

PLANNING COMMISSION AGENDA

Pending no technical difficulties, the Planning Commission meeting will be streamed via Facebook Live at <https://www.facebook.com/cityofvisalia/>

CHAIRPERSON:

Liz Wynn



VICE CHAIRPERSON:

Chris Gomez

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

MONDAY, JUNE 22, 2020 AT 7:00 P.M., VISALIA CONVENTION CENTER, 303 E. 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. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
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 – Paul Bernal
Variance No. 2020-03: A request by Western Milling to allow a variance from the standard 75-foot height limit in the Industrial zone to facilitate a 150-foot tall dry material storage bin with bucket elevators. The site is located at 1111 N. Miller Park Court (APN: 073-160-034 & 073-190-011). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2020-26.
6. PUBLIC HEARING – Paul Bernal
Conditional Use Permit No. 2020-11: A request by Valley Oak SPCA to allow development of a new 20,000 sq. ft. facility consisting of an animal shelter, adoption center, veterinary clinic, and future 5,000 sq. ft. pet boarding and grooming facility on 1.9 acres in the Industrial zone. The project site is located on the north and west sides of Nevada Court approximately 100 feet north of N. Placer Ave. (APNs: 089-100-048, 049, 050, 051, and 052). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2020-29.

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

Conditional Use Permit No. 2020-15: A request by City of Visalia to construct a new 6,844 square foot Fire Station (Fire Station 56) and related infrastructure on 1.25 acres in the R-1-5 (Single-Family Residential, Minimum 5,000 square foot lot size) zone district. The site is located on the south side of East Tulare Avenue between South Lovers Lane and S Vista Street (APN: 000-012-814) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2020-27.

9. CITY PLANNER/ PLANNING COMMISSION DISCUSSION-

- Next Planning Commission Meeting Monday, July 13, 2020 will be held at the Convention Center.

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, JULY 02, 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY JULY 13, 2020



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: June 22, 2020

PROJECT PLANNER: Paul Bernal, City Planner
Phone No.: (559) 713-4025
E-mail: paul.bernal@visalia.city

SUBJECT: Variance No. 2020-03: A request by Western Milling to allow a variance from the standard 75-foot height limit in the Industrial zone to facilitate a 150-foot tall dry material storage bin with distributors and bucket elevator. The site is located at 1111 N. Miller Park Court (APN: 073-160-034 & 073-190-011).

STAFF RECOMMENDATION

Staff recommends approval of Variance No. 2020-03 based upon the findings and conditions in Resolution No. 2020-30. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Variance No. 2020-03 based on the findings and conditions in Resolution Nos. 2020-30.

PROJECT DESCRIPTION

Western Milling has filed Variance No. 2020-03, seeking approval to construct a second dry material storage bin with distributors and bucket elevator, as depicted on Exhibit "A". Distributors and bucket elevators on top of the new bins, which are proposed at a finished height of 75 feet, will bring the structures' total height to 150 feet (see Exhibit "B"). There is an existing material storage bin with distributors and bucket elevator at height of 140-feet located just to the east of the new metal bin location. In addition, a new 3,600 square foot receiving building will be constructed adjacent to the new metal bin apparatus. The new 3,600 square foot receiving building will replace the existing 2,500 square foot receiving building as noted on Exhibits "A" and "B". The building height for this new building is approximately 20 feet to the top of the roof, which is well below the maximum building height in the Industrial zone. Zoning Ordinance standards for the Industrial zone limit the total height of buildings and structures to 75 feet; thus the Variance is necessary to allow the second dry material storage bins, with distributors and bucket elevator as proposed.

Western Milling operates a pet food plant at this location. The plant receives raw food materials and processes the materials into pet food. The finished product is then packaged and delivered. The materials brought into the plant are dry foods, though some quantities of meat products are processed as well.

The site has vehicular access from Miller Park Court which intersects with Goshen Avenue. In addition, truck access to the warehouse is provided along Camp Drive on the site's western frontage. The Miller Park Court access is used by employees and other business visitors.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Industrial
Zoning:	I (Industrial)
Surrounding Land Use and Zoning:	North: I / QP – Goshen Ocean basin, Spence Fence fencing company South: Nicholas Avenue East: I – Proteus West: County / Camp Drive, Railroad tracks, vacant land
Environmental Review:	Categorical Exemption No. 2020-26 / Class 15332
Special Districts:	None
Site Plan Review No:	2020-072

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED ACTIONS

Conditional Use Permit No. 2011-03 and Variance No. 2011-01, approved by the Planning Commission on February 28, 2011, was a request by Western Milling to allow reuse of an existing 14.45-acre industrial facility as a pet food manufacturing plant in the Industrial zones. The variance request was to facilitate 90-foot tall dry material storage bins and 140-foot tall elevators, which exceed the standard 75-foot height building limit in in the industrial zone. The site is located at 1111 N. Miller Park Court.

PROJECT EVALUATION

Staff recommends approval of the requested variance based on this new equipment being consistent in nature and character with activities occurring on-site, and for similar uses located within the in Industrial zone. Staff also supports the applicant's findings to approve the variance as consistent with Zoning Ordinance Section 17.42.090.

Height Limit

The site is located in the Industrial zone, which limits building height to a maximum of 75 feet. The development standards are established to maintain a consistent streetscape and achieve a high quality visual effect necessary to sustain an attractive and viable industrial area.

Staff recommends approval of the requested variance to height on the basis that the underlying use is consistent with the Zoning Ordinance. The new metal bin apparatus is consistent with the overall sites development. This is based on the existing 140 foot material storage bin with distributors and bucket elevator which is directly to the east of the new metal bin, distributors and bucket elevator. Denying the Variance request would place an undue hardship on the applicant. Processing plants are only allowed in the Industrial zone.

The manufacturing process for this use requires drying towers that exceed maximum allowed building height in this zone. The proposal will not conflict with the intent of the standards contained in Industrial zone because the structure heights are essential for the efficient operation of the industrial facility. Also, no smoke emissions will occur from the towers and the design and location of the towers will not encroach on the view, setbacks, or streetscapes in this area.

Airport Land Use Compatibility

The project site is located in the Approach–Departure Zone (Zone B1) of the Visalia Airport Master Plan’s compatibility plan. Also, the site is located in the Horizontal Zone per the Tulare County Comprehensive Airport Land Use Plan’s evaluation of the Visalia Airport. There are no specific height limits for these zones; however as a condition of development airspace review is required for all objects developing in the zone. The proposed use does not conflict with any land use or development criteria for the two zones. The County’s Airport Land Use Commission must review the project prior to development.

Required Variance Findings

The Planning Commission must make five findings (identified in Zoning Ordinance Section 17.42.090) before a variance can be granted. The findings are listed in the Recommended Findings section below.

The applicant has prepared findings in Exhibit “C” which address the height limitation which impedes the ability to add the dry material storage bins necessary for the operation. Staff supports the applicant’s findings for a variance to height at this site as described under the recommended findings section herein. The proposed variance will not pose a risk to public health, safety, or welfare, and would not constitute a grant of special privilege based upon the applicant’s findings.

Environmental Review

The Conditional Use Permit for the facility is considered Categorical Exempt under Section 15332 (Class 32) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) as an in-fill development project. (Categorical Exemption No. 2020-26)

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

RECOMMENDED FINDINGS

The findings required for granting a Variance can be made with respect to this project as follows:

1. *That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.*

Applicant's Response: This variance request is to allow an installation of a new dry material bin structure at an existing pet food manufacturing plant. While the bin structure itself meets the 75 foot height limitation, the bucket elevator and distributors that gravity feed the dry materials into the bins extend another 75 foot above the bins, for an overall maximum height of 150 feet (see plan elevation drawings). This project is being proposed to allow an expansion and streamlining of the current operation, as the existing bin structure w/elevator of similar height (previously approved) is no longer able to meet the needs of the facility. This type of dry materials handling and storage is an accepted industry standard and is being used by countless facilities through the valley at similar facilities.

Staff Analysis: The purpose of the towers is to process dry material and finished product, associated with a use that is allowed only within the Industrial. The extra height is necessary to gravity feed the materials through other machinery. Denying the Variance would preclude the applicant from operating a competitive business within the City of Visalia in a zoning designation where such uses are allowed. With respect to building height, staff finds that enforcement of the Zoning Ordinance does result in a practical difficulty for the applicant to construct the improvements required to house the necessary drying equipment.

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply to other properties classified in the same zone.*

Applicant's Response: Not all facilities in this zone require a structure of this height to operate. This business requires this variance to operate in a manner that keeps them competitive in the marketplace.

Analysis: The intended use of the property, a pet food processing plant, requires the proposed metal bins with distributor and elevator apparatus needed for their process. While most uses in the same zone do not have applicable circumstances for structures beyond 75 feet in height, the intended use requires this height in order for the use to function competitively and efficiently. This is considered an exceptional circumstance applicable to this type of use.

