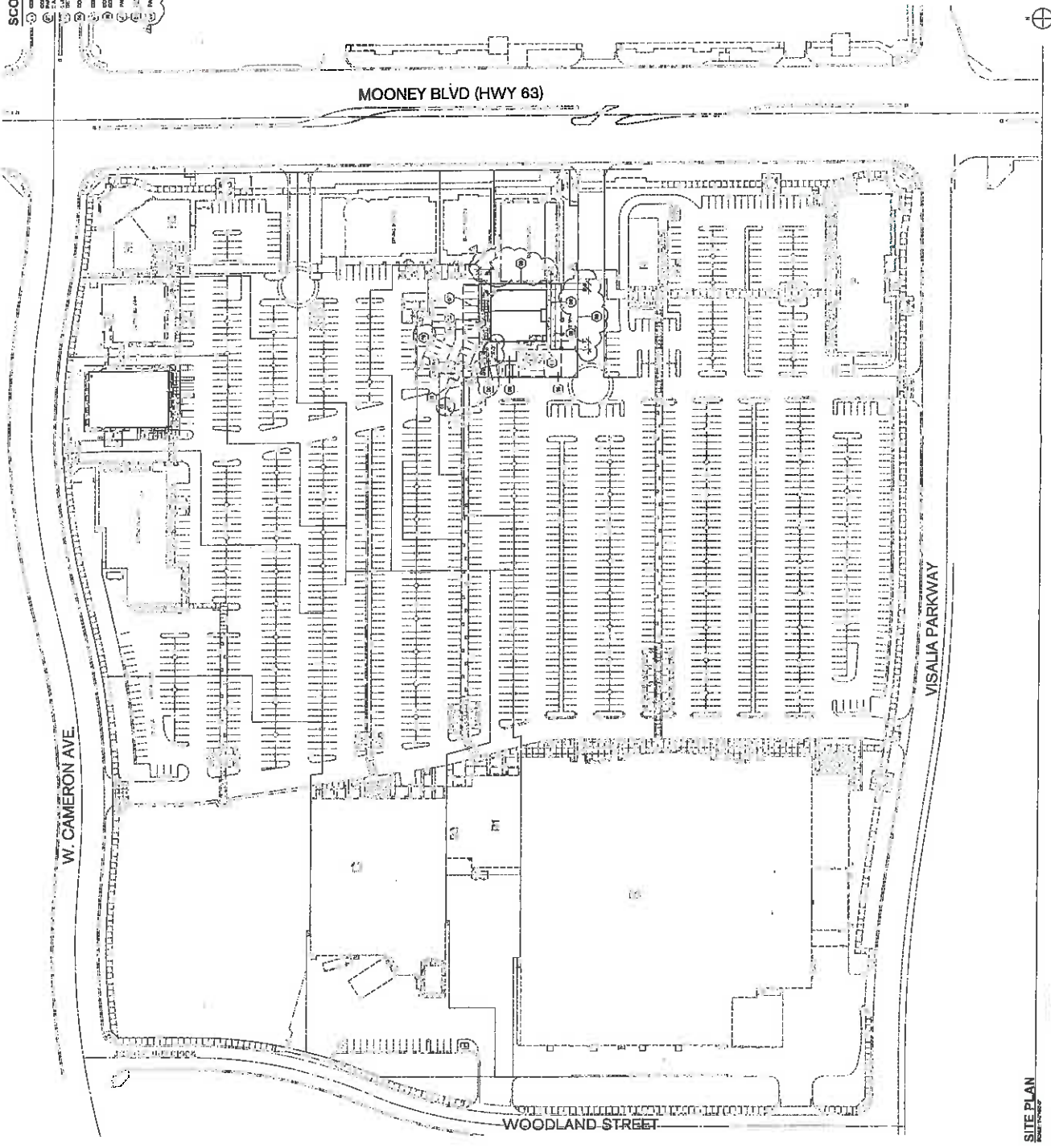


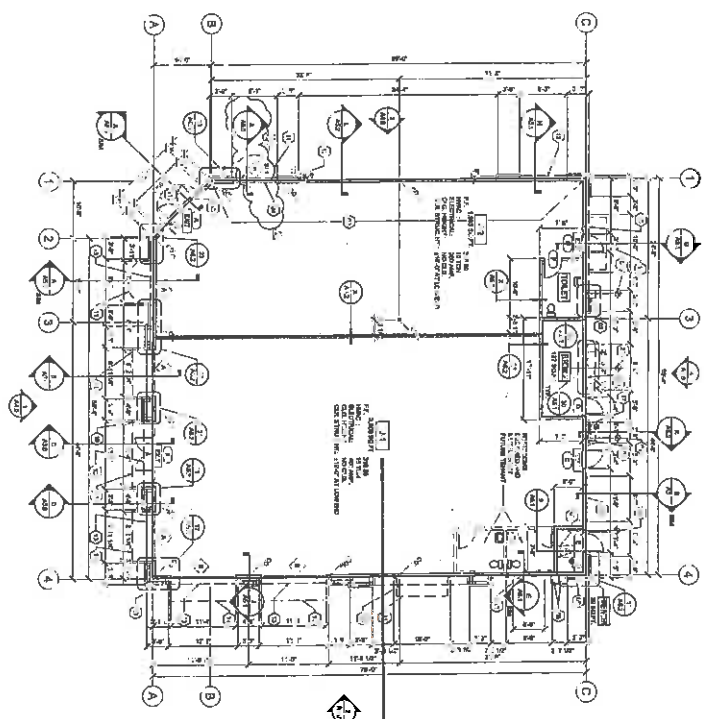
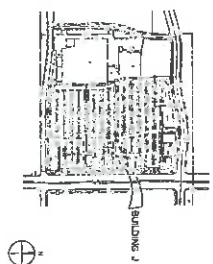
Exhibit "A"

