

PLANNING COMMISSION AGENDA

CHAIRPERSON:
Marvin Hansen



VICE CHAIRPERSON:
Adam Peck

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

MONDAY, FEBRUARY 28, 2022
VISALIA CONVENTION CENTER
LOCATED AT 303 E. ACEQUIA AVENUE, VISALIA, CA
MEETING TIME: 7:00 PM

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 – Rafael Garcia, Senior Planner

Tentative Parcel Map No. 2021-06: A request by AW Engineering to subdivide a site made up of two parcels and totaling 3.66 acres to create a total of four parcels and a remainder lot in the R-1-5 (Single-family Residential, 5,000 sq. ft. minimum site area per dwelling unit) zone. The existing site is located at 4234 South Demaree Street (APN: 126-020-081, 126-020-082). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2021-47.

7. PUBLIC HEARING – Josh Dan, Associate Planner

Conditional Use Permit No. 2022-01: A request by Harvey Godinez to establish a tattoo studio in the C-MU (Mixed Use Commercial) Zone. The project site is located at 1625 East Noble Avenue in the Mary's Vineyard Shopping Center. (APN: 100-020-017). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(b), Categorical Exemption No. 2022-08.

8. PUBLIC HEARING – Josh Dan, Associate Planner

Zoning Text Amendment No. 2021-10: A request by the City of Visalia to amend Chapter 8.46 Definitions regarding Tobacco Stores, Zoning Ordinance Section Chapter 17.04 Definitions regarding Smoke Shops / Tobacco Stores, 17.25.030 (Zoning Use Matrix) line R78, and to amend Chapter 17.32 Special Provisions to implement performance standards regarding smoke shops/tobacco stores, which are conditionally permitted in the C-MU (Commercial Mixed-Use) and D-MU (Downtown Mixed-Use) Zones, Citywide. The requested action is considered exempt under Section 15061(b)(3) Per Section 15061 (b) (3) of the State Guidelines for the California Environmental Quality Act (CEQA).

9. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Planning Commission meeting for March 28th to be held at the Visalia Convention Center.
- b. Medical Clinic CUP appeal set for March 7th at the Visalia Convention Center.
- c. CZA for CarMax approved by City Council on February 22, 2022.
- d. Historic Preservation Ordinance Update directed by City Council at the February 22, 2022 Work Session meeting.

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, MARCH 10, 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, MARCH 14, 2022



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 28, 2022

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

SUBJECT: Conditional Use Permit No. 2022-01: A request by Harvey Godinez to establish a tattoo studio in the C-MU (Mixed Use Commercial) Zone. The project site is located at 1625 E. Noble Ave. in the Mary's Vineyard Shopping Center. (APN: 100-020-017).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2022-01 based upon the findings and conditions in Resolution No. 2022-03. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2022-01 based on the findings and conditions in Resolution No. 2022-03.

PROJECT DESCRIPTION

Conditional Use Permit (CUP) No. 2022-01 is a request by Harvey Godinez to establish a tattoo studio within the Mary's Vineyard Shopping Center, as depicted in Exhibit "A" and the image below. The commercial shopping center is home to a variety of commercial uses which include, but are not limited to, Goodies Cookies, Eyebrows by Asia, Cricket Wireless, Boost Mobile, and Fiesta Auto Insurance. Large tenants include Savemart Grocery, CVS, a variety of restaurants, and a Starbucks coffee outlet. The tattoo studio is proposed to occupy a tenant space which is approximately 987 sq. ft. in size and was formerly occupied by a jewelry store. The floor plan (see Exhibit "A") in conjunction with the operational statement (see Exhibit "B") detail six (6) chairs where a total of six employees will be stationed at any given time. The primary use of the site will be for tattooing, however, the sixth chair in the back of the tenant space may be used for a hairstylist at a future date. Hours of operation will be generally from 10:00 a.m. to 8:00 p.m., Monday through Saturday, and Sundays by appointment only. No exterior alterations or additions to the existing facility are proposed as a part of the development proposal.



