

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Brett Taylor, Liz Wynn, Chris Gomez, Marvin Hansen, Sarrah Peariso

MONDAY, AUGUST 14, 2017, 7:00 PM REGULAR MEETING, COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - No Items on Consent Calendar
5. PUBLIC HEARING – Paul Scheibel  
Variance No. 2017-14: A request by California Water Service Company to allow a variance to the maximum height limit in the rear yard of an R-1-5 (Single-family Residential) zoned property, for the installation of two water treatment tanks. The site is located at 901 South Tipton St. (APN: 097-105-003) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-64.
6. PUBLIC HEARING – Andy Chamberlain  
Variance No. 2017-15: A request by California Water Service Company to allow a variance to the maximum height limit in the rear yard of an R-1-5 (Single-family Residential) zoned property, for the installation of two water holding tanks. The site is located at 1920 W. Ashland Avenue. (APN: 122-021-002) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-57.
7. PUBLIC HEARING – Andy Chamberlain  
Variance No. 2017-16: A request by California Water Service Company to allow a variance to the maximum height limit in the rear yard of an R-1-5 (Single-family Residential) zoned property, for the installation of three water treatment tanks. The site is located at 1622 S. Demaree Street. (APN: 095-232-009) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-58.

8. PUBLIC HEARING – Brandon Smith

- a. Conditional Use Permit No. 2017-25: A request by Salim Development c/o Tahir Salim to allow a planned commercial development consisting of a parcel without access rights onto a public street on land in the Commercial Mixed Use (CMU) Zone. The project site is located on the north side of Noble Avenue between Ben Maddox Way and the State Route 198 eastbound off-ramp. (APN: 100-030-022) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2017-55.
- b. Tentative Parcel Map No. 2017-01: A request by Salim Development c/o Tahir Salim to subdivide a 1.02-acre parcel into two parcels to facilitate commercial development on land in the Commercial Mixed Use (CMU) Zone. The project site is located on the north side of Noble Avenue between Ben Maddox Way and the State Route 198 eastbound off-ramp. (APN: 100-030-022) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2017-55.

9. PUBLIC HEARING – Paul Scheibel

Conditional Use Permit No. 2017-26: A request to for a mixed use development, adding nine residential units to an existing commercial building in the D-MU (Downtown Mixed Use) Zone District. The project is located at 115 N. Court Street (APN: 094-324-007) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-67.

10. PUBLIC HEARING – Paul Bernal

Conditional Use Permit No. 2017-30: A request by the Rise Church, EBM Design Group - Agent, to install three 960 square foot portable classrooms to be used for Sunday school purposes. The Rise Church is zoned R-1-20 (Single-Family Residential) and is located at 5702 West Caldwell Avenue on the northeast corner of West Caldwell Avenue and South Peppertree Court (APN: 119-690-049). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2017-63.

11. 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, AUGUST 24, 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](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, AUGUST 28, 2017**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** August 14, 2017

**PROJECT PLANNER:** Paul Scheibel, AICP, Principal Planner  
Phone No.: (559) 713-4369

**SUBJECT:** Conditional Use Permit No. 2017-26: A request for a mixed use development, adding nine residential units to an existing commercial building in the D-MU (Downtown Mixed Use) Zone District. The project is located at 115 N. Court Street (APN: 094-324-007)

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2017-26, based on the findings and conditions in Resolution No. 2017-59. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2017-26, based on the findings and conditions in Resolution No. 2017-59.

## PROJECT DESCRIPTION

Conditional Use Permit No. 2017-26, is a request to convert the second floor of an existing commercial building to eight residences, and to convert one tenant suite on the ground level to a residential unit and a common lobby for the residential units. There are no other changes to the building's existing commercial uses.

The nine residential units will be one and two bedroom units, and will range in size from 638 sq.ft. to 962 sq.ft. Each unit will have private access from shared interior hallways. All units will have full kitchens, bathrooms, washer/dryer units, and mailboxes. Vehicle parking for each



unit will be from the public parking lot to the west of the building. A bicycle rack will also be located on the ground floor.

The building exterior will be renovated by removing the existing metal screen that

covers the majority of the second floor and roof. This will reveal existing decorative windows that will be associated with each residential unit. Balcony units will be constructed for the three south-facing units. Additionally a new staircase will be added on the west elevation to provide a secondary access to the upstairs units.

## BACKGROUND INFORMATION

General Plan Land Use Designation: DMU Downtown Mixed Use  
Zoning: D-MU (Downtown Mixed Use)  
Surrounding Land Uses and Zoning: North: D-MU / Office building  
South: D-MU / Commercial building  
East: D-MU / City-owned parking lot  
West: D-MU / City-owned parking lot  
Environmental Review: Categorical Exemption No. 2017-62  
Special Districts: Parking District A  
Downtown Retail Overlay District  
Site Plan: 2017-49

### RELATED PROJECTS

CUP No. 2014-04: Approved by the Planning Commission on February 24, 2014, a request by Sam Sciacca (Robert & Pamela Link, owners) to allow remodel of an existing 7,316 sq. ft. retail commercial building to include six residential dwelling units, located within the Central Business District Retail (C-DT) zone. The site is located at 115 E. Main Street, on the south side of Main Street between Court and Church Streets. (APN: 094-298-004)

CUP No. 2008-17: Approved by the Planning Commission on June 9, 2008, a request by Sam and Marlene Sciacca to allow a mixed commercial and residential use in an existing 4,100 sq. ft. building in the P-C-DT (Planned Central Business District) zone. The site is located at 114 E. Main St. (APN: 094-291-007).

CUP No. 2003-52, Approved by the Visalia Planning Commission on February 9, 2004 (per Resolution No. 2004-14), a request by Troy Korsgaden to allow a new residential unit on the 3<sup>rd</sup> floor of Crawdaddy's Restaurant located in the CDT Zone. The site is located on the south west corner of Main Street and Bridge Street.

## PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2017-26, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

### Land Use Compatibility

Pursuant to Article 17.19 of the Visalia Municipal Code (VMC), the D-MU Zone District is intended to promote the vitality of the core area of the community by encouraging commercial development and by accommodating a wide mix of land uses ranging from commercial and office to residential and public spaces. The Zoning Matrix identifies residential units that are either new or an expansion, and which may or may not be associated with a commercial activity as uses which require discretionary action within commercial zones. Through the CUP process potential impacts can be addressed thereby ensuring compatibility between the proposed use

and surrounding uses. Staff has concluded that the proposed residences unit will have a beneficial impact on surrounding commercial and office uses. The addition of residences will help support local businesses by increasing the permanent population of the Downtown area, and as studies in other jurisdictions that have incorporated residences in their Downtown districts, doing so may help promote more and extended positive after hours of street life in the Downtown area.

Downtown Visalia continues to experience strong economic activity and steady development of complementary uses. Recent development activities indicate that the City's current efforts on revitalization and downtown enhancement are successful. This is evident based on the number of both public and private projects that are currently under construction and/or have been completed. While these projects reflect the ongoing strength and vibrancy of commercial and professional office development in the downtown area, only three mixed-use projects have come to fruition in the Downtown area. The City has encouraged these types of developments and has emphasized the Downtown as the ideal geographical area for mixed-use projects to be developed

The City's General Plan includes objectives and policies that encourage mixed use developments, which have become increasingly accepted for their beneficial effects on culture and commerce in Downtown areas. In this particular case, the owner is attempting to maximize the use of the building by preserving commercial retail business on the ground floor while putting the presently unused second floor portion of the building to viable use as residences..

This project complies with Land Use Element policies 1.1.9 and 3.5.9, which are analyzed as follows:

#### Objectives

LU-O-31 Support the continued development and vitality of Downtown (generally identified as the area north of Mineral King Ave., east of Conyer St., south of Murray Ave., and west of Tipton St.) and the redevelopment and revitalization of East Downtown (generally identified as the area north of Mineral King Ave., east of Tipton St., south of Murray Ave., and west of Ben Maddox Way, as well as the stockyards).

LU-O-32 Maintain Downtown as Visalia's medical, professional, government, cultural and entertainment center.

#### Policies

LU-P-73 Support new mixed-use development in Downtown and East Downtown, with an emphasis on ground-level retail and entertainment uses and upper-level residential and office uses. Support may involve expedited permit review and approval, loans, public-private partnerships, and floor area bonuses.

LU-P-74 Create new streets and public open spaces in East Downtown designed to be the focus for social and economic activities. Establish urban design guidelines to ensure that new projects help to shape and activate parks and streets; provide continuity and visual references; connect to contiguous development; and anticipate a future when central Visalia is the most sought after in-town residential and business address in the San Joaquin Valley.

LU-P-75 Provide incentives for infill development of opportunity sites and adaptive reuse and restoration of existing buildings in Downtown and East Downtown.



*New development in Downtown and East Downtown will realize the inherent potential for higher intensity use of this district, and should include offices, mixed-use and live-work buildings, storefront commercial buildings, apartments, condominiums and townhouses, and small-lot single-family houses. See also policies in section 2.8.*

### Compliance With Downtown Retail Overlay District

The project building is located within the Downtown Retail Overlay District. The District is intended to promote high development densities and to preserve the historic nature of Downtown, including existing historic or unique buildings. The project will restore and enhance the original building architecture. Further, the modifications to the building are in compliance with all of the established setback and height standards prescribed for the District.

### Parking

The building is located within the Central Business District Parking Zone. The central business district parking zone was formed to ensure that uses established within this zone meet the parking requirements of the VMC or, that uses pay in-lieu fees for future downtown parking facilities. These fees would be used exclusively for the purpose of acquiring and developing off-street parking facilities to serve the central business district.

The second floor space is assumed to have been a previous commercial use. Consequently, the floor area is entitled to a parking credit of one space per 250 sq.ft. As such, the parking requirements for the new residential use (one space per unit) has been satisfied, and no additional parking is required.

A parking permit can be obtained for the tenant of the residential dwelling. The parking permit fee is payable to the Visalia Downtown Association who administers the permit parking program. The parking permits are valid for six-month periods.

### Environmental Review

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-67).

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

## **RECOMMENDED FINDINGS**

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

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-67).

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the use be operated in substantial compliance with the site plan shown in Exhibit A.
2. That the Conditional Use Permit be developed consistent with the comments and conditions of Site Plan Review No. 2017-049.
3. Building signage shall require a separate building permit.
4. That all applicable federal, state and city laws, codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-26.

