

SPECIAL MEETING

PLANNING COMMISSION AGENDA

CHAIRPERSON:
Marvin Hansen



VICE CHAIRPERSON:
Adam Peck

COMMISSIONERS: Mary Beatie, Chris Gomez, Chris Tavarez, Adam Peck, Marvin Hansen

WEDNESDAY, DECEMBER 1, 2021, 7:00 P.M.

VISALIA COUNCIL CHAMBERS

LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA

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 –
2. THE PLEDGE OF ALLEGIANCE –
3. 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.
4. CHANGES OR COMMENTS TO THE AGENDA –
5. PUBLIC HEARING – Brandon Smith, Principal Planner
Temporary Conditional Use Permit No. 2021-40: A request by Visalia Homeless Center to operate a temporary overnight warming center through February 28, 2022, in the church's social hall. The site is zoned R-1-5 (Single-family Residential) and is located at 1625 E. Walnut Avenue, on the southwest corner of Ben Maddox Way and Walnut Avenue (APN: 126-450-036).
6. CITY PLANNER / PLANNING COMMISSION DISCUSSION –
 - a. Next Regular Planning Commission Meeting is Monday, December 13, 2021.

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 Ave. Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

**AN APPEAL MUST BE FILED WITH AN APPROPRIATE APPLICATION AND FEES
NO LATER THAN MONDAY, DECEMBER 13, 2021, AT 5:00 P.M.**

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 13, 2021.



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: December 1, 2021 (Special Meeting)

PROJECT PLANNER: Brandon Smith, Principal Planner
Phone No.: (559) 713-4636
E-mail: brandon.smith@visalia.city

SUBJECT: Temporary Conditional Use Permit No. 2021-40: A request by Visalia Homeless Center to operate a temporary overnight warming center through February 28, 2022 in the church's social hall. The site is zoned R-1-5 (Single-family Residential) and is located at 1625 E. Walnut Avenue (Evangel Assembly of God church), on the southwest corner of Ben Maddox Way and Walnut Avenue (APN: 126-450-036).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Temporary Conditional Use Permit No. 2021-40, as conditioned. The recommendation is based on the submittal of an operational plan and security plan that has been refined and utilized in past years at the St. Paul's Episcopal Church facility, resulting in an operation with minimized land use compatibility issues.

RECOMMENDED MOTION

I move to approve Temporary Conditional Use Permit No. 2021-40, based on the findings and conditions in Resolution No. 2021-64.

ALTERNATIVES

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

1. Deny Temporary Conditional Use Permit No. 2021-40.
2. Approve Temporary Conditional Use Permit No. 2021-40, with additional conditions or modifications as specified by the Planning Commission.

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

PROJECT DESCRIPTION

Visalia Homeless Center has filed an application on November 17, 2021 for a Temporary Conditional Use Permit (TCUP) to operate a winter warming center at the Evangel Assembly of God church facility located at the southwest corner of Ben Maddox Way and Walnut Avenue (see plans attached as Exhibits "A" and "B" and operation statement attached as Exhibit "C"). The applicant proposes to operate the warming center utilizing the same operating plans utilized at the St. Paul's Episcopal Church during the last operating season of the warming center (2019/2020) as conditioned under TCUP No. 2019-63. This request, if approved, would be the first winter season of a warming center operating at this location after three consecutive seasons of operating at the St. Paul's Episcopal Church through the TCUP process.

The warming center will operate inside the church social hall and will not provide cots, beds, or meals. Mats, blankets, hot drinks, and snacks will be provided to guests, along with on-site assistance from partnering agencies for medical and mental health needs. The facility will be

staffed by one paid oversight staff and will be assisted by volunteers from various community groups. A security guard will be on duty each night from one hour before the warming center opens to one hour after the warming center closes. A safety / security plan attached as Exhibit "D" shall be implemented for the warming center operation that ensures safety for patrons of the warming center and properties surrounding the church grounds. The operation includes an outdoor storage area comprised of two storage containers located in the church parking lot for individuals' personal belongings, more fully described in the operational statement included in Exhibit "C".

