

PLANNING COMMISSION AGENDA

CHAIRPERSON:
Marvin Hansen



VICE CHAIRPERSON:
Adam Peck

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

MONDAY, JANUARY 24, 2022
VISALIA COUNCIL CHAMBERS
LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA
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 –
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. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - No items on the Consent Calendar
6. PUBLIC HEARING – Josh Dan, Associate Planner
Conditional Use Permit No. 2021-34: A request to construct a walk-up hotdog stand measuring 468 square feet with no indoor dining on a parcel measuring 9.25-acres in the I-L (Light Industrial) Zone. The project site is located on the southwest corner of East Tulare Avenue and South Santa Fe Street (Address: 345 E. Tulare Avenue) (APN: 000-014-294). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2021-64.

7. PUBLIC HEARING – Cristobal, Associate Planner
 Variance No. 2021-04: A request by the George Family Trust to allow a variance to fence height standards for the placement of a six-foot-tall fence in the front yard setback of three parcels located in the C-S (Service Commercial) Zone. The project site is located at 600, 602, 650, 700, and 702 South Bridge Street (APNs: 097-074-003, 004, 005). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2021-53

8. PUBLIC HEARING – Brandon Smith, Principal Planner
 Zoning Text Amendment No. 2021-09: A request by the City of Visalia to amend portions of Visalia Municipal Code Title 17 (Zoning Ordinance) as to implement a program contained in the City of Visalia 2020-2023 Housing Element pertaining to regulations for emergency shelters and low barrier navigation centers. The project area is contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan, Citywide. A previously prepared Program Environmental Impact Report and Negative Declaration adequately analyzed and addresses the project and would recommend that the City Council adopt Environmental Document No. 2021-44 for this project.

9. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –
 - a. Planning Commission meeting for February 28th and March 14th to be potentially held at the Visalia Convention Center.
 - b. City Council continued items for the February 7th meeting.
 - c. Joint meeting between City Council and Planning Commission scheduled for Thursday May 12, 2022.
 - d. Next Planning Commission Meeting is Monday, February 14, 2022.

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, FEBRUARY 3, 2022, 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 93291. 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, FEBRUARY 14, 2022



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: January 24, 2022

PROJECT PLANNER: Cristobal Carrillo, Associate Planner
Phone:(559) 713-4443
E-mail: cristobal.carrillo@visalia.city

SUBJECT: Variance No. 2021-04: A request by the George Family Trust to allow a variance to fence height standards for the placement of a six-foot-tall fence in the front yard setback of three parcels located in the C-S (Service Commercial) Zone. The project site is located at 600, 602, 650, 700, and 702 South Bridge Street (APNs: 097-074-003, 004, 005)

STAFF RECOMMENDATION

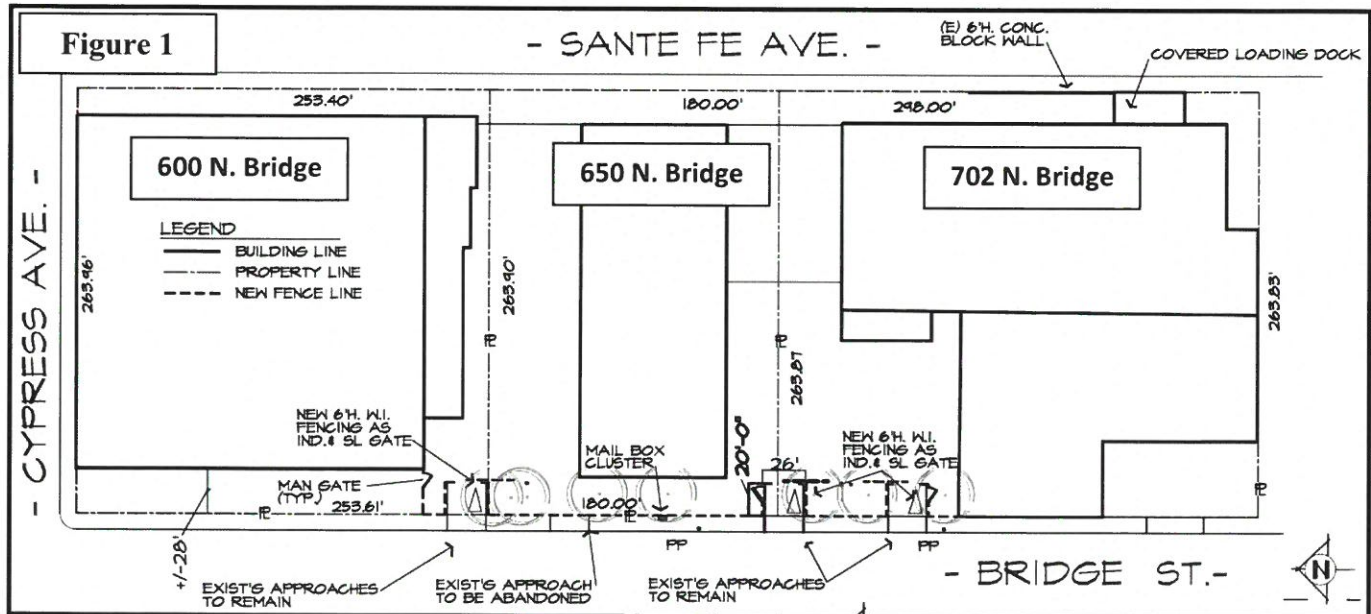
Staff recommends that the Planning Commission approve Variance No. 2021-04 based on the conditions and findings in Resolution No. 2021-53. Staff's recommendation is based on the project's consistency with the policies and intent of the City's General Plan and Zoning Ordinance.

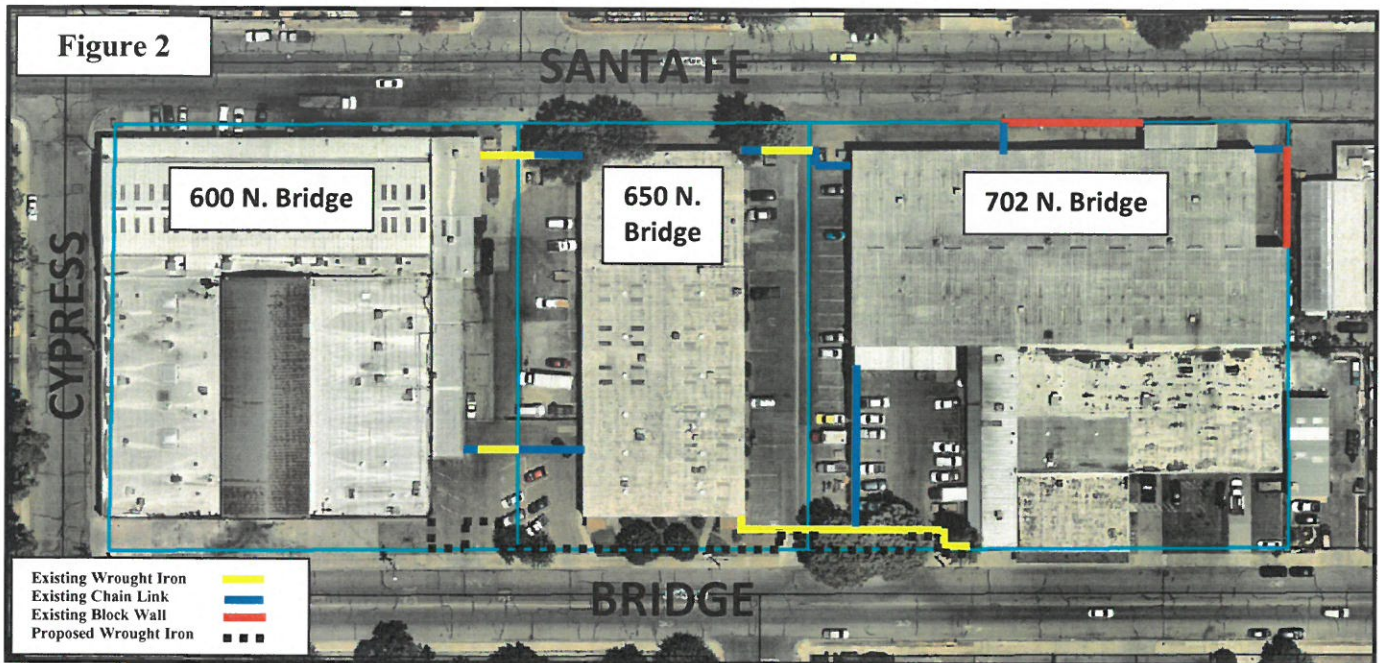
RECOMMENDED MOTION

I move to approve Variance No. 2021-04, based on the findings and conditions in Resolution No. 2021-53.