### **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal shall be in writing and shall be filed with the City Clerk at 425 E. Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record.

#### **Attachments:**

- Related Plans & Policies
- Resolution No. 2017-59
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plans
- Site Plan Review 2017-049 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map

**Related Plans & Policies**  
**Conditional Use Permits**

**Chapter 17.19**  
**MIXED USE ZONES**

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**Sections:**

- 17.19.010 Purpose and intent.**
- 17.19.015 Applicability.**
- 17.19.020 Permitted uses.**
- 17.19.030 Conditional and temporary uses.**
- 17.19.040 Required conditions.**
- 17.19.050 Off-street parking and loading facilities.**
- 17.19.060 Development standards in the C-MU zones outside the core area.**
- 17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the core area.**

**17.19.010 Purposes.**

- A. The several types of mixed zones included in this chapter are designed to achieve the following:
  - 1. Encourage a wide mix of commercial, service, office, and residential land uses in horizontal or vertical mixed use development projects, or on adjacent lots, at key activity nodes and along corridors.
  - 2. Maintain Visalia's downtown Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as the traditional, medical, professional, retail, government and cultural center;
  - 3. Provide zone districts that encourage and maintain vibrant, walkable environments.
- B. The purposes of the individual mixed use zones are as follows:
  - 1. **Mixed Use Commercial Zone—(C-MU).** The purpose and intent of the mixed use commercial zone district is to allow for either horizontal or vertical mixed use development, and permit commercial, service, office, and residential uses at both at key activity nodes and along corridors. Any combination of these uses, including a single use, is permitted.
  - 2. **Mixed Use Downtown Zone—(D-MU).** The purpose and intent of the mixed use downtown zone district is to promote the continued vitality of the core of the community by providing for the continuing commercial development of the downtown and maintaining and enhancing its historic character. The zone is designed to accommodate a wide mix of land uses ranging from commercial and office to residential and public spaces, both active and passive. The zone is intended to be compatible with and



support adjacent residential uses, along with meeting the needs of the city and region as the urban center of the city; to provide for neighborhood, local, and regional commercial and office needs; to accommodate the changing needs of transportation and integrate new modes of transportation and related facilities; and to maintain and enhance the historic character of the city through the application of architectural design features that complement the existing historic core of the city.

**17.19.015 Applicability.**

The requirements in this chapter shall apply to all property within the C-MU and D-MU zone districts.

**17.19.020 Permitted uses.**

Permitted uses in C-MU and D-MU zones shall be determined by Table 17.25.030 in Section 17.25.030.

**17.19.030 Conditional and temporary uses.**

Conditional and temporary uses in the C-MU and D-MU zones shall be determined by Table 17.25.030 in Section 17.25.030.

**17.19.040 Required conditions.**

- A. A site plan review permit must be obtained for any development in any C-MU and D-MU zones, subject to the requirements and procedures in Chapter 17.28.
- B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and recycling facilities;
- C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced;

**17.19.050 Off-street parking and loading facilities.**

Off-street parking and off-street loading facilities shall be provided as prescribed in Chapter 17.34.

**17.19.060 Development standards in the C-MU zones outside the downtown area.**

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
  - 1. Front: fifteen (15) feet;
  - 2. Rear: zero (0) feet;
  - 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;

4. Side: zero (0) feet;
  5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
  6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
1. Front: fifteen (15) feet;
  2. Rear: five (5) feet;
  3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
  4. Side: five (5) feet (except where a building is located on side property line);
  5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
  6. Street side on corner lot: ten (10) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable.

**17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the downtown area.**

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: No minimum.
- B. Maximum building height: one hundred (100) feet.
- C. Minimum required yards (building setbacks):
  1. Front: zero (0) feet;
  2. Rear: zero (0) feet;
  3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
  4. Side: zero (0) feet;
  5. Side yards abutting an R-1 or R-M zone district: zero (0) feet;
  6. Street side yard on corner lot: zero (0) feet.
- D. Minimum required landscaped yard (setback) areas:
  1. Front: five (5) feet (except where a building is located on side property line);

2. Rear: zero (0) feet;
  3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
  4. Side: five (5) feet (except where a building is located on side property line);
  5. Side yards abutting an R-1 or R-M zone district: five (5) feet except where a building is located on side property);
  6. Street side on corner lot: five (5) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable.

## **Chapter 17.58**

### **DOWNTOWN RETAIL OVERLAY DISTRICT**

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**Sections:**

- 17.58.010 Purposes and intent.**
- 17.58.015 Applicability.**
- 17.58.020 Components of the chapter.**
- 17.58.030 Definitions.**
- 17.58.040 Regulation of improvements.**
- 17.58.050 Creation of downtown design review board.**
- 17.58.060 Appeal to the city council.**
- 17.58.070 Ordinary maintenance and repair.**
- 17.58.080 Standards applying to new buildings and alterations to existing buildings.**
- 17.58.082 Standards applying alterations to existing buildings.**
- 17.58.084 Standards applying to new buildings.**
- 17.58.086 Maintenance and repair required.**
- 17.58.090 Exceptions.**
- 17.58.100 Role of building official.**
- 17.58.110 Separability.**

**17.58.010 Purposes and intent.**

A. There is created a downtown retail overlay district, the boundaries of which are shown on the map entitled, "Downtown Retail Overlay District," which is delineated on the Zoning Map. Said map is adopted and made a part of this ordinance.

B. This chapter is enacted to preserve and promote the public health, safety, and welfare of the citizens of Visalia, and to express the commitment of the city toward the continued vitality and stabilization of regional retail commercial activity within the area traditionally known as Downtown Visalia. This commitment seeks to:

1. Protect and enhance existing buildings and improvements in the downtown area.
2. Enhance the character and physical environment of the downtown area by establishing specific design compatibility criteria for new and remodeled buildings within the overlay district.
3. Ensure that new development is compatible with existing and future plans for the area.
4. Involve both design professionals and area residents, property owners and merchants, in the implementation of the Visalia Downtown Framework Plan and the continued viability of the downtown retail economy.

**17.58.015 Applicability.**

The requirements in this chapter shall apply to all structures and properties within the downtown retail overlay district, as defined herein.

**17.58.020 Components of the chapter.**

This chapter shall include:

- A. The ordinance text, which specifies the downtown retail district overlay designation, design evaluation criteria, and the powers and duties with regard to the overlay district;
- B. A map designating the downtown retail district overlay, which shall be depicted on the official zoning map of the city.

**17.58.030 Definitions.**

- A. All definitions, general and specific, set forth in Section 17.04.030, shall be applicable to this chapter.
- B. Word Usage.
  1. The word “shall” is prescriptive in nature and indicates that compliance is mandatory.
  2. The words “may,” “should” and “preferred” are permissive in nature and indicate that compliance is discretionary on the part of the applicant.

C. Definitions.

“Construction” means any building activity requiring the issuance of a building permit that affects the exterior appearance of a structure.

“Enlargement” means construction that results in the expansion of the gross floor area of a structure.

“Exterior architectural feature” means the architectural elements embodying the style, design, general arrangement, and components of all of the outer surfaces of an improvement; the kind, color, and texture

of the building materials; and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvement.

“Improvement” means any building, structure, place, parking facility, fence, gate, wall, work of art, or other object constituting a physical betterment of real property, or any part of such betterment.

#### **17.58.040 Regulation of improvements.**

No improvement or exterior architectural feature of any improvement shall be constructed, altered or enlarged that is located in the downtown retail overlay district unless a site plan review permit is issued pursuant to the terms of this chapter and Chapter 17.28. Where this chapter may conflict with Chapter 17.28, this chapter shall apply. This section shall not apply to any interior alteration that has no effect on the condition or appearance of any exterior architectural feature of an improvement.

#### **17.58.050 Procedures for review of applications.**

- A. The site plan review committee shall be the reviewing authority for the downtown retail overlay district, with powers and duties as specified in this chapter.
- B. The site plan review committee shall review applications only as specified in this chapter, consistent with the rules and regulations in this chapter. Applications shall be approved or disapproved based solely on those building design criteria in this chapter, for which compliance is mandatory. The board may suggest that building design criteria that are permissive be followed; however, applications shall not be approved or disapproved on the basis of any such nonmandatory criteria. The duties and responsibilities of the site plan review committee shall include the following:
  - C. At the option of the planning commission, the site plan review committee may review proposed zoning actions (zone changes, conditional use permits, special zoning exceptions, planned unit developments and variances) within the district. The site plan review committee may recommend approval, conditional approval, modification or disapproval of an application based upon the expected impact of the proposed zoning action on the character of the affected improvement(s), neighboring properties, or the entire district. The board's recommendation shall be forwarded to the planning commission for its consideration.
  - D. It shall be the duty of the site plan review committee to review all applications for the construction or exterior alteration or enlargement of improvements within the overlay district. The site plan review committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued.
  - E. It shall be the duty of the site plan review committee to review all applications for sign permits within the district. Applications for sign permits shall be obtained from and filed with city pursuant to Chapter 17.48, and thereafter the application shall immediately be referred to the site plan review committee for their review and recommendation. The site plan review committee may recommend approval, conditional approval or denial of the sign permit application. The application shall then be presented to the proper issuing authority for sign permits, pursuant to Chapter 17.48 of the Municipal Code. Sign permits shall be issued only in compliance with the recommendation of the site plan review committee. Approval by the site plan review committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to Chapter 17.48.



F. It shall be the duty of the site plan review committee to review all applications for the moving or demolition of structures within the overlay district. The site plan review committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section 17.58.060.

G. Permits may be issued for air conditioners, electrical work and plumbing work that is visible from a public right-of-way when the chief building official determines that the work insignificantly affects the exterior of a structure, or that reasonable alternatives as to location or screening have been employed. The building official may forward to the site plan review committee applications for permits for this type of work when it appears that the appearance of a structure may be significantly altered. This subsection shall not apply to the following types of permit applications:

1. Reroofing with like materials;
2. Residing with like materials;
3. Masonry repairs with like materials;
4. Chimney repair with like materials.

**17.58.060 Appeal to the city council.**

Any person or persons jointly or severally aggrieved by a decision of the site plan review committee may make an appeal in writing therefrom to the city council. Such appeal shall be filed with the city clerk within ten days of said action. The appeal shall be placed on the agenda of the council's next regular meeting after the appeal is filed. The council shall review the decision of the board and may reverse, affirm, modify or affirm as modified the action of the board. The decision of the council shall be final.