3. *That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone.*

Applicant's Response: Other business owners in this zone are allowed to operate as needed to meet their customer needs and to stay competitive within their industry. We are asking for the same.

Analysis: Allowing a Variance to the height of the storage bins would allow the applicant to enjoy the privilege of their use, where other permitted industrial uses are already being shared by others in the area. Thus, enforcing the regulation without an opportunity to consider a height variance based on exceptional circumstances on the equipment used would deprive the applicant of privileges enjoyed by owners of other properties classified in the same zone.

4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone.*

Applicant's Response: Other properties within this zone have been granted height variances as needed for silos, evaporator and dryer structures to mention a few, for similar reasons.

Analysis: With respect to the height of the structure, other properties in the area contain tower structures which exceed the height standard of 75 feet. This site was also granted a variance for the same type of apparatus at a height of 140 feet. Also, at least one other property in the Industrial Park has been granted a height variance to towers which could not be accommodated within the current height limit. Therefore, allowing a variance to height for the structures would not present a grant of special privilege.

5. *That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

Applicant's Response: This is an expansion of the dry materials storage bins and conveying system currently in use at the facility. No impact on public health, safety or welfare, or to properties or improvements in the area.

Analysis: The variance to height will not be detrimental to public health or safety, or materially injurious to other properties in the vicinity. The towers will not be used to emit smoke or other particles into the air, nor will the towers encroach vertically into adjacent streetscapes or beyond the sites property lines.

6. That the project is Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), (Categorical Exemption No. 2020-26).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2020-072.
2. That the site be developed and maintained in substantial compliance with the Site Plan attached herein as Exhibit "A".
3. That the site be maintained in substantial compliance with the elevation plans attached herein as Exhibit "B".
4. That the structures associated with the storage bins does not exceed approximately 150 feet in height.
5. That all other federal and state laws and city codes and ordinances be complied with.

APPEAL INFORMATION

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

Attachments:

- Related Plans & Policies
- Resolution No. 2020-30
- Exhibit "A" – Site Plan
- Exhibit "B" – Elevations
- Exhibit "C" – Applicant's Variance Findings
- Site Plan Review Comments No. 2020-072
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND POLICIES

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

Chapter 17.22 INDUSTRIAL ZONES

17.22.010 Purposes.

- A. The two types of industrial zones included in this chapter are designed to achieve the following:
1. Encourage the location of new industries that do not generate substantial amounts of pollutant emissions, impacts on air quality, or other natural resources;
 2. Ensure compatibility between industrial lands and adjacent dissimilar land uses;
 3. Retain and strengthen the city's role as a regional manufacturing center in the Southern Central San Joaquin Valley;
 4. Provide appropriate industrial areas to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise or equipment;
 5. Provide adequate space to meet the needs of industrial development, including off-street parking and loading;
 6. Direct industrial uses to and encourage expansion of the northwest industrial areas;
 7. Protect areas appropriate for industrial use from intrusion by dwellings and other conflicting uses;
 8. Protect residential and commercial properties and nuisance-free nonhazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation and other hazards and objectionable influence incidental to certain industrial uses;
 9. Preserve land designated for light and heavy industrial uses by limiting the intrusion of commercial or service commercial uses.
- B. The purpose of the industrial land use zones are as follows:
1. Light Industrial Zone—(I-L). The purpose and intent of the Light Industrial zone district is to provide an area for uses that are characterized by low intensity research and development, warehousing and limited manufacturing and production, processing, assembling and packaging or treatment of food products from previously prepared materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district.
 2. Industrial Zone—(I). The purpose and intent of the Industrial zone district is to provide an area for uses that are characterized by the manufacturing, processing or assembling of semi-finished or finished products from raw materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district. (Ord. 2017-01 (part), 2017: prior code § 7392)

17.22.015 Applicability.

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

17.22.020 Permitted uses.

Permitted uses in I and I-L zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017: prior code § 7393)

17.22.030 Conditional and temporary uses.

Conditional and temporary uses in the I and I-L zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017: prior code § 7393)

17.22.040 Required conditions.

- A. No use shall be permitted and no process, equipment or materials shall be employed which is determined by the planning commission to be injurious to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, fumes, dust, smoke, cinder, refuse, noise, vibration, illumination, glare or heavy truck traffic or to involve any hazard of fire or explosion or to emit electrical disturbances that adversely affect commercial or electronic equipment outside the boundaries of the site;
- B. No use shall emit visible smoke of a shade equal to or darker than No. 2 on a standard Ringelmann Chart issued by the United States Bureau of Mines or smoke of an equivalent opacity, except that smoke of a shade equal to No. 3 on the Ringelmann Chart may be emitted for four minutes in any thirty (30) minute period;
- C. A site plan review permit must be obtained for all development in an I-L or I zone, subject to the requirements and procedures in [Chapter 17.28](#). (Ord. 2017-01 (part), 2017: prior code § 7395)

17.22.050 Off-street parking and loading facilities.

Off-street parking facilities and off-street loading facilities shall be provided on the site of each use as prescribed in [Chapter 17.34](#). (Ord. 2017-01 (part), 2017: prior code § 7396)

17.22.060 Development standards in the I-L and I zones.

The I-L and I zone districts include streets of varying width, carrying capacity and intended service. The development standards vary by type of street in order to maintain a consistent streetscape and achieve a high quality visual impact necessary to sustain an attractive and viable industrial area. The following development standards shall apply to property located in the I-L and I zones:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: seventy-five (75) feet.
- C. Minimum required yards (building setbacks):
 - 1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308);
 - 2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue);
 - 3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.);
 - 4. Rear: zero (0) feet;
 - 5. Rear yards abutting an R-1 or R-M zone district: twenty (20) feet;
 - 6. Side: zero (0) feet;
 - 7. Side yards abutting an R-1 or R-M zone district: twenty (20) feet;
 - 8. Side abutting railroad right-of-way: twenty-five (25) feet.

D. Minimum required landscaped yard (setback) areas:

1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308);
2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue);
3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.);
4. Rear: zero (0) feet;
5. Rear yards abutting an R-1 or R-M zone district: ten (10) feet;
6. Side: zero (0) feet;
7. Side yards abutting an R-1 or R-M zone district: ten (10) feet;
8. Side abutting railroad right-of-way: twenty-five (25) feet.

E. Additional standards:

1. Properties subdivided into parcels of less than five acres shall provide a common or joint storm drainage facility or pond, to be maintained through a private property owners' association formed at the time of subdivision.
2. An eight-foot masonry wall is required along property line where a site abuts an R-1 or R-M zone district. (Ord 2017-01 (part), 2017)

Chapter 17.42 VARIANCES

17.42.010 Variance purposes.

The city planning commission may grant variances in order to prevent unnecessary hardships that would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title. A practical difficulty or unnecessary hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. The power to grant variances does not extend to use regulations, because the flexibility necessary to avoid results inconsistent with the objectives of the zoning ordinance is provided by the conditional use provisions of this title. (Ord. 2017-01 (part), 2017: prior code § 7555)

17.42.020 [Reserved].

17.42.030 Variance powers of city planning commission.

The city planning commission may grant variances to the regulations prescribed by this title with respect to fences and walls, site area, width, frontage coverage, front yard, rear yard, side yards, height of structures, distance between structures, off-street parking facilities, accessory dwelling unit standards pursuant to Sections [17.12.140](#) through [17.12.200](#), and downtown building design criteria pursuant to Sections [17.58.082](#) through 17.58.088; in accordance with the procedures prescribed in this chapter. (Ord. 2017-01 (part), 2017: prior code § 7557)

17.42.040 [Reserved].

17.42.50 Application procedures.

- A. Application for a variance or exception shall be made to the city planning commission on a form prescribed by the commission and shall include the following data:
1. Name and address of the applicant;
 2. Statement that the applicant is the owner of the property, is the authorized agent of the owners, 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. Statement of the precise nature of the variance or exception requested and the hardship or practical difficulty that would result from the strict interpretation and enforcement of this title;
 5. The application shall be accompanied by such sketches or drawings that may be necessary to clearly show applicant's proposal;
 6. Additional information as required by the historic preservation advisory board;
 7. When reviewing requests for an exception associated with a request for density bonus as provided in [Chapter 17.32](#), Article 2, the applicant shall submit copies of the comprehensive development plan, sketches and plans indicating the nature of the request and written justification that the requested modifications result in identifiable cost reductions required for project to reach target affordability.
- 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.
- C. No variance shall be required for structures or devices that are necessary to facilitate reasonable access to a building or accommodation for persons with physical or non-physical disabilities. (Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017: prior code § 7559)

17.42.60 Hearing and notice.

- A. The city planning commission shall hold a public hearing on an application for a variance.
- B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use that is the subject of the hearing. (Ord. 2017-01 (part), 2017: prior code § 7560)

17.42.070 Investigation and report.

The city planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the city planning commission. (Ord. 2017-01 (part), 2017: prior code § 7561)

17.42.080 Public hearing procedure.

At a public hearing the city planning commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section [17.42.090](#). (Ord. 2017-01 (part), 2017: prior code § 7562)

17.42.90 Variance action of the city planning commission.

- A. The city planning commission may grant a variance to a regulation prescribed by this title with respect to fences and walls, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas or in modified form if, on the basis of the application, the report of the city planning staff or the evidence submitted, the commission makes the following findings:
 - 1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;
 - 2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;
 - 3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;
 - 4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;
 - 5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. The city planning commission may grant a variance to a regulation prescribed by this title with respect to off-street parking facilities, if, on the basis of the application, the report of the city planner or the evidence submitted the commission makes the findings prescribed in subsection (A)(1) of this section and that the granting of the variance will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
- C. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe.
- D. The city planning commission may deny a variance application. (Ord. 2017-01 (part), 2017: prior code § 7563)

17.42.100 [Reserved].