BACKGROUND INFORMATION

General Plan Land Use Designation:	Mixed Use Commercial
Zoning:	C-MU (Mixed Use Commercial)
Surrounding Land Use and Zoning:	North: C-MU (Mixed Use Commercial) / Mixed Retail / Noble Ave. South: C-S (Service Commercial)/ Nissan Dealership East: C-MU (Mixed Use Commercial) / Walmart West: C-MU (Mixed Use Commercial) / Starbucks
Environmental Review:	Categorical Exemption No. 2022-08
Special Districts:	N/A
Site Plan:	Site Plan Review No. 2021-225

RELATED PROJECTS

None.

PROJECT EVALUATION

Land Use Compatibility

The Visalia Municipal Code (VMC) identifies "tattooist" as a conditionally permitted use in the C-MU zone, requiring the approval of a CUP application. The surrounding area is primarily zoned C-MU, containing predominantly mixed commercial uses in a shopping center setting. The use is not expected to significantly affect the neighboring businesses, as the use is unlikely to create excessive noise or traffic and will operate with limited clientele and staff.

The proposed tattoo studio space is within the Mary's Vineyard Shopping Plaza which serves as a mixed use commercial hub for the east portion of the city. The proposed use will be compatible with the existing businesses that occupy surrounding tenant spaces and with the existing uses that surround the shopping center.

Parking

VMC Section 17.34.020.E.9 requires that barber shops/beauty salons and similar facilities provide two parking spaces per workstation. The proposed tattooist studio (including the future hairstylist) would be assessed a parking requirement of 12 parking stalls. The previous jewelry store use had a parking requirement of four stalls. The additional eight stalls needed to comply with parking requirements can be easily accommodated as an aerial count of the eastern parking lot for the plaza showed 203 available parking stalls. It should be noted that shopping centers are prescribed a 1:225 parking ratio according to VMC 17.34.020(F)(14). This parking ratio allows for unified shopping centers to provide for a wide range of commercial uses while still maintaining parking fields to accommodate these uses.

Environmental Review

The requested action is considered Categorically Exempt under Section 15301(a) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2022-08).

RECOMMENDED FINDINGS

1. That the proposed project 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 conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15301(a) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2022-08).

RECOMMENDED CONDITIONS OF APPROVAL

1. The site shall be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2021-225.
2. The use shall be operated in substantial compliance with the floor plan shown in Exhibits "A".
3. The use shall comply with the operational statement in Exhibit "B".
4. That substantial changes to the floor plan or operational statement may require an amendment to this Conditional Use Permit as determined through the Site Plan Review process.
5. 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 N. Santa Fe Street, 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.ci.visalia.ca.us or from the city clerk.

Attachments:

- Related Plans & Policies
- Resolution No. 2022-03
- Exhibit "A" – Floor Plan
- Exhibit "B" – Operational Statement
- Categorical Exemption No. 2022-08
- Site Plan Review No. 2021-225 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

Conditional Use Permits

(Section 17.38)

17.38.010 Purposes and powers.

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

17.38.020 Application procedures.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.070 Temporary uses or structures.

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
 7. Signing for temporary uses shall be subject to the approval of the city planner.
 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

17.38.080 Public hearing--Notice.

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.

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

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

RESOLUTION NO. 2022-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2022-01, A REQUEST BY HARVEY GODINEZ TO ESTABLISH A TATTOO STUDIO IN THE C-MU (MIXED USE COMMERCIAL) ZONE. THE PROJECT SITE IS LOCATED AT 1625 E. NOBLE AVE. IN THE MARY'S VINEYARD SHOPPING CENTER. (APN: 100-020-017).

WHEREAS, Conditional Use Permit No. 2022-01, is a request by Harvey Godinez to establish a tattoo studio in the C-MU (Mixed Use Commercial) Zone. The project site is located at 1625 E. Noble Ave. in the Mary's Vineyard Shopping Center (APN: 096-301-022); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 28, 2022; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2022-01, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15301(a).

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15301(a) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2022-08).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. The site shall be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2021-225.
2. The use shall be operated in substantial compliance with the floor plan shown in Exhibits "A".
3. The use shall comply with the operational statement in Exhibit "B".
4. That substantial changes to the floor plan or operational statement may require an amendment to this Conditional Use Permit as determined through the Site Plan Review process.
5. That all applicable federal, state and city laws, codes and ordinances be met.