The warming shelter is proposed to operate daily from 9:00 p.m. to 7:00 a.m., from the date of TCUP issuance through February 28, 2022.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Residential Low Density
Zoning:	R-1-5 (Single-family Residential, 5,000 sq. ft. minimum lot size)
Surrounding Land Use and Zoning:	North: R-M-2 (Multi-family Residential) – Walnut Avenue, Packwood Creek, townhomes South: R-1-5 (Single-family Residential) – Single-family residences East: C-N (Neighborhood Commercial) – Ben Maddox Way, pharmacy (Rite Aid) West: R-1-5 (Single-family Residential) - Church (Sierra Baptist Church)
Environmental Review:	Ministerial Exempt
Special Districts:	None
Site Plan:	2021-204

RELATED PROJECTS

In 2017, St. Paul's Episcopal Church located at 120 N. Hall Street operated a warming center under Temporary Conditional Use Permit No. 2017-74, issued administratively by the Planning Division on December 28, 2017. The permit expired on March 28, 2018.

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

In 2019, St. Paul's Episcopal Church operated a warming center under Temporary Conditional Use Permit No. 2019-63, approved by the Planning Commission following a public hearing on December 18, 2019. The permit expired on February 28, 2020.

PROJECT EVALUATION

The staff recommendation for the Planning Commission to approve the TCUP is based on the inclusion of conditions of approval and security measures intended to address any potential concerns regarding illicit activity, loitering, nuisance issues and security for the duration of the event.

The recommended conditions of approval at the end of this report are the same set of operating conditions and security plan as placed upon the approved 2019 Temporary Conditional Use Permit filed for a warming center at the St. Paul's Episcopal Church, which resulted in clear and concise security measures that effectively managed any potential issues that could have arisen if these measures were not in place. This is explained further under Warming Center Background below.

Warming Center Background

In December 2017, the first request for a warming center by St. Paul's Episcopal Church was approved through a TCUP. The applicant would go on to file two subsequent TCUPs in 2018 and 2019 at the same location. There was no warming center operated in 2020. Suzy Ward, a pastor with the church, is now representing the applicant (Visalia Homeless Center) in the current proposal at the Evangel Assembly of God church.

The operation and security plan at the St. Paul's location has been refined over the years to address concerns voiced by the surrounding neighborhood, particularly in the first two operating seasons. Neighboring properties within a 300-foot radius of St. Paul's church consist of offices, a retail shop, residences, and City parks.

Prior to the 2018 and 2019 operating seasons, City staff worked closely with the applicant to ensure issues and challenges were more effectively managed and curtailed. This resulted in refined conditions of approval and explicit operating conditions from the applicant regarding safety and security.

Among the primary conditions enforced for the 2018 and 2019 operating seasons:

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

The refined operating conditions and security measures were attributable toward Police calls decreasing 65% between the 2017 and 2018 operating seasons. Also, no code violations were reported to the City's Neighborhood Preservation / Code Enforcement Division during the latter two operating seasons.

Proposed Operating Conditions

The operating conditions and security plan being utilized for the 2021 operating season (see Exhibits "C" and "D") are the same as presented in 2019 but with some minor exceptions accounting for the new location. Temporary storage containers will be placed on the project site south of the parking lot and will be used to hold items belonging to the individuals. These containers are only intended to stay during the operation of the warming center. Additional solid

waste commercial bin enclosures will be rented to supplement the needs of the warming center, since the church currently has residential roll-out cans.

A letter to neighbors of the church property, attached as Exhibit "E", was distributed by the applicant on November 22.

Processing of a Temporary CUP

Staff's recommendation to process a TCUP for the warming center, as opposed to imposing a permanent CUP, is based on a number of factors. The decision to refer this TCUP application to the Planning Commission fulfills the Planning Division's objective of a formal public hearing process with public notification for consideration of the TCUP. Most TCUPs are processed administratively by City staff, which precludes nearby property owners and tenants from being informed about the land use unless an interested party files and pays for an appeal to get the TCUP item heard at a public hearing.

In addition, the applicant's interest is to find a site with long-term potential for hosting a warming center. The temporary permit enables a short-term seasonal warming center and provides an opportunity for new review and public noticing each year, should the applicant want to return to the location.

Staff has accepted the applicant's filing of a TCUP application and is referring the application to the Planning Commission for consideration, in accordance with Zoning Ordinance Section 17.38.070(A). A special meeting was called due to the duration between the application filing on November 16th and the next regular scheduled Planning Commission meeting on December 13th, 2021, wherein the applicant is seeking approval of funding assistance from the City of Visalia at the December 6th City Council meeting.

Environmental Review

The requested action is considered Categorical Exempt under Section 15301 (Existing Facilities) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2021-51).