17.42.110 Appeal to city council.

The decision of the city planning commission on a variance or exception application shall be subject to the appeal provisions of Section [17.02.145](#). (Ord. 2017-01 (part), 2017: Ord. 2006-18 § 7, 2007: Ord. 2001-13 § 4 (part), 2001: prior code § 7565)

17.42.120 Lapse of variance.

A variance shall lapse and become void one year following the date on which the variance became effective, unless prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion on the site that was the subject of the variance application, or a certificate of occupancy is issued by the building official for the site or structure that was the subject of the variance application. A variance may be renewed for an additional period of one year; provided, that prior to the expiration of one year from the date when the variance became effective, an application for renewal of the variance is made to the commission. The commission may grant or deny an application for renewal of a variance. (Ord. 2017-01 (part), 2017: Ord. 2006-18 § 7, 2007: prior code § 7567)

17.42.130 Revocation.

A variance granted subject to a condition or conditions shall be revoked by the city planning commission if the condition or conditions are not complied with. (Ord. 2017-01 (part), 2017: Ord. 2006-18 § 7, 2007: prior code § 7568)

17.42.140 New application.

Following the denial of a variance application or the revocation of a variance, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one year of the date of denial of the variance application or revocation of the variance. (Ord. 2017-01 (part), 2017: Ord. 2006-18 § 7, 2007: prior code § 7569)

RESOLUTION NO. 2020-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2020-03: A REQUEST BY WESTERN MILLING TO ALLOW A VARIANCE FROM THE STANDARD 75-FOOT HEIGHT LIMIT IN THE INDUSTRIAL ZONE TO FACILITATE A 150-FOOT TALL DRY MATERIAL STORAGE BIN WITH DISTRIBUTORS AND BUCKET ELEVATOR. THE SITE IS LOCATED AT 1111 N. MILLER PARK COURT (APN: 073-160-034 & 073-190-011).

WHEREAS, Variance No. 2020-03 is a request by Western Milling to allow a variance from the standard 75-foot height limit in the Industrial zone to facilitate a 150-foot tall dry material storage bin with distributors and bucket elevator. The site is located at 1111 N. Miller Park Court (APN: 073-160-034 & 073-190-011); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on June 22, 2020; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2020-03, as conditioned by staff, to be in accordance with Section 17.42.090 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the project is considered Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2020-26).

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 strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.*

The purpose of the towers is to process dry material and finished product, associated with a use that is allowed only within the Industrial. The extra height is necessary to gravity feed the materials through other machinery. Denying the Variance would preclude the applicant from operating a competitive business within the City of Visalia in a zoning designation where such uses are allowed. With respect to building height, staff finds that enforcement of the Zoning Ordinance does result in a practical difficulty for the applicant to construct the improvements required to house the necessary drying equipment.

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply to other properties classified in the same zone.*

The intended use of the property, a pet food processing plant, requires the proposed metal bins with distributor and elevator apparatus needed for their process. While

most uses in the same zone do not have applicable circumstances for structures beyond 75 feet in height, the intended use requires this height in order for the use to function competitively and efficiently. This is considered an exceptional circumstance applicable to this type of use.

3. *That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone.*

Allowing a Variance to the height of the storage bins would allow the applicant to enjoy the privilege of their use, where other permitted industrial uses are already being shared by others in the area. Thus, enforcing the regulation without an opportunity to consider a height variance based on exceptional circumstances on the equipment used would deprive the applicant of privileges enjoyed by owners of other properties classified in the same zone.

4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone.*

With respect to the height of the structure, other properties in the area contain tower structures which exceed the height standard of 75 feet. This site was also granted a variance for the same type of apparatus at a height of 140 feet. Also, at least one other property in the Industrial Park has been granted a height variance to towers which could not be accommodated within the current height limit. Therefore, allowing a variance to height for the structures would not present a grant of special privilege.

5. *That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

The variance to height will not be detrimental to public health or safety, or materially injurious to other properties in the vicinity. The towers will not be used to emit smoke or other particles into the air, nor will the towers encroach vertically into adjacent streetscapes or beyond the sites property lines.

6. That the project is Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), (Categorical Exemption No. 2020-26).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves Variance No. 2020-03 on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 17.42.090 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2020-072.
2. That the site be developed and maintained in substantial compliance with the Site Plan attached herein as Exhibit "A".

3. That the site be maintained in substantial compliance with the elevation plans attached herein as Exhibit "B".
4. That the structures associated with the storage bins does not exceed approximately 150 feet in height.
5. That all other federal and state laws and city codes and ordinances be complied with.

Exhibit "A"

APPLICANT / OWNER: PERFECTION PET FOODS, LLC
 1111 N. MILLER PARK COURT
 VISALIA, CA 93277
PLAN PREPARED BY: LEW DOWD
 DOWD ENGINEERING
 P.O. BOX 179
 1111 N. MILLER PARK COURT
 VISALIA, CA 93277
 559-684-9318

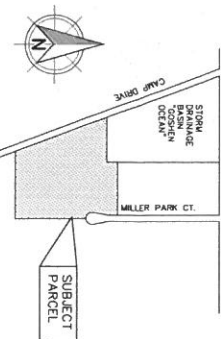
PROJECT: 1111 N. MILLER PARK COURT
ADDRESS: VISALIA, CA. 93271
PARCEL INFORMATION:

A.P.N.	ACRES	ZONING
073-160-032	8.17	HEAVY INDUST.
073-160-033	3.29	HEAVY INDUST.
073-190-010	4.98	LIGHT INDUST.
073-190-02	1.31	LIGHT INDUST.
073-190-03	8.11	LIGHT INDUST.
TOTAL	18.96	

