

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

MONDAY, MARCH 27, 2023

VISALIA COUNCIL CHAMBERS

LOCATED AT 707 W. 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.
 - a. Finding of Consistency No. 2023-02: A request by the California Water Service Company to amend the one million-gallon capacity water tank height and width dimensions depicted within the previously approved Conditional Use Permit No. 2012-09. The project site is located at the northeast corner of East Race Avenue and North McAuliff Street (Address: N/A) (APN: 103-320-056).
6. PUBLIC HEARING – (Continued from March 13, 2023) Cristobal Carrillo, Associate Planner
 - a. General Plan Amendment No. 2022-01: A request by the Visalia Public Cemetery District to amend the General Plan Land Use Map to change the land use designation of 15 parcels totaling 3.33 acres from Residential Low Density to Public Institutional, and to change the land use designation of one parcel totaling 0.24 acres from Residential Medium Density to Public Institutional. The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021). The requested action is considered exempt under Section

15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption No. 2022-42 has been prepared for the project.

- b. Change of Zone No. 2022-02: A request by the Visalia Public Cemetery District to change the zoning designation of 15 parcels totaling 3.33 acres from R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) to QP (Quasi-Public), and to change the zoning designation of one parcel totaling 0.24 acres from R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per dwelling unit) to QP (Quasi-Public). The project sites are located at 919 West Allen Avenue, 618, 700, 706, 808, 918, 1010 North Rinaldi Street, 1410, 1420, 1430 West Sady Avenue, 816, 1004 North Turner Street (APNs: 093-062-006, 007, 015, 016, 026, 027, 093-073-002, 010, 093-083-013, 014, 015, 016, 025, 093-102-001, 002, 093-112-021). The requested action is considered exempt under Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption No. 2022-42 has been prepared for the project.
 - c. Conditional Use Permit No. 2023-02: A request by the Visalia Public Cemetery District to amend Conditional Use Permit No. 2005-08, permitting the expansion of the Visalia Public Cemetery District master planned area, encompassing 13 parcels totaling 2.8 acres. The project sites are located at 914 and 920 W. Allen Avenue, 1304 W. Goshen Avenue, 916, 920, 1000, 1002, 1004, 1006, 1010, 1012, 1014, 1016, and 1020 N. Turner Street (APNs: 093-083-035, 093-112-001, 002, 003, 004, 005, 006, 017, 018, 019, 020, 021, 022). The requested action is considered exempt under Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption No. 2022-42 has been prepared for the project.
7. REGULAR ITEM – Paul Bernal, Community Development Director
- Planning Division Fee Amendments: Consideration of amendments to the Planning Division fees for the 2023-2024 fiscal year as contained in City of Visalia Fee Resolution No. 2023-12. The requested action is considered exempt under Section 15273 of the California Environmental Quality Act. A Notice of Exemption No. 2023-13 has been prepared for the project.
8. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –
- a. 2022 Housing Element Annual Progress Report (full report available on March 20, 2023 Council Agenda).
 - b. Residential Sites Inventory Mapping Exercise Available
 - c. Housing Element Community Workshop #2 presentation is available on project website.

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, APRIL 6, 2023, 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, APRIL 10, 2023



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: March 27, 2023

PREPARED BY: Paul Bernal, Community Development Director
Phone: (559) 713-4025
E-mail: paul.bernal@visalia.city

SUBJECT: Planning Division Fee Amendments: Consideration of amendments to the Planning Division fees for the 2023-2024 fiscal year as contained in City of Visalia Fee Resolution No. 2023-12.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission consider the proposed fee amendments to the Planning Division's fee schedule and recommend that the City Council amend the Planning Division's fees as contained in Resolution No. 2023-12.

RECOMMENDED MOTION

I move to recommend that the City Council amend the Planning Division's fees for the 2023-2024 fiscal year as contained in the attached Resolution No. 2023-12.

BACKGROUND

The City of Visalia annually adjust fees for the various services the City provides. The City amended the Planning Division fees in 2022. Based on this year's adjustment using the California Consumer Price Index (CPI) for All Items – All Urban Consumers, the percent change in the index used to calculate the adjustment for fiscal year 2023-2024 is 7.35%, with the exception of Home Occupation Permits and Planning Division Building Application Permit Plan Review. These two fees are established based on cost recovery calculated on an hourly rate.

The Planning Division has reviewed the Fee Schedule based on its average processing costs and determined that the fee schedule accurately reflects the range of billable services performed by the Division. Although the fees are being increased for the 2023-2024 fiscal year, the Planning Division fee increases are rounded down to the nearest dollar. However, Home Occupation Permits and Planning Division Building Application Permit Plan Review fees are established by staff's average hourly rate to perform these tasks.