**17.58.070 Ordinary maintenance and repair.**

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any structure within any district; provided, such work involves no change in the exterior appearance of a structure. Nothing in this chapter shall be construed to prevent the construction, reconstruction, alteration or demolition of any feature that in the view of the proper authority acting lawfully is required for the public safety because of an unsafe or dangerous condition.

**17.58.080 Standards applying to new buildings and alterations to existing buildings.**

The following standards shall apply to new buildings and alterations to existing building within the downtown retail overlay district:

A. Awnings attached above street level storefronts and/or upper-story windows are encouraged. Size and scale shall be appropriate to the building, however, significant elements of the building's architecture should not be obscured by upper-story awnings. Ground floor awnings shall project a minimum of five (5) feet over the sidewalk. Awning materials shall be cloth or canvas. Awning colors shall be limited to a blue, burgundy, tan or tones and/or prints of these. White may be incorporated into the design of awnings for contrast or valance signage, but shall not compromise a majority of the color theme of any awning.

B. The following materials and building elements shall be prohibited:

1. Use of wood siding, cladding or wood shingles, in excess of ten (10) percent of the total area of any building façade.
2. Mansard form roof tiles.
3. Unbroken masses of split face, slump stone or concrete unit masonry.
4. Use of reflective or mirrored surface cladding, in excess of then (10) percent of the total area of any building façade.
5. Exposed utility conduit, junction boxes, meters, or fuse boxes on the front façade of buildings.

**17.58.082 Standards applying to alterations to existing buildings.**

The following standards shall apply when undertaking the renovation of existing buildings within the downtown retail overlay district:

- A. Where originally constructed buildings facades remain, their appearance shall not be altered. Such facades shall be repaired and preserved. Where facades have been altered, as much original material and detail shall be retained in the rehabilitation as possible.
- B. Where most of the existing architectural design dated from an interim remodeling and where such remodeling adds to the traditional character of the district, rehabilitation shall conform to the period of such remodeling and not to the original design.
- C. Where the original design cannot be determined or where financial considerations preclude full-scale rehabilitation of a façade which has previously been altered, a design which is not a pure rehabilitation but which is in keeping of the structure are prohibited.
- D. Where originally constructed facades and/or architectural details have been covered by an interior remodeling, the removal of coverings is encouraged. When original materials, facades and/or architectural details are uncovered, these shall not be recovered.
- E. Where windows and doors still exist, the original sills, lintels, frames, sash, muntins and glass of windows and transoms shall be preserved. The original doorway elements, including sill, lintels, frames, and the doors shall also be retained. Where possible, replacements should duplicate the originals in design and materials. The blocking or covering of any portion of an existing window or door opening with permanent materials is prohibited. When new window or door openings are created, the scale of these should approximate that of the traditional architecture of the district. The base of new window opening shall be a maximum of thirty (30) inches above ground level. Whenever the size and/or scale of any existing window openings are altered, the base of all the window openings in the storefront shall be brought into conformance with the maximum 30-inch standard. This subsection shall not apply to ordinary repair or replacement of window glass or frames where the size and/or scale of window openings are not altered.
- F. Brick is most dominant traditional building material within the district and is preferred as a replacement material. Brick shall not be covered by wood shingles, wood, aluminum siding, or any other synthetic materials. Where brick has been painted, repainting in a color that matches the natural color of the brick as closely as possible is preferred. Where brick remains unpainted, the use of paint in the exterior is prohibited, since unpainted brick is a crucial element of the traditional character of the district.

G. Stuccoed brick surfaces should be retained, unless held in place with wire mesh, in which case the stucco should be removed. Where retained, stucco should be repainted in a brick color.

**17.58.084 Standards applying to new buildings.**

The following standards shall apply to new buildings within the downtown retail overlay district. The objective of this section is to ensure that contemporary design is compatible with the traditional theme and character of the downtown retail overlay district. The effect of the proposed design of new construction on the overall character of the district should be the first frame of reference for such compatibility. The next consideration should be the effect of the proposed design on the adjacent buildings and streetscape.

A. New construction shall maintain the continuity of existing rows of buildings; facades shall be constructed at the property line facing the street, or at a setback even with that of adjacent buildings.

B. New buildings shall be constructed to within ten (10) percent of the maximum height of adjacent buildings. The scale of new architectural elements should be consistent with that of adjacent structures.

C. Brick is the preferred exterior building material for new construction. The color texture should be similar to that of brick traditionally used in the district.

D. The scale of window and door openings in new buildings should approximate that of the traditional architecture of the district. The base of window openings shall be a maximum of thirty (30) inches above ground level.

**17.58.086 Maintenance and repair required.**

A. Neither the owner of nor the person(s) in actual charge of a structure within the district shall permit such structure to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural features so as to produce, or tend to produce, in the judgment of the Building Official, a detrimental effect on the character of the district as a whole or the life and character of the structure in question, including, but not limited to:

1. The deterioration or decay of exterior walls or other vertical supports;
2. The deterioration of roofs or other horizontal members;
3. The deterioration of exterior chimneys;
4. The extensive deterioration or crumbling of exterior plaster or mortar;
5. The extensive peeling or chipping of exterior paint;
6. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.

B. The city's zoning compliance officer, or other designated enforcement official, shall serve written notice upon the owner of any structure deemed to be in violation of this section or any applicable municipal code. Notice shall comply with Visalia Municipal Code Section 1.13.070 if the violation is pursued through administrative enforcement. Alternatively, the enforcement official may pursue the violation as a criminal infraction. Said written notice shall specify the nature of the condition or conditions which are in violation of the maintenance and repair requirement and direct that said

conditions be repaired or corrected within an appropriately reasonable period of time. If the condition or conditions are not remedied within the stated period of time in the notice, then an administrative penalty or fine as stated in section 1.12.010 of the Visalia Municipal Code shall be enforced and may be collected under the methods stated in section 1.13.110. Said notice shall further advise the owner of said structure of his/her right to request a hearing before the planning commission to review the determination of the city's enforcement officer. The request for hearing shall be made within ten (10) days of the receipt of notice by the owner, with applicable fees, as set forth in Chapter 1.13 of the Municipal Code and the administrative hearing shall be conducted pursuant to the requirements of Chapter 1.13.

C. After a hearing, the administrative hearing officer may approve, modify, or reject the determination of the city's enforcement officer at the conclusion of such hearing. Should an administrative hearing officer determine at the conclusion of such a hearing that there is a violation of this provision, the administrative hearing officer shall require that the structure in question be brought into compliance within an appropriately reasonable period of time and in addition order the collection of any applicable fines.

#### **17.58.090 Exceptions.**

Within the downtown retail overlay district, design and construction conditions exist that are unique and are not generally found elsewhere in the city. Structures were often constructed on or near lot lines and abut one another in many cases. Storefronts and building facades have often been redesigned, covered or otherwise subjected to major alterations over the years. Due to these peculiar conditions, it is sometimes in the interest of enhancing the character of the district to make an exception to the building design criteria in this chapter and/or signage, landscaping, setbacks, fencing and screening requirements of the Visalia zoning ordinance. Where it is deemed that the physical and economic well-being of the district would be better served by such an exception rather than the strict application of the above mentioned building design criteria and other ordinance requirements, the site plan review committee may recommend to the planning commission that such exception be made, pursuant to Section 17.42.030.

#### **17.58.100 Role of building official.**

A. The building official shall refuse to issue all building or sign permits based upon an application disapproved by the site plan review committee, unless such application is later approved by the city council. The building official may approve any application approved or conditionally approved by the site plan review committee at such time as any conditions specified in such approval are clearly indicated by the applicant on the plans presented to the building official for approval. If an appeal to the city council is filed within ten days from the date of board approval of an application, no permit shall be issued until the outcome of said appeal is finally determined by the city council.

B. After a building permit has been issued, the building official shall from time to time inspect the construction, alteration or enlargement approved by the board and shall take such action as is necessary to assure compliance with the approved plans.

#### **17.58.110 Separability.**

The provisions of this chapter shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of the court shall not impair any of the remaining provisions.

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

1. Existing parking provided in the downtown area for Parking District "A" based on the building being constructed prior to the adoption of contemporary zoning for Visalia. The second floor was previously occupied by various uses and has a credit established based on this prior use. No additional parking in-lieu fees are required.
2. In the event that the PBID program dissolves, Parking In-Lieu fees may be assessed on uses requiring a higher parking demand.
3. Parking requirement for residential uses is one and a half spaces per dwelling unit.
4. A Parking Permit may be obtained from the Downtown Visalians. A yearly fee may be required for this type of permit.

### **CONDITIONAL USE PERMITS**

#### **17.38.010 Purposes and powers.**

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

#### **17.38.020 Application procedures.**

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

#### **17.38.030 Lapse of conditional use permit.**

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



#### **17.38.040 Revocation.**

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

#### **17.38.050 New application.**

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

#### **17.38.060 Conditional use permit to run with the land.**

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

#### **17.38.065 Abandonment of conditional use permit.**

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

#### **17.38.070 Temporary uses or structures.**

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
  1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
  2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
  3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
  4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
  5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
  6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
  7. Signing for temporary uses shall be subject to the approval of the city planner.

8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

**17.38.080 Public hearing--Notice.**

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

**17.38.090 Investigation and report.**

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

**17.38.100 Public hearing--Procedure.**

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

**17.38.110 Action by planning commission.**

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

**17.38.120 Appeal to city council.**

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

**17.38.130 Effective date of conditional use permit.**

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

RESOLUTION NO. 2017-59

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-26 A REQUEST FOR A MIXED USE DEVELOPMENT, ADDING NINE RESIDENTIAL UNITS TO AN EXISTING COMMERCIAL BUILDING IN THE D-MU (DOWNTOWN MIXED USE) ZONE DISTRICT. THE PROJECT IS LOCATED AT 115 N. COURT STREET

(APN: 094-324-007)

**WHEREAS**, Conditional Use Permit No. 2017-26, is a request for a mixed use development, adding nine residential units to an existing commercial building in the D-MU (Downtown Mixed Use) Zone District. The project is located at 115 N. Court Street (APN: 094-324-007); and,

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on August 14, 2017; and,

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2017-26, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and,

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

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

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

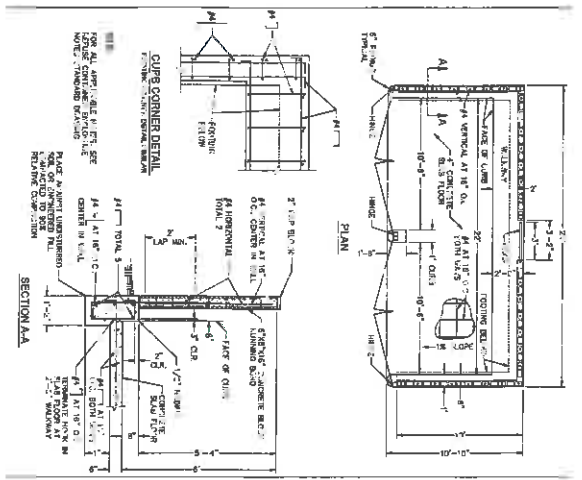
1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
  - 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, or materially injurious to properties or improvements in the vicinity.

