

PLANNING COMMISSION AGENDA

CHAIRPERSON:
Chris Gomez



VICE CHAIRPERSON:
Marvin Hansen

COMMISSIONERS: Mary Beatie, Chris Gomez, Marvin Hansen, Sarrah Peariso, Adam Peck

MONDAY, NOVEMBER 9, 2020

VISALIA CONVENTION CENTER

LOCATED AT 303 E. ACEQUIA AVE. VISALIA, CA

WORK SESSION MEETING TIME: 6:00 PM

REGULAR MEETING TIME: 7:00 PM

Citizens may appear at the Planning Commission meeting in person and will be asked to maintain appropriate, physical distancing from others and wear a mask or face shield pursuant to the Governor's Executive Orders and public health guidance during the COVID-19 situation.

1. CALL TO ORDER WORK SESSION

WORK SESSION ITEM

- A. Agriculture Mitigation Program and Feasibility Study Kick-Off Presentation and Discussion, City Staff and Consultant (Provost and Pritchard Consulting Group, and VRPA Technologies, Inc.).

ADJOURN TO REGULAR MEETING

2. CALL TO ORDER REGULAR MEETING –

3. THE PLEDGE OF ALLEGIANCE –

- 4. 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.

5. CHANGES OR COMMENTS TO THE AGENDA –

- 6. 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.

- a. Update on the In-Shape Health Club Temporary Conditional Use Permit No. 2020-51 operations and use of outdoor speakers.

7. PUBLIC HEARING – Paul Bernal, City Planner
Conditional Use Permit No. 2020-27: A request by CleVR Escape to allow an escape room and virtual reality arcade in the D-MU (Downtown Mixed Use) zone. The site is located at 205 West Main Street (APN: 094-326-018). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Environmental Document No. 2020-57.
8. PUBLIC HEARING – Josh Dan, Associate Planner
 - a. Tentative Parcel Map No. 2020-06: A request by Donahue Schriber Realty Group to subdivide two parcels into four parcels within the Orchard Walk Specific Plan area. The project is located in the C-MU (Commercial Mixed-Use) zone. The project is located on the northwest corner of North Dinuba Boulevard and West Riggan Avenue. The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15315 and 15332, Environmental Document No. 2020-59.
 - b. Conditional Use Permit No. 2020-25: A request by Donahue Schriber Realty Group to facilitate Tentative Parcel Map 2020-06 by creating two lots with no public street access, and parcels with less than the minimum five (5) acre size requirement in the C-MU (Commercial Mixed-Use) zone. The project is located on the northwest corner of North Dinuba Boulevard and West Riggan Avenue (APN: 000-013-376). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15315 and 15332, Environmental Document No. 2020-59.
9. PUBLIC HEARING – Cristobal Carrillo, Associate Planner
Conditional Use Permit No. 2020-23: A request by the Foundation for the Least, Last, & Lost to establish a group counseling facility with ministry and social service coordination services in the D-MU (Downtown Mixed-Use) zone. The project site is located at 400 North Church Street (APN: 094-272-008). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Environmental Document No. 2020-55.
10. PUBLIC HEARING – Josh Dan, Associate Planner
Variance No. 2020-08: A request by Rebecca Falcone to allow a variance from the standard 30-foot front yard setback required in the R-1-12.5 (Single Family Residential, 12,500 sq. ft. minimum site area) zone. The project is located at 2545 West Border Links Drive (APN: 089-100-010). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301.
11. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –
 - a. Next Planning Commission Meeting is Monday, December 14, 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, NOVEMBER 19, 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, DECEMBER 14, 2020



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: November 9, 2020

PROJECT PLANNER: Josh Dan
Associate Planner, (559) 713-4003
E-mail: josh.dan@visalia.city

SUBJECT: Tentative Parcel Map No. 2020-06: A request by Donahue Schriber Realty Group to subdivide two parcels into four parcels within the Orchard Walk Specific Plan area. The project is located in the C-MU (Commercial Mixed-Use) Zone District.

Conditional Use Permit No. 2020-25: A request by Donahue Schriber Realty Group to facilitate tentative Parcel Map 2020-06 by creating two lots with no public street access, and parcels with less than the minimum five (5) acre size requirement in the C-MU (Commercial Mixed-Use) Zone District.

Location: The project is located on the northwest corner of North Dinuba Boulevard and West Riggin Avenue.

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2020-59 for Tentative Parcel Map No. 2020-06. Staff's recommendation is based on the conclusion that the parcel map, as conditioned, is consistent with the policies of the City's Zoning and Subdivision Ordinances, and the Orchard Walk Specific Plan.

Staff recommends approval of Conditional Use Permit No. 2020-25 based upon the findings and conditions in Resolution No. 2020-60. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan, Zoning Ordinance and Orchard Walk Specific Plan.

RECOMMENDED MOTION

I move to approve Tentative Parcel Map No. 2020-06 based on the findings and conditions in Resolution No. 2020-59.