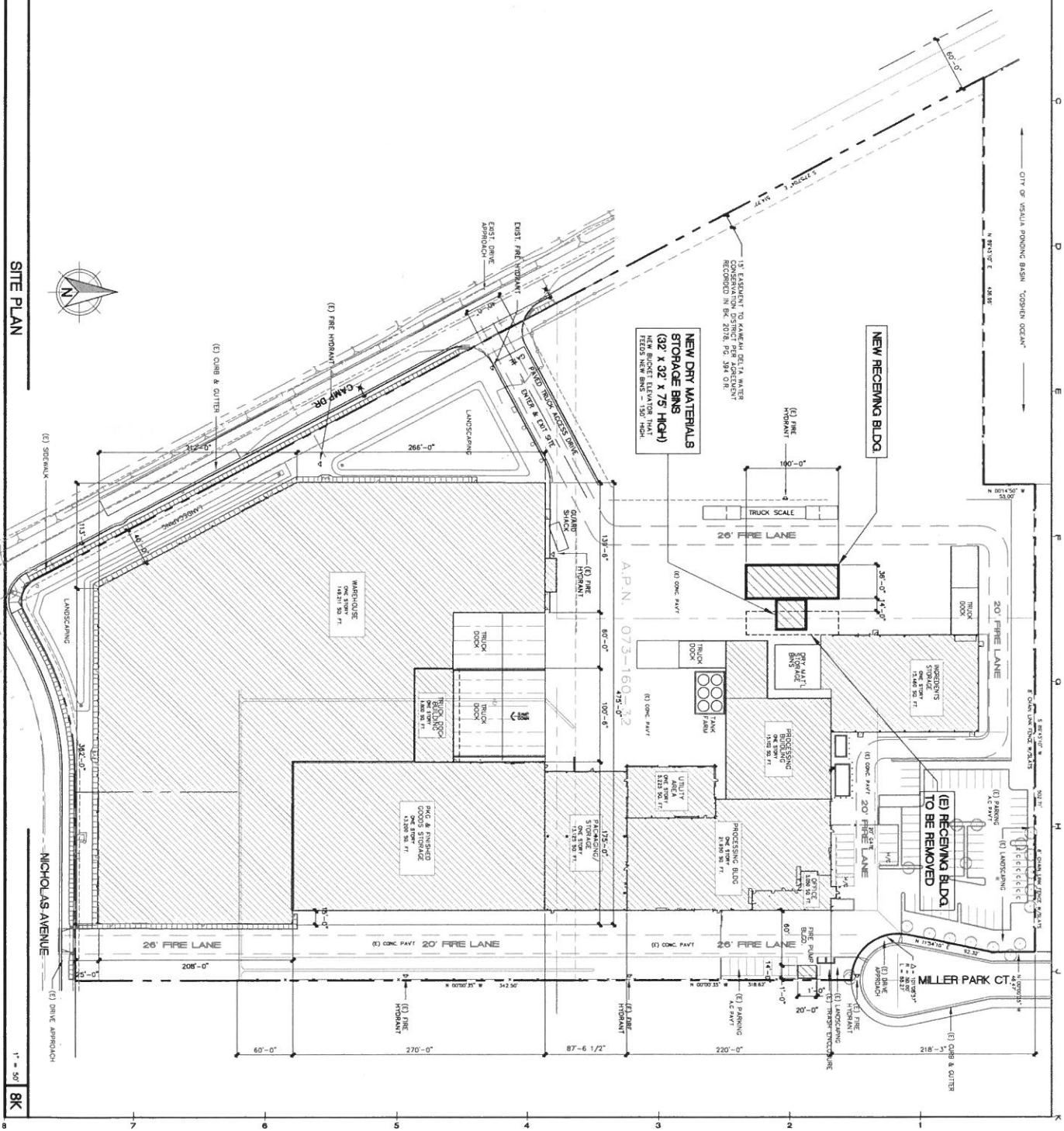
FLOOD ZONE DESIGNATION: AE
(E) PARKING: STANDARD STALLS 69
 HANDICAP 2
TOTAL: 71
UTILITIES: ELECT. & GAS: SOUTHERN CALIF EDISON
 CITY OF VISALIA
 WATER: CAL-WATER
OCCUPANCY GROUP: F-2
TYPE OF CONSTRUCTION: VA & RB
ORIGINAL BUILDING AREA:
 NORTH BUILDING 27,176 SQ. FT. (GRANT)
 SOUTH BUILDING 43,200 SQ. FT. (PLAN)
PREVIOUSLY APPROVED ADDITIONS:
 PROCESSING BLDG. 15,102 SQ. FT.
 RECEIVING BLDG. 2,500 SQ. FT.
 TRUCK DOCK BLDG. 4,800 SQ. FT.
 INGREDIENTS STOR. 15,460 SQ. FT.
 PACKAGING ADDN. 11,123 SQ. FT.
 GUARD SHACK 30 SQ. FT.
 WAREHOUSE 149,211 SQ. FT.
EXISTING TOTAL UNDER ROOF: 275,653 SQ. FT.

NEW WORK PROPOSED WITH THIS PLAN:
 NEW STORAGE BINS (EQUIP.)
 (E) RECEIVING BLDG. <2,500 SQ. FT.>
 TO BE REMOVED
 NEW RECEIVING BLDG. 3,600 SQ. FT.
NEW TOTAL UNDER ROOF: 276,753 SQ. FT.

PROJECT DATA: 6K



VICINITY MAP 8K



SITE PLAN 8K

A100
 SITE PLAN
 SCALE: 1" = 50'
 DRAWN BY: LEW DOWD
 DATE: APRIL 2020
 SHEET NO. 2315

DOWD Engineering
 Structural - Civil - Drafting
 (559) 684-9318
 123 East Kern Ave
 Tulare, California 93274
 fax (559) 684-9319
 lewdowd@dowd.com

A NEW STORAGE BIN STRUCTURE FOR:
PERFECTION PET FOODS, LLC
 VISALIA, CALIFORNIA

NO.	DATE	REVISIONS	COMMENT
1	05-11-2020	VARIANCE	
2			
3			
4			

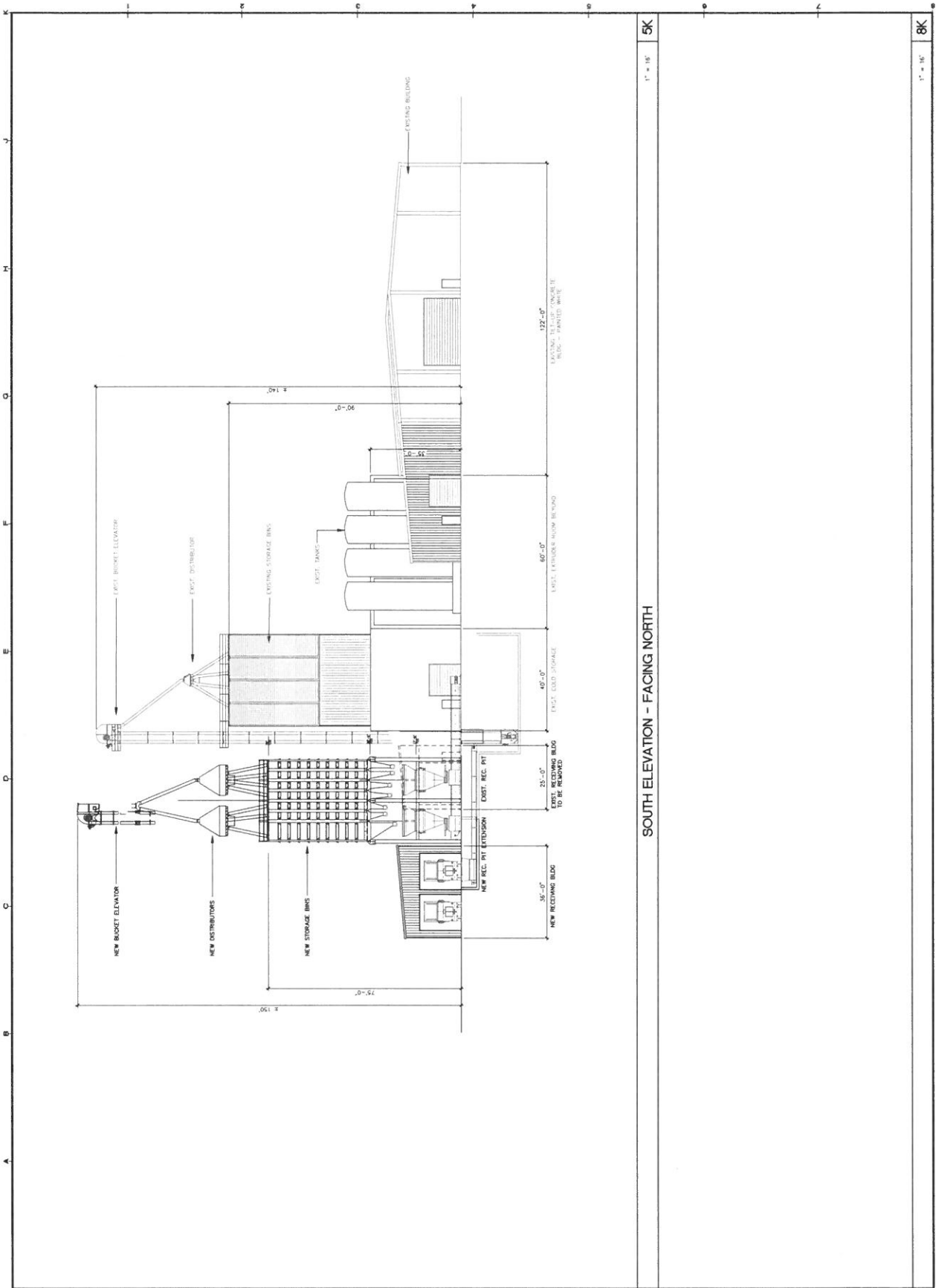
NO.	DATE	REVISIONS
1	05-11-2020	VARIANCE
2		
3		
4		

A NEW STORAGE BIN STRUCTURE FOR PERFECTION PET FOODS, LLC
 VISALIA, CALIFORNIA

DOWD Engineering
 Structural - Civil - Drafting
 123 East K Street
 Visalia, California 93274
 Tel: (559) 864-9319
 Fax: (559) 864-9318
 info@dowdeng.com

DATE:	
DRAWN BY:	LEW DOWD
CHECKED BY:	
DATE:	05-04-20

A300
 ELEVATIONS
 DATE PLOTTED: 06/10/20
 2015



SOUTH ELEVATION - FACING NORTH

5K

1" = 16'

8K

1" = 16'



P.O. Box 178 Tulare, CA. 93275
(559)684-9318

May 11, 2020

City of Visalia
Planning Department

Re: Variance Supplemental Application for:

Perfection Pet Foods, LLC.
1111 N. Miller Park Court
Visalia, CA 93291

Finding Justifications:

1. *That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance:*

This variance request is to allow an installation of a new dry materials bin structure at an existing pet food manufacturing plant. While the bin structure itself meets the 75 foot height limitation, the bucket elevator and distributors that gravity feed the dry materials into the bins extend another 75 foot above the bins, for an overall maximum height of 150 feet. (see plan and elevation drawings) This project is being proposed to allow an expansion and streamlining of the current operation, as the existing bin structure w/elevator of similar height (previously approved) is no longer able to meet the needs of the facility. This type of dry materials handling and storage is an accepted industry standard and is being used by countless facilities throughout the valley at similar facilities.