RECOMMENDED FINDINGS

1. That the proposed Temporary Conditional Use Permit No. 2021-40, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Temporary Conditional Use Permit No. 2021-40, as conditioned, is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project will be consistent with the required findings of the Zoning Ordinance Section 17.38.110:
 - a) The proposed location of the temporary conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Churches are a conditionally allowed in the Single-family Residential zone in accordance with Chapter 17.12 of the Visalia Municipal Code, and an emergency warming shelter operating as a temporary and ancillary use within the church is a form of community outreach and service that is associated with churches and other religious-type uses. The use is determined to be a compatible use in the zoning designation as conditioned.
 - b) The proposed location of the temporary conditional use and the conditions under which it would be operated or maintained, will not be detrimental to the public health, safety, or welfare, and materially injurious to properties or improvements in the vicinity. Pursuant to the conditions of approval of the temporary conditional use permit, the temporary use of a

portion of the property as an emergency warming center will operate in a manner that places explicit measures and high priority towards public health, safety, and welfare, and ensuring that the existing character of the surrounding neighborhood will be upheld.

3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2021-51).

RECOMMENDED CONDITIONS OF APPROVAL

1. This temporary conditional use permit requires approval of a Fire Department inspection prior to start of the warming center operating. For any questions regarding the Fire Inspection please contact the Fire Marshall at 713-4272.
2. This permit is being issued for the objective of providing a warming shelter during harsh winter weather conditions only. The center is not permitted to operate as a housing shelter or provide meals.
3. The warming center shall only be permitted to operate from December 2, 2021 through February 28, 2022.
4. The facility must meet all Building & Safety Division and Fire Department conditions as determined in coordination with City staff prior to use of the facility.
5. The warming center shall operate in accordance with the attached site plan, floor plan, operation statement, and safety/security plan (see Exhibits "A" through "D").
6. The warming center shall operate in accordance with comments associated with Site Plan Review item no. 2021-204.
7. There must be one (1) paid or volunteer staff person inside the building for each whole or partial grouping of 25 persons utilizing the warming center. The maximum number of occupants allowed inside the warming center at any time is 100 persons, provided there are four (4) paid or volunteer staff persons inside the center at all times.
8. On nights when the warming center operates, a security guard shall be on duty during the hours of 8:00 p.m. to 8:00 a.m. and shall patrol the subject property as well as the subject property street frontages and the parking lot belonging to the church located immediately west of the subject site.
9. A contact name and phone number (mobile phone) shall be provided to the Police Department Watch Commander and Fire Department at least three days prior to the initial operation and shall be accessible for the duration of the activity. Primary contact is: Suzy Ward, St. Paul's Episcopal Church. Phone: (559) 967-4065.
10. The facility shall be staffed during all hours while the warming center is in operation.
11. Beds and/or cots shall not be used inside or outside of the warming center.
12. Personal possessions or other materials on-site shall not be stored in a manner that is visible from public rights-of-way. Storage containers may be used for storage but shall be removed once the warming center ceases operation.
13. There shall be no loitering of persons on the church grounds during daytime hours when the warming center is not in operation (i.e. 7:00 a.m. to 9:00 p.m.) or during the nights when the warming center is not in operation.

14. The church shall be responsible for cleaning and removing all trash and waste left on the church property and left on the public sidewalks that are located on the church's street frontages in a timely manner.
15. Meet all City Codes, Standards, Regulations, and Requirements.
16. Issuance of this permit does not set precedence for approval of a Temporary Conditional Use Permit in future years.
17. The City Planner may revoke this permit based on documented evidence of failure to comply with any conditions or based on the use attributing to public nuisance issues in the immediate vicinity.
18. The warming center is restricted from operating if an appeal is received in accordance with Section 17.02.145 of the Zoning Ordinance. The warming center shall not operate until such time that the respective decision-making body renders a decision on the appeal.

APPEAL INFORMATION

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

Attachments:

- Related Plans and Polices
- Resolution No. 2021-64
- Exhibit "A" – Floor Plan
- Exhibit "B" – Site Plan
- Exhibit "C" – Operation Statement
- Exhibit "D" – Safety/Security Plan
- Exhibit "E" – Letter Distributed to Neighbors
- Site Plan Review Item No. 2021-204 Comments

Related Plans & Policies

Zoning Ordinance [Title 17 of Visalia Municipal Code]

Chapter 17.38 Conditional Use Permits

17.38.070 Temporary uses or structures

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17.38.110 Action by planning commission.

A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:

1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;

2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.

