



**NOTICE OF SPECIAL MEETING  
OF THE VISALIA PLANNING COMMISSION  
7:00 p.m., Wednesday, December 18, 2019**

**NOTICE IS HEREBY GIVEN** pursuant to Government Code Section 54956 that the Planning Commission will conduct a special meeting at 7:00 p.m. on Wednesday, December 18, 2019 at the City Hall Council Chambers located at 707 W. Acequia Avenue, Visalia, California. The purpose of said special meeting is to review the following item:

A public hearing for the issuance of **Temporary Conditional Use Permit No. 2019-63**, a request by St. Paul's Episcopal Church to operate a temporary overnight warming center through February 28, 2020 in the church's parish hall. The site is zoned Q-P (Quasi Public) and is located at 120 N. Hall Street (APN: 093-272-001, 002, 003, 004). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2019-83.

**NOTICE IS FURTHER GIVEN** that the public will be given the opportunity to speak only on the matter listed in this notice. Dated this 13<sup>th</sup> day of December, 2019.

Susan Currier  
Staff Liaison to the Planning Commission

I, Susan Currier, **do hereby certify**, under penalty of perjury under the laws of the State of California, that the foregoing notice of special meeting was delivered to each member of the Planning Commission and posted on the posting board at the City Hall Council Chambers located at 707 W. Acequia Avenue, Visalia, California, all on the 13<sup>th</sup> day of December, 2019.

Susan Currier  
Staff Liaison to the Planning Commission

**Americans with Disabilities Act:** In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call 559-713-4436 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services. Written materials relating to an item on this agenda submitted to the Advisory Body are available for public inspection in the Visalia City office, at 315 E Acequia Ave, during normal business hours.





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** December 18, 2019 (Special Meeting)

**PROJECT PLANNER:** Brandon Smith, Senior Planner  
Phone No.: (559) 713-4636  
E-mail: [brandon.smith@visalia.city](mailto:brandon.smith@visalia.city)

**SUBJECT: Temporary Conditional Use Permit No. 2019-63:** A request by St. Paul's Episcopal Church to operate a temporary overnight warming center through February 28, 2020 in the church's parish hall. The site is zoned Q-P (Quasi Public) and is located at 120 N. Hall Street (APN: 093-272-001, 002, 003, 004).

## STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Temporary Conditional Use Permit No. 2019-63, as conditioned. The recommendation is based on the past year's warming center operation having complied with the conditions set forth in the prior Temporary Conditional Use Permit No. 2018-85, and based on the applicant not being able to find an alternate site for the temporary warming center despite attempts to secure a site over the past year.

## RECOMMENDED MOTION

I move to approve Temporary Conditional Use Permit No. 2019-63, based on the findings and conditions in Resolution No. 2019-82.

## ALTERNATIVES

The Planning Commission may, in lieu of the recommended motion specified above, consider any of the following alternatives:

1. Deny Temporary Conditional Use Permit No. 2019-63.
2. Approve Temporary Conditional Use Permit No. 2019-63, with additional conditions or modifications as specified by the Planning Commission.

Any action of the Planning Commission may be appealed to the City Council as described in the Appeal Information section of this report.

## PROJECT DESCRIPTION

St. Paul's Episcopal Church filed an application for a Temporary Conditional Use Permit (TCUP) on December 6, 2019, to operate a winter warming center at the St. Paul's Episcopal Church facility (see plans attached as Exhibits "A" and "B" and operation statement attached as Exhibit "C"). The applicant proposes to operate the warming center utilizing the same operating plan as utilized during the previous warming center operating season (2018/2019) as conditioned under TCUP No. 2018-85. This request, if approved, would be the third consecutive winter season in which a warming center would be operated at St. Paul's Episcopal Church through the TCUP process.

The warming center will operate inside the church parish hall and will not provide cots, beds, or meals. Mats, blankets, hot drinks and snacks will be provided to guests, along with on-site assistance from partnering agencies for medical and mental health needs. The parish hall will be staffed by one paid oversight staff and will be assisted by volunteers from various

community groups. A security guard will be on duty each night from two hours before the warming center opens to two hours after the warming center closes. A safety / security plan attached as Exhibit "D" shall be implemented for the warming center operation that ensures safety for patrons of the warming center and properties surrounding the church grounds. The operation includes an outdoor storage area in the covered walkway of the church courtyard for individual's personal belongings, more fully described in the operational statement included in Exhibit "C".

In the previous year's TCUP, the Planning Division placed additional operating conditions and requirements in response to complaints received on the warming center's past operation. These same conditions are incorporated into the operating plan of the current TCUP proposal.

The warming shelter is proposed to operate daily from 9:00 p.m. to 7:00 a.m., from the date of TCUP issuance through February 28, 2020.

## **BACKGROUND INFORMATION**

General Plan Land Use Designation:	Public Institutional
Zoning:	Q-P (Quasi-Public)
Surrounding Land Use and Zoning:	North: O-C (Office Conversion) – Center Ave., flower shop, office and residences South: O-C (Office Conversion) – Medical office and residences East: Q-P (Quasi-Public) – Church parking Lot West: Hall Street, medical offices
Environmental Review:	Ministerial Exempt
Special Districts:	None
Site Plan:	2018-183

## **RELATED PROJECTS**

In 2017, St. Paul's Episcopal Church operated a warming center under Temporary Conditional Use Permit No. 2017-74, issued administratively by the Planning Division on December 28, 2017. The permit expired on March 28, 2018.