EXHIBIT "A"

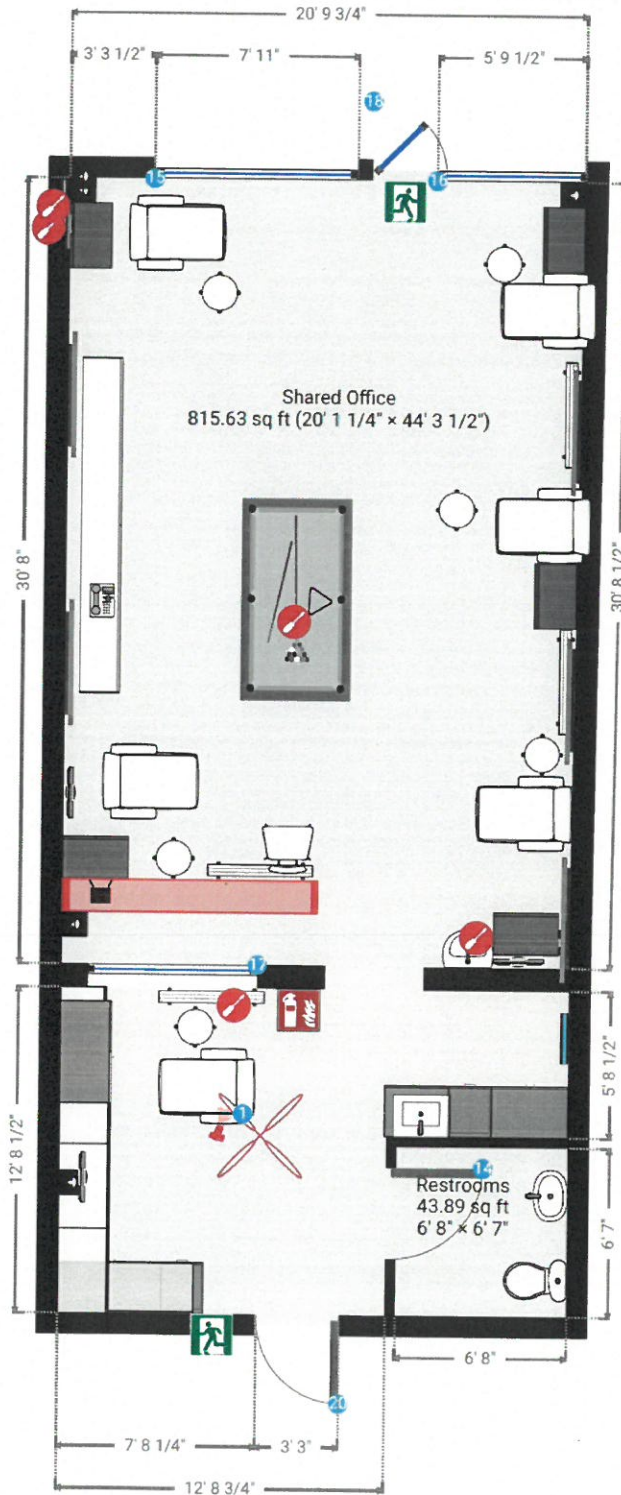
The Black Phoenix Tattoo Studio

1625 E.Noble Ave, 93292 Visalia , Ca, USA
TOTAL AREA: 987.13 sq ft • LIVING AREA: 987.13 sq ft • FLOORS: 1 • ROOMS: 2



▼ Ground Floor

TOTAL AREA: 987.13 sq ft • LIVING AREA: 987.13 sq ft • ROOMS: 2



THIS FLOORPLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPIA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

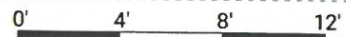


EXHIBIT "B"

February 9th 2022

THE BLACK PHOENIX TATTOO STUDIO

1. STRATEGY

The Black Phoenix seeks to follow a strategy of appealing to both new tattoo customers and tattoo collectors by creating an environment and products/services desirable to both groups. Through this strategy, the business intends to convert local customers who may only seek one tattoo initially to become repeat customers. The business will do this by:

- Offering competitively-priced introductory tattoos to encourage "tattoo newbies"
- Retaining high-quality artists to retain tattoo collectors
- Offering a wide range of custom designs in different styles to broaden appeal
- Selling additional products with designs by the tattoo artists to build an additional revenue stream

2. MARKETING STRATEGY

The marketing strategy of the business involves marketing to a wide range of potential customers in the Visalia area. The following tactics will be used prior to launch:

- Print 1,000 flyers advertising the grand opening of the business to post in the area of the shop, at local establishments and hand out at events and on the street in the preceding week.