SITE PLAN
10-1111-01

Exhibit "B"

PACKWOOD WEST
BUILDING J
4110 B STREET, LA JOLLA, CA

A1.0



PROPOSED DENIM
OFFICE TOWERSITE

FLOOR PLAN

FLOOR PLAN NOTES

1. THE EXISTING FLOOR PLAN IS FOR REFERENCE ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
2. THE EXISTING FLOOR PLAN IS FOR REFERENCE ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
3. THE EXISTING FLOOR PLAN IS FOR REFERENCE ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
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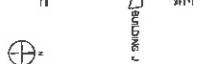
KEYNOTES

- 1. 1'-0" SQUARE
- 2. 1'-0" SQUARE
- 3. 1'-0" SQUARE
- 4. 1'-0" SQUARE
- 5. 1'-0" SQUARE
- 6. 1'-0" SQUARE
- 7. 1'-0" SQUARE
- 8. 1'-0" SQUARE
- 9. 1'-0" SQUARE
- 10. 1'-0" SQUARE

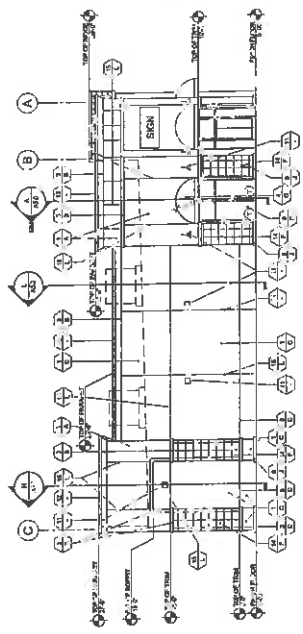
INTERIOR FINISHES

FINISH	DESCRIPTION
1	CONCRETE FLOOR
2	CONCRETE WALL
3	CONCRETE CEILING
4	PAINTED WALL
5	PAINTED CEILING
6	WOOD FLOOR
7	WOOD WALL
8	WOOD CEILING
9	GLASS WALL
10	GLASS CEILING

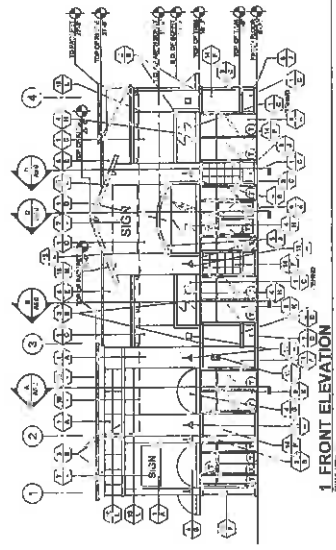
KEY PLAN



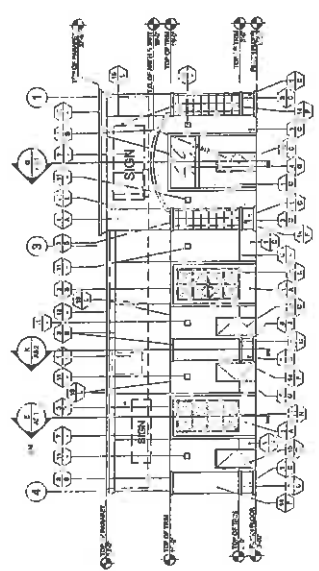
EXISTING EXTERIOR ELEVATIONS SHOWN FOR REFERENCE ONLY



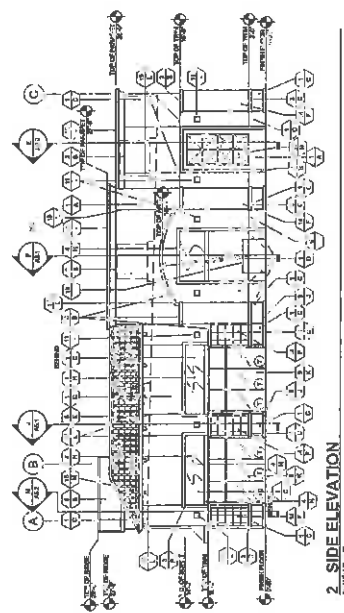
3. SIDE ELEVATION
SCALE: 1/8" = 1'-0"



1. FRONT ELEVATION
SCALE: 1/8" = 1'-0"



4. REAR ELEVATION
SCALE: 1/8" = 1'-0"



2. SIDE ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL AND FINISH SCHEDULE

- 1. BRICK
- 2. BRICK WITH STONE
- 3. BRICK WITH STONE AND TERRAZZO
- 4. BRICK WITH STONE AND TERRAZZO WITH STONE
- 5. BRICK WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO
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- 17. BRICK WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO
- 18. BRICK WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO
- 19. BRICK WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO
- 20. BRICK WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO WITH STONE AND TERRAZZO

