

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Adam Peck, Brett Taylor, Liz Wynn, Marvin Hansen, Chris Gomez

MONDAY, JUNE 26, 2017; 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 the Consent Calendar.
5. PUBLIC HEARING – Andy Chamberlain
 - Conditional Use Permit No. 2017-14: A request by K/C Goldstein Family Trust to subdivide .97 acres into a 7-lot single-family Planned Unit Development with a Common Lot access drive in the R-1-5 (Single-Family Residential, 5,000 square feet minimum lot area) zone. The site is located 3203 E. Houston Avenue (APNs: 103-180-084) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2017-31.
 - La Fortuna Tentative Subdivision Map No.5561: A request by K/C Goldstein Family Trust to subdivide .97 acres into a 7-lot single-family Planned Unit Development with a Common Lot access drive in the R-1-5 (Single-Family Residential, 5,000 square feet minimum lot area) zone. The site is located 3203 E. Houston Avenue (APNs: 103-180-084) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2017-31.
6. PUBLIC HEARING –Brandon Smith
 - Conditional Use Permit No. 2017-23: A request by Barrelhouse Brewing Company to allow live entertainment within an approved 5,500 square foot tap room and beer garden in the D-MU (Downtown Mixed Use) zone. The project site is located at 521 E. Main Street, on the south side of Main Street 200 feet east of Santa Fe Street. (APN: 094-235-004) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-38.

7. PUBLIC HEARING – Andy Chamberlain
Revocation of Conditional Use Permit No. 2016-01: Planning Commission consideration for the revocation of Conditional Use Permit No. 2016-01, which allowed Victory Outreach Visalia, to establish a Women’s Residential Care Facility with 30 beds for women, and 10 beds for male and female staff, and Victory Outreach Church offices, in the Single Family Residential (R-1-5) zone.

8. DIRECTOR’S REPORT/ PLANNING COMMISSION DISCUSSION-

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

For the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, JULY 6, 2017 BEFORE 5 PM

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city’s website www.visalia.city or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JULY 10, 2017



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: June 26, 2017

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

SUBJECT: Revocation of Conditional Use Permit No. 2016-01: Planning Commission consideration for the revocation of Conditional Use Permit No. 2016-01, which allowed Victory Outreach Visalia, to establish a Women's Residential Care Facility with 30 beds for women, and 10 beds for male and female staff, and Victory Outreach Church offices, in the Single Family Residential (R-1-5) zone. The subject site is located at 1627 S. Garden Street (APN O97-271-041).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission revoke Conditional Use Permit No. 2016-01, based upon the findings in Resolution No. 2017-43.

RECOMMENDED MOTION

I move to approve Resolution No. 2017-43, revoking Conditional Use Permit No. 2016-01, based on the findings therein.

REVOCATION EVALUATION

On June 2, 2017, the City Planner suspended Conditional Use Permit No. 2016-01 for failure to comply with conditions of the use permit, and set the matter for a public hearing under Zoning Ordinance Section 17.38.040.

This revocation recommendation is in response to a series of violations of the terms and conditions of Conditional Use Permit No. 2016-01. The facility was not approved for occupancy without the appropriate building and fire code requirements being met, along with the conditions of the use permit.

A. Occupancy Violation: On Wednesday, May 10, 2017, the City of Visalia Fire Marshal and Neighborhood Preservation Division staff visited the facility and found that 15+ male individuals were residing in the facility. The structure was declared Unsafe to Occupy because it lacks the proper fire safety requirements for a live in facility. Based on the fire danger, the residence was required to be vacated and everyone was given until 5pm that day to leave the facility.

Subsequent visits to the facility by City staff found that individuals continued to enter and exit the facility. Therefore, all exterior doors were boarded shut. Subsequent to the boarding of the doors, City staff found that individuals were still entering and exiting the facility, resulting in all windows also being boarded shut. During the act of boarding the windows, individuals were witnessed crawling out of the remaining un-boarded windows.

B. Fire Suppression and Alarm System: As a condition of the use permit, Site Plan Review No. 2015-153 required that a fire suppression and alarm system be installed in the building prior to any occupancy. Victory Outreach chose to occupy the building in violation of this life/safety requirement. One year after approval of the use permit, Building Permit No. B171599 was

issued on May 24, 2017 for a fire suppression/alarm system. The permit is being done by the property owner, Gary Bennett, which the City has allowed to proceed during this process, since the alarm system would be required for any type of reuse of the building.

C. Condition No. 16 Block Wall: Through the public hearing process, a block wall was required along the north and south property lines within six months of approval of the use permit. To this date, no permit has been issued for the block wall. The applicants chose to occupy the site in violation of this condition of the use permit.

D. Operational Statement: The operational statement approved as a condition of the use permit provides for 30 beds for female residents, and an additional 10 beds for staff which may be male and female. The applicants chose to occupy the building with over 15 male individuals in violation of this condition.

Conditional Use Permit Revocation:

Pursuant to Visalia Municipal Code Section 17.38.040, the applicant was provided written notice that Conditional Use Permit No. 2016-01 had been suspended, and that a public hearing would be conducted. The City of Visalia has the authority to automatically suspend a Conditional Use Permit for failure to comply with the condition(s) of the permit. As noted above, the applicant/property owner has failed to comply with several of the conditions of approval for CUP No. 2016-01.

It is staff's conclusion, that the violations of requirements and non-compliant use of the site warrants revocation of Conditional Use Permit No. 2016-01. The use permit was granted based upon the following findings of the Planning Commission.

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 findings of 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 conditional use permit is compatible with adjacent land uses, subject to compliance with the Operational Statement and Conditions of Project Approval. The daily operating requirements and project conditions, including the "Good Neighbor Conditions" ensure that the facility maintains the residential character and that the site be maintained so that the property does not fall in to a state of disrepair deviating from the natural residential setting that surrounds the facility.
- 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. The conditions adopted for the recovery facility ensure that the site is properly maintained and does not fall into a state of disrepair. In addition, the adopted project conditions require the recovery facility to operate in a manner that does not conflict with the surrounding residential neighborhood. Failure to comply with the conditions, including the recovery facility being declared a Public Nuisance would result in staff proceeding with the revocation process for the CUP.

Staff finds that the identified violations have had a potentially negative impact on the welfare of the neighborhood through the occupancy of the building without proper permitting or compliance with the conditions of the use permit.

- a. Occupancy of the building without meeting the applicable building and safety requirements, including the fire safety/suppression alarm system. This placed building residents in a potentially deadly situation by occupying the building with over 15 people without the required fire safety/suppression alarm system, and is a violation of Condition No. One, of Conditional Use Permit No. 2016-01 requiring compliance with the Site Plan Review conditions, which included the installation of a fire safety/suppression alarm system.

After being notified by City staff of the building and safety violation and the violations of the CUP terms Victory Outreach was ordered to keep the building vacant until these terms were met; Victory Outreach failed to keep the building vacant, which required the City to have the building boarded.

- b. Failure to meet Condition No. 16, requiring the construction of the block walls within six months of approval of the use permit in April of 2016.
- c. Occupying the building with over 15 male persons in violation of the approved operational statement submitted by the applicant, which specifically states that the facility is for 30 female recovery residents.

Furthermore, staff believes that these use permit and code violations point to a trend indicating that the applicants are not willing or able to operate the facility in a manner consistent with the conditions of the use permit, and shall continue to operate as they choose regardless of municipal codes. Prior code enforcement cases involving Victory Outreach involved similar situations of ignoring applicable building and safety code requirements. The City of Visalia Fire Department has provided copies of staff reports from prior inspections of properties being rented by Victory Outreach showing violations of building and safety code requirements.

Related Cases

Victory Outreach Visalia has four related cases:

3107 E. Kaweah Court – On September 22, 2010, the Visalia Fire Department conducted a site inspection and found that Victory Outreach had occupied the buildings on the site. The inspection revealed that the buildings did not have appropriate exiting hardware, that the electrical system was damaged and not up to code, and that the number of occupants exceeded the allowed maximum without going through a formal permitting process.

212 N. Stevenson Street – On July 15, 2010 the Visalia Fire Department conducted a site inspection and found that Victory Outreach had occupied the house and garage with approximately 50 people. The Fire Department and Visalia Code enforcement found so many fire hazards that they posted the site unsafe to occupy. The initial Code enforcement call-out to the site was for a broken sewer line, which resulted in raw sewage flowing out to the street.

11670 Avenue 264 - On August 9, 2007 the Visalia Fire Department conducted a site inspection and found that Victory Outreach had made modifications to an existing commercial structure in violation of Fire and Building codes.

1200 N. Cain Street – On July 21, 2004 the Visalia Fire Department conducted a site inspection and found that Victory Outreach had constructed stairs and a kitchen without permits, and had been using the Service Commercial zoned building for church, after school programs and other uses without having obtained the required permissions (CUP, public hearing) and permits to address life/safety issues within the structure. On September 22, 2004, the Visalia Building and Safety Division declared the building a “Dangerous Building” and required it be vacated by October 4, 2004.

Revocation Without Prejudice

Staff is recommending that the Planning Commission revoke Conditional Use Permit No 2016-01 without prejudice based on Zoning Ordinance Section 17.38.050. This would allow Victory Outreach, or any other applicant, to apply for a similar use permit within one year of this denial. Otherwise, a similar application for a use permit would not be eligible for consideration for one year from the date of revocation.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Residential Low Density
Zoning:	R-1-5 (Single-Family Residential 6,000 sq. ft. min. site area)
Surrounding Land Use and Zoning:	North: R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) – Single-family residential homes South: R-1-4.5 (Single-Family Residential 4,500 sq. ft. min. site area) – Single-family residential homes East: R-M-2 & R-M-3 (Multiple-Family Residential) – Single-family residential homes West: PA (Professional Administrative Office) – Medical Office Buildings
Environmental Review:	Categorical Exemption No. 2016-02 (CUP #2016-01)
Special District & Design District:	N/A
Site Plan Review No:	2015-153

Background

Conditional Use Permit No. 2016-01 was approved by the Planning Commission on April 11, 2016. The use permit provides for a Women's Residential Recovery Home with 30 beds for female clients, and 10 beds for full time male and female staff. The facility is not a State Licensed facility; it is to be operated as a church facility under the auspices of Victory Outreach Visalia. The facility includes on-site counseling services for residents, and Church offices, along with related living and dining facilities. The complete staff report is attached as an exhibit.



Environmental Review

No environmental review or action is required for the revocation of a use permit.

RECOMMENDED REVOCATION FINDINGS

1. That the following violations and failure to meet the conditions of Conditional Use Permit No. 2016-01 constitute the basis for revocation of said use permit:

A. Occupancy Violation: On Wednesday, May 10, 2017, the City of Visalia Fire Marshal and Neighborhood Preservation Division staff visited the facility and found that over 15 male individuals were residing in the facility. The structure was declared Unsafe to Occupy because it lacks the proper fire safety requirements for a live in facility. Based on the fire danger, the residence was required to be vacated and everyone was given until 5pm that day to leave the facility.

Subsequent visits to the facility by City staff found that individuals continued to enter and exit the facility. Therefore, all exterior doors were boarded shut. Subsequent to the boarding of the doors, City staff found that individuals were still entering and exiting the facility, resulting in all windows also being boarded shut. During the act of boarding the windows, individuals were witnessed crawling out of the remaining un-boarded windows.

B. Fire Suppression and Alarm System: As a condition of the use permit, Site Plan Review No. 2015-153 required that a fire suppression and alarm system be installed in the building prior to any occupancy. Victory Outreach chose to occupy

the building in violation of this life/safety requirement. One year after approval of the use permit, Building Permit No. B171599 was issued on May 24, 2017 for a fire suppression/alarm system. The permit is being done by the property owner, Gary Bennett, which the City has allowed to proceed during this process, since the alarm system would be required for any type of reuse of the building.

C. Condition No. 16 Block Wall: Through the public hearing process, a block wall was required along the north and south property lines within six months of approval of the use permit. To this date, no permit has been issued for the block wall. The applicants chose to occupy the site in violation of this condition of the use permit.

D. Operational Statement: The operational statement approved as a condition of the use permit provides for 30 beds for female residents, and an additional 10 beds for staff which may be male and female. The applicants chose to occupy the building with over 15 male individuals in violation of this condition.

2. That the applicant's actions as noted above constitute a failure to meet one of the primary findings, provided below, which was used as the basis to approve the use permit:
 - 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. The conditions adopted for the recovery facility ensure that the site is properly maintained and does not fall into a state of disrepair. In addition, the adopted project conditions require the recovery facility to operate in a manner that does not conflict with the surrounding residential neighborhood. Failure to comply with the conditions, including the recovery facility being declared a Public Nuisance would result in staff proceeding with the revocation process for the CUP.
3. That these violations are indicative of a trend that the applicants are not willing or able to operate the facility in a manner consistent with the conditions of the use permit, and shall continue to operate as they chose regardless of municipal codes.
4. That this action is taken without prejudice, allowing Victory Outreach, or any other applicant, to apply for a similar use permit within one year of this denial.

