

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Liz Wynn



VICE CHAIRPERSON:

Chris Gomez

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

**MONDAY, APRIL 13, 2020 AT 6:00 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 Consent Calendar
5. PUBLIC HEARING – Brandon Smith  
Conditional Use Permit No. 2020-04: A request by American Incorporated to add two caretakers' residences to an existing industrial development within the I (Industrial) Zone. The site is located at 9945 W. Goshen Avenue (APN: 081-100-040). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-13.
6. PUBLIC HEARING – Cristobal Carrillo
  - Conditional Use Permit No. 2019-31: A request by Lars Anderson & Associates to establish a master planned commercial development consisting of approximately 138,188 sq. ft. of commercial uses, including the establishment of three retail buildings of varying sizes (56,800 sq. ft., 29,800 sq. ft., and 10,000 sq. ft.), a 10,000 sq. ft. credit union building, a 4,088 sq. ft. gas station/convenience store with a 3,060 sq. ft. canopy, a 7,500 sq. ft. sit-down restaurant, two 3,000 sq. ft. drive-thru restaurants, and a 5,000 sq. ft. automotive repair store, on parcels with less than the minimum five acre site area requirement, including a parcel with no public street frontage, affecting 17.43 acres of a 28.7 acre site in the C-R (Regional Commercial) Zone. The project site is located on the southwest corner of S. Mooney Blvd. and W. Visalia Parkway (APN: 126-960-001). A Mitigated Negative Declaration (MND No. 2019-62) has been prepared for the project.
  - Tentative Parcel Map No. 2019-13 A request by Lars Anderson & Associates, Inc. to subdivide a 28.7 acre site into an 11- lot commercial subdivision in the C-R (Regional Commercial) Zone. The site is located on the southwest corner of S. Mooney Blvd. and W. Visalia Parkway (APN: 126-960-001). A Mitigated Negative Declaration (MND No.



2019-62) has been prepared for the project.

7. PUBLIC HEARING – Cristobal Carrillo

- Zoning Text Amendment No. 2019-13: A request by CarMax to amend Zoning Ordinance Section 17.25.030 (Zoning Use Matrix Line A22) to establish “Car Sales – New & Used” as a conditional use in the C-R (Regional Commercial) District, Citywide. A Mitigated Negative Declaration (MND No. 2019-62) has been prepared for the project.
- Conditional Use Permit No. 2019-42: A request by CarMax to allow a used car sales and service center on a 5-acre parcel in the C-R (Regional Commercial) Zone District. The project site is located on the southwest corner of S. Mooney Blvd. and W. Visalia Parkway. (APN: 126-960-001) A Mitigated Negative Declaration (MND No. 2019-62) has been prepared for the project.

8. PUBLIC HEARING – Josh Dan

Tentative Parcel Map No. 2020-01: A request to subdivide a 1.93 acre parcel into four lots and a remainder, located in the R-1-5 (Single-Family Residential, Minimum 5,000 square foot lot size) Zone District. The project site is located on the east side of N. Edison St. at E. Marlago Ct. (APN: 091-060-006) Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2020-08.

9. PUBLIC HEARING – Paul Bernal

Appeal of the City Planner Determination for an Aldi Grocery Store pursuant to Site Plan Review No. 2019-167: Aldi is appealing the City Planner's determination that the proposed use does not meet the classification as a Specialty Food Store per Line R58 of the Zone Use Matrix (Municipal Code Section 17.25.030). The proposed Aldi grocery store is seeking to locate within a future Master Planned Development within the C-R (Regional Commercial) zone/land use district. The future Master Planned Development is located on the southeast corner of South Mooney Boulevard and West Visalia Parkway. (APN: 126-080-025)

10. REGULAR ITEM – Paul Bernal

Planning Division Fee Amendments: Consideration of revisions to the Planning Division fees as contained in City of Visalia Fee Resolution 2020-13

11. CITY PLANNER/ PLANNING COMMISSION DISCUSSION-

- Next Planning Commission Meeting April 27, 2020

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, APRIL 23, 2020 BEFORE 5 PM**

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

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 27, 2020**





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** March 23, 2020

**PREPARED BY:** Paul Bernal, City Planner  
Phone: 713-4025  
E-mail: [paul.bernal@visalia.city](mailto:paul.bernal@visalia.city)

**SUBJECT: Planning Division Fee Amendments:** Consideration of revisions to the Planning Division fees as contained in City of Visalia Fee Resolution No. 2020-13.