ELEVATION NOTES

1. PERMANENT MATERIALS TO BE MAINTAINED AS SHOWN UNLESS NOTED OTHERWISE.
2. BRICKWORK TO BE CONFORMANT WITH THE 2012 INTERNATIONAL BUILDING CODE (IBC).
3. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
4. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
5. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
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17. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
18. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
19. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
20. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

Exhibit "C"



**CITY OF VISALIA
PLANNING DEPARTMENT
CONDITIONAL USE PERMIT (CUP)
SUPPLEMENTAL APPLICATION**

PROJECT DESCRIPTION

Describe Project And Listing Of All Components of the CUP (i.e. drive-through, private roads, modified residential standards PUD or PRD, etc.): LOCATED WITHIN THE NEW G, 150 SF PARKWOOD WEST BUILDING 'J' SHALL, THE PROJECT CONSISTS OF A NEW 3,000 SF. DENTAL OFFICE PROVIDING ANY AMOUNT OF GENERAL AND/OR SPECIALTY DENTISTRY, SERVICES AND/OR OPERATIONS RELATED TO DENTAL BUSINESS USES. SUITE J-1.

PROJECT DETAILS

(You may be required to provide a separate Operational Statement including the information below)

Gross Acreage .567 ACRES - EXISTING Net Acreage .567 ACRES - EXISTING
 Building Area 5,150 SF. (AREA OF TL. FOR CUP: 3000 SF) No. of Parking Stalls 62 - EXISTING
 Days of Operation MONDAY - SATURDAY; CLOSED SUNDAY Hours of Operation 7AM - 7PM
 No. of Employees 5 FULL TIME INITIAL Max Employees per Shift 5 INITIAL - UP TO 12 MAX.
 List All Outdoor Activities NONE MAY REACH UP TO 12, DEPENDING ON SPECIALTIES BEING PERFORMED AT OFFICE ON ANY GIVEN DAY
 No. of Outdoor Vendors NONE Per Week - Per Day -
 No. of Vehicles Used NONE
 No. of Vehicles Kept Onsite Overnight NONE

If Residential: Number of Single-Family Units - Number of Multi-Family Units -
 Other Components -
 Gross Density - Net Density -
 Open Space - Acreage -
 Recreation Facilities: Yes / No Specify -

Modified Setbacks or Standards Requested: Yes / No Specify -

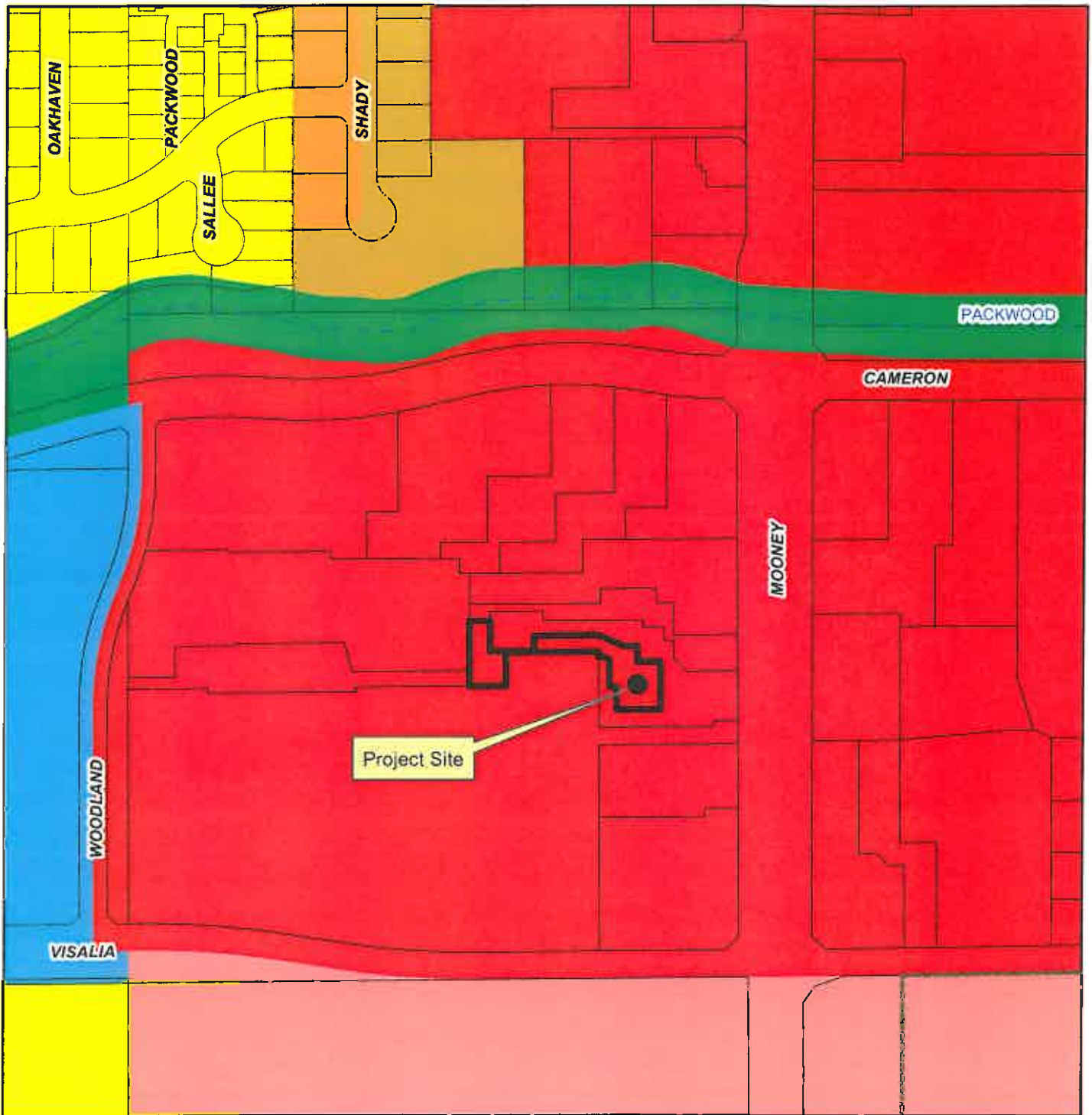
PROVIDE THE FOLLOWING FOR ALL CUP PROJECTS