PROJECT DESCRIPTION

The proponent is requesting a Variance to erect a six-foot-tall fence along portions of the western property boundaries of three adjoining sites, within the 10-foot front yard setback of the C-S (Service Commercial) Zone (see Exhibit "A" and Figure 1 below). The proposed fencing is intended to block public access to existing front yard landscape areas located along South Bridge Street. The applicant states that the fencing is necessary to prevent trespassers from congregating on the landscaped areas, and to increase overall safety for the businesses operating within the buildings onsite. The applicant has prepared responses to the five required variance findings to support the fence Variance request, included as Exhibit "C".





Per the elevations in Exhibit “B”, the fencing will be made of wrought iron material, similar to fencing present on the project sites. Existing fencing along South Bridge Street will be removed or relocated as part of this proposal (see Figure 2). Per a site visit conducted on January 15, 2022, installation of fence posts has already occurred along portions of the two southernmost parcels. Construction was halted by Neighborhood Preservation staff. The applicant is awaiting a determination on the fence Variance in order to obtain a Building Permit to complete installation. In areas where driveways are present, the proposed fencing will be recessed approximately 20 feet east to accommodate vehicle turnaround. The recessed areas will include sliding gates. A driveway located on the middle parcel (650 S. Bridge Street on Exhibit “A”) shall be removed as a part of this proposal.

BACKGROUND INFORMATION

General Plan Land Use Designation	Commercial Service
Zoning	C-S (Service Commercial)
Surrounding Zoning and Land Use	North: R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) / Single family residences South: C-N (Neighborhood Commercial) / Service and retail commercial uses. East: R-1-5, R-M-2 (Multi-family residential, 3,000 sq. ft. minimum site area), R-M-3 (Multi-family residential, 1,200 sq. ft. minimum site area), Single and multi-family residential. West: QP (Quasi-Public), C-S / Washington Elementary School, service commercial uses, single family residences
Environmental Review	Categorical Exemption No. 2021-53
Special District	None
Site Plan Review	2021-163

RELATED PROJECTS

Variance No. 2018-05: A request for a variance to allow a six-foot high wrought iron fence within the required 15-foot front yard setback in the OC (Office Conversion) zone, on a site located at 201 E. Noble Avenue (APN: 097-052-009). On May 29, 2018, the Planning Commission approved this item as requested.

Variance No. 2019-05, a request to install an electrified fence measuring 8 ½ feet along the full perimeter of a rental facility yard in the C-S (Service Commercial) Zone District, located at 925 N. Ben Maddox Way (APN: 094-160-029). The proposal was denied by the Planning Commission on June 24, 2019. The denial was appealed by the applicant to the City Council. On August 19, 2019, the City Council voted to not uphold the Planning Commission's denial and approved the electrified fence as requested.

Variance No. 2021-02: A request to allow the placement of an eight-foot tall, electrified fence along the full perimeter of a rental facility yard in the Industrial Zone, located at 1220 North Century Street (APNs: 081-100-021, 081-100-022, & 081-100-024). On August 9, 2021, the Planning Commission approved this item with changes to conditions of approval.

PROJECT EVALUATION

Staff is recommending approval of the requested variance to setbacks as described below in the Variance Findings Analysis. Staff's recommendation is based on approval of a similar fence variance to setbacks based upon similar site security concerns

Service Commercial Setbacks / Fence Height Standards

The front yard setback for the C-S Zone is 10-feet and is applied along the South Bridge Street frontage of the three project sites. Per Section 17.36.050.D of the Visalia Municipal Code (VMC), fencing located within the front yard setback of the C-S Zone shall not exceed a height of three feet if made of solid material, or four feet if made of material that is not solid (i.e., wrought iron, picket, chain link fencing).

The applicant proposes placement of six-foot-tall wrought iron fencing along the western property boundary of three properties, within the front yard setback, as follows:

- 600 South Bridge Street – Southern 55 feet of the front yard property boundary;
- 650 South Bridge Street – Entire front yard property boundary;
- 702 South Bridge Street – Northern 98 feet of the front yard property boundary.

All fencing would be located within the 10-foot front yard setback. No other fencing is proposed onsite at this time.

As noted by staff during a site inspection, work was previously conducted by the applicant to install the proposed fence. Based off the site inspection and City mapping systems, it appears that the fencing installed is located within the South Bridge Street public right-of-way. Fencing will need to be relocated to not encroach into the right-of-way. Alternatively, the City has recently allowed temporary encroachment of fencing using "license agreements", in which the City and property owner agree to allow encroachment into public rights of way until such time as improvement work requires removal/relocation at the owner's expense. Given the above, staff recommends inclusion of Condition of Approval No. 3 requiring the applicant to either installed the proposed fencing on the property line or enter into a license agreement with the City to allow encroachment until such time as right of way work requires removal/relocation. If the latter option is chosen, the applicant will be required to enter into a license agreement prior to issuance of a Building Permit for the fencing.

Findings for the Variance

Variances are intended to prevent unnecessary hardships resulting from strict or literal interpretation of regulations while not granting a special privilege to the applicant. The Planning Commission has the power to grant variances to regulations prescribed in the Zoning Ordinance. The applicant has provided proposed variance findings in Exhibit "C" intended to justify their goal of placing a six-foot-tall fence within the required front yard setback of a site in the C-S Zone. The findings and accompanying analysis are provided below:

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

Applicant's Findings:

The current landscaping along Bridge Street from Tulare Avenue to Noble Avenue consistently receives a collection of homeless impacts & debris which requires daily maintenance. Johnny George [the property owner] seeks to have a pleasing low maintenance protect yet visually seen landscaping. He intends to install the improved protected landscaping and fencing of his (3) properties at the streetside property line to avoid unwanted intrusions. The full 25-foot landscape buffer will remain with open fence visibility. Zero setback allows for full maintenance by the owner without unwelcome intrusion.

Staff Analysis:

Staff concurs. Neighborhood Preservation staff have confirmed that the specific area in question is heavily impacted by persons experiencing homelessness, resulting in increased maintenance and visual impacts due to loitering of unauthorized persons within landscape areas. Enforcement of the specific zoning regulation would allow for this condition to persist. Several sites in the surrounding area also contain fencing at heights and locations similar to the proposal. Enforcement of the specific regulation in this case would create a hardship for the applicant inconsistent with zoning regulations that have allowed nonconforming fencing in the vicinity to remain.

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

Applicant's Findings:

[Mr. George] recently reduced the landscaping and rebuilt his fencing adjacent to the Olive Plant property line at Tulare Avenue at the south end of Bridge Street. Although the existing zoning allows for less landscape at the Olive Plant, the City of Visalia Code Compliance Division made the request of him to work towards eliminating a homeless problem of gathering in the landscape area which remained to the west at the corner property. Implementing the reduction of access to landscape has made a marked reduction of [homeless congregation].

Staff Analysis:

Staff concurs. As stated previously Neighborhood Preservation staff have confirmed that the specific area in question is heavily impacted by persons experiencing homelessness. While this is not specific to the zoning in question, it is a condition unique to the area in which the project sites are located. Allowance of the variance request will assist in the reduction of maintenance and visual impacts, and protection of the businesses onsite, while allowing street views of landscaping and buildings to be preserved. Furthermore, the parcels are

bounded to the north, east, and west by residential and school uses, despite being designated for, and containing, service commercial uses. This creates an extraordinary circumstance as service commercial areas are typically surrounded by similar land use designations and uses, visited either by employees or customers. The project sites proximity to residential and school areas subjects the applicant to increased foot traffic from other than those seeking services, increasing opportunities for trespassing onsite.

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

Applicant's Findings:

There are existing 6-foot fences and building on the property line adjacent to the east & west side of Bridge Street. 700 S. Bridge is a building which is on the property line full length. 730 South Bridge Street is a building which is on the property line full length. From this building to the mini mart at the southeast end of Bridge Street there is a six-foot-high chain link fence at the property line. At Washington School directly across the street to the west, and the full length of +/- 788 feet. There is a six-foot chain-link fence on the property line.