In 2018, St. Paul's Episcopal Church operated a warming center under Temporary Conditional Use Permit No. 2018-85. The permit was issued administratively by the Planning Division on December 17, 2018, and an appeal was filed on the same day. At a special meeting held on December 19, 2018, the Planning Commission upheld the approval and revised certain conditions of the TCUP on a 3-0 vote. The permit expired on March 1, 2019.

## **PROJECT EVALUATION**

Staff recommendation of the TCUP approval is based on the inclusion of conditions of approval and security measures intended to address the City's and neighborhood's concerns regarding illicit activity, loitering, nuisance issues and security for the duration of the event.

The Recommended Conditions of Approval at the end of this report reflect the conditions of the previous Temporary Conditional Use Permit issued for the warming center.

## **Warming Center Operation During 2018/2019 Season**

The warming center's operation in association with the initial 2017/2018 winter season resulted in complaints on file with the Police Department and verbal complaints received by staff and the City Council from surrounding business and property owners. Properties directly surrounding St. Paul's church consist of both medical and professional offices, a flower shop, residences, and City parks.

For the 2018/2019 winter season, prior to the issuance of a TCUP for the warming center, City staff worked more closely with the applicant to ensure issues and challenges were more effectively managed and curtailed. In response, staff enacted additional conditions of approval and required the applicant to provide explicit operating conditions regarding safety and security. The warming center operation and security plans were also reviewed by the Site Plan Review Committee as Site Plan Review No. 2018-185.

Additional conditions for the 2018/2019 season included:

- Requirement that the applicant notify all surrounding properties of their intent to operate a warming center and provide contact information;
- Requirement of a Fire Department inspection;
- Capping the nightly number of warming center guests to 100 persons;
- Maintaining a minimum 1:25 staffing to guest ratio at the warming center;
- Requiring a licensed and bonded security guard to patrol the subject property and surrounding properties when the warming center is in use. (The Planning Commission amended this condition to extend the patrolling hours from one hour before the opening of the center to one hour after the close of the center);
- Requiring approval of and adherence to a security plan reviewed and approved by the Police Department;
- Enforcement of no loitering of persons on the church grounds outside of the warming center operating hours and enforcement of cleaning and removing trash and waste left on the church property and the public sidewalks and alleyway where the church is situated.

One condition recommended by staff was eliminated in the Planning Commission's review of the appeal – to restrict the warming center to be operational only when the overnight temperature was forecasted to reach 35 degrees (F) or below.

Following the 2018/2019 operating season, the City Council received a report on the warming center's operations at their meeting on May 6, 2019 (see slide show attached as Exhibit "F"). According to the report, the center operated for 65 days from December 26<sup>th</sup> through February 28<sup>th</sup>. The average number of guests in late December and January was 58 persons, but during the month of February an average of 105 people daily checked in some time during the operating hours. No code violations were reported to the City's Neighborhood Preservation / Code Enforcement Division during the 2018/2019 operating season. The total Police calls for service saw a 65% decrease between the 2018/2019 and the prior operating season.

## **Efforts to Secure a Permanent Location through a Permanent CUP**

Condition No. 16 in the TCUP issued for last season's warming center (TCUP No. 2018-85) states that beginning in the 2019/2020 season the operation of an emergency warming center at this location will only be allowed upon prior approval of a permanent Conditional Use Permit by the Planning Commission. A primary reason for inclusion of this statement was to ensure there would be a formal public hearing process before the Planning Commission, including public notification to surrounding property owners, tenants, and interested parties, carried out prior to any action being taken on the warming center. The last two TCUPs issued for the last

two winter seasons were both ministerial approvals by City staff as authorized through the TCUP process, though the latter TCUP approval received a Planning Commission public hearing based on the filing and paying the fee for an appeal.

Although the warming center itself is a temporary use based on weather conditions, staff considered that the ongoing use of a warming center at the same site should be subject to the permanent conditional use permit process, which would provide any interested individuals to attend a public hearing and speak to the item rather than having to pay the fee to file an appeal.

The applicant in 2019 sought to lease another site as an alternative location to hosting a warming center operation rather than using the St. Paul's Church parish hall. The applicant's desire to find a new location stemmed from input received from surrounding business/property owners that stated their concerns/objections to the warming center operating in the neighborhood. However, the applicant was not able to lease/secure an alternative site, and as a result, a decision was made to return to the St. Paul's site for another single season. This is documented in a letter provided by the applicant to neighboring properties of their intent to operate the warming center at St. Paul's Episcopal Church Parish hall in 2019/2020 (see Exhibit "E").

Staff has accepted the applicant's filing of a TCUP application and is referring the application to the Planning Commission for consideration, in accordance with Zoning Ordinance Section 17.38.070(A). A special meeting was called due to the duration between the application filing on December 6<sup>th</sup> and the next regular scheduled Planning Commission meeting on January 13, 2020.

#### **Temporary CUP rather than a Permanent CUP**

Staff's recommendation to process a TCUP for the warming center, as opposed to imposing a permanent CUP, is based on a number of factors. The decision to refer this TCUP application to the Planning Commission fulfills the Planning Division's objective of a formal public hearing process with public notification for consideration of the TCUP rather than having staff approve the TCUP administratively resulting in any interested party having to file and pay for an appeal to get the TCUP item heard at a public hearing.