EXHIBIT "B"

- Create a basic website with contact information and directions, the prices for services, pages with galleries of art of the all artists, and images of products for sale in the shop and prices
- List the website on search engines, local business databases, tattoo shop databases and the Yellow Pages
- The principals and additional artist handing out business cards and wearing Black Phoenix shirts to promote the opening
- Running ads in the local TV stations/magazine about the grand opening with Discover Visalia
- The artists calling their rolodexes of previous clients (collectors) to tell them about the new business and encourage them to come back

The grand opening, a five-day event, will consist of a promotion giving introductory tattoos at 25% off (\$45).

Ongoing marketing work will include:

- Continuing to hand out business cards
- Printing flyers periodically promoting discounts and new products and posting them in the area
- Maintaining the website with new products and art

3. OPERATIONAL HOURS & STAFFING

- Operating hours will be Monday-Saturday 10:00am-8:00pm and Sundays by appointment only but within the 10:00am-8:00pm operating hours
- Will be six (6) employees employed at this establishment with their own personal set schedules that will conclude within operating hours

EXHIBIT "B"

and one appointed employee that will be opening and closing business

- Additionally will have a hairstylist/tattoo artist in the near future in private room in the back of the unit both health department and county regulations are up to code.

4. SALES STRATEGY

Sales will be encouraged through word-of-mouth. Clients will be given a few business cards to hand out to friends when they talk about their new tattoo and client information will be retained. The artists will also remind customers about products featuring their designs which are being offered and can give these products for discounts or free to collectors who return for a number of tattoos.

Beyond in-store sales efforts, the artists will promote their work at parties, events, and while on the street, by wearing Black Phoenix shirts/Hats often and handing out business cards to people they meet.

Ensuring health and customer satisfaction will also be a sales strategy. Each customer will be called by the artist after a week to check in on how the tattoo is healing and to thank them again.

5. CONCLUSION

WERE NOT YOUR EVERYDAY TATTOO SHOP WE PLAN ON GIVING BACK TO THE COMMUNITY OF VISALIA BUT PARTICIPATING IN LOCAL EVENTS SUCH AS FOOD DRIVES, PARADES, CAR SHOWS, LOCAL FUNDRAISERS AND FUNDING LOCAL SPORTS TEAMS IN VARIOUS SPORTS ECT... WHERE HERE TO SHOW THE VISALIA THAT WHERE MORE THEN JUST TATTOOS AND PIERCINGS WHERE WHOLE HEARTED CITIZENS WHO LOVE THEIR COMMUNITY.

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

Conditional Use Permit No. 2022-01

PROJECT TITLE

The project site is located at 1625 E. Noble Ave. in the Mary's Vineyard Shopping Center. (APN: 096-301-022).

PROJECT LOCATION

Visalia

PROJECT LOCATION - CITY

Tulare

COUNTY

A request by Harvey Godinez to establish a tattoo studio in the C-MU (Mixed Use Commercial) Zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia

NAME OF PUBLIC AGENCY APPROVING PROJECT

Harvey Godinez, 1625 E. Noble Ave., Visalia, CA; 559-750-1328

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Harvey Godinez, 1625 E. Noble Ave., Visalia, CA; 559-750-1328

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 15301(a)**
- Statutory Exemptions- State code number:

The project is to establish a tattoo studio within an existing 987 square foot tenant space within the Mary's Vineyard Shopping Center.

REASON FOR PROJECT EXEMPTION

Josh Dan, Associate Planner

CONTACT PERSON

(559) 713-4003

AREA CODE/PHONE

February 24, 2022

DATE

ENVIRONMENTAL COORDINATOR
Brandon Smith, AICP



January 19, 2022

Site Plan Review No. 21-225:

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 **January 5, 2022**. 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 horizontal line.