C. The commission may deny an application for a conditional use permit. (Ord. 2017-01 (part), 2017: prior code § 7536)

RESOLUTION NO. 2021-64

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TEMPORARY CONDITIONAL USE PERMIT NO. 2021-40: A REQUEST BY VISALIA HOMELESS CENTER TO OPERATE A TEMPORARY OVERNIGHT WARMING CENTER THROUGH FEBRUARY 28, 2022 IN THE CHURCH'S SOCIAL HALL. THE SITE IS ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL) AND IS LOCATED AT 1625 E. WALNUT AVENUE (EVANGEL ASSEMBLY OF GOD CHURCH), ON THE SOUTHWEST CORNER OF BEN MADDOX WAY AND WALNUT AVENUE (APN: 126-450-036).

WHEREAS, on November 17, 2021, Temporary Conditional Use Permit (TCUP) No. 2021-40 was filed with the City of Visalia; and

WHEREAS, Temporary Conditional Use Permit No. 2021-40 is a request by Visalia Homeless Center to operate a temporary overnight warming center through February 28, 2022 in the church's social hall. The site is zoned R-1-5 (Single-family Residential) and is located at 1625 E. Walnut Avenue (Evangel Assembly of God church), on the southwest corner of Ben Maddox Way and Walnut Avenue (APN: 126-450-036); and

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

WHEREAS, a special meeting of the Planning Commission was called on December 1, 2021 due to the duration between the application filing on November 17, 2021 and the next regular scheduled Planning Commission meeting on December 13, 2021, wherein the applicant is seeking approval of funding assistance from the City of Visalia at the December 6 City Council meeting, and due to the time-sensitive nature of the request; and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice for a special meeting, did hold a public hearing before said Commission on December 1, 2021; and,

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

WHEREAS, the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2021-51).

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

1. That the proposed Temporary Conditional Use Permit No. 2021-40, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

2. That the proposed Temporary Conditional Use Permit No. 2021-40, as conditioned, is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project will be consistent with the required findings of the Zoning Ordinance Section 17.38.110:
 - a) The proposed location of the temporary conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Churches are a conditionally allowed in the Single-family Residential zone in accordance with Chapter 17.12 of the Visalia Municipal Code, and an emergency warming shelter operating as a temporary and ancillary use within the church is a form of community outreach and service that is associated with churches and other religious-type uses. The use is determined to be a compatible use in the zoning designation as conditioned.
 - b) The proposed location of the temporary conditional use and the conditions under which it would be operated or maintained, will not be detrimental to the public health, safety, or welfare, and materially injurious to properties or improvements in the vicinity. Pursuant to the conditions of approval of the temporary conditional use permit, the temporary use of a portion of the property as an emergency warming center will operate in a manner that places explicit measures and high priority towards public health, safety, and welfare, and ensuring that the existing character of the surrounding neighborhood will be upheld.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2021-51).

BE IT FURTHER RESOLVED that the Planning Commission approves Temporary Conditional Use Permit No. 2021-40 on the real property described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. This temporary conditional use permit requires approval of a Fire Department inspection prior to start of the warming center operating. For any questions regarding the Fire Inspection please contact the Fire Marshall at 713-4272.
2. This permit is being issued for the objective of providing a warming shelter during harsh winter weather conditions only. The center is not permitted to operate as a housing shelter or provide meals.
3. The warming center shall only be permitted to operate from December 2, 2021 through February 28, 2022.
4. The facility must meet all Building & Safety Division and Fire Department conditions as determined in coordination with City staff prior to use of the facility.
5. The warming center shall operate in accordance with the attached site plan, floor plan, operation statement, and safety/security plan (see Exhibits "A" through "D").
6. The warming center shall operate in accordance with comments associated with Site Plan Review item no. 2021-204.
7. There must be one (1) paid or volunteer staff person inside the building for each whole or partial grouping of 25 persons utilizing the warming center. The maximum number of occupants allowed inside the warming center at any time is 100 persons,

provided there are four (4) paid or volunteer staff persons inside the center at all times.