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 form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe Street, Visalia, CA 93292. 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 & Policies
- Resolution No. 2017-43
- Exhibit "A" – June 2, 2017 correspondence
- Exhibit "B" – CUP 2016-01 Resolution of Approval
- Exhibit "C" – Related Cases
- Attachment - CUP No. 2016-01
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RESOLUTION NO. 2017-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA REVOKING CONDITIONAL USE PERMIT NO. 2016-01, A WOMEN'S RESIDENTIAL CARE FACILITY WITH 30 BEDS FOR WOMEN, AND 10 BEDS FOR MALE AND FEMALE STAFF, AND VICTORY OUTREACH CHURCH OFFICES, IN THE SINGLE FAMILY RESIDENTIAL (R-1-6) ZONE. THE SITE IS LOCATED AT 1627 S. GARDEN STREET (APN 097-271-041)

WHEREAS, Conditional Use Permit No. 2016-01, was approved on April 11, 2016 allowing the establishment of a Women's Residential Care Facility with 30 beds for women, and 10 beds for male and female staff, and Victory Outreach Church offices, by Victory Outreach Visalia, in the Single Family Residential (R-1-6) zone. The site is located at 1627 S. Garden Street (APN 097-271-041); and

WHEREAS, Victory Outreach Visalia has failed to meet the established conditions of Conditional Use Permit No. 2016-01, contained in Resolution No. 2016-03; and

WHEREAS, Victory Outreach Visalia occupied the building at 1627 S. Garden Street, in violation of the conditions of Conditional Use Permit No. 2016-01, contained in Resolution No. 2016-03; and

WHEREAS, the City Planner notified Victory Outreach Visalia on June 2, 2107 of the failure to meet the required conditions of Conditional Use Permit No. 2016-01, and the violation of occupying the building without the required life/safety systems in place, the City Planner did suspend Conditional Use Permit No. 2016-01 under Zoning Ordinance Section 17.38.040, and has set the matter for a public hearing before the Planning Commission; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on June 26, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds that the applicant, Victory Outreach of Visalia, has failed to the meet the required conditions of Conditional Use Permit No. 2016-01 based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission of the City of Visalia finds that revocation of Conditional Use Permit No. 2016-01 to be in accordance with Chapter 17.38.040 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

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 following violations and failure to meet the conditions of Conditional Use Permit No. 2016-01 constitute the basis for revocation of said use permit:

A. Occupancy Violation: On Wednesday, May 10, 2017, the City of Visalia Fire Marshal and Neighborhood Preservation Division staff visited the facility and found that over 15 male individuals were residing in the facility. The structure was declared Unsafe to Occupy because it lacks the proper fire safety requirements for a live in facility. Based on the fire danger, the residence was required to be vacated and everyone was given until 5pm that day to leave the facility.

Subsequent visits to the facility by City staff found that individuals continued to enter and exit the facility. Therefore, all exterior doors were boarded shut. Subsequent to the boarding of the doors, City staff found that individuals were still entering and exiting the facility, resulting in all windows also being boarded shut. During the act of boarding the windows, individuals were witnessed crawling out of the remaining un-boarded windows.

B. Fire Suppression and Alarm System: As a condition of the use permit, Site Plan Review No. 2015-153 required that a fire suppression and alarm system be installed in the building prior to any occupancy. Victory Outreach chose to occupy the building in violation of this life/safety requirement. One year after approval of the use permit, Building Permit No. B171599 was issued on May 24, 2017 for a fire suppression/alarm system. The permit is being done by the property owner, Gary Bennett, which the City has allowed to proceed during this process, since the alarm system would be required for any type of reuse of the building.

C. Condition No. 16 Block Wall: Through the public hearing process, a block wall was required along the north and south property lines within six months of approval of the use permit. To this date, no permit has been issued for the block wall. The applicants chose to occupy the site in violation of this condition of the use permit.

D. Operational Statement: The operational statement approved as a condition of the use permit provides for 30 beds for female residents, and an additional 10 beds for staff which may be male and female. The applicants chose to occupy the building with over 15 male individuals in violation of this condition.

2. That the applicant's actions as noted above constitute a failure to meet one of the primary findings, provided below, which was used as the basis to approve the use permit:

- 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. The conditions adopted for the recovery facility ensure that the site is properly maintained and does not fall into a state of disrepair. In addition, the adopted project conditions require the recovery facility to operate in a manner that does not conflict with the surrounding residential neighborhood. Failure to comply with the conditions, including the recovery facility being declared a Public Nuisance would result in staff proceeding with the revocation process for the CUP.

3. That these violations are indicative of a trend that the applicants are not willing or able to operate the facility in a manner consistent with the conditions of the use permit, and shall continue to operate as they chose regardless of municipal codes.
4. That this action is taken without prejudice, allowing Victory Outreach, or any other applicant, to apply for a similar use permit within one year of this denial.



(Hand Delivered)

June 2, 2017

Mr. John Rodriguez, Pastor
Victory Outreach Church

Subject: Status of properties at 1627 S. Garden St. and 421 N. Johnson St.

Mr. Rodriguez:

This letter summarizes recent Code Enforcement activity and provides clarification on the status of existing entitlements at the above noted properties.

1627 S. Garden St.

Victory Outreach personnel have been repeatedly warned that no one is to live in the facility. Each time, Victory Outreach personnel have insisted that the property is vacant except for some office use. On Wednesday, May 10, 2017, the City of Visalia Fire Marshal and Neighborhood Preservation Division staff visited the facility and found that 30+ male individuals were residing in the facility. The structure was declared Unsafe to Occupy because it lacks the proper fire safety requirements for a live in facility. Based on the fire danger, the residence was required to be vacated and everyone was given until 5pm that day to leave the facility.

Subsequent visits to the facility by City staff found that individuals continued to enter and exit the facility. Therefore, all exterior doors were boarded shut. Subsequent to the boarding of the doors, City staff found that individuals were still entering and exiting the facility, resulting in all windows also being boarded shut. During the act of boarding the windows, individuals were witnessed crawling out of the remaining un-boarded windows.

In addition to the lack of proper permits and construction of a fire suppression system and full fire alarm system, the facility is out of compliance with its approved Conditional Use Permit (CUP 2016-01, approved on April 11, 2016).

Condition #1 states:

"That the site be developed consistent with the comment and conditions of the Site Plan Review No. 2015-153.

The City of Visalia Fire Department specified that the fire suppression system and fire alarm system were required during the Site Plan Review process.

Exhibit "A"

Mr. John Rodriguez

June 2, 2017

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Condition #6 states:

"That the facility be limited to a maximum of 30 beds for **female** (emphasis added) clients, and 10 beds for the live-in staff and counselors"

See also Condition #3 referring to the operational statement that your organizations submitted in which Victory Outreach specified the facility would only be used as a recovery center for women and Condition #10 specifying that any changes in the operational profile and/or the site of the facility would be first submitted to the Planning Division for review to determine consistency with the CUP or if an amendment would be warranted. Victory Outreach did not provide any notification to the Planning Division of proposed changes to the facility operations.

In addition, Condition #16 states:

"That a six to seven-foot high block wall shall be constructed on the north and south property lines within six-months of approval of this use permit. Said wall shall be a minimum of 20 feet from the Garden and Church Street front property lines."

Neither of these conditions of approval have been complied with. Therefore, I hereby suspend Conditional Use Permit per Section 17.38.040, with the intent of scheduling a public hearing before the Visalia Planning Commission within 60 days of June 2, 2017.

Access to the interior of the structure is to remain strictly prohibited at this time, unless the following conditions are met:

- A building permit for construction of a block wall as noted in Condition #16 is issued by the City of Visalia.
- A building permit for interior alterations, including installation of a fire suppression system and fire alarm system, is issued by the City of Visalia.
- A licensed, bonded contractor is retained to complete the construction, and remains on site during the entire period of time that individuals are inside the structure.

If these conditions are met, Community Development Department staff will unlock and lock the doors in the presence of the licensed and bonded contractor Monday through Friday, between 8am and 5pm.

421 N. Johnson St.

On June 1, 2017, Community Development Department staff visited the resident of the "Fifth Wheel" recreational vehicle that has been parked in the property's parking lot for at least seven days. The female occupant noted that she has been residing on site for about a week.

Residences on commercially zoned properties are a conditionally allowed use, per Section 17.18.050 of the Visalia Municipal Code. Further, residences must comply with all City development standards and Building Code requirements prior to occupancy. Therefore, the vehicle was posted as "Unsafe to Occupy" and must be removed from the premises immediately.

Exhibit "A"

Mr. John Rodriguez

June 2, 2017

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If Victory Outreach wishes to pursue establishment of a residence at the property in question, you can submit materials through the Site Plan Review process and subsequently pursue the appropriate entitlement that would allow said use.

Please contact Paul Scheibel at 559-713-4369 if you have any questions or comments regarding this communication, as I will be out of the office from June 3 through June 18.

Sincerely,

Josh McDonnell, AICP
Assistant Community Development Director/City Planner

cc: Mike Olmos, City Manager
Jim Koontz, Assistant City Attorney
Doug McBee, Fire Chief
Nick Mascia, Community Development Director
Tracy Robertshaw, Neighborhood Preservation Manager
Paul Scheibel, Principal Planner
Kurtis Brown, Fire Marshal

Exhibit "A"

RESOLUTION NO. 2016-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2016-01 , A REQUEST BY VICTORY OUTREACH VISALIA, JOHN RODRIGUEZ - AGENT, TO ESTABLISH A WOMEN'S RESIDENTIAL CARE FACILITY WITH 30 BEDS FOR WOMEN, AND 10 BEDS FOR MALE AND FEMALE STAFF, AND VICTORY OUTREACH CHURCH OFFICES, IN THE SINGLE FAMILY RESIDENTIAL (R-1-6) ZONE. THE SITE IS LOCATED AT 1627 S. GARDEN STREET (APN 097-271-041)

WHEREAS, Conditional Use Permit No. 2016-01, is a request by Victory Outreach Visalia, John Rodriguez - agent, to establish a Women's Residential Care Facility with 30 beds for women, and 10 beds for male and female staff, and Victory Outreach Church offices, in the Single Family Residential (R-1-6) zone. The site is located at 1627 S. Garden Street (APN 097-271-041); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on April 11, 2016; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2016-01 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 15305.

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 conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
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 findings of 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 conditional use permit is compatible with adjacent land uses, subject to compliance with the Operational Statement and Conditions of Project Approval. The daily operating requirements and project conditions, including the "Good Neighbor Conditions" ensure that the facility maintains the residential character and that the site be maintained so that the property does not fall in to a state of disrepair deviating from the natural residential setting that surrounds the facility.

Exhibit "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. The conditions adopted for the recovery facility ensure that the site is properly maintained and does not fall into a state of disrepair. In addition, the adopted project conditions require the recovery facility to operate in a manner that does not conflict with the surrounding residential neighborhood. Failure to comply with the conditions, including the recovery facility being declared a Public Nuisance would result in staff proceeding with the revocation process for the CUP.
3. That the project is Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2016-02).

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 consistent with the comments and conditions of the Site Plan Review No. 2015-153.
2. That the site be developed in substantial compliance with the site plan/floor plan, and elevations shown in Exhibits "A" and "B".
3. That the women's recovery facility comply and operate as outlined in the operational statement in Exhibit "C", and as conditioned per the conditions of approval.
4. That the program is limited to providing recovery services for low-risk female clients. High-risk individuals, as defined by the Department of Social Services and other accredited agencies, are prohibited from receiving housing and counseling services at this site. Registered sex offenders and persons convicted of violent crimes are explicitly prohibited from residing at this facility.
5. That the temporary church offices may not be sub-let for any other office or commercial purposes.
6. That the facility be limited to a maximum of 30 beds for female clients, and 10 beds for the live-in staff and counselors.
7. That prior to any work on the building, a building permit shall be obtained.
8. That the tenants, with the exception of employees and/or live-in staff, are prohibited from bringing personal vehicles to the facility; and the storage of any unlicensed or non-operative vehicle upon the site is prohibited.
9. That the storage of any trailers or items in the parking lot or outside the building is prohibited.
10. That any changes in the operational profile and / or the site of the facility be submitted to the Planning Division for review to determine consistency with the conditional use permit or if an amendment to this use permit would be warranted.
11. That the specific use approved for this property is an alcohol and drug care and recovery facility for a maximum of 30 female clients. No other residential programs

or facilities shall be allowed or conducted on the site without prior review and discretionary action(s) if required.

12. That the owner/operator shall be subject to the following "good neighbor" policy conditions:
 - a. All development standards, city codes and ordinances shall be continuously met for this use. Buildings and premises, including paint/siding, roofs, windows, fences, and landscaping shall be kept in good repair. Premises shall be kept free of junk and debris.
 - b. Provide a regular program for the control of infestation by insects, rodents, and other pests.
 - c. Maintain all electrical, plumbing, heating, and other facilities in good working order.
 - d. Maintain all structures in reasonably weather tight condition and good exterior appearance.
 - e. Remove graffiti on the site or in the public right of way in front of the site within 24 hours of it having been observed.
 - f. That the site shall always be maintained in keeping with the residential character of the surrounding neighborhood.
 - g. All on-site landscaping shall be maintained in a well-groomed residential character.
 - h. At least one operator of the program shall be available on-site or by phone at all times to respond to management and maintenance issues raised by any concerned individual.
 - i. Provide 24-hour access for Visalia Police Department to facility staff. Staff shall be either on-site or available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
13. That the operator of the facility shall not allow loitering in front of the facility or on the adjacent properties by the clients or staff.
14. That the requirements of the Noise Ordinance for noise sensitive land uses shall be met by this facility.
15. That signs shall be prohibited at this site.
16. That a six to seven-foot high block wall shall be constructed on the north and south property lines within six-months of approval of this use permit. Said wall shall be a minimum of 20 feet from the Garden and Church Street front property lines.
17. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2016-01.
18. That all applicable federal, state and city codes and ordinances be met.
19. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2016-01.