3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
4. That the project is considered Categorical Exempt under Section 15301, Class 1 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2017-62). Projects determined to meet this classification are consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to conversion of a single-family residence to office use.

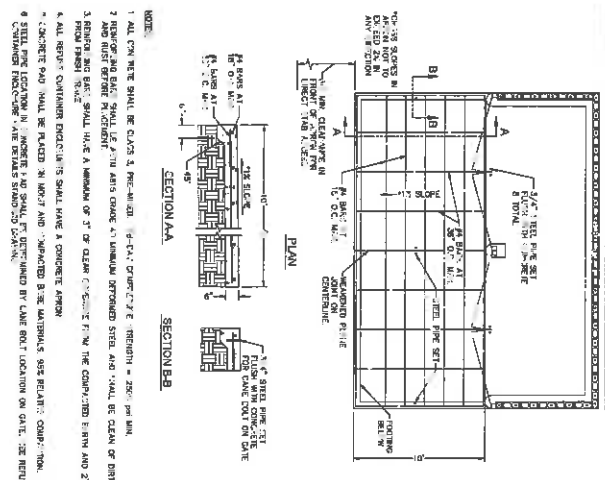
**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the use be operated in substantial compliance with the site plan shown in Exhibit A.
2. That the Conditional Use Permit be developed consistent with the comments and conditions of Site Plan Review No. 2017-049.
3. Building signage shall require a separate building permit.
4. That all applicable federal, state and city laws, codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-26.