Paul Bernal
Community Development Director
315 E. Acequia Ave.
Visalia, CA 93291

Attachment(s):

- Site Plan Review Comments



MEETING DATE January 5, 2022
 SITE PLAN NO. 2021-225
 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"/> CUP	
<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: January 5, 2022

SITE PLAN NO: 2021-225
PROJECT: The Black Phoenix Tattoo Studios
DESCRIPTION: A Private Tattoo Studio: Appointments Only. (C-MU)
APPLICANT: LYMAN WHITLATCH
PROP. OWNER: GOLDEN STATE REALTY ASSOCIATION
LOCATION: 1920 W. PRINCETON AVENUE
APN: 096-301-022
GENERAL PLAN: Mixed Use Commercial
ZONING: C-MU

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit
- Building Permit

PROJECT SPECIFIC INFORMATION: January 5, 2022

1. VMC Table 17.25.030, Line B5, lists Tattooist as a Conditionally Permitted use in the C-MU Zone.
2. The applicant is requested to seek the help of a design professional and submit a detailed, dimensioned site plan, floor plan, and building elevations with the Conditional Use Permit submittal.
3. A detailed operational statement shall be provided with the Conditional Use Permit submittal.
4. Signage shall require a separate Building Permit submittal.
5. Building permits are required for any improvements to the interior or exterior of the tenant space.
6. Meet all other codes and ordinances.
7. Other information as needed.

Note:

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

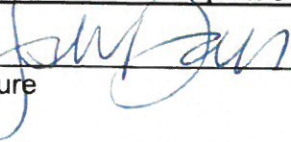
Sections of the Municipal Code to review:

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

17.34.020(F)(3) – Parking: Commercial Facilities.

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
 Edelma Gonzalez 713-4364

ITEM NO: 02 DATE: JANUARY 05, 2022

SITE PLAN NO.: 21-225
PROJECT TITLE: THE BLACK PHOENIX TATTOO STUDIOS
DESCRIPTION: A PRIVATE TATTOO STUDIO. (C-MU)
APPLICANT: HARVEY GODINEZ
PROP OWNER: MARYS VINEYARD INC
LOCATION: 1625 E NOBLE AVE
APN: 100-020-017

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 NECESSARY IN THE PUBLIC RIGHT-OF-WAY**
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = 0.20%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- Traffic indexes per city standards:

- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements.
- A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

1. *Proposed use within existing building will not incur additional impact fees.*
2. *A building permit is required for any tenant improvements, standard plan check and inspection fees apply.*

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **21-225**
Date: **01/05/2022**

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:**RETAIL/SMALL BUSINESS**)

Existing uses may qualify for credits on Development Impact Fees. **RETAIL / JEWELRY**

<u>FEE ITEM</u>	<u>FEE RATE</u>
<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.

Edelma Gonzalez

Edelma Gonzalez

City of Visalia
Building: Site Plan
Review Comments

3/21/22
TATTOO STUDIOS
1625 E NOBLE AVE

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.
- 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:

NO IMPROVEMENT, NO PERMIT
NO COMMENTS.

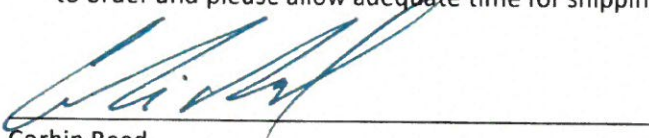
VAL GARCIA 1/5/22
Signature



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

Date January 5, 2022
Item # 2
Site Plan # 21225
APN: 100020017

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- **Address numbers** must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2019 CFC 505.1
- All hardware on **exit doors, illuminated exit signs and emergency lighting** shall comply with the 2019 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- A **Knox Box key lock system** is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. Go to knoxbox.com to order and please allow adequate time for shipping and installation. 2019 CFC 506.1


Corbin Reed
Fire Marshal



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

Date: 1/5/22
 Item: 2
 Site Plan: SPR21225
 Name: TATTOO STUDIO

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 or 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:
RECOMMEND INTERIOR / EXTERIOR SURVEILLANCE CAMERAS TO DETECT /
- Line of Sight Issues: SOLVE CRIMES IF THEY OCCUR.
- Other Concerns:

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

January 5, 2022

ITEM NO: 2
SITE PLAN NO: SPR21225
PROJECT TITLE: The Black Phoenix Tattoo Studios
DESCRIPTION: A Private Tattoo Studio. (C-MU)
APPLICANT: Harvey Godinez
OWNER: MARYS VINEYARD INC
APN: 100020017
LOCATION: 1625 E NOBLE 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.