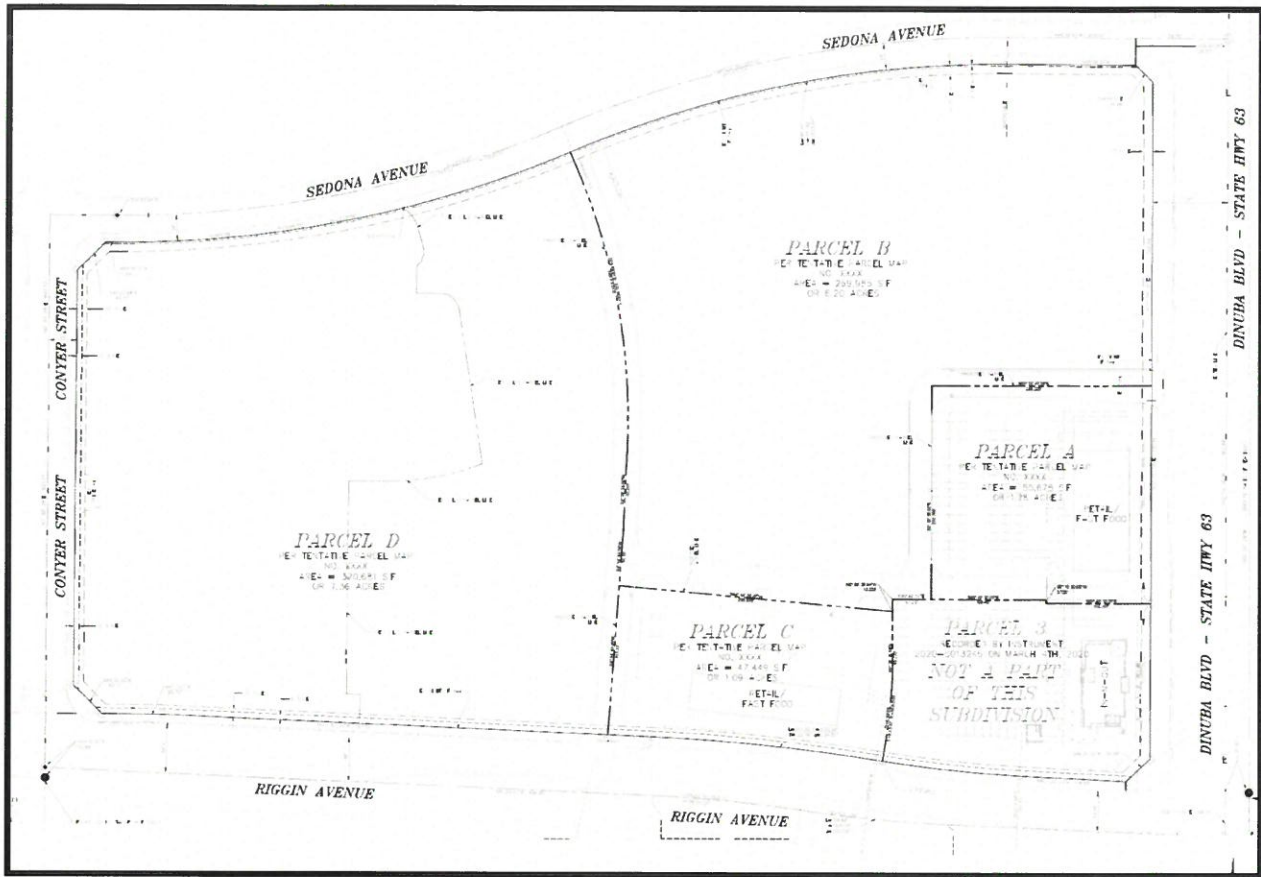
I move to approve Conditional Use Permit No. 2020-25 based on the findings and conditions in Resolution No. 2020-60.

PROJECT DESCRIPTION

Tentative Parcel Map No. 2020-06

Tentative Parcel Map No. 2020-06 is a request to subdivide two parcels of the westerly portion of the Orchard Walk Specific Plan area and create four new parcels. The applicant has shown in Exhibit "A" the need to create new parcels to facilitate new parcel boundary lines consistent with the site plan exhibit approved with Conditional Use Permit 2019-36 (see Exhibit "C"). This would affect the entire site, with the exception of the southeastern parcel which is commonly known as the In-N-Out Parcel (See Exhibit A in the image below).

The site is currently vacant; however, grading in preparation for the development of the new In-N-Out and other site improvements has commenced.



Conditional Use Permit No. 2020-25

The associated Conditional Use Permit (CUP) is a request to create two lots in the Commercial Mixed-Use (C-MU) zone that are less than five (5) acres in size and will not have direct access to public streets. Access to Proposed Parcels "A" and "B" will be provided via a shared access drive through Parcels "B" and "D".

Site Development

The applicant/developer is seeking approval of these entitlements which will aid in developing Parcels "A" and "C" in substantial compliance with the previously approved development plan for the site (see Exhibit "C"). That development plan, approved per Conditional Use Permit 2019-36, will develop the site with three pad sites with fast food dining, retail shops, on-site parking and drive-thru lanes (see Exhibit "C").

BACKGROUND INFORMATION

General Plan Land Use Designation	Commercial Mixed-Use
Zoning	Commercial Mixed-Use
Surrounding Land Use and Zoning	North: C-MU & R-M-3 / Sedona Ave. / Vacant Lot South: R-1-5 / W. Riggins Ave. / Fairview Village Subdivision East: C-MU / N. Dinuba Blvd. (State Route 63) / Orchard Walk Shopping Center West: R-M-2 / N. Conyer St. / Vacant Lot (Shannon Ranch East Subdivision)
Environmental Review:	Categorical Exempt No. 2020-59

Special Districts

None

Site Plan

Site Plan Review No. 2020-128

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies. The proposed project is consistent with applicable plans and policies.

RELATED PROJECTS

Conditional Use Permit 2019-36: A request by Donahue Schriber Realty Group to develop three pad sites with fast food dining, retail shops, on-site parking and drive-thrus across 3.72 acres of the Orchard Walk West development area. The site is zoned C-MU (Mixed Use Commercial Zone) and located at the northwest corner of north Dinuba Blvd and west Riggin Ave. (APN: 078-120-030 & 078-120-032).

Tentative Parcel Map No. 2020-05: A request by Paynter Realty on behalf of Caldwell Mooney Partners I, L.P. to divide a 6.86 acre parcels into two parcels measuring 0.88 acres and 5.98 acres, located in the C-R (Regional Commercial) Zone District.

Conditional Use Permit No. 2020-19: A request by Paynter Realty on behalf of Caldwell Mooney Partners I, L.P. requesting the division of a parcel into two lots, with no public street access, and with less than the minimum five (5) acre size requirement, in the C-R (Regional Commercial) Zone District.

Variance No. 2020-07: A request by Paynter Realty on behalf of Caldwell Mooney Partners I, L.P. to allow a variance from the standard 20-foot landscape buffer required in the C-R (Regional Commercial) Zone District to optimize business visibility from the roadway.

Location: The project is located on the northwest corner of South Mooney Boulevard and West Caldwell Avenue. (APN: 121-110-048)

PROJECT EVALUATION

Consistency with Zoning and Subdivision Ordinances

Establishment of a parcel with an area less than five (5) acres in the C-MU Zone is conditionally permitted with the approval of a CUP and a development plan depicting the ability of the site to comply with development standards, provide safe on-site vehicular circulation, and pedestrian connectivity between each of the proposed parcels / commercial building pads. The surrounding area is currently zoned C-MU yet a majority of the area is undeveloped.

Staff concludes the proposed development is consistent with the existing and future commercial land uses in the area. Both Dinuba Boulevard and Riggin Avenue are major roadways and the future development of this site will provide additional commercial shopping opportunities to the surrounding residential neighborhoods. With the further development of the Orchard Walk Shopping Center, and the installation of frontage improvements, the catalyst for the remaining balance of the site to be developed could be initiated by the development of the commercial pads approved for this this project.

