

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

MONDAY, MARCH 11, 2019; 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 city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - No items on the Consent Calendar
5. PUBLIC HEARING – Andy Chamberlain
Conditional Use Permit No. 2019-02 is a request by Delta Vector Control District to amend Conditional Use Permit No. 2010-15 to allow a 1,377 sq. ft. expansion for an office and fish hatchery. The project site has a zoning designation of R-1-5 (Single Family Residential) zone. The site is located at 1737 W. Houston Avenue (APN 093-043-034). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-07.
6. PUBLIC HEARING – Cristobal Carrillo
 - General Plan Amendment No. 2019-02: A request by Alex's Body & Paint Inc. to amend the General Plan Land Use designation on two parcels totaling approximately 1.05 acres, from Residential Medium Density to Commercial Mixed Use, located at 3111 and 3161 E. Noble Avenue (APNs: 101-044-001 and 008).
 - Change of Zone No. 2019-01: A request by Alex's Body & Paint Inc., to change the zoning designation from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) to C-MU (Mixed Use Commercial) for two parcels totaling approximately 1.05 acres, located at 3111 and 3161 E. Noble Avenue (APNs: 101-044-001 and 008).
 - Conditional Use Permit No. 2018-28: A request by Alex's Body & Paint Inc. to add a paint booth, metal shade structure, and façade extension to an existing automobile paint and body shop in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) zone. The project site is located at 3111 E. Noble Avenue (APN: 101-044-008). An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2019-01 was adopted.

7. PUBLIC HEARING – Paul Bernal

- Tentative Parcel Map No. 2019-01: A request by CRS Farming LLC, to subdivide a 5.96 acre site into one parcel with two remainder parcels in the C-MU (Commercial Mixed Use) Zone. The project site is located on the northeast corner of N. Mooney Boulevard and W. Riggan Avenue (APN: 078-120-034).
- Conditional Use Permit No. 2019-01: A request by CRS Farming LLC to establish a planned commercial development by creating a parcel with less than the minimum five acre requirement for a C-MU (Commercial Mixed Use) zoned site. The project site is located on the northeast corner of N. Mooney Boulevard and W. Riggan Avenue (APN: 078-120-034).

8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- March 25, 2019 Planning Commission Meeting
- Reorganization of Community Development
- Housing Task 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 Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

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 21, 2019 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 25, 2019



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: March 11, 2019

PROJECT PLANNER: Cristobal Carrillo,
Associate Planner, (559) 713-4443
E-mail: cristobal.carrillo@visalia.city

SUBJECT: General Plan Amendment No. 2019-02: A request by Alex's Body & Paint Inc. to amend the General Plan Land Use designation on two parcels totaling approximately 1.05 acres, from Residential Medium Density to Commercial Mixed Use, located at 3111 and 3161 E. Noble Avenue (APNs: 101-044-001 and 008).

Change of Zone No. 2019-01: A request by Alex's Body & Paint Inc., to change the zoning designation from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) to C-MU (Mixed Use Commercial) for two parcels totaling approximately 1.05 acres, located at 3111 and 3161 E. Noble Avenue (APNs: 101-044-001 and 008).

Conditional Use Permit No. 2018-28: A request by Alex's Body & Paint Inc. to add a paint booth, metal shade structure, and façade extension to an existing automobile paint and body shop in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) zone. The project site is located at 3111 E. Noble Avenue (APN: 101-044-008).

STAFF RECOMMENDATION

General Plan Amendment No. 2019-02: Staff recommends that the Planning Commission recommend that the City Council approve General Plan Amendment No. 2019-02, based on the findings in Resolution No. 2019-09. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Change of Zone No. 2019-01: Staff recommends that the Planning Commission recommend that the City Council approve Change of Zone No. 2019-01, based on the findings in Resolution No. 2019-02. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Conditional Use Permit No. 2018-28: Staff recommends approval of Conditional Use Permit No. 2018-28 based on the findings and conditions in Resolution No. 2018-55. 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 adopt Resolution No. 2019-09, recommending approval of General Plan Amendment No. 2019-02 to the City Council; and,

I move to adopt Resolution No. 2019-02, recommending approval of Change of Zone No. 2019-01 to the City Council; and,

I move to adopt Resolution No. 2018-55, approving Conditional Use Permit No. 2018-55.

PROJECT DESCRIPTION

General Plan Amendment (GPA) and Change of Zone (COZ)

Alex's Paint and Body business is currently developed on two properties. The administrative office is located on a 5,290 sq. ft. parcel to the east of the automotive repair operation, which is located on a 0.93 acre parcel to the west of the office building (see attached "Aerial Map"). Both parcels have a General Plan Land Use Designation of Medium Density Residential and are zoned R-M-2.

Due to the residential land use and zoning designations, the business is a legal non-conforming use and is limited on how much the business can expand. The proposed General Plan Amendment and Change of Zone changes the existing land use and zoning designations from Medium Density Residential / R-M-2 to Commercial Mixed Use / C-MU for both parcels. The change will facilitate the future expansion of the business unencumbered by restrictions applicable to the expansion of legal nonconforming uses pursuant to Section 17.40 of the Zoning Ordinance.

Conditional Use Permit (CUP)

The request is to install a new 221 sq. ft. paint booth at Alex's Paint and Body automotive repair facility located at 3111 E. Noble Avenue. This will be the second paint booth at the facility. It will be located outside of the existing 5,600 sq. ft. shop building, in the northwest corner of the site, between the shop and the western property boundary. The proposal includes the addition of an approximately 595 sq. ft. metal shade structure (Exhibit "B") and a 17 foot long extension of the shop façade (Exhibit "C") to protect the paint booth and to screen it from the street view.

As stated in the Operational Statement (Exhibit "A"), the addition of the second paint booth represents the first stage of a planned expansion for this business. The addition of the second paint booth will allow for quicker processing of existing client requests.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Residential Medium Density
Proposed Land Use Designation:	Commercial Mixed Use
Zoning:	R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area)
Proposed Zoning:	C-MU (Commercial Mixed Use)
Surrounding Zoning and Land Use:	North: State Highway 198 & Arterial Roadway (Noble Avenue) South: R-M-2 / Single-family homes East: R-M-2 / Residential subdivision West: C-MU / Vacant commercial land and commercial uses
Environmental Document:	Initial Study / Negative Declaration No. 2019-01
Special Districts:	None
Site Plan:	Site Plan Review No. 2018-080

RELATED PROJECTS

None.

PROJECT EVALUATION

General Plan Consistency

The proposed change in land use and zoning is consistent with the current General Plan Land Use Element, which encourages application of Mixed Use Commercial designations at key commercial nodes and corridors, for the benefit of a wide range of commercial uses. As an established service commercial business, in close proximity to two arterial streets (Noble Avenue and Lovers Lane), the proposed land use and zoning designations of Mixed Use Commercial are suitable for the project sites.

Land Use Element Objective LU-O-29 also encourages Mixed Use Commercial designations in areas that will ensure continued viability of existing commercial areas. Currently the shop and office that make up Alex's Paint and Body are located on property zoned for multi-family residential use. The current designation restricts the ability of the business to grow, thereby limiting its capacity to address increased customer needs.

Commercial uses have resided on the two project sites for over 35 years. Improvements including a shop building, an administrative building, and accessory structures are currently in place. The owners of the existing auto repair business have operated since 1999, and have plans for expansion that include ongoing acquisition of nearby properties. The project sites were not identified by the 2016 Visalia Housing Element as available to address regional housing needs. Given the above, establishment of multi-family residential development on the project sites is highly unlikely. Re-designation to a mixed use commercial zone would make all existing and proposed uses onsite conditionally permitted, allowing for potential expansion and continued viability.

Land Use Compatibility

General Plan Amendment and Change of Zone

A carwash, shopping center, restaurant, and 7-Eleven gas station/convenience store are located immediately west of the project site. Thus, the proposed re-designation of these two parcels would not represent a land use and zoning classification that is inconsistent with the surrounding area. Single-family residential uses are located along the southern and eastern borders of the project site. However, the shop and office uses on the project sites have been in place since 1984 (auto body shop) and 1970 (office) respectively, and have no record of neighborhood complaints. The change in land use and zoning designations would not in itself pose any increased impacts to residential areas.



Cumulatively, the addition of the paint booth and permitting of existing nonconforming structures results in an intensification of the use that could impact neighboring residential areas. The site currently contains three unpermitted canopies, two of which do not meet setback standards (see Exhibit "E"). Staff will move to mitigate any potential impacts through conditions on the Conditional Use Permit requiring compliance with noise standards, placement of block walls along boundaries shared with residential areas, and removal or relocation of the canopy structures that do not meet required setbacks. Said conditions will reduce existing setback encroachments as well as block potential noise and unsightly views from neighboring residential areas. Any complaints received from the public in the future could also result in further action from the City, including additional review by the Planning Commission.

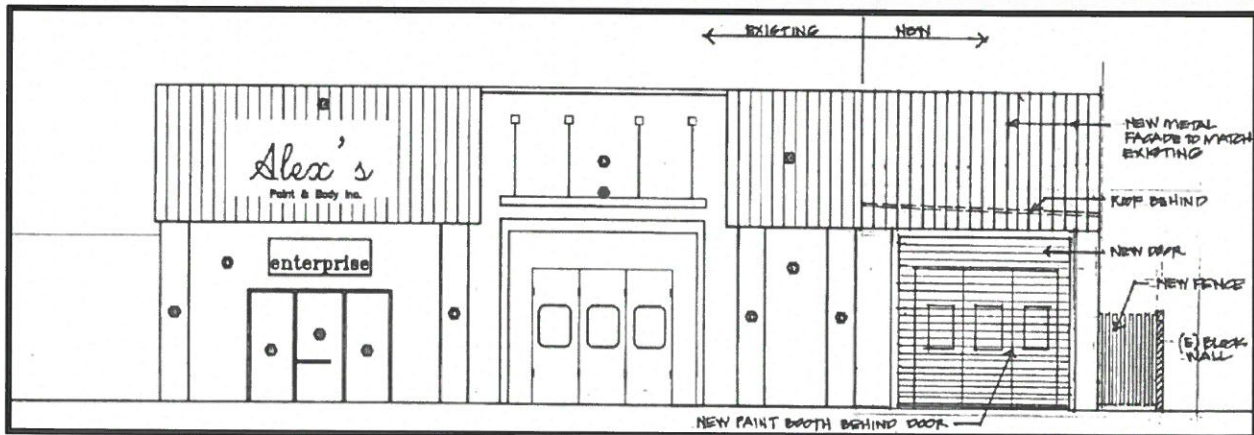
Conditional Use Permit

The specific proposal to add a paint booth, shade structure, and façade extension to the auto body shop site would pose minor impacts to the neighboring residential sites. Under the C-MU zone, the proposed paint booth and accompanying structures are conditionally permitted with approval of a Conditional Use Permit. Per Exhibit "B" all new structures will be located in the northwest corner of the project area, adjacent to existing and proposed commercial areas and away from residential structures. The existing auto body shop building will also help insulate neighboring residences from noise impacts. To alleviate any potential noise impacts, staff recommends that Condition No. 9 be adopted requiring compliance with the City's community noise standards.

Development Standards/Aesthetics

Façade

As shown in Exhibit "C", the façade extension would continue the existing exterior elevation design and color scheme. Views of the paint booth would be screened from the public right-of-way. The proposed improvements are compatible with the surrounding environment.

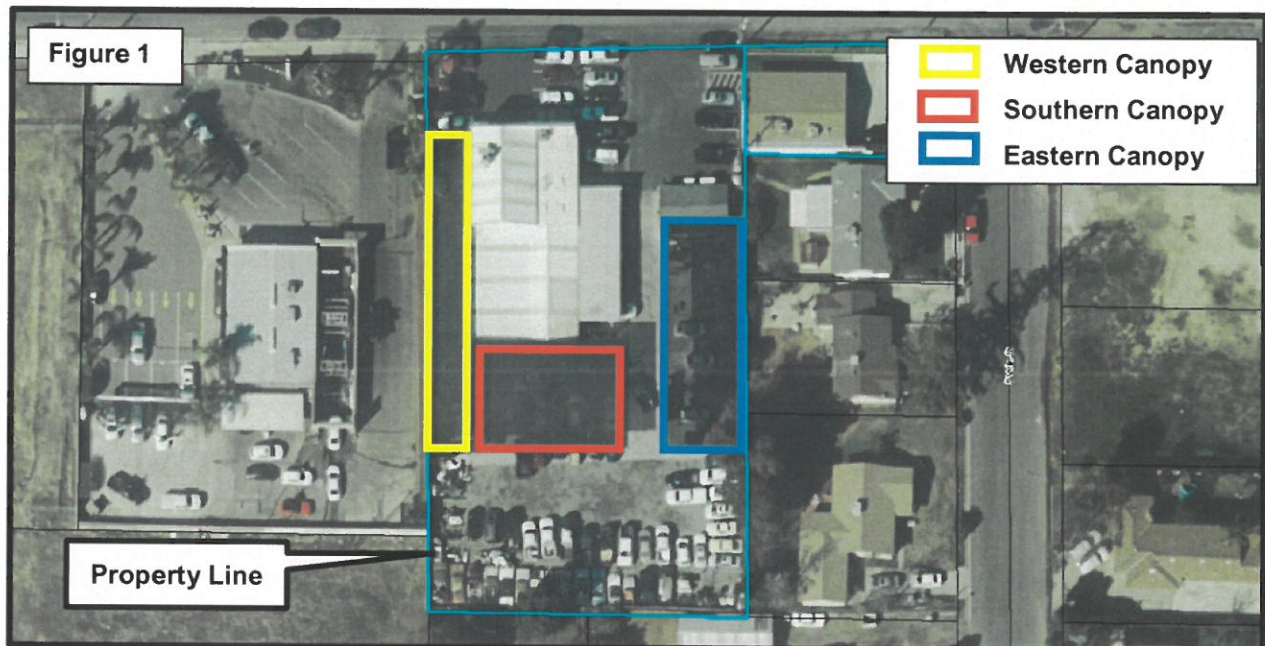


Setbacks

The project will utilize C-MU zone development standards for setbacks, in particular a 15-foot front yard and a zero foot side yard setback. The paint booth and related improvements as shown in Exhibit "B" comply with the required setbacks as permitted in the C-MU zone. The placement of a structure on a property line normally requires walls to be constructed out of material that increases the fire rating of said wall. These requirements were noted in the Building Divisions Site Plan Review comments.