Staff Analysis:

Staff concurs, though some of the buildings referenced in the applicant's response are misidentified. Denial of the Variance would result in a loss of privileges that have been afforded to others. A portion of the building located at 600 S. Bridge Street is located along the northern property line, within the required 10-foot street side yard setback of the C-S Zone (see Figure 3). Similarly, the western portion of the building located at 702 S. Bridge is located within the 10-foot front yard setback. For 702 S. Bridge Street there is also a portion of the building and a six-foot-tall block wall that runs along the property line fronting South Santa Fe Street (see Figure 4). Lastly, there are several properties



Figure 3

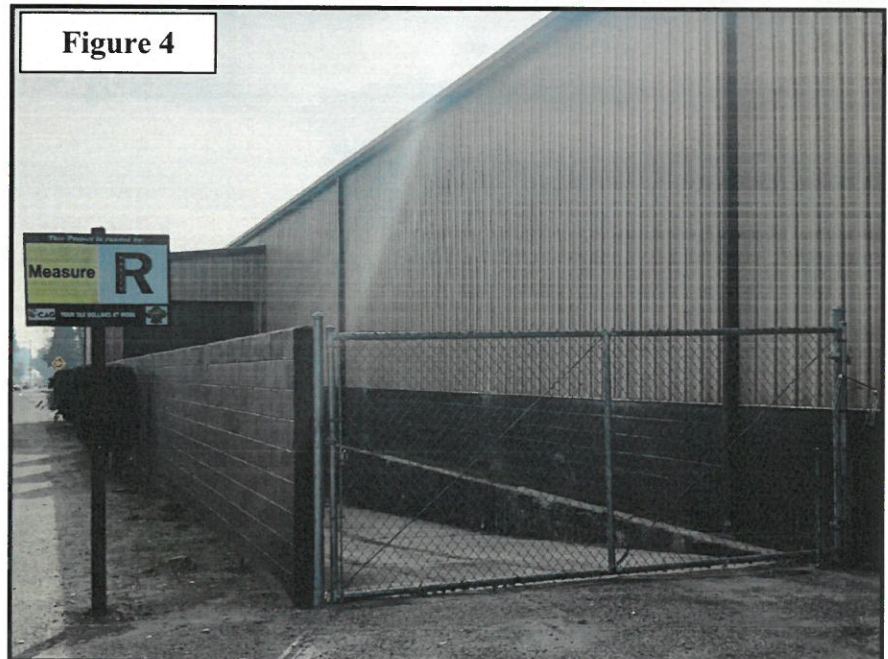


Figure 4

south of the project site that have fencing as tall as six feet along property lines facing Bridge and Santa Fe Streets. While these areas zoned C-N (Neighborhood Commercial), they are nevertheless subject to the same fence height standards as the C-S Zone.

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

Applicant's Findings:

The granting of the variance will be consistent with multiple fence and building lines at adjacent existing properties and will not constitute granting of special privilege inconsistent with the limitations on other properties classified in the same zone;

Staff Analysis:

Staff concurs. The proposed fencing would be consistent with existing structures and fencing already located on the project site and properties within the vicinity. The proposed fencing would permit the applicant to secure landscaping areas and businesses onsite, as other businesses in the vicinity have been able to do through their existing fencing.

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

Applicant's Findings:

That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the area. It is but the fence adjustment to the front property line.

Staff Analysis:

Staff finds that the requested fence variance will not be detrimental to the public well being or surrounding sites. Fencing will assist the property owner in curbing loitering onsite, thereby reducing maintenance and visual impacts to the property. Fencing will also assist in reducing instances of trespassing onto the project site, for the benefit of occupants and businesses alike. Existing fencing of similar height and location, on sites within the vicinity of the project site, have not been detrimental to the public well being and have instead helped secure sites and businesses from trespassing.

Environmental Review

The Variance is considered Categorically Exempt under Section 15303 (Class 5) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) as amended, based on minor alterations to land use limitations that do not result in changes in land use or density (Categorical Exemption No. 2021-53). Adoption of an environmental finding is not required if an action is denied. If the action is approved the Categorical Exemption would be utilized.

RECOMMENDED FINDINGS

1. *That strict or literal interpretation and enforcement of the specified regulation would not result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance.*

Neighborhood Preservation staff have confirmed that the specific area in question is heavily impacted by persons experiencing homelessness, resulting in increased maintenance and visual impacts due to loitering of unauthorized persons within landscape areas. Enforcement of the specific zoning regulation would allow for this condition to persist. Several sites in the

surrounding area also contain fencing at heights and locations similar to the proposal. Enforcement of the specific regulation in this case would create a hardship for the applicant inconsistent with zoning regulations that have allowed nonconforming fencing in the vicinity to remain.

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

As stated previously Neighborhood Preservation staff have confirmed that the specific area in question is heavily impacted by persons experiencing homelessness. While this is not specific to the zoning in question, it is a condition unique to the area in which the project sites are located. Allowance of the variance request will assist in the reduction of maintenance and visual impacts, and protection of the businesses onsite, while allowing street views of landscaping and buildings to be preserved. Furthermore, the parcels are bounded to the north, east, and west by residential and school uses, despite being designated for, and containing, service commercial uses. This creates an extraordinary circumstance as service commercial areas are typically surrounded by similar land use designations and uses, visited either by employees or customers. The project sites proximity to residential and school areas subjects the applicant to increased foot traffic from other than those seeking services, increasing opportunities for trespassing onsite.

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

Denial of the Variance would result in a loss of privileges that have been afforded to others. A portion of the building located at 600 S. Bridge Street is located along the northern property line, within the required 10-foot street side yard setback of the C-S Zone (see Figure 3). Similarly, the western portion of the building located at 702 S. Bridge is located within the 10-foot front yard setback. For 702 S. Bridge Street there is also a portion of the building and a six-foot-tall block wall that runs along the property line fronting South Santa Fe Street (see Figure 4). Lastly, there are several properties south of the project site that have fencing as tall as six feet along property lines facing Bridge and Santa Fe Streets. While these areas are zoned C-N (Neighborhood Commercial), they are nevertheless subject to the same fence height standards as the C-S Zone.

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

The proposed fencing would be consistent with existing structures and fencing already located on the project site and properties within the vicinity. The proposed fencing would permit the applicant to secure landscaping areas and businesses onsite, as other businesses in the vicinity have been able to do through their existing fencing.

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

Staff finds that the requested fence variance will not be detrimental to the public well-being or surrounding sites. Fencing will assist the property owner in curbing loitering onsite, thereby reducing maintenance and visual impacts to the property. Fencing will also assist in reducing instances of trespassing onto the project site, for the benefit of occupants and businesses alike. Existing fencing of similar height and location, on sites within the vicinity of the project site, have not been detrimental to the public well-being and have instead helped secure sites and businesses from trespassing.

6. That the project is considered Categorical Exempt under Section 15303 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2021-53).

RECOMMENDED CONDITIONS

1. That the project shall be developed consistent with the site plan and elevations included as Exhibits "A" and "B".
2. That a building permit be obtained for the proposed fencing.
3. That the applicant shall relocate the fence so that it does not encroach into City of Visalia public right-of-way, or enter into a license agreement with the City of Visalia to allow encroachment of the fence into the public right-of-way until such time as right-of-way improvements require relocation/removal of the fence. If the fence is to be moved, the relocation shall occur prior to finalization of the Building Permit. If a license agreement is to be utilized, the agreement shall be executed and recorded with the Tulare County Recorder, and evidence of such provided to the City of Visalia, prior to issuance of a Building Permit for the project.
4. That all applicable federal, state and city laws, codes and ordinances be met.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe Street, Visalia 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 No. 2021-53
- Exhibit "A" – Site Plan
- Exhibit "B" – Fence Elevation
- Exhibit "C" – Operational Statement and Variance Findings
- Site Plan Review No. 2021-163
- Categorical Exemption No. 2021-53
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

RELATED PLANS AND POLICIES

Zoning Ordinance

Chapter 17.18 COMMERCIAL ZONES

17.18.010 Purpose and intent.

A. The several types of commercial zones included in this chapter are designed to achieve the following:

1. Provide appropriate areas for various types of retail stores, offices, service establishments and wholesale businesses to be concentrated for the convenience of the public; and to be located and grouped on sites that are in logical proximity to the respective geographical areas and respective categories of patrons that they serve in a manner consistent with the general plan;
2. Maintain and improve Visalia's retail base to serve the needs of local residents and encourage shoppers from outside the community;
3. Accommodate a variety of commercial activities to encourage new and existing business that will employ residents of the city and those of adjacent communities;
4. Maintain Visalia's role as the regional retailing center for Tulare and Kings Counties and ensure the continued viability of the existing commercial areas;
5. Maintain commercial land uses that are responsive to the needs of shoppers, maximizing accessibility and minimizing trip length;
6. Ensure compatibility with adjacent land uses.