Planned Development Requirement

The minimum site area for properties in the C-MU zone is five acres (ref. Municipal Code Section 17.19.060.A). However, according to Municipal Code Section 17.26.040 pertaining to Planned Developments, the Planning Commission may consider lot sizes smaller than the minimum site area if "there are unique circumstances (shape, natural features, location, etc.)

which would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.”

The Site Plan Review Committee reviewed and issued a “Revise and Proceed” to the applicant’s proposal based on its consistency with the previously approved development plan and circulation pattern proposed for the site. The Site Plan Review Committee subsequently reviewed the proposed parcel map and has made the determination that the parcel map is consistent with City development standards and is in substantial conformance with the overall Orchard Walk Specific Plan. The proposed parcel map and planned development ultimately allow for the site to be developed while maintaining access points that minimize vehicle conflicts on Dinuba Boulevard and Riggin Avenue.

Shared Access / Maintenance Agreement

The tentative parcel map shown in Exhibit “A” is subject to approval of the associated conditional use permit. The minimum parcel size in the C-MU zone is five acres unless approved as a part of an acceptable master plan. The development pattern approved through Conditional Use Permit No. 2019-36 depicts vehicular driveways and aisles that require a shared access agreement for ingress/egress, utilities, and any other pertinent infrastructure or services for the proposed parcels and existing parcels within the master plan.

Staff is recommending Condition No. 4 be adopted for the Tentative Parcel Map and Condition No. 3 be adopted for the Conditional Use Permit. These conditions require the recordation of an agreement addressing shared vehicular access, utilities, and any other pertinent infrastructure or services for all parcels including parcels without public street access. This agreement shall be recorded with the final parcel map. The agreement shall address property owners’ responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures.

Improvements to Right-of-Ways, Access and Circulation

All frontage improvements along both Dinuba Boulevard and Riggin Avenue have been conditioned with the previously approved entitlement, CUP No. 2019-36.

Subdivision Map Act Findings

California Government Code Section 66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven “negative” findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff’s analysis are below. The findings in response to this Government Code section are included in the recommended findings for the denial of the tentative subdivision map.

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in	The proposed map has been found to be consistent with the City’s Zoning Ordinance and

Section 65451.	the Orchard Walk Specific Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the map has been found to be consistent with the City's Zoning Ordinance and the Orchard Walk Specific Plan. This is included as recommended Finding No. 2 of the Tentative Parcel Map.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the commercial development type described on the proposed map. This is included as recommended Finding No. 3 of the Tentative Parcel Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed commercial uses. This is included as recommended Finding No. 4 of the Tentative Parcel Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvement of the map has been not been found likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This is included as recommended Finding No. 5.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has not been found to cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Parcel Map.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.	The proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 3 of the Tentative Parcel Map.

Environmental Review

The project is considered to be categorically exempt under Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for minor divisions to land and in-fill development projects (Categorical Exemption No. 2020-59).

RECOMMENDED FINDINGS

Tentative Parcel Map No. 2020-06

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning Ordinance, Subdivision Ordinance and the Orchard Walk Specific Plan.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, nor is it likely

to cause serious public health problems. The proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing commercial development and the proposed development of this site is consistent with the approved Orchard Walk Specific Plan.

3. That the site is physically suitable for the purposed tentative parcel map and is compatible with adjacent land uses and the proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property.
4. That the site is physically suitable for the proposed tentative parcel map and the project's use, which is consistent with the underlying Mixed Use Commercial General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the Zoning Ordinance, Subdivision Ordinance, and the Orchard Walk Specific Plan.
5. That the proposed design and improvement of the proposed tentative parcel map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat.
6. That the project is considered Categoricaly Exempt under Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2020-59).

Conditional Use Permit No. 2020-25

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements within the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan, Zoning Ordinance and Orchard Walk Specific Plan.
3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity. The site is bordered by similar commercial uses.
4. That the project is considered Categoricaly Exempt under Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2020-59)

RECOMMENDED CONDITIONS OF APPROVAL

Tentative Parcel Map No. 2020-06

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2020-128.
2. That Tentative Parcel Map No. 2020-06 be prepared in substantial compliance with Exhibit "A".
3. That the development of the newly created lots, Parcels A and C, shall be consistent with the previously approved CUP No. 2019-36.

4. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
5. That all other federal, state and city codes, ordinances and laws be met.

Conditional Use Permit No. 2020-25

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2020-128.
2. That the development of the newly created parcels shall be consistent with the previously approved CUP No. 2019-36.
3. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
4. That all other federal, state and city codes, ordinances and laws be met.

APPEAL INFORMATION

According to the City of Visalia Subdivision Ordinance Section 16.04.040 and Zoning Ordinance Section 17.02.145 an appeal to the City Council may be submitted within ten calendar days following the date of a decision by the Planning Commission on the tentative parcel map and conditional use permit applications. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street, Visalia California. 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 and Policies
- Resolution Nos. 2020-59 & 2020-60
- Exhibit "A" - Site Plan – Tentative Parcel Map
- Exhibit "B" – Current Parcel Lines with approved proposed footprints
- Exhibit "C" – Previously approved Development Plan (CUP 2019-36)
- Categorical Exemption No. 2020-59

- Site Plan Review Comments Nos. 2020-128
- General Land Use Map
- Zoning Map
- Aerial Map
- Location Map

Conditional Use Permits

(Section 17.38)

17.38.010 Purposes and powers.

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

17.38.020 Application procedures.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.070 Temporary uses or structures.

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

- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

17.38.080 Public hearing--Notice.

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

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

ZONING ORDINANCE, TITLE 17 OF VISALIA MUNICIPAL CODE

EXCERPT FROM CHAPTER 17.19: MIXED USE ZONES

17.19.060 Development standards in the C-MU zones outside the downtown area.

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: fifteen (15) feet;
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: fifteen (15) feet;
 - 2. Rear: five (5) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 - 4. Side: five (5) feet (except where a building is located on side property line);
 - 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 - 6. Street side on corner lot: ten (10) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable.