## STAFF RECOMMENDATION

Staff recommends that the Planning Commission consider the proposed revisions to the Planning Division's fees, and recommend that the City Council amend the Planning Division's fees as contained in Fee Resolution No. 2020-13.

## RECOMMENDED MOTION

I move to recommend that the City Council amend the Planning Division's fees as contained in the attached Fee Resolution No. 2020-13.

## BACKGROUND, DISCUSSION AND ANALYSIS

**Background and Discussion:** From time to time, the City considers adjusting its processing fees charged for various services. The City last amended the Planning Division fees in 2019. The 2020/2021 fee amendment for Planning Division mostly reflects increases in the Consumer Price Index (CPI) for 2020. The 2020 CPI increase was calculated at 2.98%. The Planning Division fee increases were rounded down to the nearest dollar. The Planning Division has reviewed the Fee Schedule based on its average processing costs, and determined that the existing fee schedule accurately reflects the range of billable services performed by the Division. Although the fees are being increased for the 2020/2021 year, the Home Occupation Permit and Home Occupation Permit Change of Location fees were reduced from \$71.00 to \$32.00 for new Home Occupation Permits, and \$18.00 to \$16.00 for change of location. The fee decrease for the Home Occupation Permit is based on the amount of time spent on processing this type of permit.

**Next Step:** The Planning Commission's actions in this regard are advisory only. The final action to revise the Fee Schedule will be considered by the City Council in June, 2020. The Planning Commission's review and comments will provide the City Council with the benefit of its practical experience in reviewing the project materials, conducting hearings, and by taking testimony from applicants and Community members in the course of its discretionary review process.

### Attachment:

- Resolution No. 2020-13 – 2020/2021 Planning Draft Fee showing CPI increases

RESOLUTION NO. 2020-13

A RESOLUTION OF THE VISALIA PLANNING COMMISSION  
RECOMMENDING THAT THE CITY COUNCIL AMEND THE FEE RESOLUTION  
PERTAINING TO PLANNING DIVISION PERMIT PROCESSING FEES

**WHEREAS**, The City of Visalia is allowed to recover the full costs incurred for processing permit applications; and

**WHEREAS**, on March 23, 2020, the Planning Commission of the City of Visalia considered amendments to the existing fee resolution; and

**WHEREAS**, the intent of the Planning Division fee amendment proposed herein is to achieve cost recovery for permit processing services provided.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Visalia recommends that the City Council amend the fee resolution pertaining to Planning Division permit processing fees as contained in Attachment "A".

## Attachment "A"

### FY 20-21 Community Development Planning Fee Schedule

#### Community Development Planning

|  | <u>FY 19-20</u> | <u>FY 20-21</u>             |  |
|--|-----------------|-----------------------------|--|
| <b>Administrative Adjustment</b>               |                 |                             |  |
| \$   | 152.00          | \$ 156.00                   | Administrative Adjustment  |
| <b>Adult-Oriented Business</b>                 |                 |                             |  |
| \$   | 223.00          | \$ 229.00                   | Performer Permit Application Fee   |
| \$   | 1,477.00        | \$ 1,521.00                 | Regulatory Permit Application Fee  |
| \$   | 223.00          | \$ 229.00                   | Performer Permit - Renewal Fee   |
| \$   | 223.00          | \$ 229.00                   | Regulatory Permit - Renewal Fee  |
| <b>Agricultural Preserve</b>                   |                 |                             |  |
| \$   | 2,110.00        | \$ 2,172.00                 | Disestablishment   |
| \$   | 702.00          | \$ 722.00                   | New Contract   |
| \$   | 141.00          | \$ 145.00                   | Notice of Full Nonrenewal  |
| \$   | 562.00          | \$ 578.00                   | Notice of Partial Nonrenewal   |
| \$   | 3,516.00        | \$ 3,620.00                 | Cancellation   |
|  |                 | <b>Time &amp; Materials</b> | <b>Easement Exchange</b>   |
| <b>Annexation</b>                              |                 |                             |  |
| \$   | 2,375.00        | \$ 2,445.00                 | Amendment to Pre-Annexation Agreement  |
| \$   | 4,750.00        | \$ 4,891.00                 | up to 15 acres   |
| \$   | 8,577.00        | \$ 8,832.00                 | Over 15 acres and up to 50 acres   |
| \$   | 12,376.00       | \$ 12,744.00                | Over 50 acres up to 100 acres  |
| \$   | 15,476.00       | \$ 15,937.00                | Over 100 acres plus ...  |
|  |                 |                             | <i>Applicants also pay fees adopted by LAFCO and State Board of Equalization Fees</i>    |
| <b>Appeal</b>                                  |                 |                             |  |
| \$   | 528.00          | \$ 543.00                   | Appeal of Planning Commission action to City Council or Appeal of Site Plan Review (SPR) |
| <b>Building Permit Plan Application Review</b> |                 |                             |  |
| \$   | 15.00           | \$ 16.00                    | Per permit for Residential, Multifamily, Commercial                                      |
|  | 45.00           | \$ 46.00                    | Expedited Plan Check<br>(availability dependent upon staffing resources)                 |
| <b>Certificate of Compliance</b>               |                 |                             |  |
| \$   | 535.00          | \$ 550.00                   | Certificate of Compliance  |
| <b>Conditional Use Permit</b>                  |                 |                             |  |
| \$   | 1,384.00        | \$ 1,425.00                 | Minor / Amendment to Approved CUP  |
| \$   | 4,292.00        | \$ 4,419.00                 | Regular / PUD / PRD  |
| \$   | 6,436.00        | \$ 6,627.00                 | Master CUP   |
| \$   | 152.00          | \$ 156.00                   | Temporary – Counter  |
| \$   | 248.00          | \$ 255.00                   | Temporary – Requiring Site Plan Review   |
| \$   | 458.00          | \$ 471.00                   | Temporary – To Planning Commission   |