Canopies

Per Exhibit "E" and Figure 1 below the project site contains shade canopies along the western and southern sides of the shop building and along the eastern boundary of the shop site. The western and eastern canopies are built on their respective property lines. City records indicate that no Building Permits were issued for construction of the canopies. During Site Plan Review, the Visalia Building Division determined that the western canopy will need to be relocated five feet off property lines in order to meet fire separation setbacks. In addition, if the C-MU zone designation is approved, the development standards require a 15-foot minimum setback for structures adjacent to residential zoned property.



Per Exhibit "B", the Applicant will relocate the western canopy to meet the required 5-foot setback, and leave the southern canopy in its current location. Per Exhibit "E" staff recommends the eastern canopy be removed. Relocation of the eastern canopy to meet the 15-foot required setback could block access through the existing driveway. Staff recommends that Condition No. 5 be adopted requiring permitting of the western and southern canopies, and that Condition No. 4 be adopted requiring the removal of the eastern canopy within 180 days of approval of the Conditional Use Permit, unless relocation is approved through the Site Plan Review and Finding of Consistency process. Permitting of the western and southern canopies shall be required to be included in any Building Permit proposal for the paint booth.

Fencing

Per the Visalia Municipal Code, placement of a minimum seven-foot tall block wall or landscaping buffer is required when commercial sites abut residential areas. While the project site maintains a block wall along the western property line, site inspections revealed that only screened chain link fencing exists along the southern and eastern boundaries adjacent to

residential areas. The establishment of a paint booth, shade structure, façade extension, and belated permitting of existing shade canopies on the .93 acre site is considered by Staff to be an intensification of the existing use, requiring installation of improvements to prevent impacts to sensitive uses. The Applicant has stated that they will place a block wall along the southern and eastern boundaries of the .93 acre site in order to reduce potential impacts. Staff believes that the addition of the block wall will help to reduce impacts on nearby residences by reducing noise and removing unsightly views. Consequently, Staff recommends Condition No. 3 be adopted requiring placement of 7-foot tall block walls at the time of issuance of Building Permits for the paint booth. Since no new improvements are proposed on the office site, installation of a block wall at its southern boundary, which is also adjacent to residential uses, will not be required until such time as development is proposed on the site.

Parking

There are 20 parking spaces on the auto body shop site. The 20 parking stalls exceed the 14 parking spaces required by the Visalia Municipal Code. The addition of a paint booth, shade structure, and building façade renovation, do not result in a need for additional parking spaces on this site.

Exhibit "B" shows stripped parking in the southern area of the shop site but does not identify a use. Site inspections showed that the area is unpaved and employed for storage of vehicles in various states. Storage can be considered incidental to the overall automotive repair use, and can be allowed to remain. The addition of the proposed structures will not trigger improvement of the storage area if this area is used for long-term vehicle storage. However, if this area is used for employee / visitor parking or reused for other purposes, the requirement to pave this area will be required. Staff has included Condition No. 6 requiring the pavement of this vehicle storage area if this area is reused for other purposes.



Environmental Review

An Initial Study was prepared for the General Plan Amendment, Change of Zone, and Conditional Use Permit, consistent with the California Environmental Quality Act (CEQA). Initial Study No. 2019-01 disclosed that environmental impacts are determined to be not significant and that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2019-01 for General Plan Amendment No. 2019-02 and Change of Zone No. 2019-01, and that the Planning Commission adopt the Negative Declaration for Conditional Use Permit No. 2018-28.

RECOMMENDED FINDINGS

General Plan Amendment No. 2019-02

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment from Medium Density Residential to Commercial Mixed Use does not change the character of the subject site or adjacent properties.
3. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2019-01 be adopted for this project.

Change of Zone No. 2019-01

1. That the Change of Zone is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed C-MU (Commercial Mixed Use) zoning designation is consistent with the Commercial Mixed Use land use designation of the General Plan.
3. That applying C-MU development standards is compatible with adjacent land uses.
4. That an Initial Study was prepared for the project including the Change of Zone, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2019-01 be adopted for this project.

Conditional Use Permit No. 2018-28

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.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That an Initial Study was prepared for the project including the Conditional Use Permit, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2019-01 be adopted for this project.

RECOMMENDED CONDITIONS

General Plan Amendment No. 2019-02 / Change of Zone No. 2019-01

There are no recommended conditions for the General Plan Amendment No. 2019-02 or Change of Zone No. 2019-01.

Conditional Use Permit No. 2018-28

1. That the project shall be developed and maintained in substantial compliance with the site plans, elevations, and floor plans in Exhibits "B", "C", "D", and "E" unless otherwise specified in the conditions of approval.
2. That the project be developed in substantial compliance with Site Plan Review No. 2018-080.
3. That a concrete block masonry wall not less than seven feet in height shall be constructed along the southern and eastern property lines of the .93 acre site (APN: 101-044-008, 3111 E. Noble Avenue) adjoining residential property. Said wall shall be constructed with the first Building Permit associated with the paint booth.
4. That the existing shade canopy along the eastern boundary of the .93 acre site (APN: 101-044-008, 3111 E. Noble Avenue) be removed within 180 days of the date of approval of the Conditional use Permit, unless otherwise approved through the Site Plan Review and Finding of Consistency process.
5. That a building permit shall be obtained and finalized for the shade canopies along the western and southern borders of the automobile body and repair shop located on the .93 acre site (APN: 101-044-008, 3111 E. Noble Avenue). Said canopies shall be included with the first Building Permit associated with the paint booth.
6. That the vehicle storage area shall be paved and striped to City development standards upon future development.
7. That all applicable federal, state, regional, and city policies and ordinances be met.
8. That all of the conditions and responsibilities of Conditional Use Permit No. 2018-28 shall run with the land and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
9. That the use and all related activities on the project site shall comply with community noise standards as listed in Chapter 8.36 of the Visalia Municipal Code.

APPEAL INFORMATION

General Plan and Change of Zone

The Planning Commission's decisions on these matters are advisory only. The final decisions will be by the Visalia City Council after one or more public hearings. Therefore, the Planning Commission's decisions in these matters are not appealable.

Conditional Use Permit

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 N. Santa Fe Street, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2019-09 – General Plan Amendment No. 2019-02
- Resolution No. 2019-02 - Change of Zone No. 2019-01
- Resolution No. 2018-55 - Conditional Use Permit No. 2018-28
- Exhibit "A" – Operational Statement
- Exhibit "B" – Overall Site Plan
- Exhibit "C" – Façade Elevation
- Exhibit "D" – Floor Plan
- Exhibit "E" – Shade Canopies
- Negative Declaration No. 2019-01
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

RELATED PLANS AND POLICIES

General Plan and Zoning: The following General Plan and Zoning Ordinance policies apply to the proposed project.

MIXED USE ZONES (Chapter 17.19)

17.19.010 Purpose and intent.

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. (Ord. 2017-01 (part), 2017)

17.19.015 Applicability.

The requirements in this chapter shall apply to all property within the C-MU and D-MU zone districts. (Ord. 2017-01 (part), 2017)

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](#). (Ord. 2017-01 (part), 2017)

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](#). (Ord. 2017-01 (part), 2017)

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. (Ord. 2017-01 (part), 2017)

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](#). (Ord. 2017-01 (part), 2017)

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. (Ord. 2017-01 (part), 2017)

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 D-MU and C-MU zone and located inside 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 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. (Ord. 2017-13 (part), 2017; Ord. 2017-01 (part), 2017)

Conditional Use Permits (Section 17.38)

17.38.010 Purposes and powers.

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

17.38.020 Application procedures.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.070 Temporary uses or structures.

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
 7. Signing for temporary uses shall be subject to the approval of the city planner.
 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

17.38.080 Public hearing--Notice.

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

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

GENERAL PLAN AMENDMENTS
Chapter 17.54

17.54.010 Purpose.

As the general plan for Visalia is implemented, there may be a need for amendments to land use boundaries and policies of the general plan. Such amendments shall be made in accordance with the procedure prescribed in this chapter. (Ord. 2017-01 (part), 2017: prior code § 7650)

17.54.020 Initiation.

A. An amendment to the land use boundaries of the general plan may be initiated by any interested person or the owners of the property within the area for which the amendment is proposed. The area of a proposed land use amendment and/or policy amendment may be expanded in scope by the planning commission in the resolution of intention.

B. An amendment to land use boundaries and/or policies may be initiated by the city planning commission or the city council by adoption of a resolution of intention. (Ord. 2017-01 (part), 2017: prior code § 7651)

17.54.030 Application procedures.

A. An application for an amendment shall be filed by the applicant with the city planning commission on a form prescribed by the commission. 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 a land use boundary amendment is proposed or the authorized agent of the owner. In the case of a policy amendment the statement shall indicate the interest of the applicant;
3. Address and legal description of the subject property, if applicable;
4. The application shall include material deemed necessary by the city planner to clearly show the applicant's proposal.

B. The application shall be accompanied by a fee set by resolution of the city council to cover the cost of processing the application. (Ord. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7652)

17.54.040 Public hearing—Notice.

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 under consideration if an amendment to the land use element is under consideration. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7653)

17.54.050 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. (Ord. 2017-01 (part), 2017: prior code § 7654)

17.54.060 Hearing.

At the public hearing, the city planning commission shall review the application or the proposal and may receive pertinent evidence regarding the proposed amendment. (Ord. 2017-01 (part), 2017: prior code § 7655)

17.54.070 Action of city planning commission.

Within forty-five (45) days following the public hearing, the city planning commission shall make a specific recommendation and shall transmit a report to the city council. The report shall include a resolution recommending either approval or denial of the proposed amendment, together with pertinent information and the report of the city planning staff. (Ord. 2017-01 (part), 2017: prior code § 7656)

17.54.080 Action of the city council.

A. Upon receipt of the resolution and report of the city planning commission, the city council shall hold at least one public hearing with public notice as prescribed in Section 17.54.040. Following the noticed public hearing, the city council shall approve, deny or modify the city planning commission recommendation.

B. If the element or amendment has been approved by the city planning commission, the city council shall not modify the recommendation until the proposed change or modification has been referred back to the city planning commission for a report and a copy of the report has been filed with the city council. Failure of the city planning commission to report within forty (40) days after the reference, or such longer period as may be designated by the city council shall be deemed to be approval of the proposed change or modification. It shall not be necessary for the city planning commission to hold a public hearing on such proposed change or modification.

C. The adoption of a general plan element, or amendment, shall be by resolution of the city council.

(Ord. 2017-01 (part), 2017: prior code § 7657)

ZONING AMENDMENTS

Chapter 17.44

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. (Ord. 2017-01 (part), 2017: prior code § 7580)

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. (Ord. 2017-01 (part), 2017: prior code § 7581)

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. (Ord. 2017-01 (part), 2017: prior code § 7582)

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. (Ord. 2017-01 (part), 2017: prior code § 7583)

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. (Ord. 2017-01 (part), 2017: prior code § 7584)

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. (Ord. 2017-01 (part), 2017: prior code § 7585)

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. (Ord. 2017-01 (part), 2017: Ord. 2001-13 § 4 (part), 2001: prior code § 7586)

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. (Ord. 2017-01 (part), 2017: prior code § 7587)

17.44.100 Change of zoning map.

A change in zone boundary shall be indicated on the zoning map. (Ord. 2017-01 (part), 2017: prior code § 7589)

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. (Ord. 2017-01 (part), 2017: prior code § 7590)

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. (Ord. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7591)

RESOLUTION NO. 2019-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2019-02: A REQUEST BY ALEX'S PAINT AND BODY INC. TO CHANGE THE LAND USE DESIGNATION FROM RESIDENTIAL MEDIUM DENSITY TO COMMERCIAL MIXED USE, FOR TWO PARCELS TOTALING 1.05 ACRES, LOCATED AT 3111 AND 3161 E. NOBLE AVENUE (APNS: 101-044-001, 008)

WHEREAS, General Plan Amendment No. 2019-02 is a request by Alex's Paint and Body Inc. to change the land use designation from Residential Medium Density to Commercial Mixed Use for two parcels totaling 1.05 acres, located at 3111 and 3161 E. Noble Avenue (APNs: 101-044-001, 008) and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 11, 2019; and,

WHEREAS, the Planning Commission of the City of Visalia finds that General Plan Amendment No. 2019-02, to be in accordance with Section 17.54.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing.