RESOLUTION NO. 2020-59

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2020-06, A REQUEST BY DONAHUE SCHRIEBER REALTY GROUP TO SUBDIVIDE TWO PARCELS INTO FOUR PARCELS WITHIN THE ORCHARD WALK SPECIFIC PLAN AREA. THE PROJECT IS LOCATED IN THE C-MU (COMMERCIAL MIXED-USE) ZONE DISTRICT. THE PROJECT IS LOCATED ON THE NORTHWEST CORNER OF NORTH DINUBA BOULEVARD AND WEST RIGGIN AVENUE.

WHEREAS, Tentative Parcel Map No. 2020-06, is a request by Donahue Schriber Realty Group to subdivide two parcels into four parcels within the Orchard Walk Specific Plan area. The project is located in the C-MU (Commercial Mixed-Use) Zone District. The project is located on the northwest corner of North Dinuba Boulevard and West Rigglin Avenue; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said commission on November 9, 2020; and

WHEREAS, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2020-08, as conditioned, in accordance with Section 16.28.070 of the Ordinance Code 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 Categorically Exempt under Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2020-59).

NOW, THEREFORE, BE IT RESOLVED, that Categorical Exemption No. 2020-59 was prepared finding the project exempt under CEQA Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended.

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

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning Ordinance, Subdivision Ordinance and the Orchard Walk Specific Plan.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing commercial development and the proposed development of this site is consistent with the approved Orchard Walk Specific Plan.
3. That the site is physically suitable for the purposed tentative parcel map and is compatible with adjacent land uses and the proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property.

4. That the site is physically suitable for the proposed tentative parcel map and the project's use, which is consistent with the underlying Mixed Use Commercial General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the Zoning Ordinance, Subdivision Ordinance, and the Orchard Walk Specific Plan.
5. That the proposed design and improvement of the proposed tentative parcel map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat.
6. That the project is considered Categoricaly Exempt under Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2020-59).

BE IT FURTHER RESOLVED that the Planning Commission hereby approved the parcel map on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.12.010 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2020-128.
2. That Tentative Parcel Map No. 2020-06 be prepared in substantial compliance with Exhibit "A".
3. That the development of the newly created lots, Parcels A and C, shall be consistent with the previously approved CUP No. 2019-36.
4. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
5. That all other federal, state and city codes, ordinances and laws be met.

RESOLUTION NO. 2020-60

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2020-25, A REQUEST A REQUEST BY DONAHUE SCHRIBER REALTY GROUP TO FACILITATE TENTATIVE PARCEL MAP 2020-06 BY CREATING TWO LOTS WITH NO PUBLIC STREET ACCESS, AND PARCELS WITH LESS THAN THE MINIMUM FIVE (5) ACRE SIZE REQUIREMENT, IN THE C-MU (COMMERCIAL MIXED-USE) ZONE DISTRICT. THE PROJECT IS LOCATED ON THE NORTHWEST CORNER OF NORTH DINUBA BOULEVARD AND WEST RIGGIN AVENUE.

WHEREAS, Conditional Use Permit No. 2020-25, is a request by Donahue Schriber Realty Group to facilitate tentative Parcel Map 2020-06 by creating two lots with no public street access, and parcels with less than the minimum five (5) acre size requirement, in the C-MU (Commercial Mixed-Use) Zone District. The project is located on the northwest corner of North Dinuba Boulevard and West Riggins Avenue; and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on November 9, 2020; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2020-25, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Sections 15315 and 15332.

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

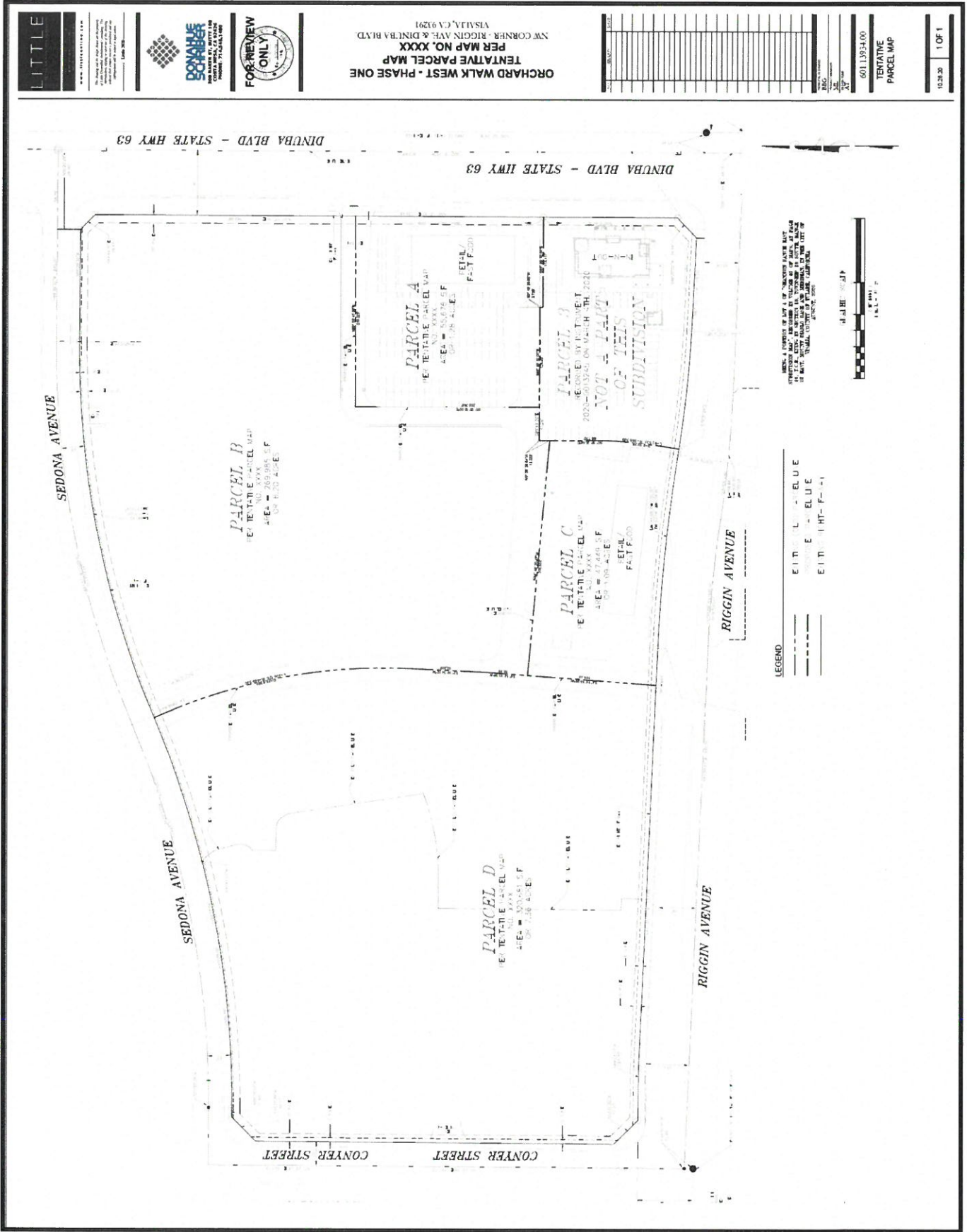
1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements within the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan, Zoning Ordinance and Orchard Walk Specific Plan.
3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity. The site is bordered by similar commercial uses.
4. That the project is considered Categorically Exempt under Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2020-59)

