

# 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 Bernal, Principal Planner  
Phone No.: (559) 713-4025  
E-Mail: paul.bernal@visalia.city

**SUBJECT: Conditional Use Permit No. 2017-30:** A request by 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 20,000 square foot site area minimum) and is located at 5702 West Caldwell Avenue on the northeast corner of West Caldwell Avenue and South Peppertree Court (APN: 119-690-049).

## STAFF RECOMMENDATION

### Conditional Use Permit No. 2017-30

Staff recommends approval of Conditional Use Permit No. 2017-30, as conditioned, based upon the findings and conditions in Resolution No. 2017-64. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2017-30, based on the findings and conditions in Resolution No. 2017-64.

## PROJECT DESCRIPTION

The Rise Church is requesting to install three portable buildings to be used primarily for children's Sunday school and Wednesday evening classes (see Exhibit "A"). Each portable building is 960 square feet for a total combined area of 2,880 square feet. The applicant has provided a floor plan depicting how the three portable buildings will be utilized for Sunday school and Wednesday evening classes (see Exhibit "B"). The combined building area (2,880 sq. ft.) will provide four classrooms and a common area. Elevations have been provided (see Exhibit "C") detailing the exterior siding of the classrooms.

The church has identified a need for additional classroom space to accommodate approximately 100 to 130 kids that attend Sunday school. The Church identified that half of the children will be placed inside in the existing classrooms while the remaining children (50-75) will use the portable classrooms. The church anticipates the Wednesday evening group to be between 40-50 children/young adults.

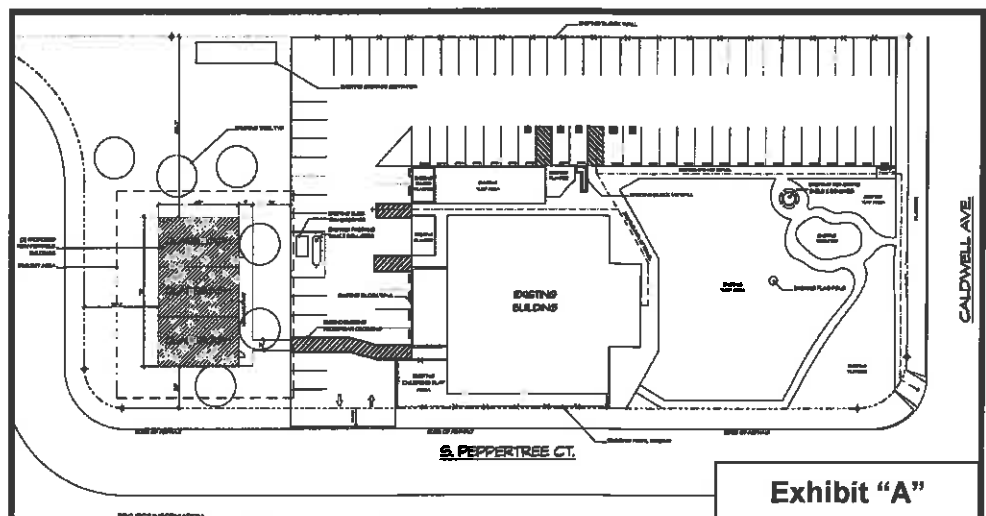


Exhibit "A"

The 1.89 acre project site is developed with the existing Rise Church facility consisting of an approximately 8,000 square foot multi-purpose building, which houses the 188 seat sanctuary, offices, classrooms and kitchen. The site is developed with 76 parking stalls. There are no additional ancillary structures on-site. Rise Church, per the Operational Statement, intends to develop permanent structures on-site once funding for construction of permanent facilities can be secured.

Special Use Permit 77-68 was approved by the County of Tulare Planning Commission on June 28, 1978. The Special Use Permit 77-68 approved the church building with up to 330 seats with a 65 stall parking lot. The Rise church pastor and their architect have informed staff that 188 seats are currently in the sanctuary. The church site was annexed into the City of Visalia on December 23, 1993. When the site was annexed, the only development on the property was the church building and parking lot, which was occupied at that time by the Valley Bible Church. The church was the project applicant on the Hidden Akers subdivision, which subdivided property north of the church into a large lot single-family subdivision consisting of nine residential lots with Lot 10 being the developed church site. As a part of the subdivision approval, the church facility was required to close their driveway access to Caldwell Avenue and to dedicate and install street frontage improvements along the Caldwell Avenue frontage (i.e., curb, gutter, and sidewalk). There were no other improvements or expansions to the church facility as a part of the subdivision/CUP action. The single-family houses developed north of the church facility were developed in mid-2004 to 2005.





## BACKGROUND INFORMATION

General Plan Land Use Designation	Very Low Density Residential
Zoning	R-1-20 – Single-family Residential 20,000 sq. ft. min. site area
Surrounding Zoning and Land Use	North: R-1-20 / Peppertree Court (local street) & Hidden Acres subdivision South: West Caldwell Avenue (Arterial Street) East: R-1-5 / Vacant residential lot West: AE-20 County Zoning / Rural Residential subdivision
Environmental Review	Categorical Exemption No. 2017-63
Site Plan	2017-090

### RELATED PLANS & POLICIES

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

### RELATED / SIMILAR PROJECTS

Special Use Permit 77-68: The Tulare County Planning Commission on June 28, 1978 approved the Special Use Permit establishing the church site with parking lot and future ancillary structures.

Annexation No. 92-06: The City of Visalia annexed 29.2 acres including the project site. The annexation became effective on December 23, 1993.

Hidden Akers Tentative Subdivision Map and Conditional Use Permit No. 2002-31: The Planning Commission approved the subdivision and CUP on December 9, 2002. The project was a request to subdivide 13.6 acres into 10 single-family residential lots. Nine of the lots were proposed for new residential development while the tenth lot was created for the existing Valley Bible Church facility (i.e., now Rise Church). CUP No. 2002-31 facilitated the creation of half-acre lots in the R-A (Rural Residential) zone.

## PROJECT EVALUATION

Staff recommends approval of the requested conditional use permit, as conditioned, based on the project's consistency with the General Plan, and Zoning Ordinance.

### Land Use Compatibility

Churches and other religious institutions are identified as a conditionally permitted use in the R-1 (Single-family Residential) zone. The land uses adjacent and within close proximity to the Rise church site include single-family residential units and other church facilities. Staff has concluded that the proposed modular buildings to be used for Sunday school and youth groups midweek are associated with the church's overall function and would not conflict with any of the adjacent land uses based upon improvements required with the proposed project and the operational statement identifying the use of the proposed modular buildings. The site has also been operating as a church for decades under a use permit that was established in the County of Tulare without any notable problems. The frontage improvements required along Peppertree

Court as stated per Engineering Division's Site Plan Review comments dated May 10, 2017 will help alleviate any drainage problems that occur in the area.

In addition, the proposed modifications to the church site do not conflict with adjacent land uses because the changes do not increase the seating capacity of the sanctuary area, which could result in an increase in vehicle trips through the neighborhood during peak church hours. The installation of three modular buildings would not increase vehicle trips generated because parents of children attending Sunday school are already driving to the site to attend church services.

### **Parking**

The proposed CUP No. 2017-30 is only requesting to install three 960 square foot portable modular buildings to be used for Sunday school and youth classes on Wednesday evenings. The addition of the portable modular classrooms does not require additional parking based on the Zoning Ordinance Parking Requirements for churches.

The City has historically calculated the parking requirement based on sanctuary seating given that this is typically the highest parking generator. The CUP entitlement and construction of the Church occurred in the County. The church site is developed with 76 parking spaces (see Exhibit "A"). Once the church site was annexed to the City the County Special Use Permit approval was "Grandfathered" and the City recognizes the County as being "use-inaugurated". However, once annexed to the City, all new development or intensification of this site is subject to the City's development review process. If the Rise Church elects to expand the sanctuary or construct a new sanctuary at a future date, staff through the Site Plan Review and amended CUP process will identify City development standards, including parking requirements, for any major changes to the church property.

Please note, the R-1-20 zone list churches as a Conditionally Permitted use (i.e., CUP required). Churches in residential zones are not limited to a maximum number of seats within the main assembly area. Conversely, the C-MU, D-MU (Downtown Mixed Use), C-S (Service Commercial), O-PA (Professional / Administrative Office), O-C (Office Conversion) and I-L (Light Industrial) zones limit the number of seats to no more 200 for churches in those zones.

The church site was approved in the County per Special Use Permit 77-68. The Special Use Permit approved the church building with 330 seats and a parking lot with 65 stalls. The property was annexed to the City of Visalia on December 23, 1993.

### **Existing Church Facility**

The existing Rise Church facility consists of an approximately 8,000 square foot building and a parking lot with approximately 76 parking stalls. During the approval process for the 2002 Hidden Akers subdivision project, the church site was required to remove their vehicular access driveway to Caldwell Avenue, dedicate improvements along the Caldwell Avenue frontage and construct Peppertree Court to a Rural Residential standard (no curb, gutters or sidewalks) but with bio-swales on both sides of the local street. The individual property owners of the large lot subdivision are responsible for the maintenance of the bio-swales. There were no other proposed improvements or expansions to the church facility as a part of the 2002 subdivision and CUP approval.