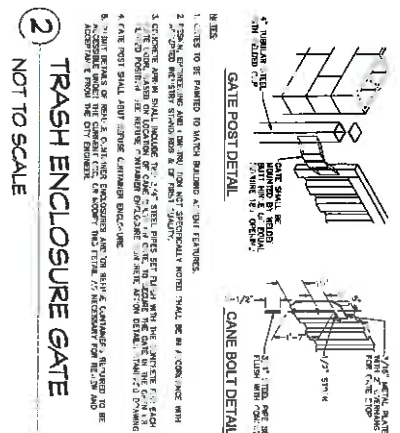




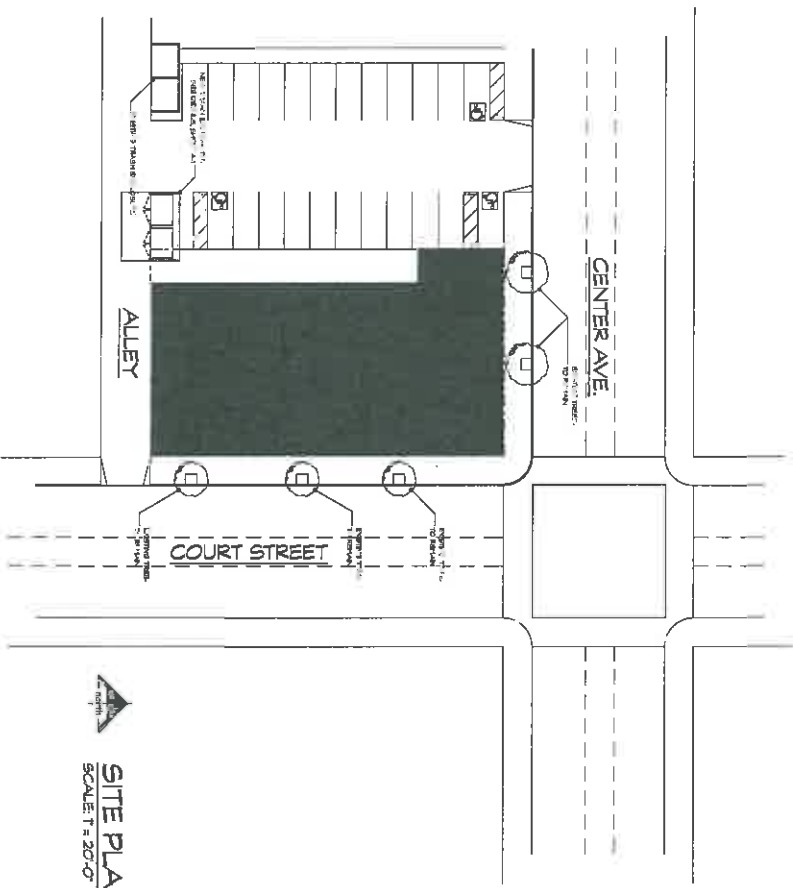
1 TRASH ENCLOSURE  
NOT TO SCALE



3 TRASH ENCLOSURE CONCRETE APRON  
NOT TO SCALE



2 TRASH ENCLOSURE GATE  
NOT TO SCALE



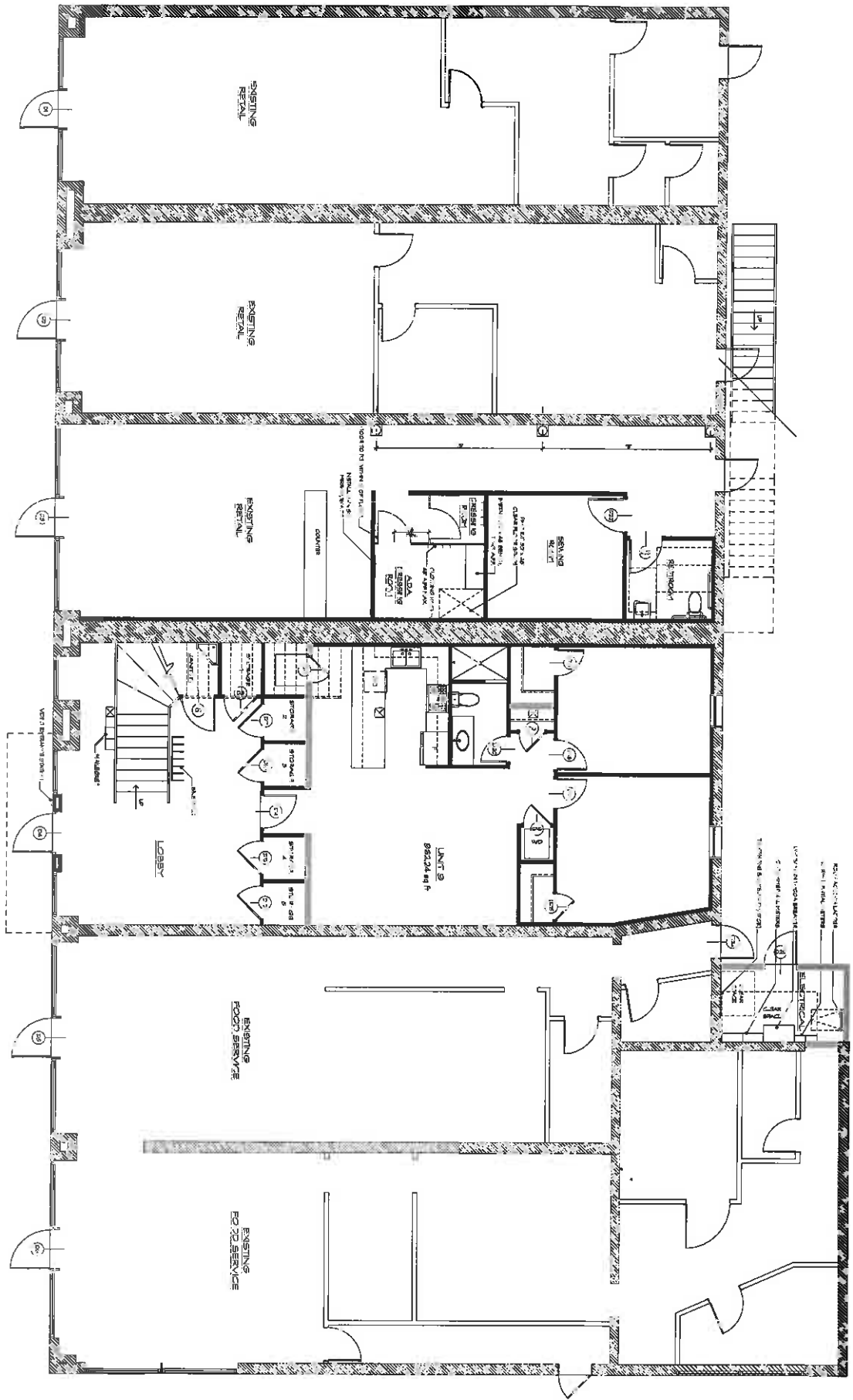
SITE PLAN  
SCALE: 1\"/>

A REMODEL OF AN EXISTING BUILDING:  
**A MIXED USE PROJECT**  
15 N. COURT ST. VISALIA, CA 93221

**DESIGN GROUP**  
ARCHITECTS

Sheet: **A-1**

A



**CALL LEGEND**

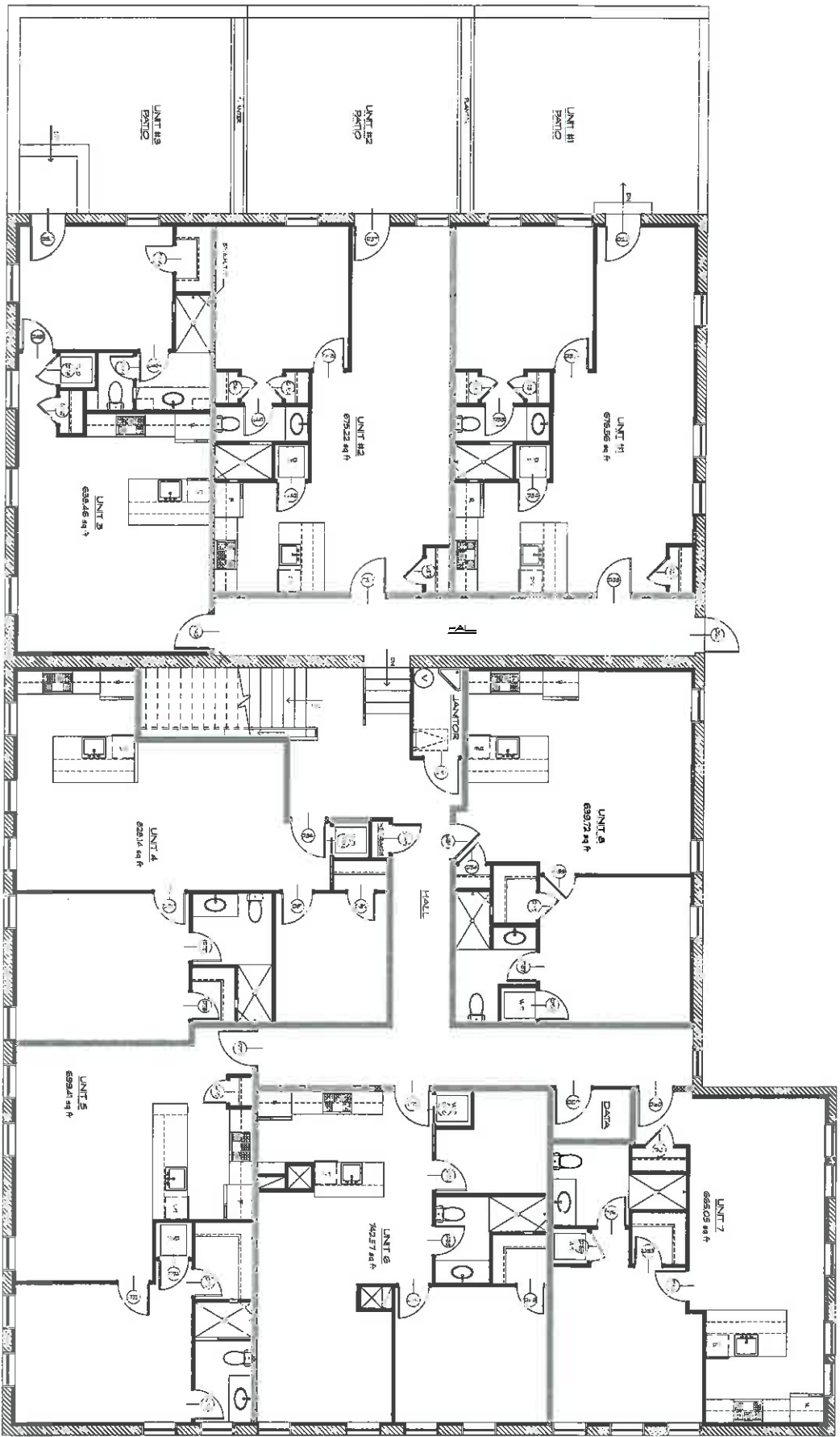
(Symbol: Dashed line)	EXISTING WALL
(Symbol: Solid line)	NEW WALL
(Symbol: Dotted line)	REMOVE WALL
(Symbol: Solid line with dots)	EXISTING FLOOR
(Symbol: Solid line with dots)	NEW FLOOR
(Symbol: Solid line with dots)	REMOVE FLOOR

**1st FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

A REMODEL OF AN EXISTING BUILDING:  
**A MIXED USE PROJECT**  
115 N. COURT ST. VISALIA, CA 93221

A-6

**DESIGN GROUP ARCHITECTS**



**WALL LEGEND**

	EXISTING EXTERIOR WALL
	EXISTING INTERIOR WALL
	NEW EXTERIOR WALL
	NEW INTERIOR WALL
	NEW GLASS WALL



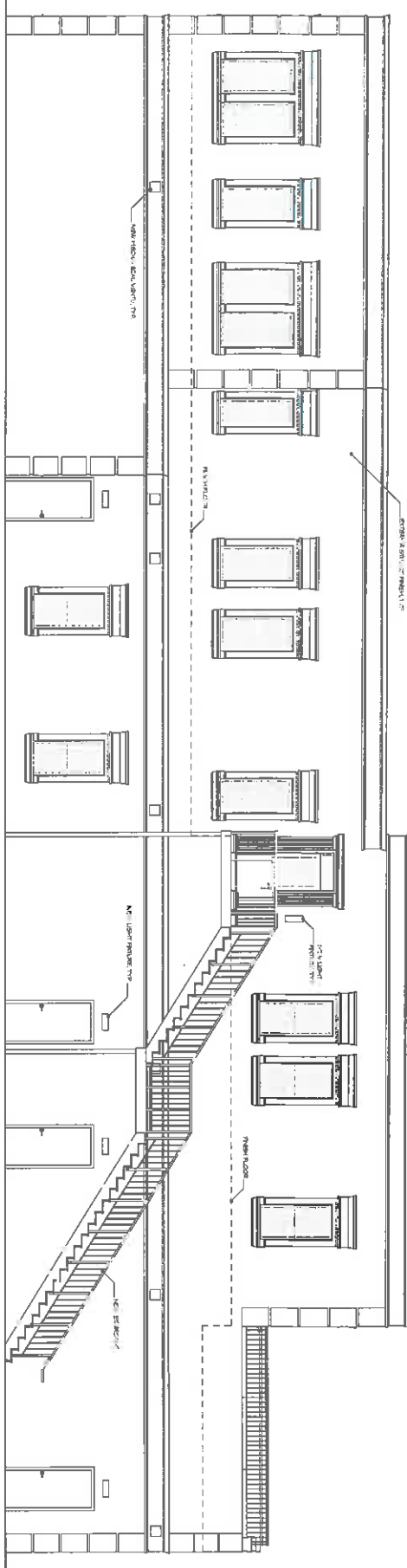
**2nd FLOOR PLAN**  
SCALE: 1/8" = 1'-0"  
6'-10" SQ. FT.

DATE: **A-7**

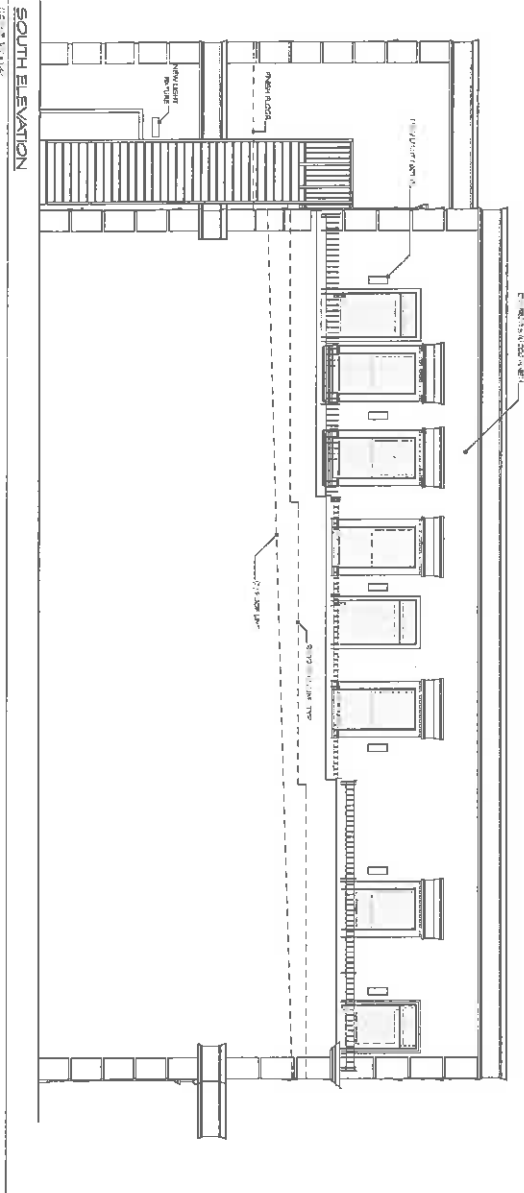
A REMODEL OF AN EXISTING BUILDING:  
**A MIXED USE PROJECT**  
115 N. COURT ST. VISALIA, CA 93291

**DESIGN GROUP ARCHITECTS**

B.2



WEST ELEVATION  
SCALE 1/8" = 1'-0"



SOUTH ELEVATION  
SCALE 1/8" = 1'-0"