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the

terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2020-128.
2. That the development of the newly created parcels shall be consistent with the previously approved CUP No. 2019-36.
3. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
4. That all other federal, state and city codes, ordinances and laws be met.

EXHIBIT "A"



NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

Tentative Parcel Map 2020-06 and Conditional Use Permit 2020-25

PROJECT TITLE

Northwest corner of North Dinuba Blvd. and East Riggan Ave., Visalia CA (APN 000-013-376)

PROJECT LOCATION - SPECIFIC

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

Tentative Parcel Map to divide two a parcels creating four (4) parcels and a Conditional Use Permit requesting the division of a parcel into two lots with no public street access, and with less than the minimum five (5) acre size requirement in the C-MU (Commercial Mixed-Use) Zone. This is an infill project which fulfills the requirements of Section 32 and the division of fewer than four parcels also meeting the requirements of Section 15.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, 315 E. Acequia Avenue, Visalia CA 93291, (559) 713-4003, Email: josh.dan@visalia.city

NAME OF PUBLIC AGENCY/LEAD AGENCY APPROVING PROJECT

Michael Osborne, Donahue Schriber Realty Group, 200 E. Baker St. Suite#100, Costa Mesa, CA 92626

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Michael Osborne, Donahue Schriber Realty Group, 200 E. Baker St. Suite#100, Costa Mesa, CA 92626

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - **Section 15332 & Section 15315**
- Statutory Exemptions- State code number:

The creation of four or fewer parcels in an urban area in conformance with the General Plan and zoning, where no variances or exceptions are required.

REASON FOR PROJECT EXEMPTION

Josh Dan, Associate Planner

(559) 713-4003

CONTACT PERSON

AREA CODE/PHONE

11/09/2020

DATE

Brandon Smith, AICP
ENVIRONMENTAL COORDINATOR



September 10, 2020

laquilar@dsrq.com

Site Plan Review No. 20-128:

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 **August 26, 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, light blue circular stamp or watermark.

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

Attachment(s):

- Site Plan Review Comments



#3

MEETING DATE: August 26, 2020

SITE PLAN NO. 20-128

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

TPM + CUP

HISTORIC PRESERVATION

OTHER: _____

ADDITIONAL COMMENTS :

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

Site Plan Review Committee

**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

Adrian Rubalcaba 713-4271
 Diego Corvera 713-4209

ITEM NO: 3 DATE: AUGUST 26, 2020

SITE PLAN NO.: 20-128
PROJECT TITLE: ORCHARD WALK WEST - PHASE 1
DESCRIPTION: PARCEL SUBDIVISION - PROPOING TO
SUBDIVIDE PARCEL 1 OF PARCEL MAP NO.
4928 PMB 50-33, 3 LOTS (CMU)
APPLICANT: DONAHUE SCHRIBER
PROP. OWNER: DONALD SCHRIBER REALTY GROUP LP
LOCATION: NW CORNER INTERSECTION RIGGIN AVE &
DINUBA BLVD
APN: 000-013-376

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work; Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership. by map by deed
ANY ADDITIONAL EASEMENTS NECESSARY TO FACILITATE NEW DEVELOPMENT PLAN
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required. CalTrans comments required prior to tentative parcel map approval. CalTrans 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.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy. Access required on ditch bank, 12' minimum. Provide wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- 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.

- 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 (559)713-4428 for a Valley Oak tree evaluation or permit to remove. Valley Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application. A pre-construction conference is required.
- Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- 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.
- Provide "R" value tests: each at
- Traffic indexes per city standards:
- 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.
- All lots shall have separate drive approaches constructed to City Standards.
- Install street striping as required by the City Engineer.
- Install sidewalk: ft. wide, with ft. wide parkway on
- Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Abandon existing wells per City of Visalia Code. A building permit is required.
- Remove existing irrigation lines & dispose off-site. Remove existing leach fields and septic tanks.
- 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. New map to include all common access & utility areas to serve new parcels.**
- 2. Parcel map to utilize numerical order designation, ensure there is no confusion between maps.**
- 3. The submitted parcel layout was superseded by a second revision that included the lot line adjustment between westerly parcel (parcel 2 of PM 4928) and the new parcels to the east.**
- 4. Parcel map is subject to the underlying phased development plan (new master plan) and conditions of the original master plan (2005). There are outstanding improvement conditions that have not been met. Refer to previous conditions of approval.**
- 5. Refer to further entitlement requirements by the Planning Dept.**
- 6. Impact fees can be deferred until time of development of parcels.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 20-128
Date: 8/26/2020

Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:

(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)

(Fee Schedule Date:9/1/2020)
(Project type for fee rates:TPM)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drainage Acquisition Fee	
<input type="checkbox"/> Park Acquisition Fee	
<input type="checkbox"/> Northeast Acquisition Fee Total	
Storm Drainage	
Block Walls	
Parkway Landscaping	
Bike Paths	
<input type="checkbox"/> Waterways Acquisition Fee	

Additional Development Impact Fees will be collected at the time of issuance of building permits.

City 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 planned 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

Cristobal Carrillo, Planning Division (559) 713-4443

Date: August 26, 2020

SITE PLAN NO: 2020-128
PROJECT TITLE: Orchard Walk West – Phase 1
DESCRIPTION: Parcel Subdivision – Proposing to Subdivide Parcel 1 of Parcel Map No. 4928 PMB 50-33, 3 lots. (C-MU)
APPLICANT: Donahue Schriber
PROP. OWNER: Donald Schriber Realty Group LP
LOCATION TITLE: NW Corner Intersection Riggan Ave & Dinuba Blvd.
APN TITLE: 000013376
GENERAL PLAN: Commercial Mixed Use
ZONING: C-MU – Commercial Mixed Use

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

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.