## Correspondence

Staff received a letter on July 27, 2017 from Jim and Selina Robinson who reside at 3514 South Peppertree Court, just northeast of the Rise Church site. Their letter, see Exhibit "D", lists several concerns regarding the Rise Church site and the placement of the three modular buildings along the north portion of the church property.

Staff has provided response to their concerns stated in the letter based as follows:

1. The back of the portable classrooms face north into our subdivision. Portable classrooms are unsightly and typically have their air conditioning units facing the rear of the units. We will see and hear these air conditioners running from our bedroom windows. If these portable units are installed a block wall with landscaping needs to be built between the units and Peppertree Ct. For current examples of a block wall being required between churches and residential; the Catholic Church was built at Akers and Caldwell a block wall was installed between the church and residential. When the church of Christ was built at Caldwell and Linwood a block wall was installed.

**Staff Response:** Staff would not recommend the construction of a block wall along the north property line as requested in the letter. The church parcel is unique in that the lot is a "double-frontage" lot and the church could elect to construct a parsonage or similar ancillary structure for the church's daily operations with the intent to utilize the double-fronting lot in a manner that a new structure, such as a parsonage, could interface with the neighborhood to the north.

A block wall may be warranted in the future if the church site is further intensified. Examples of intensification of the site could be the construction of a new sanctuary or expansion of the existing sanctuary area resulting in additional seating, or establishing a private school and/or daycare that may operate five days a week. Given the nature and the frequency on how often the three modular buildings are to be used, the requirement to construct a block wall along the east property line adjacent to the parking lot or a block wall along the north property line was not determined to be necessary during the Site Plan Review process.

The letter is correct in stating block walls were required for two other church sites in the City of Visalia; however, the Rise church was developed in the County and block walls, per the County approval, were not required. As previously stated, further intensification of the site may warrant the construction of block walls based on a site plan depicting future development of the church site with additional structures. It should be noted, there is a block wall along the south property line of the residential property located directly north of the project site and a block wall along the west side of the Robinson property (see Figure 1).



2. The parking situation at the church has become a problem. We have attached pictures of the overflowing parking lot, cars on Peppertree and on Caldwell on Sunday mornings. We have pictures from several Sundays to show that this is a regular occurrence. Driving on Peppertree is dangerous with all of the cars parked on the street with doors flying open and kids running across the street. Caldwell Avenue is currently marked with no parking signs but cars now park there anyway.

**Staff Response:** The installation of the three modular buildings to be used for children's Sunday school and youth group meetings on Wednesday's does not require additional parking stalls to be constructed. The City calculates parking requirements based on the sanctuary seating given that this is typically the highest parking generator. The church site was approved and constructed in the County. The Special Use Permit stated that 64 parking stalls are provided for the 330 seat sanctuary. The church site is developed with 76 parking spaces. Staff verified the number of parking stalls during a site visit on August 3, 2017. Additionally parking requirements would be identified if in the future the church site elected to build a new sanctuary with more seats than they currently have or expansion of the existing sanctuary area resulting in additional seating. The Rise church pastor informed staff that 188 seats are currently provided in the main assembly area.

3. The church building appears to be at or near capacity now based on the number of cars. Adding additional class room space will only make the problem worse.

**Staff Response:** The addition of classrooms is to accommodate children who currently attend Sunday school held in the classrooms located within the main building. The modular buildings will be used to facilitate additional classroom space. The Special Use Permit approved in the County and "grandfathered" in to the City established the seating capacity within the church building. A review of the City's building permit system has not identified any building permits that would have expanded the seating and/or building occupancy for the church site.

The Robinson's attached photographs to their letter that show vehicles parked along Caldwell Avenue which is posted for "No Parking Any Time". Vehicles that park along Caldwell Avenue are in violation of the City's Municipal Code Title 10 Vehicles and Traffic and would be subject to citations and enforcement by the Visalia Police Department.

4. The storm drainage in our neighborhood is a problem now. We have attached pictures from this last winter that I sent to the City in January. We have also attached a picture from the winter of 2006. Our storm drain system has been over-whelmed several times. Last winter we had to pump the water out of the swales (in front of our house) into our open field to lower the water level. The water from the church (including the parking lot) currently flows north from Caldwell back onto the grass area where the portable classrooms are planned. The water then drains across the grass into the swale in front of our house and the remainder of the neighborhood. The church storm drain system needs to be changed so the water from the church does not impact the neighborhood storm drain system. The water from the church should drain directly into their pond. We do not believe that the current ponding basin in front of the church is large enough to handle their storm drain water. The cars parking on the street are actually parking in



the storm drain swale making the flooding problem worse by compacting the soil in the swales. Also, adding the portables will make the storm drain issue worse by removing the grass area and adding roof tops. The storm drain system for our neighborhood was not designed for this commercial property with this amount of impervious area. Before any consideration of additional buildings (additional impervious area) is considered the storm drain system at the church needs to be fixed.

**Staff Response:** The City's Engineering Division, as stated in their comments from the May 10, 2017 Site Plan Review meeting, require the church along their Peppertree Court frontage to improve and re-establish the storm drainage bio-swale along this area to improve drainage in the area. The improvements to the storm drainage bio-swale shall incorporate improvements similar to those done along the Robinson's property including the installation of river rock with drought tolerant plants and trees. In addition, modifications to the existing drive approach may be required to accommodate drainage flows by allowing drainage to either go under or over the existing drive approach.

5. If the temporary buildings are installed we would like to have a specific enforceable time frame attached for their removal.

**Staff Response:** Although the applicant, per the Operational Statement, has identified that the modular buildings are temporary until funding for a permanent structure can be raised, staffs comments and conditions per Site Plan Review No. 2017-090 and conditions of CUP No. 2017-30, are provided to ensure that the modular structure and the site incorporate improvements in compliance with both local ordinances and state building regulations with the assumption that the structures are permanent. Therefore, the structures would be allowed to remain indefinitely.

### **Environmental Review**

The requested action is considered Categorical Exempt under Section 15303 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-63).

Projects determined to meet this classification consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

## **RECOMMENDED FINDINGS**

### **Conditional Use Permit No. 2017-30**

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. The land uses adjacent and within close proximity to the

Rise church site include single-family residential units and other church facilities. Staff has concluded that the proposed modular buildings to be used for Sunday school and youth groups midweek are associated with the church's overall function and would not conflict with any of the adjacent land uses based upon improvements required with the proposed project and the operational statement identifying the use of the proposed modular buildings. The site has also been operating as a church for decades under a use permit that was established in the County of Tulare without any notable problems. The frontage improvements required along Peppertree Court as stated per Engineering Division's Site Plan Review comments dated May 10, 2017 will help alleviate any drainage problems that occur in the area.

In addition, the proposed modifications to the church site do not conflict with adjacent land uses because the changes do not increase the seating capacity of the sanctuary area, which could result in an increase in vehicle trips through the neighborhood during peak church hours. The installation of three modular buildings would not increase vehicle trips generated because parents of children attending Sunday school are already driving to the site to attend church services.

- 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. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit. The frontage improvements required along Peppertree Court as stated per Engineering Division's Site Plan Review comments dated May 10, 2017 will help alleviate any drainage problems that occur in the area.
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. The proposed modifications to the church site do not conflict with adjacent land uses because the changes do not increase the seating capacity of the sanctuary area, which could result in an increase in vehicle trips through the neighborhood during peak church hours. The installation of three modular buildings would not increase vehicle trips generated because parents of children attending Sunday school are already driving to the site to attend church services. In addition, staffs comments and conditions per Site Plan Review No. 2017-090 and conditions of CUP No. 2017-30, are provided to ensure that the modular structure and the site incorporate improvements in compliance with both local ordinances and state building regulations with the assumption that the structures are permanent. Therefore, the structures would be allowed to remain indefinitely.
4. That the project is considered Categorically Exempt under Section 15303, Class 3 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2017-63). Projects determined to meet this classification consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

## RECOMMENDED CONDITIONS OF APPROVAL

### Conditional Use Permit No. 2017-30

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2017-090, incorporated herein by reference.
2. That the site be developed and maintained in substantial conformance with the site plan, floor plan and elevations in Exhibits "A", "B" and "C".
3. That the applicant complies with their operational statement, as stated in Exhibit "A". Any changes to their operation are subject to review by the City Planner, and may subsequently be required to be reviewed by the Planning Commission.
4. That the maximum occupancy limit shall be posted and not exceeded as determined by the City's Chief Building Official and/or Fire Marshall.
5. That all applicable federal, state and city laws, codes and ordinances be met.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-30, prior to the issuance of any building permit for this project.

## APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe Street. 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.

### **Attachments:**

- Related Plans and Policies
- Resolution No. 2017-64
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Elevation
- Exhibit "D" – Letter from Jim and Selina Robinson received July 27, 2017
- Site Plan Review No. 2017-090 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

**Chapter 17.38**  
**CONDITIONAL USE PERMITS**

Sections:

- 17.38.010 Purposes and powers.
- 17.38.020 Application procedures.
- 17.38.030 Lapse of conditional use permit.
- 17.38.040 Revocation.
- 17.38.050 New application.
- 17.38.060 Conditional use permit to run with the land.
- 17.38.065 Abandonment of conditional use permit.
- 17.38.070 Temporary uses or structures.
- 17.38.080 Public hearing—Notice.
- 17.38.090 Investigation and report.
- 17.38.100 Public hearing—Procedure.
- 17.38.110 Action by planning commission.
- 17.38.120 Appeal to city council.
- 17.38.130 Effective date of conditional use permit.
- 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.