(Person Preparing Application Shall Place Initials On The Space Provided. Required Application Materials Not Included Will Result In Application Being Deemed INCOMPLETE.)

- 20 Copies of Site Plan (See Supplemental Information required For Site Plans)
- 1 Copy of Reduced Size Site Plan (8 1/2in. X 11in.)
- 10 Copies of Conceptual Building Elevations (See Supplemental Information Required For Building Elevations)
- 1 Copy of Reduced Size Conceptual Building Elevations (8 1/2in. X 11in.)
- 10 Copies of Floor Plans
- 1 Copy of Reduced Size Floor Plans (8 1/2in. X 11in.)
- 10 Copies of Preliminary Landscape Plans (Including Fencing and Wall Details)
- 1 Copy of Reduced Size Preliminary Landscape Plans (8 1/2in. X 11in.)
- 2 Copies of Site Plan Review Committee Revise & Proceed Comments
- 1 Copy of Signage and/or Sign Program
- 2 Copies of Noise Study (If required by Site Plan Review Committee)
- 2 Copies of Traffic Impact Study (If required by Site Plan Review Committee)
- 1 Copy Of Trash Enclosure Details
- Electronic Files of all Exhibits (Adobe Acrobat, or similar format) Provided on CD Disk

Conditional Use Permit No. 2014-14

Location: The site is located at 4129 S. Mooney Blvd., Suite J-1, approximately 160 feet west of Mooney Blvd. and 550 feet south of Cameron Avenue (immediately west of Buffalo Wild Wings). (APN: 126-050-040)