Project Requirements

- Tentative Parcel Map
- Conditional Use Permit
- Lot Line Adjustment
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION:

1. A Tentative Parcel Map shall be required.
2. A Conditional Use Permit shall be required to create parcels under the five acre minimum lot size requirement of the C-MU Zone, with no direct access to a public street (direct access onto Arterial streets such as Riggan Avenue and Dinuba Blvd. is prohibited).
3. A Lot Line Adjustment shall be filed to relocate the easternmost boundary of Parcel 2 of Parcel Map No. 4928.
4. The applicant shall file access agreements for the project site. Common access easement/areas shall be shown on the site plan.
5. The proposal shall comply with the Orchard Walk master plan.
6. Correct the spelling of "Length" in the legend table.
7. Meet all other codes and ordinances.

17.19.060 Development standards in the C-MU zones outside the downtown area.

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 1. Front: fifteen (15) feet;
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 4. Side: zero (0) feet;
 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;

6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
1. Front: fifteen (15) feet;
 2. Rear: five (5) feet;
 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 4. Side: five (5) feet (except where a building is located on side property line);
 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 6. Street side on corner lot: ten (10) feet.
 7. The provisions of Chapter 17.58 shall also be met, if applicable.
-

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

20-128

NW corner Riggan * Dinuba
Parcel Subdivision

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 _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.61 per square foot. Residential \$4.16 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: No Comment



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	August 26, 2020
Item #	3
Site Plan #	20128
APN:	000013376

- 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.
- Fire protection items are not required to be installed for **parcel map or lot line adjustment** at this time; however, any developments taking place on these parcels will be subject to fire & life safety requirements including fire protection systems and fire hydrants in accordance with all applicable sections of the California Fire Code.

Corbin Reed
Fire Marshal



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

Date : 8/25/26
 Item: 3
 Site Plan: SPR 20-128
 Name: A. ALVAREZ ARJIS

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:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

- Other Concerns:

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

August 26, 2020

ITEM NO: 3

SITE PLAN NO: SPR20128
PROJECT TITLE: Orchard Walk West - Phase 1
DESCRIPTION: Parcel Subdivision - Proposing to Subdivide Parcel 1 of Parcel Map No 4928 PMB 50 33 3 lots (C-MU)
APPLICANT: Donahue Schriber
OWNER: DONALD SCHRIBER REALTY GROUP LP
APN: 000013376
LOCATION: NW Corner Intersection Riggan Ave & Dinuba Blvd

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:

- Joint access required between parcels.

Leslie Blair

Leslie Blair

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

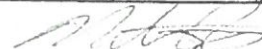
20128

- 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 Each parcel will require individual R-3 or R4 (City Standard) enclosures and be arranged for stab load services, with no less than 38' clear space in front of bin, including the front concrete pad. Enclosure gate must open 180 degrees, clear all curbing, and include chain bolts.

Jason Serpa, Solid Waste Manager, 559-713-4533
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532



RESOLUTION NO. 2020-59

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2020-03, A REQUEST BY DONAHUE SCHRIBER REALTY GROUP TO SUBDIVIDE TWO PARCELS INTO FOUR PARCELS WITHIN THE ORCHARD WALK SPECIFIC PLAN AREA. THE PROJECT IS LOCATED IN THE C-MU (COMMERCIAL MIXED-USE) ZONE DISTRICT. THE PROJECT IS LOCATED ON THE NORTHWEST CORNER OF NORTH DINUBA BOULEVARD AND WEST RIGGIN AVENUE. (APN 000-013-376)

WHEREAS, Tentative Parcel Map No. 2020-08, is a request by Donahue Schriber Realty Group to subdivide two parcels into four parcels within the Orchard Walk Specific Plan area. The project is located in the C-MU (Commercial Mixed-Use) Zone District. The project is located on the northwest corner of North Dinuba Boulevard and West Riggan Avenue (APN: 000-013-376); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said commission on November 9, 2020; and

WHEREAS, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2020-08, as conditioned, in accordance with Section 16.28.070 of the Ordinance Code 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 Categorically Exempt under Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2020-59).

NOW, THEREFORE, BE IT RESOLVED, that Categorical Exemption No. 2020-59 was prepared finding the project exempt under CEQA Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended.

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

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning Ordinance, Subdivision Ordinance and the Orchard Walk Specific Plan.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing commercial development and the proposed development of this site is consistent with the approved Orchard Walk Specific Plan.
3. That the site is physically suitable for the purposed tentative parcel map and is compatible with adjacent land uses and the proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property.