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

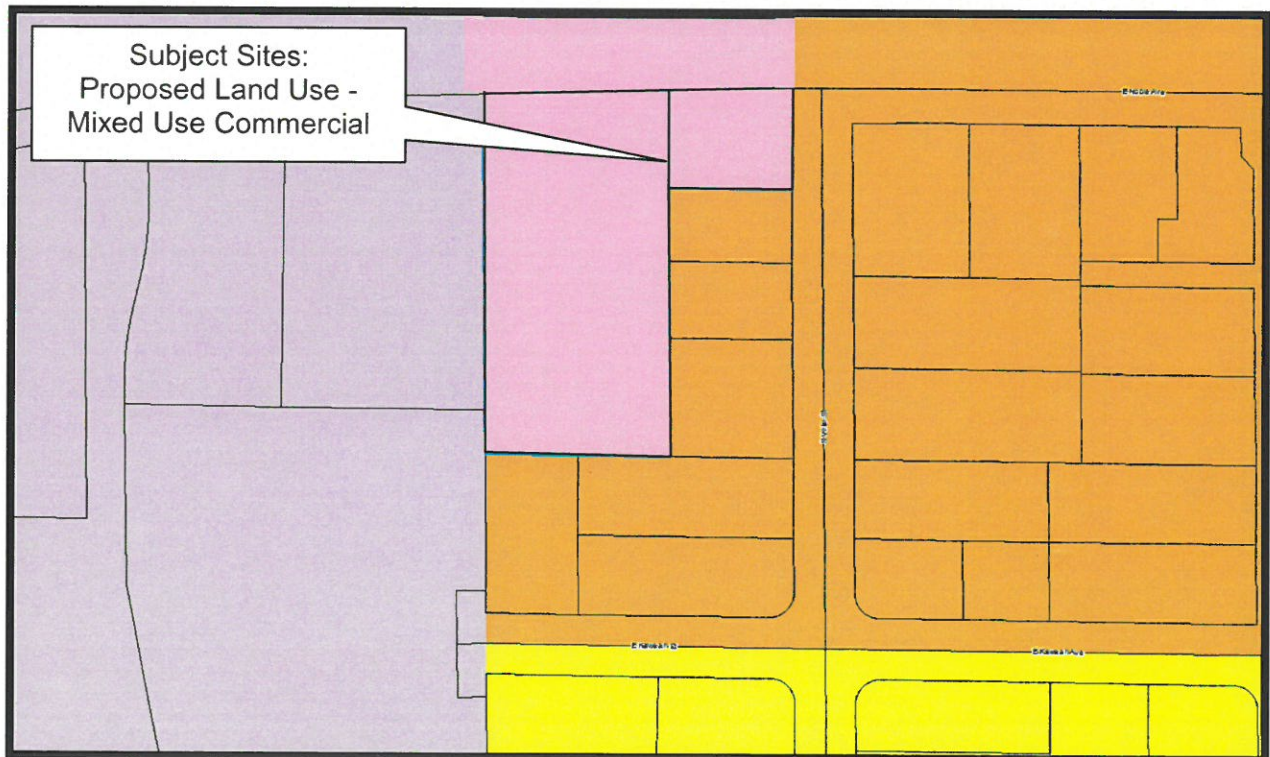
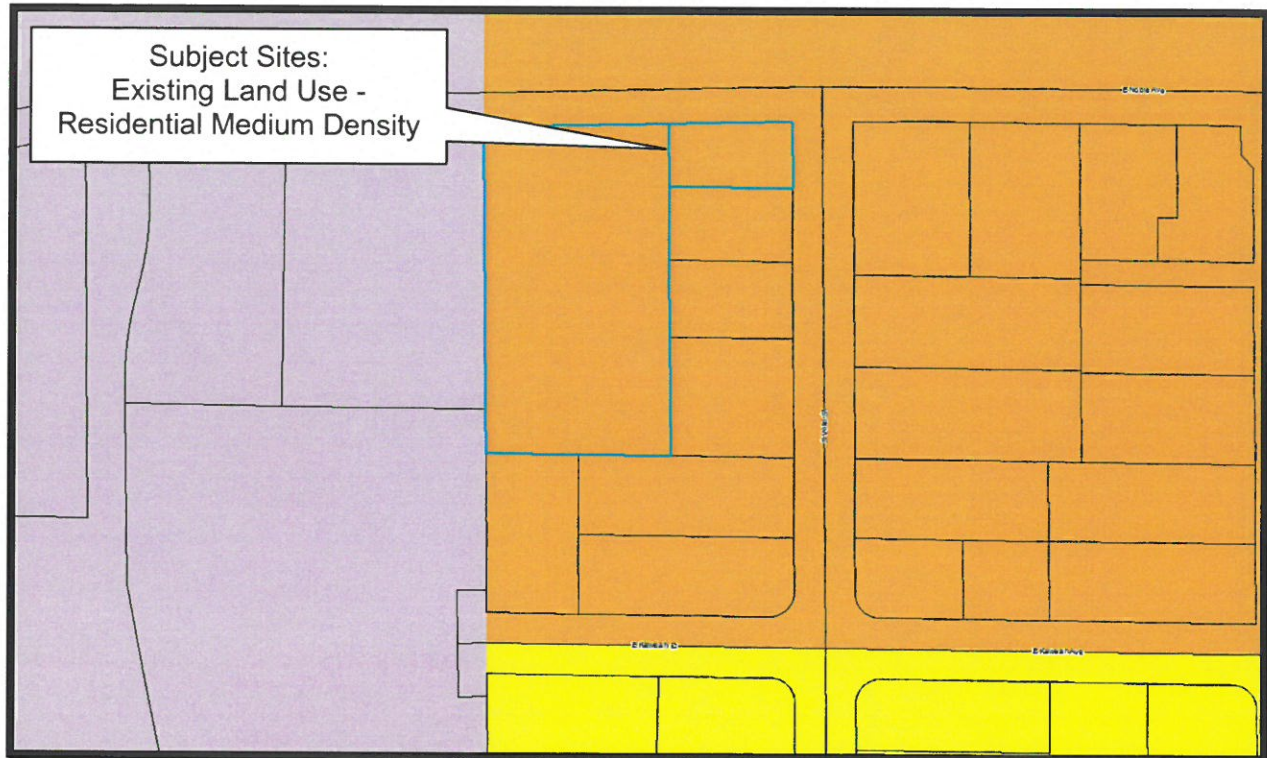
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2019-01 for General Plan Amendment No. 2019-02 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2019-02 based on the following specific findings and evidence presented:

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment from Medium Density Residential to Mixed Use Commercial does not change the character of the subject site or adjacent properties.
3. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2019-01 be adopted for this project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of General Plan Amendment No. 2019-02 on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.54.080 of the Ordinance Code of the City of Visalia.

GENERAL PLAN AMENDMENT NO. 2019-02
Planning Commission
Resolution No. 2019-09



RESOLUTION NO. 2019-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF CHANGE OF ZONE NO. 2019-01, A REQUEST BY ALEX'S PAINT AND BODY INC. TO CHANGE THE ZONING DESIGNATION FROM R-M-2 (MULTI-FAMILY RESIDENTIAL – MINIMUM SITE AREA 3,000 SQ. FT.) TO C-MU (MIXED USE COMMERCIAL) FOR TWO PARCELS TOTALING 1.05 ACRES, FOR PROPERTY LOCATED AT 3111 AND 3161 E. NOBLE AVENUE. (APNS: 101-044-001, 008)

WHEREAS, Change of Zone No. 2019-01 is a request Alex's Paint and Body to change the zoning designation from R-M-2 (Multi-Family Residential – minimum site area 3,000 sq. ft.) to C-MU (Mixed Use Commercial) for two parcels totaling 1.05 acres, for property located at 3111 and 3161 E. Noble Avenue. (APNs: 101-044-001, 008); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on March 11, 2019; and

WHEREAS, the Planning Commission of the City of Visalia considered the change of zone in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia and on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared for this action which disclosed that no significant environmental impacts would result from this project.

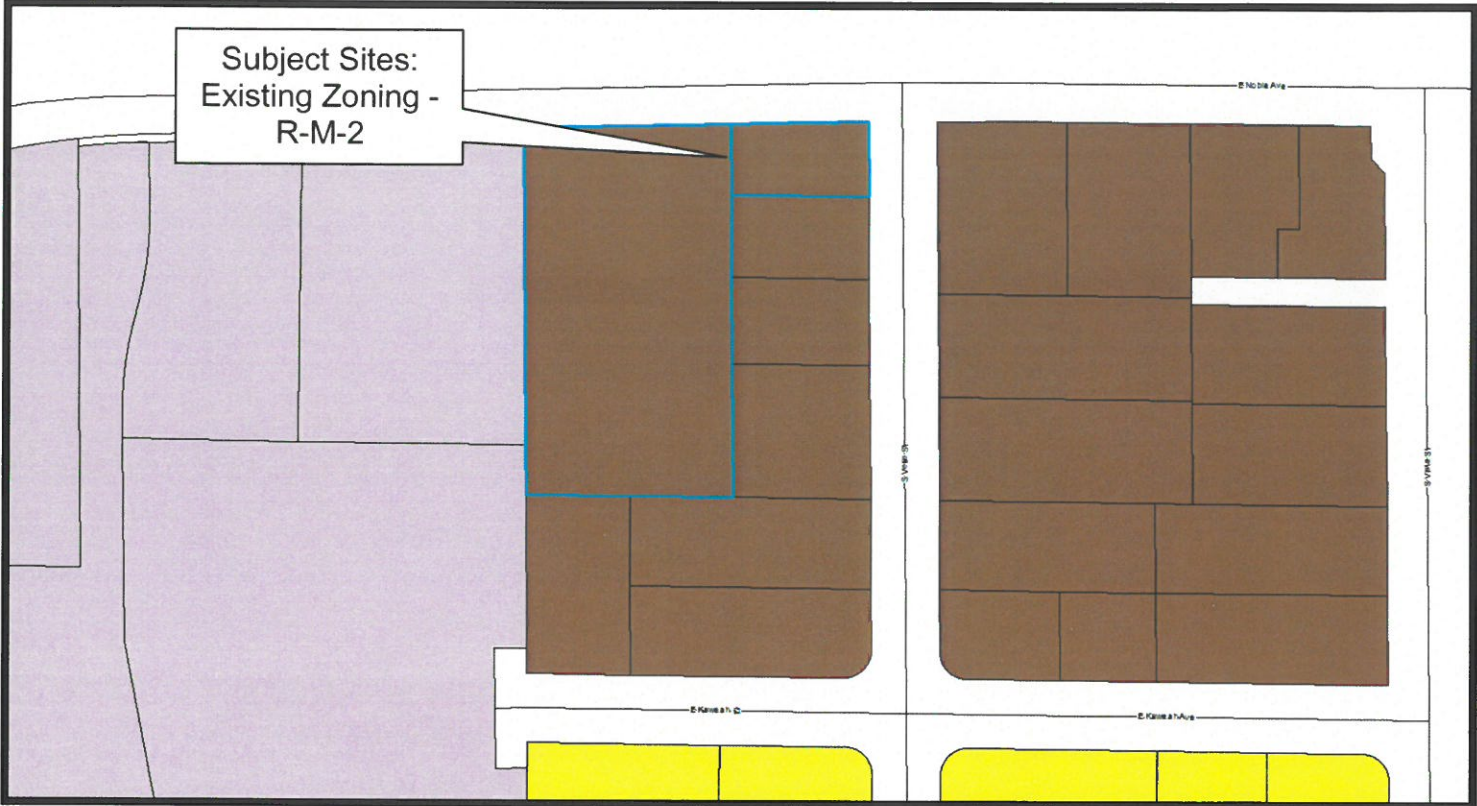
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2019-01 for Change of Zone No. 2019-01 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of the proposed Change of Zone based on the following specific findings and evidence presented:

1. That the Change of Zone is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed C-MU (Mixed Use Commercial) zoning designation is consistent with the Mixed Use Commercial designation of the General Plan.
3. That applying C-MU Zoning Ordinance development standards is compatible with adjacent land uses.
4. That an Initial Study was prepared for the project including the Change of Zone, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2019-01 be adopted for this project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia recommends approval to the City Council of the change of zone described herein, in accordance with the terms of this resolution and under the provisions of Section 17.44.070 of the Ordinance Code of the City of Visalia.

CHANGE OF ZONE NO. 2019-01
Planning Commission
Resolution No. 2019-02



RESOLUTION NO. 2018-55

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2018-28, A REQUEST BY ALEX'S PAINT AND BODY INC. TO ADD A PAINT BOOTH, METAL SHADE STRUCTURE, AND FAÇADE EXTENSION IN THE R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ. FT. SITE AREA MINIMUM) ZONE. THE SUBJECT SITE IS LOCATED AT 3111 AND 3161 E. NOBLE AVENUE (APNS: 101-044-001, 008).