**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.
  - 7. Additional technical studies or reports, as required by the Site Plan Review Committee.
  - 8. A traffic study or analysis prepared by a certified traffic engineer, as required by the Site Plan Review Committee or Traffic Engineer, that identifies traffic service levels of surrounding arterials, collectors, access roads, and regionally significant roadways impacted by the project and any required improvements to be included as a condition or mitigation measure of the project in order to maintain the required services levels identified in the General Plan Circulation Element.
- 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.



#### **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 that 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.

#### **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.

#### **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.

#### **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 that was the subject of the permit application subject to the provisions of Section 17.38.065.

#### **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.
  9. Fruit/Vegetable stands shall be subject to site plan review.
- C. The City Planner shall deny a temporary use permit if findings cannot be made, or conditions exist that would be injurious to existing site, improvements, land uses, surrounding development or would be detrimental to the surrounding area.
- D. The applicant or any interested person may appeal a decision of temporary use permit to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the temporary use permit and shall uphold or revise the decision of the temporary use permit, based on the findings set forth in Section 17.38.110. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.
- E. A privately owned parcel may be granted up to six (6) temporary use permits per calendar year.

#### **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 that is the subject of the hearing, and by publication in a newspaper of general circulation within the city.

#### **17.38.090 Investigation and report.**

The planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the planning commission. The report can recommend modifications to the application as a condition of approval.

#### **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.

**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.

**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.

**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 ten days following the granting of the conditional use permit by the planning commission if no appeal has been filed.

RESOLUTION NO. 2017-64

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-30, A REQUEST BY 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 20,000 SQUARE FOOT SITE AREA MINIMUM) AND IS LOCATED AT 5702 WEST CALDWELL AVENUE ON THE NORTHEAST CORNER OF WEST CALDWELL AVENUE AND SOUTH PEPPERTREE COURT (APN: 119-690-049).

**WHEREAS**, Conditional Use Permit No. 2017-30, is a request by 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 20,000 square foot site area minimum) and is located at 5702 West Caldwell Avenue on the northeast corner of West Caldwell Avenue and South Peppertree Court (APN: 119-690-049); 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. 2017-30, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15303.

**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. The land uses adjacent and within close proximity to the Rise church site include single-family residential units and other church facilities. Staff has concluded that the



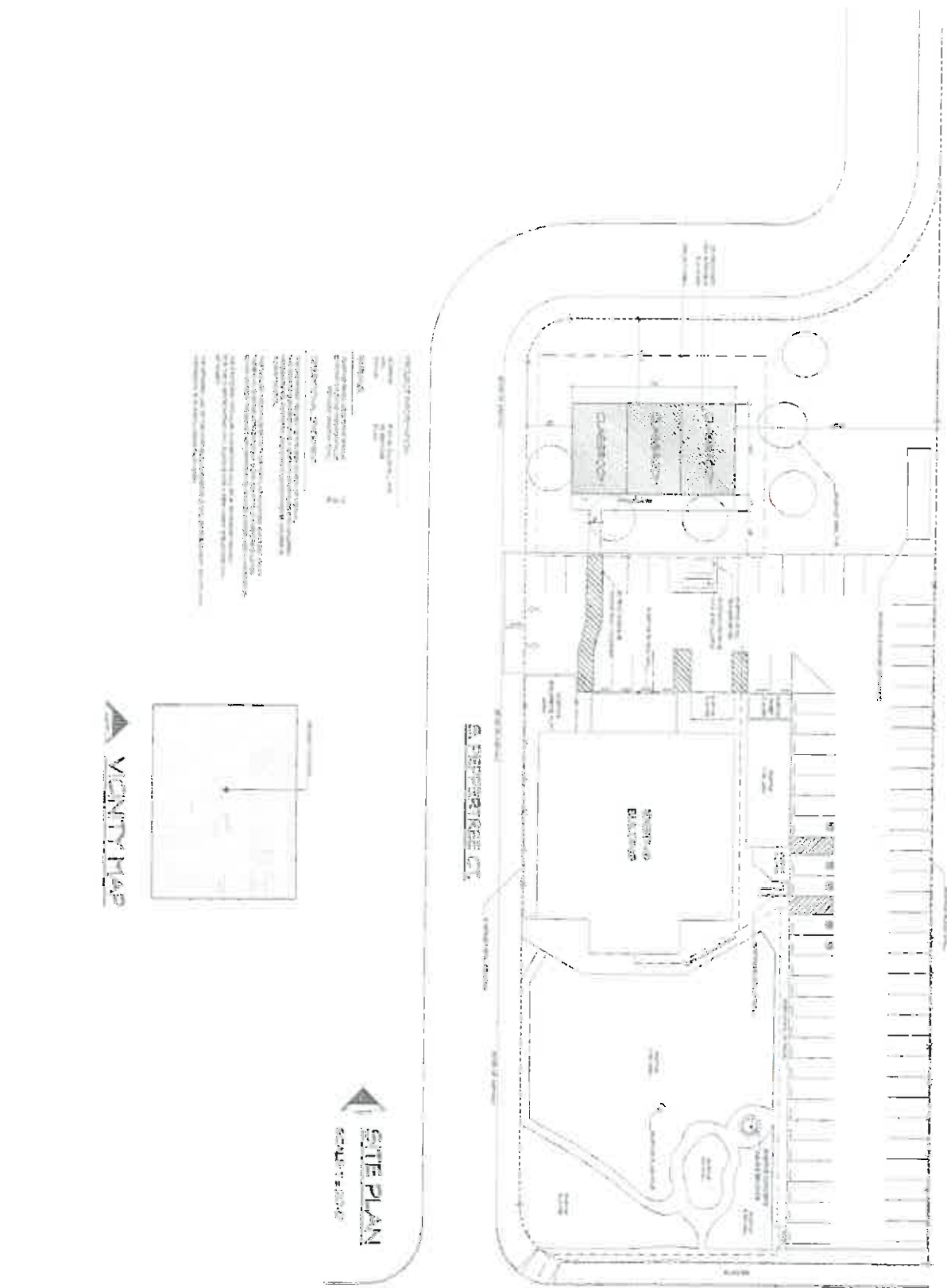
proposed modular buildings to be used for Sunday school and youth groups midweek which are associated with the church's overall function would not conflict with any of the adjacent land uses based upon improvements required with the proposed project and the operational statement identify the use of the proposed modular buildings. The site has also been operating as a church for decades under a use permit that was established in the County of Tulare without any notable problems. The frontage improvements required along Peppertree Court as stated per Engineering Division's Site Plan Review comments dated May 10, 2017 will help alleviate any drainage problems that occur in the area.

In addition, the proposed modifications to the church site do not conflict with adjacent land uses because the changes do not increase the seating capacity of the sanctuary area, which could result in an increase in vehicle trips through the neighborhood during peak church hours. The installation of three modular buildings would not increase vehicle trips generated because parents of children attending Sunday school are already driving to the site to attend church services.

- 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. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit. The frontage improvements required along Peppertree Court as stated per Engineering Division's Site Plan Review comments dated May 10, 2017 will help alleviate any drainage problems that occur in the area.
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. The proposed modifications to the church site do not conflict with adjacent land uses because the changes do not increase the seating capacity of the sanctuary area, which could result in an increase in vehicle trips through the neighborhood during peak church hours. The installation of three modular buildings would not increase vehicle trips generated because parents of children attending Sunday school are already driving to the site to attend church services. In addition, staffs comments and conditions per Site Plan Review No. 2017-090 and conditions of CUP No. 2017-30, are provided to ensure that the modular structure and the site incorporate improvements in compliance with both local ordinances and state building regulations with the assumption that the structures are permanent. Therefore, the structures would be allowed to remain indefinitely.
4. That the project is considered Categorically Exempt under Section 15303, Class 3 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2017-63). Projects determined to meet this classification consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure..

**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:

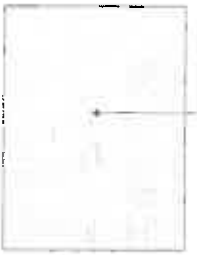
1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2017-090, incorporated herein by reference.
2. That the site be developed and maintained in substantial conformance with the site plan, floor plan and elevations in Exhibits "A", "B" and "C".
3. That the applicant complies with their operational statement, as stated in Exhibit "A". Any changes to their operation are subject to review by the City Planner, and may subsequently be required to be reviewed by the Planning Commission.
4. That the maximum occupancy limit shall be posted and not exceeded as determined by the City's Chief Building Official and/or Fire Marshall.
5. That all applicable federal, state and city laws, codes and ordinances be met.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-30, prior to the issuance of any building permit for this project.