B. The purposes of the individual commercial zones are as follows:

1. **Neighborhood Commercial Zone (C-N).** The purpose and intent of the neighborhood commercial zone district is to provide for small-scale commercial development that primarily serves surrounding residential areas, wherein small office uses as well as horizontal or vertical residential mixed use are also supported, and provide standards to ensure that neighborhood commercial uses are economically viable and also integrated into neighborhoods in terms of design, with negative impacts minimized, with multimodal access, and context-sensitive design. Neighborhood Commercial development shall be subject to design review and public input. There should be 10 to 15 dwelling units per gross acre where residential uses are included. Shopping centers shall be of a total size of 5 to 12 acres and located no closer than one mile from other General Plan designated Neighborhood Commercial locations, or from existing grocery stores, anchored by a grocery store or similar business no larger than 40,000 square feet in size, and include smaller in-line stores of less than 10,000 square feet. Alterations and additions in existing nonconforming centers may be permitted, subject to design review and conditions of approval to minimize neighborhood impacts.
2. **Regional Commercial Zone (C-R).** The purpose and intent of the regional commercial zone district is to provide areas for retail establishments that are designed to serve a regional service trade area. The uses permitted in this district are to be of a large-scale regional retail nature with supporting goods and services. Uses that are designed to provide service to residential areas and convenience, neighborhood and community level retail are not permitted, while office uses are to be limited.
3. **Service Commercial Zone (C-S).** The purpose and intent of the planned service commercial zone district is to provide areas that accommodate wholesale, heavy commercial uses, such as lumberyards and construction material retail uses, etc., and services such as automotive, plumbing, and sheet metal

fabrication. It is intended that uses in this district be those that can be compatible with heavy truck traffic and noise. Uses that would restrict the operation of generally permitted heavy commercial businesses are not provided in this district. (Ord. 2017-01 (part), 2017: prior code § 7310)

17.18.015 Applicability.

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

17.18.020 Permitted uses.

Permitted uses in the C-N, C-R, and C-S zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017; Ord. 2016-06, 2016; Ord. 2015-04 § 2, 2015; Ord. 2015-01 § 2, 2015; Ord. 2014-07 § 3 (part), 2014; Ord. 2012-10, 2012; Ord. 2012-08, 2012; Ord. 2012-02, 2012; Ord. 2011-07 § 2, 2011; Ord. 2010-16, 2010; Ord. 2009-02, 2009; Ord. 2006-17, 2006; Res. 2004-75 (part), 2004; Ord. 2004-08 § 3, 2004; Res. 2004-14 (part), 2004; Res. 2003-95 (part), 2003; Res. 2002-83, 2002; Res. 2002-26, 2002; Res. 2001-40, 2001; Res. 2001-29, 2001; Ord. 2000-01 § 6, 2000; Ord. 9903 § 3, 1999; Ord. 9717 § 2 (part), 1997; amended by council August 13, 1997; amended by council June 3, 1996 and May 20, 1996: prior code § 7328)

17.18.030 Conditional and temporary uses.

Conditional and temporary uses in the C-N, C-R, and C-S zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017; Ord. 2016-06, 2016; Ord. 2015-04 § 2, 2015; Ord. 2015-01 § 2, 2015; Ord. 2014-07 § 3 (part), 2014; Ord. 2012-10, 2012; Ord. 2012-08, 2012; Ord. 2012-02, 2012; Ord. 2011-07 § 2, 2011; Ord. 2010-16, 2010; Ord. 2009-02, 2009; Ord. 2006-17, 2006; Res. 2004-75 (part), 2004; Ord. 2004-08 § 3, 2004; Res. 2004-14 (part), 2004; Res. 2003-95 (part), 2003; Res. 2002-83, 2002; Res. 2002-26, 2002; Res. 2001-40, 2001; Res. 2001-29, 2001; Ord. 2000-01 § 6, 2000; Ord. 9903 § 3, 1999; Ord. 9717 § 2 (part), 1997; amended by council August 13, 1997; amended by council June 3, 1996 and May 20, 1996: prior code § 7328)

17.18.040 Required conditions.

A. A site plan review permit must be obtained for all development in all C-N, C-S, and C-R zones, subject to the requirements and procedures in Chapter 17.28.

B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and recycling facilities;

C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced;

D. All new construction in existing C-N zones not a part of a previously approved planned development shall conform with development standards determined by the site plan review committee. (Ord. 2017-01 (part), 2017: prior code § 7319)

17.18.050 Off-street parking and loading facilities.

Off-street parking and off-street loading facilities shall be provided as prescribed in Chapter 17.34. (Ord. 2017-01 (part), 2017: prior code § 7325)

17.18.080 Development standards in the C-S zone.

The following development standards shall apply to property located in the C-S zone:

- A. Minimum site area: five thousand (5,000) square feet.
- B. Maximum building height: sixty (60) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: ten (10) 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: ten (10) feet;
 - 2. Rear: five (5) feet (except where a building is located on side property line);
 - 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. (Ord. 2017-01 (part), 2017)

**Chapter 17.36
FENCES, WALLS AND HEDGES**

17.36.010 Purpose.

The purpose of this chapter is to control location and height of fences as may be required by city laws, rules and regulations to safeguard life or limb, property and public welfare. Fences may be constructed of any generally acceptable material except that barbed wire and electric charged fences are specifically prohibited in any R-1 or R-M zone.

17.36.015 Fence, wall or hedge height measurement.

The height of a fence or wall shall be measured from the adjacent finished grade, excluding raised planters or berms, to the top of the fence, wall or hedge.

17.36.050 Commercial and mixed use zones.

The following standards shall apply to sites within a C-N, C-R, C-S, C-MU, or D-MU zone:

A. Where a site in the C-N, C-R, C-S, C-MU, or D-MU zone adjoins an R-1 or R-M zone, either a concrete block masonry wall not less than seven feet in height shall be located on the property line except in a required front yard and suitably maintained or a landscaped buffer be provided as approved by the planning commission.

B. A use not conducted entirely within a completely enclosed structure, on a site across a street or alley from an R-1 or R-M zone shall be screened by a concrete block or masonry wall not less than six feet in height, if the city planning commission finds said use to be unsightly. A landscaped buffer can be approved by the planning commission in place of a required wall as an exception.

C. Open storage of materials and equipment, except commercial vehicles and used car sales lots, shall be permitted only within an area surrounded and screened by a concrete block or masonry wall not

less than six feet in height; provided, that no materials or equipment shall be stored to a height greater than that of the wall or fence.

D. No fence or wall shall exceed seven feet in height if located in a required side or rear yard or three feet in height if located in a required front yard. A fence or wall may be allowed in a required front yard to a height of four feet provided that the additional one-foot height is not of a solid material, upon approval of the city planner.

E. Exceptions may be granted in accordance with Chapter 17.42. (Ord. 2017-01 (part), 2017: Ord. 9605 § 30 (part), 1996: prior code § 7516)

Chapter 17.42

VARIANCES AND EXCEPTIONS

17.42.010 Variance purposes.

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

17.42.020 [Reserved]

17.42.030 Variance powers of city planning commission.

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

17.42.040 [Reserved]

17.42.050 Application procedures.

A. Application for a variance or exception shall be made to the city planning commission on a form prescribed by the commission and shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property, is the authorized agent of the owners, or is or will be the plaintiff in an action in eminent domain to acquire the property involved;
3. Address and legal description of the property;
4. Statement of the precise nature of the variance or exception requested and the hardship or practical difficulty that would result from the strict interpretation and enforcement of this title;
5. The application shall be accompanied by such sketches or drawings that may be necessary to clearly show applicant's proposal;
6. Additional information as required by the historic preservation advisory board;
7. When reviewing requests for an exception associated with a request for density bonus as provided in Chapter 17.32, Article 2, the applicant shall submit copies of the comprehensive development plan, sketches and plans indicating the nature of the request and written justification that the requested modifications result in identifiable cost reductions required for project to reach target affordability.

B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application.

17.42.060 Hearing and notice.

A. The city planning commission shall hold a public hearing on an application for a variance.

B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use that is the subject of the hearing.

17.42.070 Investigation and report.

The city planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the city planning commission.

17.42.080 Public hearing procedure.

At a public hearing the city planning commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section 17.42.090.