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

Ben Maddox

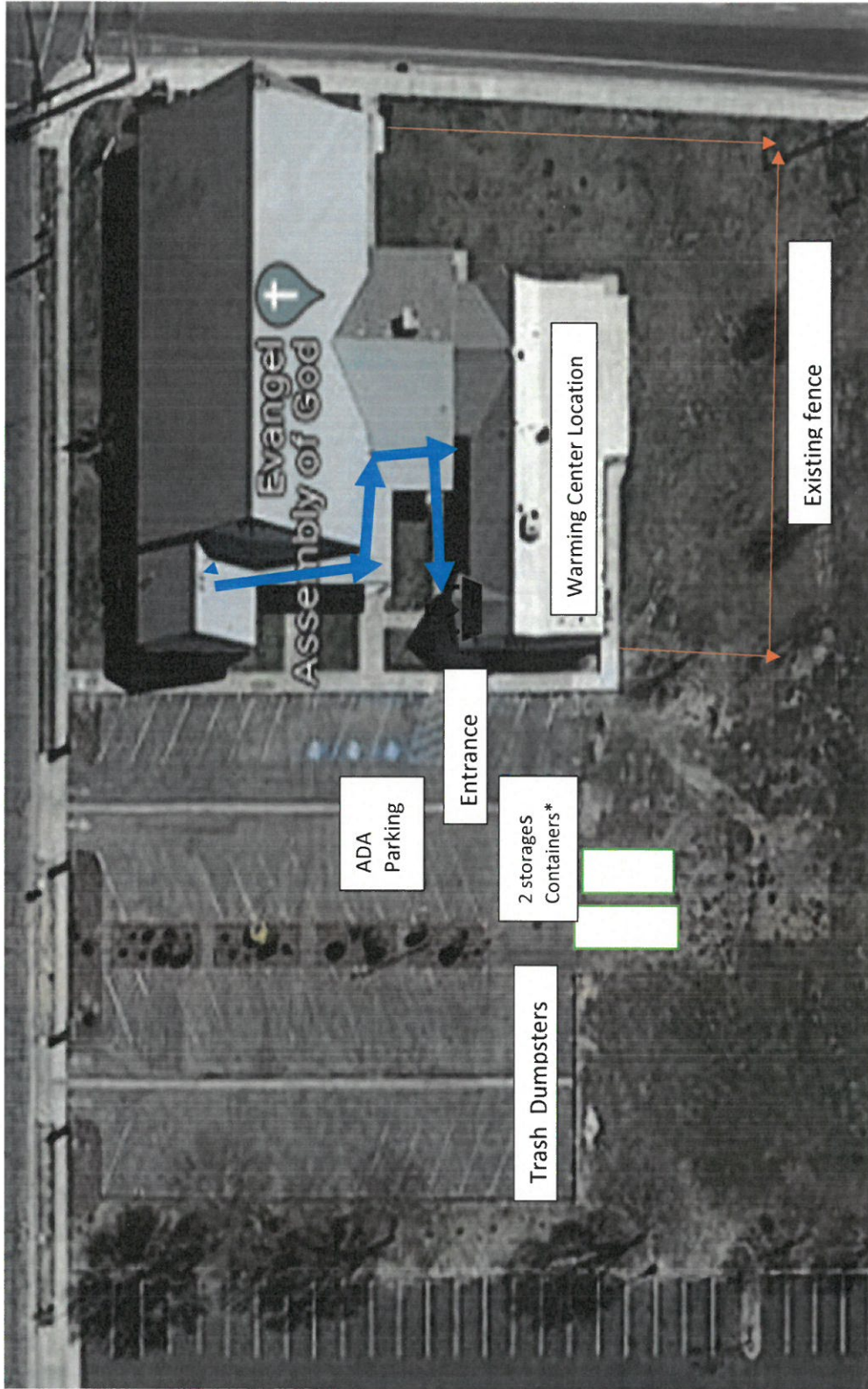
Site Map for 1625 E Walnut

Proposed site for Low Barrier, temporary Warming Center

APN 126-450-36

Walnut Ave

North



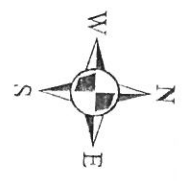
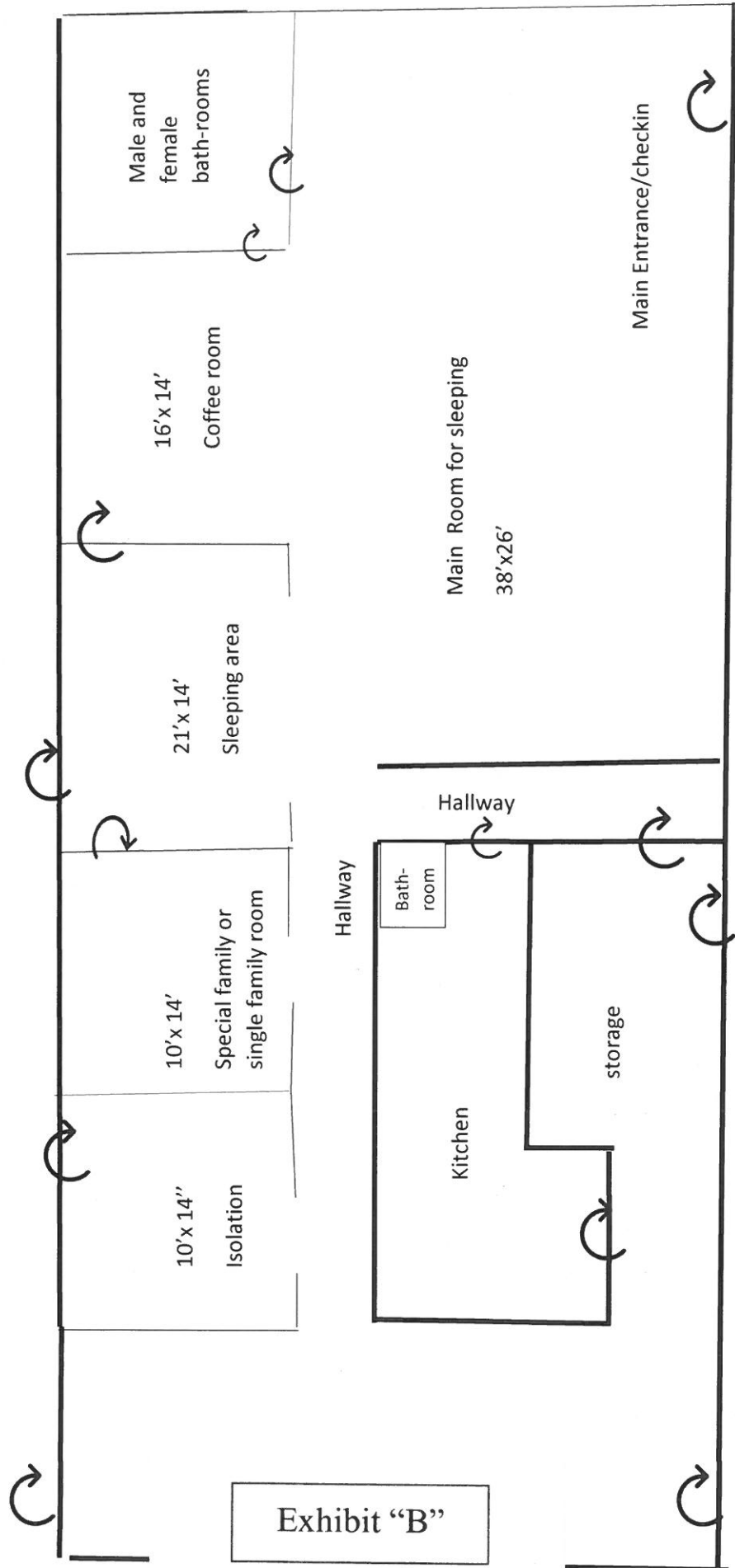
Clients will line up under the covered walkway and then enter the NW entrance of the building.

*We would like to place two containers on the property during the operation the Warming Center.

Exhibit "A"

Floor Plan of Warming Center

2021-2022



2021 - 2022 Operational Statement
For
Visalia Homeless Center

- Operated from opening date in December until the end of February, 2022.
- The Center will operate overnight from 9 PM to 7 AM
- Individuals will not be allowed to arrive early or to remain after 7 AM (unless meeting with a case manager or health care staff)
- Security will be onsite before opening and after closing.
- Security will be provided during the overnight hours of operation.
- It will be staffed by paid oversight staff that will be on duty all night and assisted by volunteers from community groups.
- Handbook of procedures, including health and safety protocols will be given to volunteers. Training will also be provided. Continuing to work with County agencies update protocols.
- Individuals using the Center will be provided a warm place to stay overnight (no cots provided)
- Individuals will be asked to sign-in and they will be provided a claim check for any bikes or carts.
- There will be covered storage provided for carts and bikes.
- Dogs will be kept in dog kennels and given flea collars. Kennels will be located in one of the side rooms. Owners will stay near their pet, but animals must remain in the kennel.
- Snacks and coffee will be provided during the night
- Restrooms are located in the building.
- No smoking is allowed in the buildings, only in the parking lot until 10:30 PM.
- Individuals will be allowed to check in all during the night. If an individual chooses to leave they will not be allowed to return that night.
- Only one check-in point.
- All individuals will be welcomed as long as they can be compliant with the rules.
 - a. No smoking inside
 - b. Treat everyone with respect
 - c. Quiet after 10:30
- Disruptive individuals will be asked to leave. If an individual becomes a threat to themselves or others, 9-1-1 will be called.
 - An individual who becomes defiant will be asked to leave and may be barred from returning
 - Opportunities will be provided to connect with local agencies including mental health, Street Medicine, senior services, Family Services, and substance abuse agencies.
 - All individuals will be entered into the HMIS.