**PROJECT INFORMATION:**  
 Name: Rise Church  
 Address: 12345 Main St, Anytown, CA 90210  
 Date: 10/15/2023  
 Scale: 1/8" = 1'-0"

**NOTES:**  
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES.  
 2. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER SOURCE.  
 3. THE ARCHITECT HAS CONDUCTED VISUAL VERIFICATION OF THE SITE AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.  
 4. THE ARCHITECT HAS CONDUCTED VISUAL VERIFICATION OF THE SITE AND HAS FOUND IT TO BE SUITABLE FOR THE PROPOSED DEVELOPMENT.

▲ VEGETATION MAP



▲ SITE PLAN  
SCALE: 1/8" = 1'-0"

CADDWELL AVE

**DESIGN GROUP  
INCORPORATED**  
ARCHITECTS

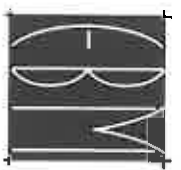
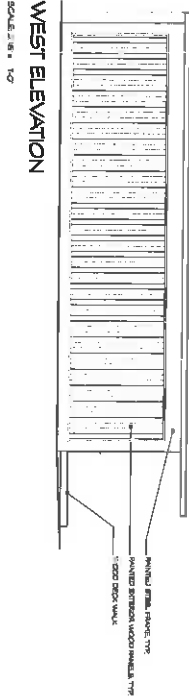
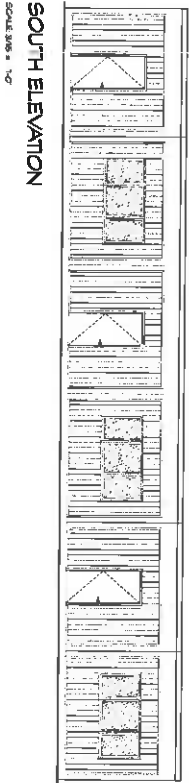
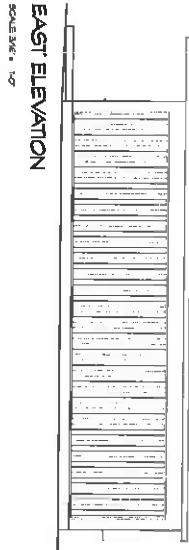
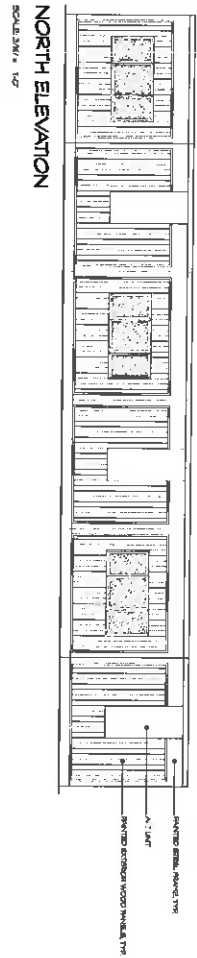
**RISE CHURCH**

12345 MAIN STREET, ANYTOWN, CA 90210

A-1







**DESIGN GROUP**  
INCORPORATED  
ARCHITECTS



412 W. BERKELEY  
VISALIA, CA 93291  
TEL: 559-732-2281  
FAX: 559-732-2282  
WWW.DGIA.COM

NEW PORTABLE CLASSROOMS FOR  
**RISE CHURCH**  
5702 W. CALDWELL AVE. VISALIA, CA 93277

Sheet:  
**A-3**

Exhibit "D"



City of Visalia  
707 W. Acequia St.  
Visalia, CA 93291

ATTN: The City of Visalia Planning Commission

RE: The Rise Church CUP application for portable class rooms

Dear Planning Commissioners;

Our names are Jim and Selina Robinson and we live at 3514 S. Peppertree Ct. in Visalia. We live next door to the Rise church. The church has applied for a conditional use permit for the installation of two temporary portable classrooms on the grass area on the north portion of their property. We have the following concerns:

- The back of the portable classrooms face north into our subdivision. Portable classroom are unsightly and typically have their air conditioning units facing the rear of the units. We will see and hear these air conditioners running from our bedroom windows. If these portable units are installed a block wall with landscaping needs to be built between the units and Peppertree Ct. For current examples of a block wall being required between churches and residential; the Catholic Church was built at Akers and Caldwell a block wall was installed between the church and residential. When the church of Christ was built at Caldwell and Linwood a block wall was installed.
- The parking situation at the church has become a problem. We have attached pictures of the overflowing parking lot, cars on Peppertree and on Caldwell on Sunday mornings. We have pictures from several Sundays to show that this is a regular occurrence. Driving on Peppertree is dangerous with all of the cars parked on the street with doors flying open and kids running across the street. Caldwell Avenue is currently marked with no parking signs but cars now park there anyway.
- The church building appears to be at or near capacity now based on the number of cars. Adding additional class room space will only make the problem worse.
- The storm drainage in our neighborhood is a problem now. We have attached pictures from this last winter that I sent to the City in January. We have also attached a picture from the winter of 2006. Our storm drain system has been over-whelmed several times. Last winter we had to pump the water out of the swales (in front of our house) into our open field to lower the water level. The water from the church (including the parking lot) currently flows north from Caldwell back onto the grass area where the portable classrooms are planned. The water then drains across the grass into the swale in front of our house and the remainder of the neighborhood. The church storm drain system needs to be changed so the water from the church does not impact the neighborhood storm drain system. The water from the church should drain directly into their pond. We do not believe that the current ponding basin in front of the church is large enough to handle their storm drain water. The cars parking on the street are actually parking in

the storm drain swale making the flooding problem worse by compacting the soil in the swales. Also, adding the portables will make the storm drain issue worse by removing the grass area and adding roof tops. The storm drain system for our neighborhood was not designed for this commercial property with this amount of impervious area. Before any consideration of additional buildings (additional impervious area) is considered the storm drain system at the church needs to be fixed.

- If the temporary buildings are installed we would like to have a specific enforceable time frame attached for their removal.

In conclusion, the Rise Church has been part of the Peppertree neighborhood with its open grass area since the houses in our neighborhood were built. However, with the installation of portable classrooms that back onto our neighborhood changes the relationship to more of a commercial property vs. residential neighborhood.

With the installation of the portable units we ask that:

1. A block wall and landscaping needs to be installed
2. The current parking problem needs to be addressed
3. The existing storm drain issue must be fixed
4. A specific time frame needs to be attached for the removal of the units.

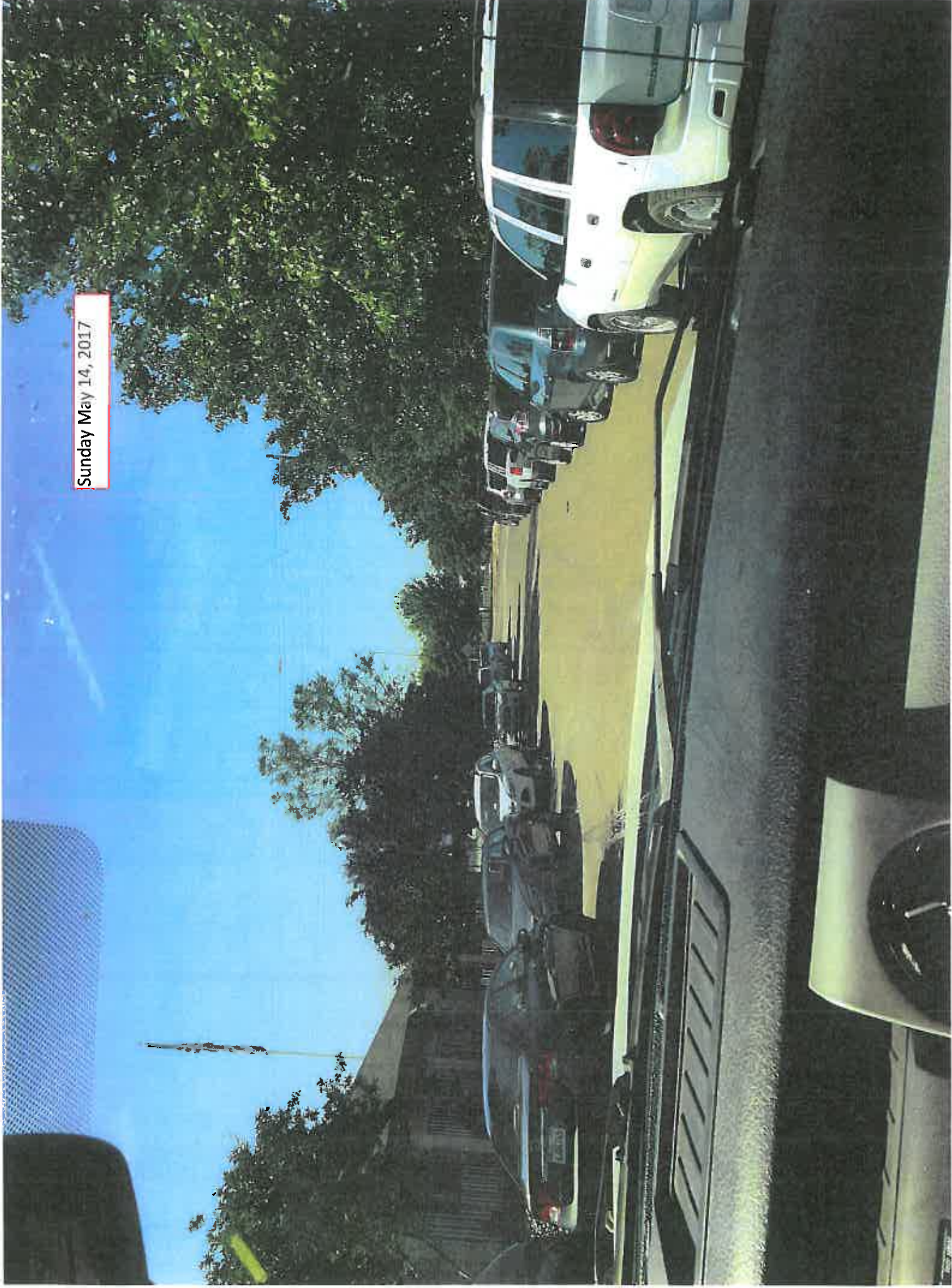
Thank you for your consideration of our concerns. Please contact us at (559) 804-7419 if you have any questions.