Conversely, the applicant's interest is to find a site other than the St. Paul's Church campus that could host a warming center. Based on this premise, a permanent CUP associated with the St. Paul's site would be inconsistent with the applicant's objective of finding an alternate site. The temporary permit only enables a short-term seasonal warming center and provides an opportunity for new review each year, whereas if the permanent CUP were to be approved, the warming center could operate in perpetuity at the site.

Staff's recommendation for the Planning Commission to approve the TCUP request at St. Paul's is based upon the applicant utilizing the same set of operating conditions and security plan as required of the operator in the prior year's request, which resulted in reduced calls for service, and provided for clear and concise security measures that effectively managed any potential issues that could have arose if these measures were not in place.

#### **Received Correspondence**

During the preparation of this report, staff has received written correspondence, attached as Exhibit "G", from a neighboring property citing concerns over the warming center operation.

#### **Environmental Review**

The requested action is considered Categorical Exempt under Section 15301 (Existing Facilities) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2019-83).

## RECOMMENDED FINDINGS

1. That the proposed Temporary Conditional Use Permit No. 2019-63, 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 Temporary Conditional Use Permit No. 2019-63, as conditioned, is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project will be consistent with the required findings of the Zoning Ordinance Section 17.38.110:
  - a) The proposed location of the temporary conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Churches are a conditionally allowed in the Quasi-Public zone in accordance with Chapter 17.52 of the Visalia Municipal Code, and an emergency warming shelter operating as a temporary and ancillary use within the church is a form of community outreach and service that is associated with churches and other religious-type uses. The use is determined to be a compatible use in the zoning designation as conditioned.
  - b) The proposed location of the temporary conditional use and the conditions under which it would be operated or maintained, will not be detrimental to the public health, safety, or welfare, and materially injurious to properties or improvements in the vicinity. Pursuant to the conditions of approval of the temporary conditional use permit, the temporary use of a portion of the property as an emergency warming center will operate in a manner that places explicit measures and high priority towards public health, safety, and welfare, and ensuring that the existing character of the surrounding neighborhood will be upheld.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2019-83).

## RECOMMENDED CONDITIONS OF APPROVAL

1. This temporary conditional use permit requires approval of a Fire Department inspection prior to start of the warming center operating. For any questions regarding the Fire Inspection please contact Maribel Vasquez at 713-4274.
2. This permit is being issued for the objective of providing a warming shelter during harsh winter weather conditions only. The center is not permitted to operate as a housing shelter.
3. The warming center shall only be permitted to operate from December 19, 2019 through February 28, 2020.
4. The facility must meet all Building & Safety Division and Fire Department conditions as determined in coordination with City staff prior to use of the facility.
5. The warming center shall operate in accordance with the attached floor plan, operation statement, and Police Department-approved safety/security plan (see Exhibits "A" through "D").
6. The warming center shall operate in accordance with comments associated with Site Plan Review item no. 2018-185.
7. There must be one (1) paid or volunteer staff person inside the building for each whole or partial grouping of 25 persons utilizing the warming center. The maximum number of occupants allowed inside the warming center at any time is 100 persons, provided there are four (4) paid or volunteer staff persons inside the center at all times.

8. On nights when the warming center operates, a licensed and bonded security guard shall be on duty during the hours of 7:00 p.m. to 9:00 a.m. and shall patrol the subject property as well as public and private property within a 100-foot distance of the church and Center Avenue parking lot (refer to attached map)
9. A contact name and phone number (mobile phone) shall be provided to the Police Department Watch Commander and Fire Department at least three days prior to the initial operation and shall be accessible for the duration of the activity. Primary contact is: Suzy Ward, St. Paul's Episcopal Church. Phone: (559) 967-4065.
10. The facility shall be staffed during all hours while the warming center is in operation.
11. Beds and/or cots shall not be used inside or outside of the warming center.
12. Outdoor storage of personal possessions or other materials on-site shall not be visible from public right-of-ways.
13. There shall be no loitering of persons on the church grounds during daytime hours when the warming center is not in operation (i.e. 7:00 a.m. to 9:00 p.m.) or during the nights when the warming center is not in operation.
14. The church shall be responsible for cleaning and removing all trash and waste left on the church property and left on the public sidewalks and alley that are located on the city block that St. Paul's Episcopal Church is situated on in a timely manner.
15. Meet all other City Codes, Standards, Regulations, and Requirements.
16. Issuance of this permit does not set precedence for approval of a Temporary Conditional Use Permit in future years.
17. The City Planner may revoke this permit based on documented evidence of failure to comply with any conditions or based on the use attributing to public nuisance issues in the immediate vicinity.
18. The warming center is restricted from operating if an appeal is received in accordance with Section 17.02.145 of the Zoning Ordinance. The warming center shall not operate until such time that the respective decision-making body renders a decision on the appeal.

## APPEAL INFORMATION

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

### Attachments:

- Related Plans and Polices
- Resolution No. 2019-82
- Exhibit "A" – Floor Plan
- Exhibit "B" – Site Plan
- Exhibit "C" – Operation Statement
- Exhibit "D" – Safety/Security Plan
- Exhibit "E" – Letter Distributed to Neighbors
- Exhibit "F" – Slide Show presentation from May 6, 2019 City Council Worksession
- Exhibit "G" – Written Correspondence



## Related Plans & Policies

### Zoning Ordinance [Title 17 of Visalia Municipal Code]

#### Chapter 17.38 Conditional Use Permits

##### 17.38.070 Temporary uses or structures

A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.