Exhibit "C"

St. Paul's Safety Plan
For the Warming Center
2021-2022

- All clients will be required to wear mask.
- Temperatures will be taken upon entrance to the Warming Center
- Will work with Health Department to develop a cleaning routine.
- A Security Guard will be on duty from 8 PM until 8 AM to ensure individuals do not arrive early and that they all leave the area in a timely way.
- The Security will be asked to monitor the parking lot and along Walnut and Ben Maddax during the period 8 PM – 8 AM
- They will also keep a fire log as requested by the fire department
- Individuals will be advised and reminded to not arrive before 9 PM or they will be unable to stay that night.
- Clients will line-up along the sidewalk and enter through the main doors.
- Carts will be limited in size and stored within the confines of the storage area on the property.
- Existing trash cans will be replaced with larger dumpsters.
- Staff will also walk the area around the WC to remove any trash dropped by clients as they leave.
- Pets will be leashed and caged within the building. (If individuals do not have a leash one will be provided. All animals will be given a flea collar the first night they stay.)
- Bathrooms are available within the building.
- Individuals will be allowed to smoke in a specified area until 10:30 PM.
- After 10:30 all individuals will be requested to remain within the building until 6 AM.
- If individuals leave early, they will not be allowed to return.

Exhibit "D"

Visalia Homeless Center

120 N. Hall, Visalia CA 93291



Building Bridges of Trust

November 22, 2021

Dear Neighbors,

Since 2018, The Visalia Homeless Center has operated a Warming Center as a nonprofit under the Episcopal Church. Over these many years, we have been able to develop policies and procedures that ensures the safety of our clients and the integrity of the neighborhood. This year, through a city grant, the Visalia Warming Center has secured a place to operate at the former Evangel Assembly of God Church, 1625 E. Walnut.

Some of the policies that will be in place to insure a high quality include the following:

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

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

If you would like to donate or volunteer at the center feel free to contact

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

Exhibit "E"



MEETING DATE November 10, 2021
SITE PLAN NO. 2021-204
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

TCUP

HISTORIC PRESERVATION

OTHER –

ADDITIONAL COMMENTS:

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440
Site Plan Review Committee

SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division, 559-713-4003

Date: November 10, 2021

SITE PLAN NO: 2021-204
PROJECT: Visalia Homeless Center
DESCRIPTION: TEMPORARY LOW BARRIER WARMING CENTER
APPLICANT: SUZY WARD
PROP. OWNER: CH-EVANGEL ASSEMBLY OF GOD VISALIA
LOCATION: 1625 E WALNUT AVE.
APN: 126-450-036
GENERAL PLAN: Residential Low Density
ZONING: R-1-5 (SINGLE FAMILY RESIDENTIAL, 5,000 SQ. FT. MINIMUM SITE AREA)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- TCUP with Planning Commission Review
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: November 10, 2021

1. The request will require the applicant to apply for a Temporary Conditional Use Permit which will be reviewed by the Planning Commission at a special meeting of the Commission.
2. Provide an Operational Statement detailing the following:
 - a. Beginning and ending period,
 - b. Set times (hours) for the provided service,
 - c. Rules for admission,
 - d. Handling belongings (carts, animals, etc.),
 - e. Handling of trash and refuse on site and in vicinity,
 - f. Restroom facilities,
 - g. Security on site and addressing loitering, and,
 - h. Staffing on site
3. Provide a detailed site plan.
4. Address all other reviewer comments.
5. Other information as needed.