Next Step: The Planning Commission's actions in this regard are advisory only. The final action to revise the Fee Schedule will be considered by the City Council. It is anticipated that the fee amendments will be presented to the City Council at a Work Session in June 2023, followed by a public hearing for the adoption of the fees in July 2023. The Planning Commission's review and comments will provide the City Council with the benefit of its practical experience in reviewing the project materials, conducting hearings, and by taking testimony from applicants and Community members in the course of its discretionary review process.

Environmental Finding: This project is considered exempt from the California Environmental Quality Act (CEQA) under Section 15273 Rates, Tolls, Fares, and Charges (Exemption No. 2023-13).

Attachment:

- Resolution No. 2023-12 – 2023-2024 Planning Fee Amendments

RESOLUTION NO. 2023-12

A RESOLUTION OF THE VISALIA PLANNING COMMISSION
RECOMMENDING THAT THE CITY COUNCIL AMEND THE FEE RESOLUTION
PERTAINING TO PLANNING DIVISION PERMIT PROCESSING FEES

WHEREAS, the City of Visalia is allowed to recover the full costs incurred for processing permit applications; and

WHEREAS, the fees are adjusted annually using the California Consumer Price Index for All Items; and

WHEREAS, the percent change in the index used to calculate the adjustment for the 23/24 fiscal year is 7.35% of the 2022 California Consumer Price Index, and

WHEREAS, on March 27, 2023, the Planning Commission of the City of Visalia considered amendments to the existing fee resolution; and

WHEREAS, the intent of the Planning Division fee amendment proposed herein is to achieve cost recovery for permit processing services provided; and

WHEREAS, the Planning Commission finds the project to be 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 15273.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Visalia recommends that the City Council amend the fee resolution pertaining to Planning Division permit processing fees as contained in Attachment "A".

Attachment "A"

FY 23-24 Community Development Planning Fee Schedule

<u>FY 03-04</u>	<u>FY 22-23</u>	<u>FY 23-24</u>	
Current			
Administrative Adjustment			
106.00	\$ 164.00	\$ 176.00	Administrative Adjustment
Adult-Oriented Business			
154.00	\$ 241.00	\$ 258.00	Performer Permit Application Fee
1,024.00	\$ 1,611.00	\$ 1,729.00	Regulatory Permit Application Fee
	\$ 241.00	\$ 258.00	Performer Permit - Renewal Fee
	\$ 241.00	\$ 258.00	Regulatory Permit - Renewal Fee
Agricultural Preserve			
Time and	\$ 2,301.00	\$ 2,470.00	Disestablishment
	\$ 765.00	\$ 821.00	New Contract
	\$ 153.00	\$ 164.00	Notice of Full Nonrenewal
	\$ 611.00	\$ 655.00	Notice of Partial Nonrenewal
	\$ 3,835.00	\$ 4,116.00	Cancellation
	Time & Materials	Time & Materials	Easement Exchange
Annexation			
	\$ 2,590.00	\$ 2,780.00	Amendment to Pre-Annexation Agreement
3,192.00	\$ 5,182.00	\$ 5,562.00	Up to 15 acres
NEW	\$ 9,358.00	\$ 10,045.00	Over 15 acres and up to 50 acres
NEW	\$ 13,504.00	\$ 14,496.00	Over 50 acres up to 100 acres
10,639.00	\$ 16,888.00	\$ 18,129.00	Over 100 acres plus ...
			<i>Applicants also pay fees adopted by LAFCO and State Board of Equalization Fees</i>
Appeal			
NEW	\$ 575.00	\$ 617.00	Appeal of Planning Commission action to City Council or Appeal of Site Plan Review (SPR)
Building Permit Plan Application Review			
	\$ 17.70	\$ 19.00	Per permit for Residential, Multifamily, Commercial
	\$ 17.70	\$ 19.00	Per permit for plan changes from Approved Plans
	\$ 53.10	\$ 57.00	Expedited Plan Check (availability dependent upon staffing resources)
Certificate of Compliance			
373.00	\$ 582.00	\$ 624.00	Certificate of Compliance
Conditional Use Permit			
\$ 512.00	\$ 1,509.00	\$ 1,619.00	Minor / Amendment to Approved CUP
2,926.00	\$ 4,682.00	\$ 5,026.00	Regular / PUD / PRD
	\$ 7,021.00	\$ 7,537.00	Master CUP
106.00	\$ 164.00	\$ 176.00	Temporary – Counter
	\$ 269.00	\$ 288.00	Temporary – Requiring Site Plan Review
266.00	\$ 498.00	\$ 534.00	Temporary – To Planning Commission