B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:

1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.

2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.

3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.

4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.

5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.

6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.

7. Signing for temporary uses shall be subject to the approval of the city planner.

8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.

9. Fruit/Vegetable stands shall be subject to site plan review.

C. The City Planner shall deny a temporary use permit if findings cannot be made, or conditions exist that would be injurious to existing site, improvements, land uses, surrounding development or would be detrimental to the surrounding area.

D. The applicant or any interested person may appeal a decision of temporary use permit to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the temporary use permit and shall uphold or revise the decision of the temporary use permit, based on the findings set forth in Section 17.38.110. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.

E. A privately owned parcel may be granted up to six (6) temporary use permits per calendar year. (Ord. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7532)

**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. (Ord. 2017-01 (part), 2017: prior code § 7536)

RESOLUTION NO. 2019-82

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TEMPORARY CONDITIONAL USE PERMIT NO. 2019-63, A REQUEST BY ST. PAUL'S EPISCOPAL CHURCH TO OPERATE A TEMPORARY OVERNIGHT WARMING CENTER THROUGH FEBRUARY 28, 2020 WITHIN THE CHURCH'S PARISH HALL. THE SITE IS ZONED Q-P (QUASI PUBLIC) AND IS LOCATED AT 120 N. HALL STREET (APN: 093-272-001, 002, 003, 004)

**WHEREAS**, on December 6, 2019, Temporary Conditional Use Permit (TCUP) No. 2019-63 was filed with the City of Visalia; and

**WHEREAS**, Temporary Conditional Use Permit No. 2019-63 is a request by St. Paul's Episcopal Church to operate a temporary overnight warming center through February 28, 2020 within the church's parish hall. The site is zoned Q-P (Quasi Public) and is located at 120 N. Hall Street (APN: 093-272-001, 002, 003, 004); and

**WHEREAS**, the City Planner has determined to refer said Temporary Conditional Use Permit application to the Planning Commission for consideration in accordance with Visalia Municipal Code Section 17.38.070(A); and

**WHEREAS**, a special meeting of the Planning Commission was called on December 18, 2019 due to the duration between the application filing on December 6, 2019 and the next scheduled regular meeting of the Planning Commission on January 13, 2020, and due to the time-sensitive nature of the request; and,

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice for a special meeting, did hold a public hearing before said Commission on December 18, 2019; and,

**WHEREAS**, the Planning Commission of the City of Visalia finds the Temporary Conditional Use Permit is consistent with the City of Visalia General Plan goals, objectives, and policies and Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence presented; and

**WHEREAS**, the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2019-83).

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

1. That the proposed Temporary Conditional Use Permit No. 2019-63, 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 Temporary Conditional Use Permit No. 2019-63, as conditioned, is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project will be consistent with the required findings of the Zoning Ordinance Section 17.38.110:

- a) The proposed location of the temporary conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Churches are a conditionally allowed in the Quasi-Public zone in accordance with Chapter 17.52 of the Visalia Municipal Code, and an emergency warming shelter operating as a temporary and ancillary use within the church is a form of community outreach and service that is associated with churches and other religious-type uses. The use is determined to be a compatible use in the zoning designation as conditioned.
  - b) The proposed location of the temporary conditional use and the conditions under which it would be operated or maintained, will not be detrimental to the public health, safety, or welfare, and materially injurious to properties or improvements in the vicinity. Pursuant to the conditions of approval of the temporary conditional use permit, the temporary use of a portion of the property as an emergency warming center will operate in a manner that places explicit measures and high priority towards public health, safety, and welfare, and ensuring that the existing character of the surrounding neighborhood will be upheld.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2019-83).

**BE IT FURTHER RESOLVED** that the Planning Commission approves Temporary Conditional Use Permit No. 2019-63 on the real property 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. This temporary conditional use permit requires approval of a Fire Department inspection prior to start of the warming center operating. For any questions regarding the Fire Inspection please contact Maribel Vasquez at 713-4274.
2. This permit is being issued for the objective of providing a warming shelter during harsh winter weather conditions only. The center is not permitted to operate as a housing shelter.
3. The warming center shall only be permitted to operate from December 19, 2019 through February 28, 2020.
4. The facility must meet all Building & Safety Division and Fire Department conditions as determined in coordination with City staff prior to use of the facility.
5. The warming center shall operate in accordance with the attached floor plan, operation statement, and Police Department-approved safety/security plan (see Exhibits "A" through "D").
6. The warming center shall operate in accordance with comments associated with Site Plan Review item no. 2018-185.
7. There must be one (1) paid or volunteer staff person inside the building for each whole or partial grouping of 25 persons utilizing the warming center. The maximum number of occupants allowed inside the warming center at any time is 100 persons, provided there are four (4) paid or volunteer staff persons inside the center at all times.