Exhibit "B"

Commissioner Wynn offered the motion to this resolution. Commissioner Gomez seconded the motion and it carried by the following vote:

AYES: Commissioners Wynn, Gomez, Peck, Taylor, Segrue

NOES:

ABSTAINED:

ABSENT:

STATE OF CALIFORNIA)

COUNTY OF TULARE) ss

CITY OF VISALIA)

ATTEST: Josh McDonnell, AICP Assistant Director / City Planner

I, Josh McDonnell, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2016-03, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on April 11, 2016.

Josh McDonnell, Assistant Director / City Planner

Adam Peck, Chairperson

Exhibit "B"

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3107 E. Kaweah



LIFE SAFETY INSPECTION FOLLOW-UP INSPECTION APARTMENTS

Date: September 22, 2010 Address Inspected 3107 E. Kaweah

Business Name Victory Outreach Business License # _____

X Outstanding Items:

Replace (missing and or broken) spacers in electrical breaker box. T-19, 3.14

Replace (missing and or broken) electrical cover plate's located though-out. T-19, 3.14

Provide 2A:10BC Fire Extinguishers though-out buildings. Fire Extinguisher must be up to date and mounted on wall not more than 5ft off the floor. CFC 906

Provide emergency hardware on all exit doors. Egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort. CFC 1003.1.8

Post Evacuation signs in designated areas throughout business. T-19, 3.10

During the inspection there was a strong odor of gas in the kitchen area. The tenants stated that the gas company had came out and stated that there was no gas leak.

All electrical work is required to have permits.

The number of occupants being house in this building exceeds the permitted amount for this occupancy. Reduce your numbers of occupants to the allowable quantity. If you desire to increase the number of occupants you must apply for the proper permits.

ISSUED BY Kurtis Brown Senior Fire Inspector

RECEIVED BY _____ DATE _____

ADMIN USE ONLY	<input type="checkbox"/> \$ _____ fee shall be charged on next re-visit if all items not corrected.
	<input type="checkbox"/> \$ _____ fee charged and payable.
	<input type="checkbox"/> Court citation due.

Exhibit "C"

212 N. Stevenson



LIFE SAFETY INSPECTION FOLLOW-UP INSPECTION APARTMENTS

Date: July 15, 2010 Address Inspected 212 N. Stevenson

Business Name Victory Outreach Business License # N/A

On July 15th I Kurtis Brown Senior Fire Inspector for the Visalia Fire Department arrived at the address of 212 N. Stevens, Visalia CA 93291 upon request by Visalia Code Enforcement. The Visalia Code Enforcement was notified of his property in regards to broken sewer lines. After arriving on scene I noticed a broken sewer lines in the front yard with sewage running on the sidewalk. I spoke to the tenants of the property and they notified us that the main building in front was in occupied by approximately 50 people. The facility is managed by Victory Outreach Church and used for alcohol and drug treatment, this facility is not currently licensed though the state as an alcohol and drug rehab. During the inspection we identified that a great deal of the building was added without permits. One particular room was at one time a garage and now housed approximately 25 beds and had only one exit with an exterior lock that could potentially lock the tenants in. This room also has no window for a secondary exit. There was also many more fire hazards, so many that myself and the Visalia Code Enforcements officers determined that the facility was unsafe and a danger to the occupants and needed to be shut down and posted unsafe to occupy. The Violations listed below must be corrected prior to occupying this facility.

BUILDING CONSTRUCTION

- 1) Proper permits must be obtained for all editions to the structure and located on site at all times. Determine if this facility is adequate for the type of occupancy and occupant load that is being requested. **CBC 108.4**
- 2) Repair all fan located in bathrooms. **CFC 605.1**
- 3) Provide secondary egress windows for every sleeping area. **CBC Ch 10**

EXITING

- 1) All rooms and spaces shall be provided with and have access to the minimum number of approved independent exits. **CFC 1019.1**
- 2) Remove obstructions from the North East exit door. Exits and exit pathways shall not be obstructed in any manner and shall remain free of any material or matter where its presence would obstruct or render the means of egress hazardous. **CFC 1023.2**
- 3) Provide emergency hardware on all exit doors. Egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort. **CFC 1008.1.3**
- 4) Post Evacuation signs in designated areas throughout the building. **T-19, 3.10**
- 5) Post an Emergency procedures plan in approved locations. **T-19, 3.09**

FIRE PROTECTION SYSTEMS

Service Fire Extinguisher located though-out the complex. Fire Extinguishers shall be subjected to maintenance annually or mediately after use or when specifically indicated by an inspection. **T-19, 575.1**

- 2) Replace batteries in all the smoke detectors. **CFC 907**

ELECTRICAL

- 1) Remove or repair (damaged, spliced, or modified) electrical wire located throughout, that constitutes an electrical shock or fire hazard. **CFC 605.1**
- 2) Provide 30 inches width, 36 inches in depth of clear and unobstructed means of access around (electrical equipment or breaker box). **CFC 605.3**
- 3) Legibly label electrical circuit breakers indicating its purpose clearly. **CFC 605.3.1**
- 4) Remove Extension cords, Extension cords shall not be used as a substitute for permanent wiring. Extension cords shall be used only with portable appliances. **CFC 605.5**

STORAGE/ COMBUSTIBLE MATERIALS/ HOUSEKEEPING

Remove combustible rubbish from the outside surroundings of the building that is producing a fire nuisance or a hazard to the public health, safety or welfare. No combustible materials shall be placed or stored within 10 feet of any building or structure. **T-19, 3.07 / CFC 304.2 / CFC 304.1.1**

ISSUED BY _____

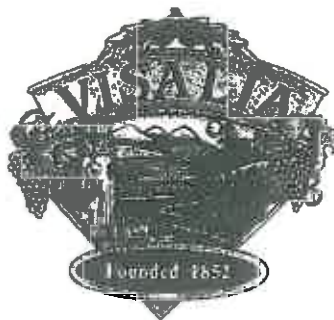
RECEIVED BY _____

DATE _____

City of Visalia

Neighborhood Preservation

315 E Acequia Avenue, Visalia, CA 93291



DECLARATION OF PUBLIC NUISANCE

&

SUMMARY ABATEMENT

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

July 19, 2010

JV-KC Real Estate Partnership
700 W Center Ave
Visalia CA 93291

RE: 212 N Stevenson St
Case #CE100798

VIOLATION – PUBLIC NUISANCE

To Whom It May Concern:

On July 9, 2010 a 48-Hour Notice and Order was sent to you concerning the failure of the sewer system at 212 N Stevenson St. This notice required the system to be repaired and working properly. However, you failed to abate this problem and on July 15, 2010 the City of Visalia received another complaint about sewer water running in the streets from this residence. This same day an inspection was conducted by the City of Visalia Code Enforcement Department and Fire Department.

This complex of houses located at 212 N Stevenson St. and 219 N Johnson St. are run by Victory Outreach. This organization is a men's "half-way" house. The front part of 212 N Stevenson housed approximately 30 – 40 men, and the rear part housed the director and his family. The other residences housed families (Johnson St.).

At the time of the inspection the sewer system had obviously failed and was still running in the street. There was a plumber working on the problem; however it was found that the old plumbing system had failed and a new one would be required.



An inspection of the residence on Stevenson found that Victory Outreach had enclosed the carport area and made one large room for sleeping quarters. There were 24 bunkbeds. There were no egress windows, doors or smoke detectors for the tenants creating a hazardous condition for two dozen individuals. No Building permits were obtained for this conversion. The other bedrooms each contained bunk beds for approximately 4 individuals. Also, one rear exit doorway was boarded.

Further inspections found numerous electrical problems: Exposed back of meter panel, junk in front of panel box, exposed romex (wire) no smoke detectors and several unpermitted outlets.

Plumbing problems, other than the sewer failure, found that the shower in the front unit of Stevenson lack proper fixtures and the kitchen sink area needed repair. Also, one the Johnson St. Units had a washer and dryer on the exposed exterior with an unapproved waste water system.

A check of City of Visalia records found that this property is zoned PA (Planned Professional/Administrative Office). The previous use of the Stevenson property was an eight-bed adult care facility. That facility officially closed on December 31, 2007. The use of this facility to house numerous individuals required a Site Plan Approval.

Because of the sewer failure, unsafe electrical conditions, lack of egress, unpermitted conditions and excessive amount of tenants the property located at 212 N Stevenson St. was posted as Unsafe to Occupy. This property has also been declared a Public Nuisance and Substandard.

APPLICABLE VISALIA MUNICIPAL CODE (LAW):

15.44.010 Public nuisance declared unlawful.

It is unlawful for any person, firm or corporation to maintain property, including structures, in a condition detrimental to public health, safety and general welfare; or in a condition of deterioration or disrepair which could cause damage to proximal properties or improvements. (Prior code § 7918)

"Public nuisance" means any of the following conditions:

- 1. Maintaining premises as to permit the same to become unsightly or in such condition of deterioration or disrepair that the condition causes damage to proximal properties or improvements; or*
- 4. Any condition as defined in the Uniform Housing Code, Chapter 4, Definitions for Nuisance, or any condition as defined in the Uniform Code for the Abatement of Dangerous Buildings, Chapter 3, Definitions for Dangerous Buildings or any drug-related nuisance as defined in Section 15.44.250 of this Chapter.*

17.46.040 (Zoning) Violation--Declared public nuisances and actions.

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this title and any use of land, building, or premises established, conducted, operated or maintained contrary to the provisions of this title shall be and the same are declared to be unlawful and a public nuisance. The zoning compliance inspector shall immediately initiate all necessary legal proceedings for the abatement, removal and enjoinder thereof in the manner provided by law and shall take such other steps as may be necessary to accomplish these ends, and may apply to a court of competent jurisdiction to grant such relief as will remove and abate the structure or use and restrain or enjoin the person, firm or corporation, or an organization from erecting, moving, altering or enlarging the structure or using the site contrary to the provisions of the ordinance. The remedies prescribed by this section are cumulative and nonexclusive. (Prior code § 7603)

APPLICABLE UNIFORM HOUSING CODE (LAW):

Chapter 4. Nuisance. *The following shall be defined as nuisances:*

- 4. Overcrowding a room with occupants.*
- 5. Insufficient ventilation or illumination.*
- 6. Inadequate or unsanitary sewage or plumbing facilities*

APPLICABLE CALIFORNIA BUILDING CODE (LAW):

105.1 PERMITS. *Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.*

APPLICABLE HEALTH AND SAFETY CODE (LAW):

17920.3. *Any building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building:*

- (a) Inadequate sanitation shall include, but not be limited to, the following:*
 - (1) Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.*
 - (3) Lack of, or improper kitchen sink.*
 - (4) Lack of hot and cold running water to plumbing fixtures in a hotel.*
 - (6) Lack of adequate heating.*
 - (8) Lack of minimum amounts of natural light and ventilation required by this code.*
 - (9) Room and space dimensions less than required by this code.*
 - (10) Lack of required electrical lighting.*
 - (13) General dilapidation or improper maintenance.*

(14) Lack of connection to required sewage disposal system.

(b) Structural hazards shall include, but not be limited to, the following:

(c) Any nuisance.

(d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.

(e) All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.

(f) All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.

(h) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(i) All materials of construction, except those which are specifically allowed or approved by this code, and which have been adequately maintained in good and safe condition.

(k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.

(l) All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

(n) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

"Substandard building" includes a building not in compliance with Section 13143.2.

However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.

CORRECTION REQUIRED

In order to resolve this problem and before 1212 N Stevenson can be re-occupied you must do the following:

- Obtain a plumbing permit for replacement of the failed sewer system. This will require inspections. Because of this is a health and safety issue and the failed area is exposed in the front yard this project must be completed within 7 days (July 27, 2010)

- Remove unpermitted addition in carport area.
- Have a general contractor or electrical contractor inspect, repair, replace or remove all unpermitted/unsafe electrical in all units.
- All bedrooms and rooms adjacent to bedrooms (i.e. hallways) are required to have working smoke detectors. The occupied units must comply within 30 days of this notice. The Fire Marshall did provide some smoke detectors to some units.
- All egress doors and windows shall be working properly.
- All plumbing fixtures and mechanical appliances shall be working properly. Exterior washer and dryers are not designed for exterior use. These must be removed and repair the plumbing that the washer is attached to.
- This type of facility requires City of Visalia Site Plan Approval. Please contact City Planner Andrew Chamberlain (713-4003) for information on the requirements.
- A complete inspection of all units (Stevenson and Johnson) by this office and the City Fire Marshall will be required before occupation. Please contact the undersigned building inspector or Code Enforcement Manager to schedule the required inspections (other than the sewer repair. This will be conducted by the Building Department).
- Complete all requirements of attached City of Visalia Fire Department report.
- A 3-hour Code Compliance Fee of \$386.84 and Fire Department Declaration of Public Nuisance Fee of \$244.00 is required in 30 days of this Notice. Total fees owed are ~~\$630.84~~.