Project Site

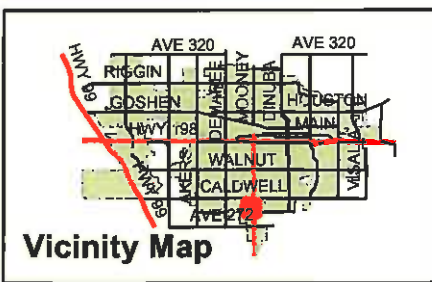
PACKWOOD

CAMERON

MOONEY

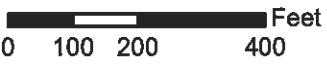
WOODLAND

VISALIA



Vicinity Map

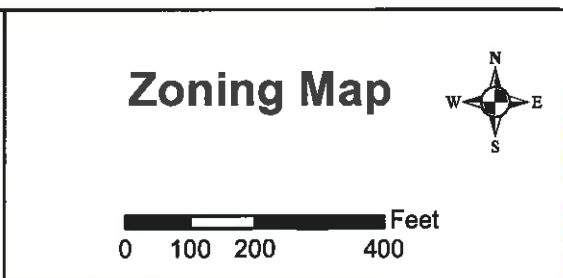
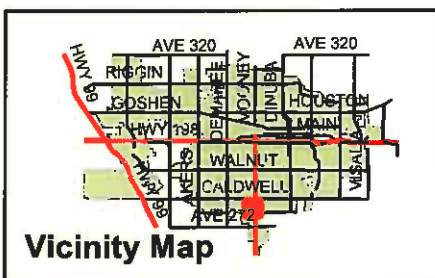
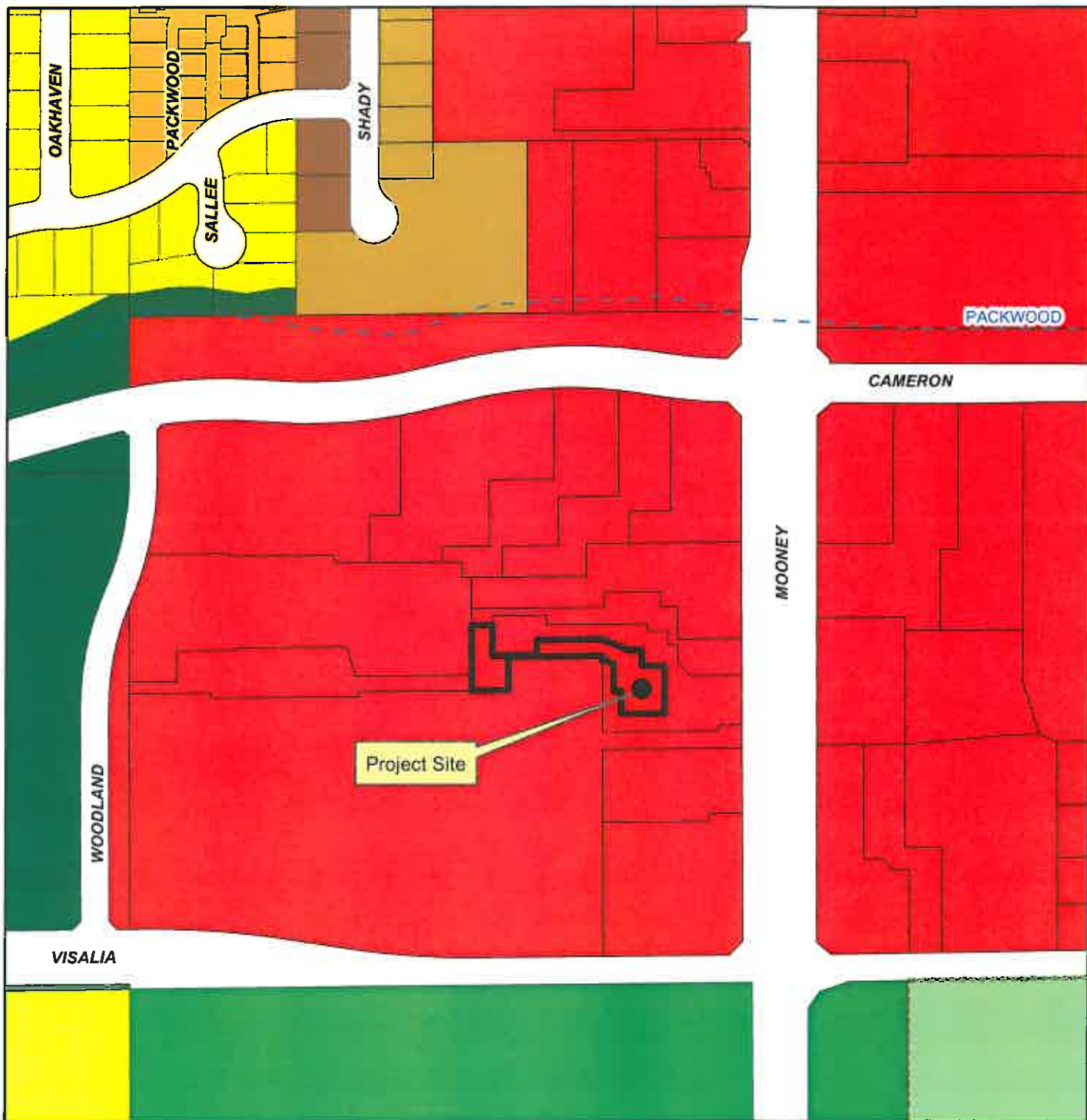
General Plan Land Use Map



- CONSERVATION
- REGIONAL RETAIL COMMERCIAL
- REGIONAL RETAIL RESERVE
- PUBLIC INSTITUTIONAL
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY

Conditional Use Permit No. 2014-14

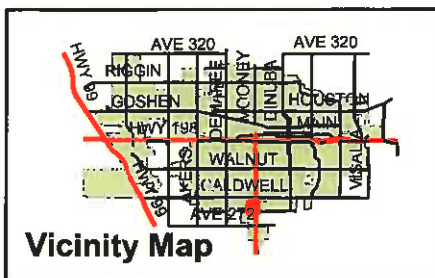
Location: The site is located at 4129 S. Mooney Blvd., Suite J-1, approximately 160 feet west of Mooney Blvd. and 550 feet south of Cameron Avenue (immediately west of Buffalo Wild Wings). (APN: 126-050-040)



- AGRICULTURE
- REGIONAL RETAIL COMMERCIAL
- QUASI-PUBLIC
- SINGLE-FAMILY RESIDENTIAL, R-1-6
- MULTI-FAMILY RESIDENTIAL, R-M-2
- MULTI-FAMILY RESIDENTIAL, R-M-3
- COUNTY AREAS

Conditional Use Permit No. 2014-14

Location: The site is located at 4129 S. Mooney Blvd., Suite J-1, approximately 160 feet west of Mooney Blvd. and 550 feet south of Cameron Avenue (immediately west of Buffalo Wild Wings). (APN: 126-050-040)