Thank you,



Jim and Selina Robinson

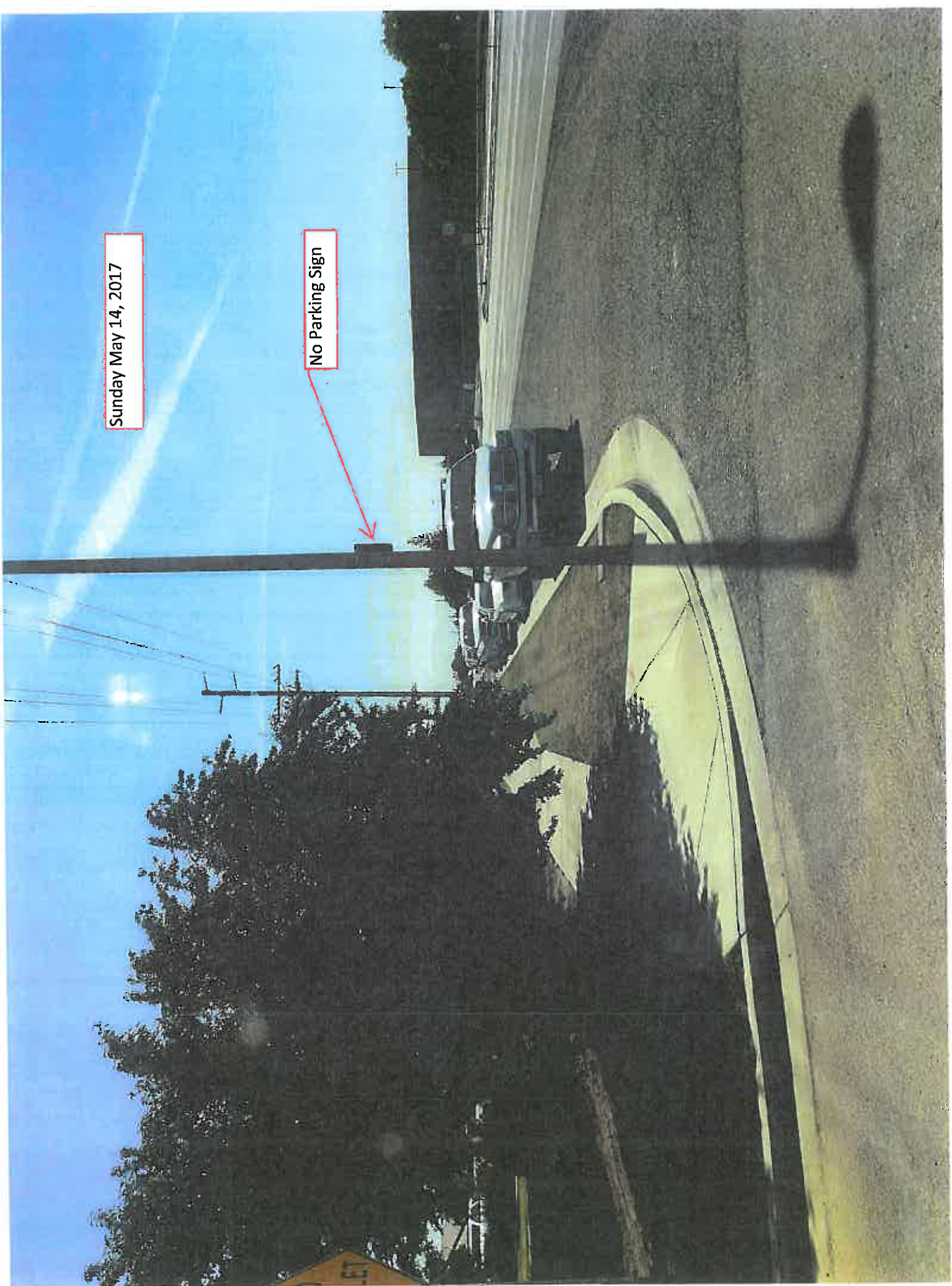
Sunday May 14, 2017





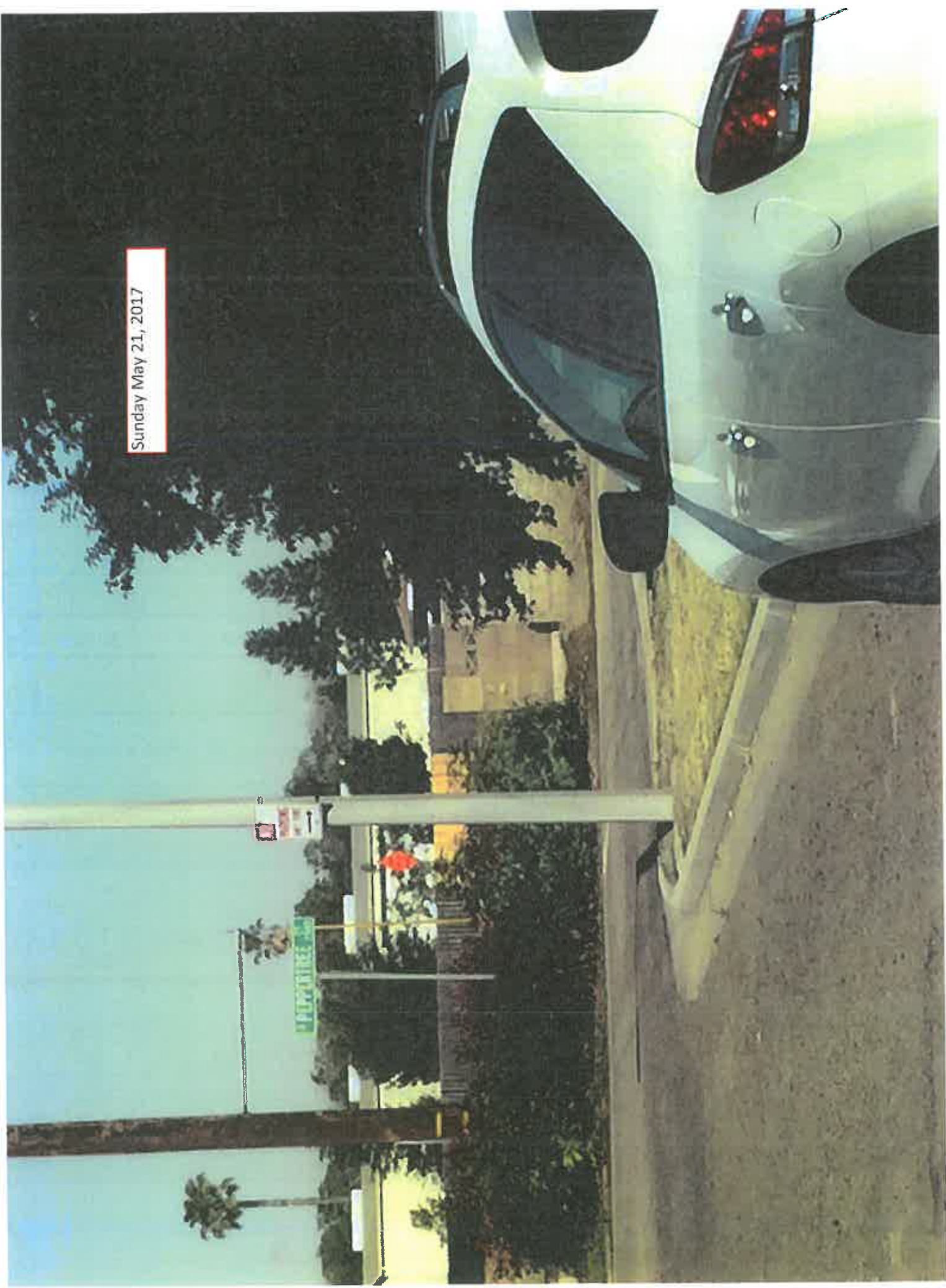
Sunday May 14, 2017

No Parking Sign



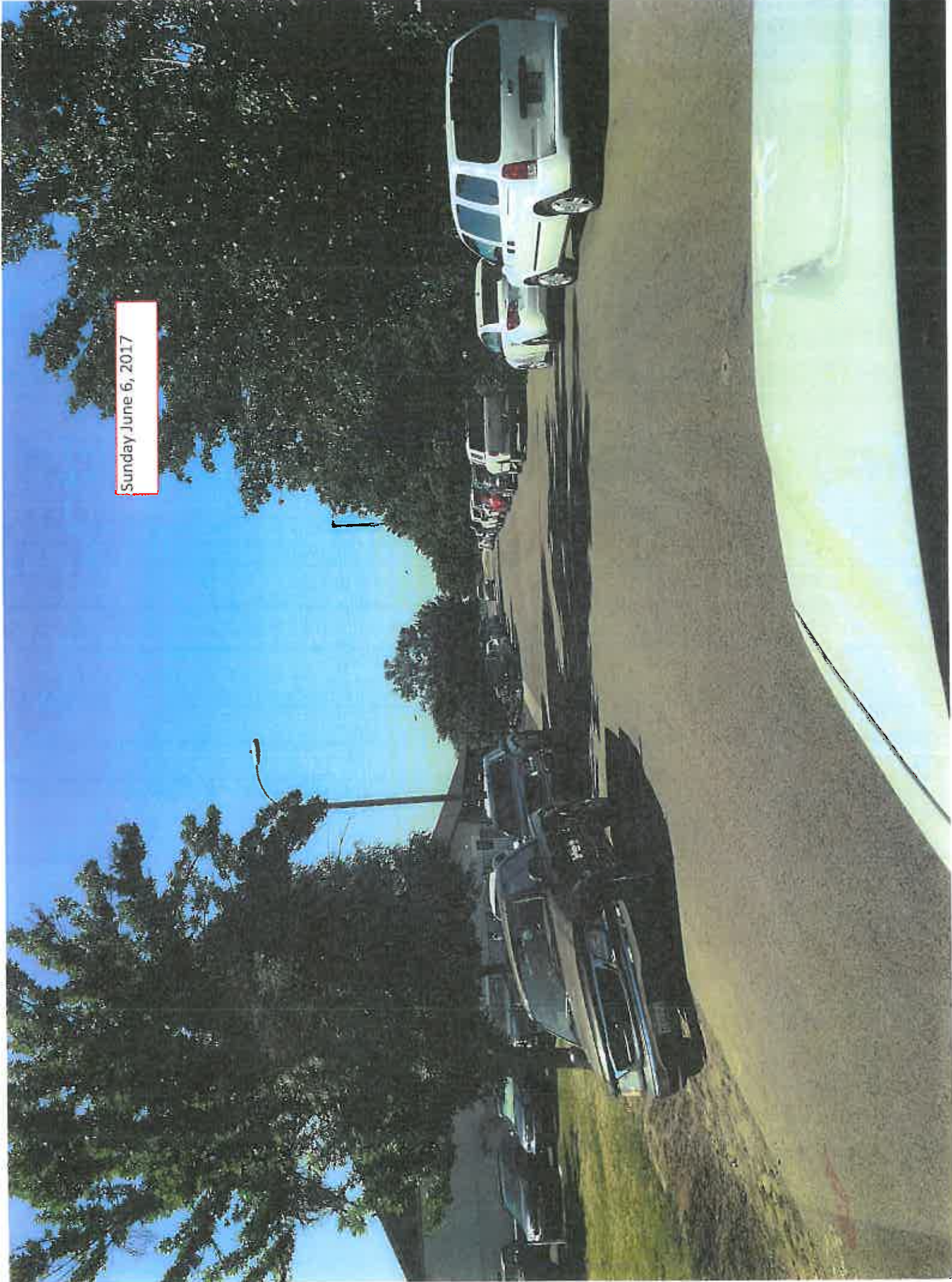


Sunday May 21, 2017





Sunday, June 6, 2017

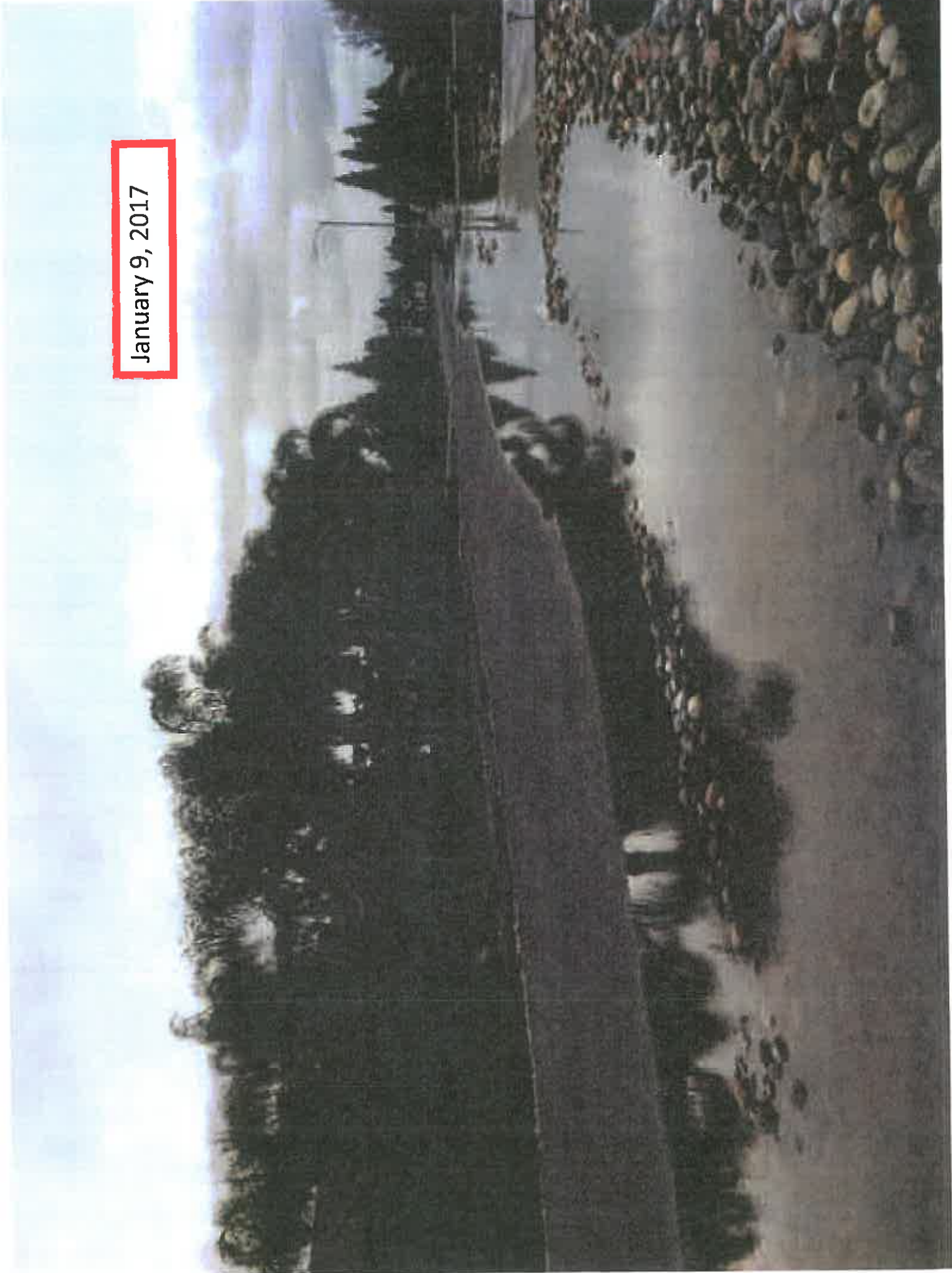




January 9, 2017

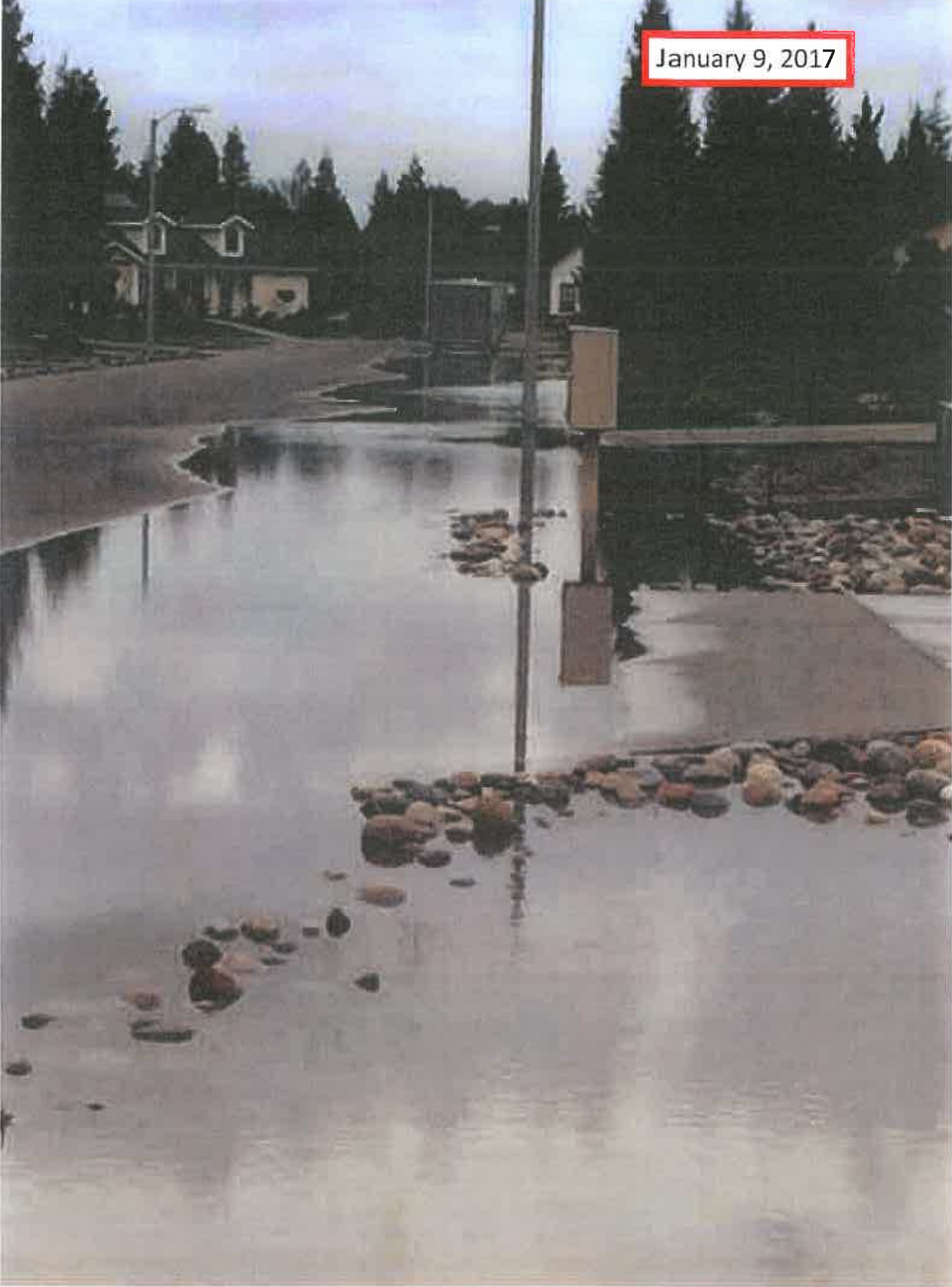


January 9, 2017





January 9, 2017

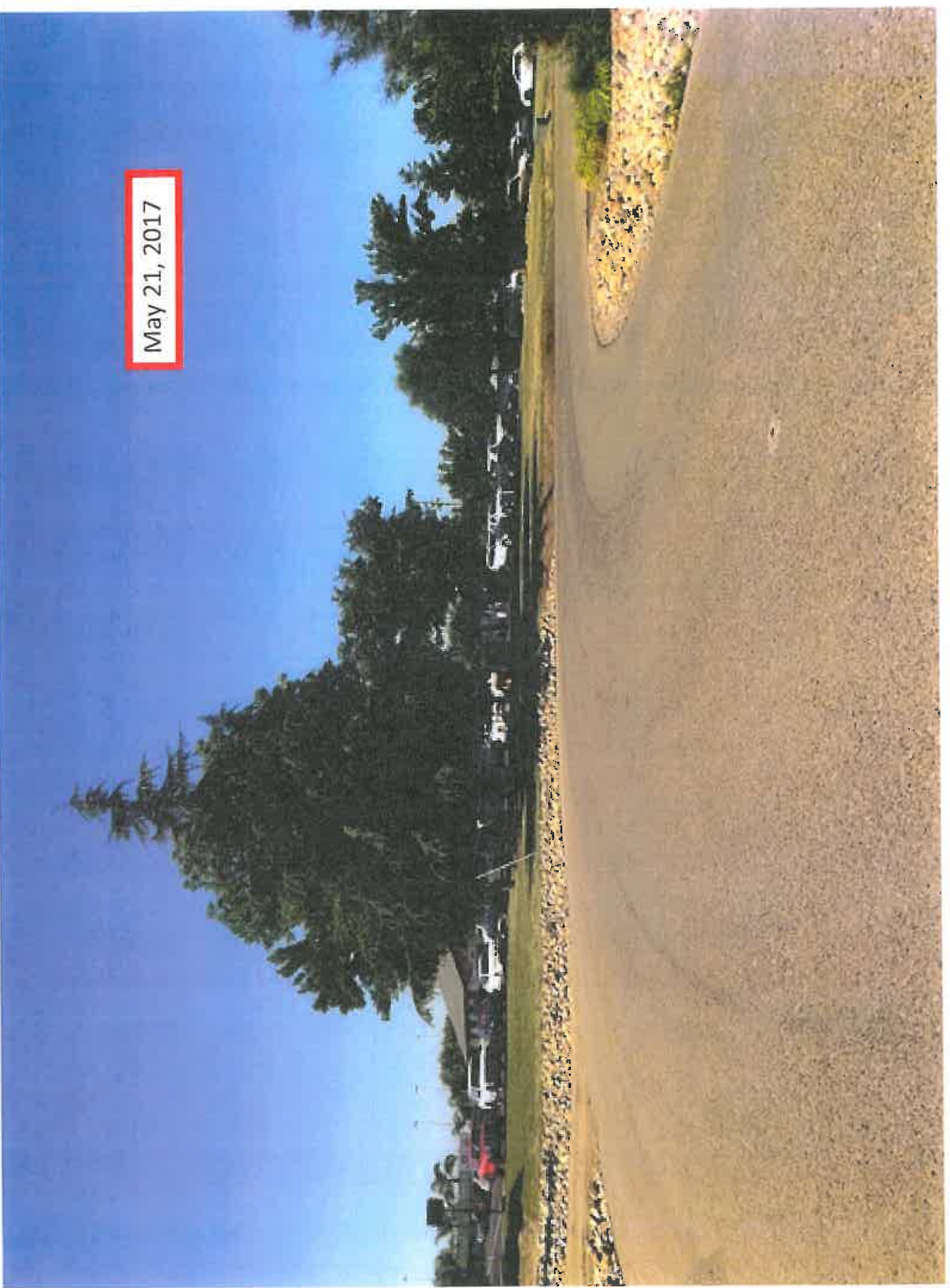




Winter 2006



May 21, 2017





# Caldwell and Peppertree

Sunday April 1, 2017  
~12:30pm





**Caldwell and Peppertree**







#8

MEETING DATE: MAY 10, 2017

SITE PLAN NO. 17-090

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

CVP

HISTORIC PRESERVATION