FY 20-21 Community Development Planning Fee Schedule

|   |                 | <b>Planning (cont.)</b> |  |  |
|---|-----------------|-------------------------|--|--|
|   | <u>FY 19-20</u> | <u>FY 20-21</u>         |  |  |
| <b>Development Agreement</b>  |                 |                         |  |  |
| \$  | 4,494.00        | \$ 4,627.00             |  | Development Agreement  |
| \$  | 1,440.00        | \$ 1,482.00             |  | Amendment to Development Agreement                                 |
| <b>Downtown News Rack Permit</b>  |                 |                         |  |  |
| \$  | 34.00           | \$ 35.00                |  | Newspaper Racks in the Downtown Retail Overlay District            |
| <b><u>ENVIRONMENTAL APPLICATIONS</u></b>                                      |                 |                         |  |  |
| <b>Categorical Exemption</b>  |                 |                         |  |  |
| \$  | 75.00           | \$ 77.00                |  | Categorical Exemption  |
| <b>Environmental Impact Report (EIR)</b>                                      |                 |                         |  |  |
| 7 1/2% of   |                 | 7 1/2% of               |  | Processing fee   |
| Actual Cost + 10%   |                 | Actual Cost + 10%       |  | City Managed Consultant Work                                       |
| contract  |                 | contract                |  |  |
| <b>Environmental Notices</b>  |                 |                         |  |  |
| \$  | 143.00          | \$ 147.00               |  | Environmental Notices per year; renewal needed each year           |
| <b>Finding of Consistency</b>   |                 |                         |  |  |
| \$  | 230.00          | \$ 236.00               |  | Finding of Consistency   |
| <b>Initial Study / Negative Declaration or Mitigated Negative Declaration</b> |                 |                         |  |  |
| \$  | 229.00          | \$ 235.00               |  | Review of Technical Study  |
| \$  | 765.00          | \$ 787.00               |  | Simple   |
| \$  | 2,876.00        | \$ 2,961.00             |  | Complex  |
| <b>NEPA Environmental Review</b>  |                 |                         |  |  |
| \$  | 765.00          | \$ 787.00               |  | Simple   |
| \$  | 3,831.00        | \$ 3,945.00             |  | Complex  |
| <b>General Plan Amendment</b>   |                 |                         |  |  |
| \$  | 2,452.00        | \$ 2,525.00             |  | Simple   |
| \$  | 10,882.00       | \$ 11,206.00            |  | Complex  |
| <b>General Plan Maintenance Fee</b>   |                 |                         |  |  |
| \$  | 408.00          | \$ 420.00               |  | Per acre for new annexation<br>Paid when LAFCO approves annexation |

FY 20-21 Community Development Planning Fee Schedule

Planning (cont.)