Visalia Municipal Code Section 15.44.090 Account and record of cost. *The enforcement officer shall keep an account of the cost of abating such nuisance and shall embody such account in the report and assessment list which shall be filed with city clerk and presented to the city council. The allowable cost of abating such nuisances shall include a charge sufficient to cover the cost of administering this chapter. The report and assessment list shall refer each separate lot or parcel of land by description sufficient to assess against each such separate lot or parcel*

Code Compliance Inspection Fee is \$128.38 per hour for a building inspector

Mandatory 3-year Rental Inspection Program. Section 15.44.160AA *If a rental or owner-occupied structure receives a notice identifying a public nuisance that qualifies as a structural hazard posing a danger to human health or safety, then the code enforcement officer may require the subject property be subject to annual inspections for a three-year period as a condition in addition to nuisance abatement. Examples of such structural hazards include those items described in California Health & Safety Code Section 17920.3(b) raw sewage, exposed wiring, no smoke detectors, no legitimate source of heat, or other similar types of public nuisances. The property owner or*

responsible person shall have the right to object to the mandatory inspections along with the proposed abatement through the appeal procedures described in this Chapter.

Be advised that this property is now subject to a required 3-year mandatory rental inspection at owner's expense. Substandard housing conditions will result in extending the program. This program will start in 2011. You will be notified of the required inspection.

FAILURE TO COMPLY:

YOU ARE HEREBY NOTIFIED that you must comply within thirty (30) days of the date (or otherwise noted) of this Notice and Order. **If the illegal condition has not been resolved within the time specified above, each day will be considered a separate violation. An Administrative Penalty of \$100.00 for the first day, \$200.00 the second day and \$500.00 will be charged to you for each day thereafter the property is not compliant.** This fee, and any other costs necessary to remove the violation will be charged to you personally and/or will be assessed against the land and can be foreclosed on or made a tax assessment which will be placed on the tax rolls to be collected.

A "Notice of Non-Compliance"; may be filed with the State Franchise Tax Board, which may prevent you from claiming State Tax Deductions for taxes, depreciation, amortization, or interest expense connected with the property, as long as it remains substandard. This includes buildings that are unoccupied, vacated or abandoned for at least 90 days. (*Taxation & Revenue Code 17274 and 24436.5*)

Declaration of Substandard Building and Notice of Pendency of Action/Proceedings ("Title Cloud") has been filed with the County of Tulare Recorder's Office. A "Termination of Action" form must be obtained from this office at that time. This form must be presented at the Recorder's Office to complete the release of action.

Failure to respond will result in additional enforcement action being taken to insure that your property is in compliance. Additional action may include a judicial citation, mandatory court appearances, fines and penalties of up to \$1,000.00 per day that the violation(s) continue to occur.

ADMINISTRATIVE APPEAL:

YOU ARE FURTHER NOTIFIED that you may appeal the imposition of the administrative penalty within ten (10) days of the date this Notice and Order is served. This can be accomplished by filing a Notice of Appeal at City Hall East, 315 E. Acequia Avenue, Visalia, California. At the time the appeal is filed, an appeal fee is due and payable and a deposit of the penalty must be made, or evidence provided that a request for an advance deposit hardship waiver has been filed with the Neighborhood Preservation Division of the City of Visalia.

YOU ARE FURTHER NOTIFIED that at the above-stated hearing you may call witnesses to testify on your behalf, present documentary evidence, cross-examine witnesses, and otherwise show why said nuisance should not be ordered abated. You may be represented by legal counsel at your own expense.

SHOULD YOU FAIL TO APPEAR AT SUCH HEARING it shall be deemed a waiver of your right to a hearing.

YOU ARE FURTHER NOTIFIED that once this Order becomes final, you may seek review of this Order pursuant to California Code of Civil Procedure Sections 1094.4 and 1094.6. There are no appeals to City Council.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Elliott', with a long horizontal line extending to the right.

Douglas Elliott
Building Inspector
(559) 804-4769
delliott@ci.visalia.ca.us

cc: Steven Salomon City Manager
Tracy Robertshaw Code Enforcement Manager 713-4187
Dennis Lehman Building Official 713-4495
Kurtis Brown Fire Marshall 713-4261
Andrew Chamberlain City Planner 713-4003

11670 Ave. 264

Visalia Fire Department
FIRE SAFETY INSPECTION

Certificate of Occupancy Insp.
Company Building Inspection
Target Hazard Inspection

DATE: 8-9-07

707 E. Acequia
Visalia, CA 93291
558-713-4266

Business Name Victory Outreach Visalia Address 11670 Ave 264 Occupancy 1 of 2
Manager John Reda Business Phone 257-49502
Emerg. Contact 909 2710 Phone _____
Second Call _____ Phone _____
Building Owner _____ Phone _____

Thank you for contributing to fire safety. We have inspected your business and found no violations.
 Please correct all violations checked below within _____ days. A re-inspection has been scheduled for _____.

Corrections needed to comply with the California Fire Codes, California Building Codes and Title 19
Public Safety Codes

Outside of building:

- 1) Provide street address posted, plainly visible and legible from the street or road fronting the property using 6 inch numbers. (CFC 901.4.4)
- 2) Replace missing and or broken electrical cover plates. (T-19, 3.14)
- 3) Protect wiring located under porch from physical damage using conduit or another-approved method. (CEC 320-14)
- 4) Replace Breaker box located outside on North wall with an approved type. (T-19, 3.14)
- 5) Replace missing light bulb located in front of the building. (T-19, 3.14)

Kitchen / Dining Room:

- 1) Replace missing and or broken electrical cover plates. (T-19, 3.14)
 - 2) Remove all storage 2 feet or more below the ceiling located in the storage room South West side of dining area. (CFC 1103.3.2.2)
 - 3) The water heater needs combustion air to be derived directly from the outside atmosphere. (CPC 502.6)
 - 4) Securely anchor Water Heater to the structure. (CMC 1016.0)
 - 5) Provide a Fire Extinguisher (3-A: 40B:C-10lb) located in a conspicuous location along normal paths of travel where it will be readily accessible and immediately available in the event of a fire. (T-19, 567)
- If the kitchen / dining room is going to be used?
- 6) Replace all door hardware on all exits with Panic Hardware. (CBC 1003.3.1.9)
 - 7) Provide all Exit doors to swing in the direction of the path of exit travel. (CFC 1207.2)
 - 8) Door between the kitchen and dining room must be removed. To allow kitchen door to be used as an exit. (CBC Table 10-A)
 - 9) Remove Cooking equipment from kitchen or provide a Hood and Duct extinguishing system. Any cooking or food heat-processing equipment that produces grease-laden vapors must be supplied with a hood and duct system. (CFC 1005) Also provide a Class (K) fire extinguisher in kitchen area to protect from fires involving combustible cooking media (vegetable or animal oils and fats). (T-19, 573)
 - 10) Post Maximum Occupant Load sign in dining area. Sign should be durable and have contrasting color from the background to which it is attached. Locate sign near the main exit or doorway from the room. (CBC 1007.2.6)
 - 11) Provide illuminated exit signs located over both exit doors. (CBC 1003.2.8.5)
 - 12) Provide Emergency lighting over both exit doors. (CBC 1003.2.9.2)

Visalia Fire Department
FIRE SAFETY INSPECTION

Church Assembly Room:

2 of 2

- 1) Provide illuminated exit signs located over both exit doors. (CBC 1003.2.8.5)
- 2) Provide Emergency lighting over both exit doors. (CBC 1003.2.9.2)
- 3) Post Maximum Occupant Load sign in assembly area. Sign should be durable and have contrasting color from the background to which it is attached. Locate sign near the main exit or doorway from the room. Occupant Load is 180 people. (CBC 1007.2.6)
- 4) Provide all Exit doors to swing in the direction of the path of exit travel. (CFC 1207.2)
- 5) On the main exit provide common knowledge hardware. The main exit door shall be operable from the inside without the use of a key or any special knowledge or effort. (CBC 1003.3.1.8)
- 6) Post "THIS DOOR MUST REMAIN UNLOCKED DURING BUSINESS HOURS" over the main exit door. (CBC 1003.3.1.8)
- 7) Replace door hardware on second exit with Panic Hardware. (CBC 1003.3.1.9)
- 8) Provide a Fire Extinguisher (3-A: 40B:C-10lb) located in a conspicuous location along normal paths of travel where it will be readily accessible and immediately available in the event of a fire. (T-19, 567)
- 9) Replace missing and or broken electrical cover plates. (T-19, 3.14)

OCCUPANT (signature) _____ DATE 8/10/07
OFFICER (please print) Kurtis Brown Fire Inspector No: _____ STATION: _____ SHIFT: _____

1200 N. Cain



City Of Visalia
FIRE DEPARTMENT

Office- (559) 713-4547 Fax-713-4808 email- vhenderson@ci.visalia.ca.us Fire Prevention

September 29, 2004

Tammy Garcia, Administrator
Victory Outreach
1200 N. Cain
Visalia, CA 93292

In the walk through conducted on Wednesday, September 22, the following Fire and Life Safety violations were found and need to be corrected. Some of these violations are very serious and will require a permit for proper completion.

1. Provide proper exiting – insufficient, lack of landings; illuminated exit signs.
2. Remove all living quarters pending approval and improvements signed off by the Building Department.
3. Upgrade and correct all electrical wiring and bring all electrical up to code. Provide proof that this was done by a licensed electrical contractor.
4. Provide an automatic fire sprinkler system
5. Provide a fire alarm system
6. Provide address on the building, black on white or white on black, minimum 6" in height.
7. Repair the gas leak in the furnace area.
8. Provide additional fire extinguishers (minimum 2A10BC) and assure that all have been serviced with the last 12 months. There should be a fire extinguisher every 75' of travel distance.
9. Provide a fire suppression system in an approved hood over the cooking area. These hoods must be serviced every 6 months.

Exhibit "C"



6
8-3-04

Victory Outreach
1200 N. Cain St.
Visalia Ca.

Subject: Illegal Construction at 1200 N Cain St. Visalia

Dear Victory Outreach,

As a result of an inspection on 7-21-04 at the above address, a STOP WORK NOTICE was issued for work without a permit. Performing building construction without a permit violates Section 106 of the 2001 California Building Code; *... no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has been obtained from the building official.*

The inspection found that stairs had been constructed blocking access to electric panels. A kitchen was being constructed and numerous other Code violations were noted.

A further inspection of the property revealed major building projects that have been abandoned, piles of old building material and demolished areas of the building. This is in violation of Section 302.1-11, 13, 14 & 16 of the 1997 Abatement of Dangerous Buildings (See attached).

In addition the building occupancy is in question: prior uses of the building do not include assembly uses.

The inspection of the property was incomplete and further inspections will be required by the Building and Fire Departments.

Because of the conditions to the building and property the Building Official has requested that you submit a request to appear before the City of Visalia Site Plan Review Committee within 30-days. The request should include plans of the property and its intended use. Also please provide a plan of action on the abatement of the violations. A request form has been provided and a business card of the Building Official. If you have any questions please call me at 804-4769

Sincerely, Douglas Elliott, Building Inspector

Exhibit "C"

City of Visalia

315 East Acacia Ave., Visalia, CA 93291



Code Enforcement

Tel: (559) 713-4534 Fax: (559) 713-4812

NOTICE AND ORDER

September 29, 2004

Victory Outreach
1200 N. Cain Street
Visalia, CA. 93277

C/o Tammy Garcia, Administrator

RE: Dangerous and Substandard Building
Case File Number: CE040441

Dear Ms. Garcia:

On Wednesday, July 21, 2004 the City of Visalia's Building and Safety Division responded to a complaint related to the Victory Outreach facility at 1200 N. Cain Avenue in Visalia regarding the condition of the building structure.

Building Inspector Elliott made contact at the facility and received verbal consent to inspect the building and property. During Inspector Elliott's preliminary inspection he observed the following conditions:

- A kitchen was being built at the west end of the building.
- Stairs had been constructed at the west end of the building which blocks the electrical panel boxes.
- Portions of the building were in various states of construction or demolition.

As a result of the July 21, 2004 inspection, Inspector Elliott issued a stop work order for construction/demolition which was being done without plans and permits required pursuant to California **Building Code Section 106** which states: *no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired moved, improved, removed, converted or demolished unless a separate permit for each building or structure has been obtained from the building official.*

Exhibit "C"



This stop work order was documented in August 6, 2004 correspondence which directed

Victory Outreach to immediately stop all construction related work and to appear before the Site Plan Review Board of the City of Visalia on or before September 6, 2004 to discuss your construction intentions and requirements.