OTHER: \_\_\_\_\_

**ADDITIONAL COMMENTS :**

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

*Site Plan Review Committee*







# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

May 10, 2017

ITEM NO: 8  
SITE PLAN NO: SPR17090  
PROJECT TITLE: RISE CHURCH - PORTABLES  
DESCRIPTION: 3 PORTABLE CLASSROOMS FOR SUNDAY SCHOOL CLASSES (R-1-2C) (XAL)  
APPLICANT: MCCONNALLGHEY ERIC  
PROP. OWNER: CH VALLEY BIBLE CHURCH  
APN: 119-690-049  
LOCATION: 5702 W CALDWELL AVE VISA

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

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at \_\_\_\_\_ Locations. \_\_\_\_\_
- Install Stop Signs at \_\_\_\_\_ Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.
  - Provide more traffic information such as \_\_\_\_\_, Depending on development size, characteristics, etc., a TIA may be required.

**Additional Comments:**

  
\_\_\_\_\_  
Leslie Blair



- 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

- 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.

#### 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

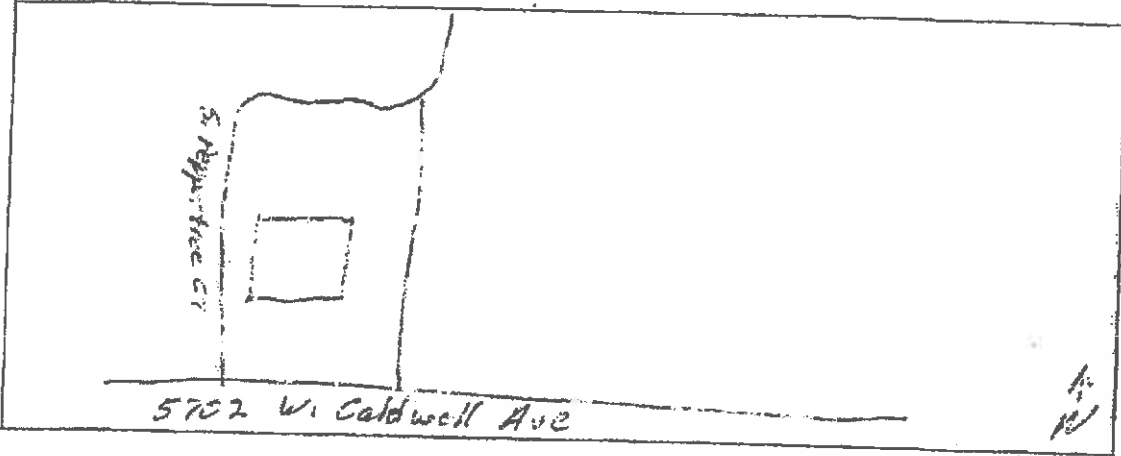


City of Visalia  
Parks and Urban Forestry  
336 N. Ben Maddox Way  
Visalia, CA 93292

Date: 5-10-17

Site Plan Review # 17090

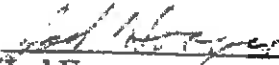
SITE PLAN REVIEW COMMENTS



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

non-compactors must have a clearance of 6 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.