17.42.090 Variance action of the city planning commission.

A. The city planning commission may grant a variance to a regulation prescribed by this title with respect to fences and walls, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas or in modified form if, on the basis of the application, the report of the city planning staff or the evidence submitted, the commission makes the following findings:

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;
3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;
4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;
5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

B. The city planning commission may grant a variance to a regulation prescribed by this title with respect to off-street parking facilities, if, on the basis of the application, the report of the city planner or the evidence submitted the commission makes the findings prescribed in subsection (A)(1) of this section and that the granting of the variance will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.

C. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe.

D. The city planning commission may deny a variance application.

17.42.100 [Reserved]

17.42.110 Appeal to city council.

The decision of the city planning commission on a variance or exception application shall be subject to the appeal provisions of Section 17.02.145.

17.42.120 Lapse of variance.

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

17.42.130 Revocation.

A variance granted subject to a condition or conditions shall be revoked by the city planning commission if the condition or conditions are not complied with.

17.42.140 New application.

Following the denial of a variance application or the revocation of a variance, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one year of the date of denial of the variance application or revocation of the variance.

RESOLUTION NO. 2021-53

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2021-04, A REQUEST BY THE GEORGE FAMILY TRUST TO ALLOW A VARIANCE TO FENCE HEIGHT STANDARDS FOR THE PLACEMENT OF A SIX-FOOT-TALL FENCE IN THE FRONT YARD SETBACK OF THREE PARCELS LOCATED IN THE C-S (SERVICE COMMERCIAL) ZONE. THE PROJECT SITE IS LOCATED AT 600, 602, 650, 700, AND 702 SOUTH BRIDGE STREET (APNS: 097-074-003, 004, 005)

WHEREAS, Variance No. 2021-04, is a request by the George Family Trust to allow a variance to fence height standards for the placement of a six-foot-tall fence in the front yard setback of three parcels located in the C-S (Service Commercial) Zone. The project site is located at 600, 602, 650, 700, and 702 South Bridge Street (APNs: 097-074-003, 004, 005); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on January 24, 2022; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2021-04, as conditioned by staff, to be in accordance with Chapter 17.42.080 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 Section 15303.

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

Neighborhood Preservation staff have confirmed that the specific area in question is heavily impacted by persons experiencing homelessness, resulting in increased maintenance and visual impacts due to loitering of unauthorized persons within landscape areas. Enforcement of the specific zoning regulation would allow for this condition to persist. Several sites in the surrounding area also contain fencing at heights and locations similar to the proposal. Enforcement of the specific regulation in this case would create a hardship for the applicant inconsistent with zoning regulations that have allowed nonconforming fencing in the vicinity to remain.

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

As stated previously Neighborhood Preservation staff have confirmed that the specific area in question is heavily impacted by persons experiencing homelessness. While this is not specific to the zoning in question, it is a condition unique to the area in which the project sites are located. Allowance of the variance request will assist in the reduction of maintenance and visual impacts, and protection of the businesses onsite, while allowing street views of landscaping and buildings to be preserved. Furthermore, the parcels are bounded to the north, east, and west by residential and school uses, despite being designated for, and containing, service commercial uses. This creates an extraordinary circumstance as service commercial areas are typically surrounded by similar land use designations and uses, visited either by employees or customers. The project sites proximity to residential and school areas subjects the applicant to increased foot traffic from other than those seeking services, increasing opportunities for trespassing onsite.

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

Denial of the Variance would result is a loss of privileges that have been afforded to others. A portion of the building located at 600 S. Bridge Street is located along the northern property line, within the required 10-foot street side yard setback of the C-S Zone (see Figure 3). Similarly, the western portion of the building located at 702 S. Bridge is located within the 10-foot front yard setback. For 702 S. Bridge Street there is also a portion of the building and a six-foot-tall block wall that runs along the property line fronting South Santa Fe Street (see Figure 4). Lastly, there are several properties south of the project site that have fencing as tall as six feet along property lines facing Bridge and Santa Fe Streets. While these areas zoned C-N (Neighborhood Commercial), they are nevertheless subject to the same fence height standards as the C-S Zone.

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

The proposed fencing would be consistent with existing structures and fencing already located on the project site and properties within the vicinity. The proposed fencing would permit the applicant to secure landscaping areas and businesses onsite, as other businesses in the vicinity have been able to do through their existing fencing.

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

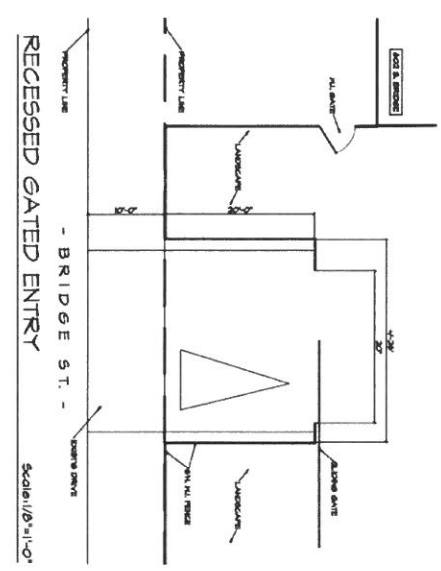
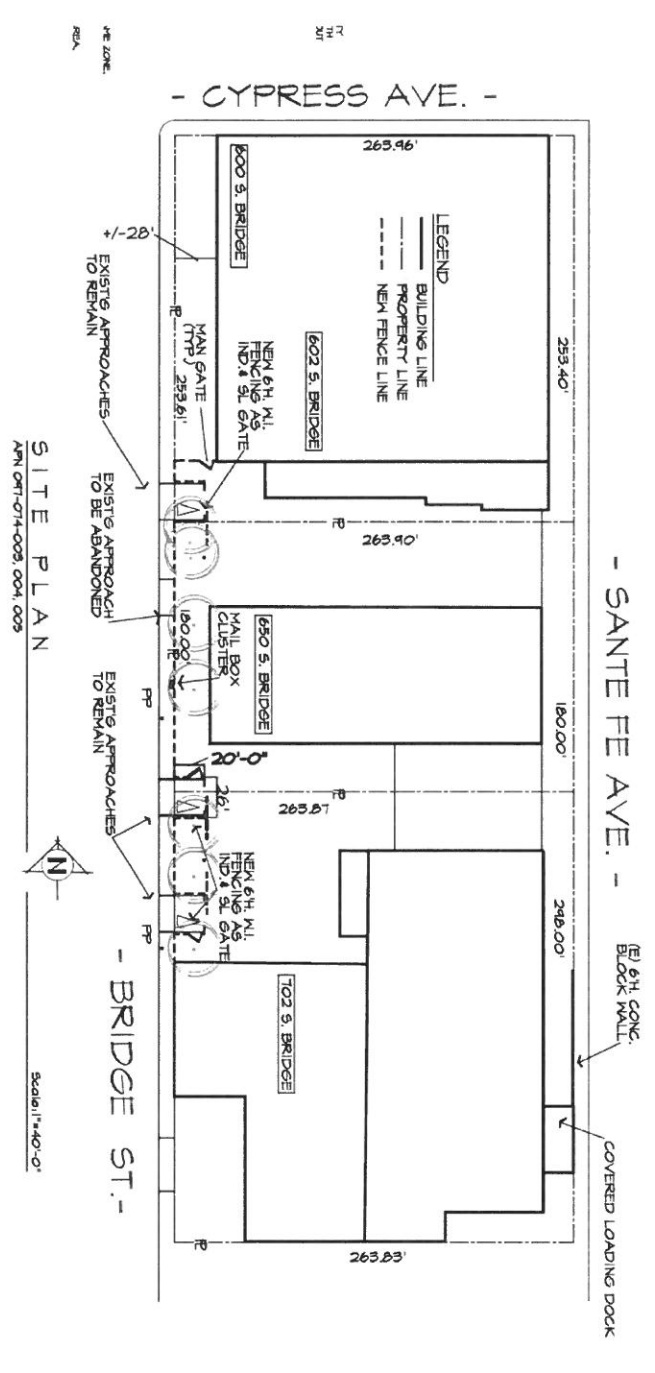
Staff finds that the requested fence variance will not be detrimental to the public well-being or surrounding sites. Fencing will assist the property owner in curbing loitering onsite, thereby reducing maintenance and visual impacts to the property. Fencing will also assist in reducing instances of trespassing onto the project site, for the benefit of occupants and businesses alike. Existing fencing of similar height and location, on sites within the vicinity of the project site, have not been detrimental to the public well-being and have instead helped secure sites and businesses from trespassing.