We are informed and believe the property is being utilized for a number of purposes, including a sanctuary, nursery, after school program and possibly daycare and other uses. In the Service Commercial zone, only typical service uses are permitted such as auto repair and similar activities. Any additional uses, such as a church, school, and/or any type of residential use requires an application for a conditional use permit to the City to conduct such uses in the Service Commercial zone. The City's Planning Commission then evaluates such uses and takes comments from surrounding landowners to determine whether such uses may be allowed and the conditions related to such uses.

As of Friday, September 10, 2004, Victory Outreach failed to contact the Building and Safety Division, Planning Division, or Code Enforcement Program, and failed to appear before the Site Plan Review Board to discuss construction intentions and requirements.

Due to the lack of response, Building Inspector Elliott and I returned to the property and met with you on Wednesday, September 15, 2004. During our conversation it was apparent that Victory Outreach misunderstood what is required to bring the property, building, and uses into compliance. During our conversation I explained a more comprehensive inspection would be necessary to more accurately identify correction requirements. You consented to the follow up inspection and agreed to stop demolition work in the meantime.

On Wednesday, September 22, 2004 at approximately 09:00 am Inspector Elliott and I along with members of the Fire, Police, Building and Safety, and Code Enforcement Divisions were present to conduct the follow-up inspection authorized by your written consent.

As a result of the September 22, 2004 inspection, the Victory Outreach building has been classified as a **Dangerous Building** as defined by Section 302 of the Uniform Code For The Abatement Of dangerous Buildings.

Pursuant to the Uniform Code For The Abatement Of Dangerous Buildings Section 401.2 (3.2) Building Official Dennis Lehman has determined that the building must be vacated by Monday, October 4, 2004 at 09:00 a.m. and all uses must cease until required corrections have been made.

On Wednesday, September 29, 2004 at 09:00 the property will be posted with a "Notice to Vacate" -- "Unsafe to Occupy" which will become effective Monday, October 4, 2004 at 09:00 am. Entry will then be restricted for the purpose of repair only. Anyone found on the property in violation of the posting will be subject to arrest pursuant to

Uniform Housing Code Section 1104.2 The building must remain vacant until the required corrections have been made.

The following issues have been identified as eminent potentially life threatening or safety related and must be corrected by Monday, October 11, 2004:

1. The rear portion of the property which allows for access into or underneath or which is either in a construction or demolition phase must be fenced to prevent access.
2. A smell of gas was present in the facility. The Fire Department notified the utilities provider and requested they inspect the property to establish the cause. The cause must be established and corrected.
3. The main electrical panel for the facility has been incorrectly charged. Access to some panel boxes has been restricted. Wiring must be secured in an approved manner. Several electrical outlets and switches have been incorrectly wired and do not have cover plates. All electrical must be thoroughly inspected and brought up to code by a licensed electrical contractor.
4. Access to the second floor of the building must be restricted to personnel making repairs. Proper exiting does not exist and will not allow for the current uses to continue.
5. All bedrooms, dorms or sleeping areas must be removed from the building. This is not a permitted or allowed use.

Prior to commencement of the corrective action, you must apply for and receive from the City of Visalia and other regulatory entities with jurisdiction appropriate permits to complete the necessary corrections listed above.

The following items must be corrected by Friday, October 29, 2004:

1. Obtain an asbestos inspection evaluation. Obtain clearance from the Air Quality Control Board to demolish the portion of the building where demolition has begun and obtain a demolition permit from the City of Visalia to complete work.
2. Install beneath the east side of the building an approved brace (sound engineering) to assist in supporting the raised foundation area.
3. Submit to the City of Visalia a Site Plan Application which includes the intended use. This facility was previously approved for factory or industrial use. A detailed floor plan of the building is required. A comprehensive list of all current uses of the facility is required. The application and information will be provided to City's Site Plan Review Committee.
4. Submit an application to the City for a Conditional Use Permit to conduct the activities which are not authorized in the zone.

Several other corrections of less significance must be identified and corrected at a later date. The Visalia Fire Department will, by separate correspondence, provide a list of Uniform Fire Code related violations. Further discussions between City and Victory must occur to develop a schedule with deadlines to address these other issues.

I look forward to resolving these significant issues with you in a timely and cooperative manner. If the Building Official, Dennis Lehman, Building Inspector Doug Elliott, Senior Planner Andrew Chamberlain or I can be of assistance please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Burns", with a stylized flourish at the end.

Tim Burns
Code Enforcement Officer

cc: Steven M. Salomon, City Manager
Colleen J. Carlson, Deputy City Attorney
Michael Olmos, Community Development and Public Works Director
Jerry Barker, Chief of Police
George Sandoval, Fire Chief

Exhibit "C"



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 11, 2016

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

SUBJECT: **Conditional Use Permit No. 2016-01:** A request by Victory Outreach Visalia, John Rodriguez - agent, to establish a Women's Residential Care Facility with 30 beds for women, and 10 beds for male and female staff, and Victory Outreach Church offices, in the Single Family Residential (R-1-6) zone. The site is located at 1627 S. Garden Street (APN 097-271-041).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2016-01, as conditioned, based upon the findings and conditions in Resolution No. 2016-03. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2016-01, based on the findings and conditions in Resolution No. 2016-03.

PROJECT DESCRIPTION

Conditional Use Permit No. 2016-01 is a request by Victory Outreach Visalia, John Rodriguez - agent, to establish a Women's Residential Recovery Home with 30 beds for female clients, and 10 beds for full time male and female staff. This is not a State Licensed facility; it is to be operated as a church facility under the auspices of Victory Outreach Visalia. The facility includes on-site counseling services for residents, and Church offices, along with related living and dining facilities. Located at 1627 S. Garden Street (Exhibit "A"), the existing building was established as a 44 bed senior care facility through Conditional Use Permit No. 767 in 1979. The site has been vacant for approximately ten years. This is a double fronting site with frontages on Garden Street and Church Street, and a 14-stall parking lot on Garden Street.

The building is one story with approximately 9,000 sq. ft. comprised of 24 rooms (bedrooms and offices), with a large visiting room, dining hall and kitchen. The proposed project would not expand the existing facility. The floor plan in Exhibit "B" shows the layout for the facility, which includes 16 bedrooms for clients (30) and live-in staff (10), and 8 rooms for offices and related uses. The client bedrooms have one to four beds, and the live-in staff bedrooms accommodate single and staff couples.

The Operational Statement in Exhibit "C" outlines the program will accommodate a maximum of 30 female clients and up to 10 live-in staff counselors. The program will provide recovery services for non-high risk individuals with drug or alcohol problems.



The facility will be fully staffed and occupied 24-hours a day, seven days a week with counseling, activities and programs for the clients. The Church offices would be staffed with up to 6 people Monday through Friday; the Church office staff would not be residents at the site.



This facility is intended to be a residential care and recovery facility and will not be a location for meetings, counseling, or church services for persons who do not reside at the site. The clients that reside at this facility will be provided with transportation to appointments, and other client needs that occur off-site. The clients are not permitted to have personal vehicles. The onsite parking is to accommodate the employees of the facility and Church offices. All clients are ambulatory and the facility will operate in a residential manner. The clients may have occasional supervised visits from family and friends.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Residential Low Density								
Zoning:	R-1-6 (Single-Family Residential 6,000 sq. ft. min. site area)								
Surrounding Land Use and Zoning:	<table border="0" style="margin-left: 20px;"> <tr> <td style="vertical-align: top;">North:</td> <td>R-1-6 (Single-Family Residential 6,000 sq. ft. min. site area) – Single-family residential homes</td> </tr> <tr> <td style="vertical-align: top;">South:</td> <td>R-1-4.5 (Single-Family Residential 4,500 sq. ft. min. site area) – Single-family residential homes</td> </tr> <tr> <td style="vertical-align: top;">East:</td> <td>R-M-2 & R-M-3 (Multiple-Family Residential) – Single-family residential homes</td> </tr> <tr> <td style="vertical-align: top;">West:</td> <td>PA (Professional Administrative Office) –</td> </tr> </table>	North:	R-1-6 (Single-Family Residential 6,000 sq. ft. min. site area) – Single-family residential homes	South:	R-1-4.5 (Single-Family Residential 4,500 sq. ft. min. site area) – Single-family residential homes	East:	R-M-2 & R-M-3 (Multiple-Family Residential) – Single-family residential homes	West:	PA (Professional Administrative Office) –
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East:	R-M-2 & R-M-3 (Multiple-Family Residential) – Single-family residential homes								
West:	PA (Professional Administrative Office) –								

Medical Office Buildings

Environmental Review:

Categorical Exemption No. 2016-02

Special District & Design District:

N/A

Site Plan Review No:

2015-153

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies. The proposed project is consistent with applicable plans and policies.

RELATED PROJECTS

Conditional Use Permit 2014-23, approved on November 22, 2014, authorized the establishment of a Residential Recovery Facility for 29 men, at 3107 E. Kaweah Avenue for Central Valley Recovery Services.

PROJECT EVALUATION

Staff supports the conditional use permit, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance policies for approval of conditional use permits.

Land Use Compatibility

The project is proposing to redevelop an existing residential care facility site which was originally established in 1979 as a 44 bed senior care facility through Conditional Use Permit No. 767. The facility has been vacant for approximately 10 years and would be re-occupied for rehabilitation and re-entry services. The proposed facility would house 30 female recovery clients and 10 live-in staff and counselors, plus Victory Outreach Church office staff.

The adjacent land uses are single family residential to the north, east and south, and medical offices to the west. As the project was reviewed through the Site Plan Review process, the overall size of the site with ample open space, combined with the previous use as a 44 bed senior care facility led staff to conclude that the proposed residential care facility is a consistent land use, and can be compatible as conditioned through the use permit process.



Similar to other residential recovery or care facilities, staff has included the Good Neighbor Policies, discussed below, as a condition of the use permit. To further ensure neighborhood compatibility, staff has included conditions of approval which call for preventing loitering of clients and staff on adjacent properties. The daily program outlined in Exhibit "C", provides a routine for the clients. Staff has included a condition that the facility operator is to review any changes to the operational statement or program characteristics with staff, to determine if an amendment to this use permit is required, prior to any type of change in the operation or facility.

Staff believes that the proposed recovery facility, as presented and conditioned, can be compatible with the adjacent single family and office land uses.

State Licensing

This is a not a State Licensed facility, it will be operated as a church facility by Victory Outreach Visalia. The operational statement does not include any qualifications for the staff or live-in councilors.

Church Offices

The site will also be used for temporary church offices for Victory Outreach Visalia. The operational statement indicates that the offices would be open from 8am to 5pm Monday through Friday. No date is given for the relocation of the Church offices off of this site.

Facility Parking and Transportation

The existing 14 stall parking lot is accessed from Garden Street, and a service drive is accessed from Church Street with no identified parking. The operational statement indicates that the clients will be prohibited from having vehicles, and that there will be up to two transport vehicles for client services. The Victory Outreach Visalia office staff will have vehicles on the site daily, and overnight for the live-in staff.

Staff has included a condition prohibiting the clients from having personal vehicles on the site, and prohibiting the storage of any unlicensed vehicle upon the site. In addition, staff has included a condition prohibiting the storage of any trailers or items in the parking lot or outside the building. Staff believes the parking lot will be able to accommodate the on-site activities, along with visitors.



Good Neighbor Policy Condition

Staff recommends that the Planning Commission approve conditions that serve as “good neighbor” policies (see Condition No. 12.a. through 12.i. of the Conditions of Project Approval). The inclusion of the Good Neighbor Policies as part of the project’s Conditions of Approval is to ensure that this facility maintains the site and residential structure in a visually compatible manner with respect to the surrounding residential properties. This condition has been applied to several similar facilities located throughout the community. Staff has found that maintaining residentially located facilities in an orderly manner goes along with the intent of integrating these types of uses into neighborhoods in a compatible manner.

Reuse of Existing Structures

As previously mentioned, the site was developed in the late 1970’s as a 44 bed senior care facility. This project would re-establish a residential use in a building which has been vacant for approximately 10 years. Staff supports the reuse of these types of facilities where they can be made compatible through the conditional use permit process.

Visalia Police Department Review

The Visalia Police Department reviewed the applicant’s proposal during the Site Plan Review process, and did not recommend inclusion of any additional conditions/recommendations beyond those identified in the attached resolution.

Conditional Use Permit Revocation

Compliance with all conditions of approval is mandatory. Failure to meet or follow the use permit conditions of approval or related City, State, or Federal regulations or ordinances may result in City staff initiating a revocation process before the Planning Commission. In addition, facilities which operate within the scope of the use permit, but are the subject of nuisance complaints may also be subject to conditional use permit revocation.

The City of Visalia has legally defined “Nuisance” as any public nuisance known at common law or in equity jurisprudence. The City has taken measures to protect its citizens from nuisances by enforcing abatement of the use, which are offensive or annoying to the senses, detrimental to property values and community appearance, an obstruction to or interference with the comfortable enjoyment of adjacent property or premises, or hazardous or injurious to the health, safety or welfare of the general public. This is evident with the City’s effort on bringing businesses into compliance with city standards and closing operations and uses that have contributed to the detriment of the general public.