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties classified in the same zone.*

Not all facilities in this zone require a structure of this height to operate. This business requires this variance to operate in a manner that keeps them competitive in the marketplace.

3. *That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone.*

Other business owners in this zone are allowed to operate as needed to meet their customer needs and stay competitive within their industry. We are asking for the same.

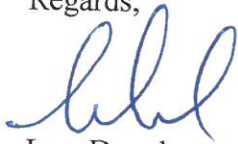
4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified within the same zone.*

Other properties within this zone have been granted height variances as needed for silos, evaporator and dryer structures to mention a few, for similar reasons.

5. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

This is an expansion of the dry materials storage bins and conveying system currently in use at the facility. No impact on public health, safety or welfare, or to properties or improvements in the area.

Regards,



Lew Dowd
Structural Engineer



June 10, 2020

lewdowd@adl.com

Site Plan Review No. 20-072:

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **May 6, 2020**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal", is written over a large, stylized blue bracket that spans across the signature and extends to the left.

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

Attachment(s):

- Site Plan Review Comments



#2

MEETING DATE: **May 6 2020**

SITE PLAN NO. **20-072**

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

Variance

HISTORIC PRESERVATION

OTHER: _____

ADDITIONAL COMMENTS :

If you have any questions or comments, please call (559) 713-4444.

Site Plan Review Committee

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

<input checked="" type="checkbox"/>	Adrian Rubalcaba	713-4271
<input type="checkbox"/>		713-

ITEM NO: <u>2</u>	DATE: <u>MAY 6, 2020</u>
SITE PLAN NO.:	20-072
PROJECT TITLE:	PERFECTION PET FOODS, LLC
DESCRIPTION:	NEW DRY INGREDIENTS STORAGE BINS & 3500 SF RECEIVING BUILDING
APPLICANT:	LEW DOWD
PROP OWNER:	PERFECTION PET FOODS LLC
LOCATION:	1111 N MILLAR PARK CT
APN:	073-160-034

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 **PROVIDE ACCESSIBILITY ONSITE**
- 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. FOR ANY NECESSARY WORK IN THE PUBLIC RIGHT-OF-WAY**
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 = 0.20%, 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. Proposed new receiving building will incur development impact fees. Some fee credits are available for the demo of existing building, refer to page 3 for applicable fees and estimate.***
- 2. A building permit is required, standard plan check and inspections fees will apply.***
- 3. Utilize existing onsite sewer and storm drainage network.***
- 4. Additional entitlements required per Planning Dept.***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **20-072**
Date: **5/6/2020**

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:**8/3/2019**)
(Project type for fee rates:**INDUSTRIAL**)

Existing uses may qualify for credits on Development Impact Fees. **2500 SF INDUSTRIAL**

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$917/1KSF X 1.1 = \$1,009
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$26/1KSF X 1.1 = \$27
	TREATMENT PLANT FEE:
	\$56/1KSF X 1.1 = \$62
<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	\$307/1KSF X 1.1 = \$338
<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.



Adrian Rubalcaba

SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division, (559) 713-4003

Date: May 6, 2020

SITE PLAN NO: 2020-072
PROJECT: Perfection Pet Foods, LLC
DESCRIPTION: NEW DRY INGREDIENTS STORAGE BINS& 3600 SF RECEIVING BUILDING
APPLICANT: LEW DOWD
PROP. OWNER: PERFECTION PET FOODS, LLC.
LOCATION: 1111 N MINERAL PARK CT
APN: 073-160-034
GENERAL PLAN: Industrial
ZONING: Industrial

Rule 9510 – This project is not subject to the Rule 9510 requirements of the San Joaquin Valley Air Pollution Control District – see District web-site for information.

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Variance
- Building Permit
- Additional information as necessary

PROJECT SPECIFIC INFORMATION: May 6, 2020

1. The previously approved variance (VAR No. 2011-01) was approved based on the applicant's previous submittal which only represented one (1) structure exceeding the height limitation of the zoning district. The addition of another structure exceeding the height limitation would require the applicant to apply for another variance.
2. The application will be routed to the Airport for review prior to public meeting.
3. Site Plan shall show any adjusted parking.
4. Meet all other applicable codes and ordinances.

Staff initial finding is that the proposed use IS CONSISTENT with the City General Plan.

17.20.060 Development standards in the I-L and I zones.

- A. The I-L and I zone districts include streets of varying width, carrying capacity and intended service. The development standards vary by type of street in order to maintain a consistent streetscape and achieve a high quality visual impact necessary to sustain an attractive and viable industrial area. The following development standards shall apply to property located in the I-L and I zones:
- A. Minimum site area: five (5) acres.
- B. Maximum building height: seventy-five (75) feet.
- C. Minimum required yards (building setbacks):
1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308);
 2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue);

3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.);
 4. Rear: zero (0) feet;
 5. Rear yards abutting an R-1 or R-M zone district: twenty (20) feet;
 6. Side: zero (0) feet;
 7. Side yards abutting an R-1 or R-M zone district: twenty (20) feet;
 8. Side abutting railroad right-of-way: twenty-five (25) feet.
- D. Minimum required landscaped yard (setback) areas:
1. Frontage on major road: twenty-five (25) feet. (Major roads are defined as roads shown as arterials or collectors on the Circulation Element Map, including but not limited to Goshen Avenue, Plaza Drive, and Avenue 308);
 2. Frontage on minor road: fifteen (15) feet. (Minor roads are defined as roads shown as local streets on the Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, and Rasmussen Avenue);
 3. Frontage on interior roads: ten (10) feet. (Interior roads provide access only to parcels within a development.);
 4. Rear: zero (0) feet;
 5. Rear yards abutting an R-1 or R-M zone district: ten (10) feet;
 6. Side: zero (0) feet;
 7. Side yards abutting an R-1 or R-M zone district: ten (10) feet;
 8. Side abutting railroad right-of-way: twenty-five (25) feet.
- E. Additional standards:
1. Properties subdivided into parcels of less than five acres shall provide a common or joint storm drainage facility or pond, to be maintained through a private property owners' association formed at the time of subdivision.
 2. An eight-foot masonry wall is required along property line where a site abuts an R-1 or R-M zone district.

Parking:

1. Provide parking spaces based Zoning Ordinance Section 17.34.020
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot.
3. Provide handicapped space(s).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking.
5. A planter is required every other row. (5-9 feet in width containing trees on twenty (20) foot centers.
6. No repair work or vehicle servicing allowed in a parking area.
7. It is highly recommended that bicycle rack(s) be provided on site plan.
8. No parking shall be permitted in a required front/rear/side yard.
9. Design/locate parking lot lighting to deflect any glare away from abutting residential areas.
10. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street or when across from residential property.
11. Front carport area to have a 3 to 6-foot tall screening wall.
12. Provide shopping cart storage areas on site plan.
13. Provide transit facilities on site plan.
14. Provide shared parking/access agreements
15. Provide off-street loading facility.

16. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.
17. Provide a "No Parking" (dead-head) stall at the end of the parking row (for rows over 6 stalls deep with no outlet) to allow vehicles to turn around rather than backing out if no stalls are available.

Landscaping:

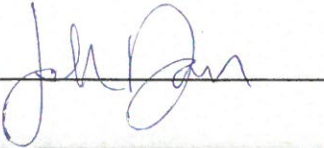
1. The City has adopted the State Water Efficient Landscape Ordinance. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.**
2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.015-2).
3. In the P(R-M) multi-family residential zone, all multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained. (Zoning Ordinance Section 17.16.180)
4. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
5. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
6. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
7. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
8. Provide a detailed landscape and irrigation plan for review prior to issuance of building permits. Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.
9. Provide a conceptual landscape plan for resubmittal or planning commission review.
10. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).
11. Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