8. On nights when the warming center operates, a licensed and bonded security guard shall be on duty during the hours of 7:00 p.m. to 9:00 a.m. and shall patrol the subject property as well as public and private property within a 100-foot distance of the church and Center Avenue parking lot (refer to attached map)
9. A contact name and phone number (mobile phone) shall be provided to the Police Department Watch Commander and Fire Department at least three days prior to the initial operation and shall be accessible for the duration of the activity. Primary contact is: Suzy Ward, St. Paul's Episcopal Church. Phone: (559) 967-4065.
10. The facility shall be staffed during all hours while the warming center is in operation.
11. Beds and/or cots shall not be used inside or outside of the warming center.
12. Outdoor storage of personal possessions or other materials on-site shall not be visible from public right-of-ways.
13. There shall be no loitering of persons on the church grounds during daytime hours when the warming center is not in operation (i.e. 7:00 a.m. to 9:00 p.m.) or during the nights when the warming center is not in operation.
14. The church shall be responsible for cleaning and removing all trash and waste left on the church property and left on the public sidewalks and alley that are located on the city block that St. Paul's Episcopal Church is situated on in a timely manner.
15. Meet all other City Codes, Standards, Regulations, and Requirements.
16. Issuance of this permit does not set precedence for approval of a Temporary Conditional Use Permit in future years.
17. The City Planner may revoke this permit based on documented evidence of failure to comply with any conditions or based on the use attributing to public nuisance issues in the immediate vicinity.
18. The warming center is restricted from operating if an appeal is received in accordance with Section 17.02.145 of the Zoning Ordinance. The warming center shall not operate until such time that the respective decision-making body renders a decision on the appeal.

Pet storage  
under covered walkway

Cart storage  
Under covered walkway

Parish Hall

5 doors for exits

Center  
Street

total sq footage  
3 821 ft  
(excluding kitchen  
and bathrooms)

Tables and chairs will be  
scattered throughout this space

78' 10"

48' 6"

Women's  
restroom

storage  
kitchen

Men's  
Restroom

Kitchen

Parking lot

Alley  
~~Alley~~  
way

Exhibit "A"



St. Paul's Episcopal Church

Located at 120 N. Hall

Warming Center will be located in the building next to the parking lot on the east end of the property.

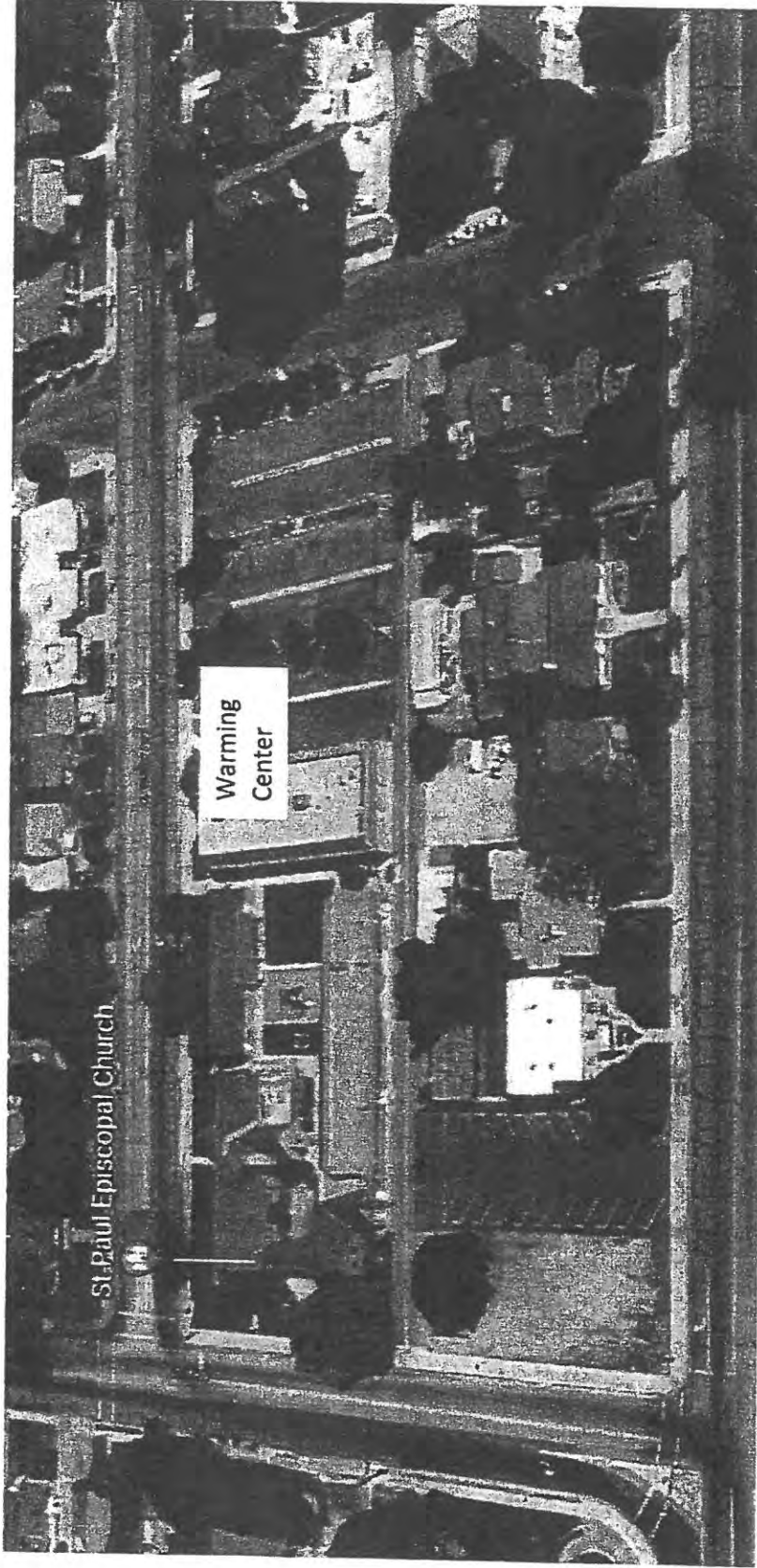
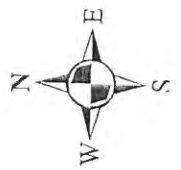


