

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

MONDAY, FEBRUARY 12, 2018; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - Time Extension for Diamond Oaks Vesting Tentative Subdivision Map No. 5547 and Conditional Use Permit No. 2013-17.
 - Request for Finding of Consistency for the Visalia Unified School District's Proposed School Site located south of the intersection of W. Houston Ave. and N. Woodland St. (APNs: 089-030-028 and 089-030-029).
 - Request to initiate a Zoning Text Amendment (ZTA) to allow the Ambulance Service use (Zoning Matrix Line M54) in the IL (Light Industrial) Zone District, Citywide.
5. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2018-01: A request by Steve Larios (Gerard and Cindy Homer, property owners), to allow a church within a 2,802 square foot portion of a building in the C-MU (Commercial Mixed Use) zone. The project site is located at 2374 West Whitendale Avenue, approximately 800 feet north of Whitendale Avenue and 750 feet west of Mooney Boulevard. (APN: 121-240-061)
6. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-
 - Update on Mobile Food Truck Work Session Item.
 - Update on Micro-Brewery Overlay District Work Session Item.
 - Update on City Council Strategic Planning Meeting

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, FEBRUARY 22, 2018 BEFORE 5 PM

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

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, FEBRUARY 26, 2018

City of Visalia



To: Planning Commission

From: Paul Scheibel, Principal Planner (713-4369) *PS*

Date: February 12, 2018

Re: Request to initiate a Zoning Text Amendment (ZTA) to allow the Ambulance Service use (Zoning Matrix Line M54) in the IL (Light Industrial) Zone District, Citywide

RECOMMENDATION

Staff recommends that Planning Commission authorize the filing of a Zoning Text Amendment (ZTA) to allow the Ambulance Service use (Zoning Matrix Line M54) in the I-L (Light Industrial) Zone District. The authorization is made pursuant to the provisions of Zoning Ordinance Section 17.44.020 B. that provides for the Planning Commission to initiate ZTAs.

DISCUSSION

The request to add the IL Zone District to the zone districts that conditionally allow [subject to a Conditional Use Permit (CUP)] ambulance services is being made by American Ambulance of Visalia (please see attached letter). American Ambulance desires to establish a new facility within an existing industrial building at 6713 W. Pershing Avenue. The site is zone I-L. The proposal was reviewed by the Site Plan Review Committee (SPR 2018-013) on January 24, 2018. The SPR Committee determined the project review complete and placed a Revise and Proceed status on the proposal. The SPR Committee recommended that a ZTA and CUP applications be processed concurrently if the proponent desires to move forward through the discretionary entitlement process.

Planning staff concurs with the proponent's request and the SPR Committee's recommended entitlement process. The proponent has accurately articulated the fact that the preclusion of Ambulance Services from the Industrial zone districts inhibits the adequate provision of a vital emergency service from a substantial area of the City's industrial park, and areas farther to the west, such as the Goshen Community and Hwy 99.

Consequently, staff recommends that the Planning Commission authorize the proponent to file their ZTA application, concurrently with a CUP application for the 6713 W. Pershing Avenue location. It is anticipated that the ZTA and CUP applications would be brought before the Planning Commission within 30 to 60 days. The Planning Commission's conditional approval of a CUP would be contingent on the City Council's final approval of the ZTA.

ATTACHMENTS

- Applicant Letter
- Zoning Ordinance Chapter 17.44
- City Zoning Map



American Ambulance of Visalia
2017 East Noble Avenue
Visalia, Ca 93292

January 31st, 2018

Paul Bernal
City Planner
315 E. Acequia Avenue
Visalia, CA 93291

Dear Paul,

American Ambulance of Visalia is seeking to expand in the area of Shirk and Pershing area of Northwest Visalia. Due to the zoning restrictions, Ambulance services are currently not allowed in areas Zoned as light industrial.

Please consider this letter as a formal request to consider an amendment to the Zoning to allow for Ambulance services in the light industrial zones. An application for a change of zone and conditional use permit will be forthcoming.

Should you have any questions regarding this matter, please feel free to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Dave Byl", written over a horizontal line.

Dave Byl
Operations Manager
American Ambulance of Visalia

Chapter 17.44

ZONING AMENDMENTS

Sections:

- 17.44.010 Purpose.
- 17.44.020 Initiation.
- 17.44.030 Application procedures.
- 17.44.040 Public hearing—Notice.
- 17.44.050 Investigation and report.
- 17.44.060 Hearing.
- 17.44.070 Action of city planning commission.
- 17.44.090 Action of city council.
- 17.44.100 Change of zoning map.
- 17.44.110 New application.
- 17.44.120 Report by city planner.