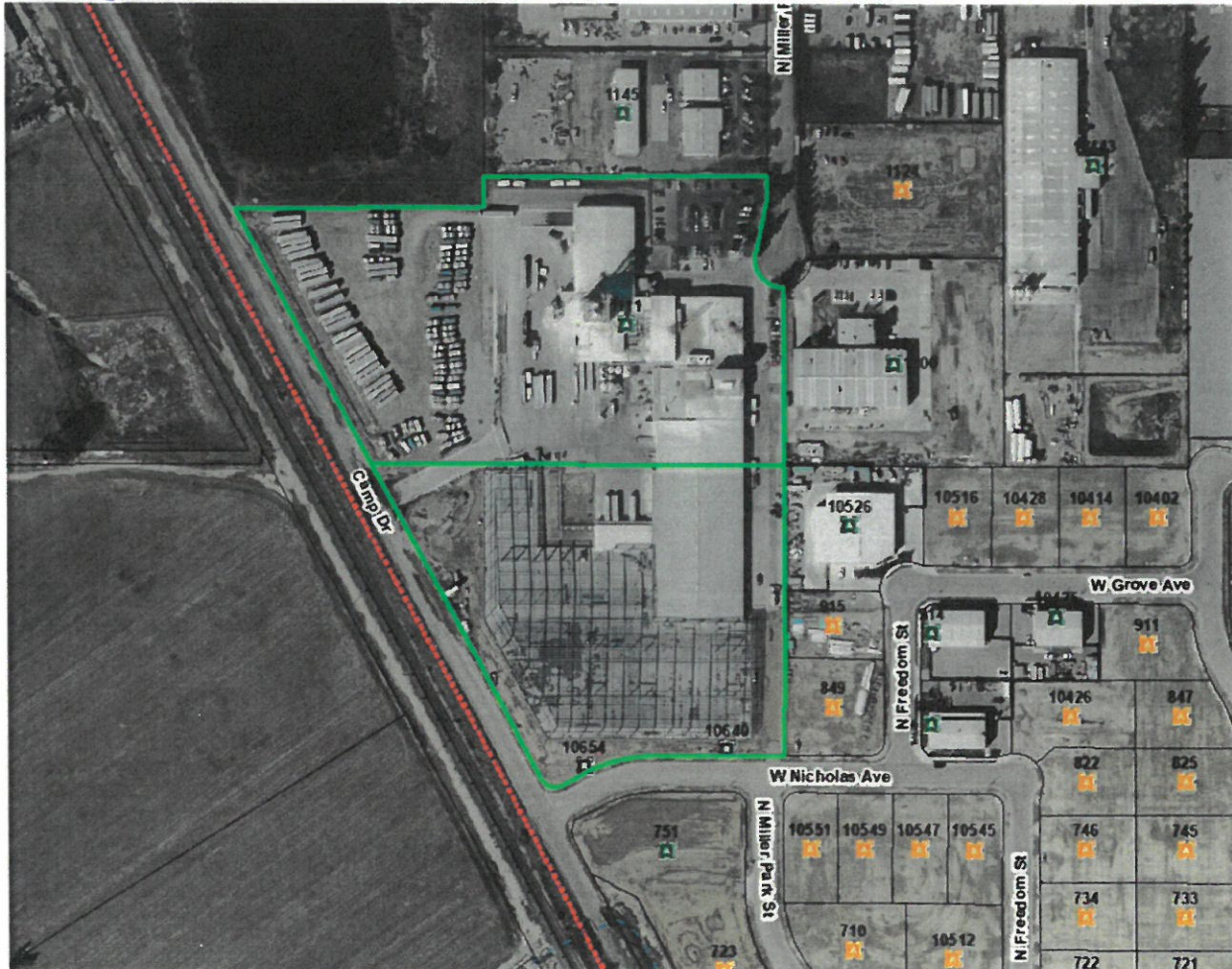
Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.

4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

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

Signature 



City of Visalia
Building: Site Plan
Review Comments

PR 200712
PERFECTION PET FOOD
1111 N MILLER PKCT.

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 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set 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.
- 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 (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone AE * Hazardous materials report. **FINISH FLOOR AT ONE FOOT ABOVE P.F.E. OR FLOOR PROOF.** *For information call (559) 713-4444*
- Arrange for an on-site inspection. (Fee for inspection \$157.00)
- School Development fees. Commercial \$0.61 per square foot. Residential \$3.79 per square foot.
- Park Development fee \$ _____, per unit collected with building permits.
- Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments:

SPRINKLER PROTECTION MAY BE REQUIRED DUE TO DUST OR STORAGE HEIGHT. RESTROOMS SHALL BE PROVIDED. NOTE: UNLIMITED IN AREA SPRINKLERS REQUIRED.

VAL GARCIA 5/6/20
Signature



Site Plan Comments

Visalia Fire Department
Corbin Reed, Fire Marshal
420 N. Burke
Visalia CA 93292
559-713-4272 office
prevention.division@visalia.city

Date	May 5, 2020
Item #	2
Site Plan #	200072
APN:	073160034

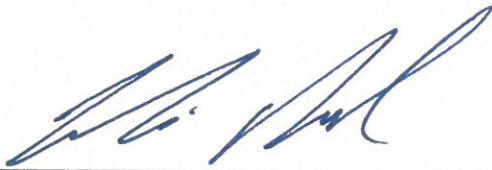
- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- 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. 2019 CFC 901.6
- 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. 2019 CFC §3312
 - Provide 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. 2019 CFC §3310
- **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 are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2019 CFC 505.1
- All hardware on **exit doors, illuminated exit signs and emergency lighting** shall comply with the 2019 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. 2019 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 420 N Burke, Visalia, CA 93292. Please allow adequate time for shipping and installation. 2019 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 2019 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.
- Where a portion of any building is more than 400 feet from a hydrant on a fire apparatus access road, **on-site fire hydrant(s)** shall be provided. 2019 CFC 507.5.1, App B and C
- 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 2019 CFC §507, App B and C.

To determine **fire hydrant** location(s) and distribution the following information should be provided to the Site Plan Review committee: Type of construction _____ Square footage _____

- A **fire apparatus access road(s)** shall be provided and extend within 150 feet of all portions of the building and all portions of the exterior walls of the first story as measured by an approved route around the exterior. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. Fire apparatus access roads shall have an unobstructed width of not less than the following (2019 CFC 503.1.1)
 - 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)
- Buildings or portions of buildings with a vertical distance between the grade plan and the highest roof surface that exceed 30 feet shall provide an approved **fire apparatus access road** 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.
- **Gates on access roads** shall be a minimum width of 20 feet and shall comply with the following (2019 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 can be obtained at the Visalia Fire Department administration office located at 420 N Burke, Visalia, CA 93292. Please allow adequate time for shipping and installation.

- 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%. 2019 CFC §912 and VMC 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 420 N Burke, Visalia, CA 93292. 2019 CFC 912.4.1
- **Special comments:**



Corbin Reed
Fire Marshal



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

Date : 5/5/20
 Item: 2
 Site Plan: SPR 20-072
 Name: A. Alvarez ADJ

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:
ADDITIONAL LIGHTING FOR POSSIBLE CRIMINAL ACTIVITY
- Traffic Concerns:

- Surveillance Issues:
ADD VIDEO SURVEILLANCE FOR POSSIBLE CRIMINAL ACTIVITY / ASSIST UPON REQUEST
- Line of Sight Issues:

- Other Concerns:

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

May 6, 2020

SPR 20-072
Perfection Pet Foods, LLC
New dry ingredients storage bins & 3600 SF receiving building
Lew Dowd
Perfection Pet Foods LLC
APN - 073160034

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 (CUP)
 - Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
 - Trip Generation - Provide documentation as to concurrence with General Plan.
 - Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
 - Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

Additional Comments:

Leslie Blair

Leslie Blair

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500
COMMERCIAL BIN SERVICE

20072

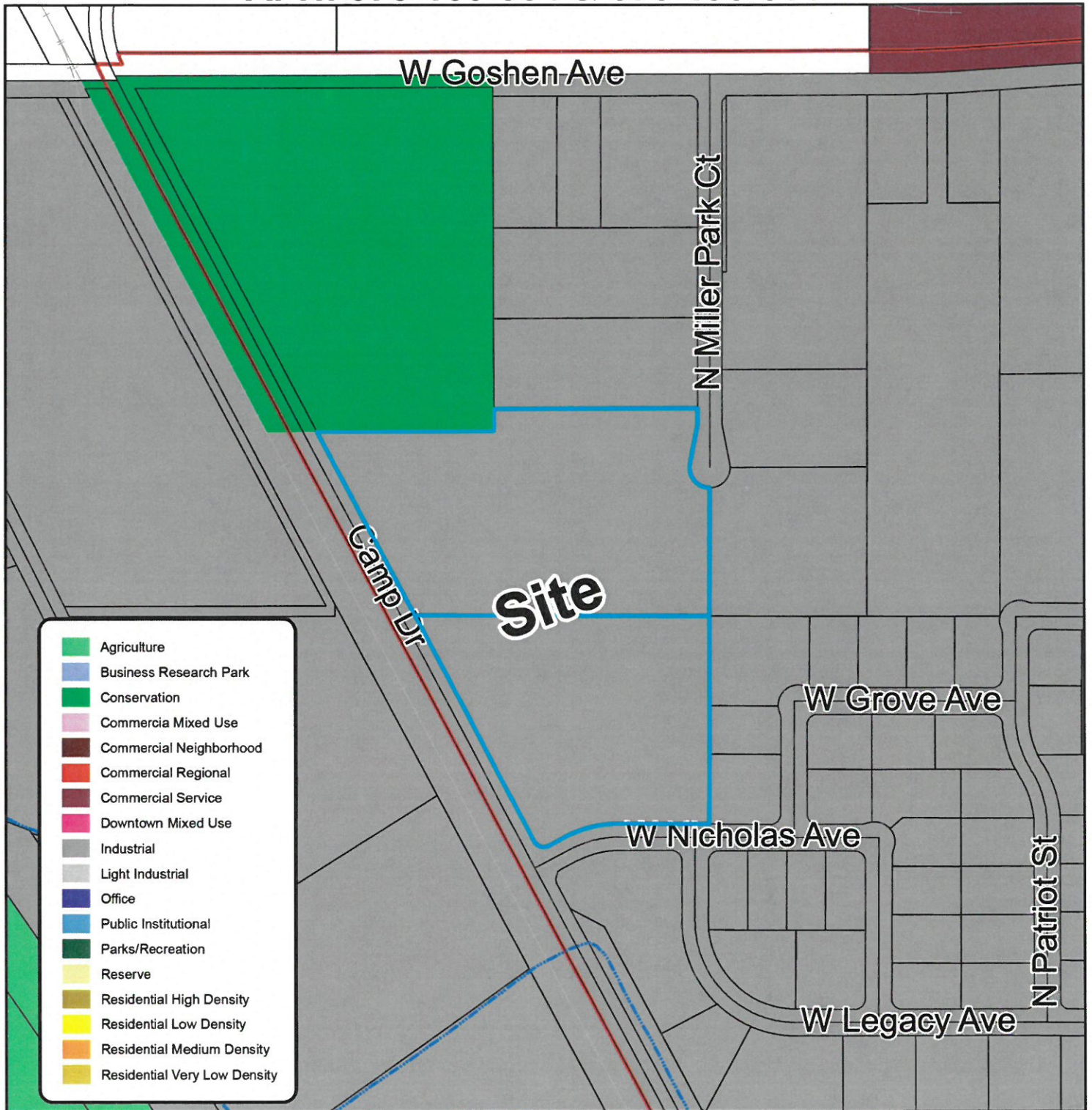
- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures 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 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.