WHEREAS, Conditional Use Permit No. 2018-28, is a request by Alex's Paint and Body Inc. to add a paint booth, metal shade structure, and façade extension in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. site area minimum) zone. The subject site is located at 3111 and 3161 E. Noble Avenue (APNs: 101-044-001, 008); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 11, 2019; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared for this action which disclosed that no significant environmental impacts would result from this project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2019-01 for Conditional Use Permit No. 2018-28 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed 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.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That an Initial Study was prepared for the project including the Conditional Use Permit, consistent with CEQA, which disclosed that environmental impacts are

determined to be not significant, and therefore Negative Declaration No. 2019-01 be adopted for this project.

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 project shall be developed and maintained in substantial compliance with the site plans, elevations, and floor plans in Exhibits "B", "C", "D", and "E" unless otherwise specified in the conditions of approval.
2. That the project be developed in substantial compliance with Site Plan Review No. 2018-080.
3. That a concrete block masonry wall not less than seven feet in height shall be constructed along the southern and eastern property lines of the .93 acre site (APN: 101-044-008, 3111 E. Noble Avenue) adjoining residential property. Said wall shall be constructed with the first Building Permit associated with the paint booth.
4. That the existing shade canopy along the eastern boundary of the .93 acre site (APN: 101-044-008, 3111 E. Noble Avenue) be removed within 180 days of the date of approval of the Conditional use Permit, unless otherwise approved through the Site Plan Review and Finding of Consistency process.
5. That a building permit shall be obtained and finalized for the shade canopies along the western and southern borders of the automobile body and repair shop located on the .93 acre site (APN: 101-044-008, 3111 E. Noble Avenue). Said canopies shall be included with the first Building Permit associated with the paint booth.
6. That the vehicle storage area shall be paved and striped to City development standards upon future development.
7. That all applicable federal, state, regional, and city policies and ordinances be met.
8. That all of the conditions and responsibilities of Conditional Use Permit No. 2018-28 shall run with the land and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
9. That the use and all related activities on the project site shall comply with community noise standards as listed in Chapter 8.36 of the Visalia Municipal Code.

EXHIBIT "A"



On January 1, 1999, Elias Lucio opened the doors at 3111 E Noble Ave in Visalia as Alex's Paint & Body with himself, his daughter, and one other employee. Alex, whose real name is Elias, had a dream that developed over the years from a hobby and love of repairing and painting cars. Alex, himself, had become one the finest sought after painters around. From day one superior customer service separated Alex from the rest, as he knew that this would be the most important quality for his growth.

In 2004, Alex was approached by business neighbor Jorgensen's owner to purchase the property at 3161 E Noble Avenue. Mr. Jorgensen had been impressed with the growth of Alex's Paint & Body as well as Alex himself and wanted to see him continue to grow. And in 2005 the new office for Alex's Paint & Body was underway.

Growth of Alex's Paint & Body continues and in October 2013, Enterprise Rental Cars came on board and took over in the previous office. Alex's Paint & Body's partnership with Enterprise became a valuable and convenient benefit for customer service and allowed us to accommodate customers with busy schedules.

Alex's Paint & Body supports and employs 26 employees and their families, buys from over 100 local valley businesses, and contributes to the local community. Alex believes in supporting and giving back to the local community by sponsoring the local schools, sports, cheerleading, drama, FFA, and elementary programs and organizations as well as many more. Alex has also donated to the various cancer organizations, after losing his first wife to cancer 22years ago, and for more than 15 years Alex's Paint & Body has hosted the Salvation Army Angel Tree and donated toys and clothing for Visalia children and families.

The future of Alex's Paint & Body is simply to continue to grow and although it is not in the plans to review today, it will be someday. There is the hope to someday purchase the immediate surrounding homes for additional land for customer and employee parking, vehicle storage, and even expand work areas.

Today we are asking the City of Visalia to grant Alex's Paint & Body commercial zoning in order to continue to expand more services to meet the community needs.

EXHIBIT "B"

EJD ENGINEERING INC.
Ernest J. De Leon, P.E.
14726 Ramona Ave (410-W1)
Chino, CA 91710
Office: 909.517.2451
Fax: 877.795.9778
Ernest@EJDEngineering.com

DESIGN & PROFESSIONAL ENGINEERING SERVICES

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SHEET DESCRIPTION:
SITE PLAN

CLIENT:
ALEX'S PAINT & BODY
3161 E NOBLE AVE (OFFICE)
3111 E NOBLE AVE (SHOP)
VISALIA, CA 93292

DATE:
DECEMBER 7, 2018

REVISION STATUS:

REV.	DATE	DESCRIPTION
00	06/07/09	

PROJECT NO.: **18-220**
DRAWN BY: **BM**
ENGINEERED BY: **BM**
DATE: **10/09/2018**

PROJECT DESCRIPTION & ADDRESS:
ENTITLEMENT REQUESTS
3161 E NOBLE AVE &
3111 E NOBLE AVE
VISALIA, CA 93292

Z1
SHEET

NOTES AND SCHEDULES

BUILDING INFORMATION/ CODE ANALYSES

LEGAL DESCRIPTION:
APN: 101-044-008-000
TR 151 LT 25 EX POR FOR HWY
COUNTY OF TULARE

USE: AUTOMOTIVE SPRAY BOOTH OPERATIONS
OCCUPANCY STORAGE S-1 & BUSINESS B
CONSTRUCTION: TYPE V-B
FLOOD ZONE: X02
NON FIRE-SPRINKLERED BUILDING
STORIES: SINGLE
BUILDING HEIGHT: 15'
EXISTING LOT SIZE:
5,000 SQ. FT.
EXISTING BUILDING AREA:
1,300 SQ. FT.
EXISTING CANOPY AREA:
221 SQ. FT.
NEW SPRAY BOOTH:

APPLICANT

ALEX'S PAINT & BODY
ELIAS LUCIO
3111 E NOBLE AVE
VISALIA, CA 93292

PLANS PREPARED BY

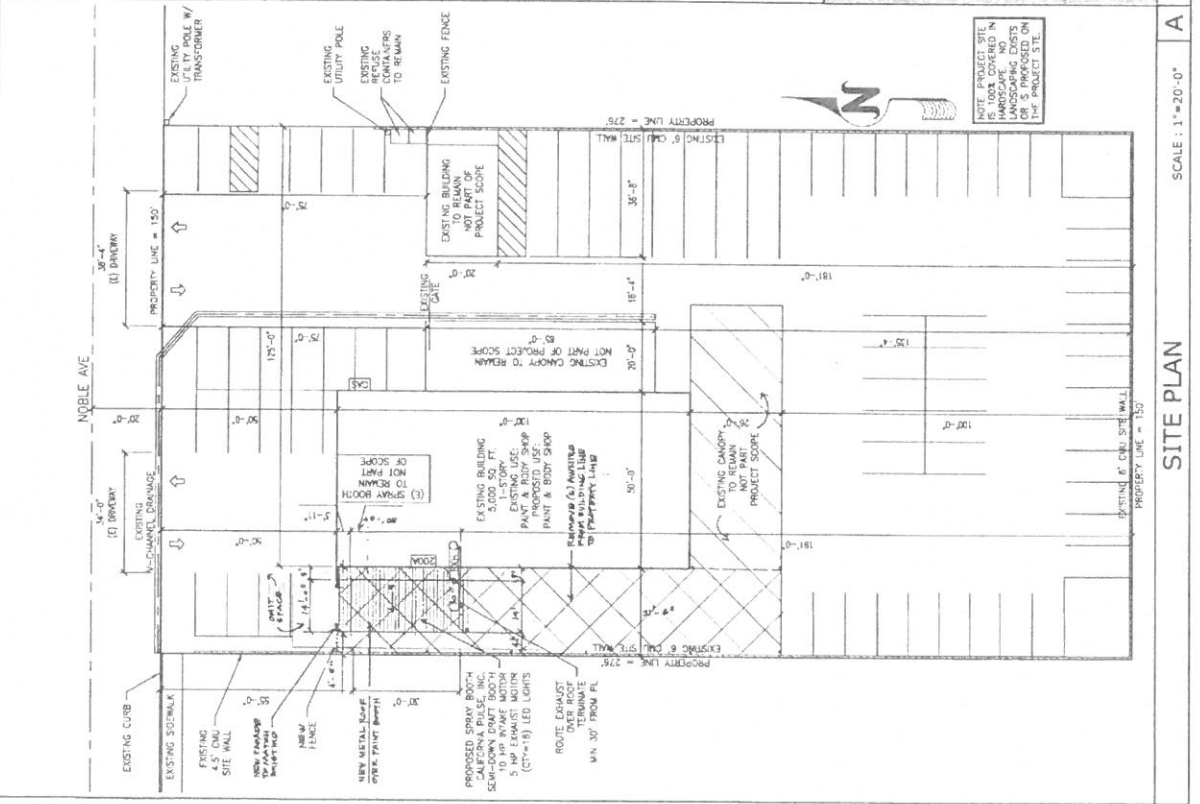
EJD ENGINEERING INC
BENJAMIN MCNAMARA PE
14726 RAMONA AVE, SUITE 410-W1
CHINO, CA 91710
PH: 909-517-2451
FAX: 877-795-9778

CONTRACTOR

EUROTECH CONSTRUCTION SERVICES
15537 MINNESOTA AVE
PARAMOUNT, CA 90723
PHONE NUMBER 1015499
LICENSE TYPE B & C10

TOTAL BUILDING AREA (S.F.)	PARKING
5,000	RETO PROVIDED
	14 20

THE PROPERTY LINES AND SETBACKS ARE TO REMAIN PER PUBLIC RECORDS. THIS SITE PLAN IS FOR THE PROPOSED PROJECT ONLY AND DOES NOT TAKE INTO ACCOUNT THE EXISTING RECORDS, THE ESTABLISHED LINES AND THE EXISTING SETBACKS. THIS SITE PLAN IS A PRELIMINARY PLAN AND SUBJECT TO THE ESTABLISHED SETBACKS AND RECORDS. ALL OF THE PROPOSED AREA IS MARKED WITH "S" WITHIN THE ESTABLISHED SETBACKS AND ENCROACHMENTS.



NOTES AND SCHEDULES

BUILDING INFORMATION/ CODE ANALYSES

LEGAL DESCRIPTION:
APN: 101-044-008-000
TR 151 LT 25 EX POR FOR HWY
COUNTY OF TULARE

USE: AUTOMOTIVE SPRAY BOOTH OPERATIONS
OCCUPANCY STORAGE S-1 & BUSINESS B
CONSTRUCTION: TYPE V-B
FLOOD ZONE: X02
NON FIRE-SPRINKLERED BUILDING
STORIES: SINGLE
BUILDING HEIGHT: 15'
EXISTING LOT SIZE:
5,000 SQ. FT.
EXISTING BUILDING AREA:
1,300 SQ. FT.
EXISTING CANOPY AREA:
221 SQ. FT.
NEW SPRAY BOOTH:

APPLICANT

ALEX'S PAINT & BODY
ELIAS LUCIO
3111 E NOBLE AVE
VISALIA, CA 93292

PLANS PREPARED BY

EJD ENGINEERING INC
BENJAMIN MCNAMARA PE
14726 RAMONA AVE, SUITE 410-W1
CHINO, CA 91710
PH: 909-517-2451
FAX: 877-795-9778