Aerial Photo

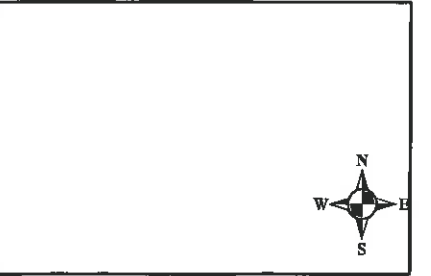
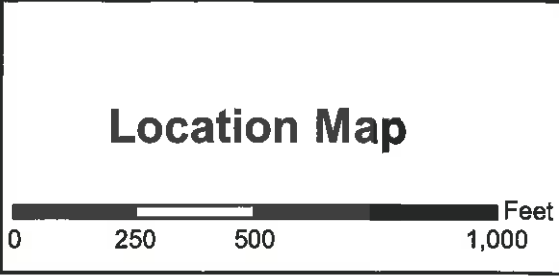
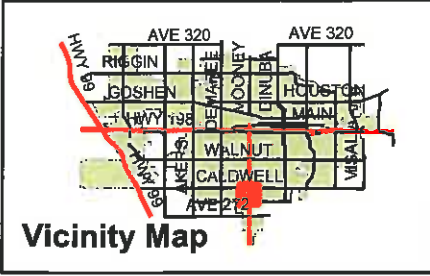
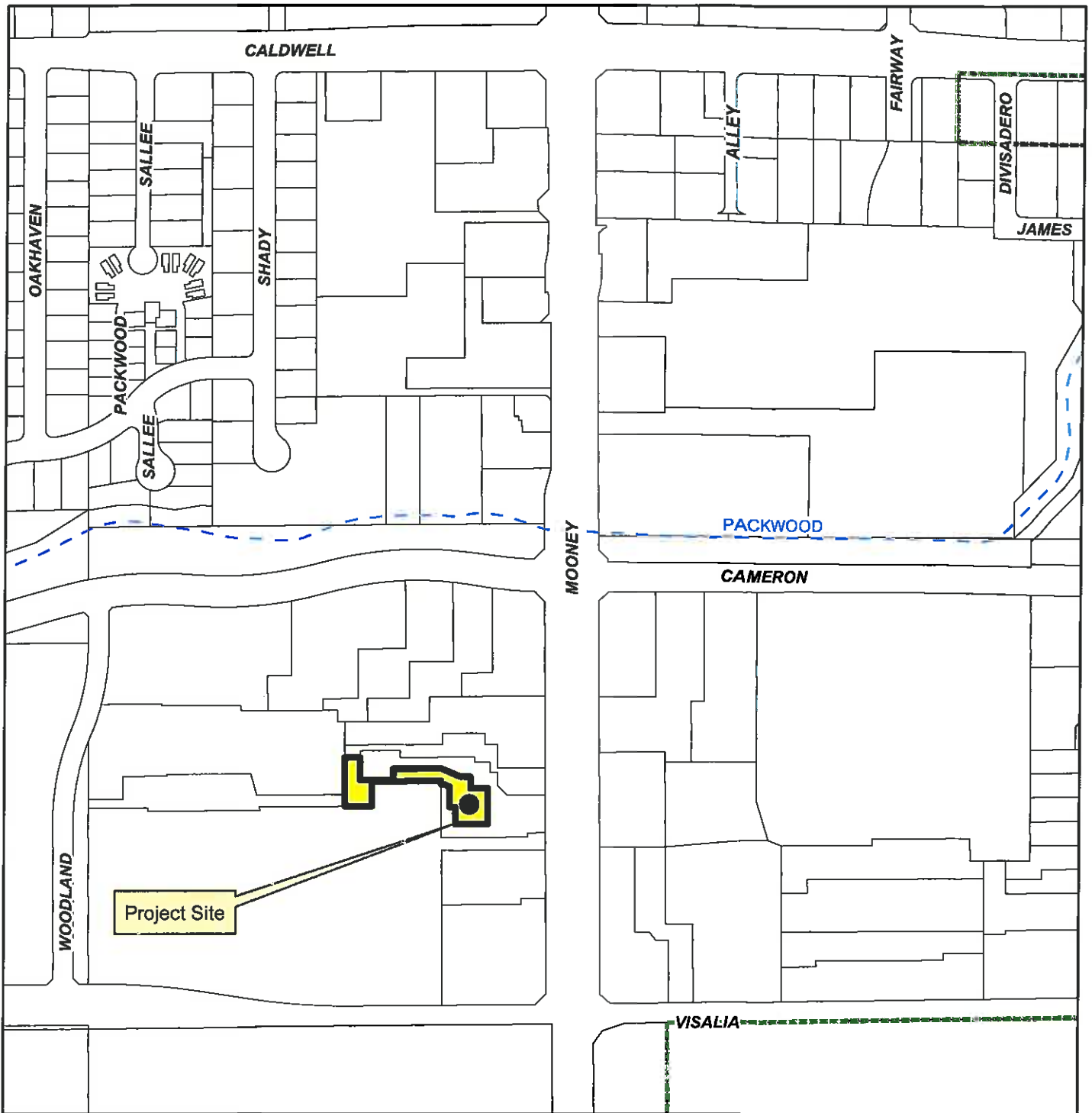
Photo Taken March 2012



0 50 100 200 Feet

Conditional Use Permit No. 2014-14

Location: The site is located at 4129 S. Mooney Blvd., Suite J-1, approximately 160 feet west of Mooney Blvd. and 550 feet south of Cameron Avenue (immediately west of Buffalo Wild Wings). (APN: 126-050-040)





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 28, 2014

PREPARED BY: Paul Scheibel, AICP, Principal Planner (phone: 713-4636)

SUBJECT: Planning Division Fee Amendments: Consideration of revisions to the Planning Division fees as contained in City of Visalia Fee Resolution No. 2013-38.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission consider the proposed revisions to the Planning Division's fees, and recommend that the City Council amend the Fee Resolution as contained in this report.