City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Comment Suficcient exisitng solid waste services.

Variance No. 2020-03

APN: 073-160-034 & 073-190-011

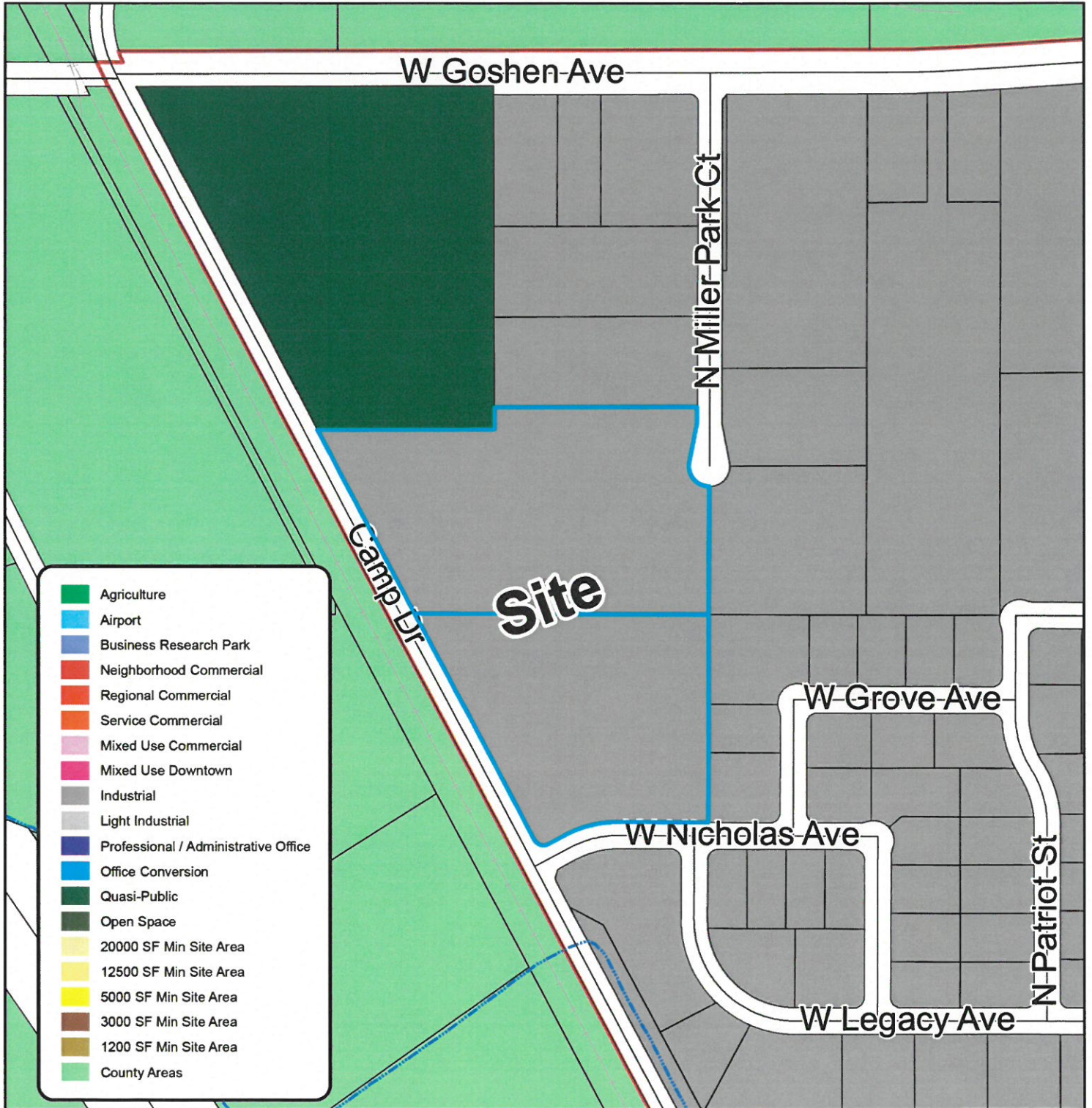


General Plan Land Use Map



Variance No. 2020-03

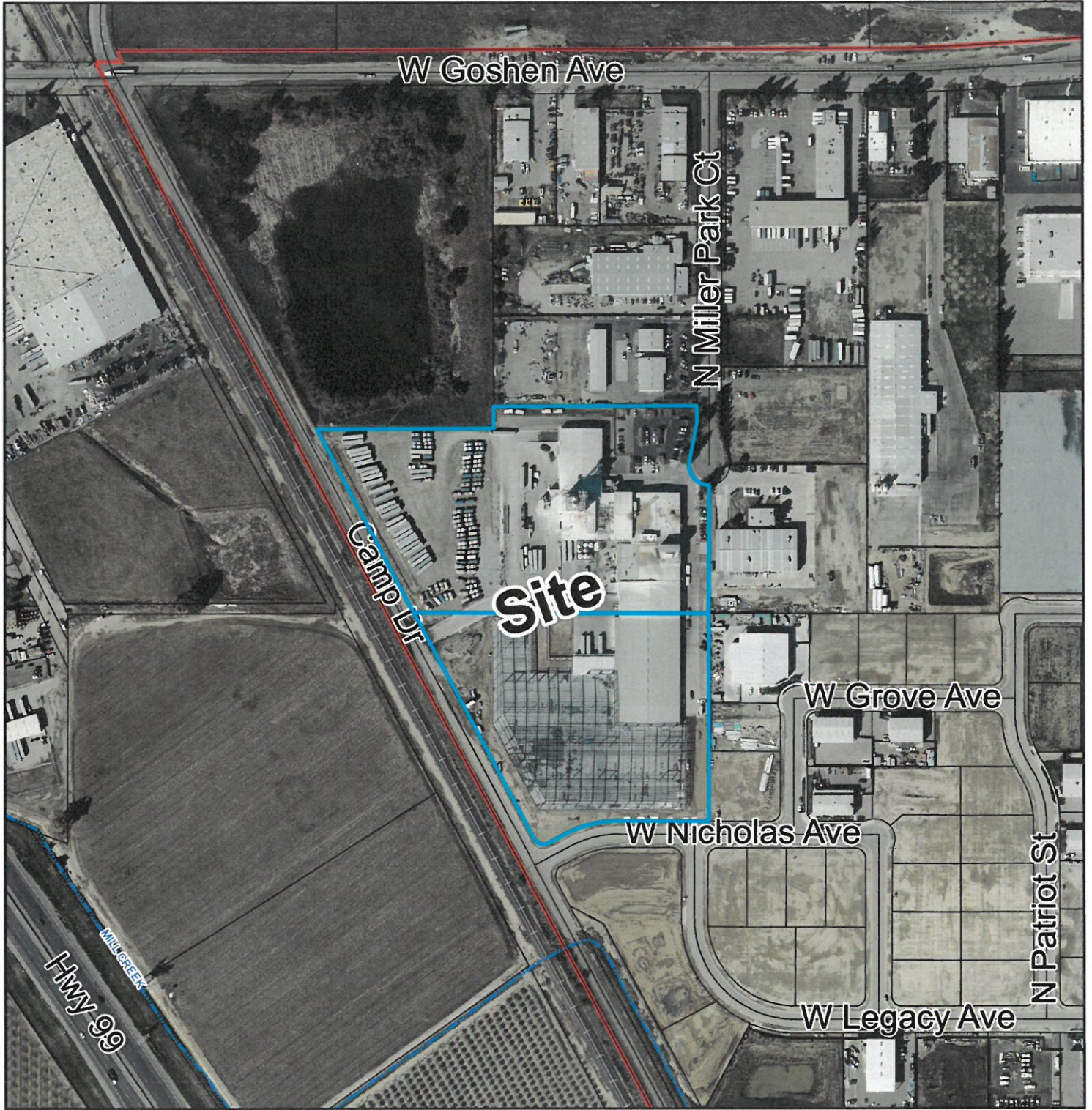
APN: 073-160-034 & 073-190-011