CONTRACTOR

EUROTECH CONSTRUCTION SERVICES
15537 MINNESOTA AVE
PARAMOUNT, CA 90723
PHONE NUMBER 1015499
LICENSE TYPE B & C10

TOTAL BUILDING AREA (S.F.)	PARKING
5,000	RETO PROVIDED
	14 20

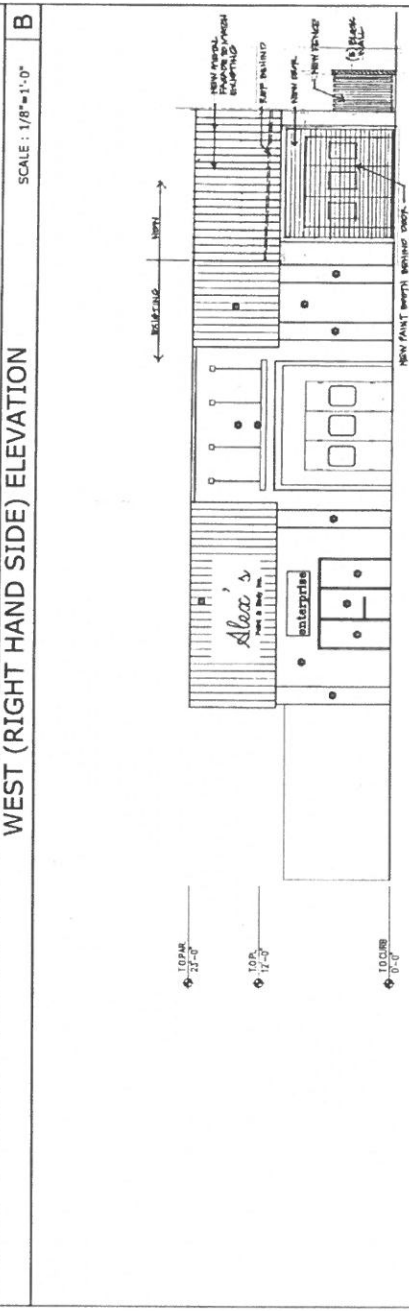
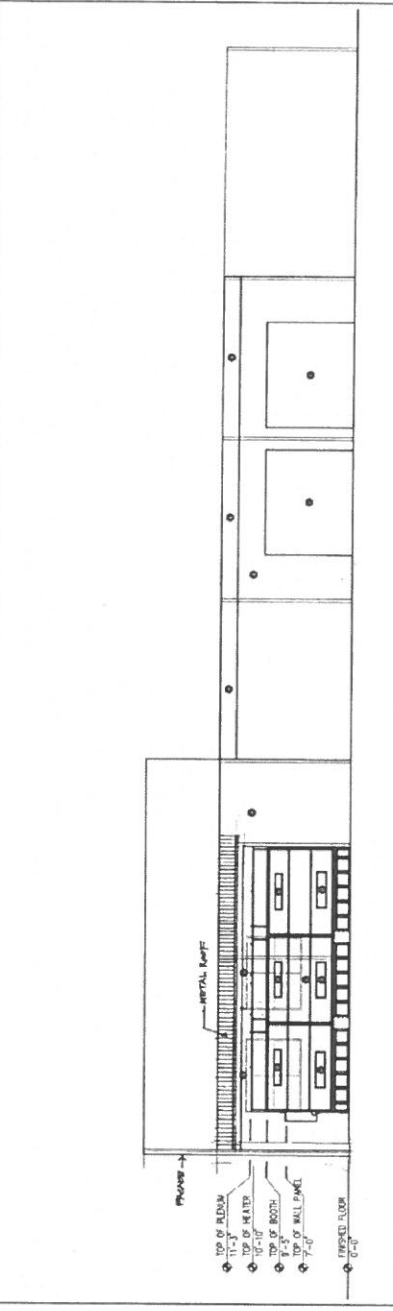
THE PROPERTY LINES AND SETBACKS ARE TO REMAIN PER PUBLIC RECORDS. THIS SITE PLAN IS FOR THE PROPOSED PROJECT ONLY AND DOES NOT TAKE INTO ACCOUNT THE EXISTING RECORDS, THE ESTABLISHED LINES AND THE EXISTING SETBACKS. THIS SITE PLAN IS A PRELIMINARY PLAN AND SUBJECT TO THE ESTABLISHED SETBACKS AND RECORDS. ALL OF THE PROPOSED AREA IS MARKED WITH "S" WITHIN THE ESTABLISHED SETBACKS AND ENCROACHMENTS.

Z1
SHEET

EXHIBIT "C"

DESIGN & PROFESSIONAL ENGINEERING SERVICES: EJD ENGINEERING INC. Ernest J. De Leon, P.E. 14726 Ramona Ave (410-W1) Chino, CA 91710 Office: 909.517.2451 Fax: 877.795.9778 Ernest@EJDEngineering.com	
COPYRIGHT: THIS DRAWING IS THE COPYRIGHTED PROPERTY OF EJD ENGINEERING, INC. THE USE IS INTENDED FOR THE PROJECT NOTED AND MAY NOT BE REUSED WITHOUT THE WRITTEN PERMISSION OF EJD ENGINEERING, INC.	
SHEET DESCRIPTION: ELEVATIONS	
CLIENT: ALEX'S PAINT & BODY 3161 E NOBLE AVE (OFFICE) 3111 E NOBLE AVE (SHOP) VISALIA, CA 93292	
REVISION STATUS: DECEMBER 7, 2018	
PROJECT NO: 18-220 DRAWN BY: BM ENGINEERED BY: BM DATE: 10/09/2018	
PROJECT DESCRIPTION & ADDRESS: ENTITLEMENT REQUESTS 3161 E NOBLE AVE & 3111 E NOBLE AVE VISALIA, CA 93292	
SHEET Z2.1	

NOTES AND SCHEDULES	
"E" EXTERIOR MATERIALS SYMBOL DESCRIPTION ① EXISTING STUCCO - WHITE ② EXISTING STUCCO - BLUE ③ EXISTING VERTICAL METAL SING - WHITE ④ EXISTING VERTICAL METAL SING - BLUE ⑤ NEW STEEL PANEL - IMPANATED ⑥ EXISTING METAL ARMING - BLUE ⑦ EXISTING STEEL BODY PANEL - WHITE ⑧ EXISTING ROLL UP DOOR - WHITE ⑨ EXISTING WOOD DOOR - WHITE ⑩ EXISTING WOOD DOOR - GLASS ⑪ EXISTING WINDOW ⑫ NEW LED LIGHT FIXTURE	PLANS PREPARED BY EJD ENGINEERING, INC BENJAMIN MICHAMARA, PE 15337 MINNESOTA AVE, SUITE 410-W1 CHINO, CA 91710 PH: 909.517.2451 FAX: 877.795.9778
BUILDING INFORMATION/ CODE ANALYSES LEGAL DESCRIPTION: APN: 101-044-008-000 TR 151 LT 25 EX POR FOR HWY COUNTY OF TULARE USE: AUTOMOTIVE SPRAY BOOTH OPERATIONS OCCUPANCY: STORAGE S-I & BUSINESS B CONSTRUCTION: TYPE I-V-B FLOOD ZONE: X02 NON FIRE-SPRINKLERED BUILDING STORIES: SINGLE BUILDING HEIGHT: 15' EXISTING LOT SIZE: 40,341 SQ. FT. 5,600 SQ. FT. 1,300 SQ. FT. 221 SQ. FT. EXISTING BUILDING AREA: EXISTING CANOPY AREA: NEW SPRAY BOOTH:	APPLICANT ALEX'S PAINT & BODY ELIAS LUCIO 3111 E NOBLE AVE VISALIA, CA 93292
OWNER LUCIO FAMILY TRUST ELIAS LUCIO 3111 E NOBLE AVE VISALIA, CA 93292	CONTRACTOR EUROTECH CONSTRUCTION SERVICES 15337 MINNESOTA AVE PARAMOUNT, CA 90723 LICENSE NUMBER: 1015489 LICENSE TYPE B & C10



WEST (RIGHT HAND SIDE) ELEVATION SCALE : 1/8"=1'-0"

NORTH (FRONT) ELEVATION SCALE : 1/8"=1'-0"

EXHIBIT "D"

EJD ENGINEERING INC.
 Ernest J. De Leon, P.E.
 14726 Ramona Ave (410-W4)
 Chino, CA 91710
 Office: 909.517.2451
 Fax: 877.795.9778
 Ernest@EJDEngineering.com

DESIGN & PROFESSIONAL ENGINEERING SERVICES:

THIS DRAWING IS THE COPYRIGHTED PROPERTY OF EJD ENGINEERING, INC. THE USE IS INTENDED FOR THE PROJECT NOTED AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF EJD ENGINEERING, INC.

SHEET DESCRIPTION:
FLOOR PLAN

CLIENT:
ALEX'S PAINT & BODY
3161 E NOBLE AVE (OFFICE)
3111 E NOBLE AVE (SHOP)
VISALIA, CA 93292

DATE: DECEMBER 7, 2018

PROJECT NO: **18-220**

DRAWN BY: **BM**

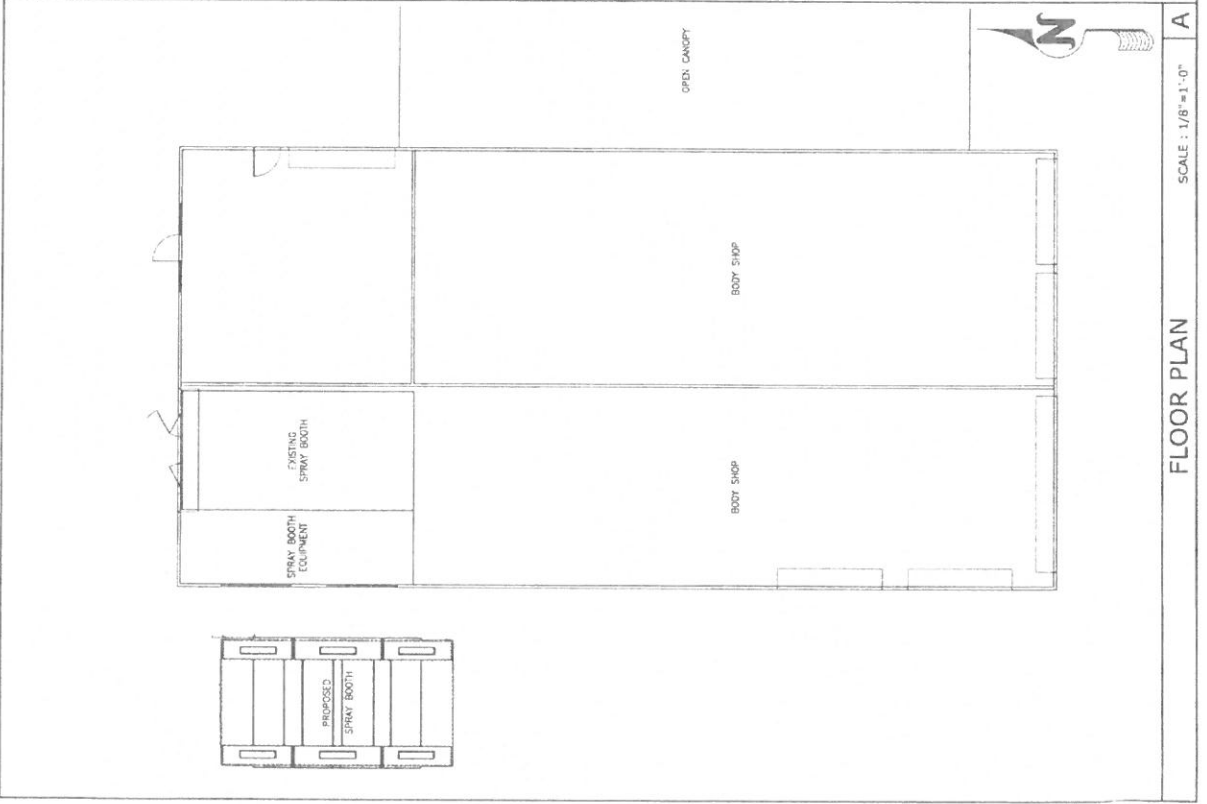
ENGINEERED BY: **BM**

DATE: **10/09/2018**

PROJECT DESCRIPTION & ADDRESS:
ENTITLEMENT REQUESTS
3161 E NOBLE AVE &
3111 E NOBLE AVE
VISALIA, CA 93292

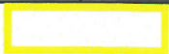
SHEET: **Z3**

NOTES AND SCHEDULES	
<p>BUILDING INFORMATION/ CODE ANALYSES</p> <p>LEGAL DESCRIPTION: APN: 101-044-008-000 TR 151 LT 25 EX POR FOR HWY COUNTY OF TULARE</p> <p>USE: AUTOMOTIVE SPRAY BOOTH OPERATIONS OCCUPANCY: STORAGE S-1 & BUSINESS B CONSTRUCTION: TYPE V/B FLOOD ZONE: X02 NON FIRE-SPRINKLERED BUILDING STORIES: SINGLE BUILDING HEIGHT: 15' EXISTING LOT SIZE: 40,341 SQ. FT. EXISTING BUILDING AREA: 5,630 SQ. FT. EXISTING CANOPY AREA: 1,300 SQ. FT. NEW SPRAY BOOTH: 221 SQ. FT.</p>	
<p>APPLICANT</p> <p>ALEX'S PAINT & BODY ELIAS LUCIO 3111 E NOBLE AVE VISALIA, CA 93292</p>	<p>PLANS PREPARED BY</p> <p>EJD ENGINEERING, INC BENJAMIN MCNAMARA, PE 14726 RAMONA AVE., SUITE 410-W1 CHINO, CA 91710 PH: 909-517-2451 FAX: 877-795-9778</p>
<p>OWNER</p> <p>LUCIO FAMILY TRUST ELIAS LUCIO 3111 E NOBLE AVE VISALIA, CA 93292</p>	<p>CONTRACTOR</p> <p>EUROTECH CONSTRUCTION SERVICES 15337 MINNESOTA AVE PARAMOUNT, CA 90723 LICENSE NUMBER 10154089 LICENSE TYPE B & C10</p>



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

EXHIBIT "E"



Western Canopy, to be relocated 5 ft. east per setbacks.



Southern Canopy, to remain.



Eastern Canopy, to be removed, subject to Site Plan Review/Finding of Consistency.