Environmental Review

This project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for approval of minor deviations to allow uses through the conditional use permit process that are consistent with the general plan designation and applicable zoning designations and regulations (Categorical Exemption No. 2015-02).

RECOMMENDED FINDINGS

Conditional Use Permit No. 2016-01

1. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
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 findings of 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 conditional use permit is compatible with adjacent land uses, subject to compliance with the Operational Statement and Conditions of Project Approval. The daily operating requirements and project conditions, including the "Good Neighbor Conditions" ensure that the facility maintains the residential character and that the site be maintained so that the property does not fall in to a state of disrepair deviating from the natural residential setting that surrounds the facility.
 - 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. The conditions adopted for the recovery facility ensure that the site is properly maintained and does not fall into a state of disrepair. In addition, the adopted project conditions require the recovery facility to operate in a manner that does not conflict with the surrounding residential neighborhood. Failure to comply with the conditions, including the recovery facility being declared a Public Nuisance would result in staff proceeding with the revocation process for the CUP.
3. That the project is Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2016-02).

RECOMMENDED CONDITIONS OF APPROVAL

Conditional Use Permit No. 2016-01

1. That the site be developed consistent with the comments and conditions of the Site Plan Review No. 2015-153.
2. That the site be developed in substantial compliance with the site plan/floor plan, and elevations shown in Exhibits "A" and "B".
3. That the women's recovery facility comply and operate as outlined in the operational statement in Exhibit "C", and as conditioned per the conditions of approval.
4. That the program is limited to providing recovery services for low-risk female clients. High-risk individuals, as defined by the Department of Social Services and other accredited agencies, are prohibited from receiving housing and counseling services at this site. Registered sex offenders and persons convicted of violent crimes are explicitly prohibited from residing at this facility.
5. That the temporary church offices may not be sub-let for any other office or commercial purposes.
6. That the facility be limited to a maximum of 30 beds for female clients, and 10 beds for the live-in staff and counselors.
7. That prior to any work on the building, a building permit shall be obtained.
8. That the tenants, with the exception of employees and/or live-in staff, are prohibited from bringing personal vehicles to the facility; and the storage of any unlicensed or non-operative vehicle upon the site is prohibited.
9. That the storage of any trailers or items in the parking lot or outside the building is prohibited.

10. That any changes in the operational profile and / or the site of the facility be submitted to the Planning Division for review to determine consistency with the conditional use permit or if an amendment to this use permit would be warranted.
11. That the specific use approved for this property is an alcohol and drug care and recovery facility for a maximum of 30 female clients. No other residential programs or facilities shall be allowed or conducted on the site without prior review and discretionary action(s) if required.
12. That the owner/operator shall be subject to the following "good neighbor" policy conditions:
 - a. All development standards, city codes and ordinances shall be continuously met for this use. Buildings and premises, including paint/siding, roofs, windows, fences, and landscaping shall be kept in good repair. Premises shall be kept free of junk and debris.
 - b. Provide a regular program for the control of infestation by insects, rodents, and other pests.
 - c. Maintain all electrical, plumbing, heating, and other facilities in good working order.
 - d. Maintain all structures in reasonably weather tight condition and good exterior appearance.
 - e. Remove graffiti on the site or in the public right of way in front of the site within 24 hours of it having been observed.
 - f. That the site shall always be maintained in keeping with the residential character of the surrounding neighborhood.
 - g. All on-site landscaping shall be maintained in a well groomed residential character.
 - h. At least one operator of the program shall be available on-site or by phone at all times to respond to management and maintenance issues raised by any concerned individual.
 - i. Provide 24-hour access for Visalia Police Department to facility staff. Staff shall be either on-site or available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
13. That the operator of the facility shall not allow loitering in front of the facility or on the adjacent properties by the clients or staff.
14. That the requirements of the Noise Ordinance for noise sensitive land uses shall be met by this facility.
15. That signs shall be prohibited at this site.
16. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2016-01.
17. That all applicable federal, state and city codes and ordinances be met.
18. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2016-01.

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 form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe Street, Visalia, CA 93292. 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 & Policies
- Resolution No. 2016-03
- Exhibit "A" – Site Plan / Floor Plan
- Exhibit "B" – Synopsis of Proposed Building Modifications
- Exhibit "C" – Operational Statement
- Exhibit "D" – Photos
- Site Plan Review No. 2015-153
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND 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)

RESOLUTION NO. 2016-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2016-01 , A REQUEST BY VICTORY OUTREACH VISALIA, JOHN RODRIGUEZ - AGENT, TO ESTABLISH A WOMEN'S RESIDENTIAL CARE FACILITY WITH 30 BEDS FOR WOMEN, AND 10 BEDS FOR MALE AND FEMALE STAFF, AND VICTORY OUTREACH CHURCH OFFICES, IN THE SINGLE FAMILY RESIDENTIAL (R-1-6) ZONE. THE SITE IS LOCATED AT 1627 S. GARDEN STREET (APN 097-271-041)

WHEREAS, Conditional Use Permit No. 2016-01, is a request by Victory Outreach Visalia, John Rodriguez - agent, to establish a Women's Residential Care Facility with 30 beds for women, and 10 beds for male and female staff, and Victory Outreach Church offices, in the Single Family Residential (R-1-6) zone. The site is located at 1627 S. Garden Street (APN 097-271-041); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on April 11, 2016; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2016-01 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 15305.

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 conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
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 findings of 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 conditional use permit is compatible with adjacent land uses, subject to compliance with the Operational Statement and Conditions of Project Approval. The daily operating requirements and project conditions, including the "Good Neighbor Conditions" ensure that the facility maintains the residential character and that the site be maintained so that the property does not fall in to a state of disrepair deviating from the natural residential setting that surrounds the facility.

- 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. The conditions adopted for the recovery facility ensure that the site is properly maintained and does not fall into a state of disrepair. In addition, the adopted project conditions require the recovery facility to operate in a manner that does not conflict with the surrounding residential neighborhood. Failure to comply with the conditions, including the recovery facility being declared a Public Nuisance would result in staff proceeding with the revocation process for the CUP.
3. That the project is Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2016-02).

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 consistent with the comments and conditions of the Site Plan Review No. 2015-153.
2. That the site be developed in substantial compliance with the site plan/floor plan, and elevations shown in Exhibits "A" and "B".
3. That the women's recovery facility comply and operate as outlined in the operational statement in Exhibit "C", and as conditioned per the conditions of approval.
4. That the program is limited to providing recovery services for low-risk female clients. High-risk individuals, as defined by the Department of Social Services and other accredited agencies, are prohibited from receiving housing and counseling services at this site. Registered sex offenders and persons convicted of violent crimes are explicitly prohibited from residing at this facility.
5. That the temporary church offices may not be sub-let for any other office or commercial purposes.
6. That the facility be limited to a maximum of 30 beds for female clients, and 10 beds for the live-in staff and counselors.
7. That prior to any work on the building, a building permit shall be obtained.
8. That the tenants, with the exception of employees and/or live-in staff, are prohibited from bringing personal vehicles to the facility; and the storage of any unlicensed or non-operative vehicle upon the site is prohibited.
9. That the storage of any trailers or items in the parking lot or outside the building is prohibited.
10. That any changes in the operational profile and / or the site of the facility be submitted to the Planning Division for review to determine consistency with the conditional use permit or if an amendment to this use permit would be warranted.
11. That the specific use approved for this property is an alcohol and drug care and recovery facility for a maximum of 30 female clients. No other residential programs

or facilities shall be allowed or conducted on the site without prior review and discretionary action(s) if required.

12. That the owner/operator shall be subject to the following "good neighbor" policy conditions:
 - a. All development standards, city codes and ordinances shall be continuously met for this use. Buildings and premises, including paint/siding, roofs, windows, fences, and landscaping shall be kept in good repair. Premises shall be kept free of junk and debris.
 - b. Provide a regular program for the control of infestation by insects, rodents, and other pests.
 - c. Maintain all electrical, plumbing, heating, and other facilities in good working order.
 - d. Maintain all structures in reasonably weather tight condition and good exterior appearance.
 - e. Remove graffiti on the site or in the public right of way in front of the site within 24 hours of it having been observed.
 - f. That the site shall always be maintained in keeping with the residential character of the surrounding neighborhood.
 - g. All on-site landscaping shall be maintained in a well groomed residential character.
 - h. At least one operator of the program shall be available on-site or by phone at all times to respond to management and maintenance issues raised by any concerned individual.
 - i. Provide 24-hour access for Visalia Police Department to facility staff. Staff shall be either on-site or available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
13. That the operator of the facility shall not allow loitering in front of the facility or on the adjacent properties by the clients or staff.
14. That the requirements of the Noise Ordinance for noise sensitive land uses shall be met by this facility.
15. That signs shall be prohibited at this site.
16. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2016-01.
17. That all applicable federal, state and city codes and ordinances be met.
18. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2016-01.

Exhibit "A"

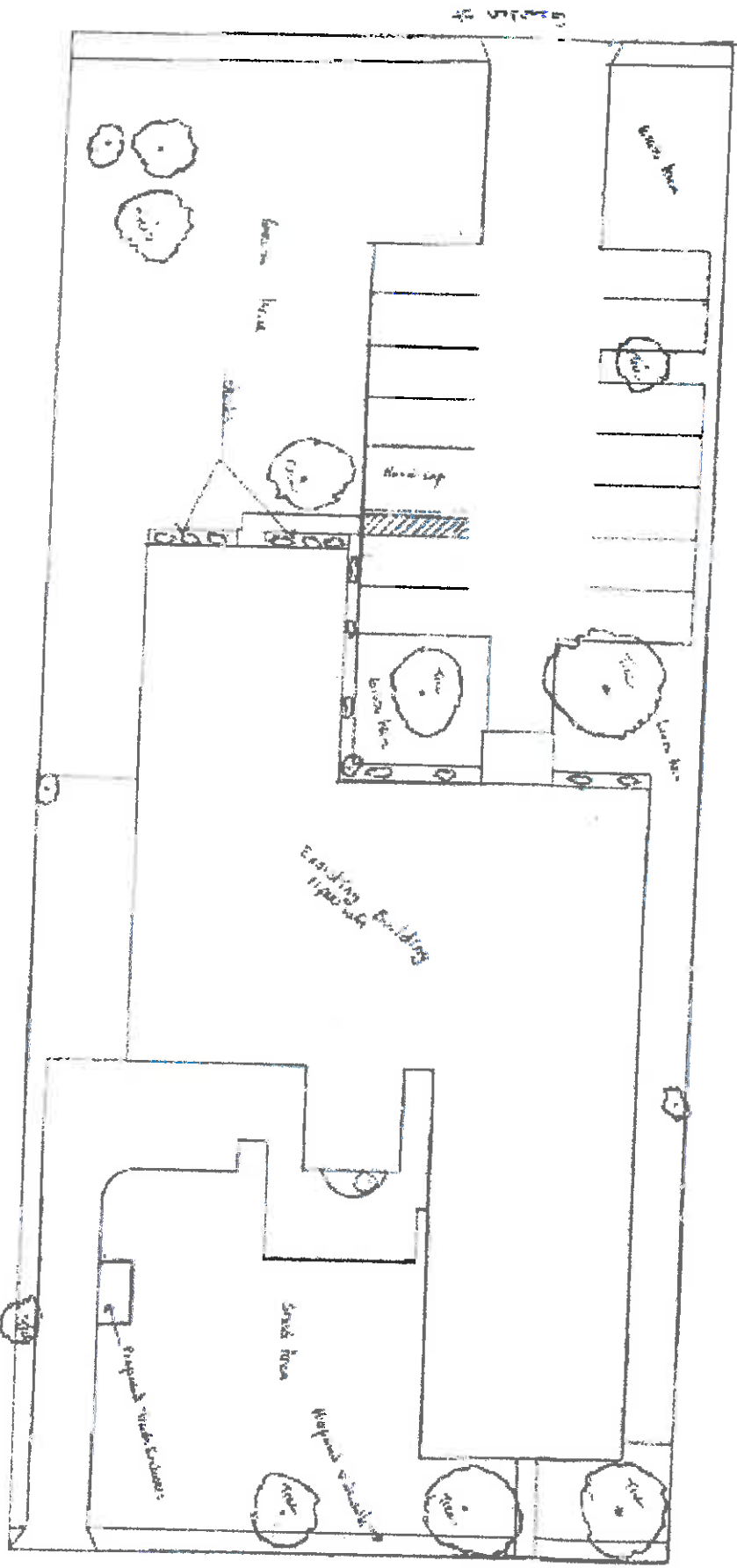
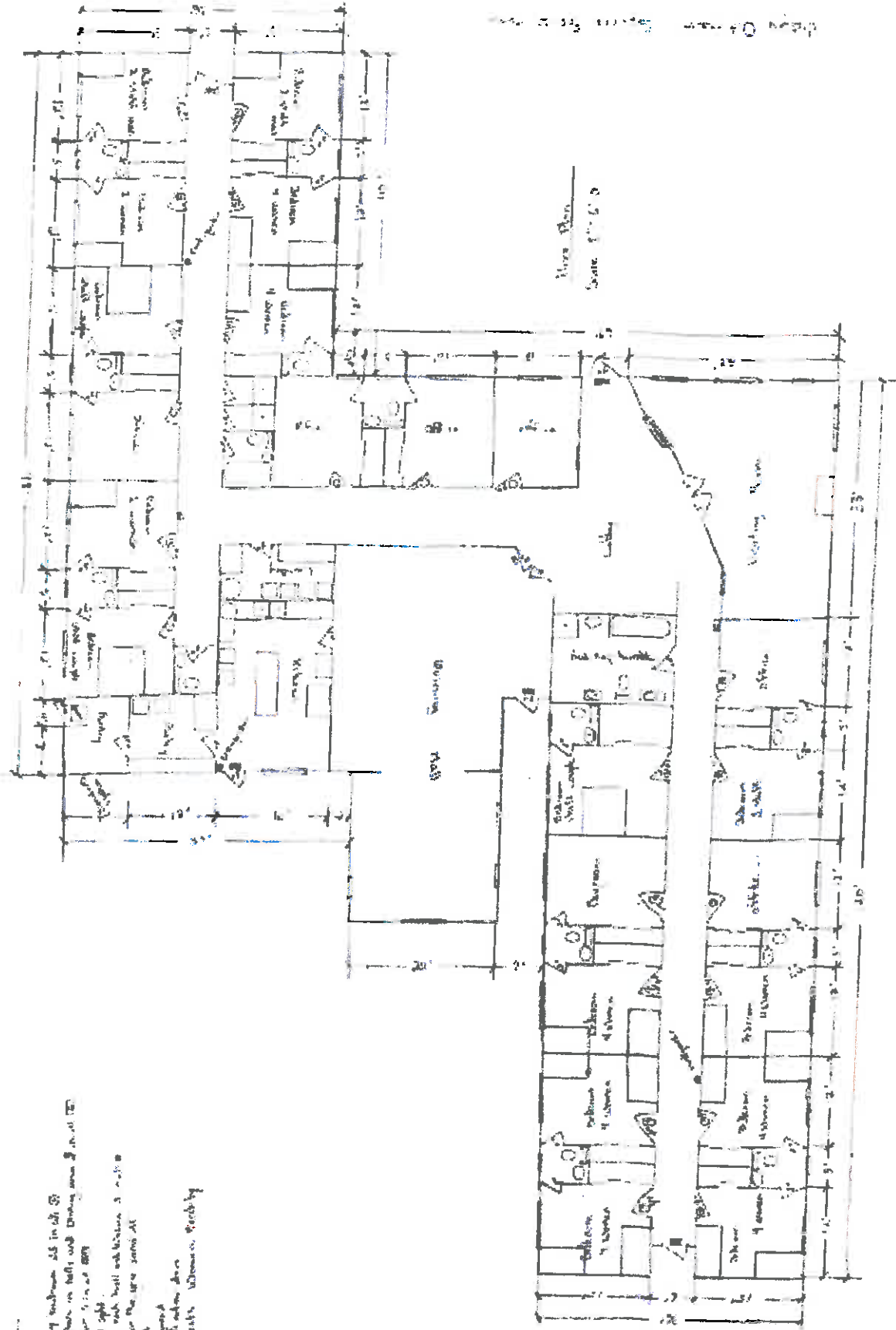