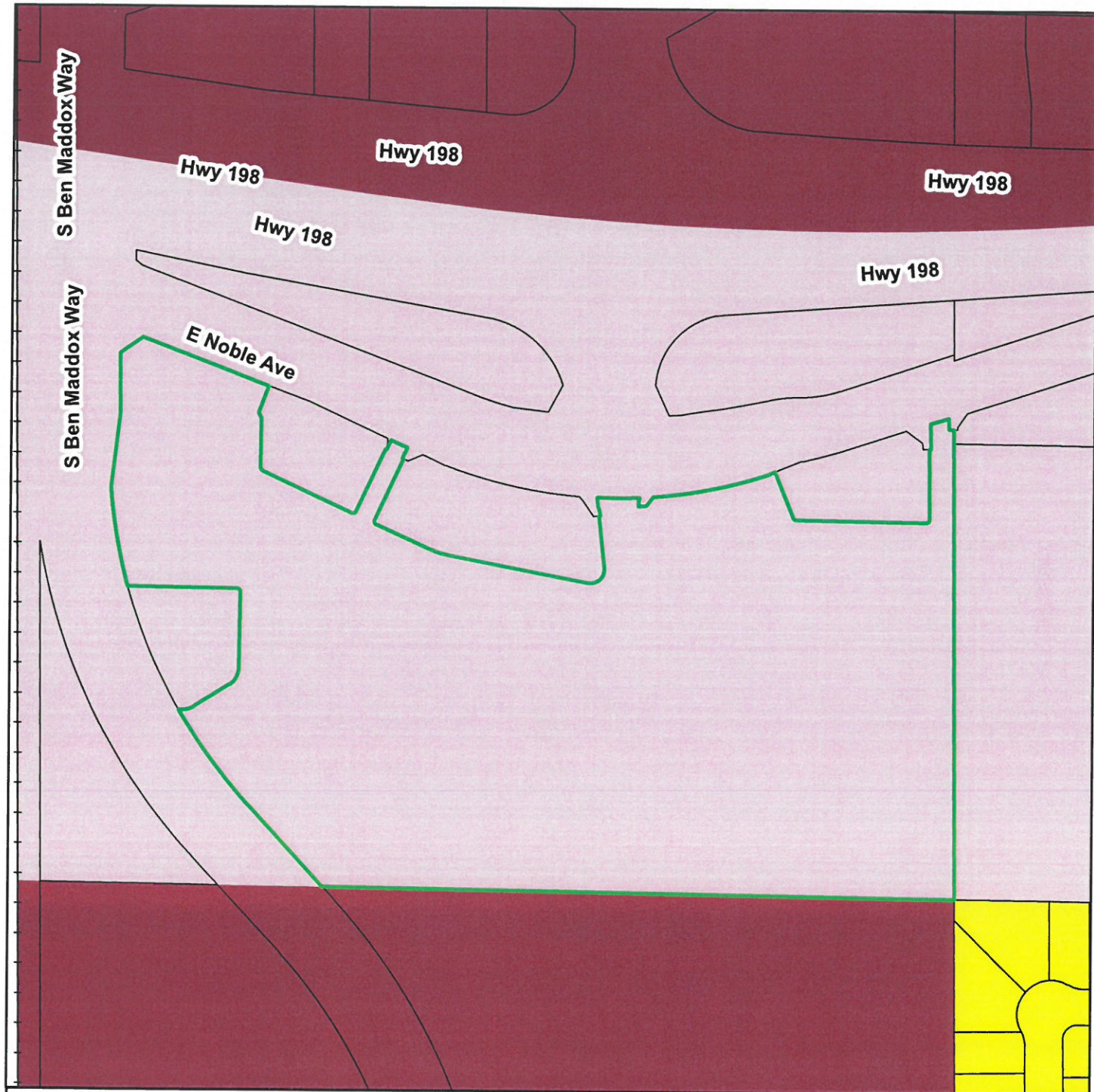
Additional Comments:

•

Leslie Blair






Conditional Use Permit No. 2022-01

The project site is located at
1625 E. Noble Ave.
In the Mary's Vineyard Shopping Center
(APN: 100-020-017).