CITY OF VISALIA
315 E. ACEQUIA STREET
VISALIA, CA 93291

**NOTICE OF A PROPOSED
NEGATIVE DECLARATION**

Project Title: General Plan Amendment No. 2019-02, Change of Zone No. 2019-01, and Conditional Use Permit No. 2018-28

Project Description: A request by Alex's Paint & Body Inc. to add a paint booth, shade structure, and extended façade at an existing automobile paint and body shop and office. The facility is located on two adjacent properties totaling 1.05 acres, with the paint and body shop on the western parcel, and the office on the eastern parcel. The two sites are zoned R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area). The proposal includes a request for a General Plan Amendment and Change of Zone applicable to both sites, altering land use designations from "Residential Medium Density" to "Mixed Use Commercial", and changing the zone from R-M-2 to C-MU (Mixed Use Commercial). The change in land use and zoning is proposed to allow for future expansion of the facility, free from restrictions applicable to nonconforming uses in residential zones. The development proposal has undergone Site Plan Review and received a "Revise and Proceed" approval. The descriptions of each aspect of the proposal are below:

- **General Plan Amendment No. 2019-02:** A request by Alex's Paint & Body Inc. to change the land use designation from Medium Density Residential to Mixed Use Commercial for two adjacent parcels totaling approximately 1.05 acres, located at 3111 and 3161 E. Noble Avenue. (APN: 101-044-001, 008)
- **Change of Zone No. 2019-01:** A request by Alex's Paint & Body Inc. to change the zoning designation from R-M-2 (Multi-Family Residential – 3,000 sq. ft. minimum site are) to C-MU (Mixed Use Commercial) for two adjacent parcels totaling approximately 1.05 acres, located at 3111 and 3161 E. Noble Avenue. (APN: 101-044-001, 008)
- **Conditional Use Permit No. 2018-28:** A request by Alex's Paint & Body Inc. to add a 221 sq. ft. paint booth with a metal shade structure and extended façade at an existing automobile paint and body shop in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) Zone, located at 3111 E. Noble Avenue. (APN: 101-044-008)

Project Location: The properties are located at 3111 and 3161 E. Noble Avenue (APNs: 101-044-001, 008).

Contact Person: Cristobal Carrillo, Associate Planner **Phone:** (559) 713-4443 **E-mail:** cristobal.carrillo@visalia.city

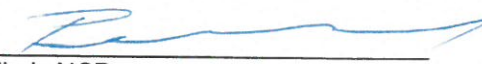
Time and Place of Public Hearing: A public hearing will be held before the Planning Commission on **March 11, 2019**, at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia Avenue, Visalia, California.

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Negative Declaration: Initial Study No. 2019-001 has not identified any significant, adverse environmental impact(s) that may occur because of the project. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA.

Comments on this proposed Negative Declaration will be accepted from **February 14, 2019** to **March 5, 2019**.

Date: 2-7-19

Signed: 
Paul Scheibel, AICP
Environmental Coordinator
City of Visalia

NEGATIVE DECLARATION

Project Title: General Plan Amendment No. 2019-02, Change of Zone No. 2019-01, and Conditional Use Permit No. 2018-28

Project Description: A request by Alex's Paint & Body Inc. to add a paint booth, shade structure, and extended façade at an existing automobile paint and body shop and office. The facility is located on two adjacent properties totaling 1.05 acres, with the paint and body shop on the western parcel, and the office on the eastern parcel. The two sites are zoned R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area). The proposal includes a request for a General Plan Amendment and Change of Zone applicable to both sites, altering land use designations from "Residential Medium Density" to "Mixed Use Commercial", and changing the zone from R-M-2 to C-MU (Mixed Use Commercial). The change in land use and zoning is proposed to allow for future expansion of the facility, free from restrictions applicable to nonconforming uses in residential zones. The development proposal has undergone Site Plan Review and received a "Revise and Proceed" approval. The descriptions of each aspect of the proposal are below:

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- **Change of Zone No. 2019-01:** A request by Alex's Paint & Body Inc. to change the zoning designation from R-M-2 (Multi-Family Residential – 3,000 sq. ft. minimum site are) to C-MU (Mixed Use Commercial) for two adjacent parcels totaling approximately 1.05 acres, located at 3111 and 3161 E. Noble Avenue. (APN: 101-044-001, 008)
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Project Location: The sites are located at 3111 and 3161 E. Noble Avenue (APN: 101-044-001, 008) within the City of Visalia situated in Tulare County.

Project Facts: Refer to Initial Study for project facts, plans and policies, and discussion of environmental effects.

Attachments:

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Mitigation Measures	()
Traffic Impact Statement	()

DECLARATION OF NO SIGNIFICANT EFFECT:


This project will not have a significant effect on the environment for the following reasons:

- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Negative Declaration has been prepared by the City of Visalia Planning Division in accordance with the California Environmental Quality Act of 1970, as amended. A copy may be obtained from the City of Visalia Planning Division Staff during normal business hours.

APPROVED
Paul Scheibel, AICP
Environmental Coordinator

By: 
Date Approved: 2-7-19
Review Period: 20 days

INITIAL STUDY

I. GENERAL

A. General Plan Amendment No. 2019-02, Change of Zone No. 2019-01, and Conditional Use Permit No. 2018-28: A request by Alex's Paint & Body Inc. to add a paint booth, shade structure, and extended façade at an existing automobile paint and body shop and office. The facility is located on two adjacent properties totaling 1.05 acres, with the paint and body shop on the western parcel, and the office on the eastern parcel. The two sites are zoned R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area). The proposal includes a request for a General Plan Amendment and Change of Zone applicable to both sites, altering land use designations from "Residential Medium Density" to "Mixed Use Commercial", and changing the zone from R-M-2 to C-MU (Mixed Use Commercial). The change in land use and zoning is proposed to allow for future expansion of the facility, free from restrictions applicable to nonconforming uses in residential zones. The development proposal has undergone Site Plan Review and received a "Revise and Proceed" approval. The descriptions of each aspect of the proposal are below:

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B. Identification of the Environmental Setting:

The two properties are located at 3111 and 3161 E. Noble Avenue. (APNs: 101-044-001, 008). The project area totals 1.05 acres and is primarily surrounded by existing urban development, including residences, commercial uses, and State Highway 198. The larger .93 acre site to the west contains an existing automobile paint and body shop, while the smaller 5,290 sq. ft. site to the east contains an office used in conjunction with the paint and body shop. The project area has been zoned for residential use since at least 1993, with commercial uses established onsite since 1984 for the paint and body shop, and 1970 for the office site.

The surrounding uses, Zoning, and General Plan for the project area are as follows:

	General Plan (2014 Land Use)	Zoning (2017)	Existing uses
North:	Low Density Residential, Medium Density Residential, Commercial Mixed Use, Commercial Neighborhood	Minor Arterial Roadway (Noble Avenue), State Highway 198	State Highway 198, Noble Avenue
South:	Low Density Residential, Medium Density Residential	R-M-2, R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area), Local Roadway (Kaweah	Tract No. 151 (residential subdivision)

		Court)	
East:	Medium Density Residential, Public/Institutional	R-M-2, QP (Quasi-Public)	Tract No. 151 (residential subdivision), Mineral King Elementary School
West:	Commercial Mixed Use	C-MU (Mixed Use Commercial)	Vacant commercial land, mixed use commercial uses.

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment are provided by the City of Visalia to the project area.

C. Plans and Policies: The General Plan Land Use Diagram, adopted October 14, 2014, designates the project area as Medium Density Residential. The Zoning Map, adopted in 2017, designates the sites as R-M-2. If approved for re-designation to commercial use, the existing shop and office would be consistent with the Zoning Ordinance and Land Use Element of the General Plan.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project. The City of Visalia Land Use Element and Zoning Ordinance contain policies and regulations that are designed to mitigate impacts to a level of non-significance.

III. MITIGATION MEASURES

There are no mitigation measures for this project. The City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan and Zoning Ordinance as the project relates to surrounding properties.

V. SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan) passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY



Cristobal Carrillo
Associate Planner



Paul Scheibel, AICP
Environmental Coordinator

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST**

Name of Proposal	General Plan Amendment No. 2019-02, Change of Zone No. 2019-01, and Conditional Use Permit No. 2018-28		
NAME OF PROPONENTS:	Alex's Paint & Body Inc.	NAME OF AGENT:	N/A
Address of Proponents:	3111 E. Noble Avenue, Visalia CA 93292	Address of Agent:	N/A
Telephone Numbers:	(559) 734-0720	Telephone Number:	N/A
Date of Review	2/7/2019	Lead Agency:	City of Visalia

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact 2 = Less Than Significant Impact
3 = Less Than Significant Impact with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 1 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 1 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 1 c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- 1 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 2 d) Expose sensitive receptors to substantial pollutant concentrations?
- 1 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 2 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

V. CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 1 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 1 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

VII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 2 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- 1 a) Violate any water quality standards of waste discharge requirements?

- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

- 2 f) Otherwise substantially degrade water quality?

- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- 2 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- 1 j) Inundation by seiche, tsunami, or mudflow?

X. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?

- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

XI. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

XII. NOISE

Would the project:

- 2 a) Cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 2 b) Cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 2 c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XIII. POPULATION AND HOUSING

Would the project:

- 2 a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIV. PUBLIC SERVICES

Would the project:

- 1 a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - 1 i) Fire protection?

- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

XV. RECREATION

Would the project:

- 1 a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 1 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XVI. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- 2 b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 2 a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 2 b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

XVIII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 2 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 1 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- 2 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

- a. This project will not adversely affect the view of any scenic vistas. The Sierra Nevada mountain range may be considered a scenic vista and the view will not be adversely impacted by the project.
- b. There are no scenic resources on the site.
- c. The City has development standards related to aesthetics, landscaping, and other amenities that will ensure that the visual character of the area is enhanced and not degraded upon development of the paint booth, metal shade structure, and extended façade. Thus the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project will facilitate the construction of a paint booth, metal shade structure, and extended façade. New sources of light are not expected to be created as a result of the new structures. As it stands, the City has development standards that require light to be directed and/or shielded so any future lighting created does not fall upon adjacent properties.

II. AGRICULTURAL RESOURCES

- a. The project is not located on property that is identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
- b. The project is not located on property that is party to a Williamson Act contract. Existing City zoning for the area is R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area). As such zoning for agricultural use will not be affected.
- c. There is no forest or timber land currently located on the site.
- d. There is no forest or timber land currently located on the site.
- e. The project area is primarily bounded by urban uses, including residences, mixed commercial shopping centers, and State Highway 198. The project will not result in conversion of Farmland to nonagricultural use.

III. AIR QUALITY

- a. The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Development of a paint booth, metal shade structure, and extended façade does not trigger Air District Indirect Source Review thresholds for review. Consequently, the project does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will not be a significant impact.
- b. Development of a paint booth, metal shade structure, and extended façade may result in emissions that exceed thresholds established by the SJVAPCD for PM10 and PM2.5. Development proposed by the Applicant will be mandated to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance

consistent with the District's regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential impacts associated with air quality standard violations to a less than significant level. The development proposed does not trigger Indirect Source Review thresholds for review.

The change in land use designations from residential to mixed use commercial will itself will not result in emissions that violate air quality standards or contribute substantially to existing or projected air quality violations.

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. Though the change in land use designations will have no physical effect, development of a paint booth shade structure, and façade may result in a net increase of criteria pollutants.

Proposed development may be required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential impacts associated with air quality standard violations to a less than significant level.

- d. Commercial and residential uses located near the project sites may be exposed to pollutant concentrations as a result of construction activities. The use of construction equipment will be temporary and is subject to SJVAPCD rules and regulations. Pollutants created from the operation of a 2nd paint booth onsite will similarly be subject to SJVAPCD rules and regulations, thereby mitigating potential impacts. As such the impact of proposed development on sensitive receptors is considered less than significant.

The change in land use designation from residential to commercial will not in and of itself result in the generation of substantial pollutant concentrations.

- e. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people. Operation of the existing and proposed paint booths are regulated by the SJVAPCD, which limits potential impacts from odors.

The change in land use designations itself does not involve the generation of objectionable odors.

IV. BIOLOGICAL RESOURCES

- a. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use. Staff also conducted a site visit on February 1, 2019 to observe biological conditions, and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species. The site is fully developed with an office and auto body and paint shop.

Based on the above, the site has no known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations,

or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

- b. The project is not located within or adjacent to an identified sensitive riparian habitat or other natural community.
- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d. This development would not act as a barrier to animal movement. Development would be contained within an existing commercial complex. This site was evaluated in the Visalia General Plan Update EIR for conversion to urban use.
- e. The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on the project site will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance. There are no Valley Oak trees onsite.
- f. There are no local or regional habitat conservation plans for the area.

V. CULTURAL RESOURCES

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area. If some paleontological resource is unearthed during development all work should cease until a qualified professional paleontologist can evaluate the finding and make necessary mitigation recommendations.
- d. There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

VI. GEOLOGY AND SOILS

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines or areas prone to seismic activity or landslides. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The proposal to change land use designations from residential to commercial will not itself affect topsoil. Installation of a paint booth, shade structure, and façade onsite could require movement of topsoil. Existing City

Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that on- and off-site improvements will be designed to meet City standards.

- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. The project area is currently adequately served by City services. The project itself does not involve the use of septic tanks or alternative wastewater disposal systems. Development proposed is not expected to increase usage of City sanitary sewer service.

VII. GREENHOUSE GAS EMISSIONS

- a. The change of land use designations from residential to commercial is not expected to generate Greenhouse Gas (GHG) emissions. However, development of a paint booth, shade structure, and façade may result in the release of greenhouse gas emissions in the short term due to construction activity and long-term due to day-to-day operation of the paint booth.

The City has prepared and adopted a Climate Action Plan (CAP), which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR.

The Visalia General Plan and the CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan. Although emissions will be generated as a result of the project, implementation of the General Plan and CAP policies will result in fewer emissions than would be associated with a continuation of baseline conditions. Thus, the impact to GHG emissions will be less than significant.

- b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020.