Exhibit "A"

4/18/52

- 1. Corridor 10' x 10' in every bathroom 25 in dia.
- 2. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.
- 3. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.
- 4. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.
- 5. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.
- 6. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.
- 7. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.
- 8. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.
- 9. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.
- 10. Corridor 10' x 10' in every bathroom in hall and dining room 2 in dia.



Victory Outreach Visalia

1627 S. Garden St. Visalia CA 93277

559.372.8671

vovisalia@aol.com

2/25/2016

Victory Outreach Visalia Christian Recovery Home Operational Statement (Revised)

This document is to serve as a revision to the Operational Statement for the Conditional Use Permit No. 2016-01. This will address the items mentioned in the letter received from Susan Currier on 24 February 2016.

1. The number of female residents living at the facility will be 20 "clients", 4 live-in councilors (female), and the directors (1 married couple). There will 10 residents who are "re-entry" as well as one married couple who serve as the "over-seers" of the re-entry, and one live-in couple serving as Recovery Home administration staff totaling no more than 40 people at any given time.
2. The residents will not park or store any personal vehicles on the premises (other than staff vehicle).
3. The "clients" will be transported via van or city bus. The nearest bus stop located on Walnut Ave. east of Garden St.
4. There will be 14 parking stalls, no more than 2 "transport" vehicles will be kept on site at any given time with the exception of office staff which do not stay over-night.
5. This facility is not State licensed
6. The individuals who will be housed here are low level individuals, meaning they are not high-risk, nor do they have acute psychiatric, drug, or alcohol dependency issues. The residents are cleared by probation and/or Tulare County Department of Mental Health
7. Individuals with acute psychiatric, drug, and/or alcohol problems will neither be allowed to reside here or receiving counseling here.
8. There will be no general church or prayer services on the site open to non-residents and office staff of the facility. "Special Meetings" will consist of no more than 40 residents.
9. The recovery facility and church offices are both located at this facility for the time being. The church offices are located here on a temporary basis and normal business hours of the "offices" are Monday through Friday 9am-5pm.

Please let us know if you need any further information. We look forward to moving ahead with this project.

Exhibit "C"

This operational statement is for the proposed Victory Outreach Visalia Christian Recovery Home for Women to be located at 1627 S. Garden St Visalia CA 93277. The proposed facility is to be used as a 24-hour residential care facility for women who have been bound by drugs, alcohol, and other debilitating issues. The facility will have 24-hour live-in staffing which will live on site in order to supervise and address any problems/situations which may arise. Staff will be female with the exception of church staff will be there during normal business hours, as there will also be three church administration offices there. The daily operation/schedule will be as follows:

5:30am- Wake up

6:00am-7:00am- Prayer

7:00am-8:00- Bible-Study

8:00am-8:30am- Breakfast

8:30am-9:00am- Chores

9:00am-3:00pm- Women leave for various work detail

3:00pm-4:00pm- Showers

4:00pm-5:00pm- Free time and dinner prep

5:00pm-6:00pm- Dinner (to be held in dining hall and not exceed 30 people at one time)

6:00pm-7:00pm- Clean up/ evening chores

7:00pm-8:00pm- Evening prayer

10:00pm- Lights Out

*NOTE: This schedule is basic and subject to change pending the needs of the day and various church services/activities.

Church administration office hours will be from 9:00am to 3:00pm. Church administration staff will be approximately 6 people. Church offices will operate Monday-Friday, with the exception of special meetings which may arise from time to time. If you have any questions, please feel free to contact us.

Exhibit "C"



Exhibit "D"



MEETING DATE October 7, 2015
 SITE PLAN NO. 15-153
 PARCEL MAP NO.
 SUBDIVISION
 LOT LINE ADJUSTMENT NO.

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

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

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

ADDITIONAL COMMENTS _____

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



Site Plan Review Comments For
City of Visalia
Fire Department
707 W Acequia
Visalia, CA 93291
559-713-4261 office
559-713-4808 fax

ITEM NO: 2
SITE PLAN NO: SPR15153
PROJECT TITLE: VICTORY OUTREACH RESIDENTIAL CARE FACILI
DESCRIPTION: VICTORY OUTREACH RESIDENTIAL CARE FACILI (R-1-6) (X)
APPLICANT: RODRIGUEZ JUAN
PROP OWNER: BENNETT GARY D
LOCATION: 1627 S GARDEN ST
APN(S): 097-271-041

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 are served 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)*

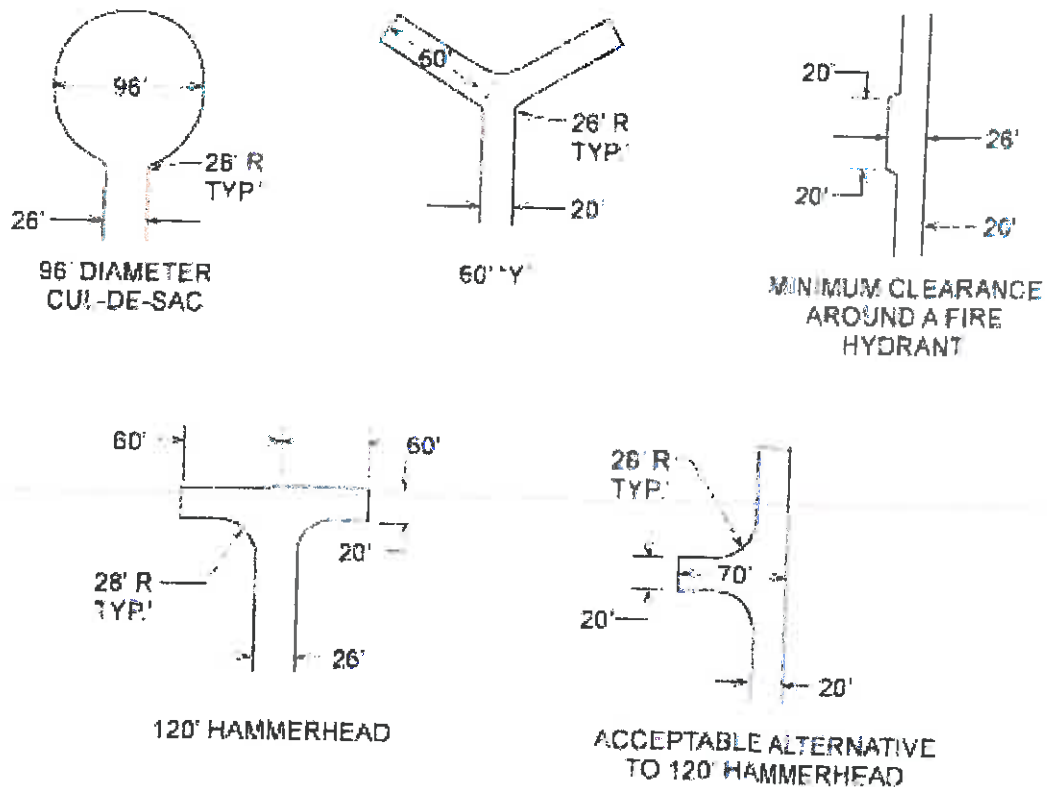
Emergency Access:

- 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 radius 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:

- Fire Alarm system required. Comply with the means of egress requirements-provide exit signs and emergency lighting throughout.



Maribel Vasquez
Fire Inspector

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

October 7, 2015

ITEM NO: 2	RESUBMTL
SITE PLAN NO: SPR15153	
PROJECT TITLE: VICTORY OUTREACH RESIDENTIAL CARE FACILITY	
DESCRIPTION: VICTORY OUTREACH RESIDENTIAL CARE FACILITY (R-1-6) (X)	
APPLICANT: RODRIGUEZ JUAN	
PROP. OWNER: BENNETT GARY D	
LOCATION: 1627 S GARDEN ST	
APN(S): 097-271-041	

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:

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Leslie Blair

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

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

ITEM NO: 2 DATE: OCTOBER 7, 2015

SITE PLAN NO.: 15-153 RESUBMITTAL
 PROJECT TITLE: VICTORY OUTREACH RESIDENTIAL CARE FACILITY

DESCRIPTION: VICTORY OUTREACH RESIDENTIAL CARE FACILITY (R16) (X)

APPLICANT: RODRIGUEZ JOHN
 PROP OWNER: BENNETT GARY D
 LOCATION: 1627 S GARDEN ST
 APN: 097-271-041

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. FOR ANY WORK NECESSARY IN THE PUBLIC RIGHT-OF-WAY**
 Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 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:

- 1. A previous Conditional Use Permit was approved for the allowance of 44 residents. The proposed Site Plan indicates number of desired residents is 44. Impact fees will be assessed in excess of 44 residents should applicant desire to expand in the future. Refer to page 3 for fee summary.**
- 2. Refer to Planning Dept. for new CUP requirements.**
- 3. Refer to Building and Fire Depts for further conditions of approval.**
- 4. Tenant improvements shall include refreshing of parking lot striping and van accessible stall. Refer to City accessible parking standards.**
- 5. Building permit plan check and inspection fees apply.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **15-153 RESUBMITTAL**

Date: **10/7/2015**

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: **9/4/2015**)

(Project type for fee rates: **ASSISTED LIVING**)

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 checked="" type="checkbox"/> Transportation Impact Fee	\$1,987/UNIT
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$285/BED, TREATMENT PLANT FEE: \$459/BED
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

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

Adrian Rubalcaba

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: October 07, 2015

SITE PLAN NO: 2015-153 RESUBMITTAL
PROJECT TITLE: VICTORY OUTREACH RESIDENTIAL CARE FACILITY
DESCRIPTION: VICTORY OUTREACH RESIDENTIAL CARE FACILITY (R-1-6) (X)
APPLICANT: RODRIGUEZ JUAN
PROP. OWNER: BENNETT GARY D
LOCATION TITLE: 1627 S GARDEN ST
APN TITLE: 097-271-041
GENERAL PLAN: Residential Low Density
EXISTING ZONING: R-1-6 – Single-Family Residential 6,000 sq. ft. min. site area

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit
- Detailed Operational Statement
- Building Permits
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 10/07/2015

1. Comply with previous comments.
2. The operational statement shall clearly state the number of women at this facility. Per the floor plan exhibit, 34 beds are provided for women and there are additional rooms provided for the 10 staff members.
3. Clearly state that 10 staff members are on-site and identify how many of them reside there 24/7 and how many of the staff members are men.
4. Identify the number of staff members who are male that will reside on the site 24/7. This is not clear on the operational statement.
5. Staff will include the Good Neighbor Policies as "Conditions of Project Approval" as part of the CUP.
6. Identify the primary entrance into the facility.
7. Depict any private open space area provided on-site for the women residing at this facility. Depict the screening material and location on the site plan exhibit.
8. Staff will include a condition prohibiting Loitering on-site for any person not residing at this facility.
9. Provide a declaration in the operational statement stating church services, if provided, are only for the residents who reside at this facility. Open church services for Victory Outreach congregation members are not permitted at this location.