RECOMMENDED MOTION

I move to recommend that the City Council amend the Fee Resolution as contained in this report.

BACKGROUND, DISCUSSION AND ANALYSIS

Background: From time to time, the City considers adjusting its processing fees charged for various services. The City last amended the Planning Division fees in 2013. The 2013 fee amendment reflects increases in the Consumer Price Index (CPI), and several new fee categories for services for which the Planning Division was not directly recovering its costs.

Recommended Fee Schedule Revisions: The Planning Division has reviewed the Fee Schedule based on its average processing costs. The costs are directly related to staff processing time and materials. Staff costs were calculated at an average of \$84/hour for all staff positions. This average hourly rate includes all employee benefits and City facilities overhead costs, which are charged to the Planning Division under the City's accounting methods.

Based on staff's review, the following recommendations are proposed to more closely match fees for the direct City costs of these services. The recommended fee revisions are in addition to an across the board increase in fees of 1.46% City-wide, which reflects the cost of Consumer Price Index (CPI) applicable to Fiscal Year (FY) 2015.

A. Proposed New Line Items:

1. Master Conditional Use Permit:

Recommended New Fee: \$5,708

Justification: Master Conditional Use Permits are those CUP's that typically carry vested entitlements of multiple phases and often a variety of entitled uses for a project site (such as a shopping center) over a period of more than two years. Master CUPs often include architectural design review, and other discretionary considerations not usually required of a CUP. The added work load in analyzing and presenting Master CUPs to the Planning Commission (and City Council in the event of an Appeal or an accompanying land use

amendment) is not presently recovered by the standard CUP application filing fee. Staff has determined the average difference to be 50% in added processing costs of a Master CUP over a standard CUP.

2. TCUP- Requiring Site Plan Review

Recommended New Fee: \$220

Justification: This new category of TCUP would recover the approximately .75-hour extra staff processing time that is required to circulate TCUP applications that necessitate multiple departmental review and coordination before the TCUP can be issued by the Planning Division. Travelling carnivals are an example of this type of use, requiring Fire, Police, Traffic Engineering, and Building Office coordination in advance of approving the TCUP.

B. Proposed Amended Line Items:

1. Specific Plan

Recommended Action: Decrease the filing fee from \$20,454 to \$11,416 (twice the proposed filing fee for a Master CUP).

Justification: The current fee has increased incrementally since it was first added to the Fee Schedule in 1999. Its filing fee exceeds by more than twice the costs of similarly complex discretionary actions such as Major General Plan Amendments and Annexations. Staff could not find evidence to support continuing the present filing fee. The proposed fee of \$11,416 (twice that of a Master CUP) is justified on the basis that there is at least two additional components of a Specific Plan (financing plan, and infrastructure plan) required by State law, and that a public hearing by the City Council is required to approve a Specific Plan.

Next Step: The Planning Commission's actions in this regard are advisory only. The final action to revise the Fee Schedule will be considered by the City Council in June, 2014. The Planning Commission's review and comments will provide the City Council with the benefit of its practical experience in reviewing the project materials, conducting hearings, and by taking testimony from applicants and Community members in the course of its discretionary review process.

Attachment: Current Fee Resolution also showing CPI increases

City of Visalia
GENERAL GOVERNMENT FEES / OTHER ADMINISTRATIVE FEES

	FY 1314	FY 1415		FY 1314	FY 1415
Census Information - Per Jurisdiction	\$3.00	\$3.00	Per Set	\$6.00	\$6.00
Copies (per page) - Citywide Fee					
Single-sided - Letter size	\$0.20	\$0.20	Single-sided - Legal size	\$0.25	\$0.25
Double-sided - Letter size	\$0.25	\$0.25	Double-sided - Legal size	\$0.30	\$0.30
Color Letter/Legal Size	\$1.00	\$1.00	Fax - First Page	\$3.50	\$3.50
Color 11X17	\$2.00	\$2.00	Fax - Add'l Pages	\$1.90	\$1.90
			Audio Duplication - per CD	\$13.50	\$14.00
Documents					
Documents Range	\$5 to \$100 ea	\$5 to \$100 ea			
Document Retrieval	\$24 to \$39	\$24 to \$39			
Zoning Verification Letters	\$32.00	\$32.00			
Maps					
	see GIS page	see GIS page	General Plan Land Use Map; Zone Map; City Aerial photo		
	FY 1314	FY 1415			
Planning Commission					
Agenda - mailed	\$34.00	\$34.00	per year		
Action Agenda - mailed	\$34.00	\$34.00	per year		
Special Services Fee/Inspections					
	Direct Salary Cost	Direct Salary Cost			