6. That the project is considered Categorical Exempt under Section 15303 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2021-53).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Variance on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.42.080 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project shall be developed consistent with the site plan and elevations included as Exhibits "A" and "B".
2. That a building permit be obtained for the proposed fencing.
3. That the applicant shall relocate the fence so that it does not encroach into City of Visalia public right-of-way, or enter into a license agreement with the City of Visalia to allow encroachment of the fence into the public right-of-way until such time as right-of-way improvements require relocation/removal of the fence. If the fence is to be moved, the relocation shall occur prior to finalization of the Building Permit. If a license agreement is to be utilized, the agreement shall be executed and recorded with the Tulare County Recorder, and evidence of such provided to the City of Visalia, prior to issuance of a Building Permit for the project.
4. That all applicable federal, state and city laws, codes and ordinances be met.

EXHIBIT "A"



SITE INFO:

EXISTING USE: MULTIPLE PROPOSED/NEW FENCING

EXISTING ZONING: SERVICE COMMERCIAL

APN: 08T-074-003, 004, 005

TELEPHONE: 952 TELEPHONE CO.

WATER: CALIFORNIA WATER SERVICE CO.

SEWER: CITY OF VISALIA

SOLID WASTE: CITY OF VISALIA - CURBSIDE

GAS: THE GAS CO.

POWER: SOUTHERN CALIF. EDISON CO.

OWNER:

JOHN & DONNA J. GEORGE FAMILY TRUST

515 E. TILARE

VISALIA, CALIF. 93271

951-750-6012

GENERAL NOTES

1. ALL WORK SHALL ADHET WITH APPLICABLE CODES & REGULATIONS.
2. THE DRAWINGS SHALL BE CONSIDERED TO PRESENT WORK TO BE DONE AND SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS AT THE SITE AND TO CHECK ALL SITE CONDITIONS TO BE UNDER GENERAL PERMIT AND APPROVED BY THE CITY OF HANFORD.

CODE COMPLIANCE

CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING PARTS OF TITLE 24, CODE OF REGULATIONS (CZR):

- 306 BUILDING STANDARDS ADMINISTRATIVE CODE
- 306 CALIFORNIA BUILDING CODE (CBC)
- 306 CALIFORNIA ELECTRICAL CODE (CEC)
- 306 CALIFORNIA MECHANICAL CODE (CMC)
- 306 CALIFORNIA PLUMBING CODE (CPC)
- 306 CALIFORNIA REFERENCED STANDARDS CODE (CRS)
- 306 CALIFORNIA REFERENCED STANDARDS CODE (CRS)
- 306 TITLE 17, CODE OF REGULATIONS, CALIFORNIA STATE REGULATIONS
- 306 CA GREEN BUILDING STANDARDS CODE

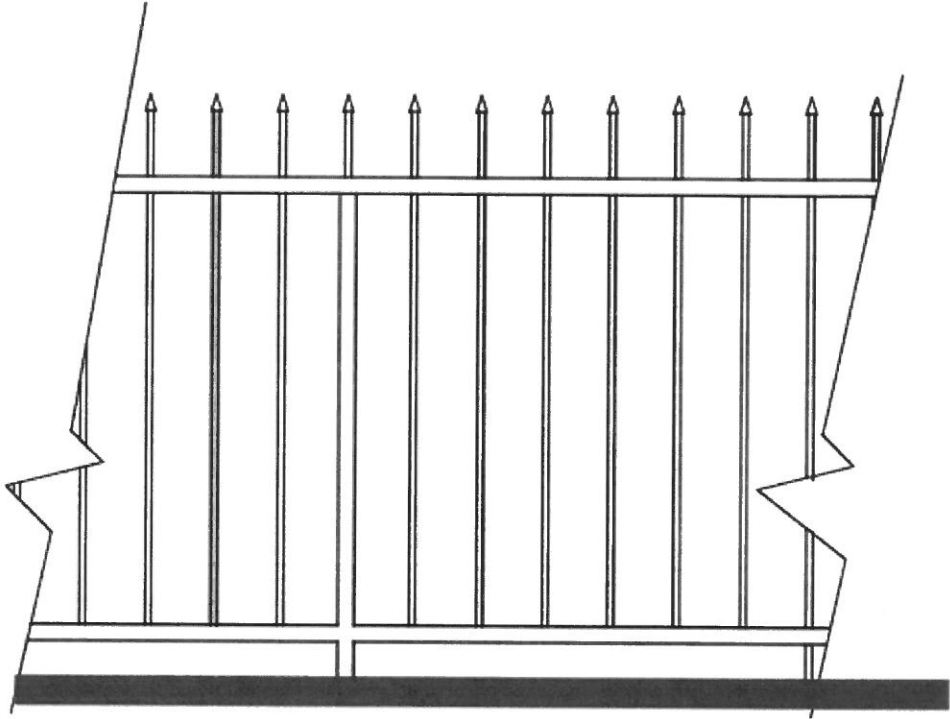
A FENCING PLAN FOR
GEORGE FAMILY TRUST
600-700 S. SANTE FE VISALIA CA

STEPHEN D. SPARSHOTT

DESIGN & DRAFTING
VISALIA, CA 93271

SHEET
OF
PROCESSING

EXHIBIT "B"



FENCE DETAIL

Scale: 1/4" = 1'-0"

W.I. FENCING

OPERATIONAL STATEMENT

- 6'H. OPEN W.I. FENCING W/ RECESSED ENTRIES
- GATED ENTRIES TO REMAIN OPEN +/-6:00 AM - 7:00 PM
- TENANT GATE OPENERS 24/7

1. THE CURRENT LANDSCAPING ALONG BRIDGE STREET FROM TULARE AVE. TO NOBLE AVE. CONSISTANTLY RECEIVES A COLLECTION OF HOMELESS IMPACTS & DEBRIS WHICH REQUIRES DAILY MAINTENANCE. JOHNNY GEORGE SEEKS TO HAVE A PLEASING LOW MAINTENANCE PROTECTED YET VISUALLY SEEN LANDSCAPING. HE INTENDS TO INSTALL THE IMPROVED PROTECTED LANDSCAPING AND FENCING OF HIS (3) PROPERTIES AT THE STREETSIDE PROPERTY LINE TO AVOID UNWANTED INTRUSIONS. THE FULL 25 FOOT LANDSCAPE BUFFER WILL REMAIN WITH OPEN FENCE VISIBILITY. ZERO SETBACK ALLOWS FOR FULL MAINTENANCE BY THE OWNER WITHOUT UNWELCOME INTRUSION.

2. JOHNNY RECENTLY REDUCED THE LANDSCAPING AND REBUILT HIS FENCING ADJACENT TO THE OLIVE PLANT PROPERTY LINE AT TULARE AVE AT THE SOUTH END OF BRIDGE ST. ALTHOUGH THE EXISTING ZONING ALLOWED FOR LESS LANDSCAPE AT THE OLIVE PLANT, CITY OF VISALIA CODE COMPLIANCE MADE THE REQUEST OF HIM TO WORK TOWARDS ELIMINATING A HOMELESS PROBLEM OF GATHERING IN THE LANDSCAPE AREA WHICH REMAINED TO THE WEST AT THE CORNER PROPERTY. IMPLEMENTING THE REDUCTION OF ACCESS TO LANDSCAPE HAS MADE A MARKED REDUCTION OF NEGATIVE IMPACT.

3. THERE ARE EXISTING 6FT. FENCES AND BUILDINGS ON THE PROPERTY LINE ADJACENT TO THE EAST & WEST SIDE OF BRIDGE ST. 700 S. BRIDGE IS A BUILDING WHICH IS ON THE PROPERTY LINE FULL LENGTH. 730 IS A BUILDING WHICH IS ON THE PROPERTY LINE FULL LENGTH, FROM THIS BUILDING TO THE MINI MART AT THE SOUTH EAST END OF BRIDGE ST. THERE IS A 6'H. CHAIN LINK FENCE AT THE PROPERTY LINE. AT WASHINGTON SCHOOL DIRECTLY ACROSS THE STREET TO THE WEST, AND THE FULL LENGTH OF +/- 788FT. THERE IS A 6' CHAIN LINK FENCE ON THE PROPERTY LINE.

4. THE GRANTING OF THE VARIANCE WILL BE CONSISTANT WITH MULTIPLE FENCE AND BUILDING LINES AT ADJACENT EXISTING PROPERTIES AND WILL NOT CONSTITUTE GRANTING OF SPECIAL PRIVILEGE INCONSISTANT WITH THE LIMITATIONS ON OTHER PROPERTIES CLASSIFIED IN THE SAME ZONE.