Zoning Map



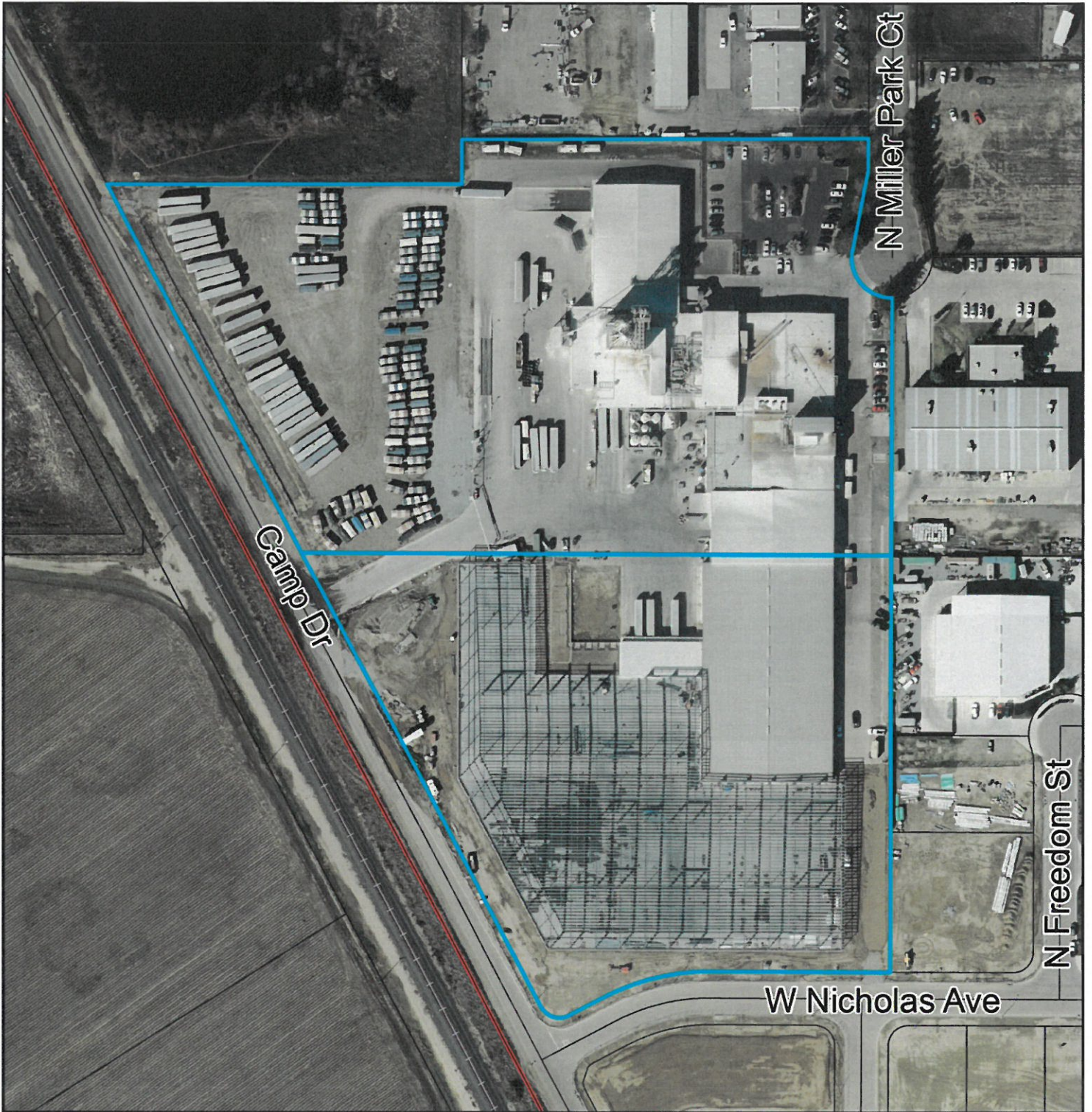
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APN: 073-160-034 & 073-190-011



Aerial Map



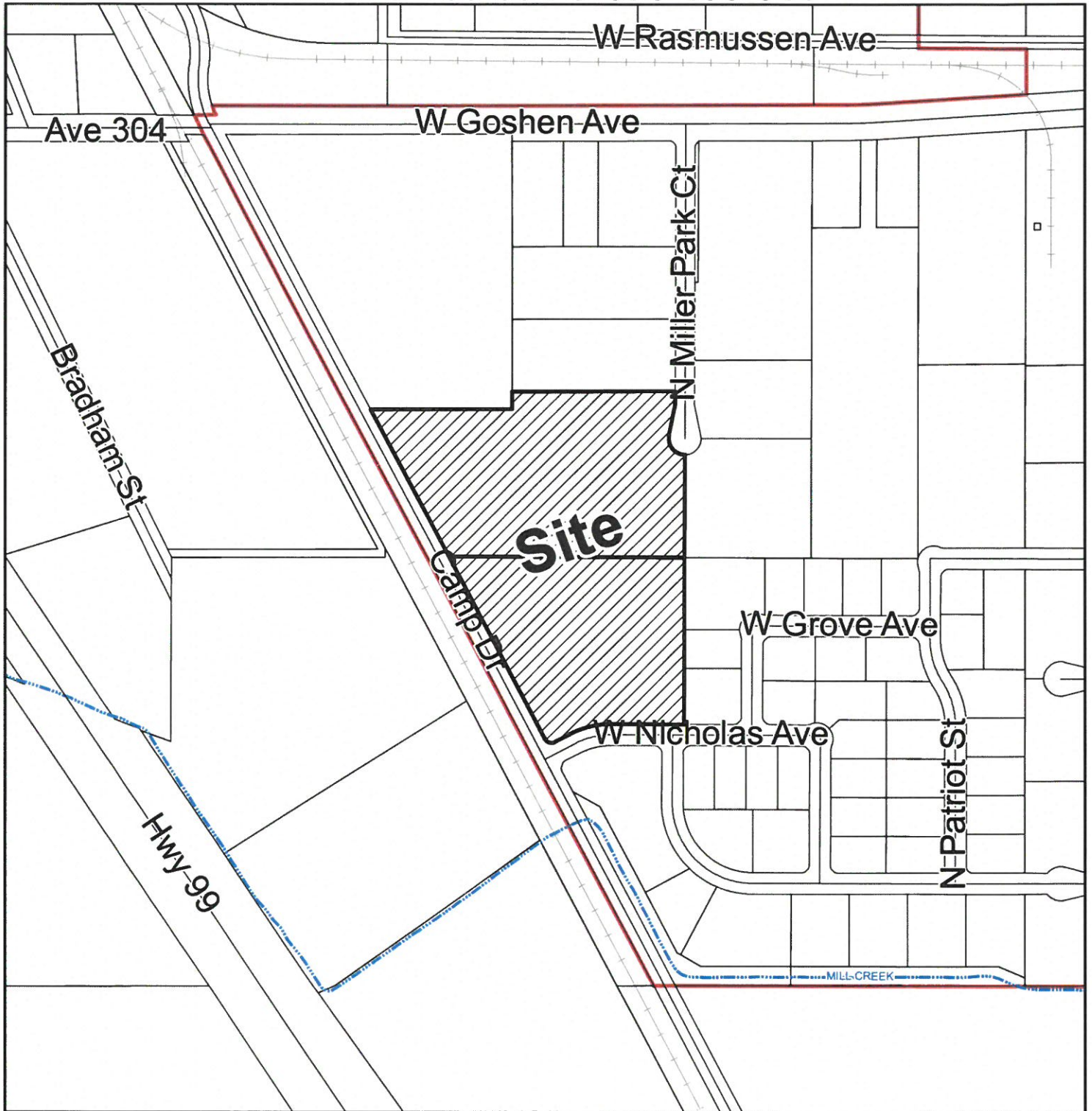
Variance No. 2020-03
APN: 073-160-034 & 073-190-011



Aerial Map



Variance No. 2020-03
APN: 073-160-034 & 073-190-011



Vicinity Map