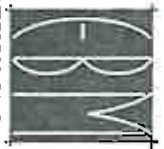
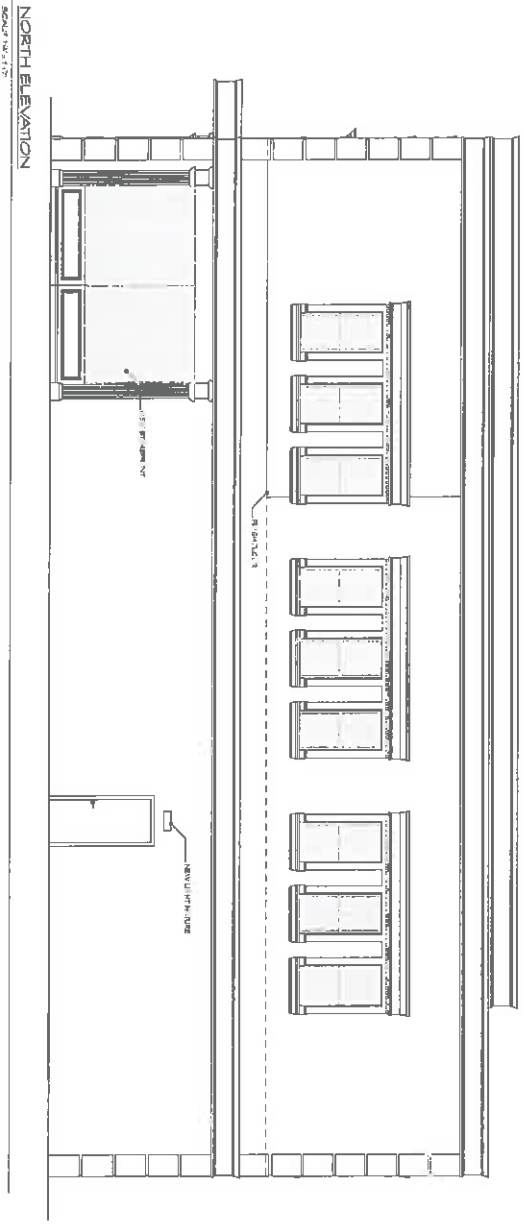
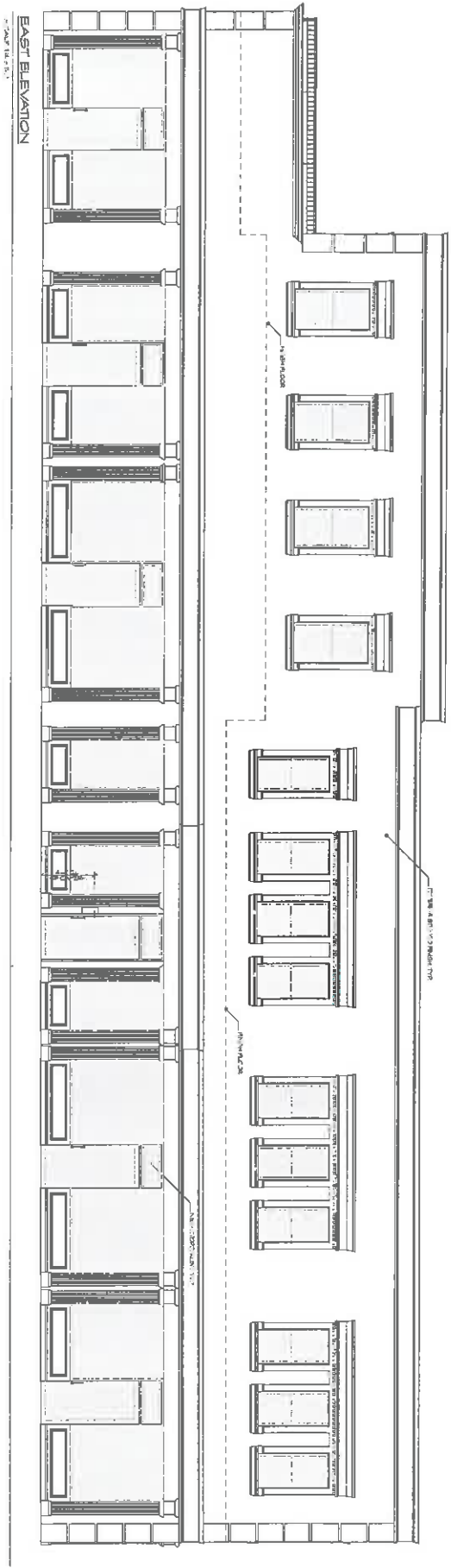


**DESIGN GROUP**  
ARCHITECTS

A REMODEL OF AN EXISTING BUILDING:  
**A MIXED USE PROJECT**  
115 N. COURT ST. VISALIA, CA 93291



**A-9**



**DESIGN GROUP**  
INCORPORATED  
ARCHITECTS



A REMODEL OF AN EXISTING BUILDING:  
**A MIXED USE PROJECT**  
115 N. COURT ST. VISALIA, CA 93291

Sheet  
**A-8**

2-2



MEETING DATE March 15, 2017  
SITE PLAN NO. 17-049  
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 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

CUP

HISTORIC PRESERVATION

OTHER -TCUP

**ADDITIONAL COMMENTS:**

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.2  
*Site Plan Review Committee*



RECYCLING PAPER



# SITE PLAN REVIEW COMMENTS

Brandon Smith, Planning Division (559) 713-4636

Date: March 15, 2017

SITE PLAN NO: 2017-049  
PROJECT: N COURT MIXED USE BUILDING  
DESCRIPTION: REMODEL EXISTING 14,580 SF BUILDING (CDT) (AE) (DRD)  
APPLICANT: MCCONNAUGHEY ERIC  
PROP. OWNER: SHAHAN ROBERT & SABRINA (TRS LIV TR)  
LOCATION TITLE: 115 N COURT ST  
APN TITLE: 094-324-007

General Plan: Downtown Mixed Use  
Existing Zoning: CDT – (Central Business District)

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Conditional Use permit for residential uses
- Building Permit
- Additional Information as Needed

## **PROJECT SPECIFIC INFORMATION: 11/20/2013**

1. A Conditional Use Permit is required for the proposed residences on the second story as defined in Zoning Matrix line 314.
2. A floor plan of the first and second floor improvements shall be submitted with the CUP application. The first floor shall depict the location of the stairs and any common areas for the residents. The second floor shall depict the floor plan for each unit and any improvement plans for the open roof.
3. Solid Waste Division is requiring the placement of a new trash enclosure directly west of the building. A Parking In-Lieu Fee shall be paid per parking stall being removed to accommodate the trash enclosure.
4. There is no additional parking requirement for the new residential units based on the reuse of an existing space and based on the parking in-lieu fees being paid for by the PBID.
5. Future tenants seeking an all-day parking permit are subject to a parking fee which is collected by the Downtown Visalians Alliance.
6. If there are any modifications proposed to the façade of the building they must comply with DRD Design District standards which can be found on page two of this document and in Visalia Municipal Code Chapter 17.58. The modifications shall be included with the CUP application.

## CITY GENERAL PLAN CONSISTENCY

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

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

1. Existing parking provided in the downtown area for Parking District "A" based on the building being constructed prior to the adoption of contemporary zoning for Visalia. The second floor was previously occupied by various uses and has a credit established based on this prior use. No additional parking in-lieu fees are required.

2. In the event that the PBID program dissolves, Parking In-Lieu fees may be assessed on uses requiring a higher parking demand.
3. Parking requirement for residential uses is one and a half spaces per dwelling unit.
4. A Parking Permit may be obtained from the Downtown Visaliaian's. A yearly fee may be required for this type of permit.

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

The proposal may comply with design district standards. The following adjustments need to be made to the proposed site plan to comply with the above design district requirement.

**Fencing and Screening:**

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).

**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.~~

**DEVELOPMENT STANDARDS    Design District: "DRD"    Maximum Building Height: 50 Feet**

**New building standards**

The objective of this section is to ensure that contemporary design is compatible with the traditional theme and character of the downtown retail district. The effect of the proposed design of new construction on the overall character of the district should be the first frame of reference for such compatibility. The next consideration should be the effect of the proposed design on the adjacent buildings and streetscape.

1. New construction shall maintain the continuity of existing rows of buildings; facades shall be constructed at the property line facing the street, or at a setback even with that of adjacent buildings.
2. New buildings shall be constructed to within ten percent (10%) of the maximum height of adjacent buildings; however, in no case shall a building exceed fifty (50) feet in height. The scale of new architectural elements should be consistent with that of adjacent structures.
3. Brick is the preferred exterior building material for new construction. The color texture should be similar to that of brick traditionally used in the district.
4. The scale of window and door openings in new buildings should approximate that of the traditional architecture of the district. The base of window openings shall be a maximum of 30 inches above ground level.

**DOWNTOWN RETAIL DESIGN DISTRICT  
BUILDING DESIGN CRITERIA**

Amended April 1996

**A. General**

The following standards shall apply to all building alterations or new construction within the downtown retail design district

1. Color – section deleted
2. Signs – signs should contribute to the commercial quality and character of the district. Within the district, the following standards for signage are prescribed:

- a. Two (2) square feet of sign area is permitted for each one (1) foot of linear occupancy frontage to a maximum of fifty (50) square feet.
- b. Users may choose which exterior side of the building will be used for the purpose of calculating the permitted sign area. The exterior side chosen is the primary occupancy frontage.

The building sign so calculated shall be mounted on the primary occupancy frontage.

- c. A building sign may be affixed to or incorporated as a part of the design of the front valance only of an awning; however, such sign area shall be deducted from that calculated for the exterior building wall to which the awning is attached. Numerals used for the purpose of identifying street addresses need not be deducted from the calculated sign area.
- d. Additional signs of a maximum twenty-five percent of the sign area calculated for the primary occupancy frontage will be allowed for each remaining exterior wall, provided that the sign for any given wall does not exceed two square feet per linear foot of the wall length. ~~This subsection does not apply to alley frontages visible from center or Acequia streets.~~
- e. Pedestrian oriented sign: one double faced sign not exceeding an area of three (3) square feet per face, to be constructed of wood, with a carved and/or painted logo. Pedestrian oriented signs shall be a minimum of 8 feet above the sidewalk and shall not exceed a maximum height of 12 feet.
- f. A pedestrian oriented sign may also be affixed to or incorporated into the design of the side valance of awnings which are perpendicular to the store frontage. Both side valances of an awning may be so utilized, however, only one sign face per awning side is allowed. Each sign face shall not exceed three (3) square feet. If this option is chosen, no other pedestrian oriented sign is allowed.
- g. The building sign area as calculated on the primary occupancy frontage may also be used on the alley frontage for those businesses with direct pedestrian entrances from alleyways, where such entrances and frontages are visible from center or Acequia streets. In no case shall the sign area used on the alley frontage exceed that permitted for the primary occupancy frontage.
- h. Each building may display a reader board of a maximum area of twenty (20) square feet indicating the name, address and type of business of the businesses within the building. If the reader board is located on a part of the building qualifying as an occupancy frontage for which sign area is calculated, the sign area used for the reader board shall be deducted from the total permitted for that building.

Reader boards shall be designed as one with each copy panel consisting of similar materials and designs. Permits for reader boards shall not be issued without consent of the property owner.

- i. Within the district, internally illuminated signs are prohibited, with the exception of neon.
  - j. Plastic is prohibited as a primary sign material.
  - k. Each commercial use which has direct pedestrian access through an exterior building wall which is visible from a public right-of-way, shall be allowed at least ten (10) square feet of building sign area, regardless of building occupancy frontage. Commercial uses having a sole access from the interior of any building or from an enclosed lobby or court shall not be allowed the minimum building sign area referred to in this section.
  - l. Permanent signage painted or affixed to the surface of retail display windows shall cover no more than twenty percent (20%) of the display window area and shall be allowed in addition to the calculated building sign area.
  - m. Temporary signs pertaining to special store events or sales lasting no more than thirty (30) days may be painted or affixed to display windows provided that their total area shall not exceed thirty percent (30%) of the window. Such temporary sign or signs shall be removed within seven (7) days of the completion of said event or sale. No permit is required for such temporary sign(s).
3. Awnings – awnings attached above street level storefronts and/or upper-story windows are encouraged. Size and scale shall be appropriate to the building, however, and significant elements of the building's architecture should be obscured by upper-story awnings. Ground floor awnings shall project a minimum of five (5) feet over the sidewalk. Awning materials shall be cloth or canvas. Awning colors shall be limited to a blue, burgundy, tan or tones and/or prints of these. White may be incorporated into the design of awnings for contrast or valance signage, but shall not compromise a majority of the color theme of any awning.
4. Prohibited material and elements.
- a. Use of wood siding, cladding or wood shingles, in excess of ten percent (10%) of the total area of any building façade.
  - b. Mansard form roof tiles.
  - c. Unbroken masses of split face, slump stone or concrete unit masonry.
  - d. Use of reflective or mirrored surface cladding, in excess of ten percent (10%) of the total area of any building façade.
  - e. Exposed utility conduit, junction boxes, meters, or fuse boxes on the front façade of buildings.