General Plan

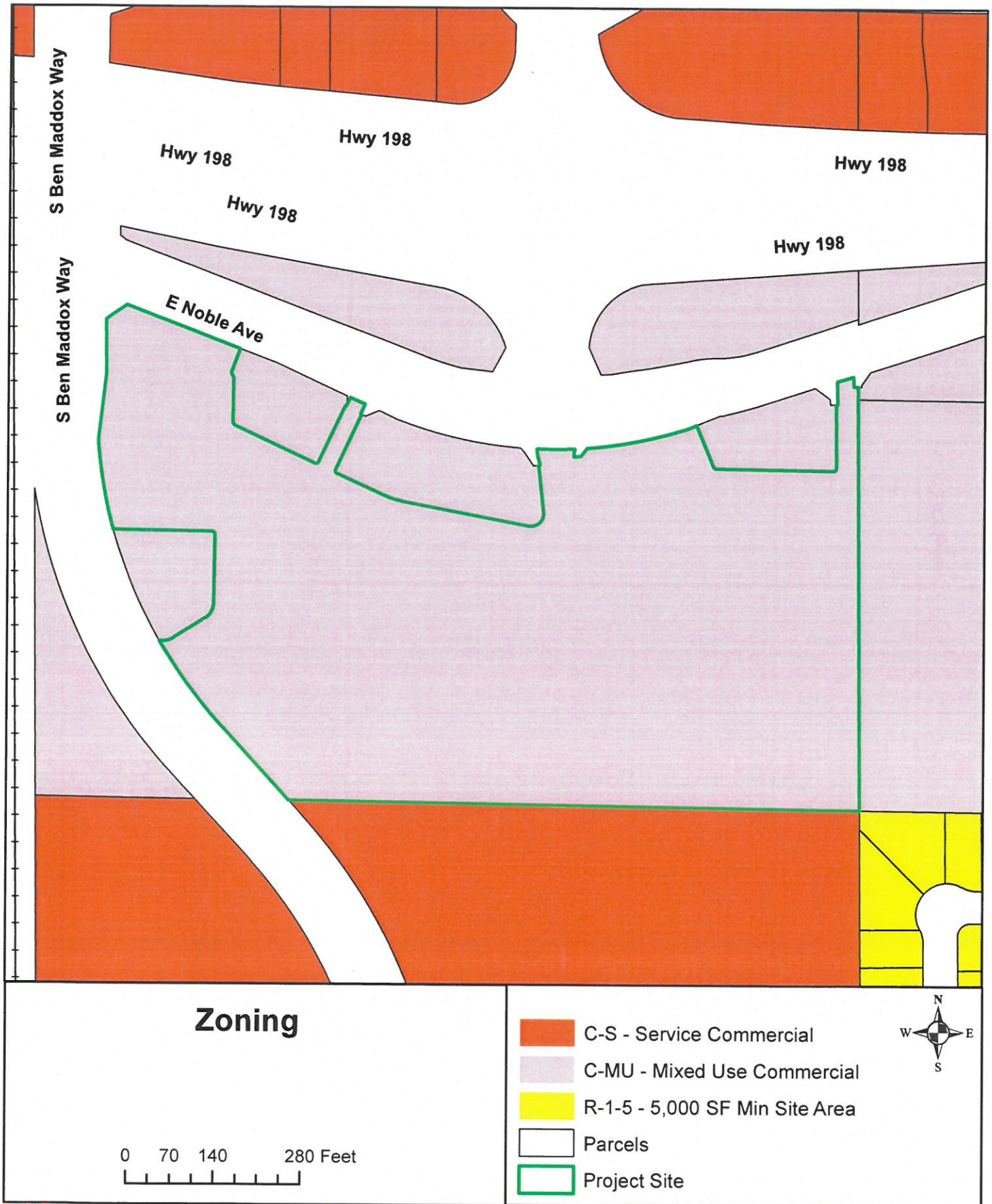
0 70 140 280 Feet

-  Commercial Service
-  Commercial Mixed Use
-  Residential Low Density
-  Parcels
-  Project Site



Conditional Use Permit No. 2022-01

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1625 E. Noble Ave.
In the Mary's Vineyard Shopping Center
(APN: 100-020-017).




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Aerial

0 70 140 280 Feet



 Parcels

 Project Site

Conditional Use Permit No. 2022-01

The project site is located at
1625 E. Noble Ave.
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(APN: 100-020-017).