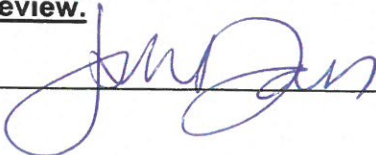
Applicable sections of the Visalia Municipal Code, Title 17 (Zoning):

17.12 Single Family Residential Zone

17.38.070 Temporary uses or structures

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 _____



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

Adrian Rubalcaba 713-4271
 713-

ITEM NO: 5 DATE: NOVEMBER 10, 2021

SITE PLAN NO.: 21-204
 PROJECT TITLE: VISALIA HOMELESS CENTER
 DESCRIPTION: TEMPORARY LOW BARRIER WARMING CENTER
 APPLICANT: SUZY WARD
 PROP OWNER: CH-EVANGEL ASSEMBLY OF GOD
 LOCATION: 1625 E WALNUT AVE
 APN: 126-450-036

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb; _____ gutter
- Drive approach size: _____ Use radius return;
- Sidewalk: _____ width; _____ parkway width at _____
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. FOR ANY 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. *No comments as proposed.*
2. *Refer to Planning Dept. for required TCUP entitlement.*

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **21-204**

Date: **11/10/2021**

**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: **8/21/21**)
(Project type for fee rates: **TCUP**)

Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<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

CITY OF VISALIA TRAFFIC SAFETY DIVISION

November 10, 2021

ITEM NO: 5

SITE PLAN NO: SPR21204

PROJECT TITLE: Visalia Homeless Center

DESCRIPTION: Temporary low barrier warming center

APPLICANT: Suzy Ward

OWNER: CH-EVANGEL ASSEMBLY OF GOD OF VISAL

APN: 126450036

LOCATION: 1625 E WALNUT AVE

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
Building: Site Plan
Review Comments

SFR 21204
VISALIA HOMELESS CENTER
126450036

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 \$0.66 per square foot & Self-Storage \$.23 per sf. Residential.
- 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: _____

VAL GARCIA 11/10/21
Signature

Visalia PD.
LT. K. KROEZE L159
713-4573



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

Date: 11/10/21
Item: 5
Site Plan: SPR21204
Name: VISALIA HOMELESS CENTER

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:
 - RECOMMEND FOLLOWING OPS. STATEMENT OF ON-SITE SECURITY BEFORE, DURING AND AFTER OPERATIONAL HOURS
 - NO LOITERING SHOULD BE ALLOWED AROUND PROPERTY
 - VPD REQUESTS THAT, IN THE EVENT THE CENTER IS FULL, A PHONE CALL SHOULD BE MADE TO NOTIFY VPD DISPATCH AT (559) 734-8117 SO OFFICERS DON'T BRING PEOPLE THERE. (ONSITE)
 - RECOMMEND A POINT OF CONTACT IS ALWAYS AVAILABLE FOR P.D. IF NEEDED.

Josh Dan

From: Nathan Garza
Sent: Wednesday, November 10, 2021 11:32 AM
To: Josh Dan
Subject: RE: 11/10/2021 SPR No. 204

Solid Waste Comments:

Customer is encouraged to contact Solid Waste @ 713-4532 to complete waste assessment in order to have commercial bins assigned. Locking services are recommended to address potential illegal dumping issues.

Thank You,

Nathan Garza

City of Visalia

Public Works Department

Solid Waste Division

559-713-4532

nathan.garza@visalia.city

www.GoGreenVisalia.com



Please consider the environment before printing this email...

This e-mail (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act.

From: Josh Dan <Josh.Dan@visalia.city>
Sent: Wednesday, November 10, 2021 10:45 AM
To: Adrian Rubalcaba <Adrian.Rubalcaba@visalia.city>; McNamara, Scott <smcNamara@calwater.com>; Brad Crim <Brad.Crim@visalia.city>; Nathan Garza <Nathan.Garza@visalia.city>; Leslie Blair <Leslie.Blair@visalia.city>; Corbin Reed <Corbin.Reed@visalia.city>; Val Garcia <Val.Garcia@visalia.city>; Kevin Kroeze <Kevin.Kroeze@visalia.city>; Tracy Robertshaw <Tracy.Robertshaw@visalia.city>
Subject: 11/10/2021 SPR No. 204

All,

The last item on the agenda (the warming center) will be applying for a special meeting with the Planning Commission and that application will need to be in with Planning Staff (Brandon Smith) by the end of the week. Part of that application will require SPR comments be submitted with their packet.

Please have comments to me by the end of the day. If you do not have comments regarding the submittal, I'd still appreciate it if you could provide that in writing, either on your typical letter head or via email.

Thanks,

Josh Dan

Temporary Conditional Use Permit No. 2021-40

The project site is located 1625 E. Walnut Avenue (Evangel Assembly of God church), on the southwest corner of Ben Maddox Way and Walnut Avenue (APN: 126-450-036)