5. THE GRANTING OF THE VARIANCE WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY OR WELFARE, OR MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE AREA. IT IS BUT THE FENCE ADJUSTMENT TO THE FRONT PROPERTY LINE.



October 6, 2021

Site Plan Review No. 21-163:

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. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

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 **September 22, 2021**. 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 white background.

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE September 22, 2021
 SITE PLAN NO. 2021-163
 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:

<input type="checkbox"/> CITY COUNCIL	<input type="checkbox"/> REDEVELOPMENT
<input checked="" type="checkbox"/> PLANNING COMMISSION	<input type="checkbox"/> PARK/RECREATION
<input checked="" type="checkbox"/> VAR	
<input type="checkbox"/> HISTORIC PRESERVATION	<input type="checkbox"/> 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: September 22, 2021

SITE PLAN NO: 2021-163 - B
PROJECT: New Fencing
DESCRIPTION: NEW FENCING
APPLICANT: JOHN F. GEORGE
PROP. OWNER: ELMBRIDGE PROPERTIES LP
LOCATION TITLE: 602 – 700 S. BRIDGE
APN TITLE: 097-074-005, -004, & -003
GENERAL PLAN: Service Commercial
ZONING: C-S (Service Commercial)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Variance
- Building Permit
- Additional information as necessary

PROJECT SPECIFIC INFORMATION: September 22, 2021

1. Variance required –
 - a. The applicant has returned with corrections to the Site Plan exhibit addressing Traffic Engineering and the Building Division's comments. The fence, however, has remained in the same location and will not have Planning Staff's support should the applicant choose to proceed with a Variance.
2. VMC 17.18.080.C.2 lists the front yard setback as 10-ft.
3. What the applicant has provided on their exhibit does not comply with the setbacks of the zone.
4. Building permits are required for fencing.
5. Meet all other codes and requirements.

PROJECT SPECIFIC INFORMATION: September 8, 2021

6. VMC 17.18.080.C.2 lists the front yard setback as 10-ft.
7. What the applicant has provided on their exhibit does not comply with the setbacks of the zone.
8. Variance for setback will not be supported by staff.
9. Building permits are required for fencing.
10. Meet all other codes and requirements.

Note:

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.

Sections of the Municipal Code to review:

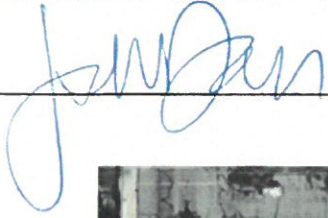
17.18 Commercial Zones – 17.18.060 Development standards in the C-N zone.

17.36 Fences Walls and Hedges – 17.36.050 Commercial and Mixed-use zones.

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: 6 DATE: SEPTEMBER 22, 2021

SITE PLAN NO.: 21-163 RESUBMITTAL
 PROJECT TITLE: NEW FENCING
 DESCRIPTION: NEW FENCING (CS)
 APPLICANT: JOHN F GEORGE
 PROP OWNER: ELBRIDGE PROPERTIES LP
 LOCATION: 700 S BRIDGE ST
 APN: 097-074-003, 004

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.
 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. **AS NEEDED WITH PROPOSED FENCE**
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

1. *Proposed fencing appears to only be located along Bridge Street side. There is currently an existing fence across the parking lot area of the two most southern buildings. Site plan is not clear if this existing fence is to be removed.*
2. *Site plan is not clear as to the distance the proposed new fence is going to be placed from property line and building, comply with Planning Dept. setbacks.*
3. *The proposed fence as shown to maintain setback requirements of 20-feet from curb face at driveways.*
4. *Pedestrian access gates are shown to be installed. Conform to accessible standards.*
5. *Sliding gates are recommended. Swing gates cannot open towards street, obstructing required vehicle staging area.*
6. *A building permit is required, standard plan check and inspection fees apply.*

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **21-163 RESUBMITTAL**
Date: **9/22/2021**

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:**8/21/2021**)
(Project type for fee rates:**SITE IMPROVEMENT**)

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

APR 21 163
NEW FENCING
7009 BRIDGE ST

City of Visalia
Building: Site Plan
Review Comments

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project
Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone AE * Hazardous materials report. **MEET FEMA & FLOOD REQUIREMENTS**
- 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 9/21/21
Signature



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

Date: 9-21-21
 Item: Co Re-sub
 Site Plan: 21-163
 Name: Agent McEwen

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:
Proper access for Police into complex.



SITE PLAN REVIEW DATE: 22Sept2021

WASTEWATER COLLECTIONS AND PRETREATMENT DIVISION (QUALITY ASSURANCE)
SITE PLAN REVIEW COMMENTS

SITE PLAN REVIEW NO: 21-163

PROJECT NAME: New Fencing

THE PROJECT IS SUBJECT TO THE FOLLOWING REQUIREMENTS FROM WASTEWATER
PRETREATMENT DIVISION (QUALITY ASSURANCE):

- SUBMISSION OF WASTEWATER DISCHARGE PERMIT APPLICATION/QUESTIONNAIRE/OTHER REGULATORY FORMS

FORMS CAN BE FOUND AT THE FOLLOWING URL:

www.visalia.city/depts/public_works/wastewater/commercial_industrial_pretreatment_program.asp

- FORM REQUIRED _____
- FORM REQUIRED _____
- FORM REQUIRED _____

INSTALLATION OF SAND AND GREASE INTERCEPTOR

INSTALLATION GREASE INTERCEPTOR

OTHER _____

SITE PLAN REVIEWED-NO COMMENTS

CONTACT THE WASTEWATER PRETREATMENT DIVISION (QUALITY ASSURANCE) AT (559) 713-4529 OR PRETREATMENT@VISALIA.CITY, IF YOU HAVE ANY QUESTIONS.

COMMENTS:

DATE REVIEWED: 20Sept2021

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4532
COMMERCIAL BIN SERVICE

21163

September 22, 2021

- 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 Customer to provide gate access to all existing R3/R4 (city standard) double enclosures throughout this property. This account will be required to include trash, recycle, and organic collection services, per State of California's mandatory recycling laws (AB-341 & AB-1826). Customer is encouraged to contact Nathan Garza with City of Visalia Solid Waste Division at 559-713-4532 to schedule a waste assessment when ready to have additional bins assigned.

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

Nathan Garza, Solid Waste, 559-713-4532


Environmental Document # 2021-53

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

Variance No. 2021-04

PROJECT TITLE

600, 602, 650, 700, and 702 South Bridge Street (APNs: 097-074-003, 004, 005)

PROJECT LOCATION

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

A request by the George Family Trust to allow a variance to fence height standards for the placement of a six-foot-tall fence in the front yard setback of three parcels located in the C-S (Service Commercial) Zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia

NAME OF PUBLIC AGENCY APPROVING PROJECT

George Family Trust, 315 E. Tulare Avenue, Visalia CA 93277, (559) 651-1788, fourshott2@yahoo.com

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

George Family Trust, 315 E. Tulare Avenue, Visalia CA 93277, (559) 651-1788, fourshott2@yahoo.com

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - State type and Section number: **Section 15303**
- Statutory Exemptions- State code number:

A request is considered a minor alteration to land use limitations that does not result in changes in land use or density.