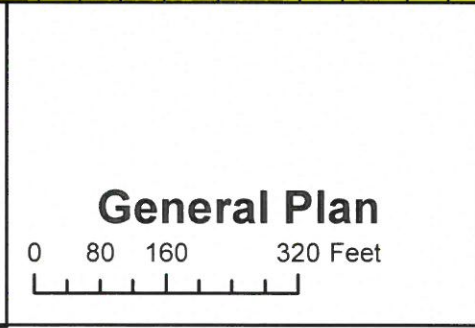
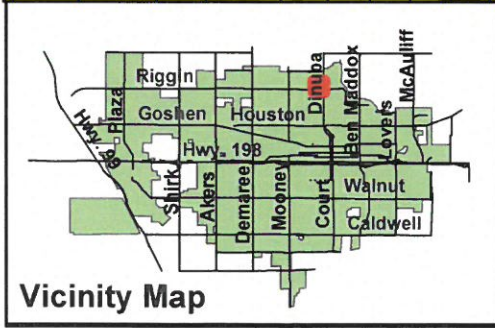
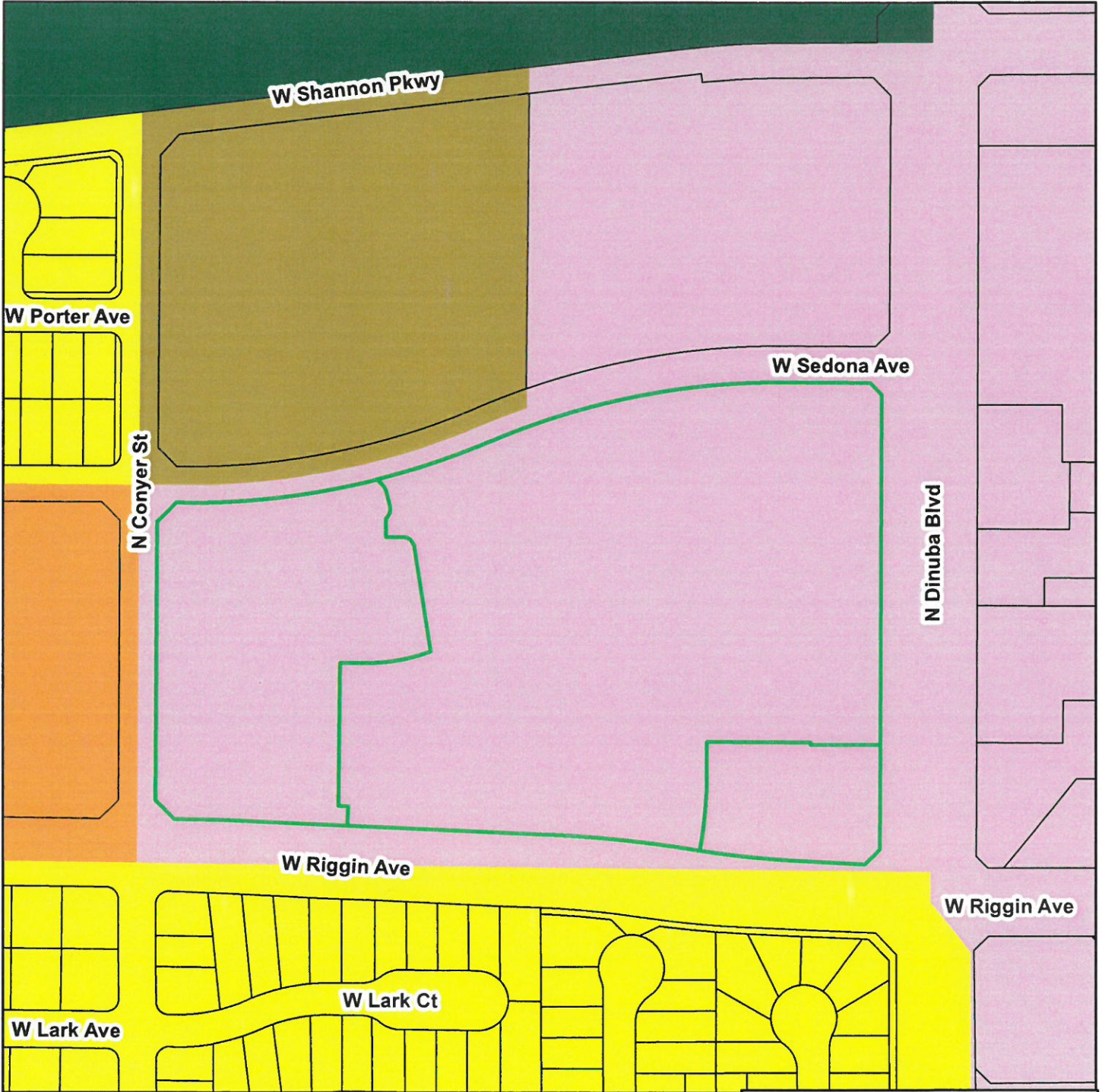
4. That the site is physically suitable for the proposed tentative parcel map and the project's use, which is consistent with the underlying Mixed Use Commercial General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the Zoning Ordinance, Subdivision Ordinance, and the Orchard Walk Specific Plan.
5. That the proposed design and improvement of the proposed tentative parcel map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat.
6. That the project is considered Categorically Exempt under Sections 15315 and 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2020-43).

BE IT FURTHER RESOLVED that the Planning Commission hereby approved the parcel map on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.12.010 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2020-128.
2. That Tentative Parcel Map No. 2020-08 be prepared in substantial compliance with Exhibit "A".
3. That the development of the newly created lots, Parcels A &C, shall be consistent with the previously approved CUP2019-36.
4. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
5. That all other federal, state and city codes, ordinances and laws be met.