## **B. Renovation**

The following criteria should be followed when undertaking the renovation of existing buildings in the district.

1. Facades

- a. Where originally constructed buildings facades remain, their appearance shall not be altered. Such facades shall be repaired and preserved. Where facades have been altered, as much original material and detail shall be retained in the rehabilitation as possible.
- b. Where most of the existing architectural design dated from an interim remodeling and where such remodeling adds to the traditional character of the district, rehabilitation shall conform to the period of such remodeling and not to the original design.
- c. Where the original design cannot be determined or where financial considerations preclude full-scale rehabilitation of a façade which has previously been altered, a design which is not a pure rehabilitation but which is in keeping of the structure are prohibited.
- d. Where originally constructed facades and/or architectural details have been covered by an interior remodeling, the removal of coverings is encouraged. When original materials, facades and/or architectural details are uncovered, these shall not be recovered.

2. Windows and doors – where they still exist, the original sills, lintels, frames, sash, muntins and glass of windows and transoms shall be preserved. The original doorway elements, including sill, lintels, frames, and the doors shall also be retained. Where possible, replacements should duplicate the originals in design and materials. The blocking or covering of any portion of an existing window or door opening with permanent materials is prohibited. When new window or door openings are created the scale of these should approximate that of the traditional architecture of the district. The base of new window opening shall be a maximum of 30 inches above ground level. Whenever the size and/or scale of any existing window openings are altered, the base of all the window openings in the storefront shall be brought into conformance with the maximum 30-inch standard. This section shall not apply to ordinary repair or replacement of window glass or frames where the size and/or scale of window openings are not altered.

3. Building materials

- a. Brick is most dominant traditional building material within the district and is preferred as a replacement material. Brick shall not be covered by any synthetic material, asbestos. Or wood shingles, wood or aluminum siding, or any other synthetic materials. Where brick has been painted, repainted in a color which matches the natural color of the brick as closely as possible is preferred. Where brick remains unpainted, the use of paint in the exterior is prohibited, since unpainted brick is a crucial element of the traditional character of the district.
- b. Stuccoed brick surfaces should be retained, unless held in place with wire mash, in which case the stucco should be removed. Where retained, stucco should be repainted in a brick color.

C. New building standards



The objective of this section is to ensure that contemporary design is compatible with the traditional theme and character of the downtown retail district. The effect of the proposed design of new construction on the overall character of the district should be the first frame of reference for such compatibility. The next consideration should be the effect of the proposed design on the adjacent buildings and streetscape.

1. New construction shall maintain the continuity of existing rows of buildings; facades shall be constructed at the property line facing the street, or at a setback even with that of adjacent buildings.
2. New buildings shall be constructed to within ten percent (10%) of the maximum height of adjacent buildings; however, in no case shall a building exceed fifty (50) feet in height. The scale of new architectural elements should be consistent with that of adjacent structures.
3. Brick is the preferred exterior building material for new construction. The color texture should be similar to that of brick traditionally used in the district.
4. The scale of window and door openings in new buildings should approximate that of the traditional architecture of the district. The base of window openings shall be a maximum of 30 inches above ground level.

**D. Maintenance and repair required**

Neither the owner of nor the person(s) in actual charge of a structure within the district shall permit such structure to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural features so as to produce, or tend to produce, in the judgment of the planning commission, a detrimental effect on the character of the district as a whole or the life and character of the structure in question, including, but not limited to;

- a. The deterioration or decay of exterior walls or other vertical supports;
- b. The deterioration of roofs or other horizontal members;
- c. The deterioration of exterior chimneys;
- d. The extensive deterioration or crumbling of exterior plaster or mortar;
- e. The extensive peeling or chipping of exterior paint;
- f. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions

The person(s) in actual charge of any structure is(are) deemed to be the owner(s) of the structure or any portion thereof, unless the occupant(s) or agent(s) of the owner(s) are specifically charged with the responsibility for maintenance of the structure by a lease or other written contractual agreement between the owner(s) and the occupant(s) or agent(s).

The city's zoning compliance officer, or other designated enforcement official shall serve written notice upon the owner and/or other person in actual charge of any structure deemed to be in violation of these provision. Said written notice shall specify the nature of the condition or conditions which are in violation of the maintenance and repair requirement and direct that said conditions be repaired or corrected within an appropriately reasonable period of time. Said notice shall further advise the owner and/or the person in actual charge of said structure of his/her right to request a hearing before the planning commission to review the determination of the city's enforcement officer. The planning commission shall adopt reasonable rules and regulations comporting with



appropriate die process for the notice and conduct of such hearings pursuant to this provision. The planning commission may approve, modify, or reject the determination of the city's enforcement officer at the conclusion of such hearing. Should the owner and/or person in actual charge of subject structure fail and/or refuse to request a hearing, should the planning commission determine at the conclusion of such a hearing that there is a violation of this provision, the planning commission shall require that the structure in question be brought into compliance within an appropriately reasonable period of time. Thereafter, any person who fails to comply with the requirements of this provision shall be deemed to be guilty of an infraction and shall be subject to the provisions and penalties provided in the city's ordinance code relating to zoning.

**E. Minimum alterations required**

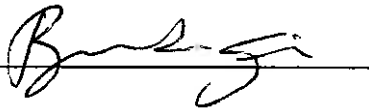
At a minimum, all structures and architectural features of structures, including awnings, marquees, and other appurtenances within the district shall conform to the color and repair requirements stated in paragraphs a.1., A.3., And d. Above. Any improvement or architectural feature found not meeting these standards shall be repainted or otherwise changed to reflect appropriate colors and appearance within one (1) year, provided that the estimated cost of bringing a structure into compliance is in excess of \$2000. The colors of cloth or canvas awnings shall be changed by replacement of the awning fabric, rather than painting. The time limits for complying with paragraphs a.1. And d. shall begin to run from the date of adoption of all these building design criteria by the city council. The responsibility for meeting the standards of this paragraph shall rest with the person(s) in actual charge of any structure. The person(s) in actual charge is(are) deemed to be the owner(s) of the structure or any portion thereof, unless the occupant(s) or agent(s) or the owner(s) are specifically charged with responsibility for maintenance of the structure by a lease or other written contractual agreement between the owner(s) and the occupant(s) or agent(s).

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

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

Signature \_\_\_\_\_

A handwritten signature in black ink, appearing to read "B. J. G.", is written over a horizontal line.

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

ITEM NO: 4                      DATE: March 15, 2017  
SITE PLAN NO: SPR17049  
PROJECT TITLE: N COURT MIXED USE BUILDING  
DESCRIPTION: REMODEL EXISTING 14,580 SF BUILDING (CDT) (AE) (DRD)  
APPLICANT: MCCONNAUGHEY ERIC  
PROP OWNER: SHAHAN ROBERT & SABRINA (TRS LIV TR)  
LOCATION: 115 N COURT ST  
APN(S): 094-324-007

### Site Plan Review Comments

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

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

- Not enough information provided. Please provide additional information pertaining to:  
\_\_\_\_\_
- Territorial Reinforcement: Define property lines (private/public space).  
\_\_\_\_\_
- Access Controlled / Restricted etc:  
\_\_\_\_\_
- Lighting Concerns:  
\_\_\_\_\_
- Landscaping Concerns:  
\_\_\_\_\_
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
\_\_\_\_\_
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns:  
\_\_\_\_\_

  
\_\_\_\_\_  
Visalia Police Department



**Site Plan Review Comments For:**

Visalia Fire Department  
Kurtis A. Brown, Fire Marshal  
707 W Acequia  
Visalia, CA 93291  
559-713-4261 Office  
559-713-4808 Fax

ITEM NO: 4

DATE: March 15, 2017

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**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 2016 California Fire Code (CFC), 2016 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. *2016 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.
- Construction and demolition sites prior to and during construction shall comply with the following:
- Water Supply for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. *2016 CFC 3312*
  - An all-weather, 20 feet width Construction Access Road capable of holding a 75,000 pound fire apparatus. Fire apparatus access shall be provided within 100 feet of temporary or permanent fire department connections. *2016 CFC 3310*
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

**General:**

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2016 CFC 505.1*
- All hardware on exit doors, illuminated exit signs and emergency lighting shall comply with the 2016 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- 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. *2016 CFC 304.3.3*

- A Knox Box key lock system is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. The key box shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation. *2016 CFC 506.1*
- 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 2016 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 for Residential, Commercial & Industrial:**

Residential

- Fire hydrant spacing and location shall comply with the following requirements:  
The exact location and 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(5)*
  - 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 & Industrial

- Where a portion of the facility or building is more than 400 feet from a hydrant on a fire apparatus access road, on-site fire hydrant(s) shall be provided. *2016 CFC 507.5.1*
- Due to insufficient building information, the number and distance between fire hydrants cannot be determined by the Site Plan Review process. The number of fire hydrants and distance between required fire hydrants shall be determined by utilizing type of construction and square footage in accordance with *CFC 2016 Appendix C102 & C103 & CFC 507.5.1*
- To determine fire hydrant location(s) and distribution the following information was provided to the Site Plan Review committee: **Type of construction** \_\_\_\_\_ **Square footage** \_\_\_\_\_

**Emergency Access**

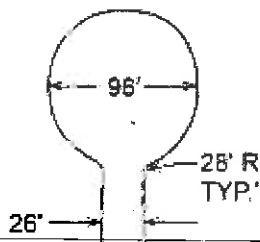
- A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire apparatus access

roads shall have an unobstructed width of not less than 20 feet. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2016 CFC 503.1.1*

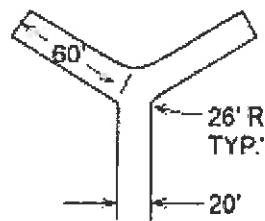
Buildings or portions of buildings or facilities with a vertical distance between the grade plan and the highest roof surface that exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

- 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.
- Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.