---

---

**COMMENTS**

---

---

---

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

**Minimum Site Area:** 20,000 square feet

**Accessory Structures:**

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

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

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

**Valley Oak Tree**

**NOTE:** Any development under the canopy of a Valley Oak Tree must be reviewed and approved by the City Arborist. Applicants should not prepare any final plans without a review and approval of a detailed site plan by the City Arborist or his appointee.

**Landscaping:**

1. The City has adopted the State Water Efficient Landscape Ordinance. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.**

**Lighting:**

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. **NOTE:** Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

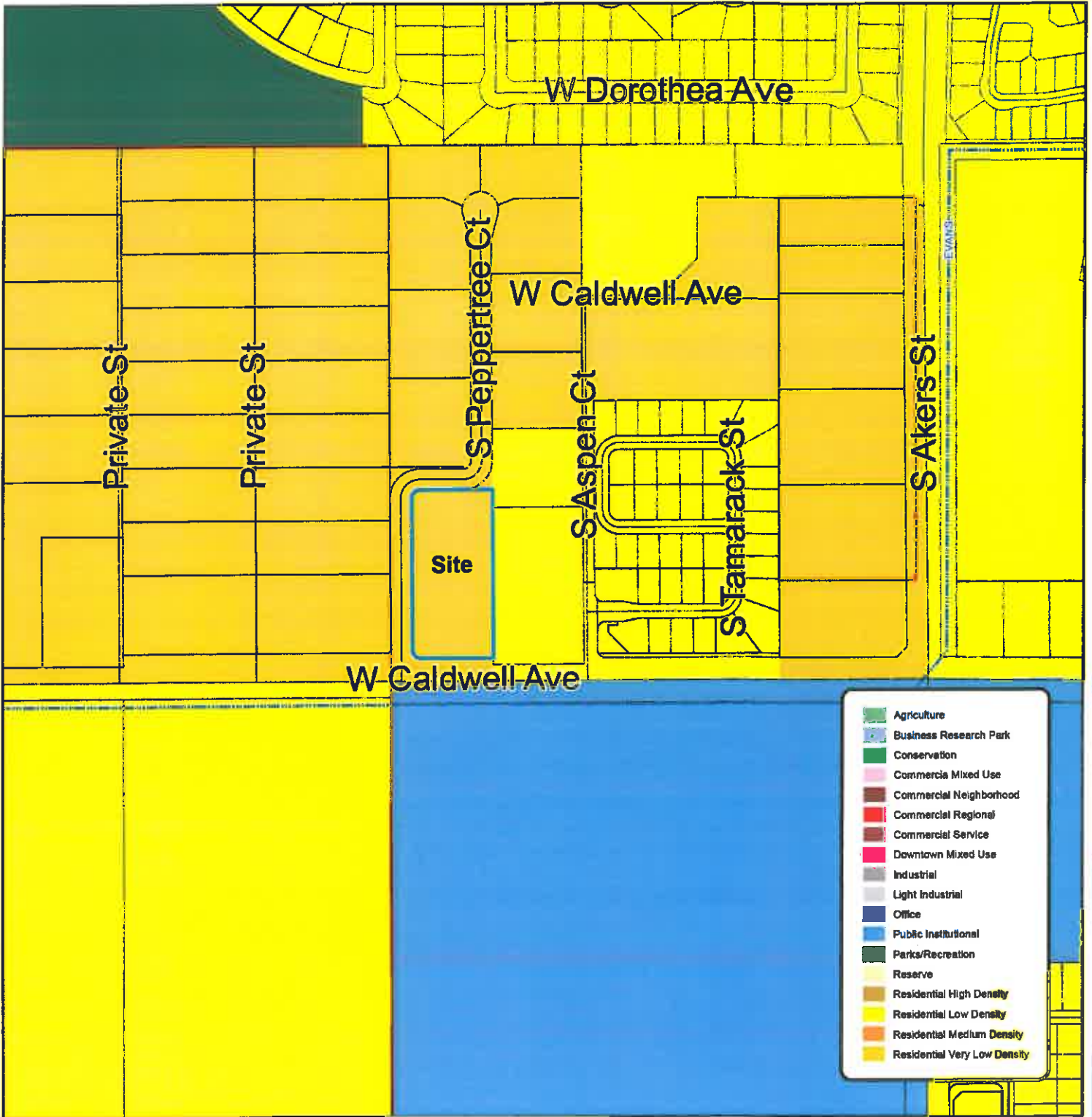
**NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the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

Signature \_\_\_\_\_



# Conditional Use Permit No. 2017-30

APN: 119-690-049



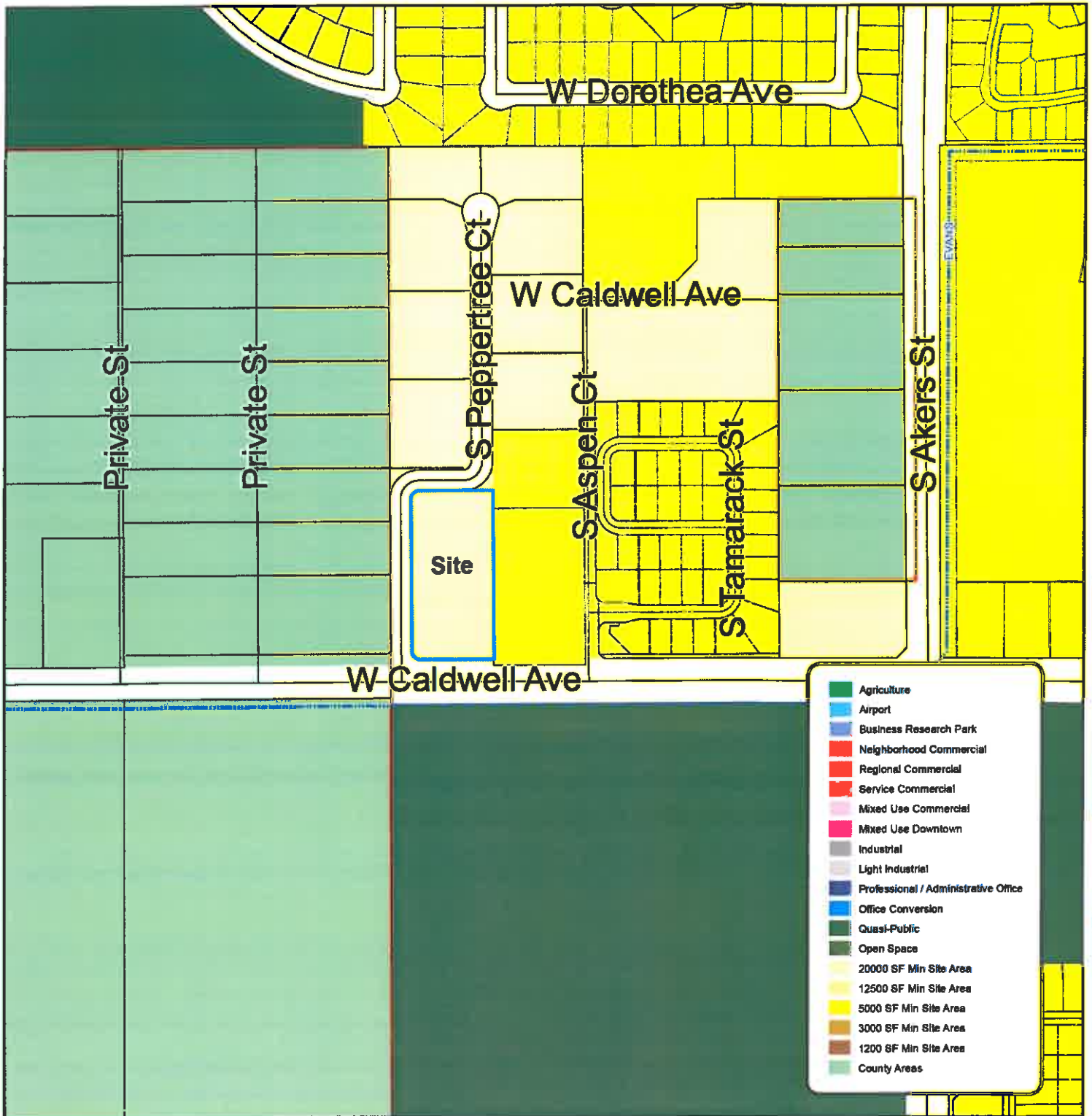
## General Plan Land Use Map

300 150 0 300 600 Feet



# Conditional Use Permit No. 2017-30

APN: 119-690-049



## Zoning Map

300 150 0 300 600 Feet





# Conditional Use Permit No. 2017-30

APN: 119-690-049



## Vicinity Map

100 50 0 100 200 Feet





# Conditional Use Permit No. 2017-30

APN: 119-690-049



## Vicinity Map