**Tentative Parcel Map 2020-06
Conditional Use Permit 2020-26**

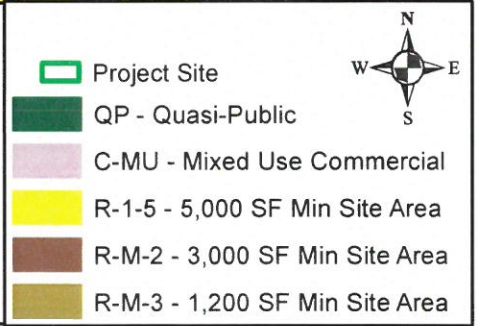
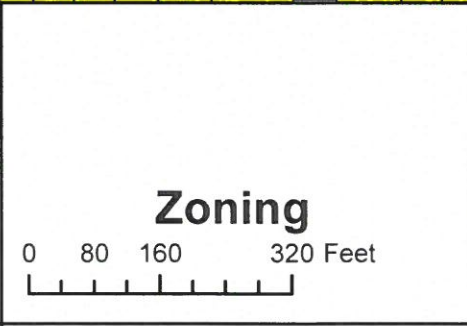
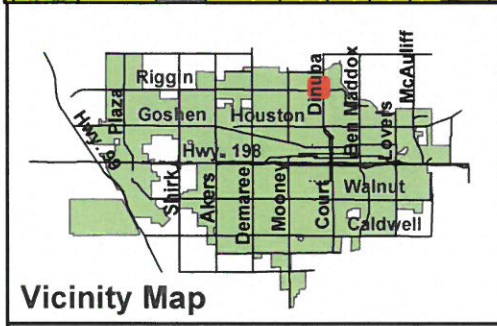
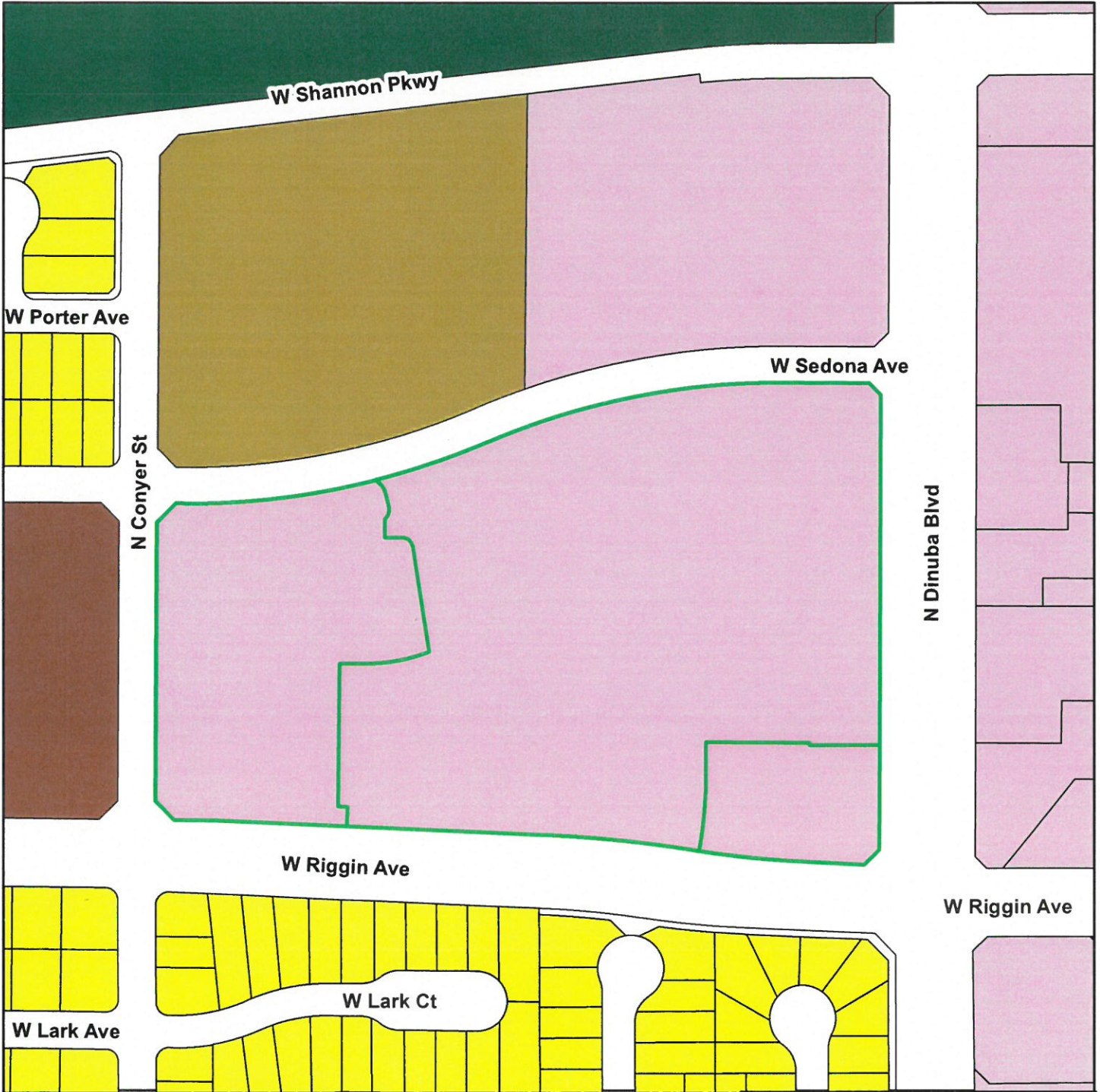
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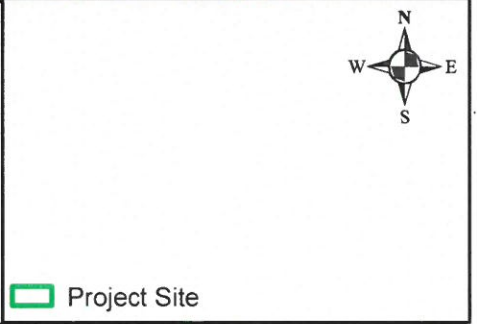
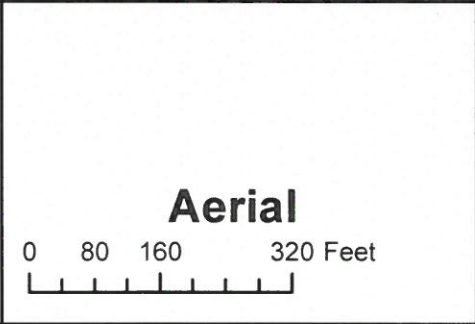
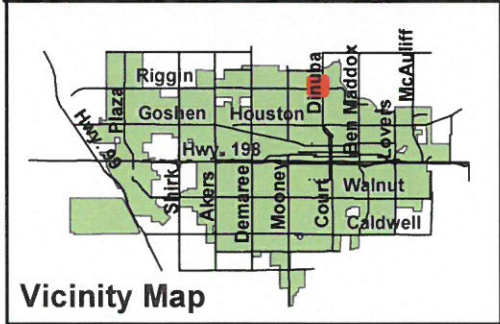
- Project Site
- Parks/Recreation
- Commercial Mixed Use
- Residential Low Density
- Residential Medium Density
- Residential High Density

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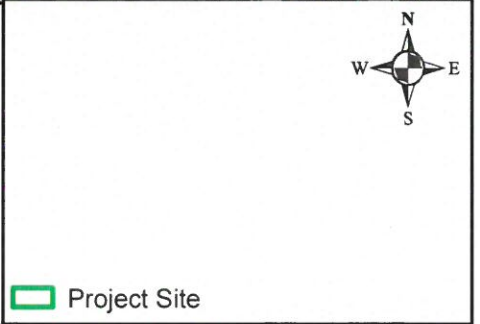
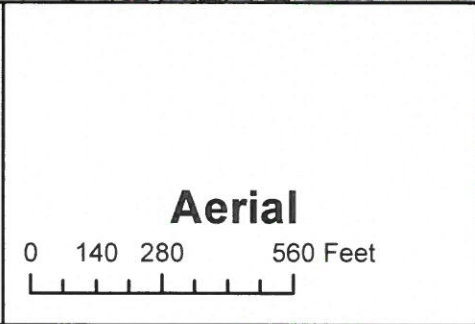
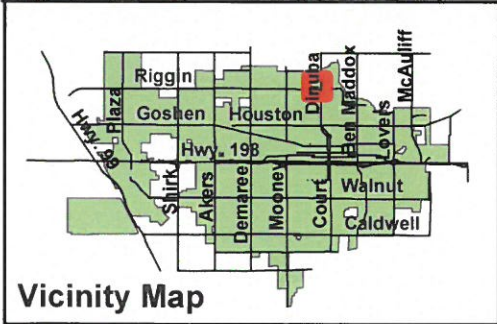


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