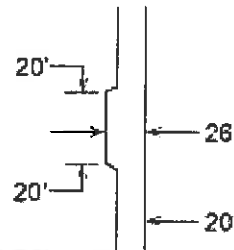
Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. *2016 CFC Table D103.4*



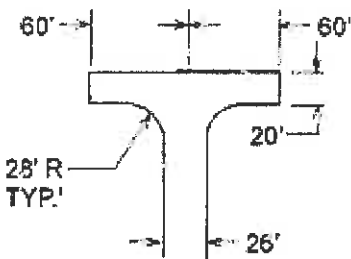
96' DIAMETER  
CUL-DE-SAC



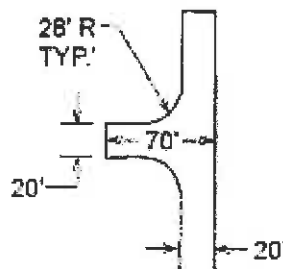
60' "Y"



MINIMUM CLEARANCE  
AROUND A FIRE  
HYDRANT



120' HAMMERHEAD



ACCEPTABLE ALTERNATIVE  
TO 120' HAMMERHEAD

Approved No PARKING – FIRE LANE signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. *2013 CFC 503.3/D103.6*

SIGN TYPE "A"



12"

SIGN TYPE "C"

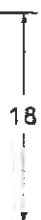


12"

SIGN TYPE "D"



12"



18"

- On site Fire Apparatus Access Roads shall be provided and have an unobstructed width of not less than the following:
  - 20 feet width, exclusive of shoulders (No Parking)
  - More than 26 feet width, exclusive of shoulders (No Parking one side)
  - More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)
  
- Marking- approved signs, other approved notices or marking that include the words "NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. *CFC 503.3*
  
- Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:  
*2016 CFC D103.5*
  - 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 Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation.)
  
- Streets shall meet the City of Visalia's Design & Improvement Standards for streets to ensure that fire apparatus can make access to all structures in the event of an emergency.

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**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). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. *2016 CFC 912 and Visalia Municipal Code 8.20.010 subsection C103.4*
  
- Locking fire department connection (FDC) caps are required. The caps shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. *2016 CFC 912.4.1*
  
- 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. *2016 CFC 904.12 & 609.2*

**Special Comments:**

  
\_\_\_\_\_  
Kurtis A. Brown  
Fire Marshal



**City of Visalia**  
**Building: Site Plan**  
**Review Comments**

ITEM NO: 4      DA: March 15, 2017  
 SITE PLAN NO: SPR17049  
 PROJECT TITLE: N COURT MIXED USE BUILDING  
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 APPLICANT: MCCONNAUGHEY ERIC  
 PROP OWNER: SHAHAN ROBERT & SABRINA (TRS LIV TR)  
 LOCATION: 115 N COURT ST  
 APN(S): 094-324-007

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

- Business Tax Certification is required. *For information call (559) 713-4326*
- A building permit will be required. *For information call (559) 713-4444*
- Submit 4 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant improvements)
- Submit 4 sets of plans prepared by an architect or engineer. Must comply with 2013 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking, common area and public right of way must comply with requirements for access for persons with disabilities.
- Multi family units shall be accessible or adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements ~~at property lines.~~ **BETWEEN UNITS 1 HR MIN.**
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required clearance from San Joaquin Valley Air Pollution Board. Prior to am demolition work  
*For information call (661) 392-5500*
- Location of cashier must provide clear view of gas pump island
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-7400*
- Project is located in flood zone AE \*  Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.56 per square foot. Residential \$3.75 per square foot.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments
- See previous comments dated: \_\_\_\_\_

Special comments: \_\_\_\_\_

  
 Signature \_\_\_\_\_ Date: 3/15/17

**QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS**

ITEM NO: 4	DATE: <u>March 15, 2017</u>
SITE PLAN NO:	SPR17049
PROJECT TITLE:	N COURT MIXED USE BUILDING
DESCRIPTION:	REMODEL EXISTING 14,580 SF BUILDING (CDT) (AE) (DRD)
APPLICANT:	MCCONNAUGHEY ERIC
PROP OWNER:	SHAHAN ROBERT & SABRINA (TRS LIV TR)
LOCATION:	115 N COURT ST
APN(S):	094-324-007

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

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- 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

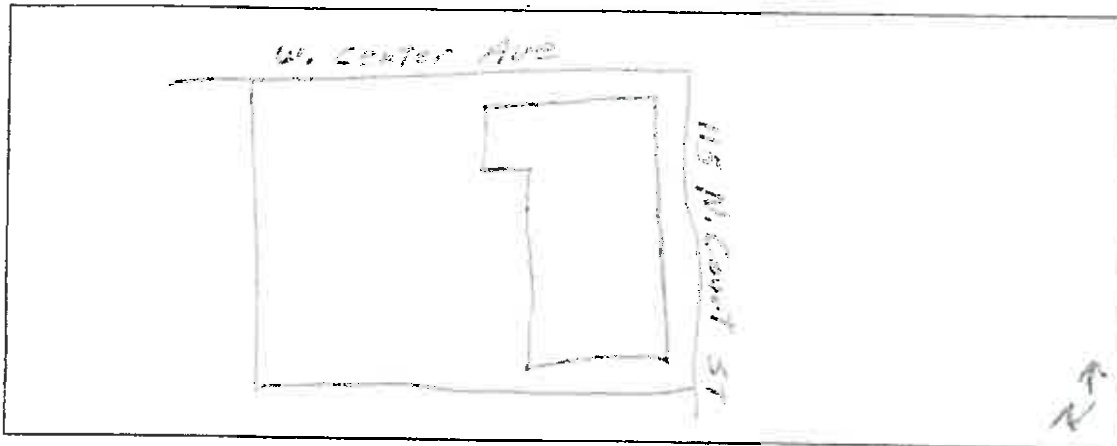
*John M. P. [Signature]*  
AUTHORIZED SIGNATURE  
3-14-17  
DATE

City of Visalia  
Parks and Urban Forestry  
336 N. Ben Maddox Way  
Visalia, CA 93292

Date: 3-13-17

Site Plan Review # 17049

SITE PLAN REVIEW COMMENTS



COMMENTS: See Below  None

Please plot and protect all Valley Oak Trees.

Landscape along parkway to be planted by developer and maintained by a maintenance district.

All drainage from curb and gutter along streets to be connected to storm drain system.

All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.

Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Joel Hooyer

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

Email: jhooyer@ci.visalia.ca.us

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 4 DATE: MARCH 15, 2017

SITE PLAN NO.: 17-049  
PROJECT TITLE: N COURT MIXED USE BUILDING  
DESCRIPTION: REMODEL EXISTING 14,580 SF BUILDING (CDT) (AE) (DRD)  
APPLICANT: MCCONNAUGHEY ERIC  
PROP OWNER: SHAHAN ROBERT & SABRINA (TRS LIV TR)  
LOCATION: 115 N COURT ST  
APN: 094-324-007

**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 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; **COURT ST RIGHT-OF-WAY**

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. **AS NECESSARY**
- 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. Proposed project will need an additional trash enclosure to provide service to new tenants and existing retail businesses as the existing enclosures are over capacity. Refer to City 24' refuse enclosure standards with concrete apron and gates. Further coordination with City Engineer is required.***
- 2. Parking stalls that may be impacted due to new enclosure may be subject to parking in-lieu fees per each stall omitted. Refer to further conditions by the Planning Dept.***
- 3. Proposed residential units in existing building will incur development impact fees. The previous business use will be applied as a credit towards impact fee assessment. Refer to page 3 for applicable fees and summary.***
- 4. All utility installations to serve new residential units shall not encroach onto public right-of-way or parking lot. Private utilities shall be detained within building envelope.***
- 5. A building permit is required. Standard plan check and inspection fees will apply.***

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 17-049  
Date: 3/15/2017

**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:10/1/2016)  
(Project type for fee rates:MULTI-FAMILY)

Existing uses may qualify for credits on Development Impact Fees. 6745 SF OFFICE

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$425/UNIT X 8 - (\$620CR) = \$2,780 TREATMENT PLANT FEE: \$745/UNIT X 8 - (\$1,477CR) = \$4,483
<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



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

# 17-049  
#  
115 N Court

**COMMERCIAL BIN SERVICE**

- No comments.
- Same comments as
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers.
- ALL refuse enclosures must be R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated 16-06
- 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) with no less than 38' clear space in front of the bin, included the front concrete pad.  
Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards  
The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.

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

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

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**COMMENTS**

existing enclosure/service already max use with existing accounts. Requires a double enclosure built to city standards to provide service for apartments and retail businesses.

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**Javier Hernandez, Solid Waste Front Load Supervisor 713-4338**  
**Earl Nielsen, Solid Waste Manager**

## Susan Currier

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**From:** Deel, David@DOT <david.deel@dot.ca.gov>  
**Sent:** Thursday, March 23, 2017 3:52 PM  
**To:** Susan Currier; 'siteplan@lists.ci.visalia.ca.us'  
**Cc:** Jason Huckleberry; Navarro, Michael@DOT; Paul Bernal  
**Subject:** RE: Site Plan Review Agenda for March 15, 2017

Susan & All:

Caltrans has a NO COMMENT on:

SPR 17034 (Continued)

SPR 17046 (RESUB)

SPR 17014 (RESUB)

SPR 17049

SPR 17051

SPR 17052

SPR 17053 (although located on SR 63, project is only for interior remodel for a medical office with 1 exam room; no changes to driveway or parking circulation is proposed )

Thanks,

**DAVID DEEL | 559.488.7396 | CALTRANS D6**

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**From:** Susan Currier [<mailto:Susan.Currier@visalia.city>]  
**Sent:** Friday, March 10, 2017 10:20 AM  
**To:** 'siteplan@lists.ci.visalia.ca.us' <[siteplan@lists.ci.visalia.ca.us](mailto:siteplan@lists.ci.visalia.ca.us)>  
**Subject:** Site Plan Review Agenda for March 15, 2017

*Please find the attached SPR Agenda for March 15, 2017.*

*Susan Currier  
Planning Assistant  
City of Visalia  
315 E. Acequia Ave.  
Visalia, CA 93291  
(559) 713-4436  
Fax (559) 713-4813  
Email [susan.currier@visalia.city](mailto:susan.currier@visalia.city)  
Website [www.visalia.city](http://www.visalia.city)*

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CUP 2017-26