Exhibit "B"



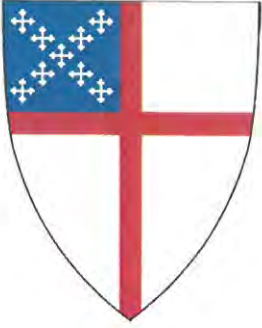
2019 - 2020 Operational Statement  
For  
St. Paul's Episcopal Church  
Warming Center for Homeless

- Operated from opening date in December until the morning of February 28, 2020.
- The Center will operate overnight from 9 PM to 7 AM
- Individuals will not be allowed to arrive early or to remain after 7 AM (unless meeting with a case manager or health care staff)
- Security Guard will be onsite an early before opening and an hour after closing.
- It will be staffed by one paid oversight staff that will be on duty all night and assisted by volunteers from community groups.
- Handbook of procedures, including health and safety protocols will be given to volunteers. Training will also be provided. Continuing to work with County agencies update protocols.
- A security guard will be provided during the hours of operation. (see attached Safety Plan)
- Individuals using the Center will be provided a warm place to stay overnight (no cots provided)  
Individuals may park their car in the parking lot located next to the Hall but will not be allowed to stay overnight in their car. They will be asked to come in or leave.
- Individuals will be asked to sign-in and they will be provided a claim check for any bikes or carts.
- There will be covered storage provided for carts and bikes.
- Dogs will be kept in dog kennels and given flea collars. Kennels will be located in a corner of the Hall. Owners may stay near their pet, but animals must remain in the kennel.
- Snacks and coffee will be provided during the night
- Restrooms are located in the building. There is a ADA accessible bathroom on the property.
- No smoking is allowed in the buildings, only in the parking lot until 10:30 PM.
- Individuals will be allowed to check in all during the night. If an individual chooses to leave they will not be allowed to return that night.
- There are multiple exits for fires all equipped with panic door bars.
- All doors, but one, will be locked to those trying to enter from the outside. Only one check-in point.
- All individuals will be welcomed as long as they can be compliant with the rules.
  - a. No smoking inside
  - b. Treat everyone with respect
  - c. Quiet after 10:30
- Disruptive individuals will be asked to leave. If an individual becomes a threat to themselves or others, 9-1-1 will be called.
- An individual who becomes defiant will be asked to leave and may be barred from returning



St. Paul's Safety Plan  
For the Warming Center  
2019-2020

- A licensed and bonded Security Guard will be on duty from 8 PM until 8 AM to ensure individuals do not arrive early and that they all leave the area in a timely way, heading east.
- The Security will be asked to monitor the parking lot and ally-way during the period 8 PM – 8 AM
- They will also keep a fire log as requested by the fire department
- Individuals will be advised and reminded to not arrive before 9 PM or they threaten the ability of the Center to operate.
- Individuals will be asked to exit toward the east, staying on the sidewalks, following all traffic rules and trying to avoid Center Street.
- Carts will be limited in size and stored within the confines of the church property.
- Extra trash dumpster and extra pickup have been requested from Visalia Solid Waste which will begin once the WC is opened.
- Pets will be leashed and caged within the building. (If individuals do not have a leash one will be provided. All animals will be given a flea collar the first night they stay.)
- Bathrooms are available within the building.
- Individuals will be asked to line-up and use the door on the inside of the courtyard so they are not loitering on Center Street.
- Individuals will be allowed to smoke in a specified area in the parking lot which will only be open until 10:30 PM.
- After 10:30 all individuals will be requested to remain within the building until 6 AM.
- If individuals leave early, they will not be allowed to return.



## St. Paul's Episcopal Church 120 N. Hall, Visalia, CA

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*Walking the way of love in our lives and in our community.*

December 3, 2019

Dear Neighbors,

Last year the Warming Center that was housed at the church was able to assist many individuals who were living on the streets of Visalia. People were able to receive medical care as well as mental health referrals. Other individuals were able to secure housing because of the connections that were made during their stay at the Warming Center.

Since the closing of the Warming Center a number of concerned individuals and groups have been seeking solutions. However, none of these groups have been able to secure an immediate solution to providing a safe and secure place during these cold winter nights. Though many buildings were investigated as potential sites for a temporary Warming Center, none were available to us or did not meet safety standards. Without any available sites, we are reluctantly returning to the Parish Hall at St. Paul's Episcopal Church.

The same standards as last winter will be used to operate the Center.

- A security guard will be on duty during the hours of operation, 9 PM to 7 AM (as well as an hour before and an hour after).
- Partnering agencies will provide some on-site assistance for medical and mental health needs.
- There will be full-time staff on duty every night to provide for consistent supervision.
- Established guidelines providing for the safety of all individuals and the neighborhood.
- Additional weekly trash pick-up will begin once the center opens.