17.44.010 Purpose.

As a general plan for Visalia is put into effect, there will be a need for changes in zoning boundaries and other regulations of this title. As the general plan is reviewed and revised periodically, other changes in the regulations of this title may be warranted. Such amendments shall be made in accordance with the procedure prescribed in this chapter.

17.44.020 Initiation.

A. A change in the boundaries of any zone may be initiated by the owner of the property within the area for which a change of zone is proposed or by his authorized agent. If the area for which a change of zone is proposed is in more than one ownership, all of the property owners or their authorized agents shall join in filing the application, unless included by planning commission resolution of intention.

B. A change in boundaries of any zone, or a change in a zone regulation, off-street parking or loading facilities requirements, general provision, exception or other provision may be initiated by the city planning commission or the city council in the form of a request to the commission that it consider a proposed change; provided, that in either case the procedure prescribed in Sections 17.44.040 and 17.44.090 shall be followed.

17.44.030 Application procedures.

A. A property owner or his authorized agent may file an application with the city planning commission for a change in zoning boundaries on a form prescribed by the commission and that said application shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property for which the change in zoning boundaries is proposed, the authorized agent of the owner, or is or will be the plaintiff in an action in eminent domain to acquire the property involved;
3. Address and legal description of the property;
4. The application shall be accompanied by such sketches or drawings as may be necessary to clearly show the applicant's proposal;
5. Additional information as required by the historic preservation advisory board.

B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of processing the application.

17.44.040 Public hearing—Notice.

The city planning commission shall hold at least one public hearing on each application for a change in zone boundaries and on each proposal for a change in zone boundaries or of a zone regulation, off-street parking or loading facilities requirements, general provisions, exception or other provision of this title initiated by the commission or the city council. Notice of the public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by publication in a newspaper of general circulation within the city, and by mailing 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.

17.44.050 Investigation and report.

The city planning staff shall make an investigation of the application or the proposal and shall prepare a report thereon that shall be submitted to the city planning commission.

17.44.060 Hearing.

A. At the public hearing, the city planning commission shall review the application or the proposal and may receive pertinent evidence as to why or how the proposed change is necessary to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020.

B. If the commission's recommendation is to change property from one zone designation to another, the commission may recommend that conditions be imposed so as not to create problems adverse to the public health, safety and general welfare of the city and its residents.

17.44.070 Action of city planning commission.

The city planning commission shall make a specific finding as to whether the change is required to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020. The commission shall transmit a report to the city council recommending that the application be granted, conditionally approved, or denied or that the proposal be adopted or rejected, together with one copy of the application, resolution of the commission or request of the Council, the sketches or drawings submitted and all other data filed therewith, the report of the city engineer and the findings of the commission.

17.44.080 [Reserved].

17.44.090 Action of city council.

A. Upon receipt of the resolution or report of the city planning commission, the city council shall review the application or the proposal and shall consider the resolution or report of the commission and the report of the city planning staff.

B. The city council shall make a specific finding as to whether the change is required to achieve the objectives of the zoning ordinance prescribed in Section 17.02.020. If the council finds that the change is required, it shall enact an ordinance amending the zoning map or an ordinance amending the regulations of this title, whichever is appropriate. The city council may impose conditions on the change of zone for the property where it finds that said conditions must be imposed so as not to create problems inimical to the public health, safety and general welfare of the city and its residents. If conditions are imposed on a change of zone, said conditions shall run with the land and shall not automatically be removed by a subsequent reclassification or change in ownership of the property. Said conditions may be removed only by the city council after recommendation by the planning commission. If the council finds that the change is not required, it shall deny the application or reject the proposal.

17.44.100 Change of zoning map.

A change in zone boundary shall be indicated on the zoning map.

17.44.110 New application.

Following the denial of an application for a change in a zone boundary, no application for the same or substantially the same change shall be filed within one year of the date of denial of the application.

17.44.120 Report by city planner.

On any amendment to the zoning code changing property from one zone classification to another, the city planner shall inform the planning commission and the city council of any conditions attached to previous zone changes as a result of action taken pursuant to Sections 17.44.060, 17.44.070 and 17.44.090.