FY 23-24 Community Development Planning Fee Schedule

		<u>FY 22-23</u>	<u>FY 23-24</u>	
PLANNING (cont.)				
Development Agreement				
1,064.00	\$	4,902.00	\$	5,262.00
	\$	1,569.00	\$	1,684.00
Development Agreement Amendment to Development Agreement				
Downtown News Rack Permit				
NEW	\$	36.00	\$	38.00
Newspaper Racks in the Downtown Retail Overlay District				
<u>ENVIRONMENTAL APPLICATIONS</u>				
Categorical Exemption				
53.00	\$	81.00	\$	86.00
Categorical Exemption				
Environmental Impact Report (EIR)				
7 1/2% of + 10% contract	7 1/2% of Contract Actual Cost + 10% contract	7 1/2% of Contract Actual Cost + 10% contract		Processing fee City Managed Consultant Work
Environmental Notices				
100.00	\$	155.00	\$	166.00
Environmental Notices per year; renewal needed each year				
Finding of Consistency				
100.00	\$	249.00	\$	267.00
Finding of Consistency				
Initial Study / Negative Declaration or Mitigated Negative Declaration				
	\$	248.00	\$	266.00
500.00	\$	833.00	\$	894.00
1,900.00	\$	3,137.00	\$	3,367.00
Review of Technical Study Simple Complex				
NEPA Environmental Review				
532.00	\$	833.00	\$	894.00
2,660.00	\$	4,179.00	\$	4,486.00
Simple Complex				
General Plan Amendment				
1,596.00	\$	2,675.00	\$	2,871.00
7,448.00	\$	11,874.00	\$	12,746.00
Simple Complex				
General Plan Maintenance Fee				
NEW	\$	445.00	\$	477.00
Per acre for new annexation Paid when LAFCO approves annexation				

FY 23-24 Community Development Planning Fee Schedule

PLANNING (cont.)

		<u>FY 22-23</u>	<u>FY 23-24</u>	
Home Occupation Permit				
90.00	\$	33.00	\$	35.00
	\$	16.00	\$	17.00
Lot Line Adjustment				
532.00	\$	678.00	\$	727.00
106.00	\$	164.00	\$	176.00
Maps				
5,320.00	\$	8,444.00	\$	9,064.00
NEW	\$	8,444.00	\$	9,064.00
2,129.00	\$	3,429.00	\$	3,681.00
Noise Variance				
106.00	\$	164.00	\$	176.00
1,596.00	\$	2,590.00	\$	2,780.00
Sidewalk Outdoor Dining Permit				
50.00	\$	77.00	\$	82.00
Specific Plan				
15,959.00	\$	14,050.00	\$	15,082.00
3,724.00	\$	5,936.00	\$	6,372.00
Subdivision Sign Program				
	\$	53.00	\$	56.00
Zoning Text Amendment				
2,660.00	\$	4,346.00	\$	4,665.00
Time Extension				
160.00	\$	249.00	\$	267.00
Variance				
426.00	\$	957.00	\$	1,027.00
851.00	\$	1,621.00	\$	1,740.00
1,755.00	\$	3,043.00	\$	3,266.00

Home Occupation Permit-new
Home Occupation Permit-change of location

Lot Line Adjustment
Legal Description Resubmittal (each)

Tentative Subdivision Map
Tentative Parcel Map - commercial - over 4 lots
Tentative Parcel Map - 4 lots or less

Administrative
City Council

Sidewalk/Outdoor Dining Permit

Commercial / Residential
Commercial / Residential Amendment

Amendment

Text Amendment

Time Extension

Single Family – No Site Plan
Single Family
Other

FY 23-24 Community Development Planning Fee Schedule

PLANNING (cont.)

		<u>FY 22-23</u>	<u>FY 23-24</u>	
Zone Change				
2,660.00	\$	4,346.00	\$	4,665.00
	\$	747.00	\$	801.00
	\$	2,171.00	\$	2,330.00
				Change of Zone
				Conditional Zone Agreement
				Amendment to Conditional Zone Agreement
<u>OTHER ADMINISTRATIVE FEES</u>				
Copies (per page) - Citywide Fee				
0.20	\$	0.20	\$	0.20
				Single-sided
0.25	\$	0.25	\$	0.25
				Double-sided
	\$	0.25	\$	0.25
				Legal
	\$	0.30	\$	0.30
				Legal double-sided
1.00	\$	1.00	\$	1.00
				Color Letter/Legal Size
2.00	\$	2.00	\$	2.00
				Color 11X17
5.00	\$	5.00	\$	5.00
				Black and White 24 X 36
0.53	\$	1.00	\$	1.00
				Micro fiche
Documents				
25.00	\$	38.00	\$	40.00
				Zoning Verification Letters & Burn Letters
53.00	\$	80.00	\$	85.00
				300' Radius Map and Labels
Special Services Fee/Inspections				
Direct Rate (Salary& Benefits) and Indirect Rate				