If at any time you have a concern about the operation of the warming center, please feel free to contact me so that the volunteers and staff can work to resolve the specific issue. (My number is 559-967-4065)

If you would like to donate or volunteer at the center feel free to contact Laura Fisher, Community Engagement Coordinator at the Kings-Tulare Homeless Alliance at [lfisher@kthomelessalliance.org](mailto:lfisher@kthomelessalliance.org).

Sincerely,  
Rev. Suzy Ward, Priest-in-charge  
St. Paul's Episcopal Church  
120 N. Hall  
Visalia, CA 93291

Exhibit "E"



Warming Center

At

St. Paul's  
Episcopal Church

2018-2019

Exhibit "F"

## This Center is classified as “low barrier”

Being low-barrier means people are accepted as they are and all are provided a safe, warm place when they have no other option. While some shelters may require a homeless individual to be sober or pass a drug test, this center does not. An individual experiencing homelessness can show up with a pet in tow and under the influence and they will find a warm place to stay. We simply ask them to be respectful of others.

2018 was  
the first  
year of the  
Warming  
Center



14 Jan. - 17 Mar.

Operated from  
January 14 - March  
17



January

average  
attendance was 28




February

average  
attendance was 64



March

average  
attendance was 72



## This year's story

- ▶ Applied for conditional use permit
- ▶ It was challenged by our neighbors
- ▶ After a public hearing before the planning commission, the permit was issued with conditions:
  - ▶ Security Guard 14 hours a day
  - ▶ No loitering by individuals before or after the Center opens or closes
  - ▶ Weather condition removed
- ▶ Opened December 26
- ▶ Permitted until March 1

# Warming Center 2018 - 2019

The Warming Center opened December 26

There were 21 days when there were over 100 guests.

The average number of guests in the first 37 days was 58

It closed on February 28

In the month of February the average number of guests was 105

The WC operated for 65 days

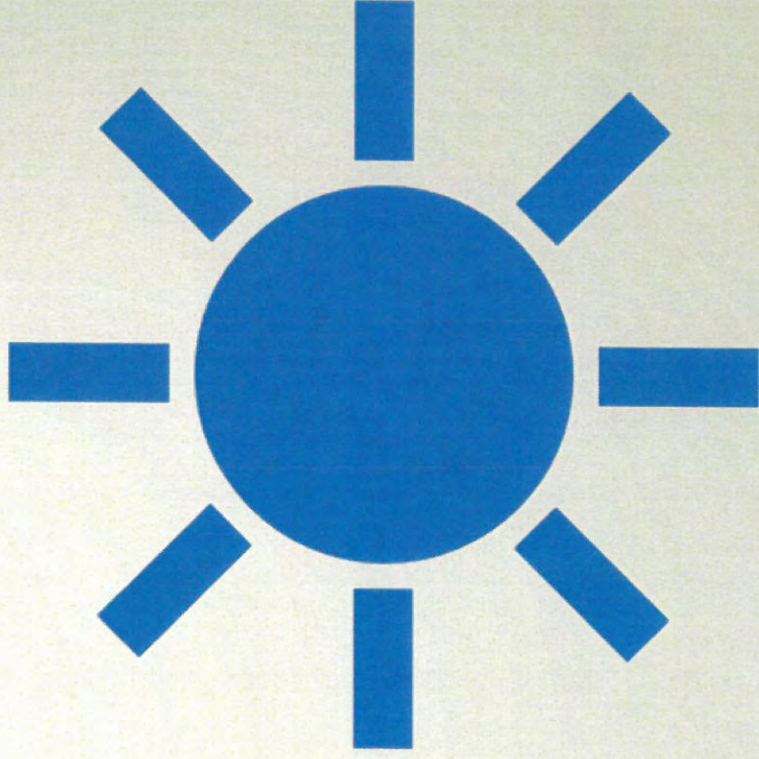
Last year the Center supported itself with donations from private individuals, Christ Lutheran Church and St. Paul's Discretionary fund.

Our staff was all volunteer

- ▶ **This year**, because of the requirement for licensed and bonded security guards, a self-funded Center was not possible.
- ▶ Money was offered by the City, County Health and Human Services, and a grant of State money from the Homeless Emergency Aid Program. (HEAP Funds)



How the  
Warming Center  
operated.



➤ Individuals lined up beginning at 8:30 PM and began checking-in at 9 PM.



➤ When individuals signed-in, they received a wristband that was numbered and then all their belongings were tagged with the same number.



- ▶ The Warming Center allowed individuals to bring their dogs. Each dog had their own kennel and individuals usually slept next to their animal's kennel.



► The Warming Center did not provide meals. Individuals were offered warm drinks and snacks. Occasionally, especially rainy nights, individuals were given cup of noodles. Occasionally outside volunteers brought meals to share. Some individuals also brought their own snacks.