REASON FOR PROJECT EXEMPTION

Cristobal Carrillo, Associate Planner

(559) 713-4443

CONTACT PERSON

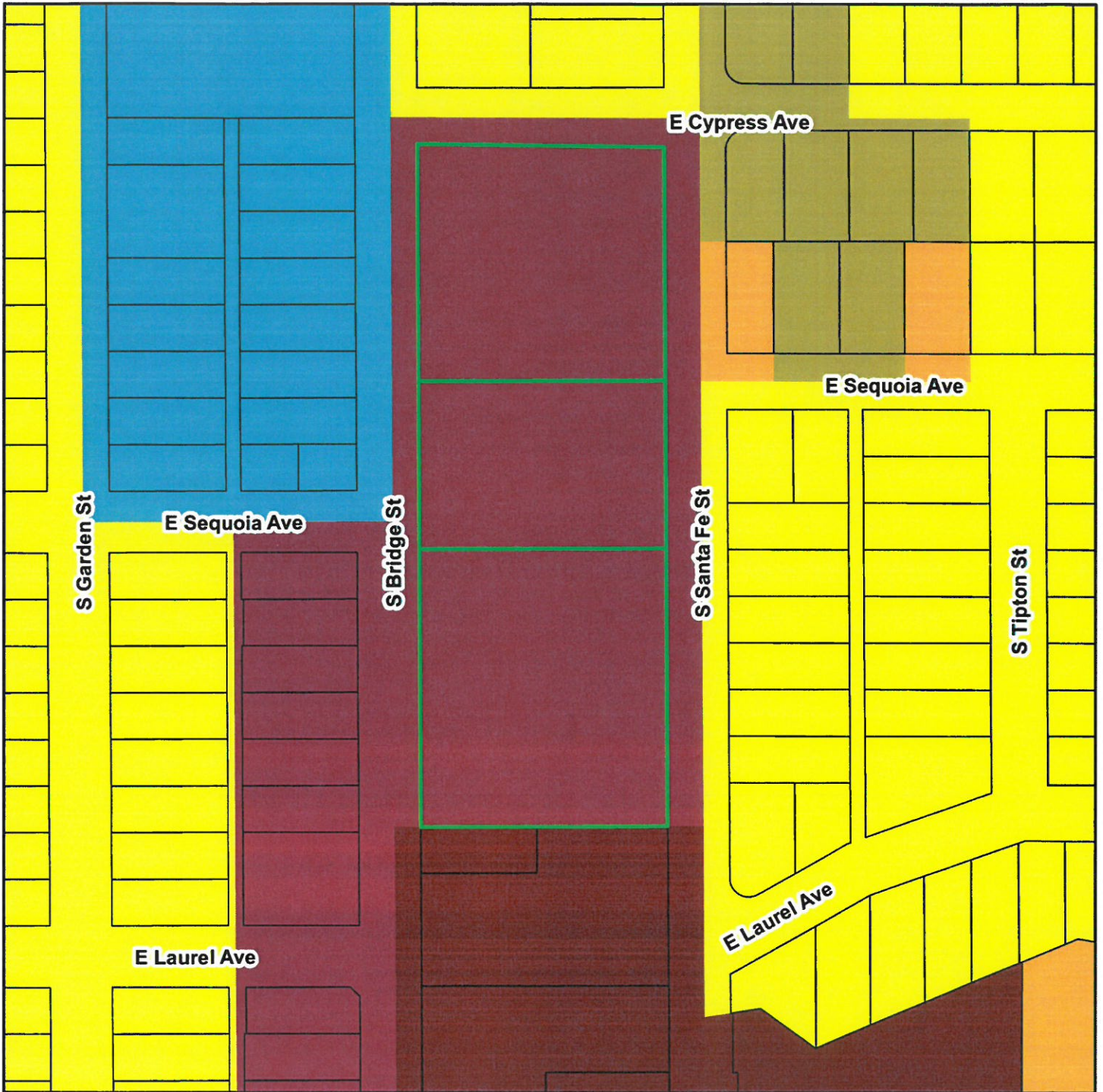
AREA CODE/PHONE

DATE

Brandon Smith, AICP
Environmental Coordinator

Variance No. 2021-04

The project site is located at
600, 602, 650, 700, and 702 South Bridge Street
(APNs: 097-074-003, 004, 005)



General Plan

0 55 110 220 Feet

- | | | | |
|--|----------------------------|--|--------------|
| | Residential Low Density | | |
| | Residential Medium Density | | |
| | Commercial Neighborhood | | |
| | Commercial Service | | |
| | Public Institutional | | Parcels |
| | Residential High Density | | Project Site |

Variance No. 2021-04

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 600, 602, 650, 700, and 702 South Bridge Street
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Zoning

0 55 110 220 Feet

- C-S - Service Commercial
- C-N - Neighborhood Commercial
- R-1-5 - 5,000 SF Min Site Area
- R-M-2 - 3,000 SF Min Site Area
- R-M-3 - 1,200 SF Min Site Area
- QP - Quasi-Public
- Parcels
- Project Site

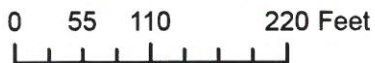


Variance No. 2021-04

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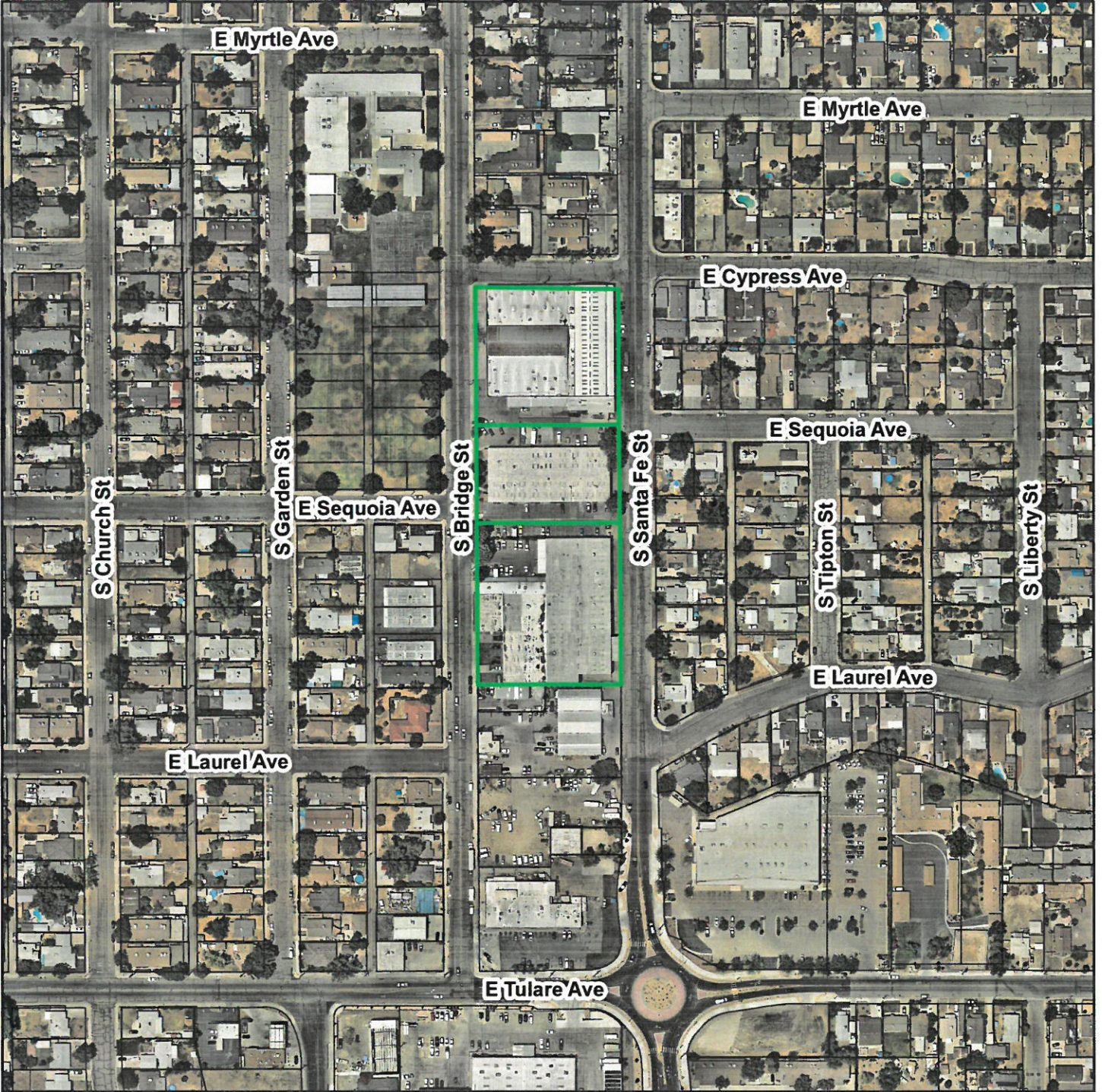
Aerial



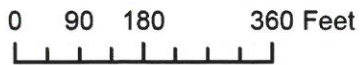
-  Parcels
-  Project Site

Variance No. 2021-04

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600, 602, 650, 700, and 702 South Bridge Street
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Aerial



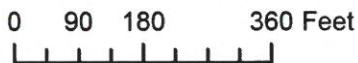
-  Parcels
-  Project Site

Variance No. 2021-04

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600, 602, 650, 700, and 702 South Bridge Street
(APNs: 097-074-003, 004, 005)



Vicinity



-  Parcels
-  Project Site