Aerial

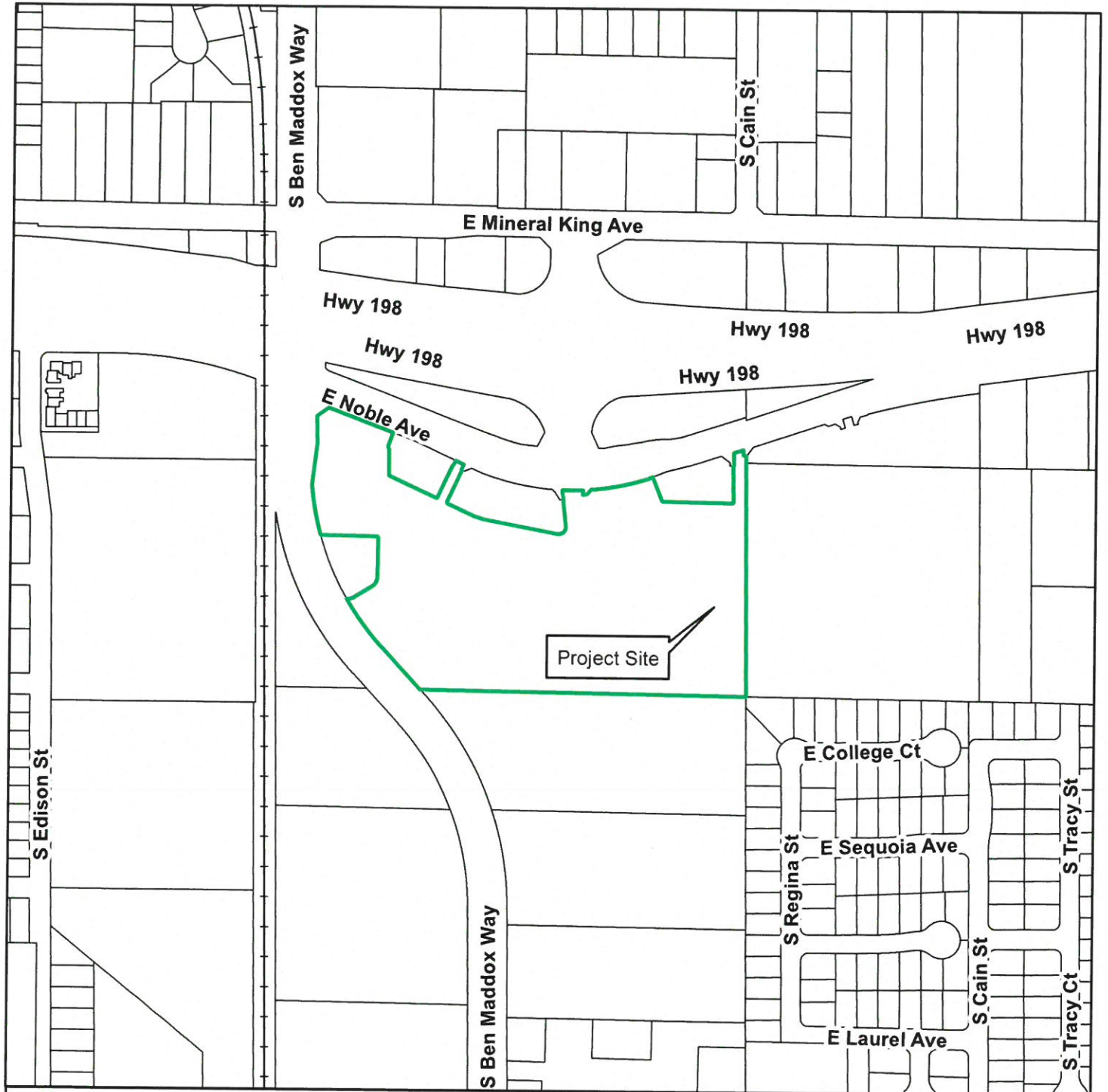
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-  Parcels
-  Project Site

Conditional Use Permit No. 2022-01

The project site is located at
1625 E. Noble Ave.
In the Mary's Vineyard Shopping Center
(APN: 100-020-017).



Vicinity

0 140 280 560 Feet



- Parcels
- Project Site