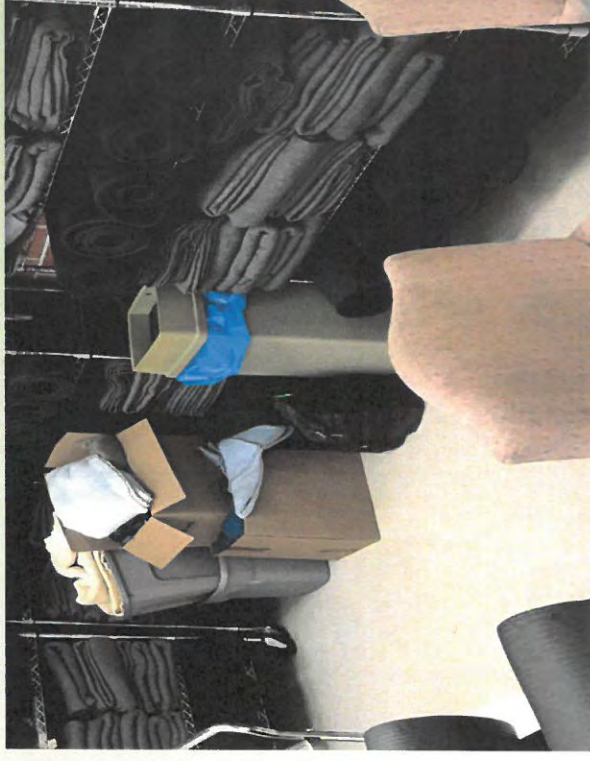


► Storage was one of the biggest issues the previous year.

► With some of the money provided, movable racks were purchased.

► Also, mats and blankets were purchased this year.

► When individuals checked-in, they were given a mat and 2 blankets.



Bikes and small carts were locked in a separate room. Providing a secure place for personal belongings builds trust.

Very large carts were stored in the hallway, inside a courtyard that was monitored by the security guard.



As a Warming Center and not a Shelter, we were not authorized to provide beds or cots.

Individuals simply took their mat and blankets and found a spot on the floor.


What they appreciated more than anything else was that they had a safe, warm space to stay.



February 11  
was the night  
with the  
greatest  
number of  
guests. There  
were 125  
individuals.

- ▶ 29 individuals .....Between 50-60 years
  - ▶ 12 individuals .....Over 60
  - ▶ 6 individuals .....between 18 - 25
  - ▶ 0 individuals.....17 and under
- 
- ▶ 31 females  $31/125 = 25\%$
  - ▶ 94 males  $94/125 = 75\%$





## Support from local services providers.



- ▶ Because of our partnership with the County through Health and Human Services, local HHSA agencies visited the Warming Center.
- ▶ Public Health Nurses visited on Thursday mornings
- ▶ Once a week, a mental health crisis worker came by to check-in and possibly make referrals
- ▶ Adult Protective Services were scheduled to visit every 3 weeks
- ▶ A representative from AOD (Alcohol and Other Drugs) started checking in to offer services
- ▶ Environmental Health helped develop a plan for cleaning and sanitizing the Hall before the Center opened
- ▶ Because of the state grant, individuals were being entered into the HMIS system

## Partnership with HHSA resulted in ....



36 periods of contact from county HHSA.



Averaging one to two hours of conduct during each period of contact.

## Susan Currier

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**From:** Mary Frances Bianco <mf0824@gmail.com>  
**Sent:** Wednesday, December 11, 2019 5:09 AM  
**To:** Susan Currier  
**Subject:** Warming shelter

Once again we are at this subject of the warming shelter. Problem 1. Last year was suppose to be the last year. We attended all the meetings and with no avail anyone listened last year. We had a lady come into our flower shop. Buying a rose and looking for her boy friend sobbing she said he likes going to the warming center because he can get his meth there , he is an addict and because they let people under the influence there they are dealing meth , she left the store and went across the street looking for him . Because of this being a low barer shelter this has become a place for addicts to buy and use their drugs . We now own two properties on center street and we thought this mess was over with. No one looks for another place because Suzy will always take the money and run with it this is no longer acceptable . Try putting this drug and homeless shelter next door or across the street from your own business and see how you like it !!! There are a lot of empty buildings around town that you could use other than just giving it to the church every year. This is not right for OUR neighborhood

Mary Frances Bianco

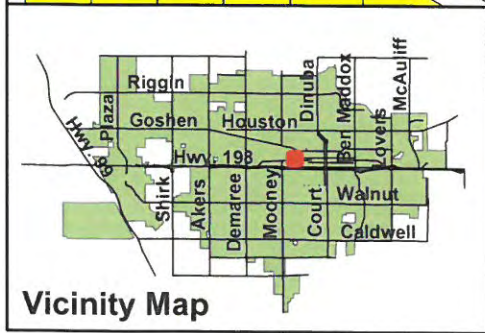
Manager / Senior Designer  
Peter Perkins Flowers Inc.

1420 W. Center Ave.  
Visalia, CA 93291  
559-734-6788  
559-734-9502 Fax  
[www.peterperkinsflowers.com](http://www.peterperkinsflowers.com)

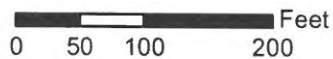
Exhibit "G"

# Temporary Conditional Use Permit No. 2019-63

The site is zoned Q-P (Quasi Public) and is located at 120 N. Hall Street (APN: 093-272-001, 002, 003, 004).



## Zoning Map



- O-PA - Prof. / Admin. Office
- O-C - Office Conversion
- Q-P - Quasi-Public
- R-1-12.5 - Single-family Res.
- R-1-5 - Single-family Res.
- R-M-2 - Multi-family Res.

# Temporary Conditional Use Permit No. 2019-63

The site is zoned Q-P (Quasi Public) and is located at 120 N. Hall Street (APN: 093-272-001, 002, 003, 004).



**Aerial Photo**  
Photo Taken March 2018

0 50 100 200 Feet

- WATERWAYS
- RAILROADS
- CITY LIMITS
- PARCELS