The project will not impede the State's ability to meet the GHG emission reduction targets under AB 32. Current and probable future state and local GHG reduction measures will continue to reduce the project's contribution to climate change. As a result, the project will not contribute significantly, either individually or cumulatively, to GHG emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with this project.
- b. No significant hazards are foreseen as a result of the proposed land use change from residential to commercial. Future construction activities associated with development of the paint booth, shade structure, and façade may include maintenance of on-site construction equipment,

which could lead to minor fuel and oil spills. Operation of the paint booth may also result in release of paint byproduct. The use and handling of any hazardous materials during construction activities or regular operations would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.

- c. There is one school located within a quarter mile east of the project area (Mineral King Elementary School). However, there is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites or areas within one-quarter mile of school sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The project area is not located within any airport land use plan or within 2 miles of a public airport.
- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wild lands within or near the project area.

IX. HYDROLOGY AND WATER QUALITY

- a. Land use changes from residential to commercial would not violate any water quality standards of waste discharge requirements. Proposed development of a paint booth, shade structure, and façade on the project site will be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system; consistent with the City's adopted City Storm Drain Master Plan.
- b. The change in land use designations from residential to commercial will not in of itself substantially deplete groundwater supplies.

The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Development of the paint booth, shade structure, and façade within the project area will result in an increase of impervious surfaces, which might affect the amount of precipitation that is recharged to the aquifer. As the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. The project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.

- c. The change in land use from residential to commercial will not result in substantial erosion on- or off-site. Streams or rivers are not located adjacent to the site.

Development of a paint booth, shade structure, and façade on the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. The City's existing standards may require the preparation and

implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

- d. The change of land use designations from residential to commercial will not substantially alter the existing drainage pattern of the site or area, alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

However, development of the site will create additional impervious surfaces. Existing and planned improvements to storm water drainage facilities as required through Visalia General Plan policies will reduce any potential impacts to a less than significant level.

Streams or rivers are not located adjacent to the site.

- e. The land use change from residential to commercial will not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Development of the paint booth, shade structure, and façade will be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system; consistent with the City's adopted City Storm Drain Master Plan.
- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality. As previously discussed, the Visalia General Plan contains multiple polices that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.
- g. The project area is located within Zone X, which indicates an area that is not within flood hazard area.
- h. The project area is located within Zone X, which indicates an area that is not within flood hazard area.
- i. The project area along with the entirety of the City of Visalia lies within the dam inundation area of Terminus Dam, located approximately 15 miles to the east. In the case of dam failure, people and structures would be exposed to flooding risk. This impact is considered significant and unavoidable.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the placement of people and structures to an area at risk of dam failure. The General Plan contains multiple polices that address the issue, and the County of Tulare maintains the Tulare County Hazard Mitigation Plan and a Mass Evacuation Plan that will help to reduce the impact.

Because there is still a significant impact, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

- j. The project area is located sufficiently inland and distant from bodies of water, and outside potentially hazardous areas for seiches and tsunamis. The site is also relatively flat, which will contribute to the lack of impacts by mudflow occurrence. Therefore there will be no impact related to these hazards.

X. LAND USE AND PLANNING

- a. The project will not physically divide an established community. The proposed land use designation change and development of a paint booth, shade structure, and façade will hasten the growth of an existing automobile paint and body business. The project site is surrounded on four sides by urban development and is bordered by Noble Avenue and State Highway 198 to the north.
- b. The project does not conflict with any land use plan, policy or regulation of the City of Visalia. The recently adopted General Plan did not rezone or otherwise disrupt residential communities or commercial areas. The change in land use from multi-family residential to mixed use commercial would serve only to support the continued growth of an existing commercial business onsite.
- c. The project does not conflict with any applicable habitat conservation plan or natural community conservation plan as the site consists of commercial development with no significant natural habitat present.

XI. MINERAL RESOURCES

- a. No mineral areas of regional or statewide importance exist within the Visalia area.
- b. There are no mineral resource recovery sites delineated in the Visalia area.

XII. NOISE

- a. Development of the paint booth, shade structure, and façade will result in noise generation typical of urban development, but not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. Noise levels will increase temporarily during the construction of these facilities but shall remain within noise limits and will be restricted to the allowed hours of construction defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant.

Furthermore, the Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to sensitive land uses. With implementation of Noise Impact Policies and existing City Standards, noise impacts to new noise sensitive land uses would be less than significant.

- b. Ground-borne vibration or ground-borne noise levels may occur as a result of future construction activities associated with development of the paint booth, shade structure, and façade. Any construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time; thus the impacts will be less than significant. There are no existing uses in the project area that create ground-borne vibration or ground-borne noise levels.
- c. The change of land use from residential to commercial will itself not result in increases to ambient noise. However, ambient noise levels will increase with development of the paint booth, shade structure, and façade. These levels will be typical of noise levels associated with urban development and not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance.

The City's standards for setbacks and/or construction of walls along major streets and adjacent to residential uses

reduce noise to levels considered less than significant. Noise associated with the establishment of new urban uses was previously evaluated with the General Plan for the conversion of land to urban uses.

Furthermore, the Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to sensitive land uses. With implementation of Noise Impact Policies and existing City Standards, noise impacts to sensitive receptors would be less than significant.

- d. The land use change will not result in temporary increase to noise levels. Noise levels will increase during the construction of the paint booth, shade structure, and façade. However, noise levels shall remain within the limits defined by the City of Visalia Noise Ordinance. Temporary increases in ambient noise levels are considered to be less than significant.
- e. The project area is not within two miles of a public airport.
- f. There is no private airstrip near the project area.

XIII. POPULATION AND HOUSING

- a. The project will not directly induce substantial population growth that is in excess of that planned in the General Plan. The proposal would change existing land use designations from residential to commercial, thereby reducing the likelihood of residential development. Proposed development is meant to address the existing customer service needs of the business. The proposal would not require the extension of roads or further infrastructure.
- b. Future development will not displace any housing, as none exist on the project sites.
- c. Development of the sites will not displace any people on the sites, as none currently reside on the properties.

XIV. PUBLIC SERVICES

- a.
 - i. Current fire protection facilities are located at Visalia Fire Station 56 and can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
 - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
 - iii. Neither the land use change or the paint booth proposal will generate new students for which existing schools in the area may accommodate. As it stands, to address any impacts future development will be required to pay residential impact fees. These fees are considered to be conclusive mitigation for impacts.
 - iv. Current park facilities can adequately serve the site without a need for alteration. Impact fees will be paid upon development to mitigate the project's proportionate impact on these facilities
 - v. Other public facilities can adequately serve the site without a need for alteration.

XV. RECREATION

- a. The proposed project will not affect the use of existing neighborhood and regional parks or other recreational facilities.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

XVI. TRANSPORTATION AND TRAFFIC

- a. Future development and operation of the project area is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. Change of land use designations from residential to commercial will not result in impacts. Development of a paint booth, shade structure, and façade will result in an increase to traffic levels on minor arterial and local roadways, although the City of Visalia's Circulation Element has been prepared to address this increase in traffic.
- b. The change in land use designation will not conflict with any congestion program. Proposed development of the site will result in increased traffic in the area, but will not cause a substantial increase in traffic on the city's existing circulation pattern. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for urban use.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The project will not result in inadequate emergency access.
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVII. TRIBAL CULTURAL RESOURCES

The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

- a. The site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
- b. The site has been determined to not be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, because it is an isolated infill site surrounded by existing urban development.

Further, the EIR (SCH 2010041078) for the 2014 General Plan update included a thorough review of sacred lands files through the California Native American Heritage Commission.

The sacred lands file did not contain any known cultural resources information for the Visalia Planning Area.

XVIII. UTILITIES AND SERVICE SYSTEMS

- a. Change in land use designations will have no effect on wastewater requirements. Future development of the site will connect to existing City sanitary sewer lines if necessary, consistent with the City Sewer Master Plan. The Visalia wastewater treatment plant has a current rated capacity of 22 million gallons per day, but currently treats an average daily maximum month flow of 12.5 million gallons per day. Upon development of the paint booth, shade structure, and façade, the City has more than sufficient capacity to accommodate impacts associated with the project. The project will therefore not cause significant environmental impacts.
- b. The project will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Future development will be adequately served by existing facilities.
- c. The change in land use designations will not in of itself require construction or expansion of storm water facilities. Future development onsite will be accommodated by existing City storm water drainage lines that handle on-site and street runoff. Usage of these lines is consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.
- d. California Water Service Company has determined that there are sufficient water supplies to support the site, and that service can be extended to the site.
- e. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant upon future development.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project will be able to meet the applicable regulations for solid waste. Removal of debris from future construction will be subject to the City's waste disposal requirements.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

- a. The project will not affect the habitat of a fish or wildlife species or a plant or animal community. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia's General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- b. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37 adopted on October 14, 2014. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**



Paul Scheibel, AICP
Environmental Coordinator



Date



LOCATION MAP
Alex's Paint and Body
GPA 2019-02 / COZ 2019-01 /
CUP 2018-28

Legend

- Streets
- Waterways
- Parcels



1

MEETING DATE: **MAY 2, 2018**
SITE PLAN NO. **18-080**
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 + VARIANCE *
- HISTORIC PRESERVATION OTHER: _____

ADDITIONAL COMMENTS : VARIANCE MAY BE REQUIRED PER APPLICANT DESIGN

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

Site Plan Review Committee



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Adrian Rubalcaba 713-4271
- Diego Corvera 713-4209

ITEM NO: 1 DATE: MAY 2, 2018

SITE PLAN NO.: 18-080
 PROJECT TITLE: ALEX'S PAINT & BODY, INC.
 DESCRIPTION: INSTALL NEW PRE-FABRICATED SPRAY BOOTH WITH HEATER (R-M-2)(X)
 APPLICANT: LUCIO ELIAS C.
 PROP OWNER: LUCIO ELIAS (TR LUCIO FAMILY TRUST)
 LOCATION: 101-044-008
 APN: 3111 E NOBLE AVE VISALIA

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb; gutter
- Drive approach size: Use radius return;
- Sidewalk: _____ width; _____ parkway width at _____
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required.
 Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- Traffic indexes per city standards:

- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements.
- A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

1. Comply with conditions per Planning fire, and building departments.

2. Engineering has no comments. This project will incur impact fees see sheet 3 for further details.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 18-080
Date: 5/2/2018

Summary of applicable Development Impact Fees to be collected at the time of building permit:
(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)

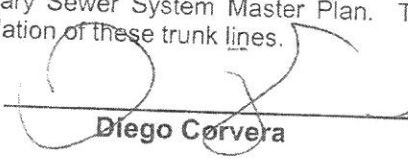
(Fee Schedule Date: 8/18/2017)
(Project type for fee rates: SERVICE COMMERCIAL)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$1,984/1KSF X 0.42 = \$833
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input checked="" type="checkbox"/> Public Facility Impact Fee	\$542/1KSF X 0.42 = \$228
<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.



Diego Corvera

SITE PLAN REVIEW COMMENTS

Andrew Chamberlain 559-713-4003

Date: April 25, 2018 – May 2, 2018

SITE PLAN NO: 2018-080
 PROJECT TITLE: Alex's Paint and Body
 DESCRIPTION: New Paint Booth (R-M-2)
 APPLICANT: Alex's Paint and Body
 PROP. OWNER: E. Lucio
 LOCATION TITLE: 3111 E. Noble Ave
 APN TITLE: 094-222-029
 GENERAL PLAN: Commercial Mixed Use
 ZONING: C-MU – Commercial Mixed Use

Rob Summers Eurotech
424-296-5773

Planning Division Recommendation:

- Revise and Proceed
- Resubmit

Project Requirements

- Conditional Use Permit required for the expansion of a non-conforming use up to 20% of area or intensity.

PROJECT SPECIFIC INFORMATION: April 25

1. The site is zoned R-M-2 (Medium Density Residential) which allows the expansion of a non-conforming use through the CUP process.
2. Meet the minimum 5-foot setback along the west property line for the new paint booth. The applicant (Rob S.) indicated at the SPR meeting that the proposed 4 foot 8 inch setback for the booth may be difficult to push to 5 feet.
3. The site appears to have shade structures located on the east and west sides of the site. These structures are required to meet the 5-foot minimum setback from property line for any vertical post or elements.
4. Provide an operational statement with the CUP application.
5. Provide an elevation of the paint booth with the CUP application.
6. The site plan needs to depict the required parking separate for the storage parking.
7. Meet all other city codes and ordinances.

DEVELOPMENT STANDARDS - R-M-2 [17.16]

Maximum Building Height: 35 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Front	15 Feet	15 Feet
➤ Side	5 Feet	5 Feet*
➤ Street side on corner lot	10 Feet	10 Feet
➤ Rear	25 Feet	25 Feet

Minimum Site Area: 3,000 square feet per unit

- Common open space
- Screen 2nd story windows when adjacent to an R-1 Site, Single-Family Residential
- Conditional Use Permit for 60 or more units
- Alley exception for rear setback to parking structure, open space still needed
- Minimum site area 2 acres, unless CUP, zoning action, or Master Plan approved by SPR

- Screen all parking areas adjacent to public streets. Parking subject to Chapter 17.34.
- See Zoning Ordinance Section 17.16 for complete standards and requirements.