\Previous Comments

PROJECT SPECIFIC INFORMATION: 09/30/2015

1. A Conditional Use Permit is required for the 24-hour residential care facility.
2. Staff is requiring an Operational Statement that provides detailed information on how this facility will be operated. Identify the number of people that will be residing at this facility, number of staff people present at all times, state if there are activities/programs that require participation from all individuals residing at this facility.
3. During the site plan review meeting, the applicant identified that this facility will only house women. The operational statement needs to clearly define if housing is provide for either men or women. The operational statement will be included as a condition of the CUP requiring the facility comply with the operational statement at all times. Changes to the daily operations will require an amendment to the CUP.
4. Provide a floor plan that depicts the beds in each of the rooms. Provide information on the number of beds provided. The CUP will included a condition limiting the number of beds based on the operational statement and floor plan.

- Staff believes that the proposed site plan IS CONSISTENT with the City General Plan.
- 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.

R-1-6 Single Family Residential Zone [17.12]

Maximum Building Height: 35 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Front	15 Feet	15 Feet
➤ Front Garage (garage w/door to street)	22 Feet	22 Feet
➤ Side	5 Feet	5 Feet
➤ Street side on corner lot	10 Feet	10 Feet
➤ Rear	25 Feet*	25 Feet

Minimum Site Area: 6,000 square feet

Accessory Structures:

Maximum Height: 12 feet (as measured from average grade next to the structure)

Maximum Coverage: 20% of required Rear Yard (last 25 feet by the width)

Reverse Corner Lots: No structure in the 25 feet of adjacent lot's front yard area, see Zoning Ordinance Section 17.12.100 for complete standards and requirements.

Parking:

1. Provide one parking space per every three beds provided (see Zoning Ordinance Section 17.34.020).
2. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
3. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).
4. It is highly recommended that bicycle rack(s) be provided on site plan.
5. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
6. 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).

Landscaping:

1. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
2. 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.

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature

A handwritten signature in blue ink, appearing to read "T. St. Roman", is written over a horizontal line.

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

ITEM NO: 2 DATE: October 20
 SITE PLAN NO: SPR15153 **RESUBMIT**
 PROJECT TITLE: VICTORY OUTREACH RESIDENTIAL CARE FACILITY
 DESCRIPTION: VICTORY OUTREACH RESIDENTIAL CARE FACILITY
 (R-1-6) (X)
 APPLICANT: RODRIGUEZ JUAN
 PROP OWNER: BENNETT GARY D
 LOCATION: 1627 S GARDEN ST
 APN(S): 097-271-041

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:
BWINTER L98

*NO EXCESSIVE NUISANCE COMPLAINTS
 ie: PD ROUTINELY GETS NEIGHBORHOOD
 NUISANCE COMPLAINTS OF VICTORY OUTREACH
 REPRESENTATIVES GOING DOOR TO DOOR OFFERING
 TO PAINT CURBS FOR DONATIONS TO THE
 BUSINESS.*

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

COMMERCIAL BIN SERVICE

SITE PLAN NO: SPR15153
PROJECT TITLE: VICTORY OUTREACH RESIDENTIAL CARE FACILITY
DESCRIPTION: VICTORY OUTREACH RESIDENTIAL CARE FACILITY (R-1-6) (X)
APPLICANT: RODRIGUEZ JUAN
PROP OWNER: BENNETT GARY D
LOCATION: 1627 S GARDEN ST
APN(S): 097-271-041

- 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 or six (6) inches in depth.

Roll off compactor's must have a clearance of 3 feet from any wall or 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 CONTAINER OUT TO STREET FOR SERVICE.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338



**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

ITEM NO: 2	DATE: <u>October 07, 2015</u>
SITE PLAN NO: SPR15153	RESUBMIT
PROJECT TITLE: VICTORY OUTREACH RESIDENTIAL CARE FACILITY	
DESCRIPTION: VICTORY OUTREACH RESIDENTIAL CARE FACILITY (R-1-6) (X)	
APPLICANT: RODRIGUEZ JUAN	
PROP OWNER: BENNETT GARY D	
LOCATION: 1627 S GARDEN ST	
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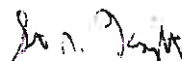
YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

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 – $\frac{3}{4}$ 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

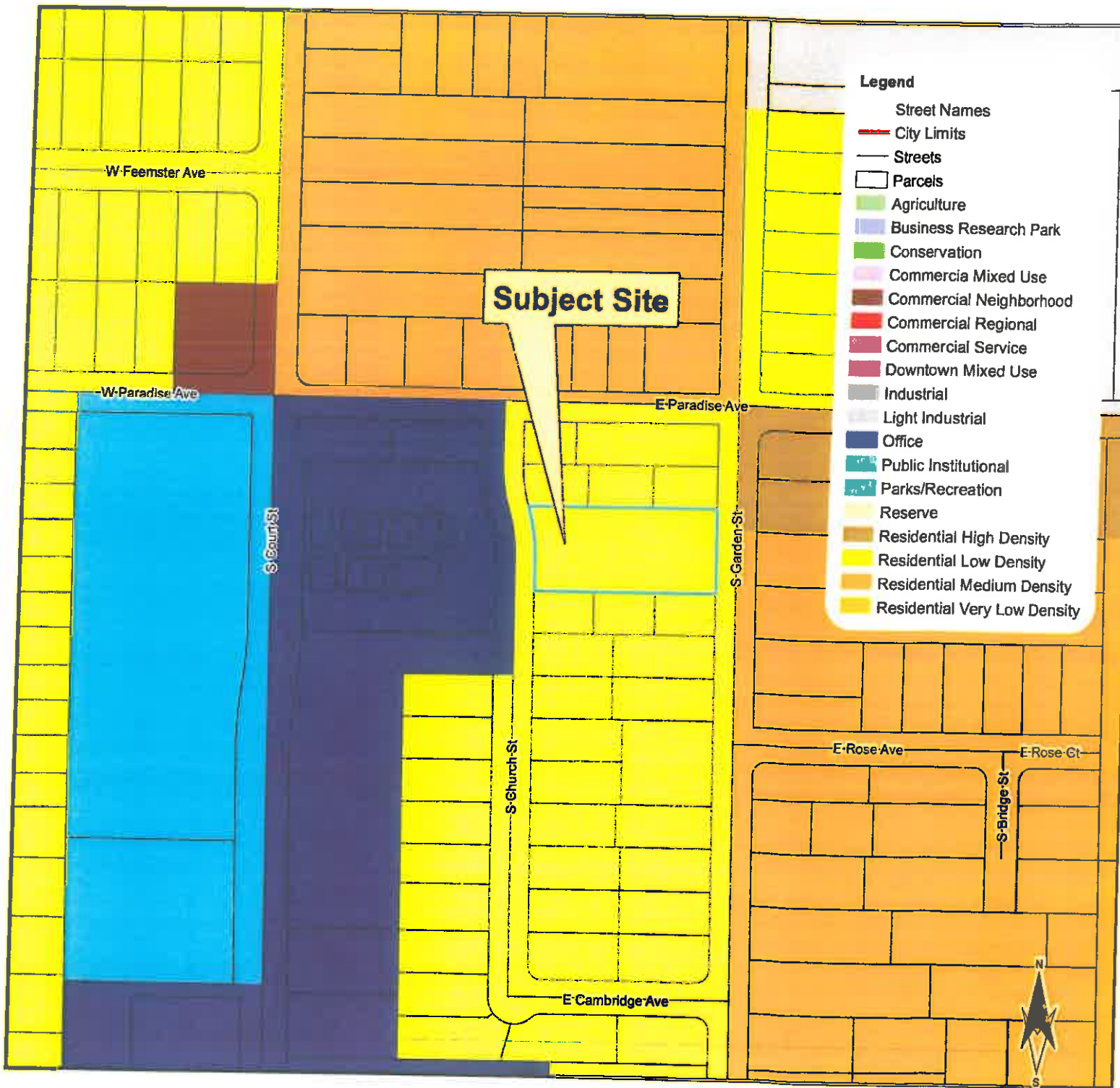


AUTHORIZED SIGNATURE

10-2-15

DATE

City of Visalia

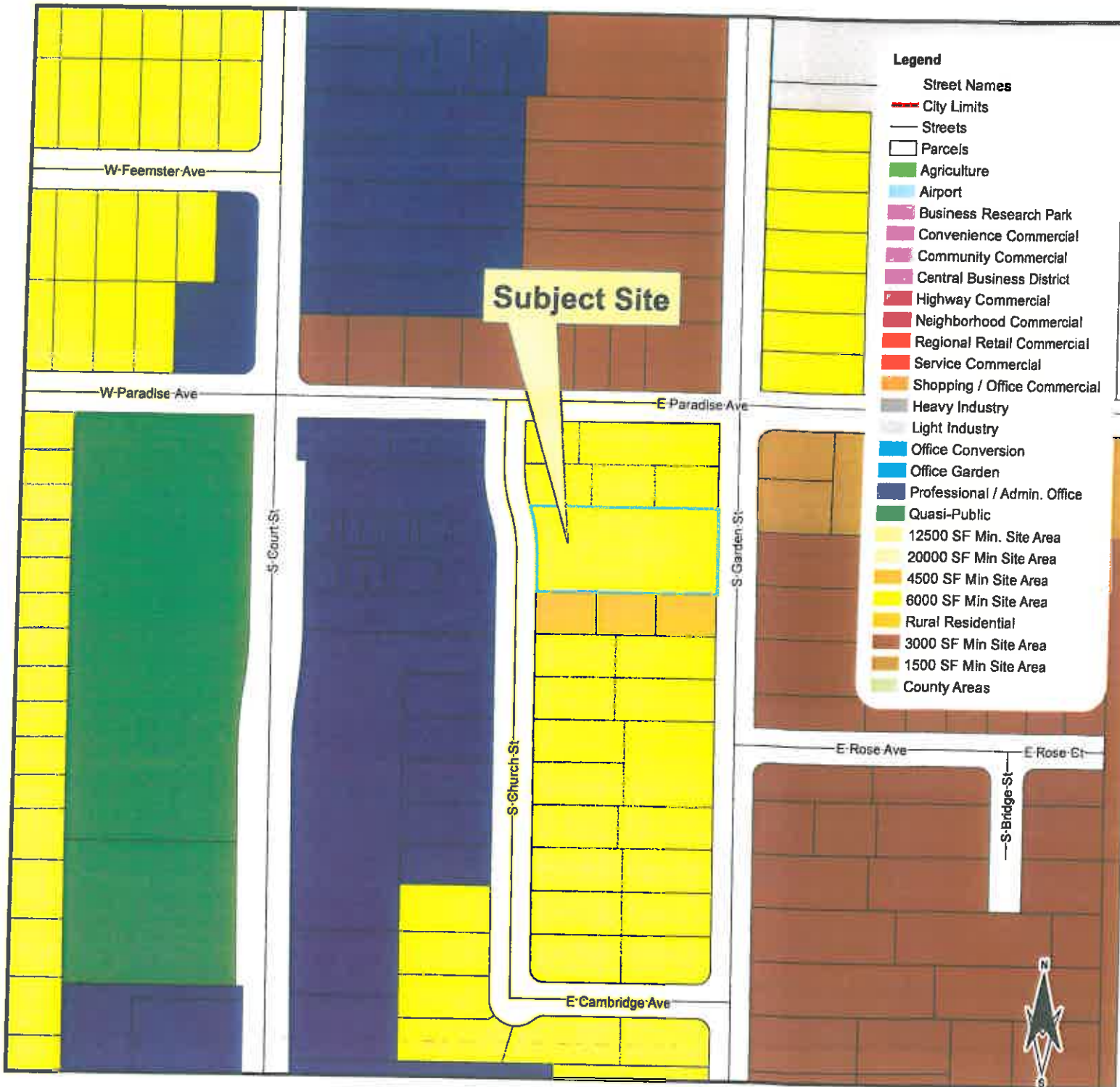


Land Use Designations

0 45 90 180 270 360 Feet

CUP 2016-01

City of Visalia



City of Visalia



Aerial Photo

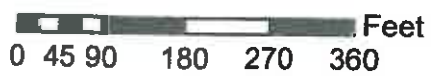
0 37.575 150 225 300 Feet

CUP 2016-01

City of Visalia



Location Map



CUP 2016-01