PLANNING DIVISION PROCESSING FEES - COMMUNITY DEVELOPMENT DEPARTMENT

Administrative Adjustment	\$ 134.00	\$ 136.00		
Adult-Oriented Business				
Performer Permit Application Fee	\$ 194.00	\$ 197.00		
Regulatory Permit Application Fee	\$ 1,289.00	\$ 1,308.00		
Performer Permit - Renewal	\$ 194.00	\$ 197.00	Resolution 2009-31	
Regulatory Permit - Renewal	\$ 194.00	\$ 197.00	Resolution 2009-31	
Agricultural Preserve				
Disestablishment	\$ 1,844.00	\$ 1,871.00		
New Contract	\$ 614.00	\$ 623.00		
Notice of Full Nonrenewal	\$ 123.00	\$ 125.00		
Notice of Partial Nonrenewal	\$ 492.00	\$ 499.00		
Cancellation	\$ 3,072.00	\$ 3,117.00		
Easement Exchange	Time & Materials	Time & Materials		
Annexation				
Amendment to Pre-Annexation Agreement	\$ 2,075.00	\$ 2,105.00		
up to 15 acres	\$ 4,151.00	\$ 4,212.00		
over 15 acres and up to 50 acres	\$ 7,496.00	\$ 7,605.00		
over 50 acres up to 100 acres	\$ 10,816.00	\$ 10,974.00		
Over 100 acres plus ...	\$ 13,526.00	\$ 13,723.00		
	Applicants also pay fees adopted by LAFCO and State Board of Equalization Fees			
Appeal	\$ 460.00	\$ 467.00	Appeal of Planning Commission action to City Council or Appeal of Site Plan Review (SPR)	
Certificate of Compliance	\$ 467.00	\$ 474.00		
Conditional Use Permit				
Minor CUP / Amendment to Approved CUP	\$ 1,210.00	\$ 1,228.00		
Regular / PUD / PRD	\$ 3,750.00	\$ 3,805.00		
Master CUP		\$ 5,708.00		
Temporary - Counter	\$ 134.00	\$ 136.00		
Temporary - Requiring Site Plan Review		\$ 199.00		
Temporary - To Planning Commission	\$ 401.00	\$ 407.00		
Development Agreement				
Amendment	\$ 1,259.00	\$ 1,277.00		
Downtown News Rack Permit	\$ 30.00	\$ 30.00	in the Downtown Design District	

PLANNING DIVISION PROCESSING FEES - COMMUNITY DEVELOPMENT DEPARTMENT

* Environmental Applications			
* Categorical Exemption	\$ 65.00	\$ 66.00	
* Environmental Impact Report (EIR)			
Processing Fee	7 1/2% of Contract		7 1/2% of Contract
City Managed Consultant Work	Actual Cost + 10% Contract		Actual Cost + 10% Contract
* Environmental Notices	\$ 125.00	\$ 127.00	per year; renewal needed ea year
* Initial Study / Negative Declaration or Mitigated Negative Declaration			
Review of each technical study	\$ 200.00	\$ 203.00	
Simple	\$ 659.00	\$ 669.00	
Complex Project	\$ 2,513.00	\$ 2,550.00	
* NEPA Environmental Review			
Simple	\$ 669.00	\$ 679.00	
Complex	\$ 3,348.00	\$ 3,397.00	
Finding of Consistency	\$ 201.00	\$ 204.00	
General Plan Amendment			
Simple	\$ 2,142.00	\$ 2,173.00	
Complex	\$ 9,510.00	\$ 9,649.00	
General Plan Maintenance Fee			
per acre for new annexation	\$ 357.00	\$ 362.00	Paid when LAFCO approves annexation
Home Occupation Permit	\$ 62.00	\$ 63.00	
Lot Line Adjustment			
Lot Line Adjustment Application	\$ 545.00	\$ 553.00	<i>see Engineering Processing Fees for Technical Review amount</i>
Legal Description Resubmittal (each)	\$ 134.00	\$ 136.00	
Maps			
Tentative Subdivision Map Filing Fee	\$ 6,763.00	\$ 6,862.00	
Tentative Parcel Map Filing Fee	\$ 6,763.00	\$ 6,862.00	- commercial - over 4 lots
Tentative Parcel Map Filing Fee	\$ 2,746.00	\$ 2,786.00	- 4 lots or less
Noise Variance			
Administrative	\$ 134.00	\$ 136.00	
City Council	\$ 2,075.00	\$ 2,105.00	
Programmatic Subdivision Sign Permit			
Initial	\$ 171.00	\$ 173.00	
Renewal / Amendment	\$ 85.00	\$ 86.00	
Sidewalk Dining Permit	\$ 62.00	\$ 63.00	
Specific Plan	\$ 20,160.00	\$ 11,416.00	
Specific Plan Amendment	\$ 4,755.00	\$ 4,824.00	
Subdivision Sign Program			
Amendment	\$ 43.00	\$ 44.00	
Text Amendment	\$ 3,481.00	\$ 3,532.00	
Time Extension	\$ 201.00	\$ 204.00	
Variance/Exception			
Single Family - No Site Plan	\$ 768.00	\$ 779.00	
Single Family	\$ 1,299.00	\$ 1,318.00	
Other	\$ 2,438.00	\$ 2,474.00	
Zone Change			
Change of Zone	\$ 3,481.00	\$ 3,532.00	
Conditional Zone Agreement	\$ 600.00	\$ 609.00	
Amendment to Conditional Zone Agreement	\$ 1,740.00	\$ 1,765.00	