Parking:

1. No impact determined.

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 *ai* *AJC*



City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 1 DATE: May 02, 2018
 SITE PLAN NO: SPR18080 **CONTINUED 1 WEEK PER**
 PROJECT TITLE: ALEX'S PAINT & BODY, INC. -NO MAP
 DESCRIPTION: INSTALL NEW PRE-FABRICATED SPRAY BOOTH WITH HEATER (R-M-2) (X)
 APPLICANT: LUCIO ELIAS C.
 PROP OWNER: LUCIO ELIAS (TR LUCIO FAMILY TRUST)
 LOCATION: 3111 E NOBLE AVE
 APN(S): 101-044-008

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

- A building permit will be required. *For information call (559) 713-4444*
- Submit 5 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 5 sets of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines. **5'-0" SEPARATION FOR EXISTING STRUCTURE**
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (559) 230-6000*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.56 per square foot. Residential \$3.45 per square foot.
- Park Development fee \$ _____, per unit collected with building permits.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: EXISTING SCREEN COVERING REQUIRES A BUILDING PERMIT.

VAL GARCIA 5/2/18
 Signature



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: 1

DATE: May 02, 2018

SITE PLAN NO: SPR18080 **CONTINUED 1 WEEK PER**
 PROJECT TITLE: ALEX'S PAINT & BODY, INC. -NO MAP
 DESCRIPTION: INSTALL NEW PRE-FABRICATED SPRAY BOOTH WITH HEATER (R-M-2) (X)
 APPLICANT: LUCIO ELIAS C.
 PROP OWNER: LUCIO ELIAS (TR LUCIO FAMILY TRUST)
 LOCATION: 3111 E NOBLE AVE
 APN(S): 101-044-008

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

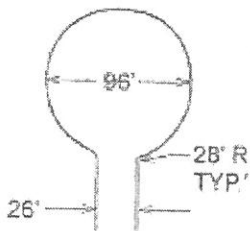
- A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire apparatus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

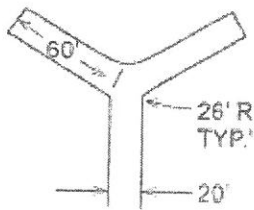
☐ Buildings or portions of buildings or facilities with a vertical distance between the grade plan and the highest roof surface that exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

- 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.

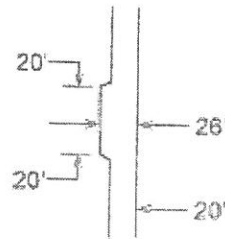
☐ Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. 2016 CFC Table D103.4



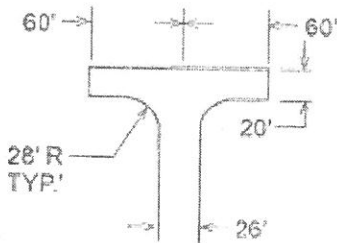
96' DIAMETER CUL-DE-SAC



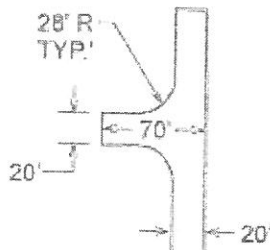
60' "Y"



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"



SIGN TYPE "C"



SIGN TYPE "D"



- 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

ITEM NO: 1 DATE: May 02, 2018
 SITE PLAN NO: SPR18080 *CONTINUED 1 WEEK PER*
 PROJECT TITLE: ALEX'S PAINT & BODY, INC. -NO MAP
 DESCRIPTION: INSTALL NEW PRE-FABRICATED SPRAY BOOTH
 WITH HEATER (R-M-2) (X)
 APPLICANT: LUCIO ELIAS C.
 PROP OWNER: LUCIO ELIAS (TR LUCIO FAMILY TRUST)
 LOCATION: 3111 E NOBLE AVE
 APN(S): 101-044-008

M. SHORT AIBO

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

Site Plan Review Comments

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

 Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:

- Territorial Reinforcement: Define property lines (private/public space).

- Access Controlled / Restricted etc:

- Lighting Concerns:

- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

- Other Concerns:

M. SHORT AIBO

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

COMMERCIAL BIN SERVICE

ITEM NO: 1	DATE: May 04, 2018
SITE PLAN NO: SPR18080	CONTINUED 1 WEEK PER
PROJECT TITLE: ALEX'S PAINT & BODY, INC. -NO MAP	
DESCRIPTION: INSTALL NEW PRE-FABRICATED SPRAY BOOTH WITH HEATER (R-M-2) (X)	
APPLICANT: LUCIO ELIAS C.	
PROP OWNER: LUCIO ELIAS (TR LUCIO FAMILY TRUST)	
LOCATION: 3111 E NOBLE AVE	
APN(S): 101-044-008	

XX

No comments.

Same comments as

Revisions required prior to submitting final plans. See :

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.

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.

Comment



 Jim Ross, Solid Waste Manager, 559-713-4535

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

May 2, 2018

ITEM NO: 1
SITE PLAN NO: SPR18080
PROJECT TITLE: ALEX'S PAINT & BODY, INC. -NO MAP
DESCRIPTION: INSTALL NEW PRE-FABRICATED SPRAY BOOTH WITH HEATER (R-M-2) (X)
APPLICANT: LUCIO ELIAS C.
PRCP. OWNER: LUCIO ELIAS (TR LUCIO FAMILY TRUST)
APN: 101-044-008
LOCATION: 3111 E NOBLE AVE VISA

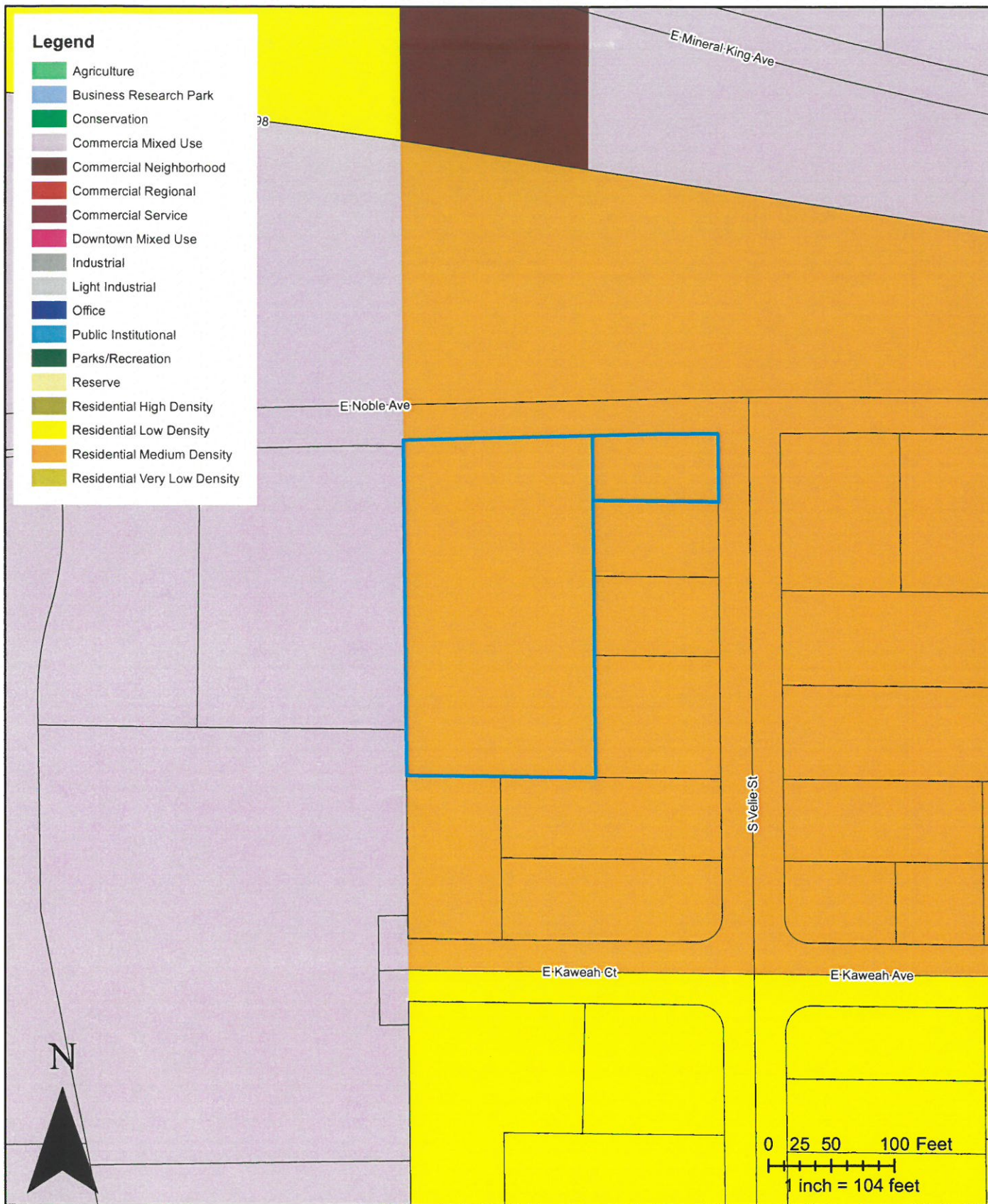
THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

- 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:

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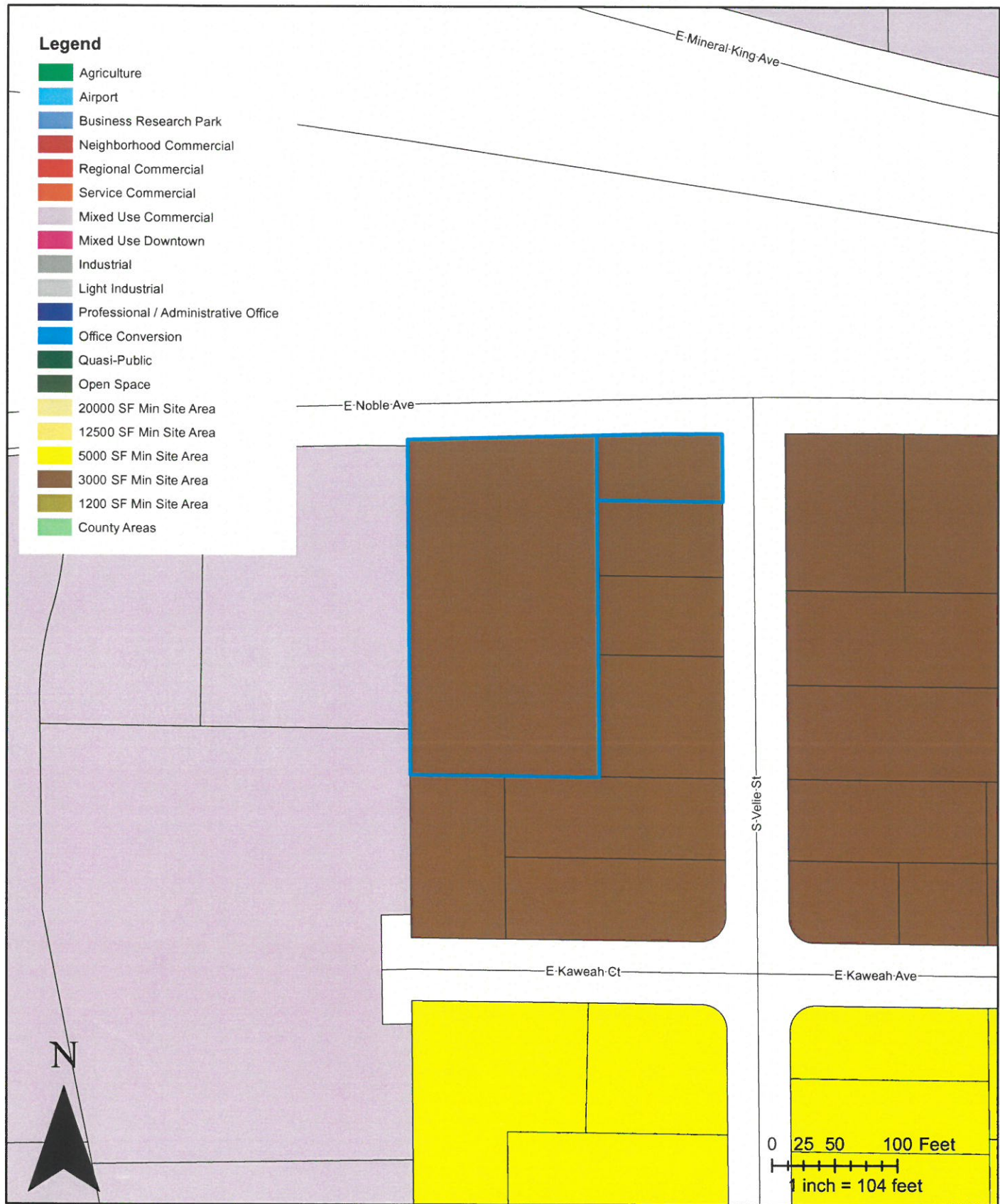

Leslie Blair



GENERAL PLAN LAND USE MAP

Legend

- Streets
- Parcels



ZONING MAP

- Legend**
- Streets
 - Parcels



AERIAL MAP

Legend

- Streets
- Parcels



LOCATION MAP

- Legend**
- Streets
 - Parcels
 - EVANS --- Waterways