|  | <u>FY 19-20</u> | <u>FY 20-21</u> |   |
|--|-----------------|-----------------|---|
| <b>Home Occupation Permit</b>                    |                 |                 |   |
| \$ 71.00   | \$              | 32.00           | Home Occupation Permit-new                      |
| \$ 18.00   | \$              | 16.00           | Home Occupation Permit-change of location       |
| <b>Lot Line Adjustment</b>                       |                 |                 |   |
| \$ 623.00  | \$              | 641.00          | Lot Line Adjustment                             |
| \$ 152.00  | \$              | 156.00          | Legal Description Resubmittal (each)            |
| <b>Maps</b>                                      |                 |                 |   |
| \$ 7,739.00                                      | \$              | 7,969.00        | Tentative Subdivision Map                       |
| \$ 7,739.00                                      | \$              | 7,969.00        | Tentative Parcel Map - commercial - over 4 lots |
| \$ 3,143.00                                      | \$              | 3,236.00        | Tentative Parcel Map - 4 lots or less           |
| <b>Noise Variance</b>                            |                 |                 |   |
| \$ 152.00  | \$              | 156.00          | Administrative                                  |
| \$ 2,375.00                                      | \$              | 2,445.00        | City Council                                    |
| <b>Sidewalk/<del>Outdoor</del> Dining Permit</b> |                 |                 |   |
| \$ 71.00   | \$              | 73.00           | Sidewalk/ <del>Outdoor</del> Dining Permit      |
| <b>Specific Plan</b>                             |                 |                 |   |
| \$ 12,876.00                                     | \$              | 13,259.00       | Commercial / Residential                        |
| \$ 5,441.00                                      | \$              | 5,603.00        | Commercial / Residential Amendment              |
| <b>Subdivision Sign Program</b>                  |                 |                 |   |
| \$ 50.00   | \$              | 51.00           | Amendment                                       |
| <b>Zoning Text Amendment</b>                     |                 |                 |   |
| \$ 3,984.00                                      | \$              | 4,102.00        | Text Amendment                                  |
| <b>Time Extension</b>                            |                 |                 |   |
| \$ 230.00  | \$              | 236.00          | Time Extension                                  |
| <b>Variance</b>                                  |                 |                 |   |
| \$ 878.00  | \$              | 904.00          | Single Family – No Site Plan                    |
| \$ 1,487.00                                      | \$              | 1,531.00        | Single Family                                   |
| \$ 2,790.00                                      | \$              | 2,873.00        | Other   |

FY 20-21 Community Development Planning Fee Schedule

Planning (cont.)

|   | <u>FY 19-20</u> | <u>FY 20-21</u> |   |
|---|-----------------|-----------------|---|
| <b>Zone Change</b>                      |                 |                 |   |
| \$ 3,984.00                             | \$              | 4,102.00        | Change of Zone                                    |
| \$ 686.00                               | \$              | 706.00          | Conditional Zone Agreement                        |
| \$ 1,990.00                             | \$              | 2,049.00        | Amendment to Conditional Zone Agreement           |
| <b><u>OTHER ADMINISTRATIVE FEES</u></b> |                 |                 |   |
| <b>Copies (per page) - Citywide Fee</b> |                 |                 |   |
| \$ 0.20                                 | \$              | 0.20            | Single-sided                                      |
| \$ 0.25                                 | \$              | 0.25            | Double-sided                                      |
| \$ 0.25                                 | \$              | 0.25            | Legal   |
| \$ 0.30                                 | \$              | 0.30            | Legal double-sided                                |
| \$ 1.00                                 | \$              | 1.00            | Color Letter/Legal Size                           |
| \$ 2.00                                 | \$              | 2.00            | Color 11X17                                       |
| \$ 5.00                                 | \$              | 5.00            | Black and White 24 X 36                           |
| \$ 4.00                                 | \$              | 4.00            | Fax - First Page                                  |
| \$ 2.00                                 | \$              | 2.00            | Fax - Add'l Pages                                 |
| \$ 1.00                                 | \$              | 1.00            | Micro fiche                                       |
| <b>Documents</b>                        |                 |                 |   |
| \$5 to \$100 ea                         | \$5 to \$100 ea |                 | Documents   |
| \$24 to \$39                            | \$24 to \$39    |                 | Document Retrieval                                |
| \$ 36.00                                | \$              | 37.00           | Zoning Verification Letters & <b>Burn Letters</b> |
| \$ 74.00                                | \$              | 76.00           | 300' Radius Map and Labels                        |
| <b>Planning Commission</b>              |                 |                 |   |
| \$ 38.00                                | \$              | 39.00           | Agenda - mailed ( <b>per year</b> )               |
| \$ 38.00                                | \$              | 39.00           | Action Agenda - mailed ( <b>per year</b> )        |
| <b>Special Services Fee/Inspections</b> |                 |                 |   |
| Direct Salary                           | Direct Salary   |                 | Special Services Fee